

Information Notice

Notice of decision

Enquiries: *Permissions Management*
 Email: *SouthernPermitsTeam@des.qld.gov.au*
 Phone: *07 3199 7501*
 Our reference: *P-CAP-100260413*

Matt Harris Test
 400 George St
 BRISBANE CITY QLD 4000
 Email: mattharris@mailinator.com

Attention: Matthew Harris

Commercial Activity Permit application

I refer to your application dated 23-Feb-2021.

Authority applied for	Authority Number	Decision
Roving Commercial Activity Permit issued under the provisions of the Nature Conservation Act 1992 Recreation Areas Management Act 2006	P-CAP-100260413	Granted

Your permit has been granted and the permit and conditions of approval appear below. This notice and the permit constitute your permit documentation. Please save this file for your records.

About this permit

Included with this notice is advice on internal and external review processes that may be available to you. Should you seek an internal or external review, the Department advises that you seek independent advice before taking such action.

The attached permit grants access to a large number and a wide range of island national parks within the Great Barrier Reef World Heritage Area, with specific conditions relating to some of those national parks, for example seasonal restrictions, group size limits and booking requirements. Please read these conditions carefully and familiarise yourself with the nature of the access permitted for each national park that you plan to visit.

Recognising the nature of your operation as a vessel-based marine tour operator, this access is granted in order to allow you flexibility while still limiting permitted access to a reasonable and realistic level. Please note that this should not be construed as conveying any future rights of access to areas which have not been significantly utilised during the life of this permit. A level of latent or unused access is inherent in this style of permit.

Park/track closures and restrictions

We recommend that you check the Park Alerts web page for information about possible park, facility or track closures owing to storm damage, controlled burning etc. before commencing any activities.

<http://www.des.qld.gov.au/parkalerts/index.php>

Please note that Island National Parks are subject to seasonal closures and restrictions. Special conditions also apply for other locations. Please read carefully the conditions in your permit below.

Returns

As the holder of a Commercial Activity Permit, you are required to submit a Return of Operations within 20 business days following the end of each calendar month or quarter ending 31 March, 30 June, 30 September and 31 December.

Daily site fees apply to commercial activities conducted under this permit and are applied on a per person per day basis.

You are required to submit a Return of Operations Form, via online services, even if no tours have been conducted.

All invoices for daily site fees must be paid strictly within the payment terms, including BPAY. Failure to do so may result in action to suspend or cancel your Commercial Activity Permit.

National Parks (Cape York Peninsula Aboriginal land)

Please note that national parks within the Cape York Peninsula Region are regulated as transferable land under the Aboriginal Land Act 1991. Consequently, one or more of those areas may be declared as national park (Cape York Peninsula Aboriginal land) at some time in the future. If you have access to these national parks the conditions of your existing permit will remain valid for its current term even if the area becomes national park (Cape York Peninsula Aboriginal land).

However, if a particular national park becomes dedicated as national park (Cape York Peninsula Aboriginal land) sometime in the future, the Department will be required to assess any new permit application in the context of the respective Indigenous Management Agreement for that national park (Cape York Peninsula Aboriginal land) as well as the Nature Conservation Act 1992.

Cultural Heritage

Aboriginal cultural heritage is protected under the Aboriginal Cultural Heritage Act 2003 whether or not its values are known or recorded.

Section 23 of the Aboriginal Cultural Heritage Act 2003 (the legislation) provides that a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Indigenous cultural heritage (the cultural heritage duty of care). Penalties apply for breaching the cultural heritage duty of care.

A person will comply with the duty of care in relation to Indigenous cultural heritage if the person is acting in accordance with:

- the duty of care guidelines gazetted under the legislation;
- an agreement with the Aboriginal or Torres Strait Islander party for the area; or
- a cultural heritage management plan approved under Part 7 of the legislation.

For more information regarding Indigenous cultural heritage please visit the webpage

www.datsip.qld.gov.au/peoplecommunities/aboriginal-torres-strait-islander-cultural-heritage/cultural-heritage-duty-care

Non-Indigenous places and sites of cultural heritage are protected by the Queensland Heritage Act 1992. If Cultural Heritage sites or items are located, advice should be sought from Cultural Heritage, for enquires email gpws@des.qld.gov.au

Native Title

Should it be determined at some future date by any Court that native title exists over the subject land or waters, this permit may be terminated, and the permit holder may be required to remove any works established under this permit at the permit holder's (or any subsequent permit holder's) own cost, expense

and risk. In that event, no compensation for works, development costs or loss of income shall be payable to permit holder (or any subsequent permit holder) by the State of Queensland.

