Queensland

Coastal Protection and Management Act 1995

Coastal Protection and Management Regulation 2003

Current as at 7 March 2014

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Queensland

Coastal Protection and Management Regulation 2003

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Contents

Coastal Protection and Management Regulation 2003

[as amended by all amendments that commenced on or before 7 March 2014]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Coastal Protection and Management Regulation 2003*.

2 Commencement

This regulation commences on 20 October 2003.

3 Definitions

The dictionary in schedule 5 defines particular words used in this regulation.

Part 2 Coastal zone map and coastal management districts

4 Approval of coastal zone map—Act, s 18C

(1) The map called 'Coastal zone map for Queensland', certified by the chief executive on 3 October 2011, is approved as the coastal zone map.

(2) The exact location of the boundary of the coastal zone shown on the map is held in digital electronic form by the department.

4A Declaration of coastal management district—Act, s 54

(1) The following areas are declared to be coastal management districts—

(a) the area shown as a coastal management district on the map called 'Coastal management district for Queensland' dated 10 January 2012;

(b) the area, as declared immediately before the commencement of this section, of each erosion prone area situated within the area of a local government stated in schedule 1;

(c) the erosion prone area situated within 'Weipa Town' and shown on plan MNW1A.

Note—

Under the Act, chapter 2, part 4, a document describing each erosion prone area must be kept available for inspection at the department's head office, and a copy of the document must be kept available for inspection at the head office of the local government in whose area the erosion prone area is situated.

(2) The exact location of the boundary of the coastal management district mentioned in subsection (1)(a) is held in digital electronic form by the department.

4B Fixing coastal building lines—Act, s 66

(1) Each line shown on the map mentioned in section 4A(1)(a) as a coastal building line for the coastal management district shown on the map is a coastal building line for the district.

(2) The exact location of each coastal building line is held in digital electronic form by the department.

4C Access to maps and information held in digital electronic form

(1) Each map, and the exact location of each boundary or coastal building line held in digital electronic form, mentioned in sections 4 to 4B can be accessed, free of charge, on the department's website.

Editor's note—

At the commencement of this section, the department's website was at <www.derm.qld.gov.au>.

(2) The information held in digital electronic form can be reduced or enlarged to show the details of the boundary or coastal building line.

Part 3 Fees and royalties

Division 1 Fees

6 Fees for allocations and dredge management plans

The fees payable under the Act in relation to an allocation or a dredge management plan are stated in schedule 3.

Division 2 Royalties

7 Rate of royalty—Act, s 102

For section 102(1) of the Act, the rate at which royalty is payable is stated in schedule 4.

8 When royalty payable—Act, s 102

For section 102(1) of the Act, royalty is payable for quarry material removed under an allocation notice when a notice

mentioned in section 80(2) of the Act is given to the chief executive for the removal.

9 Royalty not payable for particular transport-related matters

(1) No royalty is payable for quarry material removed by any of the following persons if the conditions stated in subsection (2) are satisfied in relation to the removal—

(a) the chief executive of the department in which the *Transport Infrastructure Act 1994*, to the extent it relates to transport infrastructure other than roads, is administered;

(b) a person who manages a public marine facility;

(c) a person who is removing the quarry material for a person mentioned in paragraph (a) or (b).

(2) For subsection (1), the conditions are—

(a) the person removes the material to develop, maintain or improve navigational channels; and

(b) the person disposes of the material on land; and

(c) the material is to be used for—

(i) beach nourishment, filling or reclamation purposes; or

(ii) another purpose that does not involve the sale of any of the material.

(3) No royalty is payable by a port authority, port lessor, port lessee or port manager for quarry material removed—

(a) to maintain or improve navigational channels or navigation in its port if the material is disposed of—

(i) in an area associated with port activities and approved by the Minister of the department in which the *Transport Infrastructure Act 1994* is administered; and

(ii) under relevant statutory environmental controls; or

(b) to reclaim land that is, or is proposed to be, strategic port land or Brisbane core port land under the *Transport Infrastructure Act 1994*.

10 Royalty not payable for removal of quarry material for particular purposes

No royalty is payable by a person for quarry material removed under an allocation notice if, at the time a royalty for the material would have been payable under section 8, the material—

(a) has been, or is being, used for beach nourishment for which the person has a development approval; or

(b) is mostly mud, silt, or clay that has been, or is being, disposed of on land for filling or reclamation purposes; or

(c) has been, or is being, placed on land to avoid an adverse effect, or a potential adverse effect, on the environment.

Part 4 Tidal work

Division 1 Prescribed tidal work

14 Work that is prescribed tidal work

(1) For this regulation and the Planning Act, subject to section 15, the following work is prescribed tidal work if it is completely or partly within a local government tidal area—

(a) work that is completely tidal work;

(b) work consisting of—

(i) tidal work; and

(ii) a part that is not tidal work if the part is an integral part of the work.

(2) In this section—

tidal area, for a local government, see the Planning Act, schedule 3.

15 Work that is not prescribed tidal work

(1) The following work is not prescribed tidal work for this regulation or the Planning Act—

(a) tidal work within a State managed boat harbour;

(b) tidal work for a new or existing structure used for the operation of—

(i) a port authority or port operator; or

(ii) a public marine facility constructed by or for Queensland Transport, a port authority or a port operator;

(c) tidal work for any of the following—

(i) creating or changing the configuration or characteristics of a navigational channel;

(ii) an inlet or outlet for development for aquaculture if the development is carried out on land and is made self-assessable under the local government's planning scheme or is development requiring compliance assessment under the Planning Act;

(d) tidal work the subject of—

(i) a deemed approval; or

(ii) a development approval given under the repealed *Integrated Planning Act 1997* on or before the day this section commenced; or

(iii) a development application made under the repealed *Integrated Planning Act 1997* but not decided on or before the day this section commenced.

