



# Foreshore structures on GMW land

Management and development controls  
of approved structures on GMW land.

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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 GMW (and Roads and Maritime (RMS) NSW 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, and is subject to a planning permit.

**Approved Structure** means any structure constructed by the licensee in accordance with works approval provided by GMW and subject to relevant local government provisions, NSW Maritime approval or similar agency requirements.

**Berth** means a GMW approved structure or location to moor a vessel within a designated marina or designated approved area.

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

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

**Commercial Operator** means a business or entity trading to provide services for a profit and not for public or community purpose.

**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.

**Entertainment area** means a manmade area used for passive recreation. Example: decking, paved area, shade sails with an area of no more than 9m<sup>2</sup>.

**Houseboat** means any boat, vessel or pontoon having a fixed house above the deck with accommodation which may be used by persons residing on board for an overnight period or longer.

**Infrastructure** means any structure fixed or floating that is constructed on in or under the Licence Area or area that should be licensed and must be an approved structure.

**Jetty** means a structure connected to a body of waters whether fixed, mobile or floating that, wholly or in part, may be used for the purpose of launching or landing a vessel and to embark or disembark passengers.

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

**Landscaping Elements** means passive recreational structures used for beautification and/or passive recreational activities of the foreshore.

**Licence** means a legal agreement to use and occupy land on a non - exclusive basis

**Licensed Area** means an area of GMW owned or managed land which is subject to and depicted on a Licence, and upon which rent is payable, which shall incorporate the area occupied by Approved Structures.

**Licensee** means an adjoining land owner which may be a person(s), Owners Corporation or Company that holds a Licence.

**Licence Fee** means an approved GMW fee for the ongoing occupation of GMW land and which can include an approved structure fee.

**Marina** means land used to moor boats, or store boats above or adjacent to the water. It may include boat recovery facilities, and facilities to repair, fuel, and maintain boats and boat accessories.

**Mooring** means an approved, structure, pile, pylon to which a vessel or floating object may be secured.

**Owners Corporation** refers to the formation of a group of private or public individuals that jointly make application for Licence and infrastructure.

**Power** means a source of electricity installed by a qualified electrical contractor and complies with regulatory requirements.

**Private Infrastructure** means infrastructure constructed by a Licensee.

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

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

**Retaining Wall** means a built wall that is designed to prevent or retain soil movement.

**Shared Jetty** means a jetty administered by an Owners Corporation or Co-operative/Association that minimises environmental & mitigating a proliferation of infrastructure.

**Storages** means any such lake, reservoir, weir or similar storage facility that are under GMW's control.;

**Vehicle Access** means a formed access track in a designated location for direct private access to an approved structure.

**Vessel** has the same meaning as in the "Marine Safety Act 2010"

**Works Notice** means a directions notice issued by a GMW officer to undertake works to upgrade, repair, replace or remove the structure to GMW's satisfaction.



# Summary

**The Victorian Governments 'Water for Victoria' Plan acknowledges that recreation is important for regional tourism and jobs and provides great places to live and work. An objective of the Plan is to support recreation at water storages through infrastructure and better information.**

Goulburn-Murray Water (GMW) manages recreational and/or boating activities at 17 of our 24 storages. This includes managing 720 houseboat Licences and managing or leasing 11 caravan parks, 62 clubs and 72 public recreation areas.

GMW actively works with local clubs, and community at 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.

In 2011-12 GMW identified through key stakeholder and general public consultation processes that greater controls were required for infrastructure on GMW Storages. GMW produced a 'Jetty & Mooring Guideline' in 2012 to be reviewed after 5 years.

There has been significant change since the release of the 2012 Jetty & Mooring Guidelines. Urban spread and greater emphasis on promoting recreational pursuits is an ongoing theme. There has also been a stronger focus on balancing environmental and cultural heritage values when considering infrastructure proposals.

GMW will continue to engage with customers and the community to review these 'Management and Development Controls' to ensure they reflect current and future challenges, while also providing clarity for those interested in investigating foreshore infrastructure.

## Decision Statement

Uncontrolled development around storages present serious risks to safety of the general public, water quality, the environment, cultural heritage, and the operation of the Storage. If not addressed these risks may pose serious liability for GMW.

To address these risks GMW needs to work with its customers, the community, government agencies, and stakeholders to determine suitable management practices through a process that ensures its customers and the community's concerns and aspirations are reflected in the outcomes presented.

# Document Aim

The aim of this document is to develop appropriate management control for approved foreshore infrastructure and to facilitate formal licensing arrangements.

The controls seek to:

- Allow for the controlled development of private infrastructure on storages managed and controlled 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 approved structures to meet current best practice engineering, environmental standards and address user and public safety.
- Ensure that all works pose no adverse impacts on public safety, cultural heritage, water quality, and storage management.

## Management Objectives

Land owned or managed by GMW around its storages is managed for:

- The safe operation and maintenance of storages
- the provision of safe public access.
- the protection of water quality.
- the protection of environmental values and cultural heritage.

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.

Some water storages do not currently allow private infrastructure. GMW licences private infrastructure at Lake Eildon, Nagambie Waterways and Lake Mulwala. For a list of all GMW recreational areas and water storages go to <https://www.g-mwater.com.au/recreation-tourism>.

