# Forestry Regulation 2015

**Subordinate Legislation 2015 No. 83**

made under the

*Forestry Act 1959*
*Marine Parks Act 2004*
*Nature Conservation Act 1992*
*State Penalties Enforcement Act 1999*

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Part 1 Preliminary

1 Short title
   This regulation may be cited as the Forestry Regulation 2015.

2 Commencement
   This regulation commences on 16 August 2015.

3 Definitions
   The dictionary in schedule 7 defines particular words used in this regulation.

Part 2 Timber reserves and State forests

Division 1 Timber reserves

4 Timber reserves—Act, s 28
   Each timber reserve is described in schedule 1.

Division 2 Declarations about State forests

Note—
   For land set apart and declared as State forest under section 25 of the Act, see the Forestry (State Forests) Regulation 1987.

5 State plantation forests—Act, s 32A
   Each State plantation forest is described in schedule 2.
6 Feature protection areas—Act, s 34A
Each feature protection area is described in schedule 3.

7 Scientific areas—Act, s 34A
Each scientific area is described in schedule 4.

8 State forest parks—Act, s 34A
Each State forest park is described in schedule 5.

Division 3 References to plans mentioned in schs 1–5

9 Plan references and plan availability
(1) A plan mentioned in any of schedules 1 to 5 with a number beginning with FTY or FSM is a plan—
   (a) held by the department; and
   (b) available for inspection by members of the public at the head office of the department during normal business hours.

(2) A plan mentioned in any of schedules 1 to 5, other than a plan mentioned in subsection (1), is a plan—
   (a) held by the department administering the Land Act 1994; and
   (b) available for inspection by members of the public at the head office of that department during normal business hours.
Part 3 Regulating and controlling State forests and timber reserves

Division 1 Conduct

10 General misconduct

(1) A person in a State forest or timber reserve must not, without reasonable excuse—
   (a) be disorderly or unreasonably disturb someone else in the State forest or timber reserve; or
   (b) do anything that interferes, or is likely to interfere, with the health or safety of the person or someone else in the State forest or timber reserve.

   Maximum penalty—20 penalty units.

(2) Subsection (1)(b) does not apply to conduct to the extent to which the Work Health and Safety Act 2011 applies to the conduct.

(3) A person must not, in a State forest or timber reserve, restrict access to a part of the State forest or timber reserve or a barbecue, table or other facility in the State forest or timber reserve.

   Examples of restricting access—
   cordonning off, claiming to have an exclusive right to use

   Maximum penalty—20 penalty units.

(4) Subsection (3) does not apply to a person who restricts the access mentioned in subsection (3) under an authority, agreement or lease under an Act authorising the person to restrict the access.

11 Disturbance by amplified sound

A person in a State forest or timber reserve must not, without
reasonable excuse, use a sound amplifying system, including, for example, a radio, in a way that unreasonably disturbs someone else or an animal in the State forest or timber reserve.

Maximum penalty—20 penalty units.

12 Use of generator, compressor etc. in particular area of State forest

(1) A person must not, in a feature protection area or State forest park (each the area), use a generator, compressor or similar machine unless its use is allowed under—

(a) a regulatory notice displayed in or near the area; or
(b) an authority, agreement or lease under the Act for the area.

Maximum penalty—20 penalty units.

(2) Subsection (1) does not apply to a person if—

(a) the person uses a generator to operate a device for the treatment of a person’s medical condition; and
(b) the generator does not emit a noise of more than 65dB(A) when measured 7 metres from the generator.

(3) In this section—

medical condition, of a person, means a medical condition for which the person has a medical certificate or other document issued by a doctor stating that the person has the condition.

13 Soliciting donation or personal information

(1) A person in a State forest or timber reserve must not, without authority under the Act, solicit—

(a) a donation from someone else in the State forest or timber reserve; or
(b) information that is personal information or information sought for a survey from someone else in the State forest or timber reserve.

Maximum penalty—20 penalty units.

(2) Subsection (3) applies if—

(a) the holder of an authority under the Act to solicit a donation or the information mentioned in subsection (1) solicits a donation or information from someone else in a State forest or timber reserve; and

(b) the other person indicates to the holder that the person does not want to give the holder the donation or information.

(3) The holder must not solicit the donation or information from the other person after the indication is given.

Maximum penalty—20 penalty units.

14 Erecting or displaying relevant notice

(1) A person, other than the chief executive or a person authorised by the chief executive, must not, in a State forest or timber reserve, erect or display a relevant notice unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(2) A person must not, without lawful authority, interfere with a relevant notice that is erected or displayed with the authority of the chief executive in—

(a) for a relevant notice that is not the property of the State—a State forest; or

(b) a timber reserve.

Note for paragraph (a)—

See section 86(1)(j) of the Act for interfering with a notice that is the property of the State.

Maximum penalty—20 penalty units.

(3) In this section—
interfere with a relevant notice, includes take, destroy or damage the relevant notice.

relevant notice means a sign, pictograph or other device (of whatever material and whether fixed or movable).

