



Victoria Government Gazette

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SPECIAL

Marine Act 1988

APPOINTMENT OF PARKS VICTORIA AS A LOCAL AUTHORITY

Specification of Functions and Powers

I, Robin Cooper, Acting Minister for Roads and Ports make the following Order:

1. Acting under s.3(3)(b) of the **Marine Act 1988** and all other enabling powers I revoke all previous declarations of a local authority for the State waters described below and declare Parks Victoria to be a local authority in respect of the following State waters:

Designated Port of Port Phillip

Designated Port of Western Port

Yarra river upstream of the Charles Grimes Bridge

Maribyrnong River upstream of Shepherds Bridge on Footscray Road

Patterson River upstream of Nepean Highway Bridge to Eumemmering Creek

2. Acting under s.112(2) of the **Marine Act 1988** and all other enabling powers, I SPECIFY that Parks Victoria (appointed as a Committee of Management of Crown land within a designated port) has the following functions and powers in relation to -

the Designated Port of Port Phillip

the Designated Port of Western Port

as a local authority within the meaning of s.112 (2) of the Act:

- (a) To manage the port and its operations in a safe, efficient and effective manner.
- (b) To provide and maintain navigational aids and navigation channels, other than those provided by the Victorian Channels Authority.
- (c) To plan, design, construct and maintain and to authorise and control the construction, use and maintenance of port works and facilities including wharves, jetties, slipways, breakwaters, moorings, berths, buildings, dredging and navigational aids;

- (d) To determine, impose and collect tolls rates, fees or other charges for the use of the port or for the construction, use or operation of port works or facilities, or services.

3. In addition, I SPECIFY that Parks Victoria has and may exercise, in relation to any designated port for which it is the local authority the powers under the following sections of Parts II, III and IV of the **Port of Melbourne Authority Act 1958** as in force on 1 January 1995-

Port of Melbourne Authority Act 1958, s.39, s.41, s.43, s.47, s.55, s.59, s.60, s.61, ss.63-66, s.68, s.73, s.75A, ss.77-79, ss.81-83, ss.85-94, ss.97-98, ss.106B-110A, and ss.112-114A;

and those in the following provisions of the Port of Melbourne Authority (No. 2) Regulations 1988 as in force on 1 January 1995-

Port of Melbourne Authority (No 2) Regulations 1988, regs. 201, 422 (2), 422 (3), 427 (4), 431, 435, and 601.

In exercising these powers in the declared port waters of the Port of Melbourne and the Port of Geelong (as defined in s.3 of the **Port Services Act 1995**), Parks Victoria will do so in accordance with the provisions of a Memorandum of Understanding entered into by Melbourne Parks and Waterways with the Victorian Channels Authority.

4. This Order shall operate on and from the day upon which Parks Victoria is appointed as a Committee of Management under s.14 of the **Crown Lands (Reserves) Act 1978** for any Crown land within the designated Port of Port Phillip and the designated Port of Western Port.

Dated: 2 July 1998

ROBIN COOPER
Acting Minister for Roads and Ports

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