

OFFICIAL

Crown Land (Reserves) Act 1978

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

Set Aside(s) for Plenty Gorge Parklands and Plenty Gorge Parklands COM

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

A handwritten signature in black ink, appearing to read 'Jason Borg', with a stylized, cursive script.

Name Jason Borg

Title A/Executive Director Operations of Parks Victoria

Date 04/03/2024

OFFICIAL

OFFICIAL

Areas set aside in Plenty Gorge Parklands and Plenty Gorge Parklands COM

Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
18(1)(a)	Area where access is prohibited or restricted	To set aside an area to which access is prohibited.	<p>The following areas:</p> <ul style="list-style-type: none"> • Morang Wetlands (includes the water, marsh, swamp and bog vegetation), • wetlands at the Hawkstowe picnic area and Le Page historic homestead (includes the water, marsh, swamp and bog vegetation) • fenced and locked biodiversity plots throughout Plenty Gorge Parklands <p>as indicated on Map 1 (Attachment 1) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands.</p>	At all times.	<p>Off-road and off-track access is not allowed.</p> <p><i>N.B. Access is prohibited for the purposes of care, protection and management of the park.</i></p>
18(1)(a)	Area where access is prohibited or restricted	To set aside an area to which access is prohibited.	<p>Fenced and locked biodiversity plots throughout Plenty Gorge Parklands as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands.</p>	At all times.	<p>Access is not allowed in accordance with on-ground signage.</p> <p><i>N.B. Access is prohibited for the purposes of care, protection and management of the park.</i></p>
18(1)(b)	Area where access is prohibited or restricted	To set aside an area to which access is restricted.	<p>The following areas:</p> <ul style="list-style-type: none"> • Red Gum recreation area, and • Hawkstowe picnic area and Le Page historic homestead <p>as indicated on Map 1 (Attachment 1) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands.</p>	5pm to 8:30am outside daylight savings.	<p><i>N.B. This determination is necessary for the purposes of the care, protection and management of the park.</i></p>

OFFICIAL

Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
18(1)(b)	Area where access is prohibited or restricted	To set aside an area to which access is restricted.	<p>The following areas:</p> <ul style="list-style-type: none"> Red Gum recreation area, and Hawkstowe picnic area and Le Page historic homestead <p>as indicated on Map 1 (Attachment 1) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands.</p>	7pm to 8:30am during daylight savings.	<i>N.B. This determination is necessary for the purposes of the care, protection and management of the park.</i>
28(2)	Vehicles	To set aside an area of a park, other than on a road or in a parking area, as an area where operating a vehicle or class of vehicle is permitted.	<p>All mountain bike tracks as indicated on Map 2 (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands.</p>	At all times.	<p>Bicycles are allowed on the mountain bike tracks that are set aside.</p> <p><i>N.B. Non-compliant electric bicycles are not allowed. Non-compliant electric bicycles are power-assisted over 200 watts that don't meet the definition of a bicycle set out in the Transport (Compliance and Miscellaneous) Act (1983).</i></p>
29(1)(a)	Road and parking closures to some or all vehicles	To set aside a road or parking area in a park as an area where driving or parking of vehicles or a class of	<p>All Management Vehicle Only roads, tracks and paths as indicated on Map 1 (Attachment 1) including shared user trails Plenty River Trail, from Yarrambat to Bridge Inn Road and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands.</p>	At all times.	<p>Motorised vehicles including AWD vehicles, 2WD vehicles, 4WD vehicles, motorbikes, trailbikes, and non-compliant electric bicycles and scooters are prohibited on the roads, tracks and paths set aside as indicated by on-ground signage.</p> <p>Non-compliant electric bicycles are power-assisted bicycles over 200 watts that don't</p>

