



# Victoria Government Gazette

No. S 686 Monday 6 December 2021  
By Authority of Victorian Government Printer

## Crown Land (Reserves) Act 1978

### CROWN LAND (RESERVES) (PHILLIP ISLAND NATURE PARK) REGULATIONS 2021

Set Aside No. PINP-03

#### Determination Setting Aside Areas in Phillip Island Nature Park

Phillip Island Nature Park encompasses a fragmented network of public land reserves and visitor attractions which vary considerably in terms of features, uses, topography and significance. To accommodate this, the Crown Land (Reserves) (Phillip Island Nature Park) Regulations 2021 utilise 'set asides' and/or permit provisions to enable flexible or tailored application of the regulations.

A set aside is an option for managing specific activities or access within a specified area by delineating the areas and the conditions under which the activity or access may take place.

A set aside determination may specify:

- that it applies to the whole or a specified area of the park; and
- that it applies on specified days, times or periods; and
- that it applies to a class of person, vehicle, vessel or aircraft; and
- any conditions subject to which the specified activity must or must not be carried out.

It is an offence not to comply with the conditions of determinations setting areas aside.

The Nature Parks must, as soon as practicable after making the set aside determination, publish the determination in the Government Gazette and on our website. Any amendment or revocation must also be published in the Government Gazette and on our website as soon as practicable.

The Nature Parks must also display signs or notices informing the public of the determinations. A sign or notice must:

- be displayed in a place and manner that is likely to be seen by any person affected by the determination; and
- indicate the area of the Park that is temporarily closed or set aside by the determination; and
- where applicable, state the activities that are prohibited, restricted, or permitted by the determination; and
- state any conditions specified in the determination.

If the Nature Parks revokes or amends a determination made under these Regulations, any sign or notice that has been displayed under these Regulations must be removed or amended to reflect the revocation or amendment of that determination.

Regulation 10 provides that conditions may be applied to set aside determinations. Regulations 19(1); 20(1); 22(1); 23(2); 26(5); 27(5); 28(1); 30(3); 31(2); 32(2); 36(1); 37(1); 38(1); 39(1); 40(3); 41(3); 42(2); 44(1); 49(1); and 50(2) all include provision to enable the making of set aside determinations.

Under the Crown Land (Reserves) (Phillip Island Nature Park) Regulations 2021, the Minister for Energy, Environment and Climate Change has delegated the power to set aside areas within the Phillip Island Nature Park to the Committee of Management.

Now therefore I, Kevin Love, Chair of Phillip Island Nature Park Committee of Management Incorporated determine that the set asides outlined in the table below will come into force on the day they are published in the Government Gazette.

This determination revokes the previous determination and is in force until such time as it is amended or revoked.

By authority, the seal of the Phillip Island Nature Park Committee of Management Incorporation was affixed.

Dated 24 November 2021

KEVIN LOVE

**SPECIAL**

## Areas set aside in Phillip Island Nature Parks:

Regulation		Set Aside				
		Basis	Purpose of Set Aside Determination	Area Set Aside	Specified Conditions	
19(1)	Prohibited access area	19(3)	Specify an area as being a prohibited access area for the protection of wildlife and public safety	Summerland Peninsula: Crown Land to the western end of Watts Road and south of the intersection of Back Beach Road and Ventnor Roads to the western extent of Seal Rocks except for areas where vehicles are not prohibited under regulation 28(1) and defined public access and recreational areas, including car parks, pathways, viewing platforms and beaches as shown on Appendix 1.	At all times.	Other Conditions
19(1)	Prohibited access area	19(3)	Specify an area as being a prohibited access area for the protection of wildlife and public safety	Ventnor Koala Reserve (CA 77A) as shown on Appendix 2.	At all times.	
19(1)	Prohibited access area	19(3)	Specify an area as being a prohibited access area for the protection of wildlife and public safety	Rhyll Wetland (CA 15A, 15D, part 15C) and Rowell Wetland (CA 15B) as shown on Appendix 3.	At all times.	
19(1)	Prohibited access area	19(3)	Specify an area as being a prohibited access area for public safety	Eucalypt plantations and works depot at the Koala Conservation Reserve except for defined public access areas including car parks and pathways as indicated by signage and shown on Appendix 4.	At all times.	

