



Draft Watercraft Management Policy

Version 0.3



Title	Watercraft Management Policy
Summary	This policy addresses the application, approval and potential removal process of watercraft stored or left unattended in Council Parks
Document Type	Policy
Relevant Strategic Plan Objective	<ul style="list-style-type: none"> • Strategic Direction 2: Liveable, connected neighbourhoods and transport. • Strategic Direction 4: Healthy, resilient and caring communities
Legislative Reference	<ul style="list-style-type: none"> • <i>Local Government Act 1993</i> • <i>Public Spaces (Unattended Property) Act 2022</i>
Related Council Documents	<ul style="list-style-type: none"> • Code of Conduct • Council's Fees and Charges Schedule
Version Control	Draft Version 0.3

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1 Purpose

The purpose of this policy is to enable the appropriate management of watercraft left unattended or stored on Council foreshores whilst also maintaining safe public access and minimising environmental impacts.

2 Scope

This policy applies to all residents and non-residents who have a valid licence to keep their watercraft in Council watercraft racks.

3 Definitions

In the Watercraft Management Policy, the following terms have the following meanings:

Council Officer	Inner West Council members of staff (including full-time, part-time, casual and contracted staff)
Act	<i>Local Government Act 1993</i>
Public Land	Land in public ownership whereby Council has Care, Control and Management responsibilities
Storage Facility	Council owned and maintained racks suitable for the storage of watercraft
Watercraft	Recreational vessels, including (but not limited to) dinghies, kayaks (maximum 3.5 metres in length) or canoes
Unauthorised Watercraft	Any Watercraft left unattended in a park that: <ul style="list-style-type: none"> a) Is not stored in an approved Storage facility; or b) does not have a valid licence; or c) does not have a Council sticker attached that validates it may use a Storage Facility
Hirer	A person who has been allocated a bay in a Storage Facility and a watercraft sticker under the terms and conditions contained in Appendix A of this policy.

4 Statement

It is Council's objective to ensure that watercraft left unattended in parks are managed in a manner which is safe and appropriate to the local environment and surrounding community.

This policy is to assist watercraft owners by guiding them through the approval process so they may be left in a Storage Facility within the Inner West Council area.

5 Policy

5.1 Watercraft Storage Facilities

Council currently has 6 watercraft Storage Facilities with a capacity of 188 storage bays.

- Cove Street Park, Balmain - 20 Bays
- Fitzroy Avenue Reserve, Balmain - 33 Bays
- King George Park, Rozelle - 49 Bays
- Leichhardt Park, Lilyfield - 55 Bays
- Mort Bay Park - Yeend Street, Balmain - 18 Bays
- Propellor Park, Balmain - 13 Bays

5.2 Applications

All people who currently or seek to hire a Storage Facility are required to complete a Watercraft Storage Application Form. Council Officers will assess and advise the applicant within 10 working days of receipt of the Application Form. Due to the high demand for Watercraft storage racks in the Inner West Council area, priority is given in the following order:

- Current hirers of Watercraft Storage racks who have complied with all Council requirements (including fee payments)
- Dinghy owners with adjacent swing mooring leases
- Inner West Council Local Residents
- Non-residents

5.3 Approval Process

Once an application for hire is received, Council Officers will assess the application and the hirer will be assigned a storage location if available and contacted by formal correspondence on the outcome of their application.

5.4 Fees

Watercraft Storage Fees will apply. Further information is available on Council's website in the Inner West Council Fees and Charges document. Watercraft storage fees are non-refundable regardless of circumstances.

5.5 Damages and breaches

Where it is alleged that a hirer has breached Council's terms and conditions, the following will be undertaken

- On the first alleged breach, Council staff will investigate the breach and make an assessment. If upheld, the hirer will be provided with the breach assessment and a first written warning.
- On the second alleged breach, Council staff will investigate the breach and make an assessment. If upheld, the hirer will be provided with the breach assessment and a second written warning.
- On the third alleged breach, Council staff will investigate the breach and make an assessment. If upheld, the hirer will be provided with the breach assessment and a final written warning. At this point, at its absolute discretion, Council may cancel the Permit and require the hirer to remove their watercraft from the watercraft storage facility and any fees paid to Council will be forfeited.

