

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: TVP510046917

Valid from: 01-JUL-2017 to 30-JUN-2018

Parties to the Permit

Role	Name	Address
Principal Holder	The Trustee for WKW TRUST (t/a The Discovery Group Noosa) ABN: 67 962 737 544	12 Eenie Creek Road NOOSAVILLE QLD 4566
Person In Charge	Mr Wade Anthony Batty	12 Eenie Creek Road NOOSAVILLE QLD 4566

Permitted Location Activity Details

Location (s)	Capacity	Activity (s)
Estate: Cooloola Recreation Area	See condition L1G3 and Attachment 1	Guided Tour

Conditions of Approval

General Permit Conditions

Agency Interest: General

PG1

Insurance

- (a) For the Term of this Permit, the Principal Holder must take out and maintain the following insurances:
- (i) where required by law, insurance under the Workers' Compensation and Rehabilitation Act 2003, or its equivalent under another jurisdiction with the consent of the Chief Executive; and
- (ii) where not covered under the above subclause (a)(i), accident insurance sufficient to cover workers, volunteers and eligible persons (as defined under the Workers' Compensation and Rehabilitation Act 2003) with the consent of the Chief

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- Executive; and
- (iii) a public liability insurance policy for not less than \$20 million on a claims occurring basis in respect of the death of, or injury to persons, or loss or damage to property; and
 - (iv) any other insurances as reasonably required by the Chief Executive.

(b) The Principal Holder must ensure that the insurance policies required under this clause are with:

- (i) an insurer who is:
 - a. authorised under the Insurance Act 1973 (Cth);
 - b. registered with the Australian Prudential Regulation Authority as an authorised insurer; and
 - c. has a Standard & Poor's rating of no less than A-; or
- (ii) if the Principal Holder is globally insured, another insurer with the written approval of the Chief Executive.

(c) The Principal Holder must ensure that in relation to the insurable interests under this clause, insurance policies are effected to cover all invitees, employees, contractors, agents, members or clients of the Principal Holder and (where possible) name the State as an interested party.

(d) Before undertaking any activities on the Relevant Area, the Principal Holder must have in place all insurances required by this clause.

PG2

(e) In any circumstance where the insurances required under this Permit are cancelled, altered or expire before the expiry date of this Permit, the Principal Holder must cease all activities on the Relevant Area until such time as alternative insurance policies that comply with the requirements of this clause have been obtained.

(f) The Principal Holder must provide copies of certificates of currency for the insurances required under this clause if requested by the Chief Executive, acting reasonably.

(g) If the Principal Holder is an individual or sole trader, then clause (a)(i) is satisfied if the Principal Holder maintains:

- (i) personal accident insurance covering all medical treatment, hospitalisation and medical expenses; and
 - (ii) income protection insurance; and
 - (iii) death and disability insurance;
- equivalent to the coverage and entitlements provided to employees under the statutory provisions of the Workers Compensation and Rehabilitation Act 2003 (Qld).

(h) Where the Principal Holder-

- (i) is a Commonwealth, State or Territory government department, agency or statutory body; and
 - (ii) is a self-insurer; and
 - (iii) has provided the Chief Executive with a certificate from an appropriately authorised officer to that effect,
- the Principal Holder is deemed to have complied with this clause.

(i) If the Principal Holder breaches its obligations under this clause, the Chief Executive may immediately cancel this Permit by written notice to the Principal Holder.

PG3

Compliance with laws

The Principal Holder must at its own expense punctually comply with all statutes, ordinances, local laws, regulations or rules in force at the time, which apply to the Relevant Area and adjoining land and/or the Principal Holder's use of the Relevant Area and adjoining land.

