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Crown Land (Reserves) Act 1978

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

Set Aside(s) for Westgate Park

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



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Name Kylie Trott

Title Executive Director Operations of Parks Victoria

Date 22/04/2024

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Areas set aside in Westgate Park

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.	Ibis Island within Freshwater Lake (includes the water, marsh, swamp and bog vegetation) as indicated on Map 1 from the <i>Parks Victoria Westgate Park Visitor Guide</i> (Attachment 1) and as per the information provided on the Parks Victoria website https://www.parks.vic.gov.au/places-to-see/parks/westgate-park .	At all times.	<i>N.B. Access is prohibited for the purposes of 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.	The Bay Trail as indicated on Map 1 from the <i>Parks Victoria Westgate Park Visitor Guide</i> (Attachment 1) and as per the information provided on the Parks Victoria website https://www.parks.vic.gov.au/places-to-see/parks/westgate-park .	At all times.	Bicycles, skateboards, roller skates, in-line roller blades or coasters and scooters are allowed on the Bay Trail. <i>N.B. Non-compliant electric bicycles and electric scooters are not allowed. Non-compliant electric bicycles are power-assisted bicycles over 200 watts that don't meet the definition of a bicycle set out in the Transport (Compliance and Miscellaneous) Act (1983).</i>
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	All picnic areas as indicated on Map 1 from the <i>Parks Victoria Westgate Park Visitor Guide</i> (Attachment 1), outlined in the <i>Parks Victoria Westgate Park Visitor Guide</i> (Attachment 2) and as per the information provided on the Parks Victoria website	At all times.	Fires using gaseous and liquid fuels in portable barbeques, fuel stoves, burners and heaters are allowed.

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Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
		or barbeque is permitted.	https://www.parks.vic.gov.au/places-to-see/parks/westgate-park .		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.
39(3)(a)	Dogs	To set aside an area of a park as an area where dogs are prohibited.	Freshwater Lake, Ibis Island and Saltwater Lake (includes the water, marsh, swamp and bog vegetation) as indicated on Map 1 from the <i>Parks Victoria Westgate Park Visitor Guide</i> (Attachment 1), outlined in the <i>Parks Victoria Westgate Park Visitor Guide</i> (Attachment 2) and as per the information provided on the Parks Victoria website https://www.parks.vic.gov.au/places-to-see/parks/westgate-park .	At all times.	Dogs are not allowed in Freshwater Lake, Ibis Island and Saltwater Lake (includes the water, marsh, swamp and bog vegetation). <i>N.B. Dogs are prohibited for the care, protection and management of the park.</i>
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 as indicated on Map 1 from the <i>Parks Victoria Westgate Park Visitor Guide</i> (Attachment 1), outlined in the <i>Parks Victoria Westgate Park Visitor Guide</i> (Attachment 2) and as per the information provided on the Parks Victoria website https://www.parks.vic.gov.au/places-to-see/parks/westgate-park .	At all times.	Horses are not allowed in the park.
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.	Freshwater Lake, Ibis Island and Saltwater Lake (includes the water, marsh, swamp and bog vegetation) as indicated on Map 1 from the <i>Parks Victoria Westgate Park Visitor Guide</i> (Attachment 1), outlined in the <i>Parks</i>	At all times.	Diving, swimming and wading are not allowed.

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Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
			<i>Victoria Westgate Park Visitor Guide (Attachment 2)</i> and as per the information provided on the Parks Victoria website https://www.parks.vic.gov.au/places-to-see/parks/westgate-park .		
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.	Freshwater Lake, Ibis Island and Saltwater Lake (includes the water, marsh, swamp and bog vegetation) as indicated on Map 1 from the <i>Parks Victoria Westgate Park Visitor Guide (Attachment 1)</i> , outlined in the <i>Parks Victoria Westgate Park Visitor Guide (Attachment 2)</i> and as per the information provided on the Parks Victoria website https://www.parks.vic.gov.au/places-to-see/parks/westgate-park .	At all times.	Fishing is not allowed.

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

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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.

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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

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Attachment 1

Map 1 Westgate Park Visitor Guide

Westgate Park
Melbourne



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|------------------------|-------------------|-----------------------|---------------|------------------|
| Parking | Information | Toilets | Freeway | Westgate Park |
| Bridge | Picnic table | Windmill | Sealed road | Emergency marker |
| Earth series sculpture | Lookout | Bus stop & bus number | Walking track | |
| Barbecue (electric) | Drinking fountain | | | |

www.parks.vic.gov.au
Disclaimer: Parks Victoria does not guarantee that this data is without flaw of any kind and therefore disclaims all liability which may arise from you relying on this information. Cartography by Parks Victoria October 2017.
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