

# Parramatta Park Trust Regulation 2019

[2019-410]



New South Wales

## Status Information

### Currency of version

Current version for 11 December 2020 to date (accessed 23 May 2024 at 7:41)

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

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Staged repeal status**

This legislation is currently due to be automatically repealed under the [Subordinate Legislation Act 1989](#) on 1 September 2024

### 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 11 December 2020

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New South Wales

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# Parramatta Park Trust Regulation 2019



New South Wales

## Part 1 Preliminary

### 1 Name of Regulation

This Regulation is the *Parramatta Park Trust Regulation 2019*.

### 2 Commencement

This Regulation commences on 1 September 2019 and is required to be published on the NSW legislation website.

**Note—**

This Regulation replaces the *Parramatta Park Trust Regulation 2012*, which is repealed on 1 September 2019 by section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Definitions

(1) In this Regulation—

**animal** means any non-human mammal or any bird, fish, reptile, amphibian, crustacean, insect, arachnid, arthropod or mollusc.

**building** includes any part of a building.

**fenced off** means surrounded by a fence, barricade or other structure with no open pedestrian or vehicular access.

**liquor** has the same meaning as in the *Liquor Act 2007*.

**motor vehicle** has the same meaning as in the *Road Transport Act 2013*.

**Note—**

**Motor vehicle** includes motorcycle.

**relevant authority** means the Trust, the Chief Executive or an authorised officer.

**Note—**

**Authorised officer** is defined in the Act to include a person who is appointed for the time being by the Chief Executive as an authorised officer for the purposes of the provision in which the expression is used. A person may be appointed as an authorised officer generally or for the purposes of specific provisions of the

Act or this Regulation.

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

**the Act** means the [Parramatta Park Trust Act 2001](#).

**vehicle** includes 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 rollerblades or a skateboard).

**Note—**

The Act and the [Interpretation Act 1987](#) contain definitions and other provisions that affect the interpretation and application of this Regulation.

- (2) A reference in this Regulation to the trust lands includes a reference to any part of the trust lands.
- (3) Notes included in this Regulation do not form part of this Regulation.

#### **4 Meaning of “authorised officer”**

For the purposes of paragraph (c) of the definition of **authorised officer** in section 3 (1) of the Act, the class of persons consisting of rangers appointed by the Trust is prescribed.

## **Part 2 Entry onto trust lands**

### **5 Trust lands and buildings may be closed to public**

- (1) The Trust or the Chief Executive may—

- (a) close the trust lands to the public, or
  - (b) close any building within the trust lands to the public.
- (2) The Trust or the Chief Executive may take action under this clause by means of the display of a sign on or adjacent to the trust lands or building concerned.
- (3) A person must not enter (whether on foot, by vehicle or otherwise) the trust lands, or any building within the trust lands, that is fenced off, or locked, or closed to the public by a sign displayed under this clause, except with the written permission of the Trust or the Chief Executive.

Maximum penalty—10 penalty units.

#### **6 Limits on number of person who may enter trust lands**

- (1) The Trust may limit the number of persons who may enter or remain on the trust lands or any building within the trust lands.
- (2) The Trust may take action under this clause by means of a direction or the display of a sign on or adjacent to the trust lands or building concerned.
- (3) A person must not enter or remain on the trust lands, or any building within the trust lands, in contravention of a direction given or sign displayed under this clause.

Maximum penalty—10 penalty units.

#### **7 Trust lands may be used for designated purposes**

- (1) The Trust or the Chief Executive may designate any trust lands or any building within trust lands (a **designated space**) for use for the purpose of—
- (a) an organised sporting activity, or
  - (b) an organised entertainment, or
  - (c) an organised ceremony or other event, or
  - (d) any other organised activity.
- (2) The Trust or the Chief Executive may take action under this clause by means of a direction or the display of a sign on or adjacent to the trust lands or building concerned.
- (3) A person may, with the written permission of, and in the manner approved by, the Trust or the Chief Executive—
- (a) use a 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, entertainment, ceremony or event concerned by a sign 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 Chief Executive.

(4) The use of the trust lands in accordance with a permission granted under this clause is not a contravention of clause 17.

