

PURPOSE

The purpose of this policy is to

- To guide the preservation and appropriate use of boatsheds and bathing boxes.
- To assist in the assessment of applications for alterations or reconstruction of boatsheds and bathing boxes located on foreshores managed by Council.

OBJECTIVES

The objectives of this policy are to –

- document Council's position as owner and/or Committee of Management in accordance with the provisions of the Crown Land Reserves Act 1978 for the various foreshores it controls;
- Set out clearly the rights and obligations of boatshed and bathing box licensees;
- Ensure boatsheds and bathing boxes are maintained in good condition to protect the amenity and use and enjoyment of the various foreshores by other beach users;
- Provide for a fair and financially viable approach to boatshed and bathing box licensing and management arrangements;

SCOPE

This policy applies to the following foreshores managed by Council –

- Craigie;
- Earimil North;
- Earimil South;
- Fishermans;
- Hawker;
- Mills;
- Moondah;
- Mothers;
- Mount Martha South;
- Mount Martha North;
- Ranelagh;
- Rye;
- Safety Beach;
- Scout;
- Shire Hall;
- Sunnyside

SCOPE (CONT'D)

The application of the policy may be extended to include any additional area for which the Council may assume responsibility.

DEFINITIONS

This policy does not relate to boatsheds or bathing boxes on privately owned land or to boatsheds or bathing boxes that are used for commercial purposes.

In this policy the following words have the following meanings:

“annual licence fee” means the annual fee payable to Council as committee of management appointed under the Crown Land (Reserves) Act 1978 by the licensee to occupy a bathing box or boatshed;

“bathing box” means a structure erected on a foreshore managed by Council and used for the storage of beach accessories and the convenience and comfort of licensees, but excluding any overnight accommodation;

“beach” means land forming part of a foreshore managed by Council.

“boatshed” means a structure erected on a foreshore managed by Council and used for the purpose of storing boats and boating equipment and the convenience and comfort of licensees, but excluding any overnight accommodation;

“Council” means the Mornington Peninsula Shire Council;

“footprint” means the area of foreshore occupied by the boatshed or bathing box including any stairs, ramps, decks or the like as specified in the current Licence and based on Council recorded data as at 6th May 1999 (gazetted date of the Mornington Peninsula Planning Scheme).

“foreshore” means any land managed by Council in accordance with the provisions with the Crown Land (Reserves) Act 1978;

“Licence” means a Licence to occupy the site issued by Mornington Peninsula Shire Council.

DEFINITION (CONT'D)

“municipal land rates” has the same meaning as general rates referred to in the Local Government Act 1989;

“site” means land allocated by the Council to a licensee whether or not that site has any structure on it;

“site fee” means fee payable to Council to have exclusive use of the site; and

“structure” means a boatshed or a bathing box including any stairs, ramps, decks or the like.

POLICY

Introduction

Boatsheds and bathing boxes are icons of the Victorian beachscape. These often brightly coloured predominantly timber structures are located mainly on Victorian Coastal Crown Land and occupy a unique role in bayside beach life.

While still serving the functional purpose of providing storage for boats and bathing equipment, these structures also have historic and cultural value and importance.

Various Crown land foreshores are located around the bayside perimeter of the municipality. The Mornington Peninsula Shire Council manages some of these foreshores as a committee of management appointed by the Minister for Natural Resources and Environment in accordance with the provisions on the Crown Land (Reserves) Act 1978.

Approximately 600 boatsheds and bathing boxes are sited on foreshores managed by Council.

This policy has been developed to provide guidance for the preservation, upgrading, appropriate removal and appropriate use of these beach structures.

POLICY (CONT'D)

Perpetuation and Removal

Perpetuation

The existence of boatsheds and bathing boxes may be continued where their presence is appropriate to the -

- Use and amenity of the area - as recognised in a Management Plan for the area or in the absence of a Management Plan, as acknowledged by Council.
- Physical characteristics of the area - boatsheds and bathing boxes may be perpetuated on sites which are not at risk through coastal processes or causing adverse impacts which contribute to erosion or loss of amenity.
- Management Plan or coastal Management Policy for the area.
- The historical significance of a foreshore.

