

## PERMIT

Great Barrier Reef Marine Park Regulations 1983 (Commonwealth)  
Marine Parks Regulation 2017 (Queensland)

### G18/40787.1

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

**24-MAY-2018** TO **30-SEP-2022**

Permission is granted to:

PERMITTEE: **DECRETUM PTY LTD (ACN 010 881 348)**  
**T/A Cairns Dive Centre**  
ADDRESS: **PO Box 2401**  
**CAIRNS QLD 4870**

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

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22/05/2018

..... Date .....

Delegate of the  
Great Barrier Reef Marine Park Authority

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

**The purpose/s of use and entry may only be undertaken in the zone/s and location/s described below.**

Zone/s and location/s to which the permission applies:

As specified in Schedules 1, 2 and 3.

Purpose/s of use and entry authorised by the permission:

As specified in Schedules 1, 2 and 3.

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## STANDARD CONDITIONS

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- 1 All activities conducted under this permission, must be undertaken in accordance with the provisions of the laws in force from time to time in the State of Queensland and the Commonwealth of Australia.
  - 2 To the extent applicable and unless written endorsement to the contrary appears in this permit, the Permittee must comply with the enforcement provisions contained in Part 2 of the Plans of Management gazetted under Part VB of the *Great Barrier Reef Marine Park Act 1975*.
  - 3 The Permittee must ensure that when operations are conducted in the Marine Parks under this permit, this permit or a copy is held at the site or sites of operation and on the vessel during transit to and from that site or sites.
  - 4 The Permittee must inform staff and participants in the program of relevant restrictions applying under any zoning plans, plans of management, Marine Parks regulations and this permit.
  - 5 The Permittee must further comply with the conditions specified in any schedules attached to this permit when entering or using a zone of, or place in the Marine Parks to which the relevant conditions relate.
  - 6 Throughout the operating term, certified activities and/or facilities authorised by this permit shall be and remain duly certified by or under an approved Certification Scheme, unless otherwise advised in writing by the Great Barrier Reef Marine Park Authority.
  - 7 The Permittee must allow the Great Barrier Reef Marine Park Authority and/or the person operating the approved Certification Scheme, and their respective officers, employees, agents and contractors, to assess, inspect, monitor and/or audit the conduct of the certified activities and/or facilities which relate to this permit.
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## DEED CONDITIONS

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- 8 Within 20 business days of the date of commencement of this permit, the Permittee must execute, seal and deliver as a Deed to the Great Barrier Reef Marine Park Authority, a Deed in the form annexed to this permit, identified with the permit number, and marked 'Deed of Agreement.'
  - 9 The Permittee must, upon execution of the Deed, observe and perform its obligations under and pursuant to the Deed. Any breach of the Deed shall be a breach of this condition.
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## AUTHORITY CONDITIONS

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- 10 The Permittee may authorise other persons to conduct the activities covered by this permit, by giving to those persons an Authority in the form attached to this permit (Attachment D).
  - 11 An Authority remains valid for the period of time shown on each individual Authority, unless the Authority is sooner revoked in writing by the Permittee or unless the permission is sooner suspended, revoked or expires.
  - 12 The Permittee must attach a certified copy of this permit to any Authority issued.
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## VESSEL PROGRAM CONDITIONS

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- 13 When providing transport in the Marine Parks to another operation permitted under a different Marine Parks permit, the Permittee must ensure that the total number of persons (including crew) on the vessel does not exceed relevant setting or permit limits.

- 14 The Permittee must ensure that any mooring used is:
  - (i) permitted under a current Marine Parks permit;
  - (ii) safe to use; and
  - (iii) of a type and design suitable for the vessel used under this permit.
- 15 The Permittee must ensure that a Vessel Identifier is displayed externally in a clearly visible location on the port side of any vessel operating under this permit.
- 16 Prior to a Vessel Identifier being used under this permit, the Permittee must have received written approval for use of that Vessel Identifier from the Managing Agency.
- 17 The Permittee must ensure that the written approval for use of that Vessel Identifier under this permit is held with this permit at all times.
- 18 An approval under condition 16 above ceases to have effect for a specific Vessel Identifier when a subsequent approval for any other Vessel Identifier or the same Vessel Identifier is given under that condition.
- 19 The Permittee must not offer or conduct fishing in Scientific Research Zones or Marine National Park Zones and may only offer or conduct fishing activities in Buffer Zones and Conservation Park Zones in accordance with the provisions of the relevant Zoning Plans notwithstanding the purposes of use and entry specified in this permit.
- 20 When conducting fish feeding, the Permittee must:
  - (i) operate no more than one (1) fish-feeding station at each location;
  - (ii) not feed the fish directly by hand;
  - (iii) not conduct fish feeding at the same time or place on two (2) or more consecutive days;
  - (iv) use only food that consists of fresh, raw marine products and/or manufactured marine fish food pellets that are within the expiry date;
  - (v) not use more than one (1) kilogram of food per day per location;
  - (vi) warn participants of the potential dangers of fish feeding;
  - (vii) not feed fish when participants are in the water; and
  - (viii) not deliberately attract sharks.
- 21 The Permittee must ensure that the ancillary vessels are not left in the one vicinity for more than 14 consecutive days or more than 30 days in any period of 60 days.

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#### **GENERAL STATE MARINE PARK CONDITIONS**

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- 22 The Permittee must brief participants in the tourist program about the potential presence of, and dangers posed by, estuarine crocodiles prior to participants conducting activities in the Marine Parks.
- 23 The Permittee must not undertake beach landings to permitted intertidal areas using a vessel greater than 12 metres in length, unless otherwise endorsed in writing and must ensure that the vessel does not remain in the intertidal area for longer than necessary to either load or unload passengers.

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## SCHEDULE 1 – VESSEL PROGRAM

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### **Zone/s and location/s to which the permission applies:**

All zones and locations EXCEPT Preservation Zones and Designated Areas (where provision is not made for use and entry authorised under this permit) and those locations during the periods specified which are listed as exclusions in the Conditions of Permission.

### **Purpose/s of use and entry authorised by the permission:**

CONDUCT OF A TOURIST PROGRAM – Activities being swimming, snorkelling, SCUBA diving, fish feeding, coral viewing, non-motorised watersports, passenger transport, fishing and the transfer of fuel between vessels; and

CONDUCT OF A VESSEL CHARTER PROGRAM – Activities being the provision of transport and services to persons other than tourists,

using: Vessel 1 (maximum overall vessel length 35 metres; maximum passenger capacity 150 passengers); Vessel 2 (maximum overall vessel length 35 metres; maximum passenger capacity 150 passengers) and ancillary vessels.

