Draft general information for commercial fishing and aquaculture vehicle access permits
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The permit application package

Commercial fishers and aquaculture permit holders in NSW occasionally require access through National Parks and Wildlife Service (NPWS) parks managed by the Department of Environment and Climate Change (DECC) to conduct licensed commercial fishing and aquaculture activities. Vehicle access is provided through NPWS parks to authorised commercial fishers including ocean beach haulers, bait collectors, aquaculture permit holders and estuary general fishing.

This permit application package is applicable to commercial fishing or aquaculture permit holders licensed under the Fisheries Management Act 1994. It does not cover the regulation of commercial fishing or aquaculture which is carried out by the NSW Department of Primary Industries (DPI) under the Fisheries Management Act, nor does it cover recreational, charter or Indigenous fishing permits.

Requirements for all permit holders

The key requirements now for all commercial fishers and aquaculture permit holders who access fishing locations through NPWS are that they hold:

- a NPWS commercial fishing and aquaculture vehicle access permit
- public liability insurance to the value of $10 million.

Requirements for application

Commercial fishers and aquaculture permit holders are now required only to submit details (rather than full copies) of:

- name and contact details
- names of the parks and tracks to be covered by the access permit
- applicable commercial fishing and aquaculture licensing, registration and permit number details
- driver’s licence number
- public liability insurance details
- details of other people to be covered by the permit application.

Vehicle access pricing structure

As of 1 October 2008, the cost of applying for a permit will be $200, with a charge of $50 for each additional vehicle being covered by the permit. This fee provides for:

- installation and maintenance of gates, locks and other infrastructure needed to secure access for fishers
- signage for the public on beaches where fishing operations are conducted
- permit application costs.

All vehicle access permits incorporate the cost of a NPWS ‘Country Parks Pass’ for vehicles covered by the permit application. The park passes will be issued at the same time as the permit and dashboard display. This fee will be adjusted for Consumer Price Index (CPI) increases as appropriate.

The dashboard display will be transferable to other vehicles, providing that the vehicle is being used as part of the authorised activity of the permit holder. The number of vehicles operating within a park at any time cannot exceed the number of vehicles covered by the permit.

Where the environmental damage from vehicle access is likely to be significant, local NPWS Areas may also negotiate additional contribution to the cost of managing an appropriate level of access or for restoration of environmental damage at the time of application.

For further information on how to apply for a vehicle access permit to conduct commercial fishing or aquaculture, please contact your local National Parks office or visit www.environment.nsw.gov.au.
Vehicle access permit for commercial fishing and aquaculture

PERMIT APPLICATION

200X/X

INSTRUCTIONS
Applicants must:

1. Read the ‘Vehicle access permit for commercial fishing and aquaculture’ information sheet, complete your details and sign and date the form.

2. Pay the vehicle permit fee (or additional agreed permit fee) to your NPWS local office.

3. Display your vehicle access permit for commercial fishing on the dashboard at all times the vehicle is on DECC estate for the purposes of commercial fishing.

4. Display your vehicle Country Parks Pass on your windscreen.

5. Renew your permit at the beginning of June each year.

XX Region
XX Address
Phone XX
Fax XX.
Application for vehicle access permit for commercial fishing and aquaculture

I, (Name)……………………………………………………………………………………….…. of
(Address)…………………………………………………………………………………….…
……………………………………………………………………………………………….
(Phone number).……………………………………….. apply for permission to access the areas
defined below for the purpose of commercial fishing or aquaculture.

<table>
<thead>
<tr>
<th>Location/s covered by permit</th>
<th>Road/track name/s covered by permit</th>
<th>Park/s covered by permit</th>
<th>Office use only Region/Area</th>
</tr>
</thead>
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* Please attach a separate sheet if you require more space for details.

Commercial Fishing Authority or Aquaculture Permit Number

<table>
<thead>
<tr>
<th>Fishing Registration Number</th>
<th>Fishing Business Number(s)</th>
<th>ABN/ACN</th>
<th>Commercial Fisher of Fishing Business Owner Registration No.</th>
<th>Aquaculture/Other Permit Type and Number</th>
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Public liability insurance details

<table>
<thead>
<tr>
<th>Name on insurance</th>
<th>Insurance company</th>
<th>Level of cover ($)*</th>
<th>Policy number</th>
<th>Expiry date</th>
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*DECC requires a minimum $10million public liability insurance for all commercial businesses operating on park.

