

Commercial Activity Permit

Department of Environment and Science

Nature Conservation Act 1992

Nature Conservation (Protected Areas Management) Regulation 2017

Recreation Areas Management Act 2006

Forestry Act 1959

AUTHORITY No. XXXX

This Authority will remain in force for the following term, unless sooner surrendered or revoked:

TERM: **XXXX TO XXXX**

AUTHORITY HOLDER: XXXXX

ADDITIONAL HOLDER(S): XXXXX

ABN/ACN: XXXXX

PERSON IN CHARGE: XXXXX

ADDRESS: XXXXX

Approved Location and Purpose:

Activity/Purpose(s)	Details (If Applicable)
Tourism and Recreation – Guided Tour <ul style="list-style-type: none">WalkingNature StudyPhotography	Maximum number per group (including staff): 25 people Maximum number per day (including staff): 50 people
Secondary Activity <ul style="list-style-type: none">SpotlightingCyclingWatercraft - non-motorisedMotorised – 4WDMotorised - MotorcycleCamping	Max group size 10; Max people per night 20 Max group size 15; Max people per day 45; Bicycles per day 15 Max group size 15; Max people per day 45 Max 10 people and 5 vehicles, Max people per day 50 Max 10 people and 10 Motorcycles; Max people per day 20 Max 20 people
Authorised Area / Location(s)	

NOTE: The Authority Holder must check the departments website to ensure secondary activities are permitted in the authorised locations.

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

Date: {insert date}

STANDARD GUIDED TOUR CONDITIONS

GENERAL

1. All staff, participants and/or vehicles must remain on designated (non-restricted) walking tracks, roads, visitor facilities and day-use areas at all times.
2. All staff and participants are to be briefed on health and safety requirements associated with conducting the authorised activity.
3. Erecting temporary or permanent structures or reserving or cordoning off an area is prohibited.
4. The lighting of fires is prohibited other than in a barbecue or fireplace provided by the Queensland Parks and Wildlife Service.

CAMPING

5. Camping bookings are prohibited during Queensland school holidays and public holidays.
6. The Authority Holder must book access to approved camping areas through the Queensland National Parks Booking Service www.qld.gov.au/camping and in accordance with the relevant booking rules.
7. The Authority Holder must be registered as a Commercial Authority Holder in the Queensland National Parks Booking Service to make a camping booking.
8. The Authority Holder must ensure that camping equipment, structures and litter are removed at the end of each camping trip to return the site to its pre-existing condition.

FOUR WHEEL DRIVING

9. Access to management trails is prohibited.
10. Access to plantation areas other than through roads suitable for two-way traffic is prohibited.

SPOTLIGHTING

11. Attracting animals using artificial calls is prohibited.
12. Use of laser pointers is prohibited.
13. Light beam(s):
 - (a) can be directed at animals by the tour guide only;
 - (b) stronger than 100 watts or 1500 lumens are prohibited; and
 - (c) directed at an animal longer than one minute without using a red or orange filter is prohibited.

CONDITIONS - STANDARD

INSURANCE

15. For the Term of this Authority,

(a) The authority holder must take out and maintain the following insurances:

- (i) where required by law, insurance under the *Workers' Compensation and Rehabilitation Act 2003*, or its equivalent under another jurisdiction with the consent of the Chief Executive; and
- (ii) where not covered under clause (a)(i), accident insurance sufficient to cover workers, volunteers and eligible persons (as defined under the *Workers' Compensation and Rehabilitation Act 2003*) with the consent of the Chief Executive; and
- (iii) a public liability insurance policy for not less than \$20 million on a claims occurring basis in respect of the death of, or injury to persons, or loss or damage to property; and
- (iv) any other insurances as reasonably required by the Chief Executive.

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

- (i) an Appropriate Insurer; or
- (ii) if the Authority Holder is globally or self-insured, another insurer with the written approval of the Chief Executive.

(c) The Authority Holder must ensure that in relation to the insurable interests under this clause, insurance policies are effected (either by the Authority Holder or by a third party) to cover all invitees, employees, contractors, agents, members or clients of the Operator, and the State is named as an interested party.

