

Jetties, Boat Ramps and Moorings

GOULBURN-MURRAY
WATER



**DRAFT FOR
CONSULTATION**

Draft Operating Rules
Management and Development Controls
for Jetties, Boat Ramps and Moorings
on GMW Land 2017 Review

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Definitions

Adjoining Property adjoining owner or only separated from Authority foreshore by Government or other Crown or Public Land.

Approved Mooring is an area licensed or approved by G-MW (and NSW Maritime at Lake Mulwala) to allow a vessel to be secured in a particular location or area for a period of time for a particular use. This includes Private Mooring, Commercial Mooring, Emergency Mooring or Courtesy Mooring.

Berth means a formally recognised and approved structure or location to moor a vessel within a designated marina or to an approved commercial structure.

Barbeque/Party/Picnic Boat means a vessel that is open sided, with open flat decking in the form of a small houseboat, generally with pontoons though single hulls are applicable, that is utilized for various passive recreational activities including fishing, leisure activities and picnicking, and is generally powered by a smaller capacity engine

Boardwalk means public infrastructure that provides public thoroughfare on or within close proximity to water.

Boat Ramp/Slip Way means any structure that allows for the removal or launching of a vessel or watercraft into or out of the water.

Commercial means any business arrangement that exists between G-MW and a third party and involves financial arrangements that reflect a reasonable return to GMW.

Cooperative/Incorporated Body refers to the formation of a group of private or public individuals that jointly make application for Infrastructure.

Commercial Operator means a business entity trading to provide services to the public.

Courtesy Mooring means an area or particular location that is available for use by the general boating public (For a period specified on signage)

Emergency Mooring means a location or area that can moor emergency vessels under the control of State Emergency, Water Police, Fire Authority or similar.

Extended Term means five (5) years or as approved by GMW.

Houseboat means any water vessel that meets the criteria of having either a toilet or bedding and is licensed as such under the relevant state or federal laws, or is, in the opinion of G-MW a houseboat should it fit outside of any of the previous mentioned details.

Infrastructure means any structure that is constructed on in or under the License Area or area that should be under license.

Jetty means a structure built from the shore towards deeper water consisting of an access walkway and may include a widened head, where approved, at its end for the berthing and boarding of vessels. Jetties can be, fixed or floating, or stationary, licensed by a water authority or government body or not, utilised for the movement of people, goods and services and or plant between land and a vessel or utilised to undertake recreational or commercial activities.

Public jetty is a jetty, fishing or access platform, landing stage, dock, pier, slip, platform or wharf constructed for general public use. These facilities may or may not accommodate vessel berthing.

Shared Jetty means a jetty administered by an incorporated body that minimises environmental impact by having a single landing whilst facilitating multiple mooring points. In instances where townhouses exist, consideration will be given to multiple shared jetties.

Lake/Waterway Frontage means property with an uninterrupted access to the foreshore environment that may be separated by road or public reserve.

License means a right to undertake a use or uses as approved by GMW. Licenses are:

- of a Limited or Extended Term; 10 years
- reflect a category depending on water reliability;
- require payment of a fee to GMW;
- may be part of a greater commercial licence (Caravan parks/Clubs etc: and
- has terms and conditions relevant to the license.

Licensed Area means an area of GMW's land which is subject to and depicted on a license, and upon which rent is payable, which shall incorporate the area occupied by private structures.

Limited Term means one (1) year.

Marina means infrastructure or groups of infrastructure that act as a berth area for vessels and has provision for other services (refueling, dump point etc.).

Mooring means an apparatus, structure, pile, pylon or shore to which a vessel or floating object may be secured. A mooring is not a lease of the lakebed, and there is no guarantee of tenure.

Mooring Site means an area where a vessel regularly is beached, tethered, held or tied.

Private Infrastructure means infrastructure constructed by a private individual or cooperative for use by the private individual or cooperative

Pontoon means a floating structure used to provide access to the water or a vessel.

Public Infrastructure means infrastructure constructed by a public authority for the use by the general public.

