



## **Regulations and procedures for the installation and use of mooring poles and secured flotation devices erected and located over Sylvania Waterways property.**

### **1. Sylvania Waterways seabed is private land.**

The seabed of Sylvania Waterways is private land legally owned by Sylvania Waterways Limited ("the Company").

In turn, the Company is made up of those waterfront property owners who hold shares and those shareholders are referred to as 'members'.

Members are however reminded that they personally do not own the seabed and should not take 'liberties' with the legal rights of the Company and their neighbours.

The seabed is managed by the elected Company Directors.

*ALL PROPERTY OWNERS ARE URGED TO VIEW THE SEABED AS THEY WOULD A NEIGHBOUR'S PRIVATE LAND AND NOT PLACE RUBBISH, ERECT POLES, OR DEPOSIT ITEMS (ETC.) ON THAT LAND IN VIOLATION OF COMPANY OWNERSHIP RIGHTS.*

### **2. Rights attaching to membership.**

Company Article 102 defines certain "rights attaching to membership" of the Company. Generally, this includes the right to moor a vessel, to erect and maintain a pontoon **as the Company may approve**, etc.

The Article 102(7) further provides: "The Board shall have the power to grant licence to a member for use of the Company's land upon such terms and conditions as the Board may determine."

No pontoon will be approved if properties have been subdivided.

Upon the sale of a property all rights attached to membership are forfeited.

### **3. Definitions.**

(a) 'Mooring Poles'. As of November 2015, must be steel clad in black with white cap.

Describe poles erected upon the seabed for the mooring of vessels of any type, or for any other purpose.

(b) 'Mooring Booms' (Now noted as dangerous and must be removed).

Describe those devices which normally protrude at 90° from the top of seawalls over the seabed.

(c) 'Mooring Buoys' (prohibited).

Describe anchors, weights, of any description attached to mooring buoys/ropes which are located on the seabed and used for the mooring of vessels of any type - or for any other purpose and must be of illuminated type to A.S. requirement. Only as a temporary construction or repair situation.

(d) 'Pontoons'

Describe those floating platforms which are attached to the seawall by a walkway and which float over the seabed. The pontoons may have vessels moored alongside.

#### **4. Number of vessels and non-commercial use.**

- (a) Only one vessel is permitted to be moored at each property.
- (b) The mooring of commercially registered vessels in the Waterways is not permitted without the permission of the Board and the mutual agreement of specific conditions.

#### **5. Sutherland Shire Council Endorsement and Compliance.**

The erection of mooring poles will require the issue of a Sylvania Waterways Mooring Licence, with guidelines and limitations approved by Sutherland Shire Council.

THE OBTAINING OF SUCH APPROVALS REMAINS AT ALL TIMES THE RESPONSIBILITY OF THE APPLICANT/PROPERTY OWNER.

*MOORING POLES (OR OTHER DEVICES) ERECTED WITHOUT NECESSARY COMPANY LICENCE (AND APPROVAL OF OTHER REGULATORY BODIES) MAY BE SUBJECT TO IMMEDIATE REMOVAL ORDER AT THE PROPERTY OWNER'S EXPENSE.*

#### **6. Sylvania Waterways Licences.**

Application forms for the erection and/or use of mooring poles, or other devices, are available from our web site [www.sylvaniawaters.com](http://www.sylvaniawaters.com)

#### **7. Application Fees and Licence Fees.**

The Board has the authority to establish terms, conditions and fees for dealing with Applications or issue of licenses for mooring poles, booms, moorings or pontoons (etc.)

All applications for new waterfront devices will be subject to an application fee set by the Board of Directors of the Company. For details on current fee schedules visit; [sylvaniawaters.com](http://sylvaniawaters.com)

#### **8. Licence Period/s**

Licenses are issued to members for the period of their membership of the Company, subject to the member;

- Remaining at all times in good financial standing with the Company by payment of fees or levies as and when they fall due.
- Accepting the authority of the Board to amend terms and conditions attached to the issue, or continuation, of licenses.

