Renmark Paringa Council

PRIVATE JETTIES AND PONTOONS

Responsible Officer
Chief Executive Officer

Legislative References
Local Government Act 1999
Community Land Management Plan
Crown Land Management Act 2009
Planning, Development & Infrastructure Act 2016
Planning and Design Code

Adopted
May 2019
Reviewed
September 2025
Next Review*
September 2029

BACKGROUND

The Renmark Paringa Council has many riverfront reserves available for the community and visitors to the area to utilise as open space and for access to water and recreational based activities.

The purpose of this policy is to ensure that relevant approvals and licences for a private jetty or pontoon is only granted to residents in certain circumstances.

Persons whom own land adjoining riverfront reserves, the River Murray or any water body or marina that wish to erect a jetty or pontoon may only do so if issued with development approval under the Planning, Development & Infrastructure Act 2016.

A licence must also be sought and obtained from the Council under the *Local Government Act* where the proposed jetty or pontoon is to be fixed or abut (even in part) to a Council reserve or marina waterbody owned by the Council or under the Care and Control of the Council.

A licence must also be sought and obtained from The Crown under the *Crown Land Management Act* where the proposed jetty or pontoon is to be fixed or abut (even in part) to a Crown Reserve, the River Murray or any other waterbody owned by the Crown.

Such approvals would only be issued where such structures are orderly and appropriate in accordance with relevant legislation, licenced by both the Crown (where appropriate) and the Council and are of benefit to the local community and visitors to the area.

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OBJECTIVE

The objective of this policy is to guide the Administration with the approval process in assessing applications for private jetties and pontoons abutting Jane Eliza Marina Waterfront Reserves.

POLICY

The key principles of the Policy is summarised as:

- Providing an administrative mechanism for regularising development of private jetties and pontoons on community riverfront and marina reserves
- Providing non-transferable licences for approved infrastructure that are tied to the adjoining property of the licence holder
- Ensuring that prior to the sale of the property by the licence holder a review is undertaken as to whether the structure provides an ongoing benefit for the wider community.
    - If it does provide an ongoing benefit and it can remain, a new licence will be provided to the new owner
    - If it doesn't provide an ongoing benefit and should be removed, the existing owner will be requested to remove it.

This Policy is generally consistent with the Crown Land – River Structures Policy (Department for Environment and Water)

Public safety should not be put at risk through the installation of structures. Jetties and pontoons would be inappropriate on Council riverfront reserves where there are common community facilities available, where there is a proliferation of such structures, or restrict public access or create a potential public safety risk.

Generally, licences are personal to the licence holder and are not transferable without specific consent.

Applications will not be approved unless they meet the following (non-exhaustive) criteria:

- Free and unrestricted right of public access across Council Reserves or Crown Land is maintained
- Public access is permitted at all times and only in limited circumstances and for specific valid reasons, including public safety, may public access be restricted at permitted site/structure
- Applicants are adjoining land owners (freehold or registered leasehold)

- Only one primary structure (e.g. only one jetty/pontoon is permitted) associated with the adjoining land
- Public liability insurance inclusive of the structure is maintained by the licence holder for not less than $20 million
- The structure is maintained at the applicant's risk and the applicant must agree to indemnify Council against any loss or damage arising from the existence of the structure on Council's land and its use
- Applicants must licence Council access to the structure to do urgent works necessary to avert a public health or safety risk associated with the structure
- Development approval under the Planning, Development & Infrastructure Act 2016has been obtained
- The applicant agrees to remove the structure and remediate Council's Land to a satisfactory state at the end of the licence term (if the licence is not renewed or reassigned).

All relevant legislation will be adhered to when undertaking an application assessment including compliance with the relevant Community Land Management Plan for that reserve and Native Title requirements.

Applications and transfer applications attract an application fee as outlined within Council's Fees and Charges Schedule.

Licence may be issued for a period of up to five years only (without community consultation) provided the grant of the licence is consistent with Council's Community Land Management Plan for the land. After the licence period a new application is required, and a new application fee must be paid.

Council reserves the right to determine the individual terms of any licence granted under this policy.