



New South Wales

Western Sydney Parklands Bill 2006

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are:

- (a) to establish the Western Sydney Parklands, and
- (b) to establish the Western Sydney Parklands Trust (*the Trust*) as a NSW Government agency, and
- (c) to set out its objectives and functions, which are principally to develop the Western Sydney Parklands into a multi-use urban parkland for the region of Western Sydney and to maintain and improve the Parklands on an ongoing basis, and
- (d) to enable the Governor to transfer to the Trust specified property of a government agency by order published in the Gazette.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 defines certain words and expressions used in the proposed Act. In particular, the term **government agency** is defined to mean a public authority constituted by or under an Act, a NSW Government agency and a Division of the Government Service (but does not include a State owned corporation or any person or body exempted by the regulations) and **land of a government agency** is defined to mean land (including an interest in land) vested in the government agency, or vested in the Crown or Her Majesty and controlled by the government agency (including vacant Crown land).

Part 2 Constitution and management of Trust

Clause 4 provides for the constitution of the Trust as a corporation.

Clause 5 states that the Trust is a NSW Government agency.

Clause 6 provides that the Trust is subject to the direction and control of the Minister.

Clause 7 establishes a Board of the Trust consisting of the Director of the Trust, the Director-General of the Department of Planning (or his or her nominee), the Director-General of the Department of Environment and Conservation (or his or her nominee) and not more than 5 other persons appointed by the Minister.

Clause 8 provides that the Director of the Trust is responsible for the management of the affairs of the Trust.

Clause 9 enables the Board or the Trust to establish advisory committees.

Clause 10 enables the Trust to delegate its functions to certain persons.

Clause 11 enables the Trust to exercise its functions through subsidiaries, or in a partnership, joint venture or other association with other persons or bodies.

Part 3 Functions of Trust

Clause 12 sets out the principal functions of the Trust, including to develop the Parklands into a multi-use urban parkland for the region of Western Sydney and to maintain and improve the Parklands on an ongoing basis.

Clause 13 enables a government agency and the Trust to enter into an agreement for one of those bodies to manage, maintain, improve or develop the land of the other.

Clause 14 requires the Trust to arrange for any of its services to be provided, or any of its functions to be undertaken, by a person or body other than its staff if the Minister directs.

Clause 15 enables the Trust to acquire land by compulsory acquisition in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.

Clause 16 prevents the Trust from selling, exchanging or otherwise disposing of Trust land within the Parklands (subject to proposed section 18) and requires the

Trust to obtain the Minister's consent for a long-term lease or licence in relation to Trust land within the Parklands. The proposed section sets out the criteria for the granting of the Minister's consent to certain long-term leases or licences of Trust land within the Parklands. The clause also requires the Trust to maintain a register of land that is vested in it or managed by it.

Clause 17 enables the Trust, with the consent of the Minister, to deal with Trust land for the purposes of biodiversity banking schemes, carbon sequestration and greenhouse gas abatement schemes. The proposed section sets out the criteria for the granting of the Minister's consent.

Clause 18 enables the Trust to dedicate land for a public purpose or as a public road.

Clause 19 requires the consent of the Trust to the provision, opening, dedication, closing or realignment of roads within the Parklands.

Clause 20 enables the Trust to acquire property by gift, devise or bequest.

Clause 21 enables the Trust, with the Minister's approval, to form and acquire interests in private corporations or to dispose of such interests.

Part 4 Western Sydney Parklands

Division 1 Western Sydney Parklands

Clause 22 provides that the land comprising the Parklands is specified in proposed Schedule 2 and enables that Schedule to be amended by regulation.

Division 2 Plan of management for Parklands

Clause 23 requires the Trust to prepare a plan of management for the Parklands.

Division 3 Precincts and precinct plans

Clause 24 enables the Trust to divide the Parklands into precincts and sub-precincts.

Clause 25 enables the Trust to prepare a precinct plan for each precinct.

Division 4 Procedure for preparation and adoption of plan of management and precinct plans

Clause 26 requires the Trust to consult with government agencies that own land within the Parklands or a precinct or sub-precinct of the Parklands when preparing the plan of management or precinct plans.

Clause 27 provides for the adoption of plans of management, precinct plans and amendments of such plans by the Minister.

Clause 28 requires the Trust to review the plan of management and each precinct plan at least once every 7 years.

Division 5 Other provisions relating to management of Parklands

Clause 29 enables the Trust to use Trust land for the purposes of a cemetery or crematorium in accordance with a precinct plan applying to the land.

Clause 30 requires the Trust to exercise its functions in accordance with the plan of management, and the Trust and each government agency that owns land within a precinct to give effect to the provisions of the relevant precinct plan as far as possible. The proposed section also requires the Minister responsible for a government agency to consult with the Minister before the government agency disposes of land that it owns within the Parklands.

Clause 31 provides for the Western Sydney Regional Park, currently reserved as a regional park under the *National Parks and Wildlife Act 1974*, to continue to be reserved and managed under that Act by the Trust. At present, that Park is managed by the Director-General of the Department of Environment and Conservation.

Clause 32 provides that the proposed Division does not authorise the use or development of the Parklands in contravention of the provisions of any other Act or law.

Division 6 Transfer of land to Trust

Clause 33 contains definitions used in the proposed Division.

Clause 34 provides for the transfer to the Trust of the property described in proposed Schedule 3. Unless otherwise specified in the proposed Schedule, the property is transferred subject to any existing trusts, interests, conditions and other restrictions. On transfer, the rights and liabilities of the previous owner of the property become the rights and liabilities of the Trust.

Clause 35 enables the Governor, by order published in the Gazette, to insert the description of any property of a government agency in proposed Schedule 3 if it is within the Parklands. The effect of such an order is to transfer the property to the Trust.

Clause 36 sets out the effect of a transfer of property under the proposed Division, including, for example, that it does not constitute a breach of contract.

Clause 37 enables the Trust to administer certain leases, licences and other authorisations applying to land within the Parklands that is transferred to the Trust.

Clause 38 provides that State taxes are not payable in relation to the transfer of land under the proposed Division and associated transactions.

Part 5 Finance

Clause 39 requires the Western Sydney Parklands Fund to be established in the Special Deposits Account and provides for money to be paid into and out of the account. The proposed section enables money to be paid out of the Fund established

under section 94EJ of the *Environmental Planning and Assessment Act 1979* and into the Western Sydney Parklands Fund.

Clause 40 enables the Minister to direct the Trust to pay certain amounts received from its operations to the Development Fund created for the Sydney Region under section 129 of the *Environmental Planning and Assessment Act 1979*.

Clause 41 provides for the financial year of the Trust.

Clause 42 provides for the investment powers of the Trust.

Part 6 Miscellaneous

Clause 43 enables disputes under the Act between Ministers administering government agencies and the Minister or the Trust to be settled by the Premier.

Clause 44 provides that the Director of the Trust, members of the Board of the Trust or a committee and certain persons acting under the direction of the Trust or the Board not to be personally liable for things done in good faith for the purposes of executing the proposed Act.

Clause 45 provides for the custody and affixing of the seal of the Trust.

Clause 46 provides for the recovery of money owed to the Trust.

Clause 47 enables the Trust to appoint certain persons to be rangers.

Clause 48 enables the regulations to prescribe offences under the proposed Act for which penalty notices may be issued.

Clause 49 deals with proceedings for offences under the proposed Act.

Clause 50 enables the Governor to make regulations for the purposes of the proposed Act.

Clause 51 is a formal provision that gives effect to the savings, transitional and other provisions set out in Schedule 4.

Clause 52 is a formal provision that gives effect to the amendments to the Acts and instruments set out in Schedule 5.

Clause 53 provides for the review of the proposed Act in 5 years.

Schedule 1 Members and procedure of Board

Schedule 1 contains provisions relating to the members and procedure of the Board of the Trust, including the term of office of members and the procedure for meetings of the Board.

Schedule 2 Western Sydney Parklands

Schedule 2 specifies the land that comprises the Parklands.

Schedule 3 Land transferred to Trust

Schedule 3 specifies the land to be transferred to the Trust under proposed Division 6 of Part 4.

Schedule 4 Savings, transitional and other provisions

Schedule 4 contains savings, transitional and other provisions consequent on the enactment of the proposed Act.

Schedule 5 Amendment of Acts and instruments

Schedule 5 contains consequential amendments to the Acts and instruments specified in the Schedule.



New South Wales

Western Sydney Parklands Bill 2006

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Western Sydney Parklands Bill 2006

No , 2006

A Bill for

An Act to establish the Western Sydney Parklands, to constitute the Western Sydney Parklands Trust with functions in relation to the management of the Parklands and to provide for the addition of land to the Parklands and for the management of the Parklands; and for other purposes.

The Legislature of New South Wales enacts:

Part 1 Preliminary

1 Name of Act

This Act is the *Western Sydney Parklands Act 2006*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Definitions

(1) In this Act:

Board means the Board of the Trust established under section 7.

Director means the Director of the Trust holding office as such under Chapter 1A of the *Public Sector Employment and Management Act 2002*.

exercise a function includes perform a duty.

function includes a power, authority or duty.

Fund means the Western Sydney Parklands Fund established under section 38.

government agency means any of the following:

- (a) a public authority constituted by or under an Act,
- (b) a NSW Government agency,
- (c) a Division of the Government Service,
- (d) a local authority,

but does not include the Trust, a State owned corporation or any person or body exempted by the regulations from this definition.

land of a government agency means land vested in or owned by the government agency or land vested in or owned by the Crown or Her Majesty and controlled by the government agency (including vacant Crown land).

local authority means a council or county council within the meaning of the *Local Government Act 1993*.

member of staff of the Trust means a person employed under Chapter 1A of the *Public Sector Employment and Management Act 2002* in a Division of the Government Service to enable the Trust to exercise its functions.

Parklands means the lands comprising the Western Sydney Parklands as referred to in section 22.

plan of management means the plan of management for the Parklands prepared and adopted for the time being under Part 4, including any amendments adopted under that Part.

precinct means a precinct created under Division 3 of Part 4.

precinct plan means a precinct plan for a precinct of the Parklands prepared and adopted for the time being under Part 4, including any amendments adopted under that Part.

ranger means a person appointed as a ranger under section 47.

Sydney Region Development Fund means the Development Fund created under section 129 of the *Environmental Planning and Assessment Act 1979* for the Sydney Region.

Trust means the Western Sydney Parklands Trust constituted under section 4.

Trust land means land vested in or owned by the Trust.

- (2) In this Act, a reference to a precinct includes a reference to a sub-precinct.
- (3) Notes included in this Act do not form part of this Act.

