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Outdoor Recreation: Service Provision in the Queensland Public Sector

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*Reasonable effort has been made to ensure that the information contained in this document is accurate and current. Given that the situations described in this paper are complex and involve rapidly changing matters of policy, demand for recreation, legislation, and organisational priorities, **you are strongly advised** to check specific details directly with appropriate sources from the relevant organisations.*

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Introduction

In Queensland (as is the case in all Australian States and Territories) [outdoor recreation services](#) (See the definition of outdoor recreation services page 2) are provided by many public sector agencies. Past and present legislation, government policy and administrative arrangements and social history shape the outdoor recreation responsibilities of these agencies.

The outdoor recreation services that each of these agencies provide may be focused on particular land tenures (eg. State Forests or National Parks), particular locations (eg. Local Government areas or marine parks) or on particular outdoor recreation activities or issues (eg. fishing, boating safety, search and rescue, hunting native wildlife, firearms licensing, etc.). This situation has developed since 1788 as government structures, roles and responsibilities have changed in response to changes in Australian and Queensland society.

The key to understanding outdoor recreation service delivery by the Queensland government lies in understanding which agency (or agencies) is responsible for outdoor recreation on particular areas of land and/or water and/or which agency (or agencies) is responsible either for particular outdoor recreation activities or for specific issues related to particular outdoor recreation activities.

The purposes of this document are to:

- Identify the public sector agencies with major responsibilities for outdoor recreation service delivery in Queensland;
- Explain what services those agencies provide; and
- Identify the tenure, geographic and/or thematic responsibilities of those agencies, which provide outdoor recreation opportunities or services.

What are outdoor recreation services?

Outdoor recreation services provided by state and/or local government agencies and/or the private sector and/or volunteer-based non-government organisations include:

- Planning (eg. local government recreation plans for specific areas; the recreation components of open space plans; management plans - which incorporate recreation sub-plans - for National Parks, Marine Parks, State Forests and other public land tenures; site management plans for private lands; etc.);
- Basic custodial land management (eg. wildfire suppression, erosion control, weed control, feral animal control and fencing);
- Resource management (eg. prescribed burning; management of noise, water or air pollution; landscaping; protection of key cultural heritage sites; management of water supply catchments; rehabilitation of damaged areas; maintenance of biological diversity; protection of rare and threatened species; etc);
- Risk management (eg. relocation or destruction of dangerous animals; education about dangerous weather or sea conditions; temporary closure of dangerous areas; warning signs; removal of damaged trees; etc)
- Enforcement (eg. patrols by enforcement staff, on-the-spot fines, confiscation of equipment, directions to leave an area or to stop doing a particular activity, etc.);
- Education and interpretation (eg. direction and educational signs, guided walks, guided drives, spotlighting, campfire talks, posters, information sheets, brochures, books, videos, maps, etc.);
- Outdoor recreation activity programs (eg. organised outdoor recreational walking, skills instruction, training for participants and officials, etc.);
- Provision of supervision, first aid, search and rescue (eg. Surf Life Saving, Coast Guard, pool supervision, etc.);
- Organising external suppliers (eg. food and beverage suppliers, cleaners, entertainers, first aid, etc.);
- Marketing (eg. promotional events and advertising signs, brochures, books, videos, maps, etc.); and
- Financial and other forms of support to non-government outdoor recreation interest groups.

Some of the activities listed above (eg. wildfire suppression) are not usually classified as recreation services. However, in this paper, outdoor recreation is considered as a land use. Consequently, all services that might influence the quality, quantity, diversity, safety or sustainability of outdoor recreation are considered to be relevant.

Somewhere to do it – the basic resource for outdoor recreation

The lands and waters on which outdoor recreation occurs are the basic resource for outdoor recreation. They are the places with the right characteristics (eg. enough area; the right terrain; long enough tracks for walking, running, horse riding, cycling, trail bike riding or four wheel driving; reliable winds for sailing, hang gliding or kite flying; reliable waves for surfing; sufficient snowfall for skiing and snowboarding; with good rock on which to climb; a tolerable climate; etc) to provide for participation in particular outdoor recreation activities.

Such places are also the basic resource for eco-tourism, adventure tourism, adventure therapy and outdoor education - each of which use outdoor recreation *activities* and outdoor recreation [settings](#) to achieve their objectives.

What are outdoor recreation settings?

Recreation settings are the biophysical, social and managerial attributes of the places in which recreation takes place. Biophysical attributes include the:

- Terrain (shape, colour and texture of the surface of the Earth);
- plant community;
- animal community;
- animal behaviour;
- water quality, quantity and spatial and temporal flow patterns;
- smells caused by natural features (eg. flowering plants, drying algae, etc.) and the activities of people;
- sounds caused by natural features (eg. water falls, bird song, surf, wind, etc.); and
- area of available landscape/seascape.

Social attributes include the:

- total number of people present;
- activities of the people who are present;
- sounds and smells caused by people and their activities; and
- number of people present in the social group to which a person belongs.

Managerial attributes include the:

- ownership and management arrangements for a site;
- set of regulations/rules/bylaws operating at a site;
- number and type of built structures present;
- facilities and grounds maintenance regime;
- type of access to a site/location;
- type of access within a site/location;
- presence or absence of onsite rule enforcers; and
- number and obtrusiveness of signs.

People perceive these attributes through sight, sound and smell. Refer to Clark and Stankey (1979).

Without somewhere suitable, desirable and accessible to undertake outdoor recreation activities, outdoor recreation is not possible. In Queensland, most, **but not all**, of the suitable, desirable and accessible areas on which outdoor recreation occurs are directly managed by various State and Local Government agencies. This is more an accident of the history of land use decision-making since European settlement of Queensland and Australia's land tenure system than the consequence of either deliberate government intent or community demand. Without doubt, private (ie. non-government) landholders, who control at least 80% of the land in Queensland, could make a greater contribution to meeting the demand for outdoor recreation than they currently do.

Government (public sector) responsibilities for outdoor recreation

The outdoor recreation services provided by particular public sector agencies sometimes overlap with those of other public sector agencies. Complex, and sometimes inconsistent, legal, policy and jurisdictional frameworks, financial resources and funding sources – among other factors - may also influence the types of outdoor recreation services provided or shape the way they are delivered.

