
Powley Alicia

From: Price Stephen (Cotton Tree - Caboolture)
Sent: Thursday, 2 May 2013 4:25 PM
To: Southern Permits Team
Cc: Hughes Simon; Turner Gennieve
Subject: FW: Draft permit conditions
Attachments: commercial tour operator_nns_tenure_020313.pdf

Hi Southern Permits

I spoke to Alex Watson of Equathon yesterday morning and he has indicated he is happy with the proposed conditions.

Could you please finalise the amendment to his current permit for use of the Great Sandy Resource Reserve which will be the same as that provided to Mr Dave Madden horse permit.

QPWS directed Alex to use this site so amendments to be made at nil cost to the permit holder.

Regards

Stephen Price
Area Manager
Sunshine and Fraser Coast
Queensland Parks and Wildlife Service
Department of National Parks, Recreation, Sports and Racing

Ph:07 54596134 Mobile [redacted] Personal information - mobile

From: Price Stephen (Cotton Tree - Caboolture)
Sent: Wednesday, 1 May 2013 11:51 AM
To: 'Alex Watson'
Cc: Enslin Justin; Bakhach Omar
Subject: RE: Draft permit conditions

Hi Alex

It was good talking this morning and pleasing to hear things are working well on site.

Animal welfare is important and I believe it is in everyone's interest to protect whatever shade is available. Considering that horses will be on site regularly I am happy for hitching rails to be installed at suitable locations. This should negate the need for alternate temporary hitching to tree being necessary.

The allocated sites are mapped and will be defined on the amended permits. I understand the current intention is to install more permanent marker posts to define the sites better. The site layout as marked on the attached map will not change.

I forgot to mention this morning that on further consideration of requests by operators to allow guest parking that I have agreed to allow customer parking on site. A dedicated communal parking area will be defined on the map attached to your permit, attached FYI. I have also agreed to the placement of a sandwich board to help define operators sites but not for the purpose of soliciting business.

As discussed I will progress finalising the amendments to your permits as detailed below - noting changes including:

- allocation of a communal carpark area for pre booked customers;
- storage of a small volume of water on site, approx 1000litres;
- provision of a small amount of feed in containers;
- allowing for better definition of sites with temporary tape as required; and
- placement of sandwich board to aid in defining each operation

I will organise for Justin to discuss the option of installing hitching rails with you and provision of a key to a lock yet to be installed.

Conditions for: Great Sandy Resources Reserve

The commercial site as identified in the site map (attached) is to be used as an animal set down and pick up area only for the express purpose of conducting commercial horse tours associated with this permit. No extended or overnight stays are permitted.

The Principal Holder is responsible for the overall maintenance and upkeep of the nominated area including ensuring it remains clean and tidy, removing horse manure off site, regular and ongoing weed control and removal of litter.

The Principal Holder may keep a small water storage unit (approximately 1000 litres) on site for the purpose of providing water for animal welfare. The provision of water will be the responsibility of the operator.

Vehicle parking at the nominated set down area within the protected area can only be utilised by the Principal Holder to conduct the guided tour activity.

A maximum of 5 client vehicles are permitted to park within the communal car park (site map attached).

All vehicles, structures (unless specified in this permit), rubbish, horses and equipment associated with this activity are not permitted to remain on site overnight and must be removed at the end of the day's activities.

The protected area must not be used as an area to stand horses down (corral) when not in use.

Overnight stays including non-business recreational use of the area is not permitted.

The Principal Holder is not permitted to use the protected area to solicit or advertise business including the placement of signage or structures, or the distribution of leaflets, flyers or brochures.

The placement of a sandwich board for the purpose of identifying the location of the operation on site is permitted.

The grazing of shrubs and trees is not permitted. If feed is required, it must be kept to a minimum and must be provided in container tubs or nose bags. Any spillage of feed is to be removed from the site daily.

Definition of the site (with the use of tape or similar) is permitted for the purpose of identifying individual areas. Materials used to define the area must be approved by the Ranger-In-Charge, Cooloola.

Beach access is provided immediately adjacent to the allocated set down area as identified in the site map (attached) and any proposed modifications to these access points must be approved by the Ranger-In-Charge, Cooloola.

For security purposes, QPWS will provide locked access to the site. Operators are responsible for ensuring the site remains secured for the purposes of their operations including a requirement that the area is locked at the completion of the tour and/or at the end of the day. (See site map attached).