Contacts

If you require further information, please contact the relevant office on one of the telephone numbers listed below:

Cairns (07) 4222 5240

Airlie Beach (07) 4965 5214

Rockhampton (07) 4936 0524, or email permitsgbr@des.qld.gov.au

Crocodiles

Please be aware that estuarine crocodiles may inhabit DES managed areas. Your activity should always follow a crocodile safety protocol. You are recommended to contact the DES Wildlife Unit for advice on providing client education on 'croc-wise' behaviour to promote safety in crocodile habitat. Please refer to the brochure 'Living with Crocodiles'. You are also encouraged to refer to the DES Queensland Crocodile Management Plan.

Be Shark Smart

Find information on Shark Smart behaviour online at www.daf.qld.gov.au/sharksmart and www.qbrmpa.gov.au/access-and-use/responsible-reef-practices/be-shark-smart

Maintain island biosecurity

Since the conduct of your activity may involve "island-hopping", your activities may pose a greater risk to island biosecurity. Please ensure that all staff and participants follow best practices to prevent the spread of pests to maintain island biosecurity. Prior to conducting the activity, online park information should be referred to, particularly best practice recommendations for island biosecurity and the 'Be Pest-Free!' brochure for the Great Barrier Reef islands.

Yours sincerely

Signature

Date

Delegate:
Queensland Parks and Wildlife Service
Department of Environment and Science

Commercial Activity Permit

Department of Environment and Science

Section 50B of the Nature Conservation (Protected Areas Management) Regulation 2017

Section 34(1)(d) of the Recreation Areas Management Act 2006

AUTHORITY No. P-CAP-100260413

This Authority will remain in force for the following term, unless sooner surrendered or revoked:

TERM: **23-Feb-2021 TO 22-Feb-2024**

AUTHORITY HOLDER: Matt Harris Test

ADDITIONAL HOLDER(S):

ABN/ACN: N/A

PERSON IN CHARGE: Matthew Harris

ADDRESS: 400 George St BRISBANE CITY QLD 4000

Approved Location and Purpose:

Location(s)	Capacity	Activity(s)
Far Northern Management Area		
Estate: Claremont Isles NP Site: Burkitt Island	Max group size 10 people	Guided Tour
Estate: Denham Group NP Site: Boydong Island	Max 10 people at any one time	Guided Tour
Estate: Denham Group NP Site: Cairncross Islets (3)	Max 24 people at any one time; Max group size 12 people	Guided Tour
Estate: Denham Group NP Site: Sinclair Islet	Max group size 10 people	Guided Tour
Estate: Wuthara Island NPCYPAL Site: Forbes Island	Max 70 people/day; Max group size 10 people	Guided Tour
Estate: Jardine River NP Site: Trochus Island		Guided Tour
Estate: Flinders Group NPCYPAL Site: Stanley Island	Max group size 15 people	Guided Tour
Estate: Howick Group NPCYPAL Site: Beanley Island	Max 10 people at any one time	Guided Tour
Estate: Howick Group NPCYPAL Site: Bewick Island	Max 10 people at any one time	Guided Tour
Estate: Howick Group NPCYPAL Site: Hampton Island	Max 10 people at any one time	Guided Tour
Estate: Howick Group NPCYPAL Site: Howick Island	Max 10 people at any one time	Guided Tour

