



The issuing of this permit is subject to:

- The Applicant agrees to comply with the General Conditions set out within the Permit;
- The Applicant agrees to comply with any Special Conditions which may be set within the Permit;
- The Applicant will pay the prescribed fees set out in the City of Charles Sturts Fees and Charges Register;
- The Applicant will provide a copy of all certificates which are required by either the General Conditions or Special Conditions within the Permit;
- The Applicant is only Authorised in respect to the Activity as specified within the Permit.

General Conditions**Non Transferable**

Permit is non transferable.

Described Activity

Permit is valid only for activity described on Permit.

Dates and Times

Permit is valid only for times and dates on Permit.

Permit Inspection

Permit must be made available for inspection upon request by an authorised officer or a police officer.

Insurance

The permit holder agrees to indemnify and to keep indemnified the Council its servants and agents and each of them from and against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the issuing of the permit.

The permit holder shall take out and keep current a public risk insurance policy in the name of the permit holder insuring the permit holder for the minimum sum of ten million dollars (\$10,000,000) against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against the permit holder in relation to the activity.

The permit holder must provide confirmation of insurance to Council. Such a policy shall bear the endorsement of the Insurer indicating the Insurer accepts the indemnity given by the permit holder.

The permit becomes immediately invalid if the permit holder ceases to have current public liability insurance as set out above.

Failure to Comply

Failure to comply with any condition of the permit will result in the permit being revoked.

Valid Area

The permit is only valid for the area stipulated on the permit.

Compliance with Other Legislative Requirements

The permit holder must abide by all other State and Federal legislation. The issue of this permit does not absolve the permit holder or their agents from any other overriding legislation.

Amendment to Conditions

The permit conditions may be amended at any time by the issuing authority with or without consultation with the permit holder.

Directions

The issuing authority may add or remove directions to the permit in addition to conditions at any time. Failure to comply with a direction will be taken as failing to comply with a condition of the permit.

Changes to the Activity

Any changes to the approved activity contained on this permit must be with prior approval from the issuing authority. This may cause conditions to the permit to be altered. If this is the case a new permit will be issued.

Changes to Circumstances Affecting Validity of Permit

Any changes to circumstances that would affect the validity of the permit must be notified to the issuing authority within 14 days of the change. For example a change to ownership of a company would require notification.

Permit Fee or Inspection Fee

At present, no permit fee or inspection fee is charged for pontoons on West Lakes.

Special Conditions**Maintenance and Cleaning**

The Applicant will be responsible for maintaining , cleaning and if necessary painting or treating the Pontoon to ensure that the Pontoon is always kept in a safe and aesthetic conditions.

Use of Pontoon

The Pontoon is not to be used for the following purposes:-

Carrying on or conducting any business or trade

Hiring any boats or watercraft

Advertising any products or services

Modifications

The Applicant must not alter or modify the Pontoon without the Council's permission

Additions

The Applicant must not place any roof or canopy over the Pontoon but will be entitled to place an umbrella and tables and chairs on the Pontoon.

Noise Nuisance

The Applicant must ensure that the users of the Pontoon keep voices, music and noise to a level which does not interfere with the comfort and convenience of neighbours and other people using West Lakes or adjacent Pontoons.

Breach of Permit Conditions

Failure to apply for a renewed permit before the expiration of the current permit will amount to a breach of this Permit.

The Council will be entitled to terminate this permit and remove the Pontoon if the Applicant, having received written notification of a breach of this permit fails to remedy the breach within the time set out in the notice. The Council will be entitled to recover any of its reasonable costs incurred in rectifying any breach of this permit.

Joint Ownership

Where the Applicant is comprised of two or more people, the obligations contained in this permit may be enforced by the Council against them together or separately. Any notice sent to one of the persons comprising the applicant will be considered sufficient notice.

Inspections

Where an inspection of a pontoon reveals that repair works need to be addressed:

Major Repairs

Where major repairs are required that could impact on public safety or seriously affect the design or structural integrity of the pontoon, that the owner be required to provide a report from an independent suitably qualified person setting out that the work required to be undertaken to bring the pontoon up to an acceptable standard, has been completed.

Minor Repairs

That where repairs required are of a minor nature, that the pontoon owner be required to advise Council in writing that they have had regard to the minor works issues as identified and are of the view that their pontoon is *'fit for purpose'*.