



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:

08-JUN-2004 to 28-MAY-2014

Permit No:

G04/12071.1

Permission/s is/are granted to

Permittee: TOWNSVILLE-THURINGOWA WATER SUPPLY JOINT BOARD (ABN 94 205904709)
T/A NQ Water

Address: 150 Walker Street
TOWNSVILLE QLD 4810

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').

CENTRAL SECTION
TOWNSVILLE/WHITSUNDAY 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 2/6/04

Delegate of
the Great Barrier Reef Marine Park Authority

date 8/6/04

Delegate of
the Chief Executive, Environmental Protection Agency

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:

MARINE NATIONAL PARK 'A' ZONE
GENERAL USE 'A' ZONE

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

Conduct, operation and maintenance of a structure being an existing potable water pipeline and
associated structures.

Installation, operation and maintenance of a structure being installation and works associated with one
potable water pipeline and its associated structures.

Conduct of vessels associated with construction and ongoing maintenance of the pipelines and
associated structures.

Part B:

Conditions of permission/s:

WARNING

This permission 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 permission.

This permission(s) is not intended to extinguish any native title.

INTERPRETATION

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 permission 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*, *Zoning Plans* or *Plans of Management* unless the contrary intention appears.

A note and 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 a zone name is a reference to a zone of that name in those Sections of the *Great Barrier Reef Marine Park*. For example a General Use 'A' Zone can only apply to the Central Section and the Mackay/Capricorn Section while a General Use Zone can only apply to the Far Northern Section and the Cairns Section.

DEFINITIONS

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.

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

'Environment' includes all aspects of the surroundings of human beings, including:
the physical factors of those surroundings, such as the land, the waters and the atmosphere; and
the biological factors of those surroundings, such as the animals, plants and other forms of life; and
the aesthetic factors of those surroundings, such as their appearance, sounds, smells, tastes and textures.

'Environmental Site Supervisor' means the person from time to time nominated in writing by the Managing Agency to the Permittee.

'existing pipeline' means the pipeline currently operating at the time of the commencement of the permit.

'Harm' in relation to the environment, includes any direct or indirect alteration to the environment that has the effect of degrading the environment and, without limiting the generality of the foregoing, includes any act or omission that results in the pollution of the Marine Park.

'Hazardous Chemical' means any chemical, chemical compound, or mixture of compounds which is a physical, environmental and/or health hazard.

'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 a Queensland 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.

'Person' includes a corporation or a company and words importing the singular number or plural number shall include the plural number or singular number respectively.

'Significant event' means an incident which is not trivial, involving actual or potential harm to the health or safety of human beings or to ecosystems and which may include:

- a category 4 cyclone event; or
- any shipping event that requires notification to a relevant authority under the Queensland Marine Act 1958 or the Navigation Act 1912; or
- any aircraft event that requires notification to the relevant Authority under the Civil Aviation Act 1988; or
- the discharge of untreated sewage effluent.

'Works' means and includes all plant and materials comprising or used in connection with all constructions, dredging, installations, structures, facilities, moorings, vessels or aircraft of any kind associated directly or indirectly with the permission and the use (authorised or unauthorised) of the Marine Parks in connection with the permission.

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 Park under this permission, the permit or a certified copy of this permit and a copy of the approved Environmental Management Plan is held at the site of operation.
- 3) The Permittee must inform staff and participants in the program of relevant restrictions applying under any zoning plans, plans of management, Marine Park regulations and this permission.

DEED CONDITIONS

- 4) Within 60 days of the date of issue of this permit, the Permittee must execute and deliver as a Deed of Agreement to the Great Barrier Reef Marine Park Authority, a Deed of Agreement in the form annexed to this permission, identified with the permit number of this permission and marked 'Deed of Agreement'
- 5) The Permittee is required to remove any works in the Marine Park in accordance with the terms of the Deed referred to in condition 4 hereof.
- 6) The Permittee must observe and perform its obligations under and pursuant to such Deed of Agreement and for purposes of this permit any breach by the Permittee of its obligations under and pursuant to such Deed of Agreement shall be a breach of this condition.

