

Procedural Guide

Recreation Areas Management Act 2006

Penalty Infringement Notices – Offence Codes

This document lists the offence codes that Department of National Parks, Sport and Racing (NPSR) officers will use when filling out a Penalty Infringement Notice (PIN) in relation to an alleged offence under the Recreation Areas Management Act 2006 legislation detailed below. The offence code field is one of the mandatory fields in the PIN. Please refer to the Procedural Guide Manual on PINs for further guidance concerning their issue. **Please ensure you have the most up to date version of this document, and reference to the relevant offence section in the relevant Act is ALWAYS required.**

**ONLY USE THIS DOCUMENT FOR OFFENCES THAT HAVE OCCURRED
BETWEEN 1 JULY 2016 AND 30 JUNE 2017**

The current value of a penalty unit is \$121.90 for the financial year commencing 1 July 2016. The value of a penalty unit will continue to be indexed and will increase each financial year from the 1 July. The date of an offence determines the value of the penalty unit that must be applied. For offences that occurred prior to 1 July 2016, the penalty unit value is \$117.80. To calculate the penalty value, officers must multiply the penalty units for an offence by the penalty value at the time the offence occurred.

Note: Penalty amounts are expressed as penalty units. (i.e. 1 penalty unit = \$121.90). 'Qld Road Rules' means the *Transport Operations (Road Use Management) Regulation 1999* under the *Transport Operations (Road Use Management) Act 1995* (TORUM Act).

Recreation Areas Management Act 2006 and subordinate legislation

Code	Section	Offence Description	Penalty	
			Units	\$
Recreation Areas Management Act 2006				
Access to, using and conduct in, recreation areas generally				
001R	106	Enter/remain in restricted access area without approval/permit	3	365
002R	107	Fail to comply with regulatory notice (public health and safety)	3	365
003R	110	Conduct organised event without permit/agreement	2	243
004R	111(1)	Conduct commercial activity other than under permit/agreement	5	609
005R	111(2)	Unlawfully conduct prescribed commercial activity	5	609
006R	112	Fail to comply with recreation management condition of commercial activity agreement	3	365

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Code	Section	Offence Description	Penalty	
			Units	\$
007R	113(1)	Interfere with cultural/natural resource without approval (see below re firewood)	3	365
Other conduct				
008R	128	Use generator/compressor/similar motor other than in accord with approval/regulatory notice/regulation	2	243
009R	129	Use radio/ tape recorder/sound system etc in way that may cause unreasonable disturbance to person/ native animal	2	243
010R	130(1)	Possess/ use bow, weapon, net, snare etc other than in accord with approval/ regulation	4	487
011R	130(3)	Carry/ discharge loaded spear gun other than in tidal water where allowed	4	487
012R	133(1)	Be disorderly/create a disturbance/ act in way that interferes/ is likely to interfere with safety/ health of another person	2	243
013R	133(2)	Without approval, restrict access to or claim exclusive right to area/ bbq/ table/ other facility	2	243
014R	133(4)	Tamper with building/ fence/ gate/ notice/ sign/ structure	2	243
015R	167(3)	Fail to comply with direction to leave area, or return to area within 24 hours of leaving under direction (offence/ attempted offence)	3	365
016R	167(6)	Fail to comply with direction to leave area (danger/ emergency/ rescue)	3	365
017R	175(1)	Without approval, tamper with seized thing to which access is restricted	4	487
018R	175(2)	Without approval, tamper with seized thing made inoperable	4	487
Producing permits, compliance with permit conditions etc				
019R	137(2)	Fail to produce organised event permit/commercial activity permit/corresponding authority or copy/relevant details <u>and</u> identification	2	243
020R	138(2)	Fail to produce written approval or copy of written approval	2	243
021R	139(2)	Fail to produce commercial activity agreement/ copy of agreement/copy of relevant details of agreement <u>and</u> identification	2	243
022R	140	Fail to comply with condition of camping permit	3/5	73
023R	140	Fail to comply with condition of permit/ authority other than camping permit	4	487
024R	141(2)	Permit/ agreement/ authority holder fails to notify change of name, address etc	1	121