OFFICIAL

Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
		vehicle is prohibited.			<p>meet the definition of a bicycle set out in the <i>Transport (Compliance and Miscellaneous) Act (1983)</i>.</p> <p><i>N.B. A person must not use or operate, park or leave standing a vehicle in an area set aside under regulation 29(1)(a) in contravention of a determination.</i></p>
30(2)	Vessels	To set aside an area of a park as an area where operating a vessel or a class of vessel of a certain class is permitted.	<p>The Plenty River and its tributaries except for</p> <ul style="list-style-type: none"> • Morang Wetlands (includes the water, marsh, swamp and bog vegetation), • Tanunda Wetlands (includes the water, marsh, swamp and bog vegetation), and • wetlands at the Hawkstowe picnic area and Le Page historic homestead (includes the water, marsh, swamp and bog vegetation) <p>as indicated on Map 1 (Attachment 1) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands.</p>	At all times.	Non-motorised vessels (including rowing boats, canoes, kayaks, peddle boats, stand-up paddleboards and fishing float tubes) can be operated and are allowed on the Plenty River and its tributaries.
32(7)	Camping	To set aside an area of a park as an area where camping is permitted.	<p>Nioka bush camp bounded by the circuit loop as indicated on Map 1 (Attachment 1) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands.</p>	At all times.	<p>Camping is allowed in designated areas and sites in accordance with on-ground signage.</p> <p>Camping with dogs is not allowed.</p>

OFFICIAL

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.	<p>The following picnic areas:</p> <ul style="list-style-type: none"> • Nioka bush camp (day visitor area) • Yarrambat picnic area • Red Gum recreation area • Hawkstowe picnic area and Le Page historic homestead • Yellow Gum recreation area <p>as indicated on Map 1 (Attachment 1) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands.</p>	At all times.	<p>Fires using gaseous and liquid fuels in portable barbeques, fuel stoves, burners and heaters are allowed.</p> <p>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 and liquid fuels must be maintained at all times.</p>
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.	<p>The following picnic areas:</p> <ul style="list-style-type: none"> • Nioka bush camp (day visitor area) • Yarrambat picnic area • Red Gum recreation area • Hawkstowe picnic area and Le Page historic homestead • Yellow Gum recreation area <p>as indicated on Map 1 (Attachment 1) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands..</p>	At all times.	<p>Fires using solid fuels in public fireplaces and portable barbecues are allowed.</p> <p>All fires are subject to the <i>Forest (Fire Protection) Regulations 2014</i>. All fires are subject to the <i>Forest (Fire Protection) Regulations 2014</i>. In addition, a 3m perimeter from mid-storey and canopy vegetation around fires using solid fuels must be maintained at all times.</p>
39(3)(a)	Dogs	To set aside an area of a park as an area where dogs are prohibited.	<p>The following area(s):</p> <ul style="list-style-type: none"> - Morang Wetlands (includes the water, marsh, swamp and bog vegetation) to the Plenty River - Blue Lake (includes the water, marsh, swamp and bog vegetation) - Nioka bush camp 	At all times.	<p>Dogs are not allowed in the areas set aside.</p> <p><i>N.B. This determination is necessary for the purposes of the care, protection and management of a park.</i></p>

OFFICIAL

OFFICIAL

Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
			<ul style="list-style-type: none"> - Yellow Gum recreation area - Red Gum picnic ground playground - Hawkstowe picnic area and Page historic homestead playground and nature play areas except for the Plenty River Trail as indicated on Map 3 (Attachment 3) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands. 		
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 except for the marked horse trail circuit beginning in Yarrambat Park as indicated on Map 4 (Attachment 4) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands .	From sunrise to sunset.	<p>Horses are allowed on the marked horse trail circuit beginning in Yarrambat Park according to on-ground signage.</p> <p>Horses are allowed in fair weather conditions.</p> <p>Group size is limited to 10 horses.</p>
45(1)(a)	Engaging in sport or recreational activity	To set aside an area of a park as an area where sport or recreational activity is prohibited.	<p>The following areas:</p> <ul style="list-style-type: none"> - wetlands at the Hawkstowe picnic area and Le Page historic homestead (includes the water, marsh, swamp and bog vegetation) - Morang Wetlands (includes the water, marsh, swamp and bog vegetation) to the Plenty River - Tanunda Wetlands (includes the water, marsh, swamp and bog vegetation) <p>as indicated on Map 1 (Attachment 1) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands.</p>	At all times.	Diving, swimming and wading are not allowed.

OFFICIAL

Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
45(1)(a)	Engaging in sport or recreational activity	To set aside an area of a park as an area where sport or recreational activity is prohibited.	<p>The following areas:</p> <ul style="list-style-type: none"> - wetlands at the Hawkstowe picnic area and Le Page historic homestead (includes the water, marsh, swamp and bog vegetation) - Morang Wetlands (includes the water, marsh, swamp and bog vegetation) to the Plenty River - Tanunda Wetlands (includes the water, marsh, swamp and bog vegetation) <p>as indicated on Map 1 (Attachment 1) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/plenty-gorge-parklands.</p>	At all times.	Fishing is not allowed.

