



Stephen Duffield  
Lions Club of Cabarita Beach & Pottsville Beach Inc  
PO Box 18  
BOGANGAR NSW 2488

Dear Stephen

**Re: Marine Park Permit to conduct an event in Cape Byron Marine Park**

I refer to your application for a permit to conduct **an event** (fishing competition) within the Cape Byron Marine Park. Your proposal has been assessed and I advise that a Marine Parks permit has been granted to you for your requested activity (see attached).

My expectation is that you will be aware of and comply with the conditions of the permit. In particular, I draw your attention to the zones/locations that this permission is limited to, to the requirement that you carry a copy of the permit when conducting permitted activities within the Marine Park, and to the Special Conditions listed below:

16. The Permittee must ensure that participants operating 4WD vehicles on beaches within the marine park do so in accordance with local authority requirements and do not cause disturbance to resting shorebirds.
17. The Permittee must ensure that officials and competitors do not interfere with the activities of other beach users or exclude any person from occupying or using any areas within the marine park.
18. The Permittee must ensure that each competitor is aware of the Cape Byron Marine Park Zoning Plan and the restrictions that apply to recreational fishing in the marine park.
19. The Permittee must register each participant and unless exempt sight their current NSW Recreational Fishing Fee Receipt and record the number of the receipt.

If you wish to appeal regarding the conditions listed, you must do so in writing to the Manager, Cape Byron Marine Park, within 7 days of receipt of this advice. If you have any queries concerning the above, please do not hesitate to contact me by telephone 02 6620 9305, facsimile 02 6620 9333, or email [andrew.page@dpi.nsw.gov.au](mailto:andrew.page@dpi.nsw.gov.au)

Yours sincerely

Andrew Page

**Manager, Cape Byron Marine Park**

15 January 2018

**NSW DEPARTMENT OF PRIMARY INDUSTRIES  
MARINE PARKS PERMIT**



**Department of  
Primary Industries**

NSW Marine Estate Management (Management Rules) Regulation 1999  
Part 1, Division 3, Clause 1.34

**Permit No: OUT17/47414**

This permit and all conditions herein extend to all employees of the Permittee, and other persons acting on behalf of or at the direction of, the Permittee for the purposes specified in this permit.

**PERMIT IS GRANTED TO:**

<b>Permittee:</b>	Stephen Duffield
<b>Organisation:</b>	Lions Club of Cabarita Beach and Potsville Beach Inc
<b>ABN:</b>	86 247 732 140
<b>Address:</b>	PO Box 18, Bogangar, NSW 2488
<b>Expiry Date:</b>	15 January 2021
<b>Use and entry authorised to the following NSW Marine Park/s:</b>	Cape Byron Marine Park
<b>Permitted Zone/s and Location/s:</b>	Habitat protection, general use zones and the Brunswick River Boat Harbour Special Purpose Zone in the Cape Byron Marine Park, except areas as listed as a condition of this permit, or where authorised entry and /or use of a zone or location is inconsistent or prohibited by the Zoning Plan.
<b>Permitted Activity:</b>	Conduct an organised activity being the "Lions Charity Greenback Fishing Competition"

The activity must be conducted in accordance with the details above, and subject to conditions stated on the following pages.

**Andrew Page**

A handwritten signature in black ink that reads 'Andrew Page'.

**Manager, Cape Byron Marine Park  
Delegate of the Department of Primary Industries - Marine Parks**

15 January 2018

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**WARNINGS**

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1. This permit is not transferable.
2. All activities, the subject of this permit, must be undertaken in accordance with the provisions of the laws in force from time to time in the State of New South Wales and, in particular, the provisions of the *Marine Estate Management Act 2014*, *Marine Estate Management Regulation 2009* and the *Marine Estate Management (Management Rules) Regulation 1999*.
3. A breach by the Permittee or any person to whom this permit extends, of the *Marine Estate Management Act 2014*, *Marine Estate Management Regulation 2009* or the *Marine Estate Management (Management Rules) Regulation 1999* including any permit condition contained herein may result in the variation, suspension or cancellation of this permit or in a fine.

