

AUTHORITY TO CONDUCT AN ACTIVITY ON RESERVED LAND ORIENTEERING EVENTS ON RESERVED LAND AND CROWN LAND

Granted to: **Orienteering Tasmania Inc.** and all organisers, staff, agents, contractors and employees working for or on behalf of any orienteering affiliated clubs.

Purpose: for the conduct of orienteering events and associated works subject to the conditions listed within this Grant of Authority (GOA).

Pursuant to Regulation 28 of the *National Parks and Reserves Management Regulations 2019*, and Division 5 of the *Crown Lands Regulations 2021*.

Term of Authority: unless terminated earlier, this Grant of Authority (GOA) will continue in force until it terminates on **31 December 2026**.

Definitions

For the purposes of this Authority, the following definitions apply:

- Organiser:** Means orienteering clubs affiliated with **Orienteering Tasmania Inc** and includes all staff, agents, contractors, employees and volunteers working for or on behalf of the clubs and/or **Orienteering Tasmania Inc**.
- Participants:** Means all individuals who are undertaking events and includes all volunteers, support crew and event officials of the Organiser.
- Event:** Means any orienteering event that is held by the Organiser from time to time on the Land that does not involve any more than **180 participants**.
- Land Manager:** Means the Crown in Right of Tasmania as represented by the Parks and Wildlife Service (PWS).
- Land:** Means the areas of land listed in Schedule 1 that have been subject to the completion of Environmental Impact Assessments in accordance with Condition 1 of this GOA and are managed by the PWS and excludes leased land unless specific permission is obtained from the lessee.

Conditions

1. This Authority provides for orienteering activities to be conducted on the Land managed by the Land Manager, subject to the completion of an Environmental Impact Assessment (EIA/RAA) and Approval, per Clause 11 (b) prior to each event. The areas of Land are listed in Schedule 1.
2. This Authority is provided to the Organiser to conduct orienteering events and, by signing this Authority, the Organiser agrees to conduct and manage the events in accordance with the conditions of this Authority.

3. The Organiser acknowledges that this GOA is for the conduct of events on land only managed by the Parks and Wildlife Service and does not include land under management of other authorities or organisations, including Sustainable Timber Tasmania, or land that is leased.
4. The Organiser must take out and keep current throughout the duration of this Authority a contract of insurance with a reputable insurer, for public liability indemnifying the Organiser and the Land Manager's respective liability for:
 - (a) personal injury to, or death of any person; and
 - (b) either or both loss of or damage to property (including Third Party Property for vehicles);for not less than \$20 million for each individual claim or series of claims arising out of a single occurrence.
5. The Organiser agrees to indemnify the Land Manager against any legal liability, loss, claim or proceedings for:
 - (a) personal injury to, or death of any person;
 - (b) damage to property (including Third Party Property for vehicles); and
 - (c) financial loss;arising from, or attributable to, the Organiser's use or occupation of the Land, to the extent that the injury, death, damage or loss arises from, or is attributable to, a wrongful (including negligent) act or omission of the Organiser or the Organiser's servants, agents, contractors, volunteers, invitees, customers or visitors.
6. The Organiser waives all present or future rights to claim against the Land Manager for:
 - (a) personal injury to, or death of, the Organiser;
 - (b) damage to any of the Organiser's property; and
 - (c) financial loss to the Organiser;arising from or attributable to the Organiser's conduct of the events.
7. That, prior to the commencement of this Authority, the Organiser must give the PWS Director Operations evidence:
 - (a) of the terms and payment of the premium for each contract of insurance taken out under point four (4) above; and
 - (b) that the Crown in Right of Tasmania is noted on each contract of insurance as an insured party as above.
8. This Authority does not confer exclusive rights upon the Organiser in respect to the benefits granted.
9. This Authority may be revoked:
 - (a) at the direction of the Land Manager in the case of an emergency; or
 - (b) on the giving of written notice by the Land Manager in the case of a substantial breach of any of the conditions contained herein, it being acknowledged that what is to constitute a substantial breach for the purposes of this sub-paragraph is to be determined by the Land Manager acting reasonably; or
 - (c) on the giving of forty-eight (48) hours' notice in writing from the Land Manager upon the breach of any of the conditions contained herein, where such breach does not constitute

a substantial breach for the purposes of sub-paragraph (b) and such breach is not rectified to the Land Manager's satisfaction in the time given by the notice.

10. If this Authority is terminated, then the Organiser cannot make any claim for compensation against the Land Manager and hereby indemnifies the Land Manager against any such claim or demand it being further acknowledged that any termination is without prejudice to any action for any breach of these conditions.

