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Crown Land (Reserves) Act 1978

CROWN LAND (RESERVES) (CAMPING AND MISCELLANEOUS FEES) REGULATIONS 2014

I, Ryan Smith, Minister for Environment and Climate Change, make the following Regulations.
Dated 4 July 2014

THE HON. RYAN SMITH MP
Minister for Environment and Climate Change

PART 1 – PRELIMINARY

1 Objectives

The objectives of these Regulations are to provide for the –

- (a) management of Buchan Caves Reserve, Corringale Foreshore Reserve, Gabo Island Lighthouse Reserve, Kurth Kiln Regional Park, Peach Tree Creek Reserve, Plenty Gorge Parklands and Yarra Valley Parklands;
- (b) provision of improvements, services and facilities on the land and the conditions under which any improvements, services or facilities so provided shall be available to or be used by any person;
- (c) setting of fees for the use of improvements, services or facilities in Buchan Caves Reserve, Corringale Foreshore Reserve, Gabo Island Lighthouse Reserve, Kurth Kiln Regional Park, Peach Tree Creek Reserve, Plenty Gorge Parklands and Yarra Valley Parklands;
- (d) setting of fees for entry to Fairy Cave, Federal Cave, Royal Cave and Wilsons Cave within Buchan Caves Reserve.

2 Authorising provision

These Regulations are made under section 13 of the **Crown Land (Reserves) Act 1978**.

3 Commencement

These Regulations come into operation on the day on which they are published in the Government Gazette.

4 Expiry

These Regulations expire on 1 July 2019.

5 Definitions

In these Regulations –

Aboriginal person has the same meaning as in the **Aboriginal Heritage Act 2006**;

ANZAC Day has the same meaning as in section 6(h) of the **Public Holidays Act 1993**;

Buchan Caves Reserve means all those pieces or parcels of land containing 232 hectares, more or less, and being all of the lands contained in Crown allotment 6D section C, Crown allotment 5L1 section C, Crown allotment 6C section D and Crown allotment 10J situate in the Parish of Buchan, parcel numbers P320446, P320447, P320448 and P320294, being the land coloured yellow in the plan lodged in the Central Plan Office numbered LEGL./12-090.3;

camp means –

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

SPECIAL

Corringle Foreshore Reserve means all those pieces or parcels of land containing 159 hectares, more or less, and being all of the lands contained in Crown allotment 11 section A and Crown allotment 11A section A situate in the Parish of Newmerella, parcel numbers P341277 and P341278, being the land coloured yellow in plans lodged in the Central Plan Office and numbered LEGL./12-092, LEGL./12-093 and LEGL./12-094;

eligible person has the same meaning in section 3 of the **State Concessions Act 2004**;

fee units means an amount in dollars equal to the product obtained by multiplying the number of fee units by the amount fixed from time to time by the Treasurer under section 5(3) of the **Monetary Units Act 2004**;

Gabo Island Lighthouse Reserve means the land contained in Crown allotment 1A, Parish of Gabo, temporarily reserved as a site for tourism and public purposes by Order in Council dated 9 December 1995 and published in the Government Gazette on 14 December 1995;

Good Friday has the same meaning as in section 6(e) of the **Public Holidays Act 1993**;

Kurth Kiln Regional Park means Kurth Kiln Regional Park as described in Division 2 of Part 4A of the Fifth Schedule of the Act;

Labour Day has the same meaning as in section 6(d) of the **Public Holidays Act 1993**;

Melbourne Cup Day has the same meaning as in section 6(j) of the **Public Holidays Act 1993**;

Minister means the Minister administering the **Crown Land (Reserves) Act 1978**;

off peak season means, for the purposes of the Schedule, the following periods –

- (1) For specified campsites, the period commencing 1 May and finishing on 31 October in each year (excluding any periods where peak season or shoulder season apply);
- (2) For roofed accommodation, the period commencing 1 May and finishing on 31 August in each year (excluding any days where peak season or shoulder season fees apply);

park means Kurth Kiln Regional Park;

Parks Victoria means the body established under Part 2 of the **Parks Victoria Act 1998**;