- PG4 Principal Holder's Authority
The Principal Holder must have the power, authority and ability to be issued this Permit and must perform its obligations under this Permit with all due skill, care and diligence.
- PG5 Principal Holder's liability and indemnity
Indemnity
(a) The Principal Holder:
(i) indemnifies; and
(ii) releases and discharges
the State (including its Representatives) from and against all actions, proceedings, claims, demands, costs, losses, damages, liability and expenses which may be brought against, or made upon the State (or any Representative) or which the State (or any Representative) may pay, sustain, or be put to by reason of, or in consequence of, or in connection with this Permit and the occupation and use of the Relevant Area by the Principal Holder, except to the extent of any negligent act of the State (or any Representative).
(b) The Principal Holder must notify the Chief Executive in writing of any death, injury, loss or damage immediately upon the Principal Holder becoming aware of such death, injury, loss or damage.
(c) If the Principal Holder breaches its obligations under subclauses (a) and (b), the Chief Executive may give notice to the Principal Holder stating the breach and if the breach is not remedied in accordance with the timeframe set out in that notice, the Chief Executive may immediately cancel this Permit by written notice to the Principal Holder.
- PG6 No liability for consequential or indirect loss
The State and its Representatives will not in any circumstances (including for negligence) be liable for any loss of revenue, loss of profit, loss of anticipated savings or business, loss of opportunity (including opportunity to enter into or complete arrangements with third parties), loss of data or goodwill, loss of reputation, or any indirect or consequential loss, whether arising in contract, tort (including negligence) or otherwise, in connection with this Permit.
- PG7 No Warranty and Risk
(a) The Chief Executive does not warrant that the Relevant Area is free from defect or that it is safe, fit, suitable or adequate for the Approved Activities. To the full extent permitted by law, all warranties as to fitness, suitability and adequacy implied by law are expressly negated.
(b) The Principal Holder uses the Relevant Area entirely at its own risk and must first check the Relevant Area to ensure that it is suitable for the Approved Activities under this Permit before undertaking any Approved Activities.
- PG8 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.
- PG9 Permits are not transferrable.

Conditions for: Guided Tour

Agency Interest: General

- A1G1 For the purposes of this permit, as per Attachment 1, 'Guided/self-guided Tour (2 or 3 day)' denotes vessel based tours using a motorised launch, kayaks and canoes, and guided bushwalking tours. Refer to Attachment 1 for sites and capacities.
- A1G2 For the purposes of this permit, as per Attachment 1, 'Guided tour (daily)' to Teewah Landing and Beach, Seawah Hill and walking tracks denotes guided vessel day tours using motorised launch, kayaks and canoes, and guided bushwalking tours. Refer to Attachment 1 for capacities.
- A1G3 The Principal Holder must pre-book and pay for camping prior to commencement of activity. Bookings can be made online (www.qld.gov.au/camping) or Ph: 13 74 68.

Conditions for: Cooloola Recreation Area**Agency Interest: General**

- L1G1 The Principal Holder must ensure that camping is conducted in the designated sites only and all tents and camping equipment remain within the barriers and fences.
- L1G2 Camping tag/s must be attached to the tent or structure being used for camping as soon as it is erected on site, and must be visible at all times.
- L1G3 Guided / self-guided (2 or 3 day) (As per attachment 1)
-Tour days: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday
- Only two, 2 or 3 day tours permitted on the protected area at any one time.

Agency Interest: Biodiversity

- L1B1 The Principal Holder must compensate NPSR for the full cost of rectifying any damage caused to the area as a result of the permitted activities.
- L1B2 Small portable battery powered music/media players may be used. All other sound amplifying equipment must not be used unless otherwise specified in this permit or directed by the Ranger-in-Charge.
- L1B3 All activities are confined to existing visitor use areas (i.e. picnic areas, car parks, formalised walking tracks, boardwalks etc) unless otherwise specified in this permit or directed by the Ranger-In-Charge. Please note; Cooloola Sandpatch to Teewah Beach is not a formalised walking track.
- L1B4 It is prohibited to obscure and/or attach material to official park signage.
- L1B5 The activity must not interfere with or otherwise disturb shorebirds or their habitats.
- L1B6 The Principal Holder is only permitted to use portable fuels. Campfires are prohibited within the areas specified in this permit.
- L1B7 The Principal Holder must ensure that all food, litter and other waste materials are placed in secured containers at all times and that any litter and other waste materials generated by the activity are removed from the estate at the completion of each visit.
- L1B8 The Principal Holder must ensure that when kayaks are removed from the water, it is done in a manner to cause minimal impact to these areas (e.g. not dragged over the banks of a river). Landing must take place in a designated area only.

- L1B9 The Principal Holder or agent/s must supervise groups when conducting guided tours whilst in the protected area.
- L1B10 This Commercial Activity Permit does not authorise the installation of any permanent infrastructure and/or ghost camp or equipment to be installed, left or stored on the site without written authority of the Chief Executive. All equipment including vessels must be removed from the protected area at the end of each tour.
- L1B11 When undertaking activities on walking tracks, group sizes must be kept to a maximum of 15 people. Groups must be staggered at a minimum of five minute intervals.
- L1B12 Motorised vessels are not permitted beyond the Queensland Parks and Wildlife Service, Noosa River Campsite 3.

