

# Western Sydney Parklands Act 2006 No 92

[2006-92]



New South Wales

## Status Information

### Currency of version

Historical version for 15 January 2016 to 18 May 2017 (accessed 1 March 2024 at 0:30)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

Some, but not all, of the provisions displayed in this version of the legislation have commenced.

### Notes—

- **Does not include amendments by**
  - [Environmental Planning and Assessment Amendment Act 2008 No 36](#) (amended by [Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2014 No 88](#)) (not commenced)
  - [Crown Land Legislation Amendment Act 2017 No 17](#) (not commenced)
- **See also**
  - [Local Government Amendment \(Parliamentary Inquiry Recommendations\) Bill 2016](#) [Non-government Bill: Rev the Hon F J Nile, MLC]
  - [Statute Law \(Miscellaneous Provisions\) Bill 2017](#)

## Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 17 May 2017

# Western Sydney Parklands Act 2006 No 92



New South Wales

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# Western Sydney Parklands Act 2006 No 92



New South Wales

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.

## 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 person employed in the Public Service as the Director of the Trust.

**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 Public Service agency within the meaning of the *Government Sector Employment Act 2013*,

(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](#).

**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**

### **4 Constitution of Trust**

There is constituted by this Act a corporation with the corporate name of the Western Sydney Parklands Trust.

### **5 Status of Trust**

The Trust is a NSW Government agency.

## **6 Ministerial control**

The Trust is subject to the control and direction of the Minister in the exercise of its functions.

## **7 Trust Board**

- (1) There is to be a Board of the Trust.
- (2) The Board is to consist of the following members:
  - (a) the Director,
    - (a1) the Secretary of the Department of Premier and Cabinet or his or her nominee,
    - (b) the Secretary of the Department of Planning and Environment or his or her nominee,
    - (c) the Chief Executive of the Office of Environment and Heritage or his or her nominee,
    - (d) not more than 5 other persons, appointed by the Minister.
- (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.
- (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.
- (5) Schedule 1 has effect with respect to the Board.

## **8 Director of Trust**

- (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.
- (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.

## **9 Advisory committees**

- (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) Any or all of the members of an advisory committee may be persons who are not members of the Board.
- (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.

#### **9A Staff**

Persons may be employed in the Public Service under the *Government Sector Employment Act 2013* to enable the Trust to exercise its functions.

**Note—**

Section 59 of the *Government Sector Employment Act 2013* provides that the persons so employed (or whose services the Trust makes use of) may be referred to as officers or employees, or members of staff, of the Trust. Section 47A of the *Constitution Act 1902* precludes the Trust from employing staff.

#### **10 Delegation of Trust's functions**

- (1) The Trust may delegate to an authorised person any of its functions, other than this power of delegation.
- (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.
- (3) In this section, **authorised person** means:
  - (a) a member of the Board, or
  - (b) a member of staff of the Trust, or
  - (c) a government agency or member of staff of a government agency, or
  - (d) a person, or committee of persons, of a class approved by the Minister or prescribed by the regulations.

#### **11 Exercise of functions through private subsidiaries, joint ventures etc**

Any function of the Trust may be exercised:

- (a) by the Trust itself, or
- (b) by a private subsidiary corporation (within the meaning of section 21), or
- (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.

### **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.
- (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.
- (4) (Repealed)
- (5) In carrying out its functions, the Trust is to have regard to the principles of sustainable development, including ecologically sustainable development.

- (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.
- (7) The Trust has such other functions as are conferred or imposed on it by or under this or any other Act.

### **13 Agreements for management of Trust land and other land**

- (1) A government agency may enter into an agreement with the Trust for the Trust:
  - (a) to manage, maintain, improve or develop land of the agency, or
  - (b) to provide services or do other things for the management, maintenance or improvement of land of the agency.
- (2) The Trust may enter into an agreement with a government agency for the government agency:
  - (a) to manage, maintain or develop Trust land, or
  - (b) to provide services or do other things for the management, maintenance or improvement of Trust land.
- (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.
- (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.
- (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.
- (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.
- (7) Without limiting section 12 of the *State Property Authority Act 2006* or this section, the Trust may enter into arrangements with the State Property Authority under that section or under this section.
- (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.

#### **14 Outsourcing**

- (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.
- (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.

#### **15 Acquisition of land**

- (1) The Trust may acquire land, for the purposes of this Act, by agreement or by compulsory process in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.
- (2) For the purposes of the *Public Works Act 1912*, 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.
- (3) Sections 34, 35, 36 and 37 of the *Public Works Act 1912* do not apply to or in respect of works constructed under this Act.