Part 2	Constitution and management of Trust	1
4	Constitution of Trust	2
	There is constituted by this Act a corporation with the corporate name of the Western Sydney Parklands Trust.	3 4
5	Status of Trust	5
	The Trust is a NSW Government agency.	6
6	Ministerial control	7
	The Trust is subject to the control and direction of the Minister in the exercise of its functions.	8 9
7	Trust Board	10
	(1) There is to be a Board of the Trust.	11
	(2) The Board is to consist of the following members:	12
	(a) the Director,	13
	(b) the Director-General of the Department of Planning or his or her nominee,	14 15
	(c) the Director-General of the Department of Environment and Conservation or his or her nominee,	16 17
	(d) not more than 5 other persons, appointed by the Minister.	18
	(3) One of the members of the Board appointed under subsection (2) (d) is, by the instrument of his or her appointment as a member or by a subsequent instrument executed by the Minister, to be appointed as the Chairperson of the Board.	19 20 21 22
	(4) When appointing persons as members of the Board, the Minister is to ensure that at least one of the members has suitable financial and property management skills.	23 24 25
	(5) Schedule 1 has effect with respect to the Board.	26
8	Director of Trust	27
	(1) The Director is responsible for the day-to-day management of the affairs of the Trust in accordance with the specific policies and general directions of the Board.	28 29 30
	(2) Any act, matter or thing done in the name of, or on behalf of, the Trust by the Director is taken to have been done by the Trust.	31 32

9	Advisory committees	1
(1)	The Board or Trust may establish advisory committees to assist it in the exercise of its functions or for the purposes of public consultation.	2 3
(2)	Any or all of the members of an advisory committee may be persons who are not members of the Board.	4 5
(3)	The procedure for the calling of meetings of an advisory committee and for the conduct of business at those meetings is to be as determined by the body that established the committee or (subject to any determination of that body) by the committee.	6 7 8 9
10	Delegation of Trust's functions	10
(1)	The Trust may delegate to an authorised person any of its functions, other than this power of delegation.	11 12
(2)	A delegate may sub-delegate to an authorised person any function delegated by the Trust if the delegate is authorised in writing to do so by the Trust.	13 14 15
(3)	In this section, <i>authorised person</i> means:	16
(a)	a member of the Board, or	17
(b)	a member of staff of the Trust, or	18
(c)	a government agency or member of staff of a government agency, or	19 20
(d)	a person, or committee of persons, of a class approved by the Minister or prescribed by the regulations.	21 22
11	Exercise of functions through private subsidiaries, joint ventures etc	23
	Any function of the Trust may be exercised:	24
(a)	by the Trust itself, or	25
(b)	by a private subsidiary corporation (within the meaning of section 21), or	26 27
(c)	by the Trust or such a private subsidiary corporation, or both, in a partnership, joint venture or other association with other persons or bodies.	28 29 30

Part 3 Functions of Trust

12 Functions—generally

- (1) The principal function of the Trust is to develop the Parklands into a multi-use urban parkland for the region of Western Sydney and to maintain and improve the Parklands on an ongoing basis.
- (2) The Trust also has the following functions:
 - (a) to conserve, restore and enhance the natural environment of the Parklands, including through the protection of remnant bushland and the restoration of vegetation or revegetation,
 - (b) to conserve, restore and enhance the cultural and historical heritage of the Parklands, including its indigenous heritage and its scenic qualities,
 - (c) to provide or facilitate the provision of a diverse range of recreational, entertainment and tourist facilities and opportunities in the Parklands, such as major sporting facilities, private amusement and recreational attractions and accommodation,
 - (d) to cater, at a regional level, for a diverse range of community interests, organisations and groups, including through the provision of facilities such as multi-use community halls,
 - (e) to facilitate the use of the Parklands to meet community health needs and provide opportunities for, and encourage, activities that promote health and well-being in the community,
 - (f) to encourage and promote public access to and use and enjoyment of the Parklands where appropriate,
 - (g) to facilitate and promote the use of the Parklands for education and research (such as scientific research), including the provision of facilities for these purposes (such as camping facilities, learning centres and accommodation),
 - (h) to ensure that government agencies and State owned corporations continue to have access to major service infrastructure within the Parklands,
 - (i) to maintain the rural character of parts of the Parklands by allowing sustainable agriculture, horticulture or forestry in the Parklands,
 - (j) to undertake or provide, or facilitate the undertaking or provision of, commercial, retail and transport activities and facilities in or in relation to the Parklands with the object of supporting the viability of the management of the Parklands.

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| (3) | The Trust may do all such supplemental, incidental or consequential acts as may be necessary or expedient for the exercise of its functions, including, for example, merchandising or the sale of the Trust's expertise in relation to any matter for the purpose of raising funds for its operations. | 1
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| (4) | The Trust cannot, however, employ any staff.
Note. Staff may be employed under Chapter 1A of the <i>Public Sector Employment and Management Act 2002</i> in the Government Service to enable the Trust to exercise its functions. | 6
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| (5) | In carrying out its functions, the Trust is to have regard to the principles of sustainable development, including ecologically sustainable development. | 10
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| (6) | The Trust may, with the consent of the Minister, exercise functions on or in relation to land outside the Parklands (including, for example, acquiring any such land). The consent of the Minister is to be given only if the Minister is satisfied that the exercise of the Trust's functions in relation to that land is consistent with the exercise of its functions in relation to the Parklands. | 13
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| (7) | The Trust has such other functions as are conferred or imposed on it by or under this or any other Act. | 19
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| 13 | Agreements for management of Trust land and other land | 21 |
| (1) | A government agency may enter into an agreement with the Trust for the Trust: | 22
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| (a) | to manage, maintain, improve or develop land of the agency, or | 24 |
| (b) | to provide services or do other things for the management, maintenance or improvement of land of the agency. | 25
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| (2) | The Trust may enter into an agreement with a government agency for the government agency: | 27
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| (a) | to manage, maintain or develop Trust land, or | 29 |
| (b) | to provide services or do other things for the management, maintenance or improvement of Trust land. | 30
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| (3) | Any functions of a government agency or member of staff of a government agency in relation to the management of land that is the subject of an agreement under this section may be delegated to the Trust, despite the provisions of any other Act. | 32
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| (4) | Any functions of the Trust or a member of staff of the Trust in relation to the management of land that is the subject of an agreement under this section may be delegated to a government agency, despite the provisions of any other Act. | 36
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(5)	The Trust may sub-delegate any function delegated to it under this section to an authorised person within the meaning of section 10, but only if the Trust is authorised in writing to do so by the delegator of the function.	1 2 3 4
(6)	If a government agency is authorised by or under any Act to use specified funds to manage, maintain or develop land, the authorisation is taken to extend to providing those funds to the Trust for the management, maintenance or development of the land in accordance with arrangements entered into under this section.	5 6 7 8 9
(7)	Without limiting section 12 of the <i>State Property Authority Act 2006</i> or this section, the Trust may enter into arrangements with the State Property Authority under that section or under this section.	10 11 12
(8)	In this section, a reference to Trust land includes a reference to land for which the Trust has care, control and management under section 31.	13 14
14	Outsourcing	15
(1)	The Trust is to arrange for any of its services to be provided, or any of its activities to be carried out, by persons or bodies other than its staff in accordance with any direction of the Minister to do so.	16 17 18
(2)	A direction given by the Minister under this section may be given in a particular case or may be given for a class of cases.	19 20
15	Acquisition of land	21
(1)	The Trust may acquire land, for the purposes of this Act, by agreement or by compulsory process in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .	22 23 24
(2)	For the purposes of the <i>Public Works Act 1912</i> , any acquisition of land under this Act is taken to be an authorised work, and the Trust is, in relation to that authorised work, taken to be the Constructing Authority.	25 26 27
(3)	Sections 34, 35, 36 and 37 of the <i>Public Works Act 1912</i> do not apply to or in respect of works constructed under this Act.	28 29
16	Dealings in relation to Trust land	30
(1)	Subject to this Act, the Trust may sell, lease, exchange or otherwise dispose of or deal with any Trust land and grant easements or rights-of-way over Trust land or any part of it.	31 32 33
(2)	Except as provided by section 18, the Trust may not sell, exchange or otherwise dispose of Trust land within the Parklands.	34 35
(3)	Except with the consent of the Minister, the Trust may not grant a long-term lease or licence over land within the Parklands.	36 37

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- (4) The Minister may consent under subsection (3) to the granting by the Trust of a long-term lease or licence for a purpose that, in the opinion of the Minister, does not provide facilities for or promote the use of the Parklands by the public, but only if the granting of consent would assist the funding of the Trust's operations, or generate revenue to be paid into the Sydney Region Development Fund, and the Minister is satisfied that the retention of control by the Trust of the land concerned is not essential:
- (a) to ensure that the Parklands act as a corridor linking core habitat (such as habitat of endangered Cumberland Plain Woodland), and
 - (b) to provide for the north and south areas of the Parklands to be linked by a circulation or access network to enable access to all parts of the Parklands that are available for recreational use, and
 - (c) to preserve the continuity of the Parklands from north to south so that they operate as a scenic break in the urban fabric of Western Sydney.
- (5) The consent of the Minister under subsection (3):
- (a) may be given in relation to particular land or a class of land or a particular disposition of or dealing with land or a class of dispositions or dealings, and
 - (b) may be subject to conditions, and
 - (c) may be amended from time to time.
- (6) The Trust must establish and maintain a register of all land that is, from time to time, Trust land or managed by the Trust.
- (7) In this section, ***long-term lease or licence*** means a lease or licence over land within the Parklands for a term that, together with the term of any further lease or licence that may be granted under an option in respect of it, exceeds 25 years.
- 17 Dealings with Trust land for biodiversity banking schemes, carbon sequestration and related purposes**
- (1) The Trust may, with the consent of the Minister, do any or all of the following:
- (a) establish or provide habitat for threatened species, populations or communities, including for the purposes of any biodiversity banking scheme or other similar scheme that involves the provision of compensatory habitat,
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- (b) establish and maintain tree plantations on Trust land (including Trust land within the Parklands) for the purposes of carbon sequestration (and any incidental purposes) and participate in any greenhouse gas emissions trading scheme, 1
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- (c) create, acquire, hold, sell or otherwise deal with or trade in carbon sequestration rights within the meaning of section 87A of the *Conveyancing Act 1919*, 5
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- (d) enter into any arrangement, give any undertaking or do any other thing for the purpose of complying with the abatement certificate scheme established under Part 8A of the *Electricity Supply Act 1995* or any other scheme intended to promote the reduction of greenhouse gas emissions, or offset greenhouse gas emissions, established by or under an Act of this State or any other State, of a Territory or the Commonwealth or of another country. 8
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- (2) The Minister may grant consent under subsection (1), but only if the granting of consent would assist the funding of the Trust's operations, or generate revenue to be paid into the Sydney Region Development Fund, and the Minister is satisfied that the granting of consent would not adversely affect the application of the following principles to the Parklands: 15
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- (a) the Parklands are to act as a corridor linking core habitat (such as habitat of endangered Cumberland Plain Woodland), 21
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- (b) the north and south areas of the Parklands are to be linked by a circulation or access network to enable access to all parts of the Parklands that are available for recreational use, 23
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- (c) the continuity of the Parklands from north to south are to be preserved so that they operate as a scenic break in the urban fabric of Western Sydney. 26
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18 Dedication of land

