



PAYNESVILLE CANALS PRIVATE JETTY CONSTRUCTION POLICY and GUIDELINES

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Purpose

The Paynesville Canals Private Jetty Construction Policy (the Policy) is designed to guide the placement and construction of private jetties within the Paynesville Canals and ensure that such Jetties are compliant with specifications and standards set by Council.

The policy will allow for equitable and safe private jetty construction within Paynesville Canals, ensuring the waterway access through Paynesville Canals is always navigable.

This policy supersedes Council's Jetty Construction Policy CP-50-60-002 and the Toonalook Harbours Canal Development Policy.

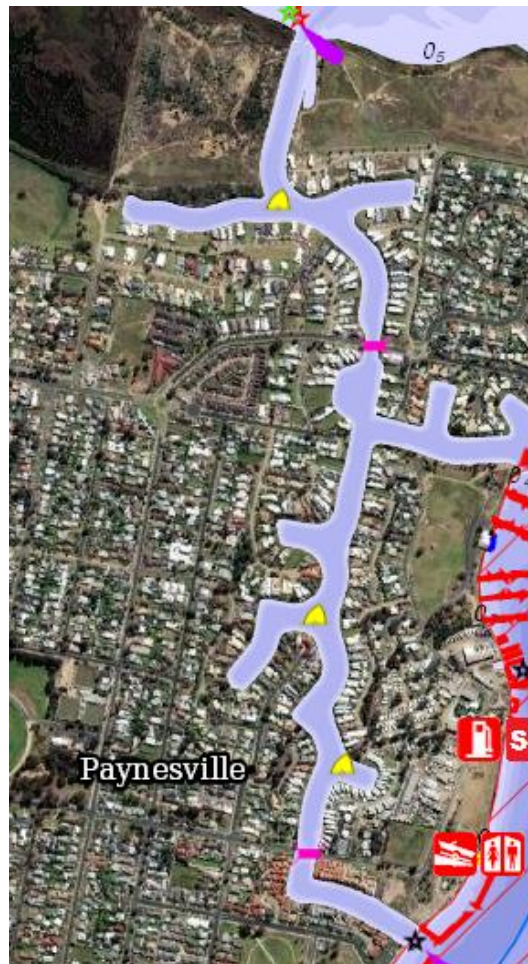
Objectives

The policy is designed to ensure that:

1. Any jetty construction within the Paynesville Canals is designed and constructed to meet acceptable safety standards guided by Australian Standards and Gippsland Ports requirements;
2. Jetties constructed within the Paynesville Canals do not impact on the Navigable Fairway of Paynesville Canals; and
3. Jetties constructed within the Paynesville Canals do not negatively impact on the residential amenity of the area.

Scope

This policy applies to contractors, developers, builders and property owners within the Paynesville Canals. The Paynesville Canals are defined as the inland waterway system shown below:



Policy Context

Council implements and reviews this policy to ensure it aligns with current best practice for the construction of private jetties within Paynesville Canals.

Policy Statement

Role of Council

Council is the responsible authority for the area known as the Paynesville Canals.

Council will consider all proposed jetty constructions/configurations within the canals on a case by case basis to ensure that no part of the structure, mooring pole or moored vessel, shall be allowed to project into the Navigable Fairway of Paynesville Canals, or create an unreasonable impact on the users of adjoining properties and jetties.

Council as the responsible Planning Authority will also be responsible for the receipt and determination of Planning Applications associated with this policy.

Role of Gippsland Ports

Gippsland Ports is the appointed port and waterway manager over the designated Port of Gippsland Lakes, which includes the Paynesville Canals, and is responsible for ensuring, among other things, that any port safety and environmental risks associated with works are appropriately managed.

Entitlement

Every lot of a subdivision with water frontage to the Paynesville Canals will be entitled to moor two vessels at a jetty accessed from the residential lot, which at all times is subject to:

- a. lot dimensions demonstrating that there is adequate canal frontage to accommodate the proposed moorings; and
- b. the requirements of Council in this policy being satisfied.

Any parent lot created at the time of the development that has been subsequently subdivided with water frontage to the Paynesville Canals will be entitled to moor one vessel at a shared jetty developed as part of the parent lot, or new shared jetty developed to service the newly created lots, which at all times is subject to:

- a. site dimensions demonstrating that there is adequate canal frontage to accommodate the proposed moorings; and
- b. the requirements of Council in this policy being satisfied.

The centreline of shared jetties must be located on a projection of the newly established common boundary line (into the waterway) of the adjoining properties.

Jetties in the canal “courts” or dead ends will be shared jetties between abutting lots, unless it can be demonstrated that adequate manoeuvring space is available to allow for safe docking of vessels at individual jetties.

Jetties shall only be located in a position approved by Council under the planning permit and shall be located and constructed so that no part of the jetty lies within four metres of the projection of the side boundaries of the Owners property (including mooring poles).

Where a Jetty Berth owner changes the vessel moored at the Jetty from the vessel the Jetty was originally designed to moor, there is an obligation for the Jetty owner to ensure that the vessel still complies with the original approval and there is no impact on the setbacks, clearances and navigable fairway requirements outlined in this policy.

