
Memorandum of Understanding between
Forests New South Wales
and
The Orienteering Association of NSW

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1. INTRODUCTION

This document has been written to update a working relationship between the Orienteering Association of NSW (Orienteering NSW) and Forests NSW (a Public Trading Enterprise within the NSW Department of Primary Industries).

Forests NSW recognises Orienteering NSW as a peak user group representing the interests of members who have an interest in outdoor recreational pursuits through orienteering throughout NSW. Forests NSW recognises that orienteering is a valid, low impact forest use and Orienteering NSW recognises that State forests are a good venue for these activities.

In 2006 Forests NSW entered into an MOU with Orienteering NSW and the Rogaining Association of NSW. As these two organisations are distinctly separate, this MOU is now with Orienteering NSW. A separate agreement will be sought with the Rogaining Association of NSW if needed.

2. PURPOSE OF THE DOCUMENT

This document establishes the basis for a co-operative working relationship between Forests NSW and the Orienteering Association of NSW (Orienteering NSW) including affiliated orienteering clubs. Collectively these organisations are described herein as 'the Parties', 'orienteering' refers to both pedestrian and mountain-bike orienteering.

It is recognised that the ACT Orienteering Association undertakes events in State forests in New South Wales and it is the intention that this document sets out a process to cover a permit application process for these events as well.

The document has been developed for the purposes of achieving the following outcomes:

- ★ Provision of access to areas of State forest for the purpose of organised orienteering events.
- ★ Facilitation of annual state-wide Special Purpose Permit for organised Orienteering NSW events.
- ★ Capitalising on opportunities for mutually supportive promotion and publicity.

3. ROLE AND RESPONSIBILITY OF FORESTS NSW

Forests NSW is a Public Trading Enterprise (PTE) within the NSW Department of Primary Industries and responsible for managing approximately two million hectares of native and plantation forest on behalf of the people of New South Wales. Under the *Forestry Act 1916* the organisation's primary objective is to provide a sustainable supply of timber to the community in conjunction with a range of other values.

Almost all State forests are available for recreational activities. Providing access to forests for a wide range of activities through the maintenance of facilities and a suitable forest environment is an important contribution by Forests NSW to the community. *Forests NSW Recreation and Tourism Policy 2010-2014* outlines how State forests are made available for recreation activities and the processes and fees applicable for organised events and activities.

4. ROLE AND RESPONSIBILITY OF THE ORIENTEERING ASSOCIATION OF NEW SOUTH WALES

Orienteering NSW is the peak body representing a number of orienteering clubs across New South Wales. Currently, six clubs are based in metropolitan Sydney and another six in regional NSW, plus one dedicated mountain bike orienteering club. Orienteering NSW is a not-for-profit organisation staffed by 1.5 full time equivalents.

The association and its members have conducted events in various State forests since 1975 with the active cooperation of Forests NSW.

Orienteering NSW covers pedestrian orienteering ('Foot-O') and Mountain bike orienteering ('MTBO'). Rogaining is considered separately and would be subject to a separate MOU.

Orienteering is a competitive sport which involves participants visiting on foot or bike a set number of flagged control points between a start line and a finish line in the shortest possible time. Participants select individual routes and use map and compass to navigate the course. Courses are usually set in forest or bushland and vary in length but are generally 2 to 15 km. There may be a number of courses of varying length and difficulty set at each event. Courses are usually completed in 20 minutes to 2 hours. Special orienteering maps (usually 1:10,000 or 1:15,000 scale) are prepared by specialised mappers from within the orienteering community in advance of events. There is considerable lead time required for the setting of courses and preparation of maps.

The nature of the sport requires that events be held in unfamiliar territory and off established routes or tracks. Events tend not to be held in the same area too frequently so as to reduce competitor familiarisation with locations.

5. OPERATING FRAMEWORK

5.1 Event planning

Permission in principle for the use of a particular State forest, or part thereof, for an organised event will normally be sought by one of the affiliated member clubs of the Association 1-2 years prior to its first use for an orienteering event.

