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*National Parks Act 1975*

*National Parks Regulations 2024*

## **Set Aside(s) for Dergholm State Park**

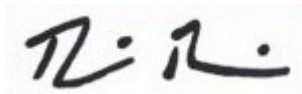
The *National Parks Regulations 2024* have been made under Sections 32AA, 37 and 48 of the *National Parks Act 1975*.

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: 29 August 2024

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## Areas set aside in Dergholm State 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.	Roads and tracks marked for Management Vehicles Only as shown on Map 1 (Attachment 1).	At all times.	Person driving or riding motorised vehicles including AWD vehicles, 2WD vehicles, 4WD vehicles, motorbikes, trailbikes and motorised bicycles are not allowed on roads and tracks designated for Management Vehicles Only.	The term 'motorised bicycle' is defined and administered by Vic Roads <a href="https://www.vicroads.vic.gov.au/">https://www.vicroads.vic.gov.au/</a> This set aside is for the purposes of the preservation, protection or management of the park.
39	Areas for animals	To set aside an area of a park as an area into which animals may be brought.	Baileys Rocks Visitor Experience Area and entrance roads to Baileys Rocks Visitor Experience Area as shown on Map 1 (Attachment 1).	At all times.	Dogs are allowed in the area set aside. Dogs must be on a leash, chain or cord which is suitable to restrain the dog not exceeding 8 metres in length. Dogs must be under the immediate control of that person at all times. Dogs must be restrained from causing a disturbance to persons, or damage to or interference with property, animals or natural features of a park. A person who brings a dog into a park must collect and remove from the park any faeces deposited by the dog.	
39	Areas for animals	To set aside an area of a park as an area into which animals may be brought.	The following roads, tracks and car parks: <ul style="list-style-type: none"> <li>Baileys Rocks entrance road</li> <li>Sharam Road in Bogalara Block</li> <li>Nolans Creek Road</li> <li>Dergholm-Chetwynd Road</li> <li>Tallengower Road in Youpayng Block</li> </ul> as shown on Map 1 (Attachment 1).	At all times.	<u>Access:</u> <ul style="list-style-type: none"> <li>Horses must remain on roads, tracks and in car parking areas.</li> <li>Horses must be on lead when not in a yarded area.</li> </ul> <u>Group Size:</u> <ul style="list-style-type: none"> <li>Maximum group size of 20.</li> </ul> <u>Management of horses:</u> <ul style="list-style-type: none"> <li>Horses cannot directly be watered waterbodies in the park.</li> <li>Buckets should be used for drinking if possible.</li> <li>Horses must not be washed in or near rivers, streams, aqueducts or other</li> </ul>	

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Regulation(s)		Details of set aside				
		Purpose of set aside determination	Area set aside	Specified conditions		Further information
				Times or period	Other conditions	
					<p>waterbodies. Buckets must be used for washing.</p> <ul style="list-style-type: none"> <li>Nosebags must be used for feeding. Feed type should be selected to minimise the risk of the spread of weeds, such as pellets, certified clean chaff/hay and rolled or cracked, clean grain.</li> <li>All waste associated with horses including manure, hay and other feed must be removed from the park and not left in loading and unloading areas in carparks.</li> </ul>	
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 Map 1 (Attachment 1).	At all times.	<p>Fallen or felled trees may be cut and taken away for use as firewood in fireplaces within the park.</p> <p>The total collected firewood possessed must not exceed tonnage of 1m<sup>3</sup>.</p> <p>The operation of chainsaws is allowed for the purpose of firewood collection.</p>	
72	Areas for camping	To set aside an area of a park other than an occupation site as an area for camping.	Baileys Rocks Visitor Experience Area as shown on Map 1 (Attachment 1).	At all times.	<p>Dispersed camping is allowed in in the area set aside in accordance with on-ground signage.</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 Map 1 (Attachment 1).	At all times.	<p>Fires using gaseous and liquid fuels in portable, commercially manufactured barbeques 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>	

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## **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.

## **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.

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**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

## **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 of the following Table 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

Attachment 1

Map 1 Dergholm State Park (taken from the *Ngootyoong Gunditj Ngootyoong Mara South-West Management Plan 2015*)

