

POLICY NAME: FOUR WHEEL DRIVE BEACH ACCESS - SEVEN MILE BEACH (4WD BEACH PERMIT)

POLICY REF: F06

MEETING ADOPTED: 23 November 2023
Resolution No. 231123/9

POLICY HISTORY: 240920/15; 280520/22; 250615/28;
260810/19



TABLE OF CONTENTS

1. OBJECTIVES1

2. POLICY.....1

 2.1 Vehicles Permitted to Access Seven Mile Beach.....1

 2.2 4WD Beach Permits1

 2.3 Guidelines for 4WD Users on Seven Mile Beach.....2

 2.4 Filming on Seven Mile Beach2

 2.5 4WD Vehicle Access to Seven Mile Beach.....2

 2.6 Enforcement.....2

3. BACKGROUND3

4. DEFINITIONS3

5. SCOPE OF POLICY4

6. RELATED DOCUMENTATION.....4

7. REVIEW.....4

APPENDIX 1 - LAND TO WHICH THIS POLICY APPLIES5

APPENDIX 2 - GUIDELINES FOR 4WD VEHICLES ON SEVEN MILE BEACH, LENNOX HEAD (NOTE: THESE GUIDELINES ARE WRITTEN TO BE SUITABLE FOR USE IN AN INFORMATION FLYER OR BROCHURE).....6

1. OBJECTIVES

- To provide a framework for the management of 4WD vehicle access to Seven Mile Beach between the northern extent of the Lake Ainsworth Sport and Recreation Facility and the shire boundary.
- To facilitate the safe use of the beach by 4WD users and other beach users,
- To provide for special access to Seven Mile Beach in defined circumstances, including enabling access to the beach by persons with a disability, and
- To protect significant environmental attributes of the beach, the associated dune system and the broader surrounds.

2. POLICY

2.1 Vehicles Permitted to Access Seven Mile Beach

- 2.1.1. Access to Seven Mile Beach is permitted for 4WD vehicles in accordance with the permit system.
- 2.1.2. Motorbikes, quad bikes, tourist buses or any other motorised recreational vehicles (other than a 4WD vehicle as defined in this policy) are not permitted on Seven Mile Beach nor will a permit be issued for such vehicles to access the beach except in accordance with sections 2.4 and 5.2 of this policy.

2.2 4WD Beach Permits

- 2.2.1. All users of 4WD vehicles on Seven Mile Beach at Lennox Head, except those subject to exemptions under sections 5.2, must obtain (or hold) a valid 4WD Beach Permit prior to accessing the beach.
- 2.2.2. Valid 4WD Beach Permits may be obtained from the automated kiosk located along Camp Drewe Road or via the EasyPark Application.
- 2.2.3. 4WD Beach Permits for the following timeframes are to be available for purchase:
 - 6 months
 - 12 months
- 2.2.4. Permit fees are variable based on permit timeframes, with permit fees to be set annually by Council each financial year (fees can be found on Council's website)
- 2.2.5. Permits are not transferable between vehicles. Only the vehicle the subject of the permit is to be driven on the beach.
- 2.2.6. Council will maintain a register of valid permits issued.

2.3 Guidelines for 4WD Users on Seven Mile Beach

- 2.3.1. 4WD access to Seven Mile Beach is to be carried out in accordance with the applicable laws governing vehicle use of beaches and Council's 'Guidelines for 4WD Vehicles on Seven Mile Beach' (Appendix 2).
- 2.3.2. A notice containing information on the safe and responsible use of Seven Mile Beach by 4WD vehicles is to be erected by Council at the entrance to Seven Mile Beach.

2.4 Filming on Seven Mile Beach

- 2.4.1. All vehicles involved in approved filming on Seven Mile Beach must hold a valid permit.
- 2.4.2. Vehicles used in association with approved filming must comply with the 'Guidelines for 4WD Vehicles on Seven Mile Beach' and the conditions of Council's approval for the filming activity. In the event of an inconsistency, the terms of the filming approval are to prevail.

2.5 4WD Vehicle Access to Seven Mile Beach

- 2.5.1. The 4WD vehicle access to Seven Mile Beach is to remain open year round, except in accordance with section 2.5.2.
- 2.5.2. Council and other government agencies may close 4WD vehicle access to Seven Mile Beach in carrying out functions with respect to beach management, emergency management, safety and general operations (and the like) as required.
- 2.5.3. When Seven Mile Beach is closed in accordance with section 2.5.2, Council will not provide a refund or compensation to 4WD Beach Permit holders for the time that the beach cannot be used.

