



PO Box 315
Tullamarine
Melbourne, Vic 3043
ABN: 21236916079
www.aorva.com.au

28 June 2021

Liz Savage
Chair
Tourism Industry Reference Panel
Department of Tourism, Innovation and Sport (Queensland)
Email tourismrecovery@dtis.qld.gov.au

CC;
Mr John Lee
Director-General
Department of Tourism, Innovation and Sport
Email: John.Lee@dtis.qld.gov.au

Mr Jeffrey McAlister
Deputy Director-General (Tourism)
Department of Tourism, Innovation and Sport
Email: Jeffrey.McAlister@dtis.qld.gov.au

RE: Tourism Industry Reference Panel - Designing our tourism future discussion paper

The Australasian Off Road Vehicle Association (AORVA) is the representative body for users, manufacturers, suppliers and retailers of off-road vehicles, such as side-by-side (SSV) vehicles.

On behalf of AORVA members, we commend the Queensland Government on the establishment of the Tourism Industry Reference Panel and for the Panel's release of the "Designing our tourism future" discussion paper.

Significantly, the Panel has highlighted the challenges for the Queensland tourism industry, dependent businesses and reliant communities pre-dated COVID-19 when it stated in the discussion paper that:

"The early 2010s also marked the beginning of a downward trend in Queensland's share of domestic and international overnight visitor expenditure. Despite positive growth during this period, other Australian states grew faster, with Victoria overtaking Queensland (in total overnight visitor expenditure) for the first time in 2019."

While off-road vehicle use can be considered a hobby, it is also a generator of significant economic benefit through increased visitation to regional areas in the form of adventure tourism.

AORVA commends the Panel for its identification of the opportunity for “Repositioning Queensland as an adventure tourism hub [and] our interstate competitors are successfully integrating tourism activities into National Parks with great success”.

In accordance with its 2017 election commitment, AORVA has worked with the Queensland Government to trial recreational side-by-side vehicles (SSVs) on managed land and how it could be regulated.

The Government-approved trial of SSVs at Amamoor State Forest near Gympie demonstrated an economic boost to the local community. The Amamoor trial measured the average participant spent \$486 per trip with \$238 spent on commercial hotel accommodation. This is significantly higher than the average domestic visitor spend to the Gympie Regional Council of \$318 per trip and \$148 per night on commercial hotel accommodation.

I have attached an overview of the SSV trial and its recorded economic benefits, a projection of SSV access economic potential over five years and the proposed regulatory reform.

In 2007, the Queensland Government provided greater access to State Forests for non-commercial activities like recreational four-wheel driving, motorcycling, cycling and horse riding. AORVA has sought the same level of access that 4WDs and motorcycling has enjoyed in State Forests since 2007. There are 411 covering more than three million hectares across Queensland. Please note State Forests are designated as working forests managed by the Queensland Government for multiple uses. State Forests are not National Parks.

Now, in COVID-19 recovery, the timing for regulated recreational access to State Forests could not be better with the global pandemic severely impacting on the Queensland tourist economy particularly in regional areas. The social health benefits of SSV recreation where families can participate in healthy outdoor relaxation and adventure in the outdoors is an ideal fit with COVID-19 social distancing requirements.

Ahead of the 2020 State election, the Government advised it would consult with AORVA on SSV recreational access in State Forests in an events-based framework.

While AORVA continues to work with the Government, through the Department of Environment and Science, to achieve a workable, accessible and insurable framework for SSV recreational access, the economic benefits and the Panel's ambition to “repositioning Queensland as an adventure tourism hub” would be better served by an open access model. Where trailered to site, Conditionally Registered SSV with full CTP insurance receive the same open to public access opportunity as registered cars, 4wd's and Dirt Motorcycles.

AORVA would urge the Panel to include in its recommendations:
Recreational access for SSVs in State Forests as an opportunity for adventure tourism in Queensland, noting the positive results from the Government-approved SSV trial;
Encourage the Department of Tourism, Innovation and Sport to adopt a facilitating growth posture and continue to participate in discussions with DES on greater open access to State Forests for SSVs to boost the tourism economy; and
Work with national bodies such as AORVA to promote Queensland as an adventure tourism hub to its members to reverse the downward trend in Queensland's share domestic overnight visitor expenditure over almost a decade.

