

*Port Management Act 1995**Port Management (Local Ports) Regulations 2025***Set Aside Determination – Port of Apollo Bay**

The *Port Management (Local Ports) Regulations 2025* (**Regulations**) have been made under section 98 of the *Port Management Act 1995* (**PM Act**).

Regulations 10, 12 and 13 of the Regulations empower a port manager of a local port to make a determination to set aside an area in which an activity or conduct is permitted, restricted or prohibited. Regulation 14 provides that the port manager may specify certain conditions for the use of the areas under each determination.

I, Christine Furguson, Chief Executive Officer, as an authorised representative of the Great Ocean Road Coasts and Park Authority, make the following determination(s) under the Regulations.

This determination replaces all previous set-aside determinations for the same area and purpose and is in force until amended or revoked.

A handwritten signature in black ink, appearing to read 'Christine Furguson'.

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Name Christine Ferguson

Title Chief Executive Officer

Date 11/06/2026

Areas set aside in Port of Apollo Bay

Regulation(s)		Set Aside Determination			
		Purpose of set aside determination	Area set aside	Set Aside Conditions	
				Times or period	Other conditions
Reg 10(1)(b)	Areas where the carrying out of a specified activity is prohibited.	To set aside an area to which swimming, snorkelling or diving is prohibited.	The Apollo Bay Port waters shown in red in Attachment A.	At all times.	
Reg 10(1)(b)	Areas where the carrying out of a specified activity is restricted.	To set aside an area to which swimming, snorkelling or diving is restricted.	The Apollo Bay Port waters shown in blue in Attachment A.	At all times.	Swimmers, snorkellers or divers may access this area subject to swimmers, snorkellers or divers staying: • 50 metres away from an operating dredge; and • 25 metres away from a dredge discharge point. • A warning light will display when the dredge is operational • All persons must comply with any water safety signage, directions or warnings in place at the site. Swimming, snorkelling and diving within the area occur at the individual's own risk. Persons entering the water should be aware that port waters may contain hazards associated with dredging operations, vessel movements, submerged infrastructure, changing sea conditions and other environmental conditions.
Reg 10(1)(c)	Areas where access is prohibited or restricted.	To set aside an area to which access is prohibited.	Slipway yard, Office and Port Depot and Marina Berths, shown in red in Attachment B.	At all times.	Access to this area by persons or vehicles is prohibited excluding persons who: • are accessing the area in accordance with the terms of a

Regulation(s)		Set Aside Determination			
		Purpose of set aside determination	Area set aside	Set Aside Conditions	
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					local port permit issued under reg 21; or are being escorted by a Great Ocean Road Coast and Parks Authority employee.
Reg 10(1)(c)	Areas where access is prohibited or restricted.	To set aside an area to which access is prohibited.	Fishermen's Wharf landing shown in red in Attachment C.	At all times.	Access to this area by vehicles is prohibited excluding those accessing the area in accordance with the terms of a local port permit issued under reg 21.
12(a)	Areas where berthing a vessel is permitted.	To set aside an area to which the berthing of a vessel is permitted.	The Apollo Bay Port boat ramp jetties shown in green in Attachment D.	At any time for the maximum period in which it reasonably takes to launch or retrieve a vessel from the boat ramp jetties.	Access to this area by individuals is limited to those: - whose vessel is 12 metres or less which are in the process of being launched or retrieved from the boat ramp jetties or picking up/dropping off passengers. Temporary berthing is permitted outside of launching, retrieval or picking up/dropping off up passengers for: - event support vessels (e.g. rescue boats) requiring crew access during event periods; and - vessels participating in organised events requiring short-term tie-up prior to departure.
12(b)	Areas where mooring,	To set aside an area to which the	All Apollo Bay Port waters shown in green in Attachment E.	At all times.	Access to this area by individuals is prohibited, excluding persons who hold

Regulation(s)		Set Aside Determination			
		Purpose of set aside determination	Area set aside	Set Aside Conditions	
				Times or period	Other conditions
	berthing or anchoring of a vessel is prohibited.	berthing, mooring or anchoring of a vessel is prohibited without a permit.			a permit issued under reg 21 to berth, moor or anchor a vessel in the Port of Apollo Bay. This prohibition does not include small recreational vessels including jet skis, canoes, kayaks and paddleboards.
12(a)	Areas where mooring, berthing or anchoring of a vessel is permitted.	To set aside an area to which the berthing of a vessel is permitted.	Fishermen's Wharf Berth No. 2 shown in blue in Attachment F.	At any time for a maximum period of 4 hours per occurrence.	This area may be accessed by the below persons, for the purpose of refuelling a vessel using the designated fixed fuelling facility: the master of a vessel.
13(b)	Areas where the management of cargo is prohibited.	To set aside an area to which the management of commercial cargo including the arrival, loading, unloading or transfer of commercial cargo is prohibited.	The Port of Apollo Bay.	At all times.	Management of cargo is prohibited in this area excluding commercial operators who are: - managing cargo in the Fishermen's Wharf area shown in red in Attachment G; and - acting in accordance with the conditions of a local port permit issued under reg 21. For the purpose of this set aside determination, 'commercial cargo' means goods including wildcatch loaded or discharged in the course of an enterprise but excluding goods to be used or consumed on the vessel.