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

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

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

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

- (i) personal accident insurance covering all medical treatment, hospitalisation, and medical expenses; and
- (ii) income protection insurance; and
- (iii) death and disability insurance;

equivalent to the coverage and entitlements provided to employees under the statutory provisions of the *Workers Compensation and Rehabilitation Act 2003 (Qld)*.

(h) Where the Authority Holder –

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

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

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

COMPLIANCE WITH LAWS

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

AUTHORITY HOLDER'S AUTHORITY

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

INDEMNITY

18. The Authority Holder:

- (a) indemnifies; and

- (b) releases and discharges the State (including its Representatives) from and against all actions, proceedings, claims, demands, costs, losses, damages, liability and expenses which may be brought against, or made upon the State (or any Representative) or which the State (or any Representative) may pay, sustain, or be put to by reason of, or in consequence of, or in connection with this Authority and the occupation and use of the Relevant Area by the Holder, except to the extent of any negligent act of the State (or any Representative).
- (c) The Authority Holder must notify the Chief Executive in writing of any death, injury, loss or damage immediately upon the Authority Holder becoming aware of such death, injury, loss or damage via the online incident report form: <https://www.business.qld.gov.au/industries/hospitality-tourism-sport/tourism/starting-up/regulations/parks-recreation-forests/incident-report-form>.
- (d) If the Authority Holder breaches its obligations under sub-clauses (a) and (b), the Chief Executive may give notice to the Authority Holder stating the breach and if the breach is not remedied in accordance with the timeframe set out in that notice, the Chief Executive may immediately cancel this authority by written notice to the Authority Holder.

NO LIABILITY FOR CONSEQUENTIAL OR INDIRECT LOSS

19. The State and its Representatives will not in any circumstances (including for negligence) be liable for any loss of revenue, loss of profit, loss of anticipated savings or business, loss of opportunity (including opportunity to enter into or complete arrangements with third parties), loss of data or goodwill, loss of reputation, or any indirect or consequential loss, whether arising in contract, tort (including negligence) or otherwise, in connection with this Authority.

NO WARRANTY AND RISK

20. The Chief Executive does not warrant that the approved estates and sites are free from defect or are safe, fit, suitable or adequate for the permitted use. To the full extent permitted by law, all warranties as to fitness, suitability and adequacy implied by law are expressly negated.

21. The Authority Holder uses the Relevant Area entirely at its own risk and must first check the Relevant Area to ensure that it is suitable for the Approved Activities under this Authority before undertaking any Approved Activities.

INTERPRETATION

In this Authority

- (e) headings are for convenience only and do not affect interpretation; and unless the context indicates a contrary intention:
- (f) any term or expression to which a meaning is assigned by an Act has the meaning so assigned when used in this Authority;
- (g) **person** includes an individual, the estate of an individual, a corporation, an authority, an association or a joint venture (where incorporated), a partnership and a trust;
- (h) a reference to a party includes that party's executors, administrators, successors and permitted assigns, including persons taking by way of novation and, in the case of a trustee, includes a substituted or an additional trustee;
- (i) any reference to a document (including this Authority) is to that document as varied, novated, ratified or replaced from time to time;

- (j) a reference to a statute includes its delegated legislation and a reference to a statute or delegated legislation or a provision of either includes consolidations, amendments, re-enactments and replacements;
- (k) a reference to a schedule, attachment or annexure is a reference to a schedule, attachment or annexure to or of this Authority, and a reference to this Authority includes all schedules, attachments and annexures to it;
- (l) **includes** in any form is not a word of limitation;
- (m) a reference to **\$** or **dollar** is to Australian currency;
- (n) a word importing the singular includes the plural (and vice versa), and a word indicating a gender includes every other gender;
- (o) if a word or phrase is given a defined meaning, any other part of speech or grammatical form of that word or phrase has a corresponding meaning; and
- (p) The Purpose must be undertaken in accordance with the provisions of any relevant Act, Regulation or Zoning Plan;
- (q) where the day on or by which any thing is to be done, is not a business day, that thing must be done on or by the next succeeding day which is a Business Day

DEFINITIONS

Act means a reference to the *Nature Conservation Act 1992*, *Marine Parks Act 2004*, *Forestry Act 1959*, *Recreation Areas Management Act 2006*

Appropriate Insurer means an insurer which -

- (a) is authorised under the *Insurance Act 1973* (Cwth);
- (b) is registered with the Australian Prudential Regulation Authority as an authorised insurer; and
- (c) has a Standard & Poor's rating of no less than A-.

