Centennial Park and Moore Park Trust Regulation 2004

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New South Wales

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New South Wales

Contents

Part 1 Preliminary 4

1 Name of Regulation 4
2 Commencement 4
3 Definitions 4
4 Application of Regulation to revested land 5

Part 2 Use of Trust lands 6

5 Entry to Trust lands 6
6 Bus roadway 6
7 Parking 7
8 Parts approved for designated purposes 7
9 Fees for use of Trust lands 8
10 Conditions attaching to permission to use Trust lands 8
11 Parts of Trust lands and buildings may be closed to public 9
12 Alcohol-free zones 9
13 Commercial and other activities on Trust lands 10
14 Races on Trust lands 11
15 Camping, erection of tents and other structures on Trust lands 11
16 Damage to Trust lands 11
17 Disposal of waste 13
18 Recreational activities on Trust lands 13
19 Activities involving horses and animals 14

20 Equestrian Code of Conduct 15
21 Vehicles 16
22 Speed of vehicles 16
23 Certain provisions not to apply to emergency vehicles 17
24 Use of cycles, pedal cars and rollerblades 17
25 Personal conduct 18
26 Persons to leave Trust lands on request 18
27 Noise on Trust lands 19
28 Authorisation of use of Trust lands for Mardi Gras and Livid Arts Festival 19

Part 3 Centennial Park and Moore Park Trust Community Consultative Committee

..... 19
29 Centennial Park and Moore Park Trust Community Consultative Committee 19
30 Composition 19
31 Term of office 20
32 Deputies of members 20
33 Removal from office 20
34 Vacancy in office of member 20
35 Filling vacancy 21
36 Chairperson 21
37 Chairperson’s vote 21
38 Quorum 21
39 Procedure 22
40 Minutes 22
41 Existing members 22

Part 4 Miscellaneous 22

42 Requirement to state name and address 22
43 Lessees and licensees 23
44 Application of Regulation to officers and employees 23
45 Penalty notices 23
46 Saving 23

Schedule 1 Penalty notice offences 23

Centennial Park and Moore Park Trust Regulation 2004

New South Wales

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Centennial Park and Moore Park Trust Act 1983*.

SANDRA NORI, M.P.,Minister for Tourism and Sport and Recreation

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Centennial Park and Moore Park Trust Regulation 2004*.

2 Commencement

This Regulation commences on 1 September 2004.

Note—

This Regulation replaces the *Centennial Park and Moore Park Trust Regulation 1999* which is repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

animal includes any bird, fish, reptile or mammal.

authorised person means:

(a) a police officer, and

(b) any other person appointed in writing by the Trust as an authorised person for the purposes of this Regulation.

horse track means the track that is adjacent to the inner boundary of Grand Drive.

sell includes any of the following:

(a) sell by wholesale, retail, auction or tender,

(b) hire,

(c) barter or exchange,

(d) supply for profit,

(e) offer for sale or hire, receive for sale or hire, have in possession for sale or hire or expose or exhibit for sale or hire,

(f) conduct negotiations for sale or hire,

(g) consign or deliver for sale or hire,

(h) solicit for sale or hire,

(i) cause or permit anything referred to above.

sign includes a board, post, banner, notice or painted marking, flag or electronic or similar device, whether temporary or permanent.

the Act means the *Centennial Park and Moore Park Trust Act 1983*.

vehicle includes any of the following:

(a) a motor vehicle,

(b) a bicycle,

(c) a trailer or caravan, whether or not it is in the course of being towed,

(d) an apparatus that is propelled by human or mechanical power, or by the wind, and is wholly or partly used for the conveyance of persons or things, other than a wheelchair, pram or stroller,

(e) a motorised wheelchair that is capable of a speed of more than 10 kilometres per hour over level ground,

(f) a vehicle that is being drawn by an animal,

(g) an animal that is being ridden or is drawing a vehicle,

(h) a boat, raft, canoe, ski, barge or other vessel,

but does not include a train or a wheeled toy or a wheeled recreational device (such as a skateboard).

(2) Notes included in this Regulation do not form part of this Regulation.

4 Application of Regulation to revested land

This Regulation does not apply to revested land within the meaning of Part 3A of the Act.

Part 2 Use of Trust lands

5 Entry to Trust lands

(1) The Trust may designate points on the perimeter of the Trust lands as entrances to the Trust lands for vehicles by a sign or signs displayed adjacent to those points.