#### **16 Dealings in relation to Trust land**

- (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.
- (2) Except as provided by section 18, the Trust may not sell, exchange or otherwise dispose of Trust land within the Parklands.
- (3) Except with the consent of the Minister, the Trust may not grant a long-term lease or licence over land within the Parklands.
- (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,

(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,

(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](#),

(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.

(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:

- (a) the Parklands are to act as a corridor linking core habitat (such as habitat of endangered Cumberland Plain Woodland),
- (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,
- (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.

## **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:
  - (a) for any public purpose specified in the notification, or
  - (b) if so specified in the notification, as a public road.
- (2) When the land is surrendered:
  - (a) it becomes Crown land reserved from sale, lease or licence under the [Crown Lands Act 1989](#), and
  - (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.
- (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.
- (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.

## **19 Roads**

- (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 [Roads Act 1993](#)) or realigned by the Crown, a public authority or any person except with the consent of the Trust.
- (2) Except as provided by subsection (1), this Part does not affect the application of the

[Roads Act 1993](#) or any other Act to any such road.

## **20 Acquisition of property by gift, devise or bequest**

- (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.
- (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.
- (3) The [Duties Act 1997](#) does not apply to or in respect of any gift, devise or bequest made or to be made to the Trust.

## **21 Private subsidiary corporations etc**

- (1) In this section:

**private corporation** means a corporation within the meaning of the [Corporations Act 2001](#) of the Commonwealth formed in or outside New South Wales.

**private subsidiary corporation** means a private corporation in which the Trust has a controlling interest.

- (2) The Trust may, subject to subsection (3):
  - (a) form, or participate in the formation of, private corporations, and
  - (b) acquire interests in private corporations, and
  - (c) sell or otherwise dispose of interests in private corporations.
- (3) The Trust must not, without the approval of the Minister:
  - (a) form, or participate in the formation of, a private subsidiary corporation, or
  - (b) acquire an interest in a private corporation so that, as a result of the acquisition, the corporation becomes a private subsidiary corporation, or
  - (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.
- (4) A private subsidiary corporation is not a NSW Government agency.
- (5) Nothing in this section affects the operation of the [Public Authorities \(Financial Arrangements\) Act 1987](#).

## **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.

- (3) The Trust may prepare an amendment to the plan of management or a replacement plan of management.
- (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.

## **Division 3 Precincts and precinct plans**

### **24 Precincts**

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

### **25 Preparation, maintenance and content of precinct plans**

- (1) The Trust may prepare and maintain a precinct plan for each precinct.
- (2) A precinct plan may include provisions relating to the following in respect of the precinct concerned:
  - (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),
  - (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,
  - (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,
  - (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),
  - (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,



- (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,
  - (g) the identification of any other issues that are relevant to the precinct.
- (3) The Trust may prepare an amendment to a precinct plan or a replacement precinct plan.
- (4) A precinct plan or amendment of a precinct plan has no effect unless it is adopted by the Minister under section 27.

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

### **26 Consultation with government agencies**

- (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.
- (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.

### **27 Adoption of plan of management, precinct plans and amendments**

- (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.
- (2) The Minister may:
- (a) adopt the plan of management, precinct plan or amendment, without alteration or with such alterations as the Minister thinks fit, or
  - (b) refer the plan of management, precinct plan or amendment back to the Trust for further consideration.
- (3) The Minister is to make the plan of management and each precinct plan publicly available.

### **28 Review of plan of management and precinct plans**

- (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) 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.

## **Division 5 Other provisions relating to management of Parklands**

### **29 Management of cemeteries and crematoriums**

- (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.
- (2) The provisions of the *Crown Lands Act 1989* 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:
  - (a) as if a reference to a reserve trust were a reference to the Trust, and
  - (b) with such other modifications as may be prescribed by the regulations.

### **30 Responsibilities of the Trust and government agencies in relation to Parklands**

- (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.
- (2) Each government agency that owns or manages any land within a precinct:
  - (a) is, as far as possible, to manage, use and develop the land in accordance with the relevant provisions of the precinct plan, and
  - (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.
- (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.
- (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 Chief Executive, and
  - (b) has all the functions under that Act in relation to the Western Sydney Regional Park that the Chief Executive has in relation to regional parks for which the Chief Executive 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:
- (a) section 139 (2) (a) of the [National Parks and Wildlife Act 1974](#) to the Chief Executive 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
  - (b) section 177 to the Chief Executive 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.
- (5) Any thing done or entered into by the Chief Executive in connection with the Western Sydney Regional Park is taken to have been done or entered into by the Trust.
- (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.