If I can provide further information or clarification, please contact me at admin@aorva.com.au or 0417 120 991.

Kind regards

Darrell



Darrell Knight
General Manager
Australian Off Road Vehicle Association
Email: admin@aorva.com.au





Recreational access for Side by Side Vehicles in Queensland State Forests

SUMMARY

Conditionally registered Side-by-side vehicles (SSVs) are familiar to Queenslanders –

- lifesavers use them on our beaches to help keep swimmers safe,
- primary producers use them on their farms to produce food and fibre for local and export markets;
- Queensland Parks and Wildlife Service rangers use them to manage and protect our flora and fauna,
- Queensland Police Service officers use them to undertake patrols, and
- grounds staff use them to maintain sporting facilities and public spaces like South Bank.

Based on the successful trial of side-by-side vehicles (SSVs) – as promised at the 2017 State election – and an independent consultant's assessment, the Australasian Off Road Vehicle Association has worked with Queensland Government agencies to:

- measure and demonstrate the economic benefit of recreational access for SSVs on managed State Forests as an initiative launched during the Premier's Year of Outback Tourism;
- develop a draft regulatory model to allow for sustainable and safe use of limited models of SSVs for recreational use alongside other users of 411 State Forests across rural and regional Queensland;
- propose an SSV conditional registration levy for recreational use to generate revenue for reinvestment in State Forest management and patrols.

The regulatory model, nominated by AORVA, would ensure SSVs are the most regulated users of State Forests and their access would financially contribute to the management of the estate.

Significantly, regulated recreational SSV access would provide an additional source of economic activity for rural and regional Queensland communities, as the Amamoor State Forest trial did for communities in the Gympie region, and for SSV dealers, assembly, service and maintenance providers.

BACKGROUND

Prior to the 2017 State election, the Queensland Government committed to:

- investigate the adoption of vehicle standards from other countries, in the context of recreational use of side-by-side vehicles, as an option for allowing a trial of usage of these vehicles on state-managed land to proceed.
- ensure a trial to determine the feasibility of side-by-side vehicle use on lands under state management is commenced in the first half of 2018.
- consult with AORVA on the outcomes of the trial to determine whether the land access for side-by-side vehicles should then be expanded to additional sites across Queensland.

Over five weekends and a single day – between September and February 2019 – the trial for SSV access was conducted at Amamoor State Forest near Gympie.

OUTCOMES

AORVA surveyed participants in the Amamoor State Forest trials. From that survey, the average SSV participant spent:

- \$486 per trip for Amamoor State Forest trial participants, compared to \$305 per trip for the average domestic visitor to Gympie Regional Council area;
- \$261 per night for trial participants, compared to \$102 for the average domestic visitor to the Council area; and
- \$238 per night in commercial hotel accommodation, compared to \$146 for the average domestic visitor to the Council area. (see below)

A sixth trial event was held on 20 February. While it was a single day trial, the average stay was 1.16 nights, trial participants surveyed spent \$320 per trip, \$274 per night and \$148 per night in local hotel accommodation.

In addition, 36 SSVs were conditionally registered at a cost of \$309 each for the trial – or \$11,124 in total – paid to the Department of Transport and Main Roads.

The Department of Environment and Science commissioned independent consultant, ARRB, in the preparation for and the assessment of the trial. AORVA has reviewed the ARRB report and notes the consultant stated:

“It is not ARRB’s role to provide the Department with recommendations or guidance about whether SSV events should be held at Amamoor or at other locations.”

“From a road safety and traffic management perspective, the use of traffic signs along the trial circuit is considered unnecessary.... In place of installing warning and advisory signs along the circuit, an alternative approach the Department could consider may include a single sign at the main entry to a site supported by positing appropriate advisory information on the Department’s website and pages relating to park access and usage.”