Storages means Lake Eildon, Lake Nagambie (Goulburn Weir), Lake Mulwala, Lake Eppalock, Waranga Basin, Greens Lake, Lake Hume, Cairn Curran Reservoir, Lake Buffalo, Lake Dartmouth, Laanecoorie Reservoir, Lake William Hovell, Lake Nillahcootie, Eildon Pondage, Dartmouth Pondage, Hepburns Lagoon, Newlyn, Tullaroop Reservoir, Lake Boga, Lake Charm, Kangaroo Lake and any such lake, reservoir, weir or similar storage facility that may come under G-MW's control or management;

Vessel means any water craft of any description used or capable of being used as a means of transportation on water.



Document Summary

In 2011-12 Goulburn-Murray Water (GMW) began a series of conversations with members of our communities who use or have an interest in jetties, boat ramps and moorings at our water storages. It was identified that greater controls were required to manage this infrastructure.

GMW subsequently produced the *Jetties, Boat Ramps and Moorings Guidelines* in 2012, to be reviewed after five years. This provided our customers and communities with a clear understanding of requirements regarding the establishment of infrastructure on GMW land.

While this document has served us well, the environment in which these guidelines are applied has changed considerably.

Technical specifications have been developed for new jetties and well-considered conditions are associated with works licenses which are available. Jetty and mooring infrastructure zones have also been developed with the assistance of our Land and On-Water Management Plan Community Reference Groups.

Urban spread and a higher number of recreational users visiting our water storages are further considerations. We

recognise the balance that needs to be achieved between environmental values and infrastructure proposals.

The Victorian Government's *Water for Victoria Plan* acknowledges that recreation is important for regional tourism and jobs, and helps to provide us with great places to live and work. An objective of the plan is to support recreation at water storages through infrastructure and better information.

GMW actively works with local clubs and community members at our lakes, dams and reservoirs to support recreational and tourism development opportunities that will increase enjoyment of the waterways, without adversely impacting on lake operations, water quality, environmental values, or community safety.

We are now seeking your input on this *Draft for Consultation Jetties, Boat Ramps and Moorings* document to ensure it continues to provide appropriate management controls. The development of these operating rules will help us meet current and future challenges while also providing clarity for those who may be investigating foreshore infrastructure.

You can provide feedback by:

- Emailing jettyfeedback@gmwater.com.au
- Filling out our online feedback form at www.gmwater.com.au/jetties-moorings-guidelines-consultation
- Phoning us on 1800 013 357
- Writing to us – Jetties and Moorings Feedback, c/o Recreation and Land Team, PO Box 165 Tatura, VIC 3616

Our feedback period closes 5pm, Friday 19 May, 2017.

Mission Statement

'To deliver sustainable water services that meet customer and stakeholder needs and support regional economic growth, while balancing social, economic and environmental considerations.'

Decision Statement

Uncontrolled development around our lakes, dams and reservoirs can present risks to water quality and the environment, the operation of the storage and the safety of the public. If not addressed, these risks may pose serious liability for the organisation.

To address these risks we are working with the community, government agencies and developers to determine suitable management practices. This is through a process that ensures community concerns and aspirations are reflected in the outcomes presented.

Document Aim

The aim of this document is to develop appropriate management controls for all jetties, boat ramps and moorings within the parameters of the GMW Mission Statement.

The controls seek to:

- Allow for the controlled development of public and private Infrastructure on storages managed by GMW
- Implement management processes that are consistent, transparent and impartial
- Facilitate the recreational use of the waterway where this does not impact upon the operational requirements of the storages
- Develop criteria for all structures to meet current best practice engineering and environmental standards and address user and public safety
- Ensure that all associated works pose no adverse impacts on water quality and on water and water storage management.



Management Objectives

Land owned or managed by GMW around its storages is public land, and is managed for:

- the protection of water quality
- the protection of environmental values and riparian health
- the provision of safe public access.

Further, foreshore developments and infrastructure should not be dependent on a stable water level at all times, and must not in any way, directly or indirectly, constrain the operational requirements of the storage.

Foreshore infrastructure (including new and existing jetties, moorings and boat ramps) must not unacceptably compromise these management objectives.

GMW's primary objectives are to:

- strike an acceptable balance between the primary purpose of the storage, whilst facilitating an appropriate and manageable level of infrastructure for recreation and amenity
- develop a manageable system for recreation infrastructure on storages that ensures fairness and equity, to the extent practicable, whilst minimising potential risks to public safety and the environment
- where practicable, offset the cost of providing recreational services by negotiating joint management with shires and other agencies or shire management of public recreational facilities.

