



Understanding Sylvania Waterways ~ A Guide for Waterfront Property Owners

A plain English-guide for waterfront property owners and members

Sylvaniawaters.com

Welcome to the Sylvania Waters Community.

Owning a waterfront home in Sylvania Waters is something truly special. From boating and entertaining to peaceful mornings on the water, the canals, seawalls and shared waterways are part of what makes this community so unique and such a wonderful place to live.

Sylvania Waterways Limited ("SWL") exists to help protect and preserve that lifestyle for everyone who calls the waterways home, today and into the future. The Company manages the waterways and seabed, while helping maintain the standards, safety and amenity that support the long-term enjoyment and value of the estate.

Your Board of Directors is made up of fellow waterfront owners who volunteer their time because they care deeply about the community and the future of Sylvania Waters. We are supported by professional advisers where needed, but at its heart, SWL is about neighbours working together to look after a shared and unique waterfront environment.

This guide has been prepared to help make waterfront ownership easier to understand, including:

- + what Sylvania Waterways Limited does and why it exists;
- + how the waterways and licensing framework operate;
- + your rights and responsibilities as a waterfront owner; and
- + why consistency and compliance help protect the lifestyle and amenity we all enjoy.

Rather than being a legal or technical document, this guide is intended to explain the principles behind the framework in plain English and provide helpful context for new and existing waterfront owners alike.

We hope it helps you better understand the waterways, the community and the unique environment we are all fortunate to share.

Sincerely,



Tony Noun

CHAIR, FOR AND ON BEHALF OF THE BOARD
OF SYLVANIA WATERWAYS LIMITED

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01

Why this guide exists.

Why this guide exists.

Living on the waterways at Sylvania Waters is unique. The canals, seawalls and shared waterways are central to the lifestyle, amenity and long term value of every waterfront property.

This guide is designed to help members and waterfront property owners understand:

- ✓ Who Sylvania Waterways is and why it exists
- ✓ How the company is governed
- ✓ Your role, responsibilities and rights as a waterfront owner and member
- ✓ Why compliance matters for everyone

This document **does not replace** the:

- ✗ [Membership Application](#) (Document 1014),
- ✗ [Regulations & Standards](#) (Document 1016)
- ✗ [New Member Introduction Video](#).

Instead, it explains the purpose and principles behind them.





02

Sydney's only privately owned waterway

Sydney's only privately owned waterway

Located near Botany Bay and the mouth of the Georges River, Sylvania Waters offers a truly unique waterfront lifestyle within the beautiful Sutherland Shire.

Waterfront property owners enjoy:

- ✓ level street-to-deep-water access;
- ✓ direct boating access to Botany Bay and beyond;
- ✓ the ability to licence private waterfront structures and moor vessels; and
- ✓ no ongoing annual permissive occupancy fees for compliant and licensed waterfront structures.

Sylvania Waters combines boating, lifestyle and convenience in one connected community. Waterfront living sits alongside cafés, restaurants, shopping, beaches, parks and recreational facilities, all within easy reach.





03

A purpose-built waterfront community

A purpose-built waterfront community

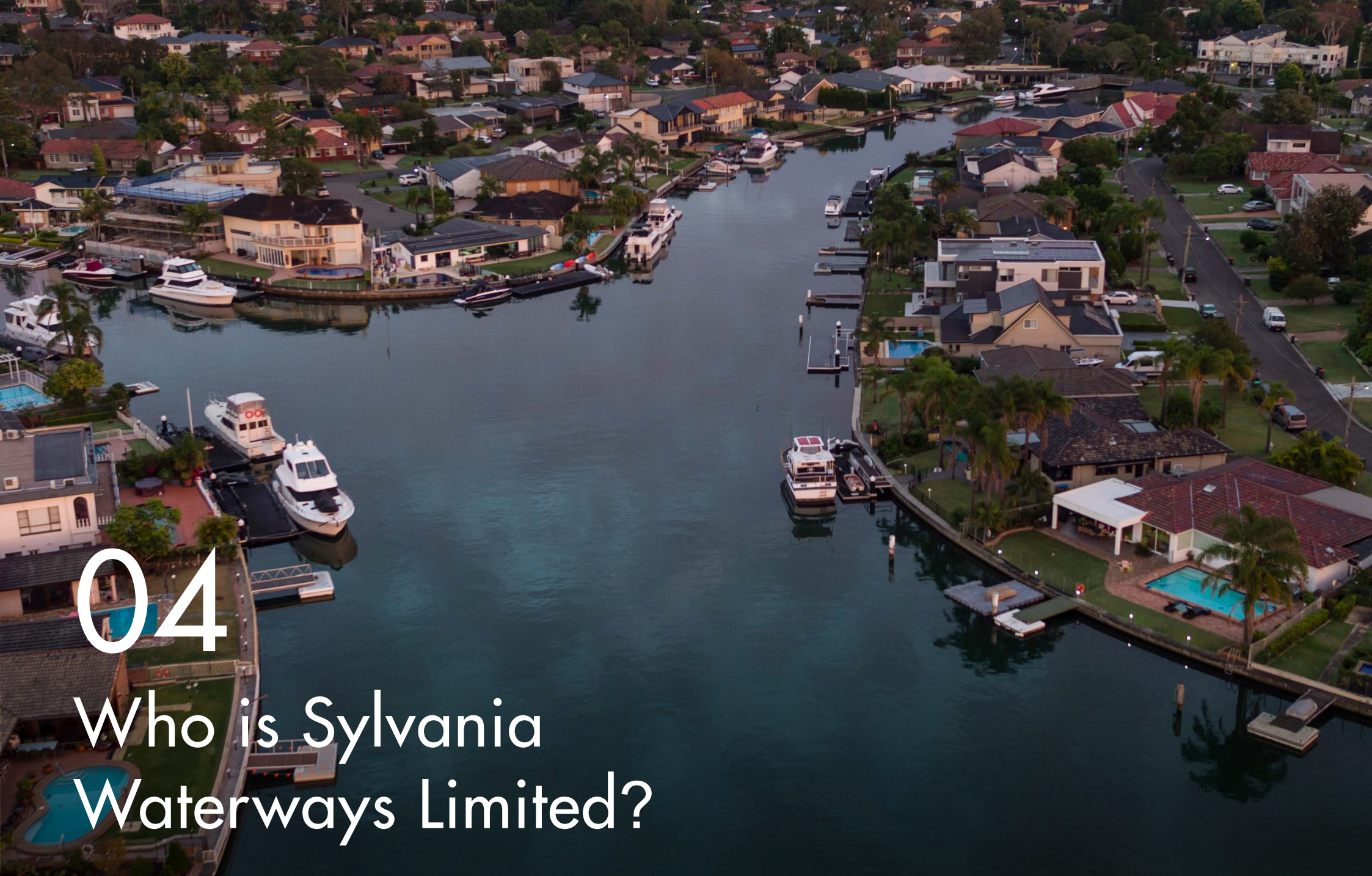
Sylvania Waters was developed in the 1960s as a carefully planned waterfront estate inspired by canal communities in places such as the Florida Keys in the United States.