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Signed

Roslyn Howie
Delegate
Department of National Parks, Sport and Racing

Commercial Activity Permit – TVP510046916 - Attachment 1

Tour / Activity	Site	Capacity
Guided tour (daily)	Coloured Sands	sch4p3(2) Prejudice the
	Double Island Point	
	Red Canyon	
	Lake Freshwater	
Guided / self-guided tour (2 or 3 day)	Kinaba Information Centre	
	Harrys day-use area	
	Campsite 3 to Cooloola Sandpatch walking track	
	Fig Tree Point day use area	
Camping	Fig Tree Point camping area	
Camping	Harrys camping area	
Camping	Upper Noosa River campsite 3	
Guided tour (daily)	Teewah Landing to Teewah Beach walking track	
	Seawah Hill and walking track	

Information Notice

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

Wade Batty
The Discovery Group Noosa
PO Box 1804
NOOSAVILLE DC QLD 4566

Our reference: 313577

Dear Mr Batty

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

The Department of National Parks, Sport and Racing has assessed your application received on 20 June 2017 and wishes to advise you of the decision in regard to each application as specified below:

Permit applied for	Permit Number	Decision
Commercial Activity Permit issued under the provisions of the <i>Recreation Areas Management Act 2006</i>	TVP510046917	Granted

PUBLIC LIABILITY INSURANCE: Please be advised that the Queensland Government has increased the minimum level required for public liability insurance to \$20 million.

Please note the following:

- Please be advised that the Department of National Parks, Sport and Racing intends implementing the Queensland Eco and Sustainable Tourism (QuEST) policy within the Cooloola Recreation Area after the completion of the current management planning process. As such your commercial activity permit has been issued for a term of 12 months only.
- For any future Commercial Activity Permit applications, please allow 40 business days processing time, to ensure that your proposed activity can take place.
- You are reminded that all camping must be booked and paid for online prior to the activity taking place. Bookings can be made online (www.qld.gov.au/camping) or Ph: 13 74 68.
- It is highly recommended that the Principal Holder check updated Park Alerts for possible park/track closures on the NPSR website, prior to commencing any activities on QPWS managed areas. Please refer to: <http://www.npsr.qld.gov.au/park-alerts/index.php>.
- Drivers of vehicles on Cooloola Recreation Area are required to have a valid vehicle access permit (other than vehicles participating in an approved commercial activity). Permits for Cooloola Recreation Area are available from selected QPWS offices, online (www.npsr.qld.gov.au) or by phoning 13 74 68.

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.

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



Information Notice

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

Cooloola Recreation Area

- Please be considerate of other recreation area users and ensure excessive noise is kept to a minimum.
- Please ensure students are supervised at all times.
- The Principal Holder is responsible for ensuring all groups are briefed on appropriate safety and risk management issues including emergency action plans.
- Please ensure all rubbish is removed from the estate.
- Your activity must not interfere with use of the protected area by others, i.e. do not reserve or cordon off any area for exclusive use or engage in antisocial behaviour.
- Access to the protected area or part of the protected area may be restricted/closed (at short notice) due to severe weather conditions, other natural disaster or for management purposes eg. fire, flood. The permit holder is responsible for ensuring all group members are made aware of closures and that they comply with all signage and/or directions given by QPWS officers.
- NPSR does not recommend swimming in the Noosa River system due to the presence of unseen hazards including submerged snags. Sharks are common in the river systems.
- Collecting any plant, animals or artefact, soil, rock or water sample in any protected area is not permitted. A licence, permit or authority is needed to take, keep, use or interfere with any native plants and animals for educational or scientific purposes.

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 Assessments and Approvals team 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 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.

Returns

As the holder of a commercial activity permit, you are required to submit a *Quarterly Return of Operations Form* within 20 business days following the end of each calendar quarter i.e. 31 March, 30 June, 30 September, 31 December specifying the following information for each day that a tour is conducted:

- date of each visit;
- name of each protected area, state forest, forest reserve, recreation area visited;
- name of each site visited within the protected area, state forest, forest reserve, recreation area;
- number of clients subject to daily site fees;

The *Quarterly Return of Operations Form* can be found at <http://www.business.qld.gov.au/industry/tourism/parks-recreation-forests>. The form allows you to save a partially completed copy to your computer which may assist you in recording tours on a day to day/month to month basis. This will then need to be finalised at the end of each quarter.

Please note that you are required to submit a *Quarterly Return of Operations Form* even if no tours have been conducted. Camping fees must be paid prior to the activity being conducted.

The current fees are listed below.

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Information Notice

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Daily Site Fees:

Daily site fees are statutory fees payable for the use of the QPWS managed area levied at the following rates:

- **\$1.98** per person fee, for activities lasting less than three hours per day within the Cooloola Recreation Area
- **\$3.55** per person fee, for activities lasting more than three hours per day within the Cooloola Recreation Area

If you are taking school groups on your tours, you are exempt from paying daily site fees for those groups. Please complete your returns accordingly. You will have the option of paying via credit card with the submission of your returns. Fees and charges are reviewed and amended annually as determined by the Chief Executive, and you will be advised of any changes accordingly.

