

# Operational policy

## Visitor Management

### Assistance animals 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. Operational policies are not intended to be applied inflexibly in all circumstances. Individual circumstances may require a modified application of policy.*

#### Policy issue

Current State legislation prohibits a person from bringing a live animal into certain QPWS managed areas including both National Parks and National Parks (Scientific).

Access to a QPWS managed area is decided on a case by case basis dependant on an area's management plan. However, there are several QPWS managed areas accessible for domesticated dogs and their handlers, including state forests, resource reserves and conservation parks.

As per Federal and State Legislation, a person who requires the services of an assistance animal under the relevant acts must be afforded the same access rights as any other member of the public, regardless of any restrictions on animal access QPWS may have in place.

#### Purpose

The purpose of this policy is to ensure a consistent approach in managing access for persons with certified support dogs or trained assistance animals in QPWS managed areas including national parks, marine parks, forests and recreation areas which;

- assists members of the public, volunteers and QPWS staff to enable genuine assistance animals to enter and remain in QPWS managed areas,
- ensures compliance with anti-discrimination legislation,
- describes the identification procedure for people with their certified assistance animal for access to a QPWS managed area,
- describes the process for a person, or their carer, to request a written approval to bring an assistance animal into a protected area under the DDA,
- recognises and conserves the natural and cultural values of these protected areas, and
- provides safe, equitable and enjoyable experiences for visitors to a QPWS managed area.

This policy also assists people to understand the access requirements for bringing assistance animals into national parks and other areas managed by QPWS.

#### Background

Domestic animals, especially cats and dogs, can pose a threat to an areas' natural values and native fauna and are generally banned from national parks and some other areas managed by QPWS.

A person, and/or their carer, has access rights to QPWS managed areas with their certified support (guide, hearing or assistance) dog, or assistance animal, that are either;

- trained and registered in accordance with the GHADA, or
- trained animals that meet the assistance animal requirements as outlined in the DDA.

The ADA and the DDA also make it unlawful to deny access to a person with a disability to a public place when accompanied by their trained assistance animal. QPWS is required by law to comply with this legislation and to provide access to a person with a disability accompanied by their support dog or assistance animal in all public areas of QPWS managed areas.

## Definitions

Definitions and abbreviations of key terms used in this policy are as follows:

<b>Term</b>	<b>Definition</b>
<b>'ADA'</b>	abbreviation for the <i>Anti-Discrimination Act 1991 (Cth)</i>
<b>'Approved badge'</b>	means a badge, for a guide, hearing or assistance dog, issued by the chief executive Approved (GHADA)
<b>'Approved trainer'</b>	means an individual approved under part 3 of the GH&AD Act for training guide, hearing or assistance dogs (GHADA)
<b>'Approved training institution'</b>	means a corporation approved under Part 3 for training guide, hearing or assistance dogs (GHADA)
<b>'Assistance animal'</b>	means a dog or other animal accredited under a law of the State, or accredited by an animal training organisation prescribed by regulations, or trained to assist a person with a disability to alleviate the effect of the disability and trained to meet the standards of hygiene and behaviour appropriate for an animal in a public place (DDA section 9)
<b>'Assistance dog'</b>	means a dog trained to perform identifiable physical tasks and behaviours to assist a person with a disability to reduce the person's need for support (GHADA)
<b>'DDA'</b>	abbreviation for <i>Disability Discrimination Act 1992 (Cth)</i>
<b>'Employee trainer'</b>	means a person employed by an approved training institution to train guide, hearing or assistance dogs (GHADA)
<b>'For Reg'</b>	abbreviation for the Forestry Regulation 2015
<b>'Guide dog'</b>	means a dog trained to be an effective guide for a person with disability attributable to a vision impairment (GHADA)
<b>'GHADA'</b>	abbreviation for the <i>Guide, Hearing and Assistance Dogs Act 2009</i>
<b>'Handler's identity card'</b>	means an identity card, issued by the chief executive of Department of Communities, showing a person with a disability who relies on a guide, hearing or assistance dog with the dog that the person relies on (GHADA)