(2) In this section—

aquaculture see the *Fisheries Act 1994*, schedule.

navigational channel means a channel marked by aids to navigation built, erected or placed in tidal water under the *Transport Operations (Marine Safety) Act 1994*.

Queensland Transport means the department in which the *Transport Operations (Marine Safety) Act 1994* is administered.

State managed boat harbour see the *Transport Infrastructure (Public Marine Facilities) Regulation 2011*, schedule 4.

Division 2 Codes for IDAS

16 Codes for IDAS for particular tidal work

(1) The code for IDAS for development applications for prescribed tidal work is in schedule 4A.

(2) The code for IDAS for self-assessable operational work mentioned in the *Sustainable Planning Regulation 2009*, schedule 3, part 2, table 4, item 8(b) is the document called 'Code for self-assessable development—For tidal work, or works completely or partly within a coastal management district' dated February 2014 and published on the department's website.

Editor's note—

At the commencement of this section, the department's website was at <www.ehp.qld.gov.au>.

(3) In this section—

IDAS means the system detailed in the Planning Act, chapter 6, for integrating State and local government assessment and approval processes for development.

Part 5 Transitional provisions for Coastal Protection and Management Amendment and Repeal Regulation 2012

17 Definitions for pt 5

In this part—

commencement means the day this section commences.

previous, if followed by a provision number, means the provision of that number as in force before the commencement.

18 Continuation of provisions for waiver of royalties for quarry material removed under allocation notice

(1) This section applies if, before the commencement—

(a) a person paid royalty for quarry material removed under an allocation notice under previous section 8; and

(b) either—

(i) the person had applied under previous section 10 for a waiver of royalty in relation to the quarry material but the application had not been decided; or

(ii) the person was entitled to apply for a waiver of royalty but had not made an application under previous section 10.

(2) Previous sections 10 to 13 continue to apply in relation to the quarry material as if the *Coastal Protection and Management Regulation 2003* had not commenced.

19 Continuation of provisions for existing dredge management plans

(1) This section applies to a dredge management plan continued under section 201 of the Act and in force immediately before the commencement.

(2) Sections 6 and 9, schedule 3 and previous sections 10 to 13 continue to apply in relation to—

(a) the dredge management plan; and

(b) quarry material removed under the dredge management plan.

Schedule 1 Local Governments

section 4A(1)(b)

Aurukun Shire Council
Burke Shire Council
Carpentaria Shire Council
Cook Shire Council
Doomadgee Shire Council
Hope Vale Shire Council
Kowanyama Shire Council
Lockhart River Shire Council
Mapoon Shire Council
Mornington Shire Council
Napranum Shire Council
Northern Peninsula Area Regional Council
Pormpuraaw Shire Council
Torres Shire Council
Torres Strait Island Regional Council
Wujal Wujal Shire Council

Schedule 3 Fees for allocations and dredge management plans

section 6

		$
1	Application for an allocation (Act, s 73(2)(b)), allowing the removal of—	
	(a) not more than 10000m³ of quarry material	214.30
	(b) more than 10000m³ of quarry material	637.00
2	Application to transfer all or part of an allocation (Act, s 82(2)(c)), allowing the removal of—	
	(a) not more than 10000m³ of quarry material	66.90
	(b) more than 10000m³ of quarry material	200.80
3	Application to renew an allocation notice (Act, s 83(2)(b)), allowing the removal of—	
	(a) not more than 10000m³ of quarry material	133.90
	(b) more than 10000m³ of quarry material	402.10
4	Application to transfer all or part of an approved dredge management plan (Act, s 95(2)(b) as continued under s 201), allowing the removal of—	
	(a) not more than 10000m³ of quarry material	66.95
	(b) more than 10000m³ of quarry material	200.80
5	Application to renew an approval of a dredge management plan (Act, s 96(2)(b) as continued under s 201), allowing the removal of—	
	(a) not more than 10000m³ of quarry material	133.90
	(b) more than 10000m³ of quarry material	402.10

Schedule 4 Royalty payable for removal of quarry material

section 7

		$
1	Royalty for removal of quarry material under an allocation notice (Act, s 102(1))—for each cubic metre removed—	
	(a) by a government body or a statutory authority for its own use	0.64
	(b) otherwise	1.85

Schedule 4A IDAS code for development applications for prescribed tidal work

section 16

Part 1 Preliminary

1 Application of code

This code applies for the assessment of a development application for prescribed tidal work for which a local government is the assessment manager.

2 Purpose of code

The purpose of this code is to ensure prescribed tidal work for which it applies—

(a) is compatible with the character and amenity of its surrounding area; and

(b) is designed and constructed in a way to ensure it is structurally sound; and

(c) is safe for use; and

(d) is adequately serviced with infrastructure, including, for example, infrastructure for the supply of water or the discharge of sewage; and

(e) involves only minimal use of tidal water in a canal, for a non-maritime purpose; and

(f) does not cause a significant adverse affect to any of the following—

(i) existing public access to any foreshores or any tidal water;

(ii) navigable access to, or navigable egress from, any non-tidal work lot;

(iii) the natural features of any tidal water, including, for example, the water quality and bed and banks of the tidal water;

(iv) the structural integrity, operation or maintenance of any existing structure.

3 Definitions

In this code—

1% probability flood event means a rise in tidal water levels to a level that has a 1% probability of occurring in any 1 year.

