

## Terms and Conditions for 2022/2023

Charter Ferry Operator Ferry 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 maybe amended from time to time.

- 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
- Charter Operator Ferry Licences are issued for a maximum period of one year to 30th June annually, or until such time that may be stipulated in any special conditions imposed on the service.
- Charter Operator Ferry Licences are renewable annually, by application, and will be subject to assessment and satisfactory performance of the service provided by the Charter Operator.
- Amendments to existing Charter Operator Ferry Licences are subject to approval from Redland City Council's Marine Infrastructure Manager and may be subject to additional charges in accordance with the Fees and Charges Schedule on a pro-rata basis.
- Amendments to existing Charter Operator Ferry Licences may be made by application to Council, giving a minimum of 4 weeks' notice.
- 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.
- The authority of the Council and its Jetty Officers or Local Laws Officers, duly appointed by Redland City Council, shall be recognised at all times. Directions and/or instructions issued by an authorised Jetty Officer or Local Law Officer, pursuant to the provisions of 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, shall be observed and compliance therewith shall occur within the times specified.
- Charter Operator Ferry Licence holders are required to ensure that all masters, crew and persons employed to operate charter or hire service must hold an applicable commercial licence issued by or accepted by Queensland Transport in accordance with legislative requirements.
- All crew employed to operate the charter vessels must have a thorough knowledge of the route and timetables for the service.
- The Charter Operator 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.
- The Charter Operator Ferry Licence holder must ensure that the jetties, pontoons, boat ramp or landing used is kept in the same condition as before the services commenced.
- The Charter Operator Ferry Licence holder must immediately notify Redland City Council's Marine Infrastructure Manager of any jetty or ramp damage or repairs deemed necessary in the interests of public safety.
- This Charter Operator Ferry Licence does not authorise the Licence Holder or anyone else, exclusive use of any jetty, pontoon or other landing places under the control of Redland City Council.
- Major community and tourism events utilising Redland City Council controlled jetties, pontoons and landing places will be given priority access. During special event times Redland City Council Marine Infrastructure team will notify Charter Operator Ferry Licence holders affected as soon as possible to enable alternative arrangements are made during these events.

## Terms and Conditions for 2022/2023

- Minor route and timetable variations to schedule passenger and vehicular ferries may be made at the Charter Operator Ferry Licence holder's discretion
- The Charter Operator Ferry Licence holder and staff must not engage in any of the following:
  - a. conduct that does, or is likely to, have the effect of prevent or hinder the use of marine facilities by other patrons and services;
  - b. occupy the marine facilities for an unreasonable period;
  - c. change or amend their operating timetable so that it interferes with other services using the marine facility;
  - d. prevent or hinder access to the marine facility by using physical force, threats or abuse;
  - e. occupy the marine facility at a time other than a time provided for pursuant to this approval.
- Any waste generated from the charter activity is deemed as commercial and industrial waste as per the Waste Reduction and Recycling Regulation 2011. The disposal of commercial and industrial waste in council's public place waste infrastructure (council park bins) is not permitted. Infringements may apply.
- The Charter Operator Ferry Licence holder shall ensure that all vessels are clean and tidy when performing the services and are maintained according to industry standards.
- The Charter Operator Ferry Licence holder is to provide and establish procedures for the treatment of lost property; access to timetables and fare structures; recording a register of complaints; public inquiries.
- The Charter Operator Ferry Licence holder must hold and maintain during the term of the ferry licence, Public Liability Insurance and Protection & Indemnity Insurance with a minimum limit of liability of \$20 million per claim. Instances where Public Liability Insurance is included under the Protection & Indemnity Insurance policy, this must be clearly highlighted on the Certificate of Currency.
- The Charter Operator is to provide all documentation as required on the Charter Operator Ferry Licence Application Form checklist.
- In addition to the other rights of 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 Licence by notice if:
  - a. the Charter Operator Ferry Licence holder fails to comply with any Council direction;
  - b. in the opinion of Council the Charter Operator Ferry Licence holder failed to comply with any provision of this licence;
  - c. non-payment of Charter Operator Ferry Licence fees.
- All Charter Operator Ferry Licence holders must comply with all relevant legislation, government and industry standards. Such requirements include, but are not limited to:
  - a. Moreton Bay Marine Parks Permit;
  - b. Transport Operations (Marine Safety) Act 1994. (Part 4 General Safety Obligations and Standards).
  - c. Transport Operations (Marine Safety – Queensland Regulated Ships Miscellaneous Equipment) Standard 2017
  - d. Workplace Health and Safety Act 2011.
  - e. Environmental Protection Act 1994.
  - f. Redland City Councils 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

FCSMAR003A – 01/07/2022