- (1) The Trust may, by notification published in the Gazette, declare that it proposes to surrender Trust land described or referred to in the notification to the Crown to be dedicated: 29
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- (a) for any public purpose specified in the notification, or 33
- (b) if so specified in the notification, as a public road. 34
- (2) When the land is surrendered: 35
- (a) it becomes Crown land reserved from sale, lease or licence under the *Crown Lands Act 1989*, and 36
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- (b) on revocation of the reservation, it may be dedicated under that Act for the public purpose specified in the notification or under section 12 of the *Roads Act 1993* as a public road. 38
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(3)	The Trust may, in a notification published under subsection (1), limit the description of, or reference to, land to a specified depth below the surface of the land. If the description or reference is so limited, subsection (2) does not apply to land below the specified depth.	1 2 3 4
(4)	The Trust may, by notification published in the Gazette, declare any elevated or subterranean structure owned by the Trust that continues the line of a public road to be a public road. On the publication of the notification in the Gazette, the structure, except in relation to any vesting of the structure, is taken to be a public road.	5 6 7 8 9
19	Roads	10
(1)	A road that is or would be situated in the Parklands cannot be provided, opened, dedicated, closed (within the meaning of Part 4 of the <i>Roads Act 1993</i>) or realigned by the Crown, a public authority or any person except with the consent of the Trust.	11 12 13 14
(2)	Except as provided by subsection (1), this Part does not affect the application of the <i>Roads Act 1993</i> or any other Act to any such road.	15 16
20	Acquisition of property by gift, devise or bequest	17
(1)	The Trust may acquire by gift, devise or bequest any property for the purposes of this Act and may agree to carry out the conditions of any such gift, devise or bequest.	18 19 20
(2)	The rule of law against remoteness of vesting does not apply to any condition of a gift, devise or bequest to which the Trust has agreed.	21 22
(3)	The <i>Duties Act 1997</i> does not apply to or in respect of any gift, devise or bequest made or to be made to the Trust.	23 24
21	Private subsidiary corporations etc	25
(1)	In this section: <i>private corporation</i> means a corporation within the meaning of the <i>Corporations Act 2001</i> of the Commonwealth formed in or outside New South Wales. <i>private subsidiary corporation</i> means a private corporation in which the Trust has a controlling interest.	26 27 28 29 30 31
(2)	The Trust may, subject to subsection (3):	32
(a)	form, or participate in the formation of, private corporations, and	33
(b)	acquire interests in private corporations, and	34
(c)	sell or otherwise dispose of interests in private corporations.	35

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| (3) | The Trust must not, without the approval of the Minister: | 1 |
| (a) | form, or participate in the formation of, a private subsidiary corporation, or | 2 |
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| (b) | acquire an interest in a private corporation so that, as a result of the acquisition, the corporation becomes a private subsidiary corporation, or | 4 |
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| (c) | sell or otherwise dispose of any interest in a private subsidiary corporation so that, as a result of the sale or disposal, it ceases to be a private subsidiary corporation. | 7 |
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| (4) | A private subsidiary corporation is not a NSW Government agency. | 10 |
| (5) | Nothing in this section affects the operation of the <i>Public Authorities (Financial Arrangements) Act 1987</i> . | 11 |
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Part 4 Western Sydney Parklands

Division 1 Western Sydney Parklands

22 Land comprising the Western Sydney Parklands

- (1) The Western Sydney Parklands comprises the land described in Schedule 2 or shown on a map or maps in Schedule 2.
- (2) Without limiting the ways in which land may be described for the purposes of subsection (1), land may be described by reference to a map or maps deposited in a specified place.
- (3) The regulations may amend Schedule 2 by altering, substituting or omitting any description of land in the Schedule or by substituting or omitting any map in the Schedule.
- (4) Land may be included within the Parklands even if it is not contiguous with other land within the Parklands.
- (5) Despite the other provisions of this section, land does not form part of the Parklands unless the land is Trust land or land of a government agency.

Division 2 Plan of management for Parklands

23 Plan of management

- (1) The Trust is to prepare and maintain a plan of management for the Parklands.
- (2) The plan of management is to:
 - (a) set out how the Trust proposes to exercise its functions in relation to the Parklands and the key issues for the Trust in doing so, and
 - (b) identify the priorities of the Trust in exercising its functions having regard to the resources available to it, and
 - (c) identify matters that are significant to the Parklands as a whole, including the following:
 - (i) business and communication matters,
 - (ii) proposals for income-earning activities,
 - (iii) the establishment and maintenance of an ecological network made up of both land within and in the vicinity of the Parklands, including wildlife and habitat corridors,
 - (iv) the creation of an access and circulation network for the Parklands allowing both vehicular and pedestrian access to the Parklands and providing for internal circulation.

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| (3) | The Trust may prepare an amendment to the plan of management or a replacement plan of management. | 1
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| (4) | The plan of management or amendment of the plan of management has no effect unless it is adopted by the Minister under section 27. | 3
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Division 3 Precincts and precinct plans 5

24 Precincts 6

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| (1) | The Trust may divide the Parklands into precincts having regard to the landscape characteristics, existing land uses and ownership of the land concerned. | 7
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| (2) | The Trust may abolish one or more precincts or change the boundaries of a precinct. | 10
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| (3) | The Trust may name or rename a precinct. | 12 |

25 Preparation, maintenance and content of precinct plans 13

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| (1) | The Trust may prepare and maintain a precinct plan for each precinct. | 14 |
| (2) | A precinct plan may include provisions relating to the following in respect of the precinct concerned: | 15
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| (a) | the desired future character or role of the precinct within the Parklands (for example, whether it is to be natural bushland with low impact recreational activities or be made available for active or commercial sports such as motor sports), | 17
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| (b) | the land uses proposed for the precinct, including any new facilities or buildings planned for the precinct, and details of the proposed purpose, location and extent of any such facilities and buildings, | 21
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| (c) | the identification (in general terms) of any proposed leases, licences or other interests to be granted in respect of land within the precinct and any proposed management arrangements for such land, | 25
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| (d) | specification of any proposals to enhance the natural environment of the precinct and its role in an ecological network comprising both land within and in the vicinity of the Parklands (for example, identification of existing or proposed wildlife or habitat corridors within the precinct), | 29
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| (e) | a description of existing and proposed points of access to the precinct and how the precinct is linked to the access or circulation network for the Parklands as a whole, | 34
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(f)	the identification of any proposed programs or activities for the precinct, including any marketing program to promote use of any land or facilities within the precinct,	1 2 3
(g)	the identification of any other issues that are relevant to the precinct.	4 5
(3)	The Trust may prepare an amendment to a precinct plan or a replacement precinct plan.	6 7
(4)	A precinct plan or amendment of a precinct plan has no effect unless it is adopted by the Minister under section 27.	8 9
Division 4	Procedure for preparation and adoption of plan of management and precinct plans	10 11
26	Consultation with government agencies	12
(1)	When preparing a plan of management, or an amendment to a plan of management, the Trust is to consult with each government agency that owns or manages, or is intended to manage, any land within the Parklands and is, in particular, to have regard to any statutory functions of the agency in relation to the land.	13 14 15 16 17
(2)	When preparing a precinct plan, or an amendment to a precinct plan, the Trust is to consult with each government agency that owns or manages, or is intended to manage, any land within the precinct concerned and is, in particular, to have regard to any statutory functions of the agency in relation to the land.	18 19 20 21 22
27	Adoption of plan of management, precinct plans and amendments	23
(1)	The Trust is to submit a plan of management, precinct plan or amendment of such a plan to the Minister, together with a report that includes a summary of the results of any consultation that has been undertaken with any other government agency.	24 25 26 27
(2)	The Minister may:	28
(a)	adopt the plan of management, precinct plan or amendment, without alteration or with such alterations as the Minister thinks fit, or	29 30 31
(b)	refer the plan of management, precinct plan or amendment back to the Trust for further consideration.	32 33
(3)	The Minister is to make the plan of management and each precinct plan publicly available.	34 35

28	Review of plan of management and precinct plans	1
(1)	The Trust is to review the plan of management and each precinct plan at least once every 7 years after the plan was adopted by the Minister.	2 3
(2)	The Minister is to have regard to any recommendations of the Trust and any public submissions made in relation to the plan of management or a precinct plan from time to time and may direct the Trust to prepare an amendment to the plan of management or a precinct plan, or a replacement plan.	4 5 6 7 8
Division 5	Other provisions relating to management of Parklands	9 10
29	Management of cemeteries and crematoriums	11
(1)	The Trust may, in accordance with a precinct plan, use or permit the use of a part of the Trust land for the purposes of a cemetery or crematorium, or both.	12 13 14
(2)	The provisions of the <i>Crown Lands Act 1989</i> and the regulations under that Act relating to cemeteries and crematoriums apply to Trust land used for those purposes in the same way as it applies to Crown land reserved under that Act for those purposes and those provisions apply:	15 16 17 18
(a)	as if a reference to a reserve trust were a reference to the Trust, and	19 20
(b)	with such other modifications as may be prescribed by the regulations.	21 22
30	Responsibilities of the Trust and government agencies in relation to Parklands	23 24
(1)	The Trust is, as far as possible, to exercise its functions in accordance with the plan of management and to give effect to the provisions of each precinct plan.	25 26 27
(2)	Each government agency that owns or manages any land within a precinct:	28 29
(a)	is, as far as possible, to manage, use and develop the land in accordance with the relevant provisions of the precinct plan, and	30 31
(b)	may exercise, to the extent necessary to comply with paragraph (a), any function that the Trust may exercise in relation to land within the Parklands.	32 33 34
(3)	This section does not authorise the exercise of a function by the Trust or a government agency that would conflict with the exercise of its functions under any other Act.	35 36 37

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- (4) Land of a government agency comprising part of the Parklands must not be sold, leased, exchanged or otherwise disposed of unless:
- (a) where the government agency concerned is not a local authority—the Minister responsible for the government agency has consulted with the Minister administering this Act, or
 - (b) where the government agency concerned is a local authority—the local authority has consulted with the Minister administering this Act.
- (5) However, consultation is not required under subsection (4) in relation to a lease or licence for a term that, together with the term of any further lease or licence that may be granted under an option in respect of it, does not exceed 25 years.
- (6) A failure by a Minister responsible for a government agency, or a government agency, to comply with a provision of this section in relation to land of the government agency does not invalidate any action of the government agency in relation to the land.

31 Management of Western Sydney Regional Park

- (1) In this section, *Western Sydney Regional Park* means the land reserved under the *National Parks and Wildlife Act 1974* as Western Sydney Regional Park, including any additional land reserved under that Act as part of that Park after the commencement of this section.
- (2) On and from the commencement of this section, the Trust:
- (a) has the care, control and management of the Western Sydney Regional Park under the *National Parks and Wildlife Act 1974* instead of the Director-General, and
 - (b) has all the functions under that Act in relation to the Western Sydney Regional Park that the Director-General has in relation to regional parks for which the Director-General has the care, control and management, and
 - (c) to the extent that it has the care, control and management of the Western Sydney Regional Park under the *National Parks and Wildlife Act 1974*, is subject to the control and direction of the Minister administering that Act.
- (3) Despite section 138 of the *National Parks and Wildlife Act 1974*, any money received by the Trust in relation to the Western Sydney Regional Park, including money received by the Trust from leases, licences, permits or occupancies or fees and charges, is to be paid into the Western Sydney Parklands Fund established under section 39.

