



Marine Parks Permit

Great Barrier Reef Marine Park Regulations 1983 (Commonwealth)
Marine Parks Regulations 1990 (Queensland)

This/these permission/s remain/s in force,
unless sooner surrendered or revoked, for the period:

06-JUN-2005 to 15-JUL-2010

Permit No:

G05/13923.1

Permission/s is/are granted to

Permittee: VOYAGER AUSTRALIA PTY LTD (ACN 060 762 816)

Address:
16 Carroo Street
BAYVIEW HEIGHTS QLD 4868

for use of and entry to zones in the following Great Barrier Reef Marine Park Sections/Queensland Marine Parks as established
by the Commonwealth Great Barrier Reef Marine Park Act 1975 and Queensland Marine Park Act 1982 ('the Marine Park'):

AMALGAMATED GREAT BARRIER REEF SECTION
GREAT BARRIER REEF COAST MARINE PARK

in accordance with the details as stated in Part A, and subject to conditions stated in Part B on the reverse side.

 date 20/5/05

Delegate of
the Great Barrier Reef Marine Park Authority

 date 6/6/05

Delegate of
the Executive Director, Queensland Parks and Wildlife Service

Part A:

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/s applies:

All zones and locations in the Far Northern Management Areas and the Cairns/Cooktown
Management Areas 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 permission/s:

CONDUCT OF A TOURIST PROGRAM - Activities being swimming, snorkelling, SCUBA diving, fish
feeding, coral viewing, non-motorised watersports, passenger transport and fishing, and
CONDUCT OF A VESSEL CHARTER PROGRAM - Activities being the provision of transport and
services to persons other than tourists,
using a vessel (maximum overall vessel length 35 metres; maximum passenger
capacity 100 passengers), 11 ancillary vessels (being a glass-bottom boat and 10
SCUBA-DOO Motorised Scuba Bikes).
CONDUCT OF A MOORING -
Conduct of two (2) single point primary moorings at Michaelmas Cay Reef (16-060);
Conduct of two (2) single point primary moorings at Hastings Reef (16-057).

STANDARD CONDITIONS

- 1 All activities must be undertaken in accordance with the provisions of the laws in force from time to time in the State of Queensland.
 - 2 The Permittee must ensure that when operations are conducted in the Marine Parks under this permit, this permit or a certified copy is held at the site or sites of operation and on the vessel during transit to and from that site or sites.
 - 3 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.
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MINI DEED CONDITIONS

- 4 Within 30 days of the date of commencement or transfer of this permit, the Permittee must execute, seal and deliver as a Deed to the Authority, a Deed in the form annexed to this permit, identified with the permit number of this permit and marked 'Deed of Agreement'.
 - 5 The Permittee must observe and perform its obligations under and pursuant to such Deed and for purposes of this permit any breach by the Permittee of its obligations under and pursuant to such Deed shall be a breach of this condition.
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VESSEL PROGRAM CONDITIONS

- 6 When providing transport in the Marine Parks to another tourist program operation permitted under a different Marine Parks permit, the Permittee must ensure that the total number of persons on the vessel does not exceed relevant setting or permit limits.
- 7 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.
- 8 Prior to any vessel being operated under this permit, the Permittee must:
 - (i) have given written notification to the Great Barrier Reef Marine Park Authority of the vessel name, registration number, passenger capacity and length of the specific vessel to be operated under this permit; and
 - (ii) have received written approval for use of that vessel from the Great Barrier Reef Marine Park Authority and the Queensland Parks and Wildlife Service.
- 9 The Permittee must ensure that the written approval for use of that vessel under this permit is held with this permit at all times.
- 10 An approval under condition 8 above ceases to have effect for a specific vessel when a subsequent approval for any other vessel or the same vessel is given under that condition.
- 11 Vessel interchange with another vessel of similar size and passenger capacity is permitted for a period of less than 72 hours, if such interchange is of an unexpected nature resulting from maintenance or repairs of the permitted vessel, or for a period exceeding 72 hours, subject to written approval from the Great Barrier Reef Marine Park Authority or the Queensland Parks and Wildlife Service.

