



Transfer of Boatshed/Bathing Box

Dromana Foreshore Committee of Management Inc.

Boatshed/Bathing Box No.: _____

PO Box 107, Dromana VIC 3936

info@dromanaforeshore.com

Ph: 03 5981 0933

Date: _____

From

Mr/Mrs/Ms _____

To

Mr/Mrs/Ms _____

Address _____

Address _____

Phone _____

Phone _____

Signed _____

Mobile _____

Date _____

Peninsula Address _____

Payment Options:

Cheque: Make payable to Dromana Foreshore Committee of Management Inc.

Electronic Funds Transfer:

Account Name: Dromana Foreshore Committee of Management

Bendigo Bank BSB: 633 000

Account Number: 132 064 338

Reference: Boatshed number

Email _____

Signed _____

Date _____

Purchase Price \$_____ Transfer Fee: 5% of purchase price + 10% GST \$_____ (see Note 1)

Family Transfer Fee: \$495.00 (see Note 2)

Note 1: Standard Transfer fee of 5% of sale value + GST applies to all 'common' sale purchases of boatsheds/bathing boxes. Where a boatshed/bathing box has 'Tenants in Common' (shared ownership/partnership – non-commercial) then a standard transfer fee shall apply. As businesses have an obligation to comply with declarations under the Corporations Act the transfer of boatshed/bathing boxes in and out of companies or registered businesses will also apply to these criteria.

Note 2: Family transfer fee is to be a flat rate of \$450 + \$45.00 GST per transfer. Family members will be defined as relations within a direct family and/or their spouses. This will be subject to proof of relationship (i.e. Statutory Declaration) from past to new owners. The transfer from family name to a "Trust" within that same family will also apply to these criteria. Transfer of ownership resulting from inheritance irrespective of relationship will be treated in the first instance only as a family transfer. Copies of death certificate and Will are required.

CONDITION OF BUILDING: (office use only)

BOATSHED/BATHING BOX POLICY

This is a summary of the Boatshed/Bathing Box Policy. A full version is available by contacting the Secretary.

A. PAYMENT OF ANNUAL FEES

1. The charges on this invoice notice are made under the authority of the Regulations gazetted on 31st October 1974.
2. The issuing of the licence renewal every ten (10) years is on the approval of the Committee of Management as manager of Crown Land for DELWP. The licence fee provides the licence holder with the right of use of the boatshed/bathing box but does not constitute ownership, as all assets on crown land are the property of the crown.
3. The Licence holder must be a householder/ratepayer in the Shire of Mornington Peninsula and must provide proof of residency.
4. The Licence is personal to the Licence holder and not transferable without permission of the Committee.
5. Committee of Management must be advised of change of contact details within 30 days.
6. The Licence holder shall keep the site clean and tidy and maintain and keep all buildings and improvements for the time being thereon in good repair, order, and appearance, to the satisfaction of the Committee.
7. Under no circumstances shall any person be permitted to camp, sleep, or light fires in or around a boatshed or bathing box. Offenders are liable to prosecution under the Health Regulations of the Mornington Peninsula Shire Council.
8. The licence shall lapse upon breach of any part of the foregoing conditions.
9. All buildings or improvements on the site shall become the property of the Crown unless removed within 14 days after lapsing, surrender, or termination of the licence.
10. The Committee may by resolution at any time either generally or in a specific case vary, modify, alter, or add to these conditions.

B. TRANSFER OF OWNERSHIP

1. The signing of a transfer form by the vendor and the purchaser does **not** of itself legally constitute transfer of ownership of the licence of the property described herein. Ownership is transferred following:
 - (a) payment of transfer fee in full; proof of sale/receipt to be provided
 - (b) proof of residency /property ownership in the Mornington Peninsula Shire Council has been provided
 - (c) approval by Committee of Management of the transfer, and
 - (d) subsequent advice in writing by Secretary of CoM to the purchaser of this approval.
2. Transfer of licence is also subject to the Rules and Regulations of the Dromana Foreshore Committee of Management Inc.
3. The Dromana Foreshore Committee of Management Inc. reserves the right to amend the transfer fee if it is in the opinion that the sale price does not represent a true valuation of the purchased licence of the property.
4. Transfer will not apply until all conditions, as set by the Dromana Foreshore Committee of Management Inc. on inspection, have been complied with.

C. ALTERATIONS

Under no circumstances should any improvements be made to boatsheds/bathing boxes until, and following adherence to all the above procedures, written request has been received from the new purchaser including details of alterations proposed. Consent in writing from the Committee of Management and the Department of Natural Resources and Environment is the point at which alterations may be commenced and not before then. Planning and building permits may also be required by the Mornington Peninsula Shire Council. It is the responsibility of the licence holder to ensure that all permits and consents are obtained before any works have commenced. These documents must be available for viewing if requested by the Shire or Committee of Management.

The Dromana Foreshore Committee of Management have agreed the following:

1. That only timber or timber-like construction or reconstruction be approved.
2. That a plan of any proposal be submitted for approval showing plan, elevation, cross-section and location relative to adjoining sheds.
3. That floor levels be shown relative to adjoining sheds.
4. Type of finish to be detailed.
5. That the attention of boatshed and bathing box owners be drawn to the Victorian Marine and Coastal Act 2018 and in particular Section 65 and 68 stating:
 - “65. **Consent required to use or develop Crown land.** -A person must not use or develop or undertake works on marine and coastal Crown land without a consent.
 68. **Applications for consents**
 - (1) A person may apply to the Minister for a consent to use or develop, or undertake works on, marine and coastal Crown land.
 - (2) An application under subsection (1) must be made in a form and manner approved by the Minister.
 - (3) If the responsible authority under the **Planning and Environment Act 1987** gives the Minister, the Secretary or the Department of Environment, Land, Water, and Planning as a referral authority under that Act, a copy of an application under that Act for a permit for a use or development of coastal Crown land, that application is deemed also to be an application under this section for consent to that use or development unless consent has already been given under this Division for that use or development.”