**Operational policy**  
**Assistance animals in QPWS managed areas**

<b>'Hearing dog'</b>	means a dog trained to be used as an aid by a person with disability attributable to a hearing impairment (GHADA)
<b>'Identity card'</b>	means for a person with a disability - a handler's identity card, or for an approved trainer, employee trainer or a puppy carer – a trainer's identity card (GHADA)
<b>'Identifying coat'</b>	means a dog coat that identifies a dog as a guide, hearing, assistance or trainee support dog; and complies with the requirements prescribed under a regulation. Person exercising control means a person exercising control of a public place or public passenger vehicle, over access to, or permission to remain in, the place or vehicle (GHADA)
<b>'Valid application notice'</b>	for a person, means a written notice issued to the person by the chief executive under section 42 that has not expired (GHADA)
<b>'MP Reg'</b>	abbreviation for the Marine Parks Regulation 2017
<b>'NC PAM Reg'</b>	abbreviation, for the 'Nature Conservation (Protected Areas Management) Regulation 2017'
<b>'Puppy carer'</b>	means a person who is employed by an approved training institution and is responsible for the socialisation of a trainee support dog that is under 18 months of age (GHADA)
<b>'QPWS managed areas'</b>	includes the following areas managed by Queensland Parks and Wildlife Service: <ul style="list-style-type: none"> <li>• State forests (other than areas of state plantation forest) managed under the <i>Forestry Act 1959</i>;</li> <li>• protected areas (State land) dedicated under the <i>Nature Conservation Act 1992</i> – including national parks, forest reserves and conservation parks;</li> <li>• recreation areas (RAM areas) declared under the <i>Recreation Areas Management Act 2006</i>; and</li> </ul> marine parks declared under the <i>Marine Parks Act 2004</i>
<b>'RAM Act'</b>	abbreviation for the <i>Recreation Areas Management Act 2006</i>
<b>'Support dog'</b>	means an assistance dog, guide dog, hearing dog or trainee support dog under the GHADA Schedule 4
<b>'Trainee support dog'</b>	means a dog, or puppy, that is being trained by an approved trainer or approved training institution to be a guide, hearing or assistance dog (GHADA)
<b>'Trainer's identity card'</b>	means an identity card for an approved trainer, employee trainer or puppy carer (GHADA)

## **Support dogs and assistance animal legislation**

### **Guide, Hearing and Assistance Dogs Act 2009**

In accordance with the GHADA, certified support dogs are the only type of assistance animal in Queensland which are authorised to enter public places normally prohibited to other animals such as pets, companion animals and domestic animals.

Certified support dogs will wear an identifying coat or harness and have the approved badge or tag (see attachment 1, Fig 1). Trainee support dogs will be identified by a harness or coat only.

Certified guide, hearing and assistance dogs and trainee support dogs can be almost any breed, except a dog that is declared dangerous or a dog that is declared as a restricted breed under local government laws.

People accompanied by a certified support dog, individual trainers, employee trainers and puppy carers of approved training institutions, will carry an identity card (see Attachment 1, Fig 2). The identity card must be displayed so it is clearly visible or is readily available for inspection by a QPWS officer. If an identity card cannot be produced, a valid application notice which states they are an approved handler, trainer or employee trainer is also acceptable.

To become a certified guide, hearing and assistance dog, the dog must be trained by an approved training institution or an approved trainer under the GHADA and have passed a public access test (PAT) to ensure that they are safe and well-behaved in a public place, and be able to be controlled by a handler in all situations.

**NOTE** - Additional information regarding guide, hearing and assistance dogs and the GHADA can be found on the Department of Communities, Disability Services and Seniors website [www.communities.qld.gov.au](http://www.communities.qld.gov.au) or by calling 1800 210 976 or emailing [ghadogs@communities.qld.gov.au](mailto:ghadogs@communities.qld.gov.au).

