

PERMIT

PERMIT NUMBER

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

CORE MATTERS

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

START DATE TO EXPIRY DATE

Permission is granted to:

PERMIT HOLDER: PERMIT HOLDER

ADDRESS:
ADDRESS
ADDRESS
ADDRESS

for use of and entry to the zones described below in the **Great Barrier Reef Marine Park** (as established by the *Great Barrier Reef Marine Park Act 1975* (Cth)) and the **Great Barrier Reef Coast Marine Park** (as established by the *Marine Parks Act 2004* (Qld)), for the purposes described below, in accordance with the attached conditions of this permit.

..... Date Date

Delegate for the
Great Barrier Reef Marine Park Authority

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

ZONE(S) TO WHICH THE PERMISSION(S) APPLY:

PURPOSE(S)	OPERATION (FOR INTERNAL USE ONLY)	ZONES
A program to take Crown-of-thorns starfish (<i>Acanthaster planci</i>), being animals that pose a threat to marine ecosystems of the Marine Parks	Crown-of-thorns starfish (<i>Acanthaster planci</i>) control	All zones EXCEPT Preservation Zones, to the extent that written permission of the Managing Agency is required to use or enter the relevant zones*
A program to take carnivorous gastropod (<i>Drupella spp.</i>), being animals that pose a threat to marine ecosystems of the Marine Parks	Carnivorous gastropod (<i>Drupella spp.</i>) control	All zones EXCEPT Preservation Zones

PURPOSE(S) OF USE AND ENTRY AUTHORISED BY THE PERMISSION(S):

PURPOSE(S)	OPERATION (FOR INTERNAL USE ONLY)
A program to take Crown-of-thorns starfish (<i>Acanthaster planci</i>), being animals that pose a threat to marine ecosystems of the Marine Parks	Crown-of-thorns starfish (<i>Acanthaster planci</i>) control
A program to take carnivorous gastropod (<i>Drupella spp.</i>), being animals that pose a threat to marine ecosystems of the Marine Parks	Carnivorous gastropod (<i>Drupella spp.</i>) control

CONDITIONS OF THIS PERMIT

CONDITIONS FOR ALL PERMISSIONS

- G1 Unless otherwise indicated in this permit, the Permit Holder must:
- (i) not use or enter the Marine Parks in a manner that is inconsistent with the provisions contained in Part 1 of a Plan of Management;
 - (ii) not contravene a provision contained in Part 2 of a Plan of Management; and
 - (iii) only access an intertidal area adjacent to a Planning Area location in a manner consistent with that provided in a Plan of Management for the Planning Area location itself.
- G2 The Permit Holder must:
- (i) not use or enter the Restricted Access Special Management Areas at any time;
 - (ii) not use or enter the Maritime Cultural Heritage Special Management Areas except for the purpose of transiting; and
 - (iii) only use or enter Special Management Areas in accordance with the restrictions specified in the *Great Barrier Reef Marine Park Regulations 2019* (Cth) and the *Great Barrier Reef Marine Park Zoning Plan 2003* (Cth).
- G3 Upon request by the Managing Agency, the Permit Holder must produce, within the time specified in the request, any document or information:
- (i) in relation to the activities covered by this permit; or
 - (ii) otherwise required by a law or by some other enforceable obligation.
- For the purposes of this condition, any document or information includes, but is not limited to, reports, certificates, approvals, data and copies of documents.
- G4 This permit only allows for the activities permitted herein to be conducted by the Permit Holder and no additional people can participate in the program.

