

PERMIT

RE-ISSUE

Great Barrier Reef Marine Park Regulations 2019 (Commonwealth)
Marine Parks Regulation 2017 (Queensland)

CORE MATTERS

These permissions remain in force, unless sooner
surrendered or revoked for the following period:

27-JUL-2022 TO **31-JUL-2030**

Permission is granted to:

PERMIT HOLDER:

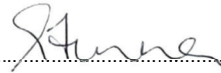
ADDRESS:

for use of and entry to zones in the **Amalgamated Great Barrier Reef Marine Park Section** (as established by the *Great Barrier Reef Marine Park Act 1975* (Cth)) and the **Great Barrier Reef Coast Marine Park** (as established by the *Marine Parks Act 2004* (Qld)) in accordance with the details set out herein.



Date 27/07/2022

Delegate for the
Great Barrier Reef Marine Park Authority



Date 27/07/2022

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

THE PURPOSE(S) OF USE AND ENTRY MAY ONLY BE UNDERTAKEN IN THE ZONE(S) DESCRIBED BELOW

ZONE/S TO WHICH THE PERMISSION APPLIES:

- All zones EXCEPT Preservation Zones, Special Management Areas in accordance with the Conditions of Permission and those locations during the periods listed as exclusions in the Conditions of Permission.

PURPOSE/S OF USE AND ENTRY AUTHORISED BY THE PERMISSION:

Conduct of a Tourist Program – being:

- a Vessel Operation** – using Vessel 1, Vessel 2, Vessel 3 and Vessel 4 with a maximum passenger capacity of more than 150 passengers across all vessels and using ancillary vessels.

ZONE/S TO WHICH THE PERMISSION APPLIES:

- All zones in accordance with exclusions and restrictions specified in the Conditions of Permission.

PURPOSE/S OF USE AND ENTRY AUTHORISED BY THE PERMISSION:

Conduct of a Charter Operation – being:

- a Vessel Charter Operation** – including the provision of transport and services to persons other than tourists using Vessel 1, Vessel 2, Vessel 3 and Vessel 4 with a maximum passenger capacity of more than 150 passengers across all vessels and using ancillary vessels.

CONDITIONS OF PERMISSIONS FOR ALL OPERATIONS

- G1 The Permit Holder must further comply with the conditions specified in any schedules attached to this permit when entering or using a zone of, or place in, the Marine Parks to which the relevant conditions relate.
- G2 To the extent applicable and unless written endorsement to the contrary appears in this permit, the Permit Holder must:
- (i) not use or enter the Marine Park in a manner that is inconsistent with the provisions contained in Part 1 of a Plan of Management;
 - (ii) not contravene a provision contained in Part 2 of a Plan of Management; and
 - (iii) only operate to an intertidal area adjacent to a location within the Planning Area with access consistent with that provided in a Plan of Management for that location.
- G3 The Permit Holder must ensure:
- (i) the Restricted Access Special Management Areas are not used or entered at any time, unless otherwise approved in accordance with condition C6; and
 - (ii) the Maritime Cultural Heritage Special Management Areas are only used or entered for the purpose of transiting, unless otherwise approved in accordance with condition C6; and
 - (iii) all other Special Management Areas are used and entered in accordance with the restrictions specified in the *Great Barrier Reef Marine Park Regulations 2019* and the *Great Barrier Reef Marine Park Zoning Plan 2003*.

AUTHORITY CONDITIONS

- G4 The Permit Holder may authorise other persons to conduct the activities covered by this permit, by giving to those persons an Authority in the form attached to this permit (Attachment A) or as otherwise approved by the Managing Agency.
- G5 An Authority remains valid for the period of time shown on each individual Authority, unless the Authority is sooner revoked in writing by the Permit Holder or unless the permission is sooner suspended, revoked or expires.
- G6 The Permit Holder must provide a copy of this permit to any person issued Authority under condition G4.

INDEMNITY, WARRANTY, RISK AND INSURANCE REQUIREMENTS

- G7 The Permit Holder
- (i) indemnifies; and
 - (ii) releases and discharges
- the Managing Agency from and against all actions, proceedings, claims, demands, costs, losses, damages, liability and expenses which may be brought against or made upon the Managing Agency, or which the Managing Agency may pay, sustain or be put to by reason of, or in consequence of, or in connection with this permit and the occupation and use of the Marine Parks by the Permit Holder except to the extent of any negligent act of the Managing Agency, its servants or agents.
- G8 The Permit Holder must notify the Managing Agency in writing of any death, injury, loss or damage immediately upon the Permit Holder becoming aware of such death, injury, loss or damage.
- G9 The Managing Agency does not warrant that the Marine Parks are free from defect or that they are safe, fit, suitable or adequate for the permitted use. To the full extent permitted by law, all warranties as to fitness, suitability and adequacy implied by law are expressly excluded.
- G10 The Permit Holder uses the Marine Parks entirely at its own risk and is responsible for ensuring the area is suitable for the Permitted Use prior to commencing any permitted use.
- G11 For the term of this permit, the Permit Holder must take out and maintain the following insurances, and must supply documentary evidence of such insurances to the Managing Agency upon request:
- (i) a public liability insurance policy for not less than \$10 million arising from any one (1) event in respect of the death of, or injury to, persons or loss or damage to property; and
 - (ii) insurance under all applicable laws relating to workers' compensation to cover workers, eligible persons, self-employed contractors, directors, trustees and partners.

- G12 From time to time the Managing Agency may issue a notice to the Permit Holder increasing the minimum insurance cover required by condition G11(i) if the Managing Agency reasonably believes increased insurance coverage is required.
- G13 The Permit Holder must ensure that the insurance policies required under condition G11 are with an Appropriate Insurer.
- G14 The Permit Holder must ensure that the insurance policies that it has effected to cover the insurable interests pursuant to condition G11(i) cover all invitees, employees, contractors, agents, members or clients of the Permit Holder and names the Managing Agency as an interested party.
- G15 In any circumstance where the insurances required under this permit are cancelled, altered or expire before the expiry date of this permit, the Permit Holder must cease all activities in the Marine Parks until such time as alternative insurance policies that comply with the requirements of condition G11 have been obtained.
- G16 The Permit Holder is deemed to have complied with conditions G11(i) where:
- (i) is a Commonwealth, State or Territory government department, agency or statutory body; and
 - (ii) is a self-insurer; and
 - (iii) has provided the Managing Agency with a certificate from an authorised officer of that department, agency or statutory body, to that effect.

VESSELS

- G17 The Permit Holder must only operate vessels or ships that have an overall length no greater than 35 metres.
- G18 The Permit Holder must ensure that a Vessel Identifier is displayed externally in a clearly visible location on the port side of any vessel operating under this permit.
- G19 Prior to a Vessel Identifier being used under this permit, the Permit Holder must have received written approval for the use of that Vessel Identifier from the Managing Agency.
- G20 The Permit Holder must ensure that the written approval for use of that Vessel Identifier is held with this permit at all times.
- G21 An approval under condition G19 above ceases to have effect for a specific Vessel Identifier when a subsequent approval for any other Vessel Identifier or the same Vessel Identifier is given under that condition.