Approved Area / Location means the land over which the authority applies as defined in the table labelled "Approved Location and Purpose" listed above.

Authority means this document and all annexures to this document.

Business Day means any day in the State of Queensland that is not a Saturday, Sunday or Public Holiday.

Chief Executive means the chief executive, or his/her delegate including local departmental officers where applicable, of the Department responsible for the relevant act and its instruments under which the authority is being issued.

Day limits mean the maximum number of clients, guides and free of charge visitors that may access an approved visitor site on any calendar day.

Forest Area means State Forest, Timber Reserve or Forest Reserve managed under the Forestry Act 1959 "FA" that contains the authority area.

Group limits mean the maximum number of clients, guides and free of charge visitors in any group.

Improvements mean all development works including any vegetation clearing and all buildings, structures, erections and other infrastructure if authorised under this authority for the authorised area.

Location means the land over which the authority applies as defined in the table labeled "**Approved Location and Purpose**" listed above.

Management Plan means any document detailing management guidelines as required under the relevant **Act**.

Marine Park means a marine park declared, or taken to be declared, under the *Marine Parks Act 2004*.

Month means calendar month.

Non-restricted walking tracks, roads, visitor facilities and day-use areas - for the purposes of the Standard guided tour permit means -

- (a) **walking tracks**: in accordance with the Australian Standard, Walking tracks, Part 1: Classification and signage – Classifications 1-4;
 - (b) **roads**: a natural surface either formed or unformed, paved or sealed that provides access primarily for vehicles, walkers, bicycles and horses;
 - (c) **visitor facilities**: viewing platforms, lookouts, boardwalks, foot bridges and the like;
 - (d) **day use areas**: a developed area designated for visitor activities that exclude camping and overnight stays. They are accessible by motorised or non-motorised transport – where visitors can picnic, walk, study nature, swim, and participate in active recreation activities. They generally include one or a combination of the following assets, picnic tables, information signage, shelters, barbecues and toilets
- that are not closed for management purposes.

‘People at any one time’ limits mean the maximum number of clients, guides and free of charge visitors that may access an approved visitor site at any one time.

Protected Area means the protected area as defined by the *Nature Conservation Act 1992* that contains the authorised area.

Purpose means an approved activity or permission.

Queensland Parks & Wildlife Service means a Division of the Department of Environment and Science.

Queensland Parks & Wildlife Service Managed Area means an area declared under the *Nature Conservation Act 1992*, *Marine Parks Act 2004*, *Forestry Act 1959* and *Recreation Areas Management Act 2006*.

Representative means an employee, agent, officer, director, contractor, sub-contractor or other authorised representative of a party.

Standard guided tour permit means - a low-impact and low scale Commercial Activity Permit for the primary purpose of a guided tour, with the following characteristics:

- (a) class assessment has been undertaken to address legislative assessment criteria
- (b) involves management treatments including access limits and standard conditions
- (c) applies only to QPWS managed areas included for these purposes
- (d) may include secondary activities such as four-wheel driving and camping

State means the State of Queensland.

Authorities and permits include licences, approvals, permits, authorisations, certificates, sanctions or equivalents/similar as required by legislation.

Commercial Activity Permit – Standard Guided Tour Locations

Note: This list of Queensland Parks and Wildlife Service managed areas is associated with the commercial activity permit – standard guided tour authority. You will be asked as part of the application to pick locations from this list of locations.

Standard Guided Tour Locations
Albinia Conservation Park
Albinia National Park
Allies Creek State Forest
Alton National Park
Amamoor National Park
Anderson Street Conservation Park
Annan River (Yuku Baja-Muliku) National Park
Annan River (Yuku Baja-Muliku) Resources Reserve
Archer Point Conservation Park
Auburn River National Park
Auburn State Forest
Baldy Mountain Forest Reserve
Bania National Park
Bania State Forest
Barakula State Forest
Barubbra Island Conservation Park
Basilisk Range National Park
Bauple State Forest
Baywulla Creek Conservation Park
Baywulla State Forest
Beerburum East State Forest
Beerburum West State Forest
Beeron National Park
Beerwah Forest Reserve
Bellthorpe State Forest
Benarkin National Park
Bendidee National Park
Beninbi National Park
Bilwon State Forest
Bingera Conservation Park 1
Bingera Conservation Park 2
Binjour State Forest
Binya National Park
Blackbraes National Park
Blackwood National Park
Bloomfield River Conservation Park
Boat Mountain Conservation Park 1
Boat Mountain Conservation Park 2

