

CCS200: PROPOSED JETTIES, BRIDGES, BOAT PENS AND SWIMMING ENCLOSURES LOCAL LAW 2019

Land Description	: (All Wards)
Attached	: Finalised Proposed Draft - Jetties, Bridges, Boat Pens and Swimming Enclosures Local Law 2019
Report Prepared By	: Manager Governance & Risk (S Jamieson)
Responsible Officers:	: Chief Executive Officer (A Sharpe)

ADDENDUM

1. At the CCS Committee Meeting held on Tuesday 3 December 2019, City staff were requested to review the position of the Local Law prohibiting persons to live aboard a vessel moored or anchored within the Emu Point Boat Pens.
2. The Committee also requested that staff provide a cost estimate to construct an ablution block including showers and toilets.

PART 3 - PENS AND PEN SYSTEMS

Option 1: Retain the proposed Officer & Council Committee position to not allow persons to live on board a vessel moored or anchored within the pen or pen system.

3.1 Licence requirement

(1) No person shall, without first obtaining a licence from the local government, moor or anchor or cause any vessel to be moored or anchored, within a pen or pen system.

(2) No person shall live on board a vessel moored or anchored within a pen or pen system.

Option 2: Amend the Officer proposed Officer & Council Committee position to allow persons to live on board a vessel moored or anchored within the pen or pen system, subject to conditions.

Proposed amendment:

3.1 Licence requirement

(1) No person shall, without first obtaining a licence from the local government, moor or anchor or cause any vessel to be moored or anchored, within a pen or pen system.

(2) No person shall live on board a vessel moored or anchored within a pen or pen system, without having first obtained written consent from the local government.

Officer Comment (Leasing Team):

The reasoning behind 'no live on board' is that Emu Point jetty and marina is not set up for this. In summary services and resources would be required, noting DoT do not allow live on board at their Emu Point pens for the same reason.

Considerations:

- The water available within the pen system is for washing boats down only, it is not potable.
- There is only one public toilet with no hot showers.
- No dump point for portable toilets to be emptied.
- Historical issue with live aboard persons:
 - Conflict between penholders and visitors;
 - Detraction of amenity of area to other pen holders and visitors (i.e drinking of alcohol, hanging washing on boats, litter etc.)
- Power supply points are supplied for minor maintenance (not individually metered to each pen).

- Compliance staff resourcing implications
- The Dept of Transport (DoT) do not allow live on boards within their pens at Emu Point for the above reasons.
- DoT allow live on boards at the water front marina as they have dedicated facilities for this.

Officer Comment: (Health Team):

Health Team supports this proposal, noting City Officers would need to establish robust policy and procedures in regards to dealing with approvals giving consent to people live aboard their vessel.

This would need to incorporate requirements in regards to waste management, especially liquid waste.

Some of the smaller vessels may have 'cassette type toilets' which could be removed from the boat and emptied into a dump point, but for larger vessels with holding tanks there are options for sullage pump-out points to be installed and connected to Water Corp Sewer as per the [Albany Marina](#).

It is not considered appropriate to install a dump-point in such a public space, so users will be requested to utilise existing dump points.

The provision of secure toilet and shower facilities for use by pen user's is supported. The provision of those facilities would be subject to planning and building approvals, and would also need to be approved by Environmental Health given the proximity to the water. Connection to a sewer line would also be required.

The cost of construction of a suitable facility with connection to a sewer line could cost up to \$100,000.