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Crown Land (Reserves) Act 1978

CROWN LAND (RESERVES) (YARRA PARK) REGULATIONS 2010

I, Vivienne Clare, Acting Director, Public Land Use and Development, as delegate of the Minister for Environment and Climate Change, make the following Regulations.

PART 1 – PRELIMINARY

1 Objectives

The objectives of these Regulations are to provide for the—

- (a) care, protection and management of Yarra Park Reserve;
- (b) preservation of good order and the safety of persons in Yarra Park Reserve; and
- (c) use of Yarra Park Reserve and use of any improvements, services or facilities in Yarra Park Reserve.

2 Authorising provisions

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

3 Commencement

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

4 Expiry

These Regulations expire on the day that is ten years after the day on which they come into operation.

5 Definitions

In these Regulations –

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

‘**aircraft**’ includes an aeroplane, an airship, a blimp, a helicopter, a glider, a hot air balloon, a hang glider, a paraglider, a parachute or an ultra-light aircraft;

‘**animal**’ includes every species of quadruped and every species of bird whether in a natural or domestic state;

‘**authorised officer**’ has the same meaning as in the Act;

‘**camp**’ means –

- (a) to erect, occupy or use a tent or any similar form of accommodation including a swag; or
- (b) to erect, park, occupy or use a caravan, camper van or other movable form of accommodation or temporary structure

for the purposes of accommodation;

‘**car parking attendant**’ means a person engaged in the provision of car parking in the Park for a major event and may include an employee of the Committee, an employee of the delegate or a contractor, agent, volunteer or other person carrying out any work for or acting on the authority or instruction of an employee of the Committee, the delegate of the Committee or an employee of the delegate;

‘**Committee**’ means the Melbourne Cricket Ground Trust taken to be appointed under the Act as the Committee of Management for Yarra Park Reserve;

‘**damage**’ includes to alter, cut or deface;

SPECIAL

‘**fauna**’ means any animal life which is indigenous to Victoria but does not include humans or fish;

‘**fire**’ includes a barbecue that uses solid, liquid or gaseous fuel;

‘**firearm**’ has the same meaning as in the **Firearms Act 1996**;

‘**flora**’ means any plant or part of a plant in any stage of biological development, whether the plant or part of a plant is vascular or non-vascular and whether alive or dead;

‘**major event**’ has the same meaning as in the **Melbourne (Yarra Park) Land Act 1980**;

‘**organised sport and recreational activity**’ includes activities that –

- (a) are planned, advertised or communicated in advance; and
- (b) involve teams, uniforms, equipment or line markings; or
- (c) are part of a wider competition or series of events;

‘**Park**’ means the Yarra Park Reserve as defined in the **Melbourne (Yarra Park) Land Act 1980**;

‘**pathway**’ means a footpath, bicycle path, shared path or other thoroughfare constructed or developed for use by members of the public other than with a motor vehicle;

‘**sell**’ means –

- (a) sell, barter or exchange;
- (b) agree to sell, barter or exchange;
- (c) offer or expose for sale, barter or exchange;
- (d) send, forward, deliver or receive for or on sale or for barter or exchange;
- (e) keep or have in possession for sale, barter or exchange;
- (f) attempt any such act or thing; and

‘**sale**’ and ‘**sold**’ have corresponding meanings;

‘**sound producing device**’ means a device, the main function of which is to make, reproduce or amplify sound;

‘**specific use area**’ means an area set aside by a determination of the Committee under regulation 8(1);

‘**take**’ means –

- (a) in relation to flora, to kill, injure or disturb any live flora, or to remove or collect all or part of any flora whether dead or alive; and
- (b) in relation to fauna and other animals, to kill, injure or disturb any fauna or other animal or to remove any fauna or other animal whether alive or dead;

‘**vehicle**’ has the same meaning as in the **Road Safety Act 1986** but does not include a wheel chair, motorised wheelchair, pram, stroller or other similar device for the conveyance of disabled or injured persons or children.

