

**Authorised Version No. 002**  
**Alpine Resorts (Management)**  
**Regulations 2009**

**S.R. No. 136/2009**

Authorised Version incorporating amendments as at  
15 April 2011

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**PART 1—PRELIMINARY**

**1 Objective**

The objective of these Regulations is to provide for the protection, management and control of alpine resorts by—

- (a) prohibiting access to areas of alpine resorts by persons and vehicles;
- (b) setting aside areas in alpine resorts for access and use by the public for—
  - (i) the use and parking of vehicles;
  - (ii) camping;
  - (iii) cross country skiing;
  - (iv) skiing and snowboarding;
  - (v) the use of toboggans, sleds, ski-bobs and inflatable devices;
  - (vi) the landing of aircraft;
  - (vii) riding and leading horses;
- (c) regulating the use, driving and parking of vehicles in alpine resorts;
- (d) prescribing offences for—
  - (i) the protection of flora and fauna and water supply catchments in alpine resorts;

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- (ii) regulating the behaviour of persons in alpine resorts;
  - (e) prescribing fees for—
    - (i) entry to alpine resorts;
    - (ii) access and use of areas set aside for public use;
  - (f) prescribing any other thing generally required to be prescribed for the purpose of the **Alpine Resorts (Management) Act 1997**.

## 2 Authorising provision

These Regulations are made under section 57 of the **Alpine Resorts (Management) Act 1997**.

## 3 Commencement

These Regulations come into operation on 6 November 2009.

## 4 Definitions

In these Regulations—

*aircraft* includes an aeroplane, helicopter, glider, hot air balloon, hang-glider, paraglider, parasail and parachute;

*aircraft landing authority* means an authority issued by a Board under regulation 18;

*animal* means any animal except any human or fish, whether vertebrate or invertebrate, in any stage of biological development;

*authorised officer* means a person appointed by the Secretary as an authorised officer under section 83 of the **Conservation, Forests and Lands Act 1987** for the purposes of the Act;

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***authority*** means a written authority issued by the Board of an alpine resort under these Regulations in respect of the alpine resort;

***Board*** means an Alpine Resort Management Board established under Part 4 of the Act;

***Board managed road*** means a road managed by the relevant Board under section 3A(2)(b) of the Act;

***bus*** has the same meaning as in the **Road Safety Act 1986**;

***camp*** means—

- (a) to erect, occupy, or use, for accommodation, a tent, tarpaulin or any similar form of accommodation, shelter or temporary structure; or
- (b) to occupy or use a swag or sleeping bag; or
- (c) to occupy or use for accommodation purposes a vehicle, vessel or other moveable form of accommodation;

***campfire or barbeque*** means a fire lit or kindled for the purpose of preparing meals or providing personal comfort, and includes a fire lit or kindled in an appliance designed and manufactured for cooking or heating;

***camping authority*** means an authority issued by a Board under regulation 14;

***commercial motor vehicle*** has the same meaning as in the **Road Safety Act 1986**;

***cross country ski trail authority*** means an authority issued by a Board under regulation 16;

*day visitor* means a person who enters an alpine resort after 7.00 a.m. and leaves the alpine resort before midnight on the same day;

*fauna* means any animal or part of any animal that is indigenous to Victoria;

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

*flora* means a plant or part of a plant in any stage of biological development, whether the plant or part of the plant is vascular or non-vascular, if the plant is indigenous to Victoria;

*inflatable device* means a pneumatic tube or similar device capable of being used for sliding down snow slopes;

*liquid fuel, gaseous fuel or chemical fuel* includes any manufactured fuel which can be ignited;

*liquor* has the same meaning as in the **Liquor Control Reform Act 1998**;

*litter* has the same meaning as in the **Environment Protection Act 1970**;

*member of the force* has the same meaning as in the **Police Regulation Act 1958**;

*motor cycle* has the same meaning as in the **Road Safety Act 1986**;

*motor vehicle* has the same meaning as in the **Road Safety Act 1986**, but does not include a commercial motor vehicle or a motor cycle;

*off-season* means the period outside the snow season;

*oversnow vehicle* means a vehicle specifically designed for use on or over snow;



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***pack animal*** means a donkey, mule, camel, llama or alpaca;

***Parks Victoria*** means the body corporate established by Part 2 of the **Parks Victoria Act 1998**;

***prescribed Board*** means—

- (a) the Lake Mountain Alpine Resort Management Board; or
- (b) the Mount Baw Baw Alpine Resort Management Board; or
- (c) the Mount Buller and Mount Stirling Alpine Resort Management Board;

***public area*** means an area of an alpine resort set aside by the Board of an alpine resort under regulation 9 for public use;

***ski lift*** means any mechanism (not being a vehicle) provided for the transport of members of the public up and between ski slopes;

***ski-bob*** means a non-powered vehicle consisting of a low seat and steering handles and supported by one or 2 skis, that is able to be used for sliding down ski slopes;

***snow season*** means—

- (a) any period declared by the Board of an alpine resort under regulation 6 to be the snow season in respect of the alpine resort in the year or years specified in the declaration; or
- (b) if a declaration under regulation 6 has not been made in respect of an alpine resort for a particular year, the period commencing on 1 June in the year and ending on 31 October in the year;

*solid fuel* includes—

- (a) vegetation, wood, coal, coke;
- (b) manufactured solid combustible material made from vegetation, wood, coal or coke, including but not limited to, paper, cardboard, sawdust or coal or coke by-products;

*the Act* means the **Alpine Resorts (Management) Act 1997**;

*vehicle* includes—

- (a) a motor vehicle;
- (b) a motor cycle;
- (c) a bicycle, cart, trailer, caravan or horse-drawn vehicle;

*vehicle authority* means an authority issued by a Board under regulation 11.

## **5 Application of Regulations**

- (1) An offence under these Regulations does not apply to the following persons when acting in the course of his or her duties—
  - (a) the Secretary;
  - (b) the Council;
  - (c) a Board;
  - (d) a person who is acting as—
    - (i) an authorised officer;
    - (ii) a member of the Council;
    - (iii) a member of the force;
    - (iv) a member of the Board;
    - (v) an employee or agent of the Secretary;

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- (vi) an employee or agent of the Council; or  
(vii) an employee or agent of the Board.
- (2) Parts 2, 3 and 4 of these Regulations do not apply to—
- (a) an officer, agent, contractor or employee of VicRoads while carrying out or engaged in works connected with the management of access roads to alpine resorts;
  - (b) an officer or employee of the Secretary, Parks Victoria, or ambulance services, when acting in the course of his or her duties;
  - (c) an officer, employee or volunteer emergency worker of an emergency services agency when engaged in an emergency activity;
  - (d) a person who enters the alpine resort at the request of the Board of the alpine resort for the purpose of assisting the Board in search and rescue activities.