(4)	A reference in:	1
(a)	section 139 (2) (a) of the <i>National Parks and Wildlife Act 1974</i> to the Director-General is taken to include a reference to the Trust in the exercise or performance of its powers, authorities, duties and functions under that Act in relation to the Western Sydney Regional Park, and	2 3 4 5 6
(b)	section 177 to the Director-General is taken to include a reference to the Trust in relation to its care, control and management under that Act of the Western Sydney Regional Park.	7 8 9
(5)	Any thing done or entered into by the Director-General in connection with the Western Sydney Regional Park is taken to have been done or entered into by the Trust.	10 11 12
(6)	For the avoidance of doubt, land comprising the whole or any part of the Western Sydney Regional Park may not be transferred to the Trust under Division 6.	13 14 15
(7)	The regulations may provide that a reference in any provision of the <i>National Parks and Wildlife Act 1974</i> , or the regulations under that Act, to the Director-General, an officer of the Department of Environment and Conservation or a ranger, in connection with the application of the provision to the Western Sydney Regional Park, is taken to be or include a reference to the Trust, a member of staff of the Trust or a ranger appointed under section 47 of this Act.	16 17 18 19 20 21 22
(8)	In this section, <i>the Director-General</i> means the Director-General of the Department of Environment and Conservation.	23 24
32	Application of other laws	25
	This Division does not authorise the use or development of any part of the Parklands in contravention of a provision of any other Act or law.	26 27

Division 6 Transfer of land to Trust

33 Definitions

In this Division:

transfer date means:

- (a) in relation to land described in an item of Schedule 3 on the enactment of this Act—the date of commencement of that item, or
- (b) in relation to land included in Schedule 3 by order under section 35—the date of publication of the order in the Gazette or a later date specified in the order in respect of the land, or
- (c) in relation to land included in Schedule 3 by an amendment made by an Act—the date on which the amendment takes effect.

transferor, in relation to land, means the person or body in whom or which the land was vested immediately before the transfer date.

34 Transfer of land described in Schedule 3 to Trust

- (1) On the transfer date relating to land described in Schedule 3, the land vests in the Trust for an estate in fee simple:
 - (a) without the need for any further conveyance, transfer, assignment or assurance, and
 - (b) subject to any trusts, estates, interests, dedications, conditions, restrictions and covenants to which the land was subject immediately before the transfer date.
- (2) On the transfer date relating to land described in Schedule 3, the following provisions have effect:
 - (a) the rights or liabilities of the transferor in relation to the land become by virtue of this section the rights or liabilities of the Trust,
 - (b) all proceedings relating to the land commenced before the transfer date by or against the transferor or a predecessor of the transferor and pending immediately before the transfer date are taken to be proceedings pending by or against the Trust,
 - (c) any act, matter or thing done or omitted to be done in relation to the land before the transfer date by, to or in respect of the transferor is (to the extent to which that act, matter or thing has any force or effect) taken to have been done or omitted by, to or in respect of the Trust,

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- (d) a reference in any Act, in any instrument made under any Act or in any document of any kind to the transferor or a predecessor of the transferor is (to the extent that it relates to that land or those rights or liabilities but subject to the regulations), to be read as, or as including, a reference to the Trust. 1
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- (3) Regulations may be made for or with respect to the conversion of references to the transferor in any document or class of document to references to the Trust as a consequence of any transfer of land under this Division. 6
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- 35 Transfer of additional land to Trust—amendment of Schedule 3** 10
- (1) The Governor may, by order published in the Gazette, amend Schedule 3 by inserting the description of any land. 11
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- (2) Land is authorised to be included in Schedule 3 by order under this section only if: 13
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- (a) it is land of a government agency (including vacant Crown land), and 15
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- (b) the appropriate consent has been obtained to the land being included in the order. 17
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- (3) For the purposes of subsection (2), the appropriate consent is: 19
- (a) where the government agency concerned is not a local authority—the consent of the Minister responsible for the government agency, or 20
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- (b) where the government agency concerned is a local authority—the consent of the local authority. 23
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- (4) Subject to section 34 (1) (b), this section does not prevent land, the fee simple in which is vested in Her Majesty, the Crown or a government agency, or vacant Crown land, from being transferred by order under this section even if the land is subject to other interests. 25
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- (5) Subject to the other provisions of this section, land may be transferred by order under this section despite any requirement of any other Act or law that relates to dealing with or disposing of the land. 29
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- 36 Effect of transfer of land under this Division** 32
- (1) No compensation is payable to any person or body in connection with the operation of this Division. 33
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- (2) The operation of this Division is not to be regarded: 35
- (a) as a breach of contract or confidence or otherwise as a civil wrong, or 36
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| <ul style="list-style-type: none"> (b) as a breach of any contractual provision prohibiting, restricting or regulating the assignment or transfer of assets, rights or liabilities, or (c) as giving rise to any remedy by a party to an instrument, or as causing or permitting the termination of any instrument, because of a change in the beneficial or legal ownership of any asset, right or liability. <ul style="list-style-type: none"> (3) The operation of this Division is not to be regarded as an event of default under any contract or other instrument. (4) No attornment to the Trust by a lessee from a transferor is required. (5) The reservation or dedication of any land under the <i>National Parks and Wildlife Act 1974</i> or the <i>Crown Lands Act 1989</i> is revoked on the inclusion of a description of the land in Schedule 3. | 1
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- 37 Administration of certain existing leases and similar interests**
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| <ul style="list-style-type: none"> (1) In this section, <i>existing interest</i> means: <ul style="list-style-type: none"> (a) a lease, licence, permit, authority, authorisation or occupancy in respect of land referred to in Schedule 3 that was granted under the <i>National Parks and Wildlife Act 1974</i>, the <i>Crown Lands Act 1989</i> or a perpetual lease, special lease or term lease within the meaning of the <i>Crown Lands (Continued Tenures) Act 1989</i> (or rights or interests arising under an incomplete purchase within the meaning of that Act), and (b) was current and in force immediately before the transfer date. (2) Despite any other provision of this Part, the administration of matters relating to existing interests is vested in the Trust and for that purpose the Trust has: <ul style="list-style-type: none"> (a) in respect of existing interests under the <i>National Parks and Wildlife Act 1974</i>—the powers of the Minister administering that Act or the Director-General of the Department of Environment and Conservation, and (b) in respect of existing interests under the <i>Crown Lands Act 1989</i>—the powers of the Minister administering that Act, and (c) in respect of existing interests under the <i>Crown Lands (Continued Tenures) Act 1989</i>—the powers of the Minister administering that Act. | 14
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Clause 38 Western Sydney Parklands Bill 2006

Part 4 Western Sydney Parklands

38 State taxes not chargeable

State tax is not chargeable in respect of:

- (a) a transfer of land under this Division, or
- (b) anything certified by the Minister as having been done in
consequence of such a transfer.

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Part 5 Finance

39 Western Sydney Parklands Fund

- (1) There is to be established in the Special Deposits Account a Western Sydney Parklands Fund into which is to be paid:
 - (a) all money advanced to the Trust by the Treasurer or appropriated by Parliament for the purposes of the Trust, and
 - (b) all money directed or authorised to be paid into the Fund by or under this or any other Act, and
 - (c) the proceeds of the investment of money in the Fund, and
 - (d) all money received by the Trust from any other source.
- (2) The Fund is to be applied for the purpose of enabling the Trust to exercise its functions, either itself or by other means authorised by section 11 or 13.
- (3) All expenditure incurred by the Trust is to be paid from the Fund.
- (4) Despite any provision of Division 6 of Part 4 of the *Environmental Planning and Assessment Act 1979*, payments may be made out of the Fund established under section 94EJ of that Act into the Fund established under this section.

40 Payments to Sydney Region Development Fund

Despite section 38, the Trust is to pay into the Sydney Region Development Fund such amounts, as the Minister directs, that the Trust receives from leasing and other aspects of its operations.

41 Financial year

- (1) The financial year of the Trust is the year commencing on 1 July.
- (2) A different financial year may be determined by the Treasurer under section 4 (1A) of the *Public Finance and Audit Act 1983*.

42 Investment of money in Fund

The Trust may invest money in the Fund:

- (a) in the manner authorised by the *Public Authorities (Financial Arrangements) Act 1987*, or
- (b) if that Act does not confer power on the Trust to invest the money, in any other manner approved by the Minister with the concurrence of the Treasurer.

Part 6 Miscellaneous

43 Resolution of disputes

- (1) Any dispute arising under this Act between a Minister administering a government agency and the Minister administering this Act or the Trust may be resolved by the Premier.
- (2) A Minister, government agency or the Trust must comply with any direction arising out of the resolution of a dispute under this section.

44 Exclusion of personal liability

Anything done or omitted to be done by:

- (a) the Director or a person acting under the direction of the Director, or
- (b) a member of the Board or a person acting under the direction of the Board or a member of the Board, or
- (c) a committee established by the Trust or the Board, a member of such a committee or a person acting under the direction of any such committee or member of a committee,

does not subject the Director, member of the Board or of the committee, or person so acting, personally to any action, liability, claim or demand if the thing was done, or omitted to be done, in good faith for the purpose of executing this Act.

45 Seal of Trust

The seal of the Trust is to be kept by the Director, or by a member of staff of the Trust authorised in that behalf by the Director, and may be fixed to a document only:

- (a) in the presence of the Director or that member of staff, and
- (b) with an attestation by the signature of the Director or that member of staff of the fact of the fixing of the seal.

46 Recovery of fees and charges

Any charge, fee or money due to the Trust under this Act is recoverable by the Trust in a court of competent jurisdiction as a debt due to the Crown.

47 Rangers

- (1) The Trust may appoint a person employed under Chapter 1A of the *Public Sector Employment and Management Act 2002* in the Government Service, or a person of a class prescribed by the regulations, to be a ranger for the purposes of this Act.