11. The Organiser must:

- (a) Inform the relevant Regional Operations Manager (ROM) (listed in Schedule 1) **at least six (6) weeks prior** to conducting an event;
- (b) obtain from the ROM prior to each event an approved EIA/RAA to enable the event to be run during the term;
- (c) obtain an Aboriginal Heritage Desktop Assessment for each approved location noted in Schedule 1 and provide to the relevant ROM prior to the conduct of an event;
- (d) complete an Unanticipated Discover Plan for any unanticipated discovery of suspected Aboriginal heritage sites; and
- (e) exercise due caution, care and respect of other users of the Land to ensure that other users of the Land for the purposes of nature recreation are not displaced or have their experience diminished by the participants.

12. The Organiser must comply with the "Weed and Disease: Planning and Hygiene Guidelines 2015" prepared by the Land Manager, a copy of which can be found at <https://dpiipwe.tas.gov.au/Documents/Weed%20%20Management%20and%20Hygiene%20Guidelines.pdf>.

13. The Organiser must inform Participants:

- (a) to clean and dry their running shoes of dirt prior to participating in an event - this can be done by brushing as much dirt as possible from competition footwear, or washing the soles with soapy water if muddy, and then disinfecting with methylated spirits for 30 seconds;
- (b) of the need to ensure that all clothing, shoes, socks and packs are free of seed and plant material; and
- (c) if from interstate or overseas, of the importance of laundering their clothing, preferably before arriving in Tasmania, but at a minimum before participating in an event.

14. The Organiser must ensure that all tents, pegs, equipment and infrastructure are thoroughly cleaned and free of soil before being transported to an event.

15. The Organiser must not:

- (a) locate the assembly area or staging areas within 1000 metres of any active raptor nests during the breeding season (1 August to 28 February); or
- (b) locate controls where likely route choices would bring participants within 500 metres of any raptor nests.

Note: Raptor nest locations are to be determined by reference to the Tasmanian Government LISTMap (under the Animal and Plants – Raptor Nests layer) prior to setting courses and control locations.

- (c) where practicable locate assembly, staging areas or contrails within 20 meters of threatened flora or native vegetation communities as identified on the Tasmanian Government LISTMap (under Plants and Animals – Species – Threatened flora).

16. If accessing any beaches during any event:

- (a) the Organiser must contact the Regional Operations Manager two (2) weeks prior to the event to confirm locations of known shorebird breeding areas; and
- (b) Participants must run on firm sand at high tide mark and not run on sand dunes to ensure no disturbance or damage is done to shorebird breeding areas.

17. The Organiser must not:

- (a) drive vehicles off formed roads or tracks unless areas have previously been modified or cleared;
- (b) remove impact interfere with any culturally sensitive sites of Aboriginal heritage without prior written approval from Aboriginal Heritage Tasmania;
- (c) remove or cut native vegetation or interfere with any flora and fauna; or
- (d) light fires.

18. For all events, the Organiser is:

- (a) responsible for all aspects of traffic management associated with events;
- (b) to ensure parking of vehicles is within designated car parks and not along roads or tracks; and
- (c) to provide upon request a traffic management plan designed by a suitably qualified third party.

19. The Organiser must advise Participants that special care should be taken along wet sections of tracks and creek crossings using hardened areas where possible.

20. In the event of a fire emergency, the Organiser must:

- (a) abide by the direction(s) of an Incident Controller, including the closure of a section or leg of an event; and
- (b) provide regular and accurate information to the Incident Controller on the number of participants on each course.

21. The Organiser must:

- (a) provide portable toilets sufficient to cater for the needs of participants, spectators and persons working on behalf of the Organiser if public toilets are not available or are insufficient;
- (b) ensure that all Land used during the events is left in a clean and tidy condition and that all track markers or all other signs are removed on completion of the events; and
- (c) remove all rubbish generated by the events from the Land if reasonably directed by the Land Manager to do so, including any notice given to the Organiser following the completion of an event. If all rubbish, including bunting and track marking tape, is not removed as reasonably directed by the Land Manager, the Land Manager may arrange for such removal work to take place and in such circumstances the Organiser must pay

to the Land Manager on demand all money expended by the Land Manager to undertake such works.

22. The Organiser agrees to rectify all environmental damage to the Land caused by an event as reasonably directed by the Land Manager.

23. The Organiser must provide to PWS in October of each year of the term of this GOA a schedule of events for the next year confirming locations and dates of upcoming events.