Outdoor Recreation: Service Provision in the Queensland Public Sector

The major State Government agencies with *tenure-specific* and *quasi-tenure specific* responsibilities for outdoor recreation are:

- **Queensland Parks and Wildlife Service** (previously the Queensland National Parks and Wildlife Service and/or part of the Queensland Department of Environment and Heritage):
 - [National Parks, Conservation Parks, Resource Reserves, World Heritage Areas, Wilderness Areas, Coordinated Conservation Areas and other protected areas](#) that are managed under the *Nature Conservation Act 1992*; and
 - State Marine Parks as defined in the (Queensland) *Marine Parks Act 1984*; and
 - [State forests, timber reserves and those forest reserves](#) that were previously State forests all of which are managed under the *Forestry Act 1959*.

This agency is currently part of the Queensland Environmental Protection Agency. Refer to the Web Site at: <http://www.epa.qld.gov.au/>

All Queensland laws are available from the Queensland Parliamentary Counsel Web Site at: <http://www.legislation.qld.gov.au/OQPChome.htm>

- (Queensland) **Department of Natural Resources and Mines** (DNRM) – Stock Routes, roads (at least in part), State leasehold lands (about 67% of Queensland) and Reserves for Community Purposes. Each of these is managed under the *Land Act 1994*. Refer to the website at: <http://www.nrm.qld.gov.au/>
- **SunWater** - precincts around SunWater controlled dams (including the lakes). Refer to the website at: <http://www.sunwater.com.au/>
- (Queensland) **Recreation Areas Management Authority** - Recreation Areas. This is incorporated within the Queensland Environmental Protection Agency. Refer to the website at: <http://www.epa.qld.gov.au/environment/search/>
- **Wet Tropics Management Authority** – policy and planning responsibility all public lands within the Wet Tropics World Heritage Area in coastal far north Queensland. Refer to the website at: <http://www.epa.qld.gov.au/environment/search/>
- **Great Barrier Reef Marine Park Authority** (a Commonwealth government agency) – policy and planning responsibility for the Great Barrier Reef Marine Park. Refer to the website at: <http://www.gbrmpa.gov.au/>
- **South East Queensland Water Corporation Ltd¹ (SEQWater)** - precincts of Wivenhoe, Somerset and North Pine Dams in south east Queensland. Refer to the website at: www.seqwater.com.au
- **Brisbane Forest Park Authority** - Brisbane Forest Park. This agency is part of the Queensland Environmental Protection Agency. Refer to the website at: www.brisbaneforestpark.qld.gov.au/

¹ In March 2000, the South East Queensland Water Board was converted from a statutory authority to a government corporation – SEQWater.

What does tenure-specific mean?

Organisations with **tenure specific** responsibilities for outdoor recreation are restricted by law or government mandate to providing outdoor recreation services **only** on specific *land tenures*. In Queensland, land tenures include – freehold or fee simple, State leasehold, road, State forest and national park. For more information about land tenure, a document is available from the Queensland Department of Natural Resources and Mines at: http://www.nrm.qld.gov.au/land/state/pdf/land_tenure_qld.pdf

The Queensland Parks and Wildlife Service provides for outdoor recreation on National Parks (managed under the *Nature Conservation Act 1992*) and State Forests (under the *Forestry Act 1959*). Queensland Department of Natural Resources and Mines and some local governments provide recreation services on Reserves for Community Purposes which are managed under the *Land Act 1994*.

Organisations with **quasi-tenure specific** responsibilities for outdoor recreation that are restricted by law or government mandate to providing outdoor recreation services **only** on areas (rather than land tenures) that are defined in legislation (eg. Recreation Areas under the *Recreation Areas Management Act 1988*, land in World Heritage Areas, Coordinated Conservation Areas and Wilderness Areas defined under the *Nature Conservation Act 1992*).

Of these eight agencies, only the Recreation Areas Management Authority and the Brisbane Forest Park Authority were established specifically for outdoor recreation management. Neither of these organisations has exclusive management responsibility for particular land tenures.

Rather they are responsible for outdoor recreation management frameworks that overlie land tenures such as national park, state forest or private freehold (*Recreation Areas Management Act 1988* and *Brisbane Forest Park Act 1977*). For all of the other land tenures managed by the other agencies, recreation is subordinate to other resource or land use values or outcomes (Refer to the sections covering the objects and management principals in the *Nature Conservation Act 1992*, *Forestry Act 1959* and *Marine Parks Act 1984*).

A second group of agencies has outdoor recreation responsibilities that are *thematic issue specific*. This group includes:

- **Queensland Parks and Wildlife Service** - regulation (including education and enforcement) of both recreational and commercial hunting or taking of native wildlife.
- **Queensland Boating and Fisheries Patrol** – onsite or operational education about and enforcement of marine safety regulations and both commercial and recreational fishing regulations (including seasonal closures, gear restrictions and bag limits). This agency is part of the Queensland Department of Primary Industries. Refer to the website at: <http://www.dpi.qld.gov.au/fishweb/2917.html>
- **Queensland Department of Primary Industries**
 - Management of diseases and movement of livestock (including horses, donkeys, camels, alpacas, etc that are ridden or used as pack animals for recreation);
 - Management of both recreational and commercial fishing including setting seasonal closures, gear restrictions and bag limits.

Refer to the website at: <http://www.dpi.qld.gov.au/thematiclists/2263.html>

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- **Queensland Transport**

- Motor vehicle legislation;
- Motor vehicle registration and regulation of motor vehicle use (including recreational uses);

- **Maritime Safety Queensland**

- Motor vessel registration, navigation aids, boat ramp construction and maintenance and regulation of motor vessel use (including recreational uses);

Refer to the website at: <http://www.transport.qld.gov.au/maritime>

- Waterways Transport Management Plans developed under the *Transport Infrastructure Act 1994*. Refer to: http://www.transport.qld.gov.au/qt/maritime.nsf/index/water_mgmt_legis; and http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/T/TransptInfSCWMP00_01_.pdf

- **Queensland Department of Natural Resources and Mines** - management of recreational fossicking in Queensland; and
- **Queensland Police Service** - regulation of recreational shooting including firearms licenses and certification of firing ranges; regulation of bicycle, vessel and motor vehicle use (including recreational uses) in public areas.