OFFICIAL

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
 - (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.

OFFICIAL

Table

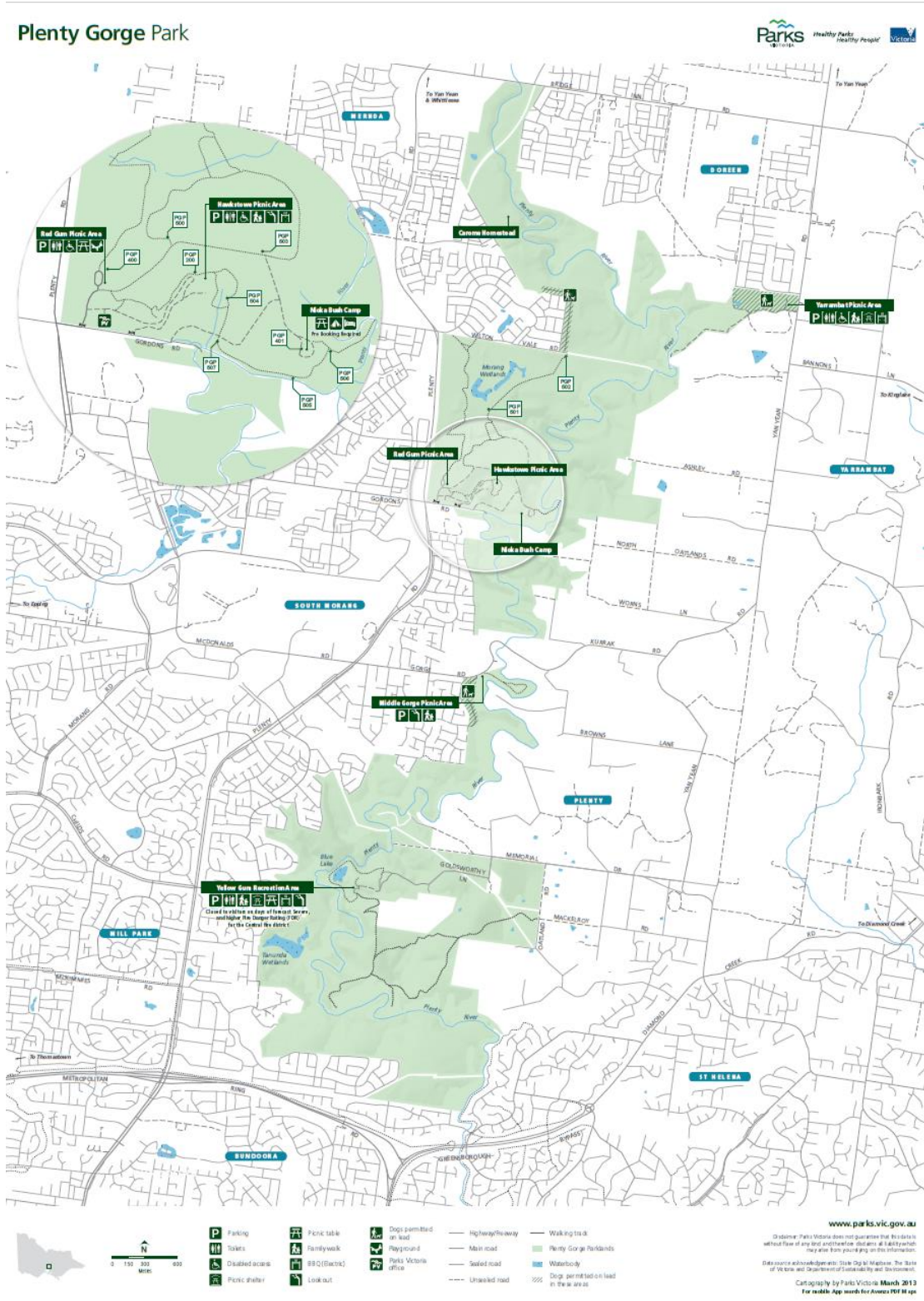
<i>Column 1 Specified regulation</i>	<i>Column 2 Extent to which specified regulation applies</i>
Regulation 12	The whole
Regulation 16(3)	To the extent that it relates to a fee imposed under regulation 16(1)(b) or (1)(c)
Regulation 17(6)	The whole
Regulation 19(3), (4) and (5)	The whole
Regulation 21	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(2) 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