Australian Standard includes a standard jointly made or published by Standards Australia and Standards New Zealand.

axle load means the load applied through the axle of a vehicle.

bed and banks, of tidal water, means land over which the tidal water ordinarily flows or that is ordinarily covered by the tidal water, whether permanently or intermittently; but does not include adjacent land that is from time to time covered by floodwater.

concentrated live load, in relation to a structure, means a live load that is not uniformly distributed over the structure.

dead load, of prescribed tidal work, means the total load applied to the work by—

(a) the structural components of the work; and

(b) anything permanently on or attached to the work, including, for example, a partition or machinery permanently fixed to the work.

distributed live load, in relation to a structure or a part of a structure, means a live load that is uniformly distributed over the structure or the part.

extended side boundary, of a lot connected to prescribed tidal work, means a notional boundary worked out by extending a side boundary of the lot into tidal water—

(a) in a continuing straight line; or

(b) if extending the side boundary into tidal water in a continuing straight line would reduce the unimpeded navigable access to, or egress from, an adjoining lot to less than 3m or cause a significant adverse affect to navigational safety—at an angle that ensures—

(i) the unimpeded navigable access to, or egress from, any adjoining lot is not reduced to less than 3m; and

(ii) no significant adverse affect is caused to navigational safety.

factor of safety, of a retaining wall, revetment or seawall, means the number worked out by dividing the total forces of the retaining wall, revetment or seawall that resist overturning or sliding by the total forces of the retaining wall, revetment or seawall that cause overturning or sliding.

foreshore means the part of the shore between the low water mark and highest astronomical tide.

foundation support, for a bridge, means anything that can be used to support the bridge, including, for example, an anchor, footing or pile.

group use, of a structure, means use of the structure other than individual use of the structure.

highest astronomical tide means the highest level of the tides that can be predicted to occur under average meteorological conditions and under any combination of astronomical conditions.

independent deck means a structure that—

(a) consists only of a deck and components to structurally support the deck; and

(b) is not connected with another structure that is tidal work.

Examples of a deck that is connected with another structure that is tidal work—

- the deck of a jetty
- the deck of a pontoon

individual use, of a structure, means use of the structure—

(a) that is by persons from only 1 residence, place of business or parcel of vacant land; and

(b) that is not by a group of persons in the course of activities of an association, society, body or other entity.

Examples of associations, societies, bodies or other entities for paragraph (b)—

sporting or recreational club, youth group, youth organisation, scout or guide group, school or university, environmental education group

kilonewton means a unit of force equal to 1000 newtons.

kN means kilonewton.

kPa means kilopascal.

lighting standard means each of the following Australian Standards—

(a) AS/NZS 1158.6:2004—Lighting for roads and public spaces—Luminaries;

(b) AS/NZS 1158.3.1:1999—Road lighting—Pedestrian area (category P) lighting—Performance and installation design requirements;

(c) AS 4282-1997—Control of the obtrusive effects of outdoor lighting.

live load, in relation to a structure, means the total load applied to the structure by anything temporarily on or attached to the structure.

load means weight, force or pressure.

lot includes a parcel of unallocated State land.

major wharf means a wharf the construction of which—

(a) has significantly disturbed, or will significantly disturb, the substrate, flora or fauna in the locality within which the wharf is located; or

(b) has caused, or will cause, a significant isolation of parts of land or tidal water in the locality within which the

wharf is located, including, for example, the bed and banks of tidal water.

marine plant see the *Fisheries Act 1994*, section 8.

minor wharf means a wharf that is not a major wharf.

non-private purpose means a purpose other than a private purpose.

non-tidal work lot means a lot that is not, and never was, the subject of any of the following—

(a) a development approval for prescribed tidal work;

(b) a development approval for tidal works that are not prescribed tidal work;

(c) a deemed approval.

pontoon means a structure consisting of the following components—

(a) a flotation unit;

(b) an access walkway for the flotation unit;

(c) a system for mooring the flotation unit and access walkway;

(d) an abutment.

private boat ramp means a boat ramp used for a private purpose.

private purpose means a purpose related only to either or both of the following—

(a) use of a boat used only for recreation;

(b) use of land, if the use is only for residential purposes.

private slip way means a slip way used for a private purpose.

probable solution, for achieving a specific outcome stated in the table, column 1, means the probable solution stated in the table, column 2 opposite the specific outcome.

relevant engineering standard, for prescribed tidal work, means a standard, practice, principle, procedure or other requirement accepted in the engineering industry as being an

appropriate standard, practice, principle, procedure or requirement for the design or construction of work of that type.

relevant loading matter, for prescribed tidal work, means each of the following matters, to the extent they affect the load that can be reasonably expected to be applied to the work at any time—

(a) the purpose or activity for which the work is intended to be used;

(b) the dead load of the work;

(c) the maximum number of people likely to use the work at any time;

(d) the maximum number of vehicles likely to be on or moored at the work at any time;

(e) the types of vehicles likely to be on or moored at the work;

(f) the height or velocity of waves likely to occur in the tidal water under, within or over which the work is located;

(g) any other thing that may be relevant to the load applied to the work at any time, including, for example, environmental factors.

relevant planning scheme, for prescribed tidal work, means the local government planning scheme applying to the lot connected to the work.

relevant planning scheme standard, in relation to achieving a specific outcome for prescribed tidal work, means a standard—

(a) stated in the relevant planning scheme for the work; and

(b) relevant to achieving the specific outcome.

revetment means a wall constructed along the bottom of an embankment to—

(a) protect the embankment from erosion; and

(b) keep in place the materials that are landward of the wall.

roofed means covered with a permanent or temporary attachment.