Removal

Boatsheds and bathing boxes will be removed from foreshore areas where -

- The structure is dilapidated, beyond repair or represents a public safety hazard, and there is a failure to give effect to notices issued by the Council;
- The area is vulnerable to coastal processes which result in the structures being at risk ;
- The structures contribute to the instability of the area or cause a risk to public safety;
- The beach on which the structure is located is unsafe or access to it is unsafe;
- Removal is in accordance with a Management Plan or Policy relating to the area.
- The structure does not meet with the minimum construction standards specified by Council. (see Attachment A)

POLICY (CONT'D)

Reconstruction and Alterations

Boatsheds and bathing boxes may be reconstructed or altered by Council, or such works authorised by Council, where this is appropriate for the particular foreshore and on the basis of the following criteria -

- Where required Planning & Building approval is obtained; and
- Where required, consent is obtained from the Department of Natural Resources and Environment for the use and development on Coastal Crown land pursuant to Section 40 of the Coastal Management Act 1995.
- The reconstruction is replacing an existing shed or the alterations are to improve an existing shed;
- The reconstruction or alterations do not increase the footprint of the original structure.
- Timber is used for external wall cladding.
- Materials and Methods of construction are in accordance with the minimum standards specified by Council (Attachment A) and the Department of Natural Resources and Environment's Standards for Bathing Box and Boatshed Construction of 1996 or any updated version of the standards, which may be issued by any relevant Authority.

Possible alterations include -

- openings, structural features;
- historical restorations;
- changes of roofing angle from a flat to a pitched roof.

The re-construction of boatsheds and bathing boxes must be commenced within 6 months and completed within 12 months of the demolition or destruction of the original sheds.

Conditions of Use

POLICY (CONT'D)

Types of Use

A boatshed or bathing box may be used for –

- storage of boats and boating equipment;
- storage of beach accessories;

- convenience and comfort associated with beach use (inclusion of kitchens and toilets are prohibited).

A boatshed or bathing box may not be used –

- in any way that interferes with the amenity of the beach;
- the use and enjoyment of the beach by others;
- for accommodation or habitation purposes (which includes overnight accommodation).

Services

In accordance with Department of Natural Resource & Environment policy, permission will not be given to connect any bathing box or boatshed to any drainage, sewerage, water, electricity, gas or similar service. Although existing services may be maintained, unauthorised or new connections will not be permitted under any circumstances.

Maintenance

The licensee must clearly display the approved number of the boatshed or bathing box on the front wall of the structure.

The licensee must maintain the boatshed or bathing box

- in good condition to the satisfaction of the committee of management;
- in a manner which ensures the use or condition of the bathing box or boatshed does not prejudice the safety of its users or other beach users.

Council will conduct an annual inspection of boatshed and bathing boxes.

The annual inspection may result in a licensee being



MORNINGTON
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Shire Council

Boatshed and Bathing Box Policy

Policy No. 2.1.0.

directed to carry out such works or maintenance as may be required to upgrade the structure to an acceptable standard within a stated time.

PROCEDURES

Issuing of Licences

- Council reserves the right to issue a licence to occupy a site on a foreshore managed by Council.
- Licences will be issued for a maximum of 3 years.
- An annual licence fee is payable to Council and is established by Council on an annual basis when it sets its municipal fees and charges.
- Council shall maintain a Register of Licences which shall be available for public inspection.
- Licences shall be granted in accordance with Section 17B of the Crown Land (Reserves) Act 1978.

Revocation of Licences

A licence may be revoked by Council as a result of a licensee;

- Breaching the terms or conditions of the licence
- Breaching this policy
- Breaching the Mornington Peninsula Planning Scheme or any other relevant legislation
- Failing to comply with a notice issued by Council to undertake repairs, maintenance or other works within the time specified on such notice,

or if there is a requirement for the area to revert to public use.

A licence which becomes available as a result of a revocation of licence may be offered for sale by Council.

Transfer of Licences

- A licence may be transferred to another party subject to Council approval.
- The prescribed Transfer of Licence form must be used and the prescribed transfer fee paid to effect the transfer (see Attachment B). The transfer fee is based on a percentage of the Capital Improvement Value as set by Council.

PROCEDURES (CONT'D)

Other Charges

Rates are payable on boatsheds and bathing boxes in accordance with the provisions of the Local Government Act 1989.

