

BOATSHED/BATHING BOX POLICY

A Payment of Annual Licence Fees

1. The charges on this invoice notice are made under the authority of the Regulations gazette on 31st October 1974.
2. The issuing of the licence renewal every 10 years on the approval of the Committee of Management as manager of Crown Land for DWELP. Annual licence 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.
3. The Licence holder must be a householder/ratepayer in the Shire of Mornington Peninsula.
4. The Licence is personal to the Licence holder and not transferable without permission of the Committee.
5. Committee of Management must be advised of change of address within 30 days.
6. The Licence holder shall keep the site clean and tidy and maintain and keep all buildings and improvements for the time being thereon in good repair order, and appearance, to the satisfaction of the Committee.
7. Under no circumstances shall any person be permitted to camp, sleep or light fires in or around a boatshed or bathing box. Offenders are liable to prosecution under the Health Regulations of the Shire of Mornington Peninsula.
8. The Licence shall lapse upon breach of any part of the foregoing conditions.
9. All buildings or improvements on the site shall become the property of the Crown unless removed within 14 days after lapsing surrender, or determination of the licence.
10. The Committee may by resolution at any time either generally or in a specific case vary, modify, alter or add to these conditions.

B Transfer of Ownership

1. The signing of a transfer form by the vendor and the purchaser does not of itself legally constitute transfer of ownership of the annual licence of the property described herein. Ownership is transferred following:
 - (a) Payment of transfer fee in full; proof or sale/receipt to be provided
 - (b) Approval by Committee of Management of the transfer, and
 - (c) Subsequent advice in writing by Secretary of Com to the purchaser of this approval.
2. Transfer of licence is also subject to the Rules and Regulations of the Dromana Foreshore Committee of Management Inc
3. The Dromana Foreshore Committee of Management Inc reserves the right to amend the transfer fee if it is in the opinion that the sale price does not represent a true valuation of the purchased licence of the property.
4. It is also the purchaser's responsibility to also notify the Mornington Peninsula Shire Council of change of ownership. Mornington Peninsula Shire Council charges are applicable to purchaser.
5. Transfer will not apply until all conditions, as set by the Dromana Foreshore Committee of Management Inc on inspection, have been complied with.

C Maintenance/Improvements

Under no circumstances should any improvements be made to boatsheds/bathing boxes until, and following adherence to all the above procedures, written request has been received from the new purchaser including details of alterations proposed. Consent in writing from the Committee of Management is the point at which alterations may be commenced and not before then. Planning and building permits may also be required by the Mornington Peninsula Shire Council. It is the responsibility of the licence holder to ensure that all permits and consents are obtained before any works have commenced. These documents must be available for viewing if requested by the Shire or Committee of Management and must be on site whilst works are undertaken.

The Dromana Foreshore Committee of Management have agreed the following:

1. That only timber construction or reconstruction be approved
2. That a plan of any proposal be submitted for approval showing plan, elevation, cross section and location relative to adjoining sheds.
3. That floor levels be shown relative to adjoining sheds.
4. Type of finish to be detailed.
5. That the attention of boat shed and bathing box owners be drawn to the Marine Coastal Act 2018 and in particular Sections 65 and 68 stating:

"65. Consent required to use or develop Crown Land – a person must not use or develop or undertake works on Marine and crown land without consent."

"68. Applications for consents

- (1) A person may apply to the Minister for a consent to use or develop, or undertake works on marine and coastal Crown land.
- (2) An application under subsection (1) must be made in a form and manner approved by the Minister.
- (3) If the responsible authority under the **Planning and Environment Act 1987** gives the Minister, the Secretary of the Department, as a referral authority under that Act, a copy of an application under that Act for a permit for a use or development of, or works on, marine and coastal Crown land, that application is taken to be an application under this section for a consent, unless a consent has already been given under this Division for that use or development or those works.