Orienteering NSW will discuss specific State forests with the relevant Forests NSW regional office to ascertain future operational planning which may affect recreational events and activities.

5.2 Organised events and activities

Forests NSW Regulations stipulate that organised events and activities require a Special Purpose permit. The provision of permits, applicable forms and fees payable are outlined in *Forests NSW Recreation and Tourism Policy 2010-2014*. A current copy of the policy can be found at www.dpi.nsw.gov.au/forests/permits

5.3 Permit Application Process

5.3.1 State-wide Special Purpose Permit Application

Orienteering NSW will apply for an annual state-wide Special Purpose Permit for events and activities planned for the calendar year. This application should be submitted to the prime contact provided by Forests NSW.

Applications shall be:

- made using the standard Special Purpose Permit Application Form
- accompanied by the appropriate application fee as outlined in *Forests NSW Recreation and Tourism Policy 2010-2014*
- accompanied by a list of all planned events for that year
- accompanied by a list of current member clubs of Orienteering NSW
- accompanied by a certificate of currency demonstrating that Orienteering NSW holds public liability insurance of \$20 million

Forests NSW will assess the application in conjunction with the relevant regional offices. Assuming all necessary information and documentation has been supplied and other events/forest activities have been considered, Forests NSW will issue the Special Purpose Permit within one month of application. The state-wide Special Purpose Permit issued by Forests NSW grants in-principle approval for the events to take place in the nominated State forests on the nominated dates. Additional information will need to be provided to the relevant regional office prior to final approval being granted.

Forests NSW will provide the list of event dates covered by the Special Purpose Permit to the NSW Game Council, as notification that exclusion zones are required for the nominated State forests on the nominated dates.

The Standard Conditions for Special Purpose Permits will apply. Additional conditions can be added by Forests NSW. A copy will be issued with the state-wide Special Purpose Permit and a current version of the standard conditions can be viewed at www.dpi.nsw.gov.au/forests/permits.

An annual Special Purpose Permit issued to Orienteering NSW will not be exclusive and will not preclude the use of that area by other groups either for recreation or another activity.

5.3.2 Liaison with Forests NSW Regional Office

Orienteering NSW event organisers will liaise with the relevant Forests NSW Regional office at least six weeks prior to the event listed in the state-wide SPP.

Orienteering NSW event organisers will provide the following documentation to the relevant Forests NSW Regional office at least four weeks prior to the event date:

- Map of proposed event site
- Site safety plan
- Medical evacuation plan
- Any additional documentation requested by Forests NSW

Special conditions may be applied to the SPP by Forests NSW on a case by case basis.

Orienteering NSW event organisers will be informed of any special conditions pertaining to the event in writing as soon as is practicable.

5.3.3 Applicable Fees

An application fee as determined by *Forests NSW Recreation and Tourism Policy 2010-2014* will be charged when the SPP application is made.

Usage fees for organised events and activities in State forests are outlined in *Forests NSW Recreation and Tourism Policy 2010-2014*. Forests NSW and Orienteering NSW have agreed on a

staged fee structure to bring the association into line with the corporate policy. This is outlined in Appendix B.

Orienteering NSW will provide a return with details of number of participants to the relevant Forests NSW Region within one month of each event. Orienteering NSW will remit applicable fees to Forests NSW within one month of each event.

5.3.4 Single Event Application

Under exceptional circumstances Orienteering NSW may apply for a one-off Special Purpose Permit for an event that is not included within the list identified under 5.3.1.

Applications to conduct events shall be made using the standard Special Purpose Permit Application Form found at www.dpi.nsw.gov.au/forests/permits and should be made direct to the relevant Regional Office.

An additional application fee as determined in *Forests NSW Recreation and Tourism Policy 2010-2014* will be required. Usage fees for organised events and activities in State forests are outlined in *Forests NSW Recreation and Tourism Policy 2010-2014*

Forests NSW must notify the NSW Game Council of an event or activity requiring an exclusion area at least four weeks prior to the event date. To facilitate this, Orienteering NSW must submit any single event applications to the relevant regional office no less than six weeks prior to the proposed event date.