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**INSURANCE CONDITIONS**

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4. The Permittee must at all times during the period of the permit, maintain a policy of public liability insurance for a sum of not less than ten million dollars (\$10,000,000). The policy will indemnify the Permittee from and against liability for all actions, suits, demands, costs, losses, damages and expenses (hereinafter called claims) which the Permittee may pay, sustain or be put to by reason of damage to property or injury to persons (including death) caused by or arising in any way out of the conduct of the Permittee on any lands or waters managed by the Department of Primary Industries – Marine Parks or generally as a result of the presence of the Permittee, or the Permittee's agents or clients on lands or waters managed by the Department of Primary Industries – Marine Parks.
5. The Permittee must not cancel or alter the insurance policy without first obtaining the written consent of the Department of Primary Industries – Marine Parks.
6. In the event the insurer cancels the insurance policy prior to the expiration date of the insurance policy, the Permittee must advise the Department of Primary Industries – Marine Parks in writing within three (3) business days of receiving advice of the cancellation from the insurer.
7. In the event the insurance policy expires prior to the expiration date of this permit, the Permittee must produce to the Department of Primary Industries – Marine Parks evidence of renewal of the insurance policy no fewer than twenty eight (28) days prior to the expiration of the insurance policy.
8. The Permittee must provide a copy of the insurance policy and a copy of the certificate of currency of the insurance policy, to the delegate when required by the Department of Primary Industries – Marine Parks.
9. The Permittee must notify the Department of Primary Industries – Marine Parks as soon as is possible of any fatal accident or serious injury sustained by a participant/s resulting from the conduct of the permitted activity listed in this permit on lands or waters of a marine park. All other accidents or injuries must be reported to the Department of Primary Industries – Marine Parks in writing within seven (7) days of the occurrence.

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## **STANDARD CONDITIONS**

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10. The Permittee must ensure that when operations are conducted in the Marine Park under this permit, the permit or a certified copy of the permit is held at the site or sites of operation and on vessels and vehicles during transit to and from that site or sites.
11. The Permittee must produce a copy of this permit on site when requested by an Authorised Officer.
12. The Permittee must inform all staff and participants in the program of any restrictions applying under this permit.
13. The Permittee must notify the Department of Primary Industries – Marine Parks within seven days of:
  - i) Any changes to the Permittee details; or
  - ii) The cessation of operations to which this permit relates.
14. Where the activity, the subject of this permit, requires a licence or permit issued by other government agencies, it is a condition of this permit that the licenses or permits are current for the duration of this permit.
15. The Permittee must ensure that any waste is managed, transported, reused, stored, collected and disposed of in an environmentally satisfactory manner pursuant to NSW Protection of the Environment Operations Act 1997, and that all reasonable measures regarding the control and prevention of pollution and waste from being introduced into the Marine Park are implemented.

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## **SPECIAL CONDITIONS**

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16. The Permittee must ensure that participants operating 4WD vehicles on beaches within the marine park do so in accordance with local authority requirements and do not cause disturbance to resting shorebirds.
17. The Permittee must ensure that officials and competitors do not interfere with the activities of other beach users or exclude any person from occupying or using any areas within the marine park.
18. The Permittee must ensure that each competitor is aware of the Cape Byron Marine Park Zoning Plan and the restrictions that apply to recreational fishing in the marine park.
19. The Permittee must register each participant and unless exempt sight their current NSW Recreational Fishing Fee Receipt and record the number of the receipt.

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## **REPORTING CONDITIONS**

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20. The Marine Park Manager, Cape Byron Marine Park (02 6620 9305 or 0439 485 266, fax 02 6620 9333 email: [andrew.page@dpi.nsw.gov.au](mailto:andrew.page@dpi.nsw.gov.au)) must be provided with a summary of activities at the expiry of this permit, including the information listed on the attached form.
21. The Permittee must notify Marine Parks as soon as is possible of any fatal accident or serious injury sustained by a participant/s resulting from the conduct of the permitted activity listed in this permit on lands or waters of the marine park. All other accidents or injuries must be reported to the Authority in writing within seven (7) days of the occurrence

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**NATIVE TITLE CONDITIONS**

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22. In the event that native title rights and interests are, or would be, affected by the grant of this Permit and this Permit is not authorised under the Native Title Act 1993 (Cth) so that the Permit may be 'invalid' within the meaning of the Native Title Act 1993 (Cth) then:
- a) The Permittee agrees that it will not seek to recover any compensation, damages, costs, losses or expenses whatsoever resulting from the invalidity from the Department of Primary Industries – Marine Parks;
  - b) The parties agree that the valid parts of this Permit continue in force unaffected by the invalid parts.
23. The Permittee must not interfere with or prevent any person holding native title in the Marine Park from having reasonable access to the Marine Park.

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**INTERPRETATION AND DEFINITIONS**

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A word or phrase in this permit has the same meaning as the word or phrase has in the *Marine Estate Management Act 2014*, *Marine Estate Management Regulation 2009* and the *Marine Estate Management (Management Rules) Regulation 1999*.

A reference to a date includes that date

**Attachment 1.****Fishing Competition Activity Report Sheet**

<b>Fish Species</b>	<b># weighed in</b>	<b>Maximum Size and Weight</b>
Tailor		
Mulloway		
Bream		
Whiting		
Luderick		
Flathead		
Tarwine		
Swallowtail		
Pearl perch		
King /Cobia		
AJ/Sambo		
Blackfish		
Flathead		
Bass		
<b>Total # of fish measured/weighed in</b>		
<b># of measured/weighed in fish caught in CBMP</b>		ie fishing between <b>Brunswick River</b> and <b>Lennox Head</b> .

<b>Number of Competitors</b>		
<b>Juniors</b>		
<b>Adult Males</b>		
<b>Females</b>		
<b>Veterans</b>		<b>Total Competitors</b>