15 Taking away timber supplied as firewood

A person must not take away from a State forest or timber reserve timber supplied by the chief executive for use as firewood in the State forest or timber reserve.

Maximum penalty—20 penalty units.

Division 2 Animals

16 Particular animals not allowed to enter

A person in charge of an animal, other than a dog, must not allow the animal to enter a State forest or timber reserve unless the person—

(a) allows the animal to enter under a regulatory notice displayed in the State forest or timber reserve; or

(b) allows the animal to enter the State forest or timber reserve under an authority under the Act; or

(c) conducts an activity in the State forest or timber reserve under an authority under an Act and the animal is being used to help conduct the activity under the authority.

Maximum penalty—20 penalty units.

17 Particular animals not allowed to stay

A person in charge of an animal, other than a dog, must not allow the animal to stay in a State forest or timber reserve unless the person—
(a) allows the animal to stay in an area in the State forest or timber reserve designated by a regulatory notice as an area where the animal may stay; or
(b) allows the animal to stay in the State forest or timber reserve under an authority under the Act; or
(c) conducts an activity in the State forest or timber reserve under an authority under an Act and the animal is being used to help conduct the activity under the authority.

Maximum penalty—20 penalty units.

Note—
See also section 20 or 22(2) for the circumstances in which a person in charge of a dog or horse may allow the dog or horse to stay overnight in a State forest or timber reserve.

18 Dog to be under control

(1) A person in charge of a dog in a State forest or timber reserve must ensure the dog is under control in the State forest or timber reserve.

Maximum penalty—20 penalty units.

(2) Subsection (1) does not apply to a person in charge of a dog in a State forest or timber reserve if—
(a) the person conducts an activity in the State forest or timber reserve under an authority under an Act; and
(b) the dog is being used to help conduct the activity under the authority.

(3) In this section—

_under control_, for a dog, means—

(a) the dog is controlled by a person who is physically able to control the dog by holding the dog by a leash that is appropriate to restrain the dog; or

(b) the dog—

(i) is securely tethered to a fixed object; and
19 Dog not to cause nuisance

(1) A person in charge of a dog in a State forest or timber reserve must not allow the dog to behave in a way that—

(a) causes a nuisance to or unreasonably disturbs someone else or another animal in the State forest or timber reserve; or

(b) is dangerous to a person or animal, or damages property, in the State forest or timber reserve.

Maximum penalty—20 penalty units.

(2) Subsection (1) does not apply to a person in charge of a dog in a State forest or timber reserve if—

(a) the person conducts an activity in the State forest or timber reserve under an authority under an Act; and

(b) the dog is being used to help conduct the activity under the authority; and

(c) the person takes reasonable steps to—

(i) minimise the nuisance or disturbance; or

(ii) prevent any danger or damage.

20 Dog not to stay overnight

A person in charge of a dog in a State forest or timber reserve must not allow the dog to stay overnight in the State forest or timber reserve unless the person—
(a) allows the dog to stay overnight in an area in the State forest or timber reserve designated by a regulatory notice as an area where dogs may stay overnight; or

(b) conducts an activity in the State forest or timber reserve under an authority under an Act and the dog is being used to help conduct the activity under the authority; or

(c) has a reasonable excuse.

Maximum penalty—20 penalty units.

21 Horse to be under control

(1) A person in charge of a horse in a State forest or timber reserve must ensure the horse is under control in the State forest or timber reserve.

Maximum penalty—20 penalty units.

(2) In this section—

under control, for a horse, means the horse—

(a) is controlled by a person by 1 of the following that is appropriate to restrain the horse—

(i) a bridle and rein;

(ii) a halter;

(iii) a headstall and lead; or

(b) is securely tethered to a fixed object; or

(c) is securely held in an enclosure in the State forest or timber reserve made available for use by the chief executive or otherwise under an authority under an Act.

22 Horse not to obstruct or stay overnight

(1) A person in charge of a horse in a State forest or timber reserve must not tether the horse at a place in the State forest or timber reserve where the horse obstructs or prevents, or may obstruct or prevent, the free passage on a road or track of someone else, another animal or a vehicle.
23 Equestrian events

(1) A person must not organise or promote the conduct of, or conduct, an equestrian event in a State forest or timber reserve unless the equestrian event is to be, or is, conducted in the State forest or timber reserve under an authority, agreement or lease under the Act.

Maximum penalty—20 penalty units.

(2) A person in charge of a horse in a State forest or timber reserve must not compete, or allow the horse to be used for competing, in an equestrian event in the State forest or timber reserve unless—

(a) the equestrian event is conducted under an authority, agreement or lease under the Act; or

(b) the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(3) In this section—

*equestrian event* includes an equestrian race, trial or exhibition.
Division 3     Vehicles

24    Application of div 3

This division applies to all areas, including roads, in a State forest or timber reserve.

25    Licence requirement

(1) A person must not, in a State forest or timber reserve, drive or ride a vehicle unless the person holds a driver licence to drive or ride the vehicle on a road.

Maximum penalty—20 penalty units.

(2) In this section—

driver licence see the Transport Operations (Road Use Management) Act 1995, schedule 4.