Rather than evolving naturally over time, the estate was purpose-built through the excavation of an extensive canal system, with reclaimed land used to create residential islands including Murray Island, Barcoo Island and James Cook Island.

The waterways were engineered as an interconnected tidal system designed to support boating, water circulation and waterfront living.

Importantly, the seabed and waterways were retained under a single ownership structure rather than divided into individual ownership. That unique model continues today and is what makes Sylvania Waters operate differently from most other waterfront environments.





04

Who is Sylvania Waterways Limited?

Who is Sylvania Waterways Limited?

Sylvania Waterways Limited (SWL) is the public company responsible for owning, managing and protecting the waterways and shared waterfront environment throughout the Sylvania Waters estate.

The Company exists to help preserve the unique waterfront lifestyle enjoyed by residents, while balancing individual waterfront use with the collective interests of the broader community.

SWL owns the seabed and waterways known as Lot 1 DP 615171 and administers the membership and licensing framework that governs waterfront structures and use of Company land.

This includes helping preserve:

- + Safe navigable and well maintained waterways;
- + Consistent waterfront standards and presentation;
- + Boating access, lifestyle and amenity;
- + Deep water access via the deed with Sutherland Shire Council; and
- + Long-term property values across the estate.

Sylvania Waterways is a public company established to:

01

own and manage the **seabed and waterways** within the Sylvania Waters estate;

02

protect the shared interests of waterfront property owners;

03

regulate and license waterfront structures such as seawalls, pontoons and mooring devices.

Because the Company owns the seabed and waterway, members are able to enjoy boating and water access in a manner that is rare in Australia, including the ability to licence waterfront facilities that would otherwise not be possible without Company consent.

Every waterfront property owner is required, under the licensing arrangement, to become a member of SWL.



05

How Sylvania Waterways Limited is governed.

How Sylvania Waterways Limited is governed.



Legal framework.

SWL operates within a clear legal and governance framework, including:

- ✓ the **Corporations Act 2001 (Cth)**;
- ✓ SWL's **Memorandum & Articles of Association (M&AA)**;
- ✓ Board approved policies, licences and standards; and
- ✓ relevant NSW legislation and Sutherland Shire Council requirements including the LEP and DCP applicable to Sylvania Waters.



The Board of Directors.

Sylvania Waterways Ltd is governed by a **voluntary Board of Directors**, elected by members. They,

- ✓ serve on a non remunerated (voluntary) basis;
- ✓ are waterfront owners and members themselves;
- ✓ owe statutory and fiduciary duties to act in the best interests of the Company as a whole; and
- ✓ are collectively responsible for governance, strategy, risk oversight and compliance.

The Board does **not** exist to manage individual property matters in isolation. Its role is to:

- ✓ balance the interests of all members;
- ✓ protect the Company's land and assets;
- ✓ manage risk, safety and regulatory compliance; and
- ✓ ensure the long term sustainability of the waterways.



Annual General Meeting (AGM).

The **Annual General Meeting (AGM)** is the primary forum for member engagement and accountability. At the AGM, members:

- ✓ receive the Company's annual financial statements and Directors' Report;
- ✓ have the opportunity to ask questions about the Company's performance and governance;
- ✓ vote on the election or re election of Directors; and
- ✓ consider any matters required or permitted under the Corporations Act and the M&AA.

