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National Parks Act 1975

National Parks Regulations 2024

Set Aside(s) for Heathcote-Graytown National 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

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Areas set aside in Heathcote-Graytown National 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 roads and tracks marked for Management Vehicles Only as shown on Map 1 (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 designated for Management Vehicles Only.	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 roads and tracks marked for Management Vehicles Only as shown on Map 1 (Attachment 1).	At all times.	Persons using non-motorised vehicles including bicycles, monocycles, skateboards, roller skates, in-line roller blades or coasters, roller skis and scooters are not allowed on the walking tracks set aside.	The term 'non-motorised vehicle' is defined and administered by Vic Roads https://www.vicroads.vic.gov.au/ This set aside is for the purpose of public safety.
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 walking tracks as shown on Map 1 (Attachment 1).	At all times	Persons using non-motorised vehicles including bicycles, monocycles, skateboards, roller skates, in-line roller blades or coasters, roller skis and scooters are not allowed on the walking tracks set aside.	The term 'non-motorised vehicle' is defined and administered by Vic Roads https://www.vicroads.vic.gov.au/ This set aside is for the purpose of public safety.
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.	Mount Black Reference Area as shown on Map 1 (Attachment 1).	At all times.	Access to Reference Areas in not allowed.	This set aside is for the purposes of the preservation, protection or management of the park.

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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.	Special Management Area: P. cinnamoni and Special Management Area – Mt Ida Tower as shown on Map 1 (Attachment 1).	At all times.	Access to special management areas in not allowed.	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.	The following roads, tracks and car parking areas: <ul style="list-style-type: none"> • Cahills Track • Gormans Track • Hylands Track • Manseys Track • Pannells Track • Range Drive as shown on Map 2 (Attachment 2).	At all times.	Dogs are allowed in the park. 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 parking areas: <ul style="list-style-type: none"> • Baileston Road • Costerfield–Redcastle Rd • Damper Dam Track • Damper Gully Track • Darrochs Road • Dicks Dam Road • Four Mile Road • Freisland Hill Road • Jim Track • Johnstons Reef Road • Lang Track • Mansbridge Track • McCarthy Track • McKenzies Track • Meaker Track • Mount Melville Road 	Between sunrise and sunset.	<u>Access:</u> <ul style="list-style-type: none"> • Horses must remain on roads, tracks and in car parking areas. • Horses must be on lead when not in a yarded area. <u>Group Size:</u> <ul style="list-style-type: none"> • Maximum group size of 10. <u>Management of horses:</u> <ul style="list-style-type: none"> • Horses cannot directly be watered waterbodies in the park. • Buckets should be used for drinking if possible. • Horses must not be washed in or near rivers, streams, aqueducts or other waterbodies. Buckets must be used for washing. • 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 	

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			<ul style="list-style-type: none"> • Mount Black Quarry Road • Mount Carmel-Graytown Road • Mount Ida Road • Range Drive • Rice Track • Scrubby Track • Shippy Track • Stoney Crossing Track • Surface hill Road • Suzy Track • Tin Hut Track • Todds Road • Un-named 21 POW Camp area • Un-named 97 • William Track • Willyans Road <p>as shown on Map 2 (Attachment 2).</p>		<p>chaff/hay and rolled or cracked, clean grain.</p> <ul style="list-style-type: none"> • 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. 	
43(1)	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.	Dargile Visitor Site and Mount Black Quarry Visitor Site as shown on Map 2 (Attachment 2).	At all times.	<p>Firewood can be brought into the park for use in fireplaces within the park.</p> <p>Firewood that is brought into the park must be free of chemical additives, soil, weeds, seeds and pathogens.</p>	<i>Firewood</i> means timber or wood products that are free of chemical additives and otherwise suitable for burning as firewood.
54(1)(a)	Areas where sport or recreational activities prohibited or restricted	To set aside an area of a park as an area in which sport or recreational activity is prohibited.	Areas of the park marked as 'prospecting not permitted' as shown on Map 3 (Attachment 3).	At all times.	<p>Prospecting and fossicking is not allowed in the area set aside.</p> <p>All fossickers and prospector must hold a valid Victorian miner's right and restore the ground by backfilling any holes you dig and replacing leaf litter.</p>	