26    Registration requirement

(1) A person must not, in a State forest or timber reserve, drive or ride a vehicle that is required, under a Registration Act, to be registered unless—

(a) the vehicle is registered; or

(b) if the vehicle is an unregistered vehicle—

(i) the person drives or rides, in the State forest or timber reserve, the unregistered vehicle under an authority or agreement under the Act; and

(ii) the unregistered vehicle is not driven or ridden on a road; and

(iii) the unregistered vehicle is not used for recreational purposes.

Maximum penalty—20 penalty units.

(2) A person must not bring into a State forest or timber reserve a vehicle unless—
(a) the vehicle is registered; or

(b) if the vehicle is an unregistered vehicle—the person brings the unregistered vehicle into the State forest or timber reserve under an authority or agreement under the Act.

Maximum penalty—20 penalty units.

(3) The authority or agreement mentioned in subsection (1)(b)(i) to drive or ride an unregistered vehicle in a State forest or timber reserve is taken to include the authority or agreement mentioned in subsection (2)(b) to bring the unregistered vehicle into the State forest or timber reserve, if the unregistered vehicle—

(a) is brought into the State forest or timber reserve, by a registered vehicle, to be driven or ridden under the authority or agreement mentioned in subsection (1)(b)(i); and

(b) is not driven or ridden on a road; and

(c) is not used for recreational purposes.

(4) In this section—

bring, a vehicle into a State forest or timber reserve, does not include drive or ride the vehicle into or in the State forest or timber reserve.

registered, in relation to a vehicle, means the vehicle may, under a Registration Act, be lawfully used on a road.

Registration Act means—

(a) the Transport Operations (Road Use Management) Act 1995; or

(b) a law of another State or the Commonwealth that corresponds to the Transport Operations (Road Use Management) Act 1995.

unregistered vehicle has the meaning given by the Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010, section 6(2).
27 Approval requirement for conditionally registered vehicle

(1) A person must not, in a State forest or timber reserve, drive or ride a conditionally registered vehicle unless the person has the chief executive’s written approval.

Maximum penalty—20 penalty units.

(2) The chief executive may give an approval under subsection (1) if the person is to drive or ride the conditionally registered vehicle—

(a) for a commercial purpose under an authority or agreement under the Act; or

Examples of using a conditionally registered vehicle for a commercial purpose under paragraph (a)—

- using the vehicle to conduct an activity under a commercial activity permit
- using the vehicle to conduct an activity under a permit for an apiary site
- using the vehicle as part of forest operations, including harvesting, silviculture or infrastructure management
- using the vehicle to extract, process or remove quarry material as authorised under the Act

(b) for a commercial purpose under an authority under another Act to use land in the State forest or timber reserve; or

Example of using a conditionally registered vehicle for a commercial purpose under paragraph (b)—

using the vehicle to muster stock in a State forest or timber reserve under a permit to graze stock under the Land Act 1994

(c) to provide a service to users of a State forest or timber reserve; or

Examples of using a conditionally registered vehicle for providing services to users of a State forest or timber reserve—

- using the vehicle to provide a mechanical or vehicle towing service to a visitor in a State forest or timber reserve
- using the vehicle for carrying out maintenance on a privately owned facility in a State forest or timber reserve
(d) to conduct a group activity under section 73C(2) of the Act; or

(e) for the management of the State forest or timber reserve; or

Example of using a conditionally registered vehicle for the management of a State forest or timber reserve—

using the vehicle for carrying out works, spraying weeds or controlling animals

(f) to carry out an emergency or rescue activity; or

(g) to enforce a law of the State; or

(h) for the sole purpose of going directly through the State forest or timber reserve to or from other land outside the State forest or timber reserve if—

(i) the person owns or occupies the other land or is authorised by the owner or occupier of the other land to enter the land; and

(ii) the chief executive considers the most direct and reasonable route to or from the other land is through the State forest or timber reserve.

Example—

A person would be using a conditionally registered vehicle for the sole purpose of going directly through a State forest or timber reserve if the person were using the vehicle only to go through the State forest or timber reserve and not for another purpose, for example, recreation, during the journey.

(3) Also, the chief executive may give an approval under subsection (1) if the chief executive reasonably believes the person who is to drive or ride the conditionally registered vehicle is suffering from a condition that—

(a) is not temporary; and

(b) significantly restricts the person’s mobility.

(4) However, the chief executive must not give an approval for the use of a conditionally registered vehicle in a State forest or timber reserve under subsection (2)(a), (b), (c), (d) or (h) or
subsection (3) if the chief executive considers the use of the conditionally registered vehicle would be likely to—
(a) cause unreasonable damage to the State forest or timber reserve; or
(b) pose a serious risk to the health or safety of the public in the State forest or timber reserve.
(5) For subsection (3), the chief executive may ask a person to give the chief executive a medical certificate or other document issued by a doctor to verify the nature of the person’s condition.
(6) In this section—
conditionally registered vehicle has the meaning given by the Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010.