(5) The Trust or the Chief Executive may also designate the trust lands, or any building within trust lands, as lands that may be used for specified activities (such as fishing or riding pedal-cars or similar devices) that are not organised activities by a sign displayed on or near the land concerned.

## **8 Removal of certain persons from trust lands**

(1) A person who does any of the following on the trust lands must leave the trust lands if directed to do so by a relevant authority—

(a) trespasses,

(b) causes inconvenience to any person,

(c) contravenes this Regulation.

(2) A direction given under this clause may specify any one or more of the following—

(a) the part of the trust lands to which the direction 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), a relevant authority must take into consideration the seriousness and persistence of the conduct concerned.

(4) A person who fails to comply with a direction given under this clause may be removed from the trust lands by a relevant authority.

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

Maximum penalty—10 penalty units.

(6) A person must not remain on, enter or return to the trust lands in contravention of a direction given under this clause.

Maximum penalty—10 penalty units.

### **Part 3 Use of vehicles on trust lands**

#### **9 Trust may prohibit and regulate entry of vehicles**

- (1) The Trust may do any one or more of the following—
  - (a) prohibit the entry of vehicles to the trust lands,
  - (b) regulate or otherwise control the entry of any vehicle to the trust lands,
  - (c) refuse to admit any vehicle to the trust lands.
- (2) The Trust may take action under this clause by means of a direction or the display of a sign.
- (3) A person must not do anything in contravention of a direction given or sign displayed under this clause.

Maximum penalty—10 penalty units.

#### **10 Vehicles may enter only at designated points**

- (1) The Trust may designate a point on the perimeter of the trust lands as an entrance to the trust lands for any vehicle by a sign displayed adjacent to that point.
- (2) A person must not drive or ride any vehicle onto the trust lands other than at a point designated in accordance with this clause.

Maximum penalty—10 penalty units.

#### **11 Vehicles may enter only while gates are open**

- (1) The Trust may designate the times during which a point of entrance to the trust lands is open to vehicles (the **gate opening times**)—
  - (a) by a sign displayed adjacent to that point, or
  - (b) by public notice, including by notice published on a website maintained by the Trust.
- (2) A person must not drive or ride a vehicle (other than a bicycle) onto or within the trust lands outside the gate opening times, except with the permission of the Trust.

Maximum penalty—10 penalty units.

- (3) The Trust is entitled to require payment of a fee (not exceeding \$100) determined by it for the opening of a gate outside the gate opening times to permit the removal of a vehicle from the trust lands.



- (4) An authorised officer may require and receive any fee determined under subclause (3).

## **12 Vehicle-free periods**

- (1) The Trust or the Chief Executive may designate dates and times during which all vehicles or a class of vehicles must not be on trust lands (a **vehicle-free period**).
- (2) The Trust or the Chief Executive may take action under this clause by means of—
- (a) the display of a sign, or
  - (b) public notice, including by notice published on a website maintained by the Trust.
- (3) A person must not drive or ride a vehicle onto or within the trust lands during a vehicle-free period except with the permission of the Trust or the Chief Executive.
- Maximum penalty—10 penalty units.
- (4) Without limiting the way in which permission referred to in subclause (3) may be granted, permission may be granted—
- (a) by the display of a sign, or
  - (b) by public notice (including by notice published on a website maintained by the Trust) or advertisement, or
  - (c) 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.
- (5) Without limiting clause 36, it is a condition of a permission referred to in subclause (3) that the person driving or riding the vehicle concerned complies with any reasonable directions given by an authorised officer in relation to the vehicle.
- (6) The Trust is entitled to require payment of a fee (not exceeding \$100) determined by it for the opening of a gate during a vehicle-free period to permit the removal of a vehicle from the trust lands.
- (7) An authorised officer may require and receive any fee determined under subclause (6).

## **13 Driving and parking vehicles**

- (1) The Trust or the Chief Executive may—
- (a) designate part of the trust lands for use for the purpose of driving or parking vehicles by a sign displayed on or near the area, and
  - (b) regulate the parking of vehicles on any part of the trust lands by a sign displayed on or adjacent to the trust lands concerned.