Signing by Land Manager

Signed for **The Crown in Right of Tasmania** (acting through the Minister administering the *National Parks and Reserves Management Act 2002* (Tas)) by the person named below in the presence of the witness named below:

Signature: → 

*Print name: **VIVANESSA PINTO**

*Position: **ACTING DIRECTOR OF NATIONAL PARKS AND WILDLIFE**

Position Number: **20006**

Please complete: Acting pursuant to an Instrument of **DELEGATION** dated **7 DECEMBER 2022**

Witness' signature: → 

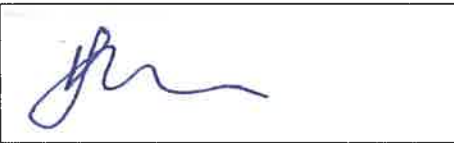
*Witness print name and position: **SALLY SHEPHERD EXECUTIVE OFFICER**

*Use BLOCK LETTERS

*Witness print address: **C/- 134 MACQUARIE STREET HOBART TAS 7000**

Signing by Land Manager

Signed for **The Crown in Right of Tasmania** (acting through the Minister administering the *Crown Lands Act 1976 (Tas)*) by the person named below in the presence of the witness named below:

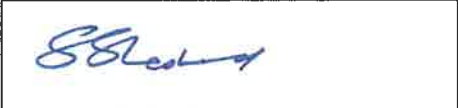
Signature: → 

*Print name: VANESSA PINTO

*Position: ACTING DIRECTOR - GENERAL OF LANDS

Position Number: 20006

Please complete: Acting pursuant to an Instrument of DELEGATION dated 7 DECEMBER 2022

Witness' signature: → 

*Witness print name and position: SALLY SHEPHERD EXECUTIVE OFFICER

*Use BLOCK LETTERS

*Witness print address: 61-134 MACQUARIE STREET HOBART TAS 7000

As per Condition 2, this Authority is Accepted and Signed by:

Signing by Organiser

The common seal of **Orienteering Tasmania Inc.** was hereunto affixed by authority of its committee in the presence of:

Common seal:
→



Signature:
→

*Print
name and
office
held:

Mervin Aushin
President

Signature:
→

*Print
name and
office
held:

Klaas Hartmann
Secretary

***Use BLOCK LETTERS**

Note: If the Association has adopted the 'Model Rules', the common seal must be affixed in the presence of: two members of its committee; or one member of its committee and the public officer of the Association or any other person the committee has appointed for that purpose.

Schedule 1 – The Land

Land Reserved under the *Nature Conservation Act 2002*; Crown land including Future Potential Production Forest; Crown land – reserved as a Public Reserve.

Events permitted on the areas of the Land noted in table that have been subject to the completion of an EIA/RAA in accordance with Condition 1 of this Grant of Authority, with it being acknowledged that an event cannot proceed in an area if a EIA/RAA has not been completed.

Orienteeing Area	Location	GDA 94	Tenure (under management of the Parks and Wildlife Service)	Park Manager
Littlechilds Creek and Livelys Bog	St Helens	599930 E 5434540 N	Crown land - Future Potential Production Forest Mt Pearson State Reserve	Regional Operations Manager – North Linda Overend: Email: linda.overend@parks.tas.gov.au Phone: 6777 2175 Or PWS.AdminNorth@parks.tas.gov.au
Mount Pearson	St Helens	604673 E 5431823 N	Mt Pearson State Reserve	
Golden Fleece Rivulet and Transit Flat	St Helens	596671 E 5424732 N	Crown land - Future Potential Production Forest	
Bells Marsh	St Helens	596792 E 5431469 N	Crown land - Future Potential Production Forest	
Rajah Rock	Avoca	561063 E 5379331 N	Castle Cary Regional Reserve	
Coles Bay	Coles Bay	607233 E 5336377 N	Public Reserve Coles Bay Conservation Area Freycinet National Park	
Trevallyn	Trevallyn	508359 E 5411446 N	Trevallyn Nature Recreation Area Public Reserve	
Royal George south of township	Royal George	574342 E 5368606 N	Royal George Conservation	Regional Operations Manager – South Krissy Ward: Email: Krissy.Ward@parks.tas.gov.au Phone: 6165 4062 Or PWS.AdminSouth@parks.tas.gov.au
Peter Murrell Reserves	Huntingfield	524241 E 5238668 N	Peter Murrell Conservation Area Peter Murrell State Reserve	
Air Force Gully	Meehan Range	532968 E 5256628 N	Meehan Range Nature Recreation Area	
Brown Mountain Road	Campania	536450 E 5229416 N	Gravelly Ridge Conservation Area	
Coningham	Coningham	523104 E 5229416 N	Coningham Nature Recreation Area Public Reserve	
Five Mile Beach	Seven Mile Beach	543073 E 5258056 N	Public Reserve	
Sand dunes at Pitt Water	Seven Mile Beach	546484 E 5257172 N	Public Reserve	
Calverts Beach	South Arm	540183E 523646 N	South Arm Nature Recreation Area Calverts Lagoon Conservation Area	
Clarence River	Derwent Bridge	444006 E 5336780 N	Central Plateau Conservation Area	

Schedule 2 – Unanticipated Discovery Plan

Unanticipated Discovery Plan

Procedure for the management of unanticipated discoveries of Aboriginal relics in Tasmania

For the management of unanticipated discoveries of Aboriginal relics in accordance with the *Aboriginal Heritage Act 1975* and the *Coroners Act 1995*. The Unanticipated Discovery Plan is in two sections. The Unanticipated Discovery Plan is issued alongside advice from AHT, and should not be relied upon in isolation without accompanying advice.

