

Queensland



Forestry Act 1959

FORESTRY REGULATION 1998

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Queensland



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FORESTRY REGULATION 1998

[reprinted as in force on 1 October 1998]

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Forestry Regulation 1998*.

Definitions—the dictionary

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

PART 2—ACTIVITIES IN RECREATION AREAS

Powers of forest officers in recreation areas

3.(1) A forest officer may direct a person to leave a recreation area or a part of a recreation area.

(2) A person given a direction under subsection (1) must, unless the person has a reasonable excuse, comply with the direction—

- (a) if the direction states a time within which the person must comply with the direction—within the time stated; or
- (b) if paragraph (a) does not apply—within the shortest practicable time after the direction is given.

Maximum penalty—10 penalty units.

(3) A forest officer may give a person a direction under subsection (1) only if the forest officer is satisfied it is necessary to give the direction in the interests of public safety.

Example of direction under this section—

A forest officer might give a direction to persons to leave a recreation area seriously threatened by an approaching fire.

Entry to recreation areas

4. A person must not drive a vehicle, or take a horse, into or out of a recreation area unless—

- (a) a regulatory notice designates a gateway or opening as a place for horses or vehicles to enter and leave the recreation area; and
- (b) the person drives the vehicle or takes the horse through the gateway or opening.

Maximum penalty—10 penalty units.

Horses in recreation areas

5.(1) A person who is in charge of a horse in a recreation area must make sure the horse is at all times—

- (a) under the control of a person capable of controlling the horse; or
- (b) securely tethered.

Maximum penalty—10 penalty units.

(2) A person who is in charge of a horse in a recreation area must not—

- (a) ride the horse in a way, or tether the horse at a place, if another person in the recreation area could be annoyed or placed in danger because of the way the horse is ridden, or the place the horse is tethered; or
- (b) allow the horse to stay in the recreation area overnight other than in an area designated by a regulatory notice as an area where horses may stay overnight; or
- (c) compete, or allow the horse to be used for competing, in an equestrian event (including a race, trial or exhibition) unless the person promoting or organising the event has a permit for the event.

Maximum penalty for subsection (2)—10 penalty units.

Camping in recreation areas

6.(1) A person who camps in a recreation area must not, other than under a permit, camp in a part of the recreation area that is not designated under a regulatory notice as an area for camping.

Maximum penalty—10 penalty units.

(2) A person must not, in a recreation area, bury or deposit faecal matter within 50 m of a campsite, lake or watercourse, whether or not the campsite, lake or watercourse is located wholly or partly within the recreation area.

Maximum penalty for subsection (2)—10 penalty units.

Fire control in recreation areas

7.(1) A person must not, in a recreation area, light, keep going or use a fire other than in a fireplace or barbecue provided by the corporation for the use of fire.

Maximum penalty—10 penalty units.

(2) A person does not commit an offence under subsection (1) if—

- (a) the person lights or uses a fire in a barbecue, stove or other appliance specially constructed for containing a fire; and
- (b) the use of the barbecue, stove or other appliance is agreed to by a forest officer.

Littering in recreation areas prohibited

8.(1) A person must not put, or allow to be put, litter in a recreation area.

Maximum penalty—10 penalty units.

(2) A person does not commit an offence under subsection (1) merely because the person—

- (a) puts litter in a receptacle installed in the recreation area for receiving litter; or
- (b) as an incident of the person's enjoyment of the recreation area, and for no longer than is reasonably necessary for the enjoyment,

deposits litter in the recreation area other than by depositing it in a receptacle mentioned in paragraph (a).

(3) In this section—

“put” includes the following—

- (a) deposit;
- (b) drop;
- (c) leave;
- (d) place;
- (e) throw.