Regards

Stephen Price
Area Manager
Sunshine and Fraser Coast
Queensland Parks and Wildlife Service
Department of National Parks, Recreation, Sports and Racing

Ph:07 54596134 Mobile [redacted] Personal information - mobile

From: Alex Watson [mailto:alex@equathon.com]
Sent: Wednesday, 1 May 2013 9:00 AM
To: Price Stephen (Cotton Tree - Caboolture)
Cc: Enslin Justin
Subject: RE: Draft permit conditions

Hi Steve,

Good to have the phone conversation with you today.

Just to clarify a couple of the points. We have been operating smoothly and successfully from the site. There are however times when it can be very hot and therefore to assist the horses welfare we have put them under the shade of the small group of trees. This is not causing any damage to these trees and with bailing twine if a horse pulls back the tree is not damaged. In any case, on inspection, it has been noted that these trees are not of high conservation value. We do need to be able to offer shade and breeze at certain times for the horses' welfare.

We have been conscious and careful about feeding and not leaving feed on the ground.

Our only major concern is the customer parking. We have not had any problems with customers accessing the site and parking in a safe and coordinated manner. All customers have left the site after their rides. The problem for us is that it is not practical to go and collect customers from 2nd Cutting or further away as our vehicles are either the horse truck or have the horse floats attached. I would really ask that you allow the customers to be able to come to the site and park and depart after their ride. If we could see how this goes on a trial basis and if there are any problems then we could make different arrangements. We would really appreciate your assistance in this regard.

Finally, we do not as yet have a key for the gate padlock.

Thanks for your cooperation and happy to meet Justin or anyone else on site to discuss any matters.

Kind regards,

Alex Watson
Triple Olympian
Managing Director
EQUATHON Holdings
PO Box 301, Noosa Heads, QLD 4567, Australia
T. (07) 5446 5494
F. (07) 5446 5450
E. alex@equathon.com
www.equathon.com.au

sch4 [redacted] Personal information - mobile



Riding to perfection...

From: Price Stephen (Cotton Tree - Caboolture) [mailto:Stephen.Price@npsr.qld.gov.au]
Sent: Wednesday, 20 February 2013 1:22 PM
To: Alex Watson
Cc: Enslin Justin
Subject: RE: Draft permit conditions

Hi Alex

Thankyou for your feedback.

I have made some additional changes and included a couple of more points in the attached doc. These include:

- No fires permitted
- The access gate to be locked if you are the last operator leaving the site.
- The provision of water and a small amount of feed is permitted however if feed is required must be kept to a minimum and be provided in contained tubs or nose bags. Any spillage of feed is to be cleaned up.

I would like to revisit the issue of customers using the area for parking. On further thought I believe allowing others to use the area for parking poses numerous issues for both operators and presents the greatest source of conflict over the use of the site between operators. Key concerns include:

- Access to the site is along a fairly long single lane track. For obvious reasons operators will be required to apply common courtesy while entering and exiting the site. The greater the number of vehicles that access the site the greater the chance of vehicles meeting head on along the access track. Customers not familiar with the site will also not be aware of the access issues presented to operators driving in large vehicles and turning off the bitumen road. It is difficult to justify for the widening or establishment of lay by areas at this point in time;
- The site is relatively small and has limited hardened surfacing. If up to five vehicles come from each operation then there is potential for fifteen cars plus three trucks and transport busses being on the site at any point in time. I do not believe the site can cater for this both in terms of hardened surface area for parking and area required for the movement of operator vehicles. I appreciate that fifteen vehicles plus three trucks and associated buses is the worst case scenario however we need to be mindful that this could occur however remote it may be;
- There is a risk that customers will accidentally park in locations that will restrict the movement of yours or the other operators vehicles. While sites could be identified for parking experience suggests that people do park where they want with little consideration of others; and
- There are issues with people thinking they can stay parked at the site after their ride which could result in an operator being unable to lock up properly. Similarly operators will not know if someone unrelated to either operation drives in and uses the area to park and access the beach.

I believe the best way forward is for only commercial operator vehicles to access the site (note draft conditions have been changed to reflect this). Being mindful that some customers will prefer alternate arrangements I believe that their access as free and independents (they are after all going to NNS for other reasons after or before a ride) can use alternate parking such as parking provided at first or second cutting or some other prearranged site. These sites are close for operators and not out of the way. Road side parking before the barge may also present as a viable option also..

I have also decided to identify two areas only Area 1 (formerly site 1 and 2) and Area 2 (formerly site 3) for use to make it easier to manage.

Ranger in Charge, Justin Enslin will contact you in the near future to organise an on site inspection so as to firm up allocated sites and discuss conditions of access.