6 Application of Regulations

These Regulations do not apply to –

- (a) the Committee or an employee of the Committee, or a delegate of the Committee or employee of the delegate, when acting in the course of his or her duties;
- (b) an authorised officer who is acting in the course of his or her duties;
- (c) a contractor, agent, volunteer or other person carrying out any work for or acting on the authority or instruction of the Committee or an employee of the Committee, or a delegate of the Committee or employee of a delegate, when acting in accordance with the instruction or authorisation;
- (d) a person acting in accordance with a lease, licence, tenancy or permit granted or issued under the Act or another Act over land in the Park, to the extent that the activities authorised by that lease, licence, tenancy or permit are inconsistent with these regulations.

PART 2 – ADMINISTRATION OF THE PARK BY THE COMMITTEE**7 Park to be open to the Public**

The Park is open to the public free of charge subject to these Regulations.

8 Areas set aside as specific use areas

- (1) The Committee may, by determination, set aside a specified area of the Park as a specific use area.
- (2) A person must not enter or be in a specific use area, unless that person does so –
 - (a) in accordance with the determination of the Committee under which the area is set aside; or
 - (b) under and in accordance with a permit issued by the Committee.
- (3) The Committee may issue a permit to a person to enter or be in a specific use area.

9 Determination of the Committee

- (1) In a determination by the Committee made under these Regulations relating to the nature or use of an area, the Committee may specify conditions on the use of that area and the times and or periods during which areas set aside under regulation 8 may be used for the purpose for which they are set aside.
- (2) If the Committee has made a determination under these Regulations the Committee must cause signs or notices to be erected or displayed near to the area specified in the determination indicating –
 - (a) if appropriate, that it is a specific use area; and
 - (b) if appropriate, details of any specific use that the Committee has determined is permitted or restricted in that area; and
 - (c) any conditions on the use of the area specified under subregulation (1).
- (3) The Committee may revoke or amend a determination made under these Regulations.
- (4) If the Committee revokes or amends a determination under subregulation (3) the Committee must –
 - (a) in the case of revocation, remove any notices of the revoked determination displayed in accordance with subregulation (2); or
 - (b) in the case of amendment, cause a notice providing details of the amendment to be displayed at each of the places where a notice of the original determination is displayed under subregulation (2).

10 Permits

- (1) A permit issued by the Committee under these Regulations authorises the holder of the permit to enter and use an improvement, service or facility or to enter or be in an area of the Park –
 - (a) for the purpose specified in the permit; and
 - (b) for the period specified in the permitsubject to any terms and conditions specified in the permit.
- (2) A permit issued by the Committee under these Regulations must be in writing.
- (3) The holder of a permit must comply with any terms and conditions of that permit.
- (4) The Committee may cancel a permit at any time –
 - (a) if the holder of the permit has –
 - i. breached the conditions of the permit; or
 - ii. 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 Park; or
 - (c) for the purposes of management of the Park.
- (5) If a permit is cancelled under subregulation (4), the Committee must cause the holder of the permit to be notified in writing of the cancellation of the permit within a reasonable time after the cancellation.
- (6) The cancellation of a permit under subregulation (4) comes into effect when the holder of the permit receives notice of that cancellation in accordance with subregulation (5).
- (7) A person must not interfere with or obstruct the entry or use by the holder of a permit and his or her invitees of any improvement, service, facility or area of the Park that is the subject of the permit.

11 Fees

- (1) The Committee may impose a fee for the use of an improvement, service or facility in the Park.
- (2) The fee that may be imposed by the Committee for the use of a particular improvement, service or facility in the Park for various activities under subregulation (1) must not exceed the amount set out in Column 2 of Table 1 in the Schedule opposite the corresponding improvement, service or facility set out in Column 1 of that Table.
- (3) If the Committee by determination sets aside an area of the Park for car parking for a major event the Committee may impose a fee not exceeding the amount set out in Column 2 of Table 2 in the Schedule.

PART 3 – USE AND CONTROL OF THE PARK**12 Dangerous or disturbing activities**

A person must not, in the Park –

- (a) throw or hit an object; or
- (b) play a game; or
- (c) produce noise; or
- (d) engage in any other activity –

in a manner that is likely to cause danger, injury or unreasonable disturbance to any person, flora, fauna or other animals or property.

