



## **BOATSHED POLICY – June 2014**

### **A. Annual Permit**

1. Tenure of the site is for a 12 month period only. Renewal date will be June 30<sup>th</sup> of each year.
2. The charges on the annual invoice notice are made under the authority of the Regulations gazetted on 31st October, 1974.
3. The issuing of the permit is renewed annually on the approval of the Capel Sound Foreshores Committee of Management Inc. as manager of Crown Land for Department of Environment and Primary industries (DEPI).
4. The Annual permit fee provides the permit holder with the annual right of use of the boatshed/bathing box but does not constitute ownership as all assets on crown land are the property of the crown.
5. Public Liability responsibility within Boat Sheds lies with the Permit Holder. A permit renewal will only be issued upon sighting of a valid Certificate of Currency for Public Liability Insurance.
6. The Permit is personal to the Permit holder and not transferable without permission of the Committee.
7. Committee of Management must be advised of change of address within 30 days.
8. The permit shall lapse upon breach of any part of the foregoing conditions.

### **B. Transfer of Permit Ownership**

1. A transfer form must be completed, signed and provided to the Committee of Management, by the vendor and the purchaser to apply for 'transfer of permit'.
2. Transfer fees apply when a boatshed changes ownership :
  - a) 5% of the purchase price or CIV value on the rate notice, whichever is higher, (+GST).
  - b) \$250.00 where the transfer is between immediate family members, or as a result of inheritance.
3. The signing of a transfer form by the vendor and the purchaser does not of itself legally constitute transfer of ownership of the annual permit of the property described herein. Ownership is transferred following:
  - a) payment of transfer fee in full by Purchaser; proof of sale/receipt to be provided
  - b) copy of current Mornington Peninsula Shire Rates notice
  - c) approval by Committee of Management of the transfer
4. Transfer of permit is subject to adherence of this policy and rules of the Capel Sound Foreshores Committee of Management Inc.
5. It is the purchaser's responsibility to notify the Mornington Peninsula Shire Council of change of permit holder. Any charges set by the Mornington Peninsula Shire Council are the responsibility of the purchaser.
6. Transfer will not apply until all conditions, as set by the Capel Sound Foreshores Committee of Management Inc. on inspection, have been complied with, including any works requested to be carried out from annual audit.
7. Where the transfer of the permit is between immediate family members the Committee of Management must be notified in writing. A transfer fee of \$250.00 (plus GST) must be paid to the Committee of Management by the purchaser. Family members will be defined as relations within a direct family and/or their spouse. This will be subject to proof of relationship from past to proposed owners. Where the transfer is a result of inheritance this rule will also apply and a copy of the death certificate and will are required.
8. Once approval has been granted the Committee will notify the new owner in writing.

### **C. Alterations**

1. Written permission must be sought, by the current permit holder, from the Committee of Management prior to making any alterations / modifications to boatsheds.
  - a) A written request, detailing the proposed alterations must be provided to the Committee of Management for approval.
  - b) Works may not proceed until written approval has been received by the current permit holder from the Committee of Management.
  - c) Where Planning or Building permits are required, they must be available to the Committee when requested.
2. Planning or Building Approvals may be required from Mornington Peninsula Shire, or Department of Environment and Primary Industries, to carry out works to a boatshed.
3. Where there is any damage to Asbestos, the asbestos must be removed (not repaired) by a licensed asbestos removalist.
  - a) Where there is damage to an Asbestos roof, the roof must be removed in its entirety (not repaired) by a licensed asbestos removalist (refer Asbestos policy).
  - b) Replacement of the roof must be completed within 14 days of asbestos removal.
4. Painting
  - a) Painted surfaces must be of a non-reflective nature.
5. Footprint
  - a) Extensions to the existing footprint are not permitted.
    - i. The footprint means the area of foreshore occupied by the boatshed or bathing box including stairs, ramps, decks or the like.
6. Roof
  - a) Colourbond or Zinalume (or similar material) must be used for roof cladding and are appropriate in this environment for maintenance and longevity.
7. Doors must be constructed of timber and attached using marine grade stainless steel fittings.

### **D. Insurance**

1. It is a condition that the current owner maintains a valid Public Liability insurance policy.
2. A copy of the valid insurance policy must be provided to the Committee of Management to ensure renewal of the boatshed permit.

### **E. General**

1. The Permit holder shall keep the site clean, tidy, and maintain and keep all buildings and improvements in good repair, order, and appearance, to the satisfaction of the Committee.
2. The Boatshed must be numbered on the front exterior (the bay side) in a clearly visible manner.
3. The removal of any plants, vegetation or mowing of grass around boatshed areas can only be carried out with written permission of the Committee of Management.
4. Camping, or sleeping, is not permitted in or around the boatshed.
  - a) Offenders are liable to prosecution under the Mornington Peninsula Shire Local Laws.
5. The lighting of fires is not permitted in or around the boatshed, or anywhere on the Capel Sound Foreshores reserve.
  - a) Offenders are liable to prosecution under the Mornington Peninsula Shire Local Laws.
6. The Committee may by resolution at any time either generally or in a specific case vary, modify, alter or add to these conditions.