The AGM plays an important role in ensuring transparency, accountability and member participation in the governance of SWL.

How Sylvania Waterways Limited is governed.



Role of the Board.

The Board of Directors is responsible for managing and controlling the affairs of the Company including:

- + Governance and Compliance (Corporations Act and Constitution),
- + Financial Oversight (e.g setting budgets and controls and monitoring performance),
- + Risk Management (identification of risks, managing exposure),
- + Leadership Oversight (e.g appointing and managing the GM), and
- + Major Decisions (as defined by the approved Delegation of Authority framework).

Company Directors are required by law to act in good faith, with due care and diligence, and in the best interests of the Company as a whole. This means that directors must sometimes make decisions that may not align with the preferences of individual members but are considered necessary for the long term interests and sustainability of the Company and/or the Company's Membership as a whole.

How Sylvania Waterways Limited is governed.

Day to day operations, General Management and professional support

While governance responsibility rests with the Board, the scale and complexity of Sylvania Waterways' operations now require dedicated general management and professional operational support.

Historically, SWL relied heavily on volunteer Directors to perform both governance and day to day operational activities. As the Company's responsibilities increased, this approach became increasingly difficult to sustain and introduced risks including operational backlogs, inconsistent follow through and blurred lines between governance and execution.

As a public company, SWL operates within an environment of increasing governance, compliance and regulatory expectations, including:

- ✓ significant ongoing seawall replacement and maintenance programs;
- ✓ increasing complexity in development approvals, licensing and compliance management;
- ✓ heightened Work Health and Safety, risk management, record keeping and audit readiness requirements; and
- ✓ increasing legal duties and liability exposure for volunteer Directors.

To address these challenges, SWL has adopted a model that:

- ✓ clearly separates governance and oversight (the Board) from operational execution (management);
- ✓ provides dedicated general management capability to coordinate day to day activities;
- ✓ reduces reliance on individual Directors for operational delivery; and
- ✓ supports more consistent, professional and timely engagement with members, regulators and contractors.

In practice, this means the Company:

- ✓ outsources aspects of day to day operations and general management under Board-approved arrangements; and
- ✓ engages professional advisers and consultants, including legal, engineering, accounting and governance specialists, to support compliant and effective operations.

How Sylvania Waterways Limited is governed.

This approach reflects recognised governance practice for public companies and helps ensure:

- ✓ clearer accountability and continuity;
- ✓ improved consistency and fairness in decision making and enforcement;
- ✓ reduced operational and governance risk for volunteer Directors; and
- ✓ stronger protection of the waterways, community amenity and long-term property values.

Company income funds insurance, professional advisers, compliance, administration and the ongoing management of the waterways.

While management and professional advisers support operational execution, the Board retains full authority, accountability and strategic oversight of the Company.



A scenic sunset over a body of water. The sun is low on the horizon, casting a bright orange glow and reflecting on the water. Several sailboats are anchored in the water. In the background, a bridge spans the water, and a row of houses is visible on the shore. The sky is a mix of blue and orange, with some clouds.

06

Understanding Membership and Licensing

Understanding Membership and Licensing

Because the seabed and waterways are privately owned and managed by SWL, waterfront structures and new sea walls operate under a private membership and licensing framework.

Waterfront owners do not automatically obtain rights over the seabed or waterways simply by purchasing a property. Instead, those rights are granted through membership and licensing arrangements administered by SWL.

Membership and shareholding

When a person purchases a waterfront property, they may apply to become a member of Sylvania Waterways Ltd.

Membership is connected to ownership of a waterfront property and:

- ✓ cannot be transferred independently of the property;
- ✓ automatically ends when a property is sold;
- ✓ must be reapplied for by incoming owners as part of settlement; and
- ✓ is a prerequisite to waterfront licensing.

This ensures that waterfront rights remain connected to the current waterfront property owner.

Membership includes holding shares in the Company. These shares are the legal mechanism that allows members to participate in the governance framework that protects and manages the waterways.

Understanding Membership and Licensing



Ownership and Shareholder Rights.

As decreed by Australian Laws and SWL's Constitution, Shareholders own their shares in the Company. The rights attaching to these shares include:

- + Voting at general meetings,
- + Appointing and removing directors at general meeting,
- + Changing the Constitution (via Special Resolution), and
- + Receiving formal company reports. The level of detail provided in these reports is determined by the Accounting Standards, the Corporations Act and Regulations.

Shareholders are not entitled to access board papers, internal management reports, operational or financial documents. These form part of the board's management responsibilities and may include confidential or commercially sensitive information.

Shareholders do not own the Company's assets such as the Seabed, cash, or equipment. Shares represent membership and governance rights in the Company, they do not confer ownership of land or entitlement to Company funds.

The Company itself is a separate legal entity and owns all its assets. It is an entity that can sue and be sued. This separation between the Company and its Shareholders/Members is a fundamental principle of Australian Corporate Law and applies regardless of the number of shareholders or how long they have held their shares.

Shareholder Influence and Limits.

Shareholders influence the direction of the Company indirectly through governance mechanisms rather than through day to day management. This influence is exercised by voting at general meetings to appoint directors, approving certain major matters, where shareholder approval is required by law or the Constitution. Shareholders do not direct operational decisions or the daily management of the Company; the Board does this.