13 Destroying buildings and other assets

A person must not, in the Park, destroy, damage, remove, displace or interfere with anything constructed, erected or provided in the Park by the Committee.

14 Entry of animals

- (1) The Committee may, by determination, set aside a specific use area of the Park as an area in which dogs may be present without being restrained by a hand lead or cord.
- (2) A person must not, in the Park, bring in, or allow to remain, any animal, except a domestic dog or cat which is restrained by a hand lead or cord, unless that person does so under and in accordance with a permit issued by the Committee.
- (3) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (2).

15 Removal of animal faeces

A person in charge of any animal in the Park must collect and remove any excrement left in the Park by that animal or ensure that the excrement is placed in a receptacle provided in the Park for that purpose.

16 Vehicles

- (1) A person must not operate a vehicle in an area of the Park or bring a vehicle into an area of the Park in contravention of a determination of the Committee unless the person does so in accordance with a permit issued by the Committee.
- (2) The Committee may, by determination, set aside a specific use area in the Park as an area in which the presence and operation of all vehicles or classes of vehicles specified in the determination is prohibited, restricted or permitted at specified times and for specified purposes.
- (3) The Committee must erect signs indicating where vehicles may be operated and parked.
- (4) A person who is in charge of a vehicle of a type identified in a determination in the Park must not operate that vehicle in contravention of a notice or sign erected by the Committee that relates to the operation of vehicles in the Park.
- (5) A person must not park or leave a vehicle stationary in the Park in a manner that:
 - (a) obstructs other persons or other vehicles; or
 - (b) contravenes any sign or notice erected by the Committee.
- (6) An authorised officer may direct a person in charge of a vehicle to move the vehicle or remove the vehicle from the Park if –
 - (a) the vehicle is parked or standing contrary to any determination made under these regulations; or
 - (b) in the reasonable opinion of the authorised officer the vehicle is obstructing or likely to obstruct the passage of people or other vehicles in the Park; or
 - (c) the vehicle is a danger or likely to be a danger to people using the Park or is likely to cause injury or damage to property in the Park; or
 - (d) the vehicle is being driven in a manner which is likely to prejudice the safety of persons or cause injury or damage to property in the Park.
- (7) When directed to do so by an authorised officer, a person must immediately –
 - (a) move a vehicle as directed within the Park; or
 - (b) remove a vehicle from the Park.

17 Car parking for various purposes

- (1) The Committee may, by determination, set aside a specified area of the Park in which:
 - (a) car parking for a major event may be provided subject to section 9(2) of the **Melbourne (Yarra Park) Land Act 1980**; or
 - (b) car parking for the management, use and enjoyment of the facilities at the Melbourne Cricket Ground may be provided when major events are not being held at the Melbourne Cricket Ground, subject to section 9(3) of the **Melbourne (Yarra Park) Land Act 1980**; or
 - (c) car parking for the management, use and enjoyment of the facilities at the Punt Road Oval may be provided subject to section 9(4) of the **Melbourne (Yarra Park) Land Act 1980**; or
 - (d) car parking may be provided for any purpose that is consistent with the purposes of the reservation of the Park.
- (2) A person must not, in the Park:
 - (a) drive or park a car contrary to signs or notices erected by the Committee;
 - (b) drive a car in excess of the maximum speed specified on signs or notices erected by the Committee;

- (c) park or leave a car standing in the Park in a manner that obstructs other persons or other cars other than as directed by a car parking attendant;
- (d) drive or park a car in a manner that is contrary to the reasonable directions of a car parking attendant when the Committee is providing car parking for a major event under section 9 of the **Melbourne (Yarra Park) Land Act 1980**; or
- (e) drive or park a car on a lawn or other unpaved area of the Park, other than at Punt Road Oval as provided for in the Act when the Committee is not providing car parking for one or more major events.