Application to Council

Private Jetties are only permitted in the Paynesville Canals if they are licensed private jetties associated with a property lot with direct frontage to Paynesville Canals.

A planning permit is required for the construction or alteration of a private jetty prior to a private jetty licence being granted. Prior to the lodgement of the planning permit application, the owner must apply to Council for land manager consent to enable lodgement of the planning permit application.

All applications to Council will include:

- a. site plan and construction details of the proposed jetty (as set out in this policy);
- b. application for planning permit in the form set by Council, full copy of title for property and land manager consent;
- c. planning permit fee set by Council; and
- d. a certificate of currency for public liability insurance for not less than \$20 million.

In preparing an application to Council, Owner's should have reference to:

- the Minimum Standards for Private Jetty Construction; and

Note to Owners: Minimum Standards for Private Jetty Construction is only a guide and there may be circumstances where this is unable to be followed. Council recommends the input of a structural engineer.

- 'Private Jetty Licences' dated March 2018 prepared by the Victorian Department of Environment, Land, Water and Planning.

Applicants will need to address Aboriginal and/or European cultural heritage and requirements in accordance with the *Aboriginal Heritage Act* 2006 and the *Native Title Act* 1993 (Commonwealth).

Licence Fee

An annual licence fee is payable by all jetty licence holders. This fee is reviewed by Council annually and available in the East Gippsland Shire Council annual budget document.

Maintenance

Maintenance of the jetty is the responsibility of the licensee, and includes all works as requested, by Council.

The Owner of the private jetty is required to have an independent maintenance inspection every six years and with details of inspection and compliance submitted to Council.

At the request of Council, the licensee shall supply a certificate of electrical safety by a qualified electrician and certification by a structural engineer that the structure piling and mooring poles are sound and conform to current Australian Standard requirements.

Upon completion of the jetty the specialised jetty builder must provide to Council a certificate of completion that the jetty is constructed as per the plans submitted to Council.

Large scale jetty maintenance or replacement may require a Gippsland Ports permit to carry out the works.

Available Depth

The licensee is not permitted to increase the available water depth at the property in any way without the prior consent of East Gippsland Shire Council and Gippsland Ports.

Roles and Responsibilities

These management positions are responsible for the implementation, communication, and compliance monitoring of the policy in their work areas:

Party / Parties	Roles and Responsibilities
General Manager Assets and Environment	Overall responsibility for policy implementation and compliance.
Manager Community Facilities and Open Space	To receive Planning Application referrals and assess these referrals against the policy and guidelines.
Manager Planning	To ensure awareness and implementation of this policy and refer any private jetty planning applications to the

	Community Facilities and Open Space unit for assessment against this policy.
Development Compliance Officer	To ensure awareness and implementation of this policy.
Property owners that have water frontage to the Paynesville Canals	To be aware of, and comply with, this policy.
Manager Governance	To manage the collection of annual fees and all data associated with the approved jetties.

GUIDELINES FOR ASSESSING APPLICATIONS

Drawings and Plans (Construction Standards)

Engineering and jetty construction drawings and plans must be supplied with all planning permit applications to Council. The drawings and plans supplied by the Owner must:

- a. be to scale;
- b. ensure the Navigable Fairway of Paynesville Canals is shown;
- c. show existing jetties appurtenant to adjoining properties; and
- d. must list all materials to be used for the proposed jetty.

Jetty Size

All private jetties must be constructed in accordance with Gippsland Ports Minimum Standards for Private Jetty Construction as updated from time-to-time Gippsland Ports which may be varied by Council on a case-by-case basis.

The Owner acknowledges that:

- a. all jetties, mooring poles and/or moored vessels must not intrude into the Navigable Fairway of Paynesville Canals.
- b. all jetties must not exceed a maximum length of **seven (7)** metres into the canal from the revetment wall;
- c. mooring poles will not be permitted to be at a greater distance from the revetment wall than **three (3)** metres;
- d. no part of the moored vessel or structure shall be closer than **three (3)** metres to the projection of the property boundary into the canal;
- e. in no case shall any part of any structure mooring pole or moored boat be allowed to project more than **eleven (11)** metres into the canal measured from the revetment wall; and
- f. the jetty must be constructed at the same angle as existing jetties appurtenant to adjoining properties.

Materials

Subject to Council's discretion, all jetties must meet the following construction requirements

- a. piles will be steel rail, not less than 40 kg/metre (for example, used in a railway track/rail or as otherwise approved by Council);
- b. bolts and spikes used throughout the structure must be hot dip galvanised finish;
- c. mooring poles will be timber with:
 - a minimum 200mm diameter at the small end for vessels less than 7.0 metres; and
 - a minimum 250 mm diameter at the small end for vessels greater than 7.0 metres,
- d. sawn timber used in the jetty structure will be a hardwood species and not less than B Grade quality (unless otherwise approved by Council);
- e. ensure mooring poles have reflective banding applied to the top of the mooring pole; and

- f. all jetties will display an identification label with licence number.

