

Centennial Park and Moore Park Trust Regulation 1999

[1999-452]



New South Wales

Status Information

Currency of version

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Provisions in force

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

Notes—

- **Repeal**

The Regulation was repealed by the [Subordinate Legislation Act 1989 No 146](#), sec 10 (2) with effect from 1.9.2004.

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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Centennial Park and Moore Park Trust Regulation 1999



New South Wales

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Schedule 1 Penalty notice offences and short descriptions

Centennial Park and Moore Park Trust Regulation 1999



New South Wales

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Centennial Park and Moore Park Trust Regulation 1999*.

2 Commencement

This Regulation commences on 1 September 1999.

3 Definitions

(1) In this Regulation:

animal includes any bird, fish, reptile or mammal.

authorised person means a person appointed in writing by the Trust as an authorised person for the purposes of this Regulation.

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

sell includes any of the following:

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

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

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

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

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.

(2) The explanatory note and table of contents do not form part of this Regulation.

4 Application of Regulation to revested land

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

Part 2 Use of Trust lands

5 Entry

- (1) The Trust may designate points on the perimeter of the Trust lands as entrances to the Trust lands for vehicles by a sign or signs displayed adjacent to those points.
- (2) A person must not drive a vehicle into the Trust lands other than at a point designated in accordance with this clause.

Maximum penalty: 10 penalty units.

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

Maximum penalty: 10 penalty units.

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

Maximum penalty: 10 penalty units.

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

- (a) by public notice or advertisement, or
 - (b) in relation to any function or meeting to be held on the Trust lands—by notice in writing to the organiser of the function or meeting.
- (6) Without limiting clause 14, it is a condition of a permission referred to in subclause (4) that the person driving or riding the vehicle concerned complies with any reasonable directions given by an authorised person in relation to the vehicle.
- (7) Pedestrians may enter the Trust lands at any time.

6 Parking

- (1) The Trust or the Director may regulate the parking of vehicles on any part of the Trust lands by a sign or signs displayed on or adjacent to the part.
- (2) A person must not park a vehicle on a part of the Trust lands in contravention of a sign displayed in accordance with this clause.
- Maximum penalty: 10 penalty units.
- (3) A person must not park, or leave a vehicle parked, on the Trust lands after sunset and before sunrise except with the written permission of the Trust, the Director or an authorised person.
- Maximum penalty: 10 penalty units.
- (4) The Trust is entitled to require payment of a fee (not exceeding \$100) determined by it for the opening of a gate after sundown and before sunrise to permit the removal of a vehicle from the Trust lands.
- (5) Subclauses (3) and (4) do not apply to or in respect of a vehicle that is on the Trust lands in accordance with a permission referred to in clause 5 (4).

7 Parts approved for designated purposes

- (1) The Trust or the Director may designate part of the Trust lands for use for the purpose of:
- (a) an organised sporting activity, or
 - (b) an organised entertainment, or
 - (c) an organised ceremony, or
 - (d) any other organised activity.
- (2) A person may, with the written permission of the Trust or the Director:
- (a) use any part of the Trust lands designated under subclause (1) (the **designated**

space) for the purpose for which it is designated, and

- (b) designate points on the perimeter of the designated space as entrances for persons attending the organised activity, entertainment or ceremony concerned by a sign or signs displayed adjacent to those points, and
 - (c) prevent people from entering the designated space other than through those entrances, and
 - (d) prevent people from entering the designated space without paying a fee approved by the Trust or the Director.
- (3) The use of a part of the Trust lands in accordance with a permission granted under this clause is not a contravention of clause 11.

8 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 has given permission to use part of the Trust lands (including a permission under clause 7). The Trust may require payment of such a fee in advance.
- (2) The person to whom the permission is granted is liable to the Trust for payment of the fee.
- (3) Any unpaid fee may be recovered by the Trust from the person liable to pay it as a debt in a court of competent jurisdiction.
- (4) The Trust may reduce, or waive payment of, a fee payable under this clause.

