

TASPORTS BERTHING LICENCE

Rules

1. The Licensee must duly and punctually comply with the following Rules in connection with the use by the Licensee of the Pier, the Port, the Licensed Berth and Marina:

(a) The Licensee must ensure that the Vessel:

- (i) is seaworthy and in survey;
- (ii) is registered for the use to which it is put;
- (iii) meets all of the requirements of Marine and Safety Tasmania;
- (iv) be able to enter the Marina under her own power; and
- (v) is registered, identified, marked, equipped and maintained as required by all applicable Law and safe practice with particular attention to adequate fire fighting equipment and the storage of dangerous goods and chemicals.

(b) The Licensee acknowledges that:

- (i) a failure to comply with all or any of the conditions imposed by these Rules will result in the Vessel not being admitted to the Marina.
- (ii) when the Vessel enters the Marina it will immediately come under the jurisdiction of TasPorts and be berthed and manoeuvred where necessary and in accordance with all directions issued by TasPorts.

(c) The Licensee will:

- (i) be responsible for providing their own mooring lines and warps but provided always that TasPorts reserves the right to renew, replace or make good any mooring lines or warps at the Licensee's expense;
- (ii) moor the Vessel in a proper and seamanlike fashion;
- (iii) ensure that no loose ropes are to float across or be permitted to float across or obstruct or be permitted to obstruct in any way the adjacent berths. Any nuisance noise created by standing or running rigging and covers may be dealt with by

TasPorts, its servants or agents in such manner as they see fit; and
(iv) ensure that all lanyards should be tightly fixed to prevent slatting during periods of wind exceeding 10 knots.

(d) The Licensee must: (i) ensure the Vessel size (LOA) does not exceed the length of the Licensed Berth;

- (ii) ensure any sullage, wastewater, or sewage is held in the Vessel's holding tank and that the holding tank is pumped out on a regular basis by a competent waste management firm;
- (iii) not permit or allow the installation of power leads that have not been tested and tagged into, or draw power from, any power outlet other than the power outlet provided by TasPorts for the Licensee's use or in a manner that does not meet any legal requirements;
- (iv) not store on the Vessel any flammable, explosive or potentially flammable or explosive substances (other than fuel in reasonable quantities) without TasPorts' prior written approval and at all times to ensure that the equipment used to store all substances and goods on board the Vessel, and the storage of and use of the substances and goods, complies with any Laws or applicable policies of insurance;
- (v) keep the Pier and Marina clear of all gear, including dinghies and ensure that all trolleys are returned to their proper place at the shore end of the Marina immediately after use;
- (vi) remove or cause to be removed from the Pier and Marina all rubbish brought upon or generated within the Vessel or the Marina to the waste bins provided;
- (vii) ensure that the Vessel is kept free and clear of debris, bottles, papers, trash or other unsightly material at all times;
- (viii) keep the Vessel in a clean and tidy condition so that it does not become unsightly or dilapidated or reflect unfavourably upon the reputation and appearance of TasPorts, the Pier or the Marina;

- (ix) ensure that any noise emanating from the Vessel and Licensed Area is kept to a minimum at all times and that the Licensee must use extreme discretion in operating radios, sound systems and other like items in order to cause the minimum amount of annoyance to others;
 - (x) not permit the Vessel to be advertised or offered for sale from the Marina without the prior written agreement of TasPorts. Signage must be approved by TasPorts pursuant to clause 10.1 of the Licence and in any event will not be of a size greater than 45 centimetres by 30 centimetres and the wording must be limited to the words "For Sale" with the owners own phone number and not that of an agent;
 - (xi) not carry out any commercial activity from the Marina including operating a commercial business or using or permitting the Vessel to be used in the Marina as a shop or trading outlet; or
 - (xii) not moor or permit to be moored any craft other than the Vessel in the Licensed Berth without the prior written consent of TasPorts. In the event that the Licensee moors or permits to be moored any other craft in the Licensed Berth with the consent of TasPorts then that craft will be deemed to be the Vessel for the purposes of this Licence and the terms and conditions of this Licence will apply to the Licensee and in relation to that craft as if it was the Vessel.
- (e) The Vessel will only be boarded and entered by TasPorts or its employees, servants or agents for emergency service or safety reasons.
- (f) The Licensee must firstly comply with TasPorts' Permit to Work System, complete any paperwork as required by TasPorts and obtain a permit from TasPorts before a Licensee may undertake any permitted minor repair works in the fishing dock. The Licensee must ensure that any permitted works undertaken at the fishing dock do not cause a nuisance or otherwise interfere with the use of fishing dock by others.
- (g) The Licensee and its Personnel must not make any structural alterations or additions of any kind to the Licensed Berth or Port.

2. The Licensee acknowledges and agrees to comply with the following general Rules in relation to the use of the Marina:

- (a) Living aboard the Vessel is prohibited unless the permission of TasPorts is first obtained and such consent may be revoked with reasonable notice.
- (b) Swimming, diving or fishing within the Marina area is prohibited.
- (c) An adult must accompany young children at all times.
- (d) Any dog or cat upon the Marina, must be leashed or under effective control at all times and must not be allowed to foul the Marina. Any such fouling shall be removed by the owner to rubbish bins. TasPorts reserves the right to revoke entry to any dog or cat at its reasonable discretion.
- (e) Laundry of any kind or any item of a personal nature shall not be hung to dry out or air in public view aboard the Vessel or on any jetty.
- (f) A speed limit of a maximum of Four Knots is to be observed within, departing from, or when approaching the entrance to the Marina.
- (g) No parking or driving of vehicles onto the jetty in the Marina will be permitted.
- (h) Tenders must remain on the Vessel at all times.

3. The Licensed Berth may be changed by TasPorts providing prior notice if reasonably required in accordance with the terms of the Licence between TasPorts and the Licensee.

4. TasPorts may from time to time add to or amend these Rules as it may consider necessary for the proper management of the Berth and/or Marina and will give notice of such changes by placing them at the entry to each Berth and on its website.