

**Authorised Version No. 021**  
**Land Conservation (Vehicle Control)**  
**Act 1972**

**No. 8379 of 1972**

Authorised Version incorporating amendments as at  
15 December 2017

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An Act to make Provision with respect to Vehicular Traffic on  
Public Land, the Prevention of Soil Erosion of and Damage to  
Public Land, to amend the **Local Government Act 1958** and for  
other purposes.

**BE IT ENACTED by the Queen's Most Excellent Majesty by  
and with the advice and consent of the Legislative Council  
and the Legislative Assembly of Victoria in this present  
Parliament assembled and by the authority of the same as  
follows (that is to say):**

**1 Short title and commencement**

- (1) This Act may be cited as the **Land Conservation (Vehicle Control) Act 1972**.
- (2) The several provisions of this Act shall come into operation on a day or the respective days to be fixed by proclamation or successive proclamations of the Governor in Council published in the Government Gazette.

**2 Definition**

In this Act—

**S. 2  
amended by  
No. 41/1997  
s. 27,  
substituted by  
No. 81/2001  
s. 29.**

S. 2 def. of  
*public land*  
amended by  
No. 51/2016  
s. 29.

*public land* means—

- (a) any unalienated land of the Crown,  
including land temporarily or  
permanently reserved under the **Crown  
Land (Reserves) Act 1978**;
- (b) State forest within the meaning of the  
**Forests Act 1958**;
- (c) park, within the meaning of the  
**National Parks Act 1975**;

\* \* \* \* \*

- (e) land vested in any public authority,  
other than a municipal council.

### 3 Regulations

- (1) Notwithstanding anything in any Act the  
Governor in Council may make regulations for or  
with respect to—

- (a) prohibiting or regulating traffic or any class  
or classes of traffic on public land; and
- (b) prohibiting or regulating the use of vehicles  
on public land.

- (2) Regulations under this section—

- (a) may be general or may be restricted in  
operation as to time place vehicles persons or  
circumstances whether any such time place  
vehicle person or circumstance is determined  
or ascertainable before at or after the making  
of the regulations;

- (ab) may confer a discretionary authority or  
impose a power or duty on any specified  
person or body or class of specified person  
or body;

S. 3(2)(ab)  
inserted by  
No. 51/2016  
s. 30(1).

- (b) may authorize the delegation of any powers duties or discretions under the regulations to any person or body having the management or control of any public land or any person in the service of any such person or body;
- (c) may prescribe penalties not exceeding 20 penalty units for any contravention of the regulations; and
- (d) shall have full force and effect notwithstanding anything in any regulation or by-law under any other Act.

S. 3(2)(c)  
amended by  
No. 51/2016  
s. 30(2).

#### **4 Proceedings for contravention of regulations**

S. 4 (Heading)  
inserted by  
No. 51/2016  
s. 31(1).

Proceedings for any contravention of a regulation under this Act may be taken—

S. 4  
amended by  
No. 51/2016  
s. 31(2).

- (a) by a police officer within the meaning of the **Victoria Police Act 2013**;
- (b) in the case of a contravention of a regulation in relation to public land which is under the management or control of any person or body, by that person or body; or
- (c) by a person appointed as an authorised officer for the purposes of this Act under—
  - (a) Part 9 of the **Conservation, Forests and Lands Act 1987**; or
  - (b) Part 3 of the **Victorian Fisheries Authority Act 2016**; or

S. 4(a)  
substituted by  
No. 37/2014  
s. 10(Sch.  
item 93).

S. 4(b)  
amended by  
No. 51/2016  
s. 31(2).

S. 4(c)  
amended by  
Nos 8702  
s. 55(9),  
41/1987  
s. 103(Sch. 4  
item 41.1),  
51/2016  
s. 31(3),  
substituted by  
No. 68/2016  
s. 168.

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S. 4(d)  
inserted by  
No. 8702  
s. 55(9),  
repealed by  
No. 51/2016  
s. 31(4).

\* \* \* \* \*

## 5 Erosion hazard areas

S. 5(1)  
amended by  
Nos 52/1994  
s. 97(Sch. 3  
item 19),  
76/1998  
s. 12(1)(a).

- (1) The Governor in Council on the recommendation of the Secretary may by proclamation published in the Government Gazette—

(a) declare any public land to be an erosion hazard area; and

(b) revoke or vary any such declaration.

S. 5(2)  
amended by  
Nos 52/1994  
s. 97(Sch. 3  
item 19),  
76/1998  
s. 12(1)(a).

- (2) The Secretary shall not make a recommendation under subsection (1) in respect of land under the management or control of any person or body except at the request of that person or body.

S. 5(3)  
amended by  
Nos 41/1987  
s. 103(Sch. 4  
item 41.3),  
76/1998  
s. 12(1)(b),  
70/2013  
s. 4(Sch. 2  
item 25),  
51/2016  
s. 32(1),  
53/2017 s. 80.

- (3) Public land may be described in a proclamation under subsection (1) by reference to a plan or map kept in the Central Plan Office and where it is so described a copy of the plan or map shall be kept—

(a) by any person or body having the management or control of the land; and

(b) at all police stations in the vicinity of the land.

- (4) Any copy of a plan or map kept pursuant to subsection (3) shall at all reasonable times be open for inspection by any member of the public without fee.

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- (5) Except with the written permission of the proper authority, a person within an erosion hazard area shall not—
- (a) have in his possession or use any motorized vehicle;
  - (b) remove or damage any vegetation;
  - (c) take or remove any sand gravel rock clay or earth;
  - (d) interfere with any erosion prevention works;  
or
  - (e) cause any water or other fluid to be drained or to flow over the area.