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

Yours sincerely

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Roslyn Howie
Team Leader
Department of National Parks, Sport and Racing

17 August 2017

Enquiries:
Assessments and Approvals
Queensland Parks and Wildlife Service
PO Box 15187
CITY EAST QLD 4002
Phone: 07 3199 7633
Email: southernpermitsteam@npsr.qld.gov.au

Attachment – Permit

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



Information Notice

This notice is issued by the Department of National Parks, 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)

- (a) the purpose of this Act;
- (b) the management intent for the recreation area, and the area's current draft or approved management plan;
- (c) conservation of the area's cultural and natural resources;
- (d) the amenity of the area and adjacent areas;
- (e) the size, extent and location of the proposed use in relation to other uses of the area or adjacent areas;
- (f) the likely cumulative effect of the proposed use and other uses on the area;
- (g) public health and safety;
- (h) any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (i) the requirements mentioned in section 50;
- (j) 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.

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 *Recreation Areas Management Act 2006* contains review and appeal provisions should you be dissatisfied with any decision made in relation to your application. In summary these include the following:

- An application for an internal review of a decision about an application may 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 does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal for a stay of the decision.
 - 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 internal review decision then you may 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 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, Sport and Racing



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: TVP510043617

Valid from: 01-JUL-2017 to 30-JUN-2018

Parties to the Permit

Role	Name	Address
Principal Holder	The Trustee for WKW TRUST (t/a The Discovery Group Noosa) ABN: 67 962 737 544	12 Eenie Creek Road NOOSAVILLE QLD 4566
Person In Charge	Mr Wade Anthony Batty	12 Eenie Creek Road NOOSAVILLE QLD 4566

Permitted Location Activity Details

Location (s)	Capacity	Activity (s)
Estate: Cooloola Recreation Area	As per below	Guided Tour
Estate: Double Island Point Conservation Park	sch4p3(2) Prejudice the private, busi	Guided Tour
Estate: Great Sandy National Park Section: Cooloola section Site: Coloured Sands	Refer condition L4G1	Guided Tour
Estate: Great Sandy National Park Section: Cooloola section Site: Cooloola Sandpatch and Walking Track	sch4p3(2) Prejudice the private, busi	Guided Tour
Estate: Great Sandy National Park Section: Cooloola section Site: Double Island Point	Refer condition L5G2	Guided Tour
Estate: Great Sandy National Park Section: Cooloola section Site: Fig Tree Point Day Use Area	Refer condition L6G1	Guided Tour

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Commercial Activity Permit

TVP510043617

Location (s)	Capacity	Activity (s)
Estate: Great Sandy National Park Section: Cooloola section Site: Harrys Day Use Area	Refer condition L7G1	Guided Tour
Estate: Great Sandy National Park Section: Cooloola section Site: Kinaba Information Centre	Refer condition L8G1	Guided Tour
Estate: Great Sandy National Park Section: Cooloola section Site: Red Canyon	Refer condition L9G1	Guided Tour
Estate: Great Sandy National Park Section: Cooloola section Site: Teewah Landing	sch4p3(2) Prejudice the private, busin	Guided Tour
Estate: Great Sandy National Park Section: Cooloola section Site: Campsite 3	Refer condition L3G1	Guided Tour
Estate: Noosa National Park Section: Headland Section	sch4p3(2) Prejudice the private, busin	Guided Tour
Estate: Toolara State Forest		Guided Tour

Conditions of Approval

General Permit Conditions

Agency Interest: General

PG1

Insurance

- (a) For the Term of this Permit, the Principal Holder must take out and maintain the following insurances:
- (i) where required by law, insurance under the Workers' Compensation and Rehabilitation Act 2003, or its equivalent under another jurisdiction with the consent of the Chief Executive; and
 - (ii) where not covered under the above subclause (a)(i), accident insurance sufficient to cover workers, volunteers and eligible persons (as defined under the Workers' Compensation and Rehabilitation Act 2003) with the consent of the Chief Executive; and
 - (iii) a public liability insurance policy for not less than \$20 million on a claims occurring basis in respect of the death of, or injury to persons, or loss or damage to property; and
 - (iv) any other insurances as reasonably required by the Chief Executive.
- (b) The Principal Holder must ensure that the insurance policies required under this clause are with:
- (i) an insurer who is:
 - a. authorised under the Insurance Act 1973 (Cth);
 - b. registered with the Australian Prudential Regulation Authority as an authorised insurer; and
 - c. has a Standard & Poor's rating of no less than A-; or
 - (ii) if the Principal Holder is globally insured, another insurer with the written

approval of the Chief Executive.

