

OFFICIAL

National Parks Act 1975

National Parks Regulations 2024

Set Aside(s) for Big Desert Wilderness Park


The *National Parks Regulations 2024* have been made under Sections 32AA, 37 and 48 of the *National Parks Act 1975*.

Regulation 11 provides that Parks Victoria may make a determination in writing that sets aside a regulation. In doing so, Parks Victoria may specify that set aside applies to the whole or a specified area of a park; and specified days or times or for specified periods; and to a person or class of person. In addition, Parks Victoria may set out any conditions subject to which the activity or conduct specified in the set aside determination must or must not be carried out; and specify if a permit is required to undertake the activity or conduct that is permitted, required, restricted or prohibited.

Where the area(s) covered by this Set Aside Determination coincide with the area(s) covered by any other current Set Aside Determination, for the purpose of closure of an area, this Set Aside Determination replaces other Set Aside Determinations and is in force until such time as this Set Aside Determination is amended or revoked.

Signed at Melbourne

by



Name: Daniel McLaughlin

Title: Executive Director Conservation and Planning

Date: 30 August 2024

OFFICIAL

OFFICIAL

Areas set aside in Big Desert Wilderness Park

Regulation(s)		Details of set aside				
		Purpose of set aside determination	Area set aside	Specified conditions		Further information
				Times or period	Other conditions	
20(1)(a)	Areas where access is prohibited or restricted	To set aside an area of a park as an area to which access for a person or class of persons is prohibited without a permit.	All of the park as shown on Maps 1a, 1b and 1c (Attachment 1).	At all times.	Persons driving or riding motorised vehicles including AWD vehicles, 2WD vehicles, 4WD vehicles, motorbikes, trailbikes and motorised bicycles are not allowed on roads and tracks in the park.	The term 'motorised bicycle' is defined and administered by Vic Roads https://www.vicroads.vic.gov.au/ This set aside is for the purposes of the preservation, protection or management of the park.
20(1)(a)	Areas where access is prohibited or restricted	To set aside an area of a park as an area to which access for a person or class of persons is prohibited without a permit.	All of the park as shown on Maps 1a, 1b and 1c (Attachment 1).	At all times	Persons using non-motorised vehicles including bicycles, monocytes, skateboards, roller skates, in-line roller blades or coasters, roller skis and scooters are not allowed on roads and tracks in the park.	The term 'non-motorised vehicle' is defined and administered by Vic Roads https://www.vicroads.vic.gov.au/ This set aside is for the purposes of the preservation, protection or management of the park.
42(1)	Areas for collecting firewood	To set aside an area of a park where fallen or felled trees may be cut and taken away for use as firewood within the park.	All of the park as shown on Maps 1a, 1b and 1c (Attachment 1).	At all times.	Fallen or felled trees may be cut and taken away for use as firewood in fireplaces within the park. The total collected firewood possessed must not exceed tonnage of 1m ³ . The operation of chainsaws is allowed for the purpose of firewood collection.	
43	Areas for introducing firewood into parks	To set aside an area of a park where firewood may be brought into the park for use as firewood within the area.	All of the park as shown on Maps 1a, 1b and 1c (Attachment 1).	At all times.	Firewood can be brought into the park for use in fireplaces within the park. Firewood that is brought into the park must be free of chemical additives, soil, weeds, seeds and pathogens.	<i>Firewood</i> means timber or wood products that are free of chemical additives and otherwise suitable for burning as firewood.
72	Areas for camping	To set aside an area of a park other than an occupation site as an area for camping.	All of the park as shown on Map 1 (Attachment 1).	At all times.	Dispersed camping is allowed in in the park.	

