

VICTORIA GOVERNMENT G A Z E T T E

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By Authority L. V. North, Government Printer Melbourne

GENERAL

Gazette Services

The *Victoria Government Gazette* (VGG) is published by VGPO for the State of Victoria and is produced in three editions.

VGG General is published each Wednesday and provides information regarding Acts of Parliament and their effective date of operation; Government notices; requests for tenders; as well as contracts and contracts accepted. Private notices are also published.

VGG Special is published any day when required for urgent or special Government notices. VGG Special is made available automatically to subscribers of VGG General.

VGG Periodical is published on Monday when required and includes specialised information eg. Medical, Dental, Pharmacist's Registers, etc.

Government Advertising

Publishing Details

The following Guidelines should be followed to ensure publication of Government material in the *Victoria Government Gazette*.

- Duplicate copies should be submitted for use by the Gazette Officer.
- Material submitted to the Executive Council for gazettal will normally be published in the following week's issue.
- Where urgent gazettal is required, contact:
Gerd Gaspars
Gazette Officer
Department of the Premier and Cabinet
Ground Floor 1 Treasury Place
Melbourne 3000
Telephone inquiries (03) 651 5153
- Government advertising other than material for the consideration of the Executive Council should be forwarded to the Gazette Office no later than 9.30 am on Tuesday.
- Lengthy or complicated notices should be forwarded several days before publication.
- Proofs will be supplied only when requested or at the direction of the Gazette Officer.
- No additions or amendments to material for publication will be accepted by telephone.
- Double rates for advertising in the Special Gazette will apply.

Private Advertising

Publishing Details. Send copy to:

VGG Coordinator
Gazette Advertising
VGPO
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Telephone inquiries (03) 320 0100
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- There are approximately 20 words to each column centimetre depth.
- Signatures (in particular) and proper names must also be in block letters.
- All material should be double spaced.
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Copy Deadline

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- (b) light or cause to be lit any fire except in any properly constructed fireplace provided for that purpose;
- (c) camp;
- (d) drive any vehicle other than on a formed road or car park open to the public;
- (e) put or allow to remain any sheep, horses, cattle, pigs or other animals;
- (f) organise or take part in any public entertainment game or sport;
- (g) disturb or remove any soil, sand, humus, gravel or rock—(Rs 14322).

Dated 2 August 1991

DOUG MILLER, Acting Director
National Parks and Public Land Division
Delegate of the Minister for
Conservation and Environment

Every person who contravenes or fails to comply with these Regulations shall be liable to the penalties prescribed in section 13 of the *Crown Land (Reserves) Act 1978*. 20090

Regulations

"MOSSOP BUSHLAND RESERVE"

Reserve for the Conservation of an Area of
Natural Interest

I, Steven Marshall Crabb, Her Majesty's Minister for Conservation and Environment in and for the State of Victoria under the powers conferred on me by section 13 of the *Crown Land (Reserves) Act 1978* do make the following Regulations for or with respect to Crown Allotment 2D, Parish of Underbool temporarily reserved as a site for the conservation of an area of natural interest by Order in Council of 19 February 1991 (hereinafter referred to as "the reserve").

1. The reserve shall be open to the public at all times free of charge.
2. In the reserve no person shall—
 - (a) enter or remain who may offend against decency as regards dress, language or conduct or who may behave in a disorderly, unseemly or offensive manner, or create or take part in any disturbance;
 - (b) carry, use or discharge any firearm, air rifle or any other weapon;
 - (c) carry or use any trap, snare, net or other device for the capture of animals;
 - (d) disturb, interfere with or destroy any bird or other animal or its lair or nest;
 - (e) interfere with, mark, deface or damage any buildings, gates, fences, barriers, seats, signs or other improvements;
 - (f) deposit any litter except in receptacles provided for the purpose;

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- (g) erect buildings, nor sell or offer to sell or hire any article or commodity;
- (h) permit any dog unless such dog is at all times controlled by a chain, cord or leash.

