



Queensland

Recreation Areas Management and Other Legislation Amendment Regulation (No. 1) 2015

Subordinate Legislation 2015 No. 110

made under the

Forestry Act 1959

Nature Conservation Act 1992

Recreation Areas Management Act 2006

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[s 1]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Recreation Areas Management and Other Legislation Amendment Regulation (No. 1) 2015*.

2 Commencement

This regulation commences on 28 August 2015.

Part 2 Amendment of Forestry Regulation 2015

3 Regulation amended

This part amends the *Forestry Regulation 2015*.

4 Amendment of s 27 (Approval requirement for conditionally registered vehicle)

Section 27(2)(d), ‘a group activity’—

omit, insert—

an organised event

5 Amendment of sch 6 (Fees)

Schedule 6, item 7, ‘Group activity’—

omit, insert—

Organised event

6 Amendment of sch 7 (Dictionary)

Schedule 7, definition *group activity permit*, ‘group activity’—
omit, insert—

organised event

**Part 3 Amendment of Nature
Conservation (Administration)
Regulation 2006**

7 Regulation amended

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

8 Amendment of ss 10, 19, 23 and 145

Sections 10(i), 19(i), 23(4), definition *relevant fee*, paragraph (c) and 145(3), ‘a group activity’—

omit, insert—

an organised event

9 Amendment of s 140 (Reduced application fee for commercial or group activity permits or commercial activity agreements)

(1) Section 140, heading, ‘or group activity’—

omit, insert—

activity permits, organised event

(2) Section 140(1), ‘group activity’—

omit, insert—

organised event

[s 10]

10 Insertion of new s 141A

Part 8, after section 141—

insert—

141A Reduced application fee for transfer of particular joint marine park authority permits if equivalent fee paid under another Act

- (1) This section applies to an application to transfer a joint marine park authority permit under part 2, division 7 (a *transfer application*) if—
 - (a) the commercial activity for which the permit is held is conducted in—
 - (i) a protected area; and
 - (ii) a recreation area under the *Recreation Areas Management Act 2006*; and
 - (b) the applicant has also made an application under the *Recreation Areas Management Act 2006* to transfer the permit in relation to conducting the activity in the recreation area (the *related application*); and
 - (c) the applicant has paid an application fee (however called) for the related application; and
 - (d) the chief executive is satisfied the transfer application and related application can be considered together.
- (2) The chief executive may waive all or part of the fee payable for the transfer application.
- (3) However, if the application fee payable for the transfer application is higher than the application fee paid for the related application, the chief executive can only waive an amount equivalent to the application fee paid for the related application.

11 Amendment of s 142 (Reduced additional daily fee for commercial or group activity permits if equivalent fee paid under another Act)

(1) Section 142, heading, ‘or group activity’—

omit, insert—

activity or organised event

(2) Section 142(1)(a), ‘a group activity’—

omit, insert—

an organised event

12 Insertion of new pt 12, div 5

Part 12—

insert—

**Division 5 Transitional provisions for
Recreation Areas
Management and Other
Legislation Amendment
Regulation (No. 1) 2015**

**183 Group activity permits granted before
commencement**

- (1) This section applies to a group activity permit for the conduct of an activity in a protected area that is in force immediately before the commencement.
- (2) The permit continues in force and the unamended regulation continues to apply for the conduct of the activity as if the amendment regulation had not commenced.
- (3) In this section—

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amendment regulation means the *Recreation Areas Management and Other Legislation Amendment Regulation (No. 1) 2015*.

unamended regulation means the regulation as in force immediately before the commencement.

184 Applications for group activity permits made before commencement

An application for a group activity permit made but not decided before the commencement is taken to be an application for an organised event permit.

185 References to group activity or group activity permit

- (1) A reference in an Act or document to a group activity may, if the context permits, be taken to be a reference to an organised event.
- (2) A reference in an Act or document to a group activity permit may, if the context permits, be taken to be a reference to an organised event permit.

13 Amendment of sch 3 (Fees)

- (1) Schedule 3, part 1, division 2, item 10(c)(v)—

omit, insert—

- (v) for a term of more than 3 years—

(A) for the first 3 years of the term	706.00
(B) for each year after the third year	235.60

- (2) Schedule 3, part 1, division 2, item 11, ‘Group activity’—

omit, insert—

Organised event

14 Amendment of sch 7 (Dictionary)

Schedule 7—

insert—

organised event—

- 1 An *organised event* is a non-commercial activity involving the organised use of a part of a protected area that is likely to have a detrimental impact on the part, or affect the use of the area by other persons, having regard to the following—
 - (a) the location of the part;
 - (b) the number of people, vehicles or animals involved in the activity or likely to be in the part when the activity is conducted;
 - (c) the type of activity;
 - (d) the timing of the activity;
 - (e) any likely disturbance to the part as a result of conducting the activity;
 - (f) the extent to which the conducting of the activity may restrict access to the part by the general public.

Examples of an activity that may be an organised event—

concert, competitive sporting event, training exercises conducted by the Australian Defence Force, vehicle rally

- 2 An *organised event* does not include an activity that is conducted—
 - (a) by a community or group of Aboriginal people under Aboriginal tradition in a protected area with which the community or group has a traditional,

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customary or historical link under Aboriginal tradition; or

- (b) by a community or group of Torres Strait Islanders under Island custom in a protected area with which the community or group has a traditional, customary or historical link under Island custom; or
- (c) under an authority (however called) under the Act.

Part 4

Amendment of Nature Conservation (Protected Areas Management) Regulation 2006

15 Regulation amended

This part amends the *Nature Conservation (Protected Areas Management) Regulation 2006*.

