

# PORT OF APOLLO BAY – USER TERMS AND CONDITIONS



## PORT OF APOLLO BAY 1 BREAKWATER ROAD APOLLO BAY VIC 3233

Port Manager: 5232 9475 (Business Hours)  
Port Duty Officer: 0418 320441 (24 hours)

The Port of Apollo Bay User Terms & Conditions are supported by the conditions in Port of Apollo Bay – Terms & Conditions of Occupation of a Berth or Mooring, which apply to Colac Otway Shire’s Long Term and Casual Berth/Mooring Permits by Council powers as Committee of Management under the Port Management (Local Ports) Regulations 2015 and the requirements of Council’s Safety and Environment Management Plan (SEMP) for the Port of Apollo Bay.

### 1. GENERAL

- 1.1 Entry into, and occupancy of, this Port, is in accordance with the provisions of the Berthing and Mooring Permits (the Permits). Nothing in these Terms and Conditions shall be construed to alter, in any way, those provisions of the Permit.
- 1.2 If only a visitor to the Port, entry into and occupancy of a berth/mooring is subject to paying the prescribed fee on the Berthing/Mooring Permit and (but not limited to) these Terms and Conditions.
- 1.3 These Terms and Conditions may be altered, updated or varied by Authorisation at Council’s discretion.
- 1.4 All persons and vessels visiting this Port do so at their own risk.

### 2. OCCUPANCY

- 2.1 Occupants must only berth in their allocated place (unless otherwise authorised). Visitors should first berth in the designated & marked visitor berths on the wharf (unless otherwise authorised).
- 2.2 For the purpose of berthing, the length of a vessel is the maximum measurement from the forward extremity to the after extremity, including all protrusions and overhangs.
- 2.3 Suitable mooring lines/tackle must be supplied by berth/mooring Users. Although Port Officers check vessels where possible and adjust lines if required, it is the owner’s responsibility to monitor the condition of the lines and secure the vessel.
- 2.4 Port Officers can order and supply new mooring lines (at a cost) of suitable strength if requested.
- 2.5 Visiting vessels to supply own lines of suitable strength, purpose, in good condition and approved by Port Officers.
- 2.6 In all instances in the Port, after notifying the owner, Council reserves the right to change lines (and charge the owner a fee) if it believes the line is highly unsuitable and no action is taken by the owner within 48 hours.
- 2.7 Council accepts no responsibility for damage due to other boats or docking.
- 2.8 Fenders are required for all vessels, and are to be supplied by the owner.
- 2.9 Alterations and additional infrastructure for berths must be approved by Officers.
- 2.10 The vessel shall be inspected annually by the owner and satisfactory evidence provided to confirm the vessel hull and ballast water is free from Undaria (noxious seaweed) if requested. In the event the Port of Apollo Bay personnel identify Undaria growing on the hull, notice shall be given to the owner for the vessel to be slipped, cleaned and antifouled within a defined timeframe.
- 2.11 To contain the presence of Undaria within Port of Apollo Bay, vessels with Undaria present on the hull are prohibited from exiting Port of Apollo Bay until the vessel has been antifouled on the slipway or in the water by specialist contractors with the associated permits.

### 3. ELECTRICAL CONNECTIONS AND USAGE

- 3.1 Each berth holder has access to power (unless the vessel is berthed by agreement at a location that it is not accessible).