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## FAR NORTHERN MANAGEMENT AREAS

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- 24 The Permittee must not visit a permitted location in the Far Northern Management Areas on more than 2 visits in any 7-day period with each vessel.
- 25 The Permittee must not access the following areas during the periods specified, unless otherwise endorsed on this permit.

<u>Reef No.</u>	<u>Area</u>	<u>Period</u>
11-138	Intertidal areas adjacent to Bushy Islets (2 islands) (Saunders Islands)	1 Sep - 31 Mar
11-010	Intertidal areas adjacent to Cairncross Islet (Denham Island Group)	1 Sep - 31 Mar
11-052	Intertidal areas adjacent to Cholmondeley Islet (Denham Island Group)	All Year
14-063	Intertidal areas adjacent to Combe Island (Howick Island Group)	All Year
13-081	Intertidal areas adjacent to Fife Island (Claremont Isles Group)	All Year
11-138	Intertidal areas adjacent to Macarthur Islands (Saunders Islands)	1 Sep - 31 Mar
11-174	Intertidal areas adjacent to Magra Islet (Saunders Islands)	1 Sep - 31 Mar
11-035	Intertidal areas adjacent to Milman Island (Denham Island Group)	All Year
13-107	Intertidal areas adjacent to Pelican Island (Claremont Isles Group)	All Year
12-027	Intertidal areas adjacent to Quoin Island	All Year
13-061c	Intertidal areas adjacent to Sandbank No 7	All Year
13-056	Intertidal areas adjacent to Sandbank No 8	All Year
11-165	Intertidal areas adjacent to Saunders Islet (Saunders Islands)	1 Sep - 31 Mar
14-054	Intertidal areas adjacent to Stapleton Island (Howick Island Group)	All Year
11-055	Intertidal areas adjacent to Wallace Islet (Denham Island Group)	All Year

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## CAIRNS/COOKTOWN MANAGEMENT AREAS

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- 26 The Permittee must not visit a permitted location in the Cairns/Cooktown Management Areas outside the Cairns Area and the Fitzroy Marine Management Area on more than 2 visits in any 7-day period with each vessel except when operating:
- (i) to a permitted mooring or pontoon; or
  - (ii) as specified in condition 27.
- 27 The Permittee may operate to the permitted locations in the Cairns/Cooktown Seasonal Gamefishing Area for up to 30 days in any 60-day period with each vessel during the period from 1 September to 31 December each year, if operating primarily for the purposes of gamefishing.

- 28 The Permittee may access the intertidal area adjacent to Cedar Bay National Park only for the purpose of dropping off and/or picking up persons who are either the holders of a National Parks camping permit valid for camping in the Cedar Bay National Park on the given dates or intend to hike out of the national park on that day, and must stay in the vicinity only as long as required to effect the transfer.
- 29 The Permittee must not access the following areas during the periods specified, unless otherwise endorsed on this permit.

<u>Reef No.</u>	<u>Area</u>	<u>Period</u>
N/A	All State Marine Park rivers, streams and inlets	All Year
17-051	Waters adjacent to Beaver Reef	All Year
N/A	Intertidal areas adjacent to Cape Tribulation Bay	All Year
14-118	Intertidal areas adjacent to Eagle Islet	1 Sep - 31 Mar
14-132	Intertidal areas adjacent to Rocky Islets	1 Sep - 31 Mar
14-116d	Intertidal areas adjacent to Seabird Islet (Lizard Island Group)	All Year
17-046	Intertidal areas adjacent to Sisters Island (South Barnards Islands)	1 Sep - 31 Mar
17-046	Intertidal areas adjacent to Stephens Island (South Barnards Islands)	1 Sep - 31 Mar
15-005	Intertidal areas adjacent to Three Islands	All Year
15-064	Intertidal areas adjacent to West Hope Island	1 Sep - 31 Mar

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### CAIRNS AREA CONDITIONS

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- 30 The Permittee may access the Cairns Area on a daily basis with each vessel without the requirement to obtain a booking.
- 31 When conducting a tourist program, the Permittee must not operate to any specific Location as defined in the Cairns Area Plan of Management on more than 50 days in a year with each vessel, unless:
- (i) operating to a permitted mooring or pontoon, except when those facilities are located in a Sensitive Location as defined in the Cairns Area Plan of Management; or
  - (ii) conducting a camper transport operation (Cairns); or
  - (iii) conducting single day fishing charters; or
  - (iv) otherwise endorsed on this permit.
- Note: A "permitted mooring" referred to in (i) does not include public moorings.
- 32 Condition 31(i) does not apply when operating to a permitted mooring or pontoon at the Sensitive Locations of Cod Hole Locality and Lizard Island Locality 1.
- 33 Condition 31(iii) only applies when operating in General Use Zones, Habitat Protection Zones or Conservation Park Zones (other than that part of the Conservation Park that is included in a Public Appreciation Special Management Area).
- 34 The Permittee must not operate to any intertidal area adjacent to Sensitive Locations as defined in the Cairns Area Plan of Management, without a booking, except:
- (i) those intertidal areas adjacent to the Sensitive Locations of Cod Hole Locality and Lizard Island Locality 1; or
  - (ii) when conducting a camper transport operation (Cairns); or
  - (iii) where otherwise endorsed.

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### CAIRNS AREA ENDORSEMENTS

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- 35 When using Vessel 1 and Vessel 2, the Permittee may access Briggs Reef (16-074) Low Use Location with a group size of 50 people per vessel.
- 36 When using Vessel 2, subject to the use of a mooring, the Permittee may access the Sudbury Cay Locality Sensitive Location:
- (i) without the requirement to make a booking;
  - (ii) on a daily basis; and/or
  - (iii) with a maximum group size of 50 people.

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## FUEL TRANSFER CONDITIONS

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- 37 This permit allows for the transfer of no more than 1,000 litres of fuel twice per week at Moore Reef (16-071) between Vessel 1 and Vessel 2:
- (i) whilst attached to a permitted mooring;
  - (ii) during daylight hours only; and
  - (iii) during slight sea state conditions as defined by the World Meteorological Organisation.
- 38 The Permittee must ensure that all fuel transfer operations are conducted in accordance with the approved Fuel Transfer Operations Manual titled, "Fuel Transfer whilst on a Mooring at Sea – Safe Work Method Statement" and dated 26 February 2015.
- 39 The Permittee must ensure that a copy of the approved Fuel Transfer Operations Manual is kept on the relevant vessels where fuel transfer operations occur and is accessible to all users of those vessels.
- 40 The Permittee must review and update the Fuel Transfer Operations Manual annually to incorporate:
- (i) changes to relevant codes of practice, standards and guidelines;
  - (ii) approved modifications to permitted activities or operational procedures; and
  - (iii) revisions to procedures based on any incidents or accidents in the previous year.
- 41 The Permittee must ensure that any changes to the Fuel Transfer Operations Manual are approved by the Managing Agency before implementation.
- 42 The Permittee must ensure that all staff employed in fuel transfer operations are trained in standard fuel transfer and incident response procedures prior to commencing operations in the Marine Parks.
- 43 The Permittee must ensure that any incidents concerning the spillage, discharge or flushing of fuels, oils or oil mixtures in the Marine Parks are immediately reported to Australian Maritime Safety Authority (Canberra) and the Great Barrier Reef Marine Park Authority (Townsville).
- 44 The Permittee must ensure that the vessels are equipped with a spill response kit suitable for the types and volumes of spill that may occur at the operation site.
- 45 The Permittee must ensure that:
- (i) all equipment involved in the transfer of fuels is inspected annually and properly maintained; and
  - (ii) records of inspection are kept.
- 46 The Permittee must ensure that detergents or dispersants are not used or discharged in the Marine Parks without prior authorisation by the Managing Agency.

