

# Review of the regulations for the management of Queensland's protected areas, recreation areas and State forests – Background information

## Introduction

Every 10 years the Department of Environment and Science reviews the regulations used to manage different types of natural areas such as protected areas (for example national parks), recreation areas and State forests.

The purpose of the review is to ensure the regulations remain up-to-date with contemporary needs for managing these areas on behalf of the community.

An [online survey](#) has been prepared as part of this review process. It seeks community feedback on topics where the department is considering making changes to address particular issues. We are especially interested in assessing any costs and benefits for users of these lands that may result from the proposed changes.

This document provides background information on the proposed changes outlined in the survey. The proposals are under four topics:

- Camping and campfires in QPWS areas
- Using vehicles in QPWS areas
- Prohibited activities in QPWS areas
- Permits for activities in QPWS areas.

## Terms used in this document

**'Private protected areas'** – means nature refuges and special wildlife reserves.

**'Protected areas'** – means national parks, national parks (scientific), national parks (Aboriginal land), national parks (Torres Strait Islander land), national parks (Cape York Peninsula Aboriginal land), conservation parks and resources reserves.

**'QPWS regulations'** – means the Nature Conservation (Protected Areas Management) Regulation 2017, the Recreation Areas Management Regulation 2017 and the Forestry Regulation 2015.

**'Queensland Parks and Wildlife Service (QPWS) area'** – means protected areas such as national parks (excluding private protected areas), recreation areas and State forests and timber reserves established under the *Nature Conservation Act 1992*, the *Recreation Areas Management Act 2006* and the *Forestry Act 1959* respectively.

**'Recreation areas'** - Queensland has seven recreation areas established under the *Recreation Areas Management Act 2006*. Recreation areas are managed either solely by the Queensland Parks and Wildlife Service or in partnership with others. Recreation areas are K'gari (Fraser Island), Green Island, Bribie Island, Inskip Peninsula, Cooloolo, Mulgumpin (Moreton Island) and Minjerribah (North Stradbroke Island).

Mulgumpin and Minjerribah recreation areas are managed jointly with the Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC).

**'Regulatory notice'** – these are a type of sign that Rangers place in protected areas. There are rules about where and when regulatory signs can be used, and what content they can contain. Regulatory notices are typically used by Rangers to regulate certain activities in particular places to enable appropriate park management.



## Camping and campfires in QPWS areas

### Introduction

#### Camping

Considerable changes in visitor use trends have occurred in the past 10 years, including a significant increase in the popularity of activities such as four-wheel driving, and camping/caravanning. For example, since 2017, the number of camper nights in protected areas has increased by approximately 20%, with 546,600 camper nights recorded in the 2022/23 financial year. Vehicle access permits issued for recreation areas have had a similar increase (18%), with over 195,000 issued in 2022/23. Some aspects of current camping arrangements are being reviewed to improve management and use of camping areas in the future.

#### Proposed changes

##### Issue: Update campsite booking rules to manage no-shows and 'ghost camps' at booked sites

Current issue	Proposed change
<ul style="list-style-type: none"> <li>In some popular locations people are unfairly reserving sites for more time than needed for their intended stay (ghost camps) or booking more sites than they require (no shows).</li> <li>This behaviour prevents other members of the community being able to camp in these locations, even though the person who booked the site has no intention of using the site.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed to amend the regulations to address these practices, by making it an offence to erect structures and leave them unattended in camp site for more than 24 hours without a reasonable excuse (such as an emergency). This approach is consistent to arrangements in New South Wales national parks.</li> <li>It is also proposed to allow camping permits to be cancelled in circumstances where there is no occupation of a booked camping site for more than 24 hours, to enable the sites to be made available to genuine campers.</li> </ul>

#### Campfires

Using campfires can be an enjoyable part of visiting a QPWS area. However, as seen by the 2020 fire on K'gari (Fraser Island) misuse of campfires can have serious consequences, including injuries to visitors, loss of property, and the damage to an area's cultural and environmental values. Managing activities associated with campfires including use of firewood is a critical part of looking after QPWS areas and visitors play an important part in ensuring the use of fire when camping is properly managed.