OFFICIAL

OFFICIAL

Attachment 1

Map 1 Plenty Gorge Parklands Parks Victoria Website



OFFICIAL

Attachment 2

Map 2 of mountain bike trails

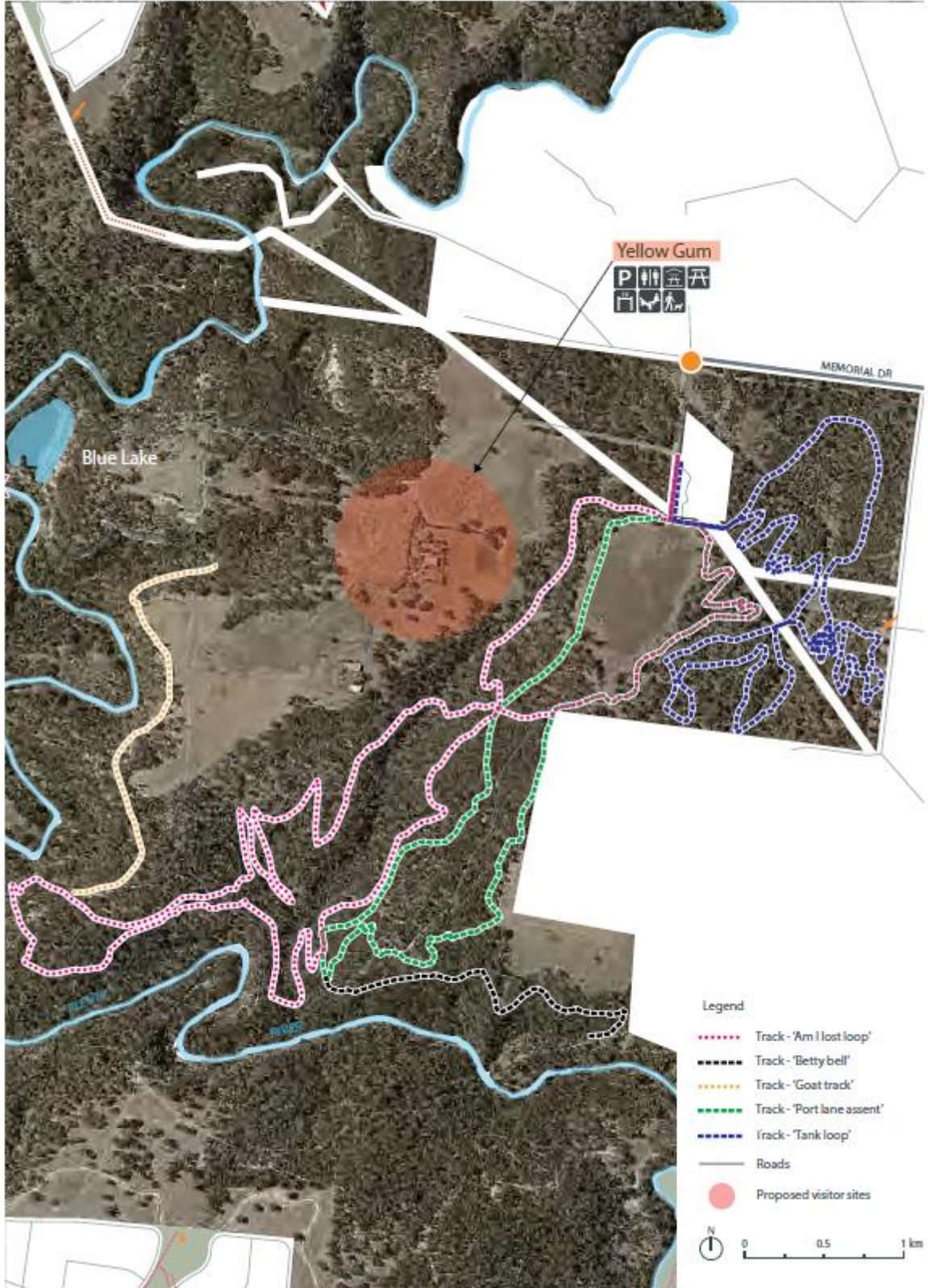


Figure 12: Mountain bike track formalisation proposal

OFFICIAL

