



Agreements to Undertake a Commercial Activity on Lake Burley Griffin

By agreement under Section 33 of the Lakes Ordinance 1976

FACTSHEET

INTRODUCTION

The National Capital Authority (NCA) aims to maintain and encourage a range of compatible recreation opportunities consistent with the special characteristics and significance of Lake Burley Griffin.

This includes facilitating commercial undertakings* that enhance visitor and community experiences of Canberra and the Lake.

APPLICATIONS FOR AGREEMENTS

Interested parties may apply for an agreement to undertake commercial activities on the Lake.

The application for a Section 33 Agreement requires information on

1. The nature of the proposed activity
2. Details on activity routes, jetty, cleaning locations and moorings
3. The safety certification of the vessel
4. Provision of the necessary insurances and indemnities
5. Safety Management Plan
6. The use of infrastructure
7. Potential impact on the lake environment
8. Compliance with all relevant Commonwealth and Territory laws

The application may be filled in on-line or submitted in hard copy.

The NCA will consider applications against factors such as:

PUBLIC SAFETY

- » Quality of safety management plan
- » Track record in compliance with safety requirements
- » AMSA inspections and advice
- » Training of staff in first aid and safety matters

IMPACT ON LAKE ENVIRONMENT, HERITAGE AND INFRASTRUCTURE

- » Potential for impacts on lake quality, disturbance of the lake bed or other risks
- » Extent to which commercial activity impacts on other lake users, commercial and recreational, and the potential for any adverse impacts
- » Consistency of the activity with the values set out in the Lake Heritage Management Plan and LBG Recreation Policy
- » Capacity of the lake infrastructure to cater for the additional activity – jetties, bridges, moorings, slipways

PURPOSE OF ACTIVITY AND CONSISTENCY WITH NATIONAL CAPITAL

- » Potential impact on the standing of the national capital (visual, noise, quality of tourist information)
- » Nature of the activity and its alignment/consistency with significance of the national capital and the lake as set out in the National Capital Plan, Heritage Management Plans and related policies
- » Quality of service arrangements – presentation of staff, cleanliness, on board facilities, promotion and web information, signage
- » Any other matters considered relevant by the NCA.

It is recommended that before applying you obtain an application and understand the information required and read the terms and conditions of the Agreement, issued under the *Lakes Ordinance 1976*.

Before applying online please ensure you have key documents ready to load as attachments to the application.

Links to Related legislation and policy

- » [Lakes Ordinance 1976](#)
- » [Lake Burley Griffin Recreation Policy 2005](#)
- » [Lake Burley Griffin and Adjacent Lands Heritage Management Plan 2009](#)
- » [To apply click here...](#)

Want to know more? Click here for a Q&A or ring the NCA on 6271 2888

*Commercial activities means carrying, or offering to carry, passengers, articles or goods in or on a boat for fee or reward (Lakes Ordinance 1976)

QUESTIONS

WHAT TYPE OF ACTIVITIES ARE PERMITTED UNDER THE SECTION 33 AGREEMENT?

The Lakes Ordinance defines a commercial activity as:

- a. selling, or offering for sale, food, drink or other articles or goods;
- b. letting, or offering to let, on hire bicycles, boats or other articles;
- c. carrying, or offering to carry, passengers, articles or goods in or on a boat for fee or reward;
- d. carrying, or offering to carry, passengers, articles or goods in or on a horse-drawn vehicle;
- e. undertaking such other activities as are prescribed for the purposes of this definition.

HOW LONG IS THE AGREEMENT VALID?

The agreement is valid for the agreed term, subject to the Agreement Holder complying with the terms and conditions of the agreement. Either party may terminate the written agreement at any time.

Please indicate on your application form the term of the agreement that you are applying for.

MAY I APPLY AT ANY TIME?

Yes, applications may be received throughout the year.

HOW DO I APPLY?

You may apply online or download an application from the NCA web site natcap.gov.au and submit a hard copy via fax or mail to the NCA.

WHAT IS THE COST OF THE AGREEMENT?

For vessels with a carrying capacity of up to and including 50 passengers the annual agreement fee is \$2,000pa.

For vessels with a carrying capacity of over 50 persons the annual agreement is \$2,000pa plus \$15 per passenger seat over the 50 persons.

Each year the agreement fee is reviewed in line with movements in the ABS CPI Transportation Group Index (Canberra).

There is no GST payable on the agreement fee.

There is no compensation payable on termination of the agreement during the term.

WHAT ARE THE SAFETY REQUIREMENTS?

Please refer to the terms and conditions of the Agreement.

The NCA requires a Safety Management Plan which must include an emergency plan (the recommended format is the NSW Maritime Authority Guidelines for Safety Management Plans); safety certification of the vessel; a certificate of currency for public liability insurance and workers compensation insurance; any relevant information on the compliance record of the business and compliance with all relevant Commonwealth and Territory laws.

The Applicant and Agreement Holder must agree to abide by the terms and conditions of the Section 33 Agreement.

WHAT CERTIFICATION IS REQUIRED FOR THE CREW?

Vessel	Minimum Qualifications – Skipper	Minimum Qualifications – Engineer for vessels with total engine power of less than 250kW*
Vessels less than 12 metres in length	A current valid Coxswains (Inland Waters-Non Tidal) Certificate of Competency issued by an Australian State Marine Administration.	A current valid Coxswains (Inland waters) Certificate issued by an Australian State Marine that is not restricted by type of engine
Vessel 12 metres and over but less than 24 metres in length	A current valid Master Class Five (Restricted to Inland Waters – Non Tidal) Certificate of Competency issued by an Australian State Marine Administration.	A current valid Coxswains (Inland Waters) Certificate issued by an Australian State Marine that is not restricted by type of engine

Note 1 – the Minimum Qualification for Chief Engineer on vessels with total engine power of 250kW and over but less than 500kW is a Marine Engine Driver Grade 3 Certificate (MED3).

General purpose crew members employed on a vessels operating on LBG should hold as a minimum a Certificate I in transport and Distribution (Maritime Operations) which includes:

- » Personal interaction
- » Elements of Shipboard Safety
- » Senior First Aid

WHAT POLICIES AND LEGISLATION ARE RELEVANT TO THE AGREEMENTS?

- » The Lakes Ordinance 1976.
- » The Lake Burley Griffin and Adjacent Lands Heritage Management Plan 2009.
- » The Lake Burley Griffin Recreation Policy 2005.
- » All relevant Commonwealth and ACT Laws.

WHERE CAN I CLEAN MY BOAT UNDER THE AGREEMENT?

A slipway located at Yarramundi Reach may be used for cleaning the vessel. Bookings may be made with Ecoway (Aust) Pty Ltd.

HOW DO I APPLY FOR A BOAT MOORING?

Contact the NCA on 6271 2888 and request a Mooring Permit application form. Mooring locations include Yarralumla Bay, Orana Bay and Lotus Bay.

A charge is applied for the making of weights and tackles and installation.

Mooring Permits under Section 25 of the Lakes Ordinance 1976 are reviewed annually (FY). Mooring sites are not transferable.

CAN I TRANSFER THE AGREEMENT IF I SELL MY VESSEL TO ANOTHER OPERATOR?

No. The new operator must apply to enter into an agreement to undertake a commercial activity and provide the mandatory information.

WHERE CAN I OBTAIN FURTHER INFORMATION?

You may ring the NCA on 6271 2888 or email an inquiry to natcap@natcap.gov.au.

NCA

Phone: (02) 6271 2888

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