

Policy – Maritime Property – Leases & Licences

1. Policy statement

Roads and Maritime Services offer opportunities to interested parties to utilise Maritime Property under a Lease or Licence. Interested parties may include adjoining residents, community groups, infrastructure providers and commercial enterprises. Leasing or Licensing Maritime Property offers benefits to Lessees, Licensees, Roads and Maritime Services and the broader community.

2. Scope and coverage

This Policy is applicable to all new agreements (referred generically as Leases or Licences) to occupy Maritime Properties for commercial, domestic, community and/or infrastructure purposes. Leases and Licences cover structures ranging from private recreational facilities such as jetties and pontoons, to community facilities such as boat ramps and wharves, through to commercial and industrial business activities.

3. Purpose and intended outcomes

This policy documents Roads and Maritime Services position with respect to the issuing of a new agreement of Maritime Property. Adherence to this policy will ensure that Leases and Licences are soundly based and effectively conducted to meet Roads and Maritime Services and Government directives and community requirements.

In order to ensure that all parties enjoy benefits from Leasing or Licensing of Maritime Property there are general terms and conditions applied. Each new agreement will provide comprehensive details of the rights and obligations of both parties.

In making Maritime Property available, under a Lease or Licence, Roads and Maritime Services aim to:

- protect and enhance the asset for the people of NSW
- protect the environment
- provide maritime amenity to the community
- maintain safety and increase the ability of the public to access to our waterways
- encourage the development and growth of businesses
- provide a financial return to the broader community which will offset the expense required to maintain the asset and deliver safe access

In determining whether to grant a new agreement, Roads and Maritime Services will consider:

- Whether the existing use of the property is the 'best use' to meet the strategic and financial goals of the NSW Government, including but not limited to, whether or not environmental planning consent is in place, or is reasonably likely to be achieved by the applicant, for the intended use of the property.
- Whether the optimal outcome for the NSW Government will be achieved by issuing or renewing the Lease or Licence with the existing Lessee or Licensee.

Roads and Maritime Services property staff will make the necessary documentation available to enquirers to assist them to make decisions about leasing or licensing Maritime Property.

Further information regarding the leasing of Maritime Property is available in the Information Guides covering each property type.

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