Unlawful behaviour in recreation areas

9. A person must not, in a recreation area, other than under a permit—

- (a) use, or allow to be used, a generator; or
- (b) erect a tent, shelter or other structure in a way or position, or reserve or cordon off a part of the area in a way, that effectively gives, or clearly implies the claiming of, to an extent that could materially inconvenience another person in the recreation area, exclusive use of a part of the recreation area, including especially of barbecues, tables or other facilities in the recreation area.

Maximum penalty—10 penalty units.

Hovercraft in recreation areas

10. A person must not, other than under a permit, operate a hovercraft in a recreation area.

Maximum penalty—10 penalty units.

PART 3—ACTIVITIES IN STATE FORESTS AND TIMBER RESERVES

Fire control in timber reserves

11.(1) The corporation may, by erecting notices, and keeping the notices in place, at a timber reserve—

- (a) declare that a total fire ban is in force in the whole or a part or parts of the timber reserve; or
- (b) prohibit or restrict the use of stoves, barbecues, lamps, lanterns or other appliances fuelled by liquid or gaseous fuel in the whole or a part or parts of the timber reserve.

(2) The corporation may erect and keep in place a notice under subsection (1) only if the corporation is satisfied the erection and keeping in place of the notice is necessary for protecting the timber reserve.

(3) A person must not, in a part of a timber reserve for which a total fire ban is in force under subsection (1)(a), light, keep going or use a fire.

Maximum penalty—10 penalty units.

(4) A person must not, in a part of a timber reserve for which a prohibition or restriction is in force under subsection (1)(b), use a barbecue, lamp, lantern, stove or other appliance fuelled by liquid or gaseous fuel otherwise than in conformity with the prohibition or restriction.

Maximum penalty—10 penalty units.

(5) Despite subsections (3) and (4), a forest officer may give a person who is using an appliance under a restriction in force under subsection (1)(b) a direction to stop using the appliance.

(6) A forest officer may give a direction under subsection (5) only if the forest officer is satisfied, on reasonable grounds, that the direction is necessary for protecting the timber reserve.

Hazardous fires in state forests and timber reserves

12.(1) This section applies if a forest officer is satisfied on reasonable grounds that a fire lit in a state forest or timber reserve is, or is likely to be, a

hazard to the state forest or timber reserve or to a person or property in the state forest or timber reserve.

(2) The forest officer may—

- (a) put out the fire; or
- (b) direct the person appearing to the forest officer to be in charge of the fire—
 - (i) to put out the fire; or
 - (ii) to reduce the intensity of the fire in the way reasonably required by the forest officer.

(3) If a forest officer puts out a fire or directs a fire to be put out, the forest officer may also give a direction that another fire must not be lit to replace the fire that is put out.

(4) A person who is aware of a direction given under subsection (3) must not contravene the direction.

Maximum penalty for subsection (4)—10 penalty units.

Use and contamination of water in state forests and timber reserves

13.(1) A person must not, in a state forest or timber reserve, other than under a permit or other authority under the Act or another Act—

- (a) take water from a lake, watercourse or natural water storage other than for the immediate domestic use of the person or accompanying persons; or
- (b) dam or divert a watercourse.

Maximum penalty—10 penalty units.

(2) A person must not in a state forest or timber reserve—

- (a) deposit or discharge effluent, grease, oil, waste or another damaging substance into a lake, watercourse or natural water storage or a water supply or storage facility; or
- (b) allow water from a tap connected to a water supply or storage facility to run to waste; or
- (c) interfere with or damage a water supply or storage facility; or

- (d) wash anything, including, for example, a vehicle, clothing, or a cooking utensil, in a lake, watercourse or natural water storage; or
- (e) wash or bathe a domestic animal, or allow a domestic animal to swim, in a lake, watercourse or natural water storage; or
- (f) use detergent, shampoo or soap in, or put detergent, shampoo or soap into, a lake, watercourse or natural water storage.

Maximum penalty—10 penalty units.

(3) The corporation may, by the erection of notices at a timber reserve, prohibit the entry of persons to an area of water.

