Western Australia

Conservation and Land Management Act 1984

Conservation and Land Management Regulations 2002

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Western Australia

Conservation and Land Management Regulations 2002

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Defined terms

Conservation and Land Management Regulations 2002

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Conservation and Land Management Regulations 2002*.

2. Terms used

In these regulations, unless the contrary intention appears —

Aboriginal artefact means an object to which the *Aboriginal Heritage Act 1972* applies;

Aboriginal site means a place to which the *Aboriginal Heritage Act 1972* applies;

abseiling area means —

(a) an area declared under regulation 6(1)(a) to be a designated area for the purposes of regulation 33; or

(b) an area designated by sign as an abseiling area;

aircraft includes an ultra-light aircraft and a helicopter;

ammunition has the meaning given in the *Firearms Act 2024* section 5;

authorised officer means a wildlife officer, forest officer, ranger, conservation and land management officer and a person appointed to an honorary office under section 46 of the Act;

bicycle has the meaning given to that term in the *Road Traffic Code 2000* regulation 3(1);

CALM land means land, or land and waters, to which these regulations apply, and includes caves and parts of caves on or under that land;

camp means —

(a) to stay or lodge (whether in a camping unit or otherwise) during any period of the night after 9.00 p.m. and before 6.00 a.m.; or

(b) to stay or lodge in a camping unit, building or structure during any period of the day after 6.00 a.m. and before 9.00 p.m.;

camping area means —

(a) an area declared under regulation 6(1)(a) to be a designated area for the purposes of regulation 66; or

(b) an area designated by sign as a camping area;

camping unit means a tent or other portable thing of any kind used or capable of being used for habitation, and includes a caravan or other vehicle;

caravan means a vehicle fitted or designed for habitation;

commercial operations licence means a licence issued under regulation 94;

commercial purpose means the purpose of sale for profit or any other purpose that is directed to financial gain or reward;

Companion Card means a Companion Card issued by ACROD Limited (ACN 008 445 485);

concession card means —

(a) a Seniors' Card issued by the Office of Seniors' Interests in this or another State or Territory; or

(b) a Pensioner Concession Card issued by Centrelink on the basis of receipt of Aged Pension, Disability Support Pension or Carer Payment; or

(c) any concession card issued by the Commonwealth Department of Veterans' Affairs; or

(d) a Companion Card;

designated area has the meaning given by regulation 6(6);

dog area means —

(a) an area declared under regulation 6(1)(a) to be a designated area for the purposes of regulation 16; or

(b) an area designated by sign as a dog area;

firearm has the meaning given in the *Firearms Act 2024* section 6;

horse area means —

(a) an area declared under regulation 6(1)(a) to be a designated area for the purposes of regulation 17; or

(b) an area designated by sign as a horse area;

major firearm part has the meaning given in the *Firearms Act 2024* section 14(1);

mooring means any structure or apparatus (other than a vessel's anchor that is retrieved by the vessel when not in use) to which a floating vessel may be secured by a chain, cable, wire or rope, whether or not the structure or apparatus is itself beyond the shores of the water;

non-indigenous animal, in relation to a particular locality, means an animal that is not indigenous to that locality;

public mooring means a mooring designated as a public mooring under regulation 60A(1);

restricted area has the meaning given by regulation 5(6);

school holidays means the days between school terms determined for government schools under section 117 of the *School Education Act 1999*;

scientific purposes licence means a licence issued under regulation 89;

sell includes —

(a) sell by wholesale or retail;

(b) supply or perform for profit;

(c) receive for sale;

(d) have in possession for sale;

(e) send, forward or deliver for sale;

(f) cause or suffer or allow to be sold;

(g) dispose or offer for disposal under an hire-purchase agreement;

services includes the supply of transport, information, instruction or supervision;

sign means a sign erected by authority of the CEO and includes lines or other markings on the ground made by authority of the CEO; and such a sign is taken to be a notice for the purposes of section 134 of the Act;

take includes —

(a) to injure, destroy or otherwise interfere with, or cause or permit the doing of any of those things; and

(b) to hunt any fauna even though no fauna is actually taken; and

(c) an attempt to take;

temporary mooring area means —

(a) an area declared under regulation 6(1)(a) to be a designated area for the purposes of regulation 60B; or

(b) an area designated by sign as a temporary mooring area;

tender means an auxiliary vessel that is used as a life boat or means of transportation between the parent vessel and another location or for both those purposes;

tree includes a tree that is dead provided the tree is still standing;

vehicle has the meaning given in the *Road Traffic (Administration) Act 2008* section 4.

[Regulation 2 amended: Gazette 29 Sep 2006 p. 4304-5 and 4334; 3 Dec 2010 p. 6045-6; 8 Jan 2015 p. 135-6; 24 Mar 2015 p. 1033-4; 6 May 2016 p. 1381; SL 2022/193 r. 4; SL 2023/50 r. 4; SL 2023/170 r. 4; SL 2024/298 r. 8.]

3. Application

(1) Unless otherwise stated, these regulations apply to —

(a) land, and land and waters, specified in section 5 of the Act; and

(b) subject to section 130(2) of the Act, section 8A land; and

(c) subject to subregulation (2), section 8C land; and

(d) land to which section 131 of the Act applies.

(2) If the Governor, by order under section 8C(2)(b), has specified the CEO's functions in relation to managing any section 8C land, a regulation does not apply to the land unless it prescribes a matter that is consistent with the functions that the CEO has in respect of the land.

[Regulation 3 amended: Gazette 29 Sep 2006 p. 4305; 7 Dec 2012 p. 5965.]

4. Lawful authority

(1) The CEO may, by written notice, authorise a person to do an act that would, but for that notice, be unlawful under these regulations.

(2A) The CEO is to specify in a notice under subregulation (1) the person or persons or group, body or association of persons to whom the authorisation applies.

(2) A notice under subregulation (1) may be expressed to operate in specified circumstances, for a specified period or subject to any specified condition and may be amended or revoked by the CEO.

(3) In order to avoid any doubt and without limiting the meaning of the expression "without lawful authority", it is declared that, for the purposes of these regulations, an act is done without lawful authority if it is done —

(a) in contravention of any term or condition of a contract, permit, lease, licence, notice or other authority under the Act or these regulations; or

(b) in contravention of any term or condition of a licence or other authority under the *Biodiversity Conservation Act 2016*; or

(c) in contravention of a direction or authority under the *Biosecurity and Agriculture Management Act 2007*; or

(d) in contravention of a direction or authority under the *Fish Resources Management Act 1994*; or

(e) in contravention of a direction, or the terms and conditions of an authority (however described), under another written law; or

(f) where the person doing the act has entered the land upon which the act is done without lawful authority.

[Regulation 4 amended: Gazette 29 Sep 2006 p. 4305 and 4334; 5 Feb 2013 p. 834; 19 Sep 2014 p. 3330; 14 Sep 2018 p. 3307.]

5. Restricted areas

(1) The CEO may, by notice published in the *Gazette* —

(a) declare an area of CALM land to be a restricted area for the purposes of regulations 9 (fishing), 26 (glass), 28 (cleaning etc. fish), 39 (certain fires), 49A (access on foot), 51 (vehicles), 51A (bicycles), 60 (anchoring),

61 (operation of vessels) and 64 (launching etc. of vessels) or any of those regulations; and

(b) specify which activities are prohibited or restricted in the restricted area, and the nature of the restrictions.

(2) An area may be declared to be a restricted area at all times or during a period or periods specified in the notice.

(3) Where practicable, sufficient signs are to be erected and maintained by the CEO in or in the vicinity of a restricted area indicating —

(a) that the area is a restricted area during the periods specified in the notice; and

(b) the activities in that area that are prohibited or restricted by reason of the area being a restricted area; and

(c) if activities in the restricted area are subject to restrictions, the nature of the restrictions.

(4) The CEO may by notice published in the *Gazette* amend or revoke any previous notice published under this regulation.

(5) A notice published under this regulation takes effect on such day after publication as is specified in the notice.

(6) Unless the contrary intention appears, a reference in a provision of these regulations to a restricted area is a reference to an area declared to be a restricted area under subregulation (1) for the purposes of that provision.

(7) The CEO must not declare an area of CALM land to be a restricted area for the purposes of regulation 49A unless —

(a) the area is in a marine reserve; and

(b) the purpose of the declaration is to protect and conserve the value of the land to the culture and heritage of Aboriginal persons.

[Regulation 5 amended: Gazette 29 Sep 2006 p. 4305-6 and 4334; 10 Nov 2015 p. 4605.]

6. Designated areas

(1) The CEO may, by notice published in the *Gazette* —

(a) declare an area of CALM land to be a designated area for the purposes of any regulation listed in the Table relating to an activity listed opposite that regulation; and

(b) specify conditions which apply to the use of the designated area for those purposes.

Table

Regulation	**Activity**
16	bringing dogs onto land
17	bringing horses onto land
21(3)	discharging sewage from vessels
33	abseiling
51	driving or using vehicles
51A	riding bicycles
60B	mooring vessels
61A	operating vessels in nature reserves
66	camping

(2) An area may be declared to be a designated area at all times or during a period or periods specified in the notice.

(3) Where practicable, sufficient signs are to be erected and maintained by the CEO in or in the vicinity of a designated area indicating —

(a) that the area is a designated area during the periods specified in the notice; and

(b) the activities in that area that are permitted by reason of the area being a designated area; and

(c) if activities are subject to conditions, the nature of the conditions.

(4) The CEO may by notice published in the *Gazette* amend or revoke any previous notice published under this regulation.

(5) A notice published under this regulation takes effect on such day after publication as is specified in the notice.

(6) A reference in a provision of these regulations to a designated area is a reference to an area declared to be a designated area under subregulation (1) for the purposes of that provision.

[Regulation 6 amended: Gazette 29 Sep 2006 p. 4306 and 4334; 24 Mar 2015 p. 1034.]

Part 2 — Protection of the environment

Division 1 — Protection of flora and fauna

7. Limitation on restriction

Nothing in these regulations imposes any restriction on the taking, in a marine park or marine management area —

(a) of fish within the meaning of the *Fish Resources Management Act 1994*, in accordance with the provisions of that Act relating to aquaculture or commercial or recreational fishing; or

(b) of pearl oyster within the meaning of the *Pearling Act 1990*, in accordance with that Act,

except to the extent that the restriction relates to conduct or activity other than the taking of fish but that incidentally affects the taking of fish.

8. Unlawful taking of flora and fauna other than fish

(1) Without limiting section 106(b), a person must not, without lawful authority, take any flora or fauna on CALM land.

Penalty: a fine of $2 000.

(2) Section 101C of the Act applies to the taking of flora or fauna in a marine reserve.

(3) In subregulation (1) —

CALM land does not include a marine reserve;

fauna does not include fish.

[Regulation 8 amended: Gazette 3 Dec 2010 p. 6052.]

9. Fishing in restricted areas

(1) A person must not, without lawful authority, in a restricted area —

(a) engage in a fishing activity prohibited in that area under regulation 5; or

(b) contravene a restriction imposed on a fishing activity in that area under regulation 5.

Penalty: a fine of $1 000.

(2) In this regulation —

fishing activity has the same meaning as in the *Fish Resources Management Act 1994*.

[Regulation 9 amended: Gazette 3 Dec 2010 p. 6052.]

10. Feeding of fauna

A person must not, without lawful authority, feed fauna, or entice fauna with food, on CALM land.

Penalty: a fine of $1 000.

[Regulation 10 amended: Gazette 3 Dec 2010 p. 6052; 19 Sep 2014 p. 3335.]

11. Restrictions on approaching certain marine fauna

(1) A person in a vessel or aircraft must not, without lawful authority, herd, chase, interfere with the movement of, or otherwise prevent the free movement of, a whale, dolphin, dugong, seal, sea lion, whale shark, manta ray, marine turtle or any other marine fauna in a marine reserve.

Penalty: a fine of $2 000.

(2) A person does not contravene subregulation (1) if the person is in a vessel that is underway and fauna are riding in or on the bow wave of the vessel.

[Regulation 11 amended: Gazette 3 Dec 2010 p. 6052.]

12. Possession or use of firearms, spears, restricted devices etc.

(1) A person must not, without lawful authority, have in his or her possession on CALM land a firearm, major firearm part or ammunition unless that thing —

(a) is completely stowed within a vehicle or vessel; and

(b) in the case of a firearm, is unloaded and disassembled.

Penalty: a fine of $2 000.

(2) A person must not, without lawful authority, have a spear, speargun, gidgie or Hawaiian sling in his or her possession in —

(a) a restricted area declared for the purposes of regulation 9; or

(b) an area classified under section 62(1a) of the Act as a sanctuary area,

unless that thing is completely stowed within a vehicle or vessel and, if it is practicable to do so, is unloaded and disassembled.

Penalty: a fine of $2 000.

(3) A person must not, without lawful authority, have in his or her possession on CALM land any restricted device that is intended to be used for the taking of fauna or that constitutes a danger to the public.

Penalty: a fine of $2 000.

(3a) A person must not, without lawful authority —

(a) discharge a firearm on CALM land; or

(b) use a spear, speargun, gidgie or Hawaiian sling in —

(i) a restricted area declared for the purposes of regulation 9; or

(ii) an area classified under section 62(1a) of the Act as a sanctuary area;

or

(c) use a restricted device on CALM land for taking fauna or in a manner that constitutes a danger to the public.

Penalty: a fine of $2 000.

(4) Nothing in this regulation prohibits a person from having or using a thing in his or her possession on CALM land where that person has lawful authority to take fauna using that thing.

(5) In this regulation —

restricted device means —

(a) a bow or cross-bow; or

(b) an explosive, poisonous, noxious or narcotising substance; or

(c) a snare, trap or net; or

(d) any other equipment, implement, device, apparatus or other thing that is used, capable of being used, or designed or adapted for use for, or in connection with, taking fauna, and is not referred to in subregulation (1) or (2).

[Regulation 12 amended: Gazette 29 Sep 2006 p. 4306-7; 27 Feb 2007 p. 625; 3 Dec 2010 p. 6052; 19 Sep 2014 p. 3335; SL 2022/193 r. 5.]

13. Cultivation etc. prohibited

(1) A person must not, without lawful authority, plant, cultivate or abandon any plant on CALM land.

Penalty: a fine of $2 000.

(2) In subregulation (1) ***plant*** includes any part of a plant.

[Regulation 13 amended: Gazette 3 Dec 2010 p. 6052; 19 Sep 2014 p. 3335.]

14. Removal of plants

(1) An authorised officer who finds a person contravening regulation 13 may direct that person then and there to remove

the plant the subject of the offence, and any equipment likely to be used in the cultivation of the plant, from the land.

(2) A person must comply with a direction under subregulation (1).

Penalty: a fine of $2 000.

[Regulation 14 amended: Gazette 3 Dec 2010 p. 6052.]

Division 2 — Animals on CALM land

[Heading amended: Gazette 29 Sep 2006 p. 4307.]

15. Bringing animal on to CALM land

Without limiting section 106(a), and subject to regulations 16 and 17, a person must not, without lawful authority —

(a) bring an animal on to CALM land; or

(b) allow an animal to enter or remain on CALM land.

Penalty: a fine of $2 000.

[Regulation 15 amended: Gazette 3 Dec 2010 p. 6052; 19 Sep 2014 p. 3335.]

16. Dogs on CALM land

(1) A person may bring a dog on to a dog area.

(2) A person must control and manage a dog in a dog area in accordance with conditions specified on signs erected in or in the vicinity of that area for the purposes of regulation 6(3) or signs designating that area as a dog area.

Penalty: a fine of $2 000.

[Regulation 16 amended: Gazette 3 Dec 2010 p. 6046; 19 Sep 2014 p. 3335.]

17. Horses on CALM land

(1) A person may bring a horse on to a horse area.

(2) A person must control and manage a horse in a horse area in accordance with conditions specified on signs erected in or in the vicinity of that area for the purposes of regulation 6(3) or signs designating that area as a horse area.

Penalty: a fine of $2 000.

[Regulation 17 amended: Gazette 3 Dec 2010 p. 6046; 19 Sep 2014 p. 3335.]

18. Unlawful taking of non-indigenous animals

A person must not, without lawful authority, take any non-indigenous animal on CALM land.

Penalty: a fine of $2 000.

[Regulation 18 amended: Gazette 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3335.]

19. Removal of animal by owner or person in charge

An owner or person in charge of an animal on CALM land in contravention of regulation 15 must remove the animal from the land when required to do so by an authorised officer.

Penalty: a fine of $2 000.

[Regulation 19 amended: Gazette 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3335.]

20. Removal of animals by authorised officer

An authorised officer may seize and remove any animal found on CALM land in contravention of regulation 15 if the authorised officer is unable to find the owner or person in charge of the animal.

[Regulation 20 amended: Gazette 29 Sep 2006 p. 4307.]

Division 3 — Pollution and litter

21. Discharging or depositing waste

(1) Subject to subregulations (2) and (3), a person must not, without lawful authority, cause or allow waste to be discharged or placed on CALM land.

Penalty: a fine of $2 000.

(2) Subregulation (1) does not apply to fuel discharged during the normal operation of 2 stroke outboard motors on vessels.

(3) A person may discharge sewage from a vessel in a designated area.

(4) A person must discharge sewage in a designated area in accordance with any conditions specified in respect of that discharge in the notice published under regulation 6(1) designating that area for the purposes of this regulation.

Penalty: a fine of $2 000.

(5) In subregulation (1) —

waste means any waste which could reasonably be expected to significantly and adversely affect the land on which it is discharged or placed, and includes liquid, solid, gaseous and radioactive matter, whether useful or useless.

[Regulation 21 amended: Gazette 3 Dec 2010 p. 6052-3.]

22. Painting or treating vessels

A person must not, without lawful authority, paint or chemically treat, or cause to be painted or chemically treated, the hull or keel of a vessel on CALM land.

Penalty: a fine of $2 000.

[Regulation 22 amended: Gazette 3 Dec 2010 p. 6052-3.]

23. Pollution of water supply

(1) A person must not discharge or place any refuse or any poisonous, noxious or polluting matter, or cause any refuse or poisonous, noxious or polluting matter to be discharged or placed —

(a) in any —

(i) reservoir or tank that holds or is intended to hold water for human consumption or use on CALM land, or in any area on CALM land where the matter is likely to pass to such a reservoir or tank; or

(ii) pipe, conduit or fitting through which such water is passed or intended to be passed; or

(iii) pit, manhole or other structure containing valves, meters, fittings or connections for the distribution of such water;

or

(b) in any public water catchment area on CALM land, or in any area on CALM land where the matter is likely to pass to a public water catchment area; or

(c) except as permitted under regulation 21, in any naturally occurring water course or water body on CALM land, or in any area on CALM land where the matter is likely to pass to a naturally occurring water course or water body.

Penalty: a fine of $2 000.

(1a) Subregulation (1) does not apply to swimming or bathing in a water course or water body that is not used for storing water for human consumption.

(2) A person must not swim, bathe or wash in any reservoir or tank containing water stored for human consumption or use on CALM land.

Penalty: a fine of $2 000.

[Regulation 23 amended: Gazette 29 Sep 2006 p. 4308; 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3335.]

24. Litter

(1) A person must not deposit litter, or cause litter to be deposited, on CALM land (unless the person deposits the litter in a place or receptacle set aside or provided by the CEO for that purpose).

Penalty: a fine of $2 000.

(2) In this regulation —

litter has the same meaning as in the *Litter Act 1979*.

[Regulation 24 amended: Gazette 29 Sep 2006 p. 4334; 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3335.]

25. Building materials and other matter

A person must not discharge or place building materials, soil, rocks, sand, rubble, over-burden or waste products from any industry, or cause building materials, soil, rocks, sand, rubble, over-burden or waste products from any industry to be discharged or placed, on CALM land.

Penalty: a fine of $2 000.

[Regulation 25 amended: Gazette 3 Dec 2010 p. 6052-3.]

26. Glass in restricted areas

A person must not —

(a) take, or have in his or her possession, any drinking glass, glass bottle or glass drinking implement in a restricted area where taking or possession of that item is prohibited under regulation 5; or

(b) contravene a restriction on taking or possession of glass in a restricted area imposed under regulation 5.

