

# Sydney Olympic Park Authority Regulation 2018

[2018-518]



New South Wales

## Status Information

### Currency of version

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This legislation is currently due to be automatically repealed under the [Subordinate Legislation Act 1989](#) on 1 September 2024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

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New South Wales

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# Sydney Olympic Park Authority Regulation 2018



New South Wales

## Part 1 Preliminary

### 1 Name of Regulation

This Regulation is the *Sydney Olympic Park Authority Regulation 2018*.

### 2 Commencement

This Regulation commences on 1 September 2018 and is required to be published on the NSW legislation website.

**Note—**

This Regulation replaces the *Sydney Olympic Park Authority Regulation 2012*, which is repealed on 1 September 2018 by section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Definitions

(1) In this Regulation:

**authorised person**—see Part 6.

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

**public domain** means that part of Sydney Olympic Park that is not the site of a sportsground.

**sell** includes the following:

- (a) sell by wholesale, retail, auction or tender,
- (b) hire,
- (c) barter or exchange,
- (d) supply for profit,
- (e) offer for sale or hire, receive for sale or hire, have in possession for sale or hire or expose or exhibit for sale or hire,
- (f) conduct negotiations for sale or hire,

- (g) consign or deliver for sale or hire,
- (h) solicit for sale or hire,
- (i) cause or permit anything referred to above.

**sign** includes a board, post, banner, notice or painted marking.

**sportsground** means any place within Sydney Olympic Park that is used wholly or in part for active recreation involving organised sports, including the places with the following names (as changed from time to time):

- (a) the ANZ Stadium,
- (b) Sydney Showground and any stadium or sportsground located within Sydney Showground and known under another name,
- (c) the Qudos Bank Arena,
- (d) the Sydney Olympic Park Aquatic Centre,
- (e) the Sydney Olympic Park Athletic Centre,
- (f) the Spotless Stadium,
- (g) the Sydney Olympic Park Hockey Centre,
- (h) the Sydney Olympic Park Sports Centre (also known as Quaycentre),
- (i) the Sydney Olympic Park Sports Halls,
- (j) the Sydney Olympic Park Archery Centre,
- (k) the Sydney Olympic Park Tennis Centre,
- (l) the Carnival Site,
- (m) the Exhibition Halls and Showgrounds,
- (n) the Olympic Boulevard,
- (o) Cathy Freeman Park,
- (p) the Bicentennial Park,
- (q) the Blaxland Riverside Park,
- (r) Newington Armory,
- (s) the Genea Netball Centre,

(t) the New South Wales Rugby League training field.

**the Act** means the *Sydney Olympic Park Authority Act 2001*.

**vehicle** includes any of the following:

- (a) a motor vehicle,
- (b) a trailer or caravan, whether or not it is in the course of being towed,
- (c) an apparatus that is propelled by human, animal 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,
- (d) a boat, raft, canoe, ski, barge or other vessel.

**Note—**

The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

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

## **Part 2 Regulation of use of Sydney Olympic Park**

### **4 Entry of persons**

- (1) The Authority may do any one or more of the following:
  - (a) limit the number of persons who may enter Sydney Olympic Park or any part of Sydney Olympic Park,
  - (b) prohibit categories of persons from entering, or limit the categories of persons who may enter, or limit the number of persons within categories of persons who may enter, Sydney Olympic Park or any part of Sydney Olympic Park,
  - (c) close Sydney Olympic Park or any part of Sydney Olympic Park to the public,
  - (d) charge admission to Sydney Olympic Park or any part of Sydney Olympic Park,
  - (e) prohibit persons from entering Sydney Olympic Park or any part of Sydney Olympic Park:
    - (i) if they are in possession of any specified thing, or
    - (ii) if, in the opinion of an authorised person, they are or appear to be intoxicated.
- (2) The Authority may take any action referred to in subclause (1) by means of the erection of a sign or the giving of a direction to the person concerned.
- (3) A person must not, without reasonable excuse, contravene a sign erected or a

direction given under this clause.

Maximum penalty: 20 penalty units.