Attachment 3

Map 3 Dog on leash areas Plenty Gorge Park MASTER PLAN October 2018

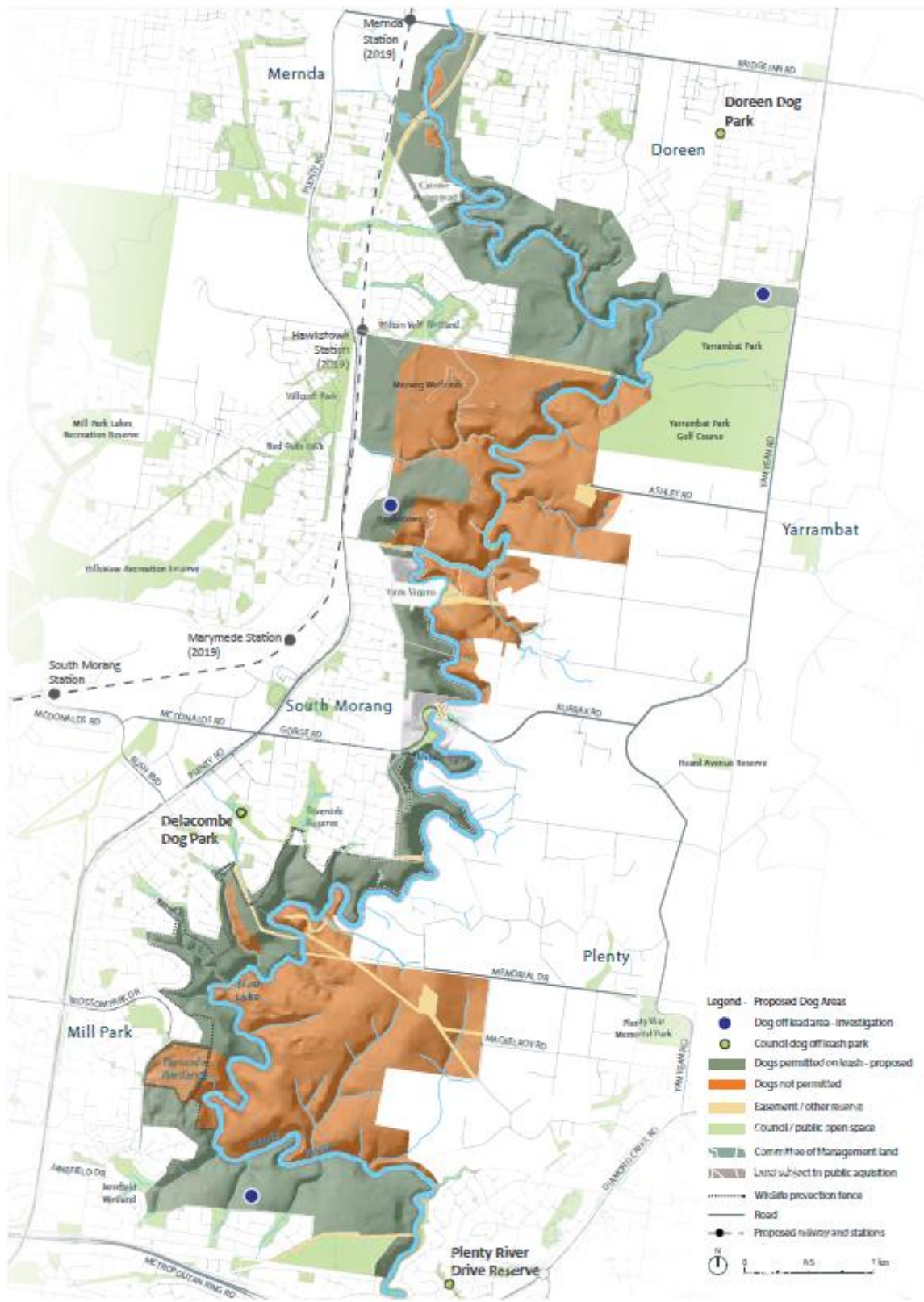


Figure 7: Proposed revised dog on leash areas

OFFICIAL

Attachment 4

Map 4 Marked horse trail circuit beginning in Yarrambat Park