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

- (1) The Trust, the Director or an authorised person may close to the public any part of the Trust lands or any building within the Trust lands by the use of a sign or signs displayed on or adjacent to the part or building.
- (2) A person must not enter any part of the Trust lands, or any building within the Trust lands, that is fenced off, or locked, or closed to the public by a sign or signs displayed under this clause, except with the written permission of the Trust or the Director.

Maximum penalty: 10 penalty units.

- (3) In this clause, and in clause 10:

building includes part of a building.

fenced off means surrounded by a fence with no open pedestrian or vehicular access.

part of the Trust lands includes any road, footpath, cycle track, horse track,

equestrian grounds and playing fields within the Trust lands.

10 Alcohol-free zones

- (1) The Trust, the Director or an authorised person may declare any part of the Trust lands or any building within the Trust lands to be an alcohol-free zone by the use of a sign or signs displayed on or adjacent to the part or building.
- (2) A person must not consume any alcohol in any such alcohol-free zone, except with the written permission of the Trust or the Director.

Maximum penalty: 10 penalty units.

- (3) In this clause:

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

11 Commercial and other activities on Trust lands

- (1) A person must not on the Trust lands, except with the written permission of the Trust or the Director, do any of the following things or assist a person to do any of the following things:
 - (a) collect or attempt to collect money,
 - (b) sell or attempt to sell any papers, printed matter, food, article, thing or service,
 - (c) sell, or attempt to sell, any tickets to an organised activity,
 - (d) conduct or cause the conduct of an amusement, entertainment, promotion, instruction or performance, whether free of charge or for money or consideration of any kind or so as to compete with or hinder the commercial operations of any person holding a lease or licence from the Trust,
 - (e) establish or operate a business,
 - (f) organise or participate in, or cause to be organised, a public meeting, public function, public demonstration, public gathering or other public activity,
 - (g) use television, cinematographic or photographic equipment for commercial or promotional purposes,
 - (h) erect a hoarding, banner or notice, or display or distribute commercial, promotional or political advertising matter, sign, bill, poster or other printed matter,
 - (i) erect a sign or attach a sign to a tree, pole, rail or fence.

Maximum penalty: 10 penalty units.

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

Maximum penalty: 10 penalty units.

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

- (a) to the care of the person to whom the direction was given, or
(b) to a place of safe keeping at the expense of the owner or the person responsible for it.

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

12 Races on Trust lands

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

Maximum penalty: 10 penalty units.

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

- (1) A person must not on the Trust lands, except with the written permission of the Trust or the Director:

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

Maximum penalty: 10 penalty units.

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

Maximum penalty: 10 penalty units.

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

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

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

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

14 Conditions attaching to permission to use Trust lands

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

(2) An example of such a condition is a requirement that any fee payable in connection with a permission to use Trust lands be paid by a date specified by the Trust.

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

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

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

15 Damage to Trust lands

A person must not on the Trust lands, except with the written permission of the Trust or the Director:

(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, or cause damage to, or remove a part from, a tree, shrub, fern, creeper, vine, palm, plant or other vegetation, or

(c) climb on any tree, or

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

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

(f) write on, paint on, climb on, damage, deface, interfere with, destroy or remove any machinery, equipment, road, path, fence, barrier, gate, lock, latch, fence-post, wall, building, seat, furniture, play equipment, fountain, statue, ornament or monument or any article, sign, descriptive plate, label or other fixture, fitting or structure erected,

displayed or placed by the Trust or the Director, or

- (g) block or inhibit (whether wholly or partially) access through, to or on a gate, access-way, path or road, or
- (h) damage, destroy, remove, interfere with, pass through or step over any temporary or permanent fencing or any barricade regulating access to any part of the Trust lands by foot or vehicle, or
- (i) destroy, capture, injure or annoy an animal within the Trust lands, or
- (j) destroy or interfere with the habitat of an animal, or
- (k) light a fire:
 - (i) at a time when the lighting of fires on the Trust lands is prohibited by the Trust or the Director by signs displayed on or near the Trust lands or a time when the lighting of fires in the area in which the Trust lands are situated is prohibited by or under the provisions of the *Rural Fires Act 1997*, or
 - (ii) at any other time except in a fireplace or on equipment provided for the purpose by the Trust or in portable cooking equipment, or
- (l) empty coals from a barbecue on to any grass, lawn, playing field, green or vegetation.