19(1)	Restricted access area	19(4)	Closure in anticipation of flood, fire, damaging winds, natural disaster or other emergency	Any area of the Park including the Summerland Peninsula, Cape Woolamai, Koala Conservation Reserve, Oswin Roberts Reserve and Churchill Island North Point, as indicated by signage.	When a severe weather or emergency warning has been issued by Emergency Victoria.	
19(1)	Restricted access area	19(4)	Specify an area as being restricted access area	Summerland Farm (CA 2120 / P400378) as Shown on Appendix 1.	At all times.	Access is permitted to ticket holders during penguin viewing times or during permitted events when being used as a designated car park as determined by management and directed to do so by an Authorised Officer or employee of the committee.
19(1)	Restricted access area	19(4)	Specify an area as being restricted access area	Former Rhyll Tip site (sections CA 95B and CA 22) as shown in Appendix 3.	At all times.	

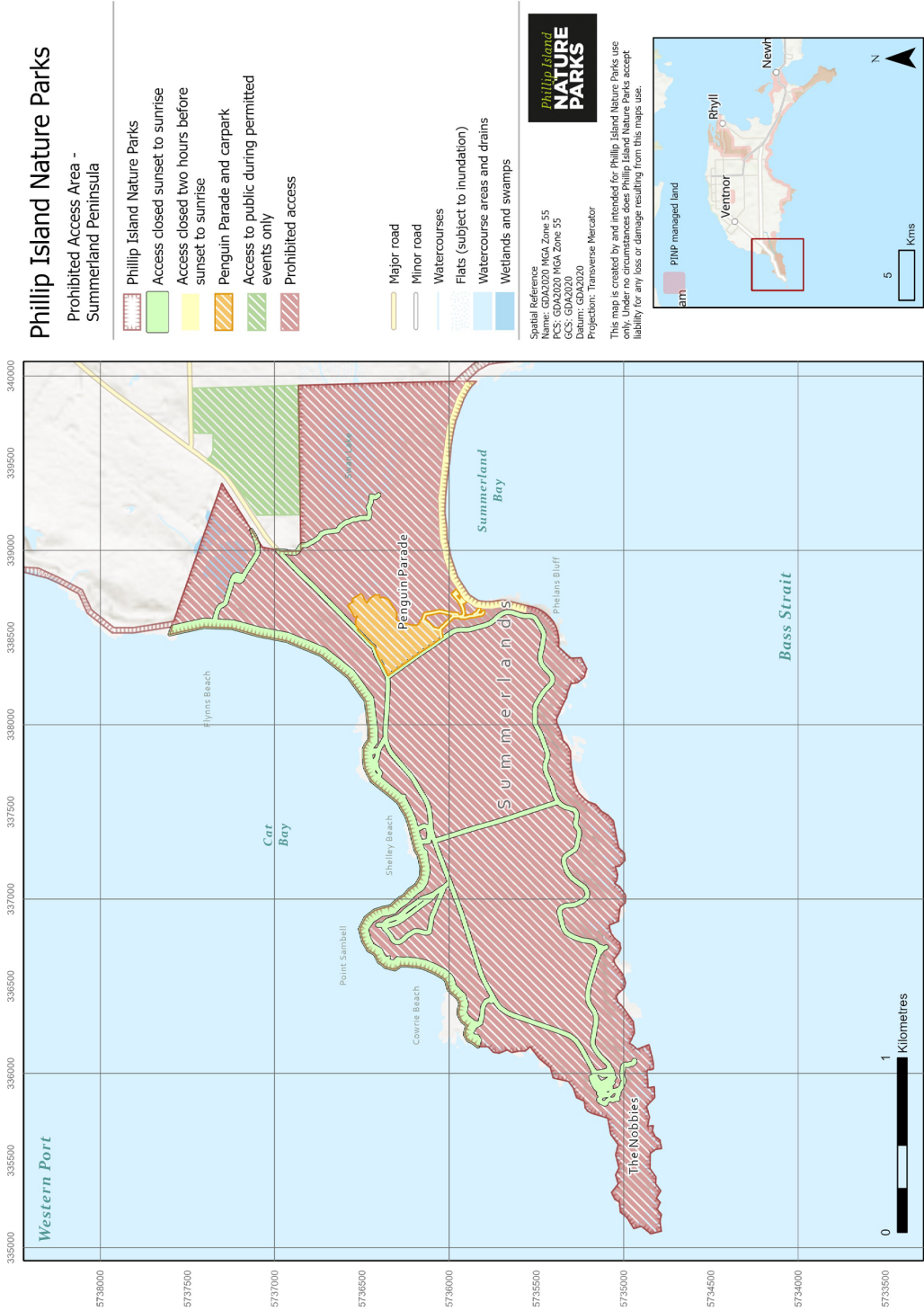
19(1)	Restricted access area	19(4)	Specify an area as being restricted access area	All beaches, pathways, boardwalks, viewing platforms, car parks, and roads on the Summerland Peninsula west of Back Beach Road as enclosed by road gates or traffic control points as shown on Appendix 1.	From 15 minutes prior to sunset until 30 minutes before sunrise (Civil Twilight) every day as designated by Geoscience Australia <a href="http://www.ga.gov.au/">http://www.ga.gov.au/</a> .	Access is permitted to the Penguin Parade Visitor Centre during penguin viewing times as determined by management and in accordance with 'Conditions of Entry'.
19(1)	Restricted access area	19(4)	Specify an area as being restricted access area	The Penguin Parade viewing area (grandstand and boardwalks) and Summerland Beach as shown on Appendix 1.	Closed: approximately two hours before sunset as determined by management and indicated by signage. Opened: 30 minutes before sunrise (Civil Twilight) every day as designated by Geoscience Australia <a href="http://www.ga.gov.au/">http://www.ga.gov.au/</a> .	Access is permitted to ticket holders during penguin viewing times as determined by management and in accordance with 'Conditions of Entry'.