Notes

Regulation 7 Harbour master's directions prevail

A direction given by a port manager, transport safety officer, fisheries officer or police officer under these Regulations that is inconsistent with a direction given by a harbour master (including a port manager acting as a harbour master) under Part 6.4 of the *Marine Safety Act 2010* has no effect to the extent of the inconsistency

Regulation 8 Liability for offences

(1) The following persons do not commit an offence under these Regulations, other than regulation 71, if the person carries out an activity that would otherwise constitute that offence and the person is acting in the course of the person's duties—

- (a) a police officer;
- (b) the Chief Executive of Safe Transport Victoria;
- (c) a transport safety officer;
- (d) a port manager;
- (e) an officer, employee or agent of a port manager;
- (f) an officer, employee, volunteer or agent of a responder agency;
- (g) an officer, employee or agent of an ambulance service;
- (h) a fisheries officer;
- (i) an authorised officer within the meaning of section 3(1) of the *Conservation, Forests and Lands Act 1987*.

(2) A person who holds a lease or licence issued under any Act in relation to land or waters which form part of a local port does not commit an offence against these Regulations, other than regulation 52, to the extent that the lease or licence authorises the activity that would otherwise constitute the offence.

Regulation 15 Notice requirements for set aside determinations

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

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

- (a) must be published in the Government Gazette and on the port manager's Internet site; and
- (b) may be published in any other manner that the port manager considers appropriate.

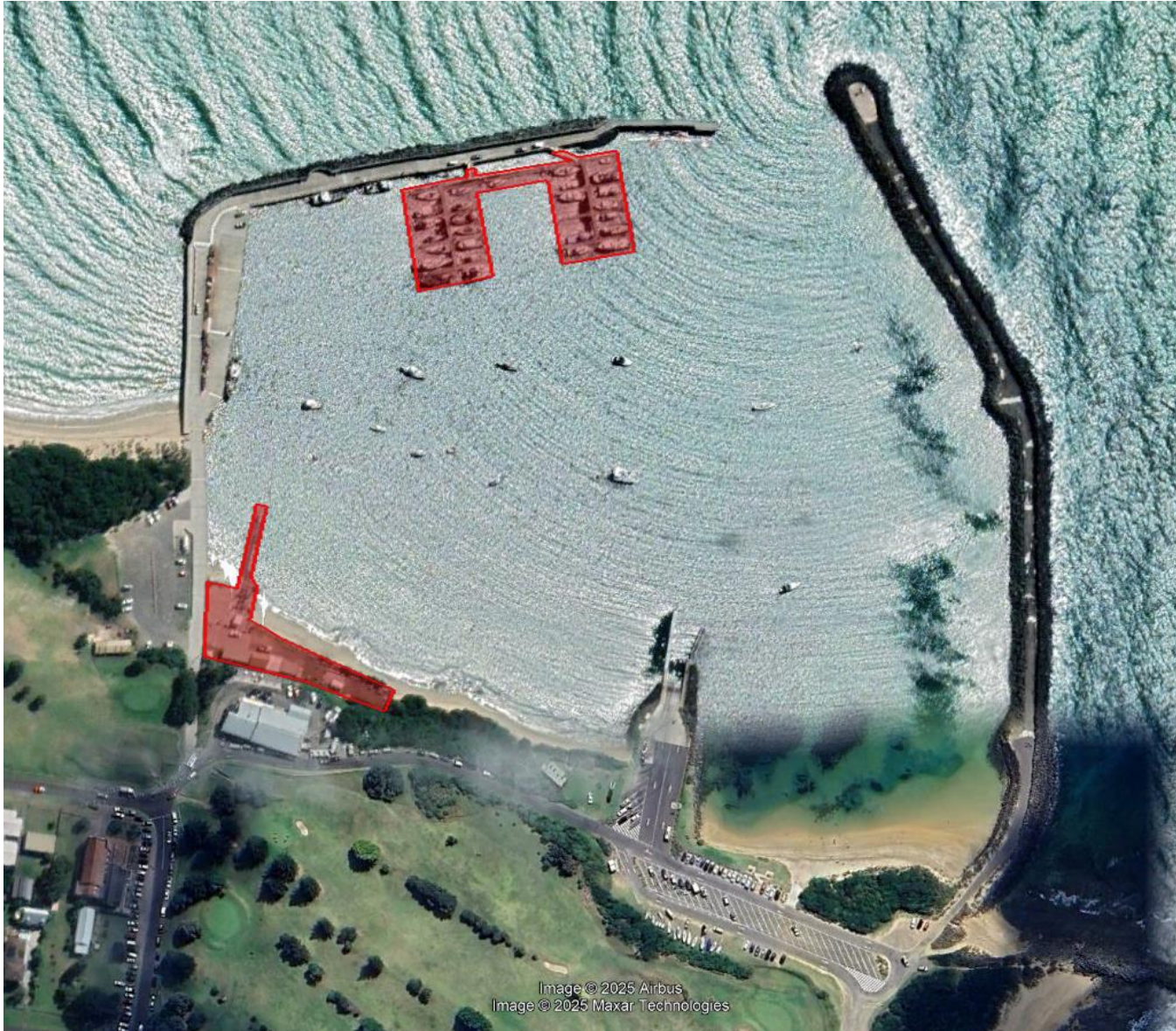
Regulation 16 Port manager to maintain records of the set aside determinations