Understanding Membership and Licensing

Purpose of This Structure.

The separation between shareholders, the Board and the Company's assets protect shareholders from personal liability, allows the Company to operate, invest and borrow effectively, and ensures that decisions are made in the interests of the Company as a whole. This structure is standard under Australian corporate law and is designed to balance accountability, stability, and long term value for all shareholders.

Changing the Constitution.

Shareholders collectively could change the Company's Constitution. This power reflects the fact that the Constitution is ultimately a shareholder approved document that governs how the Company is structured and operates. It should be noted however, that the Corporations Act overrides anything contained in a company's constitution.

Changes to the Constitution can only be made by passing a **special resolution of shareholders** at a general meeting. This requires at least

75%

of the votes cast by shareholders entitled to vote on the resolution. Proposed changes must be set out clearly in the notice of meeting provided to shareholders in advance, so that shareholders can consider and vote on the amendment.

Although a Board may propose or recommend changes to the Constitution where it believes this is in the best interests of the Company, the Board cannot change the Constitution on its own. Final authority rests with shareholders acting collectively through the formal voting process.

Once a change is approved by shareholders, the Board is responsible for administering the Constitution as amended and ensuring the Company operates in accordance with the updated Constitution and the Corporations Law.

Summary.

Shareholders have the power to change the Constitution through a special resolution. The Constitution sets the framework approved by Members, and the Board is responsible for managing the Company and administering that framework in the best interests of the Company as a whole.

SWL is not a traditional investment company established to generate profits or financial returns for shareholders.

Membership is less about financial ownership and more about participation in the framework that protects the waterfront lifestyle enjoyed by residents.

Understanding Membership and Licensing

In summary:

Sylvania Waters Limited (SWL) Constitution



Homeowners/Members

- + Membership provides governance rights and eligibility to apply for waterfront licensing.
- + Shares give you rights in the waters, not ownership of it or the company.
- + Right to vote/elect Board, change the Constitution.
- + Eligible to apply for licensing to construct a seawall on Company land.
- + Eligible to apply for licensing for approved waterfront devices and vessel mooring over Company land.



SWL (the Company)

- + Is a separate legal entity.
- + Owns the seabed and all assets.
- + Governed by the Constitution (M&AA)
- + Governed by the Corporations Act 2001
- + The Company can sue and be sued



The Board

- + Acts in the best interests of the Company
- + Acts in the best interests of members as a whole
- + Manages Risk and Operations
- + Are volunteers and members of SWL
- + Works within the approved Delegation of Authority framework



Important to note per Constitution:

- ✗ Members do not own the Seabed or other assets of the Company
- ✗ Members do not direct or manage the operations
- ✓ Members can change the Constitution by special resolution in accordance with the Corporations Act

Understanding Membership and Licensing

Waterfront Licensing

What is a waterfront licence?

A waterfront licence is the formal approval granted by SWL allowing a member to use or occupy defined areas of Company land and waterways.

A licence does not transfer ownership of the seabed or waterways to the member. Rather, it provides conditional rights of use, subject to compliance with SWL requirements and applicable laws.

Licences:

- ✓ apply only to the current member/property owner;
- ✓ are subject to ongoing compliance obligations;
- ✓ can be amended or revoked if conditions are breached; and
- ✓ do not automatically transfer to future property owners.

Waterfront structures or devices installed without an authorised licence are treated as **unauthorised occupation of private land**.

All licences are:

- + subject to ongoing compliance;
- + conditional on meeting SWL standards and approvals; and revocable if conditions are not met.

Why this framework exists

This licensing and membership framework helps balance individual enjoyment of waterfront living with the collective interests of the broader community, while ensuring the waterways remain safe, consistent, compliant and fair for all members.

It helps SWL:

- ✓ manage safety and navigation risks;
- ✓ protect seawalls and waterfront infrastructure;
- ✓ maintain consistent standards across the estate;
- ✓ reduce disputes between neighbours;
- ✓ manage insurance and liability exposure; and
- ✓ preserve the long-term amenity and value of the waterways.



07

Your responsibilities as a waterfront owner

Your responsibilities as a waterfront owner

Owning a waterfront property comes with **shared responsibilities** because your actions can directly affect:

- ✓ neighbouring properties;
- ✓ navigation and safety;
- ✓ structural integrity of seawalls; and
- ✓ the appearance and amenity of the estate.

Core responsibilities include:

- ✓ maintaining your seawall in a safe and serviceable condition;
- ✓ ensuring all waterfront devices are approved, certified and compliant;
- ✓ preventing debris, waste or materials entering the waterways;
- ✓ using the waterways safely and respectfully;
- ✓ ensuring tenants and contractors comply with SWL rules; and
- ✓ ensuring that all Electrical Installations to waterfront devices are designed, installed and maintained in accordance with all applicable laws, *AS/NZS 3000: 2018- Electrical Installations Wiring Rules* and *AS/NZS 3004.1:2014 - Electrical Installations, Marinas and boats*, and SWL standards as outlined in Section 12.8 of document 1016.

A helpful way to think about it: Treat the seabed as you would a neighbour's private land, because legally, that is exactly what it is.

