

Version No. 002
National Parks (Park) Regulations 2003

S.R. No. 74/2003

Version as at 14 March 2008

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PART 1—PRELIMINARY

1 Objectives

The objectives of these Regulations are—

- (a) to prescribe provisions that promote in parks—
 - (i) the preservation and protection of flora, fauna, indigenous fish and features of natural, scenic, archaeological, ecological, geological, historic or scientific interest or significance; and
 - (ii) the protection of buildings, structures, permanent works, facilities and amenities; and
 - (iii) the protection of designated water supply catchment areas¹ and other water supply catchment areas; and
 - (iv) the safety, enjoyment, recreation and education of visitors; and
 - (v) the preservation of good order; and
- (b) to prescribe travelling fees and other allowances to be paid to members of the National Parks Advisory Council and members of advisory committees appointed in respect of parks; and
- (c) to prescribe the proceedings of advisory committees.

2 Authorising provisions

These Regulations are made under sections 32AA, 37 and 48 of the **National Parks Act 1975**.

3 Commencement

These Regulations come into operation on 28 June 2003.

4 Revocation

The regulations set out in Schedule 1 are **revoked**.

5 Definitions

(1) In these Regulations—

Act means the **National Parks Act 1975**;

aircraft includes an aeroplane, helicopter, glider, hot air balloon, hang glider, paraglider and parachute;

animal means any animal except any human or fish, whether vertebrate or invertebrate, in any stage of biological development and whether alive or dead;

camp means—

- (a) to erect, occupy or use, for accommodation, a tent, tarpaulin or any similar form of accommodation, shelter or temporary structure; or
- (b) to occupy or use a swag or sleeping bag; or
- (c) to occupy or use for accommodation purposes a vehicle, vessel or other moveable form of accommodation;

contractor includes any sub-contractor or employee of a contractor or sub-contractor;

fauna means any animal or part of any animal that is indigenous to Victoria;

firewood means dead plant material not attached to a standing plant, shrub or tree;

fire includes a barbecue that uses solid, liquid or gaseous fuel;

flora means a plant or part of a plant in any stage of biological development, whether the plant or part of the plant is vascular or non-vascular and whether alive or dead, if the plant is indigenous to Victoria;

game licence has the same meaning as in the **Wildlife Act 1975**;

horse includes any animal capable of being ridden or carrying a load;

hunt has the same meaning as in the **Wildlife Act 1975**;

indigenous fish includes any kind or species of fish indigenous to Victoria;

indigenous fish preservation area means an area set aside by the Secretary as an area for the preservation of indigenous fish;

intertidal zone means the area between the high water mark and the low water mark;

litter has the same meaning as in the **Environment Protection Act 1970**;

liquor has the same meaning as in the **Liquor Control Reform Act 1998**;

motorised wheel chair means a wheel chair that is built to be propelled by a motor that forms part of the wheel chair, but is capable of a speed of not more than 10 kilometres per hour;

pollute has the same meaning as in the **Environment Protection Act 1970**;

prohibited access area means an area set aside by the Secretary as an area to which access is prohibited;

public fireplace means a fireplace provided in a park for the general use of visitors;

restricted access area means an area set aside by the Secretary as an area to which access is restricted;

specified marine national park or marine sanctuary means Cape Howe Marine National Park, Corner Inlet Marine National Park, Discovery Bay Marine National Park, Twelve Apostles Marine National Park and the unregulated land in Point Cooke Marine Sanctuary;

taxa has the same meaning as in the **Wildlife Act 1975**;

unregulated land has the same meaning as in section 45A(12) of the Act;

vehicle has the same meaning as in the **Road Safety Act 1986** but does not include a wheel chair, motorised wheel chair, pram, stroller or other device for the conveyance of disabled or injured persons or children;

vessel has the same meaning as in the **Marine Act 1988**;

wheel chair means a chair with wheels that is designed or intended to be used for the conveyance of a disabled or injured person.

- (2) For the purposes of subregulation (1), the Secretary may make a determination setting aside an area in a park as a—
- (a) prohibited access area; or
 - (b) restricted access area.

- (3) For the purposes of subregulation (1), the Secretary may make a determination setting aside an area in a park, that is not a marine national park or a marine sanctuary, as an indigenous fish preservation area.
- (4) In these Regulations a park that is described by the name set out in Column 1 of the Table means the park, the description of which is in the Part of the Schedule to the Act that is set out opposite that name in Column 2 of the Table.

TABLE

<i>Column 1</i>	<i>Column 2</i>
Name of Park	Part number and Schedule number
Cape Conran Coastal Park	Part 2A of Schedule Three
Cape Howe Marine National Park	Part 2 of Schedule Seven
Corner Inlet Marine National Park	Part 4 of Schedule Seven
Discovery Bay Marine National Park	Part 5 of Schedule Seven
Gippsland Lakes Coastal Park	Part 6 of Schedule Three
Kinglake National Park	Part 10 of Schedule Two
Lake Albacutya Park	Part 8 of Schedule Three
Lysterfield Park	Part 10 of Schedule Three
Point Cooke Marine Sanctuary	Part 8 of Schedule Eight
Twelve Apostles Marine National Park	Part 11 of Schedule Seven
Yarra Ranges National Park	Part 39 of Schedule Two

6 Interpretation of *park*²

In these Regulations, except where otherwise expressly provided, a reference to *park* includes a reference to—

- (a) any park within the meaning of the Act;
- (b) any land managed under section 32AA of the Act;
- (c) a part of a road—
 - (i) that is bounded on each side by a park; and
 - (ii) that has not been declared or proclaimed under the **Transport Act 1983** or having been so declared or proclaimed has by notice published in the Government Gazette been declared by the Roads Corporation to be part of a road to which regulations made under the Act may apply.

7 Application of certain regulations

- (1) A person acting in accordance with the terms and conditions of any permit, authorisation, lease, licence or consent granted under the Act, or agreement entered into under the Act, is not subject to these Regulations to the extent that the activities authorised by the permit, authorisation, lease, licence, consent or agreement are inconsistent with these Regulations.
- (2) An offence under these Regulations does not apply to a person if that person—
 - (a) is acting as a servant or agent of the Crown or Parks Victoria; or

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- (b) is acting under and in accordance with a contract with—
- (i) the Crown or Parks Victoria; or
 - (ii) a person who is a servant or agent of the Crown or Parks Victoria; or
- (c) is acting under a delegation from Parks Victoria or a person who is a servant or agent of the Crown; or
- (d) is acting under the direction of a person while that person is acting as a servant or agent of either the Crown or Parks Victoria; or
- (e) is acting as an authorised officer.
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PART 2—GENERAL CONTROL OF PARKS

8 Temporary closure of park

- (1) The Secretary may determine that, in the event of—
- (a) a flood, fire or natural disaster; or
 - (b) a threat of a flood, fire or natural disaster; or
 - (c) any other emergency—

which in the opinion of the Secretary is likely to be a significant danger to public safety within a park, the park is temporarily closed to the public.

- (2) The Secretary must, as soon as practicable after making a determination under subregulation (1)—
- (a) publish notice of the determination—
 - (i) in a newspaper or newspapers generally circulating in the Melbourne metropolitan area and in the locality to which the notice relates; or
 - (ii) by means of a broadcast from a broadcasting station in the State of Victoria; or
 - (iii) by both the means specified in subparagraphs (i) and (ii); and
 - (b) as far as practicable, ensure that signs setting out details of the determination are displayed in such a place and manner that the details are reasonably likely to be seen by persons affected by them at the entrances to the park.
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- (3) A person must not enter or remain in a park to which a determination under subregulation (1) applies.