Regards

Stephen Price
Area Manager
Sunshine and Fraser Coast
Queensland Parks and Wildlife Service
Department of National Parks, Recreation, Sports and Racing

Ph:07 54596134 Mobile [redacted] - mobile

-----Original Message-----

From: Alex Watson [mailto:alex@equathon.com]
Sent: Saturday, 16 February 2013 7:38 AM
To: Price Stephen (Cotton Tree - Caboolture)
Subject: RE: Draft permit conditions

Hi Steve,

Thanks for meeting Rebecca and I on the site yesterday despite the bad weather. We believe the site will work for our commercial operations and particularly for us if we can be allocated to use the southern site.

We would very much appreciate it if the gravel drive way could be extended into that site slightly to provide a firmer base for our vehicles. At present the soft sand there would likely cause a vehicle to bog.

As discussed, we also would appreciate some form of site identification signage at the road entrance that makes it possible for customers who are coming to a ride to know where to turn in.

I have attached the draft permit amendments with a few minor proposed changes. Please let us know if you wish to discuss.

Subject to the weather, we are going to look at using the southern site from today, Saturday 16 Feb.

Thanks again for assisting us to work through this matter and we look forward to further discussions as things proceed. As suggested, we are particularly keen to have a mediated meeting with yourself and Dave and/or Lyn Madden with the aim of achieving a non-confrontational working environment at the new site and on the Noosa North Shore in to the future.

We also suggest that it would be to everyone's advantage to look at a horse riding (and camels) permitted and future possible trail areas on Noosa North Shore - participated in by QPWS, Council, Tourism Noosa and the commercial permit holders. Damien Massingham of Tourism Noosa has offered to host such a meeting at Tourism Noosa offices at Noosa Marina.

Steve, we look forward to hearing from you and working with you.

Kind regards,

Alex Watson

Triple Olympian

Managing Director

EQUATHON Holdings

PO Box 301, Noosa Heads, QLD 4567, Australia T. (07) 5446 5494 F. (07) 5446 5450 M. [redacted] E. mobile
alex@equathon.com www.equathon.com.au

Riding to perfection.

-----Original Message-----

From: Price Stephen (Cotton Tree - Caboolture)

[<mailto:Stephen.Price@npsr.qld.gov.au>]

Sent: Thursday, 14 February 2013 4:01 PM

To: alex@equathon.com

Subject: Draft permit conditions

Dear Alex and Rebecca

Thankyou for taking the time to meet to discuss options to address your immediate commercial horse riding needs on Noosa North Shore. I trust that the option presented for the use a dedicated set down area within the Great Sandy Resource Reserve will provide you a level of confidence with regards to the continued operation of your business at an alternate however suitable location.

Attached is copy of proposed draft amendments to your existing permit and map as discussed. Please note the map is old so some tenures may not be accurate.

In progressing I would appreciate if you could provide feedback on key points covered.

Once agreement has been reached I will forward through to have your existing permit amended to reflect the change.

As discussed I will meet you on site for an inspection at noon tomorrow.

Regards

Stephen Price

Area Manager

Sunshine and Fraser Coast

Queensland Parks and Wildlife Service

Department of National Parks, Recreation, Sports and Racing

Ph:07 5459613 M: [redacted] E. mobile

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If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

Permit¹

This permit is issued under the following legislation:

- ☐ s10 Nature Conservation (Administration) Regulation 2006
☒ s34 Recreation Areas Management Act 2006
☐ s56 Forestry Act 1959

Commercial Activity Permit

Permit number: TVP503535411

Valid from: 13-APR-2011 to 31-MAR-2014

Parties to the Permit

Role	Name	Address
Principal Holder	Alex Watson Pty. Limited (via Equathon Holdings) ACN 058 005 977	sch4 - Personal information
Person In Charge	Mr Alexander James Watson	

Permitted Location Activity Details

Location (s)	Capacity	Activity (s)
Estate: Cooloola Recreation Area	12 riders + 2 staff per day Max 2 tours per day	Riding/Walking Animals (Horse riding)

Conditions of Approval

General Permit Conditions

Agency Interest: General

PG1 INDEMNITY

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Commercial Activity Permit

TVP503535411

The Principal Holder -

- (a) indemnifies; and
- (b) releases and discharges

the State of Queensland ("the State") from and against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the State, or which the State may pay, sustain or be put to by reason of, or in consequence of, or in connection with the occupation and use of the Estate(s) identified in the table(s) below ("the Estate") by the Principal Holder except to the extent of any negligent act of the State, its servants or agents.