ACTIVITIES

- G22 In addition to provision of general services to tourists, the Permit Holder may conduct the following activities in accordance with specific Conditions of Permission:

Vessel Operation (not accessing State rivers, streams and inlets)
beach landings
coral viewing
fishing
fish feeding
guided tours (ancillary vessel based) including guided interpretive tours)
motorised water sports
non-motorised water sports
passenger transport
photography, filming, sound recording
SCUBA diving
snorkelling
swimming
whale watching

BEACH LANDINGS

- G23 When accessing locations outside a Planning Area, the Fitzroy Marine Management Area and the Far Northern Management Areas, the Permit Holder must not access intertidal areas adjacent to a national park with a group size of more than 24 passengers at any one time (excluding crew) unless otherwise specified or approved in writing by the Managing Agency.
- G24 When undertaking beach landings, the Permit Holder must only:
- (i) remain in the intertidal areas while loading or unloading passengers when conducting a tourist program; and
 - (ii) access intertidal areas using a vessel or ancillary vessel, no greater than 12 metres in overall length, except when using a vessel access facility that is of a type and design suitable for the vessel or ancillary vessel or in accordance with an Intertidal Areas Notification Approval.
- G25 If access to other intertidal areas is required using a vessel or ancillary vessel greater than 12 metres in overall length, the Permit Holder must:
- (i) give the Managing Agency at least 14 days written notice seeking approval to access an intertidal area;
 - (ii) not access the intertidal areas unless an Intertidal Areas Notification Approval is issued for the access;
 - (iii) comply with any direction the Managing Agency may impose on access; and
 - (iv) hold a copy of the Intertidal Areas Notification Approval on-board the vessel or ancillary vessel at all times.

CORAL VIEWING

- G26 Any mini-submarine used under this permit must:
- (i) not exceed an overall length of four (4) metres; and
 - (ii) stow or secure robotic manipulator arms when the vessel is in operation, unless the vessel is chartered for other permitted conduct which specifically permits the taking of an animal, plant or marine product.

FISHING AND FISH FEEDING

- G27 The Permit Holder must only offer fishing activities in accordance with the Zoning Plans.
- G28 When conducting fish feeding, the Permit Holder must:
- (i) operate no more than one (1) fish-feeding station at each location;
 - (ii) not feed the fish directly by hand;
 - (iii) not conduct fish feeding at the same time or place on two (2) or more consecutive days;
 - (iv) use only food that consists of fresh, raw marine products and/or manufactured marine fish food pellets that are within the expiry date;
 - (v) not use more than one (1) kilogram of food per day per location;
 - (vi) warn participants of the potential dangers of fish feeding;
 - (vii) not feed fish when participants are in the water; and
 - (viii) not deliberately attract sharks.

GUIDED TOURS (VESSEL-BASED)

- G29 When conducting guided tours using motorised or non-motorised equipment, the Permit Holder must ensure the equipment is operated no more than three (3) nautical miles from the primary vessel or aircraft or ship.

- G30 When conducting guided tours using motorised or non-motorised equipment, the Permit Holder must ensure that all equipment is operated under the active supervision of crew where:
- (i) a minimum of one (1) crew member is present with every 10 participants; and
 - (ii) the supervising crew members remain in the water for the duration of the activity.

Advisory note: This is not intended to override any Workplace Health and Safety Queensland requirements or other safety regulations. If such legislation requires a smaller ratio then the permit holder must comply with that requirement.

- G31 When conducting guided tours using jet skis, the Permit Holder must:
- (i) not operate more than four (4) jet skis in the water at any one time;
 - (ii) comply with the vessel operation schedule of this permit; and
 - (iii) not access the guided jet ski tour exclusion areas listed at Attachment D.

- G32 The Permit Holder must ensure that aquatic devices are not operated:
- (i) within two (2) metres of coral;
 - (ii) at a speed greater than five (5) knots;
 - (iii) at a depth greater than five (5) metres; and
 - (iv) in a manner similar to a motorised water sports.
- G33 The Permit Holder must ensure that helmet divers:
- (i) do not operate within two (2) metres of coral, or other sessile marine fauna and flora;
 - (ii) do not chase or threaten mobile marine fauna; and
 - (iii) only walk on bare sand and do not walk on coral, seagrass or other marine organisms.

MOTORISED WATER SPORTS

- G34 The Permit Holder must not conduct any motorised water sports in the motorised water sports exclusions areas listed at Attachment D.

SCHEDULE – VESSEL OPERATION CONDITIONS

PERMITTED ACCESS OUTSIDE A PLANNING AREA

- V1 The Permit Holder must not visit a permitted location outside a Planning Area and the Fitzroy Marine Management Area on more than two (2) visits in any seven (7) consecutive day period with each vessel except when operating:
- (i) to a permitted mooring or pontoon; or
 - (ii) primarily for the purposes of gamefishing, the Permit Holder may visit a permitted location in the Cairns/Cooktown Seasonal Gamefishing Area for up to 30 days in any 60-day period with each vessel during the period 1 September to 31 December each year.
- V2 The Permit Holder must not access the vessel exclusion areas listed at Attachment D during the periods specified unless otherwise approved in writing by the Managing Agency.

FAR NORTHERN MANAGEMENT AREAS

- V3 The Permit Holder must not anchor overnight at Boydong Cays South-Easterly Wind Designated Anchorage.

STATE INTERTIDAL AREAS ADJACENT TO CEDAR BAY NATIONAL PARK

- V4 The Permit Holder may visit the intertidal area adjacent to Cedar Bay National Park only for the purpose of dropping off and/or picking up persons who are either the holders of a National Parks camping permit valid for camping in the Cedar Bay National Park on the given dates or intend to hike out of the National Park on that day, and must stay in the vicinity only as long as required to effect the transfer.

MAGNETIC ISLAND, GREAT PALM ISLAND AND ORPHEUS ISLAND

- V5 The Permit Holder must not access Balding Bay (Magnetic Island) or Florence Bay (Magnetic Island) (including the intertidal areas) on a Saturday or a Sunday.
- V6 When accessing the Great Palm Island Group, the Permit Holder is exempt from condition G23 when conducting activities on behalf of residents of Great Palm Island.
- V7 The Permit Holder may access intertidal areas adjacent to:
- (i) Hazard Bay and Yanks Jetty (Orpheus Island); and
 - (ii) Horseshoe Bay, Geoffrey Bay, Nelly Bay and Picnic Bay (Magnetic Island);
- with a maximum of 50 passengers (excluding crew).

STATE INTERNAL WATERS ADJACENT TO HINCHINBROOK PLANNING AREA

- V8 The Permit Holder must not visit a Hinchinbrook Channel Location on more than 50 days a year with each vessel and without a prior booking with the Department of Environment and Science by emailing permitsGBR@des.qld.gov.au except when conducting:
- (i) a guided interpretive tour using a vessel less than six (6) metres; or
 - (ii) a passenger transport operation (Hinchinbrook) provided the Permit Holder does not access the Eastern Hinchinbrook Channel Location, Western Hinchinbrook Channel Location or Hecate Point Location.
- V9 When permitted activities are conducted in a Hinchinbrook Channel Location, the Permit Holder is required to keep data records of these activities as follows:
- (i) number of trips per day to each Location; and
 - (ii) the number of persons per vessel per day utilising the Permit Holder's tourist program.
- The Permit Holder must forward these records on the form supplied every three (3) months or upon request by an officer of the Managing Agency to Northern Marine Assessments, PO Box 3130, REDHILL ROCKHAMPTON QLD 4701, or email to permitsGBR@des.qld.gov.au. The return must be submitted no later than 30 days after the last day of the three (3) month period. If no operations have been undertaken, a return is not required to be submitted.
- V10 When conducting a passenger transport operation (Hinchinbrook) the Permit Holder must not transfer passengers for the Thorsborne Trail into the intertidal area of George Point.