The procedures and clauses in 5.3.1, 5.3.2, and 5.3.3 also apply to single event applications.

5.3.5 Events run by orienteering NSW for third parties

From time to time Orienteering NSW run events on behalf of third parties like schools. Whenever possible these will be included in the annual event calendar provided for the state-wide Special Purpose Permit. At other times, they will be applied for in the name of Orienteering NSW and the relevant clauses and fees outlined in this document will apply.

5.4 Land Use

The Parties recognise that the primary activity undertaken in State forests is management for timber harvesting. State forests are zoned for a range of management activities (known as Forests NSW Forest Management Zoning System) and some areas are not available for the full range of recreational activities, including orienteering.

The Parties recognise that in order to achieve the outcomes identified in Section 2, there may be opportunities from time to time for Association members to gain access to areas that would otherwise be closed to the public or be excluded from particular areas that might otherwise be available.

In these situations, the Parties recognise that it is important to minimise impacts on other user groups, and on environmental values and assets. The Parties also recognise that the provisions of any plan of management or Forests NSW policy on the use of the area concerned must prevail.

If requested, Forest NSW will provide Orienteering NSW with a Forest Management Zoning map which indicates land management intent, for the purpose of long term planning for events.

5.5 Closures

Forests NSW agrees to notify Orienteering NSW prior to any decision to permanently close areas that have been identified for future events.

Orienteering NSW recognises that Forests NSW may need to close areas, including roads and trails, from time to time, for example, during extreme fire danger, drought, flood or bushfires, or at times when activities undertaken in association with timber harvesting or other scheduled forestry operations may make conditions unsafe for public access. In these situations, Forests NSW will notify the appropriate club as soon as possible, if events have been scheduled for those areas.

At times of extreme fire danger or bushfire risk, Orienteering NSW will contact the appropriate Region to confirm the status of such areas.

5.6 Publicity

The parties agree to develop joint media releases to portray the co-operative approach being undertaken by the parties.

As appropriate, Forests NSW logo may be included on maps and publications for those events that are in State forests. Copies of this promotional material should be sent to the relevant Forests NSW Regional Office within one month of the event date.

In the case of maps where Forests NSW has provided access to aerial photographs, GIS or other services and products that have assisted in the production of those maps Forests NSW logo will be included.

Forests NSW will seek the permission of Orienteering NSW (or associated club) prior to the inclusion of information and photos about events in any publication.

5.7 Communication

The Parties agree to communicate at regular intervals to enable issues to be quickly identified and discussed. In so far as is possible, the primary means of communication will be directly between individual clubs and Regional Offices.

At a corporate level, each party to this document will identify a prime contact and contact details (Appendix A) for the purpose of resolving issues as they arise at short notice.

At a more strategic level, senior staff of each organisation (i.e. prime contacts identified in Appendix A), will meet as needed to discuss arising issues, to update contact lists and to discuss joint programs. Formal minutes of these meetings will be kept and circulated within each organisation.

Forests NSW agrees to inform orienteering NSW of changes to documents pertaining to the Special Purpose Permit application process which are provided online (eg: standard conditions, application form etc). Where technology permits, this may be via an RSS feed or similar.

The Parties undertake to communicate about their respective websites by end of 2012 with a view of establishing appropriate links between the sites to facilitate better communication about orienteering activities on State forest.

5.8 Dispute Resolution

The Parties recognise that it is best to attempt to resolve grievances, disagreements and issues between local representatives of the Parties where appropriate. In the first instance, resolution between Forests NSW Regional Manager and the Event Organiser should be sought.

If issues cannot be resolved at a regional level, then resolution should occur between a Director of Orienteering NSW and the Executive Officer Forests NSW, and then between the President Orienteering NSW and Chief Executive Forests NSW and if needed.

6. TIMELINESS

The Parties to this document give an understanding to be timely and professional in their dealings with each other. Openness and integrity will be a cornerstone of their relationship. The Parties acknowledge that the commitment in this regard is one to use their best endeavours and is subject in all respects to budgetary and human relations constraints existing from time to time.