The Principal Holder must notify the Department of Environment and Resource Management (DERM) in writing of any death, injury, loss or damage immediately upon the Principal Holder becoming aware of such death, injury, loss or damage.

PG2 COMPLIANCE WITH LAWS AND NO WARRANTY

The Principal Holder shall at their expense during the term of this Permit comply with and observe all Acts of Parliament, local laws, regulations or rules for the time being in force which apply to the Estate and/or the Principal Holder's use of the Estate.

The State does not warrant that the Estate is free from defect or that it is safe or suitable for the use authorised under this permit. The Principal Holder uses the Estate entirely at its own risk and acknowledges that it has checked the area to ensure that it is suitable for the use authorised under this permit.

PG3 INSURANCE

For the term of this permit, the Principal Holder must take out and maintain the following insurances ("the insurances") requirements -

- (a) a public liability insurance policy for no less than \$10 million arising from any one event in respect of the death of, or injury to persons, or loss or damage to property; and
- (b) insurance under the Workers Compensation and Rehabilitation Act 2003 to cover workers, eligible persons, self employed contractors, directors, trustees and partners.

The Insurances must be effected with an insurer that is registered with the Australian Prudential Regulation Authority (APRA) and has an S & P rating of no less than A-.

The Insurances must cover all invitees, employees, contractors, agents, members or clients of the Principal Holder and name the State of Queensland as an interested party.

Before undertaking any activities on the Estate, the Principal Holder must have in place all the

Commercial Activity Permit

TVP503535411

Insurances. In any circumstance where the Insurances are cancelled, altered or expire before the expiry date of this permit, the Principal Holder must cease all activities on the Estate until such time as alternative insurance policies that comply with the requirements of this permit have been obtained.

The Principal Holder must provide the Department of Environment and Resource Management (DERM) copies of certificates of currency for the Insurances, and the insurance policy documents, when requested by the DERM for audit or compliance checks.

PG4 The Principal Holder must notify the permit issuing office, in writing within seven (7) days of:

- a) any changes to the nominee/permittee details; or
- b) the cessation of operation to which this permit relates

PG5 This permit supersedes permit number TVP503535411 issued on 13 April 2011 and is valid from 18 November 2011.

Conditions for: Cooloola Recreation Area

Agency Interest: Biodiversity

- L1B1 Horses are not permitted to be housed at anytime temporarily or permanently within the Cooloola Recreation Area.
- L1B2 The Cooloola Recreation Area must not be used as a pick up and set down area, preparation and staging area for the horses, to stand horses down when not in use or, as an area to solicit and advertise business. These activities must occur outside of the Cooloola Recreation Area.
- L1B3 Temporary Shade Structures:
 - i. Must not be erected on dunes or within road reserves and during high wind or storm conditions;
 - ii. Must be removed from site each day and can only be erected between 8:30am and 5.00pm;
 - iii. Must not interfere with other users, including vehicles and pedestrians;
 - iv. Must not be anchored in any manner to trees or other vegetation;
 - v. Must not display advertising signage or logos;
 - vi. The dimensions of the temporary shade structure must not exceed 6m x 6m.
- L1B4 The Principal Holder must not erect advertising, signage or structures within the recreation area; no flyers, leaflets or brochures are to be distributed within the Cooloola Recreation Area.
- L1B5 The use of PA and amplified music systems is prohibited.
- L1B6 Supply of food or alcohol is not permitted without prior approval from all relevant governing agencies.