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

## **5 Commercial and other activities**

(1) A person must not do any of the following at Sydney Olympic Park, except as authorised by the Authority:

- (a) sell any article,
- (b) provide, or offer to provide, any services for fee, gain or reward,
- (c) supply or attempt to supply (including by selling or attempting to sell) a ticket for admission to a sportsground,
- (d) use any audio, loudspeaker or broadcasting equipment or camera (whether photographic, cinematic or video) for a commercial purpose,
- (e) distribute any advertising matter or display any advertisement (other than on a vehicle driven or operated by the person or on any clothing worn by the person),
- (f) damage, destroy or remove any tree, plant or other vegetation,
- (g) damage, destroy, tamper with or remove any building, structure or equipment,
- (h) leave any rubbish or litter, except in a receptacle provided for the purpose, or deposit any waste,
- (i) distribute a brochure, leaflet or handbill,
- (j) conduct a wedding,
- (k) collect or attempt to collect money,
- (l) busk,
- (m) conduct, or participate in, any game or other activity in a manner that unduly interferes with the amenity of the area,
- (n) operate or use any radio, television, musical instrument or other sound-generating device in a manner that unduly interferes with the amenity of the area,
- (o) camp or use facilities for sleeping overnight,
- (p) erect a tent or other temporary structure,
- (q) paint, erect or affix any decoration, sign or other equipment,

- (r) climb any tree, sculpture, decoration, flagpole or other fixture,
- (s) bathe, wade, wash or swim, or operate a boat, kayak or any other water craft or vessel or flotation device, in any lake, pond or stream or in any ornamental water,
- (t) light any fire, barbecue or stove (not being a cooking facility provided for the purpose by the Authority),
- (u) set off any firework,
- (v) operate a motorised model aircraft, drone, boat, car or similar thing,
- (w) play or practise golf,
- (x) land or launch any aircraft, helicopter, parachute, hang-glider or hot air or gas-filled balloon, or any similar thing,
- (y) ride or use any skate board, roller skates, in-line skates, or recreational equipment, whether motorised or not, or similar equipment (other than a bicycle),
- (z) ride or push a bicycle otherwise than on a cycleway or other path designated for that purpose,
- (aa) bring a horse into the park, or lead or ride a horse, or leave a horse unattended or untethered,
- (ab) bring a dog into, or have a dog within, the park unless it is on a leash,
- (ac) release or abandon an animal,
- (ad) destroy, capture, injure or annoy an animal,
- (ae) be in possession of a trap or device for the hunting or capturing of animals,
- (af) destroy or interfere with the habitat of an animal,
- (ag) dig up or disturb the surface of any road or other land,
- (ah) allow a vehicle to leak onto a sealed surface in the park an amount of oil in excess of what a properly-maintained vehicle of that kind could reasonably be expected to leak,
- (ai) abandon, leave or dock a bicycle otherwise than in an area designated for that purpose,
- (aj) moor a vessel (except as authorised by clause 16) or tie a vessel to any vegetation.

Maximum penalty: 20 penalty units.



- (2) Subclause (1) (ab) 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).

## **6 Carrying or possessing firearms**

- (1) A person must not do any of the following at Sydney Olympic Park, except as authorised by the Authority:
- (a) have in the person's possession, 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*.

## **7 Bringing liquor into Sydney Olympic Park**

- (1) A person must not bring or attempt to bring liquor into Sydney Olympic Park or any part of Sydney Olympic Park specified by the Authority except as authorised by the Authority.

Maximum penalty: 10 penalty units.

- (2) As an alternative to being refused entry to Sydney Olympic Park or any part of Sydney Olympic Park, or being removed from Sydney Olympic Park or any part of Sydney Olympic Park, for a contravention of this clause, a person may be required to dispose of the liquor concerned in a manner approved by the Authority or to surrender the liquor to the Authority for disposal.
- (3) This clause does not apply to:
- (a) a person who holds a licence under the *Liquor Act 2007* that allows the person to sell the liquor on a part of Sydney Olympic Park set aside for that purpose, or

- (b) a person who holds a licence under the *Liquor Act 2007* that allows the person to supply the liquor to a person referred to in paragraph (a).

### **8 Sale or supply of liquor to minors**

A person must not sell or supply liquor within Sydney Olympic Park to any person under the age of 18 years.

Maximum penalty: 10 penalty units.

### **9 Prohibition on drinking liquor**

(1) The Authority may prohibit the drinking of liquor in Sydney Olympic Park or any part of Sydney Olympic Park (either at any time or at any particular time). The Authority is to give public notice of any such prohibition.