18 Advertising and soliciting

- (1) A person must not, in the Park, solicit or collect money or a subscription or sell a raffle ticket unless the person does so under and in accordance with a permit issued by the Committee.
- (2) A person must not, in the Park –
 - (a) display any advertising sign; or
 - (b) display, hand out, distribute or place on any vehicle or permanent structure or plant or tree, any advertisement, book, handbill, notice, pamphlet, paper, placard, program or other printed matter or allow that to occur ; or
 - (c) solicit or try to attract trade or business or tout or spruik or allow any person to solicit or try to attract trade or business or tout or spruik –
unless the person does so under and in accordance with a permit issued by the Committee.
- (3) The Committee may issue a permit to a person authorising the activities specified in subregulations (1) and (2) in the Park.

19 Commercial Activities

- (1) A person must not, in the Park –
 - (a) sell, trade or hire any goods or services or advertise, offer or display any goods or services for sale, trade or hire; or
 - (b) take any photograph, film, video or audio recording or make any television or radio broadcast for commercial purposes, public exhibition or as part of a course conducted by a tertiary institution; or
 - (c) offer or display any vehicle for hire or carry passengers for reward; or
 - (d) sound or play a musical instrument, sing, give a recitation or perform any conjuring, juggling, puppetry, mime or dance or other entertainment or do any of those things concurrently for reward; or
 - (e) draw any message, picture or representation on a wall or pavement surface for reward; or
 - (f) undertake any other commercial activity –
unless the person does so under and in accordance with a permit issued by the Committee.
- (2) Subregulation (1)(c) does not apply to any person operating a commercial passenger vehicle within the meaning of section 86 of the **Transport Act 1983** where the person is operating the vehicle in a way that is consistent with a determination of the Committee under regulation 16.
- (3) The Committee may issue a permit to a person authorising the holder to –
 - (a) sell, trade or hire any goods or service or advertise, offer or display any goods or services for sale, trade or hire in the Park; or

- (b) take any photograph, film, video or audio recording or make any television or radio broadcast in the Park for commercial purposes, public exhibition or as part of a course conducted by a tertiary institution; or
 - (c) offer or display any vehicle for hire or carry passengers for reward in the Park; or
 - (d) sound or play a musical instrument, sing, give a recitation or perform any conjuring, juggling, puppetry, mime or dance or other entertainment or do any of those things concurrently for reward in the Park; or
 - (e) draw any message, picture or representation on a wall or pavement surface for reward in the Park; or
 - (f) undertake any other commercial activity in the Park.
- (4) The Committee may impose a fee for a permit to use an improvement, service or facility in the Park to undertake an activity specified paragraph (1)(a), (1)(b), (1)(c), 1(d), 1(e) or (1)(f). Such a fee must not exceed the amount set out in Column 2 of Table 1 in the Schedule opposite the corresponding event, function, improvement, service or facility set out in Column 1 of that Table.

20 Pathways

- (1) The Committee may, by determination, set aside a specified area of the Park as a pathway.
- (2) A person must not use an area of the Park that has been set aside as a pathway unless the person does so in accordance with –
 - (a) the determination by the Committee under subregulation (1) setting the area aside: and
 - (b) any signs or notices displayed on or near the pathway; and
 - (c) any markings on the pathway.
- (3) A person must not use a pathway or an area adjacent to a pathway in a manner that is likely to obstruct, hinder or prevent any other person using the pathway or an area adjacent to the pathway in accordance with these Regulations.
- (4) Subregulation (2) does not apply to a person who is acting in accordance with a permit issued by the Committee or a determination made by the Committee under these Regulations.

21 Camping

- (1) A person must not camp in the Park, unless that person does so under and in accordance with a permit issued by the Committee.
- (2) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (1).

22 Lighting or maintaining fires

- (1) A person must not light or maintain a fire in the Park, other than in accordance with subregulation (2).
- (2) A person may light or maintain a fire if the person does so at a time and during a period when the lighting of fires is not prohibited under any Act; and the person does so –
 - (a) in a receptacle provided for that purpose; or
 - (b) in a receptacle that is in an area set aside by a determination of the Committee under subregulation (5) for the lighting of a fire or a particular type of fire, in accordance with the determination under which the area is set aside; or
 - (c) if the person does so under and in accordance with a permit issued by the Committee.

