



Trust Land

Doug Jennings Park

Wave Break Island

OPERATIONAL POLICY



Document control sheet

Enquiries

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1.0 Policy intent

1.1 Purpose

The Gold Coast Waterways Authority (**GCWA**) is the trustee of **Doug Jennings Park**, **Wave Break Island**, and a land parcel at the southern tip of South Stradbroke Island (the **trust land**). A map that depicts the trust land can be found in schedule 2.

GCWA was appointed as the trustee of the trust land by the then Minister for Natural Resources and Mines (the **Minister**) pursuant to section 44 of the *Land Act 1994* (the **Act**).

GCWA, as the trustee, has a responsibility under the Act to manage the trust land in a way that is consistent with the purposes for which the trust land has been dedicated and for the benefit of the community.

For example, Doug Jennings Park (a portion of the trust land) has been dedicated for specific **community purposes**, namely, use by the community for **park**, **recreation**, and **kiosk** purposes.

GCWA considers that community use of the trust land is paramount and that any other **activity** on the trust land, a secondary use of the trust land, if authorised by GCWA, must be consistent with the trust land's community purposes.

GCWA is required to manage, protect, and maintain the trust land, and all improvements made to the trust land, in a way that does not diminish or derogate from the community purposes for which the trust land has been dedicated.

In fulfilling its responsibilities, GCWA must also respect, and remain consistent with, the *Guideline—Managing actions consistent and inconsistent with the purpose of trust land* (the **Department Guideline**) produced by the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (the **Department**), the administering agency for the Act.

The purpose of this *Operational Policy—Trust Land* (the **Operational Policy**) is to provide a framework for the use, administration, and regulation of the trust land that is controlled and managed by GCWA for all purposes and activities.

The meanings of the words and terms **bolded** and **italicised** can be found in **Definitions** at section 9. Where the context requires, the singular includes the plural and vice versa.

1.2 Scope

The Operational Policy applies to the trust land, and any improvements located and carried out on the trust land, which are under the control and management of GCWA.

The Operational Policy is intended to:

- (a) ensure the trust land, specifically Doug Jennings Park and Wave Break Island, is used for park and recreation purposes and that any activities or works on the trust land are undertaken for the sole purpose of enhancing and promoting the use of the trust land for park and recreation purposes;
- (b) provide clarity on the permitted use of the trust land by the general public, individuals, and other entities;
- (c) specify the types of activities that may be conducted on the trust land;
- (d) specify the frequency and size of activities that may be conducted on the trust land;
- (e) provide clear guidance for individuals, community groups, **charities**, **not-for-profit organisations**, **government agencies** and commercial entities wishing to conduct an activity on the trust land;

- (f) specify when an **authority** is required to conduct an activity on the trust land;
- (g) regulate and promote use of the trust land for community use and other activities consistent with the trust land's dedicated community purposes;
- (h) regulate and facilitate use of the trust land for a wide range of community activities, including authorised commercial activities; and
- (i) ensure that fair and equitable fees, rent, and charges apply for use of the trust land and the conduct of activities on the trust land.

The Operational Policy does not apply to the trust land at the southern tip of South Stradbroke Island, which is the subject of joint trusteeship between GCWA and City of Gold Coast. As such, the management and regulation of activities on the southern tip of South Stradbroke Island are satisfactorily addressed by local laws administered by City of Gold Coast.

The Operational Policy does not apply to the **Sand Bypass System**.

2.0 Trust land

2.1 General

The trust land is available for use by the general public at all times, or as directed by GCWA, for the community purposes for which the land has been dedicated.

GCWA will regulate use of the trust land as it sees fit to ensure that the trust land is used predominately for these community purposes, appropriately managed, protected and maintained, as required by the Act.

GCWA will determine the potential impact that a proposed activity will have on the trust land and may, at its sole discretion, issue an authority for lawful conduct of the activity on the trust land.

In the event of a dispute about the nature of an activity, the conditions of an authority, or the refusal to issue an authority, GCWA's decision as the trustee shall be final.

2.2 Principles

Consistent with the Department Guideline, GCWA's approach to management, maintenance and protection of the trust land shall be guided by the following principles:

- as the trustee, GCWA must maintain and protect access to the trust land by the general public;
- activities must not adversely affect community access, including individuals, community groups, and other legitimate users;
- activities must not conflict with the community purposes of the trust land;
- activities must not adversely affect the authorised activities of the Seaway Kiosk, such kiosk activities conditioned by a **trustee lease**;
- **commercial activities** must not overpower or dominate the trust land;
- commercial activities must not unreasonably exclude the general public, nor should they be the most substantial or significant use of the trust land; and
- commercial uses must not result in exclusivity for individuals, groups, or clubs, except as authorised by GCWA under this Operational Policy.

2.3 Wave Break Island

GCWA was appointed as the trustee for Wave Break Island by the Minister on 26 June 2015.

Generally, Wave Break Island shall be available for day-use by the general public for **low impact activities** only, such as boating, fishing, picnicking, swimming, and walking.

GCWA may consider an **application** for a **trustee permit** for an organised activity that helps to maintain or protect the trust land (for example, an organised waste collection activity as part of Clean Up Australia Day).

Generally, GCWA will not authorise commercial activities on Wave Break Island.

GCWA may only consider an application for a trustee permit for a **medium impact activity** on Wave Break Island where there are special circumstances. GCWA shall decide any such application in its absolute discretion.

GCWA will not issue an authority for a **high impact activity** on Wave Break Island.

As provided by the Act, the following shall be considered **trespass related acts** on Wave Break Island:

- occupying, living, or camping on the island;
- building, placing, and maintaining any structures, improvements or works on the island; or
- clearing, digging, or cultivating the land of the island.

Visitors to Wave Break Island must collect and dispose of all garbage, litter, refuse, and rubbish in the bins provided, or collect and remove their garbage, litter, refuse, and rubbish from the island.

A map that depicts Wave Break Island can be found in schedule 2.

2.4 Doug Jennings Park

Doug Jennings Park is a unique, picturesque public space located at the northern end of Seaworld Drive, Main Beach, bounded by the Gold Coast Seaway and the Broadwater.

GCWA was appointed as the trustee for Doug Jennings Park by the Minister on 22 June 2015.

Generally, Doug Jennings Park shall be available to the general public for low impact activities throughout the year.

Low impact activities permitted at Doug Jennings Park include, but are not limited to, boating, fishing, picnicking, swimming, and walking.

GCWA adopted the *Model by-law about protection and use of trust land* (the **Model By-law**) made under the Act to protect and regulate the use of Doug Jennings Park.

The Model By-law sets out activities that are prohibited and activities that are otherwise regulated.

GCWA may consider an application for a trustee permit for temporary exclusive use for an activity, over the whole or part of Doug Jennings Park, on conditions that GCWA may, in its absolute discretion, decide for the trustee permit.