Penalty: 10 penalty units.

- (4) An authorised officer may direct a person to leave a park to which a determination under subregulation (1) applies.
- (5) A determination made under subregulation (1) remains in force for 7 days after it is made, unless revoked earlier by the Secretary under subregulation (6).
- (6) If the circumstances that led to the determination being made under subregulation (1) no longer apply, as soon as practicable after that occurs, the Secretary must revoke the determination and re-open the park to which the determination applied.
- (7) The Secretary must, as soon as practicable after a determination has been revoked under subregulation (6)—
- (a) publish notice of the revocation—
 - (i) in a newspaper or newspapers generally circulating in the Melbourne metropolitan area and in the locality to which the notice relates; or
 - (ii) by means of a broadcast from a broadcasting station in the State of Victoria; or
 - (iii) by both the means specified in subparagraphs (i) and (ii); and
 - (b) cause the signs referred to in subregulation (2)(b) to be removed.
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9 Interfering with animals

- (1) A person must not, in a park, disturb, harass, remove, hunt, capture, take, kill or injure or otherwise destroy or interfere with any fauna or other animal or destroy, disturb or interfere with the nest, bower, display mound, lair or burrow of any fauna or other animal.

Penalty: 20 penalty units.

- (2) A person must not, in a park—
- (a) feed, offer food or offer any object as food to any fauna or other animal, where the animal is not lawfully brought into the park; or
 - (b) permit or allow food to be taken from the possession of the person by any fauna or other animal.

Penalty: 10 penalty units.

- (3) Subregulation (1) does not apply to a person—
- (a) who collects animals for use as bait for fishing in any area that is set aside by the Secretary for that purpose in—
 - (i) a specified marine national park or marine sanctuary, until 1 April 2004; or
 - (ii) any park that is not a marine national park or marine sanctuary or any area of a park that is not an indigenous fish preservation area—
if—
 - (iii) the person uses a hand-operated bait pump; and
 - (iv) the person acts in accordance with the determination of the Secretary under which the area is set aside; or

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- (b) who, in relation to an animal that is not fauna, engages in an activity referred to in subregulation (1) under and in accordance with a permit issued by the Secretary.
 - (4) The Secretary may determine that an area of a park be set aside for the purposes of subregulation (3)(a).
 - (5) The Secretary may issue a permit to a person for the purposes of subregulation (3)(b).

10 Use, carriage or possession of certain things

- (1) A person must not, in a park, possess, carry or use any—
 - (a) poison; or
 - (b) trap, snare, net (that is not a net designed to be used for fishing) or similar equipment.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to a person who does so under and in accordance with a permit issued by the Secretary under regulation 9(5).

11 Use of fishing nets

- (1) A person must not, in a park, use a net that is designed to be used for fishing.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to a person who in an area of a park that is not an indigenous fish preservation area—
 - (a) uses a recreational dip net to collect bait for fishing in marine or estuarine waters seaward of the high water mark; or
 - (b) uses a landing net to land captured fish; or

- (c) uses a recreational hoop net in marine and estuarine waters seaward of the high water mark; or
- (d) uses a recreational hoop net to take yabbies in Lake Albacutya Park.

12 Fishing

- (1) A person must not take or attempt to take fish in an indigenous fish preservation area.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to a person who takes or attempts to take fish in an indigenous fish preservation area using a type of fishing equipment determined by the Secretary as a type of fishing equipment by which a person may take or attempt to take fish in that area.
- (3) The Secretary may determine a type of fishing equipment for the purposes of subregulation (2).
- (4) If the Secretary has made a determination under subregulation (3), the Secretary must cause a sign or notice to be erected or displayed at or near the indigenous fish preservation area indicating the type of fishing equipment that may be used to take or attempt to take fish in that area.

13 Protection of vegetation

- (1) A person must not, in a park, cut, fell, pick, remove, take, destroy or damage any flora or other vegetation, whether alive or dead.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to a person—
 - (a) who collects firewood for the purposes of lighting or maintaining a fire in accordance with regulation 25 if—

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- (i) the person collects the firewood in an area that is set aside by the Secretary as an area in which firewood may be collected; and
 - (ii) the person acts in accordance with the determination of the Secretary under which the area is set aside; or
- (b) who collects flora in the intertidal zone of a park, that is not a marine national park or a marine sanctuary, for purposes other than for sale, if—
- (i) the person collects the flora in an area that is set aside by the Secretary as an area in which flora may be collected; and
 - (ii) the person acts in accordance with the determination of the Secretary under which the area is set aside.
- (3) The Secretary may determine that an area of a park be set aside for the purposes of subregulation (2)(a) or (2)(b).

14 Introducing vegetation

- (1) A person must not, in a park, knowingly bring in, plant or introduce any seed, tree, shrub, fern, algae or other vegetation, or any part of any tree, shrub, fern, algae or other vegetation.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to—
- (a) a person who brings a vessel, fishing rod, walking stick or other manufactured dead wooden object into a park; or

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- (b) a person—
- (i) who brings firewood into an area of a park set aside by the Secretary for the bringing in of firewood; and
 - (ii) who acts in accordance with the determination of the Secretary under which the area is set aside.
- (3) The Secretary may determine that an area of a park be set aside for the purposes of subregulation (2)(b).

15 Interfering with archaeological or historical remains

A person must not, in a park, knowingly excavate, remove, deface, damage, or otherwise interfere with any archaeological or historical remains or relics.

Penalty: 20 penalty units.

16 Interfering with rocks or similar natural objects

A person must not, in a park, intentionally damage, deface, remove or otherwise interfere with any rock or similar natural object.

Penalty: 20 penalty units.

17 Digging or removal of material

- (1) A person must not—
- (a) dig or remove from a park; or
 - (b) knowingly take into a park—
any gravel, shell, grit, sand, soil or other similar material.

Penalty: 20 penalty units.

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- (2) Subregulation (1)(a) does not apply to a person who—
- (a) is depositing or burying faeces in a manner that does not contravene regulation 35; or
 - (b) uses a hand-operated bait pump to take bait for fishing in accordance with regulation 9(3); or
 - (c) collects shells in a park that is not a marine national park or a marine sanctuary if the person—
 - (i) collects the shells in an area that is set aside by the Secretary as an area in which shells may be collected; and
 - (ii) acts in accordance with the determination of the Secretary under which the area is set aside; or
 - (d) fills a bag with sand for the purposes of regulation 45(b); or
 - (e) builds for non-commercial purposes a sand castle or similar structure made from sand on the seaward side of the high water mark.
- (3) The Secretary may determine that an area of a park be set aside for the purposes of subregulation (2)(c).

18 Interfering with structures etc.

A person must not, in a park, remove, cut, displace, deface or interfere with any thing constructed or erected in the park.

Penalty: 20 penalty units.

19 Areas where access is prohibited or restricted

- (1) A person must not enter into or remain in a prohibited access area.

Penalty: 10 penalty units.

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- (2) A person must not enter into or remain in a restricted access area unless that person does so in accordance with the determination of the Secretary under which the area is set aside.

Penalty: 10 penalty units.

20 Crossing area by way other than an identified track

- (1) A person must not, in a park, leave an identified track for walking or riding if the Secretary has erected a sign or notice on that track requiring persons to remain on the track.

Penalty: 5 penalty units.

- (2) Subregulation (1) does not apply to a person who acts in accordance with a permit issued by the Secretary or a determination of the Secretary under these Regulations.