Find out more about SWL standards.



08

Waterfront devices – Who approves what (and when)

Waterfront devices – Who approves what (and when)

Waterfront structures and devices in Sylvania Waters (including seawalls, pontoons, mooring poles, sea pens, jet ski pods, boat lifters and similar installations) are regulated under two separate frameworks:

STEP 1

Sylvania Waterways Ltd (SWL):

which owns the seabed and waterways and licenses all waterfront use; and

STEP 2

Sutherland Shire Council (SSC)

which regulates development through its Local Environmental Plan (LEP) and Development Control Plan (DCP).

Both sets of controls apply. Approval from one does not replace approval from the other.

STEP 1

Sylvania Waterways Limited (SWL)

Because SWL owns the seabed and waterways, **all waterfront devices sit on Company land**. Accordingly:

- + members must apply to SWL for approval of any waterfront device or structure.
- + a formal licence is required for any occupation of Company land.
- + an Access Permit from SWL must be issued before any work commences over the Company's land or waterways (including contractor access).

No works are permitted until SWL approval and access permits are in place.

Waterfront devices – Who approves what (and when)

STEP 2

Sutherland Shire Council

Separately, Council regulates waterfront development under planning law.

In practical terms, this means:

- + new waterfront devices, or changes to existing devices (including adding sea pens, pontoons, mooring poles, jet ski pods or boat lifters), generally require a Development Application (DA) to Council.
- + Council assesses proposals against its LEP and DCP controls, including setbacks, size limits, navigation impacts and environmental considerations.

Important: both approvals are required

Council Development Approval is typically required before SWL can issue final licensing for new or modified waterfront devices

For most waterfront works, members must:

- ✓ apply to SWL for approval and licensing;
- ✓ obtain a Development Application approval from Council; and
- ✓ receive an SWL access permit before any physical works commence.

SWL approval does not replace Council consent. Council consent does not replace SWL licensing. Both are mandatory parts of the process.



Members are strongly encouraged to confirm approval requirements with SWL before engaging designers or contractors, as unauthorised works may result in enforcement action and removal of non-compliant structures.

Find out more about Waterfront Devices: Regulations, Standards and Applications

An aerial photograph of a waterfront residential development. The houses are built on a peninsula or along a curved shoreline, separated from the water by a concrete seawall. Several houses have swimming pools and private docks. A large white yacht is docked at one of the docks. The water is a deep blue-green, and the sky is clear with some light clouds. The houses are mostly two-story, with some featuring solar panels on the roofs. The overall scene is a typical affluent waterfront neighborhood.

9

Seawalls: ownership, responsibility and new works

Seawalls: ownership, responsibility and new works

Seawalls are critical pieces of infrastructure within the Sylvania Waters estate. They protect private property, stabilise the waterways, and safeguard the Company's land.

Many of the original seawalls constructed in the 1960s have now reached, or are approaching, the end of their original design life. As a result, there is an ongoing program of seawall maintenance, upgrade and replacement across the estate, with approximately one third of the canal network upgraded as at the beginning of 2026.

To help streamline the process, Sylvania Waterways Ltd has obtained an approved Development Application framework for seawall replacement works across the estate, which is available to members and can help reduce both time and cost.

Members are encouraged to seek advice from a suitably qualified seawall engineer to assess the condition of their seawall and determine whether maintenance, tie rod upgrades or full replacement works may be required. In some cases, existing seawalls can be reinforced through the installation of new tie rods or ground anchors without immediate replacement.

Delaying recommended seawall works can significantly increase long-term repair costs and, in the event of failure, may also impact neighbouring properties and infrastructure.

All new seawalls must comply with the approved design framework, including a consistent appearance and standard seawall height. Modern seawall designs are intended to reduce long-term corrosion risk and provide an expected design life of approximately 100 years.

New seawalls remain the property and responsibility of the adjoining waterfront owner.

Although new seawalls are constructed on land owned by Sylvania Waterways Ltd (the Company's seabed and waterfront land), they are built to protect and support the adjoining private property, and are maintained and controlled by the property owner under the easement and licensing framework.

This is an important distinction:

- ✓ the seawall directly benefits the adjoining property owner;
- ✓ however, it is physically located on Company land.