Doug Jennings Park may be available for medium impact activities and high impact activities throughout the year, except on certain public holidays and long weekends (for example, Australia Day and the Easter long weekend), and the period covered by the Christmas/New Year compulsory closure (the **compulsory closure**) for Queensland Government departments.

Generally, GCWA will not issue an authority for a medium impact activity or a high impact activity in Doug Jennings Park on certain public holidays, long weekends, and the compulsory closure due to:

- very high use of the trust land by the general public for low impact recreation during public holidays and long weekends;
- risk of reputational damage to GCWA where building, construction or fencing happens during busy periods, such as the Christmas holiday, public holidays, and long weekends; and
- GCWA's office closure during these periods and therefore GCWA's inability to provide administrative service and/or operational response to issues that may arise for medium and high impact activities.

GCWA may only consider an authority for a medium or a high impact activity in Doug Jennings Park during a public holiday, a long weekend, or the compulsory closure where the proposed activity is:

- (a) an activity sponsored by City of Gold Coast;
- (b) an activity sponsored by Tourism and Events Queensland; or
- (c) a **major event**.

Consistent with the Model By-law, the gates of Doug Jennings Park are locked between the hours of **8:00 pm** and **6:00 am** and vehicular access will be restricted during this period. Any vehicular access to Doug Jennings Park during this restricted period will require prior written authority from GCWA with a fee payable for after-hours security services.

A map that depicts Doug Jennings Park, including Moondarewa Spit and the southern training seawall of the Gold Coast Seaway, can be found in schedule 2.

3.0 Activities

3.1 Use of trust land

Use of the trust land can include, but is not limited to, the following:

- (a) **recreation** – low-level recreation activities by the general public;
- (b) **private gatherings** – small ceremonies, family or social gatherings, small private corporate functions, or other private invitation-only events;
- (c) **community groups, government agencies, or not-for-profit organisations** – pop-up stands, school excursions, smaller community events, and smaller sporting events;
- (d) **non-commercial activities** – activities that may be medium or high impact activities, but which are conducted without commercial advantage – charitable fund-raising events, cultural gatherings, religious services, or wedding ceremonies; and
- (e) **commercial activities** – activities conducted by for-profit corporations, corporate and private businesses or other organisations, which are conducted for a marketing, promotional, or brand-building purpose, or with a view to securing a commercial advantage.

This includes not-for-profit activities or events where the scale, commercial branding, or operational nature resemble a commercial enterprise.

GCWA will categorise activities according to impact on the trust land:

1. low impact activity;
2. medium impact activity; or
3. high impact activity.

The meaning of these terms can be found in **Definitions** at section 9.

GCWA will only authorise commercial activities where the proposed activity is consistent with the Department Guideline.

Camping on the trust land is prohibited, except in circumstances where camping is required and forms an integral part of an activity for which a trustee permit has been issued and where camping is authorised by GCWA under that permit.

Mobile or stationary vending for the supply of goods or services on the trust land is prohibited, except when authorised by GCWA under a trustee permit. This includes supply of drinks, food, ice cream and other similar goods or products, as well as supply of arts, crafts, and merchandise.

GCWA may issue an authority where provision of drinks and food forms part of an authorised activity.

GCWA's decision to issue an authority in respect of an activity that includes the supply of goods and services shall be final.

Generally, a government agency will be exempt from payment of rent for use of the trust land to conduct an activity that is a function of that agency. However, GCWA may require a government agency to make payment of an assessment fee, legal fees, security bond, and charges for after-hours security services.

3.2 Community standards

GCWA promotes use of the trust land for the general public, including families with children.

Activities on the trust land, regardless of their category or type, must not contravene contemporary community standards for behaviour, such as behaviour that interferes, or is likely to interfere with, the peaceful enjoyment, passage through, or use of the trust land as a public place by the general public.

Activities such as live shows, concerts or festivals must not contain music or performances with offensive, explicit, or strong lyrics.

GCWA may not issue a trustee permit for an activity that may include, or is known to include, offensive behaviour, such as abusive, explicit, indecent, obscene, offensive, or strong language.

3.3 Commercial activities

Commercial activities may involve the exchange of goods or services for a fee, or the pursuit of a commercial advantage, and include:

- (a) activities, events or functions where the primary purpose is to secure a commercial advantage for a for-profit entity or a third party;
- (b) **advertising devices** that advertise an activity, event, or function for a commercial entity;
- (c) animal training or competitions conducted for a commercial enterprise;
- (d) commercial displays, filming, or photography;
- (e) commercial events or functions where patrons are charged a fee to enter and/or participate;
- (f) commercial fitness, training or sporting activities and events;
- (g) functions or events designed to promote other events that are conducted for commercial advantage;
- (h) guided leisure activities, events, or tours;
- (i) guided motorised activities, recreational activities, or tours;

- (j) hire of recreational equipment;
- (k) commercial music concerts and festivals;
- (l) sale of arts, craft, or merchandise; and
- (m) television and motion picture productions.

GCWA may request information from an applicant to enable a decision about the commercial nature of a proposed activity.

4.0 Authorities

4.1 Administering agency

To remove any doubt, GCWA is the administering agency for an authority that may be issued or granted to a person for use of the trust land under the Act.

4.2 Authority not required

The trust land is set aside for use and enjoyment by the general public; for recreational activities such as boating, fishing, picnicking, sight-seeing, swimming, walking, and other similar low impact activities.

GCWA will prioritise use of the trust land for its community purposes.

In GCWA's view, low impact activities have negligible impact on the trust land and improvements made to the trust land.

An authority is not required for the general public to undertake a low impact activity on the trust land, provided the activity remains consistent with the community purposes for which the trust land has been dedicated.

4.3 Authority required

Where a proposed activity may have a more significant impact on the trust land, or the proposed activity may impact upon use of the trust land by other members of the public, GCWA will categorise the activity as a medium impact activity or a high impact activity, and the person proposing to conduct the activity must obtain a relevant authority from GCWA.

An authority will be required where the proposed activity:

- (a) is for a purpose other than a community purpose for which the trust land has been dedicated;
- (b) is intended to make a commercial profit for the person conducting the activity or a third party;
- (c) may impact the enjoyment by other users of the trust land;
- (d) may prevent public passage through, or restrict public access to, any part of the trust land;
- (e) requires the installation of temporary structures and fencing, or the operations of vehicles, plant, or equipment on any part of the trust land; or
- (f) which in the opinion of the GCWA, acting reasonably, will have a significant impact upon the use and enjoyment of the trust land by the general public.

GCWA will not issue a trustee permit for a purpose inconsistent with the community purposes for which the trust land has been dedicated.