Penalty: a fine of $1 000.

[Regulation 26 amended: Gazette 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3335.]

27. Removal of litter etc.

(1) An authorised officer who finds a person contravening regulation 24, 25 or 26 may direct that person then and there —

(a) to remove the thing the subject of the offence from the land; or

(b) to deposit the thing the subject of the offence in the nearest place or receptacle set aside or provided for the deposit of litter.

(2) A person must comply with a direction under subregulation (1).

Penalty: a fine of $2 000.

[Regulation 27 amended: Gazette 3 Dec 2010 p. 6052-3.]

28. Cleaning, scaling etc. fish

A person must not, without lawful authority, in a restricted area —

(a) clean, scale, gut or fillet fish if that activity is prohibited in that area under regulation 5; or

(b) contravene a restriction imposed on cleaning, scaling, gutting or filleting fish in that area under regulation 5.

Penalty: a fine of $1 000.

[Regulation 28 amended: Gazette 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3335.]

29. Fires and smoking in caves

(1) A person must not smoke a cigarette, cigar or pipe in any cave or part of a cave which is on or under CALM land.

Penalty: a fine of $500.

(2) A person must not light a fire in any cave or part of a cave which is on or under CALM land.

Penalty: a fine of $2 000.

[Regulation 29 amended: Gazette 3 Dec 2010 p. 6052-3.]

Division 4 — Disturbance of the landscape

30. Water

(1) A person must not, without lawful authority —

(a) take water from, or interfere with water on, CALM land; or

(b) drain any part of CALM land; or

(c) interfere with any drain on CALM land; or

(d) divert water on or onto CALM land; or

(e) make any construction for a purpose referred to in paragraph (a), (b), (c) or (d).

Penalty: a fine of $2 000.

(2) Subregulation (1)(a) does not apply to an individual who takes water for the personal needs of the individual or others associated with the individual.

[Regulation 30 amended: Gazette 29 Sep 2006 p. 4308; 3 Dec 2010 p. 6052-3.]

31. Damage etc. to naturally occurring features

(1) A person must not, without lawful authority —

(a) cause any significant damage or disturbance to a naturally occurring feature on CALM land; or

(b) damage or disturb any naturally occurring feature on CALM land in a way that causes, or creates a potential for, adverse consequences to or in relation to CALM land; or

(c) remove any naturally occurring feature from CALM land.

Penalty: a fine of $2 000.

(2) An authorised officer who believes on reasonable grounds that a naturally occurring feature found in the possession of a person is involved in the commission of an offence against subregulation (1) may direct that person to surrender the naturally occurring feature to the authorised officer immediately.

(3) A person must comply with a direction under subregulation (2).

Penalty: a fine of $2 000.

(4) In this regulation —

naturally occurring feature includes —

(a) a fossil; and

(b) a mineral specimen, meteorite and tektite; and

(c) a speleothem and speleogen; and

(d) a termite mound; and

(e) guano; and

(f) a stromatolite, sedimentary deposit associated with stromatolites or other sedimentary deposit, and cyano-bacteria responsible for building stromatolites which are present in stromatolites; and

(g) dead marine shell, dead coral, dead sea urchin, coralline algae and live coral organisms living in dead coral.

[Regulation 31 amended: Gazette 3 Dec 2010 p. 6052-3; 1 Sep 2017 p. 4649.]

32. Sandboarding

A person must not, without lawful authority, on CALM land use a board or other object to slide down a slope.

Penalty: a fine of $1 000.

[Regulation 32 amended: Gazette 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3335.]

33. Abseiling

(1) A person must not, without lawful authority, abseil on CALM land except in an abseiling area.

Penalty: a fine of $1 000.

(2) A person abseiling in an abseiling area must comply with conditions specified on signs erected in or in the vicinity of that area for the purposes of regulation 6(3) or signs designating the area as an abseiling area.

Penalty: a fine of $1 000.

[Regulation 33 inserted: Gazette 3 Dec 2010 p. 6047; amended: Gazette 19 Sep 2014 p. 3335.]

34. Unauthorised buildings etc.

(1) A person must not, without lawful authority, erect or place any structure on CALM land.

Penalty: a fine of $2 000.

(2) In subregulation (1) —

structure —

(a) includes any building, tramline, fence, post, pipeline, jetty, pontoon, cairn, memorial, ramp, barrier or gate;

(b) does not include a mooring.

(3) An authorised officer may direct a person who has contravened subregulation (1) to pull down, take apart or remove the structure.

(4) The person must comply with the direction.

Penalty: a fine of $2 000.

[Regulation 34 amended: Gazette 29 Sep 2006 p. 4308-9; 3 Dec 2010 p. 6047 and 6052-3.]

35. Unauthorised clearing

A person must not, without lawful authority, construct or mark out any road, track, fire break, landing strip, parking area, vessel launching area or pad or platform for building or machinery on CALM land.

Penalty: a fine of $2 000.

[Regulation 35 amended: Gazette 3 Dec 2010 p. 6052-3.]

35A. Quarrying, removing or disturbing soil etc.

(1) A person must not, without lawful authority, disturb or remove leaf mould, rotting vegetation, humus, soil, stone or gravel on or in CALM land.

Penalty: a fine of $2 000.

(2) In this regulation —

soil includes sand, shale, clay and evaporites.

[Regulation 35A inserted: Gazette 29 Sep 2006 p. 4309; amended: Gazette 3 Dec 2010 p. 6052-3.]

36. Dumping

A person must not, without lawful authority, abandon any vehicle, vessel, machinery or any part of a vehicle, vessel or machinery, on CALM land.

Penalty: a fine of $2 000.

[Regulation 36 amended: Gazette 3 Dec 2010 p. 6052-3.]

37. Damage to property

(1) A person must not, without lawful authority —

(a) post, stick, stamp, stencil or otherwise affix any notice, handbill, placard, advertisement, paper or other document on or to any thing or structure that is part of the landscape or property on CALM land; or

(b) write, draw or paint on or deface any thing or structure that is part of the landscape or property on CALM land.

Penalty: a fine of $500.

(2) A person must not, without lawful authority, cause any damage or disturbance to, or interfere with, any ticket vending machine, sign, Aboriginal site or Aboriginal artefact, or other thing or structure that is part of the landscape or property on CALM land.

Penalty: a fine of $2 000.

(3) Nothing in subregulation (1)(a) applies to the use of a notice board set up with the authority of the CEO for public use.

[Regulation 37 amended: Gazette 29 Sep 2006 p. 4309 and 4334; 3 Dec 2010 p. 6052-3; SL 2023/50 r. 5; SL 2023/170 r. 5.]

38. Unauthorised signs

(1) A person must not, without lawful authority, erect any sign or notice on CALM land.

Penalty: a fine of $1 000.

(2) An authorised officer may remove any sign or notice erected without lawful authority on CALM land.

[Regulation 38 amended: Gazette 3 Dec 2010 p. 6052-3.]

39. Unlawful lighting of campfires etc.

(1) A person must not, without lawful authority, light, kindle, maintain or use, or assist another person in lighting, kindling or maintaining, a campfire, barbecue or portable stove on CALM land —

[(a) deleted]

(b) in a restricted area where that activity —

(i) is prohibited under regulation 5; or

(ii) contravenes a restriction imposed on that activity under regulation 5;

or

(c) where flora and forest produce is in danger of being burnt or injured; or

(d) contrary to any direction on a sign relating to that CALM land or an area of that land specified in the sign; or

(e) where there is in force a fire danger forecast issued by the Bureau of Meteorology of "high", "extreme" or "catastrophic" that relates to, or includes, that CALM land.

Penalty: a fine of $2 000.

(2) A person must not, without lawful authority —

(a) light, kindle, maintain or use, or assist another person in lighting, kindling or maintaining, any fire within the boundaries or within 20 m of any boundary of CALM land; or

(b) leave a fire described in paragraph (a) without taking due precaution against its spreading or causing injury,

if in either case any flora or forest produce is in danger of being burnt or injured.

Penalty: a fine of $2 000.

(3) Subregulation (2) does not apply to a campfire, barbecue or portable stove on CALM land.

(4) Nothing in this regulation affects the application of section 104 of the Act or regulation 29(2), or section 25 of the *Bush Fires Act 1954*.

[Regulation 39 amended: Gazette 29 Sep 2006 p. 4309-10; 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3330-1; SL 2022/154 r. 4.]

40. Extinguishment of camp fires, barbeques and portable stoves

(1) An authorised officer may direct any person to extinguish a camp fire, barbeque or portable stove on CALM land if the authorised officer considers that the camp fire, barbeque or stove constitutes —

(a) a fire risk to any part of that land; or

(b) a danger to the public.

(2) An authorised officer may direct a person directed under subregulation (1) to extinguish a camp fire to take such other steps as the authorised officer considers reasonably necessary —

(a) to prevent the camp fire from reigniting after it is extinguished; or

(b) to prevent anything in or in the vicinity of the camp fire from constituting a danger to the public after it is extinguished.

(3) A person must comply with a direction under subregulation (1) or (2).

Penalty: a fine of $2 000.

[Regulation 40 inserted: Gazette 3 Dec 2010 p. 6047-8.]

40A. Unlawful lighting of fires — only one conviction

A person cannot be convicted of more than one offence arising from the one act or omission that contravenes 2 or more of the following provisions —

(a) section 104(1) of the Act;

(b) regulation 29(2);

(c) regulation 39(1);

(d) regulation 39(2).

[Regulation 40A inserted: Gazette 29 Sep 2006 p. 4310-11.]

Part 3 — Access to CALM land

Division 1 — General

41. Access to certain classified areas

A person must not, without lawful authority, enter any land or waters classified —

(a) under section 62(1)(b) of the Act as a prohibited area; or

(b) under section 62(1)(d) of the Act as a temporary control area for a purpose referred to in section 62(2)(a)(i) or (ii) of the Act; or

(ca) under section 62(1)(d) of the Act as a temporary control area for a purpose referred to in section 62(2)(a)(iii) of the Act; or

(c) under section 62(1)(f) of the Act as a plant disease management area.

Penalty: a fine of $2 000.

[Regulation 41 amended: Gazette 3 Dec 2010 p. 6052-3; 7 Dec 2012 p. 5965-6.]

42. Access to limited access areas

A person must not, without lawful authority, enter otherwise than on foot or by vessel any land classified under section 62(1)(c) of the Act as a limited access area.

Penalty: a fine of $2 000.

[Regulation 42 inserted: Gazette 7 Dec 2012 p. 5966.]

43. Access to wilderness areas (Act s. 62(1)(a))

A person must not, without lawful authority, enter by vehicle, powered vessel or animal any land or waters classified under section 62(1)(a) of the Act as a wilderness area.

Penalty: a fine of $2 000.

[Regulation 43 amended: Gazette 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3335.]

44. Direction to close area

(1) If the CEO is satisfied that there is a significant and imminent threat of loss or harm to the safety or health of persons or fauna, or of damage to property or any part of the environment, the CEO may direct a named authorised officer to close as much CALM land as the officer thinks necessary to reduce or remove the threat.

(2) If the CEO gives an oral direction for a closure under subregulation (1), the direction is to be confirmed by the CEO in writing as soon as is reasonably practicable.

(3) The CEO may vary or revoke a direction under subregulation (1) and is to revoke a direction as soon as practicable after being satisfied that the circumstances that gave rise to the direction no longer exist.

(4) The closure of an area in a marine park or marine management area does not operate so as to prohibit a person entering or remaining in the area for the purpose of activities authorised in the area by an authorisation, licence, permit, lease, management plan or notice to which section 13D or 13E of the Act applies.

[Regulation 44 amended: Gazette 29 Sep 2006 p. 4311 and 4334.]

45. Closed area

(1) While a direction is in force under regulation 44, any authorised officer may by placement of signs, markings, barriers, or buoys mark out any area (whether one or more) that is for the time being closed for the purposes of that regulation.

(2) The dimensions of any closed area are not to be greater than is reasonably required for the purposes of regulation 44(1).

(3) Sufficient signs, markings, barriers or buoys are to be erected and maintained in or in the vicinity of a closed area indicating

that entry to that area is prohibited without permission of an authorised officer.

(4) A sign, marking, barrier or buoy placed in the vicinity of any land or waters to which a direction under regulation 44 applies is to be presumed, in the absence of evidence to the contrary, to be a sign, marking, barrier or buoy placed by an authorised officer under subregulation (1).

[Regulation 45 amended: Gazette 29 Sep 2006 p. 4311.]

46. Offences relating to closed areas

(1) Subject to regulation 44(4), a person must not, without permission of an authorised officer, enter or remain in an area closed under regulation 45.

Penalty: a fine of $2 000.

(2) An authorised officer may revoke a permission given to a person for the purposes of subregulation (1) in which case if the person is in a closed area he or she must leave the area immediately.

Penalty: a fine of $2 000.

(3) An authorised officer may grant permission for the purposes of subregulation (1) subject to any condition, and during any period when the condition is not observed or performed by that person the permission is to be treated as having been revoked.

(4) It is a defence to a charge of contravening subregulation (1) or (2) for a person to show that his or her presence in a closed area without permission was necessary to prevent or mitigate injury to a person or damage to property.

[Regulation 46 amended: Gazette 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3335.]

47. Entering CALM land via gates etc.

(1) If an entrance to an area of CALM land (other than land covered by subregulation (2)) is controlled by a gate or other barrier a person must not, without lawful authority, enter or cause a vehicle or animal to enter that area other than through that gate or barrier.

Penalty: a fine of $500.

(2) A person must not, without lawful authority, unlock, dismantle or break down a locked gate or locked barrier controlling an entrance to an area of CALM land.

Penalty: a fine of $500.

(3) A person must not, without lawful authority, open, remove, dismantle or breakdown a gate or barrier controlling an entrance to an area of CALM land if it is clear, by signs on or near the gate or barrier, that the gate or barrier is not meant to be opened or removed.

Penalty: a fine of $500.

[Regulation 47 inserted: Gazette 29 Sep 2006 p. 4311-12; amended: Gazette 3 Dec 2010 p. 6052-3.]

48. Areas set aside for purposes of CEO

A person must not, without lawful authority, enter or remain in any area of CALM land set aside for cultivation, gardens, animal enclosures, housing, education facilities or machinery sheds or any other property or facilities which are established for the purposes of the CEO and which are not open to the public.

Penalty: a fine of $500.

[Regulation 48 amended: Gazette 29 Sep 2006 p. 4312; 3 Dec 2010 p. 6052-3.]

49A. Access on foot

A person must not, without lawful authority —

(a) access a restricted area on foot if access on foot is prohibited under regulation 5; or

(b) contravene a restriction imposed on accessing a restricted area on foot under regulation 5.

Penalty: a fine of $2 000.

[Regulation 49A inserted: Gazette 10 Nov 2015 p. 4606.]

49. Caves

(1) In this regulation —

cave means a cave or part of a cave which is on or under CALM land.

(2) The CEO may, on payment of the appropriate fee specified in Schedule 1 Division 8 item 1, grant to any person a permit in an approved form to be in a cave.

(3) A permit —

(a) authorises a person to be in a cave for the period specified in the permit; and

(b) is subject to such conditions and restrictions as are specified on the permit.

(3a) If a person who holds a permit to be in a cave notifies the CEO more than 2 weeks before the period specified in the permit that the person is not going to use the permit, the CEO may refund the fee for the permit.

(4) A person must not, without lawful authority, enter or remain in a cave.

Penalty: a fine of $1 000.

(5) A person in a cave must comply with the conditions and restrictions subject to which that person was given permission to be in the cave.

Penalty: a fine of $1 000.

(6) Nothing in this regulation prohibits persons entering or remaining in a cave under the control of a person licensed under a commercial operations licence to take those persons into the cave.

[Regulation 49 amended: Gazette 29 Sep 2006 p. 4312 and 4334; 3 Dec 2010 p. 6052-3.]

50. Cross country and other events

A person must not, without lawful authority, organise, promote or conduct any event involving cross country running, orienteering, rogaining, cross country navigation exercises or equestrian events on CALM land.

Penalty: a fine of $1 000.

[Regulation 50 amended: Gazette 3 Dec 2010 p. 6052-3.]

50A. High-risk ocean rock locations

(1) In this regulation —

high-risk ocean rock location means an area of CALM land described in Schedule 4 Division 1 (a plan of which is included for information purposes in Schedule 4 Division 2);

personal flotation device means —

(a) a lifejacket classified as level 100, 150 or 275 by AS 4758 published by Standards Australia; or

(b) a buoyancy aid classified as performance level 100, 150 or 275 by ISO 12402 published by the International Organization for Standardization; or

(c) a personal flotation device that conforms to standard AS 1512 published by Standards Australia;

wearing, a personal flotation device, means wearing the personal flotation device with all closing or fastening devices (such as zippers, buckles and tapes) correctly secured as specified by the manufacturer of the personal flotation device.

(2) A person must not enter or remain in a high-risk ocean rock location unless the person is wearing a personal flotation device.

Penalty for this subregulation: a fine of $1 000.

[Regulation 50A inserted: Gazette 11 Dec 2018 p. 4701-2.]

Division 2 — Vehicles

51. Vehicles

(1) A person must not, without lawful authority, drive or use a vehicle (other than a bicycle) on CALM land other than on a road or in a designated area.

Penalty: a fine of $2 000.

(2) Subregulation (1) does not apply in respect of a road that is in a restricted area.

(3) A person must not, without lawful authority, on a road that is in a restricted area —

(a) drive or use a vehicle if that activity is prohibited in the area under regulation 5; or

(b) contravene a restriction imposed on driving or using a vehicle in the area under regulation 5.

Penalty: a fine of $2 000.

[Regulation 51 amended: Gazette 29 Sep 2006 p. 4313; 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3335.]

51A. Bicycles

(1) A person must not, without lawful authority, ride a bicycle on CALM land other than on a road or bicycle path or in a designated area.

Penalty: a fine of $500.

(2) Subregulation (1) does not apply in respect of a road that is in a restricted area.

(3) A person must not, without lawful authority, on a road that is in a restricted area —

(a) ride a bicycle if that activity is prohibited in the area under regulation 5; or

(b) contravene a restriction imposed on riding a bicycle in the area under regulation 5.

Penalty: a fine of $1 000.

(4) In this regulation —

bicycle path means a path, or length of a path, at both ends of which are signs indicating that persons may ride bicycles on the path or the length between those signs.

[Regulation 51A inserted: Gazette 29 Sep 2006 p. 4313-14; amended: Gazette 3 Dec 2010 p. 6052-3.]

52. Off-road vehicles

(1) A person must not drive into or within, or bring into or have within, CALM land an off-road vehicle within the meaning of the *Control of Vehicles (Off-road Areas) Act 1978* unless that person —

(a) is the holder of a permit —

(i) granted under section 8(4) of that Act; and

(ii) authorising that person so to drive, bring or have that off-road vehicle;

and

(b) that person so drives, brings or has that off-road vehicle in accordance with any restrictions, limitations or conditions to which that permit is subject.

Penalty: a fine of $2 000.

(2) Subregulation (1) does not apply to private land (as defined in the *Control of Vehicles (Off-road Areas) Act 1978*) or permitted areas (as defined in that Act).

[Regulation 52 amended: Gazette 29 Sep 2006 p. 4314; 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3335.]

53. Car rallies etc.

A person must not, without lawful authority, organise, promote or conduct a car rally, associated navigation exercise, mountain bike event or other race involving vehicles on or through CALM land.

Penalty: a fine of $2 000.

[Regulation 53 amended: Gazette 3 Dec 2010 p. 6052-3.]

54. Traffic laws apply

(1) A person driving or in charge of a vehicle on a road or track on CALM land must not, without lawful authority, do any act that would be a breach of a road law, as defined in the *Road Traffic (Administration) Act 2008* section 4, if that road or track were a road as defined in that section.

Penalty: a fine of $1 000.

(2) A person must not drive a vehicle on CALM land in a dangerous or careless manner or without all reasonable consideration for other persons, vehicles and animals in the vicinity.

Penalty: a fine of $1 000.

[Regulation 54 amended: Gazette 29 Sep 2006 p. 4314; 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3335; 8 Jan 2015 p. 136.]