(c) The Principal Holder must ensure that in relation to the insurable interests under this clause, insurance policies are effected to cover all invitees, employees, contractors, agents, members or clients of the Principal Holder and (where possible) name the State as an interested party.

(d) Before undertaking any activities on the Relevant Area, the Principal Holder must have in place all insurances required by this clause.

PG2

(e) In any circumstance where the insurances required under this Permit are cancelled, altered or expire before the expiry date of this Permit, the Principal Holder must cease all activities on the Relevant Area until such time as alternative insurance policies that comply with the requirements of this clause have been obtained.

(f) The Principal Holder must provide copies of certificates of currency for the insurances required under this clause if requested by the Chief Executive, acting reasonably.

(g) If the Principal Holder is an individual or sole trader, then clause (a)(i) is satisfied if the Principal Holder maintains:

- (i) personal accident insurance covering all medical treatment, hospitalisation and medical expenses; and
 - (ii) income protection insurance; and
 - (iii) death and disability insurance;
- equivalent to the coverage and entitlements provided to employees under the statutory provisions of the Workers Compensation and Rehabilitation Act 2003 (Qld).

(h) Where the Principal Holder-

- (i) is a Commonwealth, State or Territory government department, agency or statutory body; and
- (ii) is a self-insurer; and
- (iii) has provided the Chief Executive with a certificate from an appropriately authorised officer to that effect,

the Principal Holder is deemed to have complied with this clause.

(i) If the Principal Holder breaches its obligations under this clause, the Chief Executive may immediately cancel this Permit by written notice to the Principal Holder.

PG3

Compliance with laws

The Principal Holder must at its own expense punctually comply with all statutes, ordinances, local laws, regulations or rules in force at the time, which apply to the Relevant Area and adjoining land and/or the Principal Holder's use of the Relevant Area and adjoining land.

PG4

Principal Holder's Authority

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

Principal Holder's liability and indemnity

PG5

Indemnity

(a) The Principal Holder:

- (i) indemnifies; and
 - (ii) releases and discharges
- the State (including its Representatives) from and against all actions, proceedings, claims,

demands, costs, losses, damages, liability and expenses which may be brought against, or made upon the State (or any Representative) or which the State (or any Representative) may pay, sustain, or be put to by reason of, or in consequence of, or in connection with this Permit and the occupation and use of the Relevant Area by the Principal Holder, except to the extent of any negligent act of the State (or any Representative).

(b) The Principal Holder must notify the Chief Executive in writing of any death, injury, loss or damage immediately upon the Principal Holder becoming aware of such death, injury, loss or damage.

(c) If the Principal Holder breaches its obligations under subclauses (a) and (b), the Chief Executive may give notice to the Principal Holder stating the breach and if the breach is not remedied in accordance with the timeframe set out in that notice, the Chief Executive may immediately cancel this Permit by written notice to the Principal Holder.

- PG6 No liability for consequential or indirect loss
The State and its Representatives will not in any circumstances (including for negligence) be liable for any loss of revenue, loss of profit, loss of anticipated savings or business, loss of opportunity (including opportunity to enter into or complete arrangements with third parties), loss of data or goodwill, loss of reputation, or any indirect or consequential loss, whether arising in contract, tort (including negligence) or otherwise, in connection with this Permit.
- PG7 No Warranty and Risk
(a) The Chief Executive does not warrant that the Relevant Area is free from defect or that it is safe, fit, suitable or adequate for the Approved Activities. To the full extent permitted by law, all warranties as to fitness, suitability and adequacy implied by law are expressly negated.
(b) The Principal Holder uses the Relevant Area entirely at its own risk and must first check the Relevant Area to ensure that it is suitable for the Approved Activities under this Permit before undertaking any Approved Activities.
- PG8 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.
- PG9 Permits are not transferrable.

Conditions for: Cooloola Recreation Area

Agency Interest: Biodiversity

- L1B1 All activities must be confined to existing visitor use areas (i.e. picnic areas, car parks, walking tracks, boardwalks etc) unless otherwise specified in this permit or directed by the Ranger-In-Charge.
- L1B2 The Principal Holder must compensate NPSR for the full cost rectifying any damage caused to the area as a result of the permitted activities.
- L1B3 The activity must not interfere with or otherwise disturb shorebirds or their habitats.
- L1B4 Small portable battery powered music/media players may be used. All other sound amplifying equipment must not be used unless otherwise specified in this permit or directed by the Ranger-In-

Charge.