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## INCIDENT RESPONSE CONDITIONS

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- 47 Prior to the commencement of activities authorised under this permit, the Permittee must develop, or update, an Incident Response Plan which documents procedures to deal with all types of incidents that may occur as a result of permitted activities and which are likely to cause harm to the environment including but not limited to oil or fuel spill.
- 48 The Incident Response Plan must include, but is not limited to:
- (i) identification and assessment of all potential hazards and risks to the environment;
  - (ii) response procedures, including roles and responsibilities of persons conducting activities authorised under this permit;
  - (iii) identification of incident response equipment to be held at the facilities authorised under this permit;
  - (iv) training procedures for persons conducting activities authorised under this permit; and
  - (v) notification and reporting procedures including agency contact information.
- 49 In relation to the Incident Response Plan referred to in condition 48, the Permittee must:
- (i) provide a copy of the most recent version of the Incident Response Plan to the Managing Agency within 21 days of being called upon to do so; and
  - (ii) review and update the Incident Response Plan:
    - (a) as a minimum on an annual basis; and
    - (b) to reflect any modifications to permitted activities or operational procedures.

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## NOTIFICATION OF HARM

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- 50 The Permittee must notify the Managing Agency within 24 hours of incidents causing or threatening to cause harm to the environment as soon as possible after the Permittee becomes aware of the incident. The notification must include:
- (i) details of the incident or risk, including time, location, cause and nature of the incident or risk;
  - (ii) the type, estimated volume and concentration of any pollutants involved; and
  - (iii) measures taken to mitigate the impact or risk, and the success of those measures in addressing the incident or risk.
- 51 The Permittee must then provide written details of the notification as specified in condition 50 to the Managing Agency within 48 hours of the time the Permittee became aware of the incident. This written notification must include details specified in condition 50 as well as the following:
- (i) measures taken or proposed to prevent or mitigate against the recurrence of such an incident; and
  - (ii) any other relevant matters.
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## FITZROY ISLAND STATE MARINE PARK CONDITIONS

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- 52 When conducting a tourist program, the Permittee must not access the Fitzroy Marine Management Area on more than 50 days in a year with each vessel and without a prior booking with the Managing Agency, unless sourcing clients only from within the Fitzroy Marine Management Area.
- 53 The Permittee must not access the Fitzroy Marine Management Area Locality 1 and the Fitzroy Marine Management Area Locality 2 with a group size of more than 60 people.
- 54 The Permittee must not access the Fitzroy Marine Management Area Locality 3 with a group size of more than 15 people, unless operating to a permitted mooring where a maximum group size of 60 people is permitted.
- 55 The Permittee must not access the Fitzroy Marine Management Area Locality 4 with a group size of more than 15 people.
- 56 The Permittee must not access the intertidal area of the Fitzroy Marine Management Area Locality 4 (Nudey Beach) between 9:30am and 3:30pm.
- 57 The Permittee must not store any equipment or vessels associated with the permitted activities within the Fitzroy Marine Management Area, unless moored on a permitted mooring.

Note: For the purpose of conditions 53, 54 and 55, a calculation of the number of people that a vessel is carrying must include each person on board the vessel who is aged 4 years or older (including the officers and members of the vessel's crew).

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## FITZROY ISLAND STATE MARINE PARK ENDORSEMENTS

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- 58 The Permittee may access the Fitzroy Marine Management Area on a daily basis without the requirement to obtain a booking, with one (1) vessel only and when operating to the jetty or a permitted mooring.
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## TOWNSVILLE/WHITSUNDAY MANAGEMENT AREAS

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- 59 The Permittee must not visit a permitted location in the Townsville/Whitsunday Management Areas outside the Whitsundays Area and the Hinchinbrook Area on more than 2 visits in any 7-day period with each vessel.
- Note: For the purposes of this condition the Marine National Park Zone in Five Beach Bay (Magnetic Island) is considered as one location.
- 60 The Permittee must not access Balding Bay (Magnetic Island) or Florence Bay (Magnetic Island) (including the intertidal areas) on a Saturday or a Sunday.

- 61 The Permittee must ensure that anchoring in Florence Bay (Magnetic Island) only takes place in the southern half of the bay.
- 62 When carrying more than 24 passengers (excluding crew) the Permittee must not access the following areas:
- (i) waters adjacent to the following islands of the Great Palm Island Group: Great Palm, Curacoa, Esk, Falcon, Eclipse, Brisk and Havannah;
  - (ii) intertidal areas adjacent to Fantome Island, Pelorus Island or Orpheus Island (except Hazard Bay (Orpheus Island)); and
  - (iii) waters adjacent to Magnetic Island (except Horseshoe Bay (east of Endeavour Creek), Geoffrey Bay, Nelly Bay and Picnic Bay).
- 63 The Permittee is exempt from condition 62(i) when conducting activities on behalf of residents of Great Palm Island.
- 64 In addition to condition 62 above, when carrying more than 50 passengers (excluding crew) the Permittee must not access intertidal areas adjacent to Hazard Bay (Orpheus Island).
- 65 The Permittee must not access the following areas during the periods specified, unless otherwise endorsed on this permit.

