

Forestry Act 1959

Forestry Regulation 2015

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Queensland

Forestry Regulation 2015

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Forestry Regulation 2015

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*.

[s 5]

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—

cordoning 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.

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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—

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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—

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- (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

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- (ii) is under the supervision of a person who is able to control the dog; or
- (c) the dog is being transported in an enclosed part of a vehicle, carry cage or other suitable closed container; or
- (d) the dog is being transported on the tray of a vehicle and is securely tethered so as to be confined to the vehicle tray.

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—

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- (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. [s 23]

Maximum penalty—20 penalty units.

- (2) A person in charge of a horse in a State forest or timber reserve must not allow the horse to stay overnight in the State forest or timber reserve unless the person—
 - (a) allows the horse to stay overnight in an area in the State forest or timber reserve designated by a regulatory notice as an area where horses may stay overnight; or
 - (b) conducts an activity in the State forest or timber reserve under an authority under an Act and the horse is being used to help conduct the activity under the authority; or
 - (c) has a reasonable excuse.

Maximum penalty—20 penalty units.

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—

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- (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 see the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021,* section 7(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

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- (d) to conduct an organised event 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) Further, the chief executive may give an approval under subsection (1) if—
 - (a) the conditionally registered vehicle is a side-by-side vehicle; and

- (b) the person is to drive the vehicle to participate for recreation in an activity—
 - (i) conducted under an organised event permit; and
 - (ii) for which the vehicle is to operate in compliance with conditions stated in 'code LO6(A)' under the conditional registration guideline under the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021.*
- (5) 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), (3) or (4) 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.
- (6) 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.
- (7) In this section—

conditionally registered vehicle means a conditionally registered vehicle under the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021.*

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—
 - (a) section 256(1);

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- (b) section 264;
- (c) section 264A;
- (d) section 265;
- (e) section 268;
- (f) section 270;
- (g) 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 either of the following provisions of the *Transport Operations (Road Use Management) Act 1995*, the person commits an offence against this subsection—
 - (a) section 83(1), in the circumstances mentioned in paragraph (c) of the penalty for that section;
 - (b) section 84.

Maximum penalty—20 penalty units.

- (3) To remove any doubt, it is declared that if a person who—
 - (a) commits an offence against subsection (1) also commits an offence against a provision of the Queensland Road Rules mentioned in the subsection, the person can be punished for an offence against subsection (1) or an offence against a provision of the Queensland Road Rules mentioned in the subsection, but not both; or
 - commits an offence against subsection (2) also commits (b) an offence against a provision of the Transport **Operations** (Road Use Management) Act 1995 mentioned in the subsection, the person can be punished for an offence against subsection (2) or an offence against the Transport Operations (Road Use Management) Act 1995, section 83(1) or 84, but not both.

[s 30]

30 Safe use of motorbike, quad bike or side-by-side vehicle

(1) A person driving or riding a relevant vehicle in a State forest or timber reserve must ensure that all of the wheels of the vehicle stay in contact with the ground while the vehicle 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 or in a side-by-side vehicle 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.

quad bike see the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021,* section 117(3).

relevant vehicle means a motorbike, quad bike or side-by-side 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.

[s 31]

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.

[s 32]

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.

Forestry Regulation 2015 Part 4 Fees

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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

Subject to division 2, the fees payable under the Act are stated in schedule 6.

35A Rounding of amounts expressed as numbers of fee units

- (1) This section applies for working out the amount of a fee expressed in this regulation as a number of fee units.
- (2) For the purpose of the *Acts Interpretation Act* 1954, section 48C(3), the amount is to be rounded—
 - (a) if the result is not more than \$2.50—to the nearest cent (rounding one-half upwards); or
 - (b) if the result is more than \$2.50 but not more than \$100—to the nearest multiple of 5 cents (rounding one-half upwards); or
 - (c) if the result is more than \$100 but not more than \$500—to the nearest multiple of 10 cents (rounding one-half upwards); or

(d) if the result is more than \$500—to the nearest dollar (rounding one-half upwards).

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.

[s 38]

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

[s 39A]

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. The holder has paid a daily fee equivalent to 3.80 fee units 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 (3.80 fee units for each client) reduced by 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 (also 3.80 fee units for each client).

(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.*

39A Commercial activity permit—daily activity fee waived for tropical cyclone Jasper

- (1) This section applies in relation to a daily activity fee payable under the Act for conducting a commercial activity under a commercial activity permit—
 - (a) in a State forest, timber reserve or forest reserve within a cyclone-affected area; and
 - (b) on a day during the period starting on 1 January 2024 and ending on 31 March 2024.

- (2) Payment of the fee is waived for the holder of the commercial activity permit.
- (3) This section expires on 30 June 2024.
- (4) In this section—

cyclone-affected area means a local government area identified by the Queensland Reconstruction Authority in the document—

- (a) called 'Tropical Cyclone Jasper, associated rainfall and flooding, 13–28 December 2023'; and
- (b) published on the authority's website.

daily activity fee, in relation to a commercial activity permit, means the fee mentioned in schedule 6, item 4(c).

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

Queensland Reconstruction Authority means the Queensland Reconstruction Authority established under the *Queensland Reconstruction Authority Act 2011*, section 7.

Part 5 Repeal

40 Repeal

The Forestry Regulation 1998, SL No. 264 is repealed.