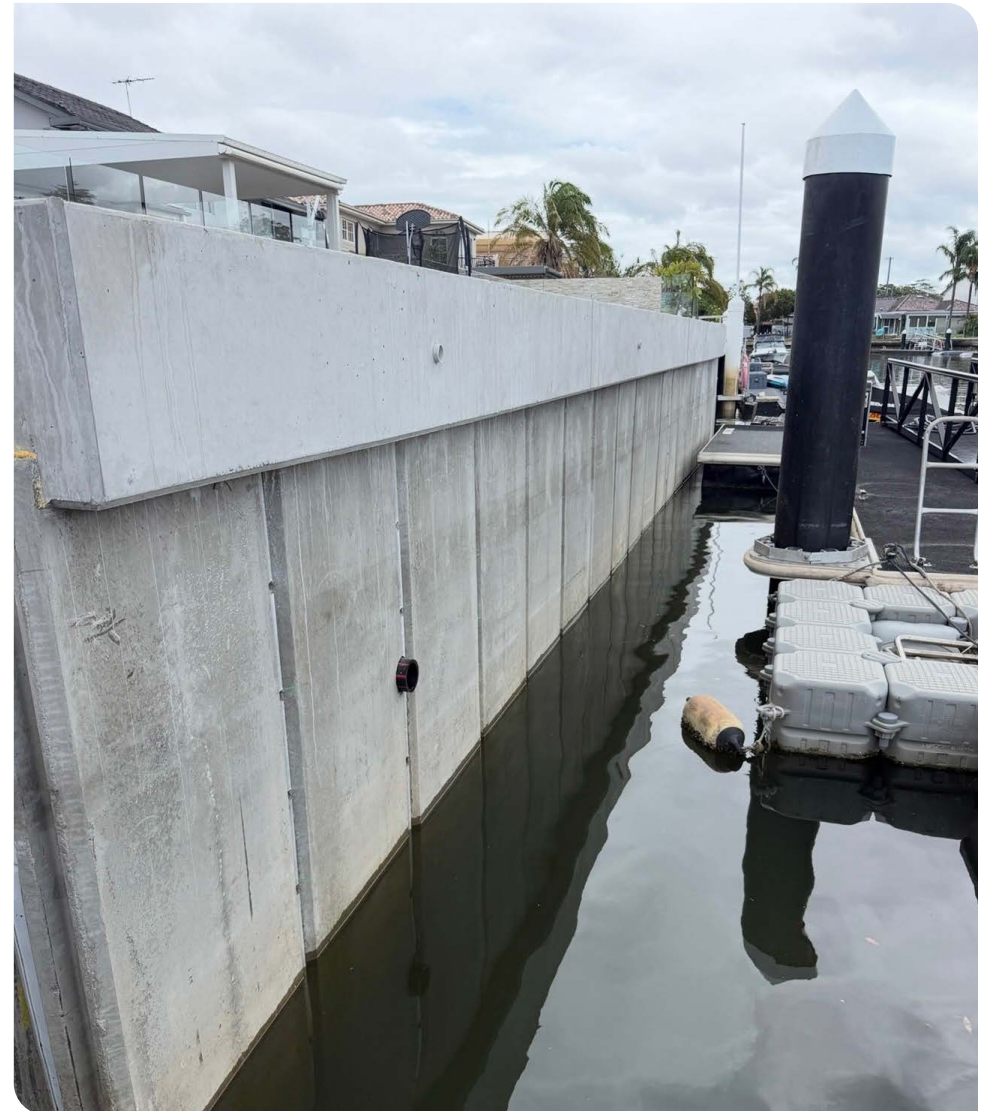
Seawalls: ownership, responsibility and new works

As a result, seawall construction and ongoing occupation of Company land cannot occur automatically as a right and instead requires formal approval, licensing and legal agreements with SWL.

If the seabed were individually owned by waterfront property owners, this licensing and approval framework would not be required.

In practical terms, if a new seawall is to be constructed on the Company's land, the waterfront property owner **must be a member of Sylvania Waterways Ltd** in order to obtain the necessary licence. This licensing framework:

- ✓ provides lawful authority for the seawall to occupy Company land;
- ✓ clearly allocates responsibility for construction, maintenance and risk;
- ✓ ensures consistency and fairness across the estate; and
- ✓ protects the interests of all members collectively.



Seawalls: ownership, responsibility and new works

Easements and formal agreements

Where required, seawall construction is supported by:

- ✓ a **formal agreement** between the property owner and the Company; and
- ✓ the granting of an **easement** to allow the seawall to exist on Company land.

These instruments are not administrative formalities. They:

- ✓ define ownership and maintenance obligations;
- ✓ manage liability and insurance risk;
- ✓ protect neighbouring properties; and
- ✓ provide long-term certainty for current and future owners.

Under no circumstances can new sea wall construction or any form of maintenance be undertaken without the appropriate application, including payment of processing fees, and an access permit being issued to parties contracted to perform work over the Company's land.

On completion, Sylvania Waterways Ltd will issue all the relevant certification documents from the engineer, local certifier and easement records and place the endorsing sign on the new sea wall capping.

Ongoing responsibilities

Once constructed and licensed:

- ✓ the **property owner remains responsible** for maintaining the new seawall in a safe and serviceable condition;
- ✓ the seawall must continue to comply with SWL standards and engineering requirements; and
- ✓ failure to maintain or comply may result in enforcement action under the licence terms.

Find out more about Seawalls, Seawall Maintenance and Applications



10

Fencing on new seawalls

10 Fencing on new seawalls

Sea wall fencing is **not compulsory**. However, many waterfront owners choose to install fencing for safety, particularly where there is a change in level or to meet pool safety requirements. If fencing is installed, it is critical that it:

- + **does not compromise the structural integrity of the seawall; and**
- + **maintains the visual amenity and open character of the waterfront.**

The guidance below is based on advice from the Company's consulting structural engineer and is intended to promote safety, consistency and best practice across the estate.

