



# Apiary Site Permit

Forestry Office

**NRW FOREST PRODUCTS**  
**LEVEL 3, 30 MARBLE ST (PO BOX 589)**  
**DALBY QLD 4405**

Permit Number

**84050**

Issue Date

**15-Jul-2008**

This permit authorises the permittee, whose details appear below, subject to the provisions of the *Forestry Act 1959*, the Conditions Relating to an Apiary Site Permit 1 July 2000 as provided by the State of Queensland (hereinafter referred to as the "state"), and any amendments or alterations thereto and in force for the time being, and further subject to any special conditions numbered 1 to 12.8 and attached hereto, to place hives of bees on designated site/s described in the Schedule hereunder (hereinafter referred to as "the Permit Area").

Provided that the prescribed fee has been paid, this Permit shall remain in force, unless cancelled by prior notice in writing, for the period specified below.

Full Name of Permittee

**R.D. JOHNSON**

Address of Permittee

**PO BOX 49, MAPLETON QLD 4560**

## 5 YEAR DROUGHT ASSISTANCE PERMIT

Period covered by this Permit

**5 year Permit**

Commencement Date

**1-Jul-2008**

Expiry Date

**30-Jun-2013**

Prescribed Annual Fee

**\$ 236.34**

Receipt Number

**1400095085**

Receipt Date

**15-Jul-2008**

Replaced Permit Number

**84050**

Signature of Issuing Officer

for the Manager, Cypress FMA

for and on the behalf of the Chief Executive

### THE SCHEDULE

Apiary Site Number (as displayed on site indicator notice)	State Forest Number	Compartment and Logging Area	Parish
<b>DUNMORE</b>			
<b>511</b>	<b>4</b>	<b>14</b>	<b>BRAEMAR</b>
<b>512</b>	<b>4</b>	<b>15</b>	<b>BRAEMAR</b>
<b>515</b>	<b>4</b>	<b>11</b>	<b>BRAEMAR</b>
<b>No of Sites</b>			<b>3</b>

The Permittee must carry the receipt issued for this Permit when on the State Forest to which this permit relates. The receipt issued for this Permit forms part of the Permit. The Permittee must produce the receipt when required and within any time limit imposed by an authorised officer.

### Annual Scheduled Fees for 5yr Permit

<b>5yr Permit Fee</b>	<b>\$ 393.90</b>	<b>First year fee</b>			<b>\$ 78.78</b>
<b>Number of Sites on Permit:</b>		<b>3</b>			
<b>Year</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Int Rate %</b>		2%	2%	2%	2%
(Interest Rate subject to review periodically)					
<b>Annual fee 1 site</b>	<b>\$ 78.78</b>	<b>\$ 80.36</b>	<b>\$ 81.97</b>	<b>\$ 83.61</b>	<b>\$ 85.28</b>
<b>Total Fee due</b>	<b>\$ 236.34</b>	<b>\$ 241.08</b>	<b>\$ 245.91</b>	<b>\$ 250.83</b>	<b>\$ 255.84</b>
<b>Expires On</b>	30/06/09	30/06/10	30/06/11	30/06/12	30/06/13

#### **Special Conditions:**

- 1 Drought Assistance Permits are issued in Drought declared shires for a set period (5 years), to assist apiarists in drought. In lieu of paying the total 5 year fee at commencement, 5 annual payments are scheduled.
- 2 The permit cannot be cancelled until the 5 Year fee has been paid in full.
- 3 Transfer of the Apiary Site Permit will only be allowed once the outstanding balance (all 5 scheduled payments) of the Permittee's account has been paid.
- 4 A first and final reminder notice for the annual deferred payment will be sent to the Permittee 40 days prior to the annual due date.
- 5 Interest will accrue on the outstanding amount at the same rate charged by the Department of Natural Resources under it rent deferral scheme.. Currently 2%.

**APPROPRIATE SAFETY HELMET:** means a safety helmet which is appropriate to the activity being undertaken.

In the case of overhead hazards such as trees or parts of trees, means an industrial safety helmet and appropriate accessories conforming to AS 1801 - Industrial Safety Helmets and, AS 1800 - The Selection, Care and Use of Industrial Safety Helmets.

In the case of riding a motorcycle, means a helmet conforming to AS 1698 - Protective Helmets for Vehicle Users.

