

## **4.4 TRADING ACTIVITIES WITHIN LANCELIN FORESHORE RESERVES**

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### **1.0 Policy Area**

This Policy applies to Lancelin Foreshore Reserves.

### **2.0 Policy Objectives**

This policy will:

- Maximise safety for beach users;
- Ensure only approved traders are permitted to operate from the Shire of Gingin's Lancelin foreshore reserves;
- Minimise disruption to beach users;
- Provide a guideline for the processing of trading applications; and
- Minimise conflict between different traders.

### **3.0 Policy Statement**

#### **3.1 General Standards**

##### **3.1.1 Licence conditions for Surfing, Windsurfing and Kite-surfing Trading Activities.**

- Approval of the Trading Permit is to be reviewed on an annual basis.
- The operator is required to hold Public Liability Insurance coverage of a minimum of \$10 million. A Certificate of Currency shall be deposited with the Shire at the time of payment of the annual fee. The Insurer must be registered with Australian Prudential Registration Authority (APRA), or as approved by the Shire of Gingin.
- Surfing Coaches must possess relevant Coaching Certificates as required by Surfing Australia or international equivalent. Windsurfing Coaches must possess relevant Coaching Certificates as required by the Australian Yachting Association or international equivalent. Kite-surfing Coaches must possess relevant Coaching Certificates as required by the Australian Kiting Association or international equivalent.
- A Permit holder must possess all necessary safety training as required by the governing body of the relevant activity. Where a trading business is not covered by a relevant governing body, the applicant must obtain a Senior First Aid Certificate inclusive of current CPR qualifications, which shall remain current throughout the operation of the venture, if so directed by the Local Government.
- The operation must not in any way obstruct either vehicular or pedestrian traffic along the Foreshore Reserve where public access is permitted.
- The vehicles, trailers and all associated equipment are to be removed from the Reserve daily and stored off site.
- The Trader shall comply with, but not be limited to, the provisions of the Shire's Local Laws relating to Activities in Thoroughfares and Public Places and Trading Local Law (2004).

- At no point shall the business encroach into any sun-sheltered areas provided for the general public.
- The Shire of Gingin accepts no responsibility for any loss, damage or otherwise, which may occur as a consequence of this approval.
- Signage, if any, shall comply with the Shire of Gingin Local Law relating to signs.
- The Permit provides no exclusive rights to any area of the Foreshore Reserve.
- If, in the opinion of the Local Government, the Permit holder does not utilise, or substantially utilise, the Permit issued, the Local Government reserves the right to revoke the Permit at any time or to refuse renewal.
- Surfing Instructor to student ratio to be no more than 1:8 in the water.
- Kite-surfing Instructor to student ratio to be no more than 1:2 for Level One instructors and 1:4 for Level Two instructors in the water.
- Windsurfing Instructor to student ratio to be no more than 1:6 in the water.
- During the months of November to April, the total number of students allowed for each Coaching Permit is 32 for Surfing, 18 for Windsurfing and 12 for Kite-surfing.
- The Permit holder is to provide all necessary first aid and rescue equipment as required by the governing body of the relevant activity.
- Sub-letting of Trading Permit is not allowed.
- Transferring of Permits shall comply with Part 7.8 of the Shire of Gingin's Activities in Thoroughfares and Public Places and Trading Local Law (2004).
- Operations are not to be conducted within 50m either side of the Lancelin Back Beach Pedestrian access.
- A Permit holder is to produce to an authorised person, his or her permit, immediately upon being required to do so by that authorised person.

### **3.1.2 Fees and Charges.**

Fees and charges for Trading Permits shall be as approved in the Shire of Gingin Municipal Budget for each financial year.

### **3.1.3 Criteria**

All applicants for Surfing, Windsurfing and Kite-surfing Coaching operations shall be required to prepare a Management Plan addressing the following criteria:

- Previous coaching experience;
- Safety of students;
- Safety of Public;
- Compliance with relevant Shire of Gingin Local Laws and Policies; and
- Sound customer service and public relations skills.

### **3.1.4 Number and Type of Permits relating to Surfing, Windsurfing and Kite-surfing**

Permits for Surfing, Windsurfing and Kite-surfing Coaching and Hire operations may be approved by the Chief Executive Officer in consultation with Ward Councillors as follows:

- **Precinct 1** Nil
- **Precinct 2** 2 x Kite-surfing Permits
- **Precinct 3** Nil
- **Precinct 4** Nil
- **Precinct 5** Nil
- **Precinct 6** 2 x Windsurfing Permits
- **Precinct 7** Nil
- **Precinct 8** 3 x Surfing Permits

**3.1.5** Trading Permits for other beach related activities may be approved by the Chief Executive Officer in consultation with the Ward Councillors.

**3.1.6** In respect to permits issued under this Policy, an Advice Note shall be incorporated in the Permit confirming that there may be conditions imposed under other prevailing State Legislation for which the permit holder shall have proper regard.

**ADOPTED: COUNCIL 6 DECEMBER 2005**  
**REVIEWED: 19 APRIL 2011**