INDEMNITY, WARRANTY AND RISK REQUIREMENTS

- G5 The Permit Holder releases the Managing Agency, to the full extent permitted by law, from and Indemnifies the Managing Agency against all Claims arising from the Managing Agency's issue and supervision of this permit and the Managing Agency's management of the Marine Parks except to the extent that a Claim is caused or contributed to by the negligence of the Managing Agency, its servants or agents.
- G6 To avoid doubt, the release referred to in condition 5 extends to Claims arising from the Managing Agency's exercise of its rights under this permit and under all applicable legislation and related documents. no warranty and risk
- G7 In addition to the indemnity in condition 5, the Permit Holder Indemnifies the Managing Agency against all Claims arising from or related to:
- (i) the occupation and use of the Marine Parks by Affected Persons;
 - (ii) the conduct of, or participation, in the permitted use by Affected Persons;
 - (iii) the presence of an Affected Person in the Marine Parks in connection with this permit; and
 - (iv) a breach, by an Affected Person, of this permit,
- except to the extent that a Claim is caused or contributed to by the negligence of the Managing Agency, its servants or agents.
- G8 The Managing Agency does not warrant that the Marine Parks are free from defect or that they are safe, fit, suitable or adequate for the permitted use. To the full extent permitted by law, all warranties as to safety, fitness, suitability and adequacy implied by law are expressly excluded.
- G9 The Permit Holder uses the Marine Parks entirely at its own risk and is responsible for ensuring the area is suitable for the permitted use prior to commencing any permitted use.

INCIDENT REPORTING REQUIREMENTS

INCIDENT REPORTING CONDITIONS

- G10 On becoming aware of an incident the Permit Holder must notify the Managing Agency without delay. The notification must include:
- (i) details of the incident including date, time, place, cause and nature of the incident;
 - (ii) the name and contact details of the person(s) witnessing, reporting and/or responsible for the incident;
 - (iii) the type, estimated volume and concentration of any pollutants involved;
 - (iv) the type and number of any pests involved;
 - (v) the type and estimated scale of any physical damage to the environment that has occurred and/or may occur; and
 - (vi) measures taken or proposed to be taken to mitigate physical damage to the environment and the success and/or likelihood of success of those measures.
- G11 If requested by the Managing Agency, a written incident report must be provided to the Managing Agency within 24 hours of the request. This written incident report must include the details specified in condition G10 as well as the following additional details:
- (i) measures taken or proposed to prevent or mitigate against the recurrence of such an incident; and
 - (ii) any other relevant matters determined by the Permit Holder or as directed by the Managing Agency.

CROWN-OF-THORNS STARFISH CONTROL CONDITIONS

- W1 This permit only allows for the activities permitted herein to be conducted by the Permit Holder and no additional people can participate in the Control Program.
- W2 The Permit Holder must not conduct the permitted activity within 50 metres of other users of the Marine Parks excluding any person necessary to ensure compliance with health and safety requirements.
- W3 The Permit Holder must only conduct the Control Program using the endorsed products and solution concentrations in the Guidelines, or as directed in writing by Great Barrier Reef Marine Park Authority.
- W4 The Permit Holder must keep a current record of every crown-of-thorns starfish culled under this permit. The data must be kept in an electronic data collection form approved by Great Barrier Reef Marine Park Authority, and must be forwarded to Great Barrier Reef Marine Park Authority within 21 days of written request and prior to expiry of the permit.
- W5 The Permit Holder must ensure that any equipment deployed whilst undertaking the Control Program is attended at all times and removed from the Marine Parks following use and prior to the end of each visit.

DRUPELLA CONTROL CONDITIONS

- D1 This permit only allows for the activities permitted herein to be conducted by the Permit Holder and no additional people can participate in the Control Program.
- D2 The Permit Holder must not conduct the permitted activity within 50 metres of other users of the Marine Parks excluding any person necessary to ensure compliance with health and safety requirements.
- D3 The Permit Holder must keep a current record of every *Drupella* removed under this permit. The data must be kept in an electronic data collection form approved by Great Barrier Reef Marine Park Authority, and must be forwarded to Great Barrier Reef Marine Park Authority within 21 days of written request and prior to expiry of the permit.
- D4 The Permit Holder must ensure that any equipment associated with the Control Program (ropes, markers, etc.) are removed at the completion of the program.
- D5 The Permit Holder must ensure that persons conducting the *Drupella* removal are appropriately trained and proficient at *Drupella* identification and removal before participating in the removal program.
- D6 The Permit Holder must ensure that when using any *Drupella* collection devices, damage to coral, the substratum or associated organisms is minimised. Appropriate devices may include tongs, tweezers, forceps or suction devices.