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- 3.2 Power cables (and power tools) must have a current Test Tag.
  - 3.3 Excess cable is to be kept onboard the vessel.
  - 3.4 Where collared, cables must be fully screwed in, not just inserted into the power outlet.
  - 3.5 When departing the Marina, electrical power is to be turned off and the electrical cable disconnected and removed from the service box.
- 4. WATER CONNECTIONS AND USAGE**
- 4.1 Each berth holder has access to water (unless the vessel is berthed by agreement at a location that it is not accessible).
  - 4.2 Excess hose is to be kept onboard the vessel.
  - 4.3 Hoses are not to be left running when unattended, nor nozzles left lying in the water.
  - 4.4 When not in use, all hoses are to be turned off and the hose kept on board the vessel, or coiled tightly around the pedestal.
- 5. SIGNAGE**
- 5.1 Applications to display signs on boats is required in writing stating the size, location and purpose.
  - 5.2 No signage is allowed on Port, land or waters unless authorised.
- 6. FIRE FIGHTING EQUIPMENT**
- 6.1 Use of fire-fighting hoses for any purpose other than fire-fighting is prohibited.
- 7. FUELLING**
- 7.1 Bowser refuelling of vessels shall only be undertaken at the designated Fuel Area. An inducted person shall be in attendance at the fuelling point at all times.
  - 7.2 Refuelling of vessels on other locations (and swing moorings) is limited to a maximum of 1 x 25 litre container being used (or transported by dinghy/boat) within a 24 hour period unless a Permit is obtained.
- 8. REPAIRS AND MAINTENANCE**
- 8.1 Minor repairs are permitted providing the work does not interfere with normal Port operations. Minor works are those that are not hot, non-polluting and do not generate excessive noise.
  - 8.2 All contractors working in the Port or on a vessel must be fully inducted to the Port by Port Officers.
- 9. CLEANLINESS, TIDINESS AND BEHAVIOUR**
- 9.1 It shall be the responsibility of owners to keep their vessels in such condition that they do not become unsightly or dilapidated. Decks of all vessels shall be kept clean and rubbish free. Wharves, walkways and marina arms & fingers shall not have objects such as fishing equipment, fish-boxes, boat accessories, personal items or rubbish placed on them.
  - 9.2 Fish carcasses are not to be placed on walkways. Fish or bait boxes are not to be carried or transported across walkways allowing blood to drip.
  - 9.3 Fish, oil or stained matter is not to be transported throughout the Port unless securely contained to avoid leakage.
  - 9.4 No part of the Port shall be used for the storage of cargo (goods) unless authorised by Permit.
  - 9.5 Bicycles, skateboards, scooters etc shall not be ridden on any marina walkway and must be stored onboard vessels where possible.
  - 9.6 Noise shall be kept to a minimum at all times. Owners should use discretion operating radios or musical apparatus so as not to cause undue disturbance to others.
  - 9.7 Recreational fishing and fish cleaning is prohibited in the marina. Commercial fish offal or bait is not to be deposited in Port waters.

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- 9.8 Galley waste, papers, clothing, bottles and small items may be disposed of by occupants in the bins provided in the Port. Batteries, industrial waste, bait boxes and fish waste shall not be placed in the bins. Oil and used filters must be disposed of at the on-wharf oil recovery facility provided for port users only.
- 9.9 Refuse, garbage and plastic bags shall not be thrown overboard, but must be placed in the bins provided. Oil, spirits, inflammables, oily bilge water and effluent shall not be discharged into the water. Any form of water based pollution is to be reported immediately to Port Officers, whether by the instigator or an observer, and every effort made to minimise spread and contamination.
- 9.10 Swimming, snorkelling and diving within the Port is prohibited. Diving inspections on vessels must be authorised by a Port Officer.
- 9.11 Continued disorderly or raucous conduct by an occupant or their guests and; intoxication, drug impairment or ongoing excessive noise may result in ejection from the Port.
- 9.12 Children under the age of 10 shall be supervised and accompanied by an adult at all times.
- 9.13 Dogs must be kept on leashes on the Port wharves and marina at all times. Owners must clean up any dog droppings immediately.

### **10. SAFETY**

- 10.1 On departing or entering the Port, the speed limit is five (5) knots.
- 10.2 No vessel is to be so berthed as to project anchors or bowsprits over walkways. Mooring lines are not to cross over walkways or fingers.
- 10.3 Should a vessel risk damage or pose a safety risk, boat owners will be given the opportunity to make appropriate changes themselves within 12 hours of notice being made by Council. Port Officers have the right to board a vessel and adjust the mooring lines thereafter or in extreme cases address issues that need to be rectified straight away.
- 10.4 Council has the right to remove a vessel from its berth in the case of an emergency that threatens the safety of any Port users.

### **11. SECURITY**

- 11.1 Marina occupants are responsible for the security of their own vessel.
- 11.2 Access to the marina is via locked security gates. Each permanent occupant will receive a contactless access card. An additional card can be provided on request. If a card is lost it must be reported. A replacement card will incur a fee of \$25.00. Cards must be returned on vacating a berth or a fee of \$25.00 per key will be charged. Occupants accept full responsibility and liability for any person they give a key to.
- 11.3 The main marina gates must remain closed and not be propped open at any time. Occupants must not allow access into the marina to the general public.
- 11.4 Random patrols for breaches of any of the above Terms and Conditions may be conducted by Port officers at any time.

### **12. CAR PARKING**

- 12.1 Car parking within the Port is entirely at the owner's risk.

### **13. NON COMPLIANCE WITH THESE RULES**

- 13.1 Occupants will be given the opportunity to address issues (within an appropriate time limit) or they may have their Permit terminated and be asked to remove the vessel from the Port.

### **14 INCIDENTS WITHIN PORT**

- 14.1 Oil or fuel spill pollution (in vessels or into waters) is to be reported immediately to Port Officers, whether by the instigator or any observer, and every effort made to minimise spread and damage to other vessels. Contaminated bilges are not to be pumped out into Port waters. Heavy penalties can apply for non compliance.
- 14.2 All incidents/ injuries within the Port must be reported to a Port Officer immediately.