Boompa State Forest
Booyal State Forest
Borania State Forest
Borilla State Forest
Bowling Green Bay National Park
Boyne Range State Forest
Broadwater Conservation Park
Broadwater State Forest
Brooyar State Forest 1
Brooyar State Forest 2
Buccan Conservation Park
Bulburin National Park
Bulburin State Forest
Bulleringa National Park
Bullock Creek Conservation Park
Bullyard Conservation Park
Burleigh Knoll Conservation Park
Burrum Coast National Park
Calgoa State Forest
Calliope Range State Forest
Calrossie State Forest
Camboon State Forest
Cania Gorge National Park
Cannindah State Forest
Carello Palm Swamp Conservation Park
Carraba Conservation Park
Castle Tower National Park
Cherbourg Conservation Park
Cherbourg National Park
Chesterton Range National Park
Chesterton State Forest
Childers State Forest
Cinnabar State Forest
Clear Mountain Conservation Park
Clemant State Forest
Coalstoun Lakes National Park
Combo Conservation Park 1
Combo Conservation Park 2
Conondale Conservation Park
Conondale National Park
Conondale State Forest
Conway Conservation Park
Coolmunda Conservation Park

Coolum Creek Conservation Park
Coominglah State Forest
Cordalba National Park
Cordalba State Forest
Crohamburst State Forest
Crows Nest National Park
Culgoa Floodplain National Park
Curra State Forest
Currimundi Lake (Kathleen McArthur) Conservation Park
Cynthia State Forest
D'Aguilar State Forest
Dalgangal State Forest
Dalrymple National Park
Dan Dan State Forest
Deepwater National Park
Deer Reserve State Forest
Degalgil State Forest
Delaneys Creek State Forest
Delembra State Forest
Denison State Forest
Deongwar State Forest
Dryander National Park
Dularcha National Park
Durikai State Forest
Dwyers Scrub Conservation Park
Dykehead State Forest
Dyngie State Forest
Earl Hill Conservation Park
Ella Bay National Park
Elliott River State Forest
Erringibba National Park
Esk National Park
Etty Bay Road Conservation Park
Eubenangee Swamp National Park
Eumundi Conservation Park
Eurimbula National Park
Evelyn Creek Conservation Park
Expedition (Limited Depth) National Park
Expedition National Park
Ferguson State Forest
Fishermans Pocket State Forest
Flagstone Creek Conservation Park
Forest Den National Park

Formartine State Forest
Forty Mile Scrub National Park
Gallangowan State Forest
Gatton National Park
Geham National Park
Gigoomgan State Forest
Glass House Mountains Conservation Park
Glassford State Forest
Glastonbury State Forest
Glen Rock State Forest
Glenbar State Forest 1
Glenbar State Forest 2
Glenbar State Forest 3
Glenbar State Forest 4
Good Night Scrub State Forest
Goomboorian National Park
Grevillea State Forest
Gulngay National Park
Gundiah State Forest
Gungaloon State Forest
Gurgeena State Forest
Gurulmundi State Forest
Gwambagwine State Forest
Gympie State Forest
Halifax Bay Wetlands National Park
Halloran State Forest
Hallorans Hill Conservation Park
Hampton National Park
Hann State Forest
Hann Tableland National Park
Hasties Swamp National Park
Hefferon State Forest
Highworth Bend Conservation Park
Howe State Forest
Humboldt National Park
Idalia National Park
Imbil State Forest 1
Imbil State Forest 2
Ingham State Forest
Irongate Conservation Park
Isla Gorge National Park
Jack Smith Scrub Conservation Park
Jalum Conservation Park