5.6 Renewal of Permits

Permits are renewed annually. Hirers are sent Renewal Notices and a copy of the Terms and Conditions documents in September each year. A failure to provide payment for a renewal will result in impounding of the watercraft and the storage space may be allocated to the next applicant.

5.7 Indemnity

Any damage to stored watercraft or theft of stored watercraft is the responsibility of the hirer.

The hirer releases and indemnifies Council against all actions, suits, claims, demands, costs, charges, damages, loss, liability and expenses for which Council, its servants, agents or employees suffers, incurs or is liable for in respect to the hirer's use of the allocated storage bay.

5.8 Impounding of Unauthorised Watercraft

Parks will continue to be routinely monitored for unattended watercraft left outside of a Storage Facility. Storage Facilities will also be regularly audited by Council Officers. Where Unauthorised Watercraft are found, or where it is determined the hirer is not adhering to the terms and conditions of use under this policy, the watercraft may be impounded. Impounding procedures will also commence if the annual fee has not been paid. A flowchart of the process is attached to this Policy as Appendix B.

6 Breaches of this Policy

Breaches of this policy may result in an investigation of the alleged breach as outlined in point 5.5 of this policy and also includes the Model Code of Conduct.

Any alleged criminal offence or allegation of corrupt conduct will be referred to the relevant external agency.

7 Administrative Changes

From time-to-time circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made including branding, Council Officer titles or department changes and legislative name or title changes which are considered minor in nature and not required to be formally endorsed.

8 Version Control – Policy History

This policy will be formally reviewed every three years from the date of adoption or as required.

Governance use only:

Document	Watercraft Management Policy	<i>Uncontrolled Copy When Printed</i>	
Custodian	[Insert Relevant Council Officer]	Version 3	Version X
Approved By	Council	ECM Document #	xxxxxxx
Next Review Date	[Insert relevant date no later than 3 years post adoption]		
Amended by	Changes made	Date	
[Council Department]	[Describe reason for major changes]	Day Month, Year	

Appendix A – Watercraft Storage Hirer’s Terms and Conditions

Council grants a temporary 12-month licence to the applicant, referred to as the hirer, for the use of the allocated storage bay at Council’s nominated storage facilities on the following terms and conditions.

1. The hirer must be the legal owner of the watercraft
2. The hirer must ensure the watercraft does not exceed the maximum permissible dimensions of 1.5 metres wide and 3.5 metres in length
3. The hirer must:
 - a. Ensure only one watercraft is stored in the allocated bay
 - b. Display the permit sticker in a prominent position that is clearly and easily visible
 - c. Ensure the storage bay is only used for private purposes; and
 - d. Ensure the watercraft is in an operable condition
4. The hirer must not:
 - a. Damage or misuse the storage bay or public land surrounding the storage bay
 - b. Undertake any maintenance or repair of the watercraft on public land surrounding the storage bay
5. The hirer must notify Council in writing within 7 days of any change of address or contact phone number/s.
6. The hirer must notify Council in writing within 7 days of disposal of watercraft
7. The hirer must notify Council in writing when the storage bay is no longer required
8. The hirer acknowledges the hirer’s property stored in the storage bay is at the hirer’s risk at all times
9. Council may terminate this licence in its absolute discretion for any reason whatsoever, including breaches of these terms and condition, after giving the hirer 7 days written notice
10. In the event this licence is terminated Council may treat the hirer’s property as abandoned and deal with it in any way the Council sees fit, at the hirer’s expense, if the hirer fails to remove its property within 21 days after a notice is given by Council.

APPENDIX B – Flowchart of Watercraft Impoundment Process