- (3) In this regulation—

*emergency activity* has the same meaning as in the **Emergency Management Act 1986**;

*emergency services agency* has the same meaning as in the **Emergency Management Act 1986**;

*volunteer emergency worker* has the same meaning as in the **Emergency Management Act 1986**.

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**PART 2—POWERS OF BOARDS IN RELATION TO ALPINE RESORTS**

**6 Board may declare snow season for alpine resorts**

The Board of an alpine resort may, by instrument, declare any period in any year specified in the declaration, to be the snow season for that alpine resort.

**7 Temporary closure of alpine resort to entry**

- (1) The Board of an alpine resort may determine to temporarily close the alpine resort to entry by the public if, in the opinion of the Board, there is likely to be a significant danger to public safety due to—
  - (a) a fire, avalanche, land slip, earthquake or other disaster; or
  - (b) a threat of a fire, avalanche, land slip, earthquake or other disaster; or
  - (c) any other emergency.
- (2) The Board of an alpine resort must, as soon as practicable after making a determination under subregulation (1)—
  - (a) publish notice of the determination—
    - (i) in a newspaper generally circulating in the Melbourne metropolitan area and in the locality to which the notice relates; or
    - (ii) by means of a broadcast from a broadcasting station in the State; or
    - (iii) by both the means specified in subparagraphs (i) and (ii); and

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- (b) as far as practicable, ensure that signs setting out details of the determination are displayed in such a place and manner that the details are reasonably likely to be seen by persons affected by them at the entrances to the alpine resort.
- (3) A person must not enter an alpine resort to which a determination under subregulation (1) applies.  
Penalty: 10 penalty units.
- (4) A determination made under subregulation (1) remains in force for 14 days after it is made, unless revoked earlier by the Board under subregulation (5).
- (5) If the circumstances that led to the determination being made under subregulation (1) no longer apply, the Board must, as soon as practicable, revoke the determination and reopen the alpine resort to entry by the public.
- (6) The Board of an alpine resort must, as soon as practicable after a determination has been revoked under subregulation (5)—
- (a) publish notice of the revocation—
    - (i) in a newspaper generally circulating in the Melbourne metropolitan area and in the locality to which the notice relates; or
    - (ii) by means of a broadcast from a broadcasting station in the State; or
    - (iii) by both the means specified in subparagraphs (i) and (ii); and
  - (b) cause the signs referred to in subregulation (2)(b) to be removed.

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**8 Board may determine parts of alpine resort to which entry is prohibited**

- (1) The Board of an alpine resort may determine that any area in the alpine resort is an area where entry—
  - (a) is prohibited; or
  - (b) is prohibited during the times determined by the Board; or
  - (c) is prohibited for certain persons or classes of person as determined by the Board; or
  - (d) is prohibited for certain vehicles or classes of vehicle as determined by the Board.
- (2) A determination under subregulation (1) may be made for all or any of the following—
  - (a) reasons of public safety; or
  - (b) to re-establish vegetation or to protect, conserve or preserve flora, fauna or natural features; or
  - (c) to carry out works or improvements or to protect works, improvements, facilities or amenities; or
  - (d) to protect water supply catchments or waterways or the water quality of water supply catchments or waterways; or
  - (e) any other purpose connected with the protection, control and management of the alpine resort.
- (3) A determination under subregulation (1) must specify—
  - (a) the times or periods during which entry is prohibited; and
  - (b) the reasons why entry is prohibited; and

- (c) the persons or class of persons or vehicles or class of vehicles to which entry to that part of the alpine resort is prohibited (if any).
- (4) A person must not enter an area in an alpine resort in contravention of a determination under subregulation (1).

Penalty: 10 penalty units.

### **9 Areas set aside for public use**

- (1) For the purposes of these Regulations, the Board of an alpine resort may determine that a specified area or areas in the alpine resort be set aside for public use.
- (2) In a determination of a Board under subregulation (1) setting aside an area, the Board may specify conditions under which the use of the area to which the determination relates may or may not be carried out.
- (3) A determination under subregulation (1) may impose conditions as to—
  - (a) the use for which the area is set aside; and
  - (b) times or periods during which the area may be used.

### **10 Setting aside areas for the use, parking or driving of vehicles**

- (1) The Board of an alpine resort may by determination set aside any area in the alpine resort as an area—
  - (a) in which vehicles may be used without an authority of the Board; or
  - (b) in which vehicles must not be used unless the person holds an authority of the Board under regulation 11 to do so.

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- (2) The Board of an alpine resort may by determination set aside any area in the alpine resort as an area—
- (a) in which vehicles may be driven without an authority of the Board; or
  - (b) in which vehicles must not be driven unless the person holds an authority of the Board under regulation 11 to do so.
- (3) The Board of an alpine resort may by determination set aside any area in the alpine resort as an area—
- (a) in which vehicles may be parked without an authority of the Board; or
  - (b) in which vehicles must not be parked unless the person holds an authority of the Board under regulation 11 to do so.
- (4) A determination under this regulation may be of general application or may apply to a specified class or classes of vehicles.

**11 Authority to use, drive or park vehicles in alpine resorts**

- (1) The Board of an alpine resort may issue an authority to a person to do any one or more of the following—
- (a) use the vehicle specified in the authority in an area set aside for the use of such a vehicle with an authority;
  - (b) drive the vehicle specified in the authority in an area set aside for the driving of such a vehicle with an authority;
  - (c) park the vehicle specified in the authority in an area set aside for the parking of such a vehicle with an authority.



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- (2) An authority under this regulation—
- (a) may be transferred to another vehicle, if so specified in the authority; and
  - (b) applies for a period not exceeding 12 months or any lesser period specified in the authority.
- (3) A person who uses, drives or parks a vehicle in accordance with an authority issued under subregulation (1) must ensure that the authority remains affixed to the windscreen, side window or other prominent place of the vehicle to which the authority relates at all times while the vehicle is within the alpine resort.

Penalty: 5 penalty units.

## **12 Vehicle use, driving and parking offences**

- (1) A person must not use a vehicle in an alpine resort unless—
- (a) he or she does so in an area set aside under regulation 10 for the use of such a vehicle; and
  - (b) if the area is set aside as an area in which an authority is required for the use of such a vehicle, he or she uses the vehicle under a vehicle authority.

Penalty: 10 penalty units.

- (2) A person must not drive a vehicle in an alpine resort unless—
- (a) he or she does so in an area set aside under regulation 10 for the driving of such a vehicle; and

- (b) if the area is set aside as an area in which an authority is required for the driving of such a vehicle, he or she drives the vehicle under a vehicle authority.

Penalty: 10 penalty units.