Jimmys Scrub State Forest
Jimna State Forest
Johngboon West State Forest
Jumrum Creek Conservation Park
Kabunga State Forest
Kalpowar State Forest
Kamerunga Conservation Park
King Conservation Park
King State Forest
Koko State Forest
Kondalilla National Park
Kroombit Tops National Park
Lake Bindigolly National Park
Lake Broadwater Conservation Park
Lake Murphy Conservation Park
Lannercost State Forest
Leyburn State Forest
Littabella Conservation Park
Littabella National Park
Lochern National Park
Lockyer National Park
Lockyer State Forest
Luttons State Forest
Lynchs Hill State Forest
Malanda Falls Conservation Park
Malmaison State Forest
Mapleton Conservation Park
Mapleton Falls National Park
Mapleton Forest Reserve
Mapleton National Park
Maria Creek National Park
Mariala National Park
Marys Creek State Forest
Maxwelton State Forest
McEuen State Forest
McEwan State Forest
Millstream Conservation Park
Millstream Falls National Park
Minerva Hills National Park
Miva State Forest 1
Miva State Forest 2
Monduran State Forest 1
Montour State Forest

Mooloolah River National Park
Moorrinya National Park
Moresby Range Resources Reserve
Morgan Park Conservation Park
Morven Conservation Park
Mount Binga National Park
Mount Binga State Forest
Mount Coulston State Forest
Mount Dumaresq Conservation Park
Mount Mee State Forest
Mount Perry Conservation Park
Mount Perry Resources Reserve
Mount Perry Timber Reserve
Mount Peter Conservation Park
Mount Walsh National Park
Mountain View State Forest
Mouth of Baffle Creek Conservation Park 1
Mouth of Baffle Creek Conservation Park 2
Mouth of Kolan River Conservation Park
Mowbray Conservation Park
Mundowran State Forest
Mungy State Forest
Narkoola National Park
Neerdie State Forest 1
Neerdie State Forest 2
Nerang State Forest
New Cannindah State Forest
Norton State Forest
Nuga Nuga National Park
O'Connell State Forest
Palen State Forest 1
Palen State Forest 2
Palmer Goldfield Resources Reserve
Passchendaele State Forest
Peachester State Forest
Pemberton State Forest
Pidna National Park
Pile Gully State Forest
Pine Mountain State Forest
Pine Ridge Conservation Park
Plunkett Conservation Park
Porcupine Gorge National Park
Precipice National Park

Ravensbourne National Park
Ravenshoe Forest Reserve 1
Ravenshoe State Forest 3
Redbank State Forest
Reid State Forest
Reinke Scrub Conservation Park
Ringtail State Forest
Rockybar State Forest
Rule State Forest
Schacht Creek State Forest
Selene State Forest
Snake Range National Park
Southwood National Park
Speewah Conservation Park
Spicers Gap Road Conservation Park
Splinter Creek State Forest
St Mary State Forest 1
St Mary State Forest 2
St Mary State Forest 3
Sunday Creek State Forest
Talgai State Forest
Tallebudgera Creek Conservation Park
Tarong National Park
Tellebang State Forest
Tenthill Conservation Park
The Bluff State Forest
The Palms National Park
Thinoomba State Forest
Thrushton National Park
Tiaro State Forest
Tolderodden Conservation Park
Toolara State Forest
Toondahra State Forest
Traveston State Forest
Tregole National Park
Trevethan State Forest
Tuan State Forest
Tumoulin Forest Reserve
Tumoulin State Forest
Upper Kandanga State Forest
Vandyke Creek Conservation Park
Venman Bushland National Park
Vernon Conservation Park

Vernon State Forest
Walli State Forest
Walter Hill Range Conservation Park
Wappa State Forest
Warrina Conservation Park
Warrubullen Conservation Park
Watalgan State Forest
Welford National Park
West Cooroy State Forest
White Blow Conservation Park
White Mountains National Park
Wickham National Park
Wietalaba State Forest
Wonbah State Forest 1
Wonbah State Forest 2
Wondai State Forest
Wondul Range National Park
Wongabel State Forest
Wongi National Park
Wongi State Forest
Woondum Conservation Park
Woondum National Park
Woondum State Forest
Woowoonga National Park
Woroon National Park
Wrattens Conservation Park
Wrattens National Park
Wrattens State Forest
Yabba State Forest
Yandaran State Forest
Yarrol State Forest
Yelarbon State Forest
Yerilla State Forest
Young State Forest 1
Young State Forest 2
Young State Forest 3
Yule State Forest
Yuleba State Forest
Yurol State Forest