What to avoid

To protect the seawall and its critical structural elements:

- × **do not core drill into the capping beam.** Core drilling can damage internal reinforcement, tie rods or connection plates that are essential to the seawall's strength.
- × **no structures are to be attached to the water facing (exterior) side of the capping beam.**

Permitted fixing methods

The following fixing approaches may be acceptable, subject to compliance with SWL requirements and any applicable approvals:

- + **Fixing to the rear (landward) face of the capping beam** may be permitted using face mounted brackets, provided the installation:
 - follows the manufacturer's specifications;
 - uses a minimum **M10 stainless steel Chemset or mechanical anchors**; and
 - maintains a minimum **75 mm edge distance** from the top of the capping beam.
- + **Fixing to the top surface of the capping beam** may be permitted in limited circumstances using base plate spigots or aluminium or stainless steel channels, where the installation:
 - complies with the manufacturer's specifications; and
 - maintains a minimum **100 mm edge distance** from the sides of the capping beam.

10 Fencing on new seawalls

Consistency and good outcomes

Waterfront owners planning fencing works are strongly encouraged to:

- ✓ review this guidance before engaging contractors;
- ✓ ensure installers understand the structural sensitivity of seawalls; and
- ✓ seek advice or approval where required before works commence.

Following this guidance helps avoid unintended damage, reduces future remediation risk, and supports a **consistent, safe and well presented waterfront environment** for all members.





11

The 9.144m waterfront setback – purpose and exemptions

The 9.144m waterfront setback – purpose and exemptions

Why the 9.144m set back exists.

During the original development of the Sylvania Waters estate, a number of covenants were placed on waterfront properties. These were designed to protect the visual amenity of the estate and help ensure that all waterfront owners could enjoy open views to the water.

A key covenant required all buildings to be set back at least 9.144 metres (30 feet) from the water's edge, effectively creating a no-build zone within that distance.

Over time, planning controls have changed. For development assessment purposes, **Sutherland Shire Council** may grant approval based on a 6.0 metre setback under the Local Environmental Plan, with Section 1.9A suspending the original covenants for Council planning purposes.

It is important for members to understand, however, that **Council development approval and waterfront licensing by Sylvania Waterways Ltd (SWL) are separate processes.**

While Council may grant development approval within 6.0 metres, SWL manages the use of Company land through its waterfront licensing framework.

Following extensive community consultation, members adopted a **Special Resolution in October 2025 (with more than 79% of votes cast in favour)** to uphold the original 9.144 metre setback, subject only to the following exemptions:

- ✓ Properties with insufficient depth, as defined on SWL plans;
- ✓ Lightweight structures that are open on at least three sides, do not obstruct neighbouring views, and are either complying development or have development approval;
- ✓ Existing structures constructed on or before 31 December 1999, provided they have not been modified; and
- ✓ Council-approved structures that also hold a specific SWL exemption.

These exemptions are intended to address genuine constraints or historical circumstances, while preserving the original intent of the setback rule and protecting shared waterfront amenity.

In accordance with the adopted Special Resolution, **SWL will enforce the 9.144 metre setback only in respect of developments or structures that remain non-compliant with the approved exemption categories.** This approach is intended to ensure fairness, clarity and certainty for all members.

The 9.144m waterfront setback – purpose and exemptions

What this means for waterfront owners

Waterfront licences are required to permit the installation and continued use of waterfront devices (such as pontoons, ramps and jetties) over Company land.

Developments that do not comply with the original 9.144 metre setback or the approved exemptions may not be eligible for a waterfront licence, even where Council approval has been granted.

Accordingly, members considering development are strongly encouraged to review their plans against the original 9.144 metre setback and the exemptions above before proceeding. Members are also encouraged to undertake appropriate neighbour consultation as part of any development process.

This information is provided to help ensure members are fully informed prior to finalising development plans. If you would like to discuss your proposal or require clarification regarding SWL licensing requirements, we encourage you to contact SWL before construction commences.





12

Why compliance really matters

12 Why compliance really matters

The Board has a legal obligation to apply rules consistently and manage risk across the estate. Compliance is not about bureaucracy; it is about protecting everyone's lifestyle and investment.