4.4 Considerations

Before issuing an authority, GCWA will, as a minimum, consider the following:

- (a) duration of the proposed activity;
- (b) intensity of use of the trust land for the proposed activity;
- (c) level of rectification, rehabilitation or restoration of the trust land that may be required as a result of the conduct of the activity;
- (d) level of risk in allowing the activity to proceed on the trust land, including the community's perception of the proposed activity (as reasonably determined by GCWA);
- (e) public benefit and whether there are any consequences for the public before, during, or after the activity;
- (f) suitability and appropriateness of the proposed activity on the trust land;
- (g) whether attendees at the proposed activity will be charged a fee for admission or participation;
- (h) whether the intention of the proposed activity is generation of income or to derive profit for the person conducting the activity or a third party;
- (i) whether the proposed activity is conducted by an individual, registered charity, not-for-profit organisation, government agency, local government, non-commercial, commercial, or other user;
- (j) whether the proposed activity is consistent with community purposes for which the trust land has been dedicated;
- (k) whether the proposed activity prevents, restricts, or prohibits use of the trust land, or part thereof, for its community purposes by other users;
- (l) whether the proposed activity will be for carrying out organised traditional practices by the recognised traditional owners within the area; and
- (m) whether the proposed activity will contravene contemporary community standards for a public place.¹

Before confirming a date, or dates, for a high impact activity on the trust land (for example, a music festival), GCWA will consult with City of Gold Coast to appropriately assess and determine any potential conflicts.

5.0 Trustee permit

5.1 Trustee permit

A user of the trust land for a purpose other than a low impact activity must make an application to GCWA for a trustee permit. The trustee permit must be issued by GCWA before the activity may commence on the trust land.

GCWA may only issue a trustee permit in compliance with the Act, the Model By-law, the Operational Policy, the Department Guideline, and any other relevant requirements under law.

A trustee permit may include a condition that the **trustee permit holder** enters into a **deed of indemnity and release** with GCWA.

¹ Refer to Community standards, section 3.2

A **trustee permit fee** will be payable to GCWA for a trustee permit.

GCWA may only accept an application for a trustee permit up to **3 years in advance**.

5.2 Making an application

An application for a trustee permit must be:

- (a) in the **approved form**;
- (b) supported by enough information to enable GCWA to decide the application, which could include other approvals or authorities, insurance certificates, licences, permits, or plans as required by other government agencies or the local government;
- (c) accompanied by the non-refundable **assessment fee**;
- (d) if required, accompanied by the non-refundable **booking fee**; and
- (e) if required, accompanied by payment of **rent** and/or **security bond**, unless otherwise agreed in writing by GCWA.

The approved form must include the following information:

- (a) name, address, and contact details of the person responsible for the conduct of the proposed activity (the **applicant**);
- (b) details of the proposed activity, including date, time, number of attendees or participants, duration, whether food, drinks (including alcohol) or other goods will be provided or made available for sale, and the location on the trust land; and
- (c) details of the nature and type of any temporary structures necessary for the duration of the proposed activity, and a plan showing the location of any such structures on the trust land.

An application for a trustee permit for a low impact activity or medium impact activity on the trust land must be received by GCWA at least 20 business days before the start date of the proposed activity.

GCWA is under no obligation to accept or assess an application for a low impact activity or medium impact activity that is received within 20 business days of the proposed activity.²

An application for a trustee permit for a high impact activity on the trust land must be received by GCWA at least 60 business days before the date of the proposed activity.

GCWA is under no obligation to accept or assess an application for a high impact activity that is received within 60 business days of a proposed high impact activity.³

GCWA will assess an application for an activity based upon the information provided in the application. Where an applicant requests an amendment to the application (for example, to change times, dates, security services, proposed structures etc.), a **further assessment fee** may be payable by the applicant.

GCWA may, at its discretion, engage with external and third-party stakeholders who may be affected by the proposed activity. GCWA may include a reasonable requirement from these external or third-party stakeholders as a condition of the trustee permit.

Any costs incurred by GCWA in its engagement with external or third-party stakeholders will be payable by the applicant, as a component of the trustee permit fee.

² Refer to Fast-Track assessment fee, section 7.3

³ Refer to Fast-Track assessment fee, section 7.3

GCWA may, at its discretion, request further information from an applicant to enable GCWA to decide the application. GCWA will make the request in writing (for example, by email). If the applicant fails to provide the further information within **10 business days** of GCWA's written request, then GCWA may refuse the application for the trustee permit.

Where an applicant requests an amendment to an application, GCWA will decide the amendment within **20 to 60 business days** from the date of the request for the amendment, depending on the level of assessment and the type of activity.

It is the applicant's responsibility to ensure that information provided to GCWA (including information in the approved form and all supporting information) is accurate and complete before submitting an application for assessment.

5.3 Securing dates

To secure a date, or dates, for use of the trust land (for example, a music festival), a person must:

- (a) make an application in the approved form;
- (b) make payment of the non-refundable assessment fee; and
- (c) make payment of the non-refundable booking fee (to the extent GCWA requires a non-refundable booking fee).

GCWA may hold or "pencil" a date, or dates, for use of the trust land for **2 business days only**. If the person fails to make an application in the approved form within 2 business days, GCWA will release the date or dates.

The person making the application must also make full payment of the non-refundable assessment fee and the non-refundable booking fee (where applicable) upon receipt of GCWA's invoice. If the person making the application fails to make full payment of fees in accordance with the invoice, GCWA will release the date or dates.

To remove any doubt, simply submitting an approved form and making full payment of a non-refundable assessment fee and a non-refundable booking fee does not constitute an application for a trustee permit.

5.4 Provisional authorisation

GCWA may give **provisional authorisation** for a high impact activity on the trust land, subject to:

- (a) the applicant submitting all supporting information for an application; and
- (b) all stakeholders confirming no objections to the high impact activity.

GCWA's acceptance of an approved form with a non-refundable assessment fee and a non-refundable booking fee does not constitute provisional authorisation, nor guarantee issue of a trustee permit.

GCWA may only give provisional authorisation once an applicant submits enough supporting information for the application, which could include other approvals or authorities, insurance certificates, licences, permits, or plans.

GCWA may, in its sole discretion, agree or refuse to give provisional authorisation for a high impact activity on the trust land.

5.5 Trustee permit conditions

GCWA may, at its sole discretion, issue a trustee permit subject to terms and conditions including, but not limited to, the following:

- (a) standard conditions, as set out in the trustee permit;
- (b) special conditions, as required by GCWA acting reasonably, which could include public notices for an activity;
- (c) execution of a deed of indemnity and release, where required by GCWA;
- (d) requirements of the Department Guideline and Model By-law, as applicable;
- (e) licenced security services for the duration of an activity, where required by GCWA or under law;
- (f) payment of a security bond, if required by GCWA acting reasonably;
- (g) pre-activity and post-activity inspections with an employee of GCWA;
- (h) relevant insurance certificates, licences, permits, plans and other approvals or authorities that are required by GCWA or under law;
- (i) requirements for barricades or fencing, to minimise impact for access and use of the trust land by the general public;
- (j) requirements of external and third-party stakeholders, which in the opinion of GCWA, are reasonable and relevant with respect to the proposed activity on the trust land;
- (k) the trust land being left in a clear and tidy condition as near as practicable to the condition in which the land was immediately before the commencement of the activity;
- (l) various plans, such as a safety management plan, security management plan, traffic management plan or similar, where required by GCWA or under law; and
- (m) where access to the trust land is required between the hours of 8:00 pm and 6:00 am, payment of charges for security services.