Maximum penalty: 10 penalty units.

16 Recreational activities on Trust lands

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

- (a) operate a motorised model aircraft, boat, car or similar thing,
- (b) bathe, wade, wash or swim, or operate a boat, canoe, kayak or any other water craft or vessel or flotation device, in any lake, pond or stream or in any ornamental water (other than the fountain located in the Centennial Park Cafe forecourt area),
- (c) enter land that is situated within any lake, pond or stream or any ornamental water (other than the fountain located in the Centennial Park Cafe forecourt area),
- (d) play or practice golf except in an area designated by the Trust or the Director for that activity under clause 7,
- (e) use ski stocks with roller blades or roller skis except in an area designated by the Trust or the Director for that activity under clause 7,
- (f) operate or attempt to operate a hang-glider,
- (g) use a land sailing vehicle except in an area designated by the Trust or the Director for

that activity under clause 7,

- (h) launch or land an aircraft, helicopter, airship, hot-air balloon or parachute,
- (i) discharge fireworks,
- (j) use a starting pistol except in an area designated by the Trust or the Director under clause 7 for an activity that involves the use of a starting pistol,
- (k) have in his or her possession a firearm within the meaning of the *Firearms Act 1996* unless the person is a police officer,
- (l) ride a cycle, horse, scooter or skateboard:
 - (i) without wearing a protective helmet, and
 - (ii) except in an area designated by the Trust or the Director for that activity under clause 7,
- (m) play a musical instrument.

Maximum penalty: 10 penalty units.

17 Activities involving horses and animals

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

- (a) bring stock (other than horses) or poultry,
- (b) allow stock (including a horse) to depasture,
- (c) ride a horse unless the horse is properly saddled and bridled with a bit,
- (d) ride a horse except on a track or other part of the Trust lands designated for the purpose by the Trust or the Director by a sign or signs displayed on or near the track or the part,
- (e) break-in a horse,
- (f) permit a horse to gallop except on a part of the Trust lands designated for the purpose by the Trust or the Director by a sign or signs displayed on or near the part,
- (g) train a racehorse or harness racing horse,
- (h) lead a horse unless the horse is wearing a bit,
- (i) lead more than one horse at a time,
- (j) lunge a horse except in an area designated for the purpose by the Trust or the Director by a sign or signs displayed on or near the area,

- (k) drive a horse-drawn vehicle on a road or track that is situated within the area surrounded by the horse track and Grand Drive,
- (l) long rein a horse,
- (m) use the horse track for a purpose other than riding or leading a horse,
- (n) leave a horse unattended or untethered,
- (o) lead a dog on a leash:
 - (i) while in control of a horse, or
 - (ii) from or attached to a moving vehicle,
- (p) run or exercise a dog that is not on a leash from a moving vehicle.

Maximum penalty: 10 penalty units.

18 Equestrian Code of Conduct

A person who uses that part of the Trust lands known as the Centennial Parklands Equestrian Centre and Grounds must comply with the requirements of the document called *Centennial Parklands Equestrian Centre and Grounds—Code of Conduct and Regulations*, being the Code made by the Trust and a copy of which is available from the office of the Trust.

Maximum penalty: 10 penalty units.

19 Vehicles

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

Maximum penalty: 10 penalty units.