Peach Tree Creek Reserve means all of the lands, contained in Crown allotments 2006, 2008, 2020 and 2021, Township of Tamboon, Parish of Barga, temporarily reserved as a site for Public Purposes (Recreation) by Order in Council dated 9 July 1996 and published in the Government Gazette on 11 July 1996;

peak season means, for the purposes of the Schedule, the following periods –

- (1) For specified campsites –
 - (a) Friday and Saturday nights during the period from the last Friday in October each year until the end of February of the following year;
 - (b) the Sunday and Monday nights immediately before Melbourne Cup Day;
 - (c) the Friday, Saturday and Sunday nights immediately before Labour Day;
 - (d) if ANZAC Day falls on a Friday, the Thursday night immediately before ANZAC Day, ANZAC Day and the Saturday immediately following ANZAC Day;
 - (e) if ANZAC Day falls on a Monday, the Friday, Saturday and Sunday nights immediately before ANZAC Day;
 - (f) the period between the end of school term one and the beginning of school term two in each year; and
 - (g) the period between the end of school term four and the beginning of school term one in the following year;
- (2) For roofed accommodation –
 - (a) the period between the end of school term four and the beginning of school term one of the following year;
 - (b) the Friday, Saturday and Sunday nights immediately before Labour Day;
 - (c) the Thursday night immediately before Good Friday, Good Friday, the Saturday before Easter Sunday and Easter Sunday nights;

Plenty Gorge Parklands means the land described as Plenty Gorge Parklands in the Schedule to the Crown Land (Reserves) (Metropolitan Parks) Regulations 2011;

Queen's Birthday has the same meaning as in section 6(i) of the **Public Holidays Act 1993**; **recognition and settlement agreement** means an agreement made under section 4 of the **Traditional Owner Settlement Act 2010**;

reserve means –

- (a) Buchan Caves Reserve;
- (b) Corringale Foreshore Reserve;
- (c) Gabo Island Lighthouse Reserve;
- (d) Peach Tree Creek Reserve;
- (e) Plenty Gorge Parklands; and
- (f) Yarra Valley Parklands;

roofed accommodation means a building or structure that is provided and managed by Parks Victoria within a reserve for the purpose of accommodation;

school term means a term defined by the Minister administering the **Education and Training Reform Act 2006** under that Act or regulations made under that Act;

shoulder season means, for the purposes of the Schedule, the following periods –

- (1) For specified campsites –
 - (a) the period from 1 November each year until 30 April of the following year (excluding any periods where peak season applies);
 - (b) the period between the end of school term three and the beginning of school term four in each year;
- (2) For roofed accommodation –
 - (a) the period from 1 September to 30 April of the following year (excluding any days where peak season fees apply);
 - (b) Friday, Saturday and Sunday nights immediately before the Queen's Birthday;
 - (c) the period between the end of school term two and the beginning of school term three in each year;

specified campsite means an individual campsite within a campground of a park or reserve that is provided and managed by Parks Victoria for the specific purpose of camping;

the Act means the **Crown Land (Reserves) Act 1978**;

the Saturday before Easter Sunday has the same meaning as in section 6(f) of the **Public Holidays Act 1993**;

traditional owner means an Aboriginal person who is a member of a traditional owner group that has –

- (a) native title rights recognised under the Native Title Act 1993 of the Commonwealth; or
- (b) a recognition and settlement agreement;

traditional owner group has the same meaning as in the **Traditional Owner Settlement Act 2010**;

Yarra Valley Parklands means the land described as Yarra Valley Parklands in the Schedule to the Crown Land (Reserves) (Metropolitan Parks) Regulations 2011.

6 Application of regulations

These Regulations do not apply to any of the following persons when acting in the course of that person's duties –

- (a) an employee of Parks Victoria;
- (b) an authorised officer or a police officer;
- (c) a contractor, agent, volunteer or other person carrying out any work for or acting on the authority or instruction of the Minister or Parks Victoria;

- (d) a person acting in accordance with a lease, licence, tenancy, permit or authority granted or issued in relation to a park or reserve under the Act or another Act relating to Crown land;
- (e) a person employed under Part 3 of the **Public Administration Act 2004**.

7 Exemption – Traditional Owners

Regulation 8(1)(a), 8(1)(d), and 8(2) do not apply to a traditional owner when camping on Crown land which is subject to a recognition and settlement agreement or a positive determination of native title under the **Native Title Act 1993** of the Commonwealth.