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65	Setting aside areas where devices or equipment that produce noise may be operated	To set aside an area of a park as an area in which a person may use or operate devices or equipment that produce noise and that are specified in the determination.	Dargile Visitor Site as shown on Map 2 (Attachment 2).	Between 10am and 4pm daily.	The operation of generators is allowed in the area set aside.	
72	Areas for camping	To set aside an area of a park other than an occupation site as an area for camping.	Throughout the Conservation and Recreation Zone and Recreation Zone except for within 500m of the Dargile Visitor Site and Mount Black Quarry Visitor Site as shown on Map 2 (Attachment 2).	At all times.	Dispersed camping is allowed in accordance with on-ground signage. Camping is not allowed within 20m of a stream, river or waterbody.	
72	Areas for camping	To set aside an area of a park other than an occupation site as an area for camping.	Dargile Visitor Site as shown on Map 2 (Attachment 2).	At all times.	Dispersed camping in existing camp sites is allowed in accordance with on-ground signage.	
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.	Dargile Visitor Site and Mount Black Quarry Visitor Site as shown on Map 2 (Attachment 2).	At all times.	Fires using gaseous and liquid fuels in commercially manufactured barbeques and cookers are permitted outside of fireplaces in the area set aside, subject to <i>Forests Act 1958</i> and the <i>Forest (Fire Protection) Regulations 2014</i> . Native vegetation must not be cleared or damaged during the lighting, kindling or maintaining of a campfire.	A 1.5m perimeter from the fire to flammable material must be maintained at all times. 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.

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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.

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 to the extent set out in Column 2 of the following Table:

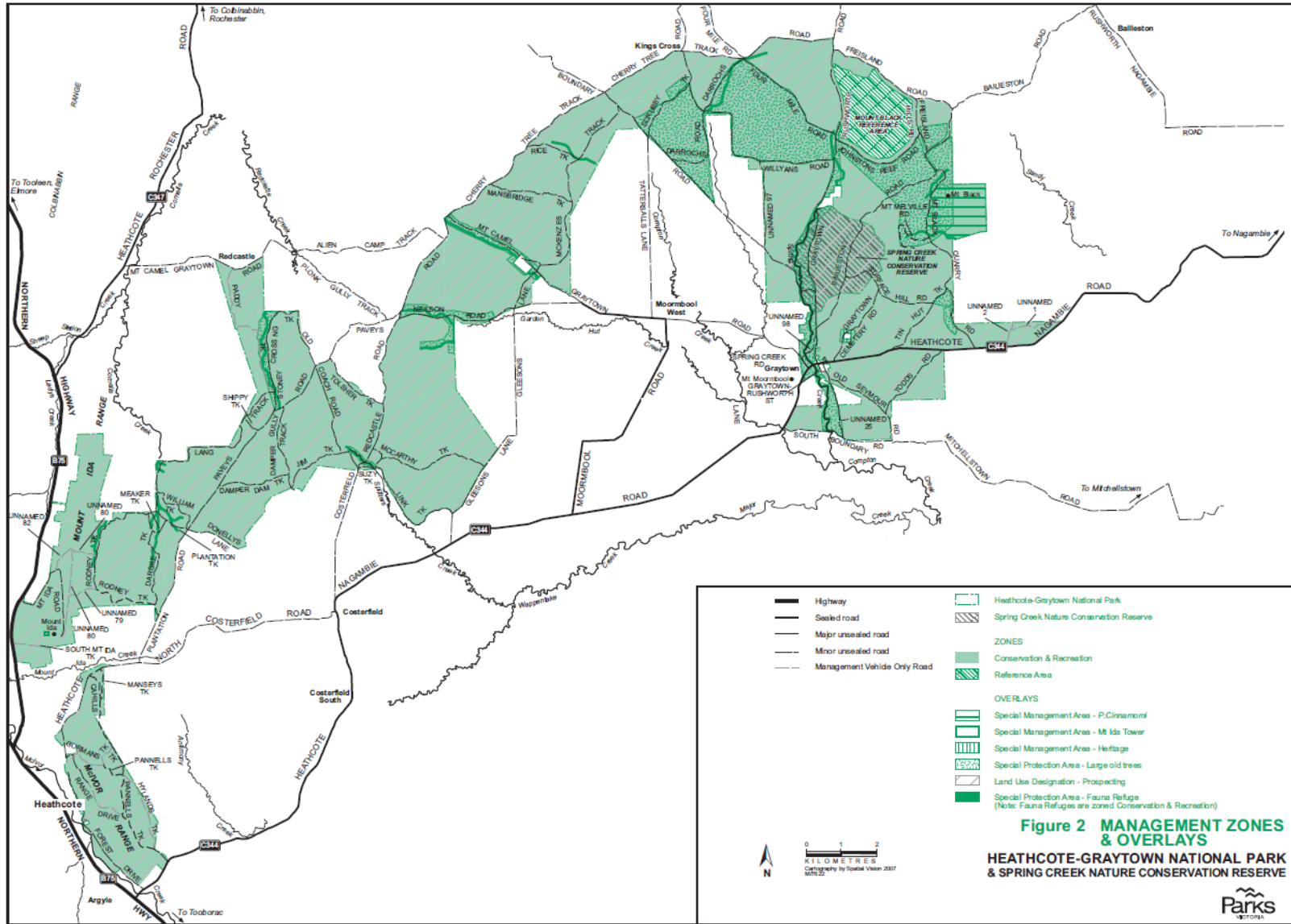
Table

<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

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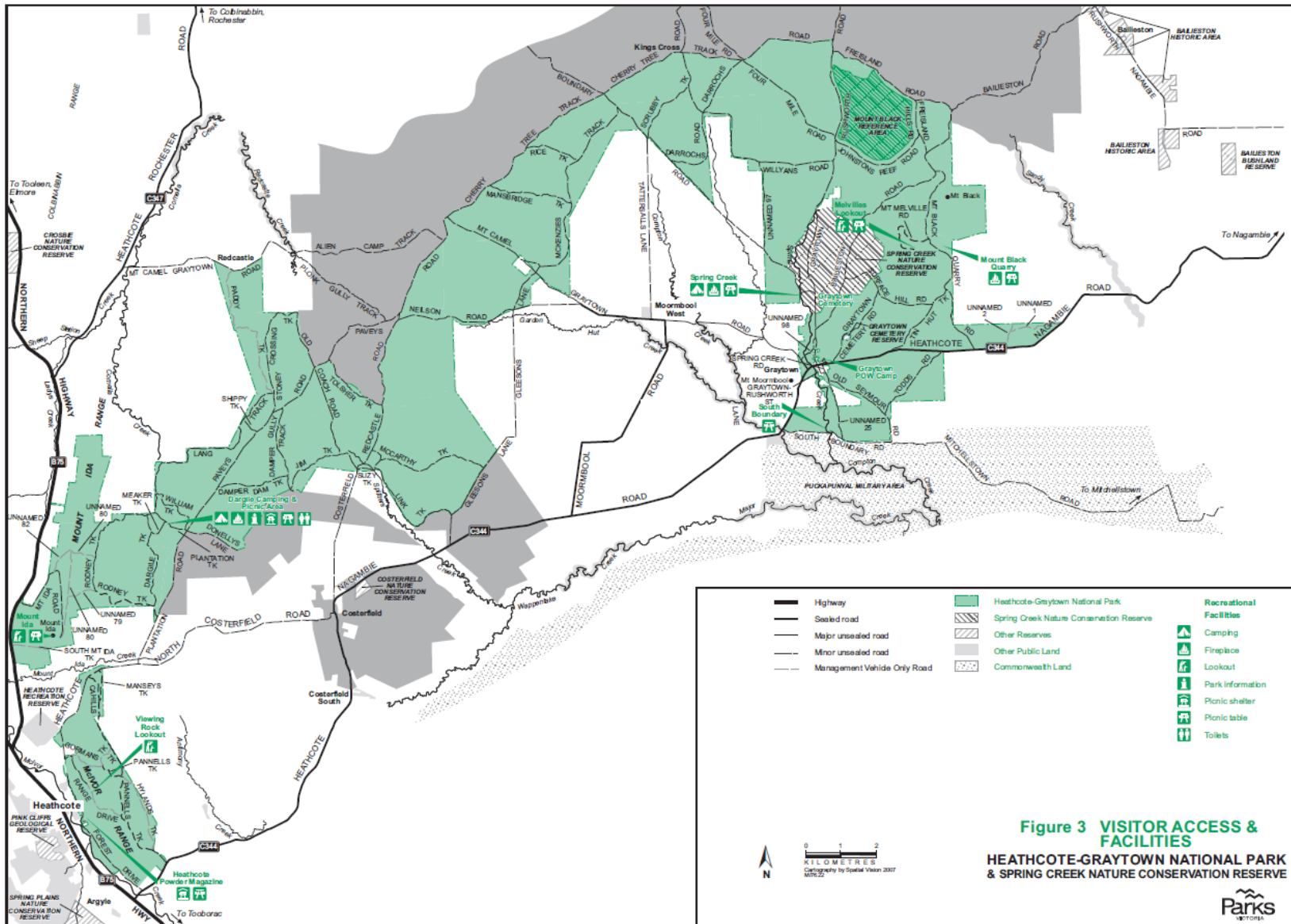
Attachment 1