- L1B5 The Principal Holder is not permitted to light a fire unless otherwise specified in this permit or directed by the Ranger-In-Charge.
- L1B6 This permit does not authorise the use of structures (including, but not limited to, marquees, tents, large trestle tables) unless specified.
- L1B7 The Principal Holder must ensure that all food, litter and other waste materials are placed in secured containers at all times and that any litter and other waste materials generated by the activity are removed from the site at the completion of each tour.
- L1B8 Mooring of vessels is permitted at dedicated commercial jetties at the Kinaba Information Centre and Harry's Day Use Area.

Conditions for: Double Island Point Conservation Park

Agency Interest: Biodiversity

- L2B1 Vehicle access is limited to the junction of the Lighthouse track and the access track to the beach on Wide Bay side of the headland.
- L2B2 Vehicles accessing Double Island Point Conservation Park are limited to the size of a standard 4WD station wagon with maximum carrying capacity of ten passengers plus driver.
- L2B3 Tours to Double Island Point Conservation Park are limited to one tour per day and must be during daylight hours only.
- L2B4 The maximum number of tour vehicles per tour is three.
- L2B5 The Principal Holder must ensure tour drivers are aware that vehicle access tracks within the Conservation Park are shared zones with pedestrians and that pedestrians have right of way at all times.
- L2B6 The Principal Holder must abide by all signage and/or directions given by NPSR staff.
- L2B7 Storage of any commercial operator equipment on Conservation Park is not permitted.
- L2B8 No toilet facilities are provided in the Conservation Park, access is not permitted to cottages and buildings. Toilets are available at the Double Island Point day use area.
- L2B9 Only one tour is permitted to visit the Double Island Point Conservation Park at any one time. Tour drivers must communicate with other permitted operators to ensure tours are scheduled to meet this requirement.
- L2B10 The setting up of tables, chairs or shelter is not permitted.
- L2B11 The use of the site at the Lighthouse for the provision of morning/afternoon tea is permitted, provided that all the food and drinks are carried in from the vehicle carpark.
- L2B12 The Principal Holder must ensure tour participants are guided at all times.
- L2B13 Maximum vehicle's speed on access tracks within the Conservation Park is limited to 5km/hr.
- L2B14 The Principal Holder is permitted vehicle access to the actual Lighthouse site only when transporting elderly or mobility impaired clients.

- L2B15 The Principal Holder must ensure that the vehicles transporting clients to the Lighthouse have completed a driver induction to the Safety Alert which identifies high risk areas. Access is limited to one vehicle at any one time and is to be driven in low range.

Conditions for: Great Sandy National Park - Cooloola section - Campsite 3

Agency Interest: General

- L3G1 The Principal Holder is permitted to access Campsite 3 with the following capacities:

sch4p3(2) Prejudice the private, business

Conditions for: Great Sandy National Park - Cooloola section - Coloured Sands

Agency Interest: General

- L4G1 The Principal Holder is permitted access to the Coloured Sands with the following capacities:

sch4p3(2) Prejudice the private, business

Agency Interest: Biodiversity

- L4B1 The Principal Holder must ensure participants do not climb on, collect, deface or interfere with the coloured sands or other natural features.

Conditions for: Great Sandy National Park - Cooloola section - Double Island Point

Agency Interest: General

- L5G1 The Principal Holder is permitted to access Double Island Point with the following capacities:

sch4p3(2) Prejudice the private, business.

Agency Interest: Biodiversity

- L5B1 Access is restricted to the Double Island Point Day Use Area (where the toilet block is located 100m east of the Leisha track).

Conditions for: Great Sandy National Park - Cooloola section - Fig Tree Point Day Use Area

Agency Interest: General

L6G1 The Principal Holder is permitted to access Fig Tree Point Day Use Area with the following capacities:

sch4p3(2) Prejudice the private, business,

Conditions for: Great Sandy National Park - Cooloola section - Harrys Day Use Area

Agency Interest: General

L7G1 The Principal Holder is permitted to access Harry's Day Use Area with the following capacities:

sch4p3(2) Prejudice the private, business

Conditions for: Great Sandy National Park - Cooloola section - Kinaba Information Centre

Agency Interest: General

L8G1 The Principal Holder is permitted to access Kinaba Information Centre with the following capacities:

sch4p3(2) Prejudice the private, business

Conditions for: Great Sandy National Park - Cooloola section - Red Canyon

Agency Interest: General

L9G1 The Principal Holder is permitted to access Red Canyon with the following capacities:

sch4p3(2) Prejudice the private, business, pr

Conditions for: Noosa National Park - Headland Section

Agency Interest: Biodiversity

L10B1 Open fires, camping and domestic animals are prohibited.