PART 2 – ADMINISTRATION, MANAGEMENT AND USE OF A PARK OR RESERVE

8 Fees

- (1) A person must not use the following improvements, services and facilities in a park or reserve without paying the relevant fee under the Schedule –
 - (a) a specified campsite;
 - (b) roofed accommodation;
 - (c) the Nioka Bush Camp Hall (including kitchen) within Plenty Gorge Parklands;
 - (d) a car parking space within the Corringale Foreshore Reserve;
 - (e) a car parking space within the Kurth Kiln Regional Park or the Peach Tree Creek Reserve.
- (2) A person must not enter Fairy Cave, Federal Cave, Royal Cave or Wilsons Cave within Buchan Caves Reserve without paying the relevant fee under Table 2 of the Schedule.
- (3) The fee payable by an eligible person is subject to a ten percent discount where the fee relates to use of a specified campsite (including a specified campsite that includes the use of car parking space).

9 Camping

- (1) A person must not camp in a park or reserve, other than in a specified campsite.
- (2) A person must not camp in a specified campsite for more than 30 consecutive nights.
- (3) A person who camps in a specified campsite must maintain his or her campsite in a clean and tidy condition.

10 Use of soap and detergents

A person must not use or dispose of any soap, detergent or similar substance in a park or reserve within 50 metres of any sea, river, stream, creek, well, spring, dam, lake, reservoir, bore or other body of water, except in toilets, showers or other facilities provided in a park or reserve for that purpose.

11 Hygiene

A person must not leave behind or deposit faeces in a park or reserve unless –

- (a) if toilet facilities are provided, the person does so in toilet facilities provided; or
 - (b) if toilet facilities are not provided, 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.
-

SCHEDULE

Regulation 8

**FEES PAYABLE FOR ENTRY UPON LAND AND USE OF IMPROVEMENTS,
SERVICES AND FACILITIES IN A PARK OR RESERVE**

Table 1 – Buchan Caves Reserve

<i>Column 1</i>	<i>Column 2</i>
IMPROVEMENT, SERVICE OR FACILITY	FEE PER NIGHT
Fees by specified campsite	
High (Powered) (Peak Season)	4.09 fee units
High (Non-Powered) (Peak Season)	3.68 fee units
High (Powered) (Off Peak Season)	3.67 fee units
High (Non-Powered) (Off Peak Season)	3.31 fee units
High (Powered) (Shoulder Season)	3.88 fee units
High (Non-Powered) (Shoulder Season)	3.50 fee units
Additional car parking space	0.7 fee units
Fees for roofed accommodation	
Cabins (Peak Season and Shoulder Season)	7.22 fee units
Cabins (Off Peak Season)	6.50 fee units
Wilderness Retreat for up to two people	13.71 fee units
Wilderness Retreat for each additional person	1.65 fee units

Table 2 – Buchan Caves Reserve

<i>Column 1</i>	<i>Column 2</i>
ENTRY UPON LAND	FEE
Entry fee for cave tour - single cave tour (Royal Cave or Fairy Cave)	
Adult	1.58 fee units
Child (Aged 5 to 16 years)	0.93 fee units
Senior	1.32 fee units
Family (2 adults, 2 children aged 5 to 16 years)	4.37 fee units
Bus Group (Minimum of 10 people) fee per person	1.18 fee units
School Group (Prep to Year 10) fee per student	0.6 fee units
School Group (Years 11, 12, University & TAFE students) fee per student	0.93 fee units
Entry fee for cave tour - Royal Cave and Fairy Cave	
Adult	2.37 fee units
Child (Aged 5 to 16 years)	1.37 fee units
Senior	1.94 fee units
Family (2 adults, 2 children aged 5 to 16 years)	6.52 fee units
Bus Group (Minimum of 10 people) fee per person	1.94 fee units
School Group (Prep to Year 10) fee per student	0.93 fee units
School Group (Years 11, 12, University and TAFE students) fee per student	1.37 fee units
Entry fee for cave tour - Federal Cave	
Adult	2.64 fee units
Child (Aged 5 to 16 years)	1.88 fee units
Entry fee for Wilsons Cave Tour (Schools only)	
School Group (Prep to Year 10) fee per student	1.51 fee units
School Group (Years 11, 12, University and TAFE students) fee per student	1.88 fee units

Table 3 – Corringale Foreshore Reserve

<i>Column 1</i>	<i>Column 2</i>
IMPROVEMENT, SERVICE OR FACILITY	FEE PER NIGHT
Fees by specified campsite - Corringale Foreshore Reserve Campground	
Specified campsite up to 6 persons and one car parking space (Peak Season)	2.86 fee units
Specified campsite up to 6 persons and one car parking space (Off Peak Season)	2.57 fee units
Specified campsite up to 6 persons and one car parking space (Shoulder Season)	2.71 fee units
Additional car parking space	0.7 fee units

