



# Victoria Government Gazette

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## Subordinate Legislation Act 1994

### NOTICE OF DECISION

#### Alpine Resorts (Management) Regulations 2020

I, Lily D'Ambrosio MP, Minister for Energy, Environment and Climate Change, give notice under section 12 of the **Subordinate Legislation Act 1994** (the Act) of my decision to make the proposed Alpine Resorts (Management) Regulations 2020 (the proposed Regulations).

A regulatory impact statement (RIS) was prepared in relation to the proposed Regulations. Public comments and submissions on the RIS and proposed Regulations were invited, and 8 submissions were received.

After consideration of these submissions in accordance with section 11 of the Act, I have decided to proceed with the making of the proposed Regulations with the following amendments:

- Amending regulation 19 in the proposed Regulations to provide that an offence against subregulation 19(1) is an operator onus offence for the purposes of Part 7AA of the **Road Safety Act 1986**. This amendment was made to address an enforcement gap where a vehicle enters an alpine resort without paying the requisite entry fee and the driver of the vehicle at the time of entry cannot be located.
- The addition of a regulation that provides for the exemption of members of Traditional Owner group entities, within the meaning of the **Traditional Owner Settlement Act 2010**, from specific offences, where the group entity has an agreement under Part 6 of the **Traditional Owner Settlement Act 2010**. This regulation has been added in order to recognise Traditional Owner groups' rights over Crown land, including their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs.
- Amending subregulation 19(2) to ensure that fees for entry to an alpine resort do not apply to a member of a Traditional Owner group entity with an agreement under Part 6 of the **Traditional Owner Settlement Act 2010**.

The proposed Regulations also include some minor and technical amendments.

Dated 9 November 2020

LILY D'AMBROSIO MP  
Minister for Energy, Environment and Climate Change

**SPECIAL**

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