

Jetty Landing

Moreton Bay Regional Council Local Law No 1
(Administration) 2011 Schedule 8(e)



Postal Address

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Public Health and Local Laws

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Fees listed are applicable 1 July 2018 – 30 June 2019

ABN: 92 967 232 136

Applicant details (Individual, Company or Incorporated Assoc. [not a Trust, Partnership or Unincorporated Association])

Name

ASIC Company Name or Personal Name (not a Trading Name)

ABN / ACN (if applicable):

Address of service:

Preferred address:

Contact person details: Mr Mrs Ms Miss

Contact person name:

Business number:

Mobile phone:

Work phone:

Note: Contact numbers which you provide may be used to update council's records.

Email address:

Details of vessel

Vessel type: Motor vessel Sailing vessel Name of vessel:

Length of vessel:

Vessel displacement / tonnage:

Vessel Passenger Capacity:

Is the vessel registered for commercial or recreational use? Commercial Recreational

Details of landing

Proposed landing location:

Permit Required: Annual Use OR Casual Use

If casual use, specify frequency of use including dates and times access required:

Fees

Application fee – \$174.00

Upon approval of the application a Jetty landing fee will apply. Council will issue an invoice to the applicant.

Fee examples:

- Casual embarking/disembarking (daily) fee – \$48.00
- Jetty Landing - Annual - Vessel capacity up to 25 passengers - \$814.00
- Jetty Landing - Annual - >25 but no more than 55 passengers - \$1,289.00
- Jetty Landing - Annual - >55 but no more than 150 passengers - \$4,067.00
- Jetty Landing - Annual - >150 passengers - \$4,881.00

Indemnity – for approvals granted under a Moreton Bay Regional Council Local Law

This form must be completed and submitted with your application.

In consideration of Moreton Bay Regional Council (“council”), giving approval for:

(Name of activity to which the approval relates) (“the Activity”)

At;

(Address/area where the activity is to be undertaken)

I/We;

(Applicant)

1. Agree to indemnify council and keep it indemnified against any claim, demand, action, suit or proceeding that may be made or brought against council, its employees, contractors and elected members for personal injury to or death of any person or loss of or damage to any property caused by, arising out of or as a consequence of the Activity;
2. Acknowledge that council has not made any claim, statement or inference with regard to the suitability of the facility or land for the Activity and I/we have satisfied my/ourselves in this regard.

Name of applicant:

Signature: Date:

Name of applicant:

Signature: Date:

Privacy statement

Moreton Bay Regional Council is collecting the personal information contained within this indemnity for the purpose of indemnifying council for approvals granted under a Moreton Bay Regional Council Local Law.

Declaration by applicant (all checkboxes to be ticked and required supporting documentation attached)

I have attached the following:

- A certificate of currency for public liability insurance to the value of \$20,000,000
Note: The insurance policy certificate provided is to include Moreton Bay Regional Council as an interested party, Public liability insurance to a value less than \$20 million may be acceptable as assessed on an individual basis).
- Certificate of Operation (Commercial Vessels only)
- Certificate of Survey (Commercial Vessels only)
- Registration Certificate issued by Transport and Main Roads (Recreational Vessels only)
- Photo of vessel

I have read, understand and agree to be bound by the attached terms and conditions in the event that my application is approved to utilise the mooring. I warrant that I have full and complete authority to execute this as a binding and enforceable agreement.

Signature: Date:

Office use only			
CSO: _____	Licence number (HE:LAND): _____		
Receipt number: _____	Amount: _____	Date: _____	
Applicant approved: _____	Yes / No	All paperwork received: _____	Yes / No
Pile number allocated: _____	<input style="width: 100%;" type="text"/>		
Officer: _____	Signature: _____	Date: _____	

Privacy statement

Moreton Bay Regional Council is collecting your personal information for the purpose of assessing your local law approval application.

Payment options

Please return this form by mail with your cheque/money order made payable to Moreton Bay Regional Council.