- V11 When conducting a tourist program in the Haven/Scraggy Point Location, Hecate Point Location, Eastern Hinchinbrook Channel Location and Western Hinchinbrook Channel Location, the Permit Holder must not operate a vessel carrying more than:
- (i) 100 people (including crew), into a high use setting Location except when transiting through the Haven/Scraggy Point Location;
 - (ii) 30 people (including crew), into a moderate use setting Location; and
 - (iii) 15 people (including crew), into a low use setting Location.
- V12 The Permit Holder must not conduct non-motorised water sports within a Hinchinbrook Channel Location or the Missionary Bay Location.

STATE INTERTIDAL AREAS ADJACENT TO WHITSUNDAY PLANNING AREA

- V13 The Permit Holder may only access the intertidal area abutting Tongue Point on Whitsunday Island in accordance with the following:
- (i) the Permit Holder must hold a relevant authority issued under the *Nature Conservation Act 1992* allowing access to the Tongue Point walking tracks;
 - (ii) the Permit Holder may only access the intertidal area of Lookout Beach and Betty's Beach via foot.

Advisory Note: The Permit Holder is advised that the commercial use of intertidal areas adjacent to the Whitsunday Planning Area will be subject to review. The Permit Holder is further advised that should that review determine commercial use is unsuitable at some sites, those sites may be removed from this permit until further notice.

STATE INTERTIDAL AREAS OF MACKAY/CAPRICORN MANAGEMENT AREA

- V14 The Permit Holder must not enter the following intertidal areas for any purpose except for the pick up and drop off of passengers as specified, unless otherwise approved in writing by the Managing Agency:
- (i) the two (2) beaches adjacent to the Environmental Centre at North Keppel Island – passengers for the North Keppel Island Environmental Education Centre; and
 - (ii) Considine Beach (North Keppel Island), Humpy Island, Miall Island, Middle Island, Pleasant (Conical) Island, Lady Musgrave Island, Masthead Island and within 1km of North West Island – passengers who hold a camping permit or are clients of the holder of a valid authority under the *Nature Conservation Act 1992* for the adjacent national park.
- V15 The Permit Holder is endorsed to access the intertidal area of Lady Musgrave Island:
- (i) with a group size limit (maximum number of persons at any one time) of 10; and
 - (ii) subject to a prior booking with Department of Environment and Science by emailing permitsGBR@des.qld.gov.au to access the National Park in accordance with a valid authority under the *Nature Conservation Act 1992*.

PERMITTED ACCESS IN A PLANNING AREA

- V16 The following tourism operations are permitted in accordance with specific Conditions of Permission:

Vessel	Cairns Planning Area	Hinchinbrook Planning Area	Whitsunday Planning Area
Vessel 1	Standard tour operation	Limited tour crewed vessel operation	Regional tour operation
Vessel 2	Standard tour operation	Limited tour crewed vessel operation	Regional tour operation
Vessel 3	Standard tour operation	Limited tour crewed vessel operation	Standard tour operation
Vessel 4	Standard tour operation	Limited tour crewed vessel operation	Standard tour operation

SPECIAL TOURISM PERMISSIONS AND ENDORSEMENTS IN A PLANNING AREA

WHITSUNDAY PLANNING AREA

- V17 When using Vessel 1 and Vessel 2, the Permit Holder may access the Whitsunday Planning Area on a daily basis without the requirement to obtain a booking.
- V18 When using Vessel 1, the Permit Holder may conduct fishing activities as part of the tourist program in the Conservation Park Zones in the Whitsunday Planning Area.

SCHEDULE – CHARTER OPERATION CONDITIONS

WITHOUT NOTIFICATION

- C1 When conducting charter operations, the Permit Holder may provide transport and related services to persons other than tourists, without prior notification to the Managing Agency, except as specified under conditions C4 and C6.
- C2 When conducting charter operations whilst transporting tourists or in conjunction with a tourist program, the Permit Holder may provide transport and related services to persons other than tourists when accessing the zones permitted under the conduct of a tourist program permission and in accordance with the vessel or aircraft program conditions.
- C3 When providing transport and services to persons conducting activities in the Marine Parks which require the written permission of the Managing Agency, the Permit Holder must:
 - (i) not operate under this permit unless those persons have been granted the appropriate Marine Parks permit; and
 - (ii) only conduct operations in accordance with the conditions of that permit.

WITH NOTIFICATION

- C4 If conducting transport and related services to persons other than tourists using a vessel or aircraft, the Permit Holder must not access the vessel or aircraft exclusion areas listed at Attachment D during the periods specified, unless otherwise approved in writing by the Managing Agency.
- C5 When providing transport and services to persons conducting activities in the Marine Parks which require notification to the Great Barrier Reef Marine Park Authority under Part 5 of the *Great Barrier Reef Marine Park Zoning Plan 2003* and/or Part 4 of the *Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004*, the Permit Holder must:
 - (i) not operate under this permit unless those persons have notified the relevant Managing Agency of their intended activities; and
 - (ii) only conduct operations in accordance with any directions imposed by the Managing Agency.
- C6 When conducting transport and related services to persons other than tourists, the Permit Holder must not access Preservation Zones and Special Management Areas in accordance with condition G3 unless:
 - (i) in the presence of an officer of the Managing Agency; or
 - (ii) with persons other than an officer of the Managing Agency, the Permit Holder must notify the Managing Agency and must not conduct activities until written approval is given.
- C7 The Permit Holder must ensure that when conducting charter operations in accordance with condition C6 this activity is not conducted whilst transporting tourists or in conjunction with a tourist program.

INTERPRETATION AND DEFINITIONS

INTERPRETATION

This permit extends to all employees of the Permit Holder, or other persons, who are acting on behalf of, or at the direction of, the Permit Holder for the purposes specified in this permit.

This permit is not intended to extinguish any native title.

A law shall be taken to be a law in force in the State of Queensland notwithstanding that it applies to only part of the State.

A word or phrase in this permit has the same meaning as the word or phrase has in the *Great Barrier Reef Marine Park Act 1975* (Cth), the *Great Barrier Reef Marine Park Regulations 2019* (Cth), the *Marine Parks Act 2004* (Qld), the *Marine Parks Regulation 2017* (Qld), Zoning Plans or Plans of Management, unless the contrary intention appears.

A note or heading may be used to give assistance in interpreting conditions in case of ambiguity.

A reference to a date includes that date.

A reference to the Cairns Area Plan of Management is a reference to the *Cairns Area Plan of Management 1998* as gazetted under Part VB of the *Great Barrier Reef Marine Park Act 1975* and as amended from time to time.