- (2) A person must not do any of the following on the trust lands, except with the written permission of, and in the manner approved by, the Trust or the Chief Executive—
- (a) drive, ride, stand or park a vehicle other than on a sealed road or on part of the trust lands designated under subclause (1),
  - (b) cause or permit a vehicle to be driven, ridden, stood or parked on a lawn, grass, parkland, green, garden, footpath or cycle track unless the area is designated for that purpose under subclause (1),
  - (c) drive, ride or park a vehicle contrary to, or act contrary to, a sign approved by the Trust or the Chief Executive that regulates the movement or parking of vehicles or the movement or confinement of animals,
  - (d) park a vehicle on a part of the trust lands in contravention of a sign displayed in accordance with this clause,
  - (e) park or leave a vehicle outside the times designated as gate opening times under clause 11,
  - (f) park or leave a vehicle during a vehicle-free period under clause 12.

Maximum penalty—10 penalty units.

- (3) Subclause (2) does not apply to or in respect of—
- (a) a vehicle that is on the trust lands outside the times designated as gate opening times under clause 11 in accordance with a permission referred to in that clause, or
  - (b) a vehicle that is on the trust lands during a vehicle-free period under clause 12 in accordance with a permission referred to in that clause.
- (4) Without limiting the way in which the Trust or the Chief Executive may grant a permission referred to in subclause (2), permission may be granted—
- (a) by public notice, including by notice published on a website maintained by the Trust, 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.
- (5) Without limiting clause 36, it is a condition of a permission referred to in subclause (2) that the person driving or riding the vehicle concerned complies with any reasonable directions given by an authorised officer in relation to the vehicle.

#### **14 Speed of vehicles**

- (1) The Trust may determine the maximum speed at which a person may drive or ride a

vehicle on any trust lands.

(2) The Trust is to specify the maximum speed—

(a) on a sign displayed on that land, or

(b) by means of a numeral or other symbol painted or otherwise placed on a road on that land.

(3) A person must not, except with the written permission of, and in the manner approved by, the Trust, drive or ride a vehicle on any trust lands at a speed exceeding that determined by the Trust in respect of the land concerned.

Maximum penalty—10 penalty units.

### **15 Other restrictions on driving and riding vehicles**

A person must not do any of the following on the trust lands, except with the written permission of, and in the manner approved by, the Trust or the Chief Executive—

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

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

(c) drive an omnibus or a motor 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.

### **16 Exceptions for 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 the driver is taking reasonable care and it is reasonable that the provision should not apply, and

(b) if the emergency vehicle is a moving vehicle—the emergency 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 emergency 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 the person's duties as a police officer, or
  - (b) a member of the Ambulance Service rendering or providing emergency transport for sick or injured persons, or
  - (c) a member of a fire brigade providing transport in the course of an emergency, or
  - (d) a ranger acting in the course of the person's duties as a ranger.

## **Part 4 Commercial and public activities on trust lands**

### **17 Prohibited commercial and public activities**

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

- (a) sell or hire, or attempt to sell or hire, any goods or services,
- (b) establish or operate a business,
- (c) use any audio, loudspeaker or broadcasting equipment or camera (whether photographic, cinematic or video) for a commercial purpose,
- (d) distribute any advertising matter or display any advertisement (including by means of a mobile billboard or other vehicle that is designed or, while on trust lands, used for the primary purpose of displaying advertisements),
- (e) collect or attempt to collect money,
- (f) busk,
- (g) conduct or cause the conduct of an amusement, entertainment, event, promotion, instruction or performance, whether or not conducted for profit,
- (h) organise or participate in, or cause to be organised a public meeting, function, demonstration or other public activity.

Maximum penalty—10 penalty units.

### **18 Removal of equipment used for prohibited activities**

- (1) A person who uses equipment in the course of committing an offence under clause 17 must, when directed to do so by a relevant authority, immediately remove the equipment from the trust lands.

Maximum penalty—10 penalty units.

- (2) If a person fails to comply with a direction under this clause, a relevant authority 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.

(3) A relevant authority acting under subclause (2) is not responsible for the safe keeping of, or for any damage to, equipment removed under this clause.

### **19 Organising and conducting races**

A person must not on the trust lands, except with the written permission of, and in the manner approved by, the Trust or the Chief Executive, organise or conduct a foot race, bicycle race, horse race, wheelchair race, fun run, rollerblade run or similar event, whether or not the race or event is conducted for profit.