28 Safe use of vehicle by reference to transport legislation
(1) If a person, while in a State forest or timber reserve, does an act or makes an omission that, if done or made on a road, would contravene any of the following provisions of the Queensland Road Rules, the person commits an offence against this subsection—
- section 256(1)
- section 264
- section 265(1) or (3)
- section 266
- section 268
- section 270(1) or (2)
- section 271(4) or (5).
Maximum penalty—20 penalty units.
(2) If a person, while in a State forest or timber reserve, does an act or makes an omission that, if done or made on a road, would contravene the Transport Operations (Road Use
29 Persons on quad bike to wear approved motorbike helmet

(1) The rider of a quad bike that is moving, or is stationary but not parked, must wear an approved motorbike helmet securely fitted and fastened on the rider’s head.

Maximum penalty—20 penalty units.

(2) The rider of a quad bike that is moving, or is stationary but not parked, must not ride with a passenger unless the passenger complies with subsection (3).

Maximum penalty—20 penalty units.

(3) A passenger on a quad bike that is moving, or is stationary but not parked, must wear an approved motorbike helmet securely fitted and fastened on the passenger’s head.

Maximum penalty—20 penalty units.

(4) In this section—

approved motorbike helmet means a helmet that—
[s 30]  
(a) complies with—
   (i) AS 1698; or
   (ii) AS/NZS 1698; or
   (iii) the United Nations Economic Commission for Europe standard 22.05; or
   (iv) another standard the chief executive considers is at least equal to a standard mentioned in subparagraph (i), (ii) or (iii); and
(b) bears a label, or similar mark, indicating compliance with a standard mentioned in paragraph (a).

30 Safe use of motorbike or quad bike

(1) A person riding a motorbike or quad bike in a State forest or timber reserve must ensure that all of the wheels of the motorbike or quad bike stay in contact with the ground while the motorbike or quad bike is moving, unless the person has a reasonable excuse.

   Maximum penalty—20 penalty units.

(2) A person must not, in a State forest or timber reserve, carry a passenger, or travel as a passenger, on a quad bike other than on a seat designed to carry a passenger.

   Maximum penalty—20 penalty units.

(3) In this section—

   motorbike has the meaning given by the Transport Operations (Road Use Management) Act 1995, schedule 4.

   Note—

   Under the Transport Operations (Road Use Management) Act 1995, motorbike is also defined as a 3-wheeled motor vehicle that is ridden in the same way as a 2-wheeled motor vehicle.
31 Other requirements about using vehicle

(1) A person must not, in a State forest or timber reserve, ride or travel in or on something being towed by a moving motor vehicle, unless the person has a reasonable excuse.

   Maximum penalty—20 penalty units.

(2) A person must not, in a State forest or timber reserve, drive or ride a vehicle at a speed or in another way that unreasonably damages or may unreasonably damage the State forest or timber reserve.

   Maximum penalty—20 penalty units.

(3) A person must not, in a State forest or timber reserve, without reasonable excuse—
   (a) drive or ride a vehicle into a place if a barrier or fence has been lawfully erected or placed to prevent entry into the place; or
   (b) operate or use a vehicle in a way that disrupts or may disrupt someone else’s reasonable enjoyment of the State forest or timber reserve; or
   (c) park or stand a vehicle in a way that, or at a place where, the vehicle obstructs or prevents, or may obstruct or prevent, the free passage on a road or track of another vehicle; or
   (d) park or stand a vehicle in a way that, or at a place where, the vehicle is likely to—
      (i) unreasonably damage the State forest or timber reserve; or
      (ii) unreasonably interfere with a forest product in the State forest or timber reserve; or
   (e) park or stand a vehicle at a place designated for parking in a way that does not conform with ground or surface markings used for ordering the parking and standing of vehicles.

   Maximum penalty—20 penalty units.
(4) This section does not apply to an act done under an authority or agreement under the Act.

(5) In subsection (2)—

*State forest* does not include a feature protection area, State forest park or forest drive.

*Note for subsection (5)—*

See section 34G of the Act.

### 32 Driving or riding vehicle in particular area of State forest

A person must not, in a feature protection area or State forest park (each *the area*), drive or ride a vehicle unless the driving or riding of the vehicle in the area is allowed under an authority or agreement under the Act.

Maximum penalty—20 penalty units.

*Note—*

The movement of vehicles in the area may also be regulated or prohibited by notice under section 34G of the Act.

### Division 4 Vessels and aircraft

#### 33 Operation or use of vessel

(1) A person must not, on a lake or watercourse in a State forest or timber reserve, operate or use a motorised vessel unless the use or operation is allowed under—

(a) a regulatory notice displayed in the State forest or timber reserve; or

(b) an authority or agreement under the Act that permits the use or operation of the vessel in the State forest or timber reserve.

Maximum penalty—20 penalty units.

(2) A person must not, on a lake or watercourse in a State forest or timber reserve—
(a) moor, operate or use a vessel in a way that unreasonably damages, or may unreasonably damage, the State forest or timber reserve; or

(b) operate or use a vessel in a way that disrupts or may disrupt someone else’s reasonable enjoyment of the State forest or timber reserve.

Maximum penalty—20 penalty units.