#### **9. Public Risk Insurance.**

**PROPERTY OWNERS SHOULD ENSURE THAT ALL RISKS ARISING FROM THE PONTOON OR POLES ARE HELD COVERED BY THEIR HOUSEHOLDERS PUBLIC RISK INSURANCE POLICY OR OTHER POLICY SPECIFICALLY ARRANGED.**

***SINCE SUCH ITEMS ARE NOT WITHIN THE BOUNDARY OF THE PROPERTY INSURED, THERE SHOULD BE A SPECIAL NOTATION ON THE PROPERTY OWNERS POLICY TO THIS EFFECT.***

## 10. General Vessel Insurance.

All vessels moored over Company land must be comprehensively insured including Public Liability Policy inclusive and copies submitted to Sylvania Waterways Limited.

## 11. Certification

The engineering of all flotation devices shall comply with the latest standards and regulations and it shall always remain the responsibility of the owner of the specific property for the maintenance of all equipment. All flotation devices must be fully certified by a certified marine engineer at design stage and at completion of installation.

Any alteration, modification or new installation of a waterfront device must have a certificate of occupancy. Such devices must not be used until such time as an occupancy certificate is issued by the certifying authority.

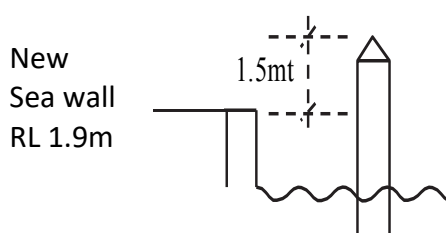
### **MOORING POLES - SPECIFICATION & REGULATIONS**

#### 1. Pole Length: (Poles not for support of pontoons)

- Poles are usually 9 to 10 metres in length (min.) depending on location and seabed (refer engineer advice).
- Pole are usually set 3 to 5 metres into seabed for firm footing (refer engineer advice).
- In areas where the seabed is in need of dredging due to siltation, Poles may need to allow a compensation for the removal of silt.

**Pole Types:** Black Polyurethane Sheathed Steel (as per engineer's specifications).

**Height above Seawall:** Pole height to be at 3.4m RL (1.5 metres above height of seawall @ RL 1.9m) and fitted with white cone.



**Distance from Seawall:** (Straight wall). Poles are to be set a maximum of 6.5 metres from the seawall (see Fig. 1 below).

Variation which may be necessary for 'concave' or 'convex' wall shape will need to be considered by the Board for special conditions.

Fig 1 Straight Wall

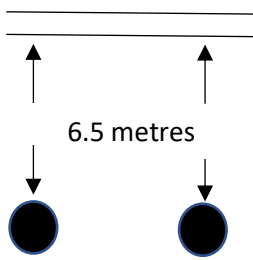


Fig 2 Convex Wall

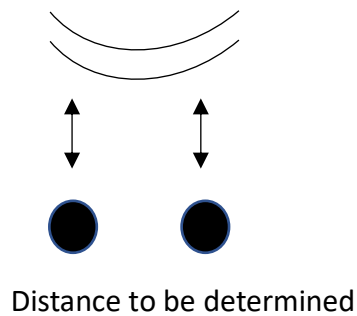


Fig 3 Concave Wall

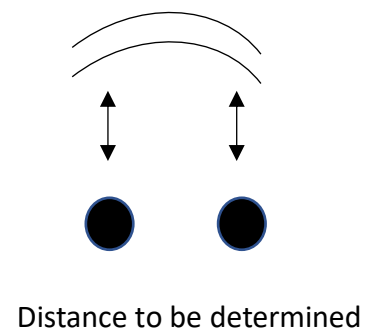
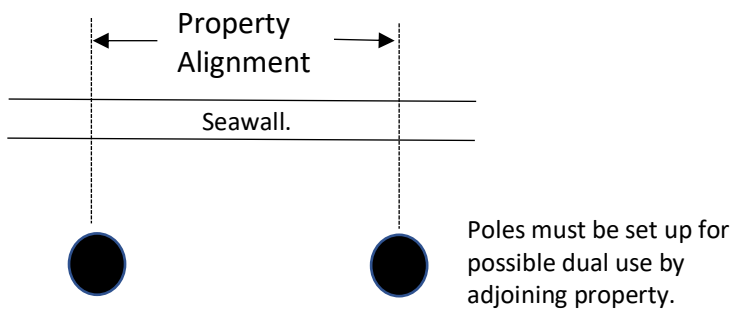