(4) The corporation may erect a notice under subsection (3) only if the corporation is satisfied the erection of the notice is necessary for protecting 1 or more of the following—

- (a) the health or safety of persons who might otherwise enter the water;
- (b) the quality of the water;
- (c) animal or plant life in the water.

(5) A person must not enter water the entry to which is prohibited under a notice erected under subsection (3).

Maximum penalty for subsection (5)—10 penalty units.

Firearms, explosives and traps in state forests and timber reserves

14.(1) A person must not use, or have in the person's possession, in a state forest or timber reserve, a restricted item.

Maximum penalty—10 penalty units.

(2) A person who uses, or has in the person's possession, in a state forest or timber reserve, a restricted item does not commit an offence under subsection (1) if—

- (a) the person is the holder of a permit authorising the person to use the restricted item in a state forest or timber reserve; or
- (b) the person is the holder of a permit or other authority under the Act, and the use of the restricted item is necessary for the purposes for which the permit or other authority was given.

(3) In this section—

“restricted item” means—

- (a) an airgun, bow, catapult, firearm, spring gun or other weapon from which an arrow, bullet, shot or other missile can be discharged; or
- (b) a net, snare or trap; or
- (c) an explosive device.

Littering and polluting in state forests and timber reserves

15.(1) A person must not, in a state forest or timber reserve, other than under a permit—

- (a) put, or allow another person to put, something (not including something that is litter) that is 1 of the following—
 - (i) offal;
 - (ii) the skeleton or carcass of an animal;
 - (iii) waste;
 - (iv) another noxious, offensive or damaging substance; or
- (b) put, or allow to be put, litter; or
- (c) break glass, or allow another person to break glass; or
- (d) abandon, or allow to be abandoned, a vehicle or vessel or an item of equipment, machinery or plant.

Maximum penalty—10 penalty units.

(2) Subsection (1)(b) does not apply to the putting of litter in a recreation area.

(3) In this section—

“put” includes the following—

- (a) deposit;
- (b) drop;
- (c) leave;

- (d) place;
- (e) throw.

Unlawful behaviour in state forests

16.(1) A person must not, in a state forest, other than under a permit—

- (a) solicit donations, contributions or payments from other persons; or
- (b) use, or allow to be used, an amplifier, loud speaker or equipment in the nature of an amplifier or loud speaker; or
- (c) display or distribute a handbill, notice or placard; or
- (d) use, or allow to be used, a model aeroplane or model vehicle.

Maximum penalty—10 penalty units.

(2) A person must not, in a state forest—

- (a) behave in a disorderly, indecent, insulting, offensive, threatening or violent way; or
- (b) use indecent or obscene language, or direct abusive, insulting or threatening words at another person; or
- (c) unless the person is less than 5 years—enter a building or structure set apart for the use of persons of the opposite sex; or
- (d) use or allow to be used a cassette player, generator, radio, tape recorder, television receiver or another item of noise producing equipment in a way causing unreasonable or excessive noise, or annoyance or distress to another person.

Maximum penalty—10 penalty units.

(3) A person must not take away from a state forest timber supplied by the corporation for use as firewood in the state forest.

Maximum penalty for subsection (3)—10 penalty units.

Introduction of plants to state forests

17.(1) A person must not, other than under a permit or other authority under the Act, take a plant into a state forest unless the plant is food

intended for consumption by the person, or by another person accompanying the person.

Maximum penalty—10 penalty units.

(2) In this section—

“**plant**” includes a shrub, tree or vine and also includes a bulb, cutting, fruit, graft, root, seed or slip.

Animals in state forests

18.(1) A person must not, other than under a permit or other authority under the Act, allow an animal to enter or stay in a state forest.

Maximum penalty—10 penalty units.

(2) In this section—

“**animal**” does not include—

- (a) a dog; or
- (b) for a part of a state forest that is a recreation area—a horse.