TOTAL TRIP SPEND

\$486

SPEND PER TRIP
BY SSV TRIAL

\$334

SPEND PER TRIP
BY VISITORS
TO GYMPIE

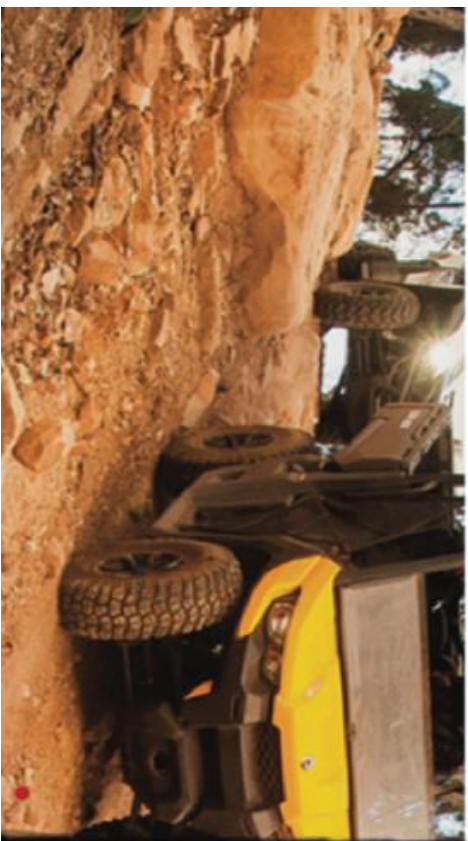


\$238

SPEND ON COMMERCIAL
ACCOMMODATION PER
NIGHT BY SSV TRIAL

\$157

SPEND ON COMMERCIAL
ACCOMMODATION PER NIGHT
BY GYMPIE VISITOR



ACROSS 15
LOCATIONS



1.6 NIGHTS

AVERAGE STAY BY SSV TRIAL

3 NIGHTS

AVERAGE STAY BY
GYMPIE VISITOR

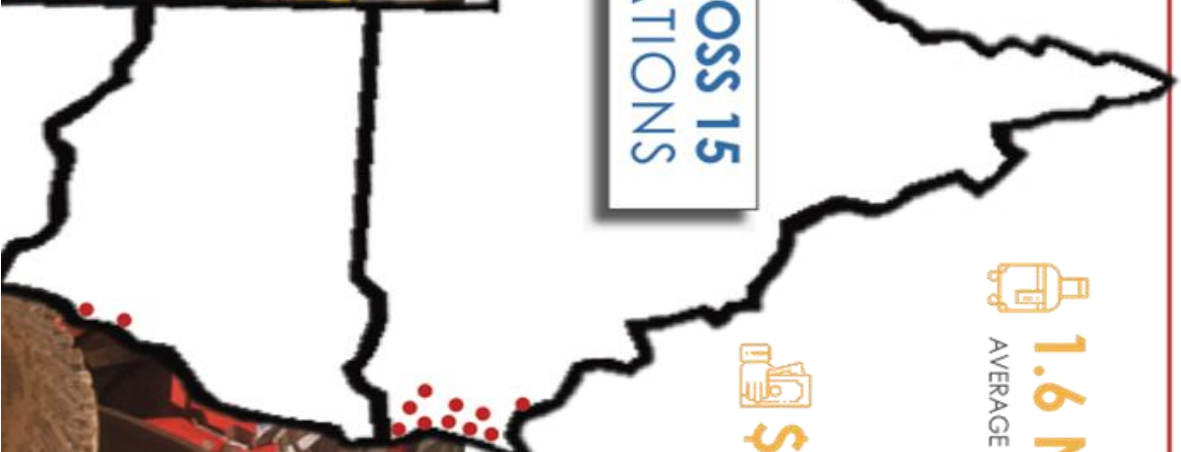


\$261

SPEND PER NIGHT
BY SSV TRIAL

\$108

SPEND PER NIGHT
BY GYMPIE VISITOR



100%

HIGHLY LIKELY
TO RETURN IF
RECREATIONAL
SSV ACCESS
CONTINUES

80%

AVERAGE INCREASE
IN SPEND COMPARED
TO GYMPIE REGIONAL
COUNCIL DOMESTIC
VISITORS



DEPARTMENTAL POLICY - CURRENT

Access for SSVs are eligible under the Conditional Registration Scheme as a "Utility—off-road (<2t GVM, 2 axles only)". The operation of conditionally registered vehicles on QPWS managed lands is regulated under the *Nature Conservation (Protected Area Management) Regulation 2017* and *Forestry Regulation 2015*.