5.6 Request for further information

GCWA may, in its sole discretion, request further information as and where reasonably required or necessary to enable GCWA to decide whether it may:

- (a) issue a trustee permit;
- (b) issue a trustee permit, subject to additional or special conditions;
- (c) refuse to issue a trustee permit;
- (d) cancel, change, or impose new conditions on a trustee permit at any time before or during the proposed activity; or
- (e) require execution of a deed of indemnity and release.

The terms and conditions of a trustee permit include standard conditions, and may be subject to any additions, alterations or changes that GCWA, in its sole discretion, considers to be appropriate, depending on the proposed activity.

Generally, the standard conditions of a trustee permit, and clauses of a deed of indemnity and release, are non-negotiable. However, GCWA may consider written requests for changes, depending on the nature of the proposed activity.

Where GCWA incurs any legal fees associated with changes to conditions for a trustee permit, or clauses of a deed of indemnity and release, then those fees are payable by the applicant prior to issue of the trustee permit or execution of the deed.

GCWA may, in its sole discretion, agree or refuse to vary the standard conditions of a trustee permit, or the clauses of a deed of indemnity and release.

5.7 Refusal or cancellation of trustee permit

GCWA may refuse an application for a trustee permit if the applicant has:

- (a) contravened the Act, including the Model By-law;
- (b) contravened a condition of a trustee permit issued previously by GCWA for use of the trust land;
- (c) not made full payment of costs for rehabilitation, repairs, or restoration of the trust land after an activity on the trust land;
- (d) not paid an assessment fee, booking fee, rent, security bond, or other fee components for the trustee permit; or
- (e) failed to provide further information for an application within 10 business days, following a request by GCWA.

GCWA may cancel a trustee permit where the trustee permit holder does not comply with a condition of the trustee permit.

5.8 Term of trustee permit

Generally, GCWA will not issue a trustee permit for an activity on the trust land for a term longer than 2 consecutive days, except for a trustee permit issued to a government agency.

In addition to the maximum term of 2 consecutive days for the activity, and where appropriate, GCWA may also authorise the following:

- (a) up to 5 consecutive days to bump-in for an activity; and
- (b) up to 5 consecutive days to bump-out for an activity.

If a trustee permit for a term longer than set out above is required (that is, longer than 12 consecutive days), the applicant must provide, in addition to an application (including the approved form, assessment fee, booking fee, supporting information, rent, security bond and any other fees or charges), all of the following:

- (a) full details of the proposed activity;
- (b) reasons for the extended duration of the proposed activity;
- (c) evidence that the extended duration of the proposed activity will not diminish or derogate from the purpose for which the trust land has been dedicated; and
- (d) evidence that the extended duration of the proposed activity is likely to be of public benefit to other users of the trust land.

GCWA may, at its sole discretion, agree or refuse to issue a trustee permit for an extended term, or GCWA may issue the trustee permit subject to any reasonable, special conditions for the extended term.

5.9 Doug Jennings Park roads

There are two sealed roads open for vehicle traffic within the trust land of Doug Jennings Park:

1. Seaworld Drive, which encircles the main open space of Doug Jennings Park to form a ring road, commonly called the Doug Jennings Park ring road; and

2. an unnamed road, which runs from the western roundabout of the Doug Jennings Park ring road towards the southern end of Moondarewa Spit.

Generally, GCWA does not support closure of any road for an activity on the trust land because such closure will cause undue interruption or obstruction for the trust land's community purposes.⁴

However, GCWA may authorise short-term temporary closure of a road on the trust land in circumstances where:

- (a) City of Gold Coast approves closure of Seaworld Drive at Main Beach to vehicle traffic as part of a traffic management plan for an activity (for example, the running discipline of a triathlon); or
- (b) Queensland Police Service requests closure for public safety (for example, at certain times during Australia Day).

GCWA will not authorise a road closure for the bump-in or bump-out for an activity on the trust land.

5.10 Traditional owners

Traditional owners for the area of the trust land may make an application for a trustee permit to carry out traditional activities on the trust land, which must also be conducted in accordance with the Department Guideline.

Before GCWA may issue a trustee permit, traditional owners will be required to provide information and details of the traditional activities, as well as proof of traditional ownership and their connection to the trust land.

Some traditional practices are strictly forbidden, including:

- (a) lighting of fires, other than at specific locations and with prior written approval granted by GCWA; and
- (b) use of firearms or weapons of any kind.

GCWA may issue a trustee permit for traditional activities for a maximum term of 2 consecutive days.

In addition to the maximum term of 2 consecutive days for the activity, and where appropriate, GCWA may also authorise the following:

- (a) up to 5 consecutive days to bump-in for an activity; and
- (b) up to 5 consecutive days to bump-out for an activity.

GCWA, at its sole discretion, acting reasonably, may refuse to issue a trustee permit over the trust land, or part thereof, and GCWA's decision shall be final.

5.11 Rehabilitation and restoration

Provided a trustee permit holder, as a result of an activity on the trust land, has not caused significant loss, damage, or destruction to:

- (a) the trust land; or
- (b) improvements or infrastructure on the trust land;

GCWA will undertake rehabilitation or restoration works, as appropriate, to return the trust land as near as practicable to the condition in which the land was immediately before the commencement of the activity.

⁴ Refer to *Land Act 1994*, section 61(4)

5.12 Post-activity inspection

Following an activity's conclusion, GCWA may require a post-activity inspection attended by:

- (a) an employee of GCWA;
- (b) trustee permit holder or representative; and
- (c) GCWA's **grounds maintenance contractor**.

The post-activity inspection will determine the level of rehabilitation or restoration necessary, as well as any costs payable by the trustee permit holder following the activity. Each party to the post-activity inspection shall be free to make any photographic or video record as evidence of the trust land's condition and damage (if any).

Following the post-activity inspection, the grounds maintenance contractor will provide GCWA with a post-activity assessment report (the **assessment report**), describing the level of rehabilitation or restoration works required for the trust land and including a quotation for the costs associated with such works.

All costs incurred by GCWA for rehabilitation or restoration works outlined in the assessment report are payable by the trustee permit holder on terms specified by GCWA, as a component of the trustee permit fee.

