

Policy – Maritime Property – Community Leases

1. Policy statement

Roads and Maritime Services may, at its discretion, offer opportunities to amateur clubs, government and community groups to utilise Maritime Property under a lease for public access, amateur club or other community purposes.

2. Scope and coverage

This Policy is applicable to all new agreements (referred generically as Leases) issued over Maritime Property for structures and uses associated with a community purpose.

This policy does not remove any requirement for the Lessee to obtain any necessary approvals under the Environmental Planning and Assessment Act 1979 or any other legislation. Normally Roads and Maritime Services will not enter into a lease or agreement for lease unless it has documentary evidence that all necessary approvals have been secured.

Roads and Maritime Services is not obliged to offer a lease over its land, or to issue a new lease on similar terms as any existing or previous lease. In some instances Roads and Maritime Services may offer an agreement for lease, or similar, which sets out conditions which are to be met prior to the granting of a lease.

Given the complex nature of the leasing of Maritime Properties, Roads and Maritime Services property staff will assist current and prospective Lessees with their enquiries and provide general information in accordance with the Roads and Maritime Services Customer Charter.

Roads and Maritime Services may determine to depart from this Policy to the extent necessary to comply with its legal obligations.

3. Purpose and intended outcomes

In making Maritime Property available under a community lease or licence, Roads and Maritime Services aim to:

- Ensure the leasing of Maritime Property for public access, amateur club or community purposes is consistent, transparent and impartial
- Encourage the ongoing use and development of existing and new community waterfront facilities for the storage and use of recreational vessels

- Promote and maintain water recreation and sport including passive boating, paddling, sailboat racing and rowing
- Promote and maintain safe access to and from the waterways for public recreational purposes (such as swimming, fishing and boating), while minimising its impact on watercourses, wetlands, riparian land and remnant vegetation.

While the provisions of this Policy will normally be applied to Maritime Property Community Leases, it should be noted that any final lease offer will be on such terms and conditions as Roads and Maritime Services considers appropriate.

Adherence to this Policy will ensure that community leases of Maritime Properties are soundly based and effectively conducted to meet Roads and Maritime Services, Government and community requirements.

Review date: May 2019.