#### Proposed changes

##### Issue: Aligning offences across QPWS areas for collecting plant material for campfires

Current issue	Proposed change
<ul style="list-style-type: none"> <li>In recreation areas a fine may be issued for the removal, damage or use of plant material for making a fire. Over 350 fines have been issued over a five-year period for this offence, demonstrating that collection of small amounts of firewood is a common problem.</li> <li>In protected areas collecting small amounts of firewood such as branches and sticks is also an offence, however it is captured under a broader more serious general offence which has a maximum fine of more than \$400,000 or two-years imprisonment, and no on-the-spot fine. A more suitable offence and on-the-spot fine is required for protected areas.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed to introduce a similar offence and on-the-spot fine to what is already in place for recreation areas for collection of plant material for campfires in protected areas.</li> </ul>

## Issue: Improve the way that Rangers can enforce Queensland Fire and Emergency Service fire bans in QPWS areas

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• Campfires are allowed in QPWS areas <u>except</u> where they are prohibited by regulatory notices or permit conditions, or when there are temporary fire bans in place.</li> <li>• When a Queensland Fire and Emergency Services (QFES) temporary fire ban is declared, rangers can enforce these following the installation of a regulatory notice (a type of sign).</li> <li>• However erecting regulatory notice signs for temporary fire bans is outdated and resource intensive.</li> <li>• Fire bans are also listed in the 'Park Alerts' on the QPWS website.</li> <li>• QPWS staff and rangers also provide advice/warnings to visitors when on patrol by directly notifying campers of fire bans.</li> </ul>	<ul style="list-style-type: none"> <li>• Give Rangers the ability to enforce QFES fire bans without having to erect a new a regulatory notice each time a fire ban is announced.</li> <li>• Advisory signs that a fire ban is in place will still be provided, however these signs can be a simpler and more streamlined than developing and installing a formal regulatory notice.</li> </ul>

## Using vehicles and aircraft in QPWS areas

### Introduction

There are a range of different vehicles and machines used in QPWS areas:

- **Vehicles** such as cars, four-wheel drives, motorbikes and bicycles are commonly used for transport on roads and tracks in QPWS areas.
- **Recreational craft** are devices used in QPWS areas for recreational purposes and include hang gliders and hot-air balloons. Approval is required prior to using recreational craft in QPWS areas, other than State forests.
- **Aircraft** including planes, helicopters and drones. Restrictions apply to the use of aircraft in some areas.

There are a number of provisions in the regulations about the use of vehicles, recreational craft and aircraft to ensure their use is safe and in keeping with the management requirements of QPWS areas. Amendments are proposed to contemporise these provisions and ensure they address emerging issues and types of vehicles and machines being used.

### Proposed changes

#### Issue: Removing requirements to display vehicle tags for recreation areas

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• Before a person takes a vehicle into a QPWS managed recreation area, they must obtain a Vehicle Access Permit and display a vehicle tag provided by QPWS as evidence of the permit on their vehicle.</li> <li>• Automatic Number Plate Recognition System cameras now operate in most QPWS managed recreation areas, making the manual inspection of vehicle tags on vehicles redundant.</li> <li>• Minjerribah and Mulgumpin recreation areas, which are managed by the Quandamooka Yoolooburrabee Aboriginal Corporation, do not currently have number plate recognition cameras.</li> </ul>	<ul style="list-style-type: none"> <li>• Vehicle tags will not need to be displayed on a vehicle in QPWS managed recreation areas, however a printed copy of the vehicle tag or a copy of the tag on a device screen will still be required to be produced on request of a Ranger - this will allow compliance to occur in circumstances where the camera systems are not in place or not operating.</li> <li>• On Moreton Island and Minjerribah Recreation areas, visitors will continue to be required to display a vehicle tag on the vehicle as cameras are not in place.</li> </ul>

