***Port Management Act 1995* (Vic.)**

Port Management* (Local Ports) *Regulations 2015

Setting aside areas in the Port of Port Phillip

The *Port Management (Local Ports) Regulations 2015* have been made under Section 98 of the *Port Management Act 1995* (Vic.).

The *Port Management (Local Ports) Regulations 2015* state that the Port Manager of a local port may make a determination setting aside an area where: the carrying out of an activity in and access to areas is prohibited (Regulation 10); berthing, mooring and anchoring is prohibited (Regulation 12); and where the management of Cargo is prohibited (Regulation13). Regulation 14 provide that the Port Manager may specify certain conditions for the use of the areas under each determination.

Under Section 44C of the *Port Management Act 1995* (Vic.), Parks Victoria has delegated this power to the Chief Executive, Parks Victoria in an instrument of delegation dated 15 December 2016.

I, Victor Teoh, Regional Director, Melbourne Marine and Maritime, Parks Victoria, determine under the *Port Management (Local Ports) Regulations 2015* that the areas indicated in the attached table are set aside for the purposes specified or for the prohibition or restriction of access for the purposes specified, at the times or periods, and in accordance with the conditions, as indicated.

Where the areas covered by this Determination coincide with the areas covered by any other current determinations, this determination replaces those determinations and is in force until such time as this determination is amended or revoked.

This determination applies from the date of signing. All previous set asides pertaining to these matters are revoked.

Signed at Melbourne

by



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Name Victor Teoh

Title Regional Director, Melbourne Marine and Maritime, Parks Victoria

Date: 10/12/2018

Areas Set Aside in Portarlington Harbour

Regulation(s)		Details of set aside			
		Purpose of set aside determination	**Area set aside**	**Specified conditions**	
				Times or period	**Other conditions**
10(1)(b)	Activities in and access to areas set aside	To define the area where members of the public are prohibited access, to protect public health and safety. Members of the public cannot access this area.	The area shown as "Permit Only Berthing – Area 2" in Attachment 1.	At all times	Ferry passengers are exempt when embarking and disembarking the Ferry via the "Ferry Access Ramp and Pontoon".
10(1)(b)	Activities in and access to areas set aside	To define the area where vehicles are prohibited, to protect public health and safety. Vehicles cannot enter this area.	Within the "Committee of Management boundary" as shown in Attachment 1.	At all times	Except in accordance with a Permit.
10(1)(b)	Activities in and access to areas set aside	To define the area where dogs are permitted on a lead only. Dogs are only permitted in this area if they are on a lead.	Within the "Committee of Management boundary" as shown in Attachment 1.	At all times	Dogs confined to a vessel are exempt from being on a lead.
12(a)	A port manager may make a determination to set aside an area in a local port in which the mooring, berthing or anchoring of a vessel is: (a) permitted; or (b) prohibited; or (c) restricted.	To define the area where anchoring is permitted within Portarlington Harbour. Anyone can anchor in this area.	The area shown as "Anchoring Permitted" in Attachment 1.	At all times	Nil.
12(b)	A port manager may make a determination to set aside an area in a local port in which the mooring, berthing or anchoring of a vessel is: (a) permitted; or (b) prohibited; or (c) restricted.	To define the area where anchoring is prohibited within Portarlington Harbour. No-one can anchor in this area.	The area shown as "No Anchoring" in Attachment 1.	At all times	Nil.

12(a)	A port manager may make a determination to set aside an area in a local port in which the mooring, berthing or anchoring of a vessel is: (a) permitted; or (b) prohibited; or (c) restricted.	To define the area where berthing is permitted within Portarlington Harbour. Only permit-holders can berth in these areas.	1. The areas shown as "Permit Only Berthing – Area 1" in Attachment 1. 2. The area shown as "Permit Only Berthing – Area 2" in Attachment 1.	At all times	Nil.
12(a)	A port manager may make a determination to set aside an area in a local port in which the mooring, berthing or anchoring of a vessel is: (a) permitted; or (b) prohibited; or (c) restricted.	To define the area where time restricted berthing is permitted within Portarlington Harbour	The areas shown as "Western Berth" and the "Low Landing" in Attachment 1.	At all times	1. A 20 minutes limit applies.
13(b)	A port manager may make a determination to set aside an area in a local port in which the management of cargo, including the arrival, loading, unloading or transfer of cargo, is- (a) permitted; or (b) prohibited; or (c) restricted.	To define the area where the loading, unloading or transfer of cargo is prohibited within Portarlington Harbour. The arrival, loading, unloading or transfer of cargo can only occur in this area, subject to the specified conditions.	Within the "Committee of Management Area" excluding the Commercial Loading Areas as shown in Attachment 1.	At all times	1. The maximum berth time for the arrival, loading, unloading or transfer of cargo at the "Western Berth" and the "Low Landing" is 20 minutes. 2. A person can load, unload or transfer cargo at the head of the commercial wharf in accordance with a Permit.

***** Under Regulation 16 Notice requirements for set aside determinations, Parks Victoria as Port Manager must:**

(1) As soon as practicable after making a set aside determination, a port manager must display details of the set aside determination, including any condition to which the determination is subject, in a place or manner that ensures the information is reasonably likely to be seen and understood by relevant users of the local port.

(2) Details of any set aside determination made by a port manager—

(a) must be published in the Government Gazette and on the port manager's Internet website; and

(b) may be published in any other manner that the port manager considers appropriate.

Attachment 1 – Portarlington Harbour