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| (2) | A ranger may exercise such functions as are conferred on a ranger by this Act or the regulations. | 1
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| (3) | The Trust is to provide each ranger with an identification card. | 3 |
| (4) | An identification card is a card that: | 4 |
| | (a) states that it is issued under this Act, and | 5 |
| | (b) gives the name of the person to whom it is issued, and | 6 |
| | (c) describes the nature of the powers conferred, and | 7 |
| | (d) states the date (if any) on which it expires, and | 8 |
| | (e) is signed by the Director. | 9 |
| (5) | In the course of exercising the functions of a ranger under this Act, the ranger must, if requested to do so by a person affected by the exercise of any such function, produce the ranger's identification card to the person. | 10
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| 48 | Penalty notices | 14 |
| (1) | A ranger may serve a penalty notice on a person if it appears to the ranger that the person has committed an offence against the regulations, being an offence prescribed by the regulations as a penalty notice offence. | 15
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| (2) | A penalty notice is a notice to the effect that, if the person served does not wish to have the matter determined by a court, the person can pay, within the time and to the person specified in the notice, the amount of penalty prescribed by the regulations for the offence if dealt with under this section. | 19
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| (3) | A penalty notice may be served personally or by post. | 24 |
| (4) | If the amount of penalty prescribed for an alleged offence is paid under this section, no person is liable to any further proceedings for the alleged offence. | 25
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| (5) | Payment under this section is not to be regarded as an admission of liability for the purpose of, and does not in any way affect or prejudice, any civil claim, action or proceeding arising out of the same occurrence. | 28
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| (6) | The regulations may: | 31 |
| | (a) prescribe an offence for the purposes of this section by specifying the offence or by referring to the provision creating the offence, and | 32
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| | (b) prescribe the amount of penalty payable for the offence if dealt with under this section, and | 35
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(c)	prescribe different amounts of penalties for different offences or classes of offences.	1 2
(7)	The amount of a penalty prescribed under this section for an offence is not to exceed the maximum amount of penalty that could be imposed for the offence by a court.	3 4 5
(8)	This section does not limit the operation of any other provision of, or made under, this or any other Act relating to proceedings that may be taken in respect of offences.	6 7 8
49	Nature of proceedings for offences	9
	Proceedings for an offence against the regulations may be dealt with summarily before a Local Court.	10 11
50	Regulations	12
(1)	The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.	13 14 15 16
(2)	In particular, regulations may be made for or with respect to the following:	17 18
(a)	the fees and charges that may be imposed for the purposes of this Act,	19 20
(b)	regulating the use by the public of, and the conduct of the public on, the Parklands,	21 22
(c)	regulating the use of facilities of the Trust and the provision of services by the Trust,	23 24
(d)	requiring the payment of fares or other charges for the use of any facility operated or service provided by the Trust,	25 26
(e)	authorising a person granted a lease, licence or other authority by the Trust to require the payment of fares or other charges for the use of any facility operated or service provided under the lease, licence or other authority,	27 28 29 30
(f)	conferring on the Trust any function that may be exercised by a council in relation to a public place.	31 32
(3)	The regulations may create an offence punishable by a maximum penalty of 50 penalty units.	33 34
51	Savings, transitional and other provisions	35
	Schedule 4 has effect.	36

52	Amendment of other Acts and instruments	1
	The Acts and instruments specified in Schedule 5 are amended as set out in that Schedule.	2 3
53	Review of Act	4
(1)	The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.	5 6 7
(2)	The review is to be undertaken as soon as possible after the period of 5 years from the date of assent to this Act.	8 9
(3)	A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 5 years.	10 11

Schedule 1	Members and procedure of Board	1
	(Section 7 (5))	2
Part 1	General	3
1	Definitions	4
	In this Schedule:	5
	<i>appointed member</i> means a person who is appointed by the Minister as a member of the Board.	6
		7
	<i>Chairperson</i> means the Chairperson of the Board.	8
	<i>member</i> means any member of the Board.	9
Part 2	Constitution	10
2	Terms of office of members	11
	Subject to this Schedule and the regulations, an appointed member holds office for such period (not exceeding 5 years) as is specified in the member's instrument of appointment, but is eligible (if otherwise qualified) for re-appointment.	12
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3	Part-time appointments	16
	Appointed members hold office as part-time members.	17
4	Remuneration	18
	An appointed member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the member.	19
		20
		21
5	Vacancy in office of member	22
(1)	The office of an appointed member becomes vacant if the member:	23
(a)	dies, or	24
(b)	completes a term of office and is not re-appointed, or	25
(c)	resigns the office by instrument in writing addressed to the Minister, or	26
		27
(d)	is removed from office by the Minister under this clause, or	28
(e)	is absent from 3 consecutive meetings of the Board of which reasonable notice has been given to the member personally or by post, except on leave granted by the Minister or unless the member is excused by the Minister for having been absent from those meetings, or	29
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(f)	becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or	1 2 3 4
(g)	becomes a mentally incapacitated person, or	5
(h)	is convicted in New South Wales of an offence that is punishable by imprisonment for 12 months or more or is convicted elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence so punishable.	6 7 8 9 10
(2)	The Minister may remove an appointed member from office at any time.	11
6	Filling of vacancy in office of appointed member	12
	If the office of any appointed member becomes vacant, a person is, subject to this Act and the regulations, to be appointed to fill the vacancy.	13 14 15
7	Chairperson	16
(1)	The Chairperson vacates office as Chairperson if he or she:	17
(a)	is removed from that office by the Minister under this clause, or	18
(b)	resigns that office by instrument in writing addressed to the Minister, or	19 20
(c)	ceases to be a member of the Board.	21
(2)	The Minister may at any time remove the Chairperson from office as Chairperson.	22 23
8	Disclosure of pecuniary interests	24
(1)	If:	25
(a)	a member has a direct or indirect pecuniary interest in a matter being considered or about to be considered at a meeting of the Board, and	26 27 28
(b)	the interest appears to raise a conflict with the proper performance of the member's duties in relation to the consideration of the matter,	29 30 31
	the member must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the Board.	32 33 34
(2)	A disclosure by a member at a meeting of the Board that the member:	35
(a)	is a member, or is in the employment, of a specified company or other body, or	36 37

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| (b) | is a partner, or is in the employment, of a specified person, or | 1 |
| (c) | has some other specified interest relating to a specified company or other body or to a specified person, | 2 |
| | is a sufficient disclosure of the nature of the interest in any matter relating to that company or other body or to that person which may arise after the date of the disclosure and which is required to be disclosed under subclause (1). | 3 |
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| (3) | Particulars of any disclosure made under this clause must be recorded by the Board in a book kept for the purpose and that book must be open at all reasonable hours to inspection by any person on payment of the fee determined by the Board. | 8 |
| | | 9 |
| | | 10 |
| | | 11 |
| (4) | After a member has disclosed the nature of an interest in any matter, the member must not, unless the Minister or the Board otherwise determines: | 12 |
| | | 13 |
| | | 14 |
| (a) | be present during any deliberation of the Board with respect to the matter, or | 15 |
| | | 16 |
| (b) | take part in any decision of the Board with respect to the matter. | 17 |
| (5) | For the purposes of the making of a determination by the Board under subclause (4), a member who has a direct or indirect pecuniary interest in a matter to which the disclosure relates must not: | 18 |
| | | 19 |
| | | 20 |
| (a) | be present during any deliberation of the Board for the purpose of making the determination, or | 21 |
| | | 22 |
| (b) | take part in the making by the Board of the determination. | 23 |
| (6) | A contravention of this clause does not invalidate any decision of the Board. | 24 |
| | | 25 |
| 9 | Effect of certain other Acts | 26 |
| (1) | Chapter 1A of the <i>Public Sector Employment and Management Act 2002</i> does not apply to or in respect of the appointment of an appointed member. | 27 |
| | | 28 |
| | | 29 |
| (2) | If by or under any Act provision is made: | 30 |
| (a) | requiring a person who is the holder of a specified office to devote the whole of his or her time to the duties of that office, or | 31 |
| | | 32 |
| (b) | prohibiting the person from engaging in employment outside the duties of that office, | 33 |
| | | 34 |
| | the provision does not operate to disqualify the person from holding that office and also the office of an appointed member or from accepting and retaining any remuneration payable to the person under this Act as a member. | 35 |
| | | 36 |
| | | 37 |
| | | 38 |

Part 3 Procedure

10 General procedure

The procedure for the calling of meetings of the Board and for the conduct of business at those meetings is, subject to this Act and the regulations, to be as determined by the Board.

11 Quorum

The quorum for a meeting of the Board is a majority of its members for the time being.

12 Presiding member

- (1) The Chairperson (or, in the absence of the Chairperson, a person elected by the members of the Board who are present at a meeting of the Board) is to preside at a meeting of the Board.
- (2) The presiding member has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

13 Voting

A decision supported by a majority of the votes cast at a meeting of the Board at which a quorum is present is the decision of the Board.

14 Transaction of business outside meetings or by telephone

- (1) The Board may, if it thinks fit, transact any of its business by the circulation of papers among all the members of the Board for the time being, and a resolution in writing approved in writing by a majority of those members is taken to be a decision of the Board.
- (2) The Board may, if it thinks fit, transact any of its business at a meeting at which members (or some members) participate by telephone, closed-circuit television or other means, but only if any member who speaks on a matter before the meeting can be heard by the other members.
- (3) For the purposes of:
 - (a) the approval of a resolution under subclause (1), or
 - (b) a meeting held in accordance with subclause (2),
 the Chairperson and each member have the same voting rights as they have at an ordinary meeting of the Board.
- (4) A resolution approved under subclause (1) is, subject to the regulations, to be recorded in the minutes of the meetings of the Board.

-
- (5) Papers may be circulated among the members for the purposes of subclause (1) by facsimile or other transmission of the information in the papers concerned.

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15 First meeting

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The Minister may call the first meeting of the Board in such manner as the Minister thinks fit.

5
6

Schedule 2 Western Sydney Parklands

1

(Section 22)

2

The area of land identified as the Western Sydney Parklands on the sheets of the map marked “Western Sydney Parklands 2006”, presented to the Speaker of the Legislative Assembly (by or on behalf of the Member of the Assembly who introduced the Bill for this Act) when the Bill was read a second time in the Assembly, and deposited in the office of the Trust.

3

4

5

6

7

Schedule 3 Land transferred to Trust		1
	(Section 34)	2
1	Folio 128/752052, Lot 128, DP 752052, Blacktown	3
2	Folio 1/875790, Lot 1, DP 875790, Fairfield	4
3	Folio 3/1041487, Lot 3, DP 1041487, Blacktown	5
4	Folio 11/882325, Lot 11, DP 882325, Blacktown	6
5	Folio 14/882325, Lot 14, DP 882325, Blacktown	7
6	Folio 2/1045771, Lot 2, DP 1045771, Blacktown	8
7	Folio 2/128873, Lot 12, DP 1021940, Fairfield	9
8	Folio 3/128873, Lot 11, DP 1021940, Fairfield	10
9	Folio 10/1021940, Lot 10, DP 1021940, Fairfield	11
10	Folio 19/1022008, Lot 19, DP 1022008, Fairfield	12
11	Folio 18/4971, Lot 18, DP 4971, Blacktown	13
12	Folio 19/4971, Lot 19, DP 4971, Blacktown	14
13	Folio 22/4971, Lot 22, DP 4971, Blacktown	15
14	Folio 23/4971, Lot 23, DP 4971, Blacktown	16
15	Folio 24/4971, Lot 24, DP 4971, Blacktown	17
16	Folio 4/21726, Lot 4, DP 21726, Blacktown	18
17	Folio 2/31178, Lot 2, DP 31178, Blacktown	19
18	Folio 3/31178, Lot 3, DP 31178, Blacktown	20
19	Folio 4/31178, Lot 4, DP 31178, Blacktown	21
20	Folio 5/31178, Lot 5, DP 31178, Blacktown	22
21	Folio 6/31178, Lot 6, DP 31178, Blacktown	23
22	Folio 7/31178, Lot 7, DP 31178, Blacktown	24
23	Folio 8/31178, Lot 8, DP 31178, Blacktown	25