- (7) The regulations may provide that a reference in any provision of the *National Parks and Wildlife Act 1974*, or the regulations under that Act, to the Chief Executive, a person employed in the Office of Environment and Heritage 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.
- (8) In this section, **the Chief Executive** means the Chief Executive of the Office of Environment and Heritage.

### 32 Application of other laws

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.

## 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 on the NSW legislation website 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,
  - (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.
- (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.

### **35 Transfer of additional land to Trust—amendment of Schedule 3**

- (1) The Governor may, by order published on the NSW legislation website, amend Schedule 3 by inserting the description of any land.
- (2) Land is authorised to be included in Schedule 3 by order under this section only if:
  - (a) it is land of a government agency (including vacant Crown land), and
  - (b) the appropriate consent has been obtained to the land being included in the order.
- (3) For the purposes of subsection (2), the appropriate consent is:
  - (a) where the government agency concerned is not a local authority—the consent of the Minister responsible for the government agency, or
  - (b) where the government agency concerned is a local authority—the consent of the local authority.
- (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.
- (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.

### **36 Effect of transfer of land under this Division**

- (1) No compensation is payable to any person or body in connection with the operation of this Division.
- (2) The operation of this Division is not to be regarded:
  - (a) as a breach of contract or confidence or otherwise as a civil wrong, or
  - (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.
- (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 *National Parks and Wildlife Act 1974* or the *Crown Lands Act 1989* is revoked on the inclusion of a description of the land in Schedule 3.

### **37 Administration of certain existing leases and similar interests**

- (1) In this section, **existing interest** means:
  - (a) a lease, licence, permit, authority, authorisation or occupancy in respect of land referred to in Schedule 3 that was granted under the *National Parks and Wildlife Act 1974*, the *Crown Lands Act 1989* or a perpetual lease, special lease or term lease within the meaning of the *Crown Lands (Continued Tenures) Act 1989* (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:
  - (a) in respect of existing interests under the *National Parks and Wildlife Act 1974*—the powers of the Minister administering that Act or the Chief Executive of the Office of Environment and Heritage, and
  - (b) in respect of existing interests under the *Crown Lands Act 1989*—the powers of the Minister administering that Act, and

- (c) in respect of existing interests under the *Crown Lands (Continued Tenures) Act 1989*—the powers of the Minister administering that Act.

### **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.

## **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 39, 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 in the Public Service, or a person of a class prescribed by the regulations, to be a ranger for the purposes of this Act.
- (2) A ranger may exercise such functions as are conferred on a ranger by this Act or the regulations.
- (3) The Trust is to provide each ranger with an identification card.
- (4) An identification card is a card that:
  - (a) states that it is issued under this Act, and
  - (b) gives the name of the person to whom it is issued, and
  - (c) describes the nature of the powers conferred, and
  - (d) states the date (if any) on which it expires, and
  - (e) is signed by the Director.
- (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.

#### **48 Penalty notices**

- (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.
- (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.
- (3) A penalty notice may be served personally or by post.
- (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.
- (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.
- (6) The regulations may:

- (a) prescribe an offence for the purposes of this section by specifying the offence or by referring to the provision creating the offence, and
  - (b) prescribe the amount of penalty payable for the offence if dealt with under this section, and
  - (c) prescribe different amounts of penalties for different offences or classes of offences.
- (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.
- (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.

#### **49 Nature of proceedings for offences**

Proceedings for an offence against the regulations may be dealt with summarily before the Local Court.

#### **50 Regulations**

- (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.
- (2) In particular, regulations may be made for or with respect to the following:
- (a) the fees and charges that may be imposed for the purposes of this Act,
  - (b) regulating the use by the public of, and the conduct of the public on, the Parklands,
  - (c) regulating the use of facilities of the Trust and the provision of services by the Trust,
  - (d) requiring the payment of fares or other charges for the use of any facility operated or service provided by the Trust,
  - (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,
  - (f) conferring on the Trust any function that may be exercised by a council in relation to a public place.
- (3) The regulations may create an offence punishable by a maximum penalty of 50 penalty units.

## **51 Savings, transitional and other provisions**

Schedule 4 has effect.

## **52 (Repealed)**

## **53 Review of Act**

- (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.
- (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.
- (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.

## **Schedule 1 Members and procedure of Board**

(Section 7 (5))

### **Part 1 General**

#### **1 Definitions**

In this Schedule:

***appointed member*** means a person who is appointed by the Minister as a member of the Board.

***Chairperson*** means the Chairperson of the Board.

***member*** means any member of the Board.

### **Part 2 Constitution**

#### **2 Terms of office of members**

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.

#### **3 Part-time appointments**

Appointed members hold office as part-time members.

#### **4 Remuneration**

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.

