

Operational policy

Visitor Management

Hang gliding and paragliding in QPWS managed areas

Operational policies provide a framework for consistent application and interpretation of legislation and for the management of non-legislative matters by the Department of Environment and Science (incorporating the 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.

Purpose

The purpose of this policy is to ensure that hang gliding and paragliding activities conducted in Queensland Parks and Wildlife Service (QPWS) managed areas:

- are appropriately authorised and managed;
- are environmentally sustainable and have no adverse impact on the natural and cultural aspects of the area; and
- do not adversely impact or interfere with the safety and enjoyment of other park users.

This policy also describes:

- the circumstances where QPWS will consider the construction of a launch ramp; and
- the process for authorising construction.

Background

Hang gliding and paragliding activities are regulated by the Civil Aviation Safety Authority (CASA) and administered by the Hang Gliding Federation of Australia (HGFA). Civil Aviation Order 95.8 provides that all hang gliding and paragliding pilots must hold HGFA membership and certification, and must comply with HGFA rules and regulations: <http://www.hgfa.asn.au/>.

Issues that may arise from hang gliding and paragliding on QPWS managed areas include:

- unauthorised activities;
- safety and public liability matters;
- impacts on Aboriginal cultural heritage values and Traditional Owner interests;
- conflict with other users, such as when hang gliders/paragliders are carrying large baggage along walking tracks;
- management efforts required to maintain take-off and landing facilities and access to these locations;
- aesthetic effects of the activities;
- disturbance to animals, particularly during nesting, feeding and breeding; and
- damage to vegetation and erosion from take-offs and landings on undeveloped strips/pads.

Potential sites for hang gliding and paragliding on QPWS managed areas range from constructed take-off ramps or cleared areas on a ridge or cliff, to landing areas with hardened surfaces and beaches where conditions are subject to significant natural variations based on weather and tides. Further, some areas, such as the beaches of Mulgumpin (Moreton Island), are gazetted as public roads and are used by vehicles. As such, the potential for conflicts and incidents, and the risks associated with take-off and landing areas vary, depending on the particular circumstances and conditions at the location in question.

Legislation

Legislation administered by QPWS refers to the use and operation of hang gliders and paragliders in QPWS managed areas and distinguishes between taking off, landing and operating or using these craft. It is noted that the landing of aircraft and recreational craft in QPWS managed areas is the subject of a separate operational policy.

The following provisions apply:

Nature Conservation (Protected Areas Management) Regulation 2017—sections 116, 117 and 118

Recreation Areas Management Act 2006—sections 131 and 132

Recreation Areas Management Regulation 2017—section 15

Forestry Regulation 2015—section 34

Deciding applications

1. Hang gliding and paragliding activities

Use of QPWS managed areas for hang gliding and paragliding

Hang gliding and paragliding activities in QPWS managed areas must comply with:

- the QPWS *Operational policy - Landing aircraft or recreational craft on QPWS managed areas* (specifically the assessment criteria for approvals, and advice on aircraft landing area management plans); and
- QPWS assessment criteria (see QPWS *Procedural guide – Tourism and recreation authority applications*).

Assessment of applications to conduct activities

In considering an application to conduct commercial or recreational hang gliding and paragliding activities on QPWS managed areas, the delegated decision maker will follow the QPWS *Procedural guide – Tourism and recreation authority applications*. Note that each launch site must have an identified and available landing site. Any landing sites within QPWS managed areas (including identified emergency landing sites) must be assessed as part of the application.

The HGFA Operations Manual may provide additional information to assist the officer undertaking the assessment (<http://www.hgfa.asn.au/>).

2. The construction of facilities associated with hang gliding and paragliding activities

Development on QPWS managed areas for hang gliding and paragliding

The construction of permanent or semi-permanent facilities on QPWS managed areas in association with hang gliding and/or paragliding is only allowed where a constructed launch ramp is necessary to ensure user safety.