### Issue: Aligning offences for unregistered vehicles (including motorbikes) in QPWS areas

Current issue	Proposed change
<ul style="list-style-type: none"> <li>It is generally an offence to drive or ride an unregistered vehicle in protected areas, recreation areas and forests. These vehicles are often used off-road and sometimes create new tracks.</li> <li>In State forests, it is also an offence to <i>bring</i> an unregistered vehicle into an area, which enables compliance officers to intercept people loading/unloading unregistered vehicles such as trail bikes, prior to or after them being used.</li> </ul>	<ul style="list-style-type: none"> <li>For protected areas and recreation areas it is proposed to introduce an offence equivalent to the existing offence for bringing an unregistered vehicle into a State forest to enable a consistent regulatory framework across all QPWS areas.</li> </ul>

### Issue: Requiring vehicle number plates to be clearly displayed in QPWS areas

Current issue	Proposed change
<ul style="list-style-type: none"> <li>QPWS uses automatic number plate recognition system cameras to detect unlawful vehicle use, such as in some recreation areas to verify that the vehicle has the required Vehicle Access Permit.</li> <li>Deliberate removal of number plates or deliberate concealment occurs at times by visitors seeking to evade detection. There are also circumstances where the number plates are dirty, damaged, or accidentally covered and unable to be read.</li> <li>It is already an offence under transport legislation for failing to ensure a vehicle number plate is clearly legible and attached to the vehicle.</li> <li>Currently QPWS need to provide details of offences to the Queensland Police Service who then issue penalty infringement notices (fines). This is administratively inefficient.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed to insert the same offence into the QPWS legislation, allowing Rangers to take compliance action and issue fines on the spot when necessary.</li> </ul>

### Issue: Road rule consistency for e-scooters and e-skateboards in QPWS areas

Current issue	Proposed change
<ul style="list-style-type: none"> <li>The term 'personal mobility device' refers to devices such as e-scooters and e-skateboards, which are becoming increasingly popular in Queensland.</li> <li>From 1 November 2022, the Queensland Road Rules introduced a range of new offences for people using personal mobility devices.</li> <li>E-scooters and e-skateboards are generally not allowed on walking tracks and bicycle trails in QPWS areas.</li> </ul>	<ul style="list-style-type: none"> <li>To ensure the safe use of personal mobility devices in QPWS areas (where allowed), it is proposed to introduce the same offences as those already in place under transport legislation regarding not wearing an approved helmet, and for carrying a passenger on a personal mobility device. This will enable these matters to be enforced by Rangers who are often the only compliance presence in places such as national parks.</li> </ul>

### Issue: Passenger safety for quad bikes and utility off-road vehicles in QPWS areas

Current issue	Proposed change
<ul style="list-style-type: none"> <li>Conditionally registered vehicles such as quad bikes and off-road utility vehicles may be used in limited circumstances with the relevant approvals</li> </ul>	<ul style="list-style-type: none"> <li>To ensure the safe use of these vehicles in QPWS areas, it is proposed to introduce offences that can be enforced by Rangers that are</li> </ul>

<p>in QPWS areas. However, existing legislation is not aligned with the Queensland Road Rules.</p>	<p>consistent with the Queensland Road Rules for riding or driving this type of vehicle with a passenger which require:</p> <ul style="list-style-type: none"> <li>• the passenger to be older than eight years old; and</li> <li>• for a quad bike – the passenger's feet must be able reach the pillion passenger footrests while seated (for a quad bike);</li> <li>• for a utility off road vehicle – the passenger's feet must be able to be placed flat on the floor while seated; and</li> <li>• the passenger, while seated, must be able to hold onto the vehicle's handrail (if any).</li> <li>•</li> </ul>
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**Issue: Update regulations for drone use, including prohibiting recreational use in some QPWS areas**

