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Crown Land (Reserves) Act 1978

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

Set Aside(s) for Braeside 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 24/06/2024

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Areas set aside in Braeside 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.	Heathland Conservation Area as shown on Map 1 (Attachment 1), outlined in the <i>Braeside Park Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/braeside-park .	At all times.	Access to the Heathland Conservation Area is not allowed.
18(1)(b)	Area where access is prohibited or restricted	To set aside an area to which access is restricted.	The following carparks: <ul style="list-style-type: none"> - P2 Kestrel - P3 Goshawk - P4 Pelican - P5 Ibis - P6 Robin - P7 Magpie - P8 Kookaburra - P9 Rosella - P10 Cockatoo as shown on Map 1 (Attachment 1), outlined in the <i>Braeside Park Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/braeside-park .	9pm to 7am.	Vehicle access is restricted from 9pm to 7am.
18(1)(b)	Area where access is prohibited or restricted	To set aside an area to which access is restricted.	Red Gum Carpark as shown on Map 1 (Attachment 1), outlined in the <i>Braeside Park Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website	4pm to 8am.	Vehicle access is restricted from 4pm to 8am.

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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
			Website https://www.parks.vic.gov.au/places-to-see/parks/braeside-park .		<i>N.B. This determination is necessary for the purposes of the care, protection and management of the park.</i>
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 vehicles is prohibited.	<p>The following multi-purpose trails:</p> <ul style="list-style-type: none"> - Heathland Trail - Red Gum Trail - The Phar Lap Track - Wetlands Trail <p>as shown on Map 1 (Attachment 1), outlined in the <i>Braeside Park Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/braeside-park.</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 multi-purpose trails.</p> <p><i>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></p> <p><i>N.B. A person must not use or operate, park or leave standing a motorised vehicle in an area set aside under regulation 29(1)(a) in contravention of a determination.</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	Management Vehicle Only paths, tracks and roads as follows:	At all times.	Motorised vehicles including AWD vehicles, 2WD vehicles, 4WD vehicles, motorbikes,

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Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
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		or parking of vehicles or a class of vehicles is prohibited.	<ul style="list-style-type: none"> - all roads and tracks in the Heathland Conservation Area - Cypress Drive in front of the Visitor Centre - Sets Track except for the Red Gum Trail portion of Sets Track as indicated on Map 1 (Attachment 1), outlined in the <i>Braeside Park Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/braeside-park .		<p>trailbikes, and non-compliant electric bicycles and scooters and non-motorised vehicles including bicycles, skateboards, roller skates, in-line roller blades or coasters and scooters are prohibited on the paths, tracks and roads set aside as indicated by on-ground signage.</p> <p><i>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></p> <p><i>N.B. A person must not use or operate, park or leave standing a motorised vehicle in an area set aside under regulation 29(1)(a) in contravention of a determination.</i></p>
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	The following multi-purpose trails: <ul style="list-style-type: none"> - Heathland Trail - Red Gum Trail - The Phar Lap Track 	At all times.	Bicycles, skateboards, roller skates, in-line roller blades or coasters and scooters are allowed on the multi-purpose

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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
		operating a vehicle or class of vehicle is permitted.	<ul style="list-style-type: none"> - Wetlands Trail as shown on Map 1 (Attachment 1), outlined in the <i>Braeside Park Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/braeside-park. 		trails set aside as indicated by on-ground signage. <i>N.B. Non-compliant electric bicycles and electric scooters are not allowed. Non-compliant electric bicycles and scooters 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>
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.	The following picnic areas: <ul style="list-style-type: none"> - Telford Picnic Area - Federation Picnic Area - Red Gum Picnic Area as shown on Map 1 (Attachment 1), outlined in the <i>Braeside Park Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/braeside-park .	At all times.	Fires using gaseous and liquid fuels in a barbeque are allowed. All fires are subject to the <i>Forest (Fire Protection) Regulations 2014</i> . The person responsible for the liquid or gaseous fuelled barbeque must keep a 1.5m air and ground perimeter clear of flammable material around their barbeque.

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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
39(3)(a)	Dogs	To set aside an area of a park as an area where dogs are prohibited.	All of the park as shown on Map 1 (Attachment 1), outlined in the <i>Braeside Park Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/braeside-park .	At all times.	Dogs are not allowed in the area set aside.
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 shown on Map 1 (Attachment 1), outlined in the <i>Braeside Park Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/braeside-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.	All of the park as shown on Map 1 (Attachment 1), outlined in the <i>Braeside Park Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/braeside-park .	At all times.	Diving, swimming and wading are not allowed.
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.	All of the park as shown on Map 1 (Attachment 1), outlined in the <i>Braeside Park Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/parks/braeside-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.

