

Rules of General Access and Use of Land and Water



1. APPLICATION OF RULES

- (a) These Rules apply to all activities by you, on Seqwater land and Seqwater waters:
 - (i) that may impact on Seqwater land or Seqwater waters, irrespective of whether the activities commence, finish or occur on other land;
 - (ii) unless expressly agreed otherwise by Seqwater, under a Seqwater agreement or permit;
 - (iii) in addition to your general obligation to act reasonably and responsibly and be considerate of others;
 - (iv) where a Seqwater agreement or permit allows you to undertake specific activities, you can undertake those activities, despite the Rules and even though the activities may be inconsistent with the Rules, for example agistment (eg: after hours stock access), leases as of right (eg: improvements, cattle dogs), leases with Seqwater consent (eg: baiting, burning off).
 - (b) Seqwater may recover from you, costs and expenses incurred to fix a breach of a Rule or damages for any loss suffered.
 - (c) Despite any sign, including warning and information signs, you must take reasonable care for your own safety. You must look out for hazards, including for example, land (uneven surfaces, glass, metal fragments), water (submerged or floating objects).
 - (d) Seqwater may instruct you to leave Seqwater land and Seqwater waters immediately, for any reason, including, but not limited to, safety, construction, maintenance or related activities or a breach of a Rule.
-

2. SIGNS

- (a) You must comply with all signs displayed on Seqwater land and Seqwater waters.
 - (b) Signs may contain Seqwater's directions and requirements in a form Seqwater deems fit (including an official traffic sign).
 - (c) You must not interfere with or alter a sign or marker, anywhere on Seqwater land or Seqwater waters.
-

3. ACCESS

- (a) You may only access Seqwater land and Seqwater waters designated for public access during the opening hours as published on the Seqwater website (www.seqwater.com.au). Event organisers may have different hours of access under an agreement with Seqwater.
- (b) You must not enter or remain on Seqwater land or Seqwater waters, except in accordance with the Rules. Seqwater may tow vehicles that are parked outside of Seqwater parking bays or parked on Seqwater land outside of Seqwater opening hours, at the car owner's expense.
- (c) It is a condition of access that Seqwater can request and will be assisted by you to inspect any vehicle or vessel you occupy, control or are associated with.
- (d) You must only enter or exit Seqwater land or Seqwater waters by the designated entrance or exit points unless there is an emergency.
- (e) Seqwater may prohibit:

- (i) the use of any Seqwater land or Seqwater waters during times specified by Seqwater;
 - (ii) access to Seqwater land or Seqwater waters, or any part of it, for any reason, including safety, water quality, weather events, planned burns, events, construction, maintenance or related activities;
 - (iii) activities in a designated area; or
 - (iv) activities outside a designated area.
- (f) If Seqwater finds or suspects you have breached the Rules, Seqwater may require you to cease the relevant activity, leave Seqwater's land and/or take any other steps Seqwater considers appropriate. You must comply immediately. Failure to comply with such a request may result in legal action.
- (g) Seqwater reserves the right to refuse permission to enter Seqwater land or Seqwater waters to people that Seqwater believes have not, cannot or are unlikely to comply with the Rules or other Seqwater permit or agreement.
-

4. PROHIBITED ACTIVITIES

You must not do any of the following on Seqwater land or Seqwater waters:

- (a) act in a disrespectful way to any other person;
 - (b) cause directly or indirectly, damage to any land or property belonging to Seqwater or to another person;
 - (c) do anything that interferes with the safety of the public or Seqwater people;
 - (d) fail to comply with a law, including for example fishing (eg: catch limits), boating (eg: speed and safety), native fauna (eg: taking), explosives (eg: fireworks);
 - (e) behave in a riotous, disorderly, indecent, offensive, threatening or insulting manner;
 - (f) be intoxicated or under the influence of any unlawful drug;
 - (g) use profane, indecent, obscene, threatening, abusive or insulting language;
 - (h) operate any device at a volume likely to cause a nuisance;
 - (i) litter, pollute or discharge substances likely to pollute Seqwater land, Seqwater waters or damage property (including confetti, smoke bombs, coloured powders, party poppers);
 - (j) damage any flora or fauna;
 - (k) take fish from a "no fishing" designated area or outside of approved times;
 - (l) possess, handle or discharge a weapon; or
 - (m) allow an animal you own or that is under your control (except a Certified Guide, Hearing or Assistance dog) to enter, remain or be left on a Seqwater land contrary to advisory signage displayed at the site.
-

5. PROHIBITED LAND ACTIVITIES

You must not do any of the following on Seqwater land:

- (a) camp outside a designated camping area;
 - (b) start a fire other than in a designated fireplace or leave a fire in a designated fireplace unattended;
 - (c) leave a water tap running;
 - (d) enter a place, that has been indicated by a sign, that it is for use by persons of the other sex (e.g. toilets);
 - (e) allow a vehicle to go at a speed greater than indicated by a sign or in a dangerous or unsafe manner;
 - (f) operate a vehicle, without a current licence or operate a vehicle that is unregistered or uninsured;
 - (g) allow a vehicle to be parked in a place, other than in a designated parking space, where the vehicle may cause a nuisance or disruption or after you have been requested by Seqwater to move the vehicle; or
 - (h) install or erect temporary amusement equipment.
-