Examples of temporary attachments—

tarpaulin, umbrella, wind sail

s 6(2) solution see section 5 of this code.

seawall means a wall constructed along a shoreline to—

(a) prevent the encroachment, by wave action, of the sea past the shoreline; and

(b) keep in place the materials that are landward of the wall.

shore abutment means a solid wall or other structure constructed adjacent to a shoreline to counteract any force applied to the shore by a bridge, independent deck or other structure located on the shore.

side boundary, of a lot, means a boundary of the lot that meets tidal water but is not a waterfront boundary of the lot.

specific outcome means an outcome stated in the table, column 1.

stormwater outlet means a pipe that is the exit for an artificial passage for stormwater or floodwater.

vegetation does not include marine plants.

vehicle includes a boat or other vessel.

waterfront boundary, of a lot, means a boundary of the lot fronting tidal water.

4 When lot connected to prescribed tidal work

For this code, a lot is connected to prescribed tidal work if—

(a) the work is attached to the lot; or

(b) the work is not attached to the lot but is constructed for use in association with the lot.

Example for paragraph (b)—

a mooring pile near, but not attached to, a lot used for mooring vessels by persons who live on the lot

5 References to s 6(2) solution in probable solution

In the table, a reference to the words 's 6(2) solution', in brackets, before a probable solution is a reference to the requirement, under section 6(2) of this code, that the probable solution must be complied with to achieve the specific outcome stated opposite the solution.

Part 2 Compliance with code

6 How to comply with code

(1) This code is complied with for prescribed tidal work if each specific outcome applying to the work is achieved.

(2) A specific outcome mentioned in item 12.10, 13.1, 13.2, 15.1, 15.2, 16.1, 16.2, 16.4, 17.1, 18.1, 18.2, 18.3, 18.4, 18.7, 19.1, 19.2, 19.3 or 20.1 of the table is achieved only if the probable solution for achieving the outcome is complied with.

(3) Also, a specific outcome mentioned in any of items 12.1 to 12.10, 13.1, 13.2, 14.1, 14.2, 15.1 to 15.3, 16.1 to 16.4, 17.1, 18.1 to 18.6, 19.1 to 19.4 and 20.1 of the table is achieved only if the works carried out to comply with the probable solution for achieving the outcome are appropriately certified.

(4) A probable solution for achieving a specific outcome, other than a specific outcome mentioned in subsection (2), provides a guide for how the outcome may be achieved.

(5) In this section—

appropriately certified, for works carried out to comply with a probable solution for achieving a specific outcome, means the works have been certified by a relevant engineer as having been carried out appropriately for the achievement of the outcome.

relevant engineer means a person who, under the *Professional Engineers Act 2002*, is a registered professional engineer in any of the following areas of engineering—

(a) civil engineering;

(b) marine engineering;

(c) structural engineering.

7 Relationship between particular specific outcomes and probable solutions

(1) This section applies if there is an inconsistency or overlap between—

(a) a specific outcome (a ***general specific outcome***) mentioned in any item in the table from item 12.1 to item 12.10, inclusive; and

(b) a specific outcome (a ***direct specific outcome***) mentioned in any item in the table from item 13.1 to item 20.1, inclusive.

(2) The direct specific outcome prevails to the extent of the inconsistency or overlap.

(3) Subsection (4) applies if the probable solution for the general specific outcome includes an Australian Standard that is more stringent than a stated direct standard included in the probable solution for the direct specific outcome.

(4) The probable solution for the direct specific outcome is taken to include the Australian Standard instead of the stated direct standard.

Example for subsection (4)—

An Australian Standard mentioned in the probable solution in item 12.1 of the table includes a requirement about the minimum load a boardwalk or independent deck must be able to support and the minimum load is higher than the minimum load stated, for the boardwalk or deck, in paragraph (a) of the probable solution in item 15.1 of the table. Paragraph (a) of the probable solution in item 15.1 is taken to refer to the minimum load stated in the Australian Standard.

(5) In this section—

stated direct standard, included in the probable solution for a direct specific outcome, means a standard stated in the probable solution, other than a relevant planning scheme standard.

Part 3 Specific outcomes and probable solutions

Table

Column 1 Specific outcome	Column 2 A probable solution
Character and amenity (generally)—prescribed tidal work in a canal	
1.1 Prescribed tidal work in a canal and for a private purpose is compatible with its location, having regard to the following— (a) the character and amenity of the work's immediate surroundings and the locality within which the work is located; (b) if the relevant planning scheme states the desired character or amenity for the work's immediate surroundings or the locality within which the work is located—the stated desired character or amenity.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (c), prescribed tidal work does not extend past the side boundary or extended side boundary of the lot connected to the work; (b) subject to paragraph (c), prescribed tidal work is not roofed; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b); (d) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a) to (c).

Column 1	Column 2
Specific outcome	**A probable solution**
1.2 Prescribed tidal work in a canal and for a non-private purpose is compatible with its location, having regard to the following— (a) the character and amenity of the work's immediate surroundings and the locality within which the work is located; (b) if the relevant planning scheme states the desired character or amenity for the work's immediate surroundings or the locality within which the work is located—the stated desired character or amenity.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (c), prescribed tidal work used for a commercial purpose does not extend past the side boundary or extended side boundary of the lot connected to the work; (b) subject to paragraph (c), prescribed tidal work is not roofed unless it is the main access to land; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard stated in paragraph (a) or (b); (d) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a) to (c).

Column 1	Column 2
Specific outcome	**A probable solution**
Character and amenity (generally)—prescribed tidal work not in a canal	
2.1 Prescribed tidal work not in a canal and for a private purpose is compatible with its location, having regard to the following— (a) the character and amenity of the work's immediate surroundings and the locality within which the work is located; (b) if the relevant planning scheme states the desired character or amenity for the work's immediate surroundings or the locality within which the work is located—the stated desired character or amenity.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (e), prescribed tidal work does not extend past the side boundary or extended side boundary of the lot connected to the work; (b) subject to paragraph (e), prescribed tidal work is the only work of its type along the edge of the tidal water fronting the lot connected to the work; (c) subject to paragraph (e), prescribed tidal work that is a boardwalk or independent deck is not roofed; (d) subject to paragraph (e), prescribed tidal work other than a boardwalk or deck is not roofed unless it is the main access to land; (e) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a), (b), (c) or (d)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a), (b), (c) or (d); (f) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a) to (e).