## **5 Vacancy in office of member**

- (1) The office of an appointed member becomes vacant if the member:
  - (a) dies, or
  - (b) completes a term of office and is not re-appointed, or
  - (c) resigns the office by instrument in writing addressed to the Minister, or
  - (d) is removed from office by the Minister under this clause, or
  - (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
  - (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.
- (2) The Minister may remove an appointed member from office at any time.

## **6 Filling of vacancy in office of appointed member**

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.

## **7 Chairperson**

- (1) The Chairperson vacates office as Chairperson if he or she:
  - (a) is removed from that office by the Minister under this clause, or
  - (b) resigns that office by instrument in writing addressed to the Minister, or
  - (c) ceases to be a member of the Board.
- (2) The Minister may at any time remove the Chairperson from office as Chairperson.

## **8 Disclosure of pecuniary interests**

- (1) If:

- (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
- (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,

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.

(2) A disclosure by a member at a meeting of the Board that the member:

- (a) is a member, or is in the employment, of a specified company or other body, or
- (b) is a partner, or is in the employment, of a specified person, or
- (c) has some other specified interest relating to a specified company or other body or to a specified person,

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) 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.

(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:

- (a) be present during any deliberation of the Board with respect to the matter, or
- (b) take part in any decision of the Board with respect to the matter.

(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:

- (a) be present during any deliberation of the Board for the purpose of making the determination, or
- (b) take part in the making by the Board of the determination.

(6) A contravention of this clause does not invalidate any decision of the Board.

## **9 Effect of certain other Acts**

(1) The provisions of the *Government Sector Employment Act 2013* relating to the employment of Public Service employees do not apply to an appointed member.

(2) If by or under any Act provision is made:

(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

(b) prohibiting the person from engaging in employment outside the duties of that office,

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.

## **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.

### **15 First meeting**

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

## **Schedule 2 Western Sydney Parklands**

(Section 22)

The area of land identified as the Western Sydney Parklands on Sheets 1-8 of the map marked "[Western Sydney Parklands Act 2006 Western Sydney Parklands Map](#)" deposited in the office of the Trust.

### **Schedule 3 Land transferred to Trust**

(Section 34)

- 1** Folio 128/752052, Lot 128, DP 752052, Blacktown
- 2** Folio 1/875790, Lot 1, DP 875790, Fairfield
- 3** Folio 3/1041487, Lot 3, DP 1041487, Blacktown
- 4** Folio 11/882325, Lot 11, DP 882325, Blacktown
- 5** Folio 14/882325, Lot 14, DP 882325, Blacktown
- 6** Folio 2/1045771, Lot 2, DP 1045771, Blacktown
- 7** Folio 2/128873, Lot 12, DP 1021940, Fairfield
- 8** Folio 3/128873, Lot 11, DP 1021940, Fairfield
- 9** Folio 10/1021940, Lot 10, DP 1021940, Fairfield
- 10** Folio 19/1022008, Lot 19, DP 1022008, Fairfield
- 11** Folio 18/4971, Lot 18, DP 4971, Blacktown
- 12** Folio 19/4971, Lot 19, DP 4971, Blacktown
- 13** Folio 22/4971, Lot 22, DP 4971, Blacktown
- 14** Folio 23/4971, Lot 23, DP 4971, Blacktown
- 15** Folio 24/4971, Lot 24, DP 4971, Blacktown
- 16** Folio 4/21726, Lot 4, DP 21726, Blacktown
- 17** Folio 2/31178, Lot 2, DP 31178, Blacktown
- 18** Folio 3/31178, Lot 3, DP 31178, Blacktown
- 19** Folio 4/31178, Lot 4, DP 31178, Blacktown
- 20** Folio 5/31178, Lot 5, DP 31178, Blacktown
- 21** Folio 6/31178, Lot 6, DP 31178, Blacktown
- 22** Folio 7/31178, Lot 7, DP 31178, Blacktown
- 23** Folio 8/31178, Lot 8, DP 31178, Blacktown
- 24** Folio 1/135700, Lot 1, DP 135700, Blacktown
- 25** Folio AC6799-224, Lot 1, DP 135704, Blacktown
- 26** Folio AC6799-224, Lot 2, DP 135704, Blacktown