(2) A person must not drive a vehicle into the Trust lands other than at a point designated in accordance with this clause.

Maximum penalty: 10 penalty units.

(3) A person must not ride or lead a horse into or within the Trust lands between sunset and sunrise.

Maximum penalty: 10 penalty units.

(4) A person must not drive or ride a vehicle into or within the Trust lands between sunset and sunrise, except with the permission of the Trust, the Director or an authorised person.

Maximum penalty: 10 penalty units.

(5) Without limiting the way in which the Trust, the Director or an authorised person may grant a permission referred to in subclause (4), such a permission may be granted:

(a) by public notice or advertisement, or

(b) in relation to any function or meeting to be held on the Trust lands—by notice in writing to the organiser of the function or meeting.

(6) Without limiting clause 10, it is a condition of a permission referred to in subclause (4) that the person driving or riding the vehicle concerned complies with any reasonable directions given by an authorised person in relation to the vehicle.

(7) Pedestrians may enter the Trust lands at any time.

6 Bus roadway

(1) A person must not cross any part of the bus roadway except at a pedestrian crossing or at a bicycle crossing light.

Maximum penalty: 10 penalty units.

(2) In this clause:

bicycle crossing light has the same meaning as it has in the *Australian Road Rules*.

bus roadway means the roadway to the east of Anzac Parade and north of Alison Road that is reserved for the sole use of buses and authorised vehicles.

pedestrian crossing has the same meaning as it has in Rule 81 of the *Australian Road Rules*.

7 Parking

(1) The Trust, the Director or an authorised person may regulate the parking of vehicles on any part of the Trust lands by a sign or signs displayed on or adjacent to the part.

(2) A person must not park a vehicle on a part of the Trust lands in contravention of a sign displayed in accordance with this clause.

Maximum penalty: 10 penalty units.

(3) A person must not park, or leave a vehicle parked, on the Trust lands after sunset and before sunrise except with the written permission of, and in the manner approved by, the Trust, the Director or an authorised person.

Maximum penalty: 10 penalty units.

(4) The Trust is entitled to require payment of a fee determined by it for the opening of a gate after sunset and before sunrise to permit the removal of a vehicle from the Trust lands.

(5) Subclauses (3) and (4) do not apply to or in respect of a vehicle that is on the Trust lands in accordance with a permission referred to in clause 5 (4).

8 Parts approved for designated purposes

(1) The Trust or the Director may designate part of the Trust lands for use for the purpose of:

(a) an organised sporting activity, or

(b) an organised ceremony or other event, or

(c) any other organised activity.

(2) A person may, with the written permission of, and in the manner approved by, the Trust or the Director:

(a) use any part of the Trust lands designated under subclause (1) (the ***designated space***) for the purpose for which it is designated, and

(b) designate points on the perimeter of the designated space as entrances for persons attending the organised activity, ceremony or event concerned by a sign or signs displayed adjacent to those points, and

(c) prevent people from entering the designated space other than through those entrances, and

(d) prevent people from entering the designated space without paying a fee approved by the Trust or the Director.

(3) The use of a part of the Trust lands in accordance with a permission granted under this clause is not a contravention of clause 13.

9 Fees for use of Trust lands

(1) The Trust may from time to time determine the fees that are payable by a person to whom the Trust or the Director has given any permission to use part of the Trust lands. The Trust may require payment of such a fee by a date specified by the Trust (including a date in advance of the date of the relevant use).

(2) The person to whom the permission is granted is liable to the Trust for payment of the fee.

(3) Any unpaid fee may be recovered by the Trust from the person liable to pay it as a debt in a court of competent jurisdiction.

(4) The Trust may reduce, or waive payment of, a fee payable under this clause.

(5) The Trust may accept, or determine, consideration in kind in lieu of a fee under this clause.

10 Conditions attaching to permission to use Trust lands

(1) The Trust or the Director may give a permission under this Regulation subject to such conditions as the Trust or the Director considers appropriate.

(2) Conditions may relate to, but are not limited to, the following matters:

(a) the necessary standard of care of the parklands environment,

(b) maintenance of adequate insurance,

(c) site preparation,

(d) provision and disposal of food and beverages,

(e) advertising, signs and merchandising,

(f) vehicle access, control and parking,

(g) security and emergency procedures,

(h) crowd management,

(i) cleaning and waste management services,

(j) noise control,

(k) erection and removal of temporary structures.