**CERTIFICATE OF COMPETENCY:** In the case of a chainsaw, where the chainsaw is to be used for the felling of standing trees, means a certificate in Chainsaw Operations Level 2 (Manual Tree Felling) or where the chainsaw is to be used for crosscutting, limbing, topping etc, means a certificate in Chainsaw Operations Level 1 (Chainsaw Safety, Maintenance and Basic Cuts) accredited by the Forest Industries Training and Education Consortium, or equivalent certificate issued in another State.

In the case of any vehicle or any plant, means a current registration certificate, permit, licence, or other authority required under any Statute to drive or operate such vehicle on the Permit Area generally, or on a public place or road.

**COMPETENT PERSON:** means a person who by reason of qualifications and experience has the skills necessary to perform the duties in respect to which the expression is used.

In the case of ROPS design means a member, or a person eligible for membership, of the Institute of Engineers of Australia.

**FELLING:** includes cutting, de-limbing, de-barking, and cutting down of trees.

**AUTHORISED OFFICER:** means a person or persons duly authorised by the Chief Executive.

**IMMEDIATE DANGER ZONE:** means that part of the Permit Area within which a person may be endangered by their presence in the immediate vicinity of activities being carried out on the Permit Area at the material time.

**PERMIT:** includes an Apiary Site Permit and any other authority issued, or given under the *Forestry Act 1959* to keep bees, and undertake any associated activity.

**PERMIT AREA:** means any area specified in the Permit or other authority issued by the State. The term includes all forestry roads and tracks within these areas.

**PERMITTEE:** the person or company granted or given a Permit.

**PLANT:** includes any agricultural tractor, bulldozer, wheeled or tracked loader, excavator, skidder, feller buncher/processor, and forwarder.

**SAFETY SIGN:** means a sign which is clearly legible and provides adequate notice to all persons who may be exposed to the hazard, of the presence and nature of the hazard, and is designed in accordance with AS 1319 - Safety Signs for the Occupational Environment.

**SITE:** means that area of land contained in a circle having a radius of forty (40) metres and having as its centre point the site indicator notice.

**SITE INDICATOR NOTICE:** means a notice created or displayed on the Permit Area identifying a site referred to in the Schedule to the Permit by displaying the allocated site number and is the datum point for defining the boundary of the site.

**SITE NUMBER:** means the number allocated for purposes of identification to a site which comprises part of the Permit Area.

**STATE:** means the State of Queensland

**SUITABLY QUALIFIED TRADESPERSON:** means a person qualified and trained in an appropriate trade necessary to perform the duties in respect to which the expression is used.

In the case of ROPS manufacture and fit, means a qualified and practising Fitter Welder, or Boilermaker.

**VEHICLE:** includes any motor car, motor truck, articulated vehicle, motor omnibus, tractor or motorcycle.

Notes -

The provisions of this Permit shall be read and construed with and in addition to the *Apiaries Act 1987* and Regulations made thereunder and do not derogate or prejudice the requirements or responsibilities placed upon a beekeeper by that Act or Regulations thereunder.

## STATE OF QUEENSLAND

### NRMW Forest Products

(ABN 83 705 537 586)

#### CONDITIONS RELATING TO AN APIARY SITE PERMIT - 1 JULY 2000

##### Placement of Hives

1.1 The Permittee shall not place on any one site any more than 150 hives of bees.

1.2 The Permittee shall notify the local Authorised Officer prior to initially placing beehives on any specific site or Permit Area, when vacating the site and prior to re-establishing beehives upon the site.

##### Fire Protection

2.1 The Permittee shall prior to placing any beehives upon any site the subject of this Permit construct to the satisfaction the local Authorised Officer a firebreak cleared of all vegetation to a width of not less than two (2) metres wide location so as to immediately encompass hives to be placed upon the said site and shall maintain such firebreak clear vegetation at all times while hives are on the site.

2.2 The Permittee shall at all times while hives are on any site maintain in a neat, tidy and generally non-flammable condition the satisfaction of the local Authorised Officer, the area within the perimeter of the firebreak to be constructed accordance with condition 2.1 hereof.

2.3 The Permittee shall maintain or cause to be maintained all mechanical equipment, including any apparatus used smoker, brought on to the Permit Area, in such a condition that it does not constitute a fire threat. The local Authorised Officer may examine any such item of equipment and if in their opinion it constitutes a possible fire threat they require the Permittee to remove the equipment from the Permit Area or to make such modification to the equipment they consider necessary to remove the fire threat.

