

FREQUENTLY ASKED QUESTIONS

Many people are confused about when they require a permit to visit our plantations, what is and isn't allowed under a permit and what some terms like an 'organised event' really mean.

These Frequently Asked Questions aim to answer some of these questions for you.

If you have more questions that aren't answered here, please call our office on 07 5438 6666 and we will be pleased to help.

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FREQUENTLY ASKED QUESTIONS

Why does HQPlantations administer permits?

Queensland Parks and Wildlife Service (QPWS) manages permits in national parks, forest reserves and most state forests in Queensland. However, we manage permits in those parts of state forests covered by our Plantation Licence area. Permits are not generally granted for activities on our freehold land.

Permit processes and fees for state forests are generally managed on a similar basis by QPWS and HQPlantations, although there are some differences because we manage the commercial plantation component of state forest.

Why do I need a permit?

Commercial forests contain many hazards. A permit helps us manage you and your participants' safety. We use the information on your permit application to assess the suitability of the area for your proposed activity and minimise risk from:

- harvesting operations including logging truck haul routes
- controlled burning
- pest management
- closed roads or bridges
- concurrent events or activities that may not be compatible with yours.

The details in your permit also allow us to notify you if there is an extremely high fire danger or a nearby wildfire and to assist in directing emergency access if there is an incident

When do I need a permit?

You need a permit when you plan to conduct an arranged activity on HQPlantations managed land and invite people to participate where it's reasonable to foresee that more than five motor vehicles (including motorcycles) or more than 15 walkers, horse riders, bicycle riders, guests, workers or spectators may be involved.

There are some variations to this dependent on permit type. The type of permit you require depends on:

- the nature of your activity
- whether people have to pay to participate
- if you are a business
- if you plan to erect any infrastructure.

You also need a permit for any activity on HQPlantations freehold land, regardless of group size or the nature of the activity. These are only granted in special circumstances.

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How do I know what type of permit I need?

Permits are required for commercial activities, organised events and competitive events (permit to traverse). If you are unsure what permit you require call us on 07 5438 6666.

What is an organised event?

An organised event is any arranged activity where five or more motor vehicles (including motorcycles) or more than 15 walkers, horse riders, bicycle riders, spectators or guests are likely to participate. This includes an event promoted on social media such as Facebook or Meetups or even just a post asking people to join you at a particular place and time.

An organised event that requires people to pay to participate or involves fundraising activities may require a commercial activity permit. If an organised event is competitive, you may require a permit to traverse.

How long does a permit last?

A permit can last for up to 12 months and include more than one activity (such as a calendar of events). However, this does not mean any event you organise in this period is a permitted event. You must still give our office notice at least two weeks before an upcoming event, and provide details of the event including route and numbers of participants. We may decline to allow the event dependent on weather forecasts, operational activities in the area or other events that have already been approved for the same area and period.

How much does a permit cost?

It depends on the activity you have planned but a permit can cost as little as \$31.95 (2016/17). For more information about fees, you can contact our office on 07 5438 6666 or see [here](#)

How do I obtain a permit?

You can download a permit application from the links at the top of this page.

Complete your application and mail or fax it to the address on the form. Once approved, your permit will be posted to you.

If you are not sure which permit you require or if you have any other questions, call us on 07 5438 6666 or email visitor.permits@hqplantations.com.au

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Why do I need public liability insurance to get a permit?

You are responsible for the behaviour, health and safety of the people you invited during your activity. Public liability insurance protects you if you are found to be legally responsible for personal injury to a third party or damage to someone's property, including ours. A disclaimer on your web page, Facebook or Meetup page, or on an event invitation to waive your duty of care is not acceptable and if there is an incident, you may still be held accountable.

What happens if more people than I expected turn up and now I need a permit?

It is your responsibility to control the size of your group and the behaviour of your group. If your group size exceeds five or more motor vehicles (including motorcycles) or more than 15 walkers, horse riders, bicycle riders, spectators or guests you will require a permit, which is not possible to obtain on the day. When people tag along, they become part of your group. To avoid the need for a permit, you shouldn't publicly invite people to join you on social media where you can't control the response.

Are there circumstances when I don't need a permit from HQPlantations?

If you aren't a commercial entity and it isn't a competitive event, you may not need a permit if you have fewer than five motor vehicles (including motorcycles) or fewer than 15 people for non-motorised activities.

