

Short-term Licence:

Section 2.20 Crown Land Management Act 2016

On this [day] day of [month] two thousand and [year], **Lithgow City Council (ABN 59 986 092 492)** (hereinafter referred to as the “**Crown Land Manager**”) being the appointed Crown Land Manager under the *Crown Land Management 2016* (“**Act**”) for the whole of the land within **Reserve No. 40981 for public recreation** and situated at Corner of Kiln and Villiers Streets, Portland hereby grants pursuant to section 2.20 of the Act a short-term licence to the person(s) specified in section 1 of schedule 1 (hereinafter referred to the “**Licensee**”) subject to the following terms and conditions:

1. The Licensee must pay the Crown Land Manager the licence fees and bond (if any) specified in section 5 of schedule 1 prior to occupation of the Crown land. The bond (if any) will be returned upon expiry and compliance with the conditions of the licence.
2. The licence remains in force for the term specified in section 6 of schedule 1, which is not to exceed 12 months. The Crown Land Manager may cancel the Licence without prior notice if there is a breach by the Licensee of any of the licence conditions.
3. The Licensee must advise the Crown Land Manager of any changes to the contact details set out in section 3 of schedule 1.
4. The Licensee must not interfere with any other person authorised by the Crown Land Manager to use the reserve or any part thereof.
5. The Licensee must not use the land specified in section 2 of schedule 1 except for the purpose(s) authorised by this licence in section 4 of schedule 1.
6. The Licensee must comply with all of the special conditions specified in section 7 of schedule 1.
7. Any notice provided for in this licence shall be deemed to be validly served if:
 - (a) it is personally served on the Licensee or where the Licensee is a corporation or association, on an officer of the corporation or association; or
 - (b) it is sent by prepaid ordinary mail addressed to the Licensee at the address shown in section 3 of schedule 1.
8. The Crown Land Manager does not make or give any warranty, promise or covenant to the Licensee for quiet enjoyment of the licence area.

**Signed by an Authorised Officer of Lithgow
City Council:**

Name: Graeme Faulkner
Position: General Manager
Authority: Section 377 Local Government
Act, 1993
Dated:

Signed by witness:

Print Name:
Dated:

**Signed by an Authorised Officer of Portland
Men's Shed:**

Name:
Position:
Dated:

Signed by Witness:

Print Name:
Dated:

SCHEDULE 1

<p>SECTION 1: Licensee (full name)</p>	<p>Name of Licensee: PORTLAND MEN'S SHED ABN: 72 717 330 306</p>																										
<p>SECTION 2 Licensee's Right</p>	<p>The Licensee shall have the use of the reserve area being Part Lot 7002 in DP1075853, as shown in red on the diagram attached as Schedule 2 to this Licence (hereinafter called "the Licensed Area").</p>																										
<p>SECTION 3: Contact details for service of notice</p>	<p>Address: Mick Moore Pavillion, Villiers Street, Portland, NSW, 2847 Email: portlandmenshed@gmail .com</p>																										
<p>SECTION 4: Purpose of Licence (must be for prescribed purpose)</p>	<p>The Licensee shall have the use of the Licensed Area for the prescribed purpose, and more specifically, activities of Portland Men's Shed including meetings and social functions and building and construction activities that do not interfere with the amenity of Kremer Park or the neighbourhood.</p> <table border="0"> <tr> <td><input type="checkbox"/> access through a reserve</td> <td><input type="checkbox"/> grazing</td> </tr> <tr> <td><input type="checkbox"/> advertising</td> <td><input type="checkbox"/> hiring of equipment,</td> </tr> <tr> <td><input type="checkbox"/> camping using a tent, caravan or otherwise</td> <td><input type="checkbox"/> holiday accommodation</td> </tr> <tr> <td><input type="checkbox"/> catering,</td> <td><input type="checkbox"/> markets,</td> </tr> <tr> <td><input checked="" type="checkbox"/> community, training or education,</td> <td><input type="checkbox"/> meetings,</td> </tr> <tr> <td><input type="checkbox"/> emergency occupation</td> <td><input type="checkbox"/> military exercises,</td> </tr> <tr> <td><input type="checkbox"/> entertainment,</td> <td><input type="checkbox"/> mooring of boats to wharves or other structures</td> </tr> <tr> <td><input type="checkbox"/> environmental protection, conservation or restoration or environmental studies,</td> <td><input type="checkbox"/> sales,</td> </tr> <tr> <td><input type="checkbox"/> equestrian events</td> <td><input type="checkbox"/> shows,</td> </tr> <tr> <td><input type="checkbox"/> exhibitions</td> <td><input type="checkbox"/> site investigations,</td> </tr> <tr> <td><input type="checkbox"/> filming (as defined in the Local Government Act 1993),</td> <td><input type="checkbox"/> sporting and organised recreational activities,</td> </tr> <tr> <td><input type="checkbox"/> functions,</td> <td><input type="checkbox"/> stabling of horses,</td> </tr> <tr> <td>as specified in the Crown Land Management Regulations for the purpose of section 2.20 of the Act.</td> <td><input type="checkbox"/> storage.</td> </tr> </table>	<input type="checkbox"/> access through a reserve	<input type="checkbox"/> grazing	<input type="checkbox"/> advertising	<input type="checkbox"/> hiring of equipment,	<input type="checkbox"/> camping using a tent, caravan or otherwise	<input type="checkbox"/> holiday accommodation	<input type="checkbox"/> catering,	<input type="checkbox"/> markets,	<input checked="" type="checkbox"/> community , training or education,	<input type="checkbox"/> meetings,	<input type="checkbox"/> emergency occupation	<input type="checkbox"/> military exercises,	<input type="checkbox"/> entertainment,	<input type="checkbox"/> mooring of boats to wharves or other structures	<input type="checkbox"/> environmental protection, conservation or restoration or environmental studies,	<input type="checkbox"/> sales,	<input type="checkbox"/> equestrian events	<input type="checkbox"/> shows,	<input type="checkbox"/> exhibitions	<input type="checkbox"/> site investigations,	<input type="checkbox"/> filming (as defined in the Local Government Act 1993),	<input type="checkbox"/> sporting and organised recreational activities,	<input type="checkbox"/> functions,	<input type="checkbox"/> stabling of horses,	as specified in the Crown Land Management Regulations for the purpose of section 2.20 of the Act.	<input type="checkbox"/> storage.
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<p>SECTION 5: Licence Fee (\$)</p>	<p>The licence fee is \$490.00 + GST per annum The bond fee is \$Not applicable</p>																										