Column 1	Column 2
Specific outcome	**A probable solution**
2.2 Prescribed tidal work not in a canal and for a non-private purpose is compatible with its location, having regard to the following— (a) the character and amenity of the work's immediate surroundings and the locality within which the work is located; (b) if the relevant planning scheme states the desired character or amenity for the work's immediate surroundings or the locality within which the work is located—the stated desired character or amenity.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (c), prescribed tidal work used for a commercial purpose does not extend past the side boundary or extended side boundary of the lot connected to the work; (b) subject to paragraph (c), prescribed tidal work used for a commercial purpose is not roofed unless it is the main access to land; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent the standard is more stringent than the standard mentioned in paragraph (a) or (b); (d) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a) to (c).

Column 1	Column 2
Specific outcome	**A probable solution**
Character and amenity (height, scale and size)	
3.1 Prescribed tidal work is of a height, scale and size to ensure the work is compatible with the character and amenity of its location, having regard to the following— (a) the height, scale and size of the natural features of the work's immediate surroundings and the locality within which the work is located; (b) the height, scale and size of the existing buildings or other structures in the work's immediate surroundings and the locality within which the work is located; (c) if the relevant planning scheme states the desired height, scale or size of buildings or other structures in the work's immediate surroundings or the locality within which the work is located—the stated desired height, scale or size.	The height, scale and size of the prescribed tidal work is consistent with each relevant planning scheme standard.

Column 1	Column 2
Specific outcome	**A probable solution**
Character and amenity (materials and colours)	
4.1 The materials used for, and the colours of, prescribed tidal work are compatible with the character and amenity of the work's location, having regard to the following— (a) the natural features of the work's immediate surroundings and the locality within which the work is located; (b) the existing buildings or other structures in the work's immediate surroundings and the locality within which the work is located; (c) if the relevant planning scheme states the desired materials to be used for, or desired colours of, buildings or other structures in the work's immediate surroundings or the locality within which the work is located—the stated desired materials or colours.	The materials used for, and colours of, the prescribed tidal work are consistent with each relevant planning scheme standard.

Column 1	Column 2
Specific outcome	**A probable solution**
Lighting	
5.1 Lighting, other than an aid to navigation, for prescribed tidal work is installed in a way to ensure the security and safe use of the work without causing significant adverse effects on the amenity of the locality within which the work is located.	The lighting for the prescribed tidal work, other than an aid to navigation, is consistent with the following standards— (a) subject to paragraph (c), lighting for prescribed tidal work is hooded and directed downwards; (b) subject to paragraph (c), each lighting standard, to the extent relevant; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent the standard is more stringent than the standard mentioned in paragraph (a) or (b); (d) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a) to (c).

Column 1 **Specific outcome**	Column 2 **A probable solution**
Signage	
6.1 A sign erected or otherwise placed in position for prescribed tidal work, other than a sign erected or placed for safety reasons or under an Act— (a) is compatible with the character and amenity of the work's immediate surroundings and the locality within which the work is located; and (b) is not a dominant feature of the work, unless the dominance is for safety reasons.	A sign erected or otherwise placed in position for prescribed tidal work, other than a sign erected or placed for safety reasons or under an Act, is consistent with the following standards— (a) subject to paragraph (c), a sign erected or placed in position for identifying prescribed tidal work, or the owner of the work, is the only sign erected or placed in position for identifying the work or owner; (b) subject to paragraph (c), a sign erected or otherwise placed in position for prescribed tidal work is integrated into the design and construction of the work; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a); (d) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a), (b) and (c).

Column 1 Specific outcome	Column 2 A probable solution
Earthwork and vegetation	
7.1 Excavation and filling for prescribed tidal work— (a) is carried out only to the extent reasonably necessary for the work; and (b) does not have a significant adverse effect on— (i) the natural features of the tidal water under, within or over which the work is located; or (ii) the level of the surface of the land under the tidal water under, within or over which the work is located, or any foreshores near the work.	The earthwork and filling for the prescribed tidal work is consistent with each relevant planning scheme standard.
7.2 The location of prescribed tidal work ensures vegetation is cleared or disturbed only to the extent reasonably necessary for the work.	The vegetation in the tidal water, under within or over which the prescribed tidal work is located, or on land under the tidal water, is cleared or disturbed in a way consistent with each relevant planning scheme standard.
7.3 Any vegetation damaged, destroyed or removed by prescribed tidal work under, within or over tidal water other than an artificial waterway, is replaced with appropriate vegetation.	Vegetation affected by the prescribed tidal work is dealt with in a way consistent with the following standards— (a) subject to paragraph (b), vegetation damaged, destroyed or removed by prescribed tidal work is replaced with native vegetation for the locality within which the work is located, to the extent it is reasonably practicable to replace the vegetation with native vegetation;

Column 1 Specific outcome	Column 2 A probable solution
	(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a); (c) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a) and (b).
Public access—availability	
8.1 Prescribed tidal work does not have a significant adverse effect on the availability of public access to foreshores, including public access proposed in the relevant planning scheme.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (b), prescribed tidal work does not involve the erection or placement of any physical barrier preventing existing access, along a public accessway, to the foreshores near the work; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a); (c) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a) and (b).
Public access—safety	
9.1 The location and design of prescribed tidal work does not adversely affect the safety of members of the public accessing the foreshores.	Public access to foreshores near the prescribed tidal work is consistent with each relevant planning scheme standard.