- 12 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 in accordance with the provisions of the relevant Zoning Plans notwithstanding the purposes of use and entry specified in this permit.
- 13 The Permittee must not conduct, or allow to be conducted, fish feeding except in accordance with the following conditions:
- (i) no more than one fish-feeding station may be operated at each location;
 - (ii) a legible copy of the Marine Parks 'Guidelines for Fish Feeding on the Great Barrier Reef' must be displayed at the fish-feeding station;
 - (iii) food used must consist of fresh, raw marine products and/or manufactured aquaculture fish food pellets if those manufactured pellets are approved in writing by the Great Barrier Reef Marine Park Authority;
 - (iv) the total food used must not exceed 1 kg per day or, where fish feeding is carried out at more than one feeding station each day, 2 kg per day;
 - (v) fish must only be fed by the tour operation staff and must not be fed directly by hand; and
 - (vi) participants in the program must be given practical and adequate warning of the potential dangers of fish feeding.
- 14 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.

SCUBA-DOO MOTORISED SCUBA BIKE CONDITIONS

- 15 The Permittee must ensure that the SCUBA-DOO Motorised Scuba Bikes are tethered to the surface at all times when in use.
- 16 The Permittee must not allow the SCUBA-DOO Motorised Scuba Bikes to pass within one (1) metre of coral, or stationary marine flora or fauna, nor to follow a course of travel that could be perceived to chase or threaten other mobile marine fauna.

GENERAL STATE MARINE PARK CONDITIONS

- 17 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.

FAR NORTHERN MANAGEMENT AREAS

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

Reef No.	Area	Period
14-063	Intertidal areas adjacent to Combe Island (Howick Island Group)	All Year
14-054	Intertidal areas adjacent to Stapleton Island (Howick Island Group)	All Year
13-107	Intertidal areas adjacent to Pelican Island (Claremont Isles Group)	All Year
13-081	Intertidal areas adjacent to Fife Island (Claremont Isles Group)	All Year
13-061c	Intertidal areas adjacent to Sandbank No 7	All Year
13-056	Intertidal areas adjacent to Sandbank No 8	All Year
12-027	Intertidal areas adjacent to Quoin Island	All Year
11-174	Intertidal areas adjacent to Magra Islet (Saunders Islands)	1 Sep - 31 Mar
11-165	Intertidal areas adjacent to Saunders Islet (Saunders Islands)	1 Sep - 31 Mar
11-138	Intertidal areas adjacent to Macarthur Islands (Saunders Islands)	1 Sep - 31 Mar

11-138	Intertidal areas adjacent to Bushy Islets (2 islands) (Saunders Islands)	1 Sep - 31 Mar
11-055	Intertidal areas adjacent to Wallace Islet (Denham Island Group)	All Year
11-052	Intertidal areas adjacent to Cholmondeley Islet (Denham Island Group)	All Year
11-035	Intertidal areas adjacent to Milman Island (Denham Island Group)	All Year
11-010	Intertidal areas adjacent to Cairncross Islet (Denham Island Group)	1 Sep - 31 Mar

CAIRNS/COOKTOWN MANAGEMENT AREAS

- 20 The Permittee must not visit a permitted location in the Cairns/Cooktown Management Areas outside the Cairns Area on more than 2 visits in any 7-day period except when operating:
- (i) to a permitted mooring or pontoon; or
 - (ii) as specified in conditions 21 and 22.
- 21 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 during the period from 1 September to 31 December each year, if operating primarily for the purposes of gamefishing.
- 22 The Permittee must not access the Conservation Park Zone of Fitzroy Island Reef:
- (i) for more than 50 days in any 12-month period; and
 - (ii) with a group size of more than 15 people after the hour of 0830 and before the hour of 1630.
- 23 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

CAIRNS AREA CONDITIONS

- 24 The Permittee may access the Cairns Area on a daily basis without the requirement to obtain a booking.
- 25 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, 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) otherwise endorsed on this permit.
- 26 Condition 25(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.