Alternatively, payment can be made in person by debit/credit card, cheque/money order or cash at any Customer Service Centre:

- Caboolture: 2 Hasking Street, Caboolture
- Strathpine: 220 Gympie Road, Strathpine
- Redcliffe: Irene Street, Redcliffe

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Terms and conditions

1. The approval must be displayed in a prominent place and be available at all times for inspection by an authorised person.
2. The commercial use of local government controlled jetties, boat ramps and mooring places is approved only for the mooring places, services and times specified in the approval.
3. The operator must pay all annual fees stipulated in the approval (as applicable).
4. The approval holder must maintain a public liability insurance policy to the value of \$20,000,000 (for commercial vessels) or \$10,000,000 (for recreational vessels) together with an indemnity in the local government's favour executed by the applicant.
5. A copy of the public liability insurance policy, or a certificate of its currency, referred to in the paragraph above must be submitted to the local government upon application or prior to carrying out the activity.
6. The approval holder must indemnify and keep indemnified the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the approval.
7. If the approval holder or the holder's employee or agent damages the landing, jetty or boat ramp, or any public infrastructure associated with these structures, it must –
 - (a) take immediate steps to make the area safe and maintain the area in a safe condition until all necessary repairs are effected; and
 - (b) report damage to the local government; and
 - (c) provide payment to the local government to have all damage rectified or with the local government's prior approval carry out repairs at its own expense to the satisfaction of the local government.
8. The approval holder must not adversely obstruct the movement of vehicles, vessels and pedestrians.
9. The approval holder must not engage in conduct which has the effect of preventing or hindering any user of marine facilities, including but not limited to occupying a landing or ramp for a period of time that is unreasonable given the size of the vessel and the number of people embarking or disembarking from the vessel, or otherwise preventing or hindering access to the facility by vessels, vehicles, persons or animals.
10. The approval holder must ensure that the activity (including any disposal of waste water as part of the activity) does not cause a danger or nuisance to neighbouring residents or users of the landing, jetty or boat ramp.
11. The approval holder must ensure that the approved business (including any disposal of waste water as part of the approved business) does not cause a danger or nuisance to neighbouring residents or users of the landing, jetty or boat ramp.
12. The undertaking of the approved business must not cause an odour, noise or smoke nuisance which causes an unreasonable adverse effect on the amenity of the surrounding area.
13. A contaminant must not be released to the environment as part of the undertaking of the approved business unless such release is specifically authorised by the *Environmental Protection Act 1994*.
14. Adequate storage must be provided for all hazardous materials stored or used as part of the undertaking of the approved business.
15. All hazardous materials must be stored and used in a safe manner.
16. All waste, including waste water, generated as a result of the undertaking of the approved business must be disposed of in accordance with the *Environmental Protection Act 1994 and the Plumbing and Drainage Act 2002*.
17. All waste generated as a result of the undertaking of the approved business must be disposed of in a manner which maintains the approved business and its surrounds in a clean, tidy, sanitary and hygienic condition.
18. All waste water generated during or from the undertaking of the approved business must be discharged safely to the sewage system or an on-site sewage facility.
19. Human waste from the approved business must be disposed of at a dedicated sanitary facility, sewage system or on-site sewerage facility.
20. Trade waste from the approved business must be disposed of in accordance with an approval under the *Water Act 2000*.
21. Waste water from the approved business must be collected and released to a discharge point approved by the local government, or otherwise disposed of in such a way that it will not enter the storm water system or waterways.

22. Waste generated as a part of the approved business must be disposed of so as not to attract pests.
23. All access ways and other areas to which the public has access within the approved business must be maintained in clean, safe, tidy and sanitary condition at all times.
24. The approval holder must not store, decant or refuel a vessel on local government owned or controlled landings, jetties or ramps. All refuelling over water shall be approved and licensed by the Port of Brisbane Corporation or any other relevant Authority.
25. The approval holder must not interfere with the existing public infrastructure located in, on, over or surrounding a landing, jetty or boat ramp.
26. The approval holder must not tout for business.

Additional Conditions

1. The approval does not imply right of use or mooring on the approved landing, jetty or boat ramp.
2. The approval holder is only approved to exhibit one temporary advertising sign, in addition to any signs located on the vessel or vehicles associated with the business. This additional advertising sign must be located within 10 metres of the vessel and not cause obstruction to other persons or vessels. The sign must be free standing, and secured and limited to no more than 0.30 square metres in face area. The sign may only be displayed whilst the vessel is loading or unloading goods and/or passengers.
3. The approval holder is required to ensure that all masters and crew persons employed to operate vessels on the service shall hold a commercial license issued by or accepted by Maritime Safety Queensland in accordance with the requirements of the Transport Operations (Marine Safety) Regulation 2016.
4. All crew employed to operate the service must have a thorough knowledge of the route and time tables for the service.
5. Masters of vessels must comply with the requirements of the Transport Operations (Marine Safety) Act 1994 and subordinate legislation at all times.
6. Upon written notice from Council, the approval holder must relocate the vessel for a reasonable period (not longer than 12 hours) during festivals or events which require use of the jetty.