A port manager must keep a written record of any set aside determination, including any condition to which the determination is subject.

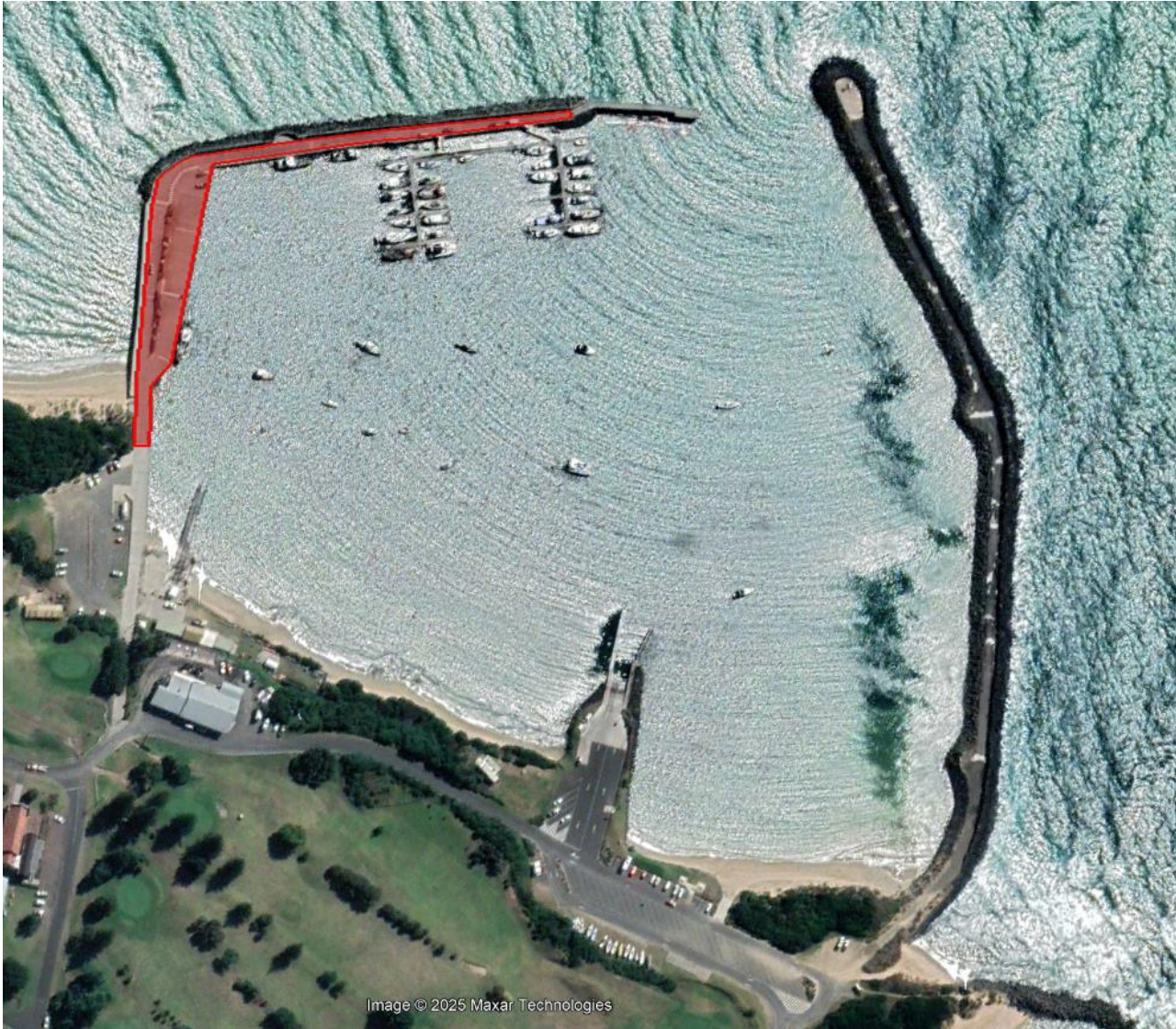
Attachment A – Port of Apollo Bay Waters (Swimming, snorkelling and diving)