2.6 Enforcement

- 2.6.1. Council may withdraw the 4WD Beach Permit from vehicles where it is determined by Council that there has been a breach of this policy and/or the associated guideline or another enforcement agency has recommended cancellation of a 4WD Beach Permit.
- 2.6.2. Once a 4WD Beach Permit is withdrawn, Council may maintain a restriction on the issue of a new permit in association with the vehicle or individual from which the permit was withdrawn. Such action shall be at the discretion of Council's General Manager or his/her nominee.
- 2.6.3. Council may issue a penalty infringement notice for non-compliance due to not holding a valid 4WD Beach Permit as per the notice erected by Council at the entrance to Seven Mile Beach.
- 2.6.4. The following are authorised to enforce this Policy:
 - Officers of the NSW Police Force
 - Council Rangers
 - Authorised Officers of Council.

- Authorised Officers of the Cape Byron Marine Park Authority.
- Persons appointed as Authorised Officers under the Recreational Vehicles Act 1983.

3. BACKGROUND

Council enables 4WD vehicles to access Seven Mile Beach at Lennox Head between the northern extent of the Sport and Recreation Centre and the shire boundary with the Byron Shire local government area. This access is based on the provisions of the Ballina Coastal Reserve Plan of Management and the associated Precinct Plans.

Council's role in the management of 4WD access on Seven Mile Beach arises as part of its broader management responsibilities for beaches and the Ballina Coastal Reserve area in the shire. Whilst Seven Mile Beach is Crown Land, Council manages the land as Crown Land Manager on behalf of the State Government and ultimately, the people of NSW. This role includes management of beach amenity, access arrangements, coastal hazards and environmental attributes as well as regulatory responsibilities in relation to enforcement of policy and laws governing use of beaches.

There are competing interests and values associated with Seven Mile Beach, most notably involving recreational use (including that by 4WD users), safety, amenity and environmental attributes. There are also important considerations associated with the integrity of the dunal system where 4WD beach accesses penetrate the dune system. This policy seeks to establish a framework that applies to 4WD users to manage the permitted 4WD beach access in a way that facilitates safe beach access and use as well as minimises impacts on key environmental attributes of the beach, dunes and surrounding area.

4. DEFINITIONS

4WD Beach Permit	means a permit issued by Ballina Shire Council on payment of the appropriate fee on a per vehicle basis for a set period of time.
4WD Vehicle	means a road registered four wheel drive or all wheel drive car including SUVs, landrovers, utilities and the like. For the purposes of this definition a 4WD vehicle may include a boat trailer.
Authorised Officer of Council	has the same meaning as 'authorised person' under the <i>NSW Local Government Act</i> .
Boat Trailer	means a registered vehicle that is built to be towed, or is towed, by a 4WD vehicle for the purpose of transporting a boat.
Council	means Ballina Shire Council.
Seven Mile Beach	means the area shown in the map in Appendix 1 including the land from below the low tide mark to, and including, the vegetated dunes. <i>Note: Seven Mile Beach is a restricted area under the Recreation Vehicles Act 1983.</i>

5. SCOPE OF POLICY

- This policy applies to Seven Mile Beach as shown in the map in Appendix 1.
- This policy applies to all vehicles and trailers accessing Seven Mile Beach other than those used by:
 - Emergency Services and others during bona fide rescues, patrols or "exercises" authorised by Ballina Shire Council.
 - Authorised officers and contractors of Local, State and Commonwealth Governments in the performance of their duties.
- This policy does not limit access to Seven Mile Beach via non-motorised vehicles that are used to enable access to the beach by persons with a disability (such as the sandcruiser wheelchair). The permit system under this policy does not apply to such non-motorised vehicles.