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• The Civil Aviation Safety Authority (CASA) has estimated that there may be more than 1.2 million drones in operation in Australia.</li> <li>• All drone use must comply with CASA's drone safety rules, however CASA does not have an on ground compliance presence.</li> <li>• Flying drones for recreational purposes in QPWS areas has increased over time now that drones are relatively affordable and easily accessible from major retailers.</li> <li>• In QPWS areas recreational drone use does not require a permit, but research use and some commercial use does.</li> <li>• Drones can negatively impact the environmental and cultural values in some locations, such as bird nesting sites, sacred cultural sites and affect the amenity and enjoyment of other people.</li> <li>• All other Australian states /territories prohibit or otherwise restrict recreational drone use in national parks.</li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed to enable prohibition of recreational drone use in specific locations in response to impacts on cultural or natural values, or other management needs.</li> <li>• Drone use for commercial and research purposes would be subject to a permit in areas where recreational use is prohibited.</li> <li>• Where there are no site-specific restrictions, recreational drone use would continue under current arrangements.</li> </ul> <p>Drone safety rules will also be introduced to align with some existing CASA safety requirements. This will enable QPWS authorised officers to ensure visitor safety, such as no flying drones over or above people, or within 30 metres of people.</p>

**Issue: Update regulations on minimum aircraft flying height allowed by aircraft, including drones, in some protected areas**

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• Some protected areas contain natural and cultural values that may be affected by low-flying aircraft, e.g. nesting or roosting seabirds, cultural values / amenity.</li> <li>• The current regulation provides the ability to restrict the minimum flying height of aircraft to manage impacts on protected areas, other than with a permit.</li> <li>• Additional locations need to be added to the existing list.</li> </ul>	<p>It is proposed to prescribe the following additional protected areas to have a minimum flying height for aircraft, including drones, of 1,500 feet (457m):</p> <ul style="list-style-type: none"> <li>• D'Aguilar National Park</li> <li>• Glasshouse Mountains National Park</li> <li>• Lamington National Park</li> <li>• Mount Barney National Park</li> <li>• Springbrook National Park.</li> <li>• Great Barrier Reef Islands:             <ul style="list-style-type: none"> <li>• Barnard Island Group National Park – Sisters Island, Stephens Island</li> <li>• Capricornia Cays National Park (scientific) – One Tree island</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Claremont Isles National Park – Pelican Island</li> <li>• Howick Group National Park (Cape York Peninsula Aboriginal Land) – Combe Island, Stapleton Island</li> <li>• Michaelmas and Upulous Cays National Park – Michaelmas Cay</li> <li>• Raine Island National Park (scientific) - MacLennan Cay, Moulter Cay, Raine Island</li> <li>• Sandbanks National Park – Sandbank No. 7, Sandbank No. 8</li> <li>• Swain Reefs National Park - Bacchi Cay, Bell Cay, Bylund Cay, Distant Cay, Frigate Cay , Gannett Cay, Price Cay, Riptide Cay, Thomas Cay</li> </ul> <p>An exemption will apply for the use of aircraft as part of an emergency response such as for a medical evacuation, search and rescue or firefighting.</p>
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**Issue: Update the definition of recreational craft to regulate use of kite buggies and land windsurfing boards in recreation areas**

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• Recreational craft are regulated to enable appropriate arrangements (through the use of permits) are in place in areas where there is shared use and safety, visitor use and amenity need to be coordinated and managed.</li> <li>• Currently for recreation areas kite buggies and land windsurfing boards, are not included in the definition of recreational craft. However, they are included in the legislation used to manage protected areas. While currently use of such craft is low, one of the objectives of this review is to achieve consistency across the legislation used to manage QPWS areas.</li> <li>• In protected areas, recreational craft means             <ul style="list-style-type: none"> <li>• a hot air balloon</li> <li>• a hang-glider</li> <li>• a paraglider</li> <li>• an ultralight aircraft</li> <li>• a kite buggy, a land windsurfing board; or another craft or device prescribed by regulation to be a recreational craft.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed to include kite buggies and land windsurfing boards in the definition of recreational craft under recreation area legislation, for consistency with protected areas.</li> <li>• This will make the future use of such craft subject to permitting requirements in recreation areas, the same as currently applies in protected areas.</li> </ul>

