

### **Cycling (mountain bike riding) 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 Environmental Protection Agency, (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 provide an overview of the management of cycling (mountain bike riding) on QPWS managed areas, including:

- where cycling (mountain bike riding) can occur on QPWS managed areas
- what permits and other approvals may be required
- how bicycle and mountain bike track construction and maintenance may occur.

#### **Definitions**

*'bicycle'* has the same meaning as in the *Transport Operations (Road Use Management) Act 1995*. That is, a vehicle with 2 or more wheels that is built to be propelled by human power through a belt, chain or gears, whether or not it has an auxiliary motor, and—

(a) includes a pedicab, penny-farthing and tricycle; but

(b) does not include a wheelchair, wheeled recreational device, wheeled toy, or any vehicle with an auxiliary motor capable of generating a power output over 200 watts whether or not the motor is operating.

*'dedicated roads'* (also known as gazetted roads) are roads dedicated, notified or declared to be a road for public use under the *Land Act 1994*.

*'ecologically sustainable use'* is the use of areas within their capacity to sustain natural processes while maintaining the life support systems of nature and ensuring that the benefit of the use to present generations does not diminish the potential to meet the needs and aspirations of future generations'.

*'mountain bike riding'* for the purposes of this policy includes riding of a bicycle either on a dirt trail or other unpaved track, trail or surface.

*'multiple use track'* means a track or road designed for use by multiple modes of transport (e.g. bicycles, horses, walkers, vehicles) and are signed to indicate recommended use.

*'nature-based'* in relation to the use of protected areas, includes scientific, educational, spiritual, intellectual, cultural and recreational use. Nature-based activities in QPWS managed areas should meet the following criteria: appreciation of nature is a key motivational factor; substantial modification of the environment is not required; and the natural environment is critical to the experience of the participants.

## Cycling (mountain bike riding) in QPWS managed areas

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'QPWS managed areas' include the following areas:

- State forests or recreation areas (forest recreation areas) and other lands managed under the *Forestry Act 1959*;
- protected areas (State land) managed under the *Nature Conservation Act 1992* – national parks, national park (scientific), national park (Aboriginal land), national park (Torres Strait Islander land), national park (recovery), conservation park and resources reserve;
- recreation areas (RAM areas) managed under the *Recreation Areas Management Act 1988*; and
- marine parks managed under the *Marine Parks Act 2004*.

'QPWS managed road' includes any road that forms part of a QPWS managed area. Examples of a QPWS managed road include firebreaks and areas known as forest management roads. Dedicated roads or gazetted roads are not QPWS managed roads.

'recreational cycling (mountain bike riding)' in relation to this policy means:

1. recreational riding

- leisurely riding at slow speeds with goals related to looking, learning, exploring, peace and quiet and where the natural setting is critical for personal enjoyment;

2. active riding

- active or focused riding at higher speeds with goals related to personal skill, fitness, challenge and riding prowess, where the natural setting is a relatively minor component of the overall experience; and

3. competitive riding

- competitive events such as endurance rides where goals relate to speed, accuracy and route difficulty and where the natural setting is largely incidental to the activity.

'road' for the purposes of this policy is taken to include any area that is open to or used by the public and is developed for, or has as one of its uses, the driving or riding of vehicles. This includes areas dedicated to public use as a road, but excludes areas declared under a regulation not to be a road.

Definitions of road occur variously in Queensland legislation. Definitions relevant to QPWS managed areas include those in the:

- *Transport Operations (Road Use Management) Act 1995*
- *Transport Infrastructure Act 1994*
- *Land Act 1994*

'setting' refers to the landscape class of a given site or area.

'single-use track' means a track or trail designed for use by a singular mode of transport, (e.g. bicycles, horses, walkers, vehicles) and are signed to indicate recommended use.

'track' and 'trail' for the purposes of this policy includes an area that is defined by a cleared alignment and used by the public under authority of QPWS and may include access under powerlines and across firebreaks on QPWS managed areas.

'vehicle' has the same meaning as in the *Transport Operations (Road Use Management) Act 1995*. That is, any type of transport that moves on wheels and a hovercraft but does not include a train or tram.

## Background

The Queensland Parks and Wildlife Service (QPWS) supports recreation activities which are safe, sustainable and carried out in a manner which takes into consideration the management principles for protected areas and forest areas. QPWS supports a whole of landscape solution to recreational supply issues and may work with neighbouring land management agencies to promote appropriate uses of QPWS managed areas. QPWS management of cycling (mountain bike riding) includes providing public access to roads, multiple-use tracks and single-use tracks on QPWS managed areas. In addition, QPWS manages cycling (mountain bike) activities through regulatory and information signage, permits to traverse, commercial activity permits, group activity permits, other relevant authorities and licences, track development and management and community engagement.