Where a trustee permit holder fails to pay for rehabilitation or restoration works, GCWA will apply the security bond provided by the trustee permit holder under the trustee permit.

It will be a condition of a trustee permit (and a clause of a deed of indemnity and release) that, for GCWA to have recourse to remedies or indemnities for loss, damage, or destruction to:

- (a) the trust land; or
- (b) improvements or infrastructure on the trust land

GCWA only requires the following:

- (a) the assessment report; and
- (b) one quotation from the grounds maintenance contractor.

Generally, no further authorities will be issued for use of the trust land until GCWA, in its sole discretion, is satisfied that the trust land has been returned to a satisfactory condition and is suitable for further use.

6.0 Trustee lease

Section 57 of the Act provides for a trustee lease.

Generally, GCWA will not grant a trustee lease over the trust land, or part thereof, except where the trustee lease would:

- (a) be consistent with the community purposes of the trust land; and
- (b) genuinely facilitate or enhance the community purposes of the trust land.⁵

As the trustee, GCWA will develop a longer-term vision for the activation, revitalisation, and use of the trust land in a way consistent with this Operational Policy.

GCWA, in its sole discretion, will decide whether construction or other improvements to the trust land support its longer-term vision.

⁵ Refer to *Land Act 1994*, section 59

GCWA may only grant a trustee lease for use of the trust land to a third party with the Minister's approval.

7.0 Fees, rent and security bond

7.1 Assessment fee

A non-refundable assessment fee and a non-refundable further assessment fee are components of the trustee permit fee.

A non-refundable assessment fee must accompany the application for a trustee permit when submitted to GCWA for assessment.

GCWA may apply a non-refundable further assessment fee where:

- (a) an applicant requests an amendment to an application for a trustee permit;
- (b) in circumstances where an amendment to a trustee permit is required after the permit has been issued; or
- (c) in circumstances where an amendment to a deed of indemnity and release is required after the deed has been executed.

An amendment to a trustee permit, or a deed of indemnity and release, may be required where:

- (a) the trustee permit holder requests the amendment to the trustee permit or the deed of indemnity and release; or
- (b) GCWA acting reasonably, determines that an amendment to the trustee permit or the deed of indemnity and release is required due to a change in the activity on the trust land.

Where an amendment to a trustee permit, or a deed of indemnity and release, is requested by the trustee permit holder, the further assessment fee is payable before the activity can proceed or continue.

GCWA will review and adjust the non-refundable assessment fee and the non-refundable further assessment fee annually, in accordance with the Government Indexation Rate.

7.2 Booking fee

A non-refundable booking fee is a component of the trustee permit fee.

If required by GCWA, a non-refundable booking fee must accompany the application for a trustee permit when submitted to GCWA for assessment.

When calculating the trustee permit fee for an activity on the trust land, GCWA will deduct the booking fee paid by an applicant from the total amount of rent payable by the applicant.

GCWA may review and adjust the booking fee from time to time.

7.3 Fast-Track assessment fee

GCWA requires a reasonable period to assess an application for a trustee permit, being:

- (a) 20 business days for a low impact or medium impact activity; and
- (b) 60 business days for a high impact activity.

However, on payment of a non-refundable **Fast-Track assessment fee**, which would be a component of the trustee permit fee, GCWA may be able to prioritise an application within a shortened assessment period, once GCWA receives the approved form, all supporting information, and payment of a booking fee (if applicable).

The only time an applicant may ask for priority assessment is at the time of making the application for a trustee permit.

The minimum assessment period for issuing a trustee permit shall be:

- (a) for a low impact or medium impact activity—**10 business days**; and
- (b) for a high impact activity—**20 business days**.

For an application that requires other approvals or authorities from other government agencies, or consultation with external stakeholders, GCWA will still need to confirm the practicality of the shortened assessment period with those other agencies or stakeholders.

GCWA may only issue the trustee permit when the applicant makes full payment of rent, security bond, and any other applicable components of the trustee permit fee.

GCWA will review and adjust the Fast-Track assessment fee annually, in accordance with the Government Indexation Rate.

7.4 Application of fees, rent and security bond

GCWA, in its sole discretion, will categorise an activity on the trust land and decide the amount for assessment and booking fees, rent, security bond, or other applicable components of the trustee permit fee.

Generally, low impact activities being conducted by the general public on the trust land will not require a trustee permit with fees, rent, or security bond.

However, if in the opinion of GCWA acting reasonably, the low impact activity does or will have a more significant impact on the trust land, or use of the trust land by other users, GCWA may require the person proposing the low impact activity to make an application for a trustee permit.

To inform the application of fees, rent and security bond, GCWA has determined the following:

7.4.1 General private recreation only

- Generally, no assessment fee, booking fee, rent, or security bond will apply for low impact, private recreation activities, such as fishing, picnicking, sight-seeing, and walking.

7.4.2 Charities

- Generally, an assessment fee, a booking fee, rent, and security bond will be payable.
- GCWA may waive the rent component where the person is a not-for-profit organisation registered with the Australian Charities and Not-for-profits Commission (**ACNC**).
- In deciding whether to waive rent, GCWA will consider the matters set out in section 7.7 of this Operational Policy.
- In the absence of evidence to prove the person is a registered charity, the trustee permit fee (including an assessment fee, a booking fee, and rent), will be payable, as provided by this Operational Policy.

7.4.3 Government agencies

- Activities conducted by a government agency are exempt from payment of a booking fee and rent, but other fees may be payable, including an assessment fee, legal fees, charges for security services, and security bond.

7.4.4 Non-commercial recreation

- An assessment fee, rent, and security bond are payable for private events or functions, such as wedding ceremonies or larger invitation-only gatherings.
- An assessment fee, rent, and security bond are payable for non-private events, such as cultural gatherings or community festivals.
- An assessment fee, rent, and security bond are payable for public non-commercial activities or events, such as amateur sports competitions or free community fitness programs.

7.4.5 Commercial – Level 0

- An assessment fee, rent, and security bond are payable for commercial activities – level 0 – characterised by one or more of the following:
 - less than 300 attendees
 - low impact activity
 - minimal physical trust land footprint (e.g. only light vehicles or small-scale equipment or structures within a single area).

7.4.6 Commercial – Level 1

- An assessment fee, a booking fee, rent, and security bond are payable for commercial activities – level 1 – characterised by one or more of the following:
 - from 300 to 999 attendees
 - low impact activity
 - minimal physical trust land footprint (e.g. only light vehicles, or small-scale equipment or structures, within a single area).

7.4.7 Commercial – Level 2

- An assessment fee, a booking fee, rent, and security bond are payable for commercial activities – level 2 – characterised by one or more the following:
 - from 300 to 999 attendees
 - medium impact activity
 - confined or clustered trust land footprint (e.g. only light vehicles, or smaller-scale equipment and structures, within a single area or specific type of area).