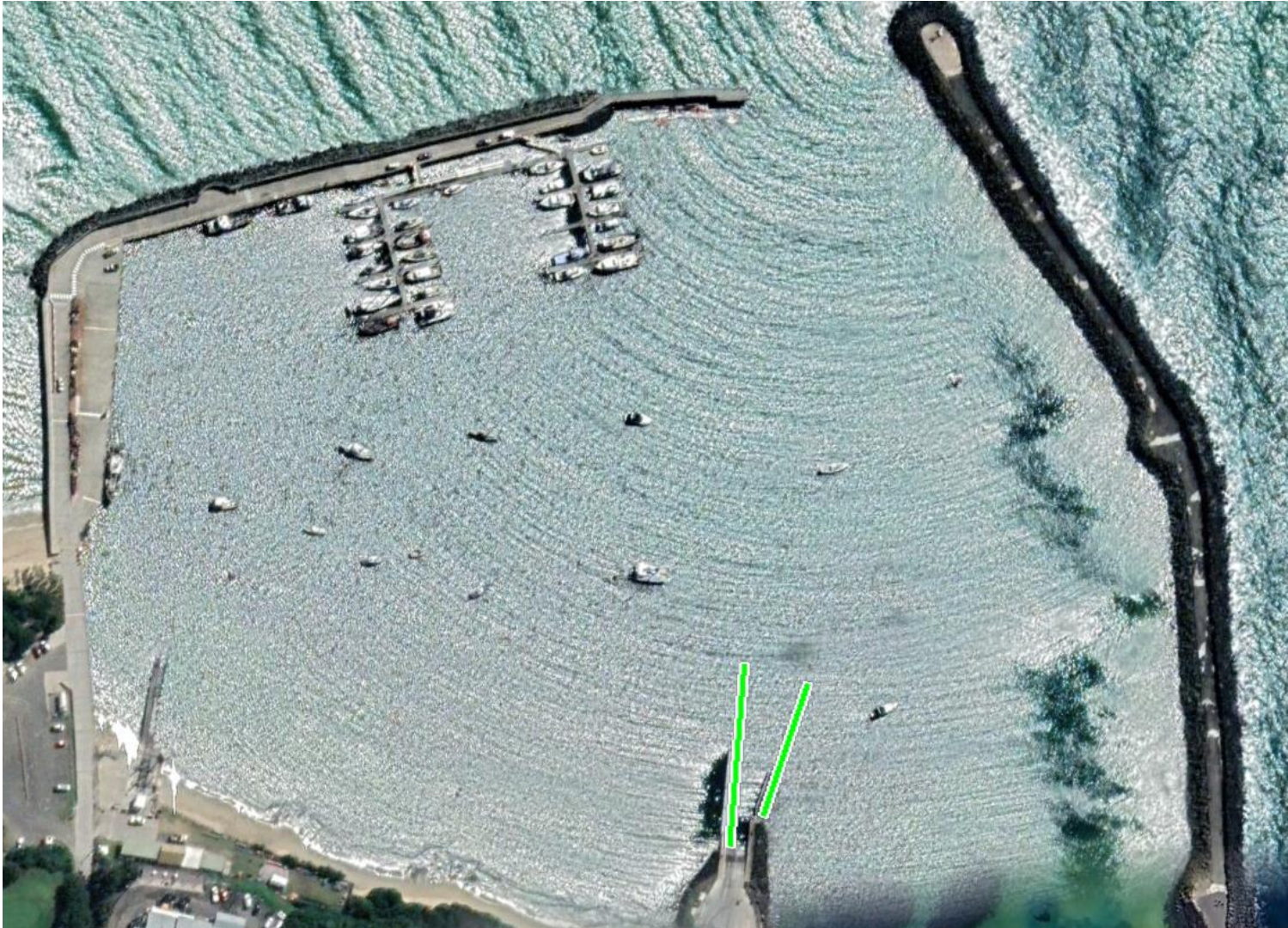
Attachment B - Slipway yard, Office and Port Depot and Marina Berths



Attachment C – Fishermen's Wharf landing



Attachment D - The Apollo Bay Port boat ramp jetties



Attachment E - All Apollo Bay Port waters



Attachment F – Fishermen’s Wharf Berth No. 2 (Fixed fuelling facility)



Attachment G – Fishermen's Wharf (Cargo Management)

