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National Parks Act 1975

*National Parks Regulations 2013*¹

Set Aside(s) for Mount Buangor State Park^{2,3}

The *National Parks Regulations 2013* have been made under Sections 32AA, 37 and 48 of the *National Parks Act 1975* (Vic.).

Regulation 10 of the *National Parks Regulations 2013* provides that Parks Victoria:

- may set aside an area as an area in which an activity or conduct is permitted, required, restricted or prohibited and the conditions subject to which the activity or conduct must or must not be carried out, and
- must erect or display notices at or near the entrance to the area including –
 - (a) the area that has been set aside under the determination; and
 - (b) the nature of the determination; and
 - (c) in the case of an activity or conduct that is permitted, required, restricted or prohibited, the conditions subject to which the activity or conduct must be carried

Parks Victoria has delegated this power to the Executive Band in an instrument of delegation, the Parks Victoria Delegations Register.

Therefore I, Kylie Trott, Executive Director Operations of Parks Victoria, determine under the *National Parks Regulations 2013* that the areas indicated in the attached table are temporarily closed to the public at the times or periods, and in accordance with the conditions, as indicated.

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 Kylie Trott

Title Executive Director Operations

Date 03/06/2024

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Areas set aside in Mount Buangor State Park

Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
20(1)(b)	Areas where access is prohibited or restricted	To set aside an area of a park where access is restricted.	The whole park as indicated on Map 1 (Attachment 1).	From 29/05/2024 until 31/08/2024.	<p>Mount Buangor State Park is closed during fire recovery works.</p> <p><i>N.B. This determination is necessary for the purposes of the preservation, protection or management of the park.</i></p> <p>³signage, see notes below ⁴application of regulations, see notes below</p>

¹ Version incorporating amendments as at 19 September 2023. The *Subordinate Legislation (National Parks Regulations 2013) Extension Regulations 2023* have extended the operations of the *National Parks Regulations 2013* until 31 August 2024.

² This set aside determination complies with the *Charter of Human Rights and Responsibilities Act 2006*.

³ **Regulation 10(2)** If, under a set aside power, Parks Victoria makes a determination setting aside an area in which an activity or conduct is required, restricted or prohibited, Parks Victoria must erect or display notices at or near the entrance to the area including –

- (a) The area that has been set aside under the determination; and
- (b) The nature of the determination; and
- (c) in the case of an activity or conduct that is required or restricted, the conditions subject to which the activity or conduct must be carried out

⁴ **Regulation 7** Application of Regulations to permit holders etc.
 A person acting under and in accordance with the terms and conditions of any permit, authorisation, lease, licence or consent granted under the Act, or agreement entered into under the Act, is not subject to these Regulations to the extent that the activities authorised by the permit, authorisation, lease, licence, consent or agreement are inconsistent with these Regulations.

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Regulation 8 Application of Regulations to employees etc.

- (1) These Regulations, other than Division 1 and this Division of this Part and regulations 16, 18, 47, 98 and 105, do not apply to a person if that person—
- (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 who is a servant or agent of the Crown; or
 - (c) is acting under the direction of a person while that person is acting as a servant or agent of the Crown; or
 - (d) is an authorised officer acting in the course of his or her duties.
- (2) In subregulation (1), a reference to a servant or agent of the Crown includes a servant or agent of a managing water authority when acting in the course of his or her employment in relation to a designated water supply catchment area.

Regulation 9 Exemption for traditional owners

A traditional owner is exempt from these Regulations, other than the following provisions, when undertaking an Aboriginal tradition—

- (a) regulation 16;
- (b) regulation 17;
- (c) regulation 18;
- (d) regulation 19;
- (e) regulation 21;
- (f) regulation 30(1);
- (g) regulation 86;
- (h) regulation 87;
- (i) regulation 88;
- (j) regulation 91;
- (k) regulation 92;
- (l) regulation 104;
- (m) regulation 105;
- (n) regulation 106;
- (o) regulation 115;
- (p) regulation 118;
- (q) regulation 121;
- (r) regulation 124.

Reg. 8(1)(a)
amended by
S.R. No.
125/2018
reg. 8.

Reg. 8(1)(b)(i)
amended by
S.R. No.
125/2018
reg. 8.

Reg. 8(1)(c)
amended by
S.R. No.
125/2018
reg. 8.
Reg. 8(1)(b)(ii)
amended by
S.R. No.
125/2018
reg. 8.

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Map 1 Mount Buangor State Park as shown in Figure 2 Mount Buangor State Park Management Plan.