Under this regulation, it is an offence to operate a conditionally registered vehicle on a protected area (State land), State forest, forest reserve or timber reserve without the written approval of the chief executive administering this legislation.

The circumstances under which the chief executive may grant approval are also limited to specific uses of the vehicle. However, **current policy wording advises that, it is not possible for the chief executive to authorise a conditionally registered vehicle for private recreational use.**

There is however, a range of road registered vehicles such as four-wheel drives, sedans, and motorbikes that may be used by visitors to visit QPWS managed areas in a recreational capacity, and people are encouraged to use these vehicles when visiting a park or forest.

Conditionally registered vehicles, such as SSVs, are used on public lands by QPWS rangers in accordance with condition LO3 as detailed in QPWS policy. SSVs are also used on beaches by Surf Life Saving Queensland volunteers, as per condition LO3. Operations appropriate to an LO3 area do not require police approval. (See attached LO3 conditions).

REGULATION – CURRENT

The Department's operational policy reflects Section 122 Approval requirement for conditionally registered vehicles of the *Nature Conservation (Protected Area Management) Regulation 2017* which provides for that:

(1) A person must not, in a protected area, drive or ride a vehicle that is conditionally registered under the Transport Operations (Road Use Management) Act 1995 unless the person has the chief executive's written approval.

There are restrictions (in Section 2) in the circumstances when "the chief executive's written approval" can be granted, and the chief executive must be assured of potential impact from these conditionally registered vehicles is not significantly adverse, or pose serious risk.

This power of the chief executive to grant approval is reinforced in Section 73(2) of the *Forestry Act 1959*, which states:

"The chief executive may from time to time grant permits for the purposes of subsection (1) (e) to such persons as the chief executive deems fit and subject to such provisions, reservations and conditions as the chief executive deems fit."

Alongside the guidelines, there is an explanatory note that when a vehicle is to be used for recreational purposes it is recommended that the access approvals are obtained from the land/road owner as well as the Queensland Police Service, (which is only for when used in accordance with condition LO6(A) for travelling a specific route), before applying for registration.

SSV RECREATIONAL ACCESS REGULATION - RECOMMENDATION

BACKGROUND AORVA recommends the Government extend the circumstances, in the *Nature Conservation (Protected Area Management) Regulation 2017*, where the chief executive can grant written approval for conditionally registered vehicles on a protected area (State land), State forest, forest reserve or timber reserve to include private recreational use.

The amendment of the regulations – as recommended below – seek assurance that conditionally registered vehicles can be authorised by the Chief executive.

Section 122(2)(c) of the Regulation provides for the chief executive to grant approval to conditionally registered vehicles as “an activity under an organised event permit”. However, the efforts of AORVA to secure the approvals for the trial – as an organized event – through multiple agencies would be impose prohibitive for individual SSV users.

Firstly, the conduct of the trial has demonstrated that the use of SSVs in managed areas should not enliven Section 122(4) of the Regulation, which states that:

“...the chief executive must not give an approval for the use of a conditionally registered vehicle in a protected area under subsection (2)(a), (b), (c), or (g) or (3) if the chief executive considers the use of the conditionally registered vehicle would be likely to –

- (a) cause unreasonable damage to a cultural resource of the area; or
- (b) have a significant adverse effect on a natural resource of the area; or
- (c) pose a serious risk to the health or safety of the public in the area.”

This is replicated in Section 27(4) of the *Forestry Regulation 2015*.