### **Disability Discrimination Act 1992 (Cth)**

The DDA also provides access rights for people with a disability who are accompanied by an assistance animal. Under section 9 of the DDA, an assistance animal must be trained to assist a person with a disability to alleviate the effect of the disability and to meet the standards of hygiene and behaviour acceptable for a public place.

QPWS also has a duty of care in terms of public safety, and poorly trained dogs and animals pose a risk to themselves, their owners and other members of the public. QPWS must be satisfied that all assistance animals comply with Commonwealth, State and local government legislation and regulations and has the right to refuse access to assistance animals that do not comply with the DDA. Aspects to be considered include:

- breeds that are banned by local government authorities or declared dangerous dogs,
- savage, excitable and noisy animals,
- animals suspected of carrying infectious disease or pose a risk to the health of other animals,
- animals posing a risk to public health and safety,
- animals that do not respond to control and assistance commands
- animals that are not toilet trained for public places
- animals that do not provide assistance to the person that alleviates the effect of a disability and are for the purpose of comfort and companionship only.

## **Departmental responsibility**

Significant penalties may apply to the department for refusing access to visitors with a certified guide, hearing and assistance dog or trainee support dog, or an assistance animal as defined under GHADA and DDA respectively. All field and administration staff involved with the administration of public access to QPWS managed areas must be aware of the rights of people with support animals.

Some provisions of how dogs must be managed in parks are legislated under the Nature Conservation (Protected Areas Management) Regulation 2017 (*Section 131*). Essentially, this stipulates that any dog is under control all times (i.e. leash or tethered to a secure object) and that dog waste is collected and disposed of outside the park.

## **Bringing assistance animals into QPWS managed areas**

### **Certified Guide, Hearing and Assistance Dogs under the GHADA – (State Legislation)**

Visitors with a certified guide, hearing or assistance dog, or trainee support dog under the GHADA are permitted to access all public areas of QPWS managed areas and do not require any prior approval or permit from QPWS. However, they must be able to identify themselves as a person who is accompanied by a properly trained and certified guide, hearing or assistance dog or trainee support dog with approved identification under the GHADA.

### **Access for assistance animals under the DDA – (Federal Legislation)**

A person may still access QPWS managed areas where animals are not certified under the GHADA, but do provide assistance to the person, and comply with the requirements for a trained assistance animal under the DDA. Access is authorised if the person is able to produce the evidence below:

1. A written letter from a health professional such as medical practitioner, psychologist, occupational therapist or diversional therapist stating that the person has a specific psychological or medical condition that is alleviated by the use of an assistance animal. This letter must be on an official letter head with a contact number available; and
2. A statutory declaration from an approved individual animal trainer or animal training organisation that certifies:
  - The breed and identification information of the animal
  - That the assistance animal has been trained to respond to control and assistance commands
  - That the assistance animal is toilet trained for public places and public passenger vehicles
  - That the assistance animal has been trained to meet standards of hygiene and behaviour appropriate for an animal in a public place
  - That the assistance animal is of a demeanour that does not frighten, disturb and cause injury to other people or animals when in public places
  - The contact details, including phone number for the trainer or organisation.

If the breed of the animal is not specified in either of the above documents, council dog registration form may satisfy that criteria.

Failure to provide identification under the GHADA or a copy of the documents required by the DDA listed above, may result in refusal to bring the dog into a QPWS managed area, or compliance action in accordance with The

Departments enforcement guidelines.

### **Requesting written approval from the department**

Although not required, prior written approval from the department may be sought if requested. These written requests allow a person to access a QPWS managed area without the need to carry documents required under the DDA or GHADA. A copy of the required documents may be sent to the department for assessment to the following address:

#### **Queensland Parks and Wildlife Service**

Assessments and Approvals

Department of Environment and Science

PO Box 15187, City East QLD 4002

Enquiries: 13 QGOV (13 74 68)

Email: [parkaccess@des.qld.gov.au](mailto:parkaccess@des.qld.gov.au)

Website: [www.des.qld.gov.au](http://www.des.qld.gov.au)

Please allow approximately 40 business days to assess any authority letters requested.