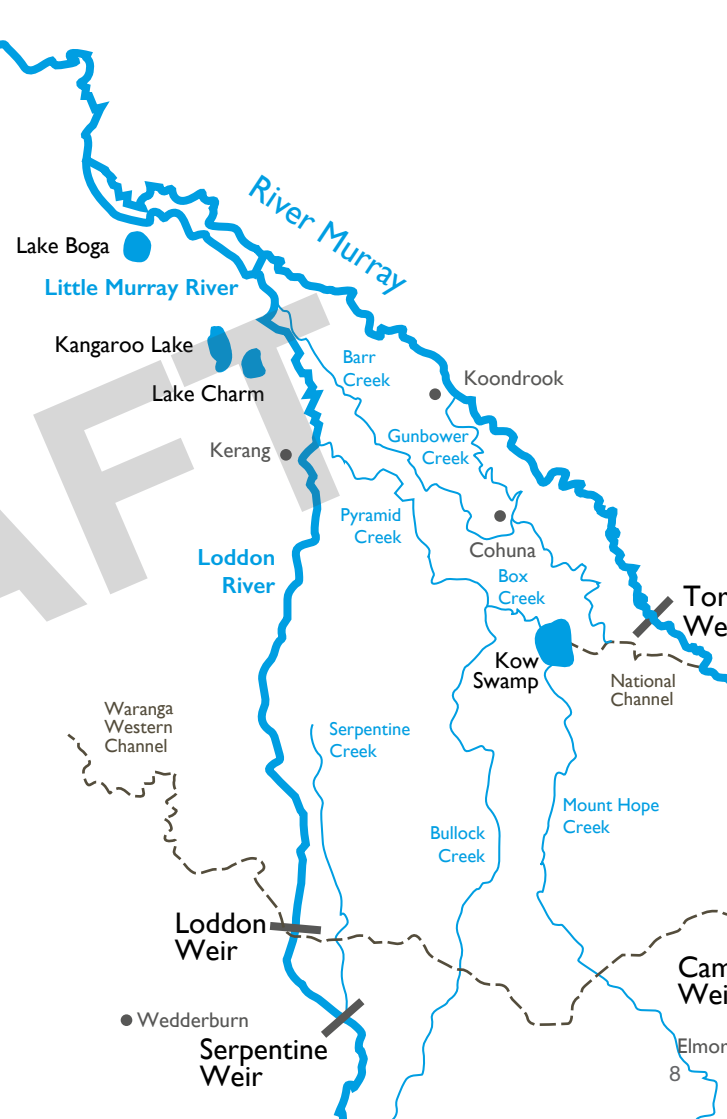
Context

GMW manages 16 large storages across northern Victoria that were constructed and are maintained for the primary purpose of harvesting, storage and delivery of large volume water supplies to downstream consumptive users (predominantly irrigators and environmental water holder).

The Victorian Governments 'Water for Victoria' (2016) also recognises the shared benefits enjoyed by recreational users on and around water storages and waterways. There is a specific focus to engage with recreational communities and include them in water planning and management decisions to incorporate recreational perspectives.

Currently four storages have private infrastructure constructed, including:

- Lake Eildon
- Lake Eppalock
- Lake Mulwala
- Goulburn Weir.



Guidelines for Management

1. Form of Agreement

Licenses will continue to be offered for private infrastructure, in approved circumstances.

The licenses will:

- allow for one or a number of uses;
- be identified to a holder who shall be a person, public authority, or approved incorporated body who shall be responsible for the license; and
- be for GMW storage land situated directly adjacent to a Licensee's freehold land unless the infrastructure is constructed and maintained by an incorporated body, Council or other government authority.

GMW may allow the License Holder to place appropriate signage on any approved Infrastructure to discourage external parties or warn them of potential risks.

GMW reserves the right to refuse an application if the proposal presents a navigational hazard ie. too long.

2. Infrastructure Zone Definitions

Private Infrastructure means a jetty, boat ramp or mooring issued to a private individual.