Estate: Howick Group NPCYPAL Site: Ingram Island	Max 10 people at any one time	Guided Tour
Estate: Howick Group NPCYPAL Site: Newton Island	Max 10 people at any one time	Guided Tour
Estate: Piper Islands NPCYPAL Site: Baird Island	Max 70 people/day; Max group size 10 people	Guided Tour
Estate: Piper Islands NPCYPAL Site: Beesley Island	Max 70 people/day; Max group size 10 people	Guided Tour
Estate: Piper Islands NPCYPAL Site: Fisher Island	Max 70 people/day; Max group size 10 people	Guided Tour
Estate: Piper Islands NPCYPAL Site: Kay Islet	Max 70 people/day; Max group size 10 people	Guided Tour
Estate: Possession Island NP Site: Possession Island		Guided Tour
Estate: Ma'alpiku Island NPCYPAL Site: Restoration Island	Max 70 people/day; Max group size 10 people	Guided Tour
Cairns/Cooktown Management Area		
Estate: Barnard Island Group NP Site: Hutchison Island	Max 15 people at any one time	Guided Tour
Estate: Barnard Island Group NP Site: Jessie Island	Max 15 people at any one time	Guided Tour
Estate: Barnard Island Group NP Site: Sisters Island	Max 15 people at any one time	Guided Tour
Estate: Barnard Island Group NP Site: Stephens Island	Max 15 people at any one time	Guided Tour
Estate: Fitzroy Island NP Site: Sites specified on permit	Refer to permit condition	Guided Tour
Estate: Frankland Group NP Site: High Island	Max 15 people/day	Guided Tour
Estate: Green Island Recreation Area Site: Green Island NP	Max group size 60 people	Guided Tour
Estate: Lizard Island NP Site: Lizard Island	Max group size 25 people	Guided Tour
Estate: Three Islands Group NP Site: Two Islands (2)	Max 30 people at any one time	Guided Tour
Estate: Turtle Group NP Site: Nymph Island	Max 60 people at any one time	Guided Tour
Estate: Turtle Group NP Site: Turtle Group (6)	Max 15 people at any one time	Guided Tour
Townsville Area (Townsville/Whitsunday Management Area)		

Estate: Family Islands NP Site: Dunk Island Site: Walking tracks	Max 30 people/day; Max group size 15 people	Guided Tour
Estate: Goold Island NP Site: Southern Beach	Max 50 people/day	Guided Tour
Estate: Goold Island NP Site: Western Beach	Max 50 people/day	Guided Tour
Estate: Hinchinbrook Island NP Site: Macushla	Max 30 people/day; Max group size 15 people	Guided Tour
Estate: Hinchinbrook Island NP Site: North Shepherd Bay	Max group size 15 people at any one time	Guided Tour
Estate: Hinchinbrook Island NP Site: South Shepherd Bay	Max group size 15 people at any one time	Guided Tour
Estate: Hinchinbrook Island NP Site: The Haven	Max group size 50 people at any one time	Guided Tour
Estate: Magnetic Island NP Site: Arthur Bay walking track	Max group size 15 people	Guided Tour
Estate: Magnetic Island NP Site: Florence Bay walking track	Max group size 15 people	Guided Tour
Estate: Magnetic Island NP Site: Hawkins Point walking track	Max group size 15 people	Guided Tour
Estate: Magnetic Island NP Site: Horseshoe Bay to Radical Bay walking track	Max group size 15 people	Guided Tour
Estate: Magnetic Island NP Site: Nelly Bay to Arcadia walking track	Max group size 15 people	Guided Tour
Estate: Magnetic Island NP Site: The Forts walking track	Max group size 15 people	Guided Tour
Estate: Orpheus Island NP Site: Yanks Jetty day use area	Max group size 50 people	Guided Tour
Whitsundays Area (Townsville/Whitsunday Management Area)		
Estate: Gloucester Islands NP Site: Gloucester Island Site: Bona Bay day use area	Max 40 people at any one time	Guided Tour
Estate: Lindeman Islands NP Site: Lindeman Island Site: Walking tracks	Max 40 people at any one time; Max group size 25 people	Guided Tour
Estate: Lindeman Islands NP Site: Seaforth Island Site: Orchid Beach day use area	Max 40 people at any one time	Guided Tour
Estate: Lindeman Islands NP Site: Seaforth Island	Max 40 people at any one time; Max group size 25 people	Guided Tour