55. Driver to obey reasonable direction

The driver or person in charge of a vehicle must obey any reasonable direction given to him or her by an authorised officer in relation to the parking or movement of the vehicle on CALM land.

Penalty: a fine of $1 000.

[Regulation 55 amended: Gazette 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3336.]

56. Signs to be obeyed

(1) A person must not park or stand a vehicle on CALM land contrary to any direction on a sign.

Penalty: a fine of $500.

(2) A sign may direct that an area of CALM land is set aside —

(a) for the parking of a specified vehicle or specified class of vehicles;

(b) for the parking of a vehicle of a specified person or specified class of persons;

(c) for the parking of vehicles for a specified maximum period of time;

(d) for the parking of vehicles only within specified parking bays;

(e) as a “no standing” or “no parking” area.

(3) A sign may direct that an area of CALM land may be used for parking subject to the payment of a specified charge.

(4) A person must not park a vehicle in an area that is subject to subregulation (3) at any time when the charge applies unless —

(a) the specified charge has been paid into a ticket vending machine; and

(b) there is displayed in the vehicle at that time a parking ticket issued from a ticket vending machine that shows —

(i) the amount paid; and

(ii) the date; and

(iii) an expiry time for permitted parking that is after that time;

and

(c) the parking ticket issued from the ticket vending machine is displayed in the vehicle in such a manner that an authorised officer is able to read it from outside the vehicle.

Penalty: a fine of $500.

(5) The charge specified for the purposes of subregulation (3) is not to exceed —

(a) $1.80 for every hour or part of an hour; and

(b) $13.00 for any day or part of a day.

(6) In this regulation —

specified means specified by a sign;

ticket vending machine means a machine situated on CALM land which, following the insertion of a coin or coins, issues a parking ticket.

[Regulation 56 amended: Gazette 29 Sep 2006 p. 4315; 3 Dec 2010 p. 6048 and 6052-3; 27 Sep 2013 p. 4525; 14 Jul 2015 p. 2787.]

57. Obstructing other vehicles etc.

A person must not park or stand a vehicle on CALM land in such a manner as to obstruct —

(a) any other vehicle on the land; or

(b) a footpath; or

(c) access to a ticket vending machine within the meaning of regulation 56(6); or

(d) access to a facility on the land.

Penalty: a fine of $500.

[Regulation 57 amended: Gazette 3 Dec 2010 p. 6052-3.]

Division 3 — Vessels

58. Races

A person must not, without lawful authority, organise, promote or conduct a race involving vessels on or through CALM land.

Penalty: a fine of $2 000.

[Regulation 58 amended: Gazette 3 Dec 2010 p. 6052-3.]

59. Moorings

(1) A person must not, without lawful authority —

(a) install a mooring on CALM land; or

(b) allow a mooring which the person owns or apparently controls to remain on CALM land.

Penalty: a fine of $2 000.

(2) A person must not secure a vessel, or allow it to remain secured, to a mooring that is on CALM land without lawful authority.

Penalty: a fine of $1 000.

(3A) A person must not, without lawful authority, allow a moored vessel to be on CALM land.

Penalty: a fine of $1 000.

(3) A person must not secure a vessel, or allow it to remain secured, to —

(a) a mooring on CALM land, without lawful authority; or

(b) a mooring on CALM land to which a vessel is already secured; or

(c) a vessel that is secured to a mooring on CALM land.

Penalty: a fine of $1 000.

(4) Subregulation (3) does not apply so as to prohibit a tender being attached to a vessel.

(5) For the purposes of this regulation, a person who is on a vessel that is secured to a mooring, or secured to a vessel that is secured to a mooring, is taken to allow it to remain secured to that mooring or that vessel.

[Regulation 59 amended: Gazette 29 Sep 2006 p. 4315; 3 Dec 2010 p. 6052-3; 24 Mar 2015 p. 1034-5.]

60AA. Notice of moorings suspected of not being lawfully authorised

(1) If the CEO is of the opinion that a mooring is on CALM land without lawful authority the CEO may give notice in writing to the person who owns or apparently controls the mooring.

(2) The notice must specify a reasonable time within which the person must —

(a) provide evidence to the CEO that the mooring is authorised to be on CALM land; or

(b) apply to the CEO for a licence or other authorisation for the mooring to be on CALM land; or

(c) remove the mooring.

(3) Proceedings for an offence under subregulation 59(1)(b) must not be commenced against a person unless the CEO has given the person a notice under subregulation (1) and either —

(a) the person has failed to comply with the notice; or

(b) the person has applied for a licence or other authorisation before the end of the period specified in the notice and the application has been refused.

[Regulation 60AA inserted: Gazette 4 Dec 2015 p. 4841-2.]

60A. Public moorings

(1) The CEO may designate a mooring as a public mooring by a sign attached to the mooring.

(2) A mooring may be designated as a public mooring at all times or during a period or periods specified on the sign.

(3) The sign that is attached to a public mooring must indicate —

(a) the period or periods during which the mooring is a public mooring; and

(b) the conditions, if any, that apply to the use of the mooring.

(4) A person has lawful authority to secure a vessel, or allow it to remain secured, to a public mooring if the person complies with the conditions specified on a sign attached to the mooring.

Penalty: a fine of $2 000.

[Regulation 60A inserted: Gazette 24 Mar 2015 p. 1035.]

60B. Temporary mooring areas

A person has lawful authority to moor a vessel in a temporary mooring area in accordance with conditions specified on signs erected in or in the vicinity of that area for the purposes of regulation 6(3) or signs designating the area as a temporary mooring area.

[Regulation 60B inserted: Gazette 24 Mar 2015 p. 1035.]

60. Anchoring vessels

(1) A person must not, without lawful authority —

(a) anchor a vessel in a restricted area if that activity is prohibited under regulation 5; or

(b) contravene a restriction on the anchoring of vessels in a restricted area imposed under regulation 5.

Penalty: a fine of $1 000.

(2A) A person must not anchor a vessel, or allow a vessel to remain anchored, on CALM land if the vessel lies in a position where part of the vessel, or a tender attached to it, is closer than 50 metres to a mooring that is on CALM land.

Penalty: a fine of $1 000.

(2) Subregulations (1) and (2A) do not apply to a vessel that is required to anchor contrary to that subregulation to avoid or mitigate danger to human life or significant damage to property.

[Regulation 60 amended: Gazette 3 Dec 2010 p. 6052-3; 24 Mar 2015 p. 1035-6.]

61. Operation of certain vessel in restricted area

A person must not, without lawful authority, in a restricted area —

(a) operate a vessel if the operation of a vessel of that kind is prohibited in that area under regulation 5; or

(b) contravene a restriction imposed on the operation of a vessel in that area under regulation 5.

Penalty: a fine of $1 000.

[Regulation 61 amended: Gazette 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3336.]

61A. Operation of vessels in nature reserves

A person must not, without lawful authority, operate a vessel in a nature reserve, except in a designated area of the reserve.

Penalty: a fine of $1 000.

[Regulation 61A inserted: Gazette 29 Sep 2006 p. 4315; amended: Gazette 3 Dec 2010 p. 6052-3.]

61B. CEO may limit speed of vessels

(1) In this regulation —

specified means specified in a notice referred to in subregulation (2).

(2) The CEO may, by notice published in the *Gazette*, limit the speed of any specified class or classes of vessel in any specified area of waters on CALM land.

(3) The CEO is to ensure that signs are erected in, or in the vicinity of, each specified area indicating the speed limits that apply in the area and the class or classes of vessel to which the speed limits apply.

(4) A person must not operate a vessel in a specified area at a speed exceeding the specified limit for a vessel of that class.

Penalty: a fine of $2 000.

[Regulation 61B inserted: Gazette 24 Mar 2015 p. 1036.]

62. Safe navigation of vessels

(1) A person must not navigate a vessel on waters on CALM land in such a manner as to —

(a) endanger the safety of that or any other vessel or any person; or

(b) cause damage to any person or to any other vessel; or

[(c) deleted]

(d) damage vegetation, coral, shoals, sandbanks, mudflats or the bed or banks of any body of water; or

(e) endanger or harm any fauna.

Penalty: a fine of $1 000.

(2) A person must not navigate a vessel on waters on CALM land in such a manner as to —

(a) cause nuisance to any person or to any other vessel; or

(b) obstruct, impede or otherwise interfere with any other vessel; or

(c) disturb any fauna.

Penalty: a fine of $1 000.

[Regulation 62 amended: Gazette 29 Sep 2006 p. 4315-16; 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3336.]

63. Owner to obey reasonable direction

The owner or person in charge of a vessel must obey any reasonable direction given to him or her by an authorised officer in relation to the anchoring, mooring or movement of the vessel on CALM land.

Penalty: a fine of $1 000.

[Regulation 63 amended: Gazette 3 Dec 2010 p. 6052-3; 24 Mar 2015 p. 1036.]

64. Launching, beaching and retrieving

(1) A person must not, without lawful authority, in a restricted area —

(a) launch or beach a vessel; or

(b) anchor a vessel by placing the anchor on a beach; or

(c) access, operate or retrieve a vessel,

if that activity is prohibited under regulation 5.

Penalty: a fine of $1 000.

(2) A person must not, without lawful authority, in a restricted area, contravene a restriction imposed under regulation 5 in respect of —

(a) launching or beaching a vessel; or

(b) anchoring a vessel by placing the anchor on a beach; or

(c) accessing, operating or retrieving a vessel.

Penalty: a fine of $1 000.

(3) An authorised officer may direct a person in charge of a vessel in a restricted area to remove the vessel from the restricted area.

(4) A person must comply with a direction under subregulation (3).

Penalty: a fine of $1 000.

(5) If —

(a) the person in charge of a vessel does not comply with a direction under subregulation (3) within a period that the authorised officer considers reasonable; or

(b) the authorised officer is unable to find a person who has, or appears to the authorised officer to have, possession or control of the vessel,

the authorised officer may move the vessel or cause the vessel to be moved.

(6) Nothing in subregulation (5) affects the liability of a person under subregulations (1) and (4).

(7) In this regulation —

beach includes any part of the foreshore that is above the low water mark whether it is covered by water or not.

[Regulation 64 amended: Gazette 29 Sep 2006 p. 4316; 3 Dec 2010 p. 6052-3.]

65A. Unlawful use of vessel storage facility

(1) In subregulation (2) —

vessel storage facility means a rack or other structure erected and maintained by the CEO for the storage of vessels but does not include a mooring.

(2) A person must not, without lawful authority, place a vessel in or on a vessel storage facility on CALM land.

Penalty: a fine of $2 000.

[Regulation 65A inserted: Gazette 3 Dec 2010 p. 6048.]

Division 4 — Aircraft

65. Launching or landing of aircraft

(1) A person must not, without lawful authority, launch, land or make a touch down in an aircraft on CALM land.

Penalty: a fine of $1 000.

(2) Subregulation (1) does not apply to an aircraft that is required to launch, land or touch down contrary to that subregulation to avoid or mitigate danger to human life or significant damage to property.

[Regulation 65 amended: Gazette 4 Oct 2002 p. 5065; 3 Dec 2010 p. 6048 and 6052-3.]

Part 4 — Camping

66. Camping controlled

(1) A person must not, without lawful authority, camp on CALM land except in a camping area or on a vessel that is moored or anchored in accordance with these regulations.

Penalty: a fine of $1 000.

(2) A person camping in a camping area must comply with conditions specified on signs erected in or in the vicinity of that area for the purposes of regulation 6(3) or signs designating that area as a camping area.

Penalty: a fine of $1 000.

[Regulation 66 amended: Gazette 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3336.]

67. Direction to vacate camp

(1) An authorised officer may direct a person who —

(a) without lawful authority is camped on a site that is not in a camping area; or

(b) has occupied a site in a camping area for more than 28 consecutive days; or

(c) is occupying a site in a camping area during the school holidays and has occupied that site for more than 14 consecutive days (whether or not all of those days occur during the school holidays); or

(d) is occupying a site in a camping area and, in the opinion of the authorised officer, has contravened a provision of the Act or these regulations; or

(e) is occupying a site in a camping area and, in the opinion of the authorised officer, is causing or has caused damage to the camping area,

to vacate that site.

(2A) An authorised officer may direct a person directed to vacate a site under subregulation (1) not to camp within the park or reserve in which the site is situated during a period —

(a) beginning on the day on which the direction is given; and

(b) not exceeding 14 days.

(2) A person must comply with a direction under subregulation (1) or (2A).

Penalty: a fine of $1 000.

[Regulation 67 amended: Gazette 29 Sep 2006 p. 4316-17; 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3331.]

68. Unauthorised persons not to enter camping unit

A person, other than a ranger or wildlife officer, must not enter or remain on a camping unit without the consent of the person occupying that camping unit.

Penalty: a fine of $500.

[Regulation 68 amended: Gazette 29 Sep 2006 p. 4317; 3 Dec 2010 p. 6052-3.]

69. Construction and positioning of camping units

(1) A person must not construct a camping unit —

(a) in a manner likely to be offensive or dangerous to other persons; or

(b) of a permanent or semi-permanent nature.

Penalty: a fine of $1 000.

(2) A person must not position a camping unit so as to —

(a) cause inconvenience, discomfort or danger to other vehicles or to users of CALM land; or

(b) damage flora or interfere with the movement of fauna.

Penalty: a fine of $500.

(3) A person must maintain the site on which that person camps in a clean and sanitary condition at all times.

Penalty: a fine of $500.

(4) An authorised officer may allot or define the site to be used by a person in a camping area and the person must confine the camp to that site.

Penalty: a fine of $500.

(5) An authorised officer may direct a person to vacate a site and move to another site in a camping area.

(6) A person must comply with a direction of an authorised officer under subregulation (5).

Penalty: a fine of $1 000.

[Regulation 69 amended: Gazette 29 Sep 2006 p. 4317; 3 Dec 2010 p. 6052-3.]

70. Power generating devices

(1) An authorised officer may direct a person —

(a) not to use a power generating device other than in an area directed by the authorised officer; or

(b) to stop using a power generating device in a camping area; or

(c) to use a power generating device in accordance with the directions of the authorised officer.

(2) A person must comply with a direction of an authorised officer under this regulation.

Penalty: a fine of $1 000.

[Regulation 70 amended: Gazette 3 Dec 2010 p. 6052-3.]

71. Firewood

(1) A person may collect firewood from the immediate vicinity of a camping area if —

(a) there is a sign erected authorising the collection of firewood; and

(b) the firewood is intended for use on a campfire or barbecue in the area.

(2) Nothing in subregulation (1) is to be taken as authorising any person to fell, cut, injure or destroy any tree, shrub or bush.

(2a) If —

(a) a person collects firewood from the immediate vicinity of a camping area on CALM land; and

(b) the firewood is intended for use on a campfire or barbecue in the area; and

(c) there are no signs authorising the collection of firewood; and

(d) the person is not otherwise authorised to collect the firewood,

the person commits an offence.

Penalty: a fine of $1 000.

(3) Part 15 of the *Forest Management Regulations 1993* applies to the collection of firewood in public firewood areas.

(4) In this regulation —

firewood means dead wood lying on the ground.

[Regulation 71 amended: Gazette 29 Sep 2006 p. 4317-18; 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3336.]

Part 5 — Offensive and dangerous behaviour

72. Authorised officer may direct person to stop activity

(1) An authorised officer may direct a person on CALM land to cease any behaviour which is —

(a) contrary to the lawful use of the land; or

(b) causing a disturbance or annoyance to other persons or, in the opinion of the authorised officer, disorderly or offensive; or

(c) in the opinion of the authorised officer, dangerous.

(2) A person must comply with a direction of an authorised officer under this regulation.

Penalty: a fine of $1 000.

[Regulation 72 amended: Gazette 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3336.]

73. Conduct generally

(1) A person must not, on CALM land —

(a) create or commit any nuisance; or

(b) behave in a disorderly or offensive manner; or

(c) use abusive, offensive or insulting language; or

(d) otherwise act in such a way as to cause or be likely to cause a nuisance or annoyance to other persons on the land.

Penalty: a fine of $1 000.

(2) A person must, on CALM land, comply with any direction on a sign on that land regarding any activity or behaviour that is prohibited on CALM land.

Penalty: a fine of $1 000.

[Regulation 73 amended: Gazette 3 Dec 2010 p. 6052-3; 19 Sep 2014 p. 3331 and 3336.]

74. Offensive noise

A person must not, while on CALM land, by the use of any electronic, mechanical or other instrument or thing or by natural means cause or produce a noise that unreasonably interferes with the convenience, comfort or amenity of any other person.

Penalty: a fine of $500.

[Regulation 74 amended: Gazette 3 Dec 2010 p. 6052-4.]

75. Alcohol and drugs

(1) A person must not enter or remain on CALM land when seriously affected apparently by alcohol, drugs or other intoxicating substance, or any combination of those things.

Penalty: a fine of $1 000.

(2) A person must not without lawful authority take alcohol or any other intoxicating substance into a cave or part of a cave which is on or under CALM land.

Penalty: a fine of $1 000.

(3) Where an authorised officer is of the opinion that the consumption of alcohol or other intoxicating substance may give rise to offensive or dangerous behaviour, the authorised officer may direct a person not to bring the alcohol or intoxicating substance on to CALM land.

(4) A person must comply with a direction of an authorised officer under subregulation (3).

Penalty: a fine of $1 000.

[Regulation 75 amended: Gazette 3 Dec 2010 p. 6052-4; 19 Sep 2014 p. 3336.]

76. Removal of CALM property

(1) A person must not, without lawful authority, remove any or any part of, a building, fence, facility, sign, notice, device, machinery or other object on CALM land.

Penalty: a fine of $2 000.

(2) If an authorised officer finds a person on CALM land in possession of an object removed in contravention of subregulation (1), the authorised officer may direct the person to leave the object at a place on the CALM land specified by the officer.

(3) A person must comply with a direction of an authorised officer under subregulation (2).

Penalty: a fine of $1 000.

[Regulation 76 amended: Gazette 29 Sep 2006 p. 4318; 3 Dec 2010 p. 6052-4.]

Part 6 — Removal and forfeiture of unauthorised property on CALM land

77. Term used: property

(1) In this Part —

property —

(a) includes a vehicle, caravan, vessel, mooring, pontoon, platform (including a platform on water), tent or other thing related to camping, tarpaulin, tripod, log, post, picket, spike, pipe, rope, cable, chain, wire and any kind of lock or locking device;

(b) does not include anything to which section 108A(1) of the Act applies.

(2) Subject to subregulation (1)(b), a thing may be property for the purposes of this Part whether or not it is attached to CALM land.

[Regulation 77 amended: Gazette 3 Dec 2010 p. 6048.]

78. Authorised officers may seize and remove unauthorised property

(1) An authorised officer who finds on CALM land any property that the officer reasonably believes is not authorised under a written law to be on the land may order or request a person who has, or appears to the officer to have, possession or control of the property to remove it from the land.

(1a) A person must comply with an order given to the person under subregulation (1).

Penalty: a fine of $2 000.

(2) If —

(a) a person does not comply with an order or request under subregulation (1) within a period that the authorised officer considers reasonable; or

(b) the officer is unable to find a person who has, or appears to the officer to have, possession or control of the property,

the officer may seize the property and remove it from CALM land.

(3) Property seized and removed under subregulation (2) shall be held at an office of the Department until it is collected under regulation 79 or destroyed, sold or otherwise disposed of under regulation 80.

[Regulation 78 amended: Gazette 29 Sep 2006 p. 4318-19; 3 Dec 2010 p. 6048.]

79. Seized property may be claimed

(1) A person may claim property that is seized and removed under regulation 78 if the claim is made to an authorised officer within 6 months after the property is seized and removed.

(2) If an authorised officer is satisfied that a person who claims property under subregulation (1) is the owner of the property or is entitled to possession of the property, the officer is to make the property available to be collected by the person at a time and a place notified in writing to the person.

(3) The time referred to in subregulation (2) is to be within 21 days after the authorised officer is satisfied in relation to the matters referred to in that subregulation.

[Regulation 79 amended: Gazette 29 Sep 2006 p. 4319.]

80. Unclaimed property may be forfeited

(1) If property is not claimed by a person who an authorised officer is satisfied is the owner of the property or is entitled to possession of the property within 6 months after the property is seized and removed under regulation 78, the property is, on the

expiry of that period, forfeited to the Crown and may be destroyed, sold or otherwise disposed of as directed by the CEO.