Schedule 1 Timber reserves

section 4

Lot 165 on AP23568 TR 1 on plan FTY1434 TR 157 on plan FTY1077 excluding lot 157 on AP6291 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

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, G, H, I and J on PLP0207 Lot A 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, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W and X on PLP0435 Lots A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U and V on PLP0461 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, L, M, N, O, P, Q, R, S, T, U, V, W, X and Y on PLP0589 Lots A, B, C, D, E, F, G, H, I, J, K and L on PLP0591 Lot A on PLP0593 Lots A, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, B, C, D, E, F, G, H, I, J, K, M, N, O, P, Q, R, S, T, V, X, Y and Z on PLP0611 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, L and M on PLP0865 Lot A on PLP0868 Lots A, B, C, D, E, F, G, H, I and J on PLP0893 Lots A, B, C and D on PLP0909 Lots A, B, C, D, E, F and G on PLP0915 Lot A on PLP0918 Lots A and B on PLP0944 Lot 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 Lot A on PLP0997 Lots A, B, C, D, E, F, G, H and I on PLP1004

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, H, I, J, K, L, M, N, O, P, Q and R on PLP1294

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

section 7

- 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 44 on plan FSM6 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 60 on plan FSM64
- 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

section 8

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

1

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		section 35
		Fee units
	nping fee, or camping permit, if a commercial vity permit is not required—	
(a)	for each night the camp site the subject of the permit is attended—	
	(i) for each person 5 years or older taking part in an educational tour, or camp, of a type approved by the chief executive	3.75
	(ii) otherwise—	
	(A) for each other person 5 years or older	6.85
	(B) maximum for each family	4 times the fee for each other person as stated in subparagraph (ii)(A)
(b)	for each night the camp site the subject of the permit is unattended	6.85
pho pres	nmercial activity permit for filming or tography involving more than 10 persons if no scribed structure is involved (Act, ss 40A(3) and 1))—	
(a)	application for—	
	(i) permit	383.60
	(ii) extension of permit	383.60
	(iii) renewal of permit	383.60

Forestry Regulation 2015

Schedule 6

			Fee units
	(b)	permit fee—for each day on which activities are carried out under the permit	192.30
3	pho	mmercial activity permit for filming or otography if prescribed structure is involved (Act, 40A(3) and 56(1))—	
	(a)	for 1 to 5 persons involved in the filming or photography—	
		(i) application for—	
		(A) permit	192.30
		(B) extension of permit	192.30
		(C) renewal of permit	192.30
		(ii) permit fee—for each day on which activities are carried out under the permit	192.30
	(b)	for 6 to 25 persons involved in the filming or photography—	
		(i) application for—	
		(A) permit	951.00
		(B) extension of permit	951.00
		(C) renewal of permit	951.00
		(ii) permit fee—for each day on which activities are carried out under the permit	951.00
	(c)	for 26 to 50 persons involved in the filming or photography—	
		(i) application for—	
		(A) permit	1,916.00
		(B) extension of permit	1,916.00
		(C) renewal of permit	1,916.00

			Fee units		
	(ii)	permit fee—for each day on which activities are carried out under the permit	1,916.00		
(d)		51 or more persons involved in the filming or tography—			
	(i)	application for—			
		(A) permit	3,845.00		
		(B) extension of permit	3,845.00		
		(C) renewal of permit	3,845.00		
	(ii)	permit fee—for each day on which activities are carried out under the permit	3,845.00		
Commercial activity permit other than for filming or photography (Act, ss $40A(3)$ and $56(1)$)—					
(a)	app	lication for—			
	(i)	permit	365.30		
	(ii)	extension of permit	182.30		
	(iii)	renewal of permit	182.30		
(b)	peri	nit fee—			
	(i)	for a term of not more than 3 months	73.10		
	(ii)	for a term of more than 3 months but not more than 1 year	291.80		
	(iii)	for a term of more than 1 year but not more than 2 years	584.00		
	(iv)	for a term of more than 2 years but not more than 3 years	825.00		

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		Fee units	
(c)	activity fee for each day (the <i>daily activity fee</i>) 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	2.37	
	(ii) otherwise	4.18	
(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	3.75	
	(ii) otherwise	6.85	
com	nit to traverse, or other authority, for conducting a petitive motor vehicle event in a State forest, for a vehicle competing in the event (Act, s 56(1))—		
(a)	for each kilometre travelled by the vehicle during any day the event is conducted under the permit or other authority	1.38	
(b)	maximum fee for each day	50.40	
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 or other authority (Act, s $56(1)$)			
	Organised event permit (Act, s 56(1))—		
(a)	36.15		

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7

				Fee units
	(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	5.15
		(ii)	for a people-based activity—for each person taking part in the activity	2.55
8			g, holding and releasing stock, for each head mustered (Act, s 72(4)(c))	182.30

Schedule 7 Dictionary

section 3

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.

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.

organised event 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.

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*.

road means a road as defined by the *Transport Operations* (*Road Use Management*) Act 1995.

side-by-side vehicle means a motor vehicle-

- (a) that is conditionally registered under the *Transport Operations* (*Road Use Management*—Vehicle *Registration*) *Regulation 2021* as a utility off-road vehicle; and
- (b) that has—
 - (i) 2 axles only; and
 - (ii) a power-to-weight ratio of not more than 115kW per tonne.

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