(3) The Trust or the Director may require a person to whom a permission under this Regulation is proposed to be given to give security in such amount and form as the Trust or the Director determines for fulfilment of the person's obligations under the conditions of that permission.

(4) A person who fails to comply with a condition to which a permission is subject is guilty of an offence.

Maximum penalty (subclause (4)): 10 penalty units.

11 Parts of Trust lands and buildings may be closed to public

(1) The Trust, the Director or an authorised person may close to the public any part of the Trust lands or any building within the Trust lands by the use of a sign or signs displayed on or adjacent to the part or building.

(2) A person must not enter (whether on foot or by vehicle) any part of the Trust lands, or any building within the Trust lands, that is fenced off, or locked, or closed to the public by a sign or signs displayed under this clause, except with the written permission of, and in the manner approved by, the Trust or the Director.

Maximum penalty: 10 penalty units.

(3) In this clause:

building includes part of a building.

fenced off means surrounded by a fence, barricade or other structure (whether temporary or permanent) with no open pedestrian or vehicular access.

part of the Trust lands includes any road, footpath, cycle track, horse track, equestrian grounds and playing fields within the Trust lands.

12 Alcohol-free zones

(1) The Trust, the Director or an authorised person may declare any part of the Trust lands or any building within the Trust lands to be an alcohol-free zone by the use of a sign or signs displayed on or adjacent to the part or building.

(2) A person must not consume any alcohol in any such alcohol-free zone, except with the written permission of, and in the manner approved by, the Trust or the Director.

Maximum penalty: 10 penalty units.

(3) In this clause:

alcohol has the same meaning as in the *Local Government Act 1993*.

building includes part of a building.

13 Commercial and other activities on Trust lands

(1) A person must not on the Trust lands, except with the written permission of, and in the manner approved by, the Trust or the Director, do any of the following things or assist a person to do any of the following things:

(a) collect or attempt to collect money,

(b) sell or attempt to sell any papers, printed matter, food, article, thing or service,

(c) sell or attempt to sell (or purchase or attempt to purchase) any tickets to any activity or ceremony or other event,

(d) conduct or cause the conduct of an amusement, event, promotion, instruction or performance, whether free of charge or for money or consideration of any kind or so as to compete with or hinder the commercial operations of any person holding a lease or licence from the Trust,

(e) establish or operate a business,

(f) organise or participate in, or cause to be organised, a public meeting, public function, public demonstration, public gathering or other public activity,

(g) use television, cinematographic or photographic equipment for commercial or promotional purposes,

(h) erect a hoarding, banner or notice, or display or distribute commercial, promotional or political advertising matter or a sign, bill, poster or other printed matter,

(i) erect a sign or attach a sign to a tree, pole, rail or fence.

Maximum penalty: 10 penalty units.

(2) A person who uses equipment in the course of committing an offence under this clause must, when directed to do so by the Trust, the Director, or an authorised person, immediately remove the equipment from the Trust lands.

Maximum penalty: 10 penalty units.

(3) If a person fails to comply with a direction under this clause, the Trust, the Director or an authorised person may remove the equipment:

(a) to the care of the person to whom the direction was given, or

(b) to a place of safe keeping at the expense of the owner or the person responsible for it.

(4) The Trust, the Director or an authorised person acting under subclause (3) is not responsible for the safe keeping of, or for damage to, equipment removed under this clause.

14 Races on Trust lands

A person must not on the Trust lands, except with the written permission of, and in the manner approved by, the Trust or the Director, organise or conduct a foot race, cycle race, horse race, wheelchair race, fun run, rollerblade run or similar event.

Maximum penalty: 10 penalty units.

15 Camping, erection of tents and other structures on Trust lands

(1) A person must not on the Trust lands, except with the written permission of, and in the manner approved by, the Trust or the Director:

(a) camp or reside, or

(b) erect or occupy or cause to be erected or occupied a building, tent, screen, awning, enclosure or other structure or thing.

Maximum penalty: 10 penalty units.

(2) A person who has erected or occupied or caused to be erected or occupied a building, tent, screen, awning, enclosure or other structure or thing contrary to this clause must, when directed to do so by the Trust, the Director or an authorised person, immediately remove that building, tent, screen, awning, enclosure or other structure or thing.

Maximum penalty: 10 penalty units.

(3) If a person fails to comply with a direction given under this clause, the Trust, the Director or an authorised person may remove, or cause to be removed, the building, tent, screen, awning, enclosure or other structure or thing:

(a) to the care of the person to whom the direction was given, or

(b) to a place of safe keeping at the expense of the owner or the person responsible for it.