Site: Walking tracks		
Estate: Molle Islands NP Site: Long Island Site: Sandy Bay day use area	Max 40 people at any one time	Guided Tour
Estate: Molle Islands NP Site: Long Island Site: Walking tracks north of Sandy Bay	Max 40 people at any one time; Max group size 25 people	Guided Tour
Estate: Molle Islands NP Site: North Molle Island Site: Cockatoo Beach day use area	Max 40 people at any one time	Guided Tour
Estate: Molle Islands NP Site: South Molle Island Site: Sandy Bay day use area	Max 40 people at any one time	Guided Tour
Estate: Molle Islands NP Site: South Molle Island Site: Walking tracks	Max 40 people at any one time; Max group size 25 people	Guided Tour
Estate: Whitsunday Islands NP Site: Border Island Site: Border Island walking track	Max 40 people at any one time; Max group size 25 people	Guided Tour
Estate: Whitsunday Islands NP Site: Henning Island Site: Northern Spit day use area	Max 40 people at any one time	Guided Tour
Estate: Whitsunday Islands NP Site: Hook Island Site: Ngaro Cultural Site	Max 40 people at any one time; Max group size 25 people	Guided Tour
Estate: Whitsunday Islands NP Site: Langford Island Site: Langford Island Walking Track	Max 20 people at any one time	Guided Tour
Estate: Whitsunday Islands NP Site: Whitsunday Island Site: Dugong – Sawmill walking track (Cid Harbour track)	Max 40 people at any one time; Max group size 25 people	Guided Tour
Estate: Whitsunday Islands NP Site: Whitsunday Island Site: Sawmill Beach day use area	Max 40 people at any one time	Guided Tour
Estate: Whitsunday Islands NP Site: Haslewood Island Site: Chalkie’s Beach walking track	Max 40 people at any one time; Max group size 25 people	Guided Tour
Estate: Whitsunday Islands NP Site: Whitsunday Island Site: Solway Circuit walking track	Max 50 at any one time; Max group size 25 people	Guided Tour
Estate: Whitsunday Islands NP	Max 50 at any one time; Max group size 25 people	Guided Tour

Site: Whitsunday Island Site: Whitehaven Beach – Chance Bay walking track		
Estate: Whitsunday Islands NP Site: Whitsunday Island Site: South Whitehaven Beach day use area	Max 50 people at any one time	Guided Tour
Estate: Whitsunday Islands NP Site: Whitsunday Island Site: South Whitehaven Beach lookout track	Max 50 people at any one time; Max group size 25 people	Guided Tour
Estate: Whitsunday Islands NP Site: Whitsunday Island Site: Tongue Point	Max 40 people at any one time; Max group size 25 people	Guided Tour
Mackay Area (Mackay/Capricorn Management Area)		
Estate: Brampton Islands NP Site: Brampton Island Site: Brampton Peak walking track	Max 50 people at any one time; Max group size 25 people	Guided Tour
Estate: Brampton Islands NP Site: Brampton Island Site: Western Bay day use area	Max 50 people at any one time	Guided Tour
Estate: Newry Islands NP Site: Newry Island Site: Newry Island day use area	Max 40 people at any one time	Guided Tour
Estate: Newry Islands NP Site: Newry Island Site: Sunset Beach day use area	Max 40 people at any one time	Guided Tour
Estate: Newry Islands NP Site: Newry Island Site: Walking tracks	Max 40 people at any one time; Max group size 25 people	Guided Tour
Estate: Newry Islands NP Site: Rabbit Island Site: Tug's Point day use area	Max 15 people at any one time	Guided Tour
Estate: Smith Islands NP Site: Goldsmith Island Site: Roylen Bay day use area	Max 40 people at any one time	Guided Tour
Estate: South Cumberland Islands NP Site: Scawfell Island Site: Refuge Bay day use area	Max 50 people at any one time	Guided Tour
Rockhampton Area (Mackay/Capricorn Management Area)		
Estate: Broad Sound Islands NP Site: Eliza Island	Max 10 people at any one time	Guided Tour
Estate: Broad Sound Islands NP Site: George Island	Max 10 people at any one time	Guided Tour

Estate: Broad Sound Islands NP Site: Hexham Island	Max 10 people at any one time	Guided Tour
Estate: Broad Sound Islands NP Site: High Peak Island	Max 10 people at any one time	Guided Tour
Estate: Broad Sound Islands NP Site: Holt Island	Max 10 people at any one time	Guided Tour
Estate: Broad Sound Islands NP Site: Pier Head on Quail Island	Max 10 people at any one time	Guided Tour
Estate: Broad Sound Islands NP Site: Poynter Island	Max 10 people at any one time	Guided Tour
Estate: Broad Sound Islands NP Site: Roundish Island	Max 10 people at any one time	Guided Tour
Estate: Broad Sound Islands NP Site: Shields Island	Max 10 people at any one time	Guided Tour
Estate: Broad Sound Islands NP Site: South Barren Island	Max 10 people at any one time	Guided Tour
Estate: Broad Sound Islands NP Site: West Side Island	Max 10 people at any one time	Guided Tour
Estate: Capricornia Cays NP Site: Lady Musgrave Island	Max 10 people at any one time	Guided Tour
Estate: Keppel Bay Islands NP Site: Divided Island	Max 10 people at any one time	Guided Tour
Estate: Keppel Bay Islands NP Site: North Keppel Island	Max 10 people at any one time	Guided Tour
Estate: Keppel Bay Islands NP Site: Pelican Island	Max 10 people at any one time	Guided Tour
Estate: Wild Cattle Island NP	Max 10 people at any one time	Guided Tour

Signature

Date

Delegate of the Chief Executive of the
Department of Environment and Science

CONDITIONS - GENERAL

COMPLIANCE WITH ALL LAWS

1. All activities conducted under this permit must be undertaken in accordance with the provisions of the laws in force from time to time in the State of Queensland.