- (3) A person must not park a vehicle in an alpine resort unless—
  - (a) he or she does so in an area set aside under regulation 10 for the parking of such a vehicle; and
  - (b) if the area is set aside as an area in which an authority is required for the parking of such a vehicle, he or she parks the vehicle under a vehicle authority.

Penalty: 10 penalty units.

- (4) Subregulations (1), (2) and (3) do not apply to a person who uses, drives or parks a vehicle in an area set aside under regulation 10 in accordance with—
  - (a) a lease, licence or other agreement issued under the Act or a corresponding previous enactment; or
  - (b) a lease or licence issued under the **Crown Land (Reserves) Act 1978** over land in an alpine resort.
- (5) A person must not, in an alpine resort, use, drive or park a vehicle or a vehicle of a particular class so as to obstruct, impede or interfere with the operations or works of—
  - (a) a Board;
  - (b) a person who is acting as—
    - (i) an employee of a Board;
    - (ii) a contractor of a Board;

(iii) a subcontractor of a contractor of a Board;

(iv) an employee of a contractor of a Board or a subcontractor of a contractor of a Board.

Penalty: 10 penalty units.

(6) A person must not, in an alpine resort, use, drive or park a vehicle or a vehicle of a particular class so as to obstruct any road, right of way or cross country ski trail.

Penalty: 20 penalty units.

### **13 Power of authorised officers and members of the force to remove vehicles**

(1) An authorised officer or member of the force may, in an alpine resort, remove or cause to be removed by means of lifting and carrying, or towing, a vehicle, if satisfied on reasonable grounds that the vehicle has been parked or left standing in contravention of regulation 12, to an area set aside under subregulation (3).

(2) The Board of an alpine resort may impound a vehicle removed under subregulation (1) until the owner of the vehicle has paid to the Board any reasonable costs incurred in removing and impounding the vehicle.

(3) The Board of an alpine resort may by determination set aside any area in the alpine resort as an area where impounded vehicles may be stored under this regulation.

(4) A person must not enter an area set aside by the Board under subregulation (3) without the permission of the Board.

Penalty: 10 penalty units.

## **14 Camping**

- (1) The Board of an alpine resort may by determination set aside any area of the alpine resort as an area where camping is permitted with an authority of the Board.
- (2) The Board of an alpine resort may issue an authority to a person to camp in an area of the alpine resort set aside under subregulation (1).
- (3) A person must not camp in an alpine resort unless he or she—
  - (a) does so in an area set aside where camping is permitted; and
  - (b) does so under a camping authority issued by the Board of the alpine resort; and
  - (c) has paid the fee for camping determined by the Board under regulation 38.

Penalty: 5 penalty units.

- (4) Subregulation (3) does not apply to a person who camps in the alpine resort in an emergency.
- (5) If an authority issued under subregulation (2) does not specify a period for which a person may camp under the authority, a person must not camp under the authority for more than 21 consecutive nights.

Penalty: 5 penalty units.

## **15 Use of toboggans, sleds, ski-bobs or inflatable devices**

- (1) The Board of an alpine resort may by determination set aside any area of the alpine resort as an area where the use of toboggans, sleds, ski-bobs or inflatable devices is permitted.

- (2) A determination of a Board under subregulation (1) may specify the classes of toboggans, sleds, ski-bobs or inflatable devices that may be used in the area set aside.
- (3) If the Board of an alpine resort has made a determination under this regulation it must display notices in the area set aside setting out the terms of the determination.
- (4) A person must not use a toboggan, sled, ski-bob or inflatable device in an alpine resort unless he or she does so in an area set aside under subregulation (1) for that purpose.

Penalty: 10 penalty units.

#### **16 Cross country ski trails**

- (1) The Board of an alpine resort may by determination set aside any area of the alpine resort as a cross country ski trail.
  - (2) The Board of an alpine resort may issue an authority to a person to use an area set aside as a cross country ski trail under subregulation (1).
  - (3) Subject to regulation 17 and subregulation (4), a person must not use an area set aside under subregulation (1) unless he or she—
    - (a) does so under an authority issued under subregulation (2); and
    - (b) has paid the fee determined by the Board under regulation 34.
- Penalty: 5 penalty units.
- (4) The parent or guardian of a child under 10 years of age must not allow the child to use an area set aside under subregulation (1) unless that child—
    - (a) does so under an authority issued under subregulation (2); and

- (b) the fee determined by the Board under regulation 34 has been paid in respect of that child.

Penalty: 5 penalty units.

### **17 Areas for skiing, snowboarding and other snowplay activities**

- (1) The Board of an alpine resort may by determination set aside any area of the alpine resort as an area where skiing, snowboarding or engaging in other snowplay activities is permitted.
- (2) A person must not—
  - (a) ski; or
  - (b) snowboard; or
  - (c) engage in snowplay activities—

in an alpine resort unless he or she does so in an area set aside by the Board under subregulation (1) for that purpose.

Penalty: 10 penalty units.

### **18 Landing of aircraft**

- (1) The Board of an alpine resort may by determination set aside any area of the alpine resort as an area where aircraft may be landed or used with an authority of the Board.
- (2) The Board of an alpine resort may issue an authority to the operator of aircraft to land or use aircraft in an area set aside for the landing or use of aircraft under subregulation (1).
- (3) The operator of an aircraft must not cause the aircraft to be landed or used in an alpine resort unless the aircraft is landed or used—
  - (a) in an area set aside for that purpose under subregulation (1); and

(b) in accordance with an authority issued under subregulation (2).

Penalty: 20 penalty units.

(4) Subregulation (3) does not apply to an aircraft that is—

(a) landed or used in an alpine resort in an emergency; or

(b) landed or used in an alpine resort in the course of rescue or safety operations or exercises; or

(c) otherwise permitted to enter the alpine resort without an authority under—

(i) a lease, licence or other agreement issued under the Act or a corresponding previous enactment; or

(ii) a lease or licence issued under the **Crown Land (Reserves) Act 1978** over land in an alpine resort.

(5) A determination under this regulation may be of general application or may apply to a specified class or classes of aircraft.

## **19 Riding and bringing horses or pack animals into an alpine resort**

(1) The Board of an alpine resort may by determination set aside any area of the alpine resort as an area into which or in which horses or pack animals may be brought, led or ridden with an authority of the Board.

(2) The Board of an alpine resort may issue an authority to a person to bring a horse or pack animal into, or lead or ride a horse or pack animal in, an area of the alpine resort set aside under subregulation (1).

- (3) A person must not bring a horse or pack animal into, or lead or ride a horse or pack animal in, an alpine resort unless he or she—
- (a) does so in an area set aside under subregulation (1) for that purpose; and
  - (b) does so under an authority issued under subregulation (2).

Penalty: 20 penalty units.

