

South Australia

Carrick Hill Trust Regulations 2012

under the *Carrick Hill Trust Act 1985*

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Schedule 1—Revocation of *Carrick Hill Trust Regulations 1999*

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Carrick Hill Trust Regulations 2012*.

2—Commencement

These regulations will come into operation on the day on which they are made.

3—Interpretation

In these regulations—

Act means the *Carrick Hill Trust Act 1985*;

disabled person's parking permit means—

- (a) a permit issued under Part 3D of the *Motor Vehicles Act 1959*; or
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- (b) a similar permit or authority issued under the law of another State or a Territory of the Commonwealth;

property of the Trust includes property for which the Trust has responsibility.

4—Acting with approval of Trust or authorised officer

- (1) These regulations do not prevent a person from doing anything with the approval of the Trust or an authorised officer or otherwise with lawful authority.
- (2) An approval given by the Trust or an authorised officer for the purposes of these regulations—
 - (a) must be in writing or, if given orally, must be confirmed in writing as soon as practicable; and
 - (b) may relate to a particular person or matter or persons or matters of a class specified by the Trust or authorised officer; and
 - (c) may be subject to conditions (including a condition requiring payment of a fee) specified by the Trust or authorised officer; and
 - (d) may be varied or revoked by the Trust or authorised officer at any time.
- (3) If the Trust or an authorised officer gives approval subject to a condition, the person to whom the approval is given must not contravene or fail to comply with the condition.
Maximum penalty: \$250.

Part 2—Conduct at Carrick Hill

Division 1—Personal conduct

5—Entry to Carrick Hill

- (1) A person must not—
 - (a) enter Carrick Hill without paying the entrance fee (if any) fixed by the Trust;
 - (b) enter or remain at Carrick Hill when it is closed to the public.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) A child under the age of 16 years must not enter or remain at Carrick Hill unless in the care or under the supervision of an adult.

Maximum penalty: \$750.

Expiation fee: \$105.

6—Behaviour at Carrick Hill

- (1) A person must not, while at Carrick Hill—
 - (a) interfere with another person's reasonable enjoyment of Carrick Hill; or
 - (b) eat, drink or smoke in an area marked, with the authority of the Trust, by a sign indicating that eating, drinking or smoking (as the case may be) is prohibited in that area; or
 - (c) use abusive, threatening or insulting language; or

- (d) deposit litter or waste matter in any place (other than a receptacle provided by the Trust for that purpose).

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) A person must not bring into Carrick Hill, or have in his or her possession at Carrick Hill, any of the following:

- (a) an animal (other than a guide dog);
- (b) a weapon;
- (c) a firearm;
- (d) an explosive;
- (e) a skateboard;
- (f) a scooter;
- (g) roller blades.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (3) A person must not, while at Carrick Hill—

- (a) deface or interfere with any property of the Trust; or
- (b) pick any flower or damage or uproot any tree, shrub, flower or other plant; or
- (c) cause harm to or remove from the property of the Trust any animal; or
- (d) distribute any printed matter; or
- (e) erect any structure; or
- (f) display any bill, sign, poster, placard, banner or flag; or
- (g) sell anything or offer anything for sale; or
- (h) take up a collection; or
- (i) hold, arrange or participate in a rally, demonstration or other meeting; or
- (j) —
 - (i) climb on; or
 - (ii) attach lighting to,
any tree, shrub, fence, roof, wall or other structure or any other property of the Trust; or
- (k) enter any dam, pond, watercourse or other body of water; or
- (l) light or maintain a fire; or
- (m) touch any object of art or any furniture or other property of the Trust that has historic or artistic value; or
- (n) take a photograph or electronic image while inside a building.

Maximum penalty: \$1 250.

Expiation fee: \$160.

Division 2—Driving and parking motor vehicles

7—Motor vehicles, how driven etc

A person who drives or rides a motor vehicle at Carrick Hill must not—

- (a) fail to comply with any speed, parking or other traffic restriction or direction indicated, with the authority of the Trust, by signs or lines or a combination of signs and lines; or
- (b) drive or ride in areas that are not intended for public vehicular access; or
- (c) drive or ride in such a manner as to cause undue noise to be emitted from the vehicle; or
- (d) drive or ride without due care or reasonable consideration for others.

Maximum penalty: \$750.

Expiation fee: \$105.

8—Impeding pedestrian or vehicular access

A person must not park a motor vehicle at Carrick Hill so as to prevent or impede the passage of a pedestrian or another motor vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

9—Disabled permit areas

A person must not park a motor vehicle at Carrick Hill in an area indicated, with the authority of the Trust, by signs or lines or a combination of signs and lines, as a parking area for disabled persons unless a disabled person's parking permit is lawfully displayed in the vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

Part 3—Miscellaneous

10—Removal of animals

An authorised officer may remove any animal from Carrick Hill or a part of Carrick Hill if the owner or person in charge of the animal cannot be located in the vicinity after reasonable attempts to do so.

11—Confiscated or surrendered property

- (1) The Trust should endeavour to return to a person, when leaving Carrick Hill, anything that was surrendered by or confiscated from the person at the request of an authorised officer.
- (2) However, the Trust may retain, for such period as is necessary for the purposes of legal proceedings, any thing that the Trust reasonably believes may constitute evidence of the commission of an offence.

Schedule 1—Revocation of *Carrick Hill Trust Regulations 1999*

The *Carrick Hill Trust Regulations 1999* are revoked.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 20 December 2012

No 265 of 2012