19(1)	Restricted access area	19(4)	Specify an area as being restricted access area	All boardwalks, viewing platforms and visitor centres including the Nobbies, woodland area and boardwalks, at the Koala Conservation Reserve, the Barb Marin Bushbank, and all outbuildings within the historic farm precinct at Churchill Island.	At all times.	Persons must not smoke.
19(1)	Restricted access area	19(4)	Specify an area as being restricted access area	Cycle and walking path between Phillip Island Road and Harbison Road as shown on Appendix 4.	Access is permitted during opening times of the Koala Conservation Reserve as determined by management.	
19(1)	Restricted access area	19(4)	Specify an area as being restricted access area	Management Vehicle Only tracks as signed and as shown on Appendix 5.	At all times.	
19(1)	Restricted access area	19(4)	Specify an area as being restricted access area	Any area of the Park that is fenced and signed, including beach nesting bird refuge areas, for the reestablishment of vegetation, or for the protection of flora, fauna, geological or geomorphological features or cultural values.	At all times that roped or wire fences and signs are erected.	
20(1)	Off-track walking or riding	20(2)	A person must not leave a track set aside for walking or riding	All defined public access areas as indicated by signage including boardwalks and viewing platforms, formed tracks, roads, carparks and beaches.	At all times.	

28(1)	Fishing	28(2)	Specify an area as being an area in which fishing is prohibited	All inland waters within the Park including Swan Lake (CA 5A), Green Lake (CA 11B), Koala Conservation Reserve wetlands (CA 120B), Rowell Wetland (CA 15B), Rhyll Wetland (CA 15A, CA 15D and part CA 15C), Ventnor Koala Reserve wetlands (CA 156A and CA 156B).	At all times.	
30(1)	Vehicles	30(3)	Specify an area as being an area where the presence and operation of all vehicles, except pedal-powered bicycles, is prohibited	The whole of the park except for public roads defined as areas that are open to or used by the public and are developed for, or have as one of its main uses, the driving or riding of motor vehicles.	At all times.	Pathways are for pedestrian and bicycle traffic by default unless otherwise signed.
31(1)	Vessels	31(2)	Specify an area as being an area where the operation of a vessel is permitted	Rhyll Inlet as defined by CA 2061.	At all times.	
38(1)	Possession or consumption of liquor	38(2)	Specify an area as being an area where the possession or consumption of liquor is prohibited	The whole of the Park, except for times and locations identified within a Liquor Licence (Penguin Parade Visitor Centre, The Nobbies Visitor Centre, Churchill Island Visitor Centre).		
39(1)	Dogs prohibited in specified circumstances	39(3)	Specify an area as being an area where dogs are prohibited	Any area of the park except the areas designated by signs at The Colonnades, Surf Beach, Surfies Point, Sunderland Bay, Smiths Beach (not including Smiths Beach far east), Ventnor Beach (Devon Ave), YCW Beach, and Scenic Estate indicating dogs are permitted, as shown on Appendix 6.	At all times.	