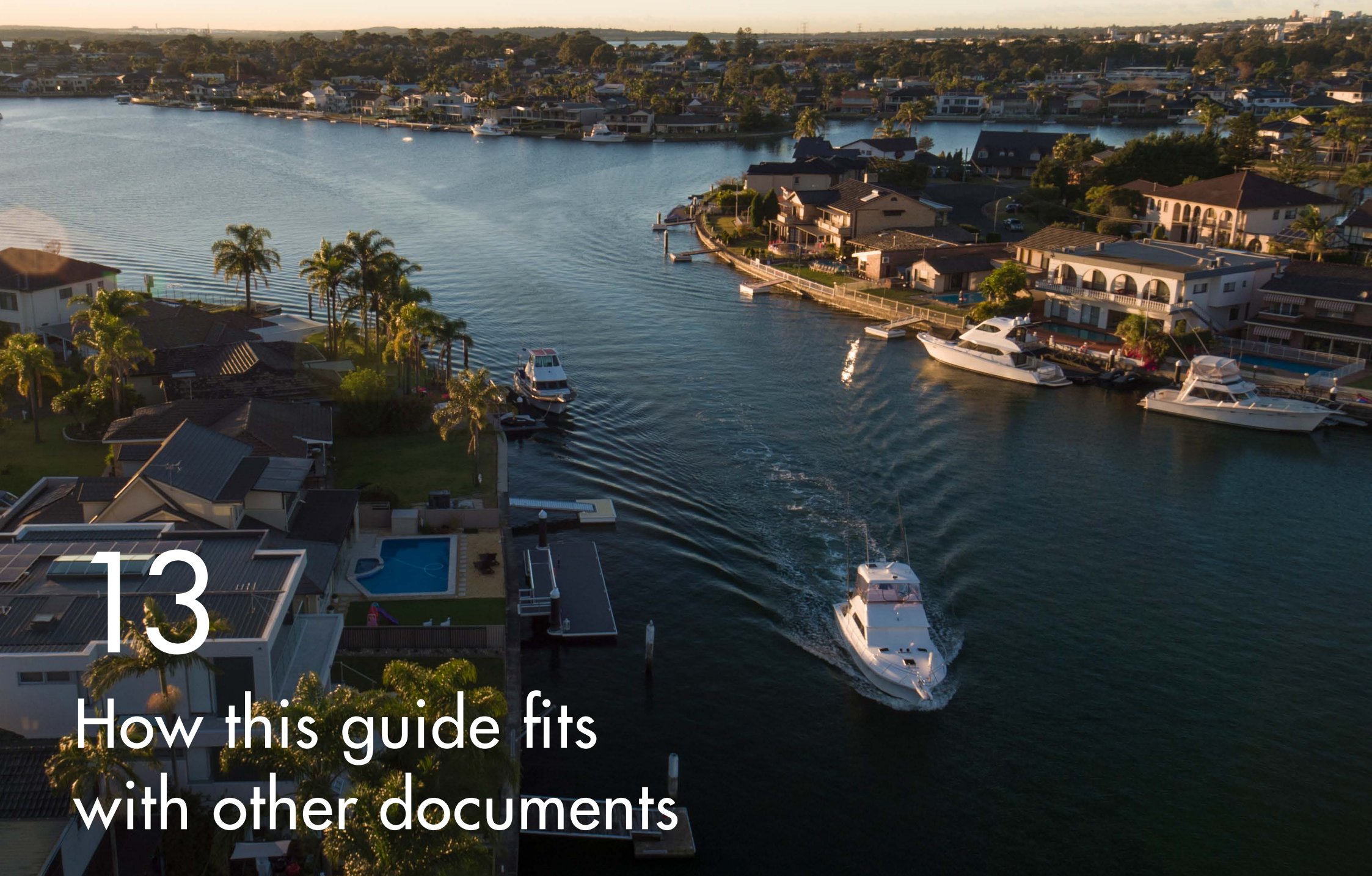
Non compliance can lead to:

- + safety risks (collapse, electrical hazards, navigation obstruction);
- + damage to neighbouring properties;
- + reduced amenity and visual clutter;
- + increased insurance and liability exposure;
- + declining property values across the estate; and
- + enforcement action, including potential suspension or loss of waterfront licensing rights, non-licence fees, or removal of non-compliant structures.

Conversely, consistent compliance:

- ✓ preserves the look and feel of the waterways;
- ✓ protects resale values;
- ✓ reduces disputes between neighbours; and
- ✓ ensures fairness for all members.





13

How this guide fits with other documents

How this guide fits with other documents

This guide should be read alongside the following key sources of information about living in Sylvania Waters:



SWL Website

sylvaniawaters.com

Provides general information about the estate, the Company, member responsibilities, buyer information and waterfront living.



Document 1014

Membership & Share Application.

This is the legal agreement governing membership and shareholding in Sylvania Waterways Ltd.



Document 1016

Regulations, Standards & Procedures.

This is the detailed technical and compliance requirements for seawalls, waterfront devices and development.



Introduction to Living in Sylvania Waters

New Member introduction video

This is a practical, visual overview of how the waterways operate and what new owners need to know.



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A shared community tradition

14 A shared community tradition

Beyond governance and infrastructure, Sylvania Waters is also a community.

One long-standing tradition that reflects this spirit is the Santa Boat on Christmas Day. For more than 25 years, volunteers from within the community have helped bring Santa by boat through the canals on Christmas morning, a tradition enjoyed by generations of families and children.

As part of this tradition, all donated gifts collected through the Santa Boat are provided to a local charity, which distributes them into the wider community to support families and children who may be experiencing hardship.

The Santa Boat is a reminder that the waterways are not just shared assets to be managed, but a shared place to live, connect and create memories. It reflects the community values that underpin Sylvania Waterways Ltd and the importance of looking after the waterways for current and future residents.

Sylvania Waters works because it is a shared environment; and Sylvania Waterways Limited exists to ensure that individual enjoyment of waterfront living never comes at the expense of:

- + neighbour safety;
- + community amenity; or
- + long-term property value.

When everyone values the framework and plays their part, the waterways remain a place that all residents can enjoy, — now and into the future.

For questions or clarification, members are encouraged to contact Sylvania Waterways Ltd or review the detailed documents and website referenced above.

1300 139 283
admin@sylvaniawaters.com
Sylvaniawaters.com



SYLVANIA WATERS

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Contact us

E admin@sylvaniawaters.com **W** Sylvaniawaters.com