24	Folio 1/135700, Lot 1, DP 135700, Blacktown	1
25	Folio AC6799-224, Lot 1, DP 135704, Blacktown	2
26	Folio AC6799-224, Lot 2, DP 135704, Blacktown	3
27	Folio 1/258576, Lot 1, DP 258576, Blacktown	4
28	Folio 2/258576, Lot 2, DP 258576, Blacktown	5
29	Folio B/417611, Lot B, DP 417611, Blacktown	6
30	Folio 1/507242, Lot 1, DP 507242, Blacktown	7
31	Folio 2/507242, Lot 2, DP 507242, Blacktown	8
32	Folio 2/582388, Lot 2, DP 582388, Blacktown	9
33	Folio 1/591894, Lot 1, DP 591894, Blacktown	10
34	Folio 1/596895, Lot 1, DP 596895, Blacktown	11
35	Folio 1/596897, Lot 1, DP 596897, Blacktown	12
36	Folio 1/610110, Lot 1, DP 610110, Blacktown	13
37	Folio VF15442-124, Lot 42, DP 656978, Blacktown	14
38	Folio 1/707809, Lot 1, DP 707809, Blacktown	15
39	Folio 5/716368, Lot 5, DP 716368, Blacktown	16
40	Folio 4/716435, Lot 4, DP 716435, Blacktown	17
41	Folio 14/730053, Lot 14, DP 730053, Blacktown	18
42	Folio 1/744430, Lot 1, DP 744430, Blacktown	19
43	Folio 21/778167, Lot 21, DP 778167, Blacktown	20
44	Folio 22/778167, Lot 22, DP 778167, Blacktown	21
45	Folio 6/778168, Lot 6, DP 778168, Blacktown	22
46	Folio 16/778172, Lot 16, DP 778172, Blacktown	23
47	Folio 7/778173, Lot 7, DP 778173, Blacktown	24
48	Folio 10/778175, Lot 10, DP 778175, Blacktown	25

Western Sydney Parklands Bill 2006

Schedule 3 Land transferred to Trust

49	Folio 2/778176, Lot 2, DP 778176, Blacktown	1
50	Folio 3/778176, Lot 3, DP 778176, Blacktown	2
51	Folio 18/778177, Lot 18, DP 778177, Blacktown	3
52	Folio 1/787347, Lot 1, DP 787347, Blacktown	4
53	Folio 9/789724, Lot 9, DP 789724, Blacktown	5
54	Folio 10/789724, Lot 10, DP 789724, Blacktown	6
55	Folio 1/791630, Lot 1, DP 791630, Blacktown	7
56	Folio 315/793235, Lot 315, DP 793235, Blacktown	8
57	Folio 316/793235, Lot 316, DP 793235, Blacktown	9
58	Folio 1003/814284, Lot 1003, DP 814284, Blacktown	10
59	Folio 107/832939, Lot 107, DP 832939, Blacktown	11
60	Folio 108/832939, Lot 108, DP 832939, Blacktown	12
61	Folio 115/832963, Lot 115, DP 832963, Blacktown	13
62	Folio 501/841622, Lot 501, DP 841622, Blacktown	14
63	Folio 541/850659, Lot 541, DP 850659, Blacktown	15
64	Folio 1/851899, Lot 1, DP 851899, Blacktown	16
65	Folio 101/1002519, Lot 101, DP 1002519, Blacktown	17
66	Folio 1/1003222, Lot 1, DP 1003222, Blacktown	18
67	Folio 2/1003222, Lot 2, DP 1003222, Blacktown	19
68	Folio 3/1003222, Lot 3, DP 1003222, Blacktown	20
69	Folio 4/1003222, Lot 4, DP 1003222, Blacktown	21
70	Folio 1/1010402, Lot 1, DP 1010402, Blacktown	22
71	Folio 110/1016067, Lot 110, DP 1016067, Blacktown	23
72	Folio 8/1041877, Lot 8, DP 1041877, Blacktown	24
73	Folio 9/1041877, Lot 9, DP 1041877, Blacktown	25

74	Folio 10/1041877, Lot 10, DP 1041877, Blacktown	1
75	Folio 11/1041877, Lot 11, DP 1041877, Blacktown	2
76	Folio 12/1041877, Lot 12, DP 1041877, Blacktown	3
77	Folio 1/1042105, Lot 1, DP 1042105, Blacktown	4
78	Folio 2/1042105, Lot 2, DP 1042105, Blacktown	5
79	Folio 1/B/8681, Lot 1/B, DP 8681, Blacktown	6
80	Folio AC9630-178, Lot 13/B, DP 8681, Blacktown	7
81	Folio 2/A/8681, Lot 2/A, DP 8681, Blacktown	8
82	Folio 3/A/8681, Lot 3/A, DP 8681, Blacktown	9
83	Folio AC3439-80, Lot 3/B, DP 8681, Blacktown	10
84	Folio AC3439-80, Lot 4/B, DP 8681, Blacktown	11
85	Folio 5/B/8681, Lot 5/B, DP 8681, Blacktown	12
86	Folio 1/31130, Lot 1, DP 31130, Blacktown	13
87	Folio 6/31130, Lot 6, DP 31130, Blacktown	14
88	Folio 7/31130, Lot 7, DP 31130, Blacktown	15
89	Folio 8/31130, Lot 8, DP 31130, Blacktown	16
90	Folio 1/54275, Lot 1, DP 54275, Blacktown	17
91	Folio 3/60852, Lot 3, DP 60852, Blacktown	18
92	Folio 4/60852, Lot 4, DP 60852, Blacktown	19
93	Folio 4A/60852, Lot 4A, DP 60852, Blacktown	20
94	Folio 5A/60852, Lot 5A, DP 60852, Blacktown	21
95	Folio 6A/60852, Lot 6A, DP 60852, Blacktown	22
96	Folio AC9630-178, Lot 1, DP 135665, Blacktown	23
97	Folio A/323854, Lot A, DP 323854, Blacktown	24
98	Folio B/323854, Lot B, DP 323854, Blacktown	25

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Schedule 3 Land transferred to Trust

99	Folio A/358346, Lot A, DP 358346, Blacktown	1
100	Folio 3B/436196, Lot 3B, DP 436196, Blacktown	2
101	Folio 3D/436196, Lot 3D, DP 436196, Blacktown	3
102	Folio 3E/436196, Lot 3E, DP 436196, Blacktown	4
103	Folio 4/449043, Lot 4, DP 449043, Blacktown	5
104	Folio 7/545017, Lot 7, DP 545017, Blacktown	6
105	Folio 8/545017, Lot 8, DP 545017, Blacktown	7
106	Folio 2/664173, Lot 2, DP 664173, Blacktown	8
107	Folio 1/723384, Lot 1, DP 723384, Blacktown	9
108	Folio 301/793236, Lot 301, DP 793236, Blacktown	10
109	Folio 1/830836, Lot 1, DP 830836, Blacktown	11
110	Folio 2/830836, Lot 2, DP 830836, Blacktown	12
111	Folio 3/830836, Lot 3, DP 830836, Blacktown	13
112	Folio 4/830836, Lot 4, DP 830836, Blacktown	14
113	Folio 5/830836, Lot 5, DP 830836, Blacktown	15
114	Folio 6/830836, Lot 6, DP 830836, Blacktown	16
115	Folio 7/830836, Lot 7, DP 830836, Blacktown	17
116	Folio 8/830836, Lot 8, DP 830836, Blacktown	18
117	Folio 9/830836, Lot 9, DP 830836, Blacktown	19
118	Folio 10/830836, Lot 10, DP 830836, Blacktown	20
119	Folio 12/882325, Lot 12, DP 882325, Blacktown	21
120	Folio 100/882326, Lot 100, DP 882326, Blacktown	22
121	Folio 3/1040948, Lot 3, DP 1040948, Blacktown	23
122	Folio 6/1040948, Lot 6, DP 1040948, Blacktown	24
123	Folio 7/1040948, Lot 7, DP 1040948, Blacktown	25

124	Folio 2/1041487, Lot 2, DP 1041487, Blacktown	1
125	Folio 1/1069269, Lot 1, DP 1069269, Blacktown	2
126	Folio 2/1069269, Lot 2, DP 1069269, Blacktown	3
127	Folio 1/1103023, Lot 1, DP 1103023, Blacktown	4
128	Folio 1/1103025, Lot 1, DP 1103025, Blacktown	5
129	Folio VF2755-141, Lot 1, DP 69882, Blacktown	6
130	Folio A/408966, Lot A, DP 408966, Blacktown	7
131	Folio B/408966, Lot B, DP 408966, Blacktown	8
132	Folio C/408966, Lot C, DP 408966, Blacktown	9
133	Folio D/408966, Lot D, DP 408966, Blacktown	10
134	Folio 5/804051, Lot 5, DP 804051, Blacktown	11
135	Folio 7/804051, Lot 7, DP 804051, Blacktown	12
136	Folio 9/804051, Lot 9, DP 804051, Blacktown	13
137	Folio 10/804051, Lot 10, DP 804051, Blacktown	14
138	Folio 10/1061237, Lot 10, DP 1061237, Blacktown	15
139	Folio 2/1062965, Lot 2, DP 1062965, Blacktown	16
140	Folio 1/1077822, Lot 1, DP 1077822, Blacktown	17
141	Folio 2/1077822, Lot 2, DP 1077822, Blacktown	18
142	Folio 3/1079897, Lot 3, DP 1079897, Blacktown	19
143	Folio 1/394382, Lot 1, DP 394382, Blacktown	20
144	Folio 2/617846, Lot 2, DP 617846, Blacktown	21
145	Folio 18/801210, Lot 18, DP 801210, Blacktown	22
146	Folio 20/801210, Lot 20, DP 801210, Blacktown	23
147	Folio 6/801213, Lot 6, DP 801213, Blacktown	24
148	Folio 7/801213, Lot 7, DP 801213, Blacktown	25

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Schedule 3 Land transferred to Trust

149	Folio 8/801213, Lot 8, DP 801213, Blacktown	1
150	Folio 111/839532, Lot 111, DP 839532, Blacktown	2
151	Folio 112/839532, Lot 112, DP 839532, Blacktown	3
152	Folio 1/1045771, Lot 1, DP 1045771, Blacktown	4
153	Folio 3/1045771, Lot 3, DP 1045771, Blacktown	5
154	Folio 4/1045771, Lot 4, DP 1045771, Blacktown	6
155	Folio A/361322, Lot A, DP 361322, Blacktown	7
156	Folio 1/13961, Lot 1, DP 13961, Fairfield	8
157	Folio 2/13961, Lot 2, DP 13961, Fairfield	9
158	Folio 3/13961, Lot 3, DP 13961, Fairfield	10
159	Folio 4/13961, Lot 4, DP 13961, Fairfield	11
160	Folio AC5839-74, Lot 10, DP 13961, Fairfield	12
161	Folio AC5839-74, Lot 11, DP 13961, Fairfield	13
162	Folio AC5839-74, Lot 12, DP 13961, Fairfield	14
163	Folio AC5839-74, Lot 13, DP 13961, Fairfield	15
164	Folio AC13584-100, Lot 14, DP 13961, Fairfield	16
165	Folio AC13584-100, Lot 15, DP 13961, Fairfield	17
166	Folio AC13584-100, Lot 16, DP 13961, Fairfield	18
167	Folio 17/13961, Lot 17, DP 13961, Fairfield	19
168	Folio 18/13961, Lot 18, DP 13961, Fairfield	20
169	Folio 19/13961, Lot 19, DP 13961, Fairfield	21
170	Folio 20/13961, Lot 20, DP 13961, Fairfield	22
171	Folio 21/13961, Lot 21, DP 13961, Fairfield	23
172	Folio 24/13961, Lot 24, DP 13961, Fairfield	24
173	Folio 25/13961, Lot 25, DP 13961, Fairfield	25

