

CHAPTER 2.9 WATERFRONT STRUCTURES

1.0 INTRODUCTION

This chapter aims to facilitate the ongoing and future enjoyment of the Shire's waterways by establishing development controls which apply to waterfront structures on private land. Merit based assessments may be undertaken using the provisions of this plan as a guide where the objectives are demonstrated to be delivered.

1.1 Objectives of this Chapter

- To provide for the use of the lakes and rivers whilst not adversely affecting the amenity of the area or the possible future use of the lake system.
- To protect the visual character and natural landscape of the Shire's waterways.
- To promote the co-ordinated management of waterfront developments.
- To ensure navigable area of waterways are not obstructed.
- To minimise disturbance to the lakes and waterways by mitigation of adverse impacts of waterfront structures on ecological process and marine life
- To provide for safe and appropriate public access to waterways for public and private purposes.
- To ensure foreshore stabilisation works are designed and constructed to minimise environmental and visual impacts.

1.2 Land to which this Chapter Applies

This Chapter applies to all private land within the Shire of Wyong with a property boundary adjoining a waterbody, waterway or watercourse as defined in the Dictionary of Wyong Local Environmental Plan 2013. This Chapter also applies to those properties separated from a water body, waterway or watercourse by only a narrow strip of Crown Land.

1.3 Relationship to other Chapters and Policies

This Chapter should be read in conjunction with other relevant Chapters of this Development Control Plan and other Policy Documents of Council and the State Government, including but not limited to:

- Chapter 3.5 Coastal Hazards
- Part 4 – Subdivision
- Council's Civil Works – Design Guideline and Construction Specification
- Wyong Local Environmental Plan, 2013
- Fisheries Management Act 1994

- Protection of the Environment Operations Act 1997
- Water Management Act, 2000
- NSW Trade & Investment – Crown Lands Domestic Waterfront Facility Policy 2014
- AS4997-2005 Guidelines for the Design of Maritime Structures

1.4 Glossary

Where a term is defined within the WLEP 2013, it is not repeated here. Additional clarifications beyond those defined terms are as follows (note that the relevant Chapter from which the term originates is in brackets for each term, unless the term appears within several Chapters):

Retaining Wall also referred to as a seawall a wall that holds back earth or water from a lake or estuary.

GENERAL REQUIREMENTS

- a Any material excavated from below low tide or the natural water table must be tested for potential acid-sulphate soils and, if found, treated to neutralise prior to disposal.
- b Compliance with the requirements of the Fisheries Management Act 1994 is required with particular regard to development affecting aquatic reserves.
- c Appropriate measures are to be in place to minimise and mitigate pollution of waterways.
- d The design of the waterfront structure shall comply with the requirements of relevant Government Departments having an interest in the proposed works including but not limited to:-
 - i. The Department of Trade and Investment – Crown lands
 - ii. Department of Transport – Roads and Maritime Services
 - iii. Department of Primary Industries
 - iv. Mines Subsidence Board

2.0 BOAT RAMPS AND SLIPWAYS

Requirements

- a The recommended maximum length of a boat ramp is 5 metres when measured from the deemed high water mark into the waterway.
- b The recommended maximum width of a boat ramp is 3 metres.
- c Boat ramps should be constructed directly on the bed of the waterway. Reclamation of the bed of the waterway is not permitted. Minor excavation of the waterway bed, so as to produce an even grade, is permitted.
- d A boat ramp shall be constructed flush with the natural level of the foreshore. That part of the boat ramp which is below the mean high water mark shall not project more than 150 mm above the bed of the waterway.
- e Boat ramps are to be constructed of concrete with a grooved non-slip surface.

- f A boat ramp shall enter the waterbody at the property boundary where it meets the mean high water mark.
- g Where retaining walls have been / are to be constructed the foreshore is to be accessible to pedestrians therefore batters should not be greater than 1:8.

3.0 JETTIES

Requirements for domestic use jetties

- a Council encourages the shared use and entitlement of a jetty between two or more adjoining waterfront properties.
- b Legal access to the jetty must be available from each participating allotment. Legal access can be achieved by constructing the jetty from the common side boundary, in the case of shared use between two parties, or by the creation of a legal right of way.
- c Jetty construction is not to impede the natural movement of water and not cause the accumulation of weed or other material.
- d Jetty construction is not to cause unacceptable impact to navigable waters.
- e A jetty should generally form a right angle with the shoreline, but may form some other angle where it is demonstrated that this is appropriate to the circumstances.
- f The maximum length of a jetty, as measured from the deemed high water mark into the waterway, is:
 - i. the minimum length necessary to provide a water depth of 1.2 metres at mean high water; or
 - ii. 30 metres; whichever is the lesser.
- g The maximum lengths of "L" or "T" ends are to be 4.2metres (See Figure 1 and Figure 2).

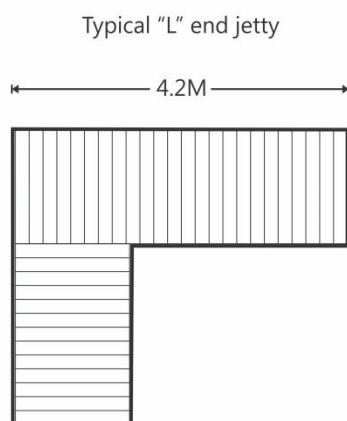


Figure 1 "L" end Jetty

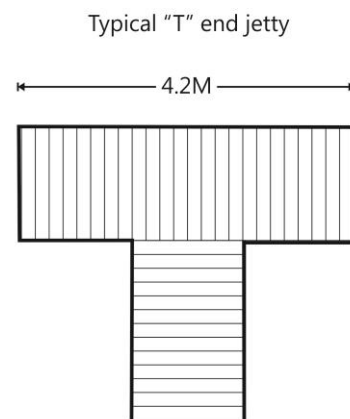


Figure 2 "T" end Jetty

- h The width of a jetty is to be at least 900mm and not more than 1.2 metres.

- i The finished surface of a jetty is to be at least 0.6 metres, and not more than 0.75 metres, above the mean high water mark.

Requirements for commercial use jetties

- a Merit based assessments will be undertaken where the objectives of the chapter are demonstrated to be delivered and using the provisions of this plan as a guide.

4.0 RETAINING WALLS

Requirements

- a Retaining walls should be located wholly within private land above the deemed high water mark and not exceed 1 metre in height.
- b Retaining walls are to be designed by an appropriately qualified practicing structural engineer.
- c Retaining walls are to be designed with a minimum life expectancy of 50 years.
- d The design of the retaining wall is to consider and provide for appropriate stormwater management.