(4) The Trust, the Director or an authorised person acting under this clause is not responsible for the safe keeping of, or any damage to, a building, tent, screen, awning, enclosure or other structure or thing removed under this clause.

16 Damage to Trust lands

A person must not on the Trust lands, except with the written permission of, and in the manner approved by, the Trust, the Director or an authorised person:

(a) damage a lawn, playing field or green except in the course of, and as a normal incident of, recreational or sporting activity on any part of the Trust lands designated for use for that activity under clause 8, or

(b) remove, uproot, or cause damage to, or remove a part from, a tree, shrub, plant or other vegetation, or

(c) climb on any tree, or

(d) remove any timber, log or stump, standing or fallen, or

(e) deface, dig up or remove any rock, soil, sand, stone or similar substance, or

(f) write on, paint on, climb on, damage, deface, interfere with, destroy or remove any fixture, fitting or machinery displayed or placed by the Trust or the Director, or

(g) block or inhibit (whether wholly or partially) access through, to or on a gate, access-way, path or road, or

(h) damage, destroy, remove, interfere with, pass through or step over any temporary or permanent fencing or any barricade or other structure regulating access to any part of the Trust lands or any building within the Trust lands by foot or vehicle, or

(i) destroy, capture, injure or annoy, or attempt to destroy, capture, injure or annoy, an animal within the Trust lands, or

(j) destroy or interfere with the habitat of an animal, or

(k) abandon any animal, or

(l) light a fire:

(i) at a time when the lighting of fires on the Trust lands is prohibited by the Trust or the Director by signs displayed on or near the Trust lands or a time when the lighting of fires in the area in which the Trust lands are situated is prohibited by or under the provisions of the *Rural Fires Act 1997*, or

(ii) at any other time, except in a fireplace or on equipment provided for the purpose by the Trust or in portable cooking equipment, or

(m) empty coals or any other material from a barbecue on to any grass, lawn, playing field, green or vegetation, or

(n) deposit or throw any article or substance into any lake, pond, stream or ornamental water.

Maximum penalty: 10 penalty units.

17 Disposal of waste

(1) A person must not except with the written permission of, and in the manner approved by, the Trust or the Director do any of the following:

(a) bring any waste onto the Trust lands,

(b) leave any litter on Trust lands otherwise than in a receptacle provided and designated for the receipt of litter of that kind,

(c) deposit any oil or similar product, or any hot or frozen liquid, or allow such a product or liquid to escape, on Trust lands.

Maximum penalty: 10 penalty units

(2) In this clause:

litter includes:

(a) any solid or liquid domestic or commercial refuse, debris or rubbish and, without limiting the generality of the above, includes any glass, metal, cigarette butts, paper, fabric, wood, food, abandoned vehicles, abandoned vehicle parts, construction or demolition material, garden remnants and clippings, soil, sand or rocks, or

(b) any other material, substance or thing deposited in or on a place if its size, shape, nature or volume makes the place where it is deposited disorderly or detrimentally affects the proper use of that place.

waste includes:

(a) any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or

(b) any discarded, rejected, unwanted, surplus or abandoned substance, or

(c) any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, reprocessing, recovery or purification by a separate operation from that which produced the substance,

deposited in or on a place, whether or not it has any value when or after being deposited in or on the place.

(3) A substance is not precluded from being waste for the purposes of this clause merely because it can be reprocessed, re-used or recycled.

18 Recreational activities on Trust lands

A person must not on the Trust lands, except with the written permission of, and in the

manner approved by, the Trust or the Director, do any of the following:

(a) operate a motorised model aircraft, boat, car or similar thing,

(b) bathe, wade, wash or swim, or operate a boat, canoe, kayak or any other water craft or vessel or flotation device, in any lake, pond or stream or in any ornamental water (other than the fountain located in the Centennial Park Cafe forecourt area),

(c) enter land that is situated within any lake, pond or stream or in any ornamental water (other than the fountain located in the Centennial Park Cafe forecourt area),

(d) play or practise golf except in an area designated by the Trust or the Director for that activity under clause 8,

(e) use ski stocks with roller blades or roller skis except in an area designated by the Trust or the Director for that activity under clause 8,

(f) operate or attempt to operate a hang-glider,

(g) use a land sailing vehicle except in an area designated by the Trust or the Director for that activity under clause 8,

(h) launch or land an aircraft, helicopter, airship, hot-air balloon or parachute,

(i) discharge fireworks,

(j) use a starting pistol except in an area designated by the Trust or the Director under clause 8 for an activity that involves the use of a starting pistol,

(k) have in his or her possession a firearm within the meaning of the *Firearms Act 1996* unless the person is a police officer,

(l) ride a cycle, horse or scooter without wearing a protective helmet,

(m) ride a cycle, horse, scooter, rollerblade or skateboard except in an area designated by the Trust or the Director for that activity under clause 8,

(n) practise or demonstrate (using a fishing rod or line) the casting of a fishing line.