NO WARRANTY AND RISK

2. The Authority Holder uses the Approved Location entirely at its own risk and must first check the Approved Location to ensure that they are suitable for the Permitted Use under this Permit before undertaking any Permitted Activities.

INDEMNITY

3. The Authority Holder:
 - (a) indemnifies; and
 - (b) releases and discharges the State (including its Representatives) from and against all actions, proceedings, claims, demands, costs, losses, damages, liability and expenses which may be brought against, or made upon the State (or any Representative) or which the State (or any Representative) may pay, sustain, or be put to by reason of, or in consequence of, or in connection with this Authority and the occupation and use of the Relevant Area by the Authority Holder, except to the extent of any negligent act of the State (or any Representative).
 - (c) The Authority Holder must notify the Chief Executive in writing of any death, injury, loss or damage immediately upon the Authority Holder becoming aware of such death, injury, loss or damage.
 - (d) If the Authority Holder breaches its obligations under sub-clauses (a) and (b), the Chief Executive may give notice to the Authority Holder stating the breach and if the breach is not remedied in accordance with the timeframe set out in that notice, the Chief Executive may immediately cancel this Authority by written notice to the Authority Holder.

INSURANCE

4. For the Term of this Authority, the Authority Holder must take out and maintain the following insurances:
 - (a) where required by law, insurance under the *Workers' Compensation and Rehabilitation Act 2003*, or its equivalent under another jurisdiction with the consent of the Chief Executive; and
 - (b) where not covered under the above sub-clause (a), accident insurance sufficient to cover workers, volunteers and eligible persons (as defined under the *Workers' Compensation and Rehabilitation Act 2003*) with the consent of the Chief Executive; and
 - (c) a public liability insurance policy for not less than \$20 million on a claims occurring basis in respect of the death of, or injury to persons, or loss or damage to property; and
 - (d) any other insurances as reasonably required by the Chief Executive.
5. The Authority Holder must ensure that the insurance policies required under this clause are with:

- (a) an insurer who is:
 - (i) authorised under the *Insurance Act 1973 (Cth)*;
 - (ii) registered with the Australian Prudential Regulation Authority as an authorised insurer; and
 - (iii) has a Standard & Poor's rating of no less than A-; or
- (b) if the Authority Holder is globally insured, another insurer with the written approval of the Chief Executive.
- (c) The Authority Holder must ensure that in relation to the insurance interests under this clause, insurance policies are effected to cover all invitees, employees, contractors, agents, members or clients of the Authority Holder and (where possible) name the State as interested party.
- (d) Before undertaking any activities in the Marine Park, the Authority Holder must have in place all insurances required by this clause.
- (e) In any circumstance where the insurances required under this Authority are cancelled, altered or expire before the expiry date of this Authority, the Authority Holder must cease all activities in the Marine Park until such times as alternative insurance policies that comply with the requirements of this clause have been obtained.
- (f) The Authority Holder must provide copies of certificates of currency for the insurances required under this clause if requested by the Chief Executive, acting reasonably.
- (g) If the Authority Holder is an individual or sole trader, then clause (a) is satisfied if the Authority Holder maintains:
 - (i) personal accident insurance covering all medical treatment, hospitalisation and medical expenses; and
 - (ii) income protection insurance; and
 - (iii) death and disability insurance; equivalent to the coverage and entitlements provided to employees under the statutory provisions of the Workers' Compensation and Rehabilitation Act 2003 (Qld).
- (h) Where the Authority Holder –
 - (i) is a Commonwealth, State or Territory government department, agency or statutory body; and
 - (ii) is a self-insurer; and
 - (iii) has provided the Chief Executive with a certificate from an appropriately authorised officer to that effect, the Authority Holder is deemed to have complied with this clause.
- (i) If the Authority Holder breaches its obligations under this clause, the Chief Executive may immediately cancel this Authority by written notice to the Authority Holder.

AUTHORITY HOLDER'S OBLIGATION

6. The Authority Holder must have the power, authority and ability to be issued this Authority and must perform its obligations under this Authority with all due skill, care and diligence.