Table 4 – Gabo Island Lighthouse Reserve

<i>Column 1</i>	<i>Column 2</i>
IMPROVEMENT, SERVICE OR FACILITY	FEE PER NIGHT
Fees for roofed accommodation	
Lightstation Cottage (Peak Season and Shoulder Season)	26.45 fee units
Lightstation Cottage (Off Peak Season)	23.80 fee units

Table 5 – Kurth Kiln Regional Park

<i>Column 1</i>	<i>Column 2</i>
IMPROVEMENT, SERVICE OR FACILITY	FEE PER NIGHT
Fees by specified campsite - Magazine Track Campground, Heritage Fence Camping Area, Scout Loop Track Campground	
Specified campsite up to 6 persons and one carpark space (Peak Season)	0.98 fee units
Specified campsite up to 6 persons and one carpark space (Off Peak Season)	0.85 fee units
Specified campsite up to 6 persons and one carpark space (Shoulder Season)	0.93 fee units
Specified campsite up to 6 persons and one carpark space (School group) (Peak Season)	0.88 fee units
Specified campsite up to 6 persons and one carpark space (School group) (Off Peak Season)	0.80 fee units
Specified campsite up to 6 persons and one carpark space (School group) (Shoulder Season)	0.84 fee units
Additional carpark space	0.7 fee units
Fees by specified campsite - Watermill Track Campground	
Specified campsite up to 6 persons and one carpark space (School group) (Peak Season)	0.88 fee units
Specified campsite up to 6 persons and one carpark space (School group) (Off Peak Season)	0.80 fee units
Specified campsite up to 6 persons and one carpark space (School group) (Shoulder Season)	0.84 fee units
Additional carpark space	0.7 fee units

Table 6 – Peach Tree Creek Reserve

<i>Column 1</i>	<i>Column 2</i>
IMPROVEMENT, SERVICE OR FACILITY	FEE PER NIGHT
Fees by specified campsite - Peach Tree Creek Campground	
Specified campsite up to 6 persons and one carpark space (Peak Season)	2.86 fee units
Specified campsite up to 6 persons and one carpark space (Off Peak Season)	2.57 fee units
Specified campsite up to 6 persons and one carpark space (Shoulder Season)	2.71 fee units
Additional carpark space	0.7 fee units

Table 7 – Plenty Gorge Parklands

<i>Column 1</i>	<i>Column 2</i>
IMPROVEMENT, SERVICE OR FACILITY	FEE PER NIGHT
Fees by specified campsite or for roofed accommodation	
Nioka Bush Camp Exclusive Site	27.19 fee units
Nioka Bush Camp Exclusive Site with Kitchen and Hall	31.72 fee units
Roofed Accommodation – 34 Bed Bunkhouse	38.52 fee units
Fee for campground facility	
Nioka Bush Camp Hall including kitchen – exclusive use of kitchen & hall facilities (camping fees additional)	18.20 fee units

Table 8 – Yarra Valley Parklands

<i>Column 1</i>	<i>Column 2</i>
IMPROVEMENT, SERVICE OR FACILITY	FEE PER NIGHT
Fee by specified campsite	
Longridge Park Exclusive Site	23.79 fee units

NOTES**PENALTIES**

- (1) Any person who contravenes regulations 8(1), 8(2), 9(1), 9(2) or 9(3) shall be liable to a penalty of not more than two penalty units under section 13(5) of the **Crown Land (Reserves) Act 1978**.
- (2) A person who contravenes regulation 10 or 11 for or with respect to the depositing and the leaving of any unwanted material or thing on any land is liable to a maximum penalty of five penalty units under section 13(6) of the **Crown Land (Reserves) Act 1978**.

FEE UNITS

- (1) These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**. The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.
- (2) The value of a fee unit for the financial year commencing 1 July 2014 is \$13.24. The amount of the calculated fee may be rounded to the nearest 10 cents.
- (3) The value of a fee unit for future financial years is fixed under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year is published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

PLENTY GORGE PARKLANDS AND YARRA VALLEY PARKLANDS

A person who camps in a specified campsite or stays in roofed accommodation within Plenty Gorge Parklands or Yarra Valley Parklands may be required to obtain a permit under the Crown Land (Reserves) (Metropolitan Parks) Regulations 2011.

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