Public Infrastructure means infrastructure managed by GMW or licensed to a Shire or other agency which is maintained and operated for public use.

Commercial Infrastructure means infrastructure licensed to commercial organizations trading to provide approved marine type services to the boating public.

Environmental zone means a site of relatively medium to high ecological significance.

3. Construction Standards

GMW has defined specific standards for all infrastructure on waterways. These technical standards are available on the GMW website. Any infrastructure to be constructed must receive prior approval from GMW, and the local Council (planning permission may be required). This will be managed through the licensing or application process.

Where a jetty, boat ramp or mooring already exists then it will need to meet the new standards or be deemed safe and structurally sound. In this instance the new owner will need to present an engineer's/builders inspection report.

A holder may seek GMW's agreement to construct outside of the standard design. However a variation in fee may apply if approval is granted. GMW will consider the maximum permissible sized design of 6 metres by 2 metres plus landing (See Fixed Jetty specification). GMW will consider these dimensions for floating jetties. Proposals outside of these dimensions will require justification ie.increased length to reach suitable depth of water.

Infrastructure is classified as being either of a 'Fixed' or 'Non-Fixed' form.

Fixed infrastructure refers to a structure that is for all practical purposes immovable.

Non Fixed Infrastructure can be a floating structure, or can be readily transported or moved.

It should also be noted that;

- Existing structures may be given approval to remain in situ even if they do not meet the construction standards subject to confirmation they are engineered to an acceptable standard.
- No sewerage lines or electrical cabling is to be connected into on or under the infrastructure.

At the end of every five (10) year term it will be the requirement of the license holder to forward written confirmation from a suitably qualified consultant that the jetty is structurally sound.

New Infrastructure will not be considered in areas where environmental, aesthetic or public safety impacts are deemed to be unacceptable. These areas are depicted on Storage Mooring and Jetty Plans. At Murray Darling Basin Authority Storages (Lake Mulwala & Lake Hume) consideration of infrastructure will be limited to jetties and retaining walls only.



4. License Availability

Applications for private Infrastructure will only be accepted from land holders whose property directly adjoins GMW land, and in accordance with Storage Specific Mooring and Jetty Plans.

Proposals will only be considered when the applicant is an adjoining owner or only separated from Authority foreshore by Government or other Crown or Public Land.

The only exceptions to this, in suitable circumstances are;

1. Where Councils or other government bodies seek to construct public Infrastructure
2. Where incorporated bodies approach GMW to construct one structure as opposed to a number of structures
3. Non Fixed structures on Low Reliability Storages where deemed appropriate by GMW.

5. Infrastructure Zones and Maximum Permissible Numbers

Mooring and Jetty Plans will be implemented and will identify zones where new infrastructure may be considered, subject to environmental, aesthetic, public safety and other constraints, as well as identifying areas where new infrastructure will not be approved.

GMW also reserves the right to review the plans at future stages subject to public comment towards alteration to the plans.

Controls within the Infrastructure Zones will include:

- New private infrastructure will only be considered in zones or sub-zones where lake frontage exists
- New private infrastructure will not be considered where properties are setback a block from lake frontage properties
- New public infrastructure will only be considered in areas readily accessible, such as public reserves or areas serviced directly by a properly formed and constructed public road
- Maximum acceptable numbers of private jetties and moorings will be determined on a storage-specific or zone-specific basis
- Any future foreshore management plan, boating strategy or similar waterway commercial strategy will be incorporated into the zoning plans as appropriate
- Licenses will identify zones and sub-zones where required
- No new private infrastructure will be considered where public infrastructure exists in close proximity (in general this distance will be 300m).

The zones are to be classified as;

- **Private Infrastructure Zone** – areas where the development of approved private infrastructure may be considered;
- **Environmental Zone** – means a site of medium to high ecological significance where infrastructure may be considered if the applicant can ensure minimal environmental damage or be instructed to enhance the environment. Consideration of shared jetties with one landing may be considered in such environments.
- **Public Use Zone** – only suitable public infrastructure allowed or where general public can moor for a period of time. This zone includes sub-regions where approval may be granted for an incorporated body to manage the foreshore under strict controls. Larger vessels may seek refuge in these zones during rough conditions; and
- **Commercial Zone** – commercial developments offering marine type services to the boating public may be considered.