S. 5(5)  
amended by  
No. 51/2016  
s. 32(2).

Penalty: 20 penalty units.

- (6) In this section—  
*proper authority*—

S. 5(6)  
substituted by  
No. 76/1998  
s. 12(2).

- (a) in relation to public land vested in or under the management or control of a person or body means that person or body; and
- (b) in relation to any other public land means the Minister;

**Secretary** means the body corporate established by Part 2 of the **Conservation, Forests and Lands Act 1987**.

\* \* \* \* \*

S. 6  
repealed by  
No. 9863  
s. 2(Sch.).

## Endnotes

### 1 General information

See [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au) for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The **Land Conservation (Vehicle Control) Act 1972** was assented to on 19 December 1972 and came into operation on 17 September 1973: Government Gazette 5 September 1973 page 3103.

### INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

#### Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

#### References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided section or clause of a Schedule is amended by the insertion of one or more subsections or subclauses, the original section or clause becomes subsection or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original section or clause.

#### Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in an Act which is passed on or after 1 January 2001 form part of that Act. Any heading inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, forms part of that Act. This includes headings to Parts, Divisions or Subdivisions in a Schedule; sections; clauses; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in an Act which is passed on or after 1 January 2001 form part of that Act. Any examples, diagrams or notes inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, form part of that Act. See section 36(3A).

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- **Punctuation**

All punctuation included in an Act which is passed on or after 1 January 2001 forms part of that Act. Any punctuation inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, forms part of that Act. See section 36(3B).

- **Provision numbers**

All provision numbers included in an Act form part of that Act, whether inserted in the Act before, on or after 1 January 2001. Provision numbers include section numbers, subsection numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of an Act is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of an Act. See section 36(3)(3D)(3E).



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## 2 Table of Amendments

This publication incorporates amendments made to the **Land Conservation (Vehicle Control) Act 1972** by Acts and subordinate instruments.

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### **National Parks Act 1975, No. 8702/1975**

*Assent Date:* 16.5.75  
*Commencement Date:* 1.12.75: Government Gazette 26.11.75 p. 3888  
*Current State:* All of Act in operation

### **Statute Law Revision (Repeals) Act 1982, No. 9863/1982**

*Assent Date:* 5.1.83  
*Commencement Date:* 5.1.83: s. 1(2)  
*Current State:* All of Act in operation

### **Conservation, Forests and Lands Act 1987, No. 41/1987**

*Assent Date:* 19.5.87  
*Commencement Date:* S. 103(Sch. 4 items 41.1–41.3) on 1.7.87: Government Gazette 24.6.87 p. 1694  
*Current State:* This information relates only to the provision/s amending the **Land Conservation (Vehicle Control) Act 1972**

### **Catchment and Land Protection Act 1994, No. 52/1994**

*Assent Date:* 15.6.94  
*Commencement Date:* S. 97(Sch. 3 item 19) on 15.12.94: s. 2(3)  
*Current State:* This information relates only to the provision/s amending the **Land Conservation (Vehicle Control) Act 1972**

### **Environment Conservation Council Act 1997, No. 41/1997**

*Assent Date:* 11.6.97  
*Commencement Date:* S. 27 on 1.7.97: Special Gazette (No. 75) 1.7.97 p. 1  
*Current State:* This information relates only to the provision/s amending the **Land Conservation (Vehicle Control) Act 1972**

### **Conservation, Forests and Lands (Miscellaneous Amendments) Act 1998, No. 76/1998**

*Assent Date:* 10.11.98  
*Commencement Date:* S. 12 on 15.12.98: s. 2(5)  
*Current State:* This information relates only to the provision/s amending the **Land Conservation (Vehicle Control) Act 1972**

### **Victorian Environmental Assessment Council Act 2001, No. 81/2001**

*Assent Date:* 4.12.01  
*Commencement Date:* S. 29 on 31.12.01: s. 2(3)  
*Current State:* This information relates only to the provision/s amending the **Land Conservation (Vehicle Control) Act 1972**

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**Statute Law Revision Act 2013, No. 70/2013**

*Assent Date:* 19.11.13  
*Commencement Date:* S. 4(Sch. 2 item 25) on 1.12.13: s. 2(1)  
*Current State:* This information relates only to the provision/s amending the **Land Conservation (Vehicle Control) Act 1972**

**Victoria Police Amendment (Consequential and Other Matters) Act 2014, No. 37/2014**

*Assent Date:* 3.6.14  
*Commencement Date:* S. 10(Sch. item 93) on 1.7.14: Special Gazette (No. 200) 24.6.14 p. 2  
*Current State:* This information relates only to the provision/s amending the **Land Conservation (Vehicle Control) Act 1972**

**Crown Land Legislation Amendment Act 2016, No. 51/2016**

*Assent Date:* 18.10.16  
*Commencement Date:* Ss 29–32 on 19.10.16: s. 2  
*Current State:* This information relates only to the provision/s amending the **Land Conservation (Vehicle Control) Act 1972**

**Victorian Fisheries Authority Act 2016, No. 68/2016**

*Assent Date:* 15.11.16  
*Commencement Date:* S. 168 on 1.7.17: s. 2(2)  
*Current State:* This information relates only to the provision/s amending the **Land Conservation (Vehicle Control) Act 1972**

**Parks and Crown Land Legislation Amendment Act 2017, No. 53/2017**

*Assent Date:* 24.10.17  
*Commencement Date:* S. 80 on 15.12.17: Special Gazette (No. 433) 12.12.17 p. 1  
*Current State:* This information relates only to the provision/s amending the **Land Conservation (Vehicle Control) Act 1972**

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### **3 Amendments Not in Operation**

There are no amendments which were Not in Operation at the date of this publication.

#### **4 Explanatory details**

No entries at date of publication.