



*Swan and Canning Rivers Management Act 2006*

**PART 5**

**DETERMINATION OF DEVELOPMENT APPLICATION**

FILE NUMBER : 2016/4369  
APPLICANT : Department of Treasury  
APPLICANT'S ADDRESS : Attn: Sandra McLeish  
Locked Bag 11, Cloister Square  
PERTH WA 6850  
LANDOWNER : Department of Lands  
Swan River Trust  
LAND DESCRIPTION : Part Lot 302 on Diagram 47452, Burswood Peninsula  
Reserve (48325)  
DEVELOPMENT : Construction of a public floating jetty  
VALID FORM 1 RECEIVED : 18 November 2016  
DETERMINATION : **APPROVAL WITH CONDITIONS**

The application to commence development in accordance with the information received on 18 November 2016 is APPROVED subject to the following conditions:

1. Approval to implement this decision is valid for two (2) years from the date of the approval. If substantial on-site works have not commenced within this period, a new approval will be required before commencing or completing the development.

**Prior to the commencement of works**

2. The applicant shall notify the Department of Parks and Wildlife in writing not less than seven (7) days prior to the commencement of works (see **Advice Note 1**).
3. At least 30 days prior to the commencement of works, a Construction Environmental Management Plan shall be submitted for approval by the Department of Parks and Wildlife (see **Advice Note 2**).
4. At least 30 days prior to the commencement of works, a Landscape Plan shall be submitted for approval by the Department of Parks and Wildlife (see **Advice Note 3**).
5. At least 30 days prior to the commencement of works, a Lighting Plan for the development shall be submitted for approval by the Department of Parks and Wildlife (see **Advice Note 4**).
6. At least 30 days prior to the commencement of works, final design plans/drawings for the structure, certified by a qualified and practising engineer, shall be prepared to the satisfaction of the Department of Parks and Wildlife (see **Advice Note 5 and 6**).

**During works**

7. Works shall be carried out in accordance with all approved plans and requirements (**Conditions 2 to 10**)

8. The proposed construction works shall not prevent public access along the foreshore unless closure is necessary for safety purposes and has been approved by the Department of Parks and Wildlife, and an alternative route has been provided.
9. The applicant shall take appropriate preventative measures during the works to ensure that no top soil, runoff or any other deleterious matter is allowed to enter the river.
10. The applicant shall ensure that no damage to the foreshore, riverbank, or waterway (including infrastructure) occurs beyond the scope of the approved works. Should any inadvertent damage occur, the applicant is required to notify the Department of Parks and Wildlife within 48 hours.

#### **On completion of works**

11. Upon completion of the works, all waste materials, equipment and machinery shall be removed and the site cleaned-up to the satisfaction of the Department of Parks and Wildlife.

#### **ADVICE TO APPLICANT**

1. Notification of commencement of work and plans can be emailed to [rivers.planning@dpaw.wa.gov.au](mailto:rivers.planning@dpaw.wa.gov.au).
2. In regard to **Condition 3**, the Construction Environmental Management Plan should describe how the proposed works will be managed to protect environmental assets and minimise environmental impacts, safety risks and nuisances during excavation and construction works, and should address, but not be limited to:
  - scope of works (detailed construction methodology for the works);
  - schedule of works;
  - site access;
  - machinery, equipment and materials to be used, and refuelling;
  - noise and vibration control;
  - on-site storage and bunding of materials, equipment, chemicals and fuel (including aerial image with locations marked).
  - waste management;
  - dust management;
  - protection of vegetation;
  - stormwater, groundwater and sediment control;
  - protection of the river from inputs of debris, litter, fill, rubbish or other deleterious material;
  - public access and safety;
  - parking arrangements for contractors and sub-contractors;
  - on-site delivery times and access arrangements; and
  - complaints and incidents.