7.4.8 Commercial – Level 3

- An assessment fee, a booking fee, rent, and security bond are payable for commercial activities – level 3 – characterised by one or more of the following:

- 1,000 to 4,999 attendees
- high impact activity
- widespread or multi-zone trust land footprint (e.g. infrastructure or activities across multiple areas or requiring exclusive use of the trust land).

7.4.9 Commercial – Level 4

- An assessment fee, a booking fee, rent, and security bond are payable for commercial activities – level 4 – characterised by one or more the following:
 - 5,000 to 9,999 attendees
 - high impact activity
 - widespread or multi-zone trust land footprint (e.g., infrastructure or activities across multiple areas or requiring exclusive use of the trust land).

7.4.10 Commercial – Level 5

- An assessment fee, a booking fee, rent, and security bond are payable for commercial activities – level 5 – characterised by one or more the following:
 - 10,000 attendees or more
 - high impact activity
 - widespread or multi-zone trust land footprint (e.g., infrastructure or activities across multiple areas or requiring exclusive use of the trust land).

The assessment fees, booking fees, rent, security bond, and other components of the trustee permit fee for an activity on the trust land are set out in schedule 1.

7.5 Rent

Rent is a component of the trustee permit fee and is payable per day, or part thereof, for the proposed activity.

Rent is also payable per day, or part thereof, for the bump-in and bump-out on the trust land in connection with the proposed activity.

Where an applicant requires access to the trust land for preparation or maintenance of the trust land before a proposed activity, rent is also payable per day, or part thereof, for access and use of the trust land.

Preparation and maintenance of the trust land may include work, such as:

- mowing;
- top-dressing;
- upgrading; or
- watering;

or other maintenance of the grassed surface of the trust land, which may relate to the proposed activity.

For bump-in and bump-out on the trust land, and preparation or maintenance of the trust land, GCWA will calculate rent at 50% of the rent for the relevant proposed activity on the trust land.

Subject to the standard conditions of a trustee permit dealing with cancellation of an event, the trustee permit holder is not eligible for reimbursement of rent, or any component of the trustee permit fee, where:

- (a) a trustee permit is granted but the activity does not proceed; or
- (b) the activity is approved for a full day but is carried out for only part of a day.

GCWA's decision about rent payable for bump-in and bump-out activities and access and use of the trust land for preparation or maintenance of the trust land shall be final.

GCWA will review and adjust rent annually, in accordance with the Government Indexation Rate.

7.6 Security bond

Where appropriate, GCWA may, acting reasonably, request payment of a bond as security against the performance of the trustee permit holder's obligations under the terms or conditions of the trustee permit.

GCWA will determine the amount of security bond having consideration to factors, including:

- (a) type of activity;
- (b) number of attendees;
- (c) proposed use of the trust land;
- (d) impact on the trust land; and
- (e) costs to rehabilitate, repair, or restore the trust land after the activity.

The security bond must be paid as directed by GCWA in accordance with the standard terms and conditions of the trustee permit.

In circumstances where:

- (a) an activity results in significant or extensive and unanticipated loss, damage, or destruction to the trust land, or to improvements or infrastructure on the trust land;
- (b) a trustee permit holder does not comply with a condition of the trustee permit and causes loss, damage, or destruction to the trust land, or to improvements or infrastructure on the trust land; or
- (c) a trustee permit holder fails to leave the trust land in a clear and tidy condition, or otherwise as specified in the trustee permit;

GCWA may apply the security bond provided by the trustee permit holder in order to:

- (a) rectify the loss, damage, or destruction to the trust land, or to improvements or infrastructure on the trust land; or
- (b) remove any debris, garbage, litter, refuse, or rubbish (whether in a fluid or solid state) from the trust land.

Where required, GCWA may recover any costs incurred over and above the security bond from the trustee permit holder as a liquidated debt.

Where the trustee permit holder leaves the trust land in the condition as specified in the trustee permit and within the approved time, the security bond will be released by GCWA in full no later than 20 business days after the expiry of the trustee permit.

Generally, the amount for the security bond for an activity on the trust land shall be the relevant amount set out in schedule 1.

7.7 Rent waiver

Not-for-profit organisations that are registered charities may make an application to GCWA to waive payment of rent for use of the trust land.

An application by a not-for-profit registered charity must include written evidence of the following:

- (a) the charitable objectives or purposes of the not-for-profit organisation and the services and facilities that it provides;
- (b) a copy of the not-for-profit organisation's certificate of registration as a charity with the ACNC;
- (c) the organisation's not-for-profit and charitable or public benevolent institution status, if applicable; and
- (d) how the proposed activity is in pursuit of the charitable objectives or purposes of the not-for-profit organisation.

In deciding whether to waive rent, GCWA will consider:

- (a) the organisation's charitable purpose;
- (b) whether the proposed activity is directed at achieving the organisation's charitable purpose;
- (c) whether the organisation's annual reporting to ACNC is current;
- (d) the organisation's size (as recorded by ACNC);
- (e) the organisation's income and expenses (as reported to ACNC); and
- (f) the scale of any revenue generation, and whether branding, commercial sponsorship, or operational nature of the activity secures a commercial advantage for a third party.

GCWA may waive payment of rent in its absolute discretion and may refuse a waiver where a proposed activity is deemed commercial under this policy.

Where GCWA decides to waive payment of rent, GCWA will advise the not-for-profit registered charity before issuing the trustee permit.

GCWA may waive payment of other components of the trustee permit fee (for example, an assessment fee, a booking fee, legal fees, or charges for security services) that may be applicable for an application or incurred as a condition of the trustee permit.

GCWA may require payment of a security bond for the proposed activity on the trust land.

7.8 After-hours response

Where GCWA responds to:

- (a) a pre-activity or a post-activity inspection for an activity on the trust land;
- (b) a report of an incident during an activity for which a trustee permit has been issued; or
- (c) a request from the holder of a trustee permit during an activity on the trust land;

outside of normal business hours, charges for that after-hours response are payable by the trustee permit holder.

GCWA, in its sole discretion, acting reasonably, shall decide charges for an after-hours response.

7.9 Early entry repairs fee

Generally, the period for rehabilitation or restoration of the trust land following a high impact activity shall be a minimum of **4 weeks**.

GCWA will only authorise use of the trust land for another high impact activity when GCWA, in its sole discretion, is satisfied about the condition of the trust land to allow access and use.

There are two reasons for the minimum period of 4 weeks between high impact activities:

1. to ensure and promote use of Doug Jennings Park primarily for recreational access and use by the general public, rather than as a venue for larger, high impact commercial activities; and
2. to ensure and allow sufficient time for rehabilitation or restoration of Doug Jennings Park between consecutive authorised larger, high impact commercial activities.