- (2) A person must not on Trust lands, except with the written permission of the Trust or the Director, do any of the following:
 - (a) drive, ride, stand or park a vehicle other than on a sealed road,
 - (b) teach a person to drive or ride a motor vehicle,
 - (c) learn to drive or ride a motor vehicle,
 - (d) cause or permit a vehicle (other than an authorised vehicle) to be driven, ridden, stood or parked on a lawn, grass, parkland, green, garden, footpath or cycle track or the horse track unless the area is designated for that purpose by the Trust or the Director by a sign or signs displayed on or near the area,
 - (e) drive, ride or park a vehicle (other than an authorised vehicle) contrary to, or act contrary to, a sign approved by the Trust or the Director that regulates the

movement or parking of vehicles or the movement or confinement of animals,

(f) drive an omnibus or a vehicle:

- (i) with a tare weight of more than 3 tonnes, or
- (ii) with a height of more than 4 metres.

Maximum penalty: 10 penalty units.

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

20 Speed of vehicles

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

Maximum penalty: 10 penalty units.

21 Use of cycles, pedal cars and rollerblades

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

- (a) ride a cycle or rollerblades in a group of more than 15 persons,
- (b) ride a cycle or rollerblades alongside 2 or more persons,
- (c) ride a cycle or rollerblades closer than 3 metres behind, or while holding onto, a moving motor vehicle (ie, slip streaming),
- (d) ride a three-wheeled pedal-car or similar device,
- (e) ride a cycle or rollerblades on a footway, building forecourt or paved area or on an area in which the activity is prohibited by the Trust or the Director by a sign displayed on or near the area.

Maximum penalty: 10 penalty units.

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

22 Personal conduct

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

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

- (b) behave in an offensive or indecent manner,
- (c) cause serious alarm or affront to a person by disorderly conduct,
- (d) obstruct a person in the performance of that person's work or duties,
- (e) fail to comply with a reasonable request or direction given for the purpose of securing good order and management and enjoyment of the Trust lands by a member of the Trust, the Director, an authorised person or a police officer.

Maximum penalty: 10 penalty units.

23 Persons to leave Trust lands on request

- (1) A person who trespasses or causes annoyance or inconvenience on the Trust lands or who commits a breach of this Regulation must leave the Trust lands if requested to do so by the Trust, the Director, an authorised person or a police officer.
- (2) A person who fails to comply with a request made under this clause may be removed from the Trust lands by the Trust, the Director, an authorised person or a police officer.
- (3) A person who leaves or is removed from the Trust lands under this clause must remove any equipment, vehicle or animal, or any other item belonging to or associated with the person, from the Trust lands.

Maximum penalty (subclause (3)): 10 penalty units.

24 Noise on Trust lands

A person must not on the Trust lands, except with the written permission of the Trust or the Director:

- (a) operate a radio, cassette player, record player, compact disc player or other similar device at a volume likely to cause nuisance or annoyance to a person, or
- (b) operate a public address system or similar device, or
- (c) being the owner of a motor vehicle, sound, or cause, or allow to be sounded, a motor vehicle intruder alarm or sounding device continuously or intermittently for more than 90 seconds after the device or alarm has first sounded.

Maximum penalty: 10 penalty units.

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

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

- (a) Sydney Gay and Lesbian Mardi Gras Parade and Sydney Gay and Lesbian Mardi Gras

Party for the years 2004 and 2005,

(b) the Livid Arts Festival for the years 2003 to 2005 inclusive.

25A-25C (Repealed)

25D Conditions on the use of Trust lands for large events

- (1) The Trust may, from time to time, impose on the organisers of an event referred to in clause 25 such conditions on the use of the lands for this purpose as the Trust considers necessary.
- (2) Conditions may relate to, but are not limited to, the following matters:
 - (a) the necessary standard of care of the parklands environment,
 - (b) maintenance of adequate insurance,
 - (c) site preparation,
 - (d) provision and disposal of food and beverages,
 - (e) advertising, signage and merchandising,
 - (f) vehicle access, control and parking,
 - (g) security and emergency procedures,
 - (h) crowd management,
 - (i) cleaning and waste management services,
 - (j) noise control,
 - (k) erection and removal of temporary structures.