OPERATIONAL AND WORKS CONDITIONS

- 7) Where the Managing Agency provides 12 hours written notice, the Permittee must allow the Managing Agency access to any part of the works for the purposes of sampling and/or monitoring.
- 8) The Permittee must ensure that the works and area around the works site covered in this permission are kept free of all waste whether or not the Permittee is responsible for the presence of such.
- 9) The Permittee must ensure that all employees, contactors and sub-contractors, prior to carrying out any works in connection with this permission, are advised of, and have signified in writing, compliance with any restrictions or conditions prescribed by this permit.



ENGINEERING AND MAINTENANCE CONDITIONS

- 10) The Permittee must ensure that no works are commenced under the permit unless all certified engineering drawings, including design specification of the works, are approved by the Managing Agency.
- 11) The Permittee must, within 21 days of completion of the installation, provide to the Managing Agency a report duly certified by an appropriately qualified engineer detailing the adequacy of the works permitted herein and advising whether the structural integrity of the works have been maintained to design specifications.
- 12) Within six months from the date of this permit, the Permittee must provide a maintenance report from a certified Engineer to the Managing Agency that confirms the structural integrity of the 'existing pipeline' and advising of the adequacy of works to rectify leaks.
- 13) The Permittee must notify the Managing Agency within 48 hours of the occurrence of a significant event or pipeline leak and must inspect the works and provide a written report on the inspection to the Managing Agency within 21 days after the significant event.
- 14) The Permittee must:
 - (i) notify the Managing Agency of any proposed works or maintenance activities at least 14 days prior to the commencement of these activities, providing a written report outlining the nature of the proposed activities, and
 - (ii) comply with any directions of the Managing Agency.

ENVIRONMENTAL SITE SUPERVISOR CONDITIONS

- 15) All works are subject to inspection by the Environmental Site Supervisor, unless otherwise advised in writing by the Managing Agency. The Environmental Site Supervisor is authorised to stop or suspend works which in his/her opinion are likely to cause environmental harm.
- 16) The Permittee must nominate in writing to the Managing Agency, 14 days prior to the commencement of works, an on-site liaison officer with whom the Environmental Site Supervisor can contact as and when required.
- 17) Within 28 days of written advice requesting payment, the Permittee must financially compensate the Managing Agency for all costs incurred in the provision of environmental site supervision.
- 18) The Permittee and its employees, contractors, sub-contractors and agents must comply with any reasonable direction given by the Environmental Site Supervisor for the purpose of ensuring compliance with the Permit, Deed, Environmental Management Plan or any direction considered necessary by the Environmental Site Supervisor for the conservation, protection and preservation of the Marine Park and property and things in the Marine Park.

ENVIRONMENTAL MANAGEMENT PLAN AND MONITORING CONDITIONS

- 19) Prior to the commencement of works, the Permittee must prepare or have prepared an Environmental Management Plan in accordance with the requirements of the Deed of Agreement and any other guidance provided by the Managing Agency.
- 20) The Permittee must not undertake works within the Marine Park unless the Managing Agency has advised the Permittee in writing that the Environmental Management Plan, or the relevant stage of that Environmental Management Plan, has been approved.
- 21) Prior to the commencement of the works, the Permittee must prepare or have prepared an Environmental Impact Monitoring Plan that describes procedure for the minimisation of turbidity.

- 22) The Permittee and its servants and agents must comply with and must ensure that the activities undertaken in connection with this permission are limited in their nature, scale and extent to those specified in the Environmental Management Plan as approved by the Managing Agency from time to time.

GENERAL CONDITIONS

- 23) The Permittee must inform staff and provide appropriate training to address the conditions imposed within this permission.

A handwritten signature, possibly "P", followed by a circled letter "A".