<u>Reef No</u>	<u>Area</u>	<u>Period</u>
N/A	All State Marine Park rivers and streams between Edgumbe Bay (Adelaide Point) and Midge Point	All Year
18-014	Intertidal areas adjacent to Agnes Beach (Hinchinbrook Island)	All Year
20-022	Intertidal areas adjacent to Armit Island (South Beach only)	1 Oct - 31 Mar
20-019b	Intertidal areas adjacent to Bird Island	All Year
20-017	Intertidal areas adjacent to Black Island	All Year
18-008	Intertidal areas adjacent to the Brook Islands	All Year
20-024	Intertidal areas adjacent to Double Cone Island (West Island only)	1 Oct - 31 Mar
20-054	Intertidal areas adjacent to East Rock	All Year
20-026	Intertidal areas adjacent to Edwin Rock	All Year
20-012	Intertidal areas adjacent to Eshelby Island	All Year
18-013b	Intertidal areas adjacent to Eva Island	1 Oct - 31 Mar
20-030	Intertidal areas adjacent to Grassy Island (South Beach only)	1 Oct - 31 Mar
19-103	Intertidal areas adjacent to Holbourne Island	1 Oct - 31 Mar
20-023	Intertidal areas adjacent to Little Armit Island	1 Oct - 31 Mar
20-013	Intertidal areas adjacent to Little Eshelby Island	All Year
19-009g	Waters adjacent to Lovers Bay (Magnetic Island)	All Year
17-053a	Intertidal areas adjacent to Mound (Purtaboi) Island	1 Oct - 31 Mar
20-021	Intertidal areas adjacent to Olden Rock (South East of Olden Island)	1 Oct - 31 Mar
18-001b	Intertidal areas adjacent to Pee Rahm Ah Island	1 Oct - 31 Mar
20-102	Intertidal areas adjacent to Shaw Island (Burning Point beach only)	1 Oct - 31 Mar
20-210	Intertidal areas adjacent to South Repulse Island (West Beach only, excluding campsite)	1 Oct - 31 Mar
19-009g	Waters adjacent to Wilson Bay (Magnetic Island)	All Year
17-053c	Intertidal areas adjacent to Woln-Garin Island	1 Oct - 31 Mar

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### HINCHINBROOK AREA CONDITIONS

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- 66 When conducting a tourist program, the Permittee must not operate in the Hinchinbrook Area on more than 50 days in a year with each vessel and without a prior booking with the Managing Agency, except as specified in condition 67, or as otherwise endorsed on this permit.
- 67 For the purpose of conducting:
- (i) a passenger transport operation (Hinchinbrook); or
  - (ii) an operation using a non-motorised craft where a guide or crew is provided;
- the Permittee may access the Hinchinbrook Area on a daily basis without the requirement to make a booking providing the Permittee does not access the following Locations (Hinchinbrook): Eastern Hinchinbrook Channel Location, Western Hinchinbrook Channel Location, Hecate Point Location or Missionary Bay Location.



- 68 When conducting a tourist program, the Permittee must not operate in a Sensitive Location (Hinchinbrook) on more than 50 days in a year with each vessel and without a prior booking with the Managing Agency, except as specified in condition 69, or otherwise endorsed on this permit.
- 69 For the purpose of conducting:
- (i) a passenger transport operation (Hinchinbrook); or
  - (ii) an operation using a non-motorised craft where a guide or crew is provided;
- the Permittee may operate in a Sensitive Location (Hinchinbrook) on a daily basis without the requirement to make a booking providing the Permittee does not access the following Locations (Hinchinbrook): Eastern Hinchinbrook Channel Location, Western Hinchinbrook Channel Location, Hecate Point Location or Missionary Bay Location.
- 70 When conducting a tourist program, the Permittee must operate within the following limits for Locations (Hinchinbrook), except as specified in condition 71:
- (i) the Permittee must not operate a vessel carrying more than 100 people (including crew), into a high use setting Location;
  - (ii) the Permittee must not operate a vessel carrying more than 30 people (including crew), into a moderate use setting Location; and
  - (iii) the Permittee must not operate a vessel carrying more than 15 people (including crew), into a low use setting Location.
- 71 The Permittee may operate above the limits specified in condition 70 when:
- (i) transiting through a Location (Hinchinbrook), other than the Eastern Hinchinbrook Channel Location, Western Hinchinbrook Channel Location, Hecate Point Location or Missionary Bay Location; or
  - (ii) conducting a passenger transport operation (Hinchinbrook) in the Cape Richards Location; or
  - (iii) otherwise endorsed on this permit.
- 72 The Permittee must not conduct non-motorised watersports within the following Locations (Hinchinbrook): Eastern Hinchinbrook Channel Location, Western Hinchinbrook Channel Location or Missionary Bay Location.
- 73 The Permittee must not operate a vessel over 20 metres in overall length within the Missionary Bay Location.
- 74 The Permittee must not operate at more than six (6) knots within 200 metres lateral distance of highest astronomical tide at the significant bird sites set out in this condition, during the restriction periods specified, except for Mound (Purtaboi) Island where the distance is 100 metres lateral distance of highest astronomical tide.

<u>Reef ID</u>	<u>Significant Bird Site</u>	<u>Restriction Period</u>
18-013b	Eva Island	1 Oct - 31 Mar
18-008	Middle Island (Brook Islands)	All Year
17-053	Mound (Purtaboi Island)	1 Oct - 31 Mar
18-008	North Island (Brook Islands)	All Year
18-001b	Pee Rahm Ah Island	1 Oct - 31 Mar
18-008	South Island (Brook Islands)	1 Oct - 31 Mar
18-008	Tween Island (Brook Islands)	All Year
17-053c	Woln-Garin Island	1 Oct - 31 Mar

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### WHITSUNDAYS AREA CONDITIONS

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- 75 When conducting a tourist program, the Permittee must not operate in the Whitsundays Area on more than 50 days per year with each vessel and without a prior booking with the Managing Agency, except when using a non-motorised craft, or conducting a passenger transport operation (Whitsundays).
- 76 The Permittee must not operate in a setting 5 area as defined in the Whitsundays Plan of Management or an abutting intertidal area, except in accordance with condition 80 or unless otherwise endorsed on this permit.

- 77 The Permittee must operate within the following limits for the setting areas as defined in the Whitsundays Plan of Management unless transiting or as otherwise endorsed on this permit:
- (i) the Permittee must not operate a vessel over 35 metres in overall length or carrying more than 15 people, into a setting 4 area or an abutting intertidal area;
  - (ii) the Permittee must not operate a vessel over 35 metres in overall length or carrying more than 40 people, into a setting 3 area or an abutting intertidal area; and
  - (iii) the Permittee must not operate a vessel over 35 metres in overall length into a setting 2 area or an abutting intertidal area.

Note: For the purpose of this condition, a calculation of the number of people that a vessel is carrying must include each person on board the vessel who is aged 4 years or older (including the officers and members of the vessel's crew).

- 78 The Permittee must not visit Bait Reef except when operating to a mooring.
- 79 The Permittee must not conduct, or allow to be conducted, fishing activities as part of the tourist program in the Whitsundays Area, except within General Use and Habitat Protection Zones, unless otherwise endorsed on this permit.

