

Local Planning Policy No. 1.3

PRIVATE JETTIES AND BOAT LIFTING STRUCTURES



1. HEAD OF POWER

This Policy has been adopted pursuant to *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2 (Deemed Provisions), Clause 4 and applies to development across the whole of the City.

2. PURPOSE

The purpose of this policy is to –

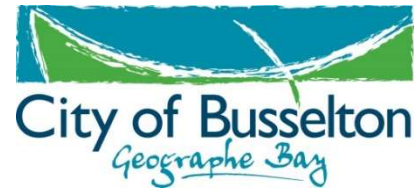
- a) Outline the minimum requirements for development within Port Geographe canals.
- b) Ensure that development within the Port Geographe canals maintains the existing visual amenity of the area.
- c) Ensure that development within the Port Geographe canals are appropriate in scale, structural design and context to the immediate residential living environment.
- d) Ensure that matters of safety, navigation and waterway amenity are appropriately considered in the approval process.

3. INTERPRETATION

Davit -	is a structure located on jetty and is capable of mechanically moving a vessel from a waterway to a dry lot.
Canal Cul-de-sac Head -	the terminus of a canal with only one entrance.
Fixed Jetty -	is a fixed structure, constructed on pylons and generally made of wood and steel.
Floating Boat Lifting Structure -	a floating structure, attached to mooring piles assuring the vessel is out of the water.
Floating Jetty -	a moveable structure, constructed on mooring piles on a floating pontoon.
Jetty Envelope -	a designated area as defined by an endorsed envelope plan in which the jetty is to be wholly constructed and contained within.
Land Backed Jetty -	a jetty constructed parallel to the canal wall.
Mechanical Boat Lifting - Structure	a solid metal structure, on pylons which lifts a vessel out of water.
Mooring Piles -	steel piles to secure a vessel by attaching the vessel to the piles.
Mooring Envelope -	an area identified by the endorsed envelope plan for the subject property

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in which any mooring pile is to be wholly constructed and contained within. The mooring envelope serves as the designated area for the storage and mooring of permitted vessels.

Primary Walkway - the walkway the vessel is moored at.

Secondary Walkway - is the walkway which is not supporting the mooring of a vessel.

4. POLICY STATEMENT

Applies to all applications relating to private jetties and boat-lifting structures associated with private residential development within the Port Geographe canals.

The following provisions apply –

- a) jetties, moorings and boat lifting structures being designed and constructed having regard to the policy provisions and any specific conditions of approval;
- b) jetties being wholly located within the lot's designated jetty envelope;
- c) all vessels being wholly contained within the lots designated mooring envelope;
- d) jetties and canal walls having no structures built on them and not being roofed unless supported by this policy;
- e) comments from the Department for Planning and Infrastructure;
- f) comments received from community groups and adjoining landowners (where consultation is required); and
- g) any other matters relevant to the proper consideration of the proposal.

4.1 Jetties

4.1.1 Finger, 'T' or 'L' Shaped Jetties

Planning approval for the construction of a finger, 'T' or 'L' shaped jetty is not required to be obtained from the City provided the following assessment criteria have been met:

- a) Piles associated with a jetty are located so as not to penetrate any revetment mattress, unless certification is provided from a structural engineer confirming there will be no associated structural impact.
- b) The width of primary walkways being a minimum of 1.2m and a maximum of 2.0m.
- c) The width of secondary walkways being a minimum of 0.9m and a maximum of 2.0m.
- d) Jetties shall be used for the purpose of accessing a moored or stored vessel only.
- e) No jetty structure shall place horizontal surcharge load on the canal wall.

Jetties that do not comply with the above mentioned criteria require planning approval from the City.

Finger, 'T' or 'L' shaped jetties require a building licence from the City and certification of structural integrity by a certified engineer.

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4.1.2 Land Backed Jetties

Planning approval for the construction of land backed jetties is not required to be obtained from the City provided the following assessment criteria have been met:

- a) Piles associated with a jetty are located so as not to penetrate any revetment mattress, unless certification is provided from a structural engineer confirming there will be no associated structural impact.
- b) The width of jetty being a minimum of 1.2m and a maximum of 2.0m.
- c) Jetties shall be used for the purpose of accessing a moored or stored vessel only.
- d) No jetty structure shall place horizontal surcharge load on the canal wall.

Jetties that do not comply with the above mentioned criteria require planning approval from the City.

Land backed jetties require a building licence from the City and certification of structural integrity by a certified engineer.

4.1.3 Floating Jetties

Planning approval is required for the construction of floating jetties.

The following assessment criteria apply to floating jetties:

- a) Piles associated with the jetty are located so as not to penetrate any revetment mattress unless certification is provided by a structural engineer confirming there will be no associated structural impact.
- b) The width of primary walkways being a minimum of 1.2m and a maximum of 2.5m.
- c) The width of secondary walkways being a minimum of 0.9m and a maximum of 2.0m.
- d) Jetties shall be used for the purpose of accessing a moored or stored vessel only.
- e) No jetty structure shall place horizontal surcharge load on the canal wall.