Secondly, the conduct of the trial has demonstrated, through a comprehensive assessment process, that SSVs are an appropriate conditionally registered vehicle for use in managed land. Similar to the recent amendments to the *Waste Reduction and Recycling Act 2011*, which allow for the trial of an end of waste prior to approval by the chief executive officer through an application, then the discretion of the chief executive.

Thirdly, The current definition used in regulation of high-powered vehicles, according to TMR in Queensland, is for vehicles with “a power-to-weight ratio of more than 130kw/t or 150kw/t”. AORVA would recommend recreational access to managed land be limited to users of SSVs with a power-to-weight ratio of 110 kilowatts per tonne or less – a lower level than currently provided for under Queensland regulation.

REGULATORY RECOMMENDATION AORVA recommends:

1. A new Section 122(2)(h) be inserted in the *Nature Conservation (Protected Area Management) Regulation 2017*, that reads:

(2) The chief executive may give an approval under subsection (1) only if the vehicle is to be used:

(h) for the purpose of recreation by individuals via a scheme where the designation of vehicles was subject to authorised trial and assessment by the Department.

2. This new Section 122(2)(i) should be replicated in *Forestry Regulation 2015* as new Section 27(2)(i).

*Below is the definition of designated area for LO3.

LO3 – Restricted to a designated area

- A vehicle operating under this condition is only permitted to operate in the following areas:
 - Car-parks (shopping centres, airports, and so on);
 - Parklands;
 - Resorts;
 - University grounds;
 - Hospital grounds;
 - Refuse/recycling depot;
 - Wharf;
 - Some areas that are State or freehold land and reserves;
 - Cemetery;
 - Showgrounds;
 - Mining leases;
 - Any area designated by the Chief Executive, Department of Transport and Main Roads.
- A vehicle operating under this condition is only permitted to operate at a speed no greater than the specified “SP” condition code (if applicable).
- A vehicle operating under this condition is permitted to cross roads contained within a designated area.
- A vehicle operating in the areas listed above must have authorisation from the land or area owner.
- Authorisations must be produced when required by an authorised officer.

SSV RECREATION ACCESS FEE - RECOMMENDATION

The Queensland Government applies fees for recreational activities with the revenue collected improving the amenity and attractiveness of that recreational activity.

As the use of side-by-side vehicles will be a new recreational activity in land managed by the Queensland Parks and Wildlife Service (QPWS), we propose a new access fee for recreational users of SSVs on managed State Forest land in Queensland.

We recognise that there is not full cost recovery for the services provided by the QPWS. In the 2018-19 State Budget, for the services of National Parks (which were defined to include “management of our parks and forests sustains natural and cultural values, builds environmental resilience to ensure healthy species and ecosystems, and facilitates nature-based and ecotourism, recreation and heritage experiences”, the Department of Environment and Science projected:

Total costs for National Parks of \$248.196 million with the Queensland Government contributing \$191.279 million (or 77%), with another \$18.065 million (or 7.25%), other revenue providing \$7.119 million (2.87%) with the remaining \$28.269 million (or 11.38%).

For every dollar recovered through user pays, the Government invests \$6.76.

Therefore, we propose a new SSV Recreation Access Fee with monies collected to be reinvested in:

- the management and provision of amenities for SSV and other users of managed land;
- promotion of State Forests for all users; and
- promotional activities to include the publication of a brochure promoting access and conditions for users of managed lands similar to the Ride Around Tasmania booklet, which was published as an initiative a joint effort of the Parks and Wildlife Service, Forestry Tasmania, the Department of Infrastructure, Energy and Resources Land Transport Safety Division, the Motor Accidents Insurance Board, Dual Sport Motorcycle Riders Association (DSMRA) and the Federal Chamber of Automotive Industries (FCAI) motorcycle industry. This booklet is sold for \$5. Link to the booklet www.parks.tas.gov.au/file.aspx?id=6881

Furthermore, AORVA propose the fee be collected through TMR on an annual basis at point of registration. Application of the fee would ideally be automatic when the client selects “recreation” as the purpose of their SSV use (applying internal code UORRL). AORVA membership and compliance with the AORVA Code of Conduct could be promoted in the above mentioned brochure/booklet also made available at point of registration <https://www.aorva.com.au/code-of-conduct.php>

The Queensland Government could use a combination of features from the Stocked Impoundment Permit Scheme, the Cooloola Recreation Area and the registration of historic vehicles.