34 Operation of aircraft

A person must not land in, or take off from, a State forest or timber reserve using an aircraft, including, for example, an aeroplane, balloon, hang-glider or paraglider, unless the person—

(a) lands in, or takes off from, the State forest or timber reserve under an authority or agreement under the Act; or

(b) has a reasonable excuse.

Maximum penalty—20 penalty units.

Part 4 Fees

Division 1 Fees

35 Fees

The fees payable under the Act are stated in schedule 6.
Division 2 Waiver

36 Permit activity for charitable, cultural, educational, environmental or scientific purpose

The chief executive may waive the payment of a fee to the extent, including entirely, the chief executive considers appropriate in the circumstances if—

(a) the fee is payable for a matter mentioned in schedule 6, items 1 to 4; and

(b) the activity under the permit is for a charitable, cultural, educational, environmental or scientific purpose.

37 Commercial activity permit—equivalent of application fee paid under another Act

(1) This section applies if—

(a) an application (a *forestry application*) is made for a commercial activity permit under which the commercial activity to be conducted under the permit is to be conducted in 1 or more forestry areas and either or both of the following—

(i) a protected area under the *Nature Conservation Act 1992*;

(ii) a recreation area under the *Recreation Areas Management Act 2006*; and

(b) the applicant has also made an application (*related application*) for an authority (however called) to conduct the activity in the protected area or recreation area; and

(c) the chief executive is satisfied the forestry application and related application can be considered together.

Example—

A person applies for a commercial activity permit to conduct a commercial tour that is to be conducted in the Barakula State Forest and Carnarvon National Park.
The day before the application was made, the person applied, under the Nature Conservation Act 1992, for a commercial activity permit to conduct the tour in Carnarvon National Park and the chief executive has not started considering that application under that Act.

(2) The chief executive may waive all or part of the application fee payable for the forestry application.

(3) However, subsection (2) only applies if the holder has paid an application fee (however called) for the related application.

(4) Also, if the application fee payable for the forestry application is higher than the application fee paid for the related application, the chief executive can only waive an amount that is not more than the application fee paid for the related application.

(5) In this section—

forestry area means—

(a) a forest reserve under the Nature Conservation Act 1992 that was, immediately before its dedication as a forest reserve, a State forest; or
(b) a State forest; or
(c) a timber reserve.

38 Commercial activity permit—equivalent of permit fee paid under another Act

(1) This section applies if—

(a) the chief executive waives all or part of the application fee payable for an application for a commercial activity permit under section 37; and

(b) the holder of the permit has paid a permit fee (however called) for the authority mentioned in section 37(1)(b) (the related authority).

(2) The chief executive must also waive—

(a) if the permit fee paid for the related authority is the same or higher than the permit fee stated in schedule 6
for the commercial activity permit—the permit fee for the commercial activity permit; or

(b) if the permit fee paid for the related authority is lower than the permit fee stated in schedule 6 for the commercial activity permit—the amount of the permit fee for the commercial activity permit equivalent to the permit fee paid for the related authority.

39 Commercial activity permit—equivalent of daily activity fee paid under another Act

(1) This section applies if—

(a) the holder of a commercial activity permit, other than for filming or photography, conducts the commercial activity authorised under the permit in the State forest, timber reserve or forest reserve to which the permit applies and either or both of the following—

(i) a protected area under the *Nature Conservation Act 1992* (*NC Act*);

(ii) a recreation area under the *Recreation Areas Management Act 2006* (*RAM Act*); and

(b) the activity conducted in the State forest, timber reserve or forest reserve is also conducted for the same clients in the protected area or recreation area under a permit (however called) (*equivalent permit*) issued or granted under the NC Act or the RAM Act that authorises the conduct of the activity; and

(c) the holder has paid a daily fee (however called) for conducting the activity under the equivalent permit.

(2) The daily activity fee for conducting the activity under the commercial activity permit is the amount worked out by deducting the amount of the daily fee paid for conducting the activity under the equivalent permit from the daily activity fee stated in schedule 6 for the commercial activity permit.

(3) If the amount under schedule 6 of the daily activity fee payable for conducting the activity is the same or less than the
amount of the daily fee paid for conducting the activity under the equivalent permit, the chief executive must waive payment of the daily activity fee.

Example—

The holder of a commercial activity permit conducts a commercial tour lasting more than 3 hours for 10 clients in Barakula State Forest and Carnarvon National Park and the holder has paid a daily fee of $33.50 ($3.35 for each client) under the Nature Conservation Act 1992 for conducting the tour in the national park under an equivalent permit under that Act.

The daily activity fee payable for conducting the commercial tour in the State forest under the commercial activity permit is nil, being the daily activity fee stated in schedule 6 for conducting the tour ($3.35 for each client) reduced by $33.50, being the daily fee paid under the Nature Conservation Act 1992 for conducting the tour in Carnarvon National Park under an equivalent permit under that Act.

(4) In this section—

daily activity fee does not include a fee payable for camping overnight.

forest reserve means a forest reserve under the Nature Conservation Act 1992.