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Code	Section	Offence Description	Penalty	
			Units	\$
Camping				
025R	108(1)	Camp other than under permit/ agreement	1	121
026R	108(3)	Allow more people to camp than authorised under permit	1	121
027R	108(4)	Camping contrary to regulatory notice	3	365
029R	159(4)	Fail to comply with direction to move camp for protection/ safety/ minimising disturbance	2	243
030R	160(4)	Fail to comply with direction to move camp for long staying campers	2	243
Fires				
031R	115(1)	Light fire on beach of lake	3	365
032R	115(2)	Light fire that is prohibited by regulatory notice/ permit/ authority	5	609
033R	115(3)	Light/ keep fire other than in bbq or fireplace provided, or within 2m of flammable material where fireplace or bbq not provided	5	609
034R	116(1)	Fail to put out fire when leaving fire	5	609
035R	117(1)	Deposit lit match/cigarette etc within 2m of flammable material other than in specified appliance/ bbq/ fireplace	5	609
036R	161(2)	Fail to comply with direction to put out fire or lower intensity	5	609
Unauthorised structures or works, abandoned property				
037R	114(1)	Erect/ keep structure/ carry out work without approval/in contravention of approval	5	609
038R	183(5)	Fail to comply with notice to remove structure and restore site, or stabilise/rehabilitate work	3	365
039R	182(5)	Fail to comply with notice to remove abandoned property and restore the place	3	365
Using vehicles, vessels, recreational craft or aircraft				
040R	109(1)	Take in/drive/ride motor vehicle without permit/ agreement	1½	182
041R	131	Use recreational craft other than in accord with approval/ regulation	3	365
042R	132(1)	Without approval, land aircraft outside designated landing area	4	487
043R	170(5)	Fail to comply with direction about driving/ parking/ use etc of vehicle/ vessel/ aircraft/ recreational craft	2	243
Animals and plants				
044R	118(1)	Without approval, feed animal that is dangerous/ venomous/ capable of injuring a person	3	365
045R	118(2)	Without approval, feed animal if regulatory notice prohibits	3	365

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Code	Section	Offence Description	Penalty	
			Units	\$
		feeding		
046R	119(1)(a)	Without approval, disturb animal that is dangerous/ venomous/ capable of injuring a person	3	365
047R	119(1)(b)	Without approval, disturb animal when prohibited by regulatory notice	3	365
048R	120(1)(a)	Fail to ensure food is kept safe from animal that is dangerous/ venomous/ capable of injuring a person	3	365
049R	120(1)(b)	Fail to ensure food is kept safe from animal in way stated in regulatory notice	3	365
050R	121(1)	Take live animal into or keep live animal in recreation area without approval	1	121
051R	122(1)	Uncontrolled dog in recreation area	1	121
052R	122(2)	Fail to collect and dispose of dog faeces as required	1	121
053R	162(2)	Fail to comply with direction to remove dog from area/ returns dog within 24 hours of leaving under direction	2	243
054R	123(1)	Unlawfully bring plant into recreation area	2	243
Pollution and waste				
055R	124(1)	Pollute lake/dam/watercourse	2	243
056R	124(3)(a)	Take water from lake/ watercourse/ water storage other than for personal use without authority	2	243
057R	124(3)(b)	Dam or divert watercourse without authority	2	243
058R	124(3)(c)	Tamper with/ damage water supply or storage facility without authority	2	243
059R	124(3)(d)	Allow water from tap to run to waste without authority	2	243
060R	125(1)	Bury/ dispose of/ leave noxious/ offensive/ harmful substance/ animal waste	4	487
061R	126	Dump/ abandon vessel, vehicle or part thereof	4	487
062R	127	Dump/ abandon used or waste material	4	487
063R	133(3)(a)	Defecate within 10m of lake/ watercourse/ natural water storage/ walking track/ other facility	2	243
064R	133(3)(b)	Bury human waste within 10m of lake/ watercourse/ natural water storage/ campsite/ walking track/ public facility	2	243
065R	133(3)(c)	Leave human waste unburied	2	243
Provision about records, information and when to pay particular fees				
066R	219	Fail to keep/ store records/ information, or give records/ information/ fees as prescribed under a regulation	3	365

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Code	Section	Offence Description	Penalty	
			Units	\$
067R	220(1)	Deface/ erase/ obliterate/ remove entry in organised event record or commercial activity record	4	487
068R	221	Fail to notify damage/ loss/ destruction of organised event record or commercial activity record	4	487
069R	222	Fail to produce or surrender record required to be kept	4	487