A third group of agencies has outdoor recreation responsibilities which are neither tenure specific nor thematic issue specific. This group includes Sport and Recreation Queensland - a Division of the (Queensland) Department of Innovation and Information Economy and Sport (pre March 2001, the Queensland Department of Communication and Information, Local Government, Planning and Sport and pre 1999, the Queensland Department of Tourism Sport and Racing, Sport and Recreation Division) technical advice and funding support to local government for recreation planning and funding support to incorporated organisations for recreation facilities.

Please note that the State government agencies are subject to frequent changes in names and responsibilities. The information presented here is current as at September 2002, but may change substantially in the near future.

In addition to these major State public sector land management agencies, **Local Government** is taking an increasing role in the acquisition and management of [open space](#) areas for a range of purposes including outdoor recreation and in provision of built facilities and programs that support recreation (eg. skate board bowls, play grounds, mountain bike trails, cycle paths, canoe trails, beach access for vehicles and pedestrians, camping areas, caravan parks, etc). Rapidly increasing investment in outdoor recreation service delivery by some city or shire councils is a significant recent trend.

While the organisational structure of each Local Government is unique, the bigger local governments often have institutional/organisational arrangements that are at least as complex as those of the State Government. In local government, outdoor recreation services may be provided through many administrative structures including parks and gardens departments, water supply branches, bushcare programs, engineering departments, planning departments, environmental management branches and external contractors.

What is open space?

Open space is any area of land and/or water on which no, or very few, built structures are present, and consequently, which has its surface open to the sky. The surface may be modified from its natural condition but is usually substantially unpaved. Open space could include forests, farming land, beaches, lakes, dams, deserts and urban parks on which no, or few, built structures are present.

Like many other landscape attributes, open space is not an absolute condition. It grades from totally open space (ie. no built structures for hundreds of km²) to the edges of built-up urban areas - depending on the proportion of the area which is taken up by built structures. The boundary between open space and built areas may be indistinct. Other definitions of open space may be used in local government planning schemes or other land use planning documents.

Open space may have value for one, or more, of the following:

- outdoor recreation;
- sport;
- forestry;
- tourism;
- agricultural and/or pastoral production;
- nature conservation or biodiversity protection;
- maintenance of natural ecosystems and/or agricultural systems and the natural processes that sustain them;
- protection and/or management of areas that are significant for environmental, cultural heritage and/or natural resource management;
- management of water catchments;
- maintenance of cultural practices; and
- scenic quality and amenity.

Tenure names do not necessarily indicate function

Table 1 lists some of the land tenures and/or names of various types of public land which **may** be available for outdoor recreation in Australia. Note that the name given to a particular type of state or public land will often reflect the use for which it was **originally** intended when it was first declared and the original statutory basis for its control. However, the original tenure or other classification of a particular area of public land will not necessarily reflect either its current use/s or its potential use/s and value/s.

As legislation and government policy have changed over time, the names given to areas set aside for particular purposes have changed. Accordingly, the name/label attached to a particular area of state (or public) land may be different on maps of different age even though the purpose for which the land or water is used, or intended, has not changed. Although this situation is confusing, it is unlikely to improve in the foreseeable future.

Consequently, it is important to understand that the names of particular land tenures do not necessarily indicate the functions, uses or values of land.

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Table 1:

Some types of State, or public, lands and waters in Australia which might be "parks" or areas where outdoor recreation **might** be permitted.

<i>Name</i>	<i>State and statutory basis of management</i>
National Park (Scientific) National Park Conservation Park Resources Reserve Wilderness Area	Queensland; <i>Nature Conservation Act 1992</i>
Marine Park	Queensland; <i>Marine Parks Act 1984</i>
Recreation Area	Queensland; <i>Recreation Areas Management Act 1988</i>
Fish Habitat Reserve Wetland Reserve	Queensland; <i>Fisheries Act 1994</i>
Reserves for Community Purposes such as: <ul style="list-style-type: none"> ▫ Sport and Recreation ▫ Open Space ▫ Camping and Water ▫ Esplanade ▫ Scenic ▫ Beach protection and coastal management ▫ Parks and gardens ▫ Public boat ramps, jetties and landing places 	Queensland; <i>Land Act 1994</i>
Stock Route Note: Stock Routes in other Australian states are managed under legislation specific to each state.	Queensland; <i>Land Act 1994, Stock Act 1915</i>
State Forest Timber Reserve Note: State forests in other Australian states are managed under legislation specific to each state.	Queensland; <i>Forestry Act 1959</i>
Hunting Reserve Gazetted Road Flora Reserve Railway Reserve Game Reserve Mining Reserve Marine Reserve Nature Reserve Historic Shipwreck Quarry Reserve Historic Site	Various statutes in several Australian states and territories other than Queensland.

Some of these (eg. National Parks, State Forests, Conservation Parks, Timber Reserves, Resource Reserves and Reserves for Community Purposes) are [land tenures](#). Others (eg. Recreation Areas, Wilderness Areas, Marine Parks and Fish Habitat Reserves) are quasi-tenure statutory arrangements affecting land or resource use within their boundaries.

Areas managed by the Queensland Parks and Wildlife Service.

The Queensland parks and Wildlife Service (QPWS) is responsible for managing areas under the *Nature Conservation Act*, *Marine Parks Act*, *Recreation Areas Management Act*, *Brisbane Forest Park Act* and the *Forestry Act*. This agency has previously been known by a variety of names including Queensland Department of Environment and Heritage, Queensland Department of Environment and the Queensland National Parks and Wildlife Service.

In the structure of the Queensland Government set up in March 2001, the Queensland Parks and Wildlife Service is located within a government department known as the (Queensland) Environmental Protection Agency. This department is responsible for implementing a broad range of legislation including the *Environmental Protection Act 1994* as well as the five statutes listed above.