Column 1	Column 2
Specific outcome	**A probable solution**
Navigable access to, or egress from, non-tidal work lots	
10.1 Prescribed tidal work does not adversely affect navigable access to, or navigable egress from, any non-tidal work lot.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (b), if the lot connected to prescribed tidal work (the ***connected lot***) adjoins a non-tidal work lot, the work does not extend past the connected lot's side boundary, or extended side boundary, adjoining the non-tidal work lot; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).
Infrastructure, including, access, parking, sewerage and water services	
11.1 Prescribed tidal work has appropriate infrastructure, including, in particular, road access, parking facilities, sewerage services and water services, having regard to— (a) the nature and scale of the work; and (b) the number of people that may be on or at the work at any time; and (c) the number of vehicles that may be on or moored at the work at any time; and (d) the protection of any foreshores near the work and the vegetation and marine plants on the foreshores.	The infrastructure for prescribed tidal work is consistent with each relevant planning scheme standard.

Column 1	Column 2
Specific outcome	**A probable solution**
Design, construction and safety—all prescribed tidal work	
12.1 Prescribed tidal work is designed and constructed in a way to ensure it is structurally sound, having regard to the following— (a) relevant engineering standards; (b) the location of the work; (c) the purpose for which the work is to be used; (d) the impact of flooding, tidal influences and hydrodynamic changes.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (b), each Australian Standard relevant to the design or construction of structures, to the extent requirements stated in the Standard apply to the design or construction of prescribed tidal work; (b) if a relevant planning scheme standard is more stringent than any standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).
12.2 Prescribed tidal work does not adversely affect the structural integrity of any existing revetment or seawall or another existing structure.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (b), prescribed tidal work, including any shore abutment, piling or other structure connected with the work— (i) does not place an additional load on any existing revetment or seawall or another existing structure; or (ii) can be structurally supported by an existing revetment or seawall or another existing structure; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).

Column 1	Column 2
Specific outcome	**A probable solution**
12.3 Prescribed tidal work is designed and constructed in a way to ensure it does not adversely affect the stability of the bed and banks of any tidal water.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (b), prescribed tidal work does not cause, by changing the flow of water, the removal of, or disturbance to, the sediment on the bed and banks of any tidal water; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).
12.4 Prescribed tidal work is designed and constructed using materials having a long life in marine environments, having regard to their ability to resist the following— (a) attack by marine organisms; (b) corrosion; (c) deterioration resulting from abrasion or immersion in seawater.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (b), each Australian Standard relevant to the materials that should be used, or the measures that should be taken to treat materials used, for structures, to the extent the requirements stated in the Standard apply to structures located in a marine environment; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).

Column 1	Column 2
Specific outcome	**A probable solution**
12.5 Prescribed tidal work is designed and constructed in a way to ensure it does not adversely affect the operation or maintenance of any existing stormwater outlet.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (c), vessels moored at prescribed tidal work do not impede the discharge of stormwater; (b) subject to paragraph (c), prescribed tidal work does not restrict access to any stormwater outlet; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).
12.6 Prescribed tidal work is designed and constructed in a way to ensure it does not adversely affect the water quality of any tidal water, including, in particular, as a result of— (a) release, into the tidal water, of materials used in the construction of the work; or (b) disturbance to the sediment on the bed and banks of the tidal water; or (c) exposure to acid sulphate soils.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (b), each Australian Standard relevant to the design or construction of structures under, within or over tidal water, to the extent the requirements stated in the Standard are directed at maintaining the water quality of tidal water; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).

Column 1	Column 2
Specific outcome	**A probable solution**
12.7 Prescribed tidal work is designed and constructed in a way to ensure it is safe for persons standing or walking on the work.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (c), any surface of prescribed tidal work on which a person may stand or walk is— (i) not slippery; and (ii) does not have any feature that may cause the person to trip or fall; (b) subject to paragraph (c), any part of prescribed tidal work that is unsafe for persons standing or walking on the work is surrounded by adequate barriers to deter persons from entering the part; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).
12.8 Appropriate measures are taken for prescribed tidal work for a non-private purpose to ensure an unsupportable live load is not applied to the work by persons or vehicles.	The design and construction of the prescribed tidal work is consistent with the following standards— (a) subject to paragraph (b), prescribed tidal work has erected or placed in position on or near the work, a sign that— (i) is visible at all times; and (ii) states the maximum live load that may be applied to the work, in terms of the maximum number of persons that may be on the work at any given time or the maximum number of vehicles of a particular type that may be on or moored at the work at any given time;

Column 1 Specific outcome	Column 2 A probable solution
	(b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).
12.9 Prescribed tidal work, other than a boardwalk or an independent deck for a private purpose, is designed and constructed in a way that ensures the use of tidal water in a canal for a non-maritime purpose is minimised.	The design and construction of the prescribed tidal work is consistent with each relevant planning scheme standard.
12.10 Prescribed tidal work that is a boardwalk or an independent deck and for a private purpose, is designed and constructed in a way that ensures the use of tidal water in a canal for a non-maritime purpose is minimised.	(s 6(2) solution) The design and construction of the boardwalk or deck is consistent with the following standards— (a) subject to paragraph (c), a boardwalk or independent deck does not extend more than 3m from the waterfront boundary of the lot connected to the boardwalk or deck; (b) subject to paragraph (c), a boardwalk or independent deck is at least 3m inside of the side boundary or extended side boundary of the lot connected to the boardwalk or deck; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).