- 27** Folio 1/258576, Lot 1, DP 258576, Blacktown
- 28** Folio 2/258576, Lot 2, DP 258576, Blacktown
- 29** Folio B/417611, Lot B, DP 417611, Blacktown
- 30** Folio 1/507242, Lot 1, DP 507242, Blacktown
- 31** Folio 2/507242, Lot 2, DP 507242, Blacktown
- 32** Folio 2/582388, Lot 2, DP 582388, Blacktown
- 33** Folio 1/591894, Lot 1, DP 591894, Blacktown
- 34** Folio 1/596895, Lot 1, DP 596895, Blacktown
- 35** Folio 1/596897, Lot 1, DP 596897, Blacktown
- 36** Folio 1/610110, Lot 1, DP 610110, Blacktown
- 37** Folio VF15442-124, Lot 42, DP 656978, Blacktown
- 38** Folio 1/707809, Lot 1, DP 707809, Blacktown
- 39** Folio 5/716368, Lot 5, DP 716368, Blacktown
- 40** Folio 4/716435, Lot 4, DP 716435, Blacktown
- 41** Folio 14/730053, Lot 14, DP 730053, Blacktown
- 42** Folio 1/744430, Lot 1, DP 744430, Blacktown
- 43** Folio 21/778167, Lot 21, DP 778167, Blacktown
- 44** Folio 22/778167, Lot 22, DP 778167, Blacktown
- 45** Folio 6/778168, Lot 6, DP 778168, Blacktown
- 46** Folio 16/778172, Lot 16, DP 778172, Blacktown
- 47** Folio 7/778173, Lot 7, DP 778173, Blacktown
- 48** Folio 10/778175, Lot 10, DP 778175, Blacktown
- 49** Folio 2/778176, Lot 2, DP 778176, Blacktown
- 50** Folio 3/778176, Lot 3, DP 778176, Blacktown
- 51** Folio 18/778177, Lot 18, DP 778177, Blacktown
- 52** Folio 1/787347, Lot 1, DP 787347, Blacktown
- 53** Folio 9/789724, Lot 9, DP 789724, Blacktown
- 54** Folio 10/789724, Lot 10, DP 789724, Blacktown

- 55** Folio 1/791630, Lot 1, DP 791630, Blacktown
- 56** Folio 315/793235, Lot 315, DP 793235, Blacktown
- 57** Folio 316/793235, Lot 316, DP 793235, Blacktown
- 58** Folio 1003/814284, Lot 1003, DP 814284, Blacktown
- 59** Folio 107/832939, Lot 107, DP 832939, Blacktown
- 60** Folio 108/832939, Lot 108, DP 832939, Blacktown
- 61** Folio 115/832963, Lot 115, DP 832963, Blacktown
- 62** Folio 501/841622, Lot 501, DP 841622, Blacktown
- 63** Folio 541/850659, Lot 541, DP 850659, Blacktown
- 64** Folio 1/851899, Lot 1, DP 851899, Blacktown
- 65** Folio 101/1002519, Lot 101, DP 1002519, Blacktown
- 66** Folio 1/1003222, Lot 1, DP 1003222, Blacktown
- 67** Folio 2/1003222, Lot 2, DP 1003222, Blacktown
- 68** Folio 3/1003222, Lot 3, DP 1003222, Blacktown
- 69** Folio 4/1003222, Lot 4, DP 1003222, Blacktown
- 70** Folio 1/1010402, Lot 1, DP 1010402, Blacktown
- 71** Folio 110/1016067, Lot 110, DP 1016067, Blacktown
- 72** Folio 8/1041877, Lot 8, DP 1041877, Blacktown
- 73** Folio 9/1041877, Lot 9, DP 1041877, Blacktown
- 74** Folio 10/1041877, Lot 10, DP 1041877, Blacktown
- 75** Folio 11/1041877, Lot 11, DP 1041877, Blacktown
- 76** Folio 12/1041877, Lot 12, DP 1041877, Blacktown
- 77** Folio 1/1042105, Lot 1, DP 1042105, Blacktown
- 78** Folio 2/1042105, Lot 2, DP 1042105, Blacktown
- 79** Folio 1/B/8681, Lot 1/B, DP 8681, Blacktown
- 80** Folio AC9630-178, Lot 13/B, DP 8681, Blacktown
- 81** Folio 2/A/8681, Lot 2/A, DP 8681, Blacktown
- 82** Folio 3/A/8681, Lot 3/A, DP 8681, Blacktown