Assessment of applications to construct a facility

The construction of a ramp may be specifically authorised provided the associated hang gliding or paragliding activity is approved or will be approved pending construction of such ramp, and construction is consistent with the management principles, objectives of the tenure, and/or any applicable management plan. The Chief Executive or relevant delegate must be satisfied that the ramp is both necessary and aesthetically acceptable, as hang gliding/paragliding sites can be highly visible. The following points must also be noted:

- The structure and its construction and maintenance must comply with relevant statutory building requirements.
- The ramp must be located, designed, constructed and maintained in accordance QPWS requirements.
- A qualified engineer must submit the ramp design for QPWS approval along with a certification that the proposed construction is safe for the intended use and site (engineering certification to Australian Standard 2156.2). The finished structure must be inspected and certified by a qualified engineer to ensure it is built in accordance with the design and is safe.
- The ramp must incorporate removable, lockable barriers to prevent entry or use by anyone other than authorised persons.
- Maintenance of the ramp will be the responsibility of the applicant.
- The structure must be inspected by suitably qualified and trained persons during construction and upon completion, and on a regular basis (as agreed to by the parties) throughout the facility's life.
- The ramp will remain the property of QPWS at all times. QPWS will have total discretion over the use of the ramp by any person. If users other than those who originally constructed the ramp are authorised by QPWS, QPWS may facilitate the development of a maintenance sharing arrangement between ramp users.
- Warning signs must be erected by the person/s who install any ramp and must comply with QPWS signage standards.
- QPWS will undertake compliance monitoring at a level deemed necessary by the Chief Executive or relevant delegate.

Form of authorisation

Approval for the construction of infrastructure (where supported) may be given under section 34 of the *Nature Conservation Act 1992* or section 56 of the *Forestry Act 1959*. The preferred form of approval for construction of infrastructure is via a deed of agreement.

Other matters to consider**Other authorities may be needed**

Where authority has been granted by QPWS to a person or organisation to operate and/or land a hang glider or paraglider, and/or to construct a launch ramp, additional authorities may also be required. For example, a special activities permit is required to conduct the activity in any area where it is designated as a 'special activity'. Refer to the *Operational policy - Special activities in protected areas* for further information. Organised event permits, or commercial activity permits / agreements may also be required, depending on the specific details of the proposed activity. Ancillary activities such as camping or possessing an appliance in a protected area may also require an authority.

Duration of permits, written approval or agreement

Permits to use a recreational craft in a protected area can be issued for a term of one year (Nature Conservation (Protected Areas Management) Regulation 2017). No legislative restrictions exist to limit the term of written approvals or permits to land a recreational craft in a QPWS managed area, however commercial activity agreements are generally issued for a term of not more than three years.

Fees

No fees apply to the issue of a permit for the use of recreational craft in QPWS managed areas. However, in circumstances where a commercial activity agreement has been entered into by the state with the operator of a commercial hang gliding or paragliding operation, relevant fees will be applied by the chief executive.

Security bond

QPWS may, as a condition of a permit, require the permit holder to pay QPWS a security bond or other financial assurance as security for costs or expenses that it might reasonably expect to incur in carrying out work to repair or rehabilitate infrastructure or natural and/or cultural values in a QPWS managed area damaged by the use under the permit.

Definitions

Hang gliding is a recreational activity in which a pilot flies a light, rigid-framed foot-launched glider aircraft called a hang glider. The pilot is held in a harness suspended from the frame.

Paragliding is a recreational activity in which a pilot flies a lightweight, free-flying, foot-launched glider aircraft with no rigid primary structure called a paraglider. The pilot sits in a harness suspended below the wing.

QPWS managed areas include:

- Protected areas, including national parks and conservation parks but excluding nature refuges, dedicated under the *Nature Conservation Act 1992*;
- Forest reserves dedicated under the *Nature Conservation Act 1992*;
- Recreation areas declared under the *Recreation Areas Management Act 2006*; and
- State forests, other than state plantation forests, declared under *Forestry Act 1959*.

Recreational craft includes:

- for protected areas – a hot-air balloon, hang glider, paraglider and ultra-light aircraft;
- for recreation areas – a hot-air balloon, hang glider, hovercraft, parachute, paraglider, ultra-light aircraft or other device prescribed under a regulation; and
- for State forests – a balloon, hang glider, paraglider.

Reference material

Operational policy – Insurance and indemnity requirements for QPWS authorities

Operational policy – Landing aircraft and using recreational craft in QPWS managed areas

Operational policy – Special activities in protected areas

Procedural guide – Tourism and recreation authority applications

AS 2156.2 – 2001 Walking tracks Part: 2 Infrastructure design

Human Rights Act 2019 compatibility

The department is committed to respecting, protecting and promoting human rights. Under the [Human Rights Act 2019](#), the department has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights. When acting or making a decision under this policy, officers must comply with that obligation (refer to [Comply with Human Rights Act](#)).

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

Approved By

Ben Klaassen

Signature

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Date

Deputy Director-General
Queensland Parks and Wildlife Service

Enquiries:
Assessments and Approvals
Email: Parkaccess@des.qld.gov.au