NO LIABILITY FOR CONSEQUENTIAL OR INDIRECT LOSS

7. The State and its Representatives will not in any circumstances (including for negligence) be liable for any loss of revenue, loss of profit, loss of anticipated savings or business, loss of opportunity (including opportunity to enter into or complete arrangements with third parties), loss of data or goodwill, loss of reputation, or any indirect or consequential loss, whether arising in contract, tort (including negligence) or otherwise, in connection with this Authority.

REPORTING

8. The Authority Holder is required to keep a daily record of operations using the approved return form (return of operations).
9. The approved return form (return of operations) must be completed and submitted within 20 business days of each calendar quarter (30 September, 31 December, 31 March, 30 June).

CONDITIONS - GUIDED TOURS

STANDARD

10. The Authority Holder must conduct activities in accordance with a valid Marine Parks permit when accessing island national parks.
11. The Authority Holder is responsible for ensuring that island biosecurity best practices are adhered to during the conduct of their tourist program to help maintain island biosecurity.
12. Access to individual locations is restricted to 2 visits in any 7 day period, except to locations within the Hinchinbrook Planning Area, Fitzroy Island Marine Management Area and the Cairns Planning Area where access is restricted to 50 days per year.
13. The Authority Holder must ensure activities are only conducted within established walking tracks, camping areas and day use areas, where facilities are provided.
14. The Authority Holder must not conduct camping unless otherwise specified for a specific location.
15. The Authority Holder must brief participants in the program about the potential presence of, and dangers posed by, estuarine crocodiles prior to participants conducting activities under this permit.
16. The Authority Holder must ensure that groups do not obstruct access paths and the flow of pedestrians.
17. The erection or display of advertising material, other than advertising affixed to permitted vehicles/vessels, is prohibited.

SEASONAL CLOSURE

18. Seasonal closure - access is prohibited to the following sites between 1 September and 31 March:
 - Barnard Island Group National Park - Sisters Island
 - Denham Group National Park - Cairncross Islets (3), Boydong Island and Sinclair Islet
 - Three Islands Group National Park - Two Islands
19. Seasonal closure - access is prohibited to the following sites between 1 October and 31 March:

- Broad Sound Islands National Park - Eliza Island
- Broad Sound Islands National Park - South Barren Island
- Broad Sound Islands National Park - West Side Island

CONDITIONS FOR: ALL CYPAL NATIONAL PARKS

20. Before accessing any Cape York Peninsula Aboriginal Land National Park, a prior booking must be made with the Department of Environment and Science in Rockhampton on (07) 4936 0524 and via email to PermitsGBR@des.qld.gov.au.

CONDITIONS FOR: BARNARD ISLAND GROUP NATIONAL PARK - STEPHENS ISLAND

21. Access is only permitted to the sand spit and camping area at the western part of the island from 1 September to 31 March.

CONDITIONS FOR: CAPRICORNIA CAYS NATIONAL PARK – LADY MUSGRAVE ISLAND

22. Before accessing Lady Musgrave Island, a prior booking must be made with the Department of Environment and Science in Rockhampton on (07) 4936 0524 and via email to PermitsGBR@des.qld.gov.au.
23. During the bird and turtle nesting season from 01 October to 31 March, the Authority Holder must ensure that tour staff and clients restrict their activities to minimise disturbance to nesting seabirds and turtles.
24. The Authority Holder must ensure that tour staff and clients do not enter the campground or use the toilet facilities provided for overnight campers on Lady Musgrave Island.
25. The Authority Holder must ensure that groups are managed at all times by guide/s during their visit on the island.

CONDITIONS FOR: FITZROY ISLAND NATIONAL PARK

26. Access to Nudey Beach is prohibited between the hours of 9:30am and 3:30pm.
27. The Authority Holder must ensure that the tour group sizes (including staff) do not exceed the specified maximum group size limits for each site as outlined below.
- 1973 Lighthouse & Lighthouse Road - 25 people per day.
 - WWII Lighthouse Ruins - 12 people/group/day
 - Summit Track (Lighthouse Road to WWII Lighthouse Ruins) - 12 people/group/day
 - Summit Track (WWII Lighthouse Ruins to Summit Lookout) - 5 people/group/day
 - Summit Track (Summit Lookout to camping area) - 5 people/group/day
 - Nudey Beach & Nudey Beach Track -15 people/group/day
 - Secret Garden Track -12 people/group/day