(o) throw or propel by any means any javelin, shot put, sharp instrument or other object that is likely to cause damage or injury to any person, animal or thing.

Maximum penalty: 10 penalty units.

19 Activities involving horses and animals

A person must not on the Trust lands, except with the written permission of, and in the manner approved by, the Trust or the Director, do any of the following:

(a) bring stock (other than horses) or poultry,

(b) bring any animal (being an animal that is not prohibited from being on Trust lands) unless it is under the effective control of a competent person by means of an adequate chain, cord, leash or cage,

(c) allow stock (including a horse) to graze,

(d) ride a horse unless the horse is properly saddled and bridled with a bit,

(e) ride a horse except on a track or other part of the Trust lands designated for the purpose by the Trust or the Director by a sign or signs displayed on or near the track or the part,

(f) break-in a horse,

(g) permit a horse to gallop or canter except on a part of the Trust lands designated as equestrian grounds in the part of the Trust lands known as Centennial Park and at the Centennial Park Equestrian Centre,

(h) train a racehorse or harness racing horse,

(i) lead a horse unless the horse is wearing a bit,

(j) lead more than one horse at a time,

(k) lunge a horse except in an area designated for the purpose by the Trust or the Director by a sign or signs displayed on or near the area,

(l) drive a horse-drawn vehicle on a road or track that is situated within the area surrounded by the horse track and Grand Drive,

(m) long rein a horse,

(n) use the horse track for a purpose other than riding or leading a horse,

(o) leave a horse unattended or untethered (except in a stable box at the Centennial Park Equestrian Centre),

(p) lead a dog on a leash:

(i) while in control of a horse, or

(ii) from or attached to a moving vehicle,

(q) run or exercise a dog that is not on a leash from a moving vehicle.

Maximum penalty: 10 penalty units.

20 Equestrian Code of Conduct

A person who uses that part of the Trust lands known as the Centennial Parklands

Equestrian Centre and Grounds must comply with the requirements of the document called *Centennial Parklands Equestrian Centre and Grounds—Code of Conduct and Regulations*, being the Code made by the Trust and a copy of which is available from the office of the Trust.

Maximum penalty: 10 penalty units.

21 Vehicles

(1) A person must not abandon a vehicle on the Trust lands.

Maximum penalty: 10 penalty units.

(2) A person must not on Trust lands, except with the written permission of, and in the manner approved by, the Trust or the Director, do any of the following:

(a) drive, ride, stand or park a vehicle other than on a sealed road or on part of the Trust lands designated under paragraph (d),

(b) teach a person to drive or ride a motor vehicle,

(c) learn to drive or ride a motor vehicle,

(d) cause or permit a vehicle (other than an authorised vehicle) to be driven, ridden, stood or parked on a lawn, grass, parkland, green, garden, footpath or cycle track or the horse track unless the area is designated for that purpose by the Trust or the Director by a sign or signs displayed on or near the area,

(e) drive, ride or park a vehicle (other than an authorised vehicle) contrary to, or act contrary to, a sign approved by the Trust or the Director that regulates the movement or parking of vehicles or the movement or confinement of animals,

(f) drive an omnibus or a vehicle:

(i) with a tare weight of more than 3 tonnes, or

(ii) with a height of more than 4 metres.

Maximum penalty: 10 penalty units.

(3) For the purposes of subclause (2), ***authorised vehicle*** means a golf buggy when operated within the Moore Park Golf Course.

22 Speed of vehicles

A person must not, except with the written permission of, and in the manner approved by, the Trust or the Director, drive or ride a vehicle on any Trust lands at a speed exceeding that determined by the Trust in respect of the land concerned and specified on a sign erected on that land by or on behalf of the Trust.

Maximum penalty: 10 penalty units.