Commercial Activity Permit

TVP503535411

- L1B7 All aspects of the operation must be removed from the recreation area on completion of the day's activities. No part of the operation is to remain on the recreation area overnight.
- L1B8 Horse tours must only be conducted along the approved Activity Area (Refer Map-1: Approved Activity Area). When following this route horses must be controlled and ridden in a manner that does not interfere with the thoroughfare and safe passage of other vehicle and pedestrian traffic.
- L1B9 This permit only allows the Principal Holder to undertake activities within the Cooloola Recreation Area (Refer Map-1: Approved Activity Area). The Principal Holder is responsible for obtaining any other authorities required for operations outside the Recreation Area. The Principal Holder must ensure that horses remain on designated access tracks or on the beach from the Noosa River north to the boundary of Teewah Township as indicated on Map-1. This permit does not extend to the adjacent protected areas, 'No Vehicle Zone' beach closure zone (adjacent to the 'Frying Pan'), freehold lands or Road Reserves (Refer Map-1: Approved Activity Area).
- L1B10 The Principal Holder must ensure horses are walked along the foreshore between the 1st and 3rd cutting 'vehicle closed zone'.
- L1B11 The Principal Holder must ensure when following the beach route that horses travel below the level of the highest astronomical tide.
- L1B12 Emergency access by support vehicles onto the 'No Vehicle Zone' for the recovery of riders and/or horses is permitted under this permit.
- L1B13 The Principal Holder must ensure the pickup and set down of horses from floats or other vehicles, preparation, feeding and saddling must be undertaken outside the Cooloola Recreation Area.
- L1B14 Any significant dune or vegetation degradation caused by the operator or horses within the Recreation Area will be cause for cancellation or amendment of the permitted activity.
- L1B15 Horses grazing in the Cooloola Recreation Area is prohibited.
- L1B16 Horses must not be fed while on the Cooloola Recreation Area.
- L1B17 The Principal Holder must actively monitor the level of horse faeces deposited in the Cooloola Recreation Area by their horses. Faeces are to be removed from the Cooloola Recreation Area where levels are considered an environmental or social issue.
- L1B18 A guide must accompany the tour at all times.
- L1B19 The permitted activity must be conducted in day light hours.
- L1B20 The Principal Holder must ensure the rider is responsible at all times for the control of the horse.