L10B2 Access to the Estate is confined to existing visitor use facilities.

L10B3 Vehicle access is restricted to carpark areas only.

L10B4 Maximum group size is 15 people including guide/s on the graded walking track at any one time. Larger groups must be broken into smaller groups and start times staggered with five minute intervals.

Conditions for: Toolara State Forest

Agency Interest: General

- L11G1 All litter and waste materials generated by this activity must be removed from the Plantation License area upon completion of the event.
- L11G2 Camping or overnight stays are not permitted in the Plantation License area.
- L11G3 HQPlantations Pty Ltd reserves the right to close roads as required for operational purposes (e.g. harvesting and the establishment of plantations) or during periods of adverse weather conditions. Entry into closed areas for any reason is prohibited.
- L11G4 The Principal Holder is to report all incidents involving death or injury to any person to HQ Plantations. Incident involving death or serious injury (including hospitalisation) must be reported to HQPlantations Regional Manager immediately on 0427 427 601. All other injuries and incidents must be reported the next business day.
- L11G5 The Principal Holder must contact HQPlantations Pty Ltd Office (during business hours) on (07) 5488 2127 for advice on forest road suitability and/or notification of incidents occurring on Plantation License Area one week before commencing any activity on Plantation License Area.
- L11G6 The Principal holder must ensure that all participants are made aware of the presence of harvesting trucks within the forest and ensure that all riders keep to the extreme left of all roads at all times.
- L11G7 Traversing must be restricted to formed roads only. Vehicle use within plantation areas must be restricted to major through roads suitable for two-way traffic.
- L11G8 The Principal Holder must all times comply with any direction of HQPlantations Pty Ltd regarding the promotional, interpretive or educational use made of or services provided on the Estate in relation to this permit necessary to ensure that such use or services are consistent with the management objectives of the Estate and the purposes for which the permit is granted.
- L11G9 The event route is restricted to that approved by HQPlantations . Any changes to the route must be submitted for approval to the Operations Manager in writing. No deviation from this route, without the consent of HQPlantations is permitted.
- L11G10 Access is permitted during daylight hours only.
- L11G11 Permits must be carried at all times by the Principal Holder while traversing the permit area and must be produced on demand by a agent of HQPlantations.
- L11G12 The placement of any route markers, signs, controls, checkpoints or any similar device must be either free standing or tied to trees, not nailed, and must be removed at the completion of the activity. No route marker, sign, control, checkpoint or similar device shall be so positioned as to obscure traffic and forest management signage.
- L11G13 Vehicles with Conditional registration are not covered by this permit.

sch 4 - signature

Signed

Roslyn Howie
Delegate
Department of National Parks, Sport and Racing

Published on
DES Disclosure Log
RTI Act 2009

Information Notice

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

Wade Batty
The Discovery Group Noosa
PO Box 1804
NOOSAVILLE DC QLD 4566

Our reference: 310514

Dear Mr Batty

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

The Department of National Parks, Sport and Racing has assessed your application received on 20 June 2017 and wishes to advise you of the decision in regard to each application as specified below:

Permit applied for	Permit Number	Decision
Commercial Activity Permit issued under the provisions of the <i>Recreation Areas Management Act 2006</i> <i>Nature Conservation (Administration) Regulation 2006</i> <i>Forestry Act 1959</i>	TVP510043617	Granted

PUBLIC LIABILITY INSURANCE: Please be advised that the Queensland Government has increased the minimum level required for public liability insurance to \$20 million.

Please note the following:

- Please be advised that the Department of National Parks, Sport and Racing intends implementing the Queensland Eco and Sustainable Tourism (QuEST) policy within the Cooloola Recreation Area in the next 12 months. This process involves transitioning current operators on to long-term agreements. To facilitate a smooth transition, your commercial activity permit has been reissued for a term of 12 months only.
- For any future Commercial Activity Permit applications, please allow 40 business days processing time, to ensure that your proposed activity can take place.
- You are reminded that all camping must be booked and paid for online prior to the activity taking place. Bookings can be made online (www.qld.gov.au/camping) or Ph: 13 74 68.
- It is highly recommended that the Principal Holder check updated Park Alerts for possible park/track closures on the NPSR website, prior to commencing any activities on QPWS managed areas. Please refer to: <http://www.npsr.qld.gov.au/park-alerts/index.php>.
- Drivers of vehicles on Cooloola Recreation Area are required to have a valid vehicle access permit (other than vehicles participating in an approved commercial activity). Permits for Cooloola Recreation Area are available from selected QPWS offices, online (www.npsr.qld.gov.au) or by phoning 13 74 68.

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.

