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*Crown Land (Reserves) Act 1978*

*Crown Land (Reserves) (Metropolitan and Regional Park) Regulations 2023*

## **Set Asides for Cape Schanck Lighthouse Reserve<sup>2</sup>**

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

Regulation 10 provides that Parks Victoria may make a determination to set aside an area as an area in which an activity or conduct is permitted, required, restricted or prohibited.

Additional temporary determinations are put in place from time to time for purposes such as planned burning, seasonal road closures or pest animal control programs. These temporary determinations operate in conjunction with ongoing determinations for general park management and where there is a conflict or perceived conflict these temporary determinations take precedence.

**Signed at Melbourne**

by



Name Kerri Villiers

Title A/Executive Director Operations of Parks Victoria

Date 01/07/2024

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## Areas set aside in Cape Schanck Lighthouse Reserve

Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
33(1)	Lighting, kindling or maintaining campfires or barbeques	To set aside an area of a park as an area where lighting, kindling or maintaining a campfire or barbeque is permitted.	Cape Schanck Day Visitor Area defined as: <ul style="list-style-type: none"> <li>- lawned area near the carpark and the walkway and around historic buildings including Cape Schanck Lighthouse and Cape Schanck Museum as shown on Map 1 (attachment 1) and as per information provided on the Parks Victoria website <a href="https://www.parks.vic.gov.au/places-to-see/parks/cape-schanck-lighthouse-reserve">https://www.parks.vic.gov.au/places-to-see/parks/cape-schanck-lighthouse-reserve</a>.</li> </ul>	At all times.	Fires using gaseous fuels in portable barbeques, fuel stoves, burners and heaters are allowed.  All fires are subject to the <i>Forest (Fire Protection) Regulations 2014</i> . In addition, a 1.5m perimeter from mid-storey and canopy vegetation around fires using gaseous fuels must be maintained at all times.
39(3)(a)	Dogs	To set aside an area of a park as an area where dogs are prohibited.	All of the park as per information provided on the Parks Victoria website <a href="https://www.parks.vic.gov.au/places-to-see/parks/cape-schanck-lighthouse-reserve">https://www.parks.vic.gov.au/places-to-see/parks/cape-schanck-lighthouse-reserve</a> . As shown in Map 2 (attachment 2)	At all times.	Dogs are not allowed in the park.  <i>N.B. This determination is necessary for the purposes of the care, protection and management of a park.</i>
40(5)	Horses	To set aside a road, track or parking area as an area of a park where horses are prohibited.	All roads, tracks and/ or parking areas as per information provided on the Parks Victoria website <a href="https://www.parks.vic.gov.au/places-to-see/parks/cape-schanck-lighthouse-reserve">https://www.parks.vic.gov.au/places-to-see/parks/cape-schanck-lighthouse-reserve</a> . As shown in Map 2 (attachment 2)	At all times.	Horses are not allowed in the park.

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## **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.

- (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.

## **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

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- (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
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 1 – map of Cape Schanck Day Visitor Area



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Attachment 1

Map 2 Extract from MapshareVic showing Cape Schanck Lighthouse Reserve



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