174	Folio 32/13961, Lot 32, DP 13961, Fairfield	1
175	Folio VF5724-74, Lot 38, DP 13961, Fairfield	2
176	Folio 40/13961, Lot 40, DP 13961, Fairfield	3
177	Folio 41/13961, Lot 41, DP 13961, Fairfield	4
178	Folio 42/13961, Lot 42, DP 13961, Fairfield	5
179	Folio 45/13961, Lot 45, DP 13961, Fairfield	6
180	Folio 53/13961, Lot 53, DP 13961, Fairfield	7
181	Folio 66/13961, Lot 66, DP 13961, Fairfield	8
182	Folio 28A/13961, Lot 28A, DP 13961, Fairfield	9
183	Folio 29B/13961, Lot 29B, DP 13961, Fairfield	10
184	Folio 32A/13961, Lot 32A, DP 13961, Fairfield	11
185	Folio 71A/13961, Lot 71A, DP 13961, Fairfield	12
186	Folio 73A/17288, Lot 73A, DP 17288, Fairfield	13
187	Folio 73B/17288, Lot 73B, DP 17288, Fairfield	14
188	Folio AC15070-108, Lot 1, DP 30290, Fairfield	15
189	Folio AC15070-108, Lot 2, DP 30290, Fairfield	16
190	Folio 4/30290, Lot 4, DP 30290, Fairfield	17
191	Folio 5/30290, Lot 5, DP 30290, Fairfield	18
192	Folio 7/30290, Lot 7, DP 30290, Fairfield	19
193	Folio AC7849-32, Lot 8, DP 30290, Fairfield	20
194	Folio AC7849-32, Lot 9, DP 30290, Fairfield	21
195	Folio 10/30290, Lot 10, DP 30290, Fairfield	22
196	Folio 11/30290, Lot 11, DP 30290, Fairfield	23
197	Folio C/103755, Lot C, DP 103755, Fairfield	24
198	Folio 4/112250, Lot 4, DP 112250, Fairfield	25

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Schedule 3 Land transferred to Trust

199	Folio 65A/338838, Lot 65A, DP 338838, Fairfield	1
200	Folio 65B/338838, Lot 65B, DP 338838, Fairfield	2
201	Folio 50A/348693, Lot 50A, DP 348693, Fairfield	3
202	Folio 50B/348693, Lot 50B, DP 348693, Fairfield	4
203	Folio 50C/348693, Lot 50C, DP 348693, Fairfield	5
204	Folio A/369700, Lot A, DP 369700, Fairfield	6
205	Folio 52A/375412, Lot 52A, DP 375412, Fairfield	7
206	Folio D4/400744, Lot D4, DP 400744, Fairfield	8
207	Folio D6/408890, Lot D6, DP 408890, Fairfield	9
208	Folio 92/752041, Lot 92, DP 752041, Fairfield	10
209	Folio 1/828562, Lot 1, DP 828562, Fairfield	11
210	Folio 1/829916, Lot 1, DP 829916, Fairfield	12
211	Folio 2/829916, Lot 2, DP 829916, Fairfield	13
212	Folio 3/829916, Lot 3, DP 829916, Fairfield	14
213	Folio 361/843933, Lot 361, DP 843933, Fairfield	15
214	Folio 362/843933, Lot 362, DP 843933, Fairfield	16
215	Folio 1/857289, Lot 1, DP 857289, Fairfield	17
216	Folio 2/857289, Lot 2, DP 857289, Fairfield	18
217	Folio 100/879680, Lot 100, DP 879680, Fairfield	19
218	Folio 101/879680, Lot 101, DP 879680, Fairfield	20
219	Folio 1/882937, Lot 1, DP 882937, Fairfield	21
220	Folio 4/1002746, Lot 4, DP 1002746, Fairfield	22
221	Folio 1/1036933, Lot 1, DP 1036933, Fairfield	23
222	Folio 3/2/2954, Lot 3/2, DP 2954, Fairfield	24
223	Folio 4/2/2954, Lot 4/2, DP 2954, Fairfield	25

224	Folio 88/13961, Lot 88, DP 13961, Fairfield	1
225	Folio 2/229396, Lot 2, DP 229396, Fairfield	2
226	Folio 3/858642, Lot 3, DP 858642, Fairfield	3
227	Folio 11/860893, Lot 11, DP 860893, Fairfield	4
228	Folio 16/1021839, Lot 16, DP 1021839, Fairfield	5
229	Folio 14/1021940, Lot 14, DP 1021940, Fairfield	6
230	Folio 1/1041390, Lot 1, DP 1041390, Fairfield	7
231	Folio 2/1041390, Lot 2, DP 1041390, Fairfield	8
232	Folio 25/4/2954, Lot 25/4, DP 2954, Fairfield	9
233	Folio 24/4/2954, Lot 24/4, DP 2954, Fairfield	10
234	Folio 1/236527, Lot 1, DP 236527, Fairfield	11
235	Folio 2/236527, Lot 2, DP 236527, Fairfield	12
236	Folio 3/236527, Lot 3, DP 236527, Fairfield	13
237	Folio 1/308358, Lot 1, DP 308358, Fairfield	14
238	Folio 26B/387529, Lot 26B, DP 387529, Fairfield	15
239	Folio 6/629798, Lot 6, DP 629798, Fairfield	16
240	Folio 28/654786, Lot 28, DP 654786, Fairfield	17
241	Folio VF1156-195, Lot 1, DP 724970, Fairfield	18
242	Folio 3/875790, Lot 3, DP 875790, Fairfield	19
243	Folio 3/1087825, Lot 3, DP 1087825, Fairfield	20
244	Folio 133/2475, Lot 133, DP 2475, Liverpool	21
245	Folio 134/2475, Lot 134, DP 2475, Liverpool	22
246	Folio VF7402-57, Lot 135, DP 2475, Liverpool	23
247	Folio VF7402-57, Lot 136, DP 2475, Liverpool	24
248	Folio 137/2475, Lot 137, DP 2475, Liverpool	25

Western Sydney Parklands Bill 2006

Schedule 3 Land transferred to Trust

249	Folio 161/2475, Lot 161, DP 2475, Liverpool	1
250	Folio AC8385-87, Lot 162, DP 2475, Liverpool	2
251	Folio AC8385-87, Lot 163, DP 2475, Liverpool	3
252	Folio AC8340-119, Lot 164, DP 2475, Liverpool	4
253	Folio AC8340-119, Lot 165, DP 2475, Liverpool	5
254	Folio 238/2475, Lot 238, DP 2475, Liverpool	6
255	Folio 276/2475, Lot 276, DP 2475, Liverpool	7
256	Folio AC4471-48, Lot 304, DP 2475, Liverpool	8
257	Folio AC4471-48, Lot 305, DP 2475, Liverpool	9
258	Folio AC4471-48, Lot 306, DP 2475, Liverpool	10
259	Folio AC4471-48, Lot 307, DP 2475, Liverpool	11
260	Folio 308/2475, Lot 308, DP 2475, Liverpool	12
261	Folio 309/2475, Lot 309, DP 2475, Liverpool	13
262	Folio 310/2475, Lot 310, DP 2475, Liverpool	14
263	Folio 10/1087825, Lot 10, DP 1087825, Liverpool	15
264	Folio 342/2475, Lot 342, DP 2475, Liverpool	16
265	Folio 344/2475, Lot 344, DP 2475, Liverpool	17
266	Folio AC4471-48, Lot 346, DP 2475, Liverpool	18
267	Folio 442/2475, Lot 442, DP 2475, Liverpool	19
268	Folio 441/2475, Lot 441, DP 2475, Liverpool	20
269	Folio VF1069-40, Lot 466, DP 2475, Liverpool	21
270	Folio 467/2475, Lot 467, DP 2475, Liverpool	22
271	Folio 468/2475, Lot 468, DP 2475, Liverpool	23
272	Folio AC11658-40, Lot 469, DP 2475, Liverpool	24
273	Folio AC11658-40, Lot 470, DP 2475, Liverpool	25

274	Folio AC8232-170, Lot 562, DP 2475, Liverpool	1
275	Folio AC8232-170, Lot 563, DP 2475, Liverpool	2
276	Folio AC8232-170, Lot 564, DP 2475, Liverpool	3
277	Folio AC8232-170, Lot 565, DP 2475, Liverpool	4
278	Folio AC8232-170, Lot 566, DP 2475, Liverpool	5
279	Folio 586/2475, Lot 586, DP 2475, Liverpool	6
280	Folio 587/2475, Lot 587, DP 2475, Liverpool	7
281	Folio 588/2475, Lot 588, DP 2475, Liverpool	8
282	Folio AC1162-151, Lot 591, DP 2475, Liverpool	9
283	Folio AC1162-151, Lot 592, DP 2475, Liverpool	10
284	Folio AC6615-98, Lot 698, DP 2475, Liverpool	11
285	Folio 699/2475, Lot 699, DP 2475, Liverpool	12
286	Folio 701/2475, Lot 701, DP 2475, Liverpool	13
287	Folio AC974-62, Lot 702, DP 2475, Liverpool	14
288	Folio AC974-62, Lot 703, DP 2475, Liverpool	15
289	Folio 704/2475, Lot 704, DP 2475, Liverpool	16
290	Folio AC15200-28, Lot 770, DP 2475, Liverpool	17
291	Folio AC15200-28, Lot 771, DP 2475, Liverpool	18
292	Folio 772/2475, Lot 772, DP 2475, Liverpool	19
293	Folio AC2167-190, Lot 774, DP 2475, Liverpool	20
294	Folio AC2167-190, Lot 775, DP 2475, Liverpool	21
295	Folio 776/2475, Lot 776, DP 2475, Liverpool	22
296	Folio 777/2475, Lot 777, DP 2475, Liverpool	23
297	Folio 778/2475, Lot 778, DP 2475, Liverpool	24
298	Folio 826/2475, Lot 826, DP 2475, Liverpool	25

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299	Folio 965/2475, Lot 965, DP 2475, Liverpool	1
300	Folio 966/2475, Lot 966, DP 2475, Liverpool	2
301	Folio AC13272-238, Lot 1018, DP 2475, Liverpool	3
302	Folio AC13272-238, Lot 1019, DP 2475, Liverpool	4
303	Folio AC13272-238, Lot 1020, DP 2475, Liverpool	5
304	Folio AC13272-238, Lot 1021, DP 2475, Liverpool	6
305	Folio AC6976-87, Lot 1027, DP 2475, Liverpool	7
306	Folio AC6976-87, Lot 1028, DP 2475, Liverpool	8
307	Folio AC6976-87, Lot 1029, DP 2475, Liverpool	9
308	Folio 1030/2475, Lot 1030, DP 2475, Liverpool	10
309	Folio 1080/2475, Lot 1080, DP 2475, Liverpool	11
310	Folio 1081/2475, Lot 1081, DP 2475, Liverpool	12
311	Folio 1088/2475, Lot 1088, DP 2475, Liverpool	13
312	Folio AC5885-72, Lot 1090, DP 2475, Liverpool	14
313	Folio 12/24961, Lot 12, DP 24961, Liverpool	15
314	Folio 14/24961, Lot 14, DP 24961, Liverpool	16
315	Folio 15/24961, Lot 15, DP 24961, Liverpool	17
316	Folio 16/24961, Lot 16, DP 24961, Liverpool	18
317	Folio 1/29104, Lot 1, DP 29104, Liverpool	19
318	Folio 2/29104, Lot 2, DP 29104, Liverpool	20
319	Folio 3/29104, Lot 3, DP 29104, Liverpool	21
320	Folio 4/29104, Lot 4, DP 29104, Liverpool	22
321	Folio 5/29104, Lot 5, DP 29104, Liverpool	23
322	Folio 10/29104, Lot 10, DP 29104, Liverpool	24
323	Folio 11/29104, Lot 11, DP 29104, Liverpool	25

