



Swan and Canning Rivers Management Act 2006

SECTION 84

DETERMINATION OF REQUEST FOR VARIATION

APPROVAL NUMBER : 2018/1972
SECTION 84 FILE NUMBER : 2022/1988
APPLICANT : Swan Yacht Club
APPLICANT'S ADDRESS : Swan Yacht Club
P.O. Box 20
PALMYRA WA 6957
LANDOWNER : Swan River Trust (River Reserve 48325)
LAND DESCRIPTION : Swan River (Reserve 48325) within the Swan Yacht Club's River reserve lease area adjacent to Lot 10105 on Plan 214976, Lot 7771 on Plan 169877, Lot 10106 on Plan 214976 and Lot 8661 on Plan 212139 (Reserve 27376 and 27377) Riverside Road, East Fremantle
DEVELOPMENT : Application for minor variation to Part 5 Development Approval 2018/1972 – Swan Yacht Club – removal of an existing finger jetty and installation of a floating pontoon and fixed deck.
DESCRIPTION OF CHANGES : To enable the use of the floating pontoon and fixed jetty for the serving of food and beverage, the temporary placement and use of equipment for this purpose and the permanent installation of associated signage.
SECTION 84 DETERMINATION : **APPROVAL WITH CONDITIONS**

In accordance with Section 84(1)(a) of the *Swan and Canning Rivers Management Act 2006*, I hereby:

1. Authorise the minor variation to Development Approval 2018/1972 to allow for the use of the floating pontoon and fixed jetty for the serving of food and beverage, the temporary placement and use of equipment for this purpose and the permanent installation of associated signage.
2. Grant this section 84 approval with the understanding that all conditions and advice notes of Development Approval 2018/1972 shall remain unchanged and enforced where applicable; with the exception of the following:

NEW CONDITION

9. Within two months of the date of approval the applicant shall prepare a River Deck Management Plan for the use of the pontoon and jetty to the satisfaction of the Department of Biodiversity, Conservation and Attractions (Advice Note 14).

NEW ADVICE NOTES

14. The River Deck Management Plan required under Condition 9 shall describe how the activities will be managed to minimise impacts on the environment and the amenity of the Riverpark, and should address but not be limited to:
 - a. Management of patrons including capacity control;
 - b. Hours of operation;
 - c. Minimisation of disturbance to the locality;
 - d. Maintenance of public access to and along the river;
 - e. Service of food and beverages, including minor food preparation / cooking using a barbeque;
 - f. Sustainability - use of materials on the pontoon and deck, and including a commitment that no single use plastics will be used;
 - g. Management of waste including the monitoring and removal of any rubbish found in the river and on the nearby foreshore;
 - h. Details of equipment (including the barbeque) on pontoon and jetty including proposed usage and storage; and
 - i. Any proposed additional lighting (noting that this approval does not include construction of permanent lighting structures).
 - j. Details of signage / windbreak to be installed.
15. The applicant should note that an amendment to the River reserve lease may be required, to include the purpose as approved.

ADVICE NOTE 9 TO REPLACE EXISTING ADVICE NOTE 9

3. In relation to **Condition 4**, the Department of Transport advises that all detailed drawings/plans for the new jetty and fixed deck are to be signed and certified by an experienced maritime engineer to confirm that they have been designed in accordance with AS3962-2001 Guidelines for Design of Marinas and AS4997-2005 Guidelines for the Design of Maritime Structures, and suitable for its intended use. Please specify the maximum berthing vessel length for the floating pontoon and the maximum number of people/weight that can be supported on the fixed deck. In addition, the final design plans/drawings will need to consider any potential impacts on beach sediment transport patterns.



Hon Reece Whitby MLA
MINISTER FOR ENVIRONMENT

Date: 12 January 2023