

Operational policy

Visitor Management

Horse riding

Operational policies provide a framework for consistent application and interpretation of legislation and for the management of non-legislative matters by the Department of National Parks, Sport and Racing, (incorporating Queensland Parks and Wildlife Service). Operational policies are not intended to be applied inflexibly in all circumstances. Individual circumstances may require a modified application of policy.

Policy subject

Where and under what circumstances does horse riding occur on Queensland Parks and Wildlife Service (QPWS) managed areas?

Purpose

This policy provides an overview of where horse riding for recreation or stock management purposes may be conducted on land managed by QPWS and also explains whether an approval is required.

Definitions

QPWS managed areas for the purposes of this operational policy include the following areas:

- State forests and other lands managed under the *Forestry Act 1959*;
- Protected areas (State land) managed under the *Nature Conservation Act 1992* such as national parks and regional parks;
- Recreation areas (RAM areas) managed under the *Recreation Areas Management Act 2006* where the underlying land tenure is State forest or protected area (State land).

For the purpose of this policy, QPWS managed areas do not include marine parks managed under the *Marine Parks Act 2004*.

Horse riding includes using a horse as a pack animal. Pulling a carriage with a horse is not defined as horse riding in this policy.

Gazetted roads are surveyed public roads as defined in the *Land Act 1994* section 93.

Background

The following legislative provisions are relevant to the presence of horses on QPWS managed areas.

Protected areas

The Nature Conservation (Protected Areas Management) Regulation 2006 (Protected Areas Management Regulation) section 124(1), states that a person must not without the chief executive's written approval

- a) bring a live animal into a protected area; or
- b) keep a live animal in a protected area.

However, sections 124(2)(a) and 124(2)(e) specify that this does not apply to:

- an animal brought into the area under a stock grazing permit or travelling stock permit; or
- an animal brought into the area for mustering stock under a stock mustering permit; or
- a horse brought into a regional park or a national park other than a special management area (scientific), for horse riding if bringing the horse into the park is permitted under a regulatory notice and the horse is brought into the park in accordance with the notice.

RAM areas

Section 121 of the *Recreation Areas Management Act 2006* states that a person must not take a live animal into a RAM area, or keep a live animal in a RAM area other than in accordance with the chief executive's written approval or a corresponding authority or in the way prescribed under a regulatory notice or a regulation.

Forest areas

Under the *Forestry Act 1959* section 73 (1)(e), horse riding is allowed in State forests, timber reserves, forest reserves and forest recreation areas (i.e. feature protection areas, State forest parks or forest drives) when permitted by and in accordance with a regulatory notice, or a lease, permit or other authority. Horses must be under control at all times and not cause annoyance to others.

Note: Forest reserves are an interim tenure under the *Nature Conservation Act 1992* to assist in the process of transferring areas of State forest to protected area tenure. They are managed under the *Forestry Act 1959* until transfer to another tenure is completed.

Recreational horse riding

QPWS recognises two main styles of recreational horse riding:

- leisurely riding at slow speeds with goals related to looking, learning, exploring, seeking peace and quiet and where the natural setting is critical for personal enjoyment;
- competitive events such as endurance rides where goals relate to speed, accuracy and route difficulty and where the natural setting is not essential for the activity. A group activity permit is required.

QPWS accepts that both the ecological and social impacts of horse riding are affected by the style of riding, the size of the groups that use a site or trail and the total number of horses that use a site or trail.

Policy statement

Recreational horse riding

Recreational horse riding may be permitted on:

- formed gazetted roads and stock routes that pass through QPWS managed lands;
- specified trails in national parks and regional parks where horse riding has been allowed by regulatory notice under the *Nature Conservation Act 1992*; and
- specified trails in State forests (including forest recreation areas), timber reserves and forest reserves where horse riding has been allowed by a regulatory notice or a permit to traverse under the *Forestry Act 1959*.

The appropriate style of riding, maximum group size and conditions of access to a site will be determined after considering:

- the tenure of the land;
- public safety (for both riders and other users);
- ecological sustainability;
- whether the activity is nature-based;
- the appropriateness of the activity in the setting;
- the compatibility of the activity with other activities on the site;
- the effort required to manage the activity relative to the demand for the activity; and
- the sustainable visitation capacity for the area or trail.

In some areas, QPWS may exclude horse riding either temporarily or permanently.

Horse riding for stock management purposes

Horses are allowed on QPWS managed areas for stock management purposes when their use is approved as a condition of a lease or permit for:

- stock grazing under the *Nature Conservation Act 1992*, section 34,
- stock grazing under the Protected Areas Management Regulation, section 89
- stock grazing under the *Forestry Act 1959*, section 35
- stock mustering under the Protected Areas Management Regulation, section 91
- stock mustering under the *Forestry Act 1959*, section 72

Horses are also allowed on QPWS managed areas for stock management purposes under a “previous use authority” under the *Nature Conservation Act 1992*, section 36; or in accordance with a lease granted under the *Land Act 1994*.

Landholders adjoining a QPWS managed area may also be allowed to use horses if taking part in a general muster (under the Protected Areas Management Regulation, section 145 or *Forestry Act 1959*, section 72).

Approval mechanisms - recreational horse riding

Authority to ride a horse on QPWS managed lands will generally be conveyed by a permit or regulatory notice appropriate to the tenure, as detailed in the following sections. Authorities or permits to horse ride do not convey exclusive use of an area or trail unless specifically stated.