21 Glass bottles, containers or utensils

- (1) A person must not possess or carry a glass bottle, glass container or glass utensil in an area of a park set aside by the Secretary as an area in which such a bottle, container or utensil must not be possessed or carried.

Penalty: 5 penalty units.

- (2) The Secretary may determine that an area of a park be set aside for the purposes of subregulation (1).

22 Operating annoying or disturbing device or equipment

- (1) A person must not play or operate any sound producing device in a park at a volume likely to—
- (a) cause inconvenience or nuisance to any person; or

(b) disturb fauna—

unless the person does so under and in accordance with a permit issued by the Secretary.

Penalty: 10 penalty units.

(2) A person must not operate equipment that is not a sound producing device that is likely to—

(a) cause inconvenience or nuisance to any person; or

(b) disturb fauna—

in an area of a park that is not set aside by the Secretary for the purpose of operating that equipment.

Penalty: 5 penalty units.

(3) Subregulation (2) does not apply to a person who—

(a) operates the equipment under and in accordance with a permit issued by the Secretary; or

(b) uses the equipment for necessary medical purposes; or

(c) operates a vehicle or vessel lawfully.

(4) The Secretary may issue a permit to a person to engage in an activity referred to in subregulation (1).

(5) The Secretary may determine that an area of a park be set aside for the purposes of subregulation (2).

(6) In this regulation *sound producing device* means a device, the main function of which is to make, reproduce or amplify sound.

23 Possessing liquor

- (1) A person must not possess liquor in an area of a park that has been set aside by the Secretary as an area in which the possession of liquor is prohibited.

Penalty: 20 penalty units.

- (2) The Secretary may determine that an area of a park be set aside for the purposes of subregulation (1).

24 Water activities

- (1) The Secretary, may by determination, set aside marine waters—
- (a) that are adjacent to and within 300 metres of a boundary of a park; and
 - (b) that are not waters within a designated port declared under the **Marine Act 1988**; and
 - (c) that are not *port waters* within the meaning of the **Port Services Act 1995**—

as waters in which—

- (d) bathing is restricted; or
 - (e) any one or more of the following activities is prohibited or restricted—
 - (i) the possession of hand held spears or spear guns; or
 - (ii) the use of surf-skis, surf boards, body boards, skiffle boards or other similar devices; or
 - (iii) the use of underwater breathing equipment.
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- (2) The Secretary must, in a determination under subregulation (1)—
- (a) specify the conditions (if any) under which the waters set aside under the determination may be used for a restricted activity that is specified in the determination; and
 - (b) require signs, flags or notices to be erected or displayed in or adjacent to the waters set aside under the determination indicating—
 - (i) the waters that have been so set aside; and
 - (ii) the conditions (if any) under which any restricted activity specified in the determination may be engaged in in those waters.
- (3) A person must not engage in an activity to which a determination under subregulation (1) relates in waters set aside by the determination in contravention of the determination.

Penalty: 10 penalty units.

25 Lighting or maintaining fires

- (1) A person must not light or maintain a fire in a park.
- Penalty: 20 penalty units.
- (2) Subregulation (1) does not apply to a person who lights or maintains a fire in a park at a time and during a period when the lighting of fires in that park is not prohibited under any Act and the person does so—
- (a) in a public fireplace; or
 - (b) in an area that is set aside by the Secretary as an area in which a fire may be lit or maintained and the person acts in accordance

with the determination of the Secretary under which the area is set aside; or

- (c) in or on a vessel in an area of the park that is seaward of the low water mark.
- (3) The Secretary may determine that an area of a park be set aside for the purposes of subregulation 2(b).
- (4) A person who lights or maintains a fire in accordance with subregulation (2)(a) or (2)(b) must ensure that—
- (a) the ground and airspace within a distance of 3 metres of the fire are clear of flammable material; and
 - (b) if the fire is in a commercial appliance—
 - (i) the fuel used in the appliance is of a type that the appliance has been designed and manufactured to use; and
 - (ii) the fire is contained in the appliance; and
 - (iii) when the fire is alight, the appliance is placed in a stable position.

Penalty: 20 penalty units.

- (5) A person who has lit, kindled, maintained or used a fire or who has been left in charge of a fire in a park must extinguish the fire—
- (a) immediately at the request of an authorised officer or member of the police force; or
 - (b) before leaving the place of the fire.

Penalty: 20 penalty units.

26 Engaging in sport or recreational activity

- (1) A person must not engage in a sport or a recreational activity in any area of a park set aside by the Secretary as an area in which that sport or recreational activity must not be engaged in unless the person does so—
 - (a) under and in accordance with a permit issued by the Secretary; or
 - (b) at an event conducted by a person who has been issued with a permit by the Secretary.

Penalty: 10 penalty units.

- (2) The Secretary may determine that an area of a park be set aside for the purposes of subregulation (1).
- (3) The Secretary may issue a permit to a person to engage in an activity referred to in subregulation (1).

27 Organised events

- (1) A person must not, in a park, conduct—
 - (a) an organised entertainment or show; or
 - (b) a festival, tour, fete or public meeting; or
 - (c) a demonstration, training class or similar event; or
 - (d) a wedding or similar ceremony; or
 - (e) a car rally, fishing competition or similar event—

unless the person does so under and in accordance with a permit issued by the Secretary.

Penalty: 10 penalty units.

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- (2) A person must not, in a park, conduct a private function, that is not a wedding or similar ceremony, for 30 or more persons unless the person does so under and in accordance with a permit issued by the Secretary.

Penalty: 10 penalty units.

- (3) The Secretary may issue a permit to a person to conduct an event or function referred to in subregulation (1) or (2).

28 Dangerous activities

A person must not, in a park—

- (a) throw an object; or
- (b) play a game; or
- (c) engage in any other activity—

in a manner that is likely to cause danger to other persons or to animals.

Penalty: 20 penalty units.

29 Advertising, soliciting, public speaking etc.

- (1) A person must not, in a park, solicit or collect money unless the person does so under and in accordance with a permit issued by the Secretary.

Penalty: 10 penalty units.

- (2) A person must not, in a park—
- (a) display any sign for the purposes of advertising; or
 - (b) hand out or disseminate any advertising or commercial or promotional material, including a pamphlet or handbill, unless the person does so under and in accordance with a permit issued by the Secretary.

Penalty: 10 penalty units.

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- (3) A person must not, in a park, preach, declaim or harangue, or deliver any address that may disturb or annoy other park visitors, unless the person does so under and in accordance with a permit issued by the Secretary.

Penalty: 10 penalty units.

- (4) The Secretary may issue a permit to engage in an activity referred to in subregulation (1), (2) or (3).

30 Erection or construction of buildings, structures etc.

- (1) A person must not erect or construct in a park—
- (a) a building or other structure; or
 - (b) an inflatable castle or similar inflatable device.

Penalty: 10 penalty units.

- (2) Subregulation (1) does not apply to a person who is acting in accordance with regulation 26, 27, 34, 45 or 54.

31 Entry, occupation and use of buildings or structures

- (1) A person must not occupy, use or enter a building or a structure in a park.

Penalty: 5 penalty units.

- (2) Subregulation (1) does not apply to a person who—
- (a) occupies, uses or enters a building or structure which is provided for public use, if that occupation, use or entry is in accordance with the purposes for which the building or structure is provided; or
 - (b) is acting in accordance with regulation 26, 27, 34, 45 or 54.

32 Use of toilets, showers and other facilities

- (1) A person must not, in a park, enter or use a toilet, shower or other facility designated solely for the use of persons of the opposite sex.