In its absolute discretion, GCWA may consider an application for a trustee permit for a high impact activity within 4 weeks of an earlier high impact activity.

Where GCWA decides to accept such an application, an **early entry repairs fee**, as a component of the trustee permit fee, will be payable by the applicant to recover costs likely to be incurred by GCWA to:

- (a) expedite rehabilitation or restoration works for the trust land within 4 weeks; or
- (b) repair rehabilitation or restoration works undertaken during the shortened period and which may be damaged or destroyed by early entry onto the trust land.

GCWA, acting reasonably, will decide the early entry repairs fee, which will be over and above rent for use of the trust land.

8.0 Review

The Manager Waterways will be responsible for implementing and monitoring the Operational Policy, making any necessary suggestions or recommendations for improvement to the Chief Executive Officer.

The Manager Waterways will review the Operational Policy biennially (every two years). However, its review may also be warranted where there are material changes to legislation, the Department Guideline, or other circumstances that impact upon its effectiveness.

GCWA will publish the Operational Policy on its website.

9.0 Definitions

ACNC means the Australian Charities and Not-for-profits Commission.

Act means the *Land Act 1994*.

activity means any activity, event, function, or use of the trust land for any purpose permitted under the Act.

advertising device means any kind of board, device, or sign, including a variable message sign on a trailer or vehicle.

applicant means the person who can make an application for an authority, whether an individual or a corporate entity.

application means an application for a trustee permit—refer to section 5.2.

approved form means the form entitled *Application for a Trustee Permit* for use of the trust land or part thereof, which can be found on GCWA's website and as amended from time to time.

assessment fee means a non-refundable component of the trustee permit fee payable to GCWA when making an application for a trustee permit for the assessment of that application, as set out in schedule 1, and which is subject to annual review and adjustment in accordance the Government Indexation Rate.

assessment report means a report about the condition of, or damage to, the trust land prepared by GCWA's grounds maintenance contractor following a post-activity inspection of the trust land.

authority means a trustee permit issued, or a trustee lease granted, by GCWA in accordance with the Act.

booking fee means a non-refundable component of the trustee permit fee payable to GCWA when making an application for a trustee permit to secure a date, or dates, for an activity on the trust land, as set out in schedule 1, and which may be subject to review by GCWA from time to time.

Note—

Where rent is payable for an activity on the trust land, GCWA will deduct the booking fee paid by the applicant from the total rent payable for the activity on the trust land.

business day means a day, other than a Saturday, Sunday, or a public holiday, on which banks are open for business in Gold Coast, Queensland.

business hours mean the hours when GCWA is open for business, generally between 9:00 am and 4:00 pm on business days.

Bump in means the period before an event when equipment, infrastructure and personnel are brought onto a site to prepare for the event.

Bump out means the period after an event when all temporary infrastructure, equipment and materials are removed.

charity means an entity that meets the definition of charity pursuant section 5 of the *Charities Act 2013* (Cth).

commercial activity means any activity being undertaken on the trust land conducted with a view to securing a commercial advantage, and includes:

- (a) advertising, promoting, selling, or soliciting of goods, food, materials, or services for a commercial entity or enterprise; or
- (b) generating revenue or making a profit for a for-profit organisation or private enterprise.

Note—

This definition must be read in conjunction with the definition **Non-commercial** and sections 3.1 and 3.3 of this Operational Policy.

community purpose means:

- (a) for Wave Break Island—beach protection and coastal management; and
- (b) for Doug Jennings Park—port and harbour use; and associated park, kiosk, and recreation.

compulsory closure means the compulsory closure arrangements for the Christmas/New Year period for the Queensland Government, as decided by the Office of Industrial Relations.

deed of indemnity and release means a deed that must be entered into with GCWA where a high impact activity will be conducted on the trust land, or as and when required by GCWA to indemnify GCWA and the Minister against all claims for loss or damage, direct or indirect, which may be incurred as a result of use of the trust land for the activity.

Department means the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development.

Department Guideline means the *Guideline—Managing action consistent and inconsistent with the purpose of trust land* produced by the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development under the Act, as amended from time to time, and available on the Department’s website at [Our policies | Department of Natural Resources and Mines](#).

Doug Jennings Park means the land reserve:

- (a) identified as “Doug Jennings Park” in schedule 2, dedicated for the primary community purpose of port and harbour use, with sub-purposes of associated park, kiosk, and recreation;
- (b) more particularly described as Lot 529 on SP314539; and
- (c) approximately 33 hectares in area, including Moondarewa Spit and the southern training seawall of the Gold Coast Seaway.

early entry repairs fee means a component of the trustee permit fee to recover costs that are likely to be incurred by GCWA to:

- (a) expedite rehabilitation or restoration of the trust land within a period less than 4 weeks; or
- (b) effect repairs to rehabilitation or restoration works that were undertaken during the shortened period and which may be damaged or destroyed by early entry onto the trust land.

Fast-Track assessment fee means a non-refundable component of the trustee permit fee payable to GCWA for priority assessment of an application for a trustee permit, as set out in schedule 1, and which is subject to annual review and adjustment in accordance the Government Indexation Rate.

further assessment fee means a non-refundable component of the trustee permit fee payable to GCWA for further assessment of:

- (a) an application for a trustee permit;
- (b) conditions of a trustee permit; or
- (c) clauses of a deed of indemnity and release,

as set out in schedule 1, and which is subject to annual review and adjustment in accordance with the Government Indexation Rate.

GCWA means Gold Coast Waterways Authority, which is a statutory authority established under the *Gold Coast Waterways Authority Act 2012*, its successors and permitted assigns.

government agency includes a local government, State or Commonwealth government departments, statutory authorities, government owned corporations, and other entities acting for and on behalf of government.

grounds maintenance contractor means a contractor engaged by GCWA under a contract for maintenance of any of the grounds that make up the trust land, and which contract may be exclusive.

high impact activity means any activity that:

- (a) will have a significant impact on the trust land;
- (b) will have a significant impact on the use of the trust land by the general public;
- (c) will require installation of temporary structures and/or fencing;
- (d) will have 1,000 or more attendees;
- (e) may require rehabilitation, repair, or restoration of the trust land after the activity; or
- (f) in GCWA's opinion, is a high impact activity.

kiosk means the Seaway Kiosk in Doug Jennings Park.

low impact activity means an activity that:

- (a) will involve the general public with limited or no impact on the trust land;
- (b) will have limited or no impact on the use of the trust land by the general public;
- (c) may include fishing, picnicking, sight-seeing, walking or other low-level recreational uses; or
- (d) in GCWA's opinion, is a low impact activity.

major event means a major event as defined by the *Major Events Act 2014*, section 7.

medium impact activity means an activity that:

- (a) may have some impact on the trust land;
- (b) may have some impact on the use of the trust land by the general public;
- (c) may include private and public functions, weddings, sporting competitions and other higher-level recreational uses; or
- (d) in GCWA's opinion, is a medium impact activity.