Driver’s licence details

Additional vehicle passes may be applied for at an additional charge of $50 per vehicle being used by drivers/workers/crew participating in a commercial fishing or aquaculture activity or who are involved in the carriage of product/s resulting from that activity.

<table>
<thead>
<tr>
<th>Name on driver’s licence</th>
<th>Driver’s licence number</th>
<th>Expiry date</th>
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Vehicle details

Please provide details of the primary vehicle/s conducting the commercial fishing or aquaculture business. A change to the vehicles used to conduct commercial fishing is permissible provided a valid Vehicle Access Permit and dashboard display and, where applicable, a Fishing Business Number, are displayed.

<table>
<thead>
<tr>
<th>Registration</th>
<th>Make</th>
<th>Model</th>
<th>Colour</th>
<th>DPI fishing business number*</th>
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*This is the Fishing Business number associated with the commercial fishing activity being undertaken.

Information for applicants

Who requires a DECC vehicle access permit

Permits are only required by those who use NPWS parks to undertake commercial fishing activities, aquaculture or activities ancillary to commercial fishing. Permits are not required by commercial fishers or aquaculture permit holders who operate exclusively outside NPWS parks and only traverse publicly accessible tracks in NPWS parks to access this other land.

Fees

2008/09 Vehicle permit fees are as follows:

<table>
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<th>Application fee (including the first vehicle)</th>
<th>$200</th>
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<tbody>
<tr>
<td>Each additional vehicle under the permit used by additional people who are working with commercial fishers or fishing business owners</td>
<td>$50 each</td>
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Fees will be reviewed every two years to reflect changes in the CPI.

Applicants must provide details of their applicable Commercial Fishing Licence numbers, registrations and permits (Fishing Business number, Commercial Fisher of Fishing Business Owner Registration number, Commercial Fishing Authority or Aquaculture Permit number and type, other permit type and number), driver’s licence number and public liability insurance with permit applications.

Applicants are eligible to enter multiple parks within NSW for the purpose of access for licensed commercial fishing or aquaculture provided the applicant provides details during application of the parks and tracks being accessed.

Locked gate access

If keys are provided to the permit holder, upon receipt of the keys the permit holder will be required to pay a $50 refundable key deposit to be held by the local NPWS Area office, the amount of which will be returned to the applicant at the cessation of the permit on receipt of the keys.

NPWS keys remain the property of NPWS and are not transferable to any other person. If the access permit expires or the permit holder no longer requires the NPWS key for the nominated purpose, the key must be returned to the issuing NPWS Area office within 14 days. Failure to return the NPWS key within 14 days of expiry of the access permit will result in forfeiture of the deposit and further action from NPWS.
Changes to permit conditions
The permit conditions may be varied at any time at the discretion of the Director General of DECC. The holder may appeal a decision of the Director General of DECC to vary the conditions of the permit. The permit holder may apply to the NPWS office in writing for a variation of any conditions of a permit. Requests for variations may include payment of a small administrative modification fee.

A permit may be revoked at any time at the discretion of the Director General of DECC. Prior to revoking the permit, the permit holder will be given notice and an opportunity to make submissions. The permit holder will be notified in writing of the final decision. The permit holder may appeal a decision to revoke the permit.

Management of NPWS access tracks
Where emergency track maintenance is required on access tracks used or reserved for commercial fishing purposes exclusively, the permit holder agrees to contribute to the funding of essential works on the track. Approval will be required through an environmental impact assessment and NPWS will negotiate any contribution to track maintenance with fishers prior to work commencing.

Additional conditions
Conditions for particular parks may be applied and negotiated with local National Parks offices. Details of these conditions will be included in the vehicle access permit.

Applicant signature: ………………………………………………… Date:…………………………
Standard and additional permit conditions

Commercial fishing and aquaculture vehicle access permit

Permit issued pursuant to clauses 4 and 6(2) of the National Parks and Wildlife Regulation 2002.

Permit issued to:
[Name]
[Address]

Area to insert details (areas/parks (i.e. tracks, roads etc) subject to the permit, authorised vehicle details, driver’s licence details, fishing licence details, insurance details, etc. include details regarding where the vehicles are allowed to park within the park).

Definitions

Permit issued subject to the following standard conditions
S1. This permit commences on the date it is signed unless otherwise provided by this permit.

S2. Unless otherwise revoked in writing, this permit remains in force from the date of commencement until 30 June each year.