<p>SECTION 6: (a) Term (not to exceed 12 months) (b) Commencement Date (c) Expiry Date</p>	<p>(a) 12 months (b) 1 May 2019 (c) 30 April 2020</p>
<p>SECTION 7: Special Conditions</p>	<p>(a) The Licensee shall keep the said Licensed Area and any buildings clean and tidy and all papers and other rubbish shall be collected and removed.</p> <p>(b) The Licensee shall control weeds as directed by the “local control authority” (as defined in section 7 below).</p> <p>(c) Subject to clause 7(m), the Licensee shall immediately repair and make good, damage occasioned by the Licensee’s use of the Licensed Area.</p> <p>(d) The Licensee shall indemnify and keep indemnified the Crown Land Manager and the Minister administering the <i>Crown Land Management Act 2016</i> against all actions, suits, claims, debts, obligations and other liabilities that may arise from the activities of the Licensee during the currency of the Licence.</p> <p>(e) The Licensee shall, before occupying the Licensed Area, take out a public risk insurance policy for the term of the licence, for the amount of \$20,000,000 for any one claim whereby the Crown Land Manager and the Minister administering the <i>Crown Land Management Act 2016</i> shall during the continuance of this Licence be indemnified against claims and demands arising from death or bodily injury or damage to property arising out of the Licensee’s use of the Licensed Area. Copy of such coverage is to be handed to the Crown Land Manager before occupying the Licensed Area.</p> <p>(f) The Licensee shall maintain all other insurances as may be required by the <i>Workers Compensation Act 1987</i> or any other Act or Acts of Parliament in regard to the conduct of activities of the Licensee on the Licensed Area. Copy of such coverage is to be handed to the Crown Land Manager before occupying the Licensed Area.</p> <p>(g) No relationship of landlord and tenant is or is intended to be created between the parties hereto by virtue of this License or in any way whatsoever.</p> <p>(h) The Licensee, or other authorised employee of the Licensee, is responsible for supervising the activities permitted by the licence.</p> <p>(i) The Crown Land Manager reserves the right to remove</p>

	<p>from or refuse entry to the Licensed Area any person regardless of any arrangements or contract with the Licensee.</p> <p>(j) All improvements, erections and fixtures now or hereafter erected on the Licensed Area are acknowledged by the Licensee to be absolute property of the Crown, but the Licensee shall maintain and repair such improvements, erections and fixtures during the period of this Licence.</p> <p>(k) This Licence is subject to the provisions of the Crown Land Management Act 2016, including section 2.20 and 3.43 of that Act.</p> <p>(l) The Licensee shall not sublet, assign or otherwise deal with the Licensed Area.</p> <p>(m) The Licensee must not make any structural alterations or additions to the Licensed Area without the prior written consent of the Crown Land Manager, which consent may be withheld in its absolute discretion.</p> <p>(n) Either party may terminate this licence without cause or reason, by giving the other party one month notice in writing.</p>
<p>SECTION 8: Local control authority</p>	<p>The Local Control Authority is:</p> <p>(a) The council of the local government area, or if weed control functions for that area have been conferred on a county council or joint organisation (within the meaning of the <i>Local Government Act 1993</i>) under any other Act, that other county council or joint organisation,</p> <p>(b) for land within the Western Division that is not within a local government area, the Minister, and</p> <p>(c) for land within Lord Howe Island, the Lord Howe Island Board.</p>

**SCHEDULE 2
DIAGRAM SHOWING LICENSED AREA IN RED**