Dogs in state forests

19.(1) A person who has a dog in the person’s charge in a state forest—

- (a) must, at all times the dog is in the state forest, effectively restrain the dog by means of a lead or leash; and
- (b) must not allow the dog to behave in a way that causes unreasonable noise, annoys another person or puts another person in danger; and
- (c) unless the dog is a guide dog—must not allow the dog to stay in the state forest overnight, other than in an area designated by a regulatory notice as an area where dogs may stay overnight.

Maximum penalty—10 penalty units.

(2) A person does not commit an offence under subsection (1) if, in acting in the way mentioned in subsection (1), the person is acting under a permit or other authority under the Act.

(3) In this section—

“**guide dog**” see *Guide Dogs Act 1972*, section 3.¹

Group activities in state forests

20. A person must not, other than under a permit, conduct a group activity in a state forest.

Maximum penalty—10 penalty units.

Licensing requirements for operation of motor vehicles in state forests

21. A person must not drive a motor vehicle in a state forest unless the person is licensed to drive the vehicle under the *Traffic Act 1949*.

Maximum penalty—10 penalty units.

Registration requirements for motor vehicles used in state forests

22.(1) A person must not take a motor vehicle into, or drive a motor vehicle in, a state forest unless the vehicle is registered under the *Transport Operations (Road Use Management) Act 1995*.

Maximum penalty—10 penalty units.

(2) A person does not commit an offence under subsection (1) if the person is acting under a permit authorising the use of the vehicle in the state forest other than on a road in the state forest.

(3) In this section—

“**road**” means a road under the *Transport Operations (Road Use Management) Act 1995*.

Operation of vehicles in state forests

23.(1) A forest officer may give a person who drives or operates a

¹ *Guide Dogs Act 1972*, section 3—

“**guide dog**” means a dog trained at an approved institution and used as a guide by a blind person or as an aid by a deaf person.

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vehicle in a state forest a direction about the movement, operation, parking or use of the vehicle if the forest officer is satisfied, in the particular circumstances of the movement, operation, parking or use of the vehicle, that it is reasonably necessary to give the direction.

(2) A person must not drive or operate a vehicle in a state forest—

- (a) in a way, or at a place, if driving or operating the vehicle in the way or at the place causes damage to vegetation; or
- (b) to enter a place where a barrier or fence has been lawfully erected or placed to prevent the entry.

Maximum penalty—10 penalty units.

(3) A person must not drive or operate a motor cycle in a state forest—

- (a) if the driver or a passenger on the motor cycle is not wearing a safety helmet that—
 - (i) is of a standard required under the *Traffic Act 1949* to be worn by a person riding a motor cycle on a road; and
 - (ii) is securely fastened under the chin of the wearer using a chin strap attached to the safety helmet; or
- (b) if the front and rear wheels of the motor cycle do not stay in contact with the ground all the time the motor cycle is moving.

Maximum penalty—10 penalty units.

(4) A person must not, in a state forest—

- (a) ride or travel outside a motor vehicle (other than a motorcycle), including on an external step, footboard, or tray of the vehicle; or
- (b) ride or travel on something towed by a motor vehicle; or
- (c) ride or travel in or on a motor vehicle (other than a motorcycle) with a part of the person's body outside the vehicle; or
- (d) drive, or ride in, a motor vehicle fitted with seat belts if a seat belt is not properly fastened around the person; or
- (e) drive a motor vehicle fitted with seat belts or child restraints if a child is riding in the vehicle and is not appropriately restrained by a seat belt or child restraint.

Maximum penalty—10 penalty units.

(5) A person must not park or stand a vehicle in a way, or at a place, in a state forest if parking or standing the vehicle in the way or at the place—

- (a) obstructs, to an unreasonable extent, the movement of a person or another vehicle; or
- (b) is likely to cause damage to the state forest or interference with a forest product in the state forest.

Maximum penalty—10 penalty units.