You also don't need a permit from HQPlantations if your proposed activity is restricted to public roads (a 'dedicated road' under the Land Act), however you may need a permit from the local government authority or other managing body.

If you are planning to operate in both national parks and HQPlantations managed state forest, then you only need to apply for a permit from QPWS.

What happens if I organise an event, or participate in an event, without a permit?

If you are found to be holding or participating in an organised event, commercial activity or competitive event in a state forest within our Plantation Licence area without the appropriate permit, this may impact future permit considerations for you or anyone else in your group or club. If it's a serious breach, you may even be prosecuted under the *Forestry Act*.

If you are on HQPlantations' freehold land without a permit, you may be guilty of trespassing.

If you are considering participating in an event on land owned or managed by HQPlantations, you should check that the event organiser (or the person who invited you) has the appropriate permit.

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Can I raise money for a charity or a good cause during an event I have a permit for?

Yes, but it may change the type of permit you require. The government determines that not-for-profit, community and educational organisations, clubs and associations conducting activities with established fees in order to raise funds (other than cost recovery or soliciting donations) are considered commercial activities and require a commercial activity permit.

Can I sell photos or video taken during an event?

Yes, but only with a commercial photography or filming permit. This doesn't only relate to filming or photography taken in the plantation during events, so it's best to talk to us to avoid a potential *Forestry Act* prosecution.

Why can't I get a permit for some popular 4WD or motor bike tracks?

Even if they are popular with other users, we don't usually issue permits for formed roads if the proposed activity might cause further damage or contribute to erosion of the road network and impact on water catchments. HQPlantations road network has been established to conduct day-to-day forestry activities in a cost-effective way as well as to fight wildfires to protect the forest, neighbours and nearby communities.

Further, it is against the law to drive a motor vehicle or ride a motor cycle on an unformed road (which includes the fire track network) or illegally constructed track under the *Forestry Act*. People who do so risk prosecution.

How do I find out if where I plan to go is a public road where I don't require a permit?

Give us a call on 07 5438 6666 and we will check for you.

How do I tell the difference between a formed road and an unformed road?

In our plantations, a formed road is a graded road generally around a compartment with an obvious camber and clearly constructed drainage below the level of the road on both sides.

A road or track that appears on paper or electronic maps isn't necessarily a formed road. A track that is exposed or well-used also isn't a formed road if it doesn't have intentionally constructed camber and drainage.

Unformed roads are often those roads and tracks through compartments or between compartments and a public road. In the Beerburrum plantation, if you see a track between two trees with blue rings on them, this is a fire track, not a formed road, and members of the public are not permitted to drive on it whether they have a permit or not. It is important these tracks remain accessible to fight wildfires and protect the forest, our neighbours and nearby communities.

Sometimes it can be hard to tell the difference between a formed road and an unformed road. The easiest way to be certain is to talk to us about your plans and we can advise what roads are suitable for your activity.

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What if I want a permit for a powerline easement?

An easement holder doesn't own the land the easement is on, only the right to build, maintain and access infrastructure in the easement. The easement holder is also allowed to build a track or road to facilitate that access. The landowner or land manager still has to manage the land the easement is on, including any tracks, in accordance with current legislation. The *Forestry Act* still applies to an easement on HQPlantations-managed land in state forest and we have the same obligations under our Plantation Licence to manage public access appropriately, which includes not permitting activities on unformed roads like easement tracks.

When the easement is on our freehold land, activities that are likely to cause or contribute to damage to the road and track network, productive tress or the environment will also not be permitted.

Why can't HQPlantations grant an exemption for my activity?

In state forests these conditions are requirements of the *Forestry Act*. It is a condition of our Plantation Licence with the Queensland Government that we manage state lands in accordance with all current legislation.

Who can fine or prosecute me under the *Forestry Act*?

Forest Officers can fine or prosecute someone who breaches the *Forestry Act*. Forest Officers are usually trained QPWS Rangers and Queensland Police Officers appointed by the Chief Executive under the *Forestry Act*. Plantation Officers also have powers to prosecute certain offences under the *Forestry Act* committed on Plantation Licence areas. Many HQPlantations employees are appointed Plantation Officers.

The Chief Executive is usually the Director General of the department that administers the *Forestry Act*, currently the Department of National Parks, Sport and Racing.

Where can I read the *Forestry Act*?

Go to <https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/F/ForestryA59.pdf>