Penalty: 10 penalty units.

- (2) Subregulation (1) does not apply to the entering or use of a toilet, shower or other facility by—

- (a) a child when accompanied by an adult; or
- (b) a disabled person when accompanied by a carer; or
- (c) a carer of a disabled person whilst caring for that person.

33 Use of playground equipment

A person of or over the age of 14 years must not use playground equipment provided for children in a park—

- (a) in a manner which is likely to cause damage to the equipment or injury to any person; or
- (b) so as to prevent the use of that equipment by children under the age of 14 years.

Penalty: 5 penalty units.

34 Camping

- (1) A person must not camp in a park in an area that is not set aside by the Secretary for the purposes of camping.

Penalty: 10 penalty units.

- (2) A person who camps in an area set aside by a determination of the Secretary for the purpose of camping must comply with the determination.

Penalty: 10 penalty units.

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- (3) The Secretary may determine that an area of a park be set aside for the purposes of subregulation (1).
- (4) A person who camps or occupies or uses an area of a park set aside under subregulation (3) must camp—
- (a) at least 20 metres away from any river, stream, well, spring, creek, dam, bore or watercourse; and
 - (b) at least 20 metres landward of the high water mark—

unless otherwise specified in the determination setting aside the area.

Penalty: 10 penalty units.

- (5) If, in a determination of the Secretary setting aside an area for camping, occupation or use, no limitation has been placed on the period for which any person may camp, occupy or use the area, a person must not so camp, occupy or use the area for more than 42 consecutive nights.

Penalty: 10 penalty units.

- (6) A person who camps on, or occupies or uses, a site within an area of a park set aside under subregulation (3) must maintain the site in a clean and tidy condition.

Penalty: 10 penalty units.

- (7) A person who camps on, or occupies or uses, a site within an area of a park set aside under subregulation (3) must, before vacating the site, clear all litter and personal equipment from the site.

Penalty: 10 penalty units.

35 Hygiene

- (1) In an area of a park that is not—
- (a) a designated water supply catchment area; or
 - (b) a water supply catchment area set aside by the Secretary under regulation 48(3); or
 - (c) an area in a marine national park or a marine sanctuary that is seaward of the low water mark; or
 - (d) an area of land specified in Schedule Four to the Act that is seaward of the low water mark—

a person must not leave behind or deposit faeces unless—

- (e) if the person is in an area in which toilet facilities are provided and readily available, the person does so in those facilities; or
- (f) if the person is not in an area in which toilet facilities are provided or readily available, the person does so by burying those faeces 100 metres or more away from any river, stream, creek, well, spring, dam, lake, reservoir, bore or water body.

Penalty: 20 penalty units.

- (2) A person must not leave behind or deposit faeces in—

- (a) a designated water supply catchment area; or
- (b) a water supply catchment area set aside by the Secretary under regulation 48(3)—

except in a facility provided for that purpose.

Penalty: 20 penalty units.

36 Use of soap or detergent

- (1) A person who uses any soap, detergent or similar substance in an area of a park must dispose of that substance—
 - (a) at least 50 metres away from any river, stream, well, spring, creek, dam, bore or watercourse; and
 - (b) at least 50 metres landward of the high water mark.

Penalty: 10 penalty units.

- (2) Subregulation (1) does not apply to a person who disposes of any soap, detergent or similar substance in an area of a park that is seaward of the low water mark.

37 Dogs and horses in parks

- (1) The Secretary may, by determination, set aside an area of a park as an area—
 - (a) into which dogs or horses may be brought; and
 - (b) in which dogs or horses may be allowed to remain—

subject to the conditions specified in the determination.

- (2) A person must not bring a dog into a park or allow a dog to remain in a park.

Penalty: 15 penalty units.

- (3) If a dog is found in a park and the dog is not under the immediate control of any person, the owner of the dog or, if another person apparently has the care and control of the dog, that other person, is guilty of an offence and liable to a penalty of not more than 15 penalty units.

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- (4) A person must not bring a horse into a park or allow a horse to remain in a park.
- Penalty: 10 penalty units.
- (5) If a horse is found in a park and the horse is not under the immediate control of any person, the owner of the horse or, if another person apparently has the care and control of the horse, that other person, is guilty of an offence and liable to a penalty of not more than 10 penalty units.
- (6) Subregulations (2) and (4) do not apply to a person who brings a dog or horse into a park or allows a dog or horse to remain in a park if—
- (a) the person does so in an area of the park that is set aside by a determination of the Secretary under subregulation (1) and in accordance with that determination; or
 - (b) the dog or horse is brought into the park—
 - (i) to assist a disabled person with respect to that person's disability; or
 - (ii) to be trained to assist disabled persons with respect to disabilities; or
 - (c) the dog or horse is confined in a vehicle, which is in transit through the park, by a route that is usually open to the public for that purpose; or
 - (d) the dog or horse is brought into the park to be used in accordance with a permit issued by the Secretary under regulation 9(5); or
 - (e) in the case of—
 - (i) a marine national park or marine sanctuary; or
-

(ii) land specified in Schedule Four to the Act that is covered by water—

the dog or horse is confined in or on a vessel.

38 Animals in parks

(1) A person must not bring a cat into a park or allow a cat to remain in a park.

Penalty: 20 penalty units.

(2) If a cat is found in a park and the cat is not under the immediate control of any person, the owner of the cat or, if another person apparently has the care and control of the cat, that other person, is guilty of an offence and liable to a penalty of not more than 20 penalty units.

(3) A person must not bring an animal (that is not a dog, horse or cat) into a park.

Penalty: 10 penalty units.

(4) If an animal (that is not a dog, horse or cat) is found in a park, and is not under the immediate control of any person, the owner of the animal or, if another person apparently has the care and control of the animal, that other person, is guilty of an offence and liable to a penalty of not more than 10 penalty units.

(5) Subregulation (3) does not apply to a person who brings an animal into a park or allows an animal to remain in a park if the animal is brought into the park—

(a) to assist a disabled person with respect to that person's disability; or

(b) to be trained to assist disabled persons with respect to disabilities; or

(c) to be used as bait for fishing.

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- (6) Subregulations (1) and (3) do not apply if—
- (a) the animal is confined in a vehicle, which is in transit through the park, by a route that is usually open to the public for that purpose; or
 - (b) in the case of—
 - (i) a marine national park or marine sanctuary; or
 - (ii) land specified in Schedule Four to the Act that is covered by water—the animal is confined in or on a vessel.

39 Destruction of animals

- (1) If an authorised officer is satisfied on reasonable grounds that—
- (a) a live animal that is not fauna has been brought into or allowed to enter or to remain in a park in contravention of these Regulations; and
 - (b) the animal has been found at large—
- the authorised officer may seize the animal and deliver it to a member of staff of the municipal council within whose municipal district the park is situated or other appropriate person or body or persons.
- (2) If reasonable attempts have been made to seize a live animal found at large, and the animal has not been seized, an authorised officer may shoot or otherwise destroy the animal speedily and humanely without causing it unnecessary suffering.

40 Vehicles

- (1) The Secretary may, by determination, set aside an area of a park as an area—
 - (a) to which entry is prohibited for either all vehicles or for those classes of vehicles specified in the determination; or
 - (b) in which the remaining in of either all vehicles or of those classes of vehicles specified in the determination is prohibited; or
 - (c) to which entry is restricted for either all vehicles or for those classes of vehicles specified in the determination; or
 - (d) in which the remaining in of either all vehicles or of those classes of vehicles specified in the determination is restricted.
- (2) A person who is in charge of a vehicle must not cause the vehicle to enter into or remain in an area in contravention of a determination of the Secretary under subregulation (1).