Part 5 Repeal

40 Repeal

The Forestry Regulation 1998, SL No. 264 is repealed.
Part 6 Amendment of Forestry (State Forests) Regulation 1987

41 Regulation amended

This part amends the *Forestry (State Forests) Regulation 1987*.

42 Amendment of s 3 (Plan references)

Section 3(a) and (b)—

*omit, insert*—

(a) a plan with a number beginning with FTY is a plan—

(i) held by the department; and

(ii) available for inspection by members of the public at the head office of the department during normal business hours; and

(b) a plan other than a plan mentioned in paragraph (a) is a plan—

(i) held by the department administering the *Land Act 1994*; and

(ii) available for inspection by members of the public at the head office of that department during normal business hours.
Part 7  Amendment of Marine Parks Regulation 2006

43 Regulation amended
This part amends the Marine Parks Regulation 2006.

44 Amendment of s 140 (Restriction on bringing domestic animals into marine park)
Section 140(2)—

*insert*—

Maximum penalty—20 penalty units.

Part 8  Amendment of Nature Conservation (Administration) Regulation 2006

45 Regulation amended
This part amends the Nature Conservation (Administration) Regulation 2006.

46 Amendment of s 34 (Form of authority generally)
Section 34(4)(a), 'Forestry Regulation 1998'—

*omit, insert*—

*Forestry Act 1959*
Part 9 Amendment of State Penalties Enforcement Regulation 2014

47 Regulation amended
This part amends the State Penalties Enforcement Regulation 2014.

48 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)

(1) Schedule 1, entries for the Forestry Act 1959 and Forestry Regulation 1998—

*omit, insert*—

### Forestry Act 1959

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for the first contravention of or failure to comply with section 86(1)(g) ............................ 3 15
for the first contravention of or failure to comply with section 86(1)(j)......................... 3 15
for the first contravention of or failure to comply with section 86(1)(l)......................... 3 15

**Authorised person for service of infringement notices**—a forest officer appointed under the *Forestry Act 1959*, section 17(1)

### Forestry Regulation 2015

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Authorised person for service of infringement notices—a forest officer appointed under the *Forestry Act 1959*, section 17(1)

(2) Schedule 1, entry for the *Marine Parks Regulation 2006*—

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TR 1 on plan FTY1434
TR 157 on plan FTY1077 excluding lot 157 on AP6291
TR 165 on plan FTY1722 excluding lots 1 and 2 on AP19216, lots 1 to 3 on AP19305, lots 1 to 12 on AP19307, lot 7 on SP189923, lot 1 on SP217466, lots 1 to 3 on SP226636, lots 15 and 78 on SP215748, lot 60 on SP215750, lot 172 on SP224303, lot 38 on SP224306, lot 37 on SP224307, lot 572 on SP224309, lots 372 and 472 on SP224310, lot 10 on SP224311, lots 672, 772 and 872 on SP235309, lot 2 on SP171837, lots 1, 2, 3, 17 and 272 on SP224301, lots 100 and 101 on SP224327, lots 372 and 972 on SP224308, lot 2 on SP252499, lot 6 on SP252500 and land shown on SP217466, SP226636, SP215748, SP215750, SP224311, SP235309, SP224301, SP224327 and SP224308 as new road
TR 170 on plan FTY1843 excluding lots 1 and 2 on SP254326
TR 265 on plan FTY1762
TR 296 on plan FTY1438
TR 580 on plan FTY1444
TR 581 on plan FTY1445
TR 766 on plan FTY1420 excluding lot 766 on AP6326
Schedule 2  State plantation forests

section 5

Lot A on PLP0012
Lot A on PLP0034
Lots A, B and C on PLP0067
Lots A, B and C on PLP0082
Lot A on PLP0117
Lots A, B, C, D, E and F on PLP0124
Lots A, B, C, D, E, F, G, H, I, J, K, L and M on PLP0135
Lot A on PLP0138
Lots A, B, C, D, E, F, G and H on PLP0169
Lot A on PLP0179
Lots A, B, C, D, E, F, G, H, I, J, K, L and M on PLP0185
Lots A, B, C and D on PLP0191
Lots A and B on PLP0193
Lots A, B and C on PLP0200
Lots A, B, C, D, E, F, G, H, I and J on PLP0207
Lots A, B and C on PLP0220
Lots A and B on PLP0242
Lots A and B on PLP0256
Lots A, B, C, D, E, F, G and H on PLP0257
Lots A, B, C and D on PLP0258
Lots A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P and Q on PLP0263
Lots A and B on PLP0274
Lots A, B, C, D and E on PLP0283
Lots A, B, C and D on PLP0287
Lots A, B, C, D, E, F, G and H on PLP0289
Lots A, B, C, D and E on PLP0298
Lot A on PLP0310
Lot A on PLP0313
Lots A, B, C, D and E on PLP0316
Lot A on PLP0321
Lot A on PLP0329
Lots A and B on PLP0355
Lots A and B on PLP0359
Lots A, B and C on PLP0379
Lot A on PLP0391
Lots A and B on PLP0466
Lot A on PLP0531
Lots A, B, C, D and E on PLP0546
Lots A, B, C, D, E, F, G, H, I, J, K, L, M, N, O and P on PLP0561
Lot A on PLP0575
Lots A, B, C, D, E, F, G, H, I, J, K and L on PLP0591
Lot A on PLP0593
Lot A on PLP0612
Lot A on PLP0618
Lot A on PLP0637
Lot A on PLP0639
Lots A, B, C and D on PLP0652
Lot A on PLP0658
Lots A, B, C and D on PLP0661
Lots A, B and C on PLP0673
Lots A, B and C on PLP0695
Lots A, B and C on PLP0700
Lots A and B on PLP0753
Lots A, B and C on PLP0766
Lots A, B and C on PLP0792
Lots A, B, C, D, E, F, G, H, I, J, K, L and M on PLP0809
Lots A, B, C, D, E, F and G on PLP0840
Lots A, B and C on PLP0861
Lots A, B, C, D, E, F, G, H, I, J, K and L on PLP0865
Lot A on PLP0868
Lots A, B, C, D, E, F, G, H, I and J on PLP0893
Lot A on PLP0898
Lots A, B, C and D on PLP0909
Lots A, B, C, D, E and F on PLP0915
Lot A on PLP0918
Lots A and B on PLP0944
Lots A, B, C, D, E, F, G, H and I on PLP0952
Lots A, B, C and D on PLP0957
Lots A, B, C, D and E on PLP0958
Lots A and B on PLP0986
Lots A, B, C and D on PLP0997
Lots A, B, C, D, E, F, G, H and I on PLP1004
Schedule 2