23 Certain provisions not to apply to emergency vehicles

(1) A provision of this Regulation concerning vehicles or drivers of vehicles does not apply to or in respect of an emergency vehicle if:

(a) in the circumstances:

(i) the driver is taking reasonable care, and

(ii) it is reasonable that the provision should not apply, and

(b) if the vehicle is a motor vehicle that is moving—the vehicle is displaying a blue or red flashing light or sounding an alarm.

(2) Subclause (1) (b) does not apply to the driver if, in the circumstances, it is reasonable:

(a) not to display the light or sound the alarm, or

(b) for the vehicle not to be fitted or equipped with a blue or red flashing light or an alarm.

(3) In this clause, ***emergency vehicle*** means a vehicle driven by a person who is:

(a) a police officer acting in the course of his or her duties as a police officer, or

(b) a member of the Ambulance Service rendering or providing transport for sick or injured persons, or

(c) a member of a fire brigade providing transport in the course of an emergency, or

(d) an authorised person acting in the course of his or her duties as an authorised person.

24 Use of cycles, pedal cars and rollerblades

(1) A person must not on the Trust lands, except with the written permission of, and in the manner approved by, the Trust or the Director, do any of the following:

(a) ride a cycle or rollerblades in a group of more than 16 persons,

(b) ride a cycle or rollerblades alongside 2 or more persons,

(c) ride a cycle or rollerblades closer than 3 metres behind, or while holding onto, a moving motor vehicle (that is, slip streaming),

(d) ride a pedal-car or a similar device except on a part of the Trust lands designated by the Trust or the Director for that activity,

(e) ride a cycle or rollerblades on a footway, building forecourt or paved or grassed

area or on an area in which the activity is prohibited by the Trust or the Director by a sign displayed on or near the area.

Maximum penalty: 10 penalty units.

(2) For the purposes of subclause (1) (c), ***holding onto*** a moving motor vehicle includes being towed behind the vehicle by means of a rope or other similar item.

25 Personal conduct

A person must not on the Trust lands do any of the following:

(a) use indecent, obscene, insulting or threatening language,

(b) behave in an offensive or indecent manner,

(c) cause serious alarm or affront to a person by disorderly or unsafe conduct,

(d) obstruct a person in the performance of that person's work or duties,

(e) fail to comply with a reasonable request or direction given for the purpose of securing good order, security and safety and management and enjoyment of the Trust lands by a member of the Trust, the Director or an authorised person.

Maximum penalty: 10 penalty units.

26 Persons to leave Trust lands on request

(1) A person who does any of the following on Trust lands must leave the Trust lands if requested to do so by the Trust, the Director or an authorised person:

(a) trespasses,

(b) causes annoyance or inconvenience to any person,

(c) commits a breach of this Regulation.

(2) A request made under this clause may specify any one or more of the following:

(a) the part of the Trust lands to which the request relates,

(b) the period within which the person must leave the Trust lands concerned,

(c) the period during which the person must not return to the Trust lands concerned.

(3) In specifying a period under subclause (2) (b) or (c), the Trust, Director or authorised person must take into consideration the seriousness and persistence of the conduct concerned.

(4) A person who fails to comply with a request made under this clause may be removed from the Trust lands by the Director or an authorised person.

(5) A person who leaves or is removed from the Trust lands under this clause must remove any equipment, vehicle or animal, or any other item belonging to or associated with the person, from the Trust lands.

(6) A person must not remain on, enter or return to Trust lands in contravention of a request made under this clause.

Maximum penalty: 10 penalty units.

27 Noise on Trust lands

A person must not on the Trust lands, except with the written permission of, and in the manner approved by, the Trust, the Director or an authorised person:

(a) operate a radio, cassette player, record player, compact disc player or other similar device, or play a musical instrument, at a volume likely to cause nuisance or annoyance to a person, or

(b) operate a public address system or similar device, or

(c) sound, or cause, or allow to be sounded, a motor vehicle intruder alarm or sounding device continuously or intermittently for more than 90 seconds after the device or alarm has first sounded.

Maximum penalty: 10 penalty units.

28 Authorisation of use of Trust lands for Mardi Gras and Livid Arts Festival

For the purposes of section 20A of the Act, the use of the Trust lands is authorised for the purpose of the following events, being events for which it is reasonably anticipated that more than 20,000 persons at one time will resort to the land:

(a) Sydney Gay and Lesbian Mardi Gras Parade and Sydney Gay and Lesbian Mardi Gras Party for the year 2005,

(b) the Livid Arts Festival for the year 2005.