- (4) A person who brings a horse or pack animal into, or leads or rides a horse or pack animal in, an alpine resort under subregulation (2) must do so in a manner that does not endanger any other person or animal.

Penalty: 20 penalty units.

- (5) If a horse or pack animal is found in an alpine resort and the horse or pack animal is not under the immediate control of any person, the owner of the horse or pack animal, or if another person has the care and control of the horse or pack animal, that other person, is guilty of an offence and liable to a penalty of not more than 20 penalty units.

- (6) Subregulations (3) and (5) do not apply to a person who brings a horse or pack animal into, or leads or rides a horse or pack animal in, or allows a horse or pack animal to remain in, an alpine resort in accordance with—

- (a) a lease, licence or other agreement issued under the Act or a corresponding previous enactment; or
- (b) a lease or licence issued under the **Crown Land (Reserves) Act 1978** over land in an alpine resort.

- (7) Subregulations (3) and (5) do not apply to a person who is transporting horses or pack animals through an alpine resort in a vehicle.



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## **20 Prohibition on possessing or consuming liquor**

- (1) The Board of an alpine resort may by determination set aside any area of the alpine resort as an area where the possession or consumption of liquor is prohibited.
- (2) A person must not possess liquor in an alpine resort in an area set aside under subregulation (1) where the possession of liquor is prohibited.  
Penalty: 5 penalty units.
- (3) A person must not consume liquor in an alpine resort in an area set aside under subregulation (1) where the consumption of liquor is prohibited.  
Penalty: 10 penalty units.

## **21 Lighting or maintaining fires**

- (1) A person must not light, kindle or maintain a fire in the open air in an alpine resort.  
Penalty: 20 penalty units.
- (2) Subregulation (1) does not apply to a person who lights, kindles or maintains a fire in an alpine resort at a time and during a period when the lighting or maintaining of fires in that alpine resort is not prohibited under any Act or regulations and the person does so—
  - (a) in a public fireplace; or
  - (b) in an area set aside under subregulation (3) where it is permitted to light or maintain a fire.
- (3) The Board of an alpine resort may by determination set aside any area of the alpine resort as an area where a fire may be lit, kindled or maintained.

- (4) A person who lights, kindles or maintains a campfire or barbeque under subregulation (2)(a) or (2)(b) that uses solid fuel and that is in the open air must—
- (a) ensure that the ground and airspace within a distance of 3 metres from the outer perimeter and uppermost point of the fire are clear of flammable material; and
  - (b) ensure that the area of the campfire or barbeque is not in excess of 1 square metre; and
  - (c) ensure that the dimension of any piece of solid fuel that is being used in the campfire or barbeque is not more than 1 metre in any direction.

Penalty: 20 penalty units.

- (5) A person who lights, kindles or maintains a campfire or barbeque under subregulation (2)(a) or (2)(b) that uses liquid fuel, gaseous fuel or chemical fuel and that is in the open air must ensure that the ground and airspace within a distance of 1.5 metres from the outer perimeter and uppermost point of the fire are clear of flammable material.

Penalty: 20 penalty units.

- (6) The person in charge of a campfire or barbeque that uses solid fuel and that is in the open air in an alpine resort must not—
- (a) be outside the line of sight of the campfire or barbeque; or
  - (b) be more than 50 metres from the perimeter of the campfire or barbeque.

Penalty: 20 penalty units.

- (7) A person who has lit, kindled, maintained or used a fire or who has been left in charge of a fire in an alpine resort must extinguish the fire—
- (a) immediately at the request of an authorised officer or member of the force; or
  - (b) before leaving the place of the fire.

Penalty: 20 penalty units.

## **22 Surrender and cancellation of authorities**

- (1) The holder of an authority may surrender an authority issued by the Board of an alpine resort by writing given to the Board.
- (2) The Board may cancel an authority issued by the Board under these Regulations at any time—
  - (a) if the holder of the authority has—
    - (i) breached the conditions of the authority; or
    - (ii) breached these Regulations; or
  - (b) if the continuation of the authority is likely to be detrimental to, or interfere with the management and protection of, the natural environment, features, or visitors in an alpine resort; or
  - (c) for the purposes of management of the alpine resorts.
- (3) Upon cancellation of an authority under subregulation (2), the Board of an alpine resort must serve notice on the holder of the authority of the cancellation of the authority within a reasonable time after the cancellation.
- (4) A notice issued under subregulation (3) must be—
  - (a) served personally on the holder of the authority; or

- (b) sent by registered post to the address of the holder of the authority.
- (5) If notice is served personally on the holder of the authority under subregulation (4)(a), that authority is cancelled from the date of service of the notice.
- (6) If notice is sent by registered post to the holder of the authority under subregulation 4(b), that authority is cancelled from the date of delivery of the registered post.

### **23 Offence to fail to comply with an authority**

- (1) An authority issued by the Board of an alpine resort under these Regulations—
  - (a) must be in writing; and
  - (b) is subject to the conditions specified in the authority; and
  - (c) applies for the period specified in the authority.
- (2) The holder of an authority referred to in subregulation (1) must comply with the authority.

Penalty: 10 penalty units.

### **24 Board must display signs and notices**

- (1) The Board of an alpine resort must ensure that signs or notices informing the public of a determination made under regulation 8, 9, 10, 14, 15 or 17 in relation to the alpine resort are displayed in such places and in such a manner that the signs or notices are likely to be seen by any person affected by the determination.
- (2) A sign or notice displayed under subregulation (1) must include details of any information required to be specified in the determination under regulation 8, 9, 10, 14, 15 or 17.

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## **25 Determination may be amended or revoked**

- (1) The Board of an alpine resort may amend or revoke a determination made under regulation 8, 9, 10, 14, 15 or 17 in relation to an alpine resort.
- (2) If a Board amends a determination made under regulation 8, 9, 10, 14, 15 or 17, the Board must ensure that the details of the amendment are included on any signs or notices erected under regulation 24.
- (3) If a Board revokes a determination made under regulation 8, 9, 10, 14, 15 or 17, the Board must ensure that any signs or notices erected under regulation 24 relating to that determination are removed.

## **26 Powers of Boards in relation to determinations**

In a determination made under regulations 10, 14, 15, 16, 17, 18 and 19 the Board may impose conditions as to—

- (a) the use for which the area is set aside; and
  - (b) times or periods during which the area may be used.
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**PART 3—FEES**

**27 Offence to enter an alpine resort as a bus passenger without paying fee**

- (1) The Board of an alpine resort may determine a fee that is payable for a person who enters the alpine resort as a passenger in a bus, to access or use public areas in the alpine resort.
- (2) The fee determined by the Board under subregulation (1) must not exceed 1·31 fee units.
- (3) A person must not enter an alpine resort as a passenger in a bus unless that person has paid the access or use fee determined by the Board of an alpine resort under subregulation (1).