CONDITIONS FOR: FLINDERS GROUP NATIONAL PARK (CYPAL) - STANLEY ISLAND

28. Access is only permitted to the Stanley Island Board Walk and access track.

29. The Authority Holder must ensure that no more than one group is on the Stanley Island Board Walk at any one time.
30. Tour groups are restricted to the designated walking tracks including the boardwalk.
31. The Authority Holder must ensure that no more than two groups are on Stanley Island at any one time.
32. Cruise Ship based tours must:
 - a. Obtain written consent from Traditional Owners prior to accessing the island; and
 - b. Include a cultural advisor who will be:
 - i. Approved by the Corporation; and
 - ii. Renumerated by the permittee at a rate to be agreed upon by the permitted and the cultural advisor; and
 - c. Ensure that clients and crew abide by reasonable directions provided by the cultural advisor.

CONDITIONS FOR: FRANKLAND GROUP NATIONAL PARK - HIGH ISLAND

33. Access on Saturdays and Sundays is prohibited.

CONDITIONS FOR: GREEN ISLAND RECREATION AREA

34. Before accessing Green Island Recreation Area, a prior booking must be made with Department of Environment and Science in Rockhampton on (07) 4936 0524 and via email to PermitsGBR@des.qld.gov.au.

CONDITIONS FOR: GOOLD ISLAND NATIONAL PARK

35. Access is restricted to a total of 30 people per day within Goold Island National Park.

CONDITIONS FOR: HINCHINBROOK ISLAND NATIONAL PARK - MACUSHLA, SOUTH SHEPHERD BAY, NORTH SHEPHERD BAY, THE HAVEN

36. Vessel access is limited to Macushla, South Shepherd Bay, North Shepard Bay and The Haven.

CONDITIONS FOR: LIZARD ISLAND NATIONAL PARK - LIZARD ISLAND

37. Use of the campground facilities (i.e., barbecues, picnic tables and toilets) at the northern end of Watson's Beach is prohibited.

CONDITIONS FOR: MAGNETIC ISLAND NATIONAL PARK

38. Florence Bay walking track – Access on Saturdays and Sundays is prohibited.
39. Access is restricted to a total of 30 people per day within Magnetic Island National Park.

CONDITIONS FOR: WHITSUNDAY NATIONAL PARK WHITEHAVEN BEACH - CHANCE BAY WALKING TRACK

40. Access to Whitehaven Beach - Chance Bay walking track is limited to 20 days per year, taken from the commencement date of this permit.

CONDITIONS FOR: WHITSUNDAY NATIONAL PARK - WHITSUNDAY ISLAND - TONGUE POINT

41. Before accessing Tongue Point a prior booking must be made with the Department of Environment and Science in Rockhampton on (07) 4936 0524 and via email to PermitsGBR@des.qld.gov.au.

42. Access to Tongue Point is limited to 12 visits in any 12-month period.

CONDITIONS FOR: WUTHARA ISLAND NATIONAL PARK (CYPAL) - FORBES ISLAND

43. Due to cultural sensitivities, tour groups must stay a respectful distance away from graves on the island.

INTERPRETATION

In this Authority

- (a) headings are for convenience only and do not affect interpretation; and unless the context indicates a contrary intention;
- (b) any term or expression to which a meaning is assigned by an Act has the meaning so assigned when used in this Authority;
- (c) **person** includes an individual, the estate of an individual, a corporation, an authority, an association or a joint venture (where incorporated), a partnership and a trust;
- (d) a reference to a party includes that party's executors, administrators, successors and permitted assigns, including persons taking by way of novation and, in the case of a trustee, includes a substituted or an additional trustee;
- (e) any reference to a document (including this Authority) is to that document as varied, novated, ratified or replaced from time to time;
- (f) a reference to a statute includes its delegated legislation and a reference to a statute or delegated legislation or a provision of either includes consolidations, amendments, re-enactments and replacements;
- (g) a reference to a schedule, attachment or annexure is a reference to a schedule, attachment or annexure to or of this Authority, and a reference to this Authority includes all schedules, attachments and annexures to it;
- (h) **includes** in any form is not a word of limitation;
- (i) a reference to **\$** or **dollar** is to Australian currency;
- (j) a word importing the singular includes the plural (and vice versa), and a word indicating a gender includes every other gender;
- (k) if a word or phrase is given a defined meaning, any other part of speech or grammatical form of that word or phrase has a corresponding meaning; and
- (l) The Purpose must be undertaken in accordance with the provisions of any relevant Act, Regulation or Zoning Plan;
- (m) where the day on or by which any thing is to be done, is not a business day, that thing must be done on or by the next succeeding day which is a Business Day

DEFINITIONS

Act means a reference to the *Nature Conservation Act 1992*, *Marine Parks Act 2004*, *Forestry Act 1959* and/or *Recreation Areas Management Act 2006*.