Part 3 Centennial Park and Moore Park Trust Community Consultative Committee

29 Centennial Park and Moore Park Trust Community Consultative Committee

In this Part, ***the Committee*** means the Centennial Park and Moore Park Trust Community Consultative Committee constituted for the purposes of section 7A (2) of the Act.

30 Composition

(1) The Committee is to consist of 10 members.

(2) The Director may recommend himself or herself for appointment as a member, and may recommend any other person whom the Director is satisfied:

(a) has a sound knowledge of the Trust lands and of Trust activities, and

(b) is able to communicate effectively with local residents, local community groups and other persons who use the Trust lands.

(3) A trustee is not eligible to be appointed as a member of the Committee (but this does not prevent the appointment of a member of the Committee as a trustee under section 7 (1) (b) of the Act and does not prevent that trustee being re-appointed as a member of the Committee).

31 Term of office

(1) Subject to this Part, a member (other than the Director) holds office for a term of 2 years, and is eligible for re-appointment as a member for any number of terms (but not so as to hold office as a member for more than 2 consecutive terms).

(2) If the Director is appointed as a member of the Committee, the Director holds office as a member for so long as the Director holds office as Director, subject to this Part.

32 Deputies of members

(1) Subject to subclause (2), the Trust may, from time to time, appoint a person to be the deputy of a member, and the Trust may revoke any such appointment.

(2) If the Director is appointed as a member of the Committee, the Director may, from time to time, appoint a person to be the Director's deputy as such a member, and may revoke any such appointment.

(3) In the absence of a member, the member's deputy may, if available, act in the place of the member.

(4) While acting in the place of a member, a person has and may exercise all the functions of the member and is taken to be a member.

33 Removal from office

The Trust may remove any member from office for any cause that seems to the Trust sufficient.

34 Vacancy in office of member

A member of the Committee is taken to have vacated office if the member:

(a) becomes a member of the Trust (except pursuant to an appointment under section 7 (1) (b) of the Act), or

(b) completes a term of office and is not re-appointed, or

(c) resigns the office by instrument in writing addressed to the Trust, or

(d) is absent, without having been excused by the Committee, for 2 consecutive meetings of the Committee of which notice has been given to the member, or

(e) is removed from office by the Trust under this Part, or

(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

(g) becomes a mentally incapacitated person, or

(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, or

(i) dies.

35 Filling vacancy

The Trust may, on the recommendation of the Director, appoint a person to fill any vacancy in the office of a member of the Committee.

36 Chairperson

(1) The chairperson of the Committee is to be the member elected as chairperson by a majority of the Committee at the first meeting of the Committee after the commencement of this clause.

(2) In the absence of the chairperson, the deputy of that member may, if available, act in the place of the chairperson.

(3) If the chairperson of the Committee vacates office as a member of the Committee, another member of the Committee is to be elected as chairperson by a majority of the Committee at the first meeting of the Committee after the chairperson vacates office.

(4) The person holding the office of chairperson of the Committee immediately before the commencement of this clause ceases to hold that office on that commencement.

37 Chairperson's vote

The chairperson is to have a deliberative vote and, in the event of an equality of votes, a second or casting vote.

38 Quorum

(1) The chairperson and 5 other members form a quorum at any meeting of the

Committee and any duly convened meeting at which a quorum is present is competent to transact any business of the Committee.

(2) Questions arising at a meeting of the Committee are to be determined by a majority of the votes of the members present and voting.

39 Procedure

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

40 Minutes

(1) The chairperson of the Committee is to cause minutes of each meeting of the Committee to be recorded and preserved.

(2) A copy of the minutes is to be submitted to the Trust for its consideration as soon as practicable after being confirmed by a meeting of the Committee.

41 Existing members

Subject to this Part, a person who held office as a member of the Committee as constituted immediately before the commencement of this Regulation:

(a) continues to hold that office until the end of the term of the person's office as such a member, and

(b) is eligible for re-appointment as a member of the Committee.

Part 4 Miscellaneous

42 Requirement to state name and address

(1) The Director or an authorised person who suspects on reasonable grounds that a person on the Trust lands has committed an offence against the Act or this Regulation may require the person to state his or her full name and residential address.

(2) A person must not:

(a) fail without reasonable excuse to comply with a requirement under this clause, or

(b) in purported compliance with such a requirement, furnish information that the person knows to be false or misleading in a material particular.

Maximum penalty: 10 penalty units.

