

# MARINE PARKS PERMIT APPLICATION

## MARINE TOURISM CONTINGENCY PLAN APPLICATION

April 2019

### HOW TO APPLY

- Complete and sign the application form;
- Email the completed application form (and relevant attachments) to [assessments@gbmpa.gov.au](mailto:assessments@gbmpa.gov.au)

Please read and complete this form carefully as incorrect or insufficient information may delay consideration of your application.

More information on the application fee and payment details can be obtained by visiting the Authority's [website](#).

**CONTACT PERSON:** Please nominate a contact person who is authorised to discuss matters relating to this application and the relevant Marine Parks permit.

<b>Full name(s):</b>			
<b>Position:</b>		<b>Telephone:</b>	
<b>Mobile:</b>		<b>Email:</b>	

1. Marine Parks permit number for the impacted operation:

<b>Permit number:</b>	
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2. Location of site or activity impacted by the severe environmental incident:

<b>Reef Name:</b>		<b>Reef ID:</b> (if available)	
<b>GPS Location:</b> (if available)		<b>Other:</b> (e.g. Island)	

3. Describe the operation proposed to be relocated  
(include details of any structures that are proposed for relocation):


### Information Box (Sections 3 and 4)

A severe environmental incident degrades an area in the Marine Park to such a degree that it significantly affects the ability of the permittee to conduct the original permitted tourist program at that site. Examples of a severe environmental incident include (but are not limited to): Cyclones, storm surges, extreme coral bleaching, oil spills, ship groundings. Natural processes such as the movement of sand cays are not considered severe environmental incidents.

The Authority will consider permittees to be eligible under the Plan if they hold one or more valid permissions for the operation of a tourist program at a site in the Marine Park, where a severe environmental incident occurs, and only when:

- The operation of the tourist program has been significantly impacted by a severe environmental incident.
- The incident was beyond the reasonable control of, and not contributed to by, the permittee.
- The permittee has been complying with obligations in relation to the permission and other Marine Park legislation.

4. Describe the severe environmental incident that has impacted the operation or activity:




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5. Describe how the incident has made the tourism operation unviable at the site identified (if insufficient space provided you may attach additional pages):


## Information Box (Section 5)

Supporting evidence may be included with the application such as video transects; photographs before and after; client satisfaction surveys or any other material related to the quality of the site prior to and following the severe environmental incident.

6. Describe the importance of the impacted site to the entire operation (e.g. one of a number of sites you operate to, presence of infrastructure, exclusively marketed destination):


7. List alternative sites or activities being applied for in order of preference:

1:	
2:	
3:	
4:	

## Information Box (Section 7)

For responses within Planning Areas, the Authority must have regard to the relevant Plan of Management regarding access to Locations and setting areas.

Please attach any additional information or material that may help in the assessment of this application.

Important: The Great Barrier Reef Marine Park Authority does not guarantee that a permission will be granted under the *Marine Tourism Contingency Plan* (the Plan) in any individual case. Refer to the Plan for eligibility requirements. An application made under the Plan may result in a short-term permission being granted to allow operations to continue while longer term solutions are explored.

## Proposed Permit Holder's Declaration: Please read the following carefully.

### Privacy Notice – The Authority

Personal information you provide to the Authority in your permit application is protected by the *Privacy Act 1988* (the Privacy Act). The information provided by you will be used by the Authority to assess your application and to assist it to make decisions whether to grant you a relevant permission. The Authority may also use the personal information you provide to notify you of any subsequent matters affecting any permission granted to you, including any changes to your permission, information about management arrangements for the Great Barrier Reef Marine Park, and information about relevant policies implemented by the Authority. The authority to collect this information is in the *Great Barrier Reef Marine Park Act 1975* and the *Great Barrier Reef Marine Park Regulations 2019* (the Regulations).

### Who do we give it to:

This joint application form may be used by both the Authority and the Department of National Parks, Sport and Racing (NPSR) to assess your application for a Marine Parks permit. If your application comprises an application for permission to conduct activities in a Marine Park of the State of Queensland, then identifying information collected on this form will be given to NPSR. If the Authority considers that the granting of the permission may restrict the reasonable use by the public of part of the Marine Park, then it may also require you to publish an advertisement containing any information about your application that the Authority reasonably requires.

Under the Regulations, if you are granted a permit, a copy of the permit document, which may include some identifying information such as your name and address, will be published on the Internet. The Authority will not otherwise disclose your personal information to any third party without your consent, unless it is required to do so by law.

### More information

For more information on privacy and the Privacy Act, see the Privacy Commissioner's website at [www.privacy.gov.au](http://www.privacy.gov.au).

### Electronic Dispatch – The Authority

By signing this application you are consenting to the Authority providing the decision under the Great Barrier Reef Marine Park Regulations 2019 (including any permit issued) electronically for the purposes of the *Electronic Transactions Act 1999*.