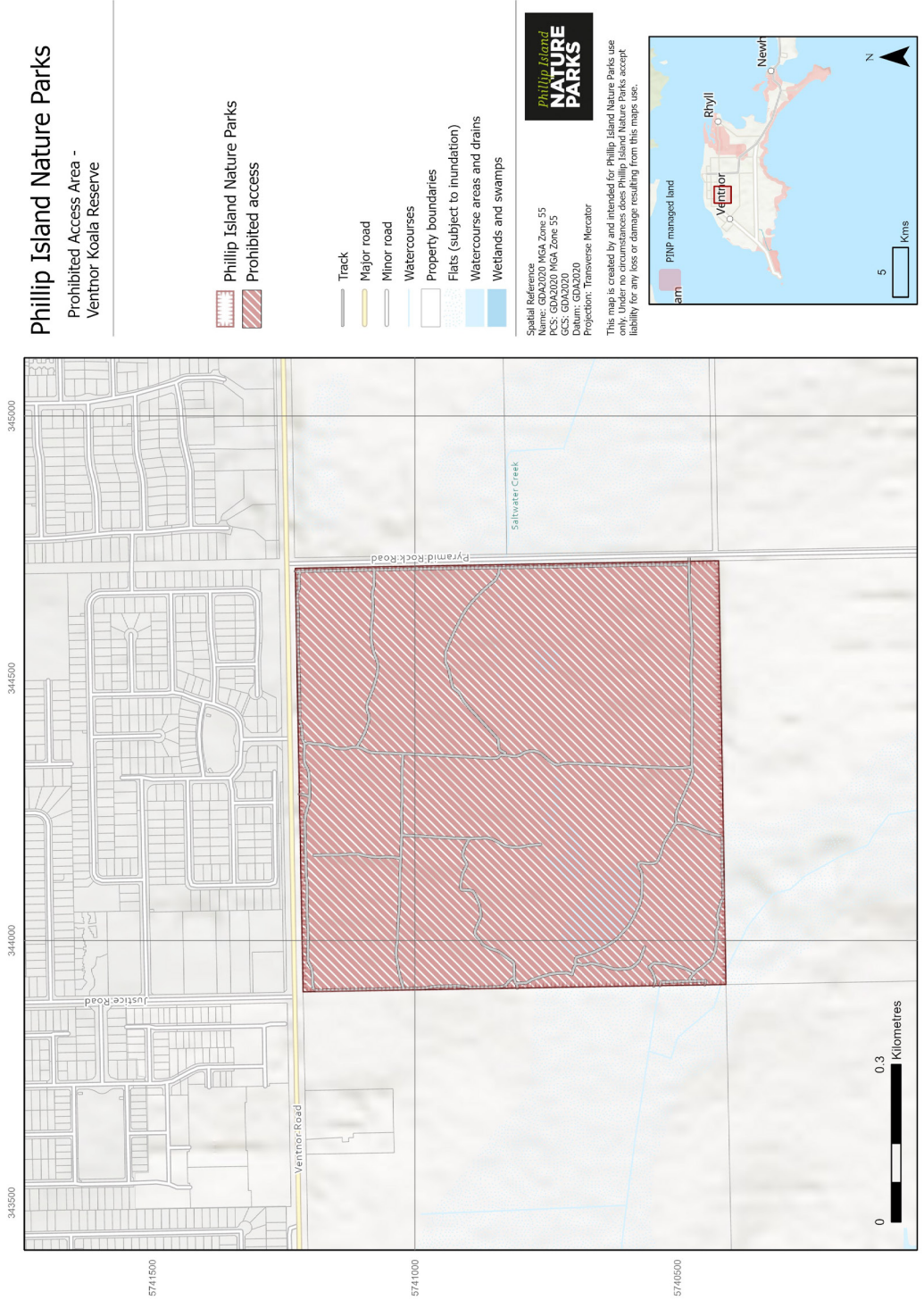
38(1)	Dogs restricted in specified circumstances	38(4)	Specify an area as being an area where dogs are restricted.	The areas designated by signs at The Colonnades, Surf Beach, Surfies Point, Sunderland Bay, Smiths Beach (not including Smiths Beach far east), YCW Beach, Ventnor Beach, indicating dogs are permitted, as shown on Appendix 6.	From 1 December – 30 April 7 am–10 am and 5 pm–8 pm.  From 1 May–30 November anytime.	Dogs must remain on a leash, be under control and restrained from causing annoyance or harm to any persons, damage to property or harm to wildlife and habitat.
44(1)	Flashlights, spotlights and torches	44(3)	The carriage or use of a flashlight, spotlight or torch is restricted.	Little Penguin colonies including the Penguin Parade as indicated by signage.	Sunset to sunrise.	