### WHITSUNDAYS AREA STATE MARINE PARK CONDITIONS

- 80 The Permittee may only access the intertidal area abutting Tongue Point on Whitsunday Island in accordance with the following:
- (i) the Permittee must hold a relevant authority issued under the *Nature Conservation Act 1992* allowing access to the Tongue Point walking tracks;
  - (ii) the Permittee may only access the intertidal area of Lookout Beach via foot;
  - (iii) the Permittee may only access the intertidal area of Betty's Beach via foot or by using an ancillary vessel for the purpose of either loading or unloading passengers; and
  - (iv) the Permittee must ensure that when accessing the intertidal area of Betty's Beach with an ancillary vessel, the vessel does not remain in the intertidal area for longer than necessary to either load or unload passengers.

Note: The Permittee is advised that the commercial use of intertidal areas within the Whitsundays Area will be subject to review. The Permittee is further advised that should that review determine commercial use is unsuitable at some sites, those sites may be removed from this permit until further notice.

### MACKAY/CAPRICORN MANAGEMENT AREAS

- 81 The Permittee must not visit a permitted location in the Mackay/Capricorn Management Areas on more than 2 visits in any 7-day period with each vessel.  
 Note: For the purposes of this condition Lady Musgrave Island Reef is considered as one location.
- 82 The Permittee must not access the following areas during the periods specified, unless otherwise endorsed on this permit.

<u>Reef No.</u>	<u>Area</u>	<u>Period</u>
21-435	Waters adjacent to Bell Cay	All Year
20-310	Waters adjacent to Bushy Island	1 Oct - 31 Mar
23-081	Waters adjacent to East Fairfax Island	1 Oct - 31 Mar
23-080	Waters adjacent to East Hoskyn Island	1 Oct - 31 Mar
23-068	Waters adjacent to Erskine Island	1 Oct - 31 Mar
20-310	Waters adjacent to Redbill Island	1 Oct - 31 Mar
21-172	Waters adjacent to Riptide Cay	All Year
23-081	Waters adjacent to West Fairfax Island	1 Oct - 31 Mar
23-080	Waters adjacent to West Hoskyn Island	1 Oct - 31 Mar

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**MACKAY/CAPRICORN MANAGEMENT AREA STATE MARINE PARK CONDITIONS**

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83 The Permittee must not enter the intertidal areas of:

- (i) Humpy Island;
- (ii) Lady Musgrave Island;
- (iii) Miall Island;
- (iv) Middle Island;
- (v) Masthead Island;
- (vi) Considine Beach, North Keppel Island;
- (vii) two beaches adjacent to Environmental Centre at North Keppel Island; or
- (viii) Pleasant (Conical) Island;

for any purpose except to drop-off and pick up campers holding appropriate camping permits or passengers for the North Keppel Island Environmental Centre, or unless holding a commercial activity permit issued under the *Nature Conservation Act 1992*; or unless otherwise endorsed on the permit.

84 The Permittee must not access the following intertidal areas during the periods specified unless otherwise endorsed on the permit.

Location	Island	Period of Exclusion
Capricorn/Bunker Group	Erskine Island	All Year
	Fairfax Islands	All Year
	Heron Island	All Year
	Hoskyn Islands	All Year
	Lady Musgrave Island, not including the drying reef	Day after Australia Day weekend until Easter
	Masthead Island	15 October until Easter the following year
	North West Island	Day after Australia Day weekend until Easter
	One Tree Island	All Year
	Tryon Island	All Year
	Keppel Group	Barren Island
Corroboree Island		All Year
Girt Island		All Year
Halfway Island		All Year
Hummocky Island		All Year
Sandy Point (Byfield NP)		1 October to 31 March
Shoalwater Bay Group	Akens Island	All Year
	Avoid Island	1 October to 31 March
	Clara Island	1 October to 31 March
	Eliza Island	1 October to 31 March
	Five Trees Cay	1 October to 31 March
	Infelix Islands (3)	1 October to 31 March
	Mumford Island	All Year
	Pelican Rock	1 October to 31 March
	South Barren Island	1 October to 31 March
	Swan Island	1 October to 31 March
	Ten Pin Cay	1 October to 31 March
	Triangular Island	All Year
	West Side Island	1 October to 31 March
	Wild Duck Island	1 October to 31 March
Swains Cays	Distant Cay	All Year
	Rip-tide Cay	All Year

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**MACKAY/CAPRICORN MANAGEMENT AREA STATE MARINE PARK ENDORSEMENTS**

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- 85 The Permittee is endorsed to access the intertidal area of Lady Musgrave Island:
- (i) with a Group Size Limit (maximum number of persons at any one time) of 10; and
  - (ii) subject to a prior booking with Queensland Parks and Wildlife Service to access the national park.

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## SCHEDULE 2 – SPECIAL CHARTER PROGRAM

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### **Zone/s and location/s to which the permission applies:**

All zones and locations within the Amalgamated Great Barrier Reef Section and the Great Barrier Reef Coast Marine Park.

### **Purpose/s of use and entry authorised by the permission:**

CONDUCT OF A VESSEL CHARTER PROGRAM – Activities being the provision of transport and related services in the Marine Parks to:

- (i) the Managing Agency for purposes of Marine Parks management; and
- (ii) persons other than the Managing Agency for specific activities permitted or allowed for under the Zoning Plans,

using: Vessel 1 (maximum overall vessel length 35 metres; maximum passenger capacity 150 passengers); Vessel 2 (maximum overall vessel length 35 metres; maximum passenger capacity 150 passengers) and ancillary vessels.

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### SPECIAL CHARTER PROGRAM CONDITIONS

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- 86 The Permittee must ensure that this activity is not conducted whilst transporting tourists or in conjunction with a tourist program.
- 87 Before conducting activities with persons other than an officer of the Managing Agency, the Permittee must notify the Managing Agency and must not conduct activities until written approval is given.
- 88 When providing transport and services to persons conducting activities in the Marine Parks which require the written permission of the Managing Agency, the Permittee must:
  - (i) not operate under this permit unless those persons have been granted the appropriate Marine Parks permit; and
  - (ii) only conduct operations in accordance with the conditions of that permit.
- 89 When providing transport and services to persons conducting activities in the Marine Parks which require notification to the Great Barrier Reef Marine Park Authority under Part 5 of the *Great Barrier Reef Marine Park Zoning Plan 2003* and/or Part 4 of the *Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004*, the Permittee must:
  - (i) not operate under this permit unless those persons have notified the relevant Managing Agency of their intended activities; and
  - (ii) only conduct operations in accordance with any directions imposed by the Managing Agency.

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## SCHEDULE 3 – MOORING PROGRAM

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### **Zone/s and Location/s to which the permission applies:**

MARINE NATIONAL PARK ZONES – Briggs Reef (16-074) and Moore Reef (16-071).

CONSERVATION PARK ZONES – Thetford Reef (16-068) and Elford Reef (16-073).