Part 3 Centennial Park and Moore Park Trust Community Consultative Committee

26 Centennial Park and Moore Park Trust Community Consultative Committee

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

27 Composition

- (1) The Committee is to consist of 10 members.
- (2) The Director may recommend himself or herself for appointment as a member, and may recommend any other person whom the Director is satisfied:

- (a) has a sound knowledge of the Trust lands and of Trust activities, and
- (b) is able to communicate effectively with local residents, local community groups and other persons who use the Trust lands.

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

28 Term of office

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

29 Deputies of members

- (1) Subject to subclause (2), the Trust may, from time to time, appoint a person to be the deputy of a member, and the Trust may revoke any such appointment.
- (2) If the Director is appointed as a member of the Committee, the Director may, from time to time, appoint a person to be the Director's deputy as such a member, and may revoke any such appointment.
- (3) In the absence of a member, the member's deputy may, if available, act in the place of the member.
- (4) While acting in the place of a member, a person has and may exercise all the functions of the member and is taken to be a member.

30 Removal from office

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

31 Vacancy in office of member

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

- (a) becomes a member of the Trust (except pursuant to an appointment under section 7 (1) (b) of the Act), or
- (b) completes a term of office and is not re-appointed, or
- (c) resigns the office by instrument in writing addressed to the Trust, or

- (d) is absent, without having been excused by the Committee, for 2 consecutive meetings of the Committee of which notice has been given to the member, or
- (e) is removed from office by the Trust under this Part, or
- (f) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or
- (g) becomes a mentally incapacitated person, or
- (h) is convicted in New South Wales of an offence that is punishable by imprisonment for 12 months or more or is convicted elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence so punishable, or
- (i) dies.

32 Filling vacancy

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

33 Chairperson

- (1) If the Director is a member of the Committee, he or she is to be the chairperson of the Committee.
- (2) In any other case, the chairperson of the Committee is to be the member appointed as chairperson in and by the member's instrument of appointment as a member or by a later instrument executed by the Trust.
- (3) In the absence of the chairperson, the deputy of that member may, if available, act in the place of the chairperson.

34 Chairperson's vote

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

35 Quorum

- (1) The chairperson and 5 other members form a quorum at any meeting of the Committee and any duly convened meeting at which a quorum is present is competent to transact any business of the Committee.
- (2) Questions arising at a meeting of the Committee are to be determined by a majority of the votes of the members present and voting.

36 Procedure

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

37 Minutes

- (1) The Director is to cause minutes of each meeting of the Committee to be recorded and preserved.
- (2) A copy of the minutes is to be submitted to the Trust for its consideration as soon as practicable after being confirmed by a meeting of the Committee.

38 Existing members

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

- (a) continues to hold that office until the end of the term of the person's office as such a member, and
- (b) is eligible for re-appointment as a member of the Committee.

Part 4 Miscellaneous

39 Requirement to state name and address

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

Maximum penalty: 10 penalty units.

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

40 Lessees and licensees

An act or omission does not constitute a breach of this Regulation, despite any other provision of this Regulation, if the act or omission is authorised expressly or impliedly by

the terms or conditions of any lease or licence granted by the Trust or of any agreement entered into by the Trust.

41 Application of Regulation to officers and employees

- (1) Nothing in this Regulation prevents a person employed under section 13 of the Act or an authorised person from doing, in the exercise of his or her functions under the Act, any act or thing the doing of which is otherwise prohibited by this Regulation.
- (2) This clause does not, however, authorise any such person to have in his or her possession a firearm while on the Trust lands except with the written permission of the Trust or the Director.

42 Penalty notices

For the purposes of section 24 of the Act:

- (a) the Director, an authorised person and a police officer are prescribed officers, and
- (b) the amount specified in Column 3 of Schedule 1 with respect to each offence described in Column 1 of that Schedule is the prescribed amount of penalty prescribed for the offence against this Regulation if dealt with under that section.

