



NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that of a meeting of **HARBOUR FORESHORES & COASTLINE MANAGEMENT ADVISORY COMMITTEE** will be held:

DATE: TUESDAY 11 MARCH 2014

TIME: From 4.00pm to 6.00pm – maximum 2 hours

PLACE: Councillors' Room, Manly Town Hall, 1 Belgrave Street, Manly

COMMITTEE MEMBERS:

Councillors

Cllr Heasman
Cllr Bingham
Cllr Griffin
Cllr Pickering

Manly Council
Manly Council
Manly Council
Manly Council

Other Representatives

Ray Mathieson
Carlo Bongarzoni
Ian Littlemore
Richard Hewitt
Rodney Childs
Vic Levett
Ross Thirmyn
Marc Manion
Marcus Cahill
Craig Susans
Mark Moratti
Michael Treanor
Paul Schuettrumpf
Rodney James

Community member
Community member
Community member
Community member
Community member
Community member
Community member
Manly SLSC
NSW Roads & Maritime Services
Queenscliff SLSC
Office of Environment & Heritage
NSW Parks & Wildlife Services (OEH)
Dept. Primary Industries
Dept. Primary Industries

Council Staff

Ed McPeake
Jacqui McLeod

Manager Environmental Programs
Senior Coastal Management Officer

All other Councillors are free to attend as observers and are invited to do so and to engage in discussions, but not in voting, on any matter before the Committee.

A handwritten signature in black ink, appearing to read 'Stephen Clements', with a stylized flourish at the end.

Stephen Clements

Deputy General Manager, Executive Manager, Landuse & Sustainability

Date: 28/02/2014



TO: Harbour Foreshore & Coastline Management Advisory Committee

MEETING DATE: 11 March 2014

AUTHOR: Jacqui McLeod, Senior Coastal Management Officer

SUBJECT: *Draft Dinghy and kayak management guidelines*

1. INTRODUCTION

This report is provided for consideration of the committee. It presents the *Draft* dinghy and kayak management guidelines. At the meeting of 12 November 2013, the committee resolved that a Dinghy & Kayak Storage Policy be developed, with reference to the Business Case resolved to be prepared for Stuart Street, at the Ordinary Meeting of 11 November 2013. Draft Policy is to be presented to the Committee for the first meeting in the New Year.

2. INFORMATION

Council's policies in the policy register were recently reviewed for legislative changes, currency, duplication and consistency. Amendments to the Policy Register were adopted by Council's Planning and Strategy Committee on 3 March 2014.

This included Council's existing policy D80. Dinghies – Management of Dinghies and Kayaks on Council Foreshores (Dinghy Policy). The existing policy provides for the adoption of guidelines for the storage of dinghies and kayaks, limiting the size and location within approved formal facilities; and for Rangers to police the guidelines and provide due notice to owners of unauthorised, abandoned or derelict craft outside of approved formal facilities, of their removal.

The attached draft guidelines have been prepared in accordance with the Dinghy Policy for consideration and comment of the Harbour Foreshores and Coastline Management Advisory Committee.

RECOMMENDATION:

That the Committee provide comments on the *Draft* dinghy and kayak management guidelines.

Harbour Foreshore & Coastline Management Committee

11 March 2014

ATTACHMENT:

Draft dinghy and kayak management guidelines.



Manly Council

Draft Dinghy & Kayak Management Guidelines

March 2014



Title:	Dinghy & Kayak Management Guidelines
Reference Policy:	D80- Dinghies – Management of Dinghies and Kayaks on Council Foreshores.
Keywords:	Dinghy & kayak storage, dinghy management, abandoned , derelict dinghies.
Responsible Officer:	Senior Coastal Management Officer - NRB, Division of Landuse & Sustainability

1. Purpose and Authority of Guidelines

These Guidelines are adopted under Council Policy *D80. Management of Dinghies and Kayaks on Council Foreshores*, adopted by Council's Planning and Strategy Committee at the meeting of 3 March 2014.

Council's considered and adopted policy position with respect to the subject matter of the policy is as follows:

1. That Council adopt guidelines for the storage of dinghies and kayaks, limiting the size and location within approved formal facilities.
2. That Council's Rangers police the guidelines and provide due notice to owners of unauthorised, abandoned or derelict craft outside of approved formal facilities, of their removal.
3. That Council staff undertake a bi-annual survey of the dinghies, kayaks and other craft stored outside of approved formal facilities in Manly and review Council policy accordingly.

Management of public land on the foreshore is the responsibility of Council under State enacted legislation and local regulations. The proper management of public land is important for environmental sustainability and the health and safety of the community.

These guidelines have been developed through the Harbour Foreshores and Coastline Management Committee and affect those areas of Council, including Compliance, Civic and Urban Services and Administration that are responsible for the management of foreshore reserves.