- 83** Folio AC3439-80, Lot 3/B, DP 8681, Blacktown
- 84** Folio AC3439-80, Lot 4/B, DP 8681, Blacktown
- 85** Folio 5/B/8681, Lot 5/B, DP 8681, Blacktown
- 86** Folio 1/31130, Lot 1, DP 31130, Blacktown
- 87** Folio 6/31130, Lot 6, DP 31130, Blacktown
- 88** Folio 7/31130, Lot 7, DP 31130, Blacktown
- 89** Folio 8/31130, Lot 8, DP 31130, Blacktown
- 90** Folio 1/54275, Lot 1, DP 54275, Blacktown
- 91** Folio 3/60852, Lot 3, DP 60852, Blacktown
- 92** Folio 4/60852, Lot 4, DP 60852, Blacktown
- 93** Folio 4A/60852, Lot 4A, DP 60852, Blacktown
- 94** Folio 5A/60852, Lot 5A, DP 60852, Blacktown
- 95** Folio 6A/60852, Lot 6A, DP 60852, Blacktown
- 96** Folio AC9630-178, Lot 1, DP 135665, Blacktown
- 97** Folio A/323854, Lot A, DP 323854, Blacktown
- 98** Folio B/323854, Lot B, DP 323854, Blacktown
- 99** Folio A/358346, Lot A, DP 358346, Blacktown
- 100** Folio 3B/436196, Lot 3B, DP 436196, Blacktown
- 101** Folio 3D/436196, Lot 3D, DP 436196, Blacktown
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- 103** Folio 4/449043, Lot 4, DP 449043, Blacktown
- 104** Folio 7/545017, Lot 7, DP 545017, Blacktown
- 105** Folio 8/545017, Lot 8, DP 545017, Blacktown
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- 110** Folio 2/830836, Lot 2, DP 830836, Blacktown

- 111** Folio 3/830836, Lot 3, DP 830836, Blacktown
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- 113** Folio 5/830836, Lot 5, DP 830836, Blacktown
- 114** Folio 6/830836, Lot 6, DP 830836, Blacktown
- 115** Folio 7/830836, Lot 7, DP 830836, Blacktown
- 116** Folio 8/830836, Lot 8, DP 830836, Blacktown
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- 127** Folio 1/1103023, Lot 1, DP 1103023, Blacktown
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- 139** Folio 2/1062965, Lot 2, DP 1062965, Blacktown
- 140** Folio 1/1077822, Lot 1, DP 1077822, Blacktown
- 141** Folio 2/1077822, Lot 2, DP 1077822, Blacktown
- 142** Folio 3/1079897, Lot 3, DP 1079897, Blacktown
- 143** Folio 1/394382, Lot 1, DP 394382, Blacktown
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- 145** Folio 18/801210, Lot 18, DP 801210, Blacktown
- 146** Folio 20/801210, Lot 20, DP 801210, Blacktown
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- 150** Folio 111/839532, Lot 111, DP 839532, Blacktown
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- 157** Folio 2/13961, Lot 2, DP 13961, Fairfield
- 158** Folio 3/13961, Lot 3, DP 13961, Fairfield
- 159** Folio 4/13961, Lot 4, DP 13961, Fairfield
- 160** Folio AC5839-74, Lot 10, DP 13961, Fairfield
- 161** Folio AC5839-74, Lot 11, DP 13961, Fairfield
- 162** Folio AC5839-74, Lot 12, DP 13961, Fairfield
- 163** Folio AC5839-74, Lot 13, DP 13961, Fairfield
- 164** Folio AC13584-100, Lot 14, DP 13961, Fairfield
- 165** Folio AC13584-100, Lot 15, DP 13961, Fairfield
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- 173** Folio 25/13961, Lot 25, DP 13961, Fairfield
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- 189** Folio AC15070-108, Lot 2, DP 30290, Fairfield
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- 194** Folio AC7849-32, Lot 9, DP 30290, Fairfield

- 195** Folio 10/30290, Lot 10, DP 30290, Fairfield
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- 248** Folio 137/2475, Lot 137, DP 2475, Liverpool
- 249** Folio 161/2475, Lot 161, DP 2475, Liverpool
- 250** Folio AC8385-87, Lot 162, DP 2475, Liverpool



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- 252** Folio AC8340-119, Lot 164, DP 2475, Liverpool
- 253** Folio AC8340-119, Lot 165, DP 2475, Liverpool
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- 258** Folio AC4471-48, Lot 306, DP 2475, Liverpool
- 259** Folio AC4471-48, Lot 307, DP 2475, Liverpool
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- 264** Folio 342/2475, Lot 342, DP 2475, Liverpool
- 265** Folio 344/2475, Lot 344, DP 2475, Liverpool
- 266** Folio AC4471-48, Lot 346, DP 2475, Liverpool
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- 304** Folio AC13272-238, Lot 1021, DP 2475, Liverpool
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- 306** Folio AC6976-87, Lot 1028, DP 2475, Liverpool

