

## Introduction

Council manages six wharves with over 400 wharf tie-up permits that cater for the storage of private watercraft vessels. A series of fees are applied for the use of these facilities. The fees and management processes aim to keep these areas tidy, safe and accessible.

The following provides an overview of the process and the terms and conditions of use.

### 1. The annual permit

The annual permit for all wharf-tie up location is 1 March to the last day of February each year. Once payment is received, a permit sticker will be sent.

The following terms and conditions related to the permit and must be adhered to:

- 1.1. Permits are only available to residents or ratepayers of Mackerel Beach.
- 1.2. Each watercraft vessel using wharf tie-up locations must have a current sticker corresponding to the date, specific location.
- 1.3. The permit sticker must be affixed to the outside of the watercraft vessel and be clearly visible from the wharf.
- 1.4. The permit sticker cannot be sold or transferred to another person under any circumstance, including the sale of property. The permit is no longer valid if the vessel is sold or gifted.
- 1.5. Contact Council immediately if the permit sticker is missing, damaged or lost.
- 1.6. Council reserves the right to terminate a permit at any time if the permit holder breaches the conditions or misuses the permit in any way.

### 2. Watercraft vessels using Council's wharf tie-up facilities

The following terms and conditions must be adhered to in relation to watercraft vessels using Council wharf tie-up facilities.

- 2.1. All vessels must be operational and sea-worthy (i.e. capable of undertaking a voyage). Any un-used or old vessels cannot be secured to the wharf, nor can they be dumped on nearby Council land or foreshores.
- 2.2. The length of a vessel stored at a Council wharf must not exceed 5.5m.
- 2.3. Vessels are to be tied to the cleats provided, within the designated tie-up area and shall not obstruct access to the wharf in any way. A running mooring is to be used for fixed locations to protect both the wharves and vessels.
- 2.4. Vessels must not be tied to the handrail at Council wharves.
- 2.5. Vessels cannot be tethered to or stacked on another vessel using the wharf at any time.
- 2.6. Vessels tied up at the wharves must use fenders (bumpers) at all times to minimise damage to neighbouring watercraft and the wharf as well as to reduce noise in the area.
- 2.7. The permit does not provide permission to place any advertising or signage on the wharf and leave or store goods or equipment on the wharf.



- 2.8. It is the owner's responsibility to take care of the vessel at all times including in regards to security, storm warnings or adverse sea conditions.
- 2.9. Follow any reasonable directive given by Council staff.
- 2.10. It is the permit holders responsibility to report to Council any damage, defect or deterioration affecting the wharf.
- 2.11. If Council reasonably believes a vessel has become unsafe then the vessel may be moved to a safer place at any time without the knowledge or consent of the vessel owner and at the owners cost. However, Council is under no obligation to move any vessel.
- 2.12. You are responsible for any infrastructure that you have installed (not provided by Council) such as anchors or rigging. It must be positioned so as not to cause inconvenience, block access to others or pose any risk. Council does not take responsibility for any costs related to the installation, maintenance, removal, or loss or damage to any non-Council owned infrastructure associated with your vessel.

### **3. Indemnity**

- 3.1. Vessels are tied-up entirely at the permit holder's own risk and Council does not accept any responsibility for any loss, damage or theft of the vessel or mooring apparatus.
- 3.2. Council will not accept any responsibility for any damage to a vessel tied to or in the vicinity of the wharf due to weather conditions or inappropriate handling of vessels.

### **4. Compliance and impounding/ Auction**

Council monitors all wharf tie-up areas to ensure permit holders are adhering to the terms and conditions of the permit. Watercraft vessels using Council facilities that do not comply with the terms and conditions may be deemed unattended or abandoned and issued with an infringement notice.

In accordance with the [Public Spaces \(Unattended Property\) Act 2021 No 38](#) abandoned and unattended articles (watercraft) may be impounded and/or fined (retrieval fees apply). Under this Act impounded watercraft that are unclaimed after 28 days may be sold or disposed of.

### **5. Renewal process**

The wharf tie-up permits are renewed annually for the period starting 1 March. Subject to meeting the terms and conditions, current permit holders are eligible to renew their permit.

To ensure that all correspondence and renewal details are received Council is to be notified of any changes to postal addresses, contact numbers or email addresses during the permit period.

Council will endeavour to contact all permit holders by 1 February of each year regarding the renewal process. It is however the permit holders responsibility to contact Council to initiate the renewal if notification is not received by 1 February.

## 6. Payments

The annual fees for wharf tie-up permits are outlined in Council's [Fees and Charges](#). These are reviewed annually and draft fees are open for public comment prior to Council adoption each June.

Fees for the wharf tie-up permits are paid in advance to secure the permit for the period. Council will cancel the permit if fees are not paid on time and this may result in an infringement notice and the vessel being impounded.

Permit holders are welcome to contact Council regarding their account at any time.

## 7. Cancellations and Refunds

A permit can be cancelled at any time within the annual period. To cancel a wharf tie-up permit please notify Council in writing and return the permit sticker to Council. If a permit is cancelled with more than 6 months remaining (written cancellation received by 1 September) a refund may be considered. Maximum refund is 50% of the annual permit.

## 8. New applications and waitlist

Applications for wharf tie-up permits can be made at any time throughout the year. Where locations are at capacity Council manages a waitlist and residents are placed in a queue and notified when a space becomes available. Applications and further information can be found on our [Council website](#).

## 9. Contact Details

If you have any queries related to the wharf tie-up permits or use at any time, please contact the Watercraft Bookings Team on 02 8495 5009 or email [OpenSpaceBookings@northernbeaches.nsw.gov.au](mailto:OpenSpaceBookings@northernbeaches.nsw.gov.au)