A group activity permit or a commercial activity permit may also be required; see the 'Other matters to consider' section below.

Specific provisions

Gazetted roads and stock routes

Horse riding is allowed on formed gazetted roads and stock routes passing through a QPWS managed area. These roads and stock routes are not part of the QPWS managed area. QPWS permits and other authorities do not apply.

As there is sometimes variation between the surveyed and physical road alignments, QPWS will clearly mark the appropriate route for horse riders to follow. Horse riders are responsible for riding in accordance with signage and must stay on the marked track, including for rest stops, campsites and water supply, as horses are not permitted to leave the gazetted road or stock route and enter a QPWS managed area unless the appropriate permit or other authority is obtained.

It should be noted that not all formed roads are gazetted and not all gazetted roads are formed. If a road through a QPWS managed area is not gazetted or formed, the normal authorities and approvals outlined in this policy are required.

National parks and regional parks

Regulatory notices and signage will indicate where and how horse riding is allowed in national parks and regional parks.

A permit is not required for these areas where a regulatory notice is in place; however, riders must comply with the regulatory notice and ride only on designated trails. Notices may specify the times of entry, style (e.g. speed) and group sizes that apply.

State forests (including forest recreation areas), forest reserves and timber reserves

Horse riding in State forests (including forest recreation areas), forest reserves and timber reserves may occur in accordance with a regulatory notice or under a permit to traverse.

An applicant for a permit to traverse should obtain a permit application form from their local QPWS office.

Permits will specify the area to be traversed, the period over which the permit is valid and may specify conditions such as:

- the specific tracks or types of tracks available for horse riding;
- areas, tracks or activities to be avoided in the interests of safety;
- the obligations of horse riders to other users or stakeholders;
- requirements for horse riders to protect the area (for example, minimize the spread of weeds or pathogens and minimize damage to tracks, water courses or assets);

- the maximum group size appropriate to the area;
- the appropriate style (e.g. speed) of use of the area; and
- appropriate times of entry to the area.

Bicentennial National Trail

Where the Bicentennial National Trail (BNT) passes through a protected area (State land), access will be permitted by a regulatory notice under the *Nature Conservation Act 1992*. The regulatory notice will specify the trails where horse riding is permitted and any conditions that apply.

Approval Mechanisms - Horse riding for stock management purposes

An applicant for a stock grazing permit or stock mustering permit wishing to take horses into a protected area must identify that they are a lessee, permittee or neighbour and their need for a permit in their application. Stock grazing permits have a maximum duration of 10 years and stock mustering permits have a maximum duration of one year (Nature Conservation (Administration) Regulation 2006, section 19). Maximum duration for a stock grazing permit under the *Forestry Act 1959*, section 35 is 10 years.

Approval to use horses must be written as a condition of the relevant permit.

The Protected Areas Management Regulation, section 91(4) specifies that horses must be restrained when not being used to muster stock.

Other matters to consider

Camping

Overnight camping may be permitted where the distance across the QPWS managed area would take longer than one day to travel. Camping at designated camping sites where horse management facilities are provided is preferred and camping permits are required to be obtained. Additionally, in forest recreation areas, horses cannot stay overnight unless in an area so designated by a regulatory notice.

When overnight camping away from designated camping areas is necessary, the following additional conditions will also apply (under the camping permit):

- the maximum camping length of stay at any location may be shortened to reduce impacts
- horses must be tethered at least 50 metres from any watercourse; and
- tethering points or picket lines are permitted providing regular relocation prevents concentrated ground and vegetation damage and the lines and leads do not damage natural anchor points (e.g. trees and rocks).

The erection of yards will not be permitted.

Management planning

If a national park is being declared over part of the BNT, QPWS will negotiate access to and use of the BNT with applicable government agencies and relevant recreational stakeholders. Access will be permitted by a regulatory notice under the *Nature Conservation Act 1992*.

The BNT route, gazetted roads and stock routes will be shown on maps in management plans and management statements.

Management plans for national parks, State forests, forest reserves, timber reserves and regional parks will specify where horse riding is permitted and any access conditions. Community input will be considered by QPWS, and trustees (if any), in the preparation of management plans and management statements.

Other permits

A group activity permit issued under either the *Nature Conservation Act 1992* or *Forestry Act 1959* is required for all organised horse riding such as club or competitive events, endurance rides and historic re-enactments.

A group activity permit may also be required for horse riding in large groups that will or may interfere with general public use of an area. QPWS will consider each situation on a case-by-case basis taking into consideration the sustainable visitor/rider capacity of the location. Further information is provided in the Operational policy: Group Activity Permits.

When horse riding is being conducted on a commercial basis, the provider of that activity requires a commercial activity permit. Further information is provided in the Operational policy: Commercial activities in QPWS managed areas.

Reference materials

Nature Conservation Act 1992

Nature Conservation (Protected Areas Management) Regulation 2006

Nature Conservation (Administration) Regulation 2006

Forestry Act 1959

Forestry Regulation 1998

Land Act 1994;

Operational policy: Approval to take a live animal into a protected area;

Operational policy: Group activity permits;

Operational policy: Commercial activities in QPWS managed areas

Disclaimer

While this document has been prepared with care, it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Department of National Parks Recreation Sport and Racing should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

Approved By

Neil Cambourn

Signature

25 September 2014

Date

A/Deputy Director-General
Queensland Parks and Wildlife Service
Department of National Parks, Sport and Racing

Enquiries:
Commercial and Recreation Development
crd@npsr.qld.gov.au