Penalty: 20 penalty units.

- (3) A person who is in charge of a vehicle in a park must not operate that vehicle in contravention of a notice or sign that specifies the direction of movement or speed of vehicles in that park.

Penalty: 10 penalty units.

41 Parking of vehicles

- (1) A person must not park or leave a vehicle standing in a park in an area that is not set aside by the Secretary for the purpose of parking vehicles or leaving vehicles standing.

Penalty: 10 penalty units.

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- (2) Subregulation (1) does not apply to a person who parks or leaves the vehicle standing on or immediately adjacent to a road if the vehicle—
- (a) does not obstruct other persons or other vehicles; or
 - (b) does not damage any flora or fauna; or
 - (c) does not damage any natural or cultural feature; or
 - (d) is not parked in contravention of any sign or notice erected by the Secretary.
- (3) A person must not park or leave a vehicle standing in an area that has been set aside by the Secretary for the purposes of parking vehicles or leaving vehicles standing in contravention of the determination of the Secretary setting aside that area.
- Penalty: 10 penalty units.
- (4) The Secretary may determine that an area of a park be set aside for the purposes of subregulation (1).

42 Wheel chains

- (1) The Secretary may, by determination, set aside an area of a park as an area in which wheel chains must be carried during any wheel chain carrying period in either—
- (a) all vehicles, when entering or remaining in the area; or
 - (b) those classes of vehicles that are specified in the determination, when entering or remaining in the area.
- (2) The Secretary may, for a wheel chain carrying area, determine a period or periods during which wheel chains must be carried in that area.

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- (3) A person who is in charge of a regulated vehicle must not cause that vehicle to enter or remain in a wheel chain carrying area, during a wheel chain carrying period, unless the vehicle is carrying wheel chains suitable to be properly fitted to not less than two drive wheels of the vehicle.

Penalty: 20 penalty units.

- (4) An authorised officer may, at any time in a wheel chain carrying area during a wheel chain carrying period, for reasons of safety or for the control or protection of the park, direct the person in charge of a regulated vehicle, to properly fit wheel chains to at least two drive wheels of that vehicle.

- (5) A person who is given a direction by an authorised officer under subregulation (4) must comply with that direction.

Penalty: 20 penalty units.

- (6) In this regulation—

regulated vehicle, in relation to a wheel chain carrying area, means a vehicle to which a determination of the Secretary under subregulation (1) setting aside that area applies;

wheel chain carrying area means an area of a park that has been set aside by the Secretary under subregulation (1);

wheel chain carrying period, in relation to a wheel chain carrying area, means a period of time that has been determined by the Secretary under subregulation (2) for that area.

43 Vessels

- (1) The Secretary may, by determination, set aside an area of a park as an area in which, in relation to the launching, landing, loading, unloading, mooring, anchoring or operating of vessels—
 - (a) the carrying out of such of those activities as are specified in the determination is prohibited in the area, either for all vessels or for those classes of vessels that are specified in the determination; or
 - (b) the carrying out of such of those activities as are specified in the determination is restricted, as set out in the determination, in the area, either for all vessels or for those classes of vessels that are specified in the determination.
- (2) A person must not launch, land, load, unload, moor, anchor, or operate a vessel in an area of a park to which a determination of the Secretary under subregulation (1) applies in contravention of the determination.

Penalty: 20 penalty units.

44 Use of aircraft

- (1) The Secretary may, by determination, set aside an area of the park as an area in which a person may—
 - (a) launch or land; or
 - (b) deliver anything by—
an aircraft or a class of aircraft specified in the determination.
- (2) A person must not, in a park—
 - (a) launch or land an aircraft; or

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- (b) deliver anything by an aircraft—
unless that person does so—
- (c) in an area set aside by a determination of the Secretary under subregulation (1) and in accordance with that determination; or
- (d) under and in accordance with a permit issued by the Secretary.

Penalty: 20 penalty units.

- (3) The Secretary may issue a permit to a person to engage in an activity referred to in subregulation (2).

45 Umbrellas and shading devices

A person who uses an umbrella or device for providing shade or weather protection in a park must ensure that the device is—

- (a) held or controlled by hand in a safe manner;
or
- (b) securely anchored in a manner that ensures it cannot cause damage or injury to persons or property.

Penalty: 10 penalty units.

46 Snow sports

- (1) A person must not walk or toboggan in an area of a park set aside by the Secretary for skiing.

Penalty: 5 penalty units.

- (2) A person must not walk or ski in an area of a park set aside by the Secretary for tobogganing.

Penalty: 5 penalty units.

- (3) Subregulations (1) and (2) do not apply to walking that is necessary as part of the activities of skiing or tobogganing.

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- (4) The Secretary may determine that an area of a park be set aside for the purposes of subregulation (1) or (2).
- (5) In this regulation *skiing* includes snowboarding.

47 Caves

- (1) The Secretary may, by determination, set aside an area of a park as an area—
- (a) in which the entry into caves is prohibited; or
 - (b) in which the remaining in caves is prohibited; or
 - (c) in which the entry into caves is restricted; or
 - (d) in which the remaining in caves is restricted.

- (2) A person must not enter or remain in any cave in contravention of a determination of the Secretary under subregulation (1) unless in accordance with a permit issued by the Secretary.

Penalty: 10 penalty units.

- (3) The Secretary may issue a permit to a person to engage in an activity referred to in subregulation (2).
- (4) A person must not smoke in any cave in a park, or carry into any such cave, any substance, material or article or perform any act that may be hazardous to any person or to the preservation of the cave.

Penalty: 10 penalty units.

- (5) A person must not enter or remain in a cave in a park after admission is refused or the person has been asked to leave the cave by an authorised officer, unless with the permission of an authorised officer.

Penalty: 10 penalty units.

48 Water supply catchment areas—pollution of and interference with water

- (1) A person must not do anything that is likely to pollute water in—
- (a) a designated water supply catchment area; or
 - (b) an area set aside by the Secretary as a water supply catchment area.

Penalty: 20 penalty units.

- (2) A person must not—
- (a) in a designated water supply catchment area; or
 - (b) in an area set aside by the Secretary as a water supply catchment area—

do any of the following in relation to the water in any river, stream, creek, spring, watercourse, waterway, artificial channel, reservoir, dam or other waterworks in that area—

- (c) touch, or allow any part of his or her body to come into contact with, that water;
- (d) wash anything in or near that water;
- (e) throw, or allow to enter, into the water any dog or other animal;
- (f) throw, convey or permit to flow or be thrown or conveyed into that water any rubbish, dirt or anything likely to pollute that water; or
- (g) take or attempt to take fish by any means from that water.

Penalty: 20 penalty units.

- (3) The Secretary may determine that an area in a park be set aside for the purposes of subregulations (1)(b) and (2)(b).

