National Parks Act 1975

National Parks Regulations 2024

Set Aside(s) for Morwell 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, for the purpose of general park management, coincide with the area(s) covered by any other current Set Aside Determination for temporary closure of a park for the following specific purposes:

- planned burning (conservation, hazard reduction and cultural) in the approved Fire Operations Plans and incorporated into the Joint Fuel Management Program for a particular span of years
- animal and plant control programs and/ or conservation activities
- infrastructure installation and maintenance
- fire and flood recovery
- seasonal road and track closure

then this Set Aside Determination, for the purpose of general park management, does not replace those current Set Aside Determinations for the temporary closure of a park.

Signed at Melbourne

by



Name: Kylie Trott
Title: Executive Director Operations

Date: 10/01/2025

Areas set aside in Morwell 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.	Fenced, locked and/ or signposted revegetation, conservation and/ or biodiversity plots in 'Special management area revegetation' as shown on Map 1 (Attachment 1).	At all times	Access to the area(s) set aside is not allowed in accordance with on-ground signage.	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.	Roads and tracks designated for Management Vehicles Only as shown on Map 2 (Attachment 2).	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.	Roads and tracks designated for Management Vehicles Only except for: - Billy's Creek Track - Weir Track as shown on Map 2 (Attachment 2).	At all times.	Persons driving or riding motorised vehicles including AWD vehicles, 2WD vehicles, 4WD vehicles, motorbikes, trailbikes and motorised bicycle and 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 roads and tracks designated for Management Vehicles Only.	The term 'non-motorised vehicle' is defined and administered by Vic Roads https://www.vicroads.vic.gov.au/ 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	To set aside an area of a park as an area	Fosters Gully Nature Walk as shown on Map 2 (Attachment 2).	At all times	Persons driving or riding motorised vehicles	The term 'non-motorised vehicle' is defined and administered by

Regulation(s)		Details of set aside				
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				Times or period	Other conditions	
	prohibited or restricted	to which access for a person or class of persons is prohibited without a permit.			including AWD vehicles, 2WD vehicles, 4WD vehicles, motorbikes, trailbikes and motorised bicycle and 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 Fosters Gully Nature Walk.	Vic Roads https://www.vicroads.vic.gov.au/ 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.
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.	Fosters Gully, Kerry Road and Billy's Creek Valley picnic areas as shown on Map 2 (Attachment 2).	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.	*Firewood* means timber or wood products that are free of chemical additives and otherwise suitable for burning as firewood.
54(1)(b)	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 restricted.	All of the park as shown on Map 2 (Attachment 2).	At all times.	Orienteering and rogaining is not allowed without a permit issued in writing by Parks Victoria.	
54(1)(b)	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 restricted.	All of the park as shown on Map 2 (Attachment 2).	At all times.	Fishing is not allowed in the park.	
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	Fosters Gully, Kerry Road and Billy's Creek Valley picnic areas as shown on Map 2 (Attachment 2).	At all times.	Fires using gaseous and liquid fuels in portable commercially manufactured barbeques	A 1.5m perimeter from the fire to flammable material must be maintained at all times.

Regulation(s)		Details of set aside				
		Purpose of set aside determination	Area set aside	Specified conditions		Further information
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		fire in a place other than a public fireplace.			and cookers outside of fireplaces are allowed in the area set aside, subject to *Forests Act 1958* and the *Forest (Fire Protection) Regulations 2014*. Native vegetation must not be cleared or damaged during the lighting, kindling or maintaining of a campfire.	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.

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.