Appendix 1: Summerland Peninsula

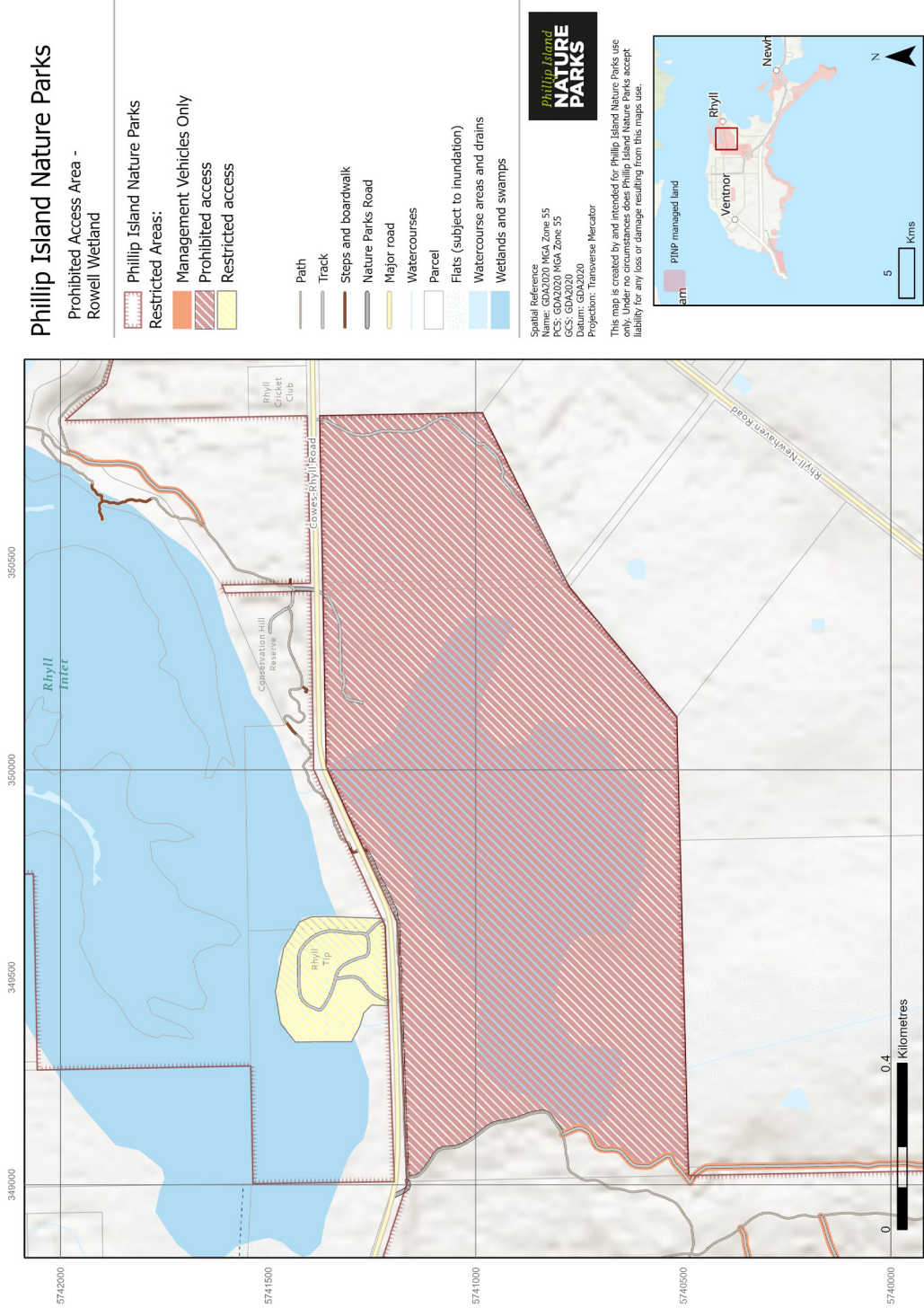