3. In the reserve no person shall, unless authorised in writing by the Regional Manager, Department of Conservation and Environment, Mildura—

- (a) interfere with, mark, deface or damage, pick or injure any tree, shrub, flower, plant or any other vegetation;
- (b) light or cause to be lit any fire except in any properly constructed fireplace provided for that purpose;
- (c) camp;
- (d) drive any vehicle other than on a formed road or car park open to the public;
- (e) put or allow to remain any sheep, horses, cattle, pigs or other animals;
- (f) organise or take part in any public entertainment game or sport;
- (g) disturb or remove any soil, sand, humus, gravel or rock—(Rs 14330).

Dated 2 August 1991

DOUG MILLER, Acting Director
National Parks and Public Land Division
Delegate of the Minister for
Conservation and Environment

Every person who contravenes or fails to comply with these Regulations shall be liable to the penalties prescribed in section 13 of the *Crown Land (Reserves) Act 1978*. 20090

Regulations

PHILLIP ISLAND FORESHORES AND OTHER RESERVES

I, Steven Marshall Crabb, Her Majesty's Minister for Conservation and Environment in and for the State of Victoria, in pursuance of the powers conferred on me by section 13 of the *Crown Land (Reserves) Act 1978* do hereby make the following Regulations for or with respect to the Crown land in the Parish of Phillip Island and the Townships of Cowes, Rhyll, Newhaven and Ventnor shown coloured red on plans marked P.I.E./10.1.91, P.I.W./10.1.91, R/10.1.91, C/10.1.91, N/10.1.91 and V/10.1.91 attached to Department of Conservation and Environment Correspondence No. Rs 5133 (hereinafter referred to as the "Reserve").

The Regulations are made in lieu of all previous Regulations made in respect to the Reserve, which are hereby revoked.

1. Title

The Regulations may be cited as the Phillip Island Foreshores and other Reserve Regulations 1990.

2. Definitions

In these Regulations, unless inconsistent with the context or subject-matter—

“Act” means the *Crown Land (Reserves) Act 1978*.

“Appointed Officer” means any person appointed, in writing, by the Management Authority as an authorised officer for the purpose of these Regulations and (except for the purpose of receipt of any fees or the grant, variation or revocation of any permit) any member of the Police Force and any authorised officer appointed, under section 83 of the *Conservation, Forests and Lands Act 1987*.

“Camp” without limiting the generality of the term includes—

- (a) to erect, occupy or use any tent or any form of temporary accommodation; or
- (b) to park, occupy or use any caravan or other movable form of accommodation;
- (c) any vehicle used for overnight sleeping.

“Camping Area” means any part of the Reserve set apart by the Management Authority as a site for camping purposes.

“Firearm” includes any rifle, gun, pistol or air gun or like thing using cartridges, catapult, bow and arrow, crossbow, and any other implement designed to discharge missiles capable of injuring, damaging or destroying any person, animal or thing.

“Litter” includes any bottle, carton, package, paper, glass, food, offal, animal carcass, vegetable matter or other refuse or rubbish.

“Management Authority” means the Committee of Management appointed by the Minister under the Act to manage the Reserve or, where a Committee of Management has not been appointed, the Regional Manager of Conservation and Environment in the Region in which the Reserve is located.

“Minister” means the Minister administering the *Crown Land (Reserves) Act 1978*.

“Permit” includes any authority, approval, consent, permission, receipt, ticket or the like given, granted or issued by the Management Authority under the Act or these Regulations.

“Vehicle” includes any motor car, motor cycle, bus, truck, bicycle, cart, horse-drawn vehicle, caravan, trailer, water draft, hovercraft or any other motorised vehicle.

3. Entry or use of facilities

The Management Authority may from time to time determine or vary the conditions of entry to the Reserve or the use of conveniences, facilities and amenities of any description in any part of the Reserve.

4. Fees

The Management Authority may determine such fees as are appropriate from time to time for the use or occupancy of the Reserve for any activities.

5. Permits

(1) The Management Authority may determine the condition of any permit granted under these regulations.