**Prohibited activities in QPWS areas**

**Introduction**

This section covers activities that impact on the values of QPWS areas, such as feeding native animals, graffiti or otherwise defacing or damaging natural and cultural resources and littering and waste disposal. Amendments are proposed to these provisions and improve consistency with other legislation, address emerging issues and improve deterrent of unlawful behaviours.

## Proposed changes

### Issue: Prohibit the feeding of native animals in protected areas and State forests

Current issue	Proposed change
<ul style="list-style-type: none"> <li>It is an offence in protected areas to feed an animal that is dangerous, venomous or capable of injuring a person, such as a dingo or crocodile. It is also an offence where a regulatory notice specifically prohibits animal feeding.</li> <li>The provisions are intended to protect wildlife and park visitors from negative consequences of feeding.</li> <li>Many native animals that would not normally be considered dangerous or capable of injuring a person (for example, goannas, and many species of birds such as kookaburras) may become dangerous from becoming habituated to feeding by people. There can also be negative impacts for the wildlife from being fed.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed to make it an offence to feed <u>any native animal</u> in a protected area or State forest, unless under authority.</li> <li>This will address the potential negative health impacts on native animals eating food provided by humans and also reduce the habituation of wildlife associated with feeding.</li> </ul>

### Issue: New on-the-spot fines for graffitiing, defacing and damaging of natural resources in protected areas and private protected areas

Current issue	Proposed change
<ul style="list-style-type: none"> <li>Currently there is no ability to issue an “on-the-spot” fine for behaviours such as graffitiing, defacing or damaging natural resources – for example carving initials into trees or spray painting or writing, on rock walls and overhangs in a protected area.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed to create on-the-spot fines for graffitiing, defacing and damaging natural resources in a protected area and private protected area.</li> <li>This will act as a deterrence from graffiti, defacing and damaging activities occurring, as well as enable authorised officers to issue a fine for these types of offences when they occur.</li> </ul>

### Issue: Improve the litter definition and increase fines for littering in QPWS areas

Current issue	Proposed change
<ul style="list-style-type: none"> <li>The litter provisions in the protected area, recreation area and forestry regulations differ, and are also different from other littering offences applying more generally across the community outside QPWS areas.</li> <li>The litter provisions require amendments to increase consistency across the regulations and with litter and waste offences in other legislation applying outside of QPWS areas.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed to expand the definition of litter to include metal, wood, plastic, paper, fabric, food or cold ash from spent solid fuel.</li> <li>Further changes proposed include increasing the maximum penalties and fines for littering to align with the same penalties under the <i>Waste Reduction and Recycling Act 2011</i>.</li> </ul>

### Issue: Update fines to ensure consistency across QPWS areas

Current issue	Proposed change
<ul style="list-style-type: none"> <li>The three regulations often contain equivalent offences for unlawful activities in either a</li> </ul>	<ul style="list-style-type: none"> <li>The fines for offences in the regulations are being reviewed and will be made consistent across QPWS areas, and consistent with other</li> </ul>