As part of the re-organisation of the structure (or machinery) of the State government in March 2001, the responsibilities for custodial land management, resource management, recreation and tourism in State forests and timber reserves were transferred to the Queensland Parks and Wildlife Service from the then Department of Natural Resources.

As a consequence, the Queensland Parks and Wildlife Service is now responsible for the management of both protected areas as defined in the *Nature Conservation Act 1992*, including national parks (about 6.3 million hectares or just over 4% of the State) and state forests and timber reserves as defined in the *Forestry Act 1959* (about 4.2 million hectares or about 2.5% of the State) in Queensland. It is now the second largest landholder in Queensland behind the Stanbroke Pastoral Company which controls about 7 million hectares.

National Parks and other protected areas

A Queensland law called the *Nature Conservation Act 1992 (NCA)* provides for a system of *protected areas* that are based on the International Union for the Conservation of Nature and Natural Resources (IUCN) protected area classification system. For more information on the IUCN protected area classification system, refer to:

<http://www.iucn.org/bookstore/ProAreasIndex.htm>

In Queensland's national parks, outdoor recreation that is both *nature-based* and *ecologically sustainable* is generally encouraged provided it does not conflict with or degrade the other values (eg. conservation of nature, preservation of cultural heritage, water catchment protection, etc) of the protected area estate. These two concepts are defined in section 8 to 11 and the Schedule in the *Nature Conservation Act 1992*. To determine whether or not a particular outdoor recreation activity is appropriate for National Parks in Queensland, each outdoor recreation activity is evaluated against criteria derived from those definitions.

National Parks near major population centres are typically the focus of much of the community demand for outdoor recreation despite the fact that the *Nature Conservation Act 1992* stipulates that nature conservation, rather than recreation, is the primary focus of management of National Parks.

Recent research suggests that Queensland's National Parks are providing for a substantial proportion of the demand for outdoor recreation. For example, 650,000 camper/nights were recorded in the National Parks in south east Queensland and more than 10 million visits to Queensland's National Parks were recorded in 1997 (QPWS camping permit data).

Outdoor Recreation: Service Provision in the Queensland Public Sector

There is no such thing as **the National Parks Service** in Australia

In Queensland, the agency that manages national parks is the Queensland Parks and Wildlife Service (QPWS). This is a state government rather than a federal government agency. QPWS is directly responsible for the management of protected areas within the nature conservation estate and for the management of native wildlife on all lands in Queensland regardless of tenure. This agency is part of the Queensland Environment Protection Agency. Other agencies responsible for managing the national parks in each of the other Australian states and territories are:

- the New South Wales National Parks and Wildlife Service (NSW NPWS) manages national parks in New South Wales;
- The Parks and Wildlife Commission of the Northern Territory (PWCNT) manages national parks in the Northern Territory;
- The Department of Conservation and Land Management (CALM) manages national parks in Western Australia;
- National Parks and Wildlife, South Australia (NPWSA) within the Department of Environment Heritage and Aboriginal Affairs manages national parks in South Australia;
- the ACT Parks and Conservation Service manages national parks in the ACT;
- the Parks Victoria manages national parks in Victoria; and
- the Tasmanian Parks and Wildlife Service (TPWS) within the Department of Environment and Land Management (DELM) manages national parks in Tasmania.

Each of these agencies operates exclusively within their respective States or Territories. Each has legislation, policies and organisational structures, roles and responsibilities that are specific to that particular State or Territory.

Environment Australia, which is a Commonwealth Government agency, directly manages some "national parks" that are located in the various Australian territories. For example, Environment Australia manages Uluru-Katajuta National Park and Kakadu National Park in cooperation with their traditional Aboriginal owners. Both of these areas are more accurately described as "national parks" since they are managed by a federal government agency (in cooperation with the traditional Aboriginal owners).

This does not mean that the national parks administered by State Government agencies are less significant or less valuable for nature conservation, heritage protection or outdoor recreation than those administered by the Commonwealth. It simply means that the management responsibilities are different. This situation arises from the constitutional relationship between the State/Territory governments and the Commonwealth Government in Australia

Unlike the situation in the USA where the US National Parks Service is responsible for all national parks, Australian national parks are not part of a consistent national system that is managed by a single federal government agency.

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Table 2:
Areas managed by QPWS.

Name of area	Statutory basis of management
1. National Parks Scientific 2. National Parks 3. National Parks (Aboriginal Land) 4. National Parks (Torres Strait Islander Land) 5. National Parks (Recovery) 6. Conservation Parks (sometimes with trustees) 7. Resources Reserves (sometimes with trustees) 8. Coordinated Conservation Areas 9. Wilderness Areas 10. Nature Refuges 11. World Heritage Areas 12. International Agreement Areas	<i>Nature Conservation Act 1992</i>
Recreation Areas	<i>Recreation Areas Management Act 1988</i>
(State) Marine Parks	<i>(Queensland) Marine Parks Act 1984</i>
Great Barrier Reef Marine Park (through a joint management arrangement with the Great Barrier Reef Marine Park Authority. QPWS is responsible for operational or onsite services)	<i>Commonwealth Marine Parks Act</i>
State Forests, Timber Reserves, and Forest Reserves that were previously State forests.	<i>Forestry Act 1959 -1991</i>

In addition to its tenure-specific responsibilities, the Queensland Parks and Wildlife Service is responsible for regulating the hunting of native wildlife for both recreational and commercial purposes.

Effects of changes to national parks management legislation in Queensland

The enactment of the *Nature Conservation Act 1992* changed the focus of management of some protected areas, introduced a number of new tenures and non-tenure management arrangements. Some of the names of protected areas will be familiar to many people in the community so it is important to clarify what these now mean. The effects of these changes to legislation are too numerous to detail in this document. However, a summary of the relationships between the protected areas before and after the proclamation of the *Nature Conservation Act 1992* is provided in Table 3.

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Table 3:

Comparison of Queensland's protected areas under the *Nature Conservation Act 1992* with those under the *Recreation Areas Management Act* and the repealed *National Parks and Wildlife Act 1975-1982*, *Fauna Conservation Act 1974-1989* and the repealed Environmental Park provisions of the *Land Act 1962-1988*.