HABITAT PROTECTION ZONES – Channel Reef (16-075) and Sudbury Reef (No. 1) (17-001a).

### **Purpose/s of use and entry authorised by the permission:**

OPERATION OF NINE (9) MOORING FACILITIES – being primary moorings:

- (i) GM0020 at Thetford Reef (16-068);
- (ii) GM0047 and GM0048 at Briggs Reef (16-074);
- (iii) GM0049 and GM0050 at Channel Reef (16-075);
- (iv) GM0051 at Elford Reef (16-073);
- (v) GM0052 at Moore Reef (16-071); and
- (vi) GM0053 and GM0054 at Sudbury Reef (No. 1) (17-001a).

OPERATION OF THREE (3) MOORING FACILITIES – being northerly moorings:

- (i) GM0020N at Thetford Reef (16-068); and
  - (ii) GM0047N and GM0048N at Briggs Reef (16-074).
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## MOORING CONDITIONS

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- 90 The Permittee must install, relocate, de-tackle or remove the permitted moorings only in the presence of an officer of the Managing Agency, unless the Permittee has received written advice from the Managing Agency of alternative arrangements.
- 91 Where installation, relocation, de-tackling or removal of permitted moorings occurs in the presence of an officer of the Managing Agency, the Permittee and its agents must comply with any directions of that officer in relation to the siting and manner of installation and placement of the permitted moorings as are reasonably necessary for the conservation, protection and preservation of the Marine Parks and property and things in the Marine Parks.
- 92 The Permittee must relocate, de-tackle or remove from the Marine Parks any moorings permitted therein if instructed to do so in writing by the Managing Agency.
- 93 The Permittee must ensure that any de-tackled moorings, as specified in the Mooring Notification Approval, are installed and maintained in accordance with the approved design drawing within two (2) years of the date of de-tackling.
- 94 The Permittee must obtain an approved compliance certificate annually on the anniversary of the date of installation or retackling of each mooring permitted herein that verifies that the moorings are installed and maintained in accordance with the approved design drawing, and provide those certificates to the Managing Agency within 21 days of being called upon to do so.
- 95 The Permittee must, within 21 days of being called upon to do so, provide to the Managing Agency an approved design drawing of the permitted moorings.
- 96 The Permittee must, within 21 days of being called upon to do so, provide to the Managing Agency the Differential Global Positioning System (DGPS) location of the permitted moorings.
- 97 The Permittee must only conduct the permitted moorings in accordance with a Mooring Notification Approval.
- 98 The Permittee must ensure that the Mooring Notification Approval is held with this permit at all times.
- 99 An approval under condition 97 above ceases to have effect when a subsequent Mooring Notification Approval is given under that condition.

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## UNINSTALLED MOORINGS

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- 100 The Permittee must prior to installation of the permitted moorings submit in writing to the Managing Agency a copy of an approved design drawing for that mooring.
- 101 The Permittee must only install the permitted moorings in accordance with the approved design drawing/s specified in the Mooring Notification Approval.
- 102 The Permittee must inform the Queensland Parks and Wildlife Service, in writing, of the nature and timing of the installation of the permitted moorings at least 28 days prior to the proposed installation date.
- 103 The Permittee must install the permitted moorings within six (6) calendar months of the date of commencement of this permit, unless otherwise advised in writing by the Managing Agency.
- 104 The Permittee must provide to the Managing Agency the Differential Global Positioning System (DGPS) location and confirm that the permitted moorings have been installed in accordance with the approved design drawing, within 21 days of installation of any permitted moorings.

## INTERPRETATION AND DEFINITIONS

### INTERPRETATION

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

This permit is not intended to extinguish any native title.

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

A word or phrase in this permit has the same meaning as the word or phrase has in the *Great Barrier Reef Marine Park Act 1975* (Cth), the *Great Barrier Reef Marine Park Regulations 1983* (Cth), the *Marine Parks Act 2004* (Qld), the *Marine Parks Regulation 2017* (Qld), Zoning Plans or Plans of Management, unless the contrary intention appears.

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

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

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

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

A reference to a date includes that date.

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

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

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

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

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

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

### DEFINITIONS

**'ancillary vessel'** means a small tender which:

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

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

**'Cairns Area'** for:

- (a) the Great Barrier Reef Marine Park has the same meaning as the 'Planning Area' defined in the Cairns Area Plan of Management; and
- (b) the Great Barrier Reef Coast Marine Park means those areas enclosed within the outer boundaries of the aforementioned 'Planning Area' and those intertidal areas of the Great Barrier Reef Coast Marine Park contiguous with the 'Planning Area'.

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

- South of a line commencing at 14° 18.181' South, 144° 39.064' East, then running south-westerly along the geodesic to its intersection with the mainland coastline at 14° 39.909' South, 144° 56.564' East; and
- North of a line commencing at 17° 40.409' South 147° 17.013' East then running progressively:
1. south-westerly along the geodesic to 17° 52.809' South 146° 30.064' East
  2. west along the parallel to its intersection with the mainland coastline at 17° 52.810' South 146° 06.269' East.

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

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

**'Compliance certificate'** means a certificate of compliance for a permitted mooring system approved by an appropriately experienced person, which demonstrates that the mooring has been installed and maintained in accordance with the approved design drawing or approved schematic drawing.

**'Design drawing'** means a technical drawing of a mooring system, approved or certified by a Registered Professional Engineer of Queensland (RPEQ).

**'De-tackling'** means the temporary removal of all the mooring tackle including chains, shackles, ropes and buoys from the structure fixing the mooring to the seabed.

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

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

**'harm'** includes:

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

**'harm'** to the environment is material if:

- (a) it involves actual or potential harm to the health or safety the environment that is not trivial and any act or omission that results in the pollution of the Marine Parks; or



## INTERPRETATION AND DEFINITIONS

- (b) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations). Loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment. that is not trivial or otherwise not authorised by this permit.

**'Hinchinbrook Area'** for:

- (a) the Great Barrier Reef Marine Park has the same meaning as the 'Planning Area' defined in the Hinchinbrook Plan of Management; and
- (b) the Great Barrier Reef Coast Marine Park means the Family Islands Segment and the Hinchinbrook Segment, described in *Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004* (Qld).

**'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.

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

**'Localities (Fitzroy Marine Management Area)'**

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

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

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

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

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

**'Location (Hinchinbrook)'** for:

- (a) the Great Barrier Reef Marine Park has the same meaning as 'Location' defined in the Hinchinbrook Plan of Management; and
- (b) the Great Barrier Reef Coast Marine Park means:
- those areas enclosed within the outer boundaries of the aforementioned 'Location' and those intertidal areas of the Great Barrier Reef Coast Marine Park contiguous with the 'Location'; and
  - the areas identified as The Haven/Scraggy Point Location, Hecate Point Location, Oyster Point Location, Cardwell Location, Dungeness Location, Eastern Hinchinbrook Channel Location, Western Hinchinbrook Channel Location and Missionary Bay Transit Lanes at Attachment B.