(2) The Management Authority or an appointed officer may at their discretion grant permits for—

- (a) the use by any person, club or association of any area enclosed or set aside for a particular purpose or activity under these regulations;
- (b) the admission and entry to the Reserve or any part thereof;
- (c) any other purpose for which a permit is required under these regulations.

(3) The holder of a permit must observe and comply with all conditions of that permit.

(4) Any permit granted under these regulations may be revoked or withdrawn at the discretion of the Management Authority or an appointed officer.

(5) Any person purporting to hold any permit must produce it on demand by an appointed officer and unless such permit is produced, that person shall not be entitled to claim the benefit of any such permit.

(6) No permits shall be transferable without the written consent of the Management Authority.

6. Powers of Appointed Officer

(1) An appointed officer may direct a person who in his or her opinion offends against any of the regulations to leave the reserve or any place therein.

(2) Every person who fails to comply with any such direction within a reasonable time shall be deemed to be guilty of an offence under these regulations.

(3) If, in the opinion of an appointed officer, a person has contravened or failed to comply with any provisions of these regulations then the officer may demand the name and address of such person.

(4) Any person who refuses when asked by such officer to furnish their name and address or

who furnishes an incorrect name and address shall be deemed to have committed an offence against these regulations.

(5) A person must not assault, abuse, hinder or interfere with an appointed officer or an employee of the management authority in the execution of their duty in the reserve.

(6) An appointed officer may at any time in a reserve stop any vehicle which the officer believes on reasonable grounds has been used or is likely to be used in a breach of the regulations or contains a person or persons who the said appointed officer believes on reasonable grounds has committed or is likely to commit a breach of the regulations.

7. Behaviour

A person must not, in the reserve—

- (a) offend against decency as regards dress, language or conduct;
- (b) commit or create or knowingly permit or allow to continue any act which creates a nuisance, or any annoyance to any person in the reserve, or do or suffer to be done any act which in the opinion of an appointed officer, is or is likely to cause annoyance or disturbance or danger to persons using the reserve.

8. Protection of Flora and Fauna

A person must not, in the reserve, except in accordance with a written permit—

- (a) remove, cut, damage, displace, deface or interfere with any rock, timber, tree, shrub, plant, wildflower or other vegetation;
- (b) dig up disturb or remove from or bring into the reserve any gravel, stone, shell-grit, sand, soil or loam;
- (c) deposit, sow or bury any seeds, bulbs, cuttings, prunings, garden waste or any other plant material, or any carcasses, manure or other animal material;
- (d) shoot, trap, maim, injure, kill, destroy or interfere with any bird or animal;
- (e) have in their possession or carry or use any firearm, poison, trap or snare, with the exception of equipment to be used for recreational water activities.

9. Protection of Structures

A person must not, in the reserve, except in accordance with a written permit, remove, alter, damage, displace, deface or interfere with any sign, noticeboard, seat, table, gate post, fence, bridge, building, structure or any other thing of a like nature.

10. Seizure

(1) Any axe, saw, shovel, knife, implement, firearm, trap, snare, poison or other substance found being used in contravention of the

regulations may be seized by an appointed officer and retained by such officer until the completion of proceedings in a court of law.

(2) If equipment is seized pursuant to sub-regulation 10 (1) and proceedings are not instigated within 28 days, the said equipment shall be returned to the owner.

(3) If equipment is to be returned to the owner pursuant to sub-regulation 10 (2), the Management Authority shall notify the owner in writing, and the Management Authority shall be responsible for returning the said equipment.

11. Enclosures

A permit must not, without the consent in writing of the Management Authority, enter any area in the reserve which is enclosed and designated by sign or notice for the plantation of young trees, shrubs or grass plots or for the rehabilitation or preservation of native flora or any other purpose.

12. Fires

A person must not without a permit light a fire within the reserve except in a portable barbecue or in a fireplace provided by the Management Authority for the purpose and any person who lights a fire in the reserve shall take all reasonable and proper precautions to ensure that the fire does not escape from control; nor shall any person do make or permit any act or omission which may result or be likely to result in damage by fire to structure, tree, vegetation, bird, animal, insect, appurtenances or equipment on the reserve.

