

Terms and Conditions for 2021/2022

Licences to land water transport services from Redland City Council controlled jetties and landing places are issued pursuant to Redland City Council's Local Law 1 (*Administration*) 2015, Subordinate Local Law 1.17 (*Operation of a Ferry, Charter or Hire Service from a Local Government Controlled Boat Ramp or Landing*) 2015 as may be amended from time to time.

1. These Standard Conditions are to be read in addition to Council's Local Law 1 (*Administration*) 2015, Subordinate Local Law 1.17 (*Operation of a Ferry, Charter or Hire Service from a Local Government Controlled Boat Ramp or Landing*) 2015.
2. Ferry Licences are issued for a maximum period of one year to 30 June annually, or until such time that may be stipulated in any special conditions imposed on the service.
3. Amendments to existing Ferry Licences are subject to approval from Redland City Council and may be subject to additional charges in accordance with the Fees and Charges Schedule on a pro-rata basis.
4. Amendments to existing Ferry Licences may be made by application to Council, giving a minimum of 4 weeks' notice.
5. Applications for Ferry Licences are renewable annually, by application, and are subject to assessment and satisfactory performance of the service provided by the Ferry Operator.
6. Council will set all applicable fees. The fees and charges are published in Council's schedule of fees document.
7. Ferry Licence fees will be invoiced quarterly with payment due in advance for the next quarter.
8. Vessels shall be moored at jetties, pontoons, barge ramps and landing places under the control of Redland City Council for sufficient time to allow passengers to embark and disembark. At other times, vessels must be moored elsewhere.
9. The authority of Redland City Council and its Jetty Officers or Local Laws Officers, duly appointed by Council, shall be recognised at all times. Directions and/or instructions issued by an authorised Jetty Officer or Local Laws Officer, pursuant to the provisions of Redland City Council's Local Law 1 (*Administration*) 2015, Subordinate Local Law 1.17 (*Operation of a Ferry, Charter or Hire Service from a Local Government Controlled Boat Ramp or Landing*) 2015, must be observed and compliance therewith shall occur within the times specified.
10. Ferry Licence Holders are required to ensure that all masters, crew and persons employed to operate ferries on the service must hold an applicable commercial licence issued by or accepted by Queensland Transport in accordance with legislative requirements.
11. All crew employed to operate ferries must have a thorough knowledge of the route and timetables for the service.
12. The Ferry Licence Holder is responsible, at all times, for opening and closing the safety gates and providing and maintaining the gang planks at the jetties and pontoons, i.e.; upon embarkation and disembarkation.
13. The Ferry Licence Holder must ensure that the jetties, pontoons, boat ramp or landings used are kept in the same condition as before the services commenced.
14. The Ferry Licence Holder must immediately notify Redland City Council's City Asset Group Manager of any jetty or ramp damage or repairs deemed necessary in the interests of public safety.
15. In the event that the Ferry Licence Holder wishes to increase fares, the Ferry Operator must demonstrate to Redland City Council that there has been a significant increase in the cost of providing the service.

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16. Any route and timetable variations to scheduled passenger and vehicular ferries must be submitted in writing to Redland City Council's City Asset Group Manager prior to the change.
17. Ferry Licence Holders and their staff must not engage in any of the following:
 - o conduct that does, or is likely to, have the effect of preventing or hindering the use of marine facilities by other patrons and services;
 - o occupy the facility for an unreasonable period;
 - o change or amend their operating timetable so that it interferes with another service's use of the marine facility;
 - o prevent or hinder access to the marine facility by using physical force, threats or abuse, or;
 - o occupy the marine facility at a time other than a time provided for pursuant to this approval.
18. The Ferry Licence Holder shall ensure that all vessels are clean and tidy when performing the services, and are maintained according to industry standards.
19. The Ferry Licence Holder must have established procedures for the treatment of lost property, access to timetables and fare structures, register of complaints and public enquiries.
20. Ferry Licence Holder is required to hold and maintain Public Liability Insurance and Protection & Indemnity Insurance, with a minimum limit of liability of \$20 million per claim, during the term of the ferry licence. In instances where Public Liability Insurance is included under the Protection & Indemnity Insurance policy, this must be clearly highlighted on the Certificate of Currency. A copy of the valid Certificate of Currency must be provided with the application or renewal of the ferry licence.
21. The Ferry Operator must provide all documentation as required on the Ferry Licence Application Form.
22. Ferry Operators must comply with all relevant legislation, government and industry standards. Such requirements include, but are not limited to:
 - o Transport Operations (Marine Safety) Act 1994. (Part 4 General Safety Obligations and Standards);
 - o Transport Operations (Marine Safety – Queensland Regulated Ships Miscellaneous Equipment) Standard 2017;
 - o Workplace Health and Safety Act 2011;
 - o Environmental Protection Act 1994;
 - o Weinam Creek Marina, Environmental Site Management Plan 1997 (available upon request from Council);
 - o Redland City Council's Local Law 1 (*Administration*) 2015, and Subordinate Local Law 1.17 (*Operation of a Ferry, Charter or Hire Service from a Local Government Controlled Boat Ramp or Landing*) 2015.
23. In addition to the other rights of Redland City Council under Local Law 1 (*Administration*) 2015, Subordinate Local Law 1.17 (*Operation of a Ferry, Charter or Hire Service from a Local Government Controlled Boat Ramp or Landing*) 2015, Council may terminate this Ferry Licence by notice to the Ferry Operator if:
 - o the Ferry Licence Holder fails to comply with a compliance notice issued to rectify any default of this licence;
 - o in the opinion of Redland City Council, the Ferry Licence Holder failed to comply with any provision of this licence;
 - o non-payment of licence fees.