

**Authorised Version No. 001**  
**Land Conservation (Vehicle Control)**  
**Regulations 2013**

**S.R. No. 3/2013**

Authorised Version incorporating amendments as at  
29 January 2013

**TABLE OF PROVISIONS**

<i>Regulation</i>	<i>Page</i>
1 Objective	1
2 Commencement	1
3 Authorising provision	1
4 Revocation	1
5 Definitions	1
6 Application of certain regulations	3
7 Declaring off-road access areas	3
8 Declaring restricted access areas	4
9 Declaring prohibited access areas	4
10 Declaring parking areas	4
11 Ministerial consent	5
12 Display of signs and notices	5
13 Offence in relation to motor vehicles on public land	6
14 Offences in relation to vehicles on public land—damage and obstruction	6
15 Offence to contravene conditions declarations	7
16 Offences in relation to vehicles in prohibited access areas	7
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<b>ENDNOTES</b>	<b>8</b>
1. General Information	8
2. Table of Amendments	9
3. Explanatory Details	10

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**1 Objective**

The objective of these Regulations is to regulate the use of vehicles on public land.

**2 Commencement**

These Regulations come into operation on 29 January 2013.

**3 Authorising provision**

These Regulations are made under section 3 of the **Land Conservation (Vehicle Control) Act 1972**.

**4 Revocation**

The following Regulations are **revoked**—

- (a) the Land Conservation (Vehicle Control) Regulations 2003<sup>1</sup>;
- (b) the Land Conservation (Vehicle Control) (Amendment) Regulations 2004<sup>2</sup>.

**5 Definitions**

In these Regulations—

*motor vehicle* has the same meaning as in the **Road Safety Act 1986**;

*off-road access area* means any area of public land to which a declaration under regulation 7(1) applies;

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*parking area* means any of the following—

- (a) an area of land that is a parking area within the meaning of the Road Safety Road Rules 2009;
- (b) an area of public land to which a declaration under regulation 10(1) applies;
- (c) an area of land that is otherwise lawfully designated as a parking area under any other Act or regulations;

*prohibited access area* means any area of public land to which a declaration under regulation 9(1) applies;

*restricted access area* means any area of public land to which a declaration under regulation 8(1) applies;

*road* means a road open to the public formed for the passage of motor vehicles having 4 or more wheels;

*the Act* means the **Land Conservation (Vehicle Control) Act 1972**;

*vehicle* has the same meaning as in the **Road Safety Act 1986** but does not include any of the following—

- (a) a wheelchair;
- (b) a motorised wheelchair;
- (c) a pram or stroller;
- (d) any other device used for the conveyance of disabled or injured persons.

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## 6 Application of certain regulations

Regulations 13, 14, 15 and 16 do not apply to any of the following persons—

- (a) a person acting in accordance with the direction or written permission of the person having management or control of public land;
- (b) a person acting in the course of his or her duties as an officer, employee, contractor or volunteer of the person having management or control of public land;
- (c) a person acting in the course of his or her duties as an officer, employee, contractor or volunteer of a government department or statutory authority;
- (d) a person acting in accordance with any lease, licence or authority issued under any other Act with respect to public land;
- (e) an employee, agent or contractor of a person referred to in paragraph (d) who enters any part of that public land for the purpose of engaging in activities authorised by that lease, licence or authority;
- (f) a person undertaking timber harvesting operations that are authorised operations referred to in section 45(2)(a) and (b)(i) of the **Sustainable Forests (Timber) Act 2004**.

## 7 Declaring off-road access areas

- (1) Subject to regulation 11, a person having management or control of public land may declare an area of that public land to be an off-road access area.
- (2) A declaration under subregulation (1) must be published in the Government Gazette.

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- (3) A declaration under subregulation (1) may include any conditions of use of an off-road access area, including any restrictions or prohibitions on the use of any class of motor vehicle in that area.

#### **8 Declaring restricted access areas**

- (1) Subject to regulation 11, a person having management or control of public land may declare an area of that public land to be a restricted access area.
- (2) A declaration under subregulation (1) must be published in the Government Gazette.
- (3) A declaration under subregulation (1) may include any conditions of use of a restricted access area including any restrictions on the use of any class of vehicle in that area.