13. Refuse and Litter

(1) A person within the reserve shall not deposit or cause to be deposited, except in a receptacle provided for the purpose, any litter.

(2) A person must not bring, discharge or direct into the reserve or deposit or allow to remain in the reserve any domestic or household waste, car body, building material or other waste;

(3) A person must not wilfully break any glass, bottle or other container within the reserve.

(4) Any person who breaks any glass in the reserve must gather up the pieces and remove them or place them in a receptacle provided for litter.

14. Dogs

(1) A person must not cause, suffer or permit any dog belonging to them or in their charge to be brought into or to enter or remain in any portion of a Reserve except at specific times and in specified locations as indicated by sign or notice.

(2) A dog brought into the Reserve during the permitted times shall at all times be under effective control.

(3) Nothing in these Regulations shall prohibit a blind person from bringing in or using a guide dog in the Reserve.

15. Horses

A person must not ride, drive or lead any horse upon the Reserve or allow any horse to swim in the Reserve except within specified areas as indicated by sign or notice and under any conditions that the Management Authority may from time to time determine.

16. All Animals

(1) Except as provided under Regulations 14 and 15, a person must not cause or suffer or knowingly permit any animal belonging to them or in their charge to be brought into or remain in the Reserve without a permit.

(2) Any dog found in the Reserve may be seized by an appointed officer and may be dealt with in accordance with the *Dog Act* 1970, and the owner of the dog shall be liable to pay for any damage done by such animal to any property in the Reserve.

(3) Any animal found in the Reserve may be impounded and dealt with in accordance to any laws relating to stray animals.

17. Roadways

A person must not, unless authorised by the Management Authority, drive, ride, push, pull, place or leave any vehicle in or on the Reserve except in or upon such roadways or areas as are set aside for the purpose, and a person must not allow any vehicle to remain stationary in any position where it may cause undue or unreasonable obstruction to the lawful passage of others.

18. Vehicles

Within the Reserve a person must not—

- (a) drive a vehicle in a manner dangerous to the public;
- (b) drive any vehicle so as to cause noise which is unreasonable in the circumstances;
- (c) race any type of engine powered vehicle.

19. Parking

A person must not park any vehicle within the Reserve except—

- (a) in an area set apart for the purpose and clearly defined by signs;
- (b) as and where directed by an appointed officer;
- (c) upon payment of such fees as may be determined.

20. Stationary and Abandoned Vehicles

(1) An appointed officer may remove or cause to be removed or order the removal of any

parked, stranded, or broken down vehicle, from any roadway or area within the Reserve.

(2) Failure to comply with a direction of an appointed officer shall constitute an offence against the Regulations.

(3) A person who seeks to recover possession of a vehicle removed under sub-regulation (1) must pay to the Management Authority an amount equal to the cost to the Management Authority of removing and storing the vehicle.

(4) The Management Authority may retain possession of a vehicle until the amount payable under sub-regulation (3) has been paid.

21. Business and Advertising

A person must not in any part of the Reserve except under a permit in writing—

- (a) sell or offer for sale any article whatsoever;
- (b) give out, distribute, erect, leave, set up or display any handbill, placard, notice, pamphlet, book, paper, advertising matter or any like thing;
- (c) erect or place therein any building, booth, shed or other structure;
- (d) solicit or collect money or orders for goods or services;
- (e) take part in or advertise any entertainment for gain;
- (f) use any amplifier, public address system, loud hailer or similar device;
- (g) offer for hire any article, device or thing;
- (h) take photographs for gain or commercial purposes;
- (i) use any vehicle for hire or carry passengers for fee or reward;
- (j) conduct any school or provide any form of instruction for gain;
- (k) advertise for sale or trade or hire any article device, service or thing;
- (l) operate any portable or stationary generator, air compressor or chainsaw.

22. Directions by Notice or Sign

(1) A person must not wilfully disobey the directions displayed in a notice or sign in the Reserve.