[(2) deleted]

[Regulation 80 amended: Gazette 29 Sep 2006 p. 4319 and 4334; 3 Dec 2010 p. 6049.]

Part 6A — Management plans

[Heading inserted: Gazette 4 May 2004 p. 1383.]

81. Purposes of reserves (Act s. 55(1a))

For the purposes of section 55(1a) of the Act, the other purposes for which an indigenous State forest or timber reserve may be reserved include any of the following —

(a) the taking of water from the land;

(b) the storage of water on the reserve;

(c) the removal of water from the reserve;

(d) the location of infrastructure, and other similar facilities, that serve the public interest, on the reserve, to the extent to which locating such infrastructure and facilities is not inconsistent with achieving the other purposes for which the land is reserved;

(e) the removal of salvaged forest products from the reserve, if the opportunity for the salvage arises —

(i) from an activity carried out for a conservation purpose; or

(ii) from, or in anticipation of, clearing for mining operations or for the purpose described in paragraph (d).

[Regulation 81 inserted: Gazette 4 May 2004 p. 1383; amended: Gazette 29 Jan 2008 p. 241-2; SL 2022/143 r. 4.]

Part 7 — Licences

Division 1 — General

82. Term used: licence

In this Part —

licence means a licence granted under these regulations.

83. Application for licence

(1) An application for a licence is to be —

(a) made to the CEO in a form approved by the CEO; and

(b) accompanied by the appropriate fee specified in Schedule 1 Division 8.

(2) The applicant is to provide the CEO with such further information as the CEO may require in any particular case.

[Regulation 83 amended: Gazette 29 Sep 2006 p. 4334.]

84. Restriction on exercise of powers

(1) Subject to subregulation (2), the powers conferred on the CEO by this Part to grant or renew a licence are exercisable only —

(a) with the approval of the Minister; and

(b) in the case of land vested in the Commission, after consultation with the Commission and, where applicable, a joint responsible body; and

(c) in the case of land classified under Part V Division 2 of the Act as a forest conservation area, consistently with any management plan for the land concerned; and

[(d), (e) deleted]

(f) in the case of land for the management of which an agreement is entered into under section 8A of the Act, consistently with the agreement; and

(g) in the case of land in a public water catchment area, consistently with the provisions of the *Country Areas Water Supply Act 1947* and the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* relating to the protection of water quality; and

(h) in conformity with section 33(3) of the Act.

(2) In the case of land other than land classified under Part V Division 2 of the Act as a forest conservation area, subregulation (1)(a), (b) and (d) do not apply to the grant or renewal of a licence under this Part where —

(a) the appropriate approval has been given under subregulation (1)(a) and, if applicable, the appropriate consultation has taken place under subregulation (1)(b) or (1)(d) for —

(i) the grant under this Part of certain kinds of licences or certain numbers of licences; or

(ii) the renewal, cancellation or suspension of, or the imposition or variation of terms or conditions attached to, a licence granted under this Part,

and the licence granted or renewed is covered by the terms of that approval and, if applicable, that consultation; or

(b) in the case of the renewal of a licence, the licence was granted under Part 5 of the *Conservation and Land Management Regulations 1992* [1].

[Regulation 84 amended: Gazette 29 Sep 2006 p. 4319 and 4334; 19 Jun 2015 p. 2096; 6 May 2016 p. 1382.]

85. Refusal to renew licence

(1) A licence is not renewable as of right.

(2) The CEO may, by written notice given to the person who held the licence, refuse to renew a licence on the grounds that —

(a) the holder of the licence has been convicted of an offence against the Act or these regulations or the *Biodiversity Conservation Act 2016* or regulations made under that Act; or

(b) a condition imposed upon the licence has been contravened; or

(c) the licence was obtained by fraud or misrepresentation; or

(d) in the interests of —

(i) the protection, management or control of CALM land or assets on CALM land; or

(ii) the protection of persons using CALM land; or

(iii) the conservation, protection or proper management of fauna or flora,

the operation of the licence should not be permitted to continue.

[Regulation 85 amended: Gazette 29 Sep 2006 p. 4334; 14 Sep 2018 p. 3307.]

86. Cancellation or suspension of licence by CEO

(1) If —

(a) the person who holds a licence —

(i) contravenes a provision of the Act or these regulations or a condition or restriction to which the licence was subject; or

(ii) contravenes a provision of the *Biodiversity Conservation Act 2016* or regulations made under that Act; or

(iii) is otherwise in the opinion of the CEO no longer a fit and proper person or otherwise suitable to hold the licence;

or

(b) the CEO considers that in the interests of —

(i) the protection, management or control of CALM land or assets on CALM land; or

(ii) the protection or management of persons using CALM land; or

(iii) the conservation, protection or proper management of fauna or flora,

a licence should be suspended or cancelled,

the CEO may, by written notice given to the person, cancel the licence or suspend it for such period as the CEO thinks fit.

(2) A suspension of a licence may relate to the doing of some, but not all, of the things authorised by the licence.

[Regulation 86 amended: Gazette 29 Sep 2006 p. 4334; 14 Sep 2018 p. 3308.]

87. Notice of proposed cancellation or suspension

(1) If the CEO proposes to cancel or suspend a licence, the CEO is to give to the holder of the licence written notice of the proposal and the CEO's reasons for the proposal.

(2) A notice given under subregulation (1) is to state that within a specified number of days after the notice is given, the person to whom it is given may make written representations to the CEO concerning the proposal and the CEO is not to give effect to the proposal without considering any representations received within that period.

(3) The number of days to be specified in a notice under subregulation (2) is to be not less than —

(a) 21 days in the case of a proposal to cancel a licence; or

(b) 7 days in the case of a proposal to suspend a licence.

(4) If for any reason a notice cannot be given to a person under subregulation (1), when read with section 76 of the *Interpretation Act 1984*, the CEO may give the notice to that person by publishing a copy of the notice addressed to that person in a newspaper circulating in the area in which the person was last known to be.

[Regulation 87 amended: Gazette 29 Sep 2006 p. 4319 and 4334.]

88. Return of licence

(1) The CEO may require the holder of a licence to return the licence to the CEO where the licence has been cancelled, suspended or has not been renewed.

(2) A person must comply with a requirement made of that person by the CEO under subregulation (1).

Penalty: a fine of $500.

[Regulation 88 amended: Gazette 29 Sep 2006 p. 4334; 3 Dec 2010 p. 6052-4.]

Division 2 — Scientific purposes licences

89. Scientific purposes licence

The CEO may grant a licence to take flora and fauna (including fish and pearl oyster) in a marine nature reserve, marine park or marine management area for scientific purposes.

[Regulation 89 amended: Gazette 29 Sep 2006 p. 4334.]

90. Application for scientific purposes licence

An application for a scientific purposes licence is to specify the flora and fauna the applicant proposes to take.

91. Duration of scientific purposes licence

Subject to this Part, a scientific purposes licence remains current for the period specified in the licence.

92. Renewal of scientific purposes licence

The CEO may, on payment of the appropriate fee specified in Schedule 1 Division 8, renew the scientific purposes licence of any person for a further period determined by the CEO.

[Regulation 92 amended: Gazette 29 Sep 2006 p. 4334.]

93. Conditions and restrictions

(1) A scientific purposes licence may be granted subject to such conditions and restrictions as the CEO thinks fit, including conditions and restrictions as to —

(a) the marine nature reserves, marine parks and marine management areas in which the holder of the licence may take flora and fauna for scientific purposes; and

(b) the scientific purposes for which the flora and fauna may be used; and

(c) the species, and the greatest number of each or any species, that may be taken, held or disposed of; and

(d) the part or parts of the State in which the flora or fauna may be taken, held or released.

(2) The CEO is not to impose any restrictions on the taking, in a marine park or marine management area —

(a) of fish within the meaning of the *Fish Resources Management Act 1994*, in accordance with the provisions of that Act relating to aquaculture or commercial or recreational fishing; or

(b) of pearl oyster, within the meaning of the *Pearling Act 1990*, in accordance with that Act.

(3) The prohibition in subregulation (2)(a) does not include a restriction that relates to conduct or activity other than the taking of fish but that incidentally affects the taking of fish.

(4) Where a scientific purposes licence is granted subject to conditions or restrictions, those conditions or restrictions —

(a) are to be endorsed upon or attached to the licence when granted; and

(b) may be added to, cancelled, suspended and otherwise varied by the CEO from time to time during the operation of the licence.

(5) The holder of a scientific purposes licence must not contravene a condition or restriction endorsed upon or attached to the licence.

Penalty: a fine of $1 000.

[Regulation 93 amended: Gazette 4 Oct 2002 p. 5065; 29 Sep 2006 p. 4334; 3 Dec 2010 p. 6052-4; 19 Sep 2014 p. 3336.]

Division 3 — Commercial operations licences

94. Commercial operations licence

(1) The CEO may grant a licence to any person to sell goods or services, or to undertake an activity for a commercial purpose, on an area of CALM land.

(2) The CEO may not grant a licence under this regulation to take or remove forest produce or other flora from land to which Part VIII Division 2 of the Act applies and which is vested in the Commission.

[Regulation 94 amended: Gazette 29 Sep 2006 p. 4334; 6 May 2016 p. 1382.]

95. Application for commercial operations licence

An application for a commercial operations licence is to specify —

(a) the goods or services the applicant proposes to sell or the activity the applicant proposes to undertake; and

(b) the places where it is proposed to sell the goods or services or undertake the activity.

96. Duration of commercial operations licence

Subject to this Part, a commercial operations licence is valid for such period, not exceeding 20 years, as is specified in the licence.

[Regulation 96 amended: Gazette 3 Dec 2010 p. 6049; SL 2025/79 r. 4.]

97. Renewal of commercial operations licence

The CEO may, on payment of the appropriate fee specified in Schedule 1 Division 8, renew the commercial operations licence of any person for a further period not exceeding 5 years.

[Regulation 97 amended: Gazette 29 Sep 2006 p. 4334.]

98. Conditions

(1) A commercial operations licence may be granted or renewed subject to such conditions as the CEO thinks fit, including conditions as to —

(a) the land to which the licence applies; and

(b) the class or description of goods, services or activity to which the licence applies; and

(c) the manner in which the goods or services are to be supplied (including conditions as to the viewing and feeding of fauna) or the activity is to be undertaken; and

(d) the payment of any charge in relation to the use of land to which these regulations apply and the equipment, services and facilities of the Department.

(2) Where a commercial operations licence is granted or renewed subject to conditions, those conditions —

(a) are to be endorsed upon or attached to the licence when granted or renewed, as the case may be; and

(b) may be added to, cancelled, suspended and otherwise varied by the CEO from time to time during the operation of the licence.

(3) The holder of a commercial operations licence must not contravene a condition endorsed upon or attached to the licence.

Penalty: a fine of $2 000.

[Regulation 98 amended: Gazette 29 Sep 2006 p. 4334; 3 Dec 2010 p. 6052-4; 19 Sep 2014 p. 3336.]

Division 4 — Rental mooring licence

[Heading inserted: Gazette 24 Mar 2015 p. 1036.]

98AA. Terms used

In this Division —

licence holder means the holder of a licence granted under regulation 98AC;

rental mooring means a mooring designated as a rental mooring under regulation 98AB;

rental mooring licence means a licence granted under regulation 98AC.

[Regulation 98AA inserted: Gazette 24 Mar 2015 p. 1036-7.]

98AB. CEO may designate rental mooring

(1) The CEO may, by notice published in the *Gazette*, designate a mooring (other than a public mooring) that is on CALM land as a rental mooring.

(2) A mooring may be declared to be a rental mooring at all times or during a period or periods specified in the notice.

(3) The CEO may, by notice published in the *Gazette*, amend or revoke any previous notice published under this regulation.

(4) A notice published under this regulation takes effect on such day after publication as is specified in the notice.

[Regulation 98AB inserted: Gazette 24 Mar 2015 p. 1037.]

98AC. Rental mooring licence

(1) In this regulation —

specified means specified in a licence.

(2) The CEO may grant a licence authorising the use of a specified rental mooring by a specified vessel for a specified period.

[Regulation 98AC inserted: Gazette 24 Mar 2015 p. 1037.]

98AD. Application for rental mooring licence

An application for a rental mooring licence must specify —

(a) the rental mooring to which the application relates; and

(b) particulars of the vessel to which the application relates; and

(c) the period for which the licence is sought.

[Regulation 98AD inserted: Gazette 24 Mar 2015 p. 1037.]

98AE. Duration of rental mooring licence

Subject to this Part, a rental mooring licence remains in force for the period specified in the licence.

[Regulation 98AE inserted: Gazette 24 Mar 2015 p. 1037.]

98AF. Conditions

(1) A rental mooring licence may be granted subject to such conditions as the CEO thinks fit including conditions as to —

(a) the manner in which the specified vessel may be secured to the mooring; and

(b) the payment of any charge in respect of the use of the land on which the mooring is located.

(2) If a rental mooring licence is granted subject to conditions, those conditions —

(a) are to be endorsed upon or attached to the licence when granted; and

(b) may be added to, cancelled, suspended and otherwise varied by the CEO from time to time during the operation of the licence.

(3) A licence holder must not contravene a condition endorsed upon or attached to the licence.

Penalty: a fine of $1 000.

[Regulation 98AF inserted: Gazette 24 Mar 2015 p. 1037-8.]

98AG. Cancellation of licence at request of licence holder

(1) The licence holder may request the CEO to cancel a rental mooring licence.

(2) On a request made under subregulation (1) the CEO must cancel the licence and may refund to the licence holder, in whole or in

part, the charge paid in respect of the licence if the CEO considers it appropriate to do so in the circumstances.

[Regulation 98AG inserted: Gazette 24 Mar 2015 p. 1038.]

98AH. Damage to rental mooring

(1) If a rental mooring is damaged or destroyed (the ***loss***) during the period specified in a rental mooring licence in respect of that rental mooring, the cost of repair or replacement is a debt due to the State by the licence holder and is recoverable in a court of competent jurisdiction unless the person can show that —

(a) the loss was caused by the act or omission of some other person; and

(b) the licence holder could not have prevented the loss by the exercise of responsible care.

(2) For the purposes of subregulation (1), the loss is taken to have occurred during the period specified in the licence if —

(a) the mooring is found to be damaged or destroyed at the end of the period specified in the licence; and

(b) the licence holder did not report the loss to the CEO at the commencement of the period specified in the licence.

[Regulation 98AH inserted: Gazette 24 Mar 2015 p. 1038.]

Division 5 — Private mooring licence

[Heading inserted: Gazette 24 Mar 2015 p. 1038.]

98AI. Terms used

(1) In this Division —

current inspection report has the meaning given in subregulation (2);

inspection report means a report about the condition of a mooring prepared by a person approved by the CEO after the person has inspected the mooring;

licence holder means the holder of a private mooring licence for a mooring;

licensed mooring means a mooring for which a private mooring licence is in force;

mooring licence area means an area declared under regulation 98AJ to be a mooring licence area;

private mooring means a mooring on CALM land that is not —

(a) a public mooring; or

(b) a rental mooring; or

(c) a mooring that is approved by the CEO for use in connection with a commercial operations licence;

private mooring licence means a licence under this Division.

(2) An inspection report is current for the period of 12 months commencing on the day the mooring is inspected.

[Regulation 98AI inserted: Gazette 24 Mar 2015 p. 1038-9.]

98AJ. Mooring licence areas

(1) The CEO may, by notice published in the *Gazette*, declare an area of CALM land specified in the notice to be a mooring licence area.

(2) A notice published under this regulation takes effect on such day after publication as is specified in the notice.

[Regulation 98AJ inserted: Gazette 24 Mar 2015 p. 1039.]

98AK. Private mooring licence

The CEO may grant a licence for either or both of the following purposes —

(a) to install a private mooring in a mooring licence area;

(b) to own and control a private mooring located in a mooring licence area.

[Regulation 98AK inserted: Gazette 24 Mar 2015 p. 1039.]

98AL. Effect of private mooring licence

(1) A licensed mooring is authorised to be in a mooring licence area.

(2) A licence holder is authorised to use a licensed mooring in accordance with a private mooring licence that is in force for the mooring.

(3) A person who has the written consent of the licence holder is authorised to use a licensed mooring in accordance with a private mooring licence that is in force for the mooring.

(4) A person referred to in subregulation (3) must have in his or her possession the written consent of the licence holder at any time the person has a vessel secured to the mooring.

Penalty: a fine of $1 000.

[Regulation 98AL inserted: Gazette 24 Mar 2015 p. 1039-40.]

98AM. Application for private mooring licence

(1) An application for a private mooring licence must specify —

(a) the location of the mooring or proposed mooring in a form approved by the CEO; and

(b) particulars of the purposes for which the mooring or proposed mooring is to be used, including particulars of each vessel or class of vessel that may be secured to the mooring; and

(c) if the applicant is not a natural person, the name, address and telephone numbers of a natural person who may be contacted on behalf of the applicant in relation to the mooring.

(2) The applicant must provide the CEO, or a person nominated by the CEO, with any assistance that the CEO or the person requires to inspect the mooring.

[Regulation 98AM inserted: Gazette 24 Mar 2015 p. 1040.]

98AN. Grant of private mooring licence

The CEO may grant a private mooring licence for a mooring or a proposed mooring if the CEO is satisfied that the mooring or proposed mooring —

(a) is suitable for each vessel or class of vessel that may be secured to the mooring; and

(b) does not constitute a danger or interfere with the navigation of other craft or any other usage of the land on which the mooring is, or is to be, located.

[Regulation 98AN inserted: Gazette 24 Mar 2015 p. 1040.]

98AO. Private mooring licence not transferable

A private mooring licence is not transferable.

[Regulation 98AO inserted: Gazette 24 Mar 2015 p. 1040.]

98AP. Duration of private mooring licence

Subject to this Part, a private mooring licence remains in force for the period specified in the licence.

[Regulation 98AP inserted: Gazette 24 Mar 2015 p. 1040.]

98AQ. Renewal of private mooring licence

(1) A licence holder may apply to the CEO for renewal of a licence.

(2) An application for renewal must be —

(a) in a form approved by the CEO; and

(b) accompanied by the appropriate fee specified in Schedule 1 Division 8 (if any); and

(c) accompanied by a current inspection report in respect of the mooring.

(3) The applicant must provide the CEO, or a person nominated by the CEO, with any assistance that the CEO or the person requires to inspect the mooring.

(4) The CEO may renew a private mooring licence if the CEO is satisfied that the mooring is in good condition and repair.

[Regulation 98AQ inserted: Gazette 24 Mar 2015 p. 1040-1.]

98AR. Conditions

(1) A private mooring licence may be granted or renewed subject to such conditions as the CEO thinks fit including conditions as to —

(a) the class or description of vessel that may be secured to the mooring; and

(b) the manner in which a vessel may be secured to the mooring; and

(c) the payment of any charge in relation to the use of the land on which the mooring is located.

(2) If a private mooring licence is granted or renewed subject to conditions, those conditions —

(a) are to be endorsed upon or attached to the licence when granted or renewed, as the case may be; and

(b) may be added to, cancelled, suspended and otherwise varied by the CEO from time to time during the operation of the licence.

(3) A licence holder must not contravene a condition endorsed upon or attached to the licence.

Penalty: a fine of $1 000.

[Regulation 98AR inserted: Gazette 24 Mar 2015 p. 1041.]

98AS. Form of licence

A licence for a private mooring must be in a form approved by the CEO and must contain the following information —

(a) the location of the mooring;

(b) the name of the licence holder;

(c) particulars of each vessel or each class of vessel authorised to use the mooring;

(d) the period for which the licence is granted.

[Regulation 98AS inserted: Gazette 24 Mar 2015 p. 1041.]

98AT. Private moorings to be maintained

(1) It is a condition of a licence to use a private mooring that the licence holder must maintain the mooring in good condition and repair.

(2) The CEO may, by notice in writing, require a licence holder to provide a current inspection report for the licensed mooring.

(3) The licence holder must comply with a notice under subregulation (2) within the time specified in the notice.

Penalty: a fine of $1 000.

[Regulation 98AT inserted: Gazette 24 Mar 2015 p. 1042.]