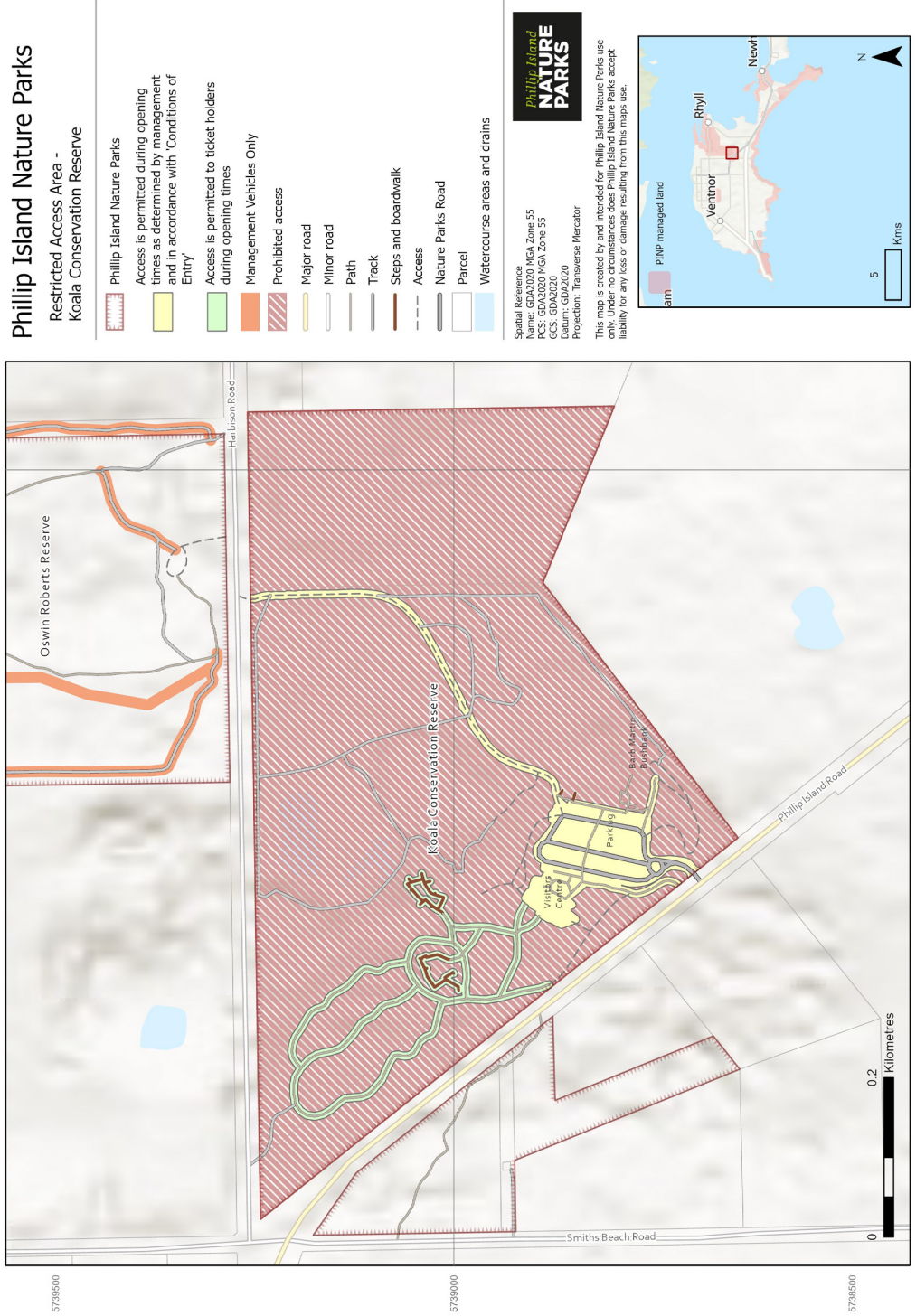
**Appendix 2: Ventnor Koala Reserve**