(2) A person must not erect or remove or deface any notice or sign referred to in sub-regulation (1) except with the authority of the Management Authority.

23. Use of Facilities

A person must not—

- (a) use any kitchen, laundry, change-room, shower, or other convenience or any part thereof in the Reserve except for its proper purpose and upon payment of such fees (if any) and as may be fixed in any permit; and

- (b) enter or use or permit any child under their care or control to enter or use any place, room, convenience, or structure set apart for the use of the opposite sex provided that this Regulation shall not apply to a child under the age of six years when accompanied by an adult of the opposite sex.

24. Camping Areas

The Management Authority may—

- (a) fix such fees or other charges as it may from time to time determine for the entry use or occupation of any camping area or of any facilities or sites therein;
- (b) determine conditions under which any camp site may be occupied or used including duration of stay, conduct of campers and site cleanliness.

25. Camping

(1) A person must not camp in any part of the Reserve except in camping areas.

(2) If in the opinion of an appointed officer, a tent or any temporary accommodation facility has been erected without a permit issued in accordance with the Regulations, the said appointed officer may remove such tent or temporary accommodation facility and take it to a place of safe keeping.

(3) If a tent or any temporary accommodation facility is removed in accordance with Regulation 25 (2), the appointed officer affecting such removal must leave a notice of removal at the site of removal, which shall indicate to the owner of the tent or temporary accommodation facility, the place where such tent or temporary accommodation facility can be collected.

(4) A person who occupies a camp site in accordance with a permit issued under the Regulations shall ensure that the site is maintained in a clean and tidy condition.

26. Boat Launching

The Management Authority may—

- (a) set apart any portion of the Reserve as boat launching areas;
- (b) fix such fees or other charges as it may from time to time determine for the use of such boat launching areas.

27. Games

A person must not—

- (a) throw any stone or substance or missile within the Reserve;
- (b) engage in any game, activity, or sport likely to cause interference, disturbance, inconvenience or danger to others using the Reserve.

28. Beach Umbrellas

A person must not on the Reserve use a beach umbrella or similar device for providing shade or protection unless it is securely anchored—

- (a) by means of a disc of weatherproof plywood at least 30 centimetres in diameter fitted over the shaft immediately above the tip and the disc buried in the ground to a depth of at least 30 centimetres;
- (b) by means of bag filled with at least 5 kilograms dry weight of sand securely tied to the shaft at ground level; or
- (c) by means of a device with an equivalent effect to an anchoring device referred to in sub-paragraph (a) or (b).

29. Compliance

Any person who contravenes or fails to comply with these Regulations is guilty of an offence and shall be liable to the penalties fixed by section 13 of the *Crown Land (Reserves) Act 1978*.

Dated 2 August 1991

DOUG MILLER, Acting Director
National Parks and Public Lands
Delegate of the Minister for
Conservation and Environment

20090

Police Regulation Act 1958—Section 122
SALE OF UNCLAIMED PROPERTY

An owner is required for an unregistered red Honda trail bike with engine No. PE01E-5309841.

The vehicle came into the possession of police on 10 February 1991, and if not claimed it will be sold at public auction at 10 a.m. on Monday, 2 September 1991, at the Avondale Heights Police Station, 162 Military Road, Avondale Heights.

20610/1 K. GLARE
Chief Commissioner

Road Safety Act 1986

MOTOR CYCLE RELIABILITY TRIAL

Under section 68 (3) of the *Road Safety Act 1986*, I declare that sub-sections (1) and (2) of section 68 of the Act, the Road Safety (Traffic) Regulations 1988 and Parts 9 and 10 of the Road Safety (Vehicles) Regulations 1988 shall not apply with respect to the event known as the Round 8 Yamaha Victorian Enduro Series, to be conducted by the Warragul Motorcycle Club on sections of road within the Noojee Forest District, on Sunday, 22 September 1991 between the hours of 8.30 a.m. and 3.30 p.m.

Dated 31 July 1991

JOHN McMILLAN
Director-General of Transport
20840 Delegate of the Minister for Transport