Fig 4. Positioning of Poles



**Number of Poles per Property:** Normally, licenses will only be issued for a maximum of 2 poles per property. However, special exemptions may be granted if the Board considers special circumstances exist.

**Mooring Attachments: Contractors.** Mooring attachment slides may be used on poles. The contractor must be approved by Sylvania Waterways Limited.

- The name of the intended contractor must be shown on the application for a mooring licence.
- The Board reserves the right to withhold the issue of a licence if contractor nominated fails to provide satisfactory references or qualifications.
- The Board can advise a list of contractors.

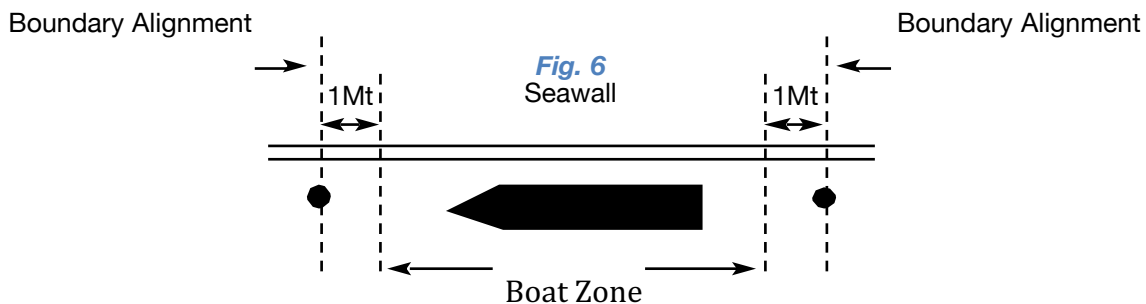
**No obstruction:** License will not be issued if the pole, or poles, are considered to comprise a navigation hazard. No structure must interfere with the access to neighbouring properties.

## 2. Vessel to be moored:

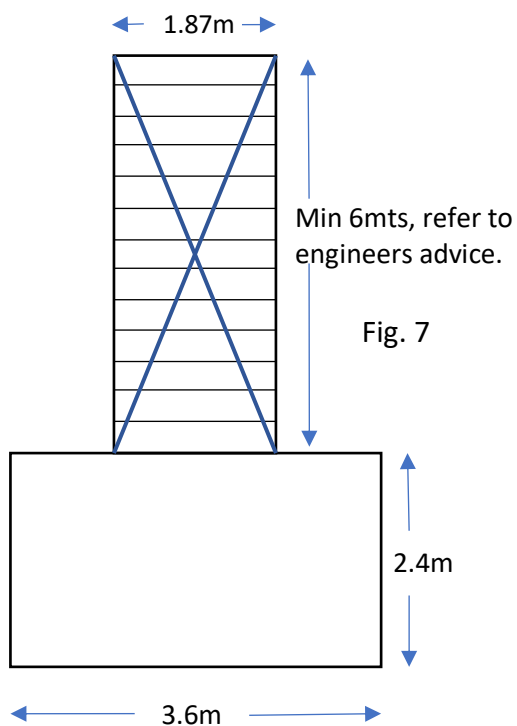
Normally, craft should be moored parallel to the seawall.

Vessel to be moored shall not be greater in length than to be fully contained within the boat zone of the Applicant's property allowing a minimum of 1 metre clearance at each end.

Refer to figure 6 below.