43 Short descriptions

- (1) In accordance with section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision specified in Column 1 of Schedule 1 is:
 - (a) the expression specified in Column 2 of that Schedule, or
 - (b) if a choice of words is indicated in that expression, the words remaining after the omission of the words irrelevant to the offence.
- (2) For the purposes of any proceedings for an offence created by a provision specified in Column 1 of Schedule 1, the prescribed expression for the offence is taken to relate to the offence created by the provision, as the provision was in force when the offence is alleged to have been committed.
- (3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used.
- (4) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

44 Repeal and savings

- (1) The *Centennial Park and Moore Park Trust Regulation 1993* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Centennial Park and Moore Park Trust Regulation 1993*, had effect under that Regulation is taken to have effect under this Regulation.

Schedule 1 Penalty notice offences and short descriptions

(Clauses 42 and 43)

Column 1	Column 2	Column 3
Offence	Prescribed expression	Penalty
clause 5 (2)	enter Trust lands other than at designated entrance	\$100
clause 5 (3)	ride/lead horse between sunset and sunrise	\$100
clause 5 (4)	drive/ride vehicle between sunset and sunrise without permission	\$100
clause 6 (2)	park vehicle contrary to sign	\$150
clause 6 (3)	leave vehicle on Trust lands between sunset and sunrise	\$150
clause 9 (2)	enter Trust lands/building fenced off/locked/closed to public contrary to sign	\$100
clause 10 (2)	consume alcohol in alcohol-free zone	\$100
clause 11 (1) (a)	collect/attempt to collect money	\$300
clause 11 (1) (b)	sell/attempt to sell papers/printed matter/food/article/thing/service	\$300
clause 11 (1) (c)	sell/attempt to sell ticket	\$300
clause 11 (1) (d)	conduct/cause conduct of amusement/entertainment/promotion/ instruction/performance/compete with/hinder commercial operations	\$300
clause 11 (1) (e)	establish/operate business	\$300
clause 11 (1) (f)	organise/participate in/cause to be organised public meeting/function/demonstration/gathering/activity	\$200
clause 11 (1) (g)	use television/cinematographic/photographic equipment	\$150
clause 11 (1) (h)	erect hoarding/banner/notice/display/distribute advertising matter/sign/bill/poster/printed matter	\$100
clause 11 (1) (i)	erect sign/attach sign to tree/pole/rail/fence	\$100
clause 11 (2)	fail to remove equipment	\$100

clause 12	organise/conduct foot race/cycle race/horse race/wheelchair race/fun run/rollerblade run/event	\$200
clause 13 (1) (a)	camp/reside	\$150
clause 13 (1) (b)	erect/occupy/cause to be erected/occupied building/tent/screen/ awning/enclosure/structure/thing	\$150
clause 13 (2)	fail to remove building/tent/screen/ awning/enclosure/structure/thing	\$100
clause 14 (4)	fail to comply with condition	\$100
clause 15 (a)	damage lawn/playing field/green	\$150
clause 15 (b)	remove/uproot/cause damage to/remove part from tree/shrub/fern/creeper/vine/ palm/plant or other vegetation	\$150
clause 15 (c)	climb tree	\$75
clause 15 (d)	remove timber/log/stump	\$100
clause 15 (e)	deface/dig up/remove rock/soil/sand/stone/substance	\$100
clause 15 (f)	write on/paint on/climb on/damage/deface/interfere with/destroy/remove machinery/ equipment/road/path/fence/barrier/ gate/lock/latch/fence-post/wall/building/ seat/furniture/play equipment/ fountain/statue/ornament/monument/ article/sign/descriptive plate/label/fixture/fitting/structure	\$100
clause 15 (g)	block/inhibit access through/to/on gate/access-way/path/road	\$150
clause 15 (h)	damage/destroy/remove/interfere with/pass through/step over fencing/barricade	\$150
clause 15 (i)	destroy/capture/injure/annoy animal	\$100
clause 15 (j)	destroy/interfere with habitat of animal	\$100
clause 15 (k) (i)	light fire at prohibited time	\$75
clause 15 (k) (ii)	light fire in place/on equipment not approved	\$75
clause 15 (l)	empty barbecue coals on grass/lawn/playing field/green/vegetation	\$100
clause 16 (a)	operate motorised model aircraft/boat/car/thing	\$75
clause 16 (b)	bathe/wade/wash/swim/operate boat/canoe/kayak/water craft/vessel/flotation device	\$75
clause 16 (c)	enter land within lake/pond/stream/ornamental water	\$75
clause 16 (d)	play/practice golf	\$75
clause 16 (e)	use ski stocks with rollerblades/roller skis	\$75
clause 16 (f)	operate/attempt to operate hand-glider	\$75