(2) A person must not drink liquor in Sydney Olympic Park or any part of Sydney Olympic Park in contravention of any such prohibition.

Maximum penalty: 1 penalty unit.

(3) A person is not guilty of an offence under this clause unless it is established that on the day of the contravention an authorised person warned the person that the drinking of liquor was prohibited and that the person commenced to drink, continued to drink or resumed drinking liquor in contravention of the prohibition after that warning.

### **10 Personal conduct**

(1) A person must not do any of the following at Sydney Olympic Park:

- (a) use indecent, obscene, insulting or threatening language,
- (b) behave in an offensive or indecent manner,
- (c) cause serious alarm or affront to a person by disorderly conduct,
- (d) obstruct a person in the performance of the person's work or duties,
- (e) fail to comply with a reasonable request or direction given for the purpose of securing good order and management and enjoyment of Sydney Olympic Park, or any part of Sydney Olympic Park, by the Authority, a police officer or an authorised person.

Maximum penalty: 10 penalty units.

#### **Note—**

Clause 30 makes it an offence to obstruct or delay an authorised person in the exercise of the authorised person's functions under this Regulation. Section 66 of the Act makes it an offence to resist, obstruct, or attempt to obstruct, a ranger in the exercise of the ranger's functions.

- (2) Without limiting subclause (1) (e), it is reasonable for the Authority, a police officer or an authorised person to request or direct a person:
  - (a) to open any bag, container or other thing in the person's possession in order that its contents may be inspected, and
  - (b) to permit any thing in the person's possession, and the contents of any such thing, to be inspected.

#### **11 Authority may ban persons for specified period**

- (1) The Authority may ban a person from entering any part of Sydney Olympic Park for any period (not exceeding 6 months) determined by the Authority if the person contravenes any provision of this Regulation.
- (2) A person who has been banned from entering any part of Sydney Olympic Park must not attempt to enter that part during the period of that ban.  
  
Maximum penalty: 20 penalty units.
- (3) This clause does not apply to a person who is banned from entering a sportsground under clause 20.

#### **12 Entry of vehicles**

- (1) The Authority may do any one or more of the following:
  - (a) prohibit the entry of vehicles to Sydney Olympic Park or any part of Sydney Olympic Park,
  - (b) regulate or otherwise control the entry of vehicles to Sydney Olympic Park or any part of Sydney Olympic Park,
  - (c) refuse to admit a vehicle to Sydney Olympic Park or any part of Sydney Olympic Park.
- (2) The Authority may take any action referred to in subclause (1) by means of the erection of a sign or the giving of a direction to the person concerned.
- (3) A person must not, without reasonable excuse, contravene a sign erected or a direction given under this clause.  
  
Maximum penalty: 20 penalty units.
- (4) Nothing in this clause limits any other function of the Authority under this Regulation.

#### **13 Parking in public domain**

- (1) The Authority may regulate the parking of vehicles on any part of the public domain by a sign or signs displayed on or adjacent to the part.

- (2) A person must not park a vehicle on a part of the public domain in contravention of a sign, other than a no stopping sign, displayed in accordance with this clause.

Maximum penalty: 10 penalty units.

- (3) A person must not park a vehicle on a length of road in the public domain to which a no stopping sign applies.

Maximum penalty: 20 penalty units.

- (4) The Authority or an authorised person may direct a person to remove a vehicle that is parked in contravention of this clause and that is under the person's control.

- (5) A person must comply with a direction under subclause (4).

Maximum penalty: 10 penalty units.

- (6) A sign located in a school zone (within the meaning of the [Road Rules 2014](#)) may indicate that it applies only at certain times, on certain days or in certain circumstances (a **school zone sign**).

- (7) For the purposes of this clause:

**no stopping sign** has the same meaning as in the [Road Rules 2014](#).

**park** includes stand.

#### **14 Use of land by buses and other transport providers**

- (1) The Authority may set aside any land within the public domain for use by buses or point to point transport vehicles.

- (2) The Authority may determine:

- (a) the conditions on which any such land may be used by buses or point to point transport vehicles (including conditions relating to the days and times of use), and
- (b) the charges (if any) to be imposed for the use by buses or point to point transport vehicles of any such land.

- (3) A person must not, except as authorised by the Authority, contravene any conditions of use of any such land that are displayed in, or at the places of entry into, that land.