- (3) Except as may be otherwise stated in a determination of the Committee under subregulation (5), if a person lights or maintains a fire in an area set aside under subregulation (5) for that purpose, the person must ensure that –
 - (a) the fire is lit and maintained using liquid or gaseous fuel; and
 - (b) the fire is contained in an appliance designed and commercially manufactured to use that fuel; and
 - (c) when alight, the appliance is placed in a stable position; and
 - (d) the ground and airspace within a distance of 3 metres of the fire are clear of flammable material.
- (4) A person who has lit or maintained a fire in accordance with this Regulation must extinguish that fire before leaving the place of the fire.
- (5) The Committee may determine that an area of the Park be set aside for the purposes of subregulation (2)(b).
- (6) The Committee may issue a permit to a person for the purposes of sub regulation (2) (c).

23 Aircraft

- (1) The Committee may, by determination, set aside a specified area of the Park as an area in which a person may –
 - (a) launch or land; or
 - (b) deliver anything by –
an aircraft or a specified class of aircraft.
- (2) A person must not, in the Park –
 - (a) launch or land an aircraft; or
 - (b) deliver anything by an aircraft –
unless that person does so –
 - (c) in accordance with a determination by the Committee under subregulation (1);
or
 - (d) under and in accordance with a permit issued by the Committee.
- (3) The Committee may issue a permit to a person authorising the holder to launch or land an aircraft in the Park or to deliver anything by aircraft to the Park.

24 Protection of flora

- (1) A person must not, in the Park, fell, pick, take, destroy or damage any flora.
- (2) Subregulation (1) does not apply to a person who is –
 - (a) using the Park for the purpose for which it was reserved, if the damage is incidental;
 - (b) engaged in an organised sport or recreational activity in accordance with a permit issued under these Regulations; or
 - (c) engaged in unstructured sport or recreational activities if the damage is incidental; or
 - (d) who is acting under and in accordance with a permit issued under subregulation (3); or
 - (e) using the Park for car parking for major events if the person is not contravening the provisions of these Regulations in relation to car parking and traffic.
- (3) The Committee may issue a permit to a person authorising the holder to pick or take any flora in the Park.

25 Introducing flora

- (1) A person must not plant or introduce any flora in or into the Park.
- (2) Subregulation (1) does not apply to a person who is acting under and in accordance with a permit issued by the Committee.

26 Interfering with archaeological or historical remains

- (1) A person must not, in the Park, excavate, remove, deface, damage or interfere with any archaeological or historical remains or relics.
- (2) Subregulation (1) does not apply to a person acting under and in accordance with a permit issued by the Committee.
- (3) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (1).

27 Interfering with rocks or similar natural objects

- (1) A person must not, in the Park, excavate, remove, destroy or otherwise interfere with any rock or similar natural object.
- (2) Subregulation (1) does not apply to a person acting under and in accordance with a permit issued under subregulation (3).
- (3) The Committee may issue a permit to a person authorising the holder to excavate, remove, destroy, damage, or interfere with any rock or similar natural object in the Park.

28 Digging or removal of material

- (1) A person must not –
 - (a) dig or remove from the Park; or
 - (b) knowingly take into the Park any gravel, shell, grit, sand, soil or other similar material.
- (2) Subregulation (1) does not apply to a person acting –
 - (a) in accordance with a determination made under these Regulations; or
 - (b) under and in accordance with a permit issued under subregulation (3).
- (3) The Committee may issue a permit to a person authorising the holder to dig or remove from the Park or take into the Park any gravel, shell, grit, sand, soil or other similar material.

29 Animals and nests

- (1) A person must not in the Park –
 - (a) kill, injure, take, poison, disturb or interfere in any way with any fauna or other animal; or
 - (b) possess any fauna or other animal, if the animal is not lawfully brought into the Park; or
 - (c) damage or disturb the lair, burrow, habitat or nest of any fauna or other animal.
- (2) A person must not, in the Park –
 - (a) feed, offer food or offer any object as food to any fauna or other animal, if the animal is not lawfully brought into the Park in accordance with these regulations; or
 - (b) permit or allow food to be taken from the possession of the person by any fauna or other animal.