INTERPRETATION

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

This permit is not intended to extinguish any native title.

Terms which are defined in the Dictionary have the meanings respectively ascribed to them.

A reference to any legislation or legislative provision:

- (a) is a reference to that legislation or legislative provision as in force from time to time; and
- (b) includes any statutory modification, substitution or re-enactment of that legislation or legislative provision.

A reference to anything after the words "include" or "including" does not limit what else might be included.

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

A reference to a date includes that date

DICTIONARY

'Affected Persons' means the Permit Holder and other persons who are acting on behalf of, or with the approval or at the direction of, the Permit Holder or for whom the Permit Holder is otherwise legally responsible.

'aircraft' has the same meaning as in the [Great Barrier Reef Marine Park Act 1975 \(Cth\)](#).

'Amalgamated Great Barrier Reef Section' has the same meaning as the 'Great Barrier Reef Marine Park – Amalgamated Great Barrier Reef Section' in the [Great Barrier Reef \(Declaration of Amalgamated Marine Park Area\) Proclamation 2004 \(Cth\)](#).

'Cairns Area Plan of Management' means the [Cairns Area Plan of Management 1998 \(Cth\)](#).

'Cairns Planning Area' has the same meaning as in the [Cairns Area Plan of Management 1998 \(Cth\)](#).

'Carnivorous gastropod (*Drupella spp.*) control' means a program to take carnivorous gastropod (*Drupella spp.*) for the purpose of:

- (a) suppressing and/or containing the spread of *Drupella spp.*; or
- (b) protecting individual reefs or reef sites from the impacts of *Drupella spp.*

'Claim' means a claim, action, suit, liability or demand of any kind for legal, equitable or administrative relief of any kind including for loss, damage, personal injury, death and associated costs and expenses.

'Claim Event' means an event or occurrence actually or potentially giving rise to a Claim.

'Conservation Park Zone':

- (a) in relation to the Great Barrier Reef Marine Park, has the same meaning as in the [Great Barrier Reef Marine Park Zoning Plan 2003 \(Cth\)](#); and
- (b) in relation to the Great Barrier Reef Coast Marine Park, has the same meaning as in the [Marine Parks \(Great Barrier Reef Coast\) Zoning Plan 2004 \(Qld\)](#).

'Crown-of-thorns starfish (*Acanthaster planci*) control' means a program to take crown-of-thorns starfish (*Acanthaster planci*) for the purpose of:

- (a) suppressing and/or containing the spread of crown-of-thorns starfish; or
- (b) protecting individual reefs or reef sites from the impacts of crown-of-thorns starfish.

'General Use Zone':

- (a) in relation to the Great Barrier Reef Marine Park, has the same meaning as in the [Great Barrier Reef Marine Park Zoning Plan 2003 \(Cth\)](#); and
- (b) in relation to the Great Barrier Reef Coast Marine Park, has the same meaning as in the [Marine Parks \(Great Barrier Reef Coast\) Zoning Plan 2004 \(Qld\)](#).

'Guidelines' means the [Great Barrier Reef Marine Park Authority's Crown-of-thorns starfish control guidelines \(2017\)](#).

'Habitat Protection Zone':

- (a) in relation to the Great Barrier Reef Marine Park, has the same meaning as in the [Great Barrier Reef Marine Park Zoning Plan 2003 \(Cth\)](#); and
- (b) in relation to the Great Barrier Reef Coast Marine Park, has the same meaning as in the [Marine Parks \(Great Barrier Reef Coast\) Zoning Plan 2004 \(Qld\)](#).