(6) A person must not park or stand a vehicle in a way, or at a place, in a state forest if parking or standing the vehicle in the way or at the place is not in conformity with ground or surface markings clearly intended for ordering the parking and standing of vehicles.

Maximum penalty for subsection (6)—10 penalty units.

Operation of vessels in state forests

24.(1) A person must not drive or operate a self-propelled vessel on a lake or watercourse in a state forest other than under a permit.

Maximum penalty—10 penalty units.

(2) A forest officer may give a person who has a vessel in the person's charge in a state forest a direction about the use, operation, movement or mooring of the vessel if the forest officer is satisfied, in the particular circumstances of the use, operation, movement or mooring of the vessel, that it is reasonably necessary to give the direction.

Operation of aircraft in state forests

25. A person must not, other than under a permit land in, or take off from, a state forest using an aircraft, balloon, hang glider, helicopter or paraglider.

Maximum penalty—10 penalty units.

Safety helmets for users of cycles in state forests

26.(1) A person who is riding a bicycle, tricycle or power-assisted cycle in a state forest, or is a passenger on a bicycle, tricycle or power-assisted

cycle being ridden in a state forest, must wear a safety helmet that—

- (a) is of a standard required under the *Traffic Act 1949* to be worn by a person riding a bicycle on a road or bicycle path; and
- (b) is securely fastened under the chin of the wearer using a chin strap attached to the safety helmet.

Maximum penalty—10 penalty units.

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

- (a) has a certificate signed by a doctor certifying that because of a physical characteristic of the person, it would be unreasonable for the person to wear a safety helmet in the period stated in the certificate; or
- (b) is riding, or is a passenger on, a bicycle or tricycle with a wheel base of less than 640 mm; or
- (c) is a passenger on a tricycle built principally for carrying 1 or more passengers.

Commercial activities in state forests

27.(1) A person must not, other than under a permit or other authority under the Act, conduct a commercial activity in a state forest.

Maximum penalty—10 penalty units.

(2) In this section—

“commercial activity” includes selling, offering for sale or displaying for sale an article, the plying for hire of goods or services, practising photography for commercial purposes, providing a tour, safari or excursion and providing, for money or other consideration, an activity using the recreational or scenic values or facilities of a state forest.

Unauthorised display of notices in state forests

28.(1) A person other than the corporation or a person authorised by corporation must not, in a state forest or timber reserve—

- (a) erect or display a notice; or

(b) take away, damage or interfere with a notice.

Maximum penalty—10 penalty units.

(2) A forest officer may take away and dispose of a notice erected or displayed in contravention of subsection (1).

PART 4—TIMBER RESERVES AND MANAGEMENT AREAS

Timber reserves

29. Each of the areas of Crown land described in schedule 1 is set apart as a timber reserve.

Feature protection areas

30. Each of the areas of state forest described in schedule 2 is declared to be a feature protection area.

Scientific areas

31. Each of the areas of state forest described in schedule 3 is declared to be a scientific area.

State forest parks

32. Each of the areas of state forest described in schedule 4 is declared to be a state forest park.

Forest drives

33. Each of the areas of state forest described in schedule 5 is declared to be a forest drive.

Plan references

34. For schedules 1 to 5—

- (a) a plan with a number beginning with FTY or FSM is a plan held by the department; and
- (b) a plan other than a plan mentioned in paragraph (a) is a plan held by the department administering the *Land Act 1994*.

PART 5—MISCELLANEOUS**Forest officer directions**

35.(1) This section applies if a forest officer—

- (a) finds a person committing, or reasonably suspects a person has committed, an offence under the Act; or
- (b) is seeking information or making an investigation to establish whether an offence under the Act has been committed by a person.

(2) The forest officer may give 1 or more of the following directions—

- (a) a direction to a person mentioned in subsection (1)(a) or (b) to stop;
- (b) if a person mentioned in subsection (1)(a) or (b) is driving a vehicle or is being driven in a vehicle—a direction to the driver of the vehicle to stop the vehicle;
- (c) if it is relevant to an offence whether a person mentioned in subsection (1)(a) or (b) is licensed to drive a vehicle under a law of the state about the use of vehicles on public roads—a direction to the person to produce a licence.