Maximum penalty—10 penalty units.

## **Part 5 Recreational activities on trust lands**

### **20 Recreational activities**

(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 Chief Executive, do any of the following—

(a) play or practise golf except in an area designated for that activity under clause 7,

(b) fish in any ornamental water, except in an area designated for that activity under clause 7,

(c) practise or demonstrate (using a fishing rod or line) the casting of a fishing line,

(d) 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, stream or other watercourse or ornamental water,

(e) use a land sailing vehicle except in an area designated for that activity under clause 7,

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

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

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

(i) use a metal detector or any apparatus for the detecting of metal objects,

(j) set up or discharge fireworks,

- (k) use a starting pistol except in an area designated under clause 7 for an activity that involves the use of a starting pistol,
- (l) throw or propel by any means a javelin, shot put, sharp instrument or other object that is likely to cause damage or injury to any person, animal or thing,
- (m) conduct, or participate in, any game or other activity in a manner that unduly interferes with the amenity of the area.

Maximum penalty—10 penalty units.

- (2) Subclause (1) (d) does not prohibit the operation of a canoe or kayak on the Parramatta River.

## 21 Use of bicycles and rollerblades

- (1) A person must not do any of the following on the trust lands, except with the written permission of, and in the manner approved by, the Trust or the Chief Executive—
  - (a) ride a bicycle, horse, scooter or skateboard, or use ski stocks with rollerblades or roller skis, except in an area designated for the relevant activity under clause 7,
  - (b) ride rollerblades, or a bicycle, horse, scooter or skateboard, without wearing a protective helmet,
  - (c) ride a bicycle or rollerblades in a group of more than 16 persons,
  - (d) ride a bicycle or rollerblades alongside 2 or more persons,
  - (e) ride a bicycle or rollerblades closer than 3 metres behind, or while holding onto, a moving motor vehicle (that is, slipstreaming),
  - (f) ride a pedal-car or similar device except on a part of the trust lands designated for use for that activity under clause 7,
  - (g) ride a bicycle 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 Chief Executive by a sign displayed on or near the area.

Maximum penalty—10 penalty units.

- (2) For the purposes of subclause (1) (e), **holding onto** a moving motor vehicle includes being towed behind the motor vehicle by means of a rope or other similar item.
- (3) In this clause, **bicycle** includes a motor-assisted bicycle but does not include a motor cycle.

## 22 Camping and erection of tents and structures

- (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 Chief Executive—

- (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 a relevant authority, 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, a relevant authority 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) A relevant authority acting under this clause is not responsible for the safe keeping of, or for any damage to, a building, tent, screen, awning, enclosure or other structure or thing removed under this clause.

## **Part 6 Offensive and dangerous conduct on trust lands**

### **23 Personal conduct**

- (1) A person must not on the trust lands do any of the following—
  - (a) smoke within 10 metres of any children’s play equipment,
  - (b) use indecent, obscene, insulting or threatening language,
  - (c) behave in an offensive or indecent manner,
  - (d) cause serious alarm or affront to a person by disorderly or unsafe conduct,
  - (e) obstruct a person in the performance of that person’s work or duties under the Act.

Maximum penalty—10 penalty units.

- (2) In this clause, **smoke** includes be in possession of a lighted cigarette, cigar, pipe or similar article.

## **24 Failure to comply with direction**

A person must not on the trust lands fail to comply with a reasonable direction given for the purpose of securing good order, security and safety, management and enjoyment of the trust lands given—

- (a) by a relevant authority, verbally to the person concerned, or
- (b) by the Trust or the Chief Executive, in writing (generally or to the person concerned) or by means of a sign displayed on or adjacent to the land concerned.

Maximum penalty—10 penalty units.

## **25 Causing noise**

A person must not do any of the following on the trust lands, except with the written permission of, and in the manner approved by, the Trust or the Chief Executive—

- (a) operate a radio or other electronic device that emits sound, at a volume likely to cause nuisance or annoyance to a person,
- (b) play a musical instrument in circumstances where it is likely to cause a disturbance or annoyance or to interfere with the amenity of the trust lands,
- (c) operate a public address system or similar device,
- (d) sound, or cause or allow to be sounded, a vehicle intruder alarm or sounding device continuously or intermittently for more than 90 seconds after the alarm or device has first sounded.