OFFICIAL

OFFICIAL

Regulation(s)		Details of set aside				
		Purpose of set aside determination	Area set aside	Specified conditions		Further information
				Times or period	Other conditions	
76(2)	Lighting or maintaining fires restricted	To set aside an area of a park as an area in which a person may light or maintain a fire in a place other than a public fireplace.	All of the park as shown on Maps 1a, 1b and 1c (Attachment 1).	At all times.	<p>Fires using solid fuels in portable commercially manufactured barbecues and cookers outside of fireplaces are allowed in the area set aside, subject to <i>Forests Act 1958</i> and the <i>Forest (Fire Protection) Regulations 2014</i>.</p> <p>Native vegetation must not be cleared or damaged during the lighting, kindling or maintaining of a campfire.</p>	<p>A 3m perimeter from the fire to flammable material must be maintained at all times.</p> <p>Before leaving the place of the fire, the person responsible for the fire must completely extinguish the fire, or ensure that a person who has the capacity and means to extinguish the fire is in charge of the fire.</p>
76(2)	Lighting or maintaining fires restricted	To set aside an area of a park as an area in which a person may light or maintain a fire in a place other than a public fireplace.	All of the park as shown on Maps 1a, 1b and 1c (Attachment 1).	At all times.	<p>Fires using gaseous and liquid fuels in commercially manufactured barbecues and cookers outside of fireplaces are allowed in the area set aside, subject to <i>Forests Act 1958</i> and the <i>Forest (Fire Protection) Regulations 2014</i>.</p> <p>Native vegetation must not be cleared or damaged during the lighting, kindling or maintaining of a campfire.</p>	<p>A 1.5m perimeter from the fire to flammable material must be maintained at all times.</p> <p>Before leaving the place of the fire, the person responsible for the fire must completely extinguish the fire, or ensure that a person who has the capacity and means to extinguish the fire is in charge of the fire.</p>

Division 2 – Application of Regulations

7. Application of Regulations to permit holders etc.

A person acting under and in accordance with the terms and conditions of any lease, licence, permit, authorisation, consent or other authority granted under the Act, or an agreement entered into under the Act, is not subject to these Regulations to the extent that the activities authorised by the lease, licence, permit, authorisation, consent, other authority or agreement are inconsistent with these Regulations.

OFFICIAL

OFFICIAL

8. Persons to whom offences under these Regulations do not apply unless otherwise specified

These Regulations, other than regulations 23, 40 and 86 (1), do not apply to a person who:

- (a) is acting as a servant or agent of the Crown; or
- (b) is acting under and in accordance with a contract with:
 - (i) the Crown; or
 - (ii) a person acting as a servant or agent of the Crown; or
- (c) is acting under the direction of a person acting as a servant or agent of the Crown; or
- (d) is acting with the permission of a person acting as a servant or agent of the Crown; or
- (e) is an authorised officer acting in the course of the authorised officer's duties.

9. Application of these Regulations to traditional owner group members where land is subject to agreement under Part 6 of the Traditional Owner Settlement Act 2010

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

Table

<i>Column 1 - Specified regulation</i>	<i>Column 2 - Extent to which specified regulation applies</i>
Regulation 14(2)	The whole
Regulation 17	The whole
Regulation 21(1), (2) and (3)	The Whole
Regulation 22	The Whole
Regulation 24(1) and (2)	The Whole
Regulation 32	The Whole
Regulation 76(1)	The whole, except if the member lights or maintains a fire in a park for the purposes of undertaking cultural activities
Regulation 79(1)	The Whole
Regulation 82(1), (2), (3), (4) and (5)	The Whole
Regulation 83(1) and (2)	The Whole
Regulation 84	The Whole

OFFICIAL

OFFICIAL

10. Application of these Regulations to Aboriginal group members where land is not subject to agreement under Part 6 of the Traditional Owner Settlement Act 2010

An Aboriginal group member, when undertaking an Aboriginal tradition on land in a park that is not land over which there is an agreement under Part 6 of the **Traditional Owner Settlement Act 2010**, is exempt from these Regulations, other than the provisions set out in Column 1 to the extent set out in Column 2 of the following Table:

