

	<h2 style="margin: 0;"><i>Boat Ramp Policy</i></h2> <p style="margin: 0;"><i>WKSPOL 14</i></p>	Version No:	1.0
		Responsible Officer/s	Works Manager
		Issued:	19/06/2017
		Next Review:	May 2019

1. Purpose

To regulate the use of the Port MacDonnell and Blackfellows Caves Boat Ramp Areas, which are under the care and control of Council and to implement a fee system to assist in meeting the maintenance costs of the infrastructure.

2. Scope

This policy applies the Port MacDonnell and Blackfellows Caves Boat Ramps.

3. Definitions

Boat Ramp refers to either Port MacDonnell or Blackfellows Caves Boat Ramp

Boat includes a raft, pontoon or personal watercraft or other similar device.

Commercial/Professional Operator is an incorporated body that uses the Port MacDonnell or Blackfellows Caves Boat Ramp for the purposes of generating an income and/or business from fishing and/or aquaculture related activities.

Council Offices means the Council Offices at 324 Commercial Street West, Mount Gambier, or the Port MacDonnell Community Complex, 5 Charles Street, Port MacDonnell.

Emergency Vessel means a vessel that is used in the course of an emergency situation. An emergency vessel shall be defined as a vessel that is operated by an emergency service organisation including but not limited to; Country Fire Service, State Emergency Service, Coast Guard, SA Ambulance and SAPOL.

Launch and Retrieval means the launching or retrieval of a boat using the facilities within the Port MacDonnell and Blackfellows Caves Boat Ramp Area, extending to parking a vehicle and/or trailer within the Port MacDonnell and Blackfellows Caves Boat Ramp Area for the purposes of launching or retrieving a boat.

Permit means a document providing permission to identified permit holders to use Port MacDonnell and Blackfellows Caves Boat Ramp for launching and retrieving boats for a specified period subject to terms and conditions and may include, but not be limited to, annual, monthly, weekly and daily.

Officer means a Council Officer or any other authorised person.

4. Policy

4.1 Introduction

Clause 9.10 of the Council's Local Government Land By-law ('the By-law') provides that a person must not without the permission of the Council, launch or retrieve a boat to or from any waters that the Council has determined.

The Council has determined that its permission must be obtained under the By-law to launch or retrieve a boat from the waters adjoining the Port MacDonnell and Blackfellows Caves Boat Ramp Area. Such permission is to be given in the form of a boat launch permit issued in accordance with this Policy.

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4.2 Permit Fees and Charges

From 1 July 2015 all users of the Boat Ramp whom launch or retrieve a boat have been required to pay a fee. The quantum of these will be set by Council and reviewed annually as part of the annual fees and charges. The fees will be set to reflect the forecast ongoing maintenance and compliance monitoring over the estimated life of the boat ramp, as well as servicing of the Port MacDonnell Offshore Angling Club loan.

Separate fees will be applicable to recreational users and commercial/professional operators.

The Permit must display as a minimum; permit number, name of the nominated person/entity, date of validity, trailer registration number and Council logo. The permit shall be valid from the date of purchase to the following day, week, month or year according to the length of permit purchased.

4.3 Concessions

- Any person holding a current Commonwealth Pension Card is eligible to claim a concession (recreational permits only).
- The concessional fee shall be determined by Council in its annual fees and charges.

4.4 Annual Permits

- A permit will be issued upon receipt of a completed application form (WKS008) and payment of the applicable permit fee.
- A permit applies only to the permit holder named on the permit or application form and are issued subject to the conditions contained thereon.
- Only one permit is issued for each permit fee.
- Permit is for one trailer only, additional permits will need to be purchased if more than one trailer is used.
- Permits are not transferable.
- Commercial/Professional Operators who have more than one tender boat will be allowed one additional trailer per permit.

4.5 Daily Weekly and/or Monthly Permit

- The Daily, Weekly and/or Monthly permit do not require an application to be completed.
- The permit will either be in the form of a ticket issued from a ticket machine, a paper permit issued from the Council office or in digital form using a nominated on-line parking application.
- A permit shall be valid within the dates permitted on the permit, being for the appropriate period paid for.