98AU. Requirement to repair, relocate or remove private mooring

(1) The CEO may, by notice in writing, require a licence holder to repair the licensed mooring within a specified time if the CEO considers that the mooring has deteriorated to the extent that it is dangerous, unusable or in need of repair.

(2) The CEO may, by notice in writing, require a licence holder, or a person who was a licence holder, to relocate or remove the licensed mooring within a specified time if —

(a) the CEO cancels the licence; or

(b) the licence holder surrenders the licence; or

(c) the relocation or removal is necessary to comply with any management plan for the land on which the mooring is located; or

(d) the CEO considers that it is in the public interest for the mooring to be relocated or removed.

(3) A person to whom a notice is given under subregulation (1) or (2) must comply with the requirements specified in the notice within the time specified in the notice.

Penalty: a fine of $2 000.

(4) A mooring that is not relocated or removed within the period specified in a notice given under subregulation (2) is, on the expiry of that period, forfeited to the Crown and may be destroyed, sold or otherwise disposed of as directed by the CEO.

[Regulation 98AU inserted: Gazette 24 Mar 2015 p. 1042.]

98AV. Cancellation of private mooring licence

(1) The CEO may, by written notice given to the licence holder, cancel a private mooring licence if —

(a) the licence holder ceases to own, or no longer appears to control, the mooring; or

(b) the licence holder fails to provide an inspection report for the mooring in accordance with regulation 98AT(2); or

(c) the licence holder fails to comply with a requirement under regulation 98AU(1) or (2).

(2) The powers of the CEO referred to in subregulation (1) are in addition to, and do not derogate from, the powers referred to in regulation 86(1).

[Regulation 98AV inserted: Gazette 24 Mar 2015 p. 1043.]

98AW. Giving notice of change of registered particulars

A licence holder must, within 7 days, notify the CEO of any alteration in the particulars of the licensed mooring, including any change of address or telephone number of the licence holder or the natural person who may be contacted on behalf of a body corporate or partnership.

Penalty: a fine of $1 000.

[Regulation 98AW inserted: Gazette 24 Mar 2015 p. 1043.]

98AX. Surrender of private mooring licence

(1) A licence holder may by notice in writing to the CEO surrender a licence.

(2) A licence holder who surrenders a licence is not entitled to the refund of any fees paid in respect of a period after the date of surrender.

[Regulation 98AX inserted: Gazette 24 Mar 2015 p. 1043.]

[Part 7A deleted: Gazette 27 Feb 2009 p. 530.]

Part 8A — Apiary permits and licences

[Heading inserted: Gazette 3 Sep 2010 p. 4278.]

98A. Terms used

In this Part —

apiary authority means an apiary licence or apiary permit;

apiary licence means a licence granted under Part VIII Division 2 of the Act to —

(a) enter and use the land specified in the licence for the purpose of operating an apiary; and

(b) remove honey, bees-wax and pollen from that land;

apiary permit means a permit granted under Part VIII Division 1 of the Act to —

(a) occupy the land specified in the permit for the purpose of operating an apiary; and

(b) remove honey, bees-wax and pollen from that land;

apiary site means the land specified in an apiary authority as the land to which the authority relates;

South-west zone means those parts of the South-west Division and Eucla Division of the State (as described in the *Land Administration Act 1997* Schedule 1) depicted as the South-west zone on the plan published on the Department's website entitled "South-west zone — Apiary Permits and Licences" and dated August 2009.

[Regulation 98A inserted: Gazette 3 Sep 2010 p. 4278-9; amended: SL 2022/170 r. 4.]

98B. Application of Part 8A

This Part applies to all land in respect of which an apiary licence or apiary permit may be granted.

[Regulation 98B inserted: Gazette 3 Sep 2010 p. 4279.]

98C. Applications

(1) An application —

(a) for the grant, renewal or transfer of an apiary authority; or

(b) for the variation of an apiary licence to change the site to which it relates; or

(c) otherwise relating to an apiary authority,

must be made to the CEO in writing.

(2) An applicant must provide the CEO with any relevant information requested by the CEO.

(3) An application may be made in relation to 2 or more apiary authorities in the same form.

(4) The fees specified in Schedule 1 Division 11 are payable in respect of an application made in relation to an apiary authority.

[Regulation 98C inserted: Gazette 3 Sep 2010 p. 4279.]

98D. Maximum area of apiary site

The area of an apiary site for which an apiary authority is granted must not exceed the area that the CEO considers is reasonably necessary to enable an apiary to be efficiently operated on the site.

[Regulation 98D inserted: Gazette 3 Sep 2010 p. 4279.]

*[**98E.** Deleted: SL 2022/170 r. 5.]*

98F. Duration of apiary authority

(1) An apiary authority —

(a) takes effect on the day on which it is granted or any later day specified in it; and

(b) remains in force for the period specified in it unless before then it expires under subregulation (2), is surrendered or is cancelled.

(2) An apiary authority expires if the apiary site ceases to be land in respect of which the authority can be granted under Part VIII Division 1 or 2, as the case requires, of the Act.

(3) The holder of an apiary authority may surrender it at any time by returning the permit or licence to the CEO, in which case it ceases to have effect when it is received by the CEO.

[Regulation 98F inserted: Gazette 3 Sep 2010 p. 4280.]

98G. Conditions

(1) In this regulation —

apiarist includes an employee or agent of the apiarist;

local departmental office, in relation to an apiary site, means the office of the Department responsible for the day-to-day management of the area that includes the apiary site.

(2) The following conditions apply to every apiary authority —

(a) the apiarist must immediately report any outbreak of fire on or near the apiary site to the local departmental office;

(b) the apiarist must cooperate with the Department and any other authority or person lawfully carrying out fire prevention or control activities on or near the apiary site;

(c) the apiarist must ensure that there is adequate water on the apiary site for all apiary requirements;

(d) before placing hives on the apiary site the apiarist must give notice to —

(i) the local departmental office; and

(ii) if the site is on a pastoral lease, diversification lease or mining tenement — the employee or agent of the lessee under the pastoral lease or

diversification lease, or of the tenement holder, who is responsible for the day-to-day management of the area of the lease or tenement where the site is located;

(e) the apiarist must take all reasonably practicable steps to ensure that the apiarist's activities do not infect the site with, or spread, a forest disease;

(f) the apiarist must comply with the following written laws —

(i) *Conservation and Land Management Act 1984*;

(ii) *Bush Fires Act 1954*;

(iii) *Health (Miscellaneous Provisions) Act 1911*;

(iv) any written law relating to protection of water catchments or regulation of water supplies.

(3) A notice for the purposes of subregulation (2)(d) must include the following information —

(a) the proposed location of the hives;

(b) the number of hives proposed to be placed on the site;

(c) how long it is proposed the hives will remain on the site;

(d) the names of the people who are expected to be entering the site for apiary purposes.

[Regulation 98G inserted: Gazette 3 Sep 2010 p. 4280-1; amended: Gazette 10 Jan 2017 p. 192; SL 2023/130 r. 4.]

98H. Application of regulations to apiary sites that are not on CALM land

If an apiary site is on land that is not CALM land, the regulations listed in the Table apply in relation to the apiarist, any employee or agent of the apiarist and any other person who

is on the site for a purpose related to the operation of the apiary, as if the apiary site were CALM land.

Table

r. 21	r. 23
r. 24	r. 25
r. 27	r. 31
r. 34	r. 35
r. 36	r. 38

[Regulation 98H inserted: Gazette 3 Sep 2010 p. 4281.]

98I. Other operations not affected by apiary

(1) The fact that an apiary authority is in force in respect of a site does not affect the right of any person who has lawful authority to do so from doing any of the following, whether on the site or elsewhere —

(a) felling, cutting or removing any forest produce;

(b) carrying out any fire control or prevention activity, including the construction and maintenance of firebreaks and managed burning;

(c) doing anything that is required or permitted to be done under a management plan.

(2) The holder of an apiary authority is not entitled to compensation for any loss or damage arising from the carrying out of any such activity.

[Regulation 98I inserted: Gazette 3 Sep 2010 p. 4282.]

98J. False or misleading information

A person must not, in relation to an apiary authority, give information orally or in writing to the CEO that the person knows to be —

(a) false or misleading in a material particular; or

(b) likely to deceive in a material way.

Penalty: a fine of $1 000.

[Regulation 98J inserted: Gazette 3 Sep 2010 p. 4282.]

98K. Apiary site fee

(1) The holder of an apiary authority is to pay to the CEO an annual fee for each apiary site at the rate set out in Schedule 1 Division 11 item 5.

[(2) deleted]

(3) The fee is payable annually in advance on the date on which the apiary authority takes effect and each anniversary of that date.

(4) If an apiary authority is to be in force for part only of a year the fee payable for that year is reduced proportionately.

(5) The fee is payable whether or not the apiarist places any hives on, or removes any forest produce from, the apiary site.

[Regulation 98K inserted: Gazette 3 Sep 2010 p. 4282; amended: Gazette 1 Sep 2017 p. 4649-50.]

Part 8 — Fees

[Heading amended: Gazette 29 Sep 2006 p. 4319.]

99. Entrance fees for motor vehicles

(1) In this regulation —

non-tour motor vehicle means a motor vehicle that is not a tour vehicle;

on-demand rank or hail vehicle authorisation means a passenger transport vehicle authorisation (as defined in the *Transport (Road Passenger Services) Act 2018* section 4(1)) that authorises the operation of the vehicle for use in providing an on-demand rank or hail passenger transport service (as defined in that section);

tour vehicle means —

(a) a vehicle that is fitted with seats for 8 or more adult persons, including the driver, and is being used to carry passengers for separate fares; or

(b) a vehicle in relation to which an on-demand rank or hail vehicle authorisation is in force; or

(c) a vehicle that is licensed to stand or ply for the carriage of passengers for reward; or

(d) a vehicle that is fitted with seats for 13 or more persons, including the driver of the vehicle, and is being used to carry 13 or more persons, including the driver.

(2) Subject to subregulations (3) and (4) and Schedule 1 Division 1 —

(a) the relevant fee specified in Schedule 1 Division 1 item 1, 2 or 5 is payable daily per non-tour motor vehicle entering an area of CALM land, and the person in charge of the vehicle is liable to pay the relevant fee; and

(b) the relevant fee specified in Schedule 1 Division 1 item 3, 4, or 6 is payable daily per occupant of a tour

vehicle entering an area of CALM land, and the owner or operator of the tour vehicle is liable to pay the fee for every occupant of the tour vehicle.

(3) Fees are not payable under this regulation unless the CEO has erected —

(a) signs at or near the entrances to the area of CALM land stating that fees are payable for entry to that area; and

(b) signs at or near the entrances to the area of CALM land, or at or near the place on CALM land at which the fees are collected, specifying —

(i) the fees that are payable; and

(ii) the manner in which the fees are to be paid.

(4) A person is not liable to pay a fee under this regulation for entry in a non-tour motor vehicle to an area of CALM land if that person has —

(a) paid the fee prescribed in Schedule 1 Division 2 for an extended pass for that person to enter that area at the relevant time and complied with any conditions on entry set out in that Division for that fee; or

(b) been otherwise authorised by the CEO to enter that area.

(5) A person must pay, in the manner specified on a sign under subregulation (3)(b)(ii), a fee for which the person is liable under this regulation.

Penalty: a fine of $200.

(6) This regulation does not apply to aircraft.

[Regulation 99 amended: Gazette 29 Sep 2006 p. 4320 and 4334; 3 Dec 2010 p. 6049 and 6052-4; 28 Jun 2019 p. 2488.]

99A. Landing fees for aircraft

(1) In this regulation and Schedule 1 Division 12 —

aircraft landing area means an area declared under regulation 99B to be an aircraft landing area for the purposes of this regulation;

occupant does not include —

(a) a person who is under 6 years of age; or

(b) the pilot or other crew of an aircraft operating under a commercial operations licence.

(2) The fee specified in Schedule 1 Division 12 is payable daily per occupant of an aircraft that lands on an aircraft landing area.

(3) The person liable to pay the fee is —

(a) if the aircraft is operating under a commercial operations licence — the holder of the licence; or

(b) in any other case —

(i) the person in charge of the aircraft; or

(ii) if the person in charge of the aircraft is employed or engaged by another person who is the owner or operator of the aircraft — that other person.

(4) The person liable under subregulation (3) to pay the fee must pay the fee.

Penalty: a fine of $1 000.

[Regulation 99A inserted: Gazette 3 Dec 2010 p. 6049-50.]

99B. Aircraft landing areas

(1) The CEO may, by notice published in the *Gazette*, declare an area of CALM land specified in the notice to be an aircraft landing area for the purposes of regulation 99A.

(2) An area may be declared to be an aircraft landing area at all times or during a period or periods specified in the notice.

(3) The CEO may, by notice published in the *Gazette*, amend or revoke any previous notice published under this regulation.

(4) A notice published under this regulation takes effect on such day after publication as is specified in the notice.

[Regulation 99B inserted: Gazette 3 Dec 2010 p. 6050.]

99C. Entrance fees for Monkey Mia Conservation Park

(1) The relevant fee specified in Schedule 1 Division 10 item 1, 2, 3 or 4 is payable by a person entering the Monkey Mia Conservation Park.

(2) The CEO is to erect signs at or near the entrance to the Monkey Mia Conservation Park —

(a) specifying the fees that are payable under this regulation; and

(b) specifying the manner in which the fees are to be paid.

(3) A person is not liable to pay a fee under subregulation (1) for entry to the Monkey Mia Conservation Park if that person has paid the fee specified in Schedule 1 Division 10 item 5, 6, 7 or 8 for an extended pass for that person to enter the Park at the relevant time.

(4) A person must pay, in the manner specified on a sign under subregulation (2)(b), a fee for which the person is liable under subregulation (1).

Penalty: a fine of $200.

[Regulation 99C inserted: Gazette 3 Dec 2010 p. 6050-1.]

100. Entrance fees for Tree Top Walk

(1) In this regulation —

Tree Top Walk means the walkway known as the "Tree Top Walk" constructed within the area known as the "Valley of the Giants", near Walpole.

(2) The relevant fee specified in Schedule 1 Division 3 is payable by a person entering the Tree Top Walk.

(3) The CEO is to erect a sign at the entrance to the Tree Top Walk —

(a) specifying the fees payable under this regulation; and

(b) specifying the manner in which the fees are to be paid.

(4) A person must pay, in the manner specified in a sign under subregulation (3)(b), a fee for which the person is liable under this regulation.

Penalty: a fine of $200.

[Regulation 100 amended: Gazette 29 Sep 2006 p. 4334; 3 Dec 2010 p. 6052-4.]

100A. Entrance fees for Crystal Cave and Calgardup and Giants Caves

(1) The relevant fee specified in Schedule 1 Division 7 item 1 is payable by a person entering Crystal Cave, Yanchep National Park.

(2) The relevant fee specified in Schedule 1 Division 7 item 2 is payable by a person entering Calgardup or Giants Caves, Leeuwin-Naturaliste National Park.

(3) The CEO is to erect signs at the entrance to each of the caves —

(a) specifying the fees payable under this regulation; and

(b) specifying the manner in which the fees are to be paid.

(4) A person must pay, in the manner specified on a sign under subregulation (3)(b), a fee for which the person is liable under this regulation.

Penalty: a fine of $200.

[Regulation 100A inserted: Gazette 29 Sep 2006 p. 4321-2; amended: Gazette 3 Dec 2010 p. 6052-4.]

101. Fees for Danggu (Geikie Gorge) National Park Boat Trip

The fees for the Danggu (Geikie Gorge) National Park Boat Trip are as prescribed in Schedule 1 Division 4.

[Regulation 101 amended: SL 2023/141 r. 4.]

102. Fees for entry on horseback

A person must not enter an area of CALM land on horseback unless the relevant fee specified in Schedule 1 Division 5 has been paid —

(a) in the case of a daily entrance fee, to an authorised officer; and

(b) in the case of an annual pass, to the CEO,

before entering that area.

Penalty: a fine of $200.

[Regulation 102 amended: Gazette 29 Sep 2006 p. 4334; 3 Dec 2010 p. 6052-4.]

102A. Abseiling fee

(1) Subject to subregulation (2), a person who intends to abseil in an abseiling area during a particular half-day, or day in the case of Wilyabrup Cliffs, is liable to pay the relevant fee specified in Schedule 1 Division 9 in respect of the half-day or day.

(2) Fees are not payable under this regulation unless the CEO has erected a sign at the abseiling area —

(a) stating that fees are payable for abseiling; and

(b) specifying the fees that are payable; and

(c) specifying the manner in which the fees are to be paid.

(3) A person must pay, in the manner specified in a sign under subregulation (2)(c), the fee for which the person is liable under this regulation.

Penalty: a fine of $200.

(4) If a person, who has paid the relevant fee in advance, notifies the CEO more than 2 weeks before the half-day, or day, in respect of which the fee was paid that the person is not going to abseil on that half-day, or day, in the area in respect of which the fee was paid, the CEO may refund the fee.

[Regulation 102A inserted: Gazette 29 Sep 2006 p. 4322-3; amended: Gazette 3 Dec 2010 p. 6051 and 6052-4.]

103. Camping fees

(1) Subject to subregulation (3) the fees specified in Schedule 1 Division 6 are payable in respect of persons who camp in camping areas on CALM land.

(2) A person occupying a camping site is liable to pay the fee referred to in subregulation (1) or, if there is more than one person occupying the site, the persons occupying the site are jointly and severally liable to pay the fee.

(3) Fees are not payable under this regulation unless the CEO has erected a sign at the camping area —

(a) stating that fees are payable for camping; and

(b) specifying the fees that are payable; and

(c) specifying the manner in which the fees are to be paid.

(4) A person must pay, in the manner specified in a sign under subregulation (3)(c), a fee for which the person is liable under this regulation.

Penalty: a fine of $200.

[Regulation 103 amended: Gazette 29 Sep 2006 p. 4334; 3 Dec 2010 p. 6052-4.]

103A. Companion of Companion Card holder

Despite anything in this Part, a person need not pay a fee under this Part to enter a place or do a thing if —

(a) the person is, at the time of entering the place or doing the thing, the companion of a person who holds a Companion Card; and

(b) the person who holds the Companion Card is entitled to pay a concession fee to enter the place or do the thing.

[Regulation 103A inserted: Gazette 29 Sep 2006 p. 4323.]

104. Fees may be waived or reduced

The CEO may waive payment of a fee or part of a fee prescribed or provided for in these regulations.

[Regulation 104 amended: Gazette 29 Sep 2006 p. 4334.]

Part 9 — Miscellaneous

[Heading inserted: Gazette 29 Sep 2006 p. 4323.]

105. Organised events and meetings

(1) A person must not, without lawful authority, organise, advertise or hold a meeting, function or event on CALM land which is likely to involve or involves the attendance of more than 100 persons.

Penalty: a fine of $2 000.

(2) The CEO cannot refuse to authorise a person for the purposes of subregulation (1) except on grounds relating to the adverse effects of the meeting, function or event on the environment or other users of the land.

[Regulation 105 amended: Gazette 29 Sep 2006 p. 4323-4; 3 Dec 2010 p. 6052-4.]

106. Unlawful commercial operations

(1) A person must not, without lawful authority, sell any goods or services, or carry on any business, on CALM land.

Penalty: a fine of $2 000.

(2) A person must not advertise that the person is willing to sell any goods or services, or that the person carries on or will carry on a business, on CALM land unless the person has lawful authority to sell the goods or services, or carry on the business, on the CALM land.

Penalty: a fine of $2 000.

[Regulation 106 amended: Gazette 29 Sep 2006 p. 4324; 3 Dec 2010 p. 6052-4.]

107. Distribution of printed matter and advertising material

A person must not, without lawful authority, on CALM land —

(a) sell or distribute or carry or expose for sale any printed or written matter; or

(b) distribute any printed or written matter for a commercial purpose; or

(c) advertise or promote any product, service or event for a commercial purpose.

Penalty: a fine of $500.

[Regulation 107 inserted: Gazette 29 Sep 2006 p. 4324-5; amended: Gazette 3 Dec 2010 p. 6052-4.]