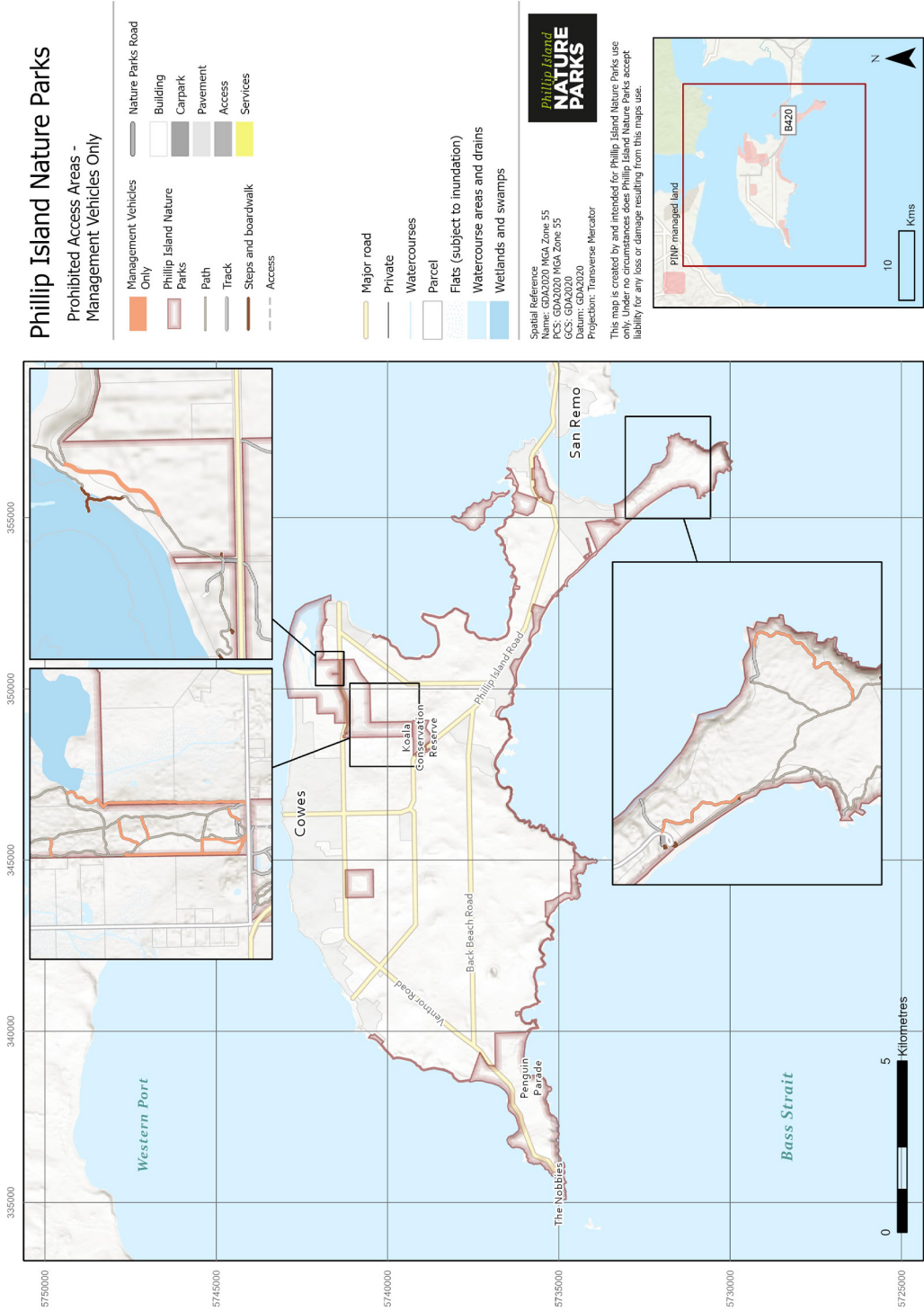
Appendix 3: Rhyll and Rowell Wetlands and the former Rhyll Tip