Floating Pontoon Jetty

A floating pontoon jetty is able to be constructed from other strong, durable materials such as marine-grade aluminium, concrete and polystyrene wrapped in an HDPE liner which are more water resistant than timber.

Other suitably corrosive resistant materials may be used in the jetty structure, but material specifications and details must be provided and all jetties must consider Gippsland Ports Minimum Standards for jetty construction and, if applicable, the standards set out in:

- a. AS 3962 Guidelines for Design of Marinas; and
- b. AS 4997 Guidelines for the Design of Maritime Structure

Surface Treatment

The jetty structure must not be painted, except for a clear preservative material, which may be applied to surfaces (unless otherwise approved by Council).

Site Protection and Restoration

All land areas and canal bed disturbed by the construction of jetties shall be reinstated to the satisfaction of Council, and any timber off-cuts or other rubbish must be collected and removed from the site by the Owner.

There must be:

- a. adequate warning signs; and
- b. lighting attached to the jetty to protect the public during construction.

All construction activities must be compliant with the *Occupational, Health and Safety Act 2004* to ensure public safety is maintained at all times.

Revetment Wall, Footings and Footing Foundations

The Revetment Wall for Paynesville Canals and associated grid cabling system (which reaches to 1.7 metres wide from the wall) is constructed inside the lot boundary. The design of the Revetment Wall does not allow for any structural loading or modification. There must be:

- a. no shackles, cables and fixing eyes shall be attached to the revetment wall; and
- b. no alteration or interference with the revetment wall without the written approval of Council.

Boat Lifts

Planning approval is required for the construction of all boat lifting structures.

The boat lift structures and vessels must not intrude into the Navigable Fairway of Paynesville Canals and must be wholly located within the designated jetty envelope.

No boat lifting structure shall be permitted to place a horizontal surcharge load on the Revetment Wall.

The jetty structure must be approved prior to Council considering approval of a boat lifting structure. Floating boat lifting structures directly adjacent to a canal wall may be considered where it can be demonstrated that the structure will not place a horizontal surcharge load on the Revetment Wall.

Floating boat lifting structures are preferred for use in canal cul-de-sac heads.

Piles associated with boat lifting structures are located so as not to penetrate any Revetment Wall unless certification is provided by a structural engineer confirming there will be no associated structural impact.

Where the installation of any boat lifting structure is considered to have the potential to adversely impact neighbouring residents, Council will require the Owner to supply written comments from adjoining land owners to assist in Council determining the application.

Jetty Licences

A jetty licence will be refused for renewal in the following circumstances:

- where the owner fails to maintain the structure in a satisfactory condition in accordance with the Gippsland Ports minimum standards or Australian Standard guidelines;
- if the annual licence fee is not paid in full by the due date;
- where the use of the jetty creates a nuisance to the public; and/or
- where the conditions of the licence are not adhered to.

Upon cancellation of a jetty licence, all vessels and built structures in the canal must be removed at the owner's expense.

Changes to existing Jetty Specification

Should a Private Jetty Owner have a need to change the jetty / modify a jetty to suit a new vessel or requirements, these modifications will also require approval and will need to go through the same application and referral process as a new Jetty and meet the guidelines outlines in this policy.

Definitions

Term	Meaning
Council	East Gippsland Shire Council
Gippsland Ports	Appoint port and waterway manager over five local ports and two waterways including the designated port of Gippsland Lakes, principally responsible for administration under the <i>Port Management Act 1995</i> (local ports) and <i>Marine Safety Act 2010</i> . Port and waterway management responsibilities include navigation, port operations, regulation, security and compliance, boating safety, incident management, emergency response, maritime security, oil spill response and salvage and dredging and sand management.
Paynesville Canals	The canal system known as 'Paynesville Canals' formerly referred to as Riviera Harbour including all constructed waterways from Victoria Street to Point Fullerton
Owner	The owner of a lot with water frontage to Paynesville Canals.
Revetment Wall	A permanent structure located along the canal frontage of land.

Navigable Fairway of Paynesville Canals	Area of the canal that must not be encroached upon by any part of structures, mooring poles or moored vessels. The minimum width is 20 metres, but, in some locations, may be required to be wider to facilitate safe navigation.
Private Jetty	A private jetty is for domestic recreational use only. It will typically be constructed by a specialist jetty builder at the request of an Owner.

References and Supporting Documents

Applicable Legislation

East Gippsland Shire Council General Local Law 2017

Applicable Policy and Procedure

East Gippsland Shire Council Compliance Policy

East Gippsland Shire Council Planning Compliance Policy

Supporting Documents

AS/NZS 3000:2007 Electrical Installations

AS/NZS 3004:2002 Electrical Installations – Marinas and Pleasure Craft Low Voltage

AS 3962 Guidelines for Design of Marinas

Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
1	Adopted	15/08/1990		108988	Private Jetty Construction
2	Approved	22/02/2022	Council	9398301	Full revision of policy and inclusion of guidelines