Penalty: 5 penalty units.

**28 Offence to enter an alpine resort in a motor vehicle without paying fee**

- (1) The Board of an alpine resort may determine a fee that is payable in respect of a motor vehicle for the persons in the motor vehicle to enter the alpine resort in the motor vehicle and to access or use public areas in the alpine resort.
- (2) The fee determined by the Board under subregulation (1) must not exceed 4·14 fee units for the motor vehicle for each day that the motor vehicle remains in the alpine resort.
- (3) A person must not enter an alpine resort in a motor vehicle unless the fee determined by the Board under subregulation (1) as being payable on such an entry has been paid.

Penalty: 5 penalty units.

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- (4) Subregulation (3) does not apply to a person who enters the alpine resort in a motor vehicle in respect of which an annual fee determined by the Board of an alpine resort in accordance with regulation 30(1) has been paid.
  - (5) The person in charge of a motor vehicle for which a fee is paid under subregulation (1) must affix any ticket issued for payment of the fee to the windscreen, side window or other prominent place on the vehicle at all times while the vehicle is in the alpine resort.

Penalty: 5 penalty units.

**29 Offence for persons to enter alpine resorts by means other than in buses and motor vehicles without paying fee**

- (1) The Board of an alpine resort may determine a fee that is payable for a person who enters the alpine resort other than as a passenger in a bus or in a motor vehicle to access or use public areas in the alpine resort.
- (2) The fee determined by the Board under subregulation (1) must not exceed 1·31 fee units for a person for each day that the person remains in that alpine resort.
- (3) A person must not enter an alpine resort, other than as a passenger in a bus or in a motor vehicle, unless that person has paid the access or use fee determined by the Board in accordance with subregulation (1).

Penalty: 5 penalty units.

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**30 Power of Boards to determine annual fee for access or use of alpine resorts**

- (1) The Board of an alpine resort may determine an annual fee that is payable in respect of a motor vehicle for persons who enter the alpine resort in that motor vehicle at any time during a 12 month period determined by the Board to access or use public areas in the alpine resort.
- (2) The annual fee determined by the Board under subregulation (1) must not exceed 49.67 fee units.
- (3) The Board of an alpine resort may determine to reduce or waive the annual fee determined under subregulation (1) if the person applying to pay the fee has paid an annual fee to access or use public areas in another alpine resort in respect of that vehicle for that year.

**31 Considerations Board must take into account in determining fees**

In determining a fee under this Part, the Board of an alpine resort must take the following into account—

- (a) any commercial considerations;
- (b) any marketing or promotional considerations;
- (c) any seasonal considerations including the cost of fee collection.

**32 Classes of person not required to pay access or use fees**

A person who is in any one of the following classes is not required to pay a fee determined by the Board of an alpine resort under regulation 27, 28, 29 or 30 in relation to the alpine resort—



- 
- (a) a person acting in accordance with an authority issued by the Board that allows that person to access or use public areas in the alpine resort without paying the fee for that access or use; or
  - (b) a person authorised to access or use the public areas in the alpine resort without paying the fee for that access or use under—
    - (i) a lease, licence or other agreement issued under the Act or a corresponding previous enactment; or
    - (ii) a lease or licence issued under the **Crown Land (Reserves) Act 1978** over land in an alpine resort; or
  - (c) a person entering the alpine resort during the off-season who is not given a reasonable opportunity to pay the fee for access or use of the public areas in the alpine resort; or
  - (d) a person travelling directly through the alpine resort to a place outside that resort.

**33 Board may reduce or waive fees for access or use of alpine resorts**

The Board of an alpine resort may determine to reduce or waive a fee determined under regulation 27, 28, 29 or 30 that is payable for a person to access or use public areas in the alpine resort if the Board is satisfied that—

- (a) the person is in the course of conducting official business with the Board; or
- (b) the person has been invited by the Board (in the course of carrying out its functions) to enter the resort; or
- (c) a fee has already been paid for that person to access or use public areas in another alpine resort; or

- (d) the person is the driver of a bus who has entered the resort for the purpose of bringing other persons to the resort to access or use public areas in the resort; or
- (e) the person is in charge of an aircraft that has landed in the alpine resort in accordance with an aircraft landing authority for the purpose of bringing other persons to the resort to access or use public areas in the resort.

**34 Board may determine fee for use of cross country ski trail**

- (1) The Board of an alpine resort may determine fees for using an area set aside as a cross country ski trail under regulation 16 during the snow season.
- (2) A fee determined by the Board under subregulation (1)—
  - (a) to use a cross country ski trail in the alpine resort for a day during the snow season in accordance with an authority of the type specified in Column 2 of the table in the Schedule, must not exceed the amount specified in Column 3 of that table in respect of that type of authority; or
  - (b) to use a cross country ski trail in the alpine resort at any time during the snow season in accordance with an authority of the type specified in Column 2 of the table in the Schedule, must not exceed the amount specified in Column 4 of that table in respect of that type of authority.
- (3) In determining a fee under subregulation (1), a Board must take into account—
  - (a) commercial and marketing considerations;
  - (b) seasonal conditions;

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- (c) whether the authority is for midweek use or weekend use;
  - (d) whether the persons to whom the authority is to be issued are—
    - (i) school children on an official group visit arranged with the Board; or
    - (ii) eligible pensioners within the meaning of the **State Concessions Act 2004**.

**35 Board may reduce, waive or refund fee for use of cross country ski trail**

- (1) The Board of an alpine resort may reduce or waive the fee for using a cross country ski trail determined under regulation 34 in relation to a person who has paid a fee to use a cross country ski trail in another alpine resort for the snow season.
- (2) If a person has paid a fee for an authority to use a cross country ski trail and that authority is subsequently cancelled under regulation 22(2)(b) or (c), the person to whom the authority was issued may apply in writing to the Board which issued the authority, for a pro rata refund of the fee.
- (3) Upon receipt of an application under subregulation (2), the Board may refund the remaining portion of the fee, calculated from the time at which the cancellation becomes effective until the time the authority would have expired.

**36 Board may determine fee for the use, parking or driving of vehicles**

- (1) The Board of an alpine resort may determine fees for using, parking or driving vehicles under a vehicle authority.

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- (2) A fee determined by the Board for—
- (a) using and driving a vehicle in accordance with a vehicle authority must not exceed 33·15 fee units per year; or
  - (b) using, driving and parking a vehicle in accordance with a vehicle authority must not exceed 57·37 fee units per year; or
  - (c) using, driving and parking a vehicle in accordance with a vehicle authority that is transferable to another vehicle must not exceed 191·22 fee units per year; or
  - (d) using, driving and parking an oversnow vehicle in accordance with a vehicle authority must not exceed 2·32 fee units per year.
- (3) A determination under subregulation (1) may be of general application or may apply to a specified class or classes of cases.
- (4) In determining a fee under subregulation (1), a Board must take into account—
- (a) commercial and marketing considerations;
  - (b) whether the vehicle is being used or driven for commercial or private purposes;
  - (c) the manner and the places in which the vehicle may be used or driven or parked.

