

# Prosecution Bulletin no. 2/2022

## Summary

- A man was sentenced in the Caboolture Magistrates Court for driving in a recreation area without authority, contrary to section 109 of the *Recreation Areas Management Act 2006*.
- On 11 September 2021, the man was captured by automatic number plate recognition cameras within the Bribie Island Recreation Area. The man did not hold a vehicle access permit.
- On 26 October 2022, the man failed to appear in Court and the matter proceeded in his absence. He was fined \$400 and ordered to pay \$250 in legal costs. No conviction was recorded.

## Facts

On 11 September 2021, the man was captured by automatic number plate recognition cameras driving through the Woorim entrance of the Bribie Island Recreation Area at approximately 3:49pm and exiting at 5:14pm.

Subsequent checks by the Department identified the man's vehicle and found there was no vehicle access permit held by the man or allocated to his vehicle.

The man was issued with a Penalty Infringement Notice (\$206) which he subsequently contested.

## Outcome

On 26 October 2022, the man was sentenced in the Caboolture Magistrates Court to one offence of driving in a recreation area without authority, contrary to section 109 of the *Recreation Areas Management Act 2006*.

The man was fined \$400 and ordered to pay \$250 in legal costs. A conviction was not recorded.

In sentencing, the magistrate considered the need for deterrence in relation to the use of recreation areas by members of the public without appropriate authorisation.

The outcome is a reminder that all users of recreation areas must ensure that they comply with obligations, including obtaining the required access permits.

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