



# Victoria Government Gazette

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## Crown Land (Reserves) Act 1978

### CROWN LAND (RESERVES) (METROPOLITAN PARKS) AMENDMENT REGULATIONS 2021

I, Lily D'Ambrosio, Minister for Energy, Environment and Climate Change, make the following Regulations.

Dated 27 July 2021

HON. LILY D'AMBROSIO MP  
Minister for Energy, Environment and Climate Change

#### 1 Objectives

The objectives of these Regulations are to amend the Crown Land (Reserves) (Metropolitan Parks) Regulations 2011 to –

- (a) include Gabo Island Lighthouse Reserve, Kurth Kiln Regional Park, Peach Tree Creek Reserve and Point Hicks Lighthouse Reserve;
- (b) set fees for the use of improvements, services or facilities in Gabo Island Lighthouse Reserve, Peach Tree Creek Reserve, Kurth Kiln Regional Park, Plenty Gorge Parklands and Yarra Valley Parklands.

#### 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 Principal Regulations

In these Regulations, the Crown Land (Reserves) (Metropolitan Parks) Regulations 2011 which were published in Government Gazette No. G 1 on 5 January 2012, pages 17 to 30, and subsequently amended by the Crown Land (Reserves) (Metropolitan Parks) Amendment Regulations 2015 published in Special Government Gazette No. S 383 on 3 December 2015, page 1, the Crown Land (Reserves) (Metropolitan Parks) Amendment Regulations 2016 published in Special Government Gazette No. S 366 on 28 November 2016, page 2, the Crown Land (Reserves) (Metropolitan Parks) Amendment Regulations 2018 published in Government Gazette No. G 43 on 25 October 2018, pages 2397 to 2398, the Crown Land (Reserves) (Metropolitan Parks) Amendment Regulations 2019 published in Government Gazette No. G 48 on 28 November 2019, page 2358, and the Crown Land (Reserves) (Metropolitan Parks) Amendment Regulations 2020 published in Special Government Gazette No. S 629 on 1 December 2020, page 1 are called the Principal Regulations.

#### 5 Definitions

After the definition of **Parks Victoria** in regulation 6 of the Principal Regulations **insert** –  
**'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;

**SPECIAL**

- (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;

**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);

**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 the reserve that is provided and managed by Parks Victoria for the specific purpose of camping;

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

## 6 Fees

After regulation 38 of the Principal Regulations **insert** –

### ‘39 Fees

- (1) A person must not use the following improvements, services or facilities unless the person does so under and in accordance with a permit issued for that specified purpose and has paid any relevant fee imposed under Schedule 2 –
  - (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 Peach Tree Creek Reserve.

Penalty: 2 penalty units

- (2) 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).

- (3) The Minister may issue a permit authorising the holder of the permit to use an improvement, service or facility specified in subregulation (1) subject to any conditions specified in the permit.
- (4) The Minister may cancel a permit issued under subregulation (3) at any time –
  - (a) if the holder of the permit has –
    - (i) contravened the permit; or
    - (ii) otherwise 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 the reserve; or
  - (c) for the purposes of management of the reserve.
- (5) The cancellation of a permit under subregulation (4) does not take effect until the holder of the permit is given notice in writing of that cancellation.’.

#### 7 **Schedule heading amended**

In the heading to the Schedule to the Principal Regulations **substitute** –

#### **‘SCHEDULE 1’.**

#### 8 **Schedule 1 amended**

- (1) In Schedule 1 to the Principal Regulations, after the description of Dandenong Valley Parklands **insert** –

##### **‘Gabo Island Lighthouse Reserve**

Crown allotment 1A, Parish of Gabo, temporarily reserved for public and tourism purposes (lighthouse) under section 5(1) of the **Crown Land (Reserves) Act 1978** on 1 December 1995.

##### **Kurth Kiln Regional Park**

Kurth Kiln Regional Park as described in Division 2 of Part 4A of the Fifth Schedule of the **Crown Land (Reserves) Act 1978**.’.

- (2) In Schedule 1 to the Principal Regulations, after the description of Patterson River land **insert** –

##### **‘Peach Tree Creek Reserve**

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 Government Gazette No. G 27 on 11 July 1996, page 1801.’.

- (3) In Schedule 1 to the Principal Regulations, after the description of Plenty Gorge Parklands **insert** –

##### **‘Point Hicks Lighthouse Reserve**

Crown Allotment 2, Parish of Thurra, Municipality of East Gippsland, temporarily reserved for public and tourism (lighthouse) purposes under section 5(1) of the **Crown Land (Reserves) Act 1978** on 1 December 1995 and Crown Allotments 3, Parish of Thurra, Municipality of East Gippsland, temporarily reserved under section 5(1) of the **Crown Land (Reserves) Act 1978** on 21 June 1990.’.

#### 9 **New Schedule 2 inserted**

After Schedule 1 to the Principal Regulations **insert** –

**‘SCHEDULE 2**

Regulation 39

**FEES PAYABLE FOR ENTRY UPON LAND AND USE OF IMPROVEMENTS,  
SERVICES AND FACILITIES IN A RESERVE****Table 1 – Gabo Island Lighthouse Reserve**

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

**Table 2 – Peach Tree Creek Reserve**

<i>Column 1</i>	<i>Column 2</i>
<b>IMPROVEMENT, SERVICE OR FACILITY</b>	<b>FEE PER NIGHT</b>
<b>Fees by specified campsite – Peach Tree Creek Campground</b>	
Specified campsite up to 6 persons and one carpark space (Peak Season)	1.03 fee units
Specified campsite up to 6 persons and one carpark space (Off Peak Season)	0.93 fee units
Specified campsite up to 6 persons and one carpark space (Shoulder Season)	0.98 fee units
Additional carpark space	0.68 fee units

**Table 3 – Plenty Gorge Parklands**

<i>Column 1</i>	<i>Column 2</i>
<b>IMPROVEMENT, SERVICE OR FACILITY</b>	<b>FEE PER NIGHT</b>
<b>Fees by specified campsite or for roofed accommodation</b>	
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
<b>Fee for campground facility</b>	
Nioka Bush Camp Hall including kitchen – exclusive use of kitchen & hall facilities (camping fees additional)	18.20 fee units

**Table 4 – Yarra Valley Parklands**

<i>Column 1</i>	<i>Column 2</i>
<b>IMPROVEMENT, SERVICE OR FACILITY</b>	<b>FEE PER NIGHT</b>
<b>Fee by specified campsite</b>	
Longridge Park Exclusive Site	11.90 fee units

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