Post-Nature Conservation Act	Pre-Nature Conservation Act
National Park (Scientific)	Fauna Reserve (<i>Fauna Conservation Act 1974-1989</i>)
National Park	National Park (<i>National Parks and Wildlife Act 1975-1982</i>)
National Park (Aboriginal Land)	no pre-NCA equivalent
National Park (Torres Strait Islander Land)	no pre-NCA equivalent
Conservation Park	Environmental Park (<i>Land Act 1962-1988</i>)
Resources Reserve	Some Departmental and Official Purposes Reserves (<i>Land Act 1962-1988</i>)
Nature Refuge	Fauna Refuge (<i>Fauna Conservation Act 1974-1989</i>)
Coordinated Conservation Area	no pre-NCA equivalent
Wilderness Area	no direct pre-NCA equivalent, but Recreation Areas under the <i>Recreation Areas Management Act</i> are based on similar concepts.
World Heritage Management Area	no pre-NCA equivalent
International Agreement Area	no pre-NCA equivalent
No NCA equivalent	Fauna Sanctuary (<i>Fauna Conservation Act 1974-1989</i>)

State forests, timber reserves and forest reserves

Most State forests are managed primarily for timber production, but multiple use principles are followed wherever possible. Section 33 of the *Forestry Act 1959* states that:

"The cardinal principle to be observed in the management of State forests shall be the permanent reservation of such areas for the purpose of producing timber and associated products in perpetuity and of protecting a watershed therein."

State forests cover the full range of forest management options, from Logging Exclusion Areas, through enriched eucalypt forests to exotic pine plantations. Multiple uses may include:

- extractive industry;
- stock grazing;
- apiculture (commercial bee keeping – honey production);
- motorised recreation; and
- non-motorised recreation

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Parts of State forests may be designated as *Scientific Areas* to allow undisturbed scientific study of ecological processes, communities or species of plants and animals. State forests can be very important areas for outdoor recreation, nature conservation, and catchment management. Access to particular areas within State forests may be restricted when management activities that are incompatible with recreation (eg. prescribed burning, logging or feral animal control) are occurring.

State forests cover large areas of Queensland. They frequently have important biological scenic, recreational and water catchment areas. Depending on the logging and/or management regime imposed by Queensland Department of Primary Industries, State Forests may range from highly modified to very natural/unmodified landscapes. State forests also frequently contain challenging terrain and remote areas.

Because of these attributes and a different legislative basis of management from national parks, State forests can offer a greater range of recreation, tourism and educational opportunities than national parks. They are consequently major venues for outdoor recreation. This is especially significant where they are contiguous with National Parks so that the area of continuous natural landscape is increased. The Scenic Rim area, in southeast Queensland, Brisbane Forest Park near Brisbane and the Wet Tropics World Heritage Area in north eastern Queensland are examples of places where contiguous National Parks and State Forests provide large areas of natural landscape for outdoor recreation.

Outdoor recreation management in State Forests is based on the principle that all outdoor recreation activities should be:

- ❖ Nature based;
- ❖ Appropriate to the recreation setting (as defined in Recreation Opportunity Spectrum terms);
- ❖ Safe;
- ❖ Sustainable;
- ❖ Attuned to community needs;
- ❖ Compatible with other uses of State Forests; and
- ❖ Possible without requiring exclusive use.

Camping permits are required and a camping fee is charged. Fees apply to a range of commercial activities and Permits-to-Travel are used to manage motor vehicle, horse and bicycle access. Some forest management activities (eg. logging, prescribed burning, scientific research, etc.) are not compatible with outdoor recreation. Access to areas where these activities are occurring will usually be restricted.

Few timber reserves remain in Queensland and the information about State forests provided above is generally applicable to timber reserves. The major difference is that the area covered by timber reserve is less than 25,000 ha.

Forest reserves are a new land tenure brought into being through amendments to the *Nature Conservation Act 1992* in 2000. Most forest reserves are ex-State forests, though some were previously Reserves for Community Purposes managed under the *Land Act 1994*. They are intended to be a "holding" or temporary land tenure for the lands which the Queensland Government intends to convert to one of the protected areas defined in the *Nature Conservation Act 1992* (ie. national parks, conservation parks, resource reserves, etc). Those forest reserves that were previously State forests are managed under the *Forestry Act 1959* as though they are still State forests except that logging and related activities are prohibited.

Areas managed by the Queensland Department of Natural Resources and Mines.

The Queensland Department of Natural Resources and Mines (DNRM), is responsible for the management of outdoor recreation on several types of State lands. In addition, some water storages are managed by SunWater - a government corporation that reports to the Minister responsible for Natural Resources and Mines. These types of lands and water storages are listed in Table 4. In the case of Reserves for Community Purposes, the DNRM may appoint a trustee (usually a local government) to manage a particular Reserve.

Areas that are designated and protected as dams or as Reserves for Community Purposes may, or may not, be available for outdoor recreation, depending on the impacts that outdoor recreation might have on the primary/main use of each area.

Dams are constructed to provide water for irrigation, industrial or domestic consumption. The dams that are directly managed by SunWater include:

- Moogerah and Maroon Dams in south east Queensland;
- Leslie Dam near Warwick;
- Burdekin Falls Dam near Ayre;
- Fairbairn Dam south of Emerald; and
- Tinaroo Falls Dam on the Atherton Tableland.

A full list of the dams controlled by SunWater is available at:

http://www.sunwater.com.au/current_storage_info/Water_Storage_Summary.pdf

Note that many other dams are controlled by individual Local Governments (eg. the Hinze Dam in the Gold Coast Hinterland is owned and managed by the Gold Coast City Council), by statutory water boards (eg. Baroon Pocket Dam in the Sunshine Coast Hinterland is managed by the Maroochy-Caloundra Water Board) or private corporations (eg. Wivenhoe Dam, Somerset Dam and North Pine Dam are managed by the South East Queensland Water Corporation Ltd).