## 3. Standard Pontoons:



Pontoons are to be of approved construction with the standard dimensions of 3.6m x 2.4m. The standard walkway to the pontoon is 5m to 5.5m long (depending on shape of seawall) and 1.8m wide. Any pontoon with dimensions outside the standard size will be subject to special consideration.

**NOTE:** These pontoons are generally not designed for mooring vessels to. An engineer's approval must be submitted for licence approval

Adequate cross bracing in Stainless Steel strapping and bolts required.

All pontoons must include adequate flotation material so it cannot sink if the pontoon gets flooded or develops a leak.

Handrails are recommended on at least one side. Refer Australian standards and installing engineer's advice.

#### 4. Marina Style Jetty & pontoons

Sylvania Waterways Limited's recommended requirements based on:

- Safety
  - Clearance of waterways access
  - Accessibility
  - Neighbourhood appearance
  - Minimum load on seawalls
  - Clearance and allowance for future seawall works.
  - Durability and quality engineering.
- (i) This pontoon / jetty is generally constructed from air cell marine grade flotation pods encased in sealed high-density polyethylene and capped with a concrete deck, framed in aluminium or selected hardwood.
- (ii) The deck can be a subtle colour marine carpet or patterned concrete.
- (iii) The pontoon / jetty is held in place by 2 poles with a third pole supporting the walkway ramp platform. An engineer's design must accompany the application form and must indicate its expected design life.

#### Every pontoon must have the following safety and design features:

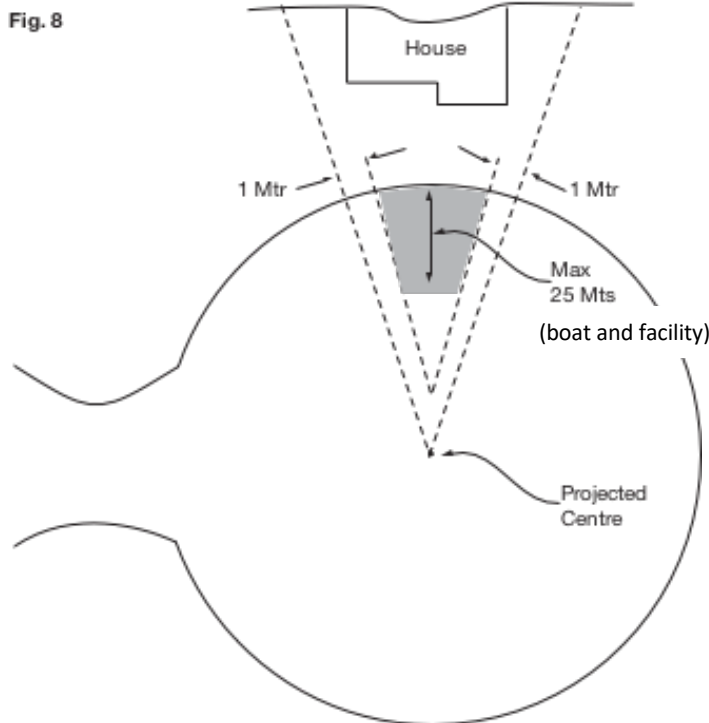
- Handrails on ramp and landing
- Folding retrieving ladder (Note: location as shown on sketches advisory only)
- Minimum 1 flotation life buoy on lanyard, fitted to comply with Australian standards.
- Any pontoon or waterfront work will only be approved if the current seawall has a recent Safety Certificate from the Seawall Engineer.
- All new pontoon and waterfront works must allow for future new seawall works and leave clearance of 700mm measure from the face of the upgraded capping beam (600 x 750 approx. (or the equivalent alignment if the old capping is still the original (220 x 300)).
- All large pontoons, (Marina style) maximum size will be 14 metres x 3 metres. Pontoon, ramps, landings, and handrails to be constructed of marine grade aluminium with no paint or powder coating finish.
- All pontoon applications to show location of new seawall and all equipment not to exceed 5m off the face alignment as is current;
- All ramps to marina style pontoons: -
  - Have no timber or plywood bases – should be aluminium;
  - Have stainless steel or similar infill's between the gaps of the handrails and landings on both rails, by flexible cable or wire.
- All piles to be placed clear of new seawall zone (refer item 3).
- All new pontoon installations must be approved by Sylvania Waterways Ltd then by Sutherland Shire Council for D.A. before any works can commence.
- If water is required at the pontoon there must be an isolation ball valve and a non-return valve located near/adjacent to the ramp landing at the seawall capping level and be easy to disconnect.