#### **9 Declaring prohibited access areas**

- (1) Subject to regulation 11, a person having management or control of public land may declare an area of that public land to be a prohibited access area.
- (2) A declaration under subregulation (1) must be published in the Government Gazette.
- (3) A declaration under subregulation (1) may include any prohibitions on the use of any class of vehicle in that area.

#### **10 Declaring parking areas**

- (1) Subject to regulation 11, a person having management or control of public land may declare an area of that public land to be a parking area.
- (2) A declaration under subregulation (1) must be published in the Government Gazette.
- (3) A declaration under subregulation (1) may include any conditions of use of that parking area.

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## 11 Ministerial consent

- (1) A person having management or control of public land must not make a declaration under these Regulations unless the Minister has given written consent to the making of the declaration.
- (2) The Minister must not give written consent under subregulation (1) unless the Minister is satisfied that the declaration—
  - (a) is in the public interest; and
  - (b) addresses any matters concerning public safety; and
  - (c) is appropriate based on the nature of the land, having regard to the vehicles or any class of vehicles or activities to be undertaken on it.

## 12 Display of signs and notices

- (1) A person having management or control of public land must as soon as practicable after making a declaration under these Regulations ensure that signs or notices informing the public of a declaration are displayed at the areas affected by a declaration.
- (2) A sign or notice required under subregulation (1) must—
  - (a) be displayed in a place and manner that is likely to be seen by any person affected by the declaration; and
  - (b) state any conditions included in the declaration.

### Note

The Road Safety (Traffic Management) Regulations 2009<sup>3</sup> apply if a sign or notice is also a traffic control device within the meaning of those Regulations.

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**13 Offence in relation to motor vehicles on public land**

A person must not use or operate any motor vehicle in any area of public land except—

- (a) on a road; or
- (b) in a parking area; or
- (c) in a place immediately adjacent to a road where parking is not prohibited; or
- (d) in an off-road access area where that class of motor vehicle is permitted; or
- (e) in a restricted access area where that class of motor vehicle is permitted.

Penalty: \$500.

**14 Offences in relation to vehicles on public land—  
damage and obstruction**

- (1) A person must not use or operate a vehicle on public land in a manner that damages that land.

Penalty: \$500.

- (2) A person must not leave a vehicle on public land in a manner that damages that land.

Penalty: \$500.

- (3) A person must not cause or permit any vehicle to be parked or left standing on public land if the vehicle obstructs any vehicle or person from entering or leaving a road or a parking area.

Penalty: \$500.

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**15 Offence to contravene conditions declarations**

- (1) If a declaration made under these Regulations applies to an area of public land, a person must not use or operate a vehicle that is of a class of vehicle permitted to be in that area in contravention of any conditions of that declaration.

Penalty: \$500.

- (2) If a declaration made under these Regulations applies to an area of public land, a person must not leave a vehicle that is of a class of vehicle permitted to be in that area in contravention of any conditions of that declaration.

Penalty: \$500.

**16 Offences in relation to vehicles in prohibited access areas**

- (1) A person must not use or operate a vehicle in a prohibited access area in contravention of the declaration applying to that area.

Penalty: \$500.

- (2) A person must not leave a vehicle in a prohibited access area in contravention of the declaration applying to that area.

Penalty: \$500.

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## ENDNOTES

### 1. General Information

The Land Conservation (Vehicle Control) Regulations 2013, S.R. No. 3/2013 were made on 29 January 2013 by the Governor in Council under section 3 of the **Land Conservation (Vehicle Control) Act 1972**, No. 8379/1972 and came into operation on 29 January 2013: regulation 2.

The Land Conservation (Vehicle Control) Regulations 2013 will sunset 10 years after the day of making on 29 January 2023 (see section 5 of the **Subordinate Legislation Act 1994**).

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## 2. Table of Amendments

There are no amendments made to the Land Conservation (Vehicle Control) Regulations 2013 by statutory rules, subordinate instruments and Acts.

**Endnotes**

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**3. Explanatory Details**

<sup>1</sup> Reg. 4(a): S.R. No. 11/2003 as amended by S.R. No. 140/2004.

<sup>2</sup> Reg. 4(b): S.R. No. 140/2004.

<sup>3</sup> Reg. 12: S.R. No. 129/2009 as amended by S.R. Nos 66/2011  
and 162/2012.