4.2 Boat Lifting Devices and Structures (including davits)

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

Davits will only be considered where it can be demonstrated that the structure will not detrimentally affect surrounding properties in relation to accessibility, amenity and safety.

Mechanical boat lifting structures are not supported.

The following assessment criteria apply to either boat lifting structures and davits:

- a) Boat lifting structures being wholly located within the designated jetty/mooring envelope.
- b) No boat lifting structures (including davits) shall be permitted to place a horizontal surcharge load on the canal wall.

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- c) Jetty structures are to be approved prior to considering approval of a boat lifting structure (including davits). Floating boat lifting structures directly adjacent to canal wall may be considered where it can be demonstrated that the structure will not place a horizontal surcharge load on the canal wall.
- d) Floating boat lifting structures are preferred for use in canal cul-de-sac heads.
- e) Piles associated with boat lifting structures are located so as not to penetrate any revetment mattress unless certification is provided by a structural engineer confirming there will be no associated structural impact.
- f) As part of the assessment process, consultation is to be undertaken for all mechanical boat lifting devices. Floating boat lifting devices do not normally require consultation.

The consultation process will follow that laid out in Provision 4.3 of this Policy.

4.3 Consultation with adjoining landowners and community groups

For all mechanical boat lifting devices and where a proposed jetty or floating boat lifting structure is considered to have the potential to adversely impact on neighbouring residents, Council will require applicants to supply written comments from adjoining landowners and community groups to assist in determining the application.

Where written comments are not able to be obtained by the applicant, staff will provide written advice to adjoining landowners and community groups (at the applicants cost) of the proposed construction and invite them to submit comments to the City. If an adjoining landowner or community group does not respond within the time provided (generally 21 days), the City will consider the application on the basis that the landowner has not exercised their opportunity to comment.

Where objections are received the submission(s) will be reviewed and considered in light of the applications relevance against the Local Planning Scheme No. 21 and the provisions of this policy.

The objective of these provisions is to streamline the approval process and provide further interpretation of the Residential Design Codes and the Local Planning Scheme No. 21 in the assessment of applications for outbuilding development within the City of Busselton. These provisions is intended to control construction of any building that is defined under the Building Code of Australia as a Class 10A building (outbuilding), or a Class 7 or 8 building.

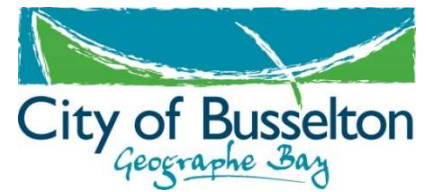
5. REVIEW DETAILS

Review Frequency		2 yearly		
Council Adoption	10/03/2010		C1003/069	
Previous Adoption	DATE		Resolution #	

* Policy number changed from LPP 11 to LPP 1.3 on the 11th May 2020. The change is administrative only, no resolution by Council required.

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APPENDIX 1

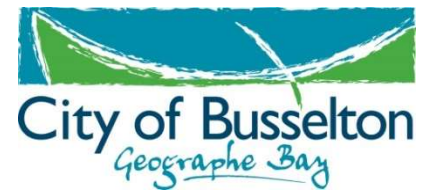
Private Jetties Checklist

(To be completed by the applicant and included in the information provided with a planning application and building licence forms)

Application and Plan Information	Yes	No
Has the landowner signed the Development and Building Licence Application Form?	<input type="checkbox"/>	<input type="checkbox"/>
Does the proposed jetty only require a building licence?	<input type="checkbox"/>	<input type="checkbox"/>
Have the plans provided the following:		
- Appropriate Scale (1:100 or 1:200)	<input type="checkbox"/>	<input type="checkbox"/>
- The width and length of the proposed jetty	<input type="checkbox"/>	<input type="checkbox"/>
- The dimensions of the subject lot, jetty envelope and mooring envelope	<input type="checkbox"/>	<input type="checkbox"/>
- The correct alignment of the canal wall in relation to the proposed structure	<input type="checkbox"/>	<input type="checkbox"/>
- Location of all mooring piles.	<input type="checkbox"/>	<input type="checkbox"/>
Details of Jetty		
Is the proposed structure within the jetty envelope?	<input type="checkbox"/>	<input type="checkbox"/>
Is the width of primary walkway between 1.2m and 2.0m? (for finger, 'T' and 'L' shaped jetties only)	<input type="checkbox"/>	<input type="checkbox"/>