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Table 4:

Types of Crown (or State) lands that **may** be used for outdoor recreation and that are managed by the Queensland Department of Natural Resources and Mines or SunWater:

Name of area	Statutory basis of management
Reserves for Community Purposes including: <ul style="list-style-type: none"> ▫ Beach protection and coastal management; ▫ Heritage, historical and cultural purposes; ▫ Navigation; ▫ Open space and buffer zones; ▫ Parks and gardens; ▫ Public boat ramps, jetties and landing places; ▫ Public halls; ▫ Roads; ▫ Sport and recreation; ▫ Travelling stock requirements; and ▫ Watering places. 	<i>Land Act 1994</i>
Precincts of dams that are directly managed by SunWater.	<i>Water Resources Act 1989</i> <i>Queensland Marine Regulations 1992</i> <i>Forestry Act 1959 -1991</i> <i>Fisheries Act and Regulations 1994</i>

Reserves for Community Purposes

The *Land Act 1994* provides for the declaration of Reserves for a wide range of “community purposes” (See Section 31 and Schedule 1) including those listed in Table 4. Recreation management is provided for through the appointment of one or more trustees for a particular reserve. The trustees are usually local government authorities (ie. city/shire councils) or State Government departments other than the Department of Natural Resources and Mines.

Currently, much of the sport and recreation land that is managed by local government (including local parks and sporting fields) is in some type of Reserve for Community Purposes. Local governments manage this land under the trustee provisions of the *Land Act 1994*. However, this situation is changing as a result of two major factors. Many local governments are purchasing freehold land (and retaining the title as freehold) with various types of taxes or levies (eg. Brisbane City Council’s Bushland Levy). Secondly, one effect of the proposed Infrastructure Charges provisions of the *Integrated Planning Act 1997*, is that local governments will hold land acquired from developers for community purposes (such as recreation) in freehold.

The provisions for model by-laws and/or the conditions for appointment of trustees (See Sections 44, 46, 52 and 56 of the *Land Act 1994*) and the general Regulations provide heads of power to manage outdoor recreation on Reserves for Community Purposes. However, it should be understood that at least some Reserves for Community Purposes are **not** intended to be available for recreation.

Comprehensive statutory mechanisms for managing outdoor recreation including powers to issue permits, collect fees, enforce rules, direct people to leave the area, construct and maintain infrastructure, etc. are used for managing outdoor recreation on State Forests (*Forestry Act*), National Parks (*Nature Conservation Act*) and Recreation Areas (*Recreation*

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Areas Management Act). Equivalent mechanisms for managing outdoor recreation on Reserves for Community Purposes are provided in the model by-laws in the *Land Act 1994*.

Most Reserves for Community Purposes are relatively small in area (ie. less than 500 ha.)

Where local authorities are the trustees, **local laws** developed under the (Queensland) *Local Government Act* provide the basis for recreation management on Reserves for Community Purposes. In the case of state government departments, the statutory basis of recreation management is provided through the model by-laws (see section 56 of the *Land Act 1994*).

Because of their small size, variability of management regime and comparatively restricted capacity for integration with recreation management on national parks and state forests, most of the current Reserves for Community Purposes have limited potential to satisfy outdoor recreation demands or provide a wide range of outdoor recreation services.

Areas managed by the (Queensland) Recreation Areas Management Authority

The Recreation Areas Management Authority is responsible for Recreation Areas declared under the *Recreation Areas Management Act 1988*. This Authority consists of the Minister/s responsible for National Parks and for State Forests. Recreation Areas are not a land tenure in their own right or in the same sense as National Park or State Forest. In effect, a Recreation Area is an administrative or management or quasi-tenure arrangement which is in addition to (or “overlies”) the tenure of all lands and waters within a Recreation Area.

Recreation Areas may be declared over land and/or waters of any tenure. Declaration over State land tenures (eg. National Park or State forest) requires the consent and cooperation of the relevant land management agency.

Declaration over private leasehold or freehold land requires the consent and cooperation of the landholder/s. To date, no private freehold land has been included in any Recreation Area.

Note that the State Government has no coercive powers under the *Recreation Areas Management Act* to force any landholder to have land that they own or control to be incorporated into a Recreation Area.

The Recreation Area Management Authority is advised and supported by the *Recreation Area Management Board* - chief executive officers from the departments responsible for the management of National Parks and State Forests. Currently (as at 16/07/2003), the chief executive officer of the Queensland Parks and Wildlife Service is also the Recreation Area Management Board. Most of the powers and responsibilities of the Board are delegated to subordinate officers in QPWS.

Recreation Areas are intended to provide a statutory means of coordinating outdoor recreation planning and management across different land tenures and between different government land management agencies, government landholders and - **if they choose to participate voluntarily and of their own free will** - private freehold landholders.

Currently, Green Island, Moreton Island, Fraser Island and Inskip Point are Recreation Areas. The Queensland National Parks and Wildlife Service is responsible for management planning and day-to-day operations in each of these Recreation Areas. Recreational use of these National Parks and neighbouring areas cannot be managed separately so the *Recreation Areas Management Act* is used to provide a framework for cohesive and consistent management of outdoor recreation over areas in several tenures.

The *Recreation Area Management Act* provides a head of power to coordinate, integrate, improve, plan, develop and manage recreation on lands within Recreation Areas regardless of the tenure. Landholders and land managing agencies with a proprietary interest over land within a Recreation Area usually maintain control of all non-recreational landuses.

The relationship between the Recreation Area Management Board and Recreation Area landholders or land managing agencies is defined by written agreement.

Recreation Areas are not intended to prevent or diminish the main purpose for which any land, which is part of the Recreation Area, is managed (eg. for National Parks, the main purpose might be cultural heritage protection and/or nature conservation). Likewise, the inclusion of land in a Recreation Area is not intended to diminish the rights and responsibilities of landholders.

Areas managed by the Brisbane Forest Park Authority.

The Brisbane Forest Park is located on the north western outskirts of the greater Brisbane area. It covers several small national parks, a large area of State forest and the catchments for Enoggera Dam and Lake Manchester that are owned in freehold by the Brisbane City Council.

Brisbane Forest Park was established in 1977. It has provided a range of outdoor [recreation opportunities](#) that might not otherwise have been available for the communities in Pine Rivers Shire and Brisbane's northern and western suburbs.

What are recreation opportunities?