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

Column 1 - Specified regulation	*Column 2 - Extent to which specified regulation applies*
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:

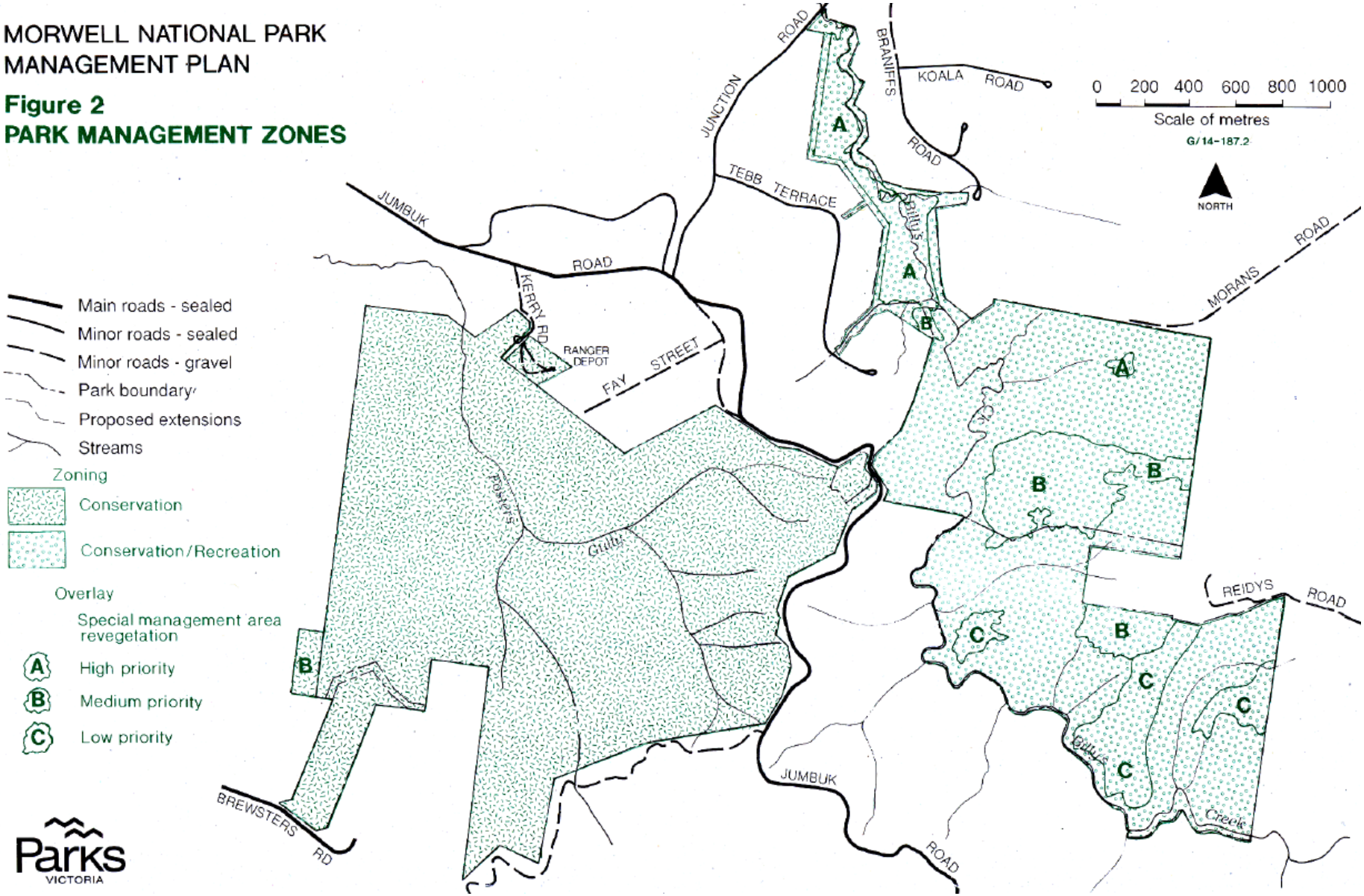
Table

Column 1 - Specified regulation	*Column 2 - Extent to which specified regulation applies*

Regulation 14(2)	The whole
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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 Morwell National Park – management zones (taken from *Morwell National Park Management Plan 1998*)



Attachment 2

Map 2 Morwell National Park – visitor facilities and access (taken from *Morwell National Park Management Plan 1998*)