A reference to the Hinchinbrook Plan of Management is a reference to the *Hinchinbrook Plan of Management 2004* as gazetted under Part VB of the *Great Barrier Reef Marine Park Act 1975* and as amended from time to time.

A reference to the Whitsundays Plan of Management is a reference to the *Whitsundays Plan of Management 1998* as gazetted under Part VB of the *Great Barrier Reef Marine Park Act 1975* and as amended from time to time.

A reference to the Far Northern Management Areas is a reference to the geographical area defined by the Far Northern Management Area of the Amalgamated Great Barrier Reef Section, the Far Northern Management Area of the Great Barrier Reef Coast Marine Park and those areas of the Outer Islands Management Area of the Great Barrier Reef Coast Marine Park enclosed within the Far Northern Management Area of the Amalgamated Great Barrier Reef Section.

A reference to the Cairns/Cooktown Management Areas is a reference to the geographical area defined by the Cairns/Cooktown Management Area of the Amalgamated Great Barrier Reef Section, the Cairns/Cooktown Management Area of the Great Barrier Reef Coast Marine Park and those areas of the Outer Islands Management Area of the Great Barrier Reef Coast Marine Park enclosed within the Cairns/Cooktown Management Area of the Amalgamated Great Barrier Reef Section.

A reference to the Townsville/Whitsunday Management Areas is a reference to the geographical area defined by the Townsville/Whitsunday Management Area of the Amalgamated Great Barrier Reef Section, the Townsville/Whitsunday Management Area of the Great Barrier Reef Coast Marine Park and those areas of the Outer Islands Management Area of the Great Barrier Reef Coast Marine Park enclosed within the Townsville/Whitsunday Management Area of the Amalgamated Great Barrier Reef Section.

A reference to the Mackay/Capricorn Management Areas is a reference to the geographical area defined by the Mackay/Capricorn Management Area of the Amalgamated Great Barrier Reef Section, the Mackay/Capricorn Management Area of the Great Barrier Reef Coast Marine Park and those areas of the Outer Islands Management Area of the Great Barrier Reef Coast Marine Park contained within the Mackay/Capricorn Management Area of the Amalgamated Great Barrier Reef Section.

A reference to the Fitzroy Marine Management Area means all areas of the Great Barrier Reef Coast Marine Park (State) within the boundaries of:

- (a) the 500m coastal line around Fitzroy Island and Little Fitzroy Island; and
- (b) the landward boundary of the marine park surrounding Fitzroy Island and Little Fitzroy Island.

DEFINITIONS

'aircraft' means any machine supported for flight in the air by buoyancy (such as balloons and other lighter-than-air craft), or by dynamic action of air on its surfaces (such as aeroplanes, helicopters, gliders and other heavier-than-air craft).

'ancillary vessel' means a small tender which:

- (a) is not the primary vessel of the operation;
- (b) is only operated to provide services to the participants of the Permit Holder's operation; and
- (c) is only operated within three (3) nautical miles of the primary vessel.

'Appropriate Insurer' means an insurer that is registered with the Australian Prudential Regulation Authority and has an S&P rating of no less than A-.

'aquatic devices' means motorised equipment used for the purposes of participating in activities being assisted snorkelling and assisted SCUBA diving, including, but not limited to: motorised swimming aids (e.g. seabobs, diver propulsion vehicles) and underwater ride-on scooters (e.g. scubabobs, hydrobobs).

'Australian Prudential Regulation Authority' means a statutory body created under the *Insurance Act 1973* (Cth) to regulate members of the finance, insurance and superannuation industry.

'Byfield Area' for the Great Barrier Reef Coast Marine Park means those areas enclosed within the outer boundaries of the 'Planning Area' as defined in the Byfield Area Management Plan (2010), State of Queensland (Department of Environment and Science).

'Cairns Planning Area' has the same meaning as the 'Planning Area' defined in the Cairns Area Plan of Management.

'Cairns/Cooktown Management Area of the Amalgamated Great Barrier Section' is that part of the Amalgamated Great Barrier Reef Section that lies:

South of a line commencing at 14° 18.181' South, 144° 39.064'

East, then running south-westerly along the geodesic to its intersection with the mainland coastline at 14° 39.909' South, 144° 56.564' East; and

North of a line commencing at 17° 40.409' South 147° 17.013' East then running progressively:

1. south-westerly along the geodesic to 17° 52.809' South 146° 30.064' East
2. west along the parallel to its intersection with the mainland coastline at 17° 52.810' South 146° 06.269' East.

'Cairns/Cooktown Seasonal Gamefishing Area' is described at Attachment B.

'camper transport operation (Cairns)' means an operation whose sole purpose is to transport a passenger/s to and/or from an island in accordance with a camping permit issued to the passenger/s by the Managing Agency.

'environment' includes:

- (a) ecosystems and their constituent parts;
- (b) natural and physical resources; and
- (c) the qualities and characteristics of locations, places and areas that contribute to their:
 - (i) biodiversity and ecological integrity; or
 - (ii) intrinsic or attributed aesthetic, cultural, heritage, ecological, economic, recreational, social, scientific value or interest or amenity.

'equipment' includes non-motorised vessels (e.g. kayak, paddleboard, windsurfer) and/or motorised vessels less than six (6) metres in overall length, (e.g. dinghy, personal watercraft).

'facility' means a building, structure, vessel, goods, equipment or services as defined in the *Great Barrier Reef Marine Park Act 1975* (Cth).

'Far Northern Management Area of the Amalgamated Great Barrier Reef Section' is that part of the Amalgamated Great Barrier Reef Section that lies north of a line commencing at 14° 18.181' South, 144° 39.064' East, then running south-westerly along the geodesic to its intersection with the mainland coastline at 14° 39.909' South, 144° 56.564' East.

'fish feeding' means the deliberate attraction of fish (other than sharks) to allow them to be viewed.

'harm' means any adverse effect, direct or indirect, to which the person's use or entry has contributed, to any extent (whether or not other matters have contributed to the harm).

'Hinchinbrook Channel Location' means the areas shown in Attachment C and identified as The Haven/Scraggy Point Location, Hecate Point Location, Oyster Point Location, Cardwell Location, Dungeness Location, Eastern Hinchinbrook Channel Location and Western Hinchinbrook Channel Location.

'Hinchinbrook Planning Area' has the same meaning as the 'Planning Area' defined in the Hinchinbrook Plan of Management.

'intertidal area' means that area of the Great Barrier Reef Coast Marine Park between mean low water and the landward boundaries of the Great Barrier Reef Coast Marine Park.

'Intertidal Areas Notification Approval' is a written approval from the Managing Agency that lists additional intertidal areas that may be accessed under this permit.

'island' includes islands, islets, cays, rocks and sandbanks.

'Localities (Fitzroy Marine Management Area)'

The Fitzroy Marine Management Area is subdivided into four (4) localities by the following lines:

Boundary of Localities 1 and 2 — a straight line north west/south east through the points 16.922323° South, 145.98735° East and 16.92478314° South, 145.99013460° East.

Boundary of Localities 2 and 3 — a straight line south from the 500m coastal line to Mean High Water Springs tide line (MHWS) on Little Fitzroy island at about 16.9215166° South, 146.0074° East then following the MHWS line to a point at about 16.9233° South, 146.0065° East, then south westerly to a point on Fitzroy Island at MHWS at about 16.92425° South, 146.0058666° East.