- All power and lighting must be installed in accordance with Australian and marine Standards and be protected by E.L.C.B and must be connected by a plug and switch outlet of the hose proof type similar to Clipsal 56 series. This is to allow quick isolation and disconnection if required, located on the landing.
- No corrugated conduit permitted.
- No power or lighting to be encased inside the concrete deck of the pontoon or on top of the pontoon. Lighting should be restricted to the landing and/or ramp, or lamp poles as approved by Sylvania Waterways Ltd.
- All connection points shall be located at a minimum height 600 above the sea wall capping (RL 2.5).

**The following general notes also apply;**

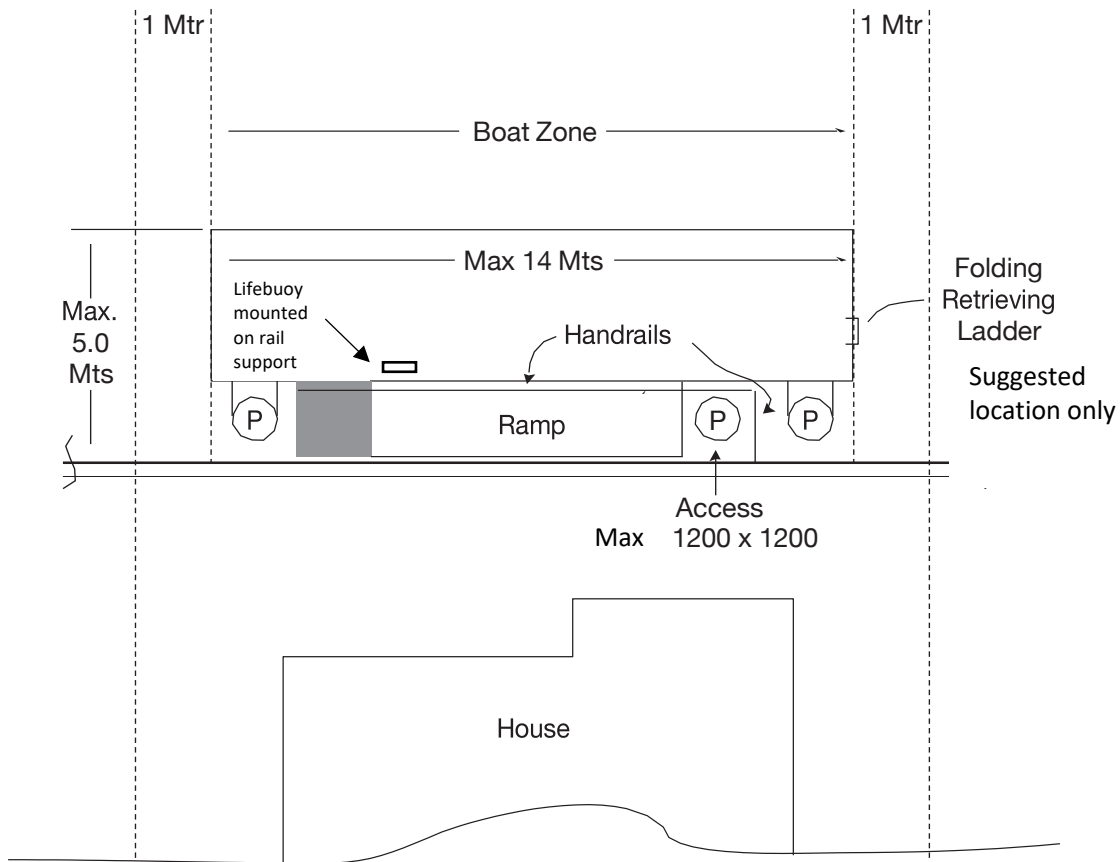
- Lighting must be subdued and approved. Lighting should not be connected to a timer.
- Rafting of boats prohibited.
- Overnight rafting by visitors permitted only if the channel is safe and clear for passing vessels.
- Maximum of 3 jet ski pods – 1m clearance to building alignment.
- No boat or waterfront device shall overhang into the neighbour's alignment.
- Boats must be moored parallel with their seawalls (James Cook internal and jet ski docks exempt).
- Sylvania Waters speed limit is "idle speed" and "no wash" – 4 Knotts maximum.