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 system for managing Approved Structures on Storages that ensures fairness and equity, to the extent practicable, whilst minimising potential risks to public safety, the environment and cultural heritage.

# Management Guidelines

## 1. Licence Information

Prior to any infrastructure be constructed, written approval must be sought from GMW, and comply with Local Government Planning Scheme. The applicant may require a Planning Permit.

Application forms are available on the GMW website at [www.g-mwater.com.au/foreshore-occupation-licences](http://www.g-mwater.com.au/foreshore-occupation-licences)

Licences may be offered for non-exclusive recreational use of foreshore area and Approved Structures in approved circumstances and in accordance with the Local Government Planning Scheme.

GMW reserves the right to refuse a Licence application. The Licences will:

- Allow for one or a number of Approved Structures.
- Be identified to a Licensee who shall be responsible for the Licence.
- Be for GMW foreshore land situated directly adjoining Licensee's freehold land or only separated from Authority foreshore by Government or other Crown or Public Land.
- Be transferred, through application, to a new Licensee if the Licensee's adjoining property is sold or transferred to the new Licensee.





## 2. Construction Standards

### Jetty designs

GMW has designed a set of technical design standards for jetty structures which may be used by landowners when making application. These technical design standards are available on the GMW website.

An applicant may seek GMW's approval 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 jetty design of 6 metres by 2 metres plus landing (please see our design standards online at [www.gmwater.com.au/foreshore-occupation-licences](http://www.gmwater.com.au/foreshore-occupation-licences)). Proposals outside of these dimensions will require justification.

It should also be noted that;

- Existing structures may be given approval to remain in situ even if they do not meet the technical design standards, but an engineer/building report must be provided to prove they are structurally sound upon requests from Authorised Officer.
- No electrical cabling is to be connected to the infrastructure or foreshore land without approvals.

### Other structures

Where a Landowner wishes to make an application to build a structure listed in the table of approved structures, they will be required to submit a technical design plan for approval by GMW.

*Note: Standard designs are available on the GMW website at [www.gmwater.com.au/foreshore-occupation-licences](http://www.gmwater.com.au/foreshore-occupation-licences)*

GMW may require further information such as environmental management plans and vegetation management plans subject to the type of application.

New Infrastructure will not be considered in areas where environmental, cultural heritage, water quality, aesthetic or public safety impacts are deemed to be unacceptable.

### Lake Mulwala

At **Lake Mulwala** consideration of infrastructure will be limited to jetties and retaining walls only (new structures such as fencing, buildings and fire pits will not be allowed on Lake Mulwala GMW foreshore land).

The Licensee will be responsible for ensuring that Approved Structures are constructed and maintained in a safe and acceptable condition, and meets all relevant standards and engineering requirements.





### 3. Infrastructure Zones

GMW Infrastructure zone plans have been implemented identifying zones where new infrastructure may or may not be approved, subject to environmental, cultural heritage, aesthetic, public safety and other constraints.

It is important to note that Local Government Planning Schemes may prohibit some forms of infrastructure.

GMW also reserves the right to review the plans at future stages, this will be conducted in consultation with local advisory groups such as the Land & On-Water Community Reference Groups.

Controls within the Infrastructure Zones will include;

- New public infrastructure should be contained to areas readily accessible, such as public reserves or areas serviced directly by a properly formed and constructed public road.
- No new private infrastructure will be considered where public infrastructure exists in close proximity.

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 (including cultural heritage and water quality) where infrastructure may be considered if the applicant can ensure minimal environmental damage or be constructed to enhance the environment.
- **Public Use Zone** only suitable public infrastructure allowed or where general public can moor for a period of time. Larger vessels may seek refuge in these zones during rough conditions; and
- **Commercial Zone** commercial operators offering services for a fee to the public may be considered. Subject to Local Government approvals.

Infrastructure Zone Maps are available on the GMW website at [www.gmwater.com.au/foreshore-occupation-licences](http://www.gmwater.com.au/foreshore-occupation-licences)



## 4. Works Notice

Should an Approved Structure not meet the standards or be hazardous, then a Works Notice will be issued to the Licensee. A specified time will be given to upgrade, repair, replace or remove the structure to GMW's satisfaction

## 5. Indemnities and Insurance

Licensees are required to obtain Public Liability Insurance, noting GMW as an interested party. Currently GMW require a minimum of \$20 million Public Liability insurance to be held and evidence of this supplied to GMW when requested to ensure continuation of the Licence.

## 6. 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 licence be terminated or discontinued for any reason the licensee shall, at their own cost, remove the structure. They must also reinstate the land to an agreed standard.

If an owner does not wish to continue to hold a licence, they will need to submit a formal application to cancel to GMW. The owner will be required to remove the structure under the guidance of GMW as it will now be considered non-licensed/unauthorised works.

If the owner fails to remove the structure as directed, GMW may elect to remove the structure at the owner's costs.

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

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

GMW may enforce these management and development controls in its absolute and unfettered discretion. Please note that some sections of these controls have been included at the request of the community.

## 7. Unauthorised Works

Any unauthorised works will be managed in accordance with the Water Act 1989 (GMW Rec By-laws), with penalties to apply.