Boundary of Localities 3 and 4 — a straight line east/west through the points 16.93749371° South, 145.98265191° East and 16.9374931° South, 145.97799886° East.

Boundary of Localities 4 and 1 — a straight line north west/south east through the points 16.93064569° South, 145.98046909° East and 16.93381900° South, 145.98376578° East.

'Mackay/Capricorn Management Area of the Amalgamated Great Barrier Reef Section'

is that part of the Amalgamated Great Barrier Reef Section that lies:

South of a line commencing at 19° 39.545' South, 150° 35.061' East then running progressively:

1. south-westerly along the geodesic to 20° 09.907' South 150° 20.061' East
2. southerly along the geodesic to 20° 29.907' South 150° 30.062' East
3. south-westerly along the geodesic to 20° 40.907' South 150° 10.063' East
4. north-westerly along the geodesic to 20° 33.908' South 149° 07.063' East
5. south-westerly along the geodesic to 20° 39.727' South 148° 45.813' East
6. west along the parallel to its intersection with the mainland coastline at 20° 39.727' South 148° 43.056' East.

'Managing Agency':

- (a) in relation to the Great Barrier Reef Marine Park, means the Great Barrier Reef Marine Park Authority, a member of the staff of that Authority or a person referred to in Section 48A of the *Great Barrier Reef Marine Park Act 1975* (Cth) performing functions or exercising powers under that Act in accordance with an agreement referred to in that section; and
- (b) in relation to the Great Barrier Reef Coast Marine Park, means the Chief Executive of the Department of Environment and Science, his/her Delegate, an officer of the Queensland Parks and Wildlife Service, or a person referred to in section 52 of the *Marine Parks Act 2004* (Qld), appointed as an inspector.

'manner similar to a motorised water sport' means irregular driving otherwise than in a straight line (except for necessary turns or diversions), including:

- (a) driving in a circle or other pattern; or
- (b) weaving or diverting; or
- (c) surfing down, or jumping over or across, any wave, swell or wash.

'Marine Parks' means:

- (a) the Great Barrier Reef Marine Park established by the *Great Barrier Reef Marine Park Act 1975* (Cth); and
- (b) the Great Barrier Reef Coast Marine Park established pursuant to the *Marine Parks Act 2004* (Qld).

'Marine Parks regulations' means:

- (a) in relation to the Great Barrier Reef Marine Park, the *Great Barrier Reef Marine Park Regulations 2019* (Cth); and
- (b) in relation to the Great Barrier Reef Coast Marine Park, the *Marine Parks Regulation 2017* (Qld).

'marine product' includes:

- (a) any naturally-occurring material making up the sea-bed within the Marine Park (for example, coral, limestone, shell-grit, or star sand); and
- (b) seawater.

'motorised water sports' means any of the following activities:

- (a) the irregular driving of a motorised vessel other than in a straight line (except for necessary turns or diversions), including:
 - (i) driving in a circle or other pattern; or
 - (ii) weaving or diverting; or
 - (iii) surfing down, or jumping over or across, any wave, swell or wash;
- (b) any activity in which a high-speed vessel or a motorised vessel tows a person on top of the water or in the air (for example, waterskiing or parasailing);
- (c) any activity in which a personal watercraft is used, except:
 - (i) for transiting an area or from a place to another place; or
 - (ii) if the personal watercraft can only be operated when fully submerged under the water and is only operated for the primary purpose of viewing the environment (excluding in the Hinchinbrook Planning Area).

'non-motorised water sports' means activities requiring non-motorised craft (e.g. paddleboats, waterbikes, windsurfers) which are not for separate hire.

'overall length' has the same meaning as in the *Great Barrier Reef Marine Park Act 1975* (Cth).

'passenger transport' means the transport of persons who are tourists into, out of or within the Marine Park, in order that those persons may engage in tourism activities in the Marine Park.

'passenger transport operation (Hinchinbrook)' has the same meaning as 'passenger transport operation' defined in the Hinchinbrook Plan of Management.

'permit' means the permissions the subject of Permit Number granted to the Permit Holder pursuant to the *Great Barrier Reef Marine Park Regulations 2019* (Cth) and the *Marine Parks Regulation 2017* (Qld).

'personal watercraft' has the same meaning as in the National Standard for Commercial Vessels.

'person' includes a natural person, a body corporate, a company or an association incorporated. **'pest'** means any animal, plant, parasite or disease causing organism (such as bacteria, virus or fungus) capable of causing adverse impacts to environmental, economic or social values whether or not it is:

- (a) contributing to a Listed Key Threatening Process under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth); or
- (b) prohibited or restricted under the *Biosecurity Act 2014* (Qld).

'photography, filming and sound recording' means low impact recording as defined in the Great Barrier Reef Marine Park Authority Activity Assessment – Photography, filming and sound recording Guidelines (Cth).

'Planning Area' means:

- (a) the Cairns Planning Area;
- (b) the Hinchinbrook Planning Area; and
- (c) the Whitsundays Planning Area.

'Plan of Management' means a plan of management, as in force from time to time, that is prepared for the Marine Park in accordance with Part VB of the *Great Barrier Reef Marine Park Act 1975* (Cth).

'SCUBA diving' includes introductory and certified SCUBA diving activities and may include the use of aquatic devices in accordance with the permit conditions.

'Sensitive Location (Cairns)' for the Great Barrier Reef Marine Park has the same meaning as 'Sensitive Location' defined in the Cairns Area Plan of Management 2008.

'Sensitive Location (Cairns) Group A' means a Sensitive Location in Part 2 of Schedule 5 in the Cairns Area Plan of Management 2008.

'ship' means a vessel that is 50 metres or more in overall length.

'snorkelling' includes snorkelling with aquatic devices in accordance with the permit conditions or without motorised diving aids.

'State Marine Park waters' means waters within the Great Barrier Reef Coast Marine Park as declared under the *Queensland Marine Parks (Declaration) Regulation 2017* (Qld).

'taking an animal, plant or marine product' includes:

- (a) removing, gathering, catching, capturing, killing, destroying, dredging for, raising, carrying away, bringing ashore, interfering with and obtaining (by any other means) the animal, plant or marine product; and
- (b) attempting to do anything mentioned in paragraph (a).

'Tongue Point' means the named peninsula on Whitsunday Island commencing north-east of the intersecting vectors of latitude 20° 16'S and longitude 149° 01'E.

'Townsville/Whitsunday Management Area of the Amalgamated Great Barrier Reef Section' is that part of the Amalgamated Great Barrier Reef Section that lies:

South of a line commencing at 17° 40.409' South 147° 17.013' East then running progressively:

1. south-westerly along the geodesic to 17° 52.809' South 146° 30.064' East
2. west along the parallel to its intersection with the mainland coastline at 17° 52.810' South 146° 06.269' East; and

North of a line commencing at 19° 39.545' South, 150° 35.061' East then running progressively:

1. south-westerly along the geodesic to 20° 09.907' South 150° 20.061' East
2. southerly along the geodesic to 20° 29.907' South 150° 30.062' East
3. south-westerly along the geodesic to 20° 40.907' South 150° 10.063' East
4. north-westerly along the geodesic to 20° 33.908' South 149° 07.063' East
5. south-westerly along the geodesic to 20° 39.727' South 148° 45.813' East
6. west along the parallel to its intersection with the mainland coastline at 20° 39.727' South 148° 43.056' East.