RESPONSIBILITY

The Manager - Economic Development or other nominated officer has the responsibility for the management of this policy.

RELATED POLICIES

Nil

RELATED LEGISLATION

- Crown Land (Reserves) Act 1978
- Local Government Act 1989
- Coastal Management Act 1995
- Mornington Peninsula Planning Scheme 1999
- Planning and Environment Act.

REFERENCES

Standards for Bathing Box & Boatshed Construction (November 1996) released by the Department of Natural Resources & Environment.

REVIEW

This policy will be reviewed within 3 years after its commencement or such earlier date as may be determined by Council.



CONSTRUCTION STANDARDS FOR BOATSHEDS & BATHING BOXES

The construction principals of Bathing Boxes and Boatsheds, do not vary significantly from the construction of any other structure, such as a garage or even a house.

The structure must be constructed using standard building practices, and the material size and strength characteristics must meet the accepted standards and codes.

A Bathing Box or Boatshed is subject to a far greater range of weather conditions than most other structures due to their location and the proximity to prevailing winds and tidal action.

Bathing Boxes or Boatsheds must therefore meet the following minimum construction standards in the interest of not only yourselves, but other persons using the beach.

STANDARDS	
WALL CLADDING MATERIAL	Timber must be used for external wall cladding. It is still probably the most efficient and one of the most stable materials to use in this environment, and is able to be readily maintained. It also reflects the historical and cultural values of these structures.
ROOF CLADDING MATERIAL	Colourbond or Zinalume (or similar material) must be used for roof cladding and are appropriate in this environment for maintenance and longevity reasons.
FOUNDATIONS OF STUMPS OR POLES	Stumps or Poles must be founded to a depth of at least 700mm and placed onto a suitable sole plate. Where the height above the surface level of the ground exceeds the equivalent of the 700mm being 1/3 rd of the stump into the ground, the depth must be increased so that 1/3 rd of the stump is into the ground. Stump bracing is required for stumps over 900mm out of the ground.



<p>TIMBER FRAMING</p>	<p>Timber framing must be constructed to a minimum standard as set out in AS 1684 or the Timber Framing Manual in order to ensure that the structure remains in a stable condition for the safety of all parties. These publications also give framing details if assistance is required in relation to standard practices, including material sizes and spans. Material sizes for framing should be 90mm x 38mm studs, not a smaller size due to the possibility of fracturing when checks are provided for bracing members.</p>
<p>BRACING AND TIE DOWNS</p>	<p>Bracing of all walls and tying down of roof battens to rafters, rafters to wall framing and wall framing to the floor and stumps must be carried out in accordance with AS 1684 or the Timber Framing Manual to ensure stability of the structure.</p>
<p>FLOORING MATERIALS</p>	<p>Flooring materials must be suitable for "wet area" use.</p>
<p>DECKS, STAIRS ETC</p>	<p>Treated timbers are preferred, but untreated timbers can be used if they are of a durable species and are maintained. Decking members should not be less than 38mm in thickness (75mm x 38mm preferred). Decking must be spaced so that a build up of sand or windblown debris cannot accumulate on the deck, which will eventually cause rotting and collapse.</p>
<p>FIXINGS AND FASTENERS, SUCH AS NAILS, BOLTS, SCREWS, CATCHES ETC</p>	<p>Stainless steel, brass, or hot-dipped galvanised material should be used for all nails, bolts, catches and other fixing materials wherever possible in order to provide longevity and reduce maintenance and unsightly rust stains to the structure.</p>
<p>DOORS</p>	<p>Doors must be of solid construction of a material resistant to the salt laden atmosphere, and attached using hinges and fittings as described, so that constant maintenance and replacement is avoided.</p>
<p>DECORATIVE FEATURES</p>	<p>Decorative features such as finials or barge boards must be adequately fixed, and of proportions in keeping with the structure.</p>

Construction in accordance with these guidelines will provide a safe and well constructed Bathing Box or Boatshed, and reduce the possibility of deterioration of the structure due to the harsh environment in which the building is located.

For further details in relation to standards, the publication developed by the Department of Natural Resources and Environment for Bathing Boxes and Boatsheds, may be of value and can be sourced through that Department at their Melbourne office in Spring Street.