Recreation Areas Management Regulation 2007
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Code	Section	Offence Description	Penalty	
			Units	\$
Recreation Areas Management Regulation 2007				
Other conduct				
081R	32(1)	Solicit donations/information without written approval	1	121
082R	32(2)	Solicit donations/information (with written approval) in a way that causes disturbance to others	1	121
083R	33(1)	Display/distribute etc notice/handbill/other matter without approval	1	121
Camping				
084R	6	Fail to ensure person's name and the number identifying the permit are written on camping tag	2/5	48
085R	7(1)	Fail to display camping tag in prescribed way immediately after making camp	2/5	48
086R	7(2)	Fail to take reasonable steps to ensure camping tag remains displayed	2/5	48
087R	8(1)	Without reasonable excuse, tamper with displayed camping tag	1	121
Fires				
088R	26(1)	Remove damage or use a plant for making a fire	1	121
Using vehicles, vessels, recreational craft or aircraft				
089R	10	Operate motorised vessel on freshwater lake/watercourse without written approval/ not in accord with regulatory notice	1	121
090R	11(3)	Fail to comply with sign/ marking regulating use of vehicle, vessel or recreational craft	2	243
091R	11(5)	Authorised person using vehicle fails to comply with authorisation	2	243
092R	11(6)	Person in control of authorised vehicle fails to comply with authorisation	2	243
093R	12	Drive/ride vehicle without necessary licence	2	243
094R	13(1)	Drive/ride vehicle without necessary vehicle registration	2	243
095R	14(1)	Fail to comply with Qld Road Rules ss.264, 266, 270(1), 271(4), 271(5) <i>[i.e. driver fails to wear seatbelt; driver fails to ensure passenger under 16 wears seatbelt etc; motorbike rider fails to wear motorbike helmet or carries passenger not wearing helmet; motorbike rider rides motorbike with more than 1 passenger or with more passengers than sidecar or seat designed to carry]</i>	2	243

Recreation Areas Management Regulation 2007
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Code	Section	Offence Description	Penalty	
			Units	\$
120R	14(1A)	Fail to comply with Qld Road Rules s265(3) <i>[i.e. driver must ensure that each passenger who is 16 or older complies with s265(2) i.e. be seated in individual seat with seatbelt fastened]</i>	2	243
096R	14(2)	Fail to comply with Qld Road Rules ss.265, 270(2) <i>[i.e. fail to wear seatbelt (being passenger 16 or older); fail to wear helmet (being motorbike passenger)]</i>	2	243
097R	14(3)	Drive, ride or travel in vehicle in way that would be offence against TORUM Act ss.83, 84 or Qld Road Rules s.268 <i>[i.e. travel in part of vehicle not designed for passengers or unenclosed; have part of body outside vehicle window or door; driver (other than bus) has passenger with part of body outside vehicle window or door; driver carries passenger travelling in part of vehicle not designed for passengers or unenclosed]</i>	2	243
098R	15(1)	Ride or travel in/on something towed by moving motor vehicle	2	243
099R	15(2)	Carry a passenger on a quad or trike other than on seat designed to do so	2	243
100R	15(3)	Ride bicycle without helmet	1	121
101R	15(4)	Ride quad or trike without helmet	2	243
102R	16(1)(a)	Drive/ ride vehicle/ vessel/ recreational craft at speed or in way that causes/ may cause damage to the area	2	243
103R	16(1)(b)	Use vehicle/ vessel/ recreational craft in way that disrupts/ may disrupt someone else's enjoyment of area	2	243
104R	16(1)(c)	Park/ stand/ moor vehicle/ vessel/ recreational craft in way that may cause damage to or disturb the area	2	243
105R	16(1)(d)	Drive/ ride/ attempt to drive/ ride vehicle other than on road, unvegetated part of coastal beach or route or surface allowed by regulatory notice	2	243
106R	18	Vehicle access permit holder fails to ensure name and the number identifying the permit are written on vehicle tag	2/5	48
107R	19(2)	Person in control of vehicle fails to ensure vehicle tag attached to lower left of windscreen, or if no windscreen to other prominent part of vehicle	2/5	48
108R	19(3)	Person in control of vehicle fails to take reasonable steps to ensure vehicle tag remains displayed	2/5	48
109R	20(1)	Person in control of vehicle displays invalid vehicle tag on vehicle	2/5	48
110R	21	Person in control of vehicle displays vehicle tag when permit expired/ cancelled/ surrendered/ suspended	2/5	48

Recreation Areas Management Regulation 2007
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Code	Section	Offence Description	Penalty	
			Units	\$
111R	22(2)	Without reasonable excuse, fail to return vehicle tag within 10 business days after given notice to return	1	121
112R	23(1)	Without reasonable excuse, tamper with displayed vehicle tag	1	121
Pollution and waste				
113R	27(2)	Without reasonable excuse, deposit litter brought into the recreation area by the person or an accompanying person	1	121
114R	28(2)	Deposit litter (if no litter bins provided)	1	121
115R	28(3)	Deposit litter other than in bin or contrary to regulatory notice	1	121
116R	28(4)	Deposit litter in a bin without the litter being securely stored in the bin	1	121
117R	29	Deposit non-combustible material in fire	2	243
118R	30	Break glass	1	121
Provision about records, information and when to pay particular fees				
119R	47(2)	Fail to keep required records that are complete, accurate, legible and in ink	4	487

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 Environment and Heritage Protection should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.