Lots A, B, C, D, E and F on PLP1142

Lots A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P and Q on PLP1229


Lots A, B, C, D, E, F, G and H on PLP1419
Schedule 3  Feature protection areas

section 6

FPA 2 on plan FSM57
FPA 3 on plan FSM68
FPA 4 on plan FSM66
FPA 16 on plan FSM127
FPA 22 on plan FSM54
FPA 26 on plan FSM156
FPA 48 on plan FSM69
FPA 58 on plan FSM61
FPA 72 on plan FSM55
FPA 85 on plan FSM71
FPA 93 on plan FSM70
FPA 111 on plan FSM4
Schedule 4 Scientific areas

SA 1 on plan FSM7
SA 3 on plan FSM16
SA 4 on plan FSM17
SA 11 on plan FSM81
SA 16 on plan FSM44
SA 19 on plan FSM133
SA 20 on plan FSM147
SA 21 on plan FSM125
SA 22 on plan FSM136
SA 25 on plan FSM134
SA 26 on plan FSM94
SA 31 on plan FSM20
SA 32 on plan FSM43
SA 33 on plan FSM103
SA 35 on plan FSM114
SA 36 on plan FSM92
SA 49 on plan FSM14
SA 52 on plan FSM28
SA 53 on plan FSM30
SA 54 on plan FSM41
SA 58 on plan FSM50
SA 61 on plan FSM65
SA 63 on plan FSM79
SA 66 on plan FSM89
SA 67 on plan FSM95
SA 68 on plan FSM99
SA 75 on plan FSM135
SA 79 on plan FSM146
SA 81 on plan FSM151
SA 82 on plan FSM152
SA 83 on plan FSM153
SA 85 on plan FSM154
Schedule 5 State forest parks

SFP 3 on plan FSM31
SFP 4 on plan FSM161
SFP 5 on plan FSM33
SFP 6 on plan FSM34
SFP 10 on plan FSM38
SFP 13 on plan FSM49
SFP 19 on plan FSM62
SFP 23 on plan FSM160
Schedule 6  Fees

section 35

1 Camping fee, or camping permit, if a commercial activity permit is not required—
   (a) for each night that the camp site the subject of the permit is to be used for camping and occupied—
      (i) for each person, 5 years or older, taking part in an educational tour or camp of a type approved by the chief executive to occupy the site ............ 3.30
      (ii) otherwise—
           (A) for each other person, 5 years or older, to occupy the site ....................... 5.95
           (B) maximum, for each family to occupy the site ........................................ 23.80
   (b) for each night that the camp site the subject of the permit is to be used for camping but not occupied . . 5.95

2 Commercial activity permit for filming or photography involving more than 10 persons (no prescribed structure involved)—
   (a) application for—
      (i) permit ...................................................... 327.10
      (ii) extension of permit .......................... 327.10
      (iii) renewal of permit .............................. 327.10
   (b) permit fee—for each day for which activities are carried out under the permit. .................. 164.10

Note—
No permit is required and no application or permit fee is payable for filming or photography involving not more than 10 people if no prescribed structure is involved.