2. Objectives

The objectives of the guidelines are:

- To regulate the type and size of vessels which can be stored in approved formal facilities;
- To determine additional storage locations;
- To ensure that all approved formal dinghy and kayak storage facilities operate in an efficient manner and are maintained correctly;
- To rationalise the number of dinghies and kayaks stored on public land;
- To remove derelict or abandoned dinghies and kayaks that are not stored in approved formal facilities;
- To manage environmental impacts of the storage of dinghies and kayaks on the foreshore, including protecting native vegetation, reducing erosion and ensuring stability of the foreshore;
- To maintain and improve access to the foreshore for the use and enjoyment of residents and visitors; and
- To reduce Council's exposure to public liability.

3. Definitions

Dinghy

A single or double hulled vessel up to a maximum length of 3.5 metres.

Kayak

A canoe type vessel, up to a maximum length of 4 metres, including a surf ski.

Approved formal facilities

Purpose built structures for the storage of dinghies and kayaks, in the form of racks, stand-alone vertical tie-posts or horizontal fixing rails with registered storers who pay an annual fee.

Storer

The registered user of a Council facility who is allocated a numbered storage space and pays an annual fee.

Unauthorised vessel

A vessel not included in the definitions of dinghies and kayaks or a vessel which is not registered to a storer or is in an unauthorised location.

Abandoned vessel

A dinghy, kayak or other vessel left on public land.

Public land

Any land, including land on the foreshore for which management is Council's responsibility, being Crown land reserved under the *Crown Lands Act 1989* and Public Open Space, under the *Local Government Act 1993*.

4. Regulatory Framework

Council is the responsible authority to manage activities which occur on public land under the following State legislation.

Crown Lands Act 1989

Council is empowered under provisions contained in the *Crown Lands Act 1989* to control, restrict, or prohibit any activity that occurs, or is likely to occur, on Crown land reserved for Public Recreation.

Local Government Act 1993 (as amended)

Under Section 632 of the *Local Government Act 1993*, Council is empowered to control, restrict, or prohibit any activity that occurs, or is likely to occur, on Public Open Space.

Roads Act 1993

Under Division 3 of the *Roads Act 1993*, Council is empowered to authorise use of, and deal with obstructions on, road reservations.

Impounding Act 1993

Under the provisions of the *Impounding Act 1993*, Council is authorised to impound and deal with articles in public places and places owned or under the control of certain public authorities if they have been abandoned or left unattended. The Act also provides for:

- the release of impounded articles that are claimed by their owners;
- the disposal of impounded articles that are not claimed by their owners; and
- the disposal of the proceeds of sale, if the articles are disposed of by sale.

5. Guidelines for approved formal facilities

5.1. Application for a dinghy and/or kayak storage rack position

Dinghy and kayak users who wish to store their dinghy or kayak at an approved formal facility must make application to Council on the Application Form, once a position becomes available. Dinghy and kayak storage places will be allocated on a 'first come first serve' basis, as per existing waiting lists.

5.2. Waiting List

Where a request is made for a dinghy and/or kayak storage place and a place is not available, the applicant will be placed on a waiting list.

5.3. Annual dinghy and/or kayak storage fee

An annual storage fee is payable, as per Council's current fees and charges schedule.

5.4. Council storage requirements

The storer will keep the nominated dinghy or kayak according to the storage requirements set out in the Application Form. Under the *Impounding Act 1993*, Council may remove and impound dinghies and kayaks from Council's approved formal facilities, where they do not comply with Council's storage requirements. Unauthorised vessels will also be removed and impounded.

5.5. Additional approved formal facilities

Council will from time to time investigate the provision of upgrades to existing formal facilities and/or new formal facilities for the storage of dinghies and kayaks. The type, scale and location of new facilities will be considered in

balance with the environment and other uses and enjoyment of public land on the foreshore, including access to open space, vehicle parking and boat launching.

The demand for available places generally exceeds the available places and it is not considered feasible that all applications for a dinghy or kayak storage place can be accommodated.

6. Guidelines for unauthorised locations

6.2. Removal and impounding of dinghies, kayaks and other vessels

Dinghies, kayaks and abandoned vessels stored on the foreshore in an uncontrolled manner will be removed as per Council's powers under the *Impounding Act* 1993. These vessels will be removed, giving priority to where they constitute a hazard, cause damage to the environment or are a nuisance to foreshore areas. Council will also exercise its powers under the *Impounding Act* 1993, in relation to impounding of unclaimed dinghies, kayaks and abandoned vessels.

5.2. Fees and charges for impounded dinghies and kayaks

Council may fix fees and charges to be paid in respect of the impounding, holding and disposing of a dinghy, kayak or abandoned and unauthorized vessels.

5.3. Disposal

Unclaimed dinghies, kayaks and other vessels that have been removed from the foreshore by Council will be disposed of from time to time, as determined by Council and may be offered for sale by third party auction.