- (3) Subregulation (1) does not apply to a person acting under and in accordance with a permit issued by the Committee.
 - (4) The Committee may issue a permit to a person to, in relation to an animal that is not fauna, engage in an activity referred to in subregulation (1).
- 30 Poisons, firearms, snares and traps**
- (1) A person must not, in the Park, possess, carry or use –
 - (a) poison; or
 - (b) a bow, firearm, spear gun, spear; or
 - (c) a trap, snare, net or similar equipment.
 - (2) Subregulation (1) does not apply to a person who is acting under and in accordance with a permit issued by the Committee.
 - (3) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (1).
- 31 Research or scientific study**
- (1) A person must not in the Park conduct any formal research or scientific study.
 - (2) Subregulation (1) does not apply to a person who is acting under and in accordance with a permit issued under subregulation (3).
 - (3) The Committee may issue a permit to a person authorising the holder to conduct formal research or scientific study in the Park.
- 32 Erecting or using buildings and structures**
- (1) A person must not, in the Park –
 - (a) erect or place any building or structure, including but not limited to any marquee or similar structure or any inflatable castle or similar inflatable device; or
 - (b) enter, occupy or use the whole or any part of any building or structure which is provided for public use, unless that entry, occupation or use is in accordance with the purposes for which the building or structure is provided.
 - (2) Subregulation (1) does not apply to a person who is acting under and in accordance with a permit issued under subregulation (3).
 - (3) The Committee may issue a permit to a person authorising the holder to erect or place a building or structure in the Park or to enter or use a building in the Park for a purpose other than the purpose for which it is provided.
- 33 Engaging in organised sport or recreational activity**
- (1) A person must not engage in an organised sport or recreational activity in the Park unless that person does so under and in accordance with a permit issued by the Committee.
 - (2) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (1).
- 34 Organised events**
- (1) A person must not, in the Park, conduct –
 - (a) an entertainment or show; or
 - (b) a festival, tour, carnival, fete, or public meeting; or
 - (c) a demonstration, training class or similar event; or
 - (d) an animal show or competition; or
 - (e) a wedding or similar ceremony –
unless the person does so –
 - (f) under and in accordance with a permit issued by the Committee; or
 - (g) in accordance with a determination of the Committee setting aside an area of the Park as an area where one more activities referred to in subregulation (1)(a), (1)(b), (1)(c), (1)(d) or 1(e) may be conducted.

- (2) A person must not, in the Park, conduct a private event, that is not a wedding or similar ceremony, for 50 or more persons unless the person does so under and in accordance with a permit issued by the Committee.
- (3) The Committee may issue a permit to a person to conduct an event or function referred to in subregulation (1) or (2).
- (4) An improvement, service or facility set out in Column 1 of Table 1 in the Schedule must not be used for an organised event unless the relevant fee, if any, imposed by the Committee, has been paid.
- (5) The Committee may, by determination, set aside an area of the Park for the purposes of subregulation (1)(g).

35 Sound producing devices or equipment

- (1) A person must not play or operate any sound producing device or equipment in the Park at a volume likely to cause unreasonable disturbance to any person unless the person does so under and in accordance with a permit issued by the Committee.
- (2) Subregulation (1) does not apply to a person who –
 - (a) operates the equipment under and in accordance with a permit issued by the Committee; or
 - (b) uses the equipment for necessary medical purposes; or
 - (c) operates a vehicle lawfully.
- (3) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (1).

36 Possession of liquor and glass containers and bottles

- (1) A person must not sell or distribute any liquor in the Park unless that person –
 - (a) holds a licence or permit under the **Liquor Control Act 1987** authorising the licensee or permit holder to sell or distribute the liquor in the Park; or
 - (b) is an employee or agent of a person who holds such a licence or permit and is acting in that employment or agency.
- (2) A person must not possess liquor in an area of the Park that has been set aside by the Committee as an area in which the possession of liquor is prohibited.
- (3) A person must not possess or carry a glass bottle, glass container or glass utensil in an area of the Park that has been set aside as an area in which such a bottle, container or utensil must not be possessed or carried.
- (4) The Committee may determine that an area of the Park be set aside for the purposes of subregulations (1), (2) and (3).

