

Policy

Beach Access and Vehicles on Beaches

Responsible Manager (Title)	Manager Open Spaces & Facilities		
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Community Plan Linkage	4 Environment		
	4.1 We will preserve and enhance our natural environment		
	4.1.1 Managing our coastal zone, waterways, catchments and floodplains in an ecologically sustainable manner		

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1. Purpose

To regulate the use of vehicles on beaches and adjacent reserves in the Clarence Valley Local Government Area so as to protect:

- (a) Beach users engaged in recreational activities
- (b) The local environment

2. Definitions

For the purposes of this policy:

a “**vehicle**” is any motorised conveyance, with the exception of a motorised wheel chair or the like providing personal mobility to the disabled.

“**emergency services**” refers to any recognised government or community group providing disaster relief or emergency assistance, and includes the Rural Fire Service (RFS), State Emergency Service (SES), Police, Ambulance, NPWS, Marine Rescue Unit, Australian Lifeguard Service and the like.

“**beach access**” means the access provided to the beach by way of public road or land under the control of Council, or another public land management authority.

3. Background/legislative requirements

- 3.1 This policy applies to all beaches within the Clarence Valley Local Government area including those adjacent to National Parks.
- 3.2 Notwithstanding this policy, use of beaches by vehicles is still subject to all the normal road rules and enforcements that apply on public roads.
- 3.3 Council will regulate access to the beaches under Section 632 of the *Local Government Act 1993* via designated access points and in accordance with the terms of the regulatory signage and this policy.
- 3.4 The Council will, in implementing this policy liaise with the NSW Police, Department of Primary Industry - Fisheries, Department of Planning, Industry and Environment - Crown Lands, Solitary Islands Marine Park, NSW National Parks & Wildlife Service and Yaegl TOAC to ensure the effective management of vehicles on beaches.

4. Policy statement

4.1 Vehicles Permitted on Beaches

Vehicles will only be permitted on the following beaches:

- Ten Mile Beach north of the vehicle access point off Iluka Road (NPWS).

- Woody Bay for boat launching and retrieval only (NPWS).
- Iluka Beach north of the vehicle access point off the public carpark (CVC).
- Barri Beach, Wave Trap Beach and Moriartys Wall Beach for professional fishers undertaking hauling only (CVC).
- Spooky Beach (Angourie) for boat launching and retrieval only (CVC).
- Brooms Head Beach (north of Lake Cakora; and boat launching ramps within the holiday park) for boat launching and retrieval only of ocean craft for both recreational and professional fishing activities. Installation of a boom gate and associated vehicle access prevention bollards at Lake Cakora access point (Council minutes 15.148/18) (CVC).
- North Sandon Beach north of the vehicle access point at the Sandon River camping ground to the National Park/Crown Lands boundary at Brooms Head Back Beach (NPWS).
- Sandon Beach north of the vehicle access point at Illaroo (NPWS).
- Minnie Water Beach and Boat Harbour – south of Nip Welsh Park vehicle access point (CVC).
 - South of Nip Welsh Park users must not park vehicles within 100 metres of the flagged area indicating Surf Life Saving Patrol and not within 100 metres of the Nip Welsh Park vehicle access point.
 - During NSW and Queensland school holidays the Nip Welsh Park vehicle access point is to be used only for the purposes of disabled access. All vehicles, including those launching and retrieving boats, are required to use the Boat Harbour vehicle access point during those periods. Council will consider individual requests to vary this requirement in consultation with the Surf Life Saving Services.
- Diggers Camp Beach for boat launching and retrieval only (CVC).
- Wooli Beach north of South Terrace 4WD access point. Installation of a boom gate and associated vehicle access prevention bollards at Wooli breakwater access point (Council minutes 15.148/18) (CVC).

4.2 Vehicles Used for Disabled Access

Vehicles used for disabled access are permitted on the following beaches:

- Pippi Beach (Dolphin Park access point)
- Brooms Head Beach (Lake Cakora access point)
- Wooli Beach (breakwall access)
- Note: where vehicle access is restricted, holders of NSW Mobility Parking Scheme permits be permitted vehicle access and to remain on the beach within 1km of the entry gate for the sole purpose of transporting themselves or others with mobility problems on or off the beach. Once those with mobility issues have exited the vehicle:
 - a. Vehicles must be either removed from the beach or parked at a safe distance away from the shoreline (minimum 40 metres where practical)
 - b. No further driving of the vehicle on the beach is permitted (apart from parking the vehicle, or removal of the vehicle from the beach).

4.3 Vehicles Used for General Access – prohibited Beaches

- Ten Mile Beach south of the vehicle access point off Iluka Road.
- Iluka Beach south of the vehicle access point off the public carpark.
- Brooms Head Beach (north of Lake Cakora)
- Brooms Head Back Beach north from National Park/Crown Land boundary
- Sandon Beach south of vehicle access point at Illaroo
- Minnie Water Beach north of Nip Welsh Park
- Wooli Beach north of breakwall for 500m to South Terrace access point

5. Implementation

5.1 Permits

- 5.1.1 All vehicles accessing a beach within the Clarence Valley Local Government Area require a Council issued beach access permit unless exempt under Section 5.2.
- 5.1.2 A 30 day, 6 month or 12 month beach access permit is available from Clarence Valley Council offices and selected outlets as shown on Council's website and in Beach Access and Vehicles on Beaches brochure.
- 5.1.3 Permit fees are to be set annually by Council each financial year.
- 5.1.4 A 20% discount on all permits applies to pensioners. Pension card must be sighted on application for permit.
- 5.1.5 Permits must be clearly displayed on the windscreen or rear window of the vehicle.
- 5.1.6 Permits are not transferable between vehicles – one permit per vehicle is issued.
- 5.1.7 A replacement permit may be obtained on request for damaged permits or where the registration of the vehicle has changed at a fee of \$5.00. Replacement permits may only be issued if the original permit to be replaced is presented to Council and has not expired. Replacement permits cost \$5.00 or as outlined in Council's fees and charges