QPWS provides information on appropriate places for cycling (mountain bike riding) on QPWS managed areas through this policy, the EPA website ([www.epa.qld.gov.au](http://www.epa.qld.gov.au)), visitor guides and brochures, information and regulatory signage on QPWS managed areas and through on-ground staff.

Recreational activities in QPWS managed areas are administered in accordance with principles outlined in the *Nature Conservation Act 1992* and the *Forestry Act 1959*. These management principles support activities in a variety of protected area and forest tenures which are nature-based, protect, conserve and present cultural and natural resources and their values, promote ecological sustainability, provide for production of timber, protect watersheds, provide for the conservation of the soil, environment and water quality, consider recreational purposes, features and other uses.

In addition, the Master Plan for Queensland's Parks System emphasises that the parks system is to be managed to support a range of styles of nature-based visitation, and that management should provide a variety of settings catering for different visitors without compromising conservation outcomes. Policies for management of the forest estate have also sought to provide a range of settings catering for different visitor activities.

To ensure QPWS meets its obligations in relation to management of parks and forests, cycling (mountain bike riding) may not be permitted in some areas.

## Policy statement

### Access

Cycling (mountain bike riding) is allowed:

- on all dedicated roads that pass through QPWS managed areas
- in protected areas, other than National Parks Scientific, on QPWS managed roads where cycling (mountain bike riding) has not been prohibited by regulatory notice and on single-use tracks and multiple use tracks where cycling (mountain bike riding) has been allowed by an appropriate sign
- in State forests, timber reserves and forest reserves on QPWS managed roads, single-use tracks and multiple-use tracks under a permit to traverse or as prescribed by a regulatory notice
- on parts of the Bicentennial National Trail (BNT) that pass through the QPWS estate in accordance with a relevant QPWS permit or approval and guidelines set for use of the BNT
- on other areas as prescribed by a current Management Plan.

QPWS may permit access for cycling (mountain bike riding) to areas other than those described above in limited circumstances. Applications for access to other areas will be considered on a case-by-case basis taking into consideration the management principles of the area to which access is sought, the availability of suitable alternatives and the appropriateness of the activity in the area.

## Cycling (mountain bike riding) in QPWS managed areas

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In addition to the appropriateness criteria, when considering and deciding on an application for a relevant authority (e.g. commercial activity or group activity permit or other license or authority) for activities in protected areas, QPWS must also consider the matters listed in regulation 25 of the Nature Conservation (Administration) Regulation 2006.

### **Appropriateness**

QPWS will assess appropriateness of cycling (mountain bike riding) in QPWS managed areas using the following criteria:

- 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
- (if determined) the sustainable visitation capacity for the area or track.

When considering the appropriateness of an activity in an area subject to tenure transfer arrangements, QPWS will take into account the previous use patterns of the area. Options for previous use activities in these circumstances include continuing the activity as per existing arrangements, continuing the activity under special management arrangements or phasing out of the activity.

QPWS considers the 'leisurely' style of riding to be the most appropriate form of cycling (mountain bike riding) on QPWS managed areas. Other styles of riding (active and competitive) may be provided for on QPWS managed areas in limited circumstances in accordance with a relevant authority or approval. The 'active' and 'competitive' styles of cycling (mountain bike riding) are not generally considered appropriate in national park tenures (refer to s.17, 18, 19, 19A *Nature Conservation Act 1992*) but may be allowed under an authority or permit. These styles of riding are incompatible with leisurely riding.

### **Permits and approvals**

When permits and approvals are required QPWS may specify the area to be used, the period over which the permit is valid and appropriate conditions.

Queensland road rules apply on dedicated roads, including speed limits.

#### Permit to Traverse

A Permit to Traverse may be required in areas managed under the *Forestry Act 1959* unless a regulatory notice allows mountain bike riding. Permit application forms are available from QPWS District Offices and the EPA website ([www.epa.qld.gov.au](http://www.epa.qld.gov.au)).

#### Group activities

Club organised, large scale and competitive events are considered to be within the QPWS classification of 'active or focused riding'/'competitive events' and to the greatest degree possible are to be managed under a group activity permit framework. A group activity permit may also be required for recreational mountain bike riding in large groups that will or may interfere with general public use of an area. QPWS will consider each

## Cycling (mountain bike riding) in QPWS managed areas

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situation on a case-by-case basis taking into consideration the appropriateness of the activity in the area and requirements of the [Group Activity Permits - Operational Policy](#). Application fees apply.

### Commercial operations

When cycling (mountain bike riding) is being conducted on a commercial basis, the provider of that activity requires a Commercial Activity Permit. QPWS will consider each situation on a case-by-case basis taking into consideration the appropriateness of the activity in the area and requirements of the [Commercial Activity General Requirements - Operational Policy](#). Application and other fees apply.