- 307** Folio AC6976-87, Lot 1029, DP 2475, Liverpool
- 308** Folio 1030/2475, Lot 1030, DP 2475, Liverpool
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- 318** Folio 2/29104, Lot 2, DP 29104, Liverpool
- 319** Folio 3/29104, Lot 3, DP 29104, Liverpool
- 320** Folio 4/29104, Lot 4, DP 29104, Liverpool
- 321** Folio 5/29104, Lot 5, DP 29104, Liverpool
- 322** Folio 10/29104, Lot 10, DP 29104, Liverpool
- 323** Folio 11/29104, Lot 11, DP 29104, Liverpool
- 324** Folio 12/29104, Lot 12, DP 29104, Liverpool
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- 328** Folio 2/206551, Lot 2, DP 206551, Liverpool
- 329** Folio 3/206551, Lot 3, DP 206551, Liverpool
- 330** Folio 4/206551, Lot 4, DP 206551, Liverpool
- 331** Folio 1/231528, Lot 1, DP 231528, Liverpool
- 332** Folio 2/231528, Lot 2, DP 231528, Liverpool
- 333** Folio 3/231528, Lot 3, DP 231528, Liverpool
- 334** Folio 4/231528, Lot 4, DP 231528, Liverpool

- 335** Folio 5/231528, Lot 5, DP 231528, Liverpool
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- 341** Folio AC4471-48, Lot 2, DP 307334, Liverpool
- 342** Folio 1/328617, Lot 1, DP 328617, Liverpool
- 343** Folio AC5885-72, Lot A, DP 359685, Liverpool
- 344** Folio 1/363992, Lot 1, DP 363992, Liverpool
- 345** Folio A/364030, Lot A, DP 364030, Liverpool
- 346** Folio AC10768-129, Lot 17, DP 383747, Liverpool
- 347** Folio AC10768-129, Lot 18, DP 383747, Liverpool
- 348** Folio 1/392127, Lot 1, DP 392127, Liverpool
- 349** Folio A/392726, Lot A, DP 392726, Liverpool
- 350** Folio B/392726, Lot B, DP 392726, Liverpool
- 351** Folio 37/392727, Lot 37, DP 392727, Liverpool
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- 355** Folio 2/520880, Lot 2, DP 520880, Liverpool
- 356** Folio 1/550582, Lot 1, DP 550582, Liverpool
- 357** Folio 2/550582, Lot 2, DP 550582, Liverpool
- 358** Folio 355/578817, Lot 355, DP 578817, Liverpool
- 359** Folio 12/586076, Lot 12, DP 586076, Liverpool
- 360** Folio 141/846961, Lot 141, DP 846961, Liverpool
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- 363** Folio AC6615-98, Lot 2, DP 1037869, Liverpool
- 364** Folio AC6615-98, Lot 3, DP 1037869, Liverpool
- 365** Folio 101/1066227, Lot 101, DP 1066227, Liverpool
- 366** Folio 102/1066227, Lot 102, DP 1066227, Liverpool
- 367** Folio 1/1074727, Lot 1, DP 1074727, Liverpool
- 368** Folio 8/1087825, Lot 8, DP 1087825, Liverpool
- 369** Folio 2/877703, Lot 2, DP 877703, Liverpool
- 370** Folio 9/1054500, Lot 9, DP 1054500, Blacktown
- 371** Folio 6/229470, Lot 6, DP 229470, Blacktown
- 372** Folio 17/1021839, Lot 17, DP 1021839, Fairfield
- 373** Folio 10738/90, Lot 69, DP 235949, Blacktown
- 374** Folio 7622/019, Lot 5, DP 13961, Fairfield
- 375** Folio 4811/227, Lot 6, DP 13961, Fairfield
- 376** Folio 10395/231, Lot 23, DP 13961, Fairfield
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- 378** Folio 4370/247, Lot 29, DP 13961, Fairfield
- 379** Folio 4370/247, Lot 29A, DP 13961, Fairfield
- 380** Folio 7943/58, Lot 30A, DP 13961, Fairfield
- 381** Folio 7943/58, Lot 30B, DP 13961, Fairfield
- 382** Folio 7471/91, Lot A, DP 403308, Fairfield
- 383** Folio 97B/17288, Lot 97B, DP 17288, Fairfield
- 384** Folio 97A/17288, Lot 97A, DP 17288, Fairfield
- 385** Folio 4/1041980, Lot 4, DP 1041980, Fairfield
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- 388** Folio 113/13905, Lot 113, DP 13905, Fairfield
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- 391** Folio A/357087, Lot A, DP 357087, Fairfield
- 392** Folio 119B/346871, Lot 119B, DP 346871, Fairfield
- 393** Folio 121/13905, Lot 121, DP 13905, Fairfield
- 394** Folio 122/13905, Lot 122, DP 13905, Fairfield
- 395** Folio 1/1042004, Lot 1, DP 1042004, Fairfield
- 396** Folio 2/1042004, Lot 2, DP 1042004, Fairfield
- 397** Folio 3/1042004, Lot 3, DP 1042004, Fairfield
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- 399** Folio VF 8282-228, Lot 109, DP 13905, Fairfield
- 400** Folio 6/60852, Lot 6, DP 60852, Blacktown
- 401** Folio 15/771477, Lot 15, DP 771477, Blacktown
- 402** Folio 2/922940, Lot 2, DP 922940, Fairfield
- 403** Folio 335/843934, Lot 335, DP 843934, Fairfield
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- 405** Folio 5/1042004, Lot 5, DP 1042004, Fairfield
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- 414** Folio 3/857289, Lot 3, DP 857289, Fairfield
- 415** Folio 36/235949, Lot 36, DP 235949, Fairfield
- 416** Folio 14/860893, Lot 14, DP 860893, Fairfield
- 417** Folio 15/860893, Lot 15, DP 860893, Fairfield
- 418** Folio AC5278-149, Lot A, DP 344556, Fairfield