**'Mackay/Capricorn Management Area of the Amalgamated Great Barrier Reef Section'** is that part of the Amalgamated Great Barrier Reef Section that lies:

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

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

**'Managing Agency':**

- (a) in relation to the Great Barrier Reef Marine Park, means the Great Barrier Reef Marine Park Authority, a member of the staff of that Authority or a person referred to in Section 48A

of the *Great Barrier Reef Marine Park Act 1975* (Cth) performing functions or exercising powers under that Act in accordance with an agreement referred to in that section; and

- (b) in relation to the Great Barrier Reef Coast Marine Park, means the Chief Executive of the Department of Environment and Science, his/her Delegate, an officer of the Queensland Parks and Wildlife Service, or a person referred to in section 52 of the *Marine Parks Act 2004* (Qld), appointed as an inspector.

**'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 1983* (Cth); and
- (b) in relation to the Great Barrier Reef Coast Marine Park, the *Marine Parks Regulation 2017* (Qld).

**'Mooring'** means a permanently located facility that is designed solely for mooring a vessel or aircraft, and includes the mooring buoy, tackle and the point of attachment to the seabed.

**'Mooring Notification Approval'** is a written approval from the Great Barrier Reef Marine Park Authority and the Department of Environment & Resource Management that contains mooring details including: the mooring reference number; the Differential Global Positioning System location and datum; the design; the type; the status; and particulars of the approved design drawing.

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

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

**'passenger transport operation (Hinchinbrook)'** means an operation comprising activities:

- (a) in which passengers are transported between Locations or between a Location and a place outside the Planning area; and
- (b) using the most direct reasonable route, and if practicable the transit lanes; and
- (c) on route the vessel does not stop except:
- to pick up passengers; or
  - for passengers to disembark at their destination; or
  - in the case of an emergency; and
- (d) permitted under a relevant permission; and
- (e) all carried out using one particular vessel.

**'passenger transport operation (Whitsundays)'** means an operation comprising activities:

- (a) in which passengers are transported between a location and a place outside the Whitsundays Area; and
- (b) limited to setting 1 areas, except when transiting the Whitsundays Area; and
- (c) permitted under a relevant permission; and
- (d) all carried out using one particular vessel or aircraft.

**'permit'** means the permissions the subject of Permit Number G18/40787.1 granted to the Permittee pursuant to the *Great Barrier Reef Marine Park Regulations 1983* (Cth) and the *Marine Parks Regulation 2017* (Qld).

**'primary mooring'** means a mooring that:

- (a) is associated with, and supports, the operation of a resort or tourist facility, the operation of which is authorised by a relevant permission; and
- (b) is primarily used by the main vessel associated with the operation, rather than ancillary vessels.

**'Schematic drawing'** means a drawing of the mooring system which shows the main elements of the mooring system including (as relevant), the block/screw-pin/anchor, shackles, riser line, tackle, subsurface buoy, and materials from which each component will be constructed.

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## INTERPRETATION AND DEFINITIONS

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**'Sensitive Location (Hinchinbrook)' for:**

- (a) the Great Barrier Reef Marine Park has the same meaning as 'Sensitive Location' defined in the Hinchinbrook Plan of Management; and
- (b) the Great Barrier Reef Coast Marine Park means:
  - (i) those areas enclosed within the outer boundaries of the aforementioned 'Sensitive Location' and those intertidal areas of the Great Barrier Reef Coast Marine Park contiguous with the 'Sensitive Location'; and
  - (ii) the areas identified as The Haven/Scraggy Point Location, Eastern Hinchinbrook Channel Location and Western Hinchinbrook Channel Location at Attachment B.

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

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

South of a line commencing at 17° 40.409' South 147° 17.013'

East then running progressively:

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

North of a line commencing at 19° 39.545' South, 150° 35.061'

East then running progressively:

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

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

**'visit'** in relation to a vessel (including the use of an ancillary vessel) means accessing a permitted location, without departure, for a period not exceeding 24 hours.

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

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

**'Whitsundays Area' for:**

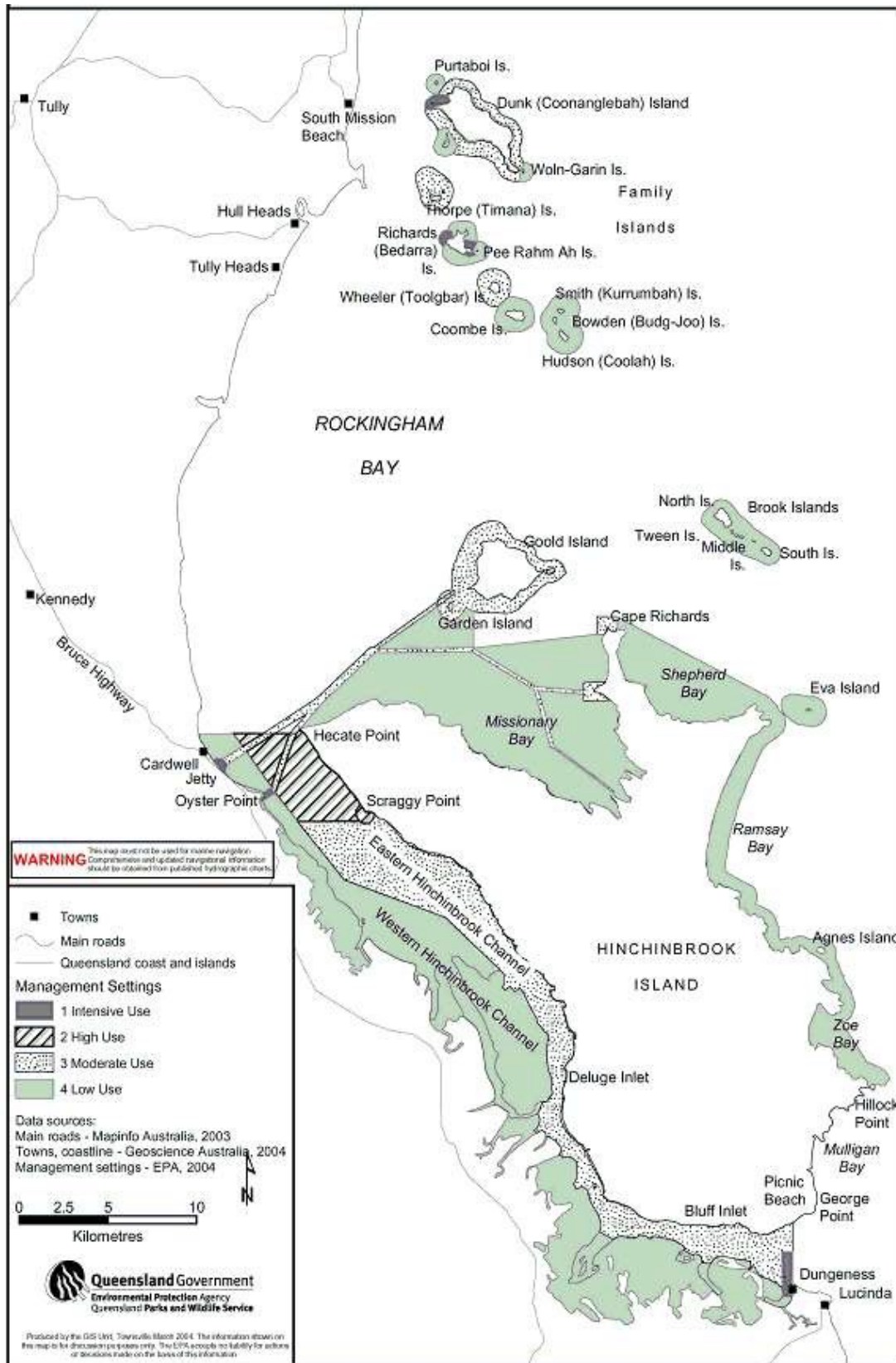
- (a) the Great Barrier Reef Marine Park has the same meaning as the 'Planning Area' defined in the Whitsundays Plan of Management; and
- (b) the Great Barrier Reef Coast Marine Park means those areas enclosed within the outer boundaries of the aforementioned 'Planning Area' and those intertidal areas of the Great Barrier Reef Coast Marine Park contiguous with the outer boundaries of the 'Planning Area'.