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



Information Notice

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

Cooloola Recreation Area

- Please be considerate of other recreation area users and ensure excessive noise is kept to a minimum.
- Please ensure students are supervised at all times.
- The Principal Holder is responsible for ensuring all groups are briefed on appropriate safety and risk management issues including emergency action plans.
- Please ensure all rubbish is removed from the estate.
- Your activity must not interfere with use of the protected area by others, i.e. do not reserve or cordon off any area for exclusive use or engage in antisocial behaviour.
- Access to the protected area or part of the protected area may be restricted/closed (at short notice) due to severe weather conditions, other natural disaster or for management purposes eg. fire, flood. The permit holder is responsible for ensuring all group members are made aware of closures and that they comply with all signage and/or directions given by QPWS officers.
- NPSR does not recommend swimming in the Noosa River system due to the presence of unseen hazards including submerged snags. Sharks are common in the river systems.
- Collecting any plant, animals or artefact, soil, rock or water sample in any protected area is not permitted. A licence, permit or authority is needed to take, keep, use or interfere with any native plants and animals for educational or scientific purposes.

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 Assessments and Approvals team 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 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.

Returns

As the holder of a commercial activity permit, you are required to submit a *Quarterly Return of Operations Form* within 20 business days following the end of each calendar quarter i.e. 31 March, 30 June, 30 September, 31 December specifying the following information for each day that a tour is conducted:

- date of each visit;
- name of each protected area, state forest, forest reserve, recreation area visited;
- name of each site visited within the protected area, state forest, forest reserve, recreation area;
- number of clients subject to daily site fees;

The *Quarterly Return of Operations Form* can be found at <http://www.business.qld.gov.au/industry/tourism/parks-recreation-forests>. The form allows you to save a partially completed copy to your computer which may assist you in recording tours on a day to day/month to month basis. This will then need to be finalised at the end of each quarter.

Please note that you are required to submit a *Quarterly Return of Operations Form* even if no tours have been conducted. Camping fees must be paid prior to the activity being conducted.

The current fees are listed below.

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Information Notice

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

Daily Site Fees:

Daily site fees are statutory fees payable for the use of the QPWS managed area levied at the following rates:

- **\$1.98** per person fee, for activities lasting less than three hours per day within the Cooloola Recreation Area
- **\$3.55** per person fee, for activities lasting more than three hours per day within the Cooloola Recreation Area

If you are taking school groups on your tours, you are exempt from paying daily site fees for those groups. Please complete your returns accordingly. You will have the option of paying via credit card with the submission of your returns. Fees and charges are reviewed and amended annually as determined by the Chief Executive, and you will be advised of any changes accordingly.

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

Yours sincerely

sch 4 - signature

Roslyn Howie
Team Leader
Department of National Parks, Sport and Racing

8 September 2017

Attachment – Permit

Enquiries:
Assessments and Approvals
Queensland Parks and Wildlife Service
PO Box 15187
CITY EAST QLD 4002
Phone: 07 3199 7633
Email: southernpermitsteam@npsr.qld.gov.au

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



Information Notice

This notice is issued by the Department of National Parks, 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)

- (a) the purpose of this Act;
- (b) the management intent for the recreation area, and the area's current draft or approved management plan;
- (c) conservation of the area's cultural and natural resources;
- (d) the amenity of the area and adjacent areas;
- (e) the size, extent and location of the proposed use in relation to other uses of the area or adjacent areas;
- (f) the likely cumulative effect of the proposed use and other uses on the area;
- (g) public health and safety;
- (h) any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (i) the requirements mentioned in section 50;
- (j) 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.

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 *Recreation Areas Management Act 2006* contains review and appeal provisions should you be dissatisfied with any decision made in relation to your application. In summary these include the following:

- An application for an internal review of a decision about an application may 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 does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal for a stay of the decision.
 - 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 internal review decision then you may 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 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.

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Information Notice

This notice is issued by the Department of National Parks, 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

- (k) 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;
- (l) 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;
- (m) Any contribution the applicant proposes to make to the conservation of nature;
- (n) Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (o) The precautionary principle;
- (p) Public health and safety;
- (q) The public interest;
- (r) 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;
- (s) Any recovery plan for wildlife to which the authority applies;
- (t) 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.

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Information Notice

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

The *Nature Conservation (Administration) Regulation 2006* contains review and appeal provisions should you be dissatisfied with any decision made in relation to your application. In summary these include the following:

- An application for an internal review of a decision about an application may be made in writing within 20 business days after being given this notice.
 - The application must be supported by sufficient information to decide the application.
 - The application does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal for a stay of the decision.
 - 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 internal review decision then you may 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.

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.

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