6. RELATED DOCUMENTATION

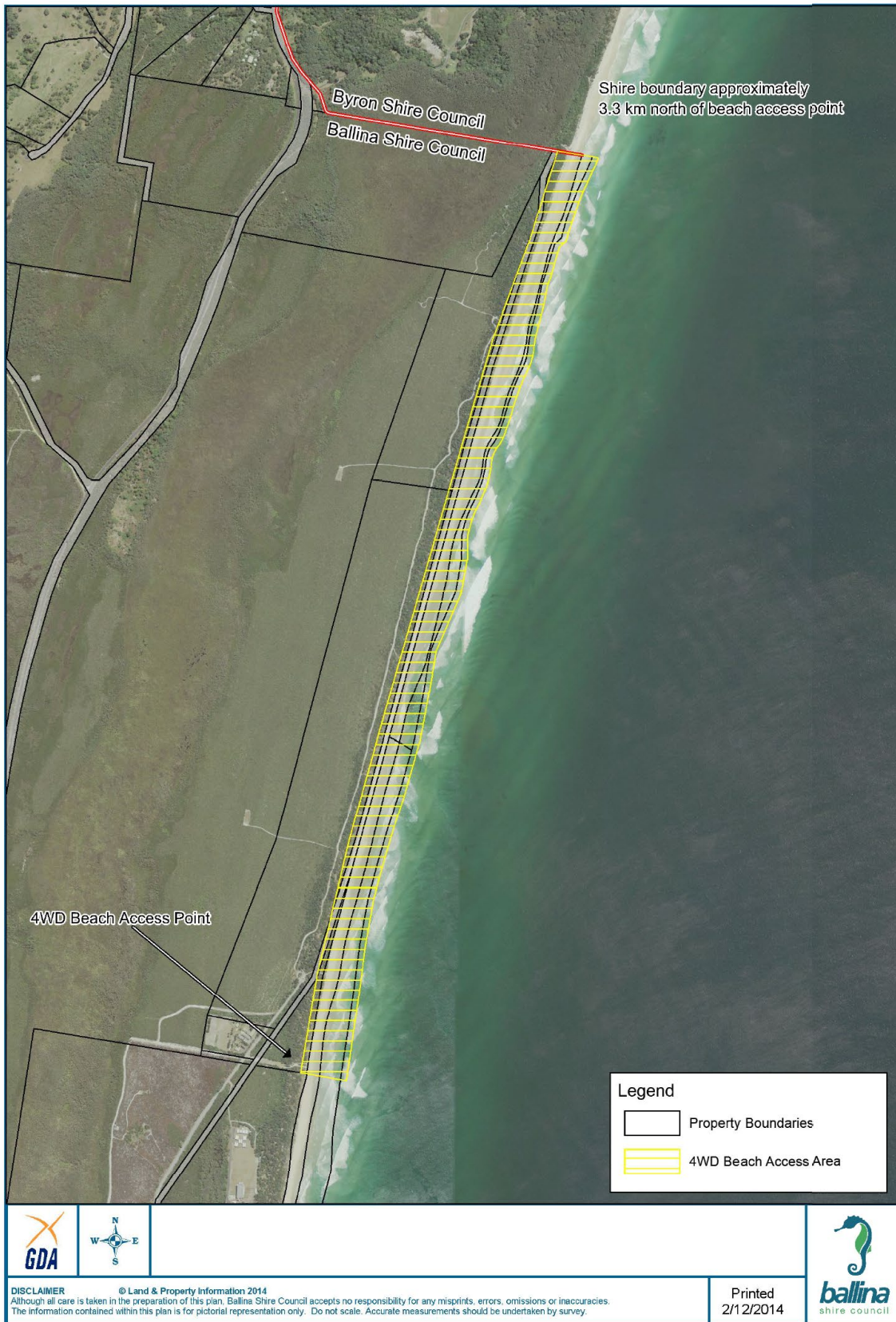
Related documents, policies and legislation:

- Ballina Coastal Reserve Plan of Management 2003
- Crown Land Management Act 2016
- Local Government Act 1993
- Marine Parks Act 1997
- Recreational Vehicles Act 1983
- Road Transport (Vehicle Registration) Act 1997
- Road Transport (Vehicle Registration Regulation) 2007
- Road Transport (Driver Licensing) Act 1998
- Road Transport (Driver Licensing Regulation) 1999
- Guidelines for 4WD Vehicles on Seven Mile Beach Lennox Head

7. REVIEW

This Policy is to be reviewed every four years.

APPENDIX 1 - LAND TO WHICH THIS POLICY APPLIES



APPENDIX 2 - GUIDELINES FOR 4WD VEHICLES ON SEVEN MILE BEACH, LENNOX HEAD (note: these guidelines are written to be suitable for use in an information flyer or brochure)

Seven Mile Beach and surrounds is a natural and recreational feature of Ballina Shire. The beach offers opportunity for a variety of activities including swimming, fishing, exercise and general enjoyment. The area, including the coastal heathland to the west, is home to a number of plant and animal species, many of which are significant to the local ecosystem and the region.

Council's role in the management of Seven Mile Beach arises as part of its broader management responsibilities for beaches and the Ballina Coastal Reserve area in the shire. Whilst the beach is Crown Land, Council manages the land as Trust Manager on behalf of the State Government and ultimately, the people of NSW. This role includes management of beach amenity, access arrangements, coastal hazards and environmental attributes as well as regulatory responsibilities in relation to policy and laws governing use of beaches.