**37 Board may waive or refund fee for vehicle authority**

- (1) If a person is required, under the terms or conditions of a lease, a licence, an authority or an agreement with the Board of an alpine resort, to provide a vehicle in connection with the purposes of that lease, licence, authority or agreement, the Board may reduce or waive any fee payable for using, parking or driving that vehicle in the alpine resort under a vehicle authority.

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- (2) If a person has paid a fee for an authority to use, drive or park a vehicle in an alpine resort and that authority is subsequently cancelled under regulation 22(2)(b) or (c), the person to whom the authority was issued may apply in writing to the Board which issued the authority, for a pro rata refund of the fee.
  - (3) Upon receipt of an application under subregulation (2), the Board may refund the remaining portion of the fee, calculated from the time at which the cancellation becomes effective until the time the authority would have expired.

**38 Board may determine fee for camping in an alpine resort and may refund fee**

- (1) The Board of an alpine resort may determine a fee for camping in an area of an alpine resort set aside for camping with authorisation under regulation 14.
- (2) A fee determined by a Board under subregulation (1) must not exceed \$4.44 for each person who camps in the alpine resort.
- (3) In determining a fee under subregulation (1), a Board must take into account—
  - (a) commercial and marketing considerations;
  - (b) seasonal conditions and the cost of fee collection.
- (4) If a person has paid a fee for an authority to camp in an alpine resort and that authority is subsequently cancelled under regulation 22(2)(b) or (c), the person to whom the authority was issued may apply in writing to the Board which issued the authority, for a pro rata refund of the fee.

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- (5) Upon receipt of an application under subregulation (4), the Board may refund the remaining portion of the fee, calculated from the time at which the cancellation becomes effective until the time the authority would have expired.

**39 Board may issue replacement authority**

- (1) If an authority issued under these Regulations is lost, stolen or damaged, the person to whom the authority was issued may apply in writing for a replacement authority to the Board which issued the authority.
- (2) An application under subregulation (1) must be accompanied by a fee of 2.43 fee units.
- (3) On receipt of an application in accordance with subregulations (1) and (2), the Board may issue a replacement authority.
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**PART 4—GENERAL USE AND CONTROL OF ALPINE RESORTS**

**40 Behaviour**

- (1) A person must not, in a public place in an alpine resort, behave in a manner that is obscene or offensive or likely to cause unreasonable disturbance to other persons.

Penalty: 5 penalty units.

- (2) A person must not, in a public place in an alpine resort, behave in a riotous or threatening manner or in a manner that is likely to endanger another person.

Penalty: 10 penalty units.

- (3) In this regulation, *public place* has the same meaning as in the **Summary Offences Act 1966**.

**41 Damaging or defacing property etc.**

- (1) The Board of an alpine resort may issue an authority for a person to undertake works which would alter, deface or damage—
- (a) a natural rock surface or flora; or
  - (b) a building, seat, table, post, fence, tower, railing, pillar or other structure of the Board; or
  - (c) any skiing facilities, equipment or property of a Board.

- (2) A person must not undertake an activity specified in subregulation (1) unless that person does so under an authority issued under subregulation (1).

Penalty: 10 penalty units.

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- (3) Subregulation (1) does not apply to a person who undertakes an activity specified in that subregulation in accordance with—
- (a) a lease, licence or other agreement issued under the Act or a corresponding previous enactment; or
  - (b) a lease or licence issued under the **Crown Land (Reserves) Act 1978** over land in an alpine resort.

#### **42 Games and activities**

- (1) A person must not in an alpine resort—
- (a) throw an object; or
  - (b) play a game—
- in a manner which is intended to cause danger or injury to any other person.
- Penalty: 20 penalty units.
- (2) A person must not in an alpine resort—
- (a) throw an object; or
  - (b) play a game—
- in a manner which is intended to cause unreasonable disturbance to any other person.
- Penalty: 10 penalty units.
- (3) A person must not in an alpine resort—
- (a) throw an object; or
  - (b) play a game—
- in a manner that is likely to damage any equipment, structure, or natural rock surface.
- Penalty: 10 penalty units.



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### 43 Hygiene

- (1) A person who camps in or occupies a camping area or other amenity, or uses a fireplace in an alpine resort, must maintain the site clear of litter at all times.

Penalty: 10 penalty units.

- (2) A person who camps in or occupies a camping area or other amenity, or uses a fireplace in an alpine resort, must before vacating a site that has been used or occupied by that person, clear and remove all litter from the site.

Penalty: 10 penalty units.

- (3) A person who camps in or occupies a camping area or other amenity, or uses a fireplace in an alpine resort, must not do so within 20 metres of any river, stream, well, spring, creek, lake, lagoon, swamp, marsh, dam, bore or watercourse.

Penalty: 10 penalty units.

- (4) A person must not leave behind or deposit faeces in an area of an alpine resort unless—

- (a) if the person is in an area in which toilet facilities are provided and readily available, the person does so in those facilities; or
- (b) if the person is not in an area in which toilet facilities are provided or readily available, the person does so by burying those faeces 100 metres or more away from any river, stream, creek, well, spring, dam, lake, reservoir, bore or water body.

Penalty: 15 penalty units.

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#### **44 Use of soap or detergent**

- (1) A person must not use any soap, detergent or similar substance in any river, stream, well, spring, creek, lake, lagoon, swamp, marsh, dam, bore or watercourse in an alpine resort.

Penalty: 10 penalty units.

- (2) A person who uses any soap, detergent or similar substance outdoors in an alpine resort must dispose of that substance—

- (a) at least 50 metres away from any river, stream, well, spring, creek, dam, bore or watercourse; and
- (b) at least 50 metres landward of the high water mark of any pond, lake or reservoir.

Penalty: 10 penalty units.

#### **45 Dogs**

- (1) The Board of an alpine resort may issue an authority to a person to—
- (a) bring a dog into an alpine resort; or
- (b) allow a dog under that person's control to enter or be in an alpine resort.

- (2) A person must not—
- (a) bring a dog into an alpine resort; or
- (b) allow a dog under that person's control to enter or be in an alpine resort—

unless he or she does so under an authority issued under subregulation (1).

Penalty: 10 penalty units.

