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Crown Land (Reserves) Act 1978

Crown Land (Reserves) (Metropolitan and Regional Park) Regulations 2023¹

Set Aside(s) for Macedon Regional Park^{2,3}

The *Crown Land (Reserves) (Metropolitan and Regional Park) Regulations 2023* have been made under Section 13 of the *Crown Land (Reserves) Act 1978*.

Regulations 18(1), 20(2), 23(1), 25(5), 28(2), 29(1), 30(2), 31(2), 32(7), 33(1), 37(1), 38(1), 39(3), 40(4), 40(5), 41(3), 42(2), 46(2), 47(2), 47(3) provide that Parks Victoria may set aside an area as an area in which an activity or conduct is permitted, required, restricted or prohibited.

Parks Victoria must cause signs or notices to be erected and displayed indicating the areas set aside under these regulations, the activities that are permitted, required, restricted or prohibited and any conditions specified in the determination.

Parks Victoria has delegated this power to the Executive Band in an instrument of delegation, the Parks Victoria Delegations Register, dated 27 June 2023.⁴

Therefore I, Kylie Trott, Executive Director Operations of Parks Victoria, determine under the *Crown Land (Reserves) (Metropolitan and Regional Park) Regulations 2023* that the areas indicated in the attached table are set aside for the activities specified or the prohibition or restriction of access, at the times or periods, and in accordance with the conditions, as indicated.⁴

Additional temporary determinations and set asides are put in place from time to time for the following purposes:

- planned burning in the approved Fire Operations Plans and incorporated into the Joint Fuel Management Program for a particular year,
- conservation activities such as animal and plant control programs, revegetation programs or similar,
- infrastructure or facility installation or maintenance,
- fire, flood and storm recovery
- seasonal road closures

These temporary determinations and set asides operate in conjunction with ongoing set asides for general park management and where there is a conflict or perceived conflict the temporary determinations and set asides takes precedence.

Signed at Melbourne

by



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Name Kylie Trott

Title Executive Director Operations of Parks Victoria

Date 27 June 2023

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Areas set aside in Macedon Regional Park

Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
48(2)	Rock climbing and similar activities	To set aside an area of a park as an area where rock climbing, abseiling, or similar activity is permitted.	Area bounded by Cameron Drive, Camel's Hump Trailhead, Macedon Ranges Walk and Mount Macedon Road as indicated on Map 1 (Attachment 1) and Map 2 (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/macedon-regional-park .	At all times.	Climbing, bouldering, scrambling and abseiling up, down and/ or across natural rock formations is allowed. ⁵ signage, see notes below ⁶ application of regulations, see notes below

¹ The following regulations have been revoked:

- *Crown Land (Reserves) (Albert Park Reserve and Albert Reserve) Regulations 2008*
- *Crown Land (Reserves) (Albert Park Reserve and Albert Reserve) Amendment Regulations 2017*
- *Crown Land (Reserves) (Albert Park Reserve and Albert Reserve) Amendment Regulations 2018*
- *Crown Land (Reserves) (Albert Park Reserve and Albert Reserve) Amendment Regulations 2020*
- *Crown Land (Reserves) (Albert Park Reserve and Albert Reserve) Amendment Regulations 2023*
- *Crown Land (Reserves) (Cape Schanck Lighthouse Reserve) Regulations 1995*
- *Crown Land (Reserves) (Lighthouse Reserves) (Extension of Application) Regulations 1995*
- *Crown Land (Reserves) (Metropolitan Parks) Regulations 2011*
- *Crown Land (Reserves) (Metropolitan Parks) (Extension of Operation – Point Cook Coastal Park) Regulations 2012*
- *Crown Land (Reserves) (Metropolitan Parks) Amendment Regulations 2015*
- *Crown Land (Reserves) (Metropolitan Parks) Amendment Regulations 2016*
- *Crown Land (Reserves) (Metropolitan Parks) Amendment Regulations 2018*
- *Crown Land (Reserves) (Metropolitan Parks) Amendment Regulations 2019*
- *Crown Land (Reserves) (Metropolitan Parks) Amendment Regulations 2020*
- *Crown Land (Reserves) (Metropolitan Parks) Amendment Regulations 2021*
- *Crown Land (Reserves) (Metropolitan Parks) Amendment Regulations 2023*
- *Herring Island Reserve Regulations*
- *Mount Dandenong Observatory Reserve Regulations 1996*
- *Olinda Golf Course Reserve Regulations 1991*