Jetty and Mooring Zoning is subject to change, the mechanism for determining change will be via the Land & On-Water Management Plan Process. This will ensure key agency and community representatives have the opportunity to revise the zones.

6. Applications for Licenses

Application forms are available on the GMW website; approval for infrastructure will also be required from Local Government.

Information pertaining to GMW technical standards is also available on the GMW website.

It should be noted that inspections of all licensed structures will be undertaken at regular intervals, as follows:

1. An inspection of the infrastructure will be undertaken by GMW during the initial license term to determine whether the structure meets required standards or will require upgrade
2. The license holder will be required to forward written confirmation every five (5) years that any approved structure continues to meet these standards. (Refer section 4 Construction Standards).

7. Private Infrastructure Transfers

It is required that certain jetty transfer rules be introduced to manage licensing as follows:

1. Existing Licensees wishing to acquire a license for a new property or where a property is subdivided must go through the same procedure as for a new application for a jetty license
2. Licensees are able to transfer jetty license as part of the sale of their associated property, or they must forfeit the license back to GMW and remove the infrastructure at their cost
3. Non-Fixed day visitor infrastructure will be required to be removed from the storage when not in use. Non Fixed Infrastructure will be required, when not being used for a period of more than 72 hours, to be removed from the storage.

8. Maintenance and Construction Standards

GMW will require the license holder to be responsible for ensuring that Infrastructure is constructed and maintained in a safe and acceptable condition, and that it meets all relevant standards and engineering requirements.

GMW will periodically undertake an inspection of all infrastructure to ensure ongoing safety to users and limit risk and liability to all parties.

9. Works Notice

Any structure on GMW land may from time to time be audited to ensure it meets the standards contained within this document.

Should a structure not meet the standards then a Works Notice will be issued. Sufficient time will be given to upgrade/repair/replace the structure to meet the standards.

Any works order issue that is considered to endanger users of the structure will result in the order outlining that the structure cannot be utilised until the upgrade/repair/replace works have been completed to GMW satisfaction.

10. Indemnities and Insurance

Licensees are required to obtain adequate insurance, noting GMW as an interested party. \$20 million public liability insurance must be held and evidence of this supplied annually to GMW or upon demand to ensure continuation of the license.

GMW will assist, where possible to outline where people may achieve reasonable rates.

11. Ownership and Removal of Infrastructure

To keep the rules simple the ownership of the Infrastructure must remain with the Licensee.

All obligations to maintain and, if require, upgrade the structures will be at the licensees cost.

Should a license be terminated or discontinued for any reason the licensee shall, at their own cost, remove the structure.

Infrastructure owners not wishing to continue to hold a license will need to formally write to GMW indicating they wish to hand back their license. The infrastructure owner will be required to remove the infrastructure under the guidance of GMW as it will now be considered non-licensed/ unauthorised works and be considered a public liability risk.

Should the owner fail to remove the Infrastructure upon request, GMW may elect to remove the Infrastructure and will seek to recover all costs.

Similarly, should the structure not meet required minimum standards, as reviewed and set from time to time, then G-MW may terminate the license, after having given the licensee adequate time to comply with any upgrading requirements.

Should the license be terminated then the licensee will be required to remove all structures.

GMW will cordon off the infrastructure to protect the public.

GMW will allow 30 days for the owner to remove the structure.

If after 30 days the owner has not removed the infrastructure GMW will issue a 'Notice to Remove' within 14 days.

If the Notice to Remove is not complied with the owner will be issued a Section 151 Notice of Contravention and will be pursued as a compliance matter.

GMW may remove the infrastructure and pursue the owner for costs.

12. Unauthorised Works

Any unauthorised works will be managed in accordance with the relevant GMW by-laws, with penalties to apply.

13. Holding Over

If required a license may be held over for a period of not more than 12 months during a review or negotiations.

14. Commercial Infrastructure and Marinas

This document extends to commercial mooring operations and public marinas in so far as zoning, use, standards of construction, and maintenance. However the fees, charges and conditions may vary, depending on the nature of the operation.

Should a development be considered by GMW to have significant public benefit, then GMW reserves the right to vary any arrangements that would otherwise apply.