4.6 Permit Replacement

- It shall be the responsibility of the permit holder to ensure permits are legible and kept in good condition.
- The issue of a replacement permit may incur a fee, this fee shall be determined by Council in its annual fees and charges.

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4.7 Permit Display

- Excepting those using the on-line application to purchase tickets, when using the Boat Ramp for the launch and retrieval of a boat, it is the responsibility of the permit holder to ensure the permit is displayed in a prominent position on the dash board of the towing vehicle.
- If the permit is not visible, or becomes dislodged from the dashboard for any reason, responsibility lies with the permit holder to rectify.

4.8 Exemption

- Permits are not required for designated emergency vessels and watercraft not requiring registration.
- The Deputy Chief Executive Officer has authority to exempt organisations involved in search and rescue at sea from the requirement to purchase a permit.

4.9 Signage

- Council shall erect signs or notices in a prominent position on, or in the immediate vicinity, of the land to which the policy applies stating the locations where a permit may be purchased.

4.10 Access

The issuing of a permit does not guarantee access to the Boat Ramp Area during peak periods.

4.11 Offence

- Launching and/or retrieving a boat from the waters adjoining the Boat Ramp Area without a valid permit, is an offence under clause 9.10 of the By-law, unless an exemption under this Policy applies.
- A person launching and/or retrieving a boat from the Boat Ramp must provide his/her permit to an Authorised Officer upon request. If a permit is not produced, an Authorised Officer may issue an expiation notice to the person.
- The maximum penalty for breach of the By-Law is \$50. The expiation fee set by the Council for a breach of clause 9.10 of the By-law is set out in Council's fees and charges which is reviewed annually.
- Council officers appointed as authorised persons under the Local Government Act 1999 are authorised to issue expiations notices for a breach of the By-law.

4.12 Members of the Port MacDonnell Offshore Anglers Club

Council appreciates and acknowledges that the Port MacDonnell Offshore Angling Club (PMOAC) have made significant contributions towards the construction of the original Port MacDonnell Boat Ramp.

Council have resolved that free lifetime membership will apply for all of those volunteers who worked on the construction of the original boat ramp, and that were included on Council's Register of Volunteers for the Project as well as financial members of the Port MacDonnell Offshore Angling Club as at 19 July 2004.

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This clause does not apply to commercial permits.

Council has been provided with a register from the PMOAC that will be used to determine free lifetime membership and is listed in Attachment 1 of this Policy.

4.13 Marine Facilities Reserve

Council has established a Marine Facilities Reserve to ensure all revenue received is utilised for the maintenance and operations of marine facilities at Port MacDonnell and Blackfellows Caves, including the servicing of the existing Port MacDonnell Offshore Angling Club loan. At the completion of each financial year, any residual funds (income less expenses) shall be deposited or withdrawn from the fund.

5. Responsibilities

Council delegates to the Chief Executive Officer and anyone acting in that position, the power to:

- approve, amend and review any procedures that shall be consistent with this Policy; and
- grant and/or revoke boat launch/retrieval permits; and
- exempt organisations involved in search and rescue at sea from the requirement to obtain a permit.

The Chief Executive Officer may sub-delegate these powers as the Chief Executive Officer considers fit.

6. References:

- District Council of Grant – Permits and Penalties By-law No. 1 of 2014
- District Council of Grant – Local Government Land By-law No. 2 of 2014
- Local Government Act, 1999
- Expiation of Offences Act, 1996

7. Review

This Policy shall be reviewed by the District Council of Grant at a minimum within four (4) years of issued date, within 12 months of a general election (or on significant change to legislation or other matters which could affect this policy).

Action	Date	Minute Reference
Adopted by Council	19 June 2017	17086.1
Names removed per DCEO	16 July 2018	Under delegation

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Attachment 2 – Port MacDonnell Boat Ramp



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Attachment 3 – Blackfellows Caves Boat Ramp