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- *Olinda Golf Course Reserve (Amendment) Regulations 1997*
- *Regulations for the care, protection and management of certain land reserved for public purposes in the parish of Narree Worrان*
- *Regulations Public Purposes Reserve, Parish of Narree Warren*
- *Crown Land (Reserves) (Yarra Bend Park) Regulations 2009*
- *Crown Land (Reserves) (Yarra Bend Park) Regulations 2019*
- *Crown Land (Reserves) (Yarra Bend Park) Regulations 2020*
- *Crown Land (Reserves) (Yarra Bend Park) Regulations 2023*

² **Metropolitan Parks** are: Albert Park Reserve, Albert Reserve, Altona Meadows Natural features Reserve, Braeside Park, Cardinia Creek Parklands, Clarke Road Streamside Reserve, Dandenong Police Paddock Reserve, Dandenong Ranges Botanic Gardens, Dandenong Valley Parklands, Dandenong Valley Parklands COM, George Tindale Memorial Gardens – Gardens of the Dandenong Ranges, Herring Island, Kew Land – Molesworth St, Lower Maribyrnong Parklands, Lower Maribyrnong Parklands COM, Lower Yarra River land, Maribyrnong Valley Parklands, Maribyrnong Valley Parklands (COM), Merri Creek Park, Mount Dandenong Observatory, Olinda G168 Bushland Reserve, Olinda Golf Course, Patterson River Parkland, Pirianda Gardens – Gardens of the Dandenongs, Plenty Gorge Parklands, Plenty Gorge Parklands (COM), Point Cook Coastal Park, Point Cook Coastal Park (COM), Point Gellibrand Heritage Park, Sandbelt Parklands (Karkarook Park), Wattle Park, Werribee Park, Westgate Park, Willian Ricketts Sanctuary – Gardens of the Dandenongs, Yarra Bend Park, Yarra Valley Parklands and Yarra Valley Parklands (COM)

³ **Regional Parks** are: Bendigo Regional Park, Cape Nelson Lighthouse Reserve, Cape Schanck Lighthouse Reserve, Clifly Island Lighthouse Reserve, Gabo Island Lighthouse Reserve, Hepburn Regional Park, Kerang Regional Park, Kurth Kiln Regional Park, Macedon Regional Park, Peach Tree Creek Reserve, Point Hicks Lighthouse Reserve, Shepparton Regional Park and Woowookarung Regional Park

⁴ This set aside determination complies with the *Charter of Human Rights and Responsibilities Act 2006*.

⁵ **Regulation 10 Determinations setting areas aside**

- (3) If the land manager makes a set aside determination under the Regulations, the land manager must cause signs or notice of the determination and the conditions they must comply with, to be displayed.

Regulation 11 Publication of set aside determinations

- (1) The land manager must cause, as soon as practicable after making a set aside determination under these Regulations, the determination to be published on its internet site.
- (2) If the land manager revokes or amends a set aside determination made under these Regulations, the land manager must cause, as soon as practicable after doing so, publish the revocation or amendment of the determination on its internet site.

Regulation 13 Signs and notices

- (1) The land manager must cause a sign or notice required under these Regulations to—
- (a) be displayed in a place and manner that is likely to be seen by any person affected by a determination under these Regulations; and

Example

A sign placed at each entry to an area set aside.

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- (b) indicate the area of the park that is temporarily closed or set aside by the determination under these Regulations; and
 - (c) if applicable, state the activities that are prohibited, restricted, or permitted by the determination under these Regulations; and
 - (d) if applicable, state any conditions specified in the determination.
- (2) If the land manager revokes or amends a determination made under these Regulations, the land manager must as soon as practicable cause any sign or notice that has been displayed under these Regulations to be removed or amended to reflect the revocation or amendment of that determination.