clause 16 (g)	use land sailing vehicle	\$75
clause 16 (h)	launch/land aircraft/helicopter/airship/hot-air balloon/ parachute	\$300
clause 16 (i)	discharge fireworks	\$75
clause 16 (j)	use starting pistol	\$75
clause 16 (k)	possess firearm	\$150
clause 16 (l) (i)	ride cycle/horse/scooter/skateboard without helmet	\$75
clause 16 (l) (ii)	ride cycle/horse/scooter/skateboard outside designated area	\$75
clause 16 (m)	play musical instrument	\$75
clause 17 (a)	bring stock/poultry	\$75
clause 17 (b)	depasture stock	\$75
clause 17 (c)	ride horse not saddled/bridled with bit	\$75
clause 17 (d)	ride horse outside designated area	\$75
clause 17 (e)	break-in horse	\$75
clause 17 (f)	permit horse to gallop	\$75
clause 17 (g)	train racehorse/harness racing horse	\$75
clause 17 (h)	lead horse not wearing bit	\$75
clause 17 (i)	lead more than one horse at a time	\$75
clause 17 (j)	lunge horse	\$75
clause 17 (k)	drive horse-drawn vehicle on road/track	\$75
clause 17 (l)	long rein horse	\$75
clause 17 (m)	use horse track for prohibited purpose	\$75
clause 17 (n)	leave horse unattended or untethered	\$75
clause 17 (o) (i)	lead dog on leash with horse	\$75
clause 17 (o) (ii)	lead dog on leash from vehicle	\$75
clause 17 (p)	run dog without leash from moving vehicle	\$75
clause 18	not comply with Equestrian Code	\$100
clause 19 (1)	abandon vehicle	\$150
clause 19 (2) (a)	drive/ride/stand/park vehicle other than on sealed road	\$150
clause 19 (2) (b)	teach person to drive/ride vehicle	\$100
clause 19 (2) (c)	learn to drive/ride vehicle	\$100

clause 19 (2) (d)	cause/permit vehicle to be driven/ridden/stood/parked	\$100
clause 19 (2) (e)	drive/ride/park/act contrary to sign	\$100
clause 19 (2) (f) (i)	drive omnibus/vehicle over 3 tonnes	\$100
clause 19 (2) (f) (ii)	drive omnibus/vehicle over 4 metres tall	\$100
clause 20	drive/ride vehicle in excess of speed limit	\$150
clause 21 (1) (a)	ride cycle/rollerblades in group	\$100
clause 21 (1) (b)	ride cycle/rollerblades alongside 2 or more persons	\$100
clause 21 (1) (c)	ride cycle/rollerblades close behind/holding onto vehicle	\$100
clause 21 (1) (d)	ride three-wheeled pedal-car/device	\$150
clause 21 (1) (e)	ride cycle/rollerblades on footway/forecourt/paved area/ prohibited area	\$100
clause 22 (a)	use indecent/obscene/insulting/threatening language	\$100
clause 22 (b)	behave in offensive/indecent manner	\$100
clause 22 (c)	cause serious alarm/affront	\$100
clause 22 (d)	obstruct person in performance of work	\$150
clause 22 (e)	fail to comply with reasonable request/direction	\$150
clause 23 (3)	fail to remove equipment/vehicle/animal/item	\$150
clause 24 (a)	operate radio, cassette player/record player/compact disc player/device	\$100
clause 24 (b)	operate public address system/device	\$300
clause 24 (c)	sound/cause/allow to be sounded car alarm	\$300
clause 39 (2) (a)	fail to state name/address	\$150
clause 39 (2) (b)	give false/misleading information/evidence	\$150