'transiting' means in transit, by the most direct reasonable route, to a place outside the area concerned.

'Vessel Identifier' means a plaque issued by the Great Barrier Reef Marine Park Authority containing a Vessel Identification Number.

'visit' in relation to:

- (a) a vessel (including the use of an ancillary vessel) means accessing a permitted location, without departure, for a period not exceeding 24 hours; or
- (b) an aircraft means one landing and one take-off at a permitted location.

'waters adjacent to' means in relation to a reef, the waters enclosed by 'the 500 metre line' and in relation to an island or the mainland, the waters enclosed by 'the coastal 500 metre line' (as defined by the zoning plan or Marine Park regulation that applies to those waters).

'whale watching activity' means an activity (other than a swimming-with-whales activity) conducted for the purpose of enabling tourists to observe cetaceans, including using a vessel or aircraft to find cetaceans for that purpose.

'Whitsunday Planning Area' has the same meaning as the 'Planning Area' defined in the Whitsundays Plan of Management.

'year' means a period of 365 consecutive days except in the Whitsunday Planning Area where it means a calendar year (1 January – 31 December).

'Zoning Plan' means:

- (a) in relation to the Great Barrier Reef Marine Park, the *Great Barrier Reef Marine Park Zoning Plan 2003* (Cth); and
- (b) in relation to the Great Barrier Reef Coast Marine Park, the *Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004* (Qld).

ATTACHMENT A – AUTHORITY

Pursuant to condition G4 of permit authority is hereby given by the Permit Holder detailed in Part A to the person detailed in Part B to undertake activities in accordance with permit

Part A

Part B
.....
.....

Unless sooner revoked by the Permit Holder or unless the permission is sooner suspended, revoked or expires, this Authority remains in force for the period:

From To

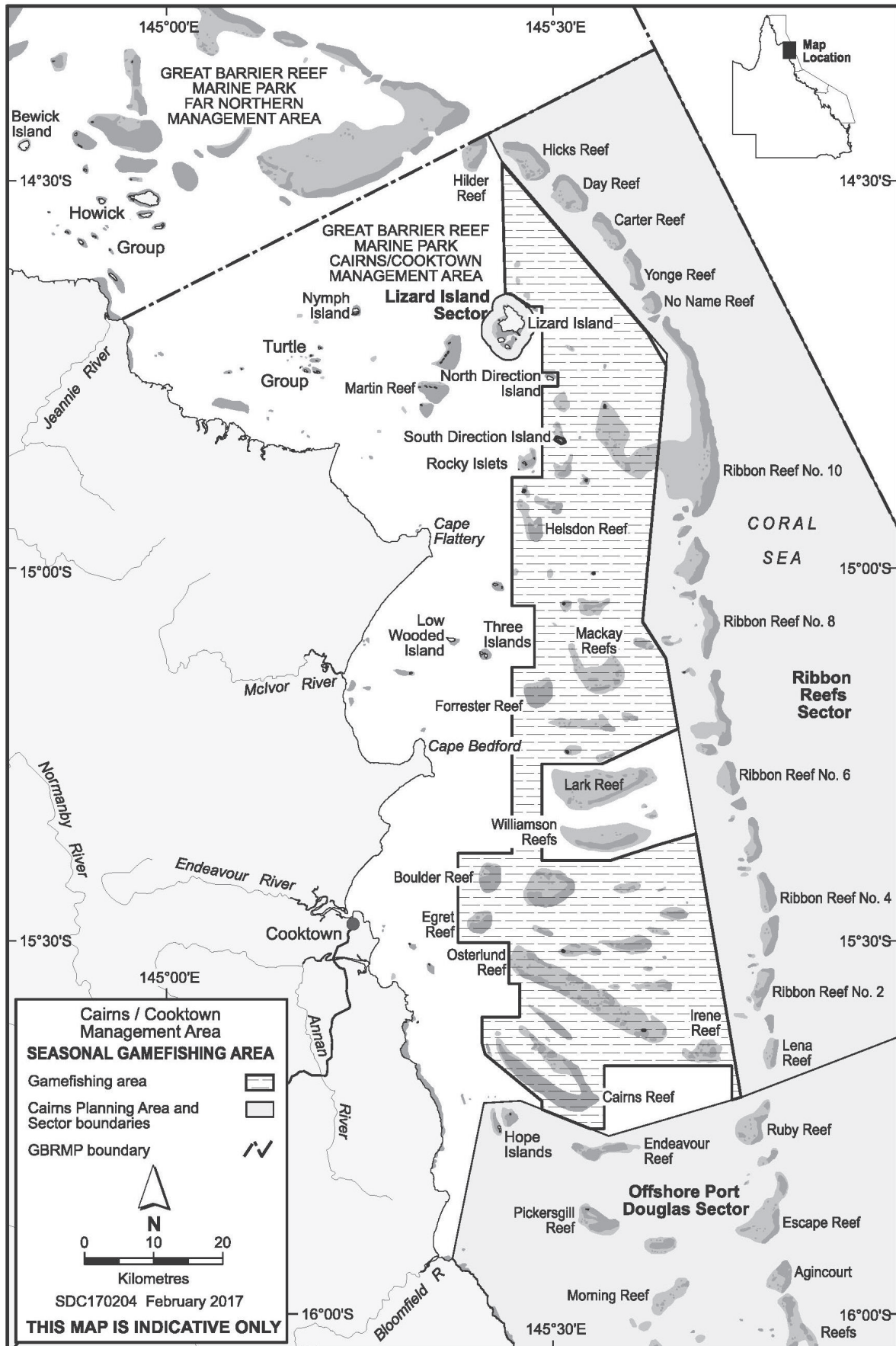
Entry and use of the Marine Parks under this Authority must be in accordance with the conditions of permit

This Authority and a copy of Marine Parks permit must be carried at all times whilst activities are being carried out in the Marine Parks under permit