(3) For a direction under subsection (2)(b) to the driver of a vehicle—

- (a) the forest officer must signal the driver in a way clearly indicating the forest officer's requirement that the driver stop the vehicle; and

- (b) the forest officer must be wearing a uniform reasonably recognisable as a uniform likely to be worn by a forest officer, or must display to the driver an identity disc or other item of identification showing that the forest officer holds appointment as a forest officer under the Act.

Fees

36.(1) Fees payable under the Act are stated in schedule 6.

(2) However, for a fee payable for a matter mentioned in schedule 6, items 1 to 4, if the activity under the permit is for a charitable, cultural, educational, environmental or scientific purpose, payment of the fee is waived to the extent (including entirely) the corporation considers appropriate in the circumstances.

Replacement of statutory rules

37.(1) This section applies to an order in council or proclamation made under the Act for—

- (a) the declaration of a feature protection area, forest drive, scientific area or state forest park that is declared as a feature protection area, forest drive, scientific area or state forest park under this regulation; or
- (b) the setting apart of a timber reserve that is set apart as a timber reserve under this regulation.

(2) The order or proclamation is repealed to the extent it declares or sets apart the feature protection area, forest drive, scientific area, state forest park or timber reserve.

PART 6—TRANSITIONAL

Continuing provisions of 1960 regulation

38.(1) A provision of the repealed *Forestry Regulation 1960* that,

immediately before the commencement of this regulation, was in force under the transitional provision, continues in force and to have effect to the extent the provision would have continued in force and had effect if the transitional provision had not been repealed.

(2) In this section—

“transitional provision” means the *Forestry Regulation 1987*, section 11.²

PART 7—REPEAL³

Repeal of order in council

39.(1) *The order in council published in the gazette on 23 October 1954 at page 916 reserving and setting apart land in the county of Cavendish, parish of Cooyar for forestry purposes is repealed.*

(2) *To remove doubt, it is declared that the reservation and setting apart of the land mentioned in subsection (1) is revoked.*

(3) *This part expires on the day after it commences.*

² *Forestry Regulation 1987*, section 11 (Duties of contractors and purchasers)

³ Part 7 has expired and is included in this reprint for informational purposes only. It will be omitted in the next reprint.

SCHEDULE 1**TIMBER RESERVES**

section 29

TR 1 on plan FTY 1434

TR 3 on plan FTY 1124

TR 9 on plan FTY 1234

TR 14 on plan FTY 1428

TR 26 on plan FTY 250

TR 35 on plan FTY 1468

TR 46 on plan FTY 1710

TR 58 on plan FTY 1418

TR 61 on plan FTY 1470 excluding the area of Crown land shown on plan RA 4002 as road to be opened

TR 65 on plan FTY 41

TR 66 on plan FTY 41

TR 77 on plan FTY 1449

TR 102 on plan FTY 1450

TR 132 on plan FTY 1544

TR 140 on plan FTY 1472

TR 140 on plan FTY 1583

TR 157 on plan FTY 1077

TR 165 on plan FTY 1722

TR 166 on plan FTY 1452

TR 170 on plan FTY 1282 including the area of Crown land shown on plan CP 859988 as road to be closed

SCHEDULE 1 (continued)

TR 212 on plan FTY 1466
TR 245 on plan FTY 1141
TR 265 on plan FTY 1762
TR 296 on plan FTY 1438
TR 337 on plan FTY 939
TR 353 on plan FTY 1721
TR 376 on plan FTY 1441
TR 394 on plan FTY 1591
TR 423 on plan FTY 627
TR 502 on plan FTY 458
TR 512 on plan FTY 1473
TR 580 on plan FTY 1444
TR 581 on plan FTY 1445
TR 766 on plan FTY 1420
TR 785 on plan FTY 1422
TR 790 on plan FTY 1429
TR 950 on plan FTY 1089