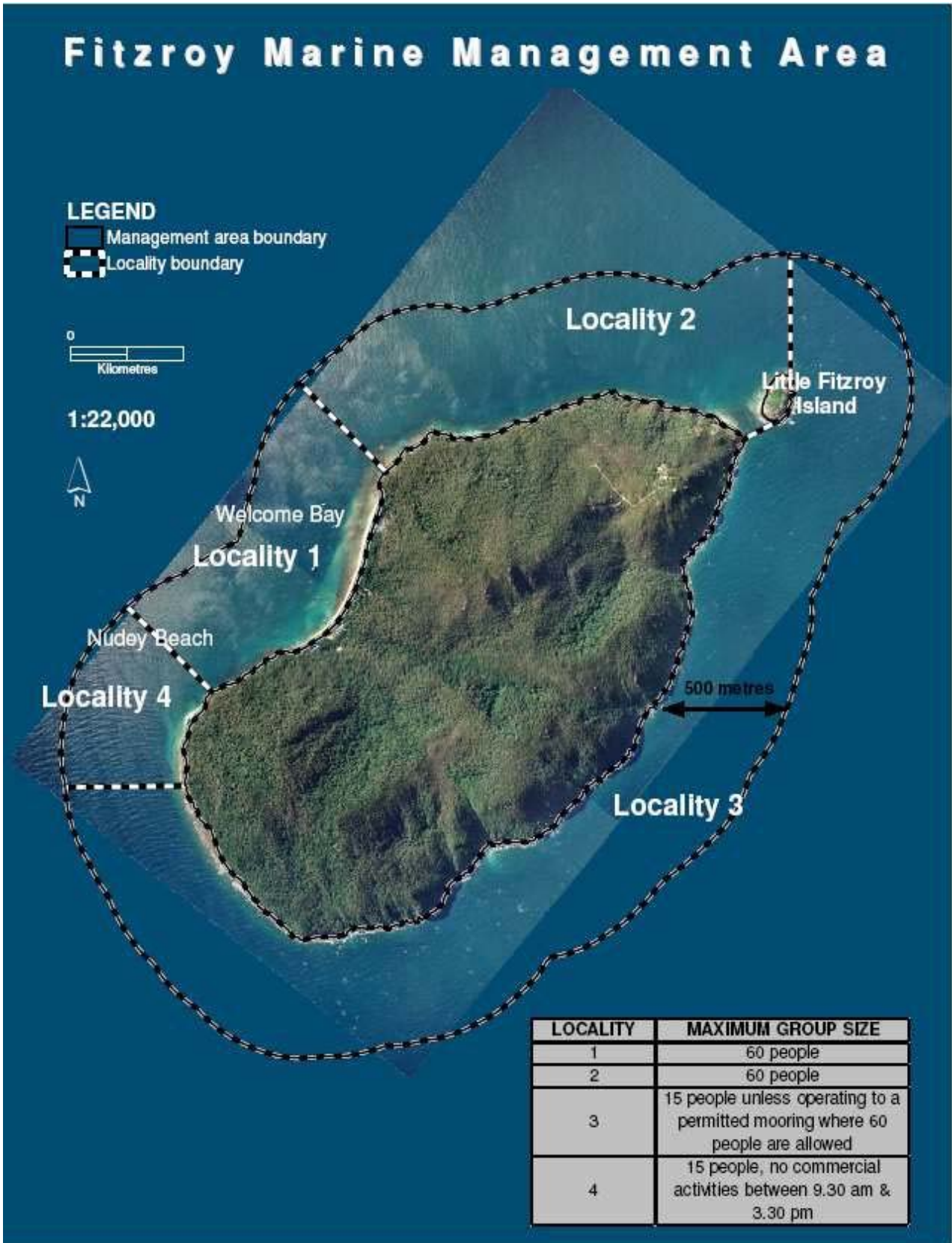
**'Zoning Plan'** means:

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



**ATTACHMENT B – STATE MARINE PARK (Hinchinbrook Area) SETTINGS AND LOCATIONS**





While reasonable care and attention have been taken in collecting processing and compiling data shown in this map, the accuracy and reliability of information presented is not guaranteed in any way by the Environmental Protection Agency. The data presented are subject to variations due to limitations of equipment and programs used.



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ATTACHMENT D

**AUTHORITY**

Pursuant to condition 10 of permit G18/40787.1 authority is hereby given by the Permittee detailed in Part A to the person detailed in Part B to undertake activities in accordance with permit G18/40787.1.

Part A      DECRETUM PTY LTD (ACN 010 881 348)  
              T/A Cairns Dive Centre  
              PO Box 2401  
              CAIRNS QLD 4870

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

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

..... to .....

Entry and use of the Marine Parks under this Authority must be in accordance with the conditions of permit G18/40787.1.

This Authority and a certified copy of Marine Parks permit G18/40787.1 must be carried at all times whilst activities are being carried out in the Marine Parks under permit G18/40787.1.

.....  
Permittee

.....  
Date