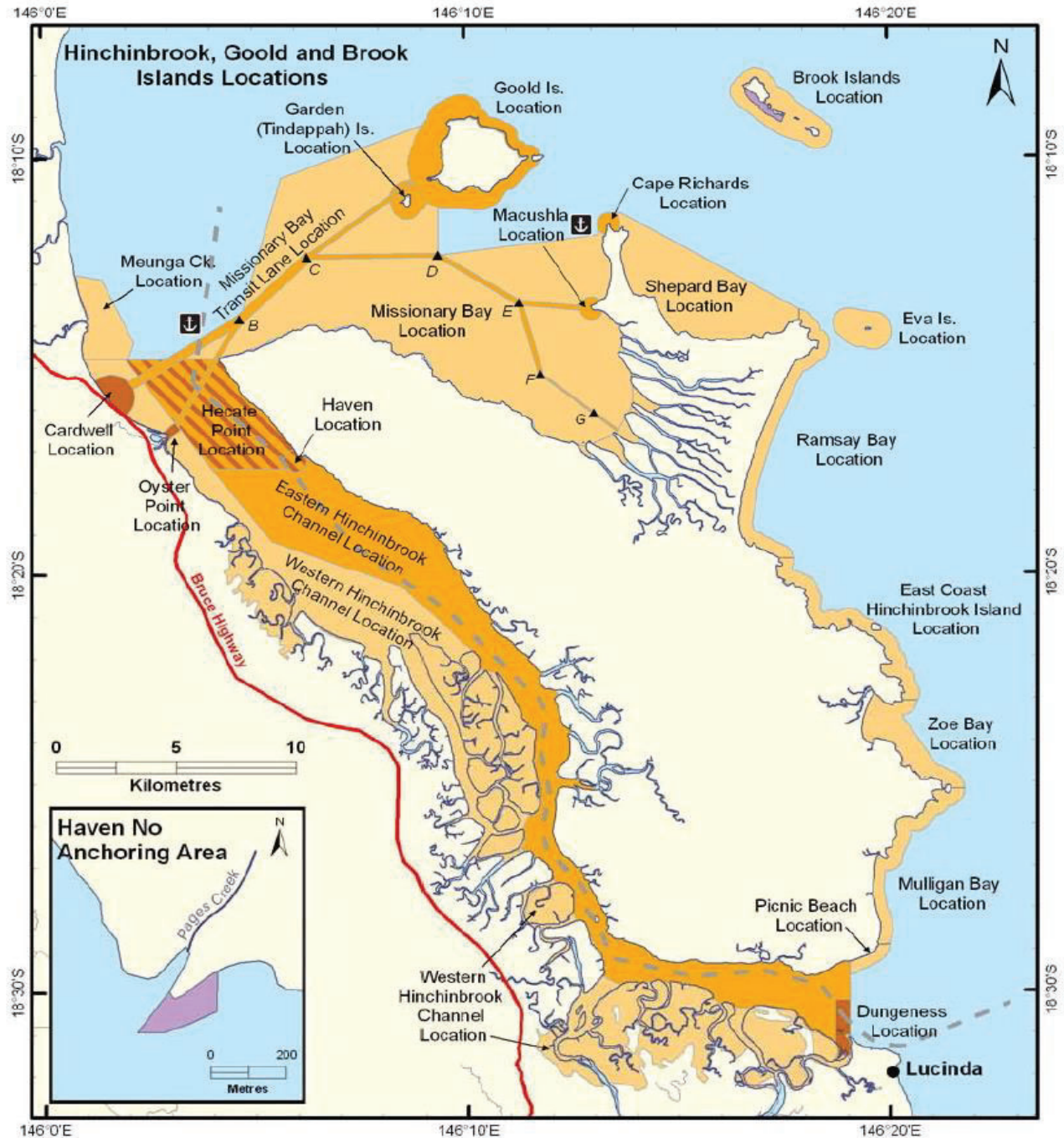
.....
Permit Holder

.....
Date

ATTACHMENT B – CAIRNS/COOKTOWN SEASONAL GAMEFISHING AREA



ATTACHMENT C – HINCHINBROOK CHANNEL LOCATION SETTINGS



Map Projection: Transverse Mercator (MGA) zone 55
Horizontal datum: Geodetic Datum of Australia 1994 (GDA94)

Map Production:
Conservation, Planning and Strategy
Queensland Parks and Wildlife Service
Department of Environment and Resource Management
April 2010

Disclaimer:
This map has been produced for the purposes of discussion and comment. While the map has been prepared with care, neither the Queensland Government nor the Department of Environment and Resource Management accepts any liability for any decisions or actions taken by individuals or organisations on the basis of this map.

Accuracy statement:
Due to varying source, accuracy or currency of data layers used in this map, the spatial locations of features may not coincide when overlaid.

Source Material:
Hinchinbrook Channel Settings; Local Data; 2010; DERM
Hinchinbrook Plan of Management Settings; 2004; GBRMPA
State Digital Road Network; 2010.3; MapInfo
Drainage Networks; DERM
Towns Gazetteer; 2004; DERM

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Department of Environment and Resource Management 2010.

Legend

- Towns
- ⚓ Cruise Ship Anchorage
- Transit Route
- Rivers
- Highways
- Land
- No Anchoring Areas
- Management Settings**
 - Intensive Use
 - High Use
 - Moderate Use
 - Low Use

ATTACHMENT D – EXCLUSION AREAS

Motorised Water Sports Exclusion Areas	
All Management Area Exclusions	
All State Marine Park Rivers, Streams and Inlets	All Zones
Far Northern Management Area Exclusions	
The Remote Natural Area	All Zones
Cairns/Cooktown Management Areas	
Waters adjacent to Bresnahan Island	Conservation Park Zone
All Locations within the Cairns Plan of Management Area	All Zones
Cedar Bay	Marine National Park Zone
Waters adjacent to Eagle Island	Marine National Park Zone
Waters adjacent to Fitzroy Island	Conservation Park Zone
Waters adjacent to Hutchison Island	Conservation Park Zone
Waters adjacent to Jessie Island	Conservation Park Zone
Waters adjacent to Kent Island	Conservation Park Zone
Waters adjacent to Nymph Island	Marine National Park Zone
Waters adjacent to Rocky Islets	Marine National Park Zone
Waters adjacent to Sisters Island (South Barnards Islands)	Marine National Park Zone
Waters adjacent to Stephen Island (South Barnards Islands)	Marine National Park Zone
Taylor Reef and waters adjacent to Taylor Reef	Marine National Park Zone
Waters adjacent to Three Isles	Marine National Park Zone
Waters adjacent to Two Isles	Habitat Protection Zone
Townsville/Whitsunday Management Area Exclusions	
Hinchinbrook Planning Area (except Intensive Use Setting Locations or outside a Location)	All Zones
Waters in the vicinity of Magnetic Island	All Zones
Waters adjacent to islands within the Palm Island Group	All Zones (except Conservation Park Zone waters adjacent to Hazard Bay [Orpheus Island])
Cleveland Bay	Conservation Park Zones
Waters adjacent to the mainland at Pioneer Bay	Conservation Park Zone
Whitsunday Planning Area (except Setting 1 locations, the designated water sports area and areas outside the settings)	All Zones
Mackay/Capricorn Management Area Exclusions	
Waters within 1 km of Queensland Parks and Wildlife Service campgrounds	All Zones
Waters adjacent to the Capricorn Bunker Island Group	Marine National Park Zone
Leekes Creek (Great Keppel Island)	General Use Zone
Waters adjacent to the Keppel Island Group	Marine National Park Zone
Waters adjacent to the Swains Reefs	Marine National Park Zone
Corio Bay	General Use Zone
Waters adjacent to the Byfield Area	General Use Zone and Conservation Park Zone