6. PROHIBITED WATER ACTIVITIES

You must not do any of the following on Seqwater waters, except where authorised by a permit or other agreement:

- (a) be within 200 metres or such other distance set by Seqwater, of a dam wall, spillway or pumping station tower or Seqwater infrastructure or as indicated by a sign;
- (b) launch or operate a vessel:
 - (i) other than during the approved hours of access;
 - (ii) at night or in adverse weather conditions;
 - (iii) that is potentially contaminated with aquatic weeds;
 - (iv) painted with tar, creosote or other phenolic compounds;
 - (v) that is equipped with a marine toilet;
 - (vi) in a dangerous fashion or in a way that is likely to cause injury;
 - (vii) in a manner inconsistent with maritime legislation and standards; or
 - (viii) so as to unduly disturb or cause annoyance to any person fishing from land adjoining Seqwater waters or from another vessel, including within 30 metres of that vessel;
- (c) continue to navigate a vessel on Seqwater waters other than to the nearest suitable place for removing the vessel, after Seqwater has directed you to remove the vessel from Seqwater waters;
- (d) navigate a vessel on Seqwater waters:
 - (i) to interfere with the conduct of an event, regatta or activity authorised by Seqwater or in a way that causes excessive noise;
 - (ii) other than in accordance with conditions specified by Seqwater;
- (e) navigate/operate a vessel in an area that is a designated area for another type of vessel, for example, the operation of a motorised boat in a designated paddle craft area;
- (f) carry fuel in a vessel at sites designated for use of electric motors only;

- (g) anchor a mooring buoy in Seqwater waters;
- (h) operate a vessel, without a licence or operate a vessel that is unregistered;
- (i) use fishing apparatus in contravention of Department of Agriculture and Fisheries regulations;
- (j) allow an animal you own or that is under your control (except a Certified Guide, Hearing or Assistance dog) to enter Seqwater waters (including on a boat or paddle craft); or
- (k) install pontoons or temporary amusement equipment.

7. PERMITS

The Seqwater Rules apply to all permits issued by Seqwater, unless modified by express words in a permit.

7.1. Activities prohibited without a permit

You must not do any of the following on Seqwater land except where authorised by a permit:

- (a) camp outside a designated camping area as indicated by signage;
- (b) set up or operate any sound device;
- (c) arrange or participate in any meeting or assembly;
- (d) distribute any written material;
- (e) engage in any commercial activity;
- (f) interfere with the natural environment in any way;
- (g) operate any unmanned aircraft contrary to CASA regulations; or
- (h) conduct an event or other organised activity on Seqwater land or Seqwater waters, except in accordance with the Rules.

7.2. Grant of permits

Seqwater may grant (on the terms it thinks fit, including payment of a fee) or refuse an application for, a permit.

7.3. Events, regattas and organised activities

If Seqwater has issued a permit to you to conduct an event, regatta or organised activity on Seqwater land or Seqwater waters, Seqwater may grant to you, during the permit period, the right to:

- (a) use an additional part or parts of Seqwater land as an adjoining area;
- (b) charge admission to that part of the adjoining area; and
- (c) exclude people who have not paid the admission charge from the adjoining area.

and these rights will apply notwithstanding the terms of any other permit you may have.

8. KEY TERMS

‘CASA’ means Civil Aviation Safety Authority

‘Certified Guide, Hearing or Assistance dog’ means a guide, hearing or assistance dog which is certified under, and complies with the identification procedures set out in, the *Guide, Hearing and Assistance Dogs Act 2009* (Qld).

'current licence' means an authority under a State law for you to operate an identified class of vehicle or vessel. 'designated area' refers to an area defined by Seqwater for a particular purpose.

'Seqwater land' means all land (including Seqwater property) owned by or under the control of Seqwater.

'Seqwater' means the Queensland Bulk Water Supply Authority, and where the context permits, includes Seqwater's employees, agents and authorised representatives.

'Seqwater property' means all property owned or under the control of Seqwater, whether fixed to the land or not. 'Seqwater waters' means all water ponded on Seqwater land.

'permit' means a permit or lease or licence issued by Seqwater for certain activities.

'Reserve' means an area reserved for certain uses under the *Land Act 1994* (Qld) for which Seqwater is the trustee.

'Rule' mean these Rules made by Seqwater.

'unmanned aircraft' means any unmanned aerial vehicle or unmanned aircraft other than a balloon or a kite.

'vehicle' is any object designed for movement upon wheels.

'vessel' is any object used or designed to be used on water or in navigation.

'you' includes a partnership, association, body of persons, corporate or unincorporated or an individual.