(3) A person is not guilty of an offence under subclause (2) unless it is established that the Director or authorised person warned the person that the failure to comply with the requirement is an offence.

43 Lessees and licensees

An act or omission does not constitute a breach of this Regulation, despite any other provision of this Regulation, if the act or omission is authorised expressly or impliedly by the terms or conditions of any lease or licence granted by the Trust or of any agreement entered into by the Trust.

44 Application of Regulation to officers and employees

(1) Nothing in this Regulation prevents a person employed under section 13 of the Act or an authorised person from doing, in the exercise of his or her functions under the Act, any act or thing the doing of which is otherwise prohibited by this Regulation.

(2) This clause does not, however, authorise any such person (other than a police officer) to have in his or her possession a firearm (within the meaning of the *Firearms Act 1996*) while on the Trust lands except with the written permission of the Trust or the Director.

45 Penalty notices

For the purposes of section 24 of the Act:

(a) the Director and an authorised person are prescribed officers, and

(b) the amount specified in Column 2 of Schedule 1 with respect to each offence described in Column 1 of that Schedule is the prescribed amount of penalty prescribed for the offence against this Regulation if dealt with under that section.

46 Saving

Any act, matter or thing that, immediately before the repeal of the *Centennial Park and Moore Park Trust Regulation 1999*, had effect under that Regulation is taken to have effect under this Regulation.

Schedule 1 Penalty notice offences

(Clause 45)

Column 1	Column 2
Offence	**Penalty**
clause 5 (2)	$115
clause 5 (3)	$115
clause 5 (4)	$115
clause 6 (1)	$115
clause 7 (2)	$175

clause 7 (3)	$175
clause 10 (4)	$115
clause 11 (2)	$115
clause 12 (2)	$115
clause 13 (1) (a)	$350
clause 13 (1) (b)	$350
clause 13 (1) (c)	$350
clause 13 (1) (d)	$350
clause 13 (1) (e)	$350
clause 13 (1) (f)	$230
clause 13 (1) (g)	$175
clause 13 (1) (h)	$115
clause 13 (1) (i)	$115
clause 13 (2)	$115
clause 14	$230
clause 15 (1) (a)	$175
clause 15 (1) (b)	$175
clause 15 (2)	$115
clause 16 (a)	$175
clause 16 (b)	$500
clause 16 (c)	$85
clause 16 (d)	$115
clause 16 (e)	$115
clause 16 (f)	$115
clause 16 (g)	$175
clause 16 (h)	$175
clause 16 (i)	$500
clause 16 (j)	$500
clause 16 (k)	$175
clause 16 (l)	$330
clause 16 (m)	$330

clause 16 (n)	$175
clause 17 (1)	$175
clause 18 (a)	$85
clause 18 (b)	$85
clause 18 (c)	$85
clause 18 (d)	$85
clause 18 (e)	$85
clause 18 (f)	$85
clause 18 (g)	$85
clause 18 (h)	$350
clause 18 (i)	$85
clause 18 (j)	$85
clause 18 (k)	$500
clause 18 (l)	$85
clause 18 (m)	$85
clause 18 (n)	$85
clause 18 (o)	$85
clause 19 (a)	$85
clause 19 (b)	$85
clause 19 (c)	$85
clause 19 (d)	$85
clause 19 (e)	$85
clause 19 (f)	$85
clause 19 (g)	$85
clause 19 (h)	$85
clause 19 (i)	$85
clause 19 (j)	$85
clause 19 (k)	$85
clause 19 (l)	$85
clause 19 (m)	$85
clause 19 (n)	$85

clause 19 (o)	$85
clause 19 (p)	$85
clause 19 (q)	$85
clause 20	$115
clause 21 (1)	$175
clause 21 (2) (a)	$175
clause 21 (2) (b)	$115
clause 21 (2) (c)	$115
clause 21 (2) (d)	$115
clause 21 (2) (e)	$115
clause 21 (2) (f)	$115
clause 22	$175
clause 24 (1) (a)	$115
clause 24 (1) (b)	$115
clause 24 (1) (c)	$115
clause 24 (1) (d)	$175
clause 24 (1) (e)	$115
clause 25 (a)	$115
clause 25 (b)	$115
clause 25 (c)	$115
clause 25 (d)	$175
clause 25 (e)	$175
clause 26 (6)	$175
clause 27 (a)	$115
clause 27 (b)	$350
clause 27 (c)	$350
clause 42 (2) (a)	$175
clause 42 (2) (b)	$175