### **Wildlife parks and centres require special consideration**

QPWS manages Daisy Hill Koala Centre, Walkabout Creek Wildlife Centre and David Fleay Wildlife Park as wildlife and environmental education centres open to the public. These facilities often accommodate endangered wildlife and occasionally very young, orphaned or injured wildlife which can be easily frightened by the presence of a dog.

QPWS will generally allow access to its wildlife centres and parks for a person with an approved assistance animal. However, QPWS staff may restrict access to certain wildlife enclosures where native animals come in close contact with visitors due to concerns about risks to the welfare of wildlife or the assistance animal and precautions are required to ensure visitor, staff and animal safety.

### **Guidelines for visitors accompanied by assistance animals**

In order to reduce the potential stress and injury to the captive wildlife and risks to visitors, we ask that a person accompanied by an approved assistance animal, follows these recommendations;

*Step 1* - prior to visiting the wildlife centre you call ahead to advise staff of your intended visit so they can better accommodate you and your assistance animal;

*Step 2* - upon arrival at the wildlife centre please advise staff that you are accompanied by an approved assistance animal so staff can make any necessary arrangements to ensure you enjoy your visit;

*Step 3* - present your identify card or approved documentation for the assistance animal to the staff, and

*Step 4* - during your visit please follow all advice given by our staff to ensure the safety of yourself and your assistance animal, other visitors, the native wildlife and our staff.

### **Access to K'gari (Fraser Island)**

Domestic animals are prohibited in the K'gari section of Great Sandy National Park. However, visitors with a certified guide, hearing, assistance dog, or trainee support dog are permitted to access and do not require any

prior approval or permit from QPWS. K'gari is considered a high-risk area due to the presence of dingoes and it is recommended that assistance dogs remain inside fenced areas or vehicles at all times. For further advice regarding assistance animals on K'gari please contact [parkaccess@des.qld.gov.au](mailto:parkaccess@des.qld.gov.au).

### **Existing consents**

Any written approvals or permits to bring a live animal into a protected area, granted prior to this policy, shall continue to have effect, subject to any conditions attached to such approval, until it expires, is surrendered, reviewed or is revoked by QPWS.

### **Reference material**

Nature Conservation (Protected Areas Management) Regulation 2017

Marine Park Regulation 2017

Recreation Areas Management Regulation 2006

Forestry Regulation 2015

*Guide, Hearing and Assistance Dog Act 2009* and Regulations

*Disability Discrimination Act 1992* and Regulations

### **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

05/04/2020

Date

Deputy Director-General  
Queensland Parks and Wildlife Service and  
Partnerships  
Department of Environment and Science

**Enquiries:**  
Assessment and Approvals  
[parkaccess@des.qld.gov.au](mailto:parkaccess@des.qld.gov.au)

Attachment 1



Figure 1. Approved QLD Guide Hearing and Assistance Dog Act identifying badge

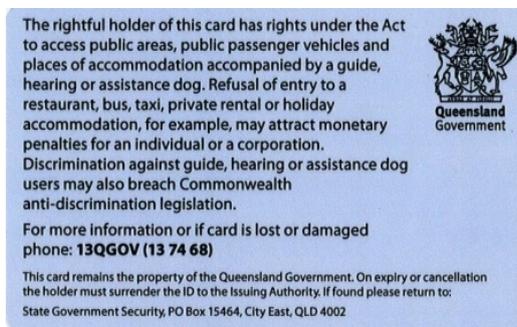


Figure 2. Examples of Identification Cards



Figure 3. Certified support dogs wearing an identifying coat or harness with approved badge or tag.