SCHEDULE 2**FEATURE PROTECTION AREAS**

section 30

FPA 1 on plan FSM 51
FPA 2 on plan FSM 57
FPA 3 on plan FSM 68
FPA 4 on plan FSM 66
FPA 5 on plan FSM 104
FPA 8 on plan FSM 105
FPA 14 on plan FSM 86
FPA 16 on plan FSM 127
FPA 20 on plan FSM 67
FPA 22 on plan FSM 54
FPA 48 on plan FSM 69
FPA 50 on plan FSM 76
FPA 56 on plan FSM 96
FPA 58 on plan FSM 61
FPA 72 on plan FSM 55
FPA 74 on plan FSM 115
FPA 75 on plan FSM 90
FPA 78 on plan FSM 97
FPA 85 on plan FSM 71
FPA 93 on plan FSM 70
FPA 96 on plan FSM 83

SCHEDULE 2 (continued)

FPA 110 on plan FSM 3

FPA 111 on plan FSM 4

FPA 113 on plan FSM 22

SCHEDULE 3**SCIENTIFIC AREAS**

section 31

SA 1 on plan FSM 7

SA 2 on plan FSM 15

SA 3 on plan FSM 16

SA 4 on plan FSM 17

SA 10 on plan FSM 124

SA 11 on plan FSM 81

SA 14 on plan FSM 87

SA 16 on plan FSM 44

SA 21 on plan FSM 125

SA 26 on plan FSM 94

SA 27 on plan FSM 2

SA 31 on plan FSM 20

SA 32 on plan FSM 43

SA 35 on plan FSM 114

SA 38 on plan FSM 1

SA 42 on plan FSM 13

SA 43 on plan FSM 12

SA 44 on plan FSM 6

SA 45 on plan FSM 8

SA 47 on plan FSM 10

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SCHEDULE 3 (continued)

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SCHEDULE 4**STATE FOREST PARKS**

section 32

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SFP 9 on plan FSM 37

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SFP 13 on plan FSM 49

SFP 16 on plan FSM 56

SFP 19 on plan FSM 62

SFP 22 on plan FSM 77

SFP 23 on plan FSM 80

SCHEDULE 5

FOREST DRIVES

section 33

FD 1 on plan FSM 27

FD 3 on plan FSM 40

FD 4 on plan FSM 72

SCHEDULE 6

FEES

section 36

	\$
1. Camping permit (other than if a commercial activity permit is required)—	
(a) fee for overnight camping for an activity under the permit that is for an educational purpose—for each person aged over 4 years	2.00
(b) fee for overnight camping for an activity under the permit that is for a purpose other than an educational purpose—	
(i) for each person aged over 4 years	3.50
(ii) for each party of at least 4 persons camping together if no more than 2 persons in the party are aged over 15 years	14.00
2. Commercial activity permit for filming or photography (if no structures are erected by the permittee)—	
(a) for an activity involving 1 or 2 persons—	
(i) application fee	nil
(ii) fee for a day or part of a day	21.00
(b) for an activity involving 3 to 5 persons—	
(i) application fee	105.00
(ii) fee for a day or part of a day	52.00
(c) for an activity involving at least 6 persons—	
(i) application fee	210.00
(ii) fee for a day or part of a day	105.00
3. Commercial activity permit for filming or photography (if structures are erected by the permittee)—	
(a) for an activity involving 1 to 5 persons—	
(i) application fee	105.00
(ii) fee for a day or part of a day	105.00

SCHEDULE 6 (continued)