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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.

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- (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.

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(20 and (3)	The whole
Regulation 38(2) and (3)	The whole

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<i>Column 1</i> <i>Specified regulation</i>	<i>Column 2</i> <i>Extent to which specified regulation applies</i>
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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Attachments 1

Map 1 Braeside Park Visitor Guide

Braeside Park



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 April 2022
For mobile App search for Avenza PDF Maps

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Attachment 2 - Braeside Park Visitor Guide

Braeside Park Visitor Guide



Braeside Park offers a variety of educational and recreational opportunities. It protects significant environmental and cultural heritage, from Aboriginal occupation to European settlement. You can stroll through the park's Red Gum grassy woodlands, heathland and around the wetlands, which provide a series of diverse, complex and valuable environmental communities.



Opening hours

The park is open from sunrise to sunset.

One-way spikes at the Lower Dandenong Road exit allow you to enjoy the park and leave at your leisure. The Governor Road entrance closes at 4pm daily, with one way spikes so you can leave at your leisure.

Getting there

Braeside Park is accessible from two entrances:

- Lower Dandenong Road entrance, (Melway reference 88 D8) provides access to the Telford and Federation picnic areas, toilets, visitor centre, playground, park office and trails.
- Governor Road entrance, (Melway reference 93 F2) provides access to the Red Gum Picnic Area, wetlands and trails.

Things to see and do

Walking

Get active and walk, jog or cycle along the twelve kilometres of meandering multi-purpose trails. Alternatively, stroll through the interactive community garden or see the nearby muralled art walls depicting the flora, fauna and cultural heritage of the area, or gaze at the tree stump art carvings of local celebrities on Cypress Drive.



Self-Guided Heathland Trail – 1.2km, 30 minutes circuit

Get in touch with nature and discover the diverse range of bird life along the Heathland Trail. Listen for frogs or search for an echidna. Braeside Park is a haven for native plants, such as Tiger Orchids, Wedding-bush and old River Red Gums.



Red Gum Trail – 1km, 20 minutes one way

Before European settlement, Aboriginal tribes hunted, camped and gathered food in the area. Later it was used for grazing, market gardens and a sewage treatment plant.



The Phar Lap Track – 2km, 30 minutes circuit

Walk where Phar Lap's hooves have pounded the turf along the historic racecourse trail.



Wetlands Trail – 4km, 1.5 hour circuit

Over 235 bird species have been recorded in the park, including the New Holland Honeyeater, Blue-billed Duck and Latham's Snipe. The southern part of this track is only accessible in summer.

Parks Victoria

Phone 13 1963
www.parks.vic.gov.au

Adventure playground

Come and try the adventure playground. Modules are included for junior kids and disabled access, as well as older children.

Get involved

You can be involved in activities such as propagation, planting days, bird watching, water quality monitoring and the community garden with community groups including the Friends of Braeside Park and the Dingley Village Men's Shed. For more information check online www.parks.vic.gov.au or call 13 1963.

Facilities

Cook up a feast on one of the free electric barbecues or enjoy a picnic on the lawn. There are two shared shelters for inclement weather.

Caring for the environment

Help us look after this park:

- Take all rubbish home with you for recycling or disposal
- Dogs, cats and horses are not permitted in the park
- Portable gas barbecues only
- All native plants and animals are protected
- Leave the park as you find it
- Model aircraft are not permitted.

Be prepared and stay safe

For emergency assistance call Triple Zero (000). If there is a green emergency marker sign near you, read the information on the marker to the operator. Braeside Park is in the central fire district. Bushfire safety is a personal responsibility. Anyone entering parks and forests during the bushfire season needs to stay aware of forecast weather conditions. Check the Fire Danger Rating and for days of Total Fire Ban at emergency.vic.gov.au, on the VicEmergency smartphone app or call the VicEmergency Hotline on 1800 226 226. No fires may be lit on Total Fire Ban days. On Catastrophic Fire Danger Rating days this park will be closed for public safety. Warnings signs may be erected, but do not expect a personal warning.

Check the latest conditions at parks.vic.gov.au or by calling 13 1963.

Snakes also live in the park. Please respect them. Braeside Park is their home, where they belong.



Healthy Parks
Healthy People