Appropriate Insurer means an insurer which –

- (a) is authorised under the *Insurance Act 1973* (Cwth);
- (b) is registered with the Australian Prudential Regulation Authority as an authorised insurer; and
- (c) has a Standard & Poor's rating of no less than A-.

Approved Area / Location means the land over which the authority applies as defined in the table labelled "Approved Location and Purpose" listed above.

Authority means the authorising instrument (e.g. permit, licence or agreement). This document.

Business Day means any day in the State of Queensland that is not a Saturday, Sunday or Public Holiday.

Cairns Planning Area for:

- (a) the Great Barrier Reef Marine Park has the same meaning as the 'Planning Area' defined in the Cairns Area Plan of Management; and
- (b) the Great Barrier Reef Coast Marine Park means those areas enclosed within the outer boundaries of the aforementioned 'Planning Area' and those intertidal areas of the Great Barrier Reef Coast Marine Park contiguous with the 'Planning Area'.

Refer to maps <http://www.gbrmpa.gov.au/access-and-use/zoning/zoning-maps>

Chief Executive means the chief executive, or his/her delegate including local departmental officers where applicable, of the Department responsible for the relevant act and its instruments under which the authority is being issued.

Cruise Ship means a vessel greater than 35 metres in length.

Day limits mean the maximum number of clients, guides and free of charge visitors that may access an approved visitor site on any calendar day.

Department means the department responsible for administering section 10 of the *Nature Conservation (Administration) Regulation 2017* and section 34 of the *Recreation Areas Management Act 2006*, which at the Commencement Date is the Department of Environment and Science, and includes any successor departments.

Fitzroy Island Marine Management Area includes all waters and tidal land within the coastal 500 m line around Fitzroy Island and Little Fitzroy Island.

Refer to maps <http://www.gbrmpa.gov.au/access-and-use/zoning/zoning-maps>

Green Island Recreation Area refers to all public land on Green Island and includes all of Green Island reef and extends to 1.6 kilometres beyond the reef edge. A reference to Green Island National Park includes areas declared under the Green Island Recreation Area.

Group limits mean the maximum number of clients, guides and free of charge visitors in any group.

'Hinchinbrook Planning Area' for:

- (a) the Great Barrier Reef Marine Park has the same meaning as the 'Planning Area' defined in the Hinchinbrook Plan of Management; and
- (b) the Great Barrier Reef Coast Marine Park means the Family Islands Segment and the Hinchinbrook Segment, described in *Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004* (Qld).

Refer to maps <http://www.gbrmpa.gov.au/access-and-use/zoning/zoning-maps>

Improvements mean all development works including any vegetation clearing and all buildings, structures, erections and other infrastructure if authorised under this authority for the authority area.

Location means the land over which the authority applies as defined in the table labeled “**Approved Location and Purpose**” listed above.

NP means National Park.

NPCYPAL means National Park (Cape York Peninsula Aboriginal Land).

Management Plan means any document detailing management guidelines as required under the relevant **Act**.

Marine Park means a marine park declared, or taken to be declared, under the *Marine Parks Act 2004*.

Month means calendar month.

‘People at any one time’ limits mean the maximum number of clients, guides and free of charge visitors that may access an approved visitor site at any one time.

People/Year limits mean the maximum number of clients that may participate in the approved activities within any year.

Protected Area means the protected area as defined by the *Nature Conservation Act 1992* that contains the authority area.

Purpose means an approved activity or permission.

Queensland Parks & Wildlife Service means a Division of the Department of Environment and Science.

Queensland Parks & Wildlife Service Managed Area means an area declared under the *Nature Conservation Act 1992*, *Marine Parks Act 2004*, *Forestry Act 1959* and *Recreation Areas Management Act 2006*.

Representative means an employee, agent, officer, director, contractor, sub-contractor or other authorised representative of a party.

State means State of Queensland.

Authorities and permits include licences, approvals, permits, authorisations, certificates, sanctions or equivalents/similar as required by legislation.

Year means 12 months from the commencement date of this authority and each anniversary thereafter.