'Hinchinbrook Plan of Management' means the [Hinchinbrook Plan of Management 2004 \(Cth\)](#).

'Hinchinbrook Planning Area' has the same meaning as in the [Hinchinbrook Plan of Management 2004 \(Cth\)](#).

'incident' means an event within the knowledge of the Permit Holder involving actual or potential harm to the ecosystem in the Marine Parks, including but not limited to:

- (a) coral damage; or
- (b) cyclone damage; or
- (c) any shipping event that requires notification to a relevant authority under the [Transport Operations \(Marine Safety\) Act 1994 \(Qld\)](#), [Transport Operations \(Marine Pollution\) Act 1995 \(Qld\)](#) or the [Navigation Act 2012 \(Cth\)](#); or
- (d) any aircraft event that requires notification to the relevant Authority under the [Civil Aviation Act 1988 \(Cth\)](#); or
- (e) any discharge of untreated sewage effluent; or
- (f) any discharge of hazardous chemicals, fuel or biotoxic products.

'Indemnify' means indemnify and save harmless.

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

'limited collecting' has the same meaning as in the [Great Barrier Reef Marine Park Zoning Plan 2003 \(Cth\)](#).

'Managing Agency' means:

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

'Marine Parks' means:

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

'Marine Parks regulations' means:

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

'marine product' has the same meaning as in the [Great Barrier Reef Marine Park Zoning Plan 2003 \(Cth\)](#).

'Maritime Cultural Heritage Special Management Area' has the same meaning as in the [Great Barrier Reef Marine Park Regulations 2019 \(Cth\)](#).

'permit' means the permissions the subject of Permit Number G24/insert RMS number, the associated conditions, granted to the Permit Holder pursuant to the [Great Barrier Reef Marine Park Regulations 2019 \(Cth\)](#) and the [Marine Parks Regulation 2017 \(Qld\)](#) as set out in this document.

'permitted use' includes the activities contemplated by the permitted use.

'person' includes a natural person, a body corporate, a company or an incorporated association.

'Planning Area' means:

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

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

'Preservation Zone':

- (a) in relation to the Great Barrier Reef Marine Park, has the same meaning as in the [Great Barrier Reef Marine Park Zoning Plan 2003 \(Cth\)](#); and
- (b) in relation to the Great Barrier Reef Coast Marine Park, has the same meaning as in the [Marine Parks \(Great Barrier Reef Coast\) Zoning Plan 2004 \(Qld\)](#).

'Restricted Access Special Management Area' has the same meaning as in the [Great Barrier Reef Marine Park Regulations 2019 \(Cth\)](#).

'Special Management Area' has the same meaning as in the [Great Barrier Reef Marine Park Regulations 2019 \(Cth\)](#).

'taking' an animal, plant or marine product has the same meaning as in the [Great Barrier Reef Marine Park Zoning Plan 2003 \(Cth\)](#).

'Whitsundays Plan of Management' means the [Whitsundays Plan of Management 1998 \(Cth\)](#).

'Whitsunday Planning Area' has the same meaning as in the [Whitsundays Plan of Management 1998 \(Cth\)](#).

'Zone':

- (a) in relation to the Great Barrier Reef Marine Park, has the same meaning as in the [Great Barrier Reef Marine Park Act 1975 \(Cth\)](#); and
- (b) in relation to the Great Barrier Reef Coast Marine Park, has the same meaning as in the [Marine Parks Act 2004 \(Qld\)](#).

'Zoning Plan' means:

- (a) in relation to the Great Barrier Reef Marine Park, the [Great Barrier Reef Marine Park Zoning Plan 2003 \(Cth\)](#); and
- in relation to the Great Barrier Reef Coast Marine Park, the [Marine Parks \(Great Barrier Reef Coast\) Zoning Plan 2004 \(Qld\)](#)