2.4 The Permittee shall not at any time use a lighted smoker other than within the perimeter of the firebreak constructed accordance with condition 2.1 hereof.

2.5 The Permittee shall duly observe all provisions of the *Fire Service Act 1990* and any amendments thereto in force for time being. The Permittee shall not employ on the Permit Area any person who at any time has been convicted of a crime or of any offence under the said Act. Furthermore, the Permittee shall promptly at their own cost and expense do or cause to be done everything reasonable within their power to prevent and extinguish any unauthorised fire on or threatening the Permit Area and shall, as soon as practicable, notify or cause to be notified the nearest Authorised Officer of any such fire and of the measures taken by them to extinguish such fire.

##### Fences, Gates and Grids

3.1 The Permittee shall, in or in connection with their use of the Permit Area under the Permit, ensure that gates on or lead to the Permit Area are left as they are found (either closed or open). The Permittee shall not damage nor cause, prevent, suffer, nor allow to be damaged any fence or fences including gates and grids. The Permittee shall not by any omission or commission interfere with the rights and privileges of any Crown lessee, licensee or holder of any authority from the Crown. The Permittee shall be liable for any or all damage caused through their negligence to fences, gates or grids as aforesaid, and for any damage caused by such negligence as aforesaid which may result in monetary loss to any such lessee, licensee or holder and the Permittee shall, on demand, either carry out such repairs as necessary to restore the fences, gates or grids to their prior condition or pay to the State the amount of any damage as determined by the Chief Executive.

##### Right of Entry and Use

4.1 The Permittee in exercising the right of entry conveyed under the provisions of the *Forestry Act 1959* shall give four (4) days notice to the lessee of land constituting the Permit Area, or land which the Permittee is required to traverse the purpose of accessing the Permit Area, of their intention to exercise right of entry therein for the first time under authority of such Permit.

4.2 The Permittee shall, in using the Permit Area for the purpose authorised herein, have only such right-of-way over the Permit Area as is granted by the Authorised Officer and nothing in this Permit is to be construed as granting exclusive right-of-way over the Permit Area or as in any manner limiting the power of the Chief Executive to deal with forest products or quarry material thereon.

4.3 The Permittee in accessing or utilising the Permit Area or any site thereon shall use only such tracks as are existing and shall not make or allow to be made any additional roads or tracks without the prior consent of an Authorised Officer.

#### Interference with Forest Products

5.1 The Permittee except where required under condition 2.1 hereof shall not without the consent of an Authorised Officer first had and obtained interfere with any forest products or quarry material on the Permit Area.

#### Default

6.1 If at any time the Permittee fails or neglects to comply with the terms and conditions of this Permit or any of them the Chief Executive at its absolute discretion may forthwith -

- (a) cancel and determine the Permit;
- (b) excise from the Permit Area the site or sites in respect of which the failure or non-compliance occurred and cancel the Permittee's right to utilise such site/s;
- (c) suspend the Permit and subsequently remove such suspension or cancel or determine the Permit.

#### Cancellation or Surrender

7.1 The Permittee may at any time surrender this Permit or their right to place hives of bees on any specific site/s included in the Permit Area upon giving to the Chief Executive one (1) month's notice in writing of their intention to surrender.

7.2 This Permit or the Permittee's right to place hives of bees on any specific site included in the Permit Area may be cancelled by the Chief Executive at any time by the giving of one (1) month's notice in writing of such cancellation.

7.3 Should it be determined at some future date by any Court or Tribunal that native title exists over the subject land or waters, this Permit may be terminated and the Permittee (or any subsequent Permittee's) may be required to remove any works established under this Permit at the Permittee's (or any subsequent Permittee's) own cost, expense or risk. In that event, no compensation for works, development costs or loss of income shall be payable to the Permittee (or any subsequent Permittee) by the State.

#### Removal of Employee

8.1 The Chief Executive, or any person duly authorised by the Chief Executive either specifically or generally in that behalf, may from time to time or at any time require the Permittee to remove any employee, contractor or agent employed by the Permittee on the Permit Area in connection with this Permit and thereupon the Permittee shall remove from and cease to employ on the Permit Area such employee, contractor or agent and no employee, contractor or agent so removed shall again be employed on the Permit Area without the consent in writing of the Chief Executive first being had and obtained.