7. REVIEW AND TERM OF THE DOCUMENT

This document will have a term of three years and will be subject to review at that time. This document may also be subject to review and change within the three year period. If one of the Parties wishes to alter the document then they shall consult the other party to seek a cooperative outcome.

This document may be terminated by either Party by giving four weeks' notice in writing to the other Party.

9. LEGAL RELATIONS

This document does not create any legal relationship between the parties nor a legal liability of one to the other or by either to any third party which would not have existed had this document not been entered into.

The parties hereto have executed this Memorandum of Understanding

On the day of 2012.

Signed for and on behalf of
Forests NSW


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Signed for and on behalf of the
Orienteering Association of NSW,

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Appendix A: Contact Details

Organisation	Contact	Address	Phone	Fax	Email
Prime contacts					
Forests NSW Manager Public Programs and Community Interaction	Joanna Bodley	PO Box 100, Beecroft NSW 2119	(02) 9872 0105	(02) 9872 6447	joanna.bodley@sf.nsw.gov.au
Orienteering NSW Secretary	Anthony Darr	PO Box, 3295, North Strathfield, NSW 2137	(02) 8116 9848		orienteering@sydney.net
Forests NSW Executive contacts					
Chief Executive Officer	Nick Roberts	PO Box 100, Beecroft NSW 2119	(02) 9872 0111	(02) 9871 6941	Nick.roberts@sf.nsw.gov.au
Executive Officer	Rahmat Khaiami	PO Box 100, Beecroft NSW 2119	(02) 9872 0111	(02) 9871 6941	Rahmat.khaiami@sf.nsw.gov.au
Forests NSW Regional contacts					
Regional Manager – Southern	Daniel Tuan	PO Box 42, Batemans Bay, 2536	1300 880 548	(02) 4472 6557	daniel.tuan@sf.nsw.gov.au
Regional Manager – Western	Warwick Bratby	PO Box 865, Dubbo, NSW, 2830	(02) 6841 4288	(02) 6841 4771	warwickb@sf.nsw.gov.au
Regional Manager – Central	Kathy Jones	PO Box 168, Wauchope, NSW, 2446	(02) 6585 3744	(02) 6585 2392	kathyl@sf.nsw.gov
Regional Manager – North East	Craig Busby	PO Box 535, Coffs Harbour, NSW, 2450	(02) 6652 0111	(02) 6551 9891	craigb@sf.nsw.gov.au
Regional Manager – Macquarie	Gavin Jeffries	PO Box 143, Bathurst, NSW, 2795	(02) 6331 2044	(02) 6331 5528	gavinj@sf.nsw.gov.au
Regional Manager – Monaro	Mark Chaplin	PO Box 83, Bombala, NSW 2632	(02) 6458 3177	(02) 6458 3624	markc@sf.nsw.gov.au
Regional Manager – Hume	Bob Germantse	PO Box 291, Tumut, NSW 2720	(02) 6947 3911	(02) 6947 2865	bobg@sf.nsw.gov.au
District Manager – Walcha	Gary Miller	Private Bag 9004, Grafton, NSW 2460	(02) 6640 1660	(02) 6640 1650	garym@sf.nsw.gov.au
District Manager – Grafton	Matthew Pope	Private Bag 9004, Grafton, NSW 2460	(02) 6640 1660	(02) 6640 1650	matthewp@sf.nsw.gov.au

Appendix B: Fee Schedule

Fee applicable to organised events conducted under Special Purpose Permit are outlined in Forests NSW Recreation and Tourism (R&T) Policy 2010-2014.

Forests NSW has agreed to a staged fee increase with Orienteering NSW to bring the association in-line with the policy and other user groups. This will be implemented as below:

Date	Championship events	Regular events
Jan-June 2012	\$2.00 per person	\$1.00 per person
July-Dec 2012	\$3.00 per person	\$2.00 per person
Jan-Dec 2013	\$4.00 per person	\$3.00 per person
Jan-Dec 2014	\$5.00 per person	\$4.00 per person
Jan 2015 onwards	Fee in R&T policy plus CPI adjustments	Fee in R&T policy plus CPI adjustments