3 Commercial activity permit for filming or photography (prescribed structure involved)—
   (a) no more than 5 persons involved in the filming or photography—
(i) application for—
   (A) permit ........................................ 164.10
   (B) extension of permit .......................... 164.10
   (C) renewal of permit ............................ 164.10

(ii) permit fee—for each day for which activities are carried out under the permit .......................... 164.10

(b) 6 to no more than 25 persons involved in the filming or photography—
   (i) application for—
      (A) permit ........................................ 813.00
      (B) extension of permit .......................... 813.00
      (C) renewal of permit ............................ 813.00

   (ii) permit fee—for each day for which activities are carried out under the permit .......................... 813.00

(c) 26 to no more than 50 persons involved in the filming or photography—
   (i) application for—
      (A) permit ........................................ 1634.00
      (B) extension of permit .......................... 1634.00
      (C) renewal of permit ............................ 1634.00

   (ii) permit fee—for each day for which activities are carried out under the permit .......................... 1634.00

(d) 51 or more persons involved in the filming or photography—
   (i) application for—
      (A) permit ........................................ 3280.00
      (B) extension of permit .......................... 3280.00
      (C) renewal of permit ............................ 3280.00

   (ii) permit fee—for each day for which activities are carried out under the permit .......................... 3280.00

4 Commercial activity permit other than for filming or photography—
   (a) application for—
      (i) permit ........................................ 311.50
      (ii) extension of permit ........................ 155.60
(iii) renewal of permit ........................................ 155.60
(b) permit fee—
   (i) for 3 months or less ................................. 62.40
   (ii) for more than 3 months but not more than 1 year. 248.80
   (iii) for more than 1 year but not more than 2 years . 499.70
   (iv) for more than 2 years but not more than 3 years . 706.00
(c) activity fee for each day (the \textit{daily activity fee}) for each client, 5 years or older, of the holder of the permit who takes part in the activity carried out under the permit, other than an educational tour or camp of a type approved by the chief executive—
   (i) if the activity lasts less than 3 hours ............... 1.86
   (ii) if the activity lasts 3 hours or more .............. 3.35
(d) fee for camping for each night camped under the permit for each client, 5 years or older, of the holder of the permit who takes part in the activity carried out under the permit—
   (i) if the activity is an educational tour or camp of a type approved by the chief executive ................. 3.30
   (ii) otherwise .................................................. 5.95
5 Permit to traverse or other authority for conducting a competitive motor vehicle event in a State forest, for each vehicle competing in the event—
   (a) for each kilometre travelled by the vehicle during each day the event is conducted under the permit or authority ......................................................... 1.19
   (b) maximum fee for each day .............................. 43.05
6 Permit to traverse or other authority for conducting a competitive equestrian event in a State forest, for each competitor in the event for each day the event is conducted under the permit .................................................. 4.10
7 Group activity permit—
   (a) application fee ............................................ 30.90
(b) if special access is allowed, special supervision is needed, or an area is reserved for use, for the activity carried out under the permit, fee for each day on which activities are carried out under the permit—

(i) for a vehicle-based activity—for each vehicle used for the activity ......................... 4.50

(ii) for a people-based activity—for each person taking part in the activity .................... 2.29

8 Mustering, holding and releasing stock, the lesser of the following—

(a) the fee for each head of stock mustered (Act, s 72(4)(c)) ........................................ 155.60

(b) the fee for mustering, holding and releasing the stock that the chief executive considers reasonable in the circumstances (Act, s 72(4A))
agreement includes contract.

authority, under an Act, to do something in a State forest or timber reserve means lawful authority (however called) under the Act to do the thing in the State forest or timber reserve.

group activity permit means a permit mentioned in section 73C(2)(c) of the Act under which an activity mentioned in section 73C(1) of the Act is conducted.

operate, a vehicle or vessel, includes—
(a) put in motion an apparatus, device, machinery or motor in, on or attached to the vehicle or vessel; and
(b) drive or ride the vehicle or vessel.

person in charge, of an animal, has the meaning given by the Animal Care and Protection Act 2001, section 12.

prescribed structure means a construction, or equipment, used to facilitate filming or photography, including, for example, a shelter, platform, tower or building, or generator or vehicle, but does not include—
(a) a portable hide large enough to shelter only 1 person; or
(b) a camera or camera accessories; or
(c) a tripod; or
(d) a power source consisting of only dry cells or a single wet cell battery; or
(e) a vehicle used only for transport or camping under a permit or agreement under the Act or the Recreation Areas Management Act 2006.

quad bike has the meaning given by the Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010, schedule 8.
road means a road as defined by the Transport Operations (Road Use Management) Act 1995.

special access means the right to gain access to an area of State forest or timber reserve to conduct a particular activity, if access to conduct the activity would not otherwise be generally permitted.

special supervision means supervision, by an officer of the department, of the conduct of an activity—
(a) capable of causing physical damage to a person or property; or
(b) requiring the maintenance of particular surroundings; or
(c) capable of disturbing the maintenance of particular surroundings.

Example of conduct requiring the maintenance of particular surroundings—
remaining silent if, for the appropriate enjoyment of a particular area of State forest, it is necessary for all persons in the area to remain silent

Example of conduct capable of disturbing the maintenance of particular surroundings—
talking loudly in an area that is a platypus habitat if, for platypus to continue to be visibly present in the area, it is necessary for all persons in the area to remain silent

ENDNOTES

1 Made by the Governor in Council on 6 August 2015.
2 Notified on the Queensland legislation website on 7 August 2015.
3 The administering agency is the Department of National Parks, Sport and Racing.