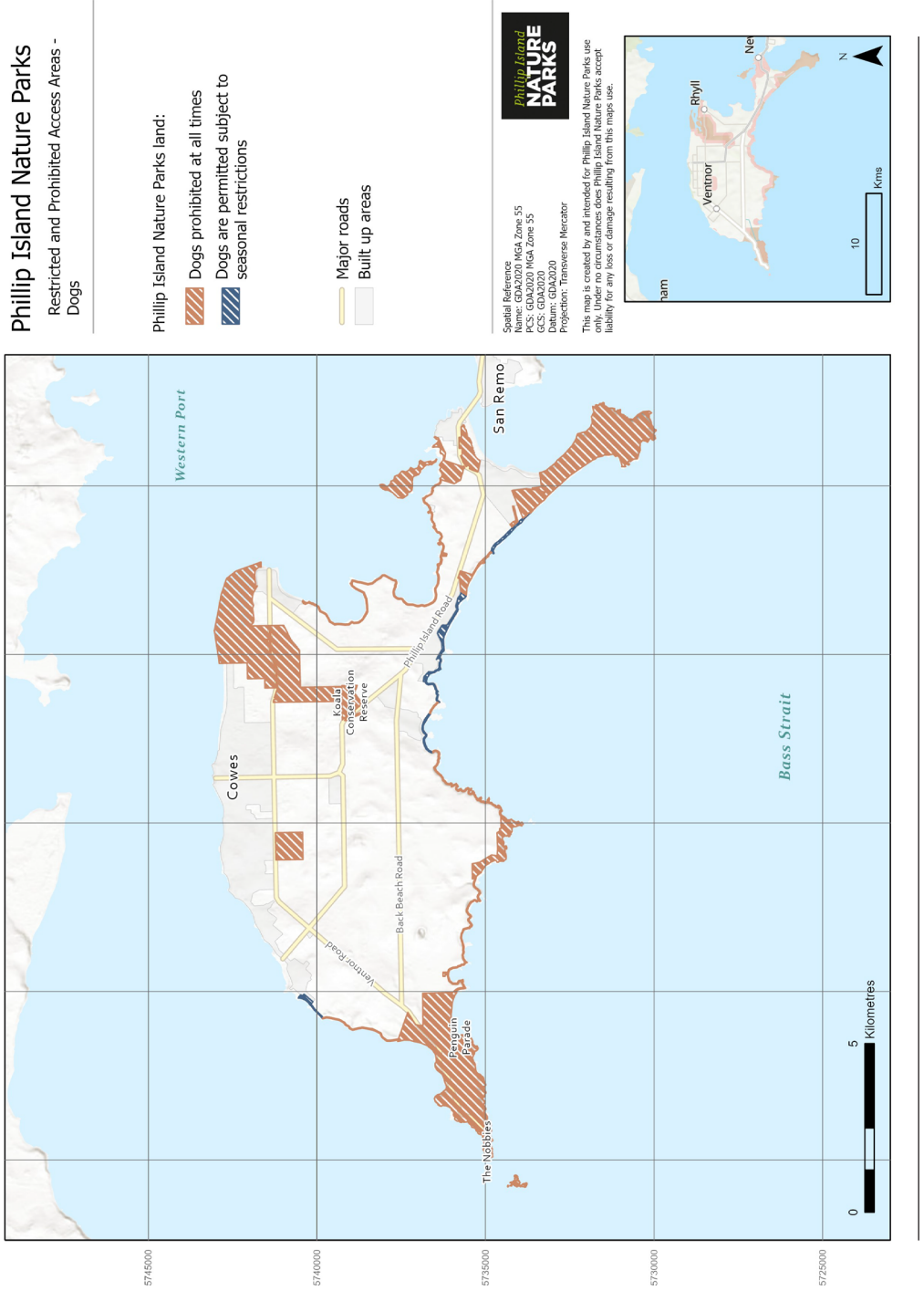
**Appendix 4: Koala Conservation Reserve**



**Appendix 5: Management Vehicle Only roads**



Appendix 6: Dogs – Prohibited and restricted access areas



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