Map 1 Heathcote-Graytown National Park – management zones (taken from Heathcote-Graytown National Park and Spring Creek Nature Conservation Reserve Management Plan



Attachment 2

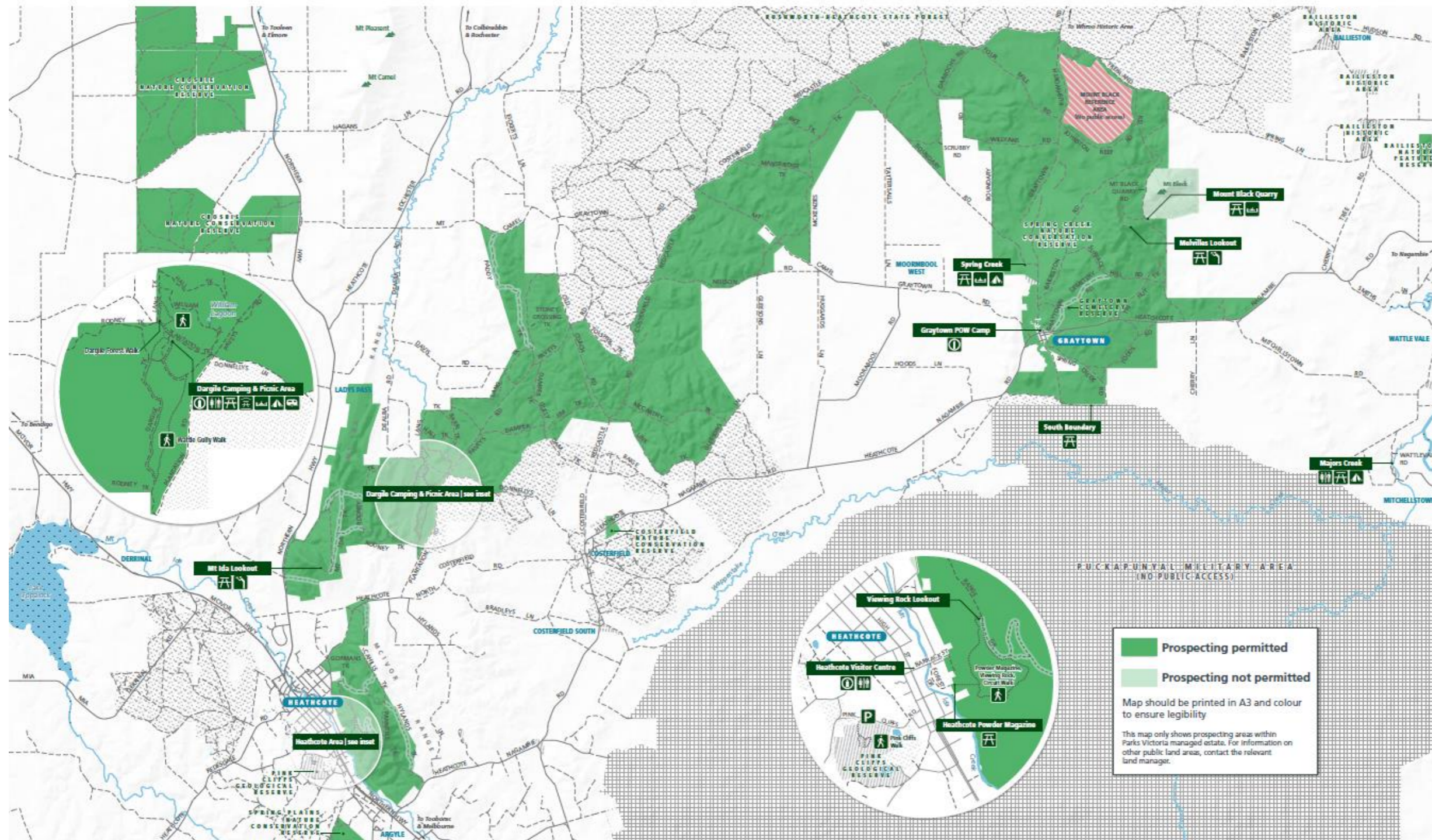
Map 2 Heathcote-Graytown National Park – visitor access and facilities (taken from Heathcote-Graytown National Park and Spring Creek Nature Conservation Reserve Management Plan



Attachment 3

Map 3 Heathcote Graytown National Park (taken from Parks Victoria Visitor Guide)

Heathcote-Graytown National Park Prospecting Areas



Prospecting permitted

Prospecting not permitted

Map should be printed in A3 and colour to ensure legibility

This map only shows prospecting areas within Parks Victoria managed estate. For information on other public land areas, contact the relevant land manager.

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