Recreation opportunities are particular combinations of *recreation activities* (eg. swimming) in particular *settings* (eg. in an Olympic pool, in a mountain stream, in the surf, on a coral reef). **Each combination of activity and setting represents a different recreation opportunity.**

For example, walking in a suburban park is one type of recreation opportunity. Walking for several days across untracked deserts is a different recreation opportunity from walking in a suburban park. Each combination of activity and setting:

- requires different skills and equipment;
- requires different setting attributes (eg. terrain, size, climate, number of people present, etc);
- attracts different participants/clients with different expectations;
- provides a different recreation experience; and
- requires different management inputs.

Recreation opportunities are the fundamental products of recreation services and the fundamental units of outdoor recreation planning and management. Client choice, marketing strategy, management inputs, equipment requirements and facility designs all derive from analysis of particular combinations of recreation activity and setting.

It should be noted that built facilities **may** be part of recreation opportunities but the concept has a much broader meaning. **It is possible to have a recreation opportunity where there are no built facilities (ie. no buildings, no roads, no toilets, no electricity, no signs, etc).** In fact, some recreation opportunities demand an absence of built facilities.

Brisbane Forest Park is regarded as a relatively successful experiment in multi-tenure outdoor recreation management. However, it is worth noting that Brisbane Forest Park has received much higher levels of funding than have both national parks and State forests. In recognition of the merits of having a statutory basis for coordinating outdoor recreation on public lands elsewhere in Queensland, the *Recreation Areas Management Act 1988* was developed from the *Brisbane Forest Park Act 1977*. Currently, the Brisbane Forest Park Authority - the agency that manages Brisbane Forest Park - is part of the QPWS.

The primary purpose of the Brisbane Forest Park Authority is to coordinate outdoor recreation planning and management across public lands that are held in several different tenures by several public sector land management agencies. However, any recreational uses must be compatible with the primary purposes for which the National Parks, State Forests and water storage areas within Brisbane Forest Park were established.

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A diverse range of outdoor recreation activities is provided for on the National Parks and State Forests within the Brisbane Forest Park. These activities include:

- car based camping;
- bushwalking;
- bushcamping;
- nature study and outdoor education;
- picnicking;
- horse riding;
- mountain bike riding; and
- bird watching.

All of these activities can be controlled by permits and zoning. The rules and practices that normally regulate recreational use of National Parks and State Forests still apply on those National Parks and State Forests within Brisbane Forest Park (Refer to the sections on National Parks and State Forests above).

Areas managed by the South East Queensland Water Corporation.

The outdoor recreation responsibilities of the South East Queensland Water Corporation are to provide and maintain “*..an appropriate range of facilities and opportunities for recreation, sport and leisure...*” (South East Queensland Water Board, 1994) at Wivenhoe, Somerset and North Pine Dams in south east Queensland. These dams provide large lakes that are major outdoor recreation resources. Please note - in March 2000, the South East Queensland Water Board converted from a statutory authority to a private corporation. The effect of privatisation on the delivery of outdoor recreation services by the new corporation - the South East Queensland Water Corporation – has been the closure of some recreation sites and contracting of other recreation services to private providers.

A wide range of outdoor recreation activities is provided within the precincts of the dams that are managed by the South East Queensland Water Corporation. These activities include:

- fishing;
- water skiing;
- sailing;
- swimming;
- rowing, canoeing and kayaking;
- picnicking;
- camping (car based and boat based); and
- bird watching.

The guiding principle for recreational use of dams is that the uses/s should not reduce water quality below acceptable limits. In droughts, or when water levels are low for some other reason, recreational use of these dams may be restricted. Recreational uses may also be restricted when toxic aquatic algae exceed safe levels.

Several other statutory water boards that are responsible for the management of water storages are established elsewhere in Queensland. Water boards are usually statutory authorities (ie. government corporations). They usually consist of one or more local governments. While the primary purpose of water boards is to deliver water to consumers and to manage water resources and built infrastructure such as dams and canal networks, recreation is often recognised as a secondary use of the water storages. For example, the Caloundra-Maroochy Water Board manages the Baroon Pocket Dam in the Sunshine Coast hinterland and the Mt Isa Water Board manages Lake Julius near Mt Isa. In addition to the water boards, SunWater (a state government statutory authority) is directly responsible for the management of some dams.

Other Natural Resource Management Agencies.

The Queensland Boating and Fisheries Patrol is responsible for enforcing the fishing regulations (eg. catch size, fish size, gear restrictions and seasonal closures) and boating regulations (eg. speed limits, license requirements, vessel registration and navigation rules). As such, the Boating and Fisheries Patrol enforces legislation for the Queensland Department of Transport (boating and marine safety regulations) and the Queensland Fisheries Management Authority/ Queensland Department of Primary Industries (fisheries management regulations).

The Queensland Department of Minerals and Energy is responsible for the *Fossicking Act* that provides the statutory basis for the management of fossicking in Queensland.

The Queensland Department of Primary Industries is responsible for a number of statutes that control the movement and disease management of stock (including horses) in Queensland. It is also responsible for legislation controlling both commercial and recreational fishing.

Other State Government Agencies.

Apart from 12 recreation camps, Sport and Recreation Queensland – a division of the (Queensland) Department of Innovation and Information Economy and Sport has very limited direct or indirect land management responsibilities. However, it is involved in outdoor recreation through:

1. coordinating Queensland public sector outdoor recreation planning and management where multi-agency or multi-tenure arrangements are involved;
2. providing technical advice on outdoor recreation to regional planning processes such as SEQ 2001, FNQ 2010, Wide Bay/Burnett 2020, etc;
3. coordinating recreation service delivery as lead agent for the Recreation Implementation Program in the Brisbane River /Waterways Management Plan;
4. membership of the South East Queensland Regional Landscape Strategy Advisory Committee
5. supporting Local Government recreation planning with technical advice and a grant/subsidy program (the Local Government Recreation Planning Program);
6. providing financial support to non-government community-based recreation organisations through two grants programs (the Statewide Sports Development Program and the Minor Facilities Program) and technical advice on outdoor recreation matters;
7. managing 12 recreation centres at various locations throughout the State; and
8. facilitating the resolution of outdoor recreation issues between outdoor recreation interest groups and State Government agencies and Local Government's with outdoor recreation responsibilities.