PART 4 – GENERAL

37 Authorised officers

A person in the Park must comply with any reasonable direction of an authorised officer.

38 Removal of property

- (1) An authorised officer may remove or cause to be removed any parked, stranded, broken-down vehicle from any area within the Park.
- (2) Any vehicle left unattended within the Park for a continuous period exceeding 48 hours may be removed by an authorised officer and stored at an appropriate location.
- (3) An authorised officer may remove or cause to be removed any tent, caravan, furniture or other structure which –
 - (a) has been placed in the Park without written consent; or
 - (b) in the reasonable opinion of the authorised officer has been abandoned in the Park; andstore such property at an appropriate location.

- (4) Any person who contravenes Regulation 18(2), 19(1)(a) or 32(1)(a) apart from being liable for prosecution under these Regulations must on direction by an authorised officer remove property associated with the activity from the Park.
- (5) Any person who brings furniture, catering equipment or other property into the Park for the purposes of an organised event within the meaning of regulation 34 without holding a permit for the proposed organised event must, on direction by an authorised officer, remove property associated with the activity from the Park.
- (6) If a person fails to comply with the direction of an authorised officer under subregulation (4) or (5) an authorised officer may remove and store the property at an appropriate location.
- (7) In the case of property removed in accordance with this regulation the Committee or an authorised officer must within 48 hours –
 - (a) contact the owner, if known and make arrangements for him or her to claim that property; or
 - (b) if the owner is not known, display a notice at a suitable location at or near where the property was found detailing –
 - i. the name of the authorised officer responsible for the removal of the property; and
 - ii. a contact telephone number for the authorised officer; and
 - iii. reference to the relevant Regulations; and
 - iv. a period of time, not less than 7 days, from the date of the notice for the owner to claim and remove the property.
- (8) If the property is not claimed and removed during the specified period the Committee may dispose of the property as the Committee sees fit.

39 Directions to leave

- (1) An authorised officer may direct a person whom that officer reasonably believes has contravened these Regulations to leave the Park or any part of the Park.
- (2) A person must not, after having been directed to leave by an authorised officer, enter or remain in any area, place, building or structure in the Park.

40 Offences

A person who contravenes or fails to comply with any provision of these Regulations or a permit granted under these Regulations is guilty of an offence.

SCHEDULE

FEES

Table 1

Column 1	Column 2
Use of improvements, services, facilities or areas in the Park	Maximum fee (\$) (per day unless otherwise specified)
Wedding (any area of the Park)	500
Outside broadcast (any area of the Park)	
● Per hour	302
● 4 hours	906
● More than 4 hours	1811
Promotions (any area of the Park)	
● 4 hours	1500
● More than 4 hours	1700
Large scale events (on particular lawns as marked on the plan in this Schedule)	
● Use of Lawn 6	12,000
● Use of Lawn 7	2,500
● Use of Lawn 8	680
● Use of Lawn 9	2,400
● Use of Lawn 16	3,500
● Use of Lawn 17	21,000
Filming or photo shoot for commercial purposes (any area of the Park)	
● Per hour	242
● Half day	499
● Full day	1000

Table 2

Column 1	Column 2
Parking of cars for major events	Maximum fee (\$)
Parking a car for a major event	8

NOTES

- (1) A person who contravenes any one of these Regulations is liable to a penalty under section 13(5) or (6) of the **Crown Land (Reserves) Act 1978**. Section 18(5) and 18(6) of the **Melbourne (Yarra Park) Land Act 1980** alter these provisions to the effect that penalties of not more than 20 penalty units may be applied to contraventions of these Regulations.
- (2) Section 18 of the **Melbourne (Yarra Park) Land Act 1980** provides for regulations to be made in relation to:
 - (a) subject to the provision of car parking in Yarra Park Reserve in accordance with section 9 of the **Melbourne (Yarra Park) Land Act 1980**, prohibiting or regulating traffic or car parking in Yarra Park Reserve;
 - (b) prohibiting or regulating advertising or soliciting in Yarra Park Reserve; and
 - (c) prohibiting or regulating commercial activities in Yarra Park Reserve.
- (3) In addition to these Regulations, the following laws also apply with respect to the Park –

