Jetties

Local Planning Policy 6

Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015.* This policy may be cited as Local Planning Policy (LPP) – 6 Jetties.

Introduction

This Local Planning Policy is to be read in conjunction with the Explanatory Guidelines which are provided to support the Local Government's Local Planning Policies.

The purpose of this policy is to set out the approach to be taken by the local government with respect to the construction of jetties on public and private land. This policy is created under the Deemed Provisions of *Local Planning Scheme No. 1*.

Objectives

(a) The protection and preservation of environmentally sensitive ocean and river foreshore areas.

(b) Strategically located, constructed, operated and maintained public jetty facilities.

(c) The avoidance of a proliferation of private jetties through rationalisation of jetty facilities.

Application of this Policy

This Local Planning Policy applies to the construction of jetties on both privately owned land and reserved land in the care and control of the local government.

Restrictions

(a) There is a presumption against new private jetties unless exceptional justification for the proposal can be provided;

(b) Vehicular access and car parking facilities adjacent to or near jetties will generally not be supported given the potential for contaminated water to wash from the parking area into the water body; and

(c) The construction of boat sheds or similar structures over or adjacent to jetties will generally not be supported on the grounds that jetty development should remain as unobtrusive as possible and not detract significantly from the natural foreshore environment.

Interpretation

For the purpose of this Policy terms used have the following meaning:

'**Jetty**' as defined under the *Jetties Act 1926* includes —

(a) any jetty, pier, wharf, quay, grid, slip, landing place, stage, platform (other than a platform that is a vessel for the purposes of the *Western Australian Marine Act 1982*) or similar

structure, whether fixed or floating, erected or placed, wholly or in part, in, on or over any waters; and

(b) any ramp which is or which may be used for the purpose of launching or landing a vessel.

'**Development**' as defined under the *Planning and Development Act 2005*.

Policy Provisions

Performance Criteria	Acceptable Development
Element 1: Location	
PC1.1 Jetties are available for public use. PC1.2 Jetties are strategically placed to maximise availability and useage and avoid the need for multiple jetties. PC1.3 Private jetties do not proliferate.	AD1.1 Applications demonstrate that the construction of any new jetty facility is fully justified for the site concerned. AD1.2 Private jetties on reserved land where the private property to be served by the jetty abuts the land on which the jetty is to be constructed and, if on reserved land, within the foreshore area defined by a projection of the side boundaries of the private property concerned.
Element 2: Approvals	
PC2.1 The construction of all jetties is preceded by approval from the Local Government and any other relevant authority. PC2.2 The Local Government is indemnified against all risks of loss, damage or other liability arising from the use of the jetty.	AD2.1 The construction of all jetties is preceded by development approval from the local required under *Local Planning Scheme No. 1* and a building permit as required by the Building Code of Australia. AD2.2 Construction is preceded by a local law permit, pursuant to the Local Government Property Local Law 2013, required for a jetty (or portion there of) that exists on or over land in the care and control of the Shire. AD2.3 Construction is preceded by a license to be granted for a jetty under the *Jetties Act 1926* as administered by the Department of Transport. AD2.4 Construction is preceded by approvals as may be required from the the Department of Indigenous Affairs to disturb the beds and banks of a water course.
Element 3: Design and Construction	
PC3.1 Jetties will not have any adverse affect on the land and water on and in which the jetty is proposed to be built.	AD3.1 Jetties do not detract from the amenity and appearance of the locality. AD3.2 Jetties do not adversely impact upon fringing vegetation established along the edge of the watercourse involved.

	AD3.3 Jetties are conditional upon the area on and around the structure being replanted and restored as near as practicable to its natural condition using species endemic to the locality. AD3.4 Jetties are unobtrusive and do not detract significantly from the natural foreshore environment.

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