Local Government

Throughout Queensland, local government is rapidly increasing the range of outdoor recreation services it provides. This is probably a consequence of one, or more, of the following factors:

- having a large enough rates/ revenue base to employ professional recreation planning, environmental management and bushland management staff;
- having a significant demand for outdoor recreation; and
- having management responsibilities for areas in which outdoor recreation occurs.

Local government outdoor recreation services typically include:

- providing for outdoor recreation in open space in planning schemes such as town plans, strategic plans, development control plans and management plans for specific areas;
- purchasing land with funds provided through various specific levies or taxes;
- identifying, protecting and managing open space areas for a range of uses including outdoor recreation; and
- providing, managing and maintaining outdoor recreation infrastructure (eg. cycle paths, boat ramps, toilets, bird hides and walking track systems).

For example:

- Brisbane City Council provides lighting, toilets and bollards for rock climbing and abseiling at the Kangaroo Point cliffs in the centre of Brisbane;
- Redland Shire Council manages 4WD use of the ocean beach on North Stradbroke Island; and
- Gold Coast City Council manages the Hinze and Little Nerang Dams for domestic water supply and non-motorised boating and fishing.

Several local governments may combine resources to develop and maintain dams to supply water to their residents. These dams are often managed by statutory authorities called water boards and the water storages are often, **but not always**, available for some types of outdoor recreation.

For example, the Maroochy-Caloundra Water Board manages the Baroon Pocket Dam on Obi Obi Creek near Maleny in the Sunshine Coast hinterland. This dam supplies water to consumers in Maroochy and Caloundra Shires and provides opportunities for non-motorised boating on the lake and picnicking on the lake shore.

Why is this information important?

There are two main reasons. These are:

1. Inappropriate distribution of public open space lands for outdoor recreation.

In Queensland, most of the large areas of public open space are located considerable distances from the major centers of population in the coastal towns and cities. For example, the largest National Parks are located in the far south west and on Cape York Peninsular

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and the largest State Forests are located in the central west. This distribution pattern is an artefact of several factors including the following.

- The primary purpose of State forests in Queensland is timber production not recreation. Similarly, the primary purpose of National Parks in Queensland is nature conservation - not recreation. In both cases, the criteria for land acquisition have been based on purposes other than recreation.
- The cost of, and competition for, land tends to increase as proximity to the major centers of population increases. This means that it is relatively more expensive to acquire land for outdoor recreation or any other public/community purpose along the coastal strip or near major towns.
- There is currently no program for the acquisition and management of large areas of open space specifically for outdoor recreation purposes in Queensland. Historically, large areas of open space have never been acquired specifically for outdoor recreation.

The result is that there are now relatively few large areas of publicly owned open space that are both dedicated, protected and managed specifically for outdoor recreation and close to the major centers of population along the eastern coast. Consequently, demands for some types of outdoor recreation experiences or activities cannot be met close to where most of the people who wish to undertake those activities live. Suitable land is simply unavailable in the current public land estate in Queensland.

Neither the Queensland Parks and Wildlife Service nor the Department of Natural Resources and Mines is currently planning to acquire land near the major urban centers. For these reasons, some local government planning schemes and recreation plans that rely on National Parks and State Forests to meet all of the demand for outdoor recreation may be based on false or inappropriate assumptions.

Any positive response to this situation requires coordination between State and Local Government. Options for providing adequate (in size, location, shape, diversity and terrain) areas for outdoor recreation include:

- Criteria-based identification of open space with potential for outdoor recreation;
- Protection of open space areas with significant outdoor recreation value and protection of land that is suitable for construction of recreation facilities and/or particular outdoor recreation activities (eg. trail bike riding) in local government planning schemes;
- Land acquisition programs; and
- Public sector land management agencies with appropriate resources to manage the areas for which they are responsible.

Alternatively, and/or in addition, Government support (in terms of appropriate land use policies, planning processes, planning approvals etc) for private landholders to provide for this demand will need to be developed.

2. No single State or Local Government agency has responsibility for all outdoor recreation services

No single agency has responsibility for all of the outdoor recreation services detailed elsewhere in this document. To put this another way, no single agency has the legislative mandate, geographic scope, thematic responsibility or management resources to effectively manage all outdoor recreation in Queensland.

Some outdoor recreation activities (eg. trail bike riding, long distance trails, horse riding, etc.) involve the participants moving across lands or areas controlled by more than one agency or private landholder. To effectively manage these types of activities and to ensure that the quantity, quality and diversity of places to do them are protected, coordination of multi-agency or multi-landholder recreation service delivery is necessary. Consequently, there is a need to coordinate outdoor recreation research, planning and management where multi-agency and/or multi-tenure arrangements are required. This is especially important for public sector agencies that have recreation responsibilities that are usually limited to specific tenures.

In these situations, the Sport and Recreation Queensland may be the appropriate state government agency to coordinate delivery of outdoor recreation services. This is recognised by other state and local government agencies. Increasingly, Sport and Recreation Queensland is being invited to take such a role. Examples of cross-government or multi-landholder coordination of recreation services by Sport and Recreation Queensland include:

- Partner in the South East Queensland Trail Bike Management Forum; and
- advice to the South East Queensland Regional Landscape Strategy Advisory Committee on outdoor recreation matters.

Conclusion

Outdoor recreation services are delivered in the Queensland public sector by several State Government agencies and most Local Governments. There is a wide variety of outdoor recreation services provided by these agencies. These services are directed and shaped by a complex statutory and policy framework and operate through a wide range of mechanisms.

Some statutes are agency or tenure or activity specific. Similarly, some policies are agency or tenure or activity specific. Finally, some day to day operational activities are agency or tenure or activity specific.

An understanding of these matters will help people with interests in outdoor recreation to contribute to the resolution of the issues associated with the management of particular outdoor recreation activities or delivery of specific outdoor recreation services. It may also aid identification of the most relevant agency or agencies with responsibilities for particular outdoor recreation matters.

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