- 419** Folio AC5278-149, Lot 6, Section 1, DP 2954, Fairfield
- 420** Folio VF12004-176, Lot 7, Section 1, DP 2954, Fairfield
- 421** Folio AC2375-29, Lot 9, Section 1, DP 2954, Fairfield
- 422** Folio AC2375-29, Lot 10, Section 1, DP 2954, Fairfield
- 423** Folio VF12004-176, Lot 80, DP 812293, Fairfield
- 424** Folio 11/586076, Lot 11, DP 586076, Liverpool
- 425** Lot 2, DP 559158, Doonside
- 426** Lot 3C, DP 436196, Eastern Creek
- 427** Lot 1, DP 723214, Eastern Creek
- 428** Lot 102, DP 8995, Rooty Hill
- 429** Lot 103, DP 8995, Rooty Hill
- 430** Lot 1, DP 1137162, Glendenning
- 431** Lot 3, DP 31130, Eastern Creek
- 432** Lot 5, DP 31130, Eastern Creek
- 433** Lot 52B, DP 375412, Horsley Park
- 434** Lot 111, DP 526698, West Hoxton
- 435** Lot 2, DP 733361, Hoxton Park
- 436** Lot 1, DP 1079897, Eastern Creek
- 437** Lot 4, DP 31130, Eastern Creek
- 438** Lot 215, DP 1111381, Middleton Grange
- 439** Lot 112, DP 526698, West Hoxton
- 440** Lot 232, DP 2475, West Hoxton
- 441** Lot 233, DP 2475, West Hoxton
- 442** Lot 234, DP 2475, West Hoxton
- 443** Lot 235, DP 2475, West Hoxton
- 444** Lot 236, DP 2475, West Hoxton
- 445** Lot 237, DP 2475, West Hoxton
- 446** Lot 277, DP 2475, West Hoxton

- 447** Lot 278, DP 2475, West Hoxton
- 448** Lot 279, DP 2475, West Hoxton
- 449** Lot 280, DP 2475, West Hoxton
- 450** Lot 281, DP 2475, West Hoxton
- 451** Lot 282, DP 2475, West Hoxton
- 452** Lot 69, DP 752019, West Hoxton
- 453** Lot 1, DP 126246, Doonside
- 454** Lot 1, DP 126247, Doonside
- 455** Lot 10, DP 879209, Wetherill Park
- 456** Lot 50, DP 1003764, Glendenning
- 457** Lot 43, DP 16868, Doonside
- 458** Lot 52, DP 1184343, Bungaribee
- 459** Lot 1433, DP 1151185, Bungaribee
- 460** Lot 50, DP 1135635, Eastern Creek
- 461** Lot 51, DP 1135635, Eastern Creek
- 462** Lot 52, DP 1135635, Eastern Creek
- 463** Lot 26A, DP 387529, Cecil Park
- 464** Lot 2, DP 328617, West Hoxton
- 465** Lot 773, DP 2475, West Hoxton

## **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.
- (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 on the NSW legislation website terminates the operation of this clause in relation to the relevant sporting venue.
- (3) For the avoidance of doubt, an order under subclause (2) may be made in relation to one or more relevant sporting venues.
- (4) An order may be made under this clause only with the concurrence of the Minister for Tourism and Sport and Recreation.

### **4 Lease over Sydney International Shooting Centre**

Despite the repeal of section 8 (2) of the *Sporting Venues Management Act 2002*, that subsection continues to operate until the term of the lease referred to in that subsection has expired.

## **Schedule 5 (Repealed)**