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## Privacy Statement – QPWS

The Department of National Parks, Sport and Racing is collecting the information on this form to assess your application for a permit. This information is required under the *Nature Conservation Act 1992*, the *Recreation Areas Management Act 2006*, the *Forestry Act 1959* and the *Marine Parks Act 2004*. The Department may have entered into an indigenous management agreement or indigenous land use agreement relating to adjacent National Parks under the *Nature Conservation Act 1992* or State Marine Parks under the *Marine Parks Act 2004* which may be subject to joint management arrangements. If so, the completed application form and relevant supporting documentation may be disclosed to the relevant indigenous organisation/s (including to any relevant Native Title Body Corporates) for the purpose of the Department consulting with or seeking the consent of that organisation (on the basis that your information may only be used for that purpose and is not to be disclosed to any other person).

Your personal information will not be otherwise disclosed to any other parties without your consent unless authorised or required by law, such as under the *Right to Information Act 2009* or the *Evidence Act 1977*. Further information about privacy is available on the Department's website: <https://www.des.qld.gov.au/legal/privacy/>

## Electronic Dispatch – QPWS

By signing this application you are consenting to the chief executive of the Department of National Parks, Sport & Racing or his/her delegate providing the decision (including any permit issued) electronically for the purposes of the *Electronic Transactions (Queensland) Act 2001*.

## Declaration under the Oaths Act 1867 - Queensland

**Note: It is a criminal offence to knowingly make a false or misleading statement in, or omit a material matter from, your application. By submitting this application, you declare that the information within the application is true and correct to the best of your knowledge.**

I do solemnly and sincerely declare that:

- The information provided in this permit application is true and correct to the best of my knowledge.
- Where the applicant is a company, I am duly authorised by the company to sign this permit application on its behalf.
- The applicant<sup>#</sup> and any associated persons<sup>##</sup> have no charges for breaking any law<sup>1</sup>, and have not been found guilty of, pleaded guilty to, or been convicted by a court of any relevant offences in Australia or any other nation. I am not aware of any pending legal proceedings, under Australian law or internationally, which may be relevant to this application.  
OR I declare the following (explain): \*

- The applicant<sup>#</sup> has not had a relevant authority<sup>2</sup> suspended, cancelled or revoked in the past 3 years (if applying for a joint permit) or 5 years (if applying for a Commonwealth only permit)  
OR I declare the following (explain): \*



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I am not aware of any other matters which may be relevant<sup>3</sup> to this application  
OR I declare the following (explain): \*

If this application is being made on behalf of a body corporate – to the best of my knowledge the body corporate is not under external administration  
OR I declare the following (explain): \*

I have read and understand the public liability, indemnity, release and discharge requirements of the managing agencies and I agree to comply with and be bound by these requirements.  
and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867 (Qld)*.

\_\_\_\_\_  
Name (Block Letters)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Block Letters)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Block Letters)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**NOTE: Where this application is submitted by or on behalf of more than one person, the above declaration must be signed by all joint permit applicants. Where this application is submitted for and on behalf of a company, it must be signed in the name of the company by a person who is duly authorised by the company. The name and position of that person must be provided. If you are not a Director of the company that is making this application, you must provide an authority from the company to act on its behalf in matters regarding Marine Park/s permits.**

<sup>1</sup>'Breaking the law' includes any instance where the Federal Court has declared a contravention of a civil penalty provision in the GBRMP Act and any instance where a Queensland court has convicted the applicant for an offence under the *Marine Parks Act 2004*, *Nature Conservation Act 1992*, *Recreation Areas Management Act 2006*, *Forestry Act 1959* or an equivalent offence in another jurisdiction.

If you do have previous charges or convictions/contraventions, you may still be eligible to hold a permission, however the assessment will need to take into account any information you provide in relation to such matters before a decision can be made.

<sup>2</sup>If you have been convicted of an offence – with imprisonment being less than 30 months or no imprisonment was served – and a period of 10 years has passed, you are not required to disclose information about the conviction. Relevant authority means a permission granted under the Great Barrier Reef Marine Park Regulations 2019, or a permit / agreement or other authority granted under the *Marine Parks Act 2004*, *Nature Conservation Act 1992*, *Recreation Areas Management Act 2006*, *Forestry Act 1959*.

<sup>3</sup>Matters which may be relevant to this application include but are not limited to:

1. The applicant's likelihood of being able to comply with reasonable conditions that may be placed on the permission (such as the applicant's experience or qualifications).

Adverse finding, report or recommendation by a coroner which may or may not have resulted in a civil or criminal conviction.

Matters arising from dealings with other management agencies or regulators, for matters that may be relevant to the application (for example, Maritime Safety Queensland for boating safety).

# for body corporates – including the body corporate, its executive officers, its parent body, and the parent body's executive officers.

## for individuals – includes other persons who will be regularly or usually be in charge of the activity or business, or will regularly direct staff of the activity or business in their duties, or will be in a position to control or substantially influence the activity or business.



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