108. Photography for commercial purposes

A person must not, without lawful authority, take —

(a) still pictures on CALM land by photographic or electronic means if the pictures are to be used for commercial purposes; or

(b) motion pictures on CALM land by photographic or electronic means if the pictures are to be used for commercial purposes.

Penalty: a fine of $500.

[Regulation 108 amended: Gazette 29 Sep 2006 p. 4325; 3 Dec 2010 p. 6052-4.]

109. Production of licences etc.

The holder of a licence, permit, written authorisation or pass issued under the Act or these regulations must, if requested by an authorised officer, produce the licence, permit, authorisation or pass for inspection —

(a) if it is a condition of the licence, permit, authorisation or pass that the holder produce the licence, permit, authorisation or pass upon demand of an authorised officer — at the time of the request; or

(b) if paragraph (a) does not apply — as soon as is practicable.

Penalty: a fine of $2 000.

[Regulation 109 amended: Gazette 29 Sep 2006 p. 4325; 3 Dec 2010 p. 6052-4; 19 Sep 2014 p. 3336.]

110. False or misleading information

A person must not, in relation to the holding of a lease, licence or permit or the payment of a fee, give information orally or in writing to an authorised officer that the person knows to be —

(a) false or misleading in a material particular; or

(b) likely to deceive in a material way.

Penalty: a fine of $2 000.

[Regulation 110 amended: Gazette 3 Dec 2010 p. 6052-4; 19 Sep 2014 p. 3336.]

111. Signs — presumption

A sign on CALM land is to be taken to have been erected or made by the authority of the CEO unless the contrary is shown.

[Regulation 111 amended: Gazette 29 Sep 2006 p. 4334.]

111A. Reasons for decisions

(1) A person aggrieved by a decision of the CEO under these regulations may apply to the CEO for reasons for the decision.

(2) The CEO must give the reasons for the decision to the person.

[Regulation 111A inserted: Gazette 29 Sep 2006 p. 4326.]

112. Infringement notices

(1) The offences described in Schedule 2 columns 1 and 2 are prescribed offences for the purposes of section 114A of the Act.

(2) The penalties set out in Schedule 2 column 3 are prescribed modified penalties for the offence in columns 1 and 2 to which the penalties correspond, for the purposes of section 114A of the Act.

(3) Schedule 3 Form 1 is prescribed for the purposes of section 114A(1) of the Act.

(4) Schedule 3 Form 2 is prescribed for the purposes of section 114A(6) of the Act.

113. Evidence

In any prosecution under these regulations an averment in the complaint —

(a) that the place at or in respect of which a contravention of a regulation is alleged to have occurred was, or was within, a restricted area declared for the purpose of that regulation; or

(b) that the place at or in respect of which a contravention of a regulation is alleged to have occurred was, or was within, a designated area declared for the purpose of that regulation; or

(c) that an act or state of affairs occurred without lawful authority,

is taken to have been proved in the absence of evidence to the contrary.

Part 10 — Exclusion of operation of section 103A(3)

[Heading inserted: Gazette 7 Dec 2012 p. 5966.]

114. Terms used

In this Part —

recreational land means CALM land that is, or is within 500 m of, any of the following —

(a) a car park, including any area where signs direct vehicles to be parked or that is predominantly used for parking vehicles;

(b) a sealed road;

(c) a camping area;

(d) a visitor area;

townsite has the meaning given in the *Land Administration Act 1997* section 26(1);

urban land means land within the metropolitan region as defined in the *Planning and Development Act 2005* section 4(1), the Peel Region described in Schedule 4 to that Act or the local government district of Bunbury;

visitor area includes any of the following —

(a) an area of cultivated lawn;

(b) an area signposted as a picnic area;

(c) an area signposted as an historical, natural or cultural point of interest;

(d) an area where any of the following have been provided for visitors —

(i) tables and seating;

(ii) a lookout or platform;

(iii) a toilet facility;

(iv) a rubbish bin;

(v) interpretive information;

(vi) any building, facility or other erected or constructed thing,

but does not include a walk trail or unsealed road.

[Regulation 114 inserted: Gazette 7 Dec 2012 p. 5966-7.]

115. Exclusion of operation of section 103A(3) of Act: animals

(1) In this regulation —

poison risk area means an area shown on a poison risk map in which poison baits to control vertebrates may be present;

poison risk map means a map produced by the Department that —

(a) shows poison risk areas; and

(b) is available for inspection by the public during normal office hours at each district office of the Department nearest to a poison risk area.

(2) The operation of section 103A(3) of the Act is excluded in relation to bringing an animal on to CALM land contrary to regulation 15(a) if —

(a) the animal is brought on to the land without the written permission of the CEO; and

(b) the land is in a poison risk area.

(3) The operation of section 103A(3) of the Act is excluded in relation to bringing an animal on to CALM land contrary to regulation 15(a) if —

(a) the animal is brought on to the land without the written permission of the CEO; and

(b) the animal is not kept in a vehicle while on the land; and

(c) the land is —

(i) recreational land or urban land; or

(ii) in a townsite; or

(iii) in Dimalurru (Tunnel Creek) National Park (Reserve No. 26890), Danggu (Geikie Gorge) National Park (Reserve No. 28401) or Marlgu Billabong and Telegraph Hill in Parry Lagoons Nature Reserve (Reserve No. 42155).

[Regulation 115 inserted: Gazette 7 Dec 2012 p. 5967-8; amended: SL 2023/141 r. 5.]

116. Exclusion of operation of section 103A(3) of Act: vehicles

(1) The operation of section 103A(3) of the Act is excluded in relation to driving or riding a vehicle contrary to regulation 51(1) if the vehicle is driven or ridden without the written permission of the CEO —

(a) on recreational land or urban land; or

(b) in a townsite; or

(c) in Boonanaring Nature Reserve (Reserve No. 41805), Drummond Nature Reserve (Reserve No. 42808) or Moore River Nature Reserve (Reserve No. 41830).

(2) The operation of section 103A(3) of the Act is excluded in relation to driving or riding a vehicle contrary to regulation 51(3)(a) if the vehicle is so driven or ridden without the written permission of the CEO.

[Regulation 116 inserted: Gazette 7 Dec 2012 p. 5968.]

117. Exclusion of operation of section 103A(3) of Act: vessel

The operation of section 103A(3) of the Act is excluded in relation to navigating a vessel contrary to regulation 61(a) or 64(1)(c) or (2)(c) if the vessel is so navigated without the written permission of the CEO.

[Regulation 117 inserted: Gazette 7 Dec 2012 p. 5968.]

118. Exclusion of operation of section 103A(3) of Act: fire

(1) The operation of section 103A(3) of the Act is excluded in relation to lighting or kindling a fire contrary to section 104(1) of the Act or regulation 39(2) if the fire is lit or kindled without the written permission of the CEO on or in any of the following —

(a) recreational land;

(b) a townsite;

(c) Moore River Nature Reserve (Reserve No. 41830);

(d) urban land.

(2) In subregulation (1)(d) —

urban land does not include land in —

(a) Avon Valley National Park (Reserve No. 30192);

(b) Dwellingup State Forest (State Forest 14);

(c) Lane Poole Reserve (Reserve No. 39827);

(d) Jarrahdale State Forest (State Forest 22);

(e) Moore River State Forest (State Forest 65);

(f) Walyunga National Park (Reserve No. 2065).

(3) The operation of section 103A(3) of the Act is excluded in relation to lighting or kindling a fire contrary to section 104(1) of the Act or regulation 39(2) on land, defined in section 102(1) of the Act as ***land to which this Part applies***, other than land referred to in subregulation (1), unless it is lit or kindled —

(a) for the purpose of cooking food; or

(b) for the purpose of a camp fire; or

(c) for the purpose of a ceremonial activity, such as a smoking ceremony, during which activity the fire is confined to an area of less than 1 m^2; or

(d) for an Aboriginal customary purpose, other than a purpose referred to in paragraph (a), (b) or (c), with the written permission of the CEO.

(4) The operation of section 103A(3) of the Act is excluded in relation to lighting or kindling a fire contrary to regulation 39(1)(b) if the fire is lit or kindled without the written permission of the CEO.

[Regulation 118 inserted: Gazette 7 Dec 2012 p. 5968-9.]

119. Exclusion of operation of section 103A(3) of Act: camping

(1) The operation of section 103A(3) of the Act is excluded in relation to a person camping temporarily on CALM land contrary to regulation 66(1) if the person camps on the land —

(a) without the written permission of the CEO; and

(b) for more than 28 consecutive days, unless it is necessary to camp on the land for a longer period (not exceeding 84 consecutive days) for ceremonial purposes.

(2) The operation of section 103A(3) of the Act is excluded in relation to a person camping temporarily on CALM land contrary to regulation 66(1) if the person camps on the land without the written permission of the CEO and the land is —

(a) recreational land; or

(b) in one of the following —

(i) a townsite;

(ii) Boonanaring Nature Reserve (Reserve No. 41805);

(iii) Drummond Nature Reserve (Reserve No. 42808);

(iv) Moore River Nature Reserve (Reserve No. 41830);

(v) Dimalurru (Tunnel Creek) National Park (Reserve No. 26890);

or

(c) urban land.

(3) In subregulation (2)(c) —

urban land does not include land in —

(a) Avon Valley National Park (Reserve No. 30192);

(b) Dwellingup State Forest (State Forest 14);

(c) Lane Poole Reserve (Reserve No. 39827);

(d) Jarrahdale State Forest (State Forest 22);

(e) Moore River State Forest (State Forest 65);

(f) Walyunga National Park (Reserve No. 2065).

[Regulation 119 inserted: Gazette 7 Dec 2012 p. 5969-70; amended: SL 2023/141 r. 6.]

120. Exclusion of operation of section 103A(3) of Act: entering land

(1) The operation of section 103A(3) of the Act is excluded in relation to entering land contrary to regulation 41(a), (b) and (c), 42 or 43 if the entry is made without the written permission of the CEO.

(2) The operation of section 103A(3) of the Act is excluded in relation to entering land contrary to regulation 46(1) or 48 if the entry is made without the written permission of the CEO.

[Regulation 120 inserted: Gazette 7 Dec 2012 p. 5970.]

121. Exclusion of operation of section 103A(3) of Act: protected thing

(1) In this regulation —

category A firearm means a firearm of category A under the regulations referred to in the *Firearms Act 2024* section 8(1);

category B firearm means a firearm of category B under the regulations referred to in the *Firearms Act 2024* section 8(1);

fish has the meaning given in the *Fish Resources Management Act 1994* section 4(1);

relevant area means any of the following —

(a) a car park, including any area where signs direct vehicles to be parked or that is predominantly used for parking vehicles;

(b) a sealed road;

(c) a camping area;

(d) a visitor area.

(2) Subject to subregulation (3), the operation of section 103A(3) of the Act is excluded in relation to —

(a) taking fauna that is fish contrary to section 101C of the Act; and

(b) taking flora or fauna other than fish contrary to section 101C of the Act if the flora or fauna is taken in a marine nature reserve or any land or water in a marine park classified as a sanctuary area.

(3) Subregulation (2)(a) does not apply in relation to fish taken in accordance with the *Fish Resources Management Act 1994*.

(4) The operation of section 103A(3) of the Act is excluded in relation to removing firewood contrary to section 103(1) of the Act if the firewood is removed without the written permission of the CEO.

(5A) The operation of section 103A(3) of the Act is excluded in relation to taking fauna contrary to regulation 8(1) if the fauna is taken with a firearm other than a category A firearm or a category B firearm.

(5) The operation of section 103A(3) of the Act is excluded in relation to taking fauna contrary to regulation 8(1) if the fauna is taken —

(a) without the written permission of the CEO; and

(b) on urban land or in a townsite.

(6A) The operation of section 103A(3) of the Act is excluded in relation to taking fauna contrary to regulation 8(1) if the fauna is taken —

(a) without the written permission of the CEO; and

(b) with a category A firearm or a category B firearm; and

(c) on CALM land that is a relevant area or —

(i) if the fauna is taken with a category A firearm — within 1.5 km of a relevant area; or

(ii) if the fauna is taken with a category B firearm — within 3 km of a relevant area.

(6B) The operation of section 103A(3) of the Act is excluded in relation to taking fauna contrary to regulation 8(1) if the fauna is taken —

(a) without the written permission of the CEO; and

(b) by means other than a firearm; and

(c) on CALM land that is a relevant area or within 1 km of a relevant area.

(6) The operation of section 103A(3) of the Act is excluded in relation to taking flora contrary to regulation 8(1) if the flora is taken —

(a) without the written permission of the CEO; and

(b) on recreational land, urban land or in a townsite.

(7A) The operation of section 103A(3) of the Act is excluded in relation to taking a non-indigenous animal contrary to regulation 18 if the animal is taken with a firearm other than a category A firearm or a category B firearm.

(7) The operation of section 103A(3) of the Act is excluded in relation to taking a non-indigenous animal contrary to regulation 18 if the animal is taken —

(a) without the written permission of the CEO; and

(b) on urban land or in a townsite.

(8) The operation of section 103A(3) of the Act is excluded in relation to taking a non-indigenous animal contrary to regulation 18 if the animal is taken —

(a) without the written permission of the CEO; and

(b) with a category A firearm or a category B firearm; and

(c) on CALM land that is a relevant area or —

(i) if the animal is taken with a category A firearm — within 1.5 km of a relevant area; or

(ii) if the animal is taken with a category B firearm — within 3 km of a relevant area.

(9) The operation of section 103A(3) of the Act is excluded in relation to taking a non-indigenous animal contrary to regulation 18 if the animal is taken —

(a) without the written permission of the CEO; and

(b) by means other than a firearm; and

(c) on CALM land that is a relevant area or within 1 km of a relevant area.

[Regulation 121 inserted: Gazette 7 Dec 2012 p. 5970-1; amended: Gazette 19 Sep 2014 p. 3331-3; SL 2024/298 r. 9.]

122. Permission of CEO

(1) When giving written permission for the purpose of regulations 115 to 121, the CEO is to specify in the permission —

(a) the person or persons or group, body or association of persons to whom the permission applies; and

(b) the conditions, if any, subject to which the permission is given.

(2) The permission has effect —

(a) for the period of effect specified in the permission, unless sooner revoked by the CEO under regulation 123(2); or

(b) if no period of effect is specified in the permission, until it is revoked by the CEO under regulation 123(2).

(3) The permission has no effect —

(a) in respect of any person to whom the permission applies who does not observe or perform a condition; and

(b) during any period in which the condition is not observed or performed by that person.

[Regulation 122 inserted: Gazette 7 Dec 2012 p. 5971-2.]

123. Variation and revocation of permission

(1) If written permission for the purpose of regulations 115 to 121 (the ***permission***) is given subject to conditions, those conditions may be added to, cancelled, suspended or otherwise varied by written notice given by the CEO to the person or persons or group, body or association of persons to whom the permission applies (the ***permission holder***).

(2) The CEO may at any time revoke the permission by written notice given to the permission holder.

(3) If the CEO proposes to revoke the permission under subregulation (2), the CEO is to give the permission holder written notice of the proposal and the CEO's reasons for the proposal.

(4) The notice is to state that the permission holder may make written representations to the CEO concerning the proposal within 21 days after the notice is given.

(5) The CEO is not to give effect to the proposal without considering any representations received within that period.

[Regulation 123 inserted: Gazette 7 Dec 2012 p. 5972.]

Part 11 — Transitional regulations

[Heading inserted: Gazette 30 Aug 2016 p. 3685.]

124. State forests: *Conservation and Land Management Amendment Act 2015* section 12

(1) In this regulation —

section 9(2) means section 9(2) of the Act as in force before the section 12 commencement;

section 12 commencement means the day on which the *Conservation and Land Management Amendment Act 2015* section 12 came into operation;

State forest resolution means a resolution under section 9(2) that a proposal that the whole or part of a State forest is to cease to be State forest be carried out.

(2) The Governor may by order published in the *Gazette* declare land to be no longer State forest if, before the section 12 commencement —

(a) each House of Parliament had passed a State forest resolution in relation to the land; but

(b) the Governor had not acted under section 9(2) in respect of the resolution.

(3) On the publication of an order under subregulation (2) declaring that land is no longer State forest, the land —

(a) in the case of land acquired under section 15 of the Act and set apart as a State forest, becomes vested in the Executive Body and section 131 of the Act applies to it; and

(b) in any other case, becomes Crown land within the meaning of the *Land Administration Act 1997*.

[Regulation 124 inserted: Gazette 30 Aug 2016 p. 3685-6.]

Schedule 1 — Fees

[r. 49, 83, 92, 97, 98C, 98K, 99, 99A, 99C, 100, 100A, 101, 102, 102A and 103]

[Heading amended: Gazette 29 Sep 2006 p. 4326; 3 Sep 2010 p. 4283; 3 Dec 2010 p. 6051; 1 Sep 2017 p. 4650.]

Division 1 — Daily entrance fees where an entrance fee is charged

[Heading inserted: SL 2023/141 r. 7.]

		$
1.	*Daily entrance fee for non-tour motor vehicle that is a motorcycle	10.50
2.	*Daily entrance fee for non-tour motor vehicle that is not a motorcycle (unless item 5 applies)	18.00
3.	*Daily entrance for each occupant (6 years of age or older) of tour vehicle (unless entry is to Yanchep National Park or Nambung National Park, or item 6 applies)	8.50
4.	Daily entrance for each occupant (6 years of age or older) of tour vehicle — Yanchep National Park, Nambung National Park	8.50
5.	*Daily entrance concession fee for non-tour motor vehicle if the driver holds a concession card	10.50
6.	*Daily entrance concession fee for occupant of tour vehicle if the occupant holds a concession card (except where tour vehicle is operating for profit)	3.60

[* Payment of a daily entrance fee under this item entitles the visitor on that day to enter any other area of CALM land for which an entrance fee is charged under the same item.]

[Division 1 inserted: SL 2023/141 r. 7; amended: SL 2026/224 r. 4(3).]

Division 2 — Fees for passes providing extended entrance to CALM land

[Heading inserted: SL 2023/141 r. 7.]

		$
1.	For an annual pass for a non-tour motor vehicle with up to 12 occupants to all CALM land where an entrance fee is charged except the Monkey Mia Conservation Park	135.00
2.	For an annual concession pass for a non-tour motor vehicle with up to 12 occupants to all CALM land where an entrance fee is charged except the Monkey Mia Conservation Park	82.00
	Conditions on entry: the driver holds a concession card	
3.	For a 4-week pass for a non-tour motor vehicle with up to 12 occupants to all CALM land where an entrance fee is charged except the Monkey Mia Conservation Park	72.00
4.	For a 14-day pass for a non-tour motor vehicle with up to 12 occupants to all CALM land where an entrance fee is charged except the Monkey Mia Conservation Park	52.00
5.	For a 5-day pass for a non-tour motor vehicle with up to 12 occupants to all CALM land where an entrance fee is charged except the Monkey Mia Conservation Park	32.00
6.	For an annual local pass for a non-tour vehicle with up to 12 occupants for any 1 national park or reserve or for any 1 of the following groups of national parks, conservation parks and reserves —	
	(a) Walyunga, Avon Valley and John Forrest	
	(b) Gloucester, Warren, Greater Beedelup, Shannon and D'Entrecasteaux	
	(c) Torndirrup, West Cape Howe, Two Peoples Bay, Stirling Range, Porongurup and Fitzgerald River	
	(d) Benwenerup (Stokes), Cape Le Grand, Cape Arid and Fitzgerald River	

			$
	(e)	Karijini and Millstream Chichester	
	(f)	Wolfe Creek Meteorite Crater, Mirima, Purnululu and Mitchell River	
	(g)	Bandilngan (Windjana Gorge), Unnamed Conservation Park (Reserve No. 46235) and Dimalurru (Tunnel Creek)	
	(h)	Nambung and Lesueur	
	(i)	Lane Poole and Serpentine	32.00
[7.	*deleted]*		
8.	For a pass for 1 group entering the Yanchep National Park in 1 or more non-tour motor vehicles for the purposes of a wedding or other function		120.00

[Division 2 inserted: SL 2023/141 r. 7; amended: SL 2026/224 r. 4.]

Division 3 — Daily entrance fees for Tree Top Walk

[Heading inserted: Gazette 5 Jul 2016 p. 2815.]