49 Permits

- (1) A permit issued under regulation 9(5), 22(4), 26(3), 27(3), 29(4), 44(3), 47(3), 54(4), 57(3), 58(3) or 59(2) authorises the holder to enter and use an area of a park specified in the permit—
 - (a) for the purpose specified in the permit; and
 - (b) for the period specified in the permit; and
 - (c) subject to any terms and conditions in respect of that entry or use that are determined by the Secretary and specified in the permit.
 - (2) A permit issued by the Secretary under these Regulations must be in writing.
 - (3) The holder of a permit must comply with any terms and conditions of that permit.
Penalty: 10 penalty units.
 - (4) The Secretary may cancel a permit at any time—
 - (a) if the holder of the permit has—
 - (i) breached the conditions of the permit; or
 - (ii) breached these Regulations; or
 - (b) if the continuation of the permit is likely to be detrimental to, or interfere with the management and protection of, the natural environment, features, or visitors in a park; or
 - (c) for the purposes of park management.
 - (5) Upon cancellation of a permit under subregulation (4), the Secretary must cause the holder of the permit to be notified of the cancellation of the permit within a reasonable time after the cancellation.
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- (6) The cancellation of a permit under subregulation (4) comes into effect when the holder of the permit is given notification of that cancellation in accordance with subregulation (5).

50 Determination of Secretary setting area aside

- (1) In a determination of the Secretary under these Regulations setting aside an area, the Secretary may specify conditions under which the use of the area to which the determination relates may or may not be carried out.
- (2) If the Secretary has made a determination setting aside an area under these Regulations in which a particular use of an area is restricted or prohibited, the Secretary must cause signs or notices to be erected or displayed at or near the entrance to the area indicating—
- (a) the area that has been set aside under the determination; and
 - (b) in the case of a use that is restricted, the conditions under which a particular use that is restricted may be carried out in the area so set aside.

51 Direction to leave a park

- (1) An authorised officer may, for the reason of safety of persons using a park, direct a person—
- (a) to leave the park or a part of the park; or
 - (b) to remain in the park or a part of the park.
- (2) A person to whom a direction is given under subregulation (1) must comply with that direction.

Penalty: 5 penalty units.

PART 3—SPECIFIC PARKS

52 Mornington Peninsula National Park—Point Nepean Sector

- (1) A person, who is not a member of the Australian Defence Force, must not enter any area set aside by the Secretary in the Point Nepean Sector of the Mornington Peninsula National Park as an area in which dangerous or unexploded ordnance is known or suspected to be present.

Penalty: 10 penalty units.

- (2) The Secretary may determine that an area of the Point Nepean Sector of the Mornington Peninsula National Park be set aside for the purposes of subregulation (1).
- (3) An authorised officer may, for the purpose of ensuring the safety of the public, direct a person—
- (a) not to enter; or
 - (b) to leave—

an area within the Point Nepean Sector of the Mornington Peninsula National Park where dangerous or unexploded ordnance is known or suspected to be present.

- (4) A person must not, while within the Point Nepean Sector of the Mornington Peninsula National Park, enter or remain in an area in contravention of a direction of an authorised officer under subregulation (3).

Penalty: 10 penalty units.

- (5) A person must not, while within the Point Nepean Sector of the Mornington Peninsula National Park, enter—
- (a) any shaft, underground tunnel or magazine, building or fortification; or

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- (b) any area to which access is restricted because of use or intended use by the Australian Defence Force—

in contravention of any sign or notice erected from time to time by the Secretary, or by climbing or breaching any fence or locked gate, or by removing any grille.

Penalty: 10 penalty units.

- (6) In this regulation the *Point Nepean Sector of the Mornington Peninsula National Park* means the land shown hatched on Plan N.P. 20A/6 lodged in the Central Plan Office.

53 Lysterfield Park

- (1) A person must not take or attempt to take fish from waters within Lysterfield Park.

Penalty: 5 penalty units.

- (2) A person must not swim or bathe in Lysterfield Park in an area that is not set aside by the Secretary for that purpose.

Penalty: 5 penalty units.

- (3) The Secretary may determine that an area of Lysterfield Park be set aside for the purposes of subregulation (2).

54 Gippsland Lakes Coastal Park—Hunting

- (1) Regulations 9(1), 20(1), 37(2) and 37(3) do not apply to a person who, in the duck hunting area of Gippsland Lakes Coastal Park, is—

- (a) taking wild duck or stubble quail during the open season for the taxa or kinds of birds being so taken; or

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- (b) in possession of a dog in the area during the 48 hour period immediately before the commencement of the open season for wild duck or stubble quail; or
- (c) using a dog for the purposes of flushing or retrieving wild duck or stubble quail during the open season for the taxa or kinds of birds being so flushed or retrieved—
- if the person—
- (d) is acting under an authority under section 37 of the Act to carry a gun in the park; and
- (e) holds an appropriate authority or permit under the **Firearms Act 1996**, the **Wildlife Act 1975** and regulations made under those Acts.
- (2) Regulation 9(1) does not apply to a person who, in the hog deer hunting area of Gippsland Lakes Coastal Park, hunts hog deer during the open season for such deer, if the person—
- (a) is acting under an authority under section 37 of the Act to carry a gun in the park; and
- (b) holds an appropriate authority or permit under the **Firearms Act 1996**, the **Wildlife Act 1975** and regulations made under those Acts.
- (3) Regulation 13(1) does not apply to a person of a class described in subregulation (1) who, in the duck hunting area of Gippsland Lakes Coastal Park, cuts vegetation for the purposes of establishing a duck hide, if—
- (a) the person holds an appropriate authority or permit under the **Firearms Act 1996**, the **Wildlife Act 1975** and regulations made under those Acts; and
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- (b) the person does so under and in accordance with a permit issued by the Secretary.
- (4) The Secretary may issue a permit to a person to engage in an activity referred to in subregulation (3).
- (5) In this regulation—

duck hunting area means those parts of the Gippsland Lakes Coastal Park that are shown hatched and cross-hatched on the plans in Schedule 2;

hog deer hunting area means those parts of the Gippsland Lakes Coastal Park that are shown cross-hatched on the plans in Schedule 2 and those parts of the Gippsland Lakes Coastal Park on the northern side of Lake Reeve between the high water mark of the lake and the park boundary.

55 Cape Conran Coastal Park—Duck Hunting

- (1) Regulations 9(1), 20(1), 37(2) and 37(3) do not apply to a person who, in the duck hunting area of Cape Conran Coastal Park, is—
- (a) taking wild duck during the open season for the ducks being so taken; or
- (b) in possession of a dog in the area during the 48 hour period immediately before the commencement of the open season for wild duck; or
- (c) using a dog for the purposes of flushing or retrieving wild duck during the open season for wild duck—

if the person—

- (d) is acting under an authority under section 37 of the Act to carry a gun in the park; and

(e) holds an appropriate authority or permit under the **Firearms Act 1996**, the **Wildlife Act 1975** and regulations made under those Acts.

(2) In this regulation—

duck hunting area means that part of Cape Conran Coastal Park that is shown hatched on the plan in Schedule 3.

56 Lake Albacutya Park—Hunting

(1) Regulations 9(1), 20(1), 37(2) and 37(3) do not apply to a person who, in the hunting area of Lake Albacutya Park, is—

- (a) hunting or taking rabbits, foxes or cats; or
- (b) taking wild duck during the open season for the ducks being so taken;
- (c) in possession of a dog in the area during the 48 hour period immediately before the commencement of the open season for wild duck; or
- (d) using a dog for the purposes of flushing or retrieving wild duck during the open season for wild duck—

if the person—

- (e) is acting under an authority under section 37 of the Act to carry a gun in the park; and
- (f) holds an appropriate authority or permit under the **Firearms Act 1996**, the **Wildlife Act 1975** and regulations made under those Acts.

(2) In this regulation—

hunting area means that part of Lake Albacutya Park shown hatched in the plan in Schedule 4.