16 Amendment of various provisions to replace ‘a group activity’ with ‘an organised event’

Each of the following provisions is amended by omitting ‘a group activity’ and inserting ‘an organised event’—

- section 52(2), definition *prescribed activity permit*, paragraph (e)
- section 75(1)
- section 78(3)(d)(ii)
- section 80(1)
- section 88(2), definition *prescribed authority*, paragraph (i)

- section 100
- section 115(2)(c)

17 Amendment of ch 4, pt 10, hdg (Group activity permits)

Chapter 4, part 10, heading, ‘Group activity’—

omit, insert—

Organised event

18 Amendment of s 67 (Conducting particular activities in particular areas authorised under permit)

Section 67, ‘A group activity’—

omit, insert—

An organised event

19 Amendment of s 99 (Unlawfully conducting group activity)

(1) Section 99, heading, ‘group activity’—

omit, insert—

organised event

(2) Section 99(1) and (2), ‘a group activity’—

omit, insert—

an organised event

20 Insertion of new ch 9

After section 153—

insert—

Chapter 9 Transitional provision for Recreation Areas Management and Other Legislation Amendment Regulation (No. 1) 2015

154 Group activity permits granted before commencement

- (1) This section applies to a group activity permit for the conduct of an activity in a protected area that is in force immediately before the commencement.
- (2) The unamended regulation continues to apply for the conduct of the activity as if the amendment regulation had not commenced.
- (3) In this section—

amendment regulation means the *Recreation Areas Management and Other Legislation Amendment Regulation (No. 1) 2015*.

unamended regulation means the regulation as in force immediately before the commencement.

21 Amendment of sch 9 (Dictionary)

- (1) Schedule 9, definition *group activity*—
omit.
- (2) Schedule 9, definition *activity permit*, paragraph (i), ‘a group activity’—
omit, insert—

an organised event

- (3) Schedule 9, definition *restrictive act*, paragraph (a), ‘a group activity’—

omit, insert—

an organised event

Part 5 **Amendment of Recreation Areas Management Regulation 2007**

22 **Regulation amended**

This part amends the *Recreation Areas Management Regulation 2007*.

23 **Amendment of various provisions to replace ‘group activity’ with ‘organised event’**

Each of the following provisions is amended by omitting ‘group activity’ and inserting ‘organised event’—

- section 36
- section 38
- section 39
- section 41
- section 43
- section 44(a)
- section 45
- section 46
- section 47(1)(a) and (b)

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24 Amendment of s 49 (Reduced application fee for group activity permits and commercial activity permits and agreements if equivalent fee paid under another Act)

(1) Section 49, heading, ‘group activity’—

omit, insert—

organised event

(2) Section 49(1), ‘a group activity’—

omit, insert—

an organised event

(3) Section 49(1)(a), ‘group activity’—

omit, insert—

organised event

25 Insertion of new s 50A

Part 9, after section 50—

insert—

50A Reduced application fee for transfer of particular commercial activity permits if equivalent fee paid under another Act

(1) This section applies to an application to transfer a joint permission permit under the Act, part 4, division 5A (a *transfer application*) if—

(a) the permit forms part of a joint permission; and

(b) the commercial activity for which the permit is held is conducted in—

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

(ii) a recreation area; and

(c) the applicant has also made an application to transfer the permit in relation to conducting

-
- the activity in the protected area (the *related application*); and
- (d) the applicant has paid an application fee (however called) for the related application; and
 - (e) the chief executive is satisfied the transfer application and related application can be considered together.
- (2) The chief executive may waive all or part of the transfer fee payable under schedule 3 for the transfer application.
 - (3) However, if the transfer fee payable for the transfer application is higher than the application fee paid for the related application, the chief executive can only waive an amount equivalent to the application fee paid for the related application.

26 Amendment of s 51 (Reduced additional daily fee for group or commercial activity permit if equivalent fee paid under another Act)

- (1) Section 51, heading, ‘group’—
omit, insert—
organised event
- (2) Section 51(1)(a), ‘a group activity’—
omit, insert—
an organised event
- (3) Section 51(2), ‘group activity’—
omit, insert—
organised event

[s 27]

27 Amendment of sch 3 (Fees)

- (1) Schedule 3, item 10, ‘Group activity’—
omit, insert—
Organised event
- (2) Schedule 3, item 13(c)(iv)—
omit, insert—
- (iv) for a term of more than 2 years but not more than
3 years. 706.00
- (v) for a term of more than 3 years—
(A) for the first 3 years of the term 706.00
(B) for each year after the third year 235.60
- (3) Schedule 3, item 13—
insert—
- (ca) transfer fee 155.20
- (4) Schedule 3, item 13(ca) to (e)—
renumber as schedule 3, item 13(d) to (f).

28 Amendment of sch 4 (Dictionary)

- (1) Schedule 4, definition *relevant group activity permit*—
omit.
- (2) Schedule 4—
insert—

relevant organised event permit means an organised event permit under which—

- (a) camping is authorised; or
- (b) special access is allowed, special supervision is needed, or an area is reserved for use, for an activity conducted under the permit.

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- (3) Schedule 4, definition *client*, paragraph (b), ‘a group activity’—
omit, insert—
an organised event
- (4) Schedule 4, definition *people-based activity*, ‘a group activity’—
omit, insert—
an organised event
- (5) Schedule 4, definition *special access*, ‘a group activity’—
omit, insert—
an organised event
- (6) Schedule 4, definition *special supervision*, ‘a group activity’—
omit, insert—
an organised event
- (7) Schedule 4, definition *vehicle-based activity*, ‘a group activity’—
omit, insert—
an organised event

ENDNOTES

- 1 Made by the Governor in Council on 27 August 2015.
- 2 Notified on the Queensland legislation website on 28 August 2015.
- 3 The administering agency is the Department of National Parks, Sport and Racing.