S3. The permit holder will at all times comply with the National Parks and Wildlife Act 1974, National Parks and Wildlife Regulation 2002 and all other applicable statutory and regulatory provisions and requirements.

S4. The permit holder must ensure that vehicle access is used only for the purpose of licensed commercial fishing or aquaculture authorised under the Fisheries Management Act 1994.

S5. Holders of vehicle access permits are also required to hold an appropriate NPWS vehicle pass for access to NPWS parks when accessing areas for licensed commercial fishing and aquaculture.

S6. A valid commercial fishing and aquaculture vehicle access permit must be displayed on the dashboard of the vehicle at all times the vehicle is in NPWS parks.

S7. If keys are provided to the permit holder, the permit holder must not copy or provide the keys to any other person or allow any other person to use the keys for unauthorised entry to NPWS parks. Keys are to be returned to each of the issuing NPWS area offices on the expiration or termination of the permit.

S8. The permit holder agrees to indemnify and keep indemnified the Crown in right of NSW, the Minister administering the Act, the Director-General of DECC, and their employees, agents and contractors, in the absence of any willful misconduct or negligence on their part, from and
against all actions, demands, claims, proceedings, losses, damages, costs (including legal costs), charges or expenses suffered or incurred by them resulting from:

a. any damage or destruction to any real or personal property; and

b. injury suffered or sustained (including death) by any persons

arising out of or in connection with any activities undertaken pursuant to this permit.

S9. The permit holder agrees to release, to the full extent permitted by law, the Crown in right of NSW, the Minister administering the Act, the Director-General of DECC, and their employees, agents and contractors, in the absence of any willful misconduct or negligence on their part, from all suits, actions, demands and claims of every kind resulting from:

a. any damage or destruction to any real or personal property; and

b. injury suffered or sustained (including death) by any persons

arising out of or in connection with any activities undertaken pursuant to this permit.

S10. The permit holder shall also indemnify and keep indemnified to the value of $10,000,000 the Director General of DECC, the Minister administering the park (or other relevant Minister) and the Government of the State of New South Wales respectively, against all actions, suits, claims and demands and all costs, charges and expenses in respect of or arising out of any injury to persons or property or any loss or damage by reason of anything done or omitted to be done by the permit holder and his/her employees/contractors/crew, in connection with the permit area or any of the provisions of this Notice or otherwise arising out of the permit holders use and occupation of the permit area or any other National Parks and Wildlife Service park.

S11. The permit holder is to ensure that all drivers covered under this permit have a current NSW driver’s licence and that all vehicles are registered and in a roadworthy condition.

S12. The permit holder is to ensure pedestrian safety when driving through permitted access points, particularly over holiday periods.

S13. The permit holder will not deposit, authorise or permit to be deposited within the park, any refuse, garbage, human waste, or any offensive or polluting material other than that which is deposited in any facility provided by DECC for that purpose.

S14. Use of firearms is not permitted for use within the park.

S15. The permit holder is responsible at all times for the general safety and behaviour of crew members, employees, contractors, sub-contractors and any person under the control and management of the permit holder when accessing the permitted areas within the park.

S16. The permit holder must take all reasonable safety precautions when accessing permitted areas within the Park and must carry first aid equipment in the vehicle subject to this permit.

S17. No open fires are permitted within the Park.

S18. Dogs, cats, horses, or any other animal will not be allowed to enter the Park in connection with the activity.

S19. The permit is not transferable.

Additional conditions (add any additional conditions below if required)
Examples include:
A1. Vehicles, boats, camps and associated equipment are not permitted on any vegetated dunes.

A2. The use of refrigerated vans/trucks, or the unloading and sorting of the catch is not permitted within the precincts of the XXXX. These activities are subject to additional consent from DECC.
A3. Other park specific conditions as required such as conditions in relation to night-time lighting and spotlighting use, parking restrictions, camping and noise (generators etc.).

**Permit approved:**

[Signature block]

[Name]

[Position title e.g. Area/Regional Manager]

[Area/region]

[By delegation]

[Date]

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<td>Signature:</td>
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<tr>
<td>Receipt No:</td>
<td>Key No(s):</td>
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<tr>
<td>Application for more than one area YES/NO/NA</td>
<td>Approval from other areas Date(s):</td>
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<tr>
<td>If yes, PWG areas notified/faxed Date(s):</td>
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