57 Kinglake National Park

- (1) A person must not enter or remain in any area of the designated water supply catchment area in Kinglake National Park unless the person does so under and in accordance with a permit issued by the Secretary.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to—
- (a) any part of Board Road³ that is in the designated water supply catchment area unless that part of Board Road is set aside by the Secretary as a prohibited access area; or
 - (b) any area of the designated water supply catchment area set aside by the Secretary for the purposes of a walking track, picnic area or for other purposes.
- (3) The Secretary may issue a permit to a person to engage in an activity referred to in subregulation (1).
- (4) The Secretary may determine that an area of the designated water supply catchment area in Kinglake National Park be set aside as an area for the purposes of subregulation (2)(b).

58 Yarra Ranges National Park⁴

- (1) A person must not enter or remain in an area of the designated water supply catchment area in Yarra Ranges National Park unless the person does so under and in accordance with a permit issued by the Secretary.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to—
- (a) the part of the Maroondah Highway which is in the designated water supply catchment area; or

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- (b) the part of the Marysville–Woods Point Road which is in the designated water supply catchment area; or
 - (c) the parts of the following roads that are in the designated water supply catchment area unless otherwise set aside by the Secretary as prohibited access areas—
 - (i) Maroondah Catchment: Road 9 (between Road 10 to the gate beyond Road 37);
 - (ii) O'Shannassy Catchment: Lake Mountain Road; Road 8 (from the Marysville–Woods Point Road to the gate beyond Road 9); or
 - (d) any area of the designated water supply catchment area set aside by the Secretary as a walking track or picnic area or for other purposes.
- (3) The Secretary may issue a permit to a person to engage in the activity referred to in subregulation (1).
 - (4) The Secretary may determine that an area of the designated water supply catchment area in Yarra Ranges National Park be set aside for the purposes of subregulation (2)(d).

59 Kinglake National Park and Yarra Ranges National Park—interference with structures

- (1) Subject to the Act and these Regulations, a person must not interfere with any structure or installation under the control and management of the Melbourne Water Corporation in a designated water supply catchment area unless the person does so under and in accordance with a permit issued by the Secretary.

Penalty: 20 penalty units.

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- (2) The Secretary may issue a permit to a person to engage in any activity referred to in subregulation (1).
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**PART 4—NATIONAL PARKS ADVISORY COUNCIL AND
ADVISORY COMMITTEES**

**60 Travelling allowances for members of the National
Parks Advisory Council and members of advisory
committees**

- (1) For the purposes of sections 13(4) and 14(5) of the Act, the prescribed travelling allowances for a member of the Council or a member of an advisory committee, who incurs expenses for travel in carrying out his or her duties under the Act, are—
- (a) if he or she uses his or her private vehicle for that travel, an amount calculated using the appropriate rate set out in Table 1;

TABLE 1

<i>Type of vehicle</i>	<i>Rate per kilometre travelled</i>
Motor car with an engine capacity of more than 3000 cc	68.5 cents
Motor car with an engine capacity of 3000 cc or less	57.0 cents
Motor cycle with an engine capacity of more than 250 cc	33.0 cents
Motor cycle with an engine capacity of 250 cc or less	24.8 cents
Bicycle	8.3 cents

- (b) if he or she is absent from his or her usual place of residence or work because of that travel, an amount for a meal or accommodation in accordance with Table 2.

TABLE 2

<i>Meals/Accommodation</i>	<i>Capital city</i>	<i>Outside capital city</i>
Breakfast (absent between 7.00 a.m.–9.30 a.m.)	\$15.00	\$11.00
Lunch (absent between 12.00 p.m.–3.00 p.m.)	\$26.00	\$20.00
Dinner (absent between 5.00 p.m.–7.00 p.m.)	\$36.00	\$28.00
Bed and incidentals (absent overnight)	\$126.00	\$96.00

- (2) Subregulation (1) does not apply to a member of the Council or a member of the advisory committee employed under the **Public Sector Management and Employment Act 1998** or the Director.

61 Proceedings of advisory committees

For the purposes of section 14(9) of the Act, each advisory committee in respect of a park or parks must—

- (a) meet at least 3 times per year unless otherwise approved by the Secretary; and
- (b) keep minutes of its proceedings and a record of attendance of members present at meetings.

Sch. 1

SCHEDULES

SCHEDULE 1

Regulation 4

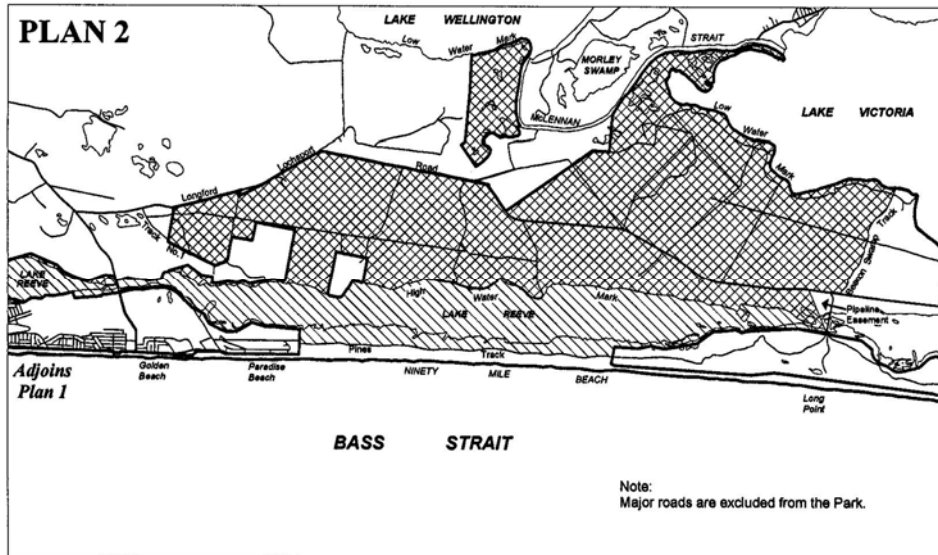
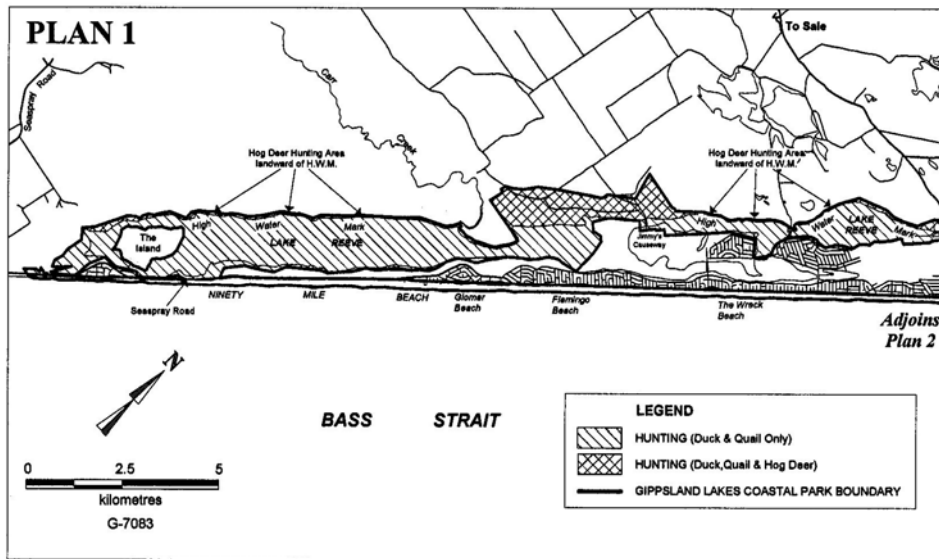
REGULATIONS REVOKED