Maximum penalty: 20 penalty units.

- (4) In this clause:

**point to point transport vehicle** means a vehicle being used to provide a passenger service (within the meaning of the [Point to Point Transport \(Taxis and Hire Vehicles\) Act 2016](#)).

## 15 Regulation does not affect closure and use of roads

Clauses 12-14:

- (a) do not extend the powers of the Authority under the Act in relation to roads (not being private roads) at Sydney Olympic Park, and
- (b) do not authorise the doing of anything in relation to the control and regulation of traffic on, or the temporary closure of, a road at Sydney Olympic Park contrary to a traffic management plan in force under section 41 of the Act.

## 16 Securing of vessels to wharves of Authority

(1) The Authority may determine:

- (a) the conditions on which a wharf of the Authority may be used to secure vessels (including conditions relating to the days and times of use), and
- (b) the charges (if any) to be imposed for the use of a wharf of the Authority to secure vessels.

(2) A person must not, except as authorised by the Authority, secure a vessel to a wharf of the Authority in contravention of any conditions of use determined under subclause (1).

Maximum penalty: 20 penalty units.

(3) This clause does not apply to a vessel that is secured to a wharf of the Authority at the direction or with the permission of any person or body entitled to give such a direction or permission.

(4) In this clause:

**vessel** includes a charter boat, water taxi or ferry.

**wharf of the Authority** means a wharf (including a pier, jetty, landing stage or dock) that is vested in or managed by the Authority at Sydney Olympic Park.

## Part 3 Regulation of use of sportsgrounds

### 17 Reserved areas and reserved seating

(1) The Authority may, either generally or for a particular event, set aside any area (a **reserved area**) of a sportsground for reserved seats.

(2) The Authority or an authorised person may issue tickets that entitle the person in lawful possession of the ticket:

- (a) to enter and remain in a sportsground or reserved area, or

(b) to occupy a reserved seat in a reserved area, or

(c) to occupy a seat in a reserved block of seats in a reserved area.

(3) A reserved area, a reserved block of seats or a reserved seat must be clearly identified as such by a sign or marking.

(4) A person must not do any one or more of the following things unless the person holds a ticket entitling the person to do so:

(a) enter or remain in a sportsground or reserved area,

(b) occupy a reserved seat,

(c) occupy a seat in a reserved block of seats.

Maximum penalty: 10 penalty units.

(5) A police officer or an authorised person may direct a person:

(a) who is within a sportsground or a reserved area, or

(b) who is occupying a reserved seat,

to produce the person's ticket for inspection by the police officer or authorised person.

(6) A police officer or an authorised person may direct a person who is in unlawful possession of a ticket to surrender the ticket to the police officer or authorised person.

(7) A person must comply with a direction under this clause.

Maximum penalty: 10 penalty units.

(8) In this clause, **ticket** means a ticket issued by the Authority or an authorised person, being a ticket that authorises its holder:

(a) to enter a sportsground or a reserved area within a sportsground, or

(b) to occupy a reserved seat in a reserved area.

(9) This clause does not limit clause 4.

## **18 Prohibited entry to playing fields**

A person must not enter or remain on a playing field or other competition area within a sportsground unless the person:

(a) is a participant in a sport or event held with the authorisation of the Authority, or

(b) is engaged in the control or management of any such sport or event, or

(c) has, or is a member of a class of persons that has, been authorised by the Authority to

enter the playing field or other competition area.

Maximum penalty: 50 penalty units.

### **19 Removal of persons from sportsground or part of sportsground**

- (1) A person who contravenes any provision of this Regulation while at a sportsground, or who trespasses or causes inconvenience on any part of a sportsground, may be removed from the sportsground or the relevant part of the sportsground by a police officer or an authorised person.
- (2) A police officer or an authorised person may use reasonable force to remove a person from a sportsground or a part of a sportsground under this clause.

### **20 Banning from sportsground**

- (1) A person who is removed from a playing field or other competition area within a sportsground as a result of contravening clause 18 is banned from entering the sportsground for a period of 12 months commencing on the day the person is so removed.
- (2) A person who is so banned from entering a sportsground under subclause (1) and who is found on any part of the sportsground during the period of the ban is banned from entering the sportsground for life.
- (3) A person who has been banned from entering a sportsground under subclause (1) and who is at any subsequent time removed from the sportsground as a result of contravening clause 18 is banned from entering the sportsground for life.
- (4) A person who has been banned from entering a sportsground must not attempt to enter that sportsground during the period of that ban.