Maximum penalty—10 penalty units.

## **26 Causing damage**

A person must not on the trust lands, except with the written permission of, and in the manner approved by, the Trust or the Chief Executive—

- (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 7, or
- (b) remove, uproot, damage, remove a part from, or otherwise interfere with, a tree, shrub, fern, creeper, vine, palm, plant or other vegetation, or
- (c) remove any timber, log or stump, standing or fallen, or
- (d) deface, dig up or remove any rock, soil, sand, stone or similar substance, or
- (e) damage, deface, interfere with, destroy or remove any other part of the trust lands or any other thing situated on the trust lands, or



- (f) climb on any tree, building, fence, seat, table, enclosure or other structure (other than play equipment), or
- (g) block or inhibit (whether wholly or partially) access through, to or on a gate, access-way, path or road, or
- (h) pass through or step over any temporary or permanent fencing or any barricade regulating access to any part of the trust lands by foot or vehicle, or
- (i) light a fire—
  - (i) at a time when the lighting of fires on the trust lands is prohibited by the Trust or the Chief Executive 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
- (j) empty coals from a barbecue on to any ground or vegetation, or
- (k) deposit any ice or frozen liquid on to any ground or vegetation, or
- (l) deposit or throw any article or substance into any lake, pond, stream or other watercourse or ornamental water.

Maximum penalty—10 penalty units.

## **27 Affixing signs to trees or structures**

A person must not on the trust lands affix any thing (including any sign, hoarding or tape) to any tree, fence, pole, building, shelter, sign, rail, or seat except with the written permission of, and in the manner approved by, the Trust or the Chief Executive.

Maximum penalty—10 penalty units.

## **28 Entering trust lands while intoxicated or in possession of prohibited things**

- (1) The Trust may prohibit any person from entering the trust lands—
  - (a) if the person is in possession of any specified thing, or
  - (b) if, in the opinion of an authorised officer, the person is or appears to be intoxicated.
- (2) The Trust may take action under this clause by means of a direction or the display of a sign.
- (3) A person must not do anything in contravention of a direction given or sign displayed under this clause.

Maximum penalty—10 penalty units.

- (4) Nothing in this clause limits any other function of the Trust under this Regulation.

### **29 Consuming or possessing liquor in restricted areas**

- (1) The Trust or the Chief Executive may prohibit the consumption of liquor (at any time or at a particular time) on the trust lands or in any building on the trust lands.
- (2) The Trust or the Chief Executive may prohibit persons from being in possession of liquor on the trust lands during the conduct of an activity that is—
- (a) promoted, organised or conducted by or on behalf of the Trust or by a licensee of the Trust, and
  - (b) conducted in a fenced-off part of the trust lands.
- (3) The Trust or the Chief Executive may take action under this clause by means of a direction or the display of a sign.
- (4) A person must not consume or possess liquor on any part of the trust lands, or in any building on the trust lands, in contravention of a direction given or sign displayed under this clause.

Maximum penalty—10 penalty units.

- (5) A person is not guilty of an offence under subclause (4) unless it is established that—
- (a) on the day of the contravention, an authorised officer warned the person that the consumption of liquor was prohibited on the trust lands or building concerned, and
  - (b) the person commenced to consume, continued to consume or resumed the consumption of liquor in contravention of the prohibition after the warning was given.

### **30 Carrying or possessing firearms**

- (1) A person must not do any of the following on the trust lands, except with the written permission of, and in the manner approved by, the Trust or the Chief Executive—
- (a) have in the person's possession (otherwise than on a public road), or discharge, any firearm or imitation firearm within the meaning of the [Firearms Act 1996](#),
  - (b) have in the person's possession any prohibited weapon within the meaning of the [Weapons Prohibition Act 1998](#).

Maximum penalty—10 penalty units.