(b)	for an activity involving 6 to 25 persons—	
(i)	application fee	525.00
(ii)	fee for a day or part of a day	525.00
(c)	for an activity involving 26 to 50 persons—	
(i)	application fee	1 050.00
(ii)	fee for a day or part of a day	1 050.00
(d)	for an activity involving at least 51 persons—	
(i)	application fee	2 100.00
(ii)	fee for a day or part of a day	2 100.00
4.	Commercial activity permit (other than for filming or photography)—	
(a)	application fee	200.00
(b)	renewal fee for permit on identical terms and if the application for renewal is made before expiry	100.00
(c)	fee for 3 months or less	40.00
(d)	fee for more than 3 months but no more than 12 months	160.00
(e)	fee for more than 12 months but not more than 24 months	320.00
(f)	fee for more than 24 months but not more than 36 months	456.00
(g)	fee for each person who is a client of the permittee and is engaging in the activity—	
(i)	for 3 hours or less	1.15
(ii)	for a day, or part of a day if the part is more than 3 hours	2.30
(h)	fee for overnight camping for each person who is a client of the permittee and is engaging in the activity	3.50
5.	Fee payable for a permit to traverse or other authority for conducting a competitive motor vehicle event on state forest—	
(a)	for each competitive vehicle for each kilometre	0.50
(b)	maximum for each competitive vehicle for each day	20.00
6.	Fee payable for a permit to traverse or other authority for conducting a competitive equestrian event on state forest, for each competitor for each day	2.00

SCHEDULE 6 (continued)

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|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 7. | Group activity permit if special access or special supervision is provided by the corporation or if an area of state forest is reserved by the corporation for the conduct of the activity under the permit— | |
| | (a) application fee | 20.00 |
| | (b) fee for a day or part of a day— | |
| | (i) for an activity that is vehicle based—for each vehicle | 3.00 |
| | (ii) for an activity that is not vehicle based—for each person | 1.50 |
| 8. | Fee payable for a permit to hold a fete, procession, public entertainment, public meeting or similar gathering of persons is \$500 for each event for each day or the lesser fee the corporation considers reasonable in particular circumstances. | |
| 9. | Fee payable for a permit to hold a marriage or other civil or religious ceremony is \$100 for each event for each day or the lesser fee the corporation considers reasonable in particular circumstances. | |
| 10. | Fee payable under section 72(4) of the Act for each head of stock is \$100 or the lesser fee as the corporation considers to be fair and equitable in particular circumstances. | |

SCHEDULE 7

DICTIONARY

section 2

“group activity”, in a state forest, means an organised use of a part of the state forest in a way that may interfere with general public use of the state forest.

Examples—

1. A concert, public meeting or rally.
2. A religious activity.
3. A wedding.
4. An organised sporting activity.

“litter” means garbage, refuse or rubbish, whether in a fluid or solid state, and also includes anything that causes or contributes to the defacement of the place where it is.

“operate”, a vehicle or vessel, includes to put in motion an apparatus, device, machinery or motor in, on or attached to the vehicle or vessel, and also includes, for a vehicle or vessel capable of being ridden (including, for example, a motor cycle), to drive the vehicle or vessel.

“recreation area” means a feature protection area, forest drive or state forest park.

“special access” means the right to gain access to an area of state forest to conduct a particular activity, if the conduct of the activity would not otherwise be generally permitted.

“special supervision” means supervision by an officer of the corporation 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.

SCHEDULE 7 (continued)

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.

“vessel” includes boat, canoe, hovercraft or ship, and also includes anything else capable of use in or on water, whether floating or submersible, and whether or not self-propelled.

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Forestry Regulation 1998 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	prev	=	previous
amd	=	amended	(prev)	=	previously
amdt	=	amendment	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
o in c	=	order in council	sch	=	schedule
om	=	omitted	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered

4 List of legislation

Forestry Regulation 1998 SL No. 264

made by the Governor in Council on 24 September 1998
notfd gaz 25 September 1998 pp 327–9
commenced on date of notification
exp 24 September 2008 (see SIA s 54)

5 List of annotations

PART 7—REPEAL

pt 7 (s 39) exp 26 September 1998 (see s 39(3))