Maximum penalty: 20 penalty units.

### **21 Taking photographs of certain persons**

The Authority may take a photograph or make another form of image of a person who is removed from a sportsground under this Regulation.

### **22 Conditions of admission to events and entry to sportsgrounds**

- (1) A person who has gained admission to an event at a sportsground must not contravene the conditions of the ticket for the event.
- (2) A person who enters a sportsground must not contravene any conditions of entry relating to the sportsground that are determined by the Authority and that are exhibited on signs at or near an approved entrance to the sportsground.

Maximum penalty: 20 penalty units.

## Part 4 Authority's functions as a local government council

### 23 Conferral of functions

Pursuant to section 19 of the Act, the Authority, in relation to Sydney Olympic Park, has and may exercise to any necessary extent the following functions of a council (within the meaning of the *Local Government Act 1993*) under the following provisions as in force for the time being:

(a) in the case of the *Environmental Planning and Assessment Act 1979*:

- (i) Divisions 4.1, 4.4, 4.5 and 4.9 of Part 4, and
- (ii) Divisions 7.1 and 7.2 of Part 7, and
- (iii) section 10.7, and
- (iv) Schedule 6,

**Note—**

The Authority may exercise the functions of a council under Part 9 (Implementation and enforcement) of the *Environmental Planning and Assessment Act 1979*—see section 25 of the *Sydney Olympic Park Authority Act 2001*.

(b) in the case of the *Environmental Planning and Assessment Regulation 2000*—Parts 4, 6, 7, 8, 9, 12 and 16, clauses 260, 280, 281, 284 and 286, Parts 2, 3 and 4 of Schedule 1, and Schedule 5,

(c) in the case of the *Local Government Act 1993*:

- (i) Part 1 (Approvals) of Chapter 7 in so far as it relates to the matters specified in Parts A (Structures or places of public entertainment), C (Management of waste), E (Public roads) and F (Other activities) of the Table to section 68, and
- (ii) Part 2 (Orders) of Chapter 7, and
- (iii) Part 5 (Appeals) of Chapter 7, and
- (iv) Part 2 (Entry on to land and other powers) of Chapter 8, and
- (v) Parts 1 (General offences), 2 (Public places) and 8 (Miscellaneous) of Chapter 16, and
- (vi) Chapter 17, except section 674 and Divisions 4 and 5 of Part 2 (Proceedings by the council or its employees),

(d) Parts 2 (Approvals), 3 (Orders) and 12 (Penalty notices) of, and Schedules 1, 2 and 12 to, the *Local Government (General) Regulation 2005*,

(e) the *Food Act 2003*,



- (f) the *Food Regulation 2015*,
- (g) Division 2 of Part 3 of the *Public Health Act 2010*,
- (h) Part 2 of the *Public Health Regulation 2012*,
- (i) the *Swimming Pools Act 1992*,
- (j) the *Swimming Pools Regulation 2018*,
- (k) any Act, statutory instrument or provision replacing an Act, statutory instrument or provision referred to in paragraphs (a)-(j).

## **Part 5 Enforcement**

### **24 Requirement to state name and address**

- (1) A police officer or an authorised person who suspects on reasonable grounds that a person at Sydney Olympic Park has committed, or been involved in the commission of, an offence against the Act or this Regulation may require the person to state his or her full name and residential address.
- (2) A person must not:
  - (a) fail without reasonable excuse to comply with a requirement under this clause, or
  - (b) in purported compliance with such a requirement, furnish information that the person knows to be false or misleading.

Maximum penalty: 20 penalty units.

- (3) A person is not guilty of an offence against this clause unless it is established that the police officer or authorised person warned the person that the failure to comply with the requirement is an offence.

### **25 Removal of certain persons**

- (1) A police officer or an authorised person may direct a person to leave Sydney Olympic Park or a part of Sydney Olympic Park immediately if the person:
  - (a) causes inconvenience to other persons at Sydney Olympic Park or the part of Sydney Olympic Park concerned, or
  - (b) contravenes any provision of this Regulation, or
  - (c) trespasses on any part of Sydney Olympic Park closed to the public.
- (2) A person must not remain on, enter or return to Sydney Olympic Park or the part of Sydney Olympic Park concerned in contravention of a direction given under this clause.