324	Folio 12/29104, Lot 12, DP 29104, Liverpool	1
325	Folio 13/29104, Lot 13, DP 29104, Liverpool	2
326	Folio 967/105699, Lot 967, DP 105699, Liverpool	3
327	Folio 1/206551, Lot 1, DP 206551, Liverpool	4
328	Folio 2/206551, Lot 2, DP 206551, Liverpool	5
329	Folio 3/206551, Lot 3, DP 206551, Liverpool	6
330	Folio 4/206551, Lot 4, DP 206551, Liverpool	7
331	Folio 1/231528, Lot 1, DP 231528, Liverpool	8
332	Folio 2/231528, Lot 2, DP 231528, Liverpool	9
333	Folio 3/231528, Lot 3, DP 231528, Liverpool	10
334	Folio 4/231528, Lot 4, DP 231528, Liverpool	11
335	Folio 5/231528, Lot 5, DP 231528, Liverpool	12
336	Folio 6/231528, Lot 6, DP 231528, Liverpool	13
337	Folio 8/231528, Lot 8, DP 231528, Liverpool	14
338	Folio 9/231528, Lot 9, DP 231528, Liverpool	15
339	Folio 13/231528, Lot 13, DP 231528, Liverpool	16
340	Folio 15/231528, Lot 15, DP 231528, Liverpool	17
341	Folio AC4471-48, Lot 2, DP 307334, Liverpool	18
342	Folio 1/328617, Lot 1, DP 328617, Liverpool	19
343	Folio AC5885-72, Lot A, DP 359685, Liverpool	20
344	Folio 1/363992, Lot 1, DP 363992, Liverpool	21
345	Folio A/364030, Lot A, DP 364030, Liverpool	22
346	Folio AC10768-129, Lot 17, DP 383747, Liverpool	23
347	Folio AC10768-129, Lot 18, DP 383747, Liverpool	24
348	Folio 1/392127, Lot 1, DP 392127, Liverpool	25

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349	Folio A/392726, Lot A, DP 392726, Liverpool	1
350	Folio B/392726, Lot B, DP 392726, Liverpool	2
351	Folio 37/392727, Lot 37, DP 392727, Liverpool	3
352	Folio 20C/392727, Lot 20C, DP 392727, Liverpool	4
353	Folio 1/409303, Lot 1, DP 409303, Liverpool	5
354	Folio 2/409303, Lot 2, DP 409303, Liverpool	6
355	Folio 2/520880, Lot 2, DP 520880, Liverpool	7
356	Folio 1/550582, Lot 1, DP 550582, Liverpool	8
357	Folio 2/550582, Lot 2, DP 550582, Liverpool	9
358	Folio 355/578817, Lot 355, DP 578817, Liverpool	10
359	Folio 12/586076, Lot 12, DP 586076, Liverpool	11
360	Folio 141/846961, Lot 141, DP 846961, Liverpool	12
361	Folio 1/854088, Lot 1, DP 854088, Liverpool	13
362	Folio AC6615-98, Lot 1, DP 1037869, Liverpool	14
363	Folio AC6615-98, Lot 2, DP 1037869, Liverpool	15
364	Folio AC6615-98, Lot 3, DP 1037869, Liverpool	16
365	Folio 101/1066227, Lot 101, DP 1066227, Liverpool	17
366	Folio 102/1066227, Lot 102, DP 1066227, Liverpool	18
367	Folio 1/1074727, Lot 1, DP 1074727, Liverpool	19
368	Folio 8/1087825, Lot 8, DP 1087825, Liverpool	20
369	Folio 2/877703, Lot 2, DP 877703, Liverpool	21
370	Folio 9/1054500, Lot 9, DP 1054500, Blacktown	22
371	Folio 6/229470, Lot 6, DP 229470, Blacktown	23
372	Folio 17/1021839, Lot 17, DP 1021839, Fairfield	24
373	Folio 10738/90, Lot 69, DP 235949, Blacktown	25

374	Folio 7622/019, Lot 5, DP 13961, Fairfield	1
375	Folio 4811/227, Lot 6, DP 13961, Fairfield	2
376	Folio 10395/231, Lot 23, DP 13961, Fairfield	3
377	Folio 7943/58, Lot 30, DP 13961, Fairfield	4
378	Folio 4370/247, Lot 29, DP 13961, Fairfield	5
379	Folio 4370/247, Lot 29A, DP 13961, Fairfield	6
380	Folio 7943/58, Lot 30A, DP 13961, Fairfield	7
381	Folio 7943/58, Lot 30B, DP 13961, Fairfield	8
382	Folio 7471/91, Lot A, DP 403308, Fairfield	9
383	Folio 97B/17288, Lot 97B, DP 17288, Fairfield	10
384	Folio 97A/17288, Lot 97A, DP 17288, Fairfield	11
385	Folio 4/1041980, Lot 4, DP 1041980, Fairfield	12
386	Folio 7/1021711, Lot 7, DP 1021711, Fairfield	13
387	Folio 6/1021711, Lot 6, DP 1021711, Fairfield	14
388	Folio 113/13905, Lot 113, DP 13905, Fairfield	15
389	Folio 112/13905, Lot 112, DP 13905, Fairfield	16
390	Folio B/357087, Lot B, DP 357087, Fairfield	17
391	Folio A/357087, Lot A, DP 357087, Fairfield	18
392	Folio 119B/346871, Lot 119B, DP 346871, Fairfield	19
393	Folio 121/13905, Lot 121, DP 13905, Fairfield	20
394	Folio 122/13905, Lot 122, DP 13905, Fairfield	21
395	Folio 1/1042004, Lot 1, DP 1042004, Fairfield	22
396	Folio 2/1042004, Lot 2, DP 1042004, Fairfield	23
397	Folio 3/1042004, Lot 3, DP 1042004, Fairfield	24

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398	Folio 4/1042004, Lot 4, DP 1042004, Fairfield	1
399	Folio VF 8282-228, Lot 109, DP 13905, Fairfield	2

Schedule 4 Savings, transitional and other provisions

(Section 51)

Part 1 General

1 Regulations

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts:
this Act
- (2) Any such provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later date.
- (3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
 - (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.

Part 2 Provisions consequent on enactment of this Act

2 Division of Parklands into precincts and preparation of first precinct plans

When first dividing the Parklands into precincts and preparing precinct plans, the Trust is to have regard to the document titled *The Western Parklands Management Vision—Summary Report* prepared by the Department of Infrastructure, Planning and Natural Resources in November 2004.

3 Interim management of certain land within Parklands

- (1) In this clause, *relevant sporting venue* means:
 - (a) the Sydney International Shooting Centre, and
 - (b) the Eastern Creek Raceway, and
 - (c) the Western Sydney International Dragway, and
 - (d) the Sydney International Equestrian Centre at Horsley Park.

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|----------|---|-----------------------|
| (2) | The Director-General of the Department of the Arts, Sport and Recreation has the care, control and management of each relevant sporting venue until the Minister by order in writing and published in the Gazette terminates the operation of this clause in relation to the relevant sporting venue. | 1
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5 |
| (3) | For the avoidance of doubt, an order under subclause (2) may be made in relation to one or more relevant sporting venues. | 6
7 |
| (4) | An order may be made under this clause only with the concurrence of the Minister for Tourism and Sport and Recreation. | 8
9 |
| 4 | Lease over Sydney International Shooting Centre | 10 |
| | Despite the repeal of section 8 (2) of the <i>Sporting Venues Management Act 2002</i> , that subsection continues to operate until the term of the lease referred to in that subsection has expired. | 11
12
13 |

Schedule 5	Amendment of Acts and instruments	1
	(Section 52)	2
5.1	Fines Act 1996 No 99	3
	Schedule 1 Statutory provisions under which penalty notices issued	4
	Insert in appropriate order:	5
	<i>Western Sydney Parklands Act 2006</i> , section 47	6
5.2	Impounding Act 1993 No 31	7
	Dictionary	8
	Insert after the matter relating to the Sydney Olympic Park Authority in the definition of <i>impounding authority</i> :	9
	• the Western Sydney Parklands Trust,	10
5.3	Native Title (New South Wales) Act 1994 No 45	11
[1]	Section 104A Saving of native title rights and interests with respect to national parks and other reservations, dedications or declarations	12
	Insert “the <i>Western Sydney Parklands Act 2006</i> ,” after “ <i>Brigalow and Nandewar Community Conservation Area Act 2005</i> ,” in section 104A (1) (a).	13
[2]	Section 104A (1) (h)	14
	Insert after section 104A (1) (g):	15
	(h) an order under section 34 of the <i>Western Sydney Parklands Act 2006</i> that vests land in the Western Sydney Parklands Trust.	16
5.4	Protection of the Environment Operations (Penalty Notices) Regulation 2004	17
	Clause 5 Enforcement officers: section 226	18
	Insert “or a member of staff of the Western Sydney Parklands Trust (within the meaning of the <i>Western Sydney Parklands Act 2006</i>)” after “Authority” in clause 5 (6) (k).	19
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5.5 Public Finance and Audit Act 1983 No 152	1
Schedule 2 Statutory bodies	2
Insert “Western Sydney Parklands Trust” in alphabetical order.	3
5.6 Sporting Venues Management Act 2002 No 56	4
[1] Section 6 Functions of Corporation	5
Omit section 6 (3) (b).	6
[2] Section 8 Vesting of Sydney International Shooting Centre in Corporation	7
Omit the section.	8
[3] Part 3 Sydney International Shooting Centre Trust	10
Omit the Part.	11
[4] Schedule 1 Land vested in Corporation	12
Omit “Sydney International Shooting Centre”.	13
[5] Schedule 2 Provisions relating to trustees and procedure of Trust	14
Omit the Schedule.	15
5.7 Sydney Regional Environmental Plan No 31—Regional Parklands	16
[1] Clause 7 General development controls	18
Insert “or land vested in the Western Sydney Parklands Trust (within the meaning of the <i>Western Sydney Parklands Act 2006</i>) that was reserved or dedicated under the <i>National Parks and Wildlife Act 1974</i> immediately before it was so vested” after “dedicated under that Act” in clause 7 (2).	19
[2] Clause 7 (2)	23
Insert “the Trust or” after “managed by” wherever occurring.	24

[3] Clause 15 Consultation	1
Omit clause 15 (1) (a).	2
[4] Dictionary	3
Insert in alphabetical order:	4
<i>the Trust</i> means the Western Sydney Parklands Trust constituted	5
by the <i>Western Sydney Parklands Act 2006</i> .	6