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Regulation 7 Disapplication of Regulations to holders of a permit, lease, licence or other authority

Any provision in these Regulations that provides for an offence does not apply to a person who is acting in accordance with the terms and conditions of any lease, licence, permit or other authority granted under the Act, or agreement entered into under the Act, or another Act governing Crown land to the extent that the activities authorised by the permit, lease, licence or, permit, authority or agreement are inconsistent with these Regulations.

Regulation 8 Disapplication of Regulations to certain persons exercising powers or acting in the course of their duties or functions

The following persons do not commit an offence under these Regulations—

- (a) the land manager or an employee of the land manager acting in the course of their duties;
- (b) a contractor, agent, volunteer or other person carrying out any work for or acting on the authority or instruction of the land manager;
- (c) an authorised officer acting in the course of the authorised officer's duties;
- (d) a police officer or protective services officer within the meaning of the **Victoria Police Act 2013** acting in the course of the police officer's or protective service officer's (as the case may be) duties;
- (e) a person employed under Part 3 of the **Public Administration Act 2004** acting in the course of the person's duties under a specified law;
- (f) a person employed by a public entity within the meaning of the **Public Administration Act 2004** acting in the course of the person's duties under a specified law;
- (g) an operational staff member within the meaning of the **Ambulance Services Act 1986** acting in the course of the operational staff member's duties;
- (h) an officer, employee or volunteer emergency worker of an emergency services agency acting in the course of the officer's, employee's or volunteer emergency worker's (as the case may be) duties.

Regulation 9 Disapplication of Regulations to traditional owner group entities

- (1) If a traditional owner group entity has entered into a traditional owner group agreement, any provision of these Regulations (other than a provision of these Regulations specified in the Table in subregulation (2)) that provides for an offence for carrying out an activity or doing anything that is an agreed activity does not apply to a member of the traditional owner group—
- (a) who is bound by the traditional owner group agreement; and
 - (b) who carries out the agreed activity to which the offence relates in accordance with the traditional owner group agreement and on land to which that agreement applies.
- (2) For the purpose of subregulation (1) the following Table sets out the specified provision and the extent to which that provision applies to a member of the traditional owner group.

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Table

<i>Column 1 Specified regulation</i>	<i>Column 2 Extent to which specified regulation applies</i>
Regulation 12	The whole
Regulation 16(3)	To the extent that it relates to a fee imposed under regulation 16(1)(b) or (1)(c)
Regulation 17(6)	The whole
Regulation 19(3), (4) and (5)	The whole
Regulation 21	The whole, except for the undertaking of cultural activities
Regulation 24(2)	The whole, except ochre or similar material used at a cultural event
Regulation 25(3)	The whole, except if the animal has been bought into the park for a cultural event
Regulation 27	The whole
Regulation 28(1)	The whole
Regulation 29(3), (4), (5), (6), (9) and (11)	The whole
Regulation 31(1)	The whole
Regulation 32(5) and 32(6)	The whole
Regulation 33(3) and (4)	The whole
Regulation 35(1), (2) and (3)	The whole
Regulation 36	The whole
Regulation 37(20 and (3)	The whole
Regulation 38(2) and (3)	The whole
Regulation 39(1), (2), (5), (6), (7) and (9)	The whole
Regulation 40(1) and (3)	The whole
Regulation 41(1)	The whole