- 27 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 those intertidal areas adjacent to the Sensitive Locations of Cod Hole Locality and Lizard Island Locality 1 or except where otherwise endorsed.

MOORING CONDITIONS

- 28 The Permittee must install, relocate or remove permitted mooring/s 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.
- 29 Where installation, relocation or removal of a permitted mooring/s 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 mooring/s as are reasonably necessary for the conservation, protection and preservation of the Marine Park and property and things in the Marine Park.
- 30 The Permittee must relocate or remove from the Marine Parks any mooring/s permitted therein if instructed to do so in writing by the Managing Agency.
- 31 The Permittee must obtain an approved compliance certificate annually on the anniversary of the date of installation of each mooring/s permitted herein that verifies that the mooring/s is installed and maintained in accordance with the approved drawing, and provide those certificates to the Managing Agency within 21 days of being called upon to do so.
- 32 The Permittee must, within 21 days of being called upon to do so, provide to the Managing Agency the Global Positioning System (GPS) location of the permitted mooring/s.

CAIRNS AREA ENDORSEMENTS

- 33 The Permittee may access the Michaelmas Cay Locality Sensitive Location daily without the requirement to obtain a booking.
- 34 The Permittee may access the Michaelmas Cay Locality Sensitive Location with a maximum group size of 42.

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*, the *Great Barrier Reef Marine Park Regulations*, the *Marine Parks Act (Qld) 1982*, the *Marine Parks Regulations (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 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.

DEFINITIONS

'Ancillary mooring' means a mooring that:

- is associated with, and supports, the operation of a resort or tourist facility, the operation of which is authorised by a relevant permission;
- is not intended to be used by the primary vessel associated with the operation; and
- is primarily associated with the use of small vessels such as dive tenders, glass bottom boats and hire craft.

'ancillary vessel' means a small tender which:

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

'Approved drawing' means a technical drawing of a mooring system, approved by a marine engineer or naval architect.

'Approved compliance certificate' means a certificate of compliance for a mooring system, approved by an appropriately qualified person.

'Cairns Area' for the Great Barrier Reef Marine Park has the same meaning as the 'Planning Area' defined in the Cairns Area Plan of Management and for 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.

'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.

'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.

'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 42 of the Great Barrier Reef Marine Park Act 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 Officer of the Queensland Parks and Wildlife Service, his/her Delegate, an officer of the Queensland Parks and Wildlife Service, or a person referred to in Regulation 36 of the Marine Parks Regulations, appointed as an inspector.

'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.

'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.

INTERPRETATION AND DEFINITIONS

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.

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.

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 regulations that applies to those waters).





6 JUN 2005

Mr Peter Edwards
VOYAGER AUSTRALIA PTY LTD
16 Carroo Street
BAYVIEW QLD 4868

Dear Mr Edwards

Permit G05/13923.1 - VESSEL NOTIFICATION APPROVAL

I refer to your application dated 7 April 2005 to conduct a tourist program in the Marine Park.

In accordance with Condition 8 of your Marine Parks permit, the Great Barrier Reef Marine Park Authority (GBRMPA) and the Queensland Parks and Wildlife Service give approval for the use of the following vessel under permission G05/13923.1.

Vessel Name:	"Seastar"
Vessel Registration Number:	10581QC
Maximum passenger capacity:	60
Vessel length:	20.75 metres

Date: 20/5/05

Delegate of the Great Barrier
Reef Marine Park Authority

Date: 6/6/05

Delegate of the Executive Director,
Environmental Protection Agency

**THIS LETTER MUST BE AVAILABLE WITH THE PERMIT
FOR INSPECTION AT ALL TIMES**