Reef ID	Vessel Exclusion Areas	Period
Far Northern Management Areas		
11-138	Intertidal areas adjacent to Bushy Islets (2 islands) (Saunders Islands)	1 September to 31 March
11-010	Intertidal areas adjacent to Cairncross Islet (Denham Island Group)	1 September to 31 March
11-052	Intertidal areas adjacent to Cholmondeley Islet (Denham Island Group)	All Year
14-063	Intertidal areas adjacent to Combe Island (Howick Island Group)	All Year
13-081	Intertidal areas adjacent to Fife Island (Claremont Isles Group)	All Year
11-138	Intertidal areas adjacent to Macarthur Islands (Saunders Islands)	1 September to 31 March
11-174	Intertidal areas adjacent to Magra Islet (Saunders Islands)	1 September to 31 March
13-107	Intertidal areas adjacent to Pelican Island (Claremont Isles Group)	All Year
12-027	Intertidal areas adjacent to Mitiritchi (Quoin) Island	All Year
13-061c	Intertidal areas adjacent to Sandbank No 7	All Year
13-056	Intertidal areas adjacent to Sandbank No 8	All Year
11-165	Intertidal areas adjacent to Saunders Islet (Saunders Islands)	1 September to 31 March
14-054	Intertidal areas adjacent to Stapleton Island (Howick Island Group)	All Year
11-055	Intertidal areas adjacent to Wallace Islet (Denham Island Group)	All Year
Cairns/Cooktown Management Areas		
N/A	All State Marine Park rivers, streams and inlets	All Year
17-051	Waters adjacent to Beaver Reef	All Year
N/A	Intertidal areas adjacent to Cape Tribulation Bay	All Year
14-118	Intertidal areas adjacent to Eagle Island (Lizard Island Group)	1 September to 31 March
14-132	Intertidal areas adjacent to Rocky Islets (Three Islands Group)	1 September to 31 March
14-116d	Intertidal areas adjacent to Seabird Islet (Lizard Island Group)	All Year
17-046	Intertidal areas adjacent to Sisters Island (South Barnards Islands)	1 September to 31 March
17-046	Intertidal areas adjacent to Stephens Island (South Barnards Islands)	1 September to 31 March
15-005	Intertidal areas adjacent to Three Islands (Three Islands Group)	All Year
15-064	Intertidal areas adjacent to West Hope Island (Hope Islands Group)	1 September to 31 March
Townsville/Whitsunday Management Areas		
N/A	All State Marine Park rivers and streams between Edgecumbe Bay (Adelaide Point) and Midge Point	All Year
18-014	Intertidal areas adjacent to Agnes Beach (Hinchinbrook Island)	All Year
20-017	Intertidal areas adjacent to Black Island	All Year
18-008	Intertidal areas adjacent to Brook Islands	All Year
18-013b	Intertidal areas adjacent to Eva Island	1 October to 31 March
19-103	Intertidal areas adjacent to Holbourne Island	1 October to 31 March
19-009g	Waters adjacent to Lovers Bay (Magnetic Island)	All Year
17-053a	Intertidal areas adjacent to Mound (Purtaboi) Island	1 October to 31 March
18-001b	Intertidal areas adjacent to Pee Rahm Ah Island	1 October to 31 March
19-009g	Waters adjacent to Wilson Bay (Magnetic Island)	All Year
17-053d	Intertidal areas adjacent to Woln-Garin Island	1 October to 31 March
Mackay/Capricorn Management Areas		
22-067	Intertidal areas adjacent to Akens Island (Shoalwater Bay Group)	All Year
21-379a	Intertidal areas adjacent to Avoid Island (Shoalwater Bay Group)	1 October to 31 March
22-009	Intertidal areas adjacent to Barren Island (Keppel Group)	All Year
20-310	Waters adjacent to Bushy Island	1 October to 31 March
N/A	Byfield Area	All Year
22-038	Intertidal areas adjacent to Clara Island (Shoalwater Bay Group)	1 October to 31 March
23-001	Intertidal areas adjacent to Corroboree Island (Keppel Group)	All Year
21-206	Intertidal areas adjacent to Distant Cay (Swains Cays)	All Year
22-052c	Intertidal areas adjacent to Eliza Island (Shoalwater Bay Group)	1 October to 31 March
23-068	Waters adjacent to Erskine Island (Capricorn/Bunker Group)	1 October to 31 March
23-068	Intertidal areas adjacent to Erskine Island (Capricorn/Bunker Group)	All Year
23-081	Waters adjacent to and intertidal areas adjacent to Fairfax Islands (Capricorn/Bunker Group)	All Year
22-051	Intertidal areas adjacent to Five Trees Cay (Shoalwater Bay Group)	1 October to 31 March
23-028	Intertidal areas adjacent to Girt Island (Keppel Group)	All Year
23-014	Intertidal areas adjacent to Halfway Island (Keppel Group)	All Year
23-052	Intertidal areas adjacent to Heron Island (Capricorn/Bunker Group)	All Year
23-080	Waters adjacent to and intertidal areas adjacent to Hoskyn Islands (Capricorn/Bunker Group)	All Year

Reef ID	Vessel Exclusion Areas	Period
23-036	Intertidal areas adjacent to Hummocky Island (Keppel Group)	All Year
22-005	Intertidal areas adjacent to Infelix Islets (3) (Shoalwater Bay Group)	1 October to 31 March
23-082	Intertidal areas adjacent to Lady Musgrave Island (Capricorn/Bunker Group), including Management Area 1 of the Lady Musgrave Reef Site Management Arrangements	All Year
23-069	Intertidal areas adjacent to Masthead Island (Capricorn/Bunker Group)	All Year
22-042	Intertidal areas adjacent to Mumford Island (Shoalwater Bay Group)	All Year
23-049	Intertidal areas adjacent to North West Island (Capricorn/Bunker Group), not including the drying reef	All Year
23-055	Intertidal areas adjacent to One Tree Island (Capricorn/Bunker Group)	All Year
22-074	Intertidal areas adjacent to Pelican Rock (Shoalwater Bay Group)	All Year
20-310	Waters adjacent to Redbill Island	1 October to 31 March
21-172	Waters adjacent to and intertidal areas adjacent to Riptide Cay (Swains Cays)	All Year
N/A	Intertidal areas adjacent to Sandy Point (Byfield National Park)	1 October to 31 March
22-012	Intertidal areas adjacent to South Barren Island (Shoalwater Bay Group)	1 October to 31 March
22-062	Intertidal areas adjacent to Swan Island (Shoalwater Bay Group)	1 October to 31 March
22-044	Intertidal areas adjacent to Ten Pin Cay (Shoalwater Bay Group)	1 October to 31 March
22-077	Intertidal areas adjacent to Triangular Island (Shoalwater Bay Group)	All Year
23-046	Intertidal areas adjacent to Tryon Island (Capricorn/Bunker Group)	All Year
22-020	Intertidal areas adjacent to West Side Island (Shoalwater Bay Group)	1 October to 31 March
22-003	Intertidal areas adjacent to Wild Duck Island (Shoalwater Bay Group)	1 October to 31 March

Dear Mr Hobson

Re: Permit VESSEL IDENTIFICATION NUMBER (VIN) APPROVAL

I refer to your application dated 30 March 2022, for a Marine Parks permit.

In accordance with the conditions of your Marine Parks permit, the Managing Agencies give approval for the use of the following VINs under permit

Vessel 1 -
Vessel 2 –
Vessel 3 –
Vessel 4 –

You are reminded that the permit contains the conditions under which each vessel is to be operated.



Michelle Tapim
For the Managing Agencies
27 July 2022