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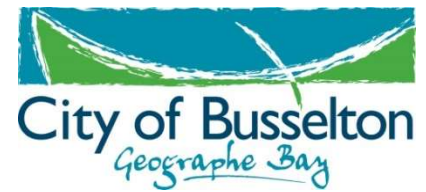
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Is the width of the primary walkway between 1.2m and 2.5m? (for Floating jetties only)	<input type="checkbox"/>	<input type="checkbox"/>
Is the width of secondary walkway between 0.9m and 2.0m? (for finger, 'T', 'L' and Floating jetties only)	<input type="checkbox"/>	<input type="checkbox"/>
Is the width of the jetty between of 1.2 metres and 2.0m? (for land backed jetties only)	<input type="checkbox"/>	<input type="checkbox"/>
What type of jetty is proposed?		
- Finger	<input type="checkbox"/>	<input type="checkbox"/>
- Floating	<input type="checkbox"/>	<input type="checkbox"/>
- Land Backed	<input type="checkbox"/>	<input type="checkbox"/>
- 'L' Shaped	<input type="checkbox"/>	<input type="checkbox"/>
- 'T' Shaped	<input type="checkbox"/>	<input type="checkbox"/>
Is roofed structure, whether temporary or permanent, proposed to be erected on the jetty?	<input type="checkbox"/>	<input type="checkbox"/>
Do any associated piles penetrate the revetment mattress?	<input type="checkbox"/>	<input type="checkbox"/>
Is a boat lifting device proposed? (NB: Requires separate Planning Application)	<input type="checkbox"/>	<input type="checkbox"/>

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APPENDIX 2

Boat Lifting Structures Guidelines

Approval of Boat Lifting Structure

Both planning and building licence approvals are required by the Shire of Busselton for all boat lifting structures within the Port Geographe canal waterways. These approvals are required prior to the Department for Planning and Infrastructure granting a licence for the structure. These approvals are required to:

- ensure that development within the Port Geographe canals maintains the existing visual amenity of the area;
- ensure that development within the Port Geographe canals are appropriate in scale, structural design and context to the immediate residential living environment;
- ensure that matters of safety, navigation and waterway amenity are appropriately considered in the approval process.

Assessment Process

An application for a boat lifting structure shall be made on the attached planning and building licence application forms which should be lodged together with the following:

The applicable planning application and building licence fees.

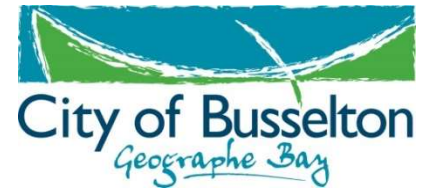
For a planning application, four (4) sets of scaled plans of the proposed structure, including a site plan (these can be submitted digitally if available).

For a building application, three (3) complete sets of scaled drawings of the proposed structure, including a site plan and two (2) copies of construction details indicating method of construction of the jetty endorsed in ink by a professional engineer. The engineer must also confirm that the jetty will not impact on the structural integrity of the existing canal wall.

In addition to the above information, the attached checklist must be completed and included in any planning application.

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All applications for mechanical boat lifting structures require consultation with adjoining owners and community groups under the provisions of the Local Planning Policy – Private Jetties and Boat Lifting Structures Policy, such consultation shall be undertaken by the Shire unless written comments are obtained by the applicant. Consultation conducted by the Shire will incur a cost payable by the applicant. (NB: floating boat lifting structures will where it is determined that the structure has the potential to impact on the amenity of neighbouring residents).

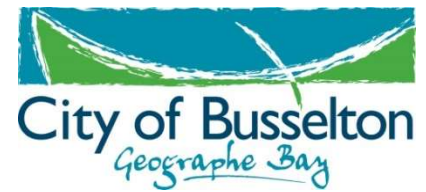
Once the Shire has granted planning and building licence approval to the structure, a separate application is required to be submitted to the Department of Planning and Infrastructure (Coastal Facilities) who will require the Shire's planning and building licence approval for the structure (letter and plans) prior to the issue of a jetty licence.

Assessment Criteria

- The structure is required to be located within the approved mooring envelope for the subject lot.
- A licensed jetty is required to be approved and constructed on the subject lot.
- The type of structure may be limited to a floating type in certain locations (such as in canal cul-de-sac heads).

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APPENDIX 3

Boat Lifting Structures Checklist

(To be completed by the applicant and included in the information provided with a planning application and building licence forms)

Application and Plan Information	Yes	No
Has the landowner signed the Development and Building Licence Application Form?	<input type="checkbox"/>	<input type="checkbox"/>
Have seven copies of the plan been Provided? (4 for planning & 3 for Building)	<input type="checkbox"/>	<input type="checkbox"/>
Have the plans provided the following:		
- Appropriate Scale (1:100 or 1:200)	<input type="checkbox"/>	<input type="checkbox"/>
- The proposed boat lifting structures width and length	<input type="checkbox"/>	<input type="checkbox"/>
- The dimensions of the subject lot, jetty envelope and mooring envelope	<input type="checkbox"/>	<input type="checkbox"/>
- The correct alignment of the canal wall in relation to the proposed structure	<input type="checkbox"/>	<input type="checkbox"/>
- Location of all mooring piles.	<input type="checkbox"/>	<input type="checkbox"/>
Details of the Boat Lifting Structure		
Is the proposed structure within the designated mooring envelope?	<input type="checkbox"/>	<input type="checkbox"/>
Has a licensed jetty been approved and constructed for the subject lot?	<input type="checkbox"/>	<input type="checkbox"/>
What will the height of the vessels keel be	_____	

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when the structure is in operation?

At what height will the top of the vessel be when the structure is in operation?

What will the height of the structure be once constructed or in operation at its highest point in comparison to the canal wall?

What type of structure is proposed?

- Floating
- Mechanical