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- (3) If a dog is found in an alpine resort and the dog is not under the immediate control of any person, the owner of the dog or, if another person apparently has the care and control of the dog, that person, is guilty of an offence and liable to a penalty of not more than 10 penalty units.
- (4) Subregulations (2) and (3) do not apply to a person who, in accordance with—
- (a) a lease, licence or other agreement issued under the Act or a corresponding previous enactment; or
  - (b) a lease or licence issued under the **Crown Land (Reserves) Act 1978** over land in an alpine resort—
- brings or allows a dog under his or her control to enter or remain in an alpine resort, if the dog—
- (c) is kept on a leash and is under that person's effective control at all times; or
  - (d) is restrained from causing—
    - (i) danger or unreasonable disturbance to other persons; and
    - (ii) damage or interference to property; and
    - (iii) disturbance or injury to wildlife.
- (5) Subregulations (2) and (3) do not apply to a person who brings or allows a dog under his or her control to enter or remain in an alpine resort if the person—
- (a) is visually or hearing impaired and is using that dog as a guide dog; or
  - (b) is transporting a dog through an alpine resort in a vehicle.

#### 46 Other animals

- (1) The Board of an alpine resort may issue an authority to a person to—
  - (a) bring any animal that is not a dog, a horse or pack animal into an alpine resort; or
  - (b) allow such an animal under that person's control to be in an alpine resort.
- (2) A person must not—
  - (a) bring any animal into an alpine resort that is not a dog, a horse or pack animal; or
  - (b) allow any animal under that person's control to enter or be in an alpine resort—

unless he or she does so under an authority issued under subregulation (1).

Penalty: 15 penalty units.

- (3) If an animal that is not a dog, a horse or pack animal is found in an alpine resort and the animal is not under the immediate control of any person, the owner of the animal or, if another person apparently has the care and control of the animal, that person, is guilty of an offence and liable to a penalty of not more than 15 penalty units.
- (4) Subregulations (2) and (3) do not apply to a person who brings or allows an animal that is not a dog, a horse or pack animal to remain in an alpine resort—
  - (a) if the person is transporting the animal through the alpine resort in a vehicle; or
  - (b) if the person is acting in accordance with—
    - (i) a lease, licence or other agreement issued under the Act or a corresponding previous enactment; or

- (ii) a lease or licence issued under the  
**Crown Land (Reserves) Act 1978**  
over land in an alpine resort.

#### **47 Seizure and impounding of animals**

If an authorised officer or member of the force is satisfied on reasonable grounds that—

- (a) a live animal, that is not fauna, has been brought into or allowed to enter or to remain in an alpine resort in contravention of these Regulations; and
- (b) the animal has been found at large—

the authorised officer or member of the force may seize the animal and deliver it to a member of staff of the municipal council whose municipal district abuts the alpine resort or other appropriate person or body.

#### **48 Protection of flora and fauna**

- (1) A person must not, in an alpine resort, remove, hunt, capture, take, kill or injure any fauna.

Penalty: 20 penalty units.

- (2) A person must not destroy or disturb the nest, bower, display mound, lair or burrow of any fauna.

Penalty: 15 penalty units.

- (3) A person must not, in an alpine resort, cut, fell, pick, remove, take or destroy any flora.

Penalty: 20 penalty units.

- (4) A person must not, in an alpine resort, plant, introduce or cultivate any non-indigenous seed, tree, shrub, fern, algae or other non-indigenous plant.

Penalty: 20 penalty units.

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- (5) Subregulations (1), (2), (3) and (4) do not apply if—
- (a) the person holds a permit issued by the Secretary that authorises that person to engage in the activity set out in those subregulations; and
  - (b) the person is acting under and in accordance with any permit or licence required by the **Firearms Act 1996**, the **Wildlife Act 1975** or the **Flora and Fauna Guarantee Act 1988** and any Regulations made under those Acts.
- (6) The Secretary may issue a permit to a person for the purpose of subregulation (5).

#### **49 Beehives**

- (1) A person must not keep a beehive in an alpine resort.
- Penalty: 10 penalty units.
- (2) Subregulation (1) does not apply to a person who keeps a beehive in accordance with a licence issued under the **Crown Land (Reserves) Act 1978**.

#### **50 Firearms and other weapons**

- (1) A person must not in an alpine resort possess or carry a firearm, bow, missile, explosive or firework.
- Penalty: 10 penalty units.
- (2) A person must not in an alpine resort use a firearm, bow, missile, explosive or firework.
- Penalty: 20 penalty units.

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- (3) Subregulations (1) and (2) do not apply to a person—
- (a) who possesses, carries or uses the firearm, bow, missile, explosive or firework under and in accordance with the provisions of the **Firearms Act 1996**, the **Control of Weapons Act 1990** or the **Dangerous Goods Act 1985** (as applicable) if the person—
    - (i) is participating in safety or rescue operations or exercises; or
    - (ii) is acting under and in accordance with an authority issued under subregulation (4); or
  - (b) who discharges a flare in an emergency.
- (4) For the purpose of subregulation 3(a)(ii), the Board of an alpine resort may issue an authority to a person to possess, carry or use a firearm, bow, missile, explosive or firework in the alpine resort.
- (5) An authority issued under subregulation (4) is subject to any conditions specified in the authority.
- (6) A person must comply with an authority issued under subregulation (4).

Penalty: 10 penalty units.

## **51 Ski equipment to be fitted with certain mechanisms**

- (1) A person who uses skis, a snowboard or other device for skiing in an alpine resort, must ensure that it is fitted with a strap or other mechanism that is designed for and capable of stopping the skis, snowboard or other device if it becomes detached from the skier.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to a person who uses cross country skis or a snowboard that is attached to the skier by a mechanism incapable of automatic release.

## **52 Use of ski lifts**

- (1) A person must not in an alpine resort embark on or disembark from a ski lift other than at the place where the ski lift commences or finishes.

Penalty: 20 penalty units.

- (2) A person must not in an alpine resort throw or intentionally drop any object from a ski lift.

Penalty: 20 penalty units.

- (3) A person must not in an alpine resort, while on or embarking on, or disembarking from a ski lift, behave in a manner—

(a) that is likely to interfere with the safe operation of the ski lift; or

(b) that is likely to cause danger to any other person.

Penalty: 20 penalty units.

- (4) A person must not in an alpine resort place any object in an uphill track of a J-bar, T-bar, platter pull, rope tow or any other surface lift.

Penalty: 20 penalty units.

- (5) A person must not in an alpine resort embark on a ski lift that is indicated by signs to be closed at that time.

Penalty: 20 penalty units.



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- (6) Subregulation (1) does not apply to a person who embarks on or disembarks from a ski lift—
- (a) in the event of a stoppage of the ski lift and under the instruction of the ski lift operator; or
  - (b) in an emergency.