Maximum penalty: 20 penalty units.

- (3) A person who fails to comply with such a direction may be removed from Sydney Olympic Park or the part of Sydney Olympic Park concerned by a police officer or an authorised person.
- (4) An authorised person may use reasonable force to remove a person from Sydney Olympic Park or a part of Sydney Olympic Park under this clause.
- (5) A person who leaves or is removed from Sydney Olympic Park or a part of Sydney Olympic Park under this clause must remove any equipment, vehicle or animal, or any other item belonging to or associated with the person from Sydney Olympic Park or the part of Sydney Olympic Park concerned, unless, in the case of a vehicle, the person is so affected by alcohol that the driving of the vehicle by the person would constitute an offence.

Maximum penalty: 20 penalty units.

- (6) A person is not guilty of an offence against this clause unless it is established that the police officer or authorised person who made the direction under subclause (1):
  - (a) warned the person that the failure to comply with the direction is an offence, and
  - (b) produced the authorised person's identification card to the person (if asked by the person to do so).

## **26 Removal of obstructions**

- (1) The Authority or a police officer may order the removal of anything that obstructs or encroaches on Sydney Olympic Park.
- (2) The order may be given to either or both of the following:
  - (a) the person who caused the obstruction or encroachment,
  - (b) a person using the thing causing the obstruction or encroachment.
- (3) A person to whom such an order is given must comply with the order.

Maximum penalty: 20 penalty units.

- (4) The Authority or a police officer may remove the obstruction or encroachment whether or not an order for its removal has been given under this clause.
- (5) The Authority may recover from either of the persons referred to in subclause (2) the Authority's reasonable costs and expenses incurred in removing an obstruction or encroachment.
- (6) This clause does not apply to an obstruction or encroachment if its presence on land

at Sydney Olympic Park is authorised:

- (a) by the Authority, or
- (b) by any other person having lawful authority,

and its presence has not ceased to be so authorised.

## **27 Confiscation of articles**

- (1) An authorised person may, without the use of force, take possession of any article that is in the possession of a person in contravention of this Regulation if the authorised person has directed the person to remove it from Sydney Olympic Park and the person has not done so.
- (2) An authorised person may, without the use of force, take possession of any article that is used by a person in contravention of this Regulation if the authorised person has directed the person to stop the use of the article and, despite the direction, the person has continued to use the article in contravention of this Regulation.
- (3) On taking possession of a confiscated article, the authorised person must give a receipt to the person from whom it has been taken, indicating the nature of the confiscated article and the date and time when the authorised person took possession of it.
- (4) A confiscated article must be returned to the person from whom it was taken, or be delivered to a public pound (within the meaning of the *Impounding Act 1993*), within 24 hours after possession of it is taken.
- (5) If the confiscated article is delivered to a public pound, the person from whom it was taken must be notified in writing of the address of the pound.
- (6) The *Impounding Act 1993* (sections 20 and 23 (2) (b) and (c) excepted) applies to a confiscated article that is delivered to a public pound as if the confiscated article had been impounded under that Act. Accordingly, it will become returnable on demand.
- (7) The deadline for the release of a confiscated article, as referred to in section 24 of the *Impounding Act 1993*, is taken to be 28 days from the day on which possession of it was taken.
- (8) In this clause:

**article** means any article, equipment or other thing, and includes an animal but does not include an unattended motor vehicle or trailer to which section 44 of the Act applies.

**confiscated article** means an article of which an authorised person takes possession under this clause.

## **Part 6 Authorised persons**

### **28 Appointment of authorised persons**

- (1) The Authority may, by instrument in writing, appoint a person as an authorised person for the purposes of this Regulation.
- (2) An appointment may be:
  - (a) subject to conditions specified in the instrument of appointment, and
  - (b) varied or revoked at any time.

### **29 Identification of authorised persons**

- (1) The Authority is to provide each authorised person appointed under clause 28 with an identification card.
- (2) An identification card is a card that:
  - (a) states that it is issued under this Regulation, 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 Chief Executive, or a delegate of the Chief Executive.
- (3) In the course of exercising any function of an authorised person under this Regulation, the authorised person must, if requested to do so by a person affected by the exercise of the function, produce the authorised person's identification card to the person.