Column 1	Column 2
Specific outcome	**A probable solution**
Design, construction and safety—boat ramps and slip ways for private purpose	
13.1 Prescribed tidal work that is a private boat ramp or private slip way is designed and constructed in a way to ensure it is structurally sound while also ensuring the top of each wall at the edge of the boat ramp or slip way is level with the surface of the land on which the boat ramp or slip way is located.	(s 6(2) solution) The design and construction of the boat ramp or slip way is consistent with the following standards— (a) subject to paragraph (c), the walls at the edge of a boat ramp or slip way penetrate into the earth at least 600mm below the surface of the land on which the boat ramp or slip way is located; (b) subject to paragraph (c), the surface of a boat ramp or slip way is no more than 200mm above the surface of the land on which it is located; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).
13.2 Prescribed tidal work that is a private boat ramp or private slip way is designed and constructed in a way to ensure the safe movement of vehicles or persons over the boat ramp or slip way.	(s 6(2) solution) The design and construction of the boat ramp or slip way is consistent with the following standards— (a) subject to paragraph (d), the upper surface of a boat ramp or slip way has a width of no less than 3.6m; (b) subject to paragraph (d), the whole upper surface of a boat ramp or slip way is treated to prevent it from becoming slippery by using any of the following methods— (i) forming grooves over the surface, as close as possible to 40mm wide, 20mm deep and 150mm apart, and at an angle as close as possible to 70º to the centre-line of the boat ramp or slip way;

Column 1 **Specific outcome**	Column 2 **A probable solution**
	(ii) covering the surface with a substance ordinarily used on slippery surfaces to prevent skidding; (iii) making, through a physical act, the surface coarse before it sets, including, for example, by raking the surface; (c) subject to paragraph (d), the upper surface of a boat ramp or slip way for which a winch is not used to hoist or haul vessels onto the boat ramp or slip way is at a gradient of not steeper than— (i) if the surface is treated by using a method mentioned in paragraph (b)(i) or (ii)—1:8; or (ii) otherwise—1:10; (d) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a), (b) or (c)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a), (b) or (c).
Design, construction and safety—bridges	
14.1 Prescribed tidal work that is a bridge does not adversely affect existing public use of any tidal water, including, for example, use of the tidal water for canoeing, swimming or other recreational activities.	The design and construction of the bridge, including any abutment connected with the bridge, is consistent with the following standards— (a) subject to paragraph (b), the clearance levels under a bridge are high enough to allow continued public use of any tidal water over which it is constructed; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).

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Specific outcome	**A probable solution**
14.2 Prescribed tidal work that is a bridge does not adversely affect the flow of tidal water under the bridge.	The design and construction of the bridge is consistent with the following standards— (a) subject to paragraph (b)— (i) if a bridge can be adequately supported without erecting or placing a foundation support in tidal water—no foundation support to support the bridge is erected or placed in the tidal water; or (ii) otherwise—only the minimum number of foundation supports required to support the bridge is used; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).
Design, construction and safety—boardwalks and independent decks	
15.1 Prescribed tidal work that is a boardwalk or an independent deck and for a private purpose is designed and constructed in a way to ensure it is able to support its intended loads, having regard to its relevant loading matters.	(s 6(2) solution) The design and construction of the boardwalk or deck is consistent with the following standards— (a) subject to paragraph (d), a boardwalk or independent deck accessible to vehicular traffic is able to support at least a live load of 3.0kPa plus an axle load of 10kN; (b) subject to paragraph (d), a boardwalk or independent deck that is not accessible to vehicular traffic and that is for individual use is able to support at least a live load of 2.0kPa; (c) subject to paragraph (d), a boardwalk or independent deck that is not accessible to vehicular traffic and that is for group use is able to support at least a live load of 3.0kPa;

Column 1	Column 2
Specific outcome	**A probable solution**
	(d) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a), (b) or (c)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a), (b) or (c).
15.2 Prescribed tidal work that is a boardwalk or an independent deck and for a non-private purpose is designed and constructed in a way to ensure it is able to support its intended loads, having regard to its relevant loading matters.	(s 6(2) solution) The design or construction of the boardwalk or deck is consistent with the following standards— (a) subject to paragraph (c), a boardwalk or independent deck accessible to vehicular traffic is able to support at least the following— (i) a distributed live load of 5.0kPa; (ii) a concentrated live load of 4.5kN; (iii) the load of the largest vehicle capable of being on the boardwalk or deck; (b) subject to paragraph (c), a boardwalk or independent deck not accessible to vehicular traffic is able to support at least the following— (i) a distributed live load of 5.0kPa; (ii) a concentrated live load of 4.5kN; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).

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Specific outcome	**A probable solution**
15.3 Prescribed tidal work that is a boardwalk or an independent deck does not prevent or hinder remedial work being undertaken on any bank of tidal water or for any existing retaining wall, revetment or seawall or another existing structure.	The design and construction of the boardwalk or deck is consistent with the following standards— (a) subject to paragraph (b), a boardwalk or independent deck either— (i) can be easily dismantled and reassembled; or (ii) does not restrict the movement of machinery ordinarily used for remedial work to any bank of tidal water or any existing retaining wall, revetment or seawall or other existing structure; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).
Design, construction and safety—jetties and piers	
16.1 Prescribed tidal work that is a jetty or pier and for a private purpose is designed and constructed in a way to ensure it is able to support its intended loads, having regard to its relevant loading matters.	(s 6(2) solution) The design and construction of the jetty or pier is consistent with the following standards— (a) subject to paragraph (d), a jetty or pier accessible to vehicular traffic is able to support at least a live load of 3.0kPa plus an axle load of 10kN; (b) subject to paragraph (d), a jetty or pier that is not accessible to vehicular traffic and that is for individual use is able to support at least a live load of 2.0kPa; (c) subject to paragraph (d), a jetty or pier that is not accessible to vehicular traffic and that is for group use is able to support at least a live load of 3.0kPa;

Column 1 Specific outcome	Column 2 A probable solution
	(d) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a), (b) or (c)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a), (b) or (c).
16.2 Prescribed tidal work that is a jetty or pier and for a non-private purpose is designed and constructed in a way to ensure it is able to support its intended loads, having regard to its relevant loading matters.	(s 6(2) solution) The design and construction of the jetty or pier is consistent with the following standards— (a) subject to paragraph (c), a jetty or pier accessible to vehicular traffic is able to support at least the following— (i) a distributed live load of 5.0kPa; (ii) a concentrated live load of 4.5kN; (iii) the load of the largest vehicle capable of being on or moored at the jetty or pier; (b) subject to paragraph (c), a jetty or pier not accessible to vehicular traffic is able to support at least the following— (i) a distributed live load of 5.0kPa; (ii) a concentrated live load of 4.5kN; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).