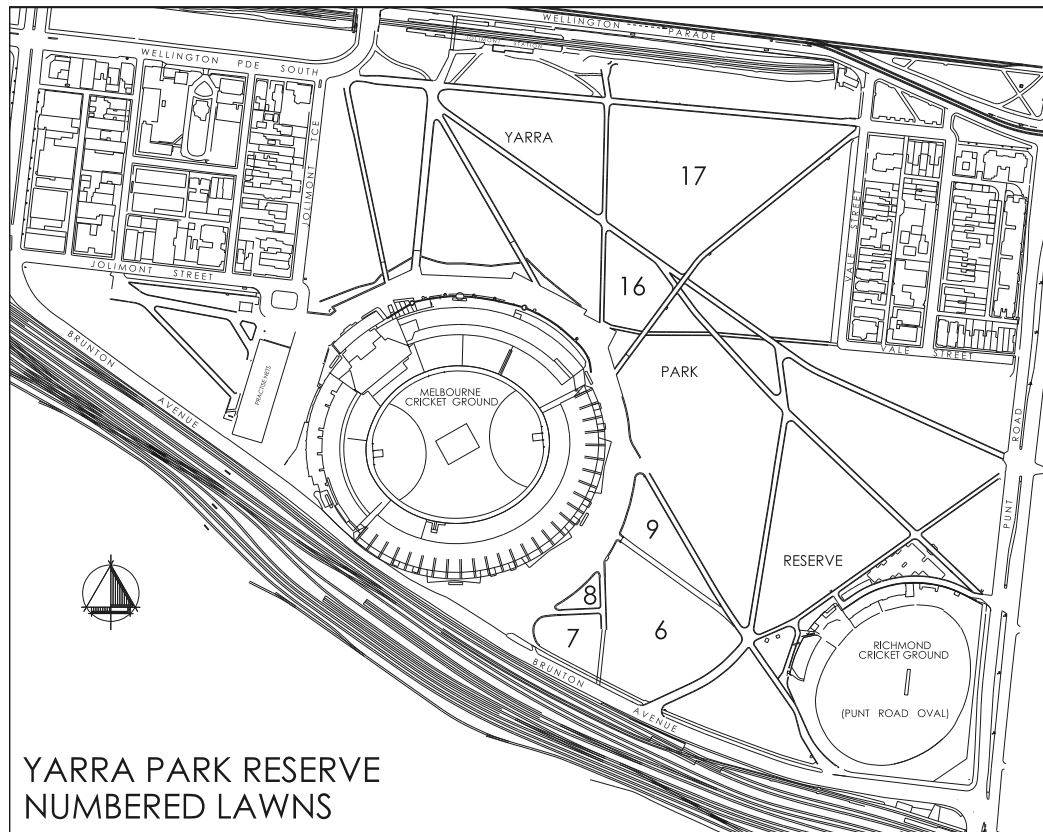
Litter: The depositing of litter in the Park is prohibited under the **Environment Protection Act 1970** and may result in the imposition of penalties under that Act.

Wildlife: The taking, hunting or destroying of wildlife, including game, is regulated under the **Wildlife Act 1975**. A person who fails to comply with the requirements of that Act is liable to the imposition of penalties under that Act.

Infringement Notices: A person who contravenes these regulations may be liable to an infringement penalty under relevant Conservation Forests and Lands Act (Infringement Notice) Regulations.

PLAN

Plan of lawns within Yarra Park Reserve as referred to in Column 1 of Table 1 in this Schedule for the purposes of subregulation 11(2).



Dated 15 March 2010

VIVIENNE CLARE
Acting Director
Public Land Use and Development
as delegate of the Minister for Environment and Climate Change.

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