Discovery of Aboriginal Relics other than Skeletal Material

Step 1:

Any person who believes they have uncovered Aboriginal relics should notify all employees or contractors working in the immediate area that all earth disturbance works must cease immediately.

Step 2:

A temporary 'no-go' or buffer zone of at least 10m x 10m should be implemented to protect the suspected Aboriginal relics, where practicable. No unauthorised entry or works will be allowed within this 'no-go' zone until the suspected Aboriginal relics have been assessed by a consulting archaeologist, Aboriginal Heritage Officer or Aboriginal Heritage Tasmania staff member.

Step 3:

Contact Aboriginal Heritage Tasmania on **1300 487 045** as soon as possible and inform them of the discovery. Documentation of the find should be emailed to **aboriginalheritage@dpac.tas.gov.au** as soon as possible. Aboriginal Heritage Tasmania will then provide further advice in accordance with the *Aboriginal Heritage Act 1975*.

Discovery of Skeletal Material

Step 1:

Call the Police immediately. Under no circumstances should the suspected skeletal material be touched or disturbed. The area should be managed as a crime scene. It is a criminal offence to interfere with a crime scene.

Step 2:

Any person who believes they have uncovered skeletal material should notify all employees or contractors working in the immediate area that all earth disturbance works cease immediately.

Step 3:

A temporary 'no-go' or buffer zone of at least 50m x 50m should be implemented to protect the suspected skeletal material, where practicable. No unauthorised entry or works will be allowed within this 'no-go' zone until the suspected skeletal remains have been assessed by the Police and/or Coroner.

Step 4:

If it is suspected that the skeletal material is Aboriginal, Aboriginal Heritage Tasmania should be notified.

Step 5:

Should the skeletal material be determined to be Aboriginal, the Coroner will contact the Aboriginal organisation approved by the Attorney-General, as per the *Coroners Act 1995*.

Guide to Aboriginal site types

Stone Artefact Scatters

A stone artefact is any stone or rock fractured or modified by Aboriginal people to produce cutting, scraping or grinding implements. Stone artefacts are indicative of past Aboriginal living spaces, trade and movement throughout Tasmania. Aboriginal people used hornfels, chalcedony, spongelite, quartzite, chert and silcrete depending on stone quality and availability. Stone artefacts are typically recorded as being 'isolated' (single stone artefact) or as an 'artefact scatter' (multiple stone artefacts).

Shell Middens

Middens are distinct concentrations of discarded shell that have accumulated as a result of past Aboriginal camping and food processing activities. These sites are usually found near waterways and coastal areas, and range in size from large mounds to small scatters. Tasmanian Aboriginal middens commonly contain fragments of mature edible shellfish such as abalone, oyster, mussel, warrener and limpet, however they can also contain stone tools, animal bone and charcoal.

Rockshelters

An occupied rockshelter is a cave or overhang that contains evidence of past Aboriginal use and occupation, such as stone tools, middens and hearths, and in some cases, rock markings. Rockshelters are usually found in geological formations that are naturally prone to weathering, such as limestone, dolerite and sandstone

Quarries

An Aboriginal quarry is a place where stone or ochre has been extracted from a natural source by Aboriginal people. Quarries can be recognised by evidence of human manipulation such as battering of an outcrop, stone fracturing debris or ochre pits left behind from processing the raw material. Stone and ochre quarries can vary in terms of size, quality and the frequency of use.

Rock Marking

Rock marking is the term used in Tasmania to define markings on rocks which are the result of Aboriginal practices. Rock markings come in two forms; engraving and painting. Engravings are made by removing the surface of a rock through pecking, abrading or grinding, whilst paintings are made by adding pigment or ochre to the surface of a rock.

Burials

Aboriginal burial sites are highly sensitive and may be found in a variety of places, including sand dunes, shell middens and rock shelters. Despite few records of pre-contact practices, cremation appears to have been more common than burial. Family members carried bones or ashes of recently deceased relatives. The Aboriginal community has fought long campaigns for the return of the remains of ancestral Aboriginal people.

Further information on Aboriginal Heritage is available from:

Aboriginal Heritage Tasmania
Community Partnerships and Priorities
Department of Premier and Cabinet
GPO Box 123 Hobart TAS 7001

Telephone: **1300 487 045**

Email: **aboriginalheritage@dpac.tas.gov.au**

Web: **www.aboriginalheritage.tas.gov.au**

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