<p>protected area, recreation area or State forest. For example, failure to comply with conditions of a camping or other permit, or unlawfully bringing an animal into an area.</p> <ul style="list-style-type: none"> <li>• Some of these equivalent offences have inconsistent fines across QPWS legislation, while other fines are inadequate to deter the unlawful activity.</li> <li>• Some offences for QPWS areas are related to offences under other legislation, for example littering is also an offence under the <i>Waste Reduction and Recycling Act 2011</i>.</li> <li>• Some offences in QPWS areas that are related to other legislation, such as littering, are inconsistent with other legislation.</li> </ul>	<p>legislation where suitable.</p> <ul style="list-style-type: none"> <li>• Offences for which the fines are being reviewed include: <ul style="list-style-type: none"> <li>○ non-compliance with camping requirements</li> <li>○ disorderly and other disturbing conduct</li> <li>○ unlawful access to restricted access areas</li> <li>○ bringing animals and live plants where prohibited</li> <li>○ removing and damaging plants</li> <li>○ uncontrolled dogs</li> <li>○ unlawful stock grazing</li> <li>○ feeding/disturbing dangerous animals</li> <li>○ conducting activities without relevant permits</li> <li>○ non-compliance with requirements for permits (conditions, record keeping, payments)</li> <li>○ unauthorised structures and works</li> <li>○ tampering with structures</li> <li>○ dumping, littering and pollution offences</li> <li>○ failure to comply with directions.</li> </ul> </li> </ul>
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## Permits for activities in QPWS areas

### Introduction

Many activities conducted in QPWS areas can only be done under a permit or authority. These activities include:

- commercial tourism activities;
- commercial filming and photography;
- scientific research;
- organised events; and
- other activities.

The regulations provide a framework for the assessment and granting of permits and authorities, and also specify other requirements such as maximum permit terms and record keeping and lodgement requirements.

### Proposed changes

#### Issue: Increasing the maximum permit duration for commercial activity permits, from 3 to 5 years

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• Commercial tour operators conducting guided tours on QPWS areas must be authorised under a commercial activity permit or commercial activity agreement.</li> <li>• Currently the maximum term is three years for a permit.</li> <li>• Operators have provided feedback to the department that a longer-term permit would be beneficial to support business certainty.</li> <li>• A longer permit term would also reduce administration on the department and businesses.</li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed to increase the maximum permit term from three years to five years for established operators.</li> </ul>



### Issue: Allow transferable commercial activity permits

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• Generally, permits are not transferable, unless they are specifically legislated to be.</li> <li>• Currently, if someone wants to sell their business which involves a permit to operate on a QPWS area (e.g. for a commercial tour), they would be required to surrender the associated commercial activity permit, and the new owner must make an application for a new permit.</li> <li>• This results in unnecessary uncertainty for the buyer and unnecessary administration for the Department.</li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed to make commercial activity permits transferable, with an associated transfer fee reflecting the existing application fee that would typically be payable by a new operator.</li> <li>• Assessment by the department will still be necessary to ensure the transferee meets the required suitability requirements and the transferor does not have any outstanding debts to the department.</li> </ul>

### Issue: Reflect technological changes and remove hardcopy record books for commercial operators and event organisers

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• Online technology is now used for the management and administration of commercial tour operators' and event organisers' business interactions with the department.</li> <li>• This new system replaces previous requirements for commercial tour operators and event organisers to complete hard copy record books.</li> <li>• Operators are now able to lodge their records and payments online, making hard copy record books redundant.</li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed to update the legislation to reflect electronic record keeping and online payment facilities and remove requirements for hard copy record books for commercial operators and event organisers.</li> </ul>

### Issue: Increase the maximum permit duration for resources permits for quarrying from 1 to 3 years

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• Resources permits may be granted for the removal of quarry material from resources reserves (a type of protected area).</li> <li>• These permits are granted to state departments (for example the Department of Transport and Main Roads) and local governments, largely to source road base for their maintenance programs.</li> <li>• These activities are generally operating over a longer term than the one year that resources permits of this type are permitted under legislation. This provides a regulatory burden for both QPWS and applicants.</li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed to increase the maximum permit term for resources permits from one year to three years.</li> </ul>

### Issue: Allow combined permits for research across multiple QPWS area types, consistent with the existing joint commercial activity permit

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• Where commercial activities are undertaken on</li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed to allow for the grant of a joint research permit to be granted for protected and</li> </ul>