<i>S.R. No.</i>	<i>Title</i>
160/1992	Park Regulations 1992
154/1997	Park (Catchment Protection) Regulations 1997

SCHEDULE 2

Regulation 54

GIPPSLAND LAKES COASTAL PARK HUNTING AREAS

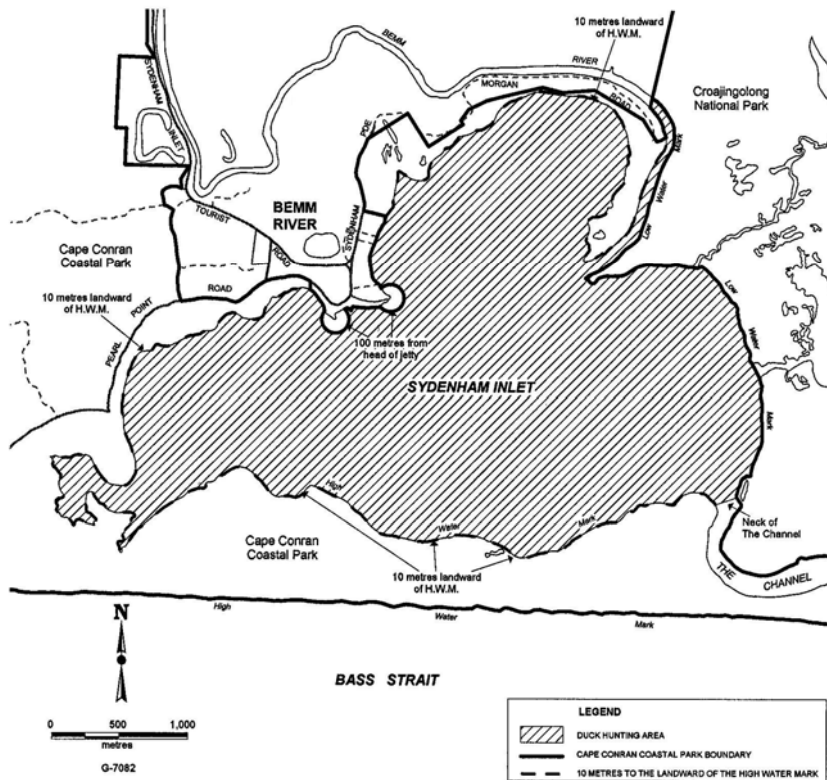


Sch. 3

SCHEDULE 3

Regulation 55

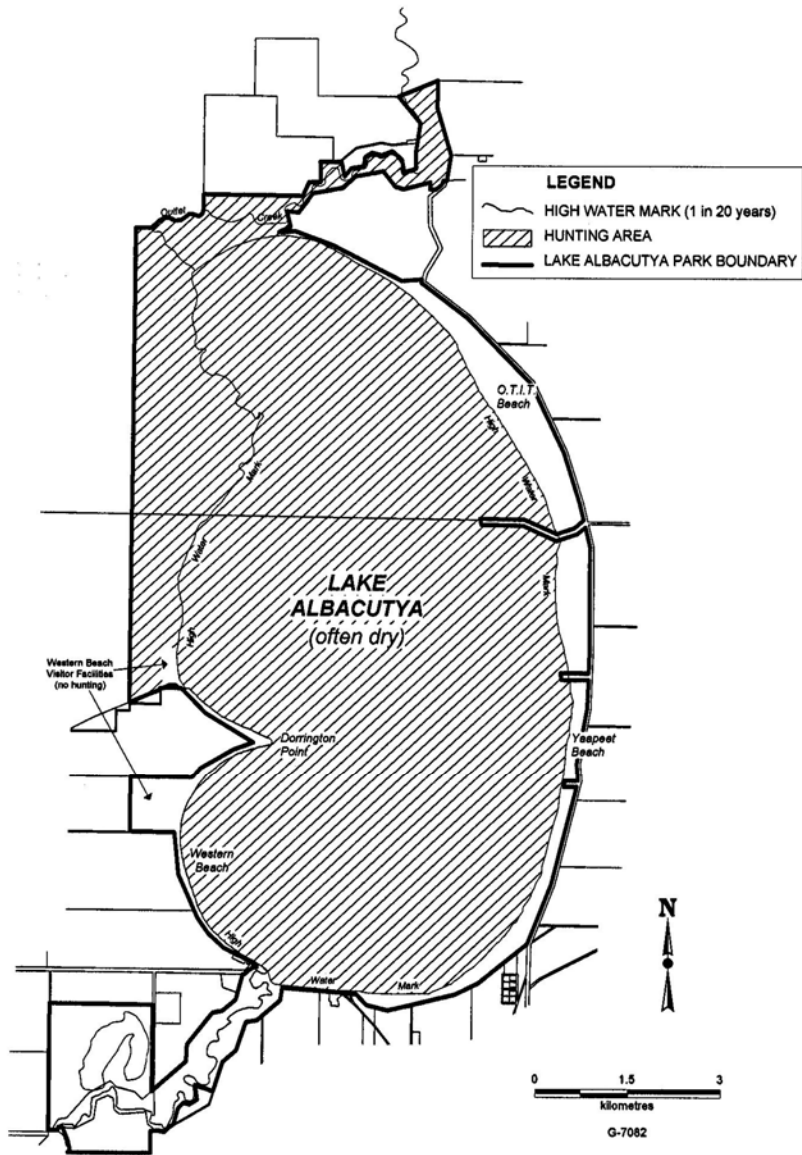
CAPE CONRAN COASTAL PARK HUNTING AREA



SCHEDULE 4

Regulation 56

LAKE ALBACUTYA PARK HUNTING AREA



ENDNOTES

1. General Information

The National Parks (Park) Regulations 2003, S.R. No. 74/2003 were made on 24 June 2003 by the Governor in Council under sections 32AA, 37 and 48 of the **National Parks Act 1975**, No. 8702/1975 and came into operation on 28 June 2003.

The National Parks (Park) Regulations 2003 will sunset 10 years after the day of making on 24 June 2013 (see section 5 of the **Subordinate Legislation Act 1994**).

2. Table of Amendments

There are no amendments made to the National Parks (Park) Regulations 2003 by statutory rules, subordinate instruments and Acts.

Endnotes

3. Explanatory Details

¹ Reg. 1(a)(iii): The term *designated water supply catchment area* is defined in section 3 of the Act.

² Reg. 6: In addition to the land referred to in regulation 6, certain land managed by the Secretary is also subject to these Regulations by virtue of the following sections of the Act—

Section 19A provides that land managed by the Secretary under an agreement with the Trust for Nature (Victoria) is to be managed as if the land were a national park or other park. These Regulations will then apply to that land.

Reserved Crown land managed by the Secretary and referred to in section 19B may be the subject of an order under section 19F declaring that all or any of these Regulations are to apply to it. The land and the regulations that apply to it are specified in Schedule Four of the Act.

Section 19C provides that, where land is managed by the Secretary under an agreement with a public authority, the land is to be managed as if it were part of the park specified in the agreement. The regulations applying to that park (effectively these Regulations) will then apply to the land.

Section 19E provides that leased land, which is adjacent to a park and managed by the Secretary, is to be managed as if it were part of that park. The regulations applying to that park (effectively these Regulations) will then apply to that leased land.

³ Reg. 57(2)(a): Board Road is shown marked on Plan No. N.P. 8B lodged in the Central Plan Office.

⁴ Reg. 58: All roads referred to subregulation (2)(c) are shown marked on Plan No. N.P. 102A lodged in the Central Plan Office.