### **30 Obstructing or delaying authorised persons**

A person must not, without reasonable excuse, obstruct or delay an authorised person in the exercise of the authorised person's functions under this Regulation.

Maximum penalty: 20 penalty units.

### **31 Rangers to be authorised persons**

A ranger appointed under section 65 of the Act has the functions of an authorised person and is taken to be an authorised person for the purposes of this Regulation.

## **Part 7 Fees**

### **32 Authority may charge and recover fees**

- (1) The Authority may charge and recover a fee for any authorisation it gives or any

service it provides under the Act or this Regulation.

- (2) Without limiting subclause (1), the services for which a fee may be charged include the following:
  - (a) supplying a service, product or commodity,
  - (b) giving information,
  - (c) providing a service in connection with the exercise of the Authority's regulatory functions—for example, receiving an application for an approval, an authorisation or a certificate, granting an approval, giving an authorisation or making an inspection and issuing a certificate,
  - (d) allowing admission to a sportsground or to any building or enclosure.
- (3) In particular, the Authority may charge a fee for inspecting premises that are reasonably required to be inspected in the exercise of the Authority's functions, whether or not the inspection is requested or agreed to by the owner or occupier of the premises.
- (4) However, the Authority may not charge a fee for the inspection of premises that are not used for a commercial activity, except where it is necessary to inspect the premises in connection with an application for an approval or a certificate concerning the premises or in connection with any inspection that is reasonably necessary to determine if an approval or a certificate has been complied with.
- (5) If inspections of premises are reasonably necessary to determine if an approval or a certificate has been complied with, a fee may not be charged for the inspection of any thing for which the Authority relies on a certificate under section 93 of the [Local Government Act 1993](#) that the thing has been done in compliance with the approval or certificate.
- (6) A fee charged for inspecting premises must be repaid to the person who paid it if the inspection is not carried out.

### **33 Determination of amount of fee**

- (1) The Authority must determine the amount of a fee it proposes to charge before it can impose the fee.
- (2) The Authority may, from time to time, determine to increase or decrease the amount of a fee that has been determined under this clause.
- (3) In making a determination under this clause in respect of a fee for giving an authorisation, the Authority must take into consideration the following factors:
  - (a) the cost to the Authority of giving the authorisation,

- (b) the nature of the authorisation given.
- (4) In making a determination under this clause in respect of a fee for providing a service, the Authority must take into consideration the following factors:
  - (a) the cost to the Authority of providing the service,
  - (b) the price suggested for that service by any relevant industry body or in any schedule of charges published, from time to time, by the government department or agency engaged in the administration of the Act or statutory instrument under which the service is provided,
  - (c) the importance of the service to the community.
- (5) The cost to the Authority of providing a service in connection with the exercise of a regulatory function need not be the only basis for determining the fee for that service.
- (6) A higher fee or an additional fee may be charged for an expedited service provided, for example, in the case of urgency.

#### **34 Authority may waive or reduce fees**

The Authority may waive payment of, or reduce, a fee (whether expressed as an actual or a maximum amount) in a particular case if the Authority is satisfied that the case falls within a category of hardship or any other category in respect of which the Authority has determined that payment should be so waived or reduced.

#### **35 Schedule of fees**

The Authority may, from time to time, publish on the Authority's website a schedule of fees that may be charged by the Authority, whether the fees are determined under the Act or this Regulation or under another Act or statutory instrument.

#### **36 Effect on fees determined under other Acts and statutory instruments**

- (1) If the amount of a fee for a service is determined under an Act (other than the [Sydney Olympic Park Authority Act 2001](#)) or statutory instrument, the Authority may charge a fee in addition to the amount determined under the Act concerned or the statutory instrument.
- (2) If the charging of a fee for a service is prohibited under an Act, the Authority must not charge a fee for that service.