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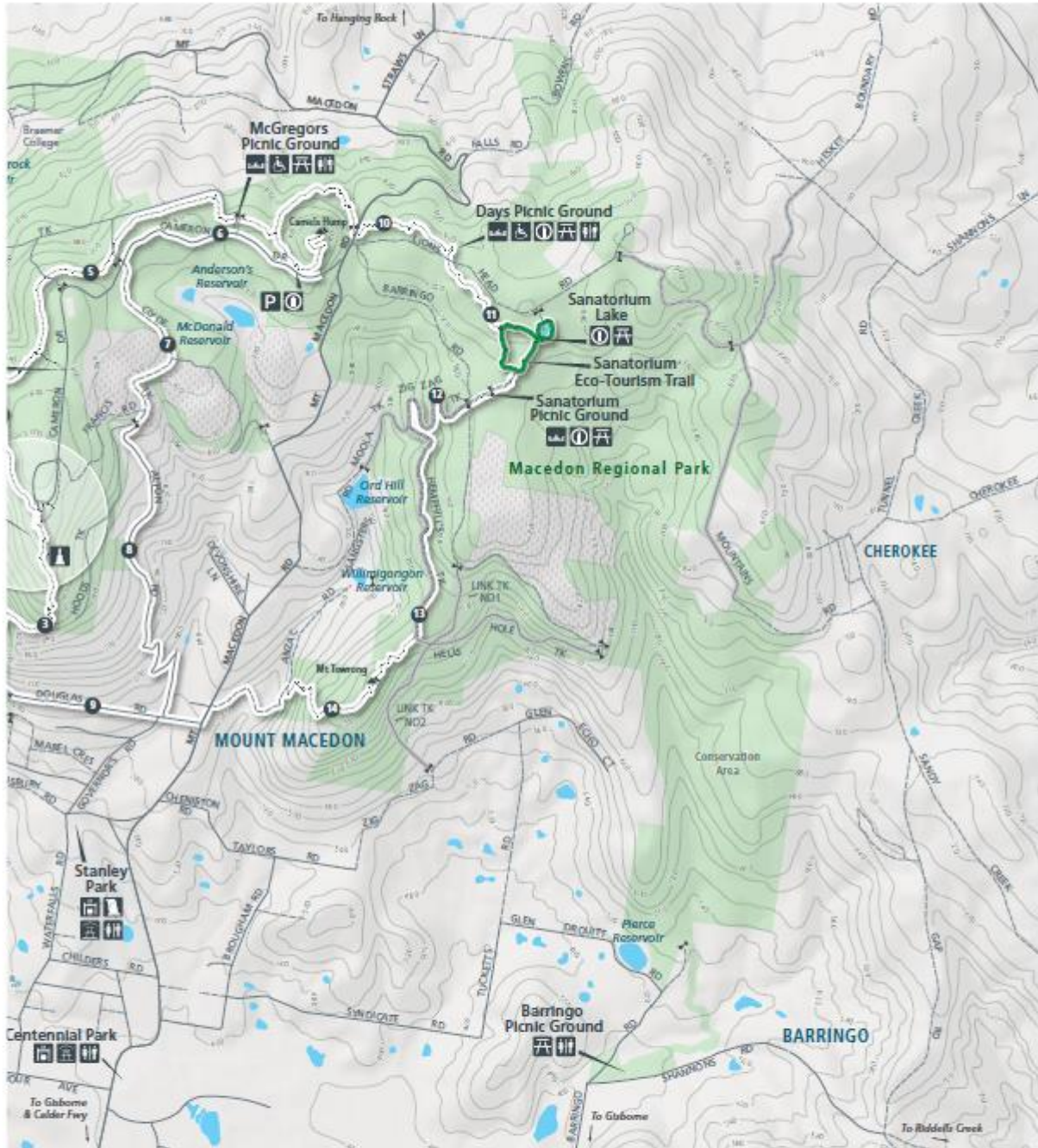
Regulation 42(1)	The whole
Regulation 43(1)	The whole
Regulation 44(4) and (5)	The whole
Regulation 45(2) and (3)	The whole
Regulation 46(1)	The whole
Regulation 47(1) and (4)	The whole
Regulation 50(1) and (2)	The whole
Regulation 51(1), (2) and (3)	The whole

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Attachment 1

Map from the *Macedon Regional Park Visitor Guide*

Macedon Regional Park Map 2



www.parks.vic.gov.au
 Disclaimer: Parks Victoria does not guarantee that this data is without flaw of any kind and therefore disclaims all liability which may arise from you relying on this information. Cartography by Parks Victoria September 2017.
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