As manager of the beach, Council provides for 4WD access from the beach access point north of Lake Ainsworth Sport and recreation facility up to Council's boundary with Byron Shire Council (see map) through a permit system.

These guidelines contain information to guide safe and responsible use of the beach by authorised 4WD users.

If you have any questions or feedback about the management of the beach, the permit system or things that you see during your visit, please contact Ballina Shire Council on 1300 864 444.

If you would like to report unsafe or dangerous behaviour by others, please contact the Ballina Police on 6681 8699.

4WD Beach Access Permits

To access Seven Mile Beach in a 4WD you will need a current 4WD Beach Permit from Ballina Shire Council and your vehicle must be registered. All vehicles accessing Seven Mile Beach must abide by the guidelines of the 4WD Permit System Policy contained in this brochure.

Permits for various periods of access to Seven Mile Beach can be obtained from the automated kiosk located along Camp Drewe Road or via the EasyPark Application.

Information about fees is available from the automated kiosk, Easypark Application, Council website or by telephoning Ballina Shire Council.

Things to know about the beach permits:

- Only one permit per 4WD will be issued and permits are not transferable between vehicles. Vehicle registration details will be recorded on the permit at the time the permit is issued.

Boat Trailers

4WD beach permit holders are entitled to tow a boat trailer on the beach for the purpose of launching boats or other watercraft within the designated 4WD area on Seven Mile Beach.

Beach Closure

From time to time, Council and other government agencies may need to close Seven Mile Beach to 4WD access as part of requirements with respect to beach management, emergency management, safety and general operations. If you have any enquiries or concerns about beach closure, please contact Ballina Shire Council.

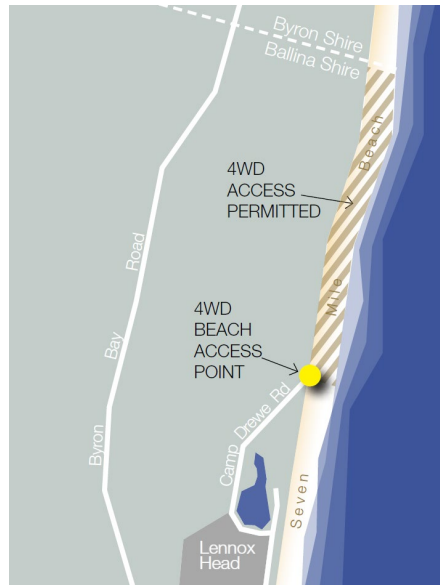
Guidelines for 4WD Users on Seven Mile Beach

4WD access to Seven Mile Beach is to be carried out in accordance with the applicable laws governing vehicle use of beaches and the guidelines contained in this brochure.

These guidelines are in place to provide a clear indication of expectations for the use of the beach by 4WDs, support safe and responsible use of the beach by 4WD users and protect the special environment of the beach and surrounds. There is a particular focus in the guidelines on safety in relation to pedestrian beach users and taking care of the sensitive dune system.

Area of Beach Access

4WD access to Seven Mile Beach is available in the area shown on the map below. The 4WD beach permit issued by Ballina Shire Council does not permit access to the beach north of the shire boundary (about 3.3km north of the Ballina Shire Council beach access point).



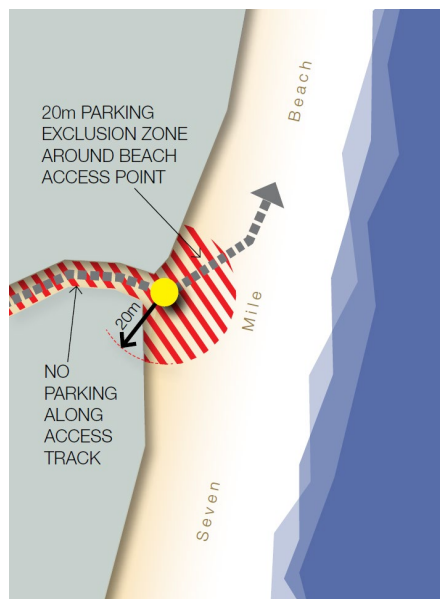
4WD Beach Access Area – Seven Mile Beach

Where to Drive onto the Beach

4WD access to Seven Mile Beach is provided to the north of Lake Ainsworth via Camp Drewe Road. Camp Drewe Road is accessible near Lake Ainsworth at the northern end of Pacific Parade at Lennox Head.