### **Part 8 Miscellaneous**

#### **37 Provision and operation of public services and facilities**

- (1) The Authority may, at Sydney Olympic Park, provide, or authorise any other person to provide, any one or more of the following:

- (a) public services,
  - (b) public information,
  - (c) first aid,
  - (d) food and beverages,
  - (e) entertainment (such as concerts, dancing and theatre, whether or not involving the participation of the public),
  - (f) commercial services,
  - (g) any thing for sale or distribution to any person.
- (2) The Authority may, at Sydney Olympic Park, construct, install, provide, operate and maintain, or authorise any other person to construct, install, provide, operate or maintain, any one or more of the following (whether for the purpose of providing any thing referred to in subclause (1) or otherwise):
- (a) toilets (including temporary toilets),
  - (b) places and areas for giving information, including associated infrastructure,
  - (c) first aid units (mobile and non-mobile),
  - (d) tents, shelters, marquees, sheds, vans and other structures and facilities for the sale and supply of food and beverages, including bars and areas for corporate entertainment and promotion,
  - (e) infrastructure for or associated with the sale or supply of food and beverages (such as refrigeration units, counters and storage units),
  - (f) infrastructure for or associated with entertainment (such as steps, stages, platforms and towers),
  - (g) video screens and sound systems,
  - (h) tents, shelters, marquees, sheds, vans and other structures and facilities for commercial outlets,
  - (i) underground, on-ground and above ground utilities (such as utilities for the provision of energy and water),
  - (j) fences, barricades and bollards,
  - (k) tables,
  - (l) seating,

- (m) tents, shelters, marquees, sheds, vans and other structures and facilities for site services,
- (n) temporary hardstand areas (that is, hard-surfaced areas for parking vehicles),
- (o) temporary areas of ground protection,
- (p) ramps for disability access,
- (q) site sheds and vans for staff accommodation,
- (r) temporary signs,
- (s) temporary flagpoles,
- (t) temporary site dressing and decoration,
- (u) amusement devices, carnival rides and similar facilities.

- (3) The Authority may determine and impose, or authorise any other person to determine and impose, a fee or charge for or in respect of the provision of any service or facility, or any other thing, in accordance with this clause. Nothing in this subclause affects clause 32.

### **38 Conditions attaching to authorisations**

- (1) The Authority may give an authorisation under this Regulation subject to any conditions that the Authority considers appropriate.
- (2) The Authority may require a person to whom an authorisation under this Regulation is proposed to be given to give security in the amount and form that the Authority determines for fulfilment of the person's obligations under the conditions of that authorisation.

### **39 Directions**

- (1) A reference in this Regulation to a direction given by the Authority includes a reference to a direction given orally by an employee of the Authority authorised by the Authority to give directions under this Regulation.
- (2) A person is not guilty of an offence of failing to comply with a direction given orally by an employee of the Authority unless it is established that the person who gave the direction:
  - (a) identified himself or herself as an employee of the Authority, and
  - (b) warned the person that a failure to comply with the direction is an offence, and
  - (c) showed his or her identification as a person authorised to give the direction (if asked to do so).



## 40 Saving

Any act, matter or thing that had effect under the *Sydney Olympic Park Authority Regulation 2012* immediately before the repeal of that Regulation is taken to have effect under this Regulation.

## Schedule 1 Penalty notice offences

For the purposes of section 79 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.

### Offences under the Act

Column 1	Column 2
Offence	Penalty
section 67	\$250

### Offences under this Regulation

Column 1	Column 2
Offence	Penalty
clause 4 (3)	\$200
clause 5 (1) (a)–(n), (p)–(r) and (t)–(aj)	\$200
clause 5 (1) (o)	\$150
clause 5 (1) (s)—bathe, wade, wash or swim in any lake, pond or stream or in any ornamental water	\$75
clause 5 (1) (s)—operate a boat, kayak or any other water craft or vessel or flotation device in any lake, pond or stream or in any ornamental water	\$200
clause 6 (1)	\$150
clause 7 (1)	\$150
clause 8	\$150
clause 9 (2)	\$20
clause 10 (1) (a) and (c)–(e)	\$150
clause 10 (1) (b)	\$100
clause 11 (2)	\$200

clause 12 (3)	\$112
clause 13 (2):	
(a) in the case of a contravention of a school zone sign	\$183
(b) in any other case	\$80
clause 13 (3):	
(a) in the case of a contravention of a school zone sign	\$333
(b) in any other case	\$257
clause 13 (5)	\$150
clause 14 (3)	\$200
clause 16 (2)	\$200
clause 17 (4)	\$150
clause 17 (7)	\$150
clause 18	\$500
clause 20 (4)	\$200
clause 22 (2)	\$200
clause 24 (2)	\$200
clause 25 (2)	\$200
clause 25 (5)	\$200
clause 26 (3)	\$200
clause 30	\$200