<p>multiple QPWS area types, they can be assessed and granted as a single joint commercial activity permit.</p> <ul style="list-style-type: none"> <li>• This provides a streamlined more efficient process which leads to faster decision timeframes for applicants.</li> <li>• However, the same approach is not currently able to be applied for scientific research permits on protected areas and forest areas.</li> </ul>	<p>forest areas.</p>
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**Issue: Allow permits for collection of plant parts for conservation purposes in protected areas**

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• Under the protected areas permitting framework, plant parts (e.g. seeds and propagative materials) of species that are threatened cannot be collected for conservation purposes from protected areas.</li> <li>• However, collection of seed and propagation material of threatened species may be a valid activity in some circumstances, such as: <ul style="list-style-type: none"> <li>• to allow propagation of insurance populations to ensure the species is protected from extinction, or</li> <li>• to allow for the use of local provenance species in revegetation and rehabilitation projects on degraded lands (such as in offset projects).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed to allow for the limited grant of a permit for the take of seed and other propagative material for conservation purposes from protected areas.</li> <li>• Strict criteria will apply to ensure that the permits are only granted for genuine, non-commercial conservation projects undertaken by qualified persons.</li> </ul>

**Issue: Remove Aboriginal tradition / Island custom authorities and instead use the more up-to-date provisions of the *Native Title Act 1993***

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• Prior to the Commonwealth <i>Native Title Act 1993</i>, provisions were made to allow the granting of an authority for an activity relating to the take of wildlife for Aboriginal tradition / Island custom in protected areas.</li> <li>• No authorities have been issued under these original provisions since they commenced.</li> <li>• Since the Commonwealth <i>Native Title Act 1993</i> was enacted, native title holders do not need an authority to do an activity in exercise or enjoyment of their native title rights and interests.</li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed to remove the framework for issuing Aboriginal tradition and Island custom authorities under the Nature Conservation Regulations, as this is now superseded by provisions in the <i>Native Title Act 1993</i>.</li> <li>• This will not impact on the exercise of native title holder's rights and interests.</li> </ul>

**Update the forestry legislation to assess permit applications consistently**

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• The protected area and recreation area regulations provide criteria that the chief executive or their delegate must consider when deciding whether to grant or refuse a permit application. For example, considering the potential impacts of the activity on the protected area, and whether or not an applicant is a</li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed to amend the forestry legislation to ensure permit applications are assessed consistently across all QPWS areas.</li> <li>• This will include provisions regarding application and decision processes, timeframes, matters for consideration and insurance requirements.</li> </ul>

<p>suitable person to hold a permit.</p> <ul style="list-style-type: none"> <li>• These assessment frameworks ensure that proposed activities are assessed consistently and managed appropriately to ensure any impacts to the area and other users are minimised.</li> <li>• The forestry legislation does not include criteria for assessing applications for activities on forest areas (for example, commercial activities, organised events, research activities and stock grazing) nor does it address the issue of applicant suitability.</li> </ul>	
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### Provide the ability to refuse permit applications in certain situations

Current issue	Proposed change
<ul style="list-style-type: none"> <li>• Current legislation specifies that a person may apply for a permit or relevant authority and that the chief executive must consider and decide each application.</li> <li>• There is no scope to refuse the lodgement of an application or not assess an application, even where there are circumstances that are known to the department that would prevent the grant of the permit (such as the area being closed or access restricted from damage caused by a bushfire or cyclone, the sustainable capacity for the site being reached, or being inconsistent with native title requirements).</li> <li>• Processing permit applications in these situations creates an unnecessary administrative and financial burden for both the applicant and QPWS.</li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed to create the ability for the chief executive to make a declaration regarding closure of applications where circumstances are known that would prevent any permit being granted.</li> <li>• The declaration would be made via public notice on the Department of Environment and Science website and be subject to specific criteria.</li> </ul>

### Providing feedback

To provide feedback on the proposed changes, complete the [online survey](#) available at the department's consultation webpage by **5pm on 6 December 2023**.