#### Removal of Refuse

9.1 The Permittee shall remove from the Permit Area refuse of any description which is material or the remnant of material brought on to the Permit Area by the Permittee, their servants, agents or employees.

#### Release

10.1 The Permittee hereby releases and discharges the State, including its servants and agents, from any action, proceeding, claim, demand, cost, loss, damage or expense arising out of the use of occupation of the site by the Permittee whether or not, caused by any negligent act or omission by the State, its servants or agents which but for the provisions of this clause might be brought against or made upon the State, its servants or agents.

#### Hazardous Conditions

11.1 The Permittee agrees to promptly notify the Chief Executive in the event that it becomes apparent that any hazardous structures in or surrounding the site, including forest products, are likely to cause serious injury to the Permittee damage to the Permittee's property. Upon notification by the Permittee the Chief Executive may:

- (a) remove the hazardous structure;
- (b) shift the Apiary Site to another location;
- (c) determine the Apiary Site Permit; or
- (d) advise the Permittee that the site of the Apiary Site Permit is to remain as is.

#### Safety

12.1 In addition to the obligations under the *Workplace Health and Safety Act 1995*, its Regulation, Codes of Practice and at amendments thereto, the Chief Executive requires the Permittee to comply with, and to ensure that any other persons (including the Permittee's servants and agents) on the Permit Area for the purpose of, or in association with, the carrying out of any activity under the authority of the Permit, complies with the following safety conditions. Where these safety conditions require a higher degree of safety than that outlined in the *Workplace Health and Safety Act*, its Regulation, a Codes of Practice, the Permittee shall comply with the standard in these safety conditions.

12.2 The details of any accident on the Permit Area causing death or hospitalisation of a person must be reported to Authorised Officer within 24 hours of its occurrence.

12.3 An appropriate safety helmet must be used by any person exposed to the risk of head injury. Protective footwear must be worn by any person while on the Permit Area.

12.4 Any plant used on the Permit Area or in association with any activities being undertaken on the Permit Area, which requires an operator to be positioned on it during use, must incorporate a Roll Over Protective Structure (ROPS).

Where possible, all ROPS must comply with standards equivalent to AS 2294 - Earth Moving Machinery - Protect Structures, or AS 1636 - Agricultural Wheeled Tractors - Roll Over Protective Structures - Criteria and Tests.

Seat belts must be fitted and must comply with an internationally recognised standard appropriate to the particular item of plant. Seat belts must be used at all times while the plant is in operation unless the use of such seat belts endangers operator or others e.g. by restricting movement or vision.

Where the Australian Standard cannot be applied, or where a ROPS is not readily available, an operator protective structure which provides appropriate protection must be designed to an appropriate standard by a competent person. That structure must be manufactured and fitted by a suitably qualified trades-person.

At any time that the Permit is in effect the Permittee must, if required by an Authorised Officer, within the time reasonably specified by that officer, produce documentary evidence that the protective structure fitted to any item of plant does at that material time meet the standard specified in this Condition.

12.5 Any person driving or operating a vehicle on the Permit Area must possess a current Certificate of Competency which is applicable, and must produce such certificate if required by an Authorised Officer, within the time reasonably specified by that officer.

12.6 Any person operating or using a chainsaw for the purposes of felling standing timber, crosscutting, limbing, topping (trees greater than 10 metres in height or greater than 15 centimetres diameter at breast height over bark (DBHOB)) the Permit Area must possess Certificates of Competency in the operation of a chainsaw and must produce such certificates if required to do so by an Authorised Officer, within the time reasonably specified by that officer.

Roads must be temporarily closed at access points to hazardous areas by the use of safety signs, appropriate authorised temporary barriers and/or traffic control personnel whenever activities on, or near, the Permit Area constitute a hazard to road users.

Safety Signs must be used to identify the boundary of any other immediate danger zone.

Every sign erected in accordance with the above, must be immediately removed upon cessation of the hazard applicable to the particular sign.

12.7 No person on the Permit Area is to behave in a manner likely to cause danger to themselves or to any other person.

12.8 For the purposes of the Schedule and Conditions 1.1 to 12.7 the terms below have the following meanings.