### Special activity permit

A special activity permit may be required where:

- cycling (mountain bike riding) has been designated as a special activity in a QPWS managed area under regulatory notice
- cycling (mountain bike riding) may have an unusual or significant impact on cultural or natural resources
- an activity requires special training or supervision
- an activity involves a risk to the public.

Consideration of special activity permit requirements will be undertaken in accordance with the [Permits or written approval for special activities – Operational Policy](#).

### Other authorities and licences

QPWS may allow use, construction and maintenance of a single-use track and/or other facilities in appropriate areas in accordance with effective legal arrangements such as a lease, agreement, Permit to Occupy, Memorandum of Understanding or other such instruments as deemed appropriate by the Chief Executive. Examples of where this arrangement may be used include an authority to construct, maintain and use a facility, trail, track or road within part of the QPWS managed area with a recognised legal body, such as an incorporated mountain bike club, local authorities, water management authority etc.

### ***Sustainable visitation capacity and environmental impact management***

QPWS recognises that both the ecological and social impacts of cycling (mountain bike riding) are affected by the road or track standard, climate, style of riding, the size of the groups that use a site, road, multiple use track or single-use track, and the total number of bikes that use an area.

Where unacceptable environmental, social or amenity impacts from cycling (mountain bike riding) and/or other activities are detected in an area, QPWS may: exclude cycling (mountain bike riding) either temporarily or permanently, place a limit on the number of riders allowed to access an area or limit the number of permissions available for cycling (mountain bike) access and monitor and control rider behaviour as required.

Where a limit on numbers of riders or permits or a temporary trail or track closure is proposed, QPWS may consult with permit holders and regular users of the area advising of the proposed changes.

QPWS may determine the sustainable capacity for cycling (mountain bike) activities for a specified trail, track or area in accordance with the relevant guidelines, operational policies and procedural guides (including the [Landscape classification system for visitor management -Operational Policy](#)). In determining the sustainable capacity, QPWS may consult with permit holders and other regular users of the area.

### ***Track development, standards and maintenance***

Where appropriate, QPWS supports multiple-use of dedicated roads, QPWS managed roads and multiple-use tracks. However, where demand, safety concerns, lack of suitable alternatives, use patterns or other circumstances require, single-use tracks may be established.

## Cycling (mountain bike riding) in QPWS managed areas

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In developing single-use tracks, QPWS will take into consideration the appropriateness criteria and:

- number of users accessing the area (demand) and types of use
- number of unsanctioned tracks and trails in the area and any programs in place or proposed for minimising unsanctioned tracks and trails
- availability and suitability of existing tracks or trails for realignment
- types of vegetation present in the area and requirements for protection
- soil type and composition, gradient of the land through which the single use track passes
- consultation requirements to ensure diverse use opportunities are not adversely affected
- other management requirements for the area
- any other matter relevant to the management of the area.

Where QPWS allows the establishment of single-use tracks, they will be constructed and maintained in accordance with relevant standards, policies and guidelines. These standards may include guides produced by the International Mountain Biking Association. Further information on procedures relating to single-use track assessment process, consultation, construction, maintenance and ongoing management will be outlined in the Cycling and mountain bike activities in Queensland Parks and Wildlife Service managed areas – procedural guide.

### **Community engagement**

QPWS may recognise or introduce Codes of Conduct relating to cycling (mountain bike riding) on QPWS managed areas.

QPWS may enter into arrangements with mountain bike and other user groups in relation to management of tracks and trails in an area. Where cycling (mountain bike) riders are regularly accessing an area QPWS may enter into a 'trail care' or 'adopt a track' voluntary maintenance program. Volunteers participating in this program will be managed in accordance with EPA procedures on volunteers, including volunteer agreements.

### **Reference materials**

*Nature Conservation Act 1992* and Nature Conservation (Administration) Regulation 2006

*Forestry Act 1959* and Forestry Regulation 1998

*Recreation Areas Management Act 1988* and Queensland Recreation Areas Management By-Law 1991

*Marine Parks Act 2004*

*Land Act 1994*

*Transport Operations (Road Use Management) Act 1995*

[Group Activity Permits - Operational Policy](#)

[Commercial Activity General Requirements - Operational Policy](#)

[Landscape classification system for visitor management - Operational Policy](#)

[Permits or written approval for special activities – Operational Policy](#)

Master Plan for Queensland's Parks System

QPWS Volunteer Agreement and other related documents

## Cycling (mountain bike riding) in QPWS managed areas

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**Approved By**

Alan Feely

Signature

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Date

Alan Feely  
Executive Director  
Parks Division

**Enquiries:**  
Tourism and visitor management  
Ph. 3836 0196  
Fax. 3227 7676