**53 Offence to obstruct a Board managed road**

- (1) A person must not obstruct a Board managed road in an alpine resort.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply to a person who obstructs a Board managed road in accordance with—

- (a) an authority issued under subregulation (3); or
- (b) a lease, licence or other agreement issued under the Act or a corresponding previous enactment; or
- (c) a lease or licence issued under the **Crown Land (Reserves) Act 1978** over land in an alpine resort.

- (3) The Board of an alpine resort may issue an authority to a person to obstruct a Board managed road.

**54 Offence relating to damage or destruction of works, signs, gates etc. of a Board**

- (1) A person must not in an alpine resort, obstruct any bridge, sewer pipe, water pipe, gas pipe or any other works of the Board of the alpine resort.

Penalty: 20 penalty units.

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- (2) A person must not in an alpine resort remove any sign, gate, barrier or lock installed by the Board.  
Penalty: 20 penalty units.
- (3) A person must not in an alpine resort damage any Board managed road, ski trail or other area in the alpine resort.  
Penalty: 20 penalty units.
- (4) A person must not in an alpine resort drive a vehicle beyond a locked gate or barrier installed by the Board.  
Penalty: 20 penalty units.
- (5) Subregulations (1) to (4) do not apply to a person who acts in accordance with—
- (a) an authority issued under subregulation (6);
  - (b) a lease, licence or other agreement issued under the Act or a corresponding previous enactment;
  - (c) a lease or licence issued under the **Crown Land (Reserves) Act 1978** over land in the alpine resort.
- (6) The Board of an alpine resort may issue an authority to a person to carry out any of the activities listed in subregulation (1), (2), (3) or (4).

#### **55 Use of wheel chains on vehicles**

- (1) The driver of a vehicle who enters an alpine resort must at all times during the snow season, carry in their vehicle wheel chains suitable to be properly fitted to that vehicle.  
Penalty: 20 penalty units.

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- (2) An authorised officer or member of the force may, at any time during the snow season, for reasons of safety or for the control or protection of an alpine resort, direct the driver of a vehicle—
- (a) to produce wheel chains suitable to be properly fitted to that vehicle; or
  - (b) to ensure that wheel chains are properly fitted to the drive wheels of that vehicle or, in the case of a four wheel drive vehicle, to either the front or rear wheels of that vehicle; or
  - (c) if the person fails to comply with subregulations (2)(a) or (2)(b), to leave the alpine resort.
- (3) The driver of a vehicle entering or in an alpine resort must comply with a direction of an authorised officer or member of the force made under subregulation (2).

Penalty: 20 penalty units.

**56 Prescribed Board may waive carrying of wheel chains on certain days**

- (1) A prescribed Board may determine that regulation 55 does not apply to day visitors on a specified day in an alpine resort for which the Board is responsible.
- (2) The prescribed Board may make a determination under subregulation (1) on the day specified in the determination or on the day prior to that day in relation to either—
  - (a) all vehicles, when entering or remaining in the alpine resort; or
  - (b) those classes of vehicles that are specified in the determination, when entering or remaining in the alpine resort.

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- (3) In making a determination under subregulation (1), the prescribed Board must take into account public safety considerations, including—
- (a) the general conditions of the roads; and
  - (b) the extent of any snow or ice on the roads; and
  - (c) the latest available weather forecasts.
- (4) The prescribed Board must ensure that signs or notices informing the public of a determination made under subregulation (1) and providing any details of the vehicles or classes of vehicles to which the determination relates, are displayed adjacent to roads within the alpine resort in such a place and manner that those signs and notices are reasonably likely to be seen by any person affected by the determination.
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**PART 5—POWERS OF AUTHORISED OFFICERS AND  
MEMBERS OF THE FORCE**

**57 Authorised officer or member of the force may  
request person to leave area in an alpine resort**

- (1) An authorised officer or member of the force may, if satisfied on reasonable grounds that a person is in an area in an alpine resort to which entry has been prohibited under regulation 7 or 8, request that person to leave that area.
- (2) An authorised officer or member of the force may, if satisfied on reasonable grounds that it is in the interests of safety to do so, request a person to leave an area in an alpine resort that has been set aside for public use under regulation 9.
- (3) A person must comply with a request of an authorised officer or member of the force under subregulation (1) or (2).

Penalty: 5 penalty units.

**58 Authorised officer or member of the force may  
direct person to cease doing an activity in an alpine  
resort**

- (1) An authorised officer or member of the force may, if satisfied on reasonable grounds that it is in the interests of safety to do so, direct a person who, in an alpine resort, undertakes any activity that is permitted in that alpine resort, to cease doing that activity immediately.
- (2) A person must comply with a direction of an authorised officer or member of the force under subregulation (1).

Penalty: 20 penalty units.

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**59 Powers of authorised officers or members of the force in relation to vehicles**

- (1) An authorised officer or member of the force may, if satisfied on reasonable grounds that it is in the interests of safety to do so, or for the management, protection or control of an alpine resort, give directions to a person in charge of a vehicle in relation to the movement, direction, speed, stopping or parking of the vehicle in an alpine resort.
- (2) The driver of a vehicle on a road or track in an alpine resort must comply with a direction of an authorised officer or member of the force given under subregulation (1).

Penalty: 20 penalty units.

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Alpine Resorts (Management) Regulations 2009  
S.R. No. 136/2009

Sch.

**SCHEDULE**

Regulation 34(2)

Sch.  
amended by  
S.R. No.  
17/2011 reg. 4.

**FEEES FOR CROSS COUNTRY SKI TRAIL AUTHORITY**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item No.</i>	<i>Type of authority</i>	<i>Maximum fee for daily authority</i>	<i>Maximum fee for season authority (if applicable)</i>
1	Family (up to 6 people with a maximum of 2 adults)	2.55 fee units	30.60 fee units
2	Adult	1.02 fee units	12.75 fee units
3	Child (aged between 5 and 17 years)	\$6.09	6.37 fee units

## ENDNOTES

### 1. General Information

The Alpine Resorts (Management) Regulations 2009, S.R. No. 136/2009 were made on 4 November 2009 by the Governor in Council under section 57 of the **Alpine Resorts (Management) Act 1997**, No. 89/1997 and came into operation on 6 November 2009: regulation 3.

The Alpine Resorts (Management) Regulations 2009 will sunset 10 years after the day of making on 4 November 2019 (see section 5 of the **Subordinate Legislation Act 1994**).



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## 2. Table of Amendments

This Version incorporates amendments made to the Alpine Resorts (Management) Regulations 2009 by statutory rules, subordinate instruments and Acts.

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Alpine Resorts (Management) Amendment Regulations 2011, S.R. No. 17/2011

*Date of Making:* 5.4.11

*Date of Commencement:* 15.4.11: reg. 3

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### 3. Explanatory Details

#### Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2010 is \$11.95. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

#### Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2010 is \$119.45.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.