



## **Use of Foreshores and Boat Facilities**

### **Terms and Conditions**

Council managed foreshores and boat facilities are provided to the public for recreational and commercial purposes and it is the responsibility of all users to ensure that they utilise these facilities in the appropriate way, without interference to others.

Council's By-law No. 8 - Foreshore & Boat Facilities By-Law 2017 sets out a number of prohibited activities and activities requiring permission on the foreshore which includes, coastal waters, adjacent land as well as the built boat facilities thereon or otherwise built on local government land (boat ramps, jetties, landings and mooring pontoons).

Council's By-law is in addition to existing state and federal laws and regulations which cover issues such as:

- public behaviour
- noise
- littering
- correct storage and disposal of rubbish, garbage, waste and wastewater
- boat registration and licensing
- boat safety including compulsory wearing of life jackets
- navigation
- marine parks
- carrying and storage of explosives
- recreational and commercial fishing
- interference with marine mammals
- biosecurity
- quarantine restrictions
- other unlawful activities

Users of council facilities are required to comply with the By-law as well as all signage and reasonable directions of authorised persons with respect to their use of any foreshore, local government land or boat facility thereon.

'Boat' for the purposes of the by-law includes a vessel, raft, pontoon or personal watercraft (with motor of greater than eight horsepower) but does not include a paddleboard, canoe (eg dragon boat) or kayak. It also does not include a surf board, wind surf board or water skis.

Council have designated foreshore areas other than boat ramps for the launching and landing of boats (refer link).

The Christmas Cove boat facility is not a marina and there is no connected water or power, nor any public toilets. The moorings are not available for residential purposes.

Under the By-law permits and/or tickets are required to use certain boat facilities for the launching, landing, loading/unloading of passengers and for mooring of boats.

**Additional conditions for use of boat ramps where permissions or tickets required (Term 9 of By-law No. 8):**

1. For the avoidance of doubt, Term 7 and Term 8 of By-Law 8 apply to boat ramps (as applicable)
2. Boats must enter, leave and/or manoeuvre in the boat ramp under motorised power and not under sail;
3. No commercial refuelling is permitted within the boat ramp or foreshore, unless with the prior written authorisation of the Council;

**Additional conditions for use of Christmas Cove boat facilities including moorings/berths/pontoons where permissions or tickets required (Term 10.1 of By-law No. 8):**

1. For the avoidance of doubt, Term 7 and Term 8 of By-Law 8 apply to Christmas Cove.
2. Fishing other than light tackle fishing (ie 2kg max, no tracer or similar strengthened line) is not permitted in Christmas Cove.
3. Feeding of fish, birds or wildlife is not permitted in Christmas Cove.
4. No vehicles or bicycles are to be driven/ridden on the mooring pontoons.
5. Children under the age of 14-years shall be in the care and control of a responsible adult at all times.
6. Boats must manoeuvre in Christmas Cove and to/from a boat mooring under motorised power and not under sail.
7. Users must moor in the allocated or ticketed mooring/berth.
8. Users must use mooring lines capable of holding the relevant vessel in all weather conditions; they must consist of polyethylene "silver rope" and have a minimum diameter of 12 millimetres.
9. Users must ensure that all rigging and sails are secure to prevent 'slatting' and 'howling' or other noise or disturbance.
10. Users must not physically alter any boat mooring or pontoons.
11. Users must ensure that any boat moored is kept in good order and condition to the satisfaction of the Council. If, in the opinion of Council, a boat is allowed to be or become in an unsightly, dilapidated or dangerous condition Council will be entitled to require the removal of the boat at the operator's or owner's cost.
12. Users must keep moorings, pontoons and walkways clear at all times (ie no dinghies, bicycles or other gears to be left unattended).
13. Users must not swim or dive in Christmas Cove or adjacent to a boat mooring except for a valid purpose relating to the maintenance or safe passage of a boat.
14. Users must not discharge anything (ie solid, liquid or gas), including treated greywater, into the waters of Christmas Cove.
15. Users moored at Christmas Cove must not, without the written permission of Council (which may or may not be granted):
  - 15.1. moor a boat other than a recreational boat;
  - 15.2. moor at the Short Pontoon or Long Pontoon;

- 15.3. allowing any portion of the boat to extend beyond the boundaries of the mooring;
- 15.4. refuel a boat via a commercial fuel-tanker. Note: refuelling is permitted at Christmas Cove using AS/NZS 2906:2001 approved fuel containers and taking full measures to prevent any spillage or overflow entering the Christmas Cove waters;
- 15.5. effect major repairs, external painting works and fitting and refitting, etc., of any boat;
- 15.6. allow tradespeople to provide services or undertake work or repairs on or a boat;
- 15.7. spend, or allow another person to spend a continuous period of 72 hours or more on the boat whilst the same occupies the mooring (Christmas Cove is not a residential facility);
- 15.8. operate a generator;
- 15.9. Subject to any other laws, keep any animal on a moored boat.

More information:

**Kangaroo Island Council By-law No. 8 of 2017 - Foreshore & Boat Facilities By-Law 2017**

[https://www.kangarooisland.sa.gov.au/data/assets/pdf\\_file/0026/345824/bl8\\_Proposed-Foreshore-and-Boat-Facilities-By-Law-No.-8.pdf](https://www.kangarooisland.sa.gov.au/data/assets/pdf_file/0026/345824/bl8_Proposed-Foreshore-and-Boat-Facilities-By-Law-No.-8.pdf)

**Designated foreshore boat launching/landing (retrieving) areas**

[https://www.kangarooisland.sa.gov.au/data/assets/pdf\\_file/0029/873542/kang0001\\_200195\\_028\\_GazettePublic-notice-designated-areas.pdf](https://www.kangarooisland.sa.gov.au/data/assets/pdf_file/0029/873542/kang0001_200195_028_GazettePublic-notice-designated-areas.pdf)

**Designated foreshore boat launching/landing (retrieving) area maps**

[https://www.kangarooisland.sa.gov.au/data/assets/pdf\\_file/0015/311901/Beach-Access-and-Boat-Launching-Signs-Red-and-Green-zones-20190930.pdf](https://www.kangarooisland.sa.gov.au/data/assets/pdf_file/0015/311901/Beach-Access-and-Boat-Launching-Signs-Red-and-Green-zones-20190930.pdf)

**Kangaroo Island biosecurity/quarantine restrictions**

<https://www.landscape.sa.gov.au/ki/plants-and-animals/Biosecurity>

**Maine pests**

<https://www.landscape.sa.gov.au/ki/coast-and-marine/marine-pests>

**South Australian boating safety handbook**

[https://www.sa.gov.au/data/assets/pdf\\_file/0010/11701/SA\\_boating\\_handbook\\_Sept\\_2018\\_WEB.pdf](https://www.sa.gov.au/data/assets/pdf_file/0010/11701/SA_boating_handbook_Sept_2018_WEB.pdf)

**EPA code of practice –vessel and facility management**

[https://www.epa.sa.gov.au/files/47792\\_vessels.pdf](https://www.epa.sa.gov.au/files/47792_vessels.pdf)

**South Australian Recreational Fishing Limits**

[https://pir.sa.gov.au/fishing/recreational\\_fishing](https://pir.sa.gov.au/fishing/recreational_fishing)

**SA Fishing app for recreational fishers**

<https://www.pir.sa.gov.au/fishing/recfishingapp>

**Respecting marine mammals**

[https://www.landscape.sa.gov.au/files/sharedassets/kangaroo\\_island/news/marine/ki-respect\\_marine\\_mammals-a4-2019.pdf](https://www.landscape.sa.gov.au/files/sharedassets/kangaroo_island/news/marine/ki-respect_marine_mammals-a4-2019.pdf)

**Kangaroo Island marine parks**

<https://www.landscape.sa.gov.au/ki/parks-and-places/marine-parks>