		$
1.	For person 16 years of age or over	23.00
2.	For person of more than 5 and less than 16 years of age	11.00
3.	For family (2 adults and 2 children of more than 5 and less than 16 years of age)	57.00
4.	For holder of a concession card	16.00

[Division 3 inserted: Gazette 5 Jul 2016 p. 2815; amended: SL 2026/224 r. 4(3).]

Division 4 — Fees for Danggu (Geikie Gorge) National Park Boat Trip

[Heading inserted: SL 2023/141 r. 8.]

		$
1.	For person 16 years of age and over	50.00
2.	For person of more than 5 and less than 16 years of age	14.00
3.	For family (2 adults and 2 children of more than 5 and less than 16 years of age)	110.00
4.	For holder of a concession card	35.00

[Division 4 inserted: Gazette 28 Aug 2018 p. 2989.]

Division 5 — Horse riding

[Heading inserted: Gazette 5 Jul 2016 p. 2816.]

		$
1.	Daily fee for one person	9.00
2.	Annual pass for family	60.00

[Division 5 inserted: Gazette 5 Jul 2016 p. 2816.]

Division 6 — Camping site fees

[Heading inserted: SL 2023/141 r. 9.]

			Fee for night $
1.	Fee for site without facilities —		
	(a)	for each person 16 years of age or over	10.50
	(b)	for each person 16 years of age or over who holds a concession card	7.00

			Fee for night $
	(c)	for each person of more than 5 and less than 16 years of age	5.00
2.	Fee for site with basic facilities such as toilets, picnic tables, barbeques or fire pits —		
	(a)	for each person 16 years of age or over	16.00
	(b)	for each person 16 years of age or over who holds a concession card	10.00
	(c)	for each person of more than 5 and less than 16 years of age	5.00
3.	Fee for site with additional facilities such as ablutions, showers or shelters —		
	(a)	for each person 16 years of age or over	21.00
	(b)	for each person 16 years of age or over who holds a concession card	15.00
	(c)	for each person of more than 5 and less than 16 years of age	5.00
4.	Fee for site in Bandilngan (Windjana Gorge) National Park, Wolfe Creek Meteorite Crater National Park, Purnululu National Park or Unnamed Conservation Park (Reserve No. 46235) without facilities —		
	(a)	for each person 16 years of age or over	15.00
	(b)	for each person 16 years of age or over who holds a concession card	12.50

			Fee for night $
	(c)	for each person of more than 5 and less than 16 years of age	5.00
5.	Fee for site in Bandilngan (Windjana Gorge) National Park, Wolfe Creek Meteorite Crater National Park, Purnululu National Park or Unnamed Conservation Park (Reserve No. 46235) with facilities such as toilets, picnic tables, barbeques, ablutions, showers or shelters —		
	(a)	for each person 16 years of age or over	20.00
	(b)	for each person 16 years of age or over who holds a concession card	15.00
	(c)	for each person of more than 5 and less than 16 years of age	5.50
6.	Fee for site in Dirk Hartog Island National Park —		
	(a)	for each person 16 years of age or over	21.00
	(b)	for each person 16 years of age or over who holds a concession card	15.00
	(c)	for each person of more than 5 and less than 16 years of age	3.00

[Division 6 inserted: SL 2023/141 r. 9; amended: SL 2026/224 r. 4(3).]

Division 7 — Cave entrance fees

[Heading inserted: Gazette 2 Aug 2019 p. 2989.]

			$
1.	Crystal Cave, Yanchep National Park —		
	(a)	for each person 16 years of age or over	17.00
	(b)	for each person of more than 5 and less than 16 years of age	8.50
	(c)	for a family (2 adults and 2 children of more than 5 and less than 16 years of age)	42.00
	(d)	for each person who holds a concession card	12.50
2.	Calgardup and Giants Caves, Leeuwin-Naturaliste National Park —		
	(a)	for each person 16 years of age or over	19.00
	(b)	for each person of more than 5 and less than 16 years of age	9.50
	(c)	for a family (2 adults and 2 children of more than 5 and less than 16 years of age)	47.50
	(d)	for each person who holds a concession card	12.50

[Division 7 inserted: Gazette 2 Aug 2019 p. 2989; amended: SL 2026/224 r. 4(3).]

Division 8 — Licence and permit fees

[Heading inserted: Gazette 27 Sep 2013 p. 4528.]

		$
1.	Application for cave permit per person per half day (r. 49)	6.50

		$
2.	Application for scientific purposes licence (r. 83)	25.00
3.	Application for renewal of scientific purposes licence (r. 92)	25.00
4.	Application for commercial operations licence (r. 83)	117.00
5.	Application for renewal of commercial operations licence (r. 97)	117.00
6.	Application for private mooring licence (r. 83)	50.00

[Division 8 inserted: Gazette 27 Sep 2013 p. 4528-9; amended: Gazette 24 Mar 2015 p. 1043; 14 Jul 2015 p. 2788; 5 Jul 2016 p. 2816; 28 Aug 2018 p. 2990; 2 Aug 2019 p. 2990.]

Division 9 — Fees for abseiling

[Heading inserted: Gazette 5 Jul 2016 p. 2817.]

		$
1.	Fee for abseiling other than at Wilyabrup Cliffs (r. 102A) per person per half-day	10.00
2.	Fee for abseiling at Wilyabrup Cliffs (r. 102A)	10.00

[Division 9 inserted: Gazette 5 Jul 2016 p. 2817; amended: Gazette 2 Aug 2019 p. 2990.]

Division 10 — Entrance fees for Monkey Mia Conservation Park

[Heading inserted: Gazette 28 Aug 2018 p. 2990.]

		$
1.	For person 16 years of age or over	15.00
2.	For person of more than 5 and less than 16 years of age	5.00

		$
3.	For family (2 adults and 2 children of more than 5 and less than 16 years of age)	35.00
4.	For holder of a concession card	10.00
5.	One month pass for person 16 years of age or over	25.00
6.	One month pass for person of more than 5 and less than 16 years of age	10.00
7.	One month pass for family (2 adults and 2 children of more than 5 and less than 16 years of age)	60.00
8.	One month pass for holder of a concession card	20.00

[Division 10 inserted: Gazette 28 Aug 2018 p. 2990.]

Division 11 — Apiary permit, licence and site fees

[Heading inserted: Gazette 28 Aug 2018 p. 2990.]

		$
1.	Application for grant of apiary authority where item 4 does not apply —	
	(a) for apiary site in South-west zone (fee per 5 sites)	155.00
	(b) for apiary site outside the South-west zone (fee per 5 sites)	75.00
2.	Application to transfer apiary authority	14.00
3.	Application to vary apiary licence to change the site to which it relates —	
	(a) where new site is in the South-west zone (fee per 5 new sites)	116.00
	(b) where new site is outside the South-west zone (fee per 5 new sites)	58.00

		$
4.	Application for grant of apiary permit where permit is sought to replace a permit held by the applicant for a different site which will be surrendered if the application is granted —	
	(a) where new site is in the South-west zone (fee per 5 new sites)	110.00
	(b) where new site is outside the South-west zone (fee per 5 new sites)	55.00
5.	Apiary site fee —	
	(a) where site is in the South-west zone	140.00
	(b) where site is outside the South-west zone	70.00

[Division 11 inserted: Gazette 28 Aug 2018 p. 2990-1; amended: Gazette 2 Aug 2019 p. 2990; SL 2023/141 r. 10; SL 2026/224 r. 4(3).]

Division 12 — Landing fees for aircraft

[Heading inserted: Gazette 3 Dec 2010 p. 6052.]

1.	Daily landing fee for each occupant of an aircraft landing on an aircraft landing area	11.00

[Division 12 inserted: Gazette 3 Dec 2010 p. 6052.]

Schedule 2 — Offences to which modified penalties apply

[r. 112]

Division 1 — Offences under the Act

Item No.	Column 1 Section creating offence	Column 2 Nature of offence	Column 3 Penalty $
1.	101C	Unlawfully taking flora or fauna in marine nature reserve, marine park or marine management area	200
2.	103(1)	Unlawful taking of forest produce	200
3.	106	Unlawful occupation of land	200
4.	107(b)	Unlawfully altering signs etc.	200
5.	107(c)	Damaging buildings etc.	200
6.	107(d)	Destroying dams etc.	200
7.	107(i)	Removing forest produce without paying	200

[Division 1 amended: Gazette 29 Sep 2006 p. 4330-1.]

Division 2 — Offences under these regulations

Item No.	Column 1 Regulation creating offence	Column 2 Nature of offence	Column 3 Penalty $
1.	8(1)	Taking flora or fauna	200
2.	9(1)	Fishing in restricted area	100
3.	10	Feeding fauna	100
4.	12(1)	Failing to stow firearm, major firearm part or ammunition	200
5.	12(2)	Possession in restricted or classified area of unstowed spear, speargun or gidgie	200
6.	12(3)	Possession of restricted device	200

Item No.	Column 1 Regulation creating offence	Column 2 Nature of offence	Column 3 Penalty $
6a.	12(3a)	Unauthorised use of firearm, spear gun etc.	200
6B.	13(1)	Cultivating plants	200
6C.	14(2)	Failing to comply with direction to remove plants, equipment	200
7.	15	Bringing animal on to, or allowing animal to enter or remain, on CALM land	200
8.	16(2)	Failing to control or manage dog in designated area	200
9.	17(2)	Failing to control or manage horse in designated area	200
10.	18	Hunting etc. non-indigenous animal	200
11.	19	Failing to remove animal	200
12.	21(1)	Causing or allowing waste to be discharged or placed on CALM land	200
13.	21(4)	Failing to comply with conditions for discharging sewage in designated area	200
14.	22	Painting or treating vessels	200
15.	23(1)	Polluting water supply	200
16.	23(2)	Swimming etc. in reservoir or tank	200
17.	24(1)	Littering	200
18.	26	Taking glass into restricted area	100
19.	27(2)	Failing to comply with direction to remove litter	200
20.	28	Cleaning etc. fish in restricted area	100
21.	29(1)	Smoking in cave	50
22.	29(2)	Lighting a fire in a cave	200
23.	31(1)	Damaging, disturbing or removing naturally occurring feature	200

Item No.	Column 1 Regulation creating offence	Column 2 Nature of offence	Column 3 Penalty $
24.	32	Sandboarding	100
25.	33	Abseiling	100
25a.	34(1)	Unauthorised structure	200
25b.	34(4)	Failing to comply with direction to pull down etc. unauthorised structure	200
25c.	35A(1)	Quarrying, removing or disturbing soil etc.	200
26.	36	Dumping of vehicles etc.	200
27.	37(1)	Billsticking etc.	50
28.	37(2)	Damaging or interfering with thing or structure	200
29.	38(1)	Erecting unauthorised sign or notice	100
30.	39(1) or (2)	Unlawful lighting of fires etc.	200
31.	40(3)	Failing to comply with direction under regulation 40(1) or (2)	200
32.	41	Entering certain classified areas	200
33.	42	Entering limited access area other than on foot or by vessel	200
34.	43	Entering wilderness area by vehicle, vessel or animal	200
35.	46(1)	Entering closed area	200
36A.	46(2)	Failing to leave a closed area	200
36.	47(1)	Failing to enter through gate or barrier	50
37.	47(2)	Unlawfully unlocking etc. gate or barrier	50
37a.	47(3)	Unlawfully removing etc. gate or barrier	50
38.	48	Entering or remaining on area set aside for Departmental purposes	50
39A.	49A	Accessing restricted area on foot	200

Item No.	Column 1 Regulation creating offence	Column 2 Nature of offence	Column 3 Penalty $
39.	49(4)	Entering or remaining in cave	100
40.	49(5)	Failing to comply with condition or restriction of permit to enter cave	100
40a.	50	Unlawfully organising cross country events etc.	100
40B.	50A(2)	Entering or remaining in high-risk ocean rock location without personal flotation device	200
41.	51(1)	Unlawfully driving or using vehicle	200
41a.	51(3)	Unlawfully driving or using vehicle in restricted area	200
41b.	51A(1)	Unlawfully riding a bicycle on CALM land	50
41c.	51A(3)	Unlawfully riding a bicycle in restricted area	100
42.	52	Unlawfully using off-road vehicle	200
42a.	53	Unlawfully organising car rallies etc.	200
43.	54(1)	Breaching traffic law	100
44A.	54(2)	Driving a vehicle in a dangerous or careless manner	100
44.	55	Failing to obey direction in relation to the parking or movement of vehicle	100
45.	56(1)	Parking contrary to direction on sign	50
46.	56(4)	Failing to pay parking charge or display ticket	50
47.	57	Obstructing vehicle etc.	50
47a.	59(1)	Unlawfully having a mooring	200
48.	59(2)	Using an unlawful mooring	100
48A.	59(3A)	Unlawfully securing vessel to mooring	100
49.	59(3)	Securing a vessel in an unlawful manner	100

Item No.	Column 1 Regulation creating offence	Column 2 Nature of offence	Column 3 Penalty $
50.	60(1)	Anchoring a vessel in a restricted area	100
50A.	60A(4)	Failure to comply with conditions of use of public mooring	200
50B.	60(2A)	Anchoring vessel within 50 metres of mooring	100
51.	61	Operating certain vessels in a restricted area	100
51a.	61A	Unlawful operation of vessels in nature reserves	100
51AA.	61B(4)	Operating vessel in excess of speed limit	200
51b.	62(1)	Unsafe navigation of vessels	100
51C.	62(2)	Navigating a vessel in a manner that causes nuisance etc.	100
52.	63	Failing to obey direction as to vessel	100
53.	64(1)	Launching etc. vessel in restricted area	100
53a.	64(2)	Launching etc. vessel in restricted area — contravention of restriction	100
54.	64(4)	Failing to comply with direction to remove vessel	100
54aa.	65A(2)	Unlawful use of vessel storage facility	200
54a.	65(1)	Unlawful landing of aircraft etc.	100
55.	66(1)	Camping other than in camping area	100
56.	66(2)	Failing to comply with condition of camping area	100
57.	67(2)	Failing to comply with direction to vacate camp or not camp	100
58.	68	Entering camping unit without authority	50
59.	69(1)	Unlawful construction of camping unit	100
60.	69(2)	Unlawful positioning of camping unit	50

Item No.	Column 1 Regulation creating offence	Column 2 Nature of offence	Column 3 Penalty $
61.	69(3)	Failing to maintain camping site in clean and sanitary condition	50
62.	69(4)	Failing to confine camp to allotted or defined site	50
63.	69(6)	Failing to comply with direction to move site	100
64.	70(2)	Failing to comply with direction as to power generator	100
64a.	71(2a)	Unlawfully collecting firewood for campfire	100
64BA.	72(2)	Failing to comply with direction to cease behaviour	100
64BB.	73(1)	Behaving in a way that causes nuisance or offence etc.	100
64b.	73(2)	Failing to comply with signs	100
64C.	75(1)	Entering or remaining on CALM land when seriously affected by alcohol or drugs etc.	100
65.	75(2)	Taking intoxicating substance into cave	100
65A.	75(4)	Failing to comply with a direction not to bring alcohol or intoxicating substance onto CALM land	100
66.	76(1)	Removing CALM property	200
66AA.	76(3)	Failing to comply with a direction to leave object	200
66a.	78(1a)	Failing to comply with order to remove unauthorised property	200
67.	88(2)	Failing to comply with requirement to return licence	50
68AA.	93(5)	Contravention of condition or restriction of scientific purposes licence	100

Item No.	Column 1 Regulation creating offence	Column 2 Nature of offence	Column 3 Penalty $
68.	98(3)	Contravention of condition of commercial operations licence	200
68A.	98AF(3)	Contravention of condition of rental mooring licence	100
68B.	98AL(4)	Failing to have written consent of licence holder in possession	100
68C.	98AR(3)	Contravention of condition of private mooring licence	100
68D.	98AT(3)	Failing to provide inspection report for mooring	100
68E.	98AU(3)	Failing to comply with a requirement to repair, relocate or remove a private mooring	200
68F.	98AW	Failing to notify change of particulars for private mooring licence	100
69.	99(5)	Failing to pay entrance fee	35
69a.	99A(4)	Failing to pay landing fee for aircraft	100
69b.	99C(4)	Failing to pay entrance fee for Monkey Mia Conservation Park	35
70.	100(4)	Failing to pay fee for Tree Top Walk	35
70a.	100A(4)	Failing to pay entrance fee	35
71.	102	Failing to pay entrance fee when entering on horseback	35
71a.	102A(3)	Failing to pay abseiling fee	35
72.	103(4)	Failing to pay camping fee	35
73.	105(1)	Organising etc. meeting etc.	200
74.	106(1)	Selling goods or services, or carrying on business	200
74a.	106(2)	Advertising goods or services or a business	200
75.	107	Distributing etc. printed matter etc.	50

Item No.	Column 1 Regulation creating offence	Column 2 Nature of offence	Column 3 Penalty $
76.	108	Unlawfully taking still or motion pictures	50
77.	109	Failing to produce licence etc.	200
78.	110	Giving false or misleading information	200

[Division 2 amended: Gazette 29 Sep 2006 p. 4331-3; 27 Feb 2007 p. 625-6; 3 Dec 2010 p. 6052; 19 Sep 2014 p. 3333-4 and 3336-7; 24 Mar 2015 p. 1043-4; 10 Nov 2015 p. 4606; 11 Dec 2018 p. 4702; SL 2022/193 r. 6.]

Division 3 — Offences under *Forest Management Regulations 1993*

[Heading inserted: Gazette 7 Dec 2012 p. 5972.]

Item No.	Column 1 Regulation creating offence	Column 2 Nature of offence	Column 3 Penalty $
1.	108	Entry, use, movement of potential carrier without authorisation or contrary to condition	200
2.	109	Entry, use, movement of potential carrier contrary to instruction or direction	200
3.	111	Failure to carry or produce written authorisation in respect of potential carrier	150
4.	113	Failure to produce information relating to forest disease on request	150
5.	119	Failure to cleanse or disinfect infected carrier or potential carrier	200
6.	123	Failure to give name and address on request	150

Item No.	Column 1 Regulation creating offence	Column 2 Nature of offence	Column 3 Penalty $
7.	124	Failure to comply with request to stop or with signpost, or avoiding or breaking through barrier	150
8.	125	Hindering, obstructing or failing to comply with direction of authorised person	150

[Division 3 inserted: Gazette 7 Dec 2012 p. 5972-3.]

Schedule 3 — Forms

[r. 112(3)]

Form 1 — Infringement notice [r. 112(3)]

<table>
<tr><td colspan="3">Conservation and Land Management Act 1984
Conservation and Land Management Regulations 2002
Forest Management Regulations 1993
INFRINGEMENT NOTICE</td><td>Infringement notice no.</td></tr>
<tr><td rowspan="5">Alleged offender
(not required if notice served under s. 114B or 114D)</td><td>Family name</td><td colspan="2"></td></tr>
<tr><td>Given names</td><td colspan="2"></td></tr>
<tr><td>Company/ business trading as</td><td colspan="2"></td></tr>
<tr><td>ACN/ABN (if applicable)</td><td colspan="2"></td></tr>
<tr><td>Address</td><td colspan="2"></td></tr>
<tr><td></td><td colspan="3">☐ The responsible person for vehicle or owner of vessel in relation to which offence occurred</td></tr>
<tr><td>Vehicle/vessel registration no.</td><td colspan="3"></td></tr>
<tr><td rowspan="5">Details of alleged offence</td><td colspan="2">Date: / /20</td><td>Time: am/pm</td></tr>
<tr><td colspan="3">Place
Near
Locality/tenure</td></tr>
<tr><td colspan="2">Act/regulation contravened:</td><td>Section/ regulation:</td></tr>
<tr><td colspan="3">Details of offence:</td></tr>
</table>

Form 1

<table>
<tr><td>Date</td><td>Date of notice:</td><td>Time of notice:</td></tr>
<tr><td rowspan="2">Issuing officer</td><td>Surname:</td><td>Number:</td></tr>
<tr><td colspan="2">Signature:</td></tr>
<tr><td>Modified penalty</td><td colspan="2">$_____</td></tr>
<tr><td>TAKE NOTICE</td><td colspan="2">It is alleged that you have committed the above offence/that you are the responsible person for the vehicle/vessel in relation to which the above offence occurred.