Table

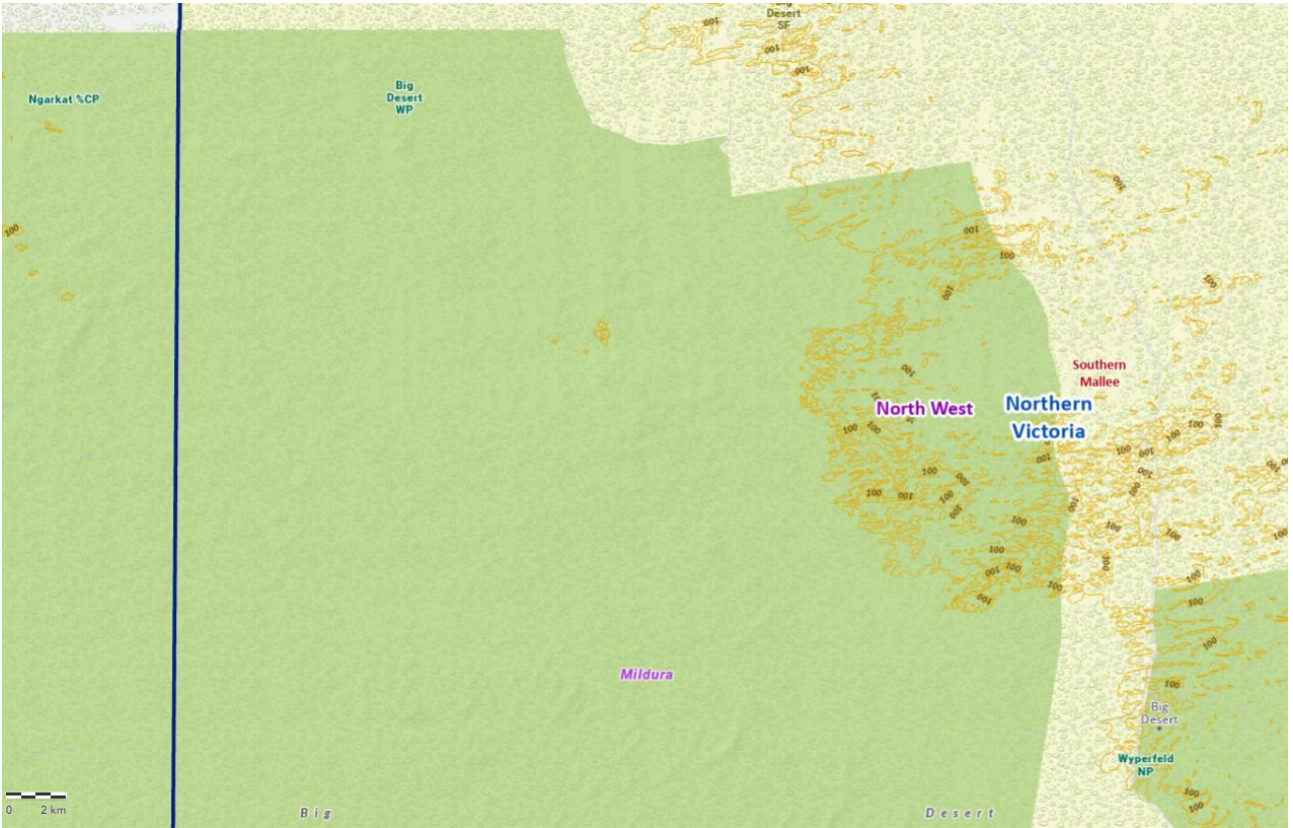
<i>Column 1 - Specified regulation</i>	<i>Column 2 - Extent to which specified regulation applies</i>
Regulation 14(2)	The whole
Regulation 17	The whole
Regulation 21(1), (2) and (3)	The Whole
Regulation 22	The Whole
Regulation 24(1) and (2)	The Whole
Regulation 32	The Whole
Regulation 76(1)	The whole, except if the member lights or maintains a fire in a park for the purposes of undertaking cultural activities
Regulation 79(1)	The Whole
Regulation 82(1), (2), (3), (4) and (5)	The Whole
Regulation 83(1) and (2)	The Whole
Regulation 84	The Whole

OFFICIAL

OFFICIAL

Attachment 1

Map 1a Big Desert Wilderness Park (northern section) (taken from Parks Victoria asset information management system)



Map 1b Big Desert Wilderness Park (southern section) (taken from Parks Victoria asset information management system)



OFFICIAL

Map 1c Big Desert Wilderness Park (boundary with Red Bluff Flora and Fauna Reserve) (taken from Parks Victoria asset information management system)