**The following sketches form guidelines and limitations specifically formed so that all property owners' rights are protected:**



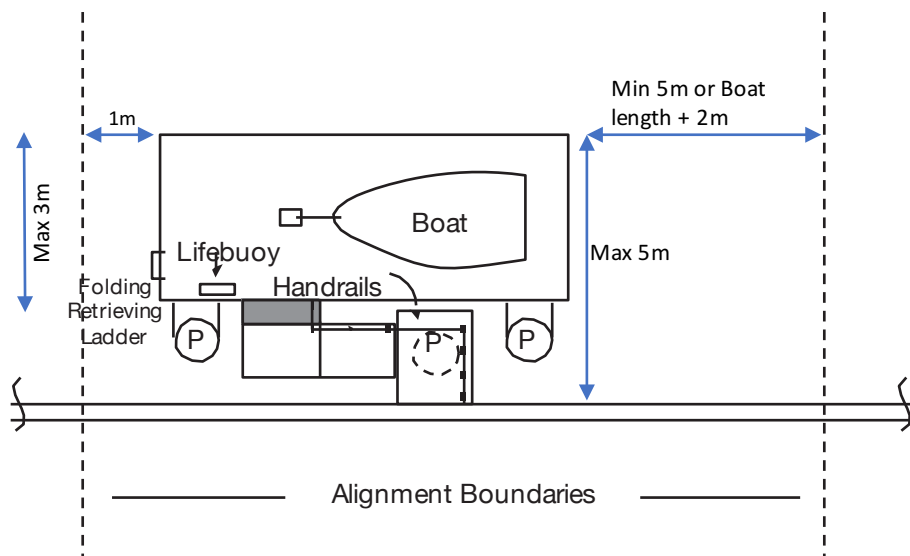
For Internal James Cook Island  
Shaded area indicates zone of flotation device  
and moored vessel.

### Standard Arrangement



### Special Situations

Pontoon/Jetty with Dry Docking Runabout and Roller Guided System.





## 5. End of Canals Notes:

- At the end corners and acute locations of the canals the locating of pontoon / jetty / vessels is very limited.
- Residents can make application for specially designed flotation device(s) in these situations - Sylvania Waterways Limited may not approve based on limitations and accessibility to other properties.
- Generally, no permanently moored boat can be left at these locations. These applications will be considered by the Company.

## 6. Occupational Health Safety & Environment (OHS&E) Compliance and Authorised Access

Prior to any work carried out over Sylvania Waterways Land approvals from Sylvania Waterways Ltd and Sutherland Shire Council must be obtained.

In order to protect your interests and to ensure compliance with the Sutherland Shire Local Environment Plan (LEP), it is strongly recommended that waterfront owners ensure any contractor meets all the Occupational Health and Safety (OH&S), and electrical standards including the Marine code prior to commencing any work.

Contractors should provide Safe Work Method Statements (SWMS) for all work performed.

Members should ensure all contractors have a current valid license relevant to the nature of the work they are performing and maintain all appropriate insurances. Certain works may also require Home Owners Warranty Insurance (HOWI).