- (2) This clause does not apply to—

- (a) a police officer of the State or the Commonwealth who is acting in the ordinary course of the person's duties as a police officer, or
  - (b) a person who is the holder of a licence under the *Security Industry Act 1997*, who is carrying out functions authorised by the licence and is the holder of the relevant licence or permit under the *Firearms Act 1996* or the *Weapons Prohibition Act 1998*.
- (3) This clause does not affect any requirement imposed by or under the *Firearms Act 1996* or the *Weapons Prohibition Act 1998*.

## **Part 7 Animals on trust lands**

### **31 Activities involving bringing animals onto trust lands**

- (1) A person must not bring stock (including a horse) or poultry onto the trust lands, except with the written permission of, and in the manner approved by, the Trust or the Chief Executive.

Maximum penalty—10 penalty units.

- (2) A person must not bring any other animal onto the trust lands unless the animal is, and is kept, under the effective control of a competent person by means of an adequate chain, cord, leash or cage, except with the written permission of, and in the manner approved by, the Trust or the Chief Executive.

Maximum penalty—10 penalty units.

### **32 Bringing dogs into prohibited areas**

- (1) A person must not bring or allow a dog for which the person is responsible into an area of the trust lands that is designated as an area in which dogs are prohibited by a sign displayed on or near the area, except with the written permission of, and in the manner approved by, the Trust or the Chief Executive.

**Note—**

Section 14 (1) (a) and (b) of the *Companion Animals Act 1998* provide that dogs are prohibited from children's play areas (being any area in a public place that is within 10 metres of any playing apparatus provided for the use of children) and food preparation/consumption areas (being any area in a public place that is within 10 metres of any apparatus provided for the preparation of food for human consumption or for the consumption of food by humans).

Maximum penalty—10 penalty units.

- (2) This clause does not prohibit a person who has a disability (within the meaning of the *Disability Discrimination Act 1992* of the Commonwealth) from bringing or allowing into an area an assistance animal (that is, an animal referred to in section 9 of that Act).

- (3) For the purposes of this clause, a person is **responsible** for a dog if the person is in charge of the dog or otherwise has the dog under his or her control.

### **33 Harming animals**

- (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 Chief Executive, do any of the following—
- (a) be in possession of a trap or device for the hunting or capturing of animals,
  - (b) destroy, capture, injure or annoy an animal,
  - (c) destroy or interfere with the habitat of an animal.

Maximum penalty—10 penalty units.

- (2) Subclause (1) (b) or (c) does not prohibit a person from fishing in an area designated for that activity under clause 7.

### **34 Other prohibitions relating to animals 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 Chief Executive, do any of the following—

- (a) ride or lead a horse,
- (b) drive a horse-drawn vehicle,
- (c) lead a dog from a moving vehicle,
- (d) abandon an animal (whether alive or dead),
- (e) allow stock (including a horse) to graze,
- (f) fail to remove and properly dispose of any faeces deposited on the trust lands by a dog or other animal for which the person is responsible.

Maximum penalty—10 penalty units.

## **Part 8 Miscellaneous**

### **35 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 Chief Executive has given permission to use the trust lands.
- (2) The Trust may require payment of the fee by a date specified by the Trust (including a date in advance of the date of the relevant use).
- (3) The person to whom permission is granted is liable to the Trust for payment of the fee.

- (4) 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.
- (5) The Trust may reduce, or waive payment of, a fee payable under this clause.
- (6) The Trust may accept, or determine, consideration in kind in lieu of a fee under this clause.

**36 Conditions attaching to permission to use trust lands**

- (1) The Trust or the Chief Executive may give a permission under this Regulation subject to any conditions that the Trust or the Chief Executive considers appropriate.
- (2) Conditions may relate to, but are not limited to, the following matters—
  - (a) the period within which any fee payable is to be paid,
  - (b) the necessary standard of care of the parklands environment,
  - (c) maintenance of adequate insurance,
  - (d) site preparation,
  - (e) provision and disposal of food and beverages,
  - (f) advertising, signage and merchandising,
  - (g) vehicle access, control and parking,
  - (h) security and emergency procedures,
  - (i) crowd management,
  - (j) cleaning and waste management services,
  - (k) noise control,
  - (l) erection and removal of temporary structures.
- (3) The Trust or the Chief Executive may require a person to whom a permission under this Regulation is proposed to be given to give security in any amount and form as the Trust or the Chief Executive 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—10 penalty units.