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Specific outcome	**A probable solution**
16.3 Prescribed tidal work that is a jetty or a pier is designed and constructed in a way to ensure it remains above water at all times.	The design and construction of the jetty or pier is consistent with the following standards— (a) subject to paragraph (b), either— (i) the level of the deck of a jetty or pier is at least 300mm above the water at highest astronomical tide; or (ii) piles or other markers indicate the presence of the jetty or pier when it is inundated; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).
16.4 Prescribed tidal work that is a jetty or pier and for a private purpose is designed and constructed in a way to ensure it is of a size suitable for maritime use while still minimising the amount of tidal water occupied by it.	(s 6(2) solution) The design and construction of the jetty or pier is consistent with the following standards— (a) subject to paragraph (b), all parts of the deck of a jetty or pier have a width of at least 900mm and not more than 3m; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).

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Specific outcome	**A probable solution**
Design, construction and safety—pipelines and other underground services	
17.1 The design and construction of prescribed tidal work that is a pipeline, or another underground service used instead of a pipeline, does not adversely affect the ability of vessels to be anchored near the work.	(s 6(2) solution) The design and construction of the pipeline or underground service is consistent with the following standards— (a) subject to paragraph (b), a pipeline or other underground service is installed at least 1.2m below the surface of land, after it is installed; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).
Design, construction and safety—pontoons	
18.1 Prescribed tidal work that is a pontoon, for a private purpose, and not used only for rowing, is designed and constructed in a way to ensure it is able to support its intended loads, having regard to its relevant loading matters.	(s 6(2) solution) The design and construction of the pontoon is consistent with the following standards— (a) subject to paragraph (c), a pontoon for individual use is able to support at least a live load of 1.5kPa; (b) subject to paragraph (c), a pontoon for group use is able to support at least a live load of 2.0kPa; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).

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Specific outcome	**A probable solution**
18.2 Prescribed tidal work that is a pontoon, for a non-private purpose, and not used only for rowing, is designed and constructed in a way to ensure it is able to support its intended loads, having regard to its relevant loading matters.	(s 6(2) solution) The design and construction of the pontoon is consistent with the following standards— (a) subject to paragraph (c), a pontoon open for use by the general public or used for a commercial purpose is able to support at least the following— (i) a distributed live load of 3.0kPa; (ii) a concentrated live load of 4.5kN; (b) subject to paragraph (c), a pontoon other than a pontoon mentioned in paragraph (a) is able to support at least the following— (i) a distributed live load of 2.0kPa; (ii) a concentrated live load of 4.5kN; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).

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Specific outcome	**A probable solution**
18.3 Prescribed tidal work that is a pontoon and used only for rowing is designed and constructed in a way to ensure— (a) it is able to support its intended loads, having regard to its relevant loading matters; and (b) it is safe for persons using the pontoon to launch and retrieve rowing vessels.	(s 6(2) solution) The design and construction of the pontoon is consistent with the following standards— (a) subject to paragraph (c), the access walkway of a pontoon used only for rowing is able to support at least a live load of 3.0kPa; (b) the flotation unit of a pontoon used only for rowing is able to support at least a live load of 1.5kPa; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).
18.4 Prescribed tidal work that is a pontoon is designed and constructed in a way to ensure any load applied to the pontoon by a person or thing on the pontoon does not cause the pontoon to tip over or tilt to a degree causing the person or thing to fall off the pontoon.	(s 6(2) solution) The design and construction of the pontoon is consistent with the following standards— (a) subject to paragraph (f), a pontoon's access walkway extends at least 500mm onto the pontoon's flotation unit; (b) subject to paragraph (f), a pontoon's access walkway is constructed with a material that has a non-slippery surface; (c) for a pontoon used only for rowing—subject to paragraph (f), at least 75mm of the height of the pontoon's flotation unit remains above the water over which it is constructed if a distributed live load is applied to half of the surface of the pontoon's flotation unit and all of the surface of the pontoon's access walkways;

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Specific outcome	**A probable solution**
	(d) for a pontoon other than a pontoon mentioned in paragraph (c)—subject to paragraph (f), the top surface of the pontoon's flotation unit remains above the water over which it is constructed if a distributed live load of 1.5kPa is applied to half of the surface of the pontoon's flotation unit and all of the surface of the pontoon's access walkways; (e) subject to paragraph (f), the whole base of the pontoon's flotation unit remains in contact with the water over which it is constructed at all times and tilts no more than 15° at any time; (f) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a), (b), (c), (d) or (e)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a), (b), (c), (d) or (e).
18.5 Prescribed tidal work that is a pontoon is designed and constructed in a way to ensure it remains above the water at all times.	The design and construction of the pontoon is consistent with the following standards— (a) subject to paragraph (b), the pontoon's abutment is located no less than 300mm above the water at high water mark; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).

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Specific outcome	**A probable solution**
18.6 Prescribed tidal work that is a pontoon is designed and constructed in a way to ensure that if tidal water levels change, the pontoon's flotation unit will— (