4WD vehicles must only be driven on and off the beach at the designated public access point.

Vehicles must not be parked on the beach within 20 metres of the access point or along the vehicle access track.

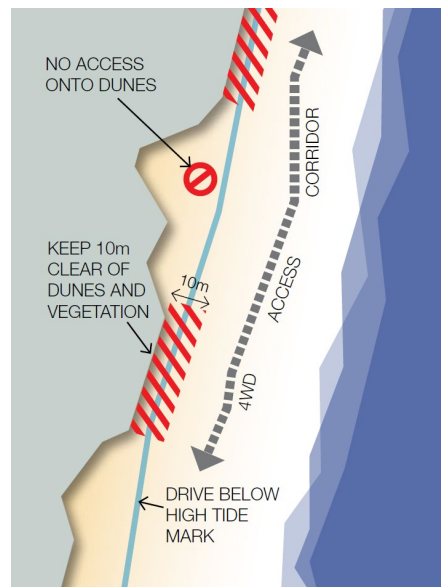


Car Parking Restrictions – Seven Mile Beach 4WD Access

Where to Drive When on the Beach

To provide for a defined access corridor and minimise impacts on the environment, 4WDs must be driven within the area shown on the below illustration. In summary 4WDs must not:

- Be driven above the high tide mark except when moving onto and off the beach at the designated beach access point.
- Be driven within 10 metres of any part of the vegetated dunes except when moving onto and off the beach at the designated beach access point.
- Cross or park on the dunes or other foreshore areas except when moving onto and off the beach at the designated beach access point.

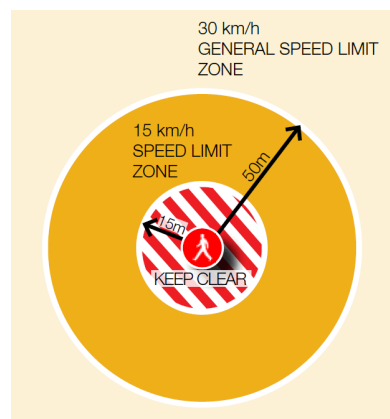


4WD Beach Access Corridor (Dune and High Tide Limitations) – Seven Mile Beach

Speed Limits and Safety

The maximum speed limit for all motor vehicles on the beach, including 4WDs is 30km/hour (except as outlined below).

Where vehicles come within 50m of pedestrians and other beach users, the maximum speed limit is 15km/hour. Vehicles must be at least 15m away from other beach users at all times.



Speed Limits – Seven Mile Beach 4WD Access Area

The permit holder and driver of the 4WD must hold either a provisional or full driver licence, issued by the relevant State Authority.

Vehicles must not be driven by persons under the influence of intoxicating liquor or drugs.

Drivers and passengers must wear seat belts. Riding in the rear of utilities or in a similar unrestrained manner is not permitted.

The towing of tyres or other recreational implements for recreational purposes by vehicles is not permitted.

Other Important Things to Know

Pedestrian beach users have right of way over motor vehicles at all times.

No rubbish is to be left on the beach at any time.

4WD vehicle users must observe other regulations applying to beaches such as those relating to dogs, horses and water use activities.

During and after heavy seas, travel on the beach at high tide may not be possible due to changes in the sand profile of the beach. The beach may be closed to 4WD access in such instances.

During and after heavy seas, access to the beach may be severely eroded and dangerous (particularly at high tide). The beach access may be closed in such instances.

During and after flood and storm events, flood debris may restrict vehicle access and make driving unsafe. The beach may be closed in such instances.

Occasionally, 4WD beach access track maintenance will be undertaken for the benefit of all beach users. Such maintenance may result in beach access being closed or restricted for a period of time without notice.

Any 4WD vehicle left on the beach unattended must be left in a manner so as not to compromise access of other beach users. No unattached trailers are to be left on the beach.

When Seven Mile Beach is closed to 4WD users, Council will not provide a refund or compensation to 4WD beach permit holders for the time that the beach cannot be used.

Council may withdraw a 4WD beach permit from vehicles where it is determined by Council that there has been a breach of these guidelines or another enforcement agency has recommended cancellation of a 4WD beach permit.

You must follow the directions of NSW Police Officers, officers of Ballina Shire Council and State and Federal Government agencies when on Seven Mile Beach.

A penalty infringement notice may be issued for not holding a valid 4WD Beach Permit, failure to adhere to the guidelines of the permit or failure to act in accordance with the notice erected at the entrance to Seven Mile Beach.