### **37 Directions given by Trust**

- (1) A reference in this Regulation to a direction given by the Trust includes a reference to a direction given verbally by an employee of the Trust, or an authorised officer, who is authorised by the Trust to give directions under this Regulation.
- (2) A person is not guilty of an offence of failing to comply with a direction given verbally by an employee of the Trust, an authorised officer or the Chief Executive unless it is established that the person who gave the direction—
  - (a) identified themselves as an employee of the Trust, an authorised officer or the Chief Executive, and
  - (b) warned the person that a failure to comply with the direction is an offence, and
  - (c) showed identification as a person authorised to give the direction (if asked to do so).

### **38 Application of Regulation to authorised officers**

- (1) Nothing in this Regulation prevents an authorised officer from doing, in the exercise of the authorised officer's 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 authorised officer (other than a police officer) to possess 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 Chief Executive.

### **39 Lessees and licensees**

An act or omission does not constitute a contravention 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.

### **40 Regulation not to limit other statutory provisions or functions**

This Regulation does not limit—

- (a) any provision of or made under an Act that applies to conduct on trust lands, or
- (b) any function exercisable by the Trust as the owner of the trust lands.

### **41 Saving**

Any act, matter or thing that, immediately before the repeal of the [Parramatta Park Trust Regulation 2012](#), had effect under that Regulation continues to have effect under this Regulation.

## Schedule 1 Penalty notice offences

For the purposes of section 30 of the Act—

- (a) each offence specified in this Schedule is an offence for which a penalty notice may be issued, and
- (b) the amount payable under any such penalty notice is the amount specified in this Schedule for the offence.

| <b>Column 1</b>   | <b>Column 2</b> |
|---|-----------------|
| <b>Provision</b>  | <b>Penalty</b>  |
| <b>Offences under the Act</b>   |                 |
| Section 27 (3)  | \$275           |
| Section 28 (1)  | \$275           |
| <b>Offences under this Regulation</b>                                       |                 |
| Clause 5 (3)  | \$150           |
| Clause 6 (3)—other than in respect of a contravention of a verbal direction | \$150           |
| Clause 8 (5)  | \$150           |
| Clause 9 (3)—other than in respect of a contravention of a verbal direction | \$150           |
| Clause 10 (2)   | \$150           |
| Clause 11 (2)   | \$150           |
| Clause 12 (3)   | \$275           |
| Clause 13 (2)   | \$150           |
| Clause 14 (3)   | \$150           |
| Clause 15 (a) and (b)   | \$150           |
| Clause 15 (c)   | \$275           |
| Clause 17 (a)   | \$200           |
| Clause 17 (b) and (e)-(g)   | \$500           |
| Clause 17 (c), (d) and (h)  | \$275           |
| Clause 18 (1)   | \$100           |
| Clause 19   | \$275           |
| Clause 20 (1) (a)-(d), (f), (i) and (m)                                     | \$150           |
| Clause 20 (1) (e), (g), (h) and (j)-(l)                                     | \$500           |

|   |       |
|---|-------|
| Clause 21 (1)   | \$150 |
| Clause 22 (1) and (2)   | \$150 |
| Clause 23 (1) (a)   | \$300 |
| Clause 24 (b)   | \$500 |
| Clause 25 (a) and (c)   | \$500 |
| Clause 25 (b)   | \$150 |
| Clause 25 (d)   | \$300 |
| Clause 26 (a)–(c) and (j)–(l)   | \$300 |
| Clause 26 (d)   | \$500 |
| Clause 26 (e)   | \$100 |
| Clause 26 (f)–(i)   | \$150 |
| Clause 28 (3)—other than in respect of a<br>contravention of a verbal direction | \$150 |
| Clause 29 (4)—other than in respect of a<br>contravention of a verbal direction | \$150 |
| Clause 30 (1)   | \$500 |
| Clause 31 (1) and (2)   | \$275 |
| Clause 32 (1)   | \$300 |
| Clause 33 (1)   | \$500 |
| Clause 34 (a)–(c), (e) and (f)  | \$275 |
| Clause 34 (d)   | \$500 |
| Clause 36 (4)   | \$900 |