If you do not want to be prosecuted in court for the offence, the modified penalty must be paid to the CEO within 28 days after the date of this notice.

If the modified penalty is not paid within 28 days, you may be prosecuted or enforcement action may be taken under the Fines, Penalties and Infringement Notices Enforcement Act 1994. Under that Act, some or all of the following action may be taken:

your driver’s licence may be suspended, your vehicle licence may be suspended or cancelled, you may be disqualified from holding or obtaining a driver’s licence or vehicle licence, your vehicle may be immobilised or have its number plates removed, your details may be published on a website, your earnings or bank accounts may be garnished, and your property may be seized and sold.

Paying the modified penalty will not be regarded as an admission for the purposes of any civil or criminal court case.</td></tr>
</table>

	If you want this matter to be dealt with by prosecution in court: Lodge a request online using the form provided at www.dpaw.wa.gov.au OR Sign and date here: _____ / /20 and post this notice to the CEO at the address below.
	If you consider that you have good reason to have this notice withdrawn, you can write to the CEO at the address below requesting that this notice be withdrawn and setting out why you consider that this notice should be withdrawn. Your letter must be received not later than 28 days after the date of this notice.
If infringement notice served on responsible person for a vehicle or owner of a vessel	As the responsible person/owner you will be presumed to have been the driver or person in charge of the vehicle/vessel unless within 28 days after the date of this notice: (a) the modified penalty is paid; or (b) you supply the CEO with the following information: the name and address of the driver or person in charge of the vehicle/vessel at the time of the alleged offence or information showing that at the time of the alleged offence the vehicle/vessel had been stolen or unlawfully taken or was being unlawfully used. For further information see the *Conservation and Land Management Act 1984* sections 114A-114E (www.legislation.wa.gov.au).

Form 1

How to pay **Note: for payment in person you MUST ensure that you provide your INFRINGEMENT NOTICE NUMBER**	By post	Tick the relevant box below and post payment to: Chief Executive Officer Department of Biodiversity, Conservation and Attractions Locked Bag 104 Bentley DC Bentley WA 6983. ☐ A cheque or money order (payable to 'Chief Executive Officer, Department of Biodiversity, Conservation and Attractions') for the modified penalty is enclosed.
	In person	Pay the cashier at any office of the Department of Biodiversity, Conservation and Attractions, or pay over the telephone by credit card by calling the general telephone number of any office of the Department of Biodiversity, Conservation and Attractions.

[Form 1 inserted: Gazette 11 Dec 2015 p. 4954-6; amended: Gazette 14 Sep 2018 p. 3308; SL 2020/166 r. 6.]

Form 2

[r. 112(4)]

Conservation and Land Management Regulations 2002

Withdrawal of Infringement Notice

Conservation and Land Management Act 1984

(section 114A(6)) No. .....

Date ...../...../.....

To ..... (name)
of .....
..... (address)

1. Infringement Notice No. ..... Date ...../...../..... for the alleged offence of .....
..... and specifying the modified penalty of $..... is withdrawn.

2. No further action will be taken against you. *

OR

It is proposed to commence court proceedings against you for the alleged offence. *

(* Delete whichever does not apply.)

.....
Chief Executive Officer,
Department of Biodiversity, Conservation and Attractions

[Form 2 amended: Gazette 29 Sep 2006 p. 4333; 14 Sep 2018 p. 3308.]

[Form 3 deleted: SL 2022/170 r. 6.]

Schedule 4 — High-risk ocean rock locations

[r. 50A(1)]

[Heading inserted: Gazette 11 Dec 2018 p. 4702.]

Division 1 — Area descriptions

[Heading inserted: Gazette 11 Dec 2018 p. 4702.]

Salmon Holes

(1) All CALM land bounded by a line commencing at the intersection of 35°06'03" south latitude and 117°58'09" east longitude; then extending east along the geodesic to the intersection of 35°06'03" south latitude and 117°58'33" east longitude; then south along the geodesic to the intersection of 35°06'10" south latitude and 117°58'33" east longitude; then west along the geodesic to the intersection of 35°06'10" south latitude and 117°58'09" east longitude; then north along the geodesic to the commencement point.

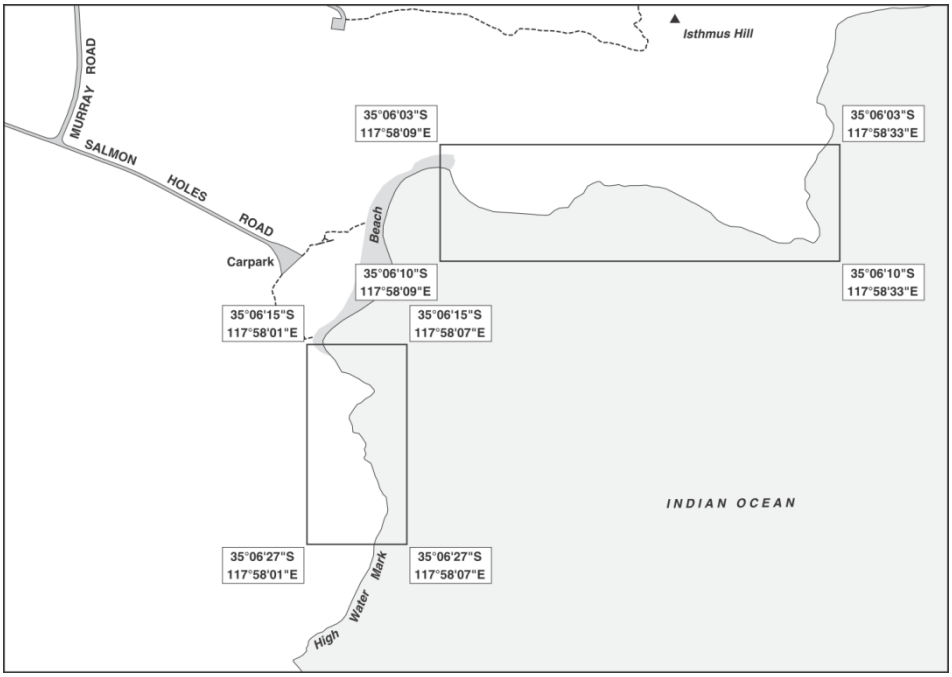
(2) All CALM land bounded by a line commencing at the intersection of 35°06'15" south latitude and 117°58'01" east longitude; then extending east along the geodesic to the intersection of 35°06'15" south latitude and 117°58'07" east longitude; then south along the geodesic to the intersection of 35°06'27" south latitude and 117°58'07" east longitude; then west along the geodesic to the intersection of 35°06'27" south latitude and 117°58'01" east longitude; then north along the geodesic to the commencement point.

[Division 1 inserted: Gazette 11 Dec 2018 p. 4702.]

Division 2 — Plans for information purposes

[Heading inserted: Gazette 11 Dec 2018 p. 4703.]

Salmon Holes



[Division 2 inserted: Gazette 11 Dec 2018 p. 4703.]

Notes

This is a compilation of the *Conservation and Land Management Regulations 2002* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table.

Compilation table

Citation	Published	Commencement
Conservation and Land Management Regulations 2002	3 May 2002 p. 2233-308	3 May 2002
Conservation and Land Management Amendment Regulations 2002	4 Oct 2002 p. 5065-6	4 Oct 2002
Conservation and Land Management Amendment Regulations 2004	4 May 2004 p. 1383	4 May 2004
Conservation and Land Management Amendment Regulations (No. 2) 2004	27 Jul 2004 p. 3077-8	27 Jul 2004
Conservation and Land Management Amendment Regulations 2006	29 Sep 2006 p. 4297-334	29 Sep 2006 (see r. 2)
Reprint 1: The *Conservation and Land Management Regulations 2002* as at 3 Nov 2006 (includes amendments listed above)		
Conservation and Land Management Amendment Regulations 2007	27 Feb 2007 p. 625-6	27 Feb 2007
Conservation and Land Management Amendment Regulations (No. 2) 2007	29 Jan 2008 p. 241-2	r. 1 and 2: 29 Jan 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 30 Jan 2008 (see r. 2(b))
Financial Management (Transitional Provisions) Regulations 2009 r. 3 [2]	27 Feb 2009 p. 529-30	28 Feb 2009 (see r. 2(b))
Conservation and Land Management Amendment Regulations 2009	28 Aug 2009 p. 3354-7	r. 1 and 2: 28 Aug 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Sep 2009 (see r. 2(b))
Conservation and Land Management Amendment Regulations (No. 2) 2010	3 Sep 2010 p. 4278-84	r. 1 and 2: 3 Sep 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Sep 2010 (see r. 2(b) and *Gazette* 3 Sep 2010 p. 4273)
Reprint 2: The *Conservation and Land Management Regulations 2002* as at 5 Nov 2010 (includes amendments listed above)		

Citation	Published	Commencement
Conservation and Land Management Amendment Regulations (No. 3) 2010	3 Dec 2010 p. 6045-54	r. 1 and 2: 3 Dec 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Dec 2010 (see r. 2(b))
Conservation and Land Management Amendment Regulations (No. 2) 2011	30 Sep 2011 p. 3897-8	r. 1 and 2: 30 Sep 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Oct 2011 (see r. 2(b))
Conservation and Land Management Amendment Regulations 2012	7 Dec 2012 p. 5964-74	r. 1 and 2: 7 Dec 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 8 Dec 2012 (see r. 2(b) and *Gazette* 7 Dec 2012 p. 5963)
Conservation and Land Management Amendment Regulations 2013	5 Feb 2013 p. 833-4	r. 1 and 2: 5 Feb 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 May 2013 (see r. 2(b)(i) and *Gazette* 5 Feb 2013 p. 823)
Reprint 3: The *Conservation and Land Management Regulations 2002* as at 12 Jul 2013 (includes amendments listed above)		
Conservation and Land Management Amendment Regulations (No. 3) 2013	27 Sep 2013 p. 4525-9	r. 1 and 2: 27 Sep 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Oct 2013 (see r. 2(b))
Conservation and Land Management Amendment Regulations (No. 2) 2014	19 Sep 2014 p. 3330-7	r. 1 and 2: 19 Sep 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 20 Sep 2014 (see r. 2(b))
Conservation and Land Management Amendment Regulations 2014	8 Jan 2015 p. 135-6	r. 1 and 2: 8 Jan 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 27 Apr 2015 (see r. 2(b) and *Gazette* 17 Apr 2015 p. 1371)
Conservation and Land Management Amendment Regulations 2015	24 Mar 2015 p. 1033-44	r. 1 and 2: 24 Mar 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 25 Mar 2015 (see r. 2(b))
Conservation and Land Management Amendment Regulations (No. 2) 2015	19 Jun 2015 p. 2095-6	r. 1 and 2: 19 Jun 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2015 (see r. 2(b))

Citation	Published	Commencement
Conservation and Land Management Amendment Regulations (No. 4) 2015	14 Jul 2015 p. 2787-9	r. 1 and 2: 14 Jul 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Sep 2015 (see r. 2(b))
Conservation and Land Management Amendment Regulations (No. 3) 2015	10 Nov 2015 p. 4605-6	r. 1 and 2: 10 Nov 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 11 Nov 2015 (see r. 2(b))
Conservation and Land Management Amendment Regulations (No. 5) 2015	4 Dec 2015 p. 4841-2	r. 1 and 2: 4 Dec 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 5 Dec 2015 (see r. 2(b))
Conservation and Land Management Amendment Regulations (No. 6) 2015	11 Dec 2015 p. 4954-6	12 Dec 2015 (see r. 2 and *Gazette* 11 Dec 2015 p. 4953)
Conservation and Land Management Amendment Regulations (No. 2) 2016	4 Apr 2016 p. 1011-12	r. 1 and 2: 4 Apr 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Apr 2016 (see r. 2(b))
Conservation and Land Management Amendment Regulations 2016	6 May 2016 p. 1381-2	7 May 2016 (see r. 2 and *Gazette* 6 May 2016 p. 1379-80)
Conservation and Land Management Amendment Regulations (No. 3) 2016	5 Jul 2016 p. 2815-17	r. 1 and 2: 5 Jul 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Sep 2016 (see r. 2(b))
Conservation and Land Management Amendment Regulations (No. 4) 2016	30 Aug 2016 p. 3685-6	r. 1 and 2: 30 Aug 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 31 Aug 2016 (see r. 2(b))
Reprint 4: The *Conservation and Land Management Regulations 2002* as at 21 Oct 2016 (includes amendments listed above)		
Environment Regulations Amendment (Public Health) Regulations 2016 Pt. 2	10 Jan 2017 p. 191-7	24 Jan 2017 (see r. 2(b) and *Gazette* 10 Jan 2017 p. 165)
Conservation and Land Management Amendment Regulations 2017	1 Sep 2017 p. 4649-51	1 Sep 2017 (see r. 2(a) and (b))
Conservation and Land Management Amendment Regulations (No. 2) 2018	28 Aug 2018 p. 2989-91	r. 1 and 2: 28 Aug 2018 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Sep 2018 (see r. 2(b))

Citation	Published	Commencement
Conservation and Land Management Amendment Regulations 2018	14 Sep 2018 p. 3307-8	r. 1 and 2: 14 Sep 2018 (see r. 2(a)); r. 3 and 7: 15 Sep 2018 (see r. 2(c)); r. 4-6: 1 Jan 2019 (see r. 2(b) and *Gazette* 14 Sep 2018 p. 3305)
Conservation and Land Management Amendment Regulations (No. 4) 2018	11 Dec 2018 p. 4701-3	r. 1 and 2: 11 Dec 2018 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2019 (see r. 2(b))
Conservation and Land Management Amendment Regulations (No. 2) 2019	28 Jun 2019 p. 2487-8	r. 1 and 2: 28 Jun 2019 (see r. 2(a)); Regulations other than r. 1 and 2: 2 Jul 2019 (see r. 2(b) and *Gazette* 28 Jun 2019 p. 2473)
Conservation and Land Management Amendment Regulations (No. 3) 2019	2 Aug 2019 p. 2987-90	r. 1 and 2: 2 Aug 2019 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Sep 2019 (see r. 2(b))
Environment Regulations Amendment (Infringement Notices) Regulations 2020 Pt. 3	SL 2020/166 25 Sep 2020	29 Sep 2020 (see r. 2(b) and SL 2020/159 cl. 2(a))
Conservation and Land Management Amendment Regulations (No. 2) 2022	SL 2022/143 12 Aug 2022	r. 1 and 2: 12 Aug 2022 (see r. 2(a)); Regulations other than r. 1 and 2: 13 Aug 2022 (see r. 2(b))
Conservation and Land Management Amendment Regulations (No. 3) 2022	SL 2022/154 26 Aug 2022	r. 1 and 2: 26 Aug 2022 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Sep 2022 (see r. 2(b))
Environment Regulations Amendment Regulations 2022 Pt. 2	SL 2022/170 21 Oct 2022	22 Oct 2022 (see r. 2(b))
Conservation and Land Management Amendment Regulations (No. 4) 2022	SL 2022/193 18 Nov 2022	r. 1 and 2: 18 Nov 2022 (see r. 2(a)); Regulations other than r. 1 and 2: 19 Nov 2022 (see r. 2(b))
Environment Regulations Amendment (Aboriginal Cultural Heritage) Regulations 2023 Pt. 2	SL 2023/50 19 May 2023	1 Jul 2023 (see r. 2(b))

Citation	Published	Commencement
Conservation and Land Management Amendment Regulations (No. 2) 2023	SL 2023/130 9 Aug 2023	r. 1 and 2: 9 Aug 2023 (see r. 2(a)); Regulations other than r. 1 and 2: 10 Aug 2023 (see r. 2(b) and SL 2023/132 cl. 2)
Conservation and Land Management Amendment Regulations (No. 3) 2023	SL 2023/141 6 Sep 2023	r. 1 and 2: 6 Sep 2023 (see r. 2(a)); Regulations other than r. 1 and 2: 27 Oct 2023 (see r. 2(b))
Environment Regulations Amendment (Aboriginal Heritage) Regulations 2023 Pt. 2	SL 2023/170 1 Nov 2023	15 Nov 2023 (see r. 2(b) and SL 2023/161 cl. 2)
Environment Regulations Amendment (Firearms) Regulations 2024 Pt. 4	SL 2024/298 21 Dec 2024	31 Mar 2025 (see r. 2(b) and SL 2024/289 cl. 2)
Conservation and Land Management Amendment Regulations 2025	SL 2025/79 28 May 2025	r. 1 and 2: 28 May 2025 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2025 (see r. 2(b))
Conservation and Land Management Amendment Regulations (No. 2) 2026	SL 2026/224 28 Oct 2026	r. 1 and 2: 28 Oct 2026 (see r. 2(a)); Regulations other than r. 1 and 2: 30 Oct 2026 (see r. 2(b))

Other notes

[1] The *Conservation and Land Management Regulations 1992* were repealed by the *Conservation and Land Management Regulations 2002* (see r. 115 of those regulations as published by *Gazette* 3 May 2002 p. 2295).

[2] The *Financial Management (Transitional Provisions) Regulations 2009* r. 4 reads as follows:

> **4. Transitional provision for Barrow Island Trust Account**
>
> (1) In this regulation —
>
> ***Barrow Island Net Conservation Benefit Account*** means the account of that name established as an agency special purpose account under the *Financial Management Act 2006* section 16 in accordance with the *Conservation and Land Management Act 1984* section 69(1);
>
> ***Barrow Island Trust Account*** means the account referred to in the *Conservation and Land Management Regulations 2002* Part 7A immediately before the commencement of regulation 3.

(2) Any money standing to the credit of the Barrow Island Trust Account immediately before the commencement of regulation 3 is to be transferred to the Barrow Island Net Conservation Benefit Account.

Defined terms

[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]

Defined term	Provision(s)
Aboriginal artefact	2
Aboriginal site	2
abseiling area	2
aircraft	2
aircraft landing area	99A(1)
ammunition	2
apiarist	98G(1)
apiary authority	98A
apiary licence	98A
apiary permit	98A
apiary site	98A
authorised officer	2
beach	64(7)
bicycle	2
bicycle path	51A(4)
CALM land	2, 8(3)
camp	2
camping area	2
camping unit	2
caravan	2
category A firearm	121(1)
category B firearm	121(1)
cave	49(1)
commercial operations licence	2
commercial purpose	2
Companion Card	2
concession card	2
current inspection report	98AI(1)
designated area	2
dog area	2
fauna	8(3)
firearm	2
firewood	71(4)
fish	121(1)
fishing activity	9(2)
high-risk ocean rock location	50A(1)
horse area	2
inspection report	98AI(1)
licence	82

licence holder ..... 98AA, 98AI(1)
licensed mooring ..... 98AI(1)
litter ..... 24(2)
local departmental office ..... 98G(1)
loss ..... 98AH(1)
major firearm part 2
mooring 2
mooring licence area ..... 98AI(1)
naturally occurring feature ..... 31(4)
non-indigenous animal 2
non-tour motor vehicle ..... 99(1)
occupant ..... 99A(1)
on-demand rank or hail vehicle authorisation ..... 99(1)
permission ..... 123(1)
permission holder ..... 123(1)
personal flotation device ..... 50A(1)
plant ..... 13(2)
poison risk area ..... 115(1)
poison risk map ..... 115(1)
private mooring ..... 98AI(1)
private mooring licence ..... 98AI(1)
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relevant area ..... 121(1)
rental mooring 98AA
rental mooring licence 98AA
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restricted device ..... 12(5)
school holidays 2
scientific purposes licence 2
section 12 commencement ..... 124(1)
section 9(2) ..... 124(1)
sell 2
services 2
sign 2
soil ..... 35A(2)
South-west zone 98A
specified ..... 56(6), 61B(1), 98AC(1)
State forest resolution ..... 124(1)
structure ..... 34(2)
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temporary mooring area 2
tender 2

ticket vending machine ..... 56(6)
tour vehicle ..... 99(1)
townsite 114
tree 2
Tree Top Walk ..... 100(1)
urban land ..... 114, 118(2), 119(3)
vehicle 2
vessel storage facility ..... 65A(1)
visitor area 114
waste ..... 21(5)
wearing ..... 50A(1)

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