Minister means the Minister responsible for administering the Act.

Model By-law means the *Model By-law about protection and use of trust land*, which was adopted by GCWA on 9 September 2016 for the management of Doug Jennings Park pursuant to section 56 of the Act, and which was contained in schedule 1 of the *Land Regulation 2009*, and includes any by-law which replaces, supersedes, or builds upon those by-laws.

Non-commercial means an activity, event, or function conducted by an individual, community group, or not-for-profit organisation solely for a private, recreational, cultural or community purpose, without commercial advantage.

Note—

GCWA may deem an activity or an event as commercial if it is conducted, organised, or primarily branded by a for-profit corporate entity or commercial enterprise, regardless of whether a fee is charged to attendees or a net profit is generated from the specific activity or event. Commercial sponsorship of a genuinely community-led activity or event does not, of itself, reclassify the activity or event as commercial, provided the community group retains operational control.

not-for-profit organisation means an association, club, charity, or community organisation, whether incorporated or unincorporated, which operates for cultural, recreational, social, or charitable purposes, and which does not operate for a profit or for the financial benefit of its members.

Operational Policy means this *Operational Policy—Trust Land*.

park means use for low-key recreation (e.g., barbeques, park benches, picnic tables, small children's playgrounds, or walking paths).

recreation means use for informal active recreation facilities (e.g., bicycle path or walking path).

rent means a rent component of the trustee permit fee payable to GCWA for an activity on the trust land, as set out in schedule 1, and which is subject to annual review and adjustment in accordance with the Government Indexation Rate.

Sand Bypass System means the sand bypass station, the steel framed jetty and jet pumps, which mitigate the deposit of sand in the Gold Coast Seaway.

security bond means a bond component of the trustee permit fee payable to GCWA as security for use of the trust land for an activity, the general minimum amounts of which are set out in schedule 1, and which are subject to review by GCWA depending on the nature of the activity.

trespass related act means an act in relation to trust land as provided by section 404 of the Act.

trust land means Doug Jennings Park, Wave Break Island, and the southern tip of South Stradbroke Island as shown on the map in schedule 2, and any other land which is held, or will be held, in trust by GCWA in the future.

trustee lease means a trustee lease granted by GCWA for use over all or part of the trust land pursuant to section 57 of the Act, the Operational Policy, the Department Guideline, and applicable legislation.

trustee permit means a trustee permit issued by GCWA over all or part of the trust land pursuant to section 60 of the Act, the Operational Policy, the Department Guideline, and applicable legislation.

trustee permit fee means the fee payable to GCWA for a trustee permit for an activity on the trust land, which may include some or all of the components set out in schedule 1, and which may be subject to annual review and adjustment in accordance with the Government Indexation Rate.

trustee permit holder means an applicant who has been issued a trustee permit by GCWA.

Wave Break Island means the land reserve:

- (a) identified as “Wave Break Island” in schedule 2, approximately 39 hectares in area, dedicated under the Act for the community purposes of beach protection and coastal management; and
- (b) more particularly described as Lot 1 on Crown Plan 908847.

Schedule 1 – Trustee Permit Fee

ASSESSMENT FEE*

Assessment fee (non-commercial)	Assessment of application (non-refundable)	\$ 111.95
Assessment fee (commercial)	Assessment of application (non-refundable)	\$ 223.95
Fast-Track assessment fee	Assessment of application (low impact and medium impact activities) in less than 20 business days (non-refundable)	\$ 447.90
Fast-Track assessment fee	Assessment of application (high impact activity) in less than 60 business days (non-refundable)	\$ 895.75
Further assessment fee	Assessment of amendments to application (non-refundable)	\$ 111.95
Further assessment fee	Assessment of amendments to trustee permit or deed of indemnity and release (non-refundable)	\$ 111.95

Applicant must pay assessment fee upon receipt of GCWA's invoice.

BOOKING FEE**

Recreational / Non-commercial	No booking fee – non-refundable assessment fee only	Not applicable
Commercial – Levels 0 and 1	No booking fee – non-refundable assessment fee only	Not applicable
Commercial – Levels 2 and 3	Non-refundable booking fee payable to secure date or dates	\$ 1,500.00
Commercial – Levels 4 and 5	Non-refundable booking fee payable to secure date or dates	\$ 2,500.00

Applicant must pay booking fee upon receipt of GCWA's invoice.

RENT AND SECURITY BOND*

			Rent	Rate	Security Bond
Recreational / Non-commercial	Private gatherings and non-commercial activities	Less than 300 attendees Low impact	\$ 427.55	Per day or part thereof	\$ 1,000***
Commercial – Level 0	Corporate functions, public events, sporting events	Less than 300 attendees Low impact	\$ 755.80	Per day or part thereof	\$ 3,000***
Commercial – Level 1	Corporate functions, public events, sporting events	From 300-999 attendees Low impact	\$ 2,794.25	Per day or part thereof	\$ 5,000***
Commercial – Level 2	Corporate functions, public events, sporting events	From 300-999 attendees Medium impact	\$ 4,832.70	Per day or part thereof	\$ 10,000***
Commercial – Level 3	Corporate functions, public events, sporting events	From 1,000–4,999 attendees High impact	\$ 5,667.30	Per day or part thereof	\$ 20,000***
Commercial – Level 4	Corporate functions, public events, sporting events	From 5,000–9,999 attendees High impact	\$ 6,800.80	Per day or part thereof	\$ 30,000***
Commercial – Level 5	Corporate functions, public events, sporting events	10,000 attendees or more High impact	\$ 8,161.00	Per day or part thereof	\$ 30,000***
Bump-in / Bump-out	Bump-in / Bump-out for equipment, structures etc.		50% of applicable daily rent	Per day or part thereof	\$ POA
Early access for preparation	Preparation and maintenance of trust land for an activity		50% of applicable daily rent	Per day or part thereof	\$ POA

Applicant must pay rent and security bond at least 4 weeks prior to activity on trust land.

OTHER COMPONENTS

After-hours response	GCWA employee hourly rates (minimum 3 hours)	\$ POA
Early entry repairs fee	At cost	\$ POA
Legal fees	Special conditions for permits and deeds or amendments to permits or deeds – at cost	\$ POA

Rehabilitation and restoration	At cost	\$	POA
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Security services	Security service contract rates	\$	POA
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Third-party stakeholders	At cost	\$	POA
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Utility services	At cost	\$	POA
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* GCWA will review the trustee permit fee annually, adjusting assessment fees and rent in accordance with the Government Indexation Rate.

** The booking fee is not subject to the Government Indexation Rate.

*** GCWA will decide a reasonable security bond based upon the activity on the trust land.

Where applicable, fees and rent are inclusive of GST.

Schedule 2 – Map of Trust Land





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