These examples demonstrate existing arrangements to:

- fee recovery and reinvestment,
- the rate of recovery, and
- reinvestment those raised funds.

Fee recovery and reinvestment example - Fishing in stocked impoundments

There are 63 impoundments (dams and weirs) in Queensland that require a Stocked Impoundment Permit Scheme (SIPS) permit to fish with a line.

The impoundments are stocked with native fish specifically for recreational fishing. Since 2000, when the scheme was introduced under then Primary Industries Minister Henry Palaszczuk, the scheme has provided a sustainable fishing option that reduces the fishing pressure on wild fish stocks. The SIP Scheme was proposed and supported by stakeholder groups.

The permit covers access to all 63 impoundments and allows the permit-holder to fish with recreational fishing lines only. Permits cost \$10 per week, \$50 per year or \$36 per year if the applicant is entitled to a discount.

Revenue raised is provided to community stocking groups for the participating impoundments.

Rate of recovery and reinvestment example - Cooloola Recreation Area

Cooloola Recreation Area stretches from Noosa North Shore to Rainbow Beach and covers 61,750ha. It includes national park, various State and local government-managed areas, road tenure and the beaches and esplanade lands, and other lands exposed at low tide—down to the low water mark.

Vehicle access permits are required to access the beaches and some tracks in the Cooloola Recreation Area. The permit fees are for:

All revenue generated by the Cooloola Recreation Area is re-invested into the area to provide better visitor facilities and services.

Priority infrastructure projects for Cooloola include:

- expanding the Freshwater camping area
- upgrades to internal roads that provide access to the beach
- increased ranger patrols, and better co-ordination with Queensland Police Service and other agencies to ensure visitors have a safe and enjoyable stay.

Any failure to comply with the regulations of State Forests can be dealt with by QPWS or contravening other regulations would be dealt with by TMR.

Jackie Trad

DEPUTY PREMIER OF QUEENSLAND



Mr Darrell Knight
Manager
Australian Off Road Vehicle Association
Via email: admin@aorva.com.au

Dear Mr Knight

Thank you for your letter regarding a re-elected Palaszczuk Government's position on access for side-by-side vehicles to appropriate state and other state government land.

As you may be aware, the Minister for National Parks and the Great Barrier recently requested the Departmental of National Parks, Sport and Racing investigate the adoption of vehicle standards from other countries, in the context of recreational use of side-by-side vehicles, as an option for allowing a trial of usage of these vehicles on state-manged land to proceed.

A re-elected Palaszczuk Government will ensure a trial to determine the feasibility of side-by-side vehicle use on lands under state management is commenced in the first half of 2018.

We will consult with AORVA on the outcomes of the trial to determine whether the land access for side-by-side vehicles should then be expanded to additional sites across Queensland.

Thank you for your correspondence regarding this issue. I look forward to the Palaszczuk Government working with the Australian Off Road Vehicle Association into the future.

Sincerely

JACKIE TRAD MP
DEPUTY PREMIER
Minister for Transport and
Minister for Infrastructure and Planning



Utility—off-road (<2t GVM, 2 axles only)



Description

Mass	Dimension	Steering type / position	Axles	Wheels / tyres	Tracks	Rollers
Complying	Complying	Mechanical/left	2	Pneumatic	N/A	N/A

Purpose of use

Registration options

Maintenance/recreation	Limited access	Zone access	Unrestricted access
	✓	X	X

Conditions for use

General operating codes (GO)/Location limitation code (LO)		
Limited access	Zone access	Unrestricted access
LO3	N/A	N/A
LO6(A)		
LO7		
Additional conditions for use—codes and restrictions		
N/A	N/A	N/A
The driver of a utility off-road vehicle and any passengers carried must wear an approved motorcycle helmet when the vehicle is operating on a road or road related area. Penalties may apply for not following this requirement.		