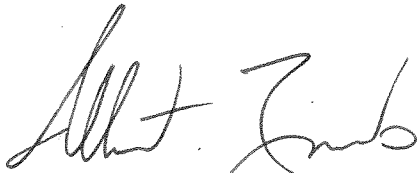
Emergency spill kits should be onsite at all times and refuelling of machinery should be undertaken outside the Swan Canning Development Control Area. Stockpiling of materials will need to be fully contained at all times. A site map showing the laydown area and vehicle entry/exit points should also be included. Sand, soil, and any other finely grained material that is exposed or stockpiled on site shall be managed to prevent sediment mobilisation and discharge into the Swan River. In case of a sediment plume or hazardous pollution events the Department of Parks and Wildlife can be contacted on 9278 0900 or a/h 0419 192 845.

3. In regard to **Condition 4**, the Landscape Plan is to include:
- a. all features in the public areas and proposed landscaping surrounding the new facility,
  - b. details of the replacement trees;
  - c. details of any retaining walls, which should not exceed an individual height of 1m to minimise the visual impact on the surrounding foreshore reserve. Should higher retaining walls be required, the walls will need to be terraced and vegetated with appropriate plants to visually soften the structure;
  - d. the location, number and type of proposed trees and shrubs including size and planting density (please note that all plant species are to be locally native and suited to the soil type of the area to sustain local biodiversity and due to their low fertiliser and water requirements);
  - e. any infrastructure to be installed;
  - f. any existing vegetation and/or landscaped areas to be retained/reinstated;
  - g. any paths or other infrastructure required to connect to the existing site facilities/infrastructure;
  - h. a reticulation plan, indicating type and location of sprinkler, bubbler, drippers and whether bore or scheme water will be utilised; and
  - i. intended maintenance regime.

The approved Landscape Plan shall be fully implemented within three months of building construction completion and maintained thereafter to the satisfaction of the Department of Parks and Wildlife. Any species which fail to establish within the first two planting seasons following implementation shall be replaced in accordance with the Department of Parks and Wildlife's requirements.

4. In regard to **Condition 5**, lighting should be low level and designed to illuminate the jetty with minimal light spill on the water or upward to the sky to ensure no adverse ecological consequences.
5. In regards to **Condition 6**, jetty structures must comply with Australian Standard 3962-2001 *Guidelines for the Design of Marinas* and AS4997-2005 *Guidelines for the Design of Maritime structures*, and be certified by a qualified and practising marine engineer.
6. In regard to **Condition 6**, the applicant is advised that the selected building materials and colour scheme for the development should be of a low reflective standard, and reflect the character and landscape setting of the Swan River and surrounding foreshore.
7. This approval does not include any signage. A separate permit application and approval for signage will be required from the Department of Parks and Wildlife in accordance with the Swan and Canning Rivers Management Regulations 2007.
8. The applicant is advised that the proposed works are located within a moderate to low acid sulphate soil (ASS) risk areas. The Acid Sulphate Soils Guideline Series for guidance on the identification, assessment and management of acid sulphate soils in Western Australia is available from the Department of Environment Regulation website at [www.der.wa.gov.au](http://www.der.wa.gov.au). If any ASS is exposed during the works, the Contaminated Sites Branch of the Department of Environment Regulation should be contacted for further advice on 1300 762 982.
9. The applicant is advised that all in-water operations and activities must be conducted in accordance with Western Australian Marine Safety Legislation and all vessels must display signs and shapes in accordance with the requirements of the Prevention of Collision at Sea Regulations 1983.

10. The Department of Transport, Navigational Safety section of Marine Safety has requested that:
- a temporary notice to mariners (TNTM) should be considered during construction with all relevant details sent to [navigationsafety@transport.wa.gov.au](mailto:navigationsafety@transport.wa.gov.au) at least 6 weeks prior to works commencing to enable a TNTM to be promulgated;
  - the construction area should be marked with lit yellow flashing buoys to mark the extremity of the works area; and
  - consultation/early advice of construction be provided to members of the Burswood aquatic groups.
11. The applicant is advised that the proposal has the potential to be affected by sea level rise. It is recommended applicants understand the implications of potential sea level rise on the site. The onus rests with the applicant to undertake a risk assessment and exercise their judgment in determining the level of risk they are prepared to accept.



Albert Jacob MLA  
**MINISTER FOR ENVIRONMENT; HERITAGE**

Date: 31/01/17