sch4 - Personal information - signature

Signed

Sue Gregory
Delegate
Department of Environment and Resource Management

21 November 2011

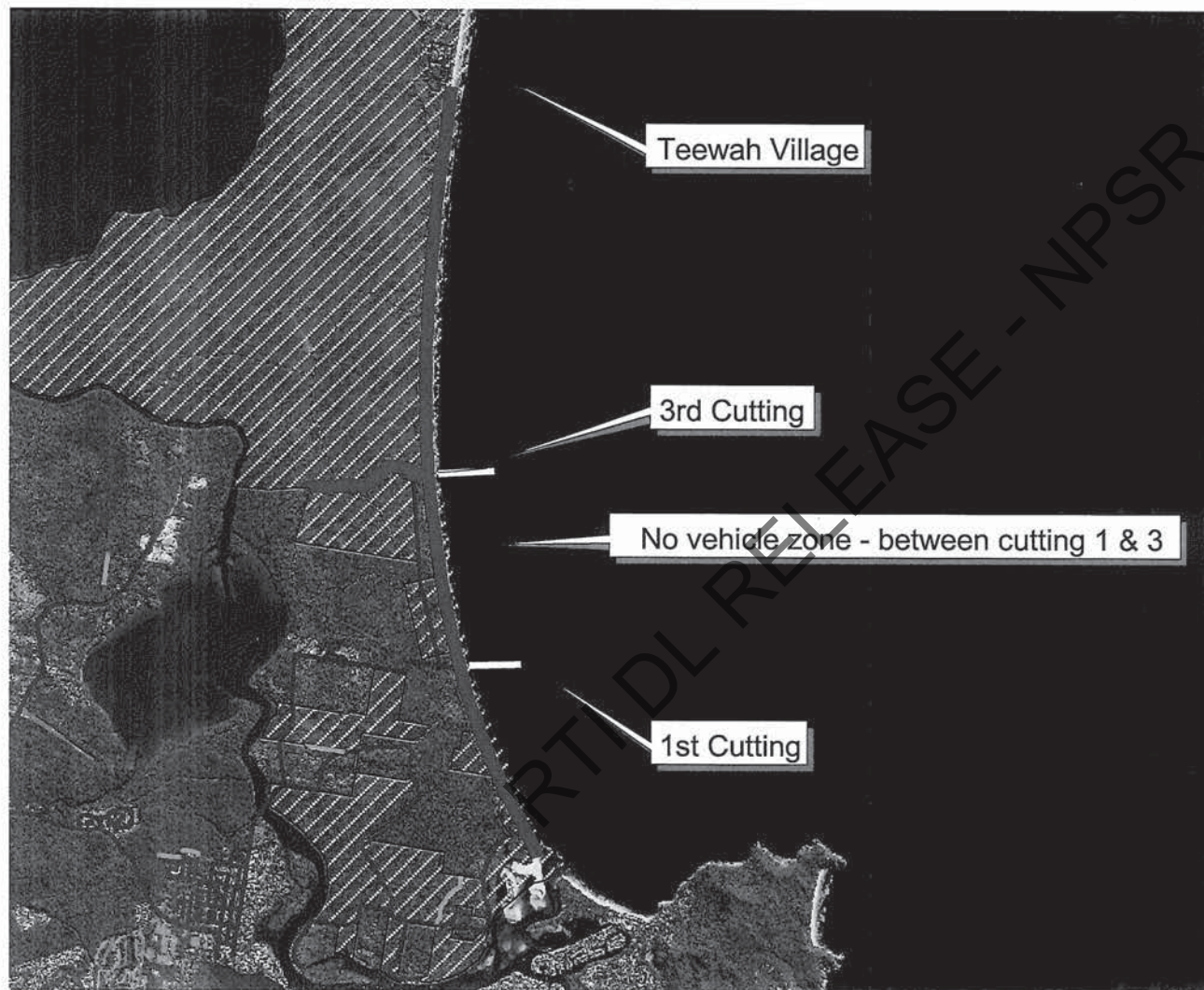
RTI DL RELEASE - NPSR

Map1: Equathon Holdings - Approved activity area: Commercial Activity Permit TVP503535411

13-355

File D

13 of 20



4 0 4 8 Kilometres

Legend

- Theme1.shp
- Equathon approved activity area.shp
- Access tracks.shp
- Major
- Minor
- Management only
- Proposed new track
- Cooloola_rama6.shp
- COOLOOLA RECREATION AREA



2011/470

→ see corro
for further
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Permitted Location Activity Details

Agency Interest: Biodiversity

- A1B1 This permit only allows the Principal Holder to undertake activities within the Cooloola Recreation Area (CRA) (Refer Map-1: Approved Activity Area). The Principal Holder is responsible for obtaining any other authorities required for operations outside the CRA. The Principal Holder must ensure that horses remain on designated access tracks or on the beach from the Noosa River north to the boundary of Teewah Township as indicated on Map-1. This permit does not extend to the adjacent protected areas, 'No Vehicle Zone' beach closure zone (adjacent to the 'Frying Pan'), freehold lands or Road Reserves (Refer Map-1: Approved Activity Area).
- A1B2 Horse tours must only be conducted along the approved Activity Area (Refer Map-1: Approved Activity Area). When following this route horses must be controlled and ridden in a manner that does not interfere with the thoroughfare and safe passage of other vehicle and pedestrian traffic.
- A1B3 The Principal Holder must ensure horses are walked along the foreshore between the 1st and 3rd cutting 'vehicle closed zone'.
- A1B4 The Principal Holder must ensure when following the beach route that horses travel below the level of the highest astronomical tide.
- A1B5 A guide must accompany the tour at all times.
- A1B6 The permitted activity must be conducted in day light hours.
- A1B7 A maximum of 14 horses are allowed in the CRA at any one time. A maximum of 12 clients + 2 staff allowed per tour. A maximum of 2 tours are allowed per day.
- A1B8 Horses are not permitted to be housed at anytime temporarily or permanently within the CRA.
- A1B9 The CRA must not be used as a pick up and set down area, preparation and staging area for the horses, to stand horses down when not in use or, as an area to solicit and advertise business. These activities must occur outside of the CRA.
- A1B10 Horse grazing in the CRA is prohibited.
- A1B11 Horses must not be fed while on the CRA.
- A1B12 Emergency access by support vehicles onto the 'No Vehicle Zone' (between cuttings 1 & 3) for the recovery of riders and/or horses is permitted under this permit.
- A1B13 The Principal Holder must ensure the pickup and set down of horses from floats or other vehicles, preparation and saddling must be undertaken outside the CRA.
- A1B14 Any significant dune or vegetation degradation caused by the operator or horses within the CRA will be cause for cancellation or amendment of the permitted activity.
- A1B15 The Principal Holder must actively monitor the level of horse faeces deposited in the CRA by their horses. Faeces are to be removed from CRA where levels are considered an environmental or social issue.

✓ **Agency Interest: Impacts On Surrounds**

A1IM1 The Principal Holder must ensure the rider is responsible at all times for the control of the horse.

✓ **Agency Interest: General**

✓ L1G1 Temporary Shade Structures:

- i. Must not be erected on dunes or within road reserves and during high wind or storm conditions;
- ii. Must be removed from site each day and can only be erected between 8:30am and 5.00pm;
- iii. Must not interfere with other users, including vehicles and pedestrians;
- iv. Must not be anchored in any manner to trees or other vegetation;
- v. Must not display advertising signage or logos;
- vi. The dimensions of the temporary shade structure must not exceed 6m.

✓ L1G2 The Principal Holder must not erect advertising, signage or structures within the recreation area;
No flyers, leaflets or brochures are to be distributed while on the CRA.

✓ L1G3 The use of PA and amplified music systems is prohibited.

✓ L1G4 Supply of food or alcohol is not permitted without prior approval from all relevant governing agencies.

✓ L1G5 All aspects of the operation must be removed from the CRA on completion of the days activities. No part of the operation is to remain on the CRA overnight.

Within the Information Notice the term Principal Holder will be cross-linked to employees/contractors/agents.

Information Notice

This notice is issued by the Department of National Parks, Recreation, Sport and Racing to advise of a statutory decision on a permit application under conservation legislation.

Alex Watson
t/a Equathon Holdings
PO Box 301
NOOSA HEADS QLD 4567

Our reference: 361342

Dear Mr Watson

Re: Decision made in relation to your amendment application under environmental legislation administered by the Department of National Parks, Recreation, Sport and Racing.

The Department of National Parks, Recreation, Sport and Racing has conducted an administrative amendment of your commercial activity permit as specified below:

Amendment to permit applied for	Permit Number	Decision
Commercial Activity Permit Nature Conservation Act 1992 Recreation Areas Management Act 2006	TVP503536411	Granted

PUBLIC LIABILITY INSURANCE: Please be advised that the Queensland Government has increased the minimum level required for public liability insurance to \$20 million. You are advised to obtain this level of insurance as soon as possible once a new permit is issued.

Please note the following:

- It is highly recommended that the Principal Holder check updated Park Alerts for possible park/track closures on the NPRSR website, prior to commencing any activities on QPWS managed areas. Please refer to: http://www.derm.qld.gov.au/parks_and_forests/park_alerts/index.php.

The above mentioned permit supersedes your permit issued on 21/11/11, which is now invalid. Could you please return your invalid permit to the postal address below.

For each permit applied for that has been granted, the conditions of approval are attached. Please note that for each approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this documentation for your records.

If during the life of your permit you propose to vary your operation from that authorised, or undertake any changes to your business structure, you must notify the Commercial and Visitor Services Branch at the address below and if necessary, apply for a variation to your permit. Also, you must advise of any change of address.

You, or your agents, must carry a copy of your current commercial activity permit whilst carrying out commercial activities on any Queensland Parks and Wildlife Service (QPWS) managed area within Queensland. You may be asked by park staff conducting random checks to show your commercial activity permit to ensure commercial activities on QPWS managed areas are covered by a permit and that permit conditions are being observed.

Failure to comply with permit conditions may result in further action such as an infringement notice and associated demerit points, suspension or cancellation of the permit or prosecution.

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of National Parks, Recreation, Sport and Racing.

Information Notice

This notice is issued by the Department of National Parks, Recreation, Sport and Racing to advise of a statutory decision on a permit application under conservation legislation.

If you require more information, please contact Alicia Powley, the Project Manager, on the telephone number listed below.

Yours sincerely

sch4 - Personal information - signature

Simon Hughes
Department of National Parks, Recreation, Sport and
Racing
6 May 2013

Enquiries:
Tourism and Visitor Services
Queensland Parks & Wildlife Service
Level 4, 400 George Street
PO Box 15187
CITY EAST QLD 4002
Phone: 07 3330 5241
Fax: 07 3330 5277
Email: southernpermitsteam@nprsr.qld.gov.au

Attachment – Permit

RTI DL RELEASE - NPRSR

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of National Parks, Recreation, Sport and Racing.

Information Notice

This notice is issued by the Department of National Parks, Recreation, Sport and Racing to advise of a statutory decision on a permit application under conservation legislation.

When assessing an application for a protected area the Chief Executive must have regard to the following:

s25.1 Nature Conservation (Administration) Regulation 2006

- (a) the impact the activities that may be carried out under the authority may have on the conservation of the cultural or natural resources of a protected area or native wildlife;
- (b) The effect the grant of the authority will have on the fair and equitable access to nature, having regard to, in particular, the ecologically sustainable use of protected areas or wildlife;
- (c) Any contribution the applicant proposes to make to the conservation of nature;
- (d) Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (e) The precautionary principle;
- (f) Public health and safety;
- (g) The public interest;
- (h) For an application for a relevant authority other than a camping permit—whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2;
- (i) Any recovery plan for wildlife to which the authority applies;
- (j) Any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

s25.2 Nature Conservation (Administration) Regulation 2006

Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the Act.

s34 and s40 Nature Conservation (Protected Areas Management) Regulation 2006

In considering an application for an Aboriginal tradition authority or Island custom authority for a cultural or natural resource of a protected area, the chief executive must have regard to—

- (a) any advice given by the corporation named in the application for the authority on the significance, under Aboriginal tradition, of the activity the subject of the application; and
- (b) whether there is a reasonable alternative to taking, keeping, using or interfering with the resource; and
- (c) the extent to which the activity will interfere with the public use of the protected area, or the part of a protected area, to which the authority applies.

s49 Nature Conservation (Protected Areas Management) Regulation 2006

- (a) The impact the activities that may be conducted under the authority may have on the character and amenity of the area and adjacent areas;
- (b) The likely cumulative effect of the proposed use and other uses on the area;
- (c) The orderly and proper management of the area.

s50 Nature Conservation (Protected Areas Management) Regulation 2006

The chief executive can not grant an activity permit for a protected area that is inconsistent with—

- (a) the management principles for the area; or
- (b) the interim or declared management intent, or management plan, for the area.

Consideration for each of the above has been made and consequently some conditions have been imposed on your permit. Please take the time to familiarise yourself with these. Should you have any questions regarding any of these conditions please contact the Project Manager.

The *Nature Conservation (Administration) Regulation 2006* has review and appeal provisions available to you should you be dissatisfied with any condition imposed on your permit. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 20 business days after being given this notice.

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of National Parks, Recreation, Sport and Racing.

Information Notice

This notice is issued by the Department of National Parks, Recreation, Sport and Racing to advise of a statutory decision on a permit application under conservation legislation.

- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal for a stay of the decision.
- The Department of National Parks, Recreation, Sport and Racing must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the review decision then you are able to file an application in the registry of the Queensland Civil and Administrative Tribunal within 28 days of receiving the review notice.
- For further information you are directed to Part 4: Review and Appeal Provisions of the *Nature Conservation (Administration) Regulation 2006* and the *Queensland Civil and Administrative Tribunal Act 2009* which can be found at www.legislation.qld.gov.au/OQPChome.htm.

Review and appeal rights under the *Nature Conservation (Administration) Regulation 2006* are located in part 4 of the regulation. If you are dissatisfied with the review decision then you are able to file an application in the registry of the Queensland Civil and Administrative Tribunal pursuant to the *Queensland Civil and Administrative Tribunal Act 2009* within 28 days of receiving the review notice. A copy of the regulation and the act can be accessed at www.legislation.qld.gov.au

Also note:

Should it be determined at some future date by any Court or Tribunal that native title exists over the subject land or waters, this licence may be terminated and the licensee (or any subsequent licensee) may be required to remove any works established under this licence at the licensee's (or any subsequent licensee's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the licensee (or any subsequent licensee) by the State of Queensland.

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of National Parks, Recreation, Sport and Racing.

Information Notice

This notice is issued by the Department of National Parks, Recreation, Sport and Racing to advise of a statutory decision on a permit application under conservation legislation.

In deciding an application under section 52, the chief executive must have regard to each of the following:

S53. Recreation Areas Management Act 2006

(1)

- (k) the purpose of this Act;
- (l) the management intent for the recreation area, and the area's current draft or approved management plan;
- (m) conservation of the area's cultural and natural resources;
- (n) the amenity of the area and adjacent areas;
- (o) the size, extent and location of the proposed use in relation to other uses of the area or adjacent areas;
- (p) the likely cumulative effect of the proposed use and other uses on the area;
- (q) public health and safety;
- (r) any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (s) the requirements mentioned in section 50;
- (t) whether there are any grounds for refusing the application.

(2) Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the purpose of this Act.

The *Recreation Areas Management Act 2006* has review and appeal provisions available to you should you be dissatisfied with this decision. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 28 days after being given this notice.
- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made.
- QPWS must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the review decision then you are able to file a notice of appeal to the registrar of the *Queensland Civil and Administrative Tribunal Act 2009* which can be found at www.legislation.qld.gov.au/OQPChome.htm within 28 days of receiving the review notice.

For further information you are directed to Part 9: Division 3: Internal Review Provisions of the *Recreation Areas Management Act 2006* that can be found at <http://www.legislation.qld.gov.au/OQPChome.htm>.

Also note:

Should it be determined at some future date by any Court or Tribunal that native title exists over the subject land or waters, this licence may be terminated and the licensee (or any subsequent licensee) may be required to remove any works established under this licence at the licensee's (or any subsequent licensee's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the licensee (or any subsequent licensee) by the State of Queensland.

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of National Parks, Recreation, Sport and Racing.