5.2 Exemption from Permits

- 5.2.1 Professional fishermen (while working and displaying Fishing Business and Endorsement Numbers).
- 5.2.2 Emergency Services (whilst responding to an emergency) including the Rural Fire Service, SES, Volunteer Rescue Organisations, Police, Ambulance, Fire and Rescue NSW and NPWS Marine Rescue Unit.
- 5.2.3 Surf Life Saving Services (when on duty).

- 5.2.4 Local, State and Commonwealth Government Officers in performance of their duties.
- 5.2.5 NSW Mobility Parking Scheme (formerly RMS disabled) permits are exempt from CVC beach permit fees. (Minute 14.143/15)
- 5.2.6 Council will permit vehicles on its beaches for the above users provided that:
- The vehicle is a registered vehicle with the relevant state authority.
 - Relevant identification is displayed, such as a NSW Mobility Parking Scheme permit as issued by the NSW RMS (or interstate equivalent)
 - Drivers use marked beach access points and only use those beaches, or parts of beaches, that are open to vehicles.
 - The other requirements of this policy regarding safety, behaviour and the like are observed.
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- 5.2.7 To access parts of Ten Mile Beach, Woody Bay, North Sandon and Wooli Beach adjacent to National Park, subject to vehicles displaying a National Parks and Wildlife pass.
- 5.2.8 For residents of Sandon Village to travel through the Yuraygir National Park and directly to the Sandon Village without a permit along Sandon Beach only.

5.3 Speed Limits and Safety

- 5.3.1 Users shall at all times observe the need to drive vehicles in a safe and responsible manner that does not impose a threat to the safety of other beach users. This especially applies to areas around the access points to beaches where bathers are more likely to be encountered.
- 5.3.2 The following maximum speed limits shall apply.

Speed Restrictions	Maximum Speed and Conditions for Access
Within 100m of pedestrians	25km/h
Spooky Beach	10km/h for boat launching and retrieval only
Brooms Head boat ramps	10km/h for boat launching and retrieval only
Diggers Camp Beach	10km/h for boat launching and retrieval only
Minnie Water Beach between Nip Welsh Park and Boat Harbour	25km/h
Wooli Beach – from One Tree Beach Access to South Terrace access point	25km/h

Speed Restrictions	Maximum Speed and Conditions for Access
Ten Mile Beach (Bundjalung NP)	40km/h
All other beaches	Maximum 50km/h

- 5.3.3 Vehicles shall obey any signage erected in flagged swimming areas and may not be able to drive through these areas if so signposted.
- 5.3.4 Users are to ensure that all passengers are wearing seat belts – riding in the rear of utilities or in a similar unconstrained manner is not permitted.
- 5.3.5 Registered vehicles only are permitted on beaches.
- 5.3.6 Access is only permitted through designated access points.
- 5.3.7 Vehicles are not to park on the beach within 20 metres of an access point or along vehicle access tracks unless designated parking spaces are provided.
- 5.3.8 Pedestrians and other beach users shall have right of way at all times.

5.4 Other Responsibilities of Vehicle Drivers

- 5.4.1 The use of vehicles on the vegetated dune of any beach is totally prohibited, this includes parking of vehicles.
- 5.4.2 Drivers should take advantage of low tides and use the inter-tidal area where there is firm sand wherever possible.
- 5.4.3 Drivers must watch out and take care to avoid bathers and pedestrians at all times. Likewise, users must avoid disturbing native wildlife and in particular, stay well clear of any bird nesting site.
- 5.4.4 Drivers must obey speed limits and other vehicle control signage.
- 5.4.5 Drivers must take measures to avoid congesting vehicle traffic on the beach.
- 5.4.6 All access to beaches shall be consistent with any plan of management for the adjoining land.

5.5 Temporary Prohibition

In the event of any beach being unsuitable for motor vehicle use during or following storm or erosion events, then the Council, National Parks and Wildlife Service or Crown Lands may close the beach

access until there is sufficient sand on the beach to provide access that is safe and does not require vehicles to travel on vegetated sections of the dune profile.

5.6 Enforcement

5.6.1 The following persons may be authorised to enforce this policy:

- Officers of the NSW Police Force
- Council Rangers and delegated officers
- Officers of the National Parks and Wildlife Service
- Officers of the Department of Primary Industries

5.6.2 Where vehicles are entering the beach contrary to the signage and/or this policy without a permit or appropriate exemption the person driving the vehicle will be issued with an on the spot fine of \$110.00 under the Local Government Act 1993 s.632 (where the vehicle is parked or unattended the registered owner will be fined).

5.6.3 The driver of a vehicle driving through flagged areas without authority and contrary to a notice erected by Council will be issued with an on the spot fine of \$110.

5.6.4 Where it is demonstrated that a vehicle is driven above the intertidal zone and impacting on beach dwelling birds and dune vegetation the driver may be issued with an on the spot fine of \$110.

5.7 Flora and Fauna assessment

Council will seek to assist NSW State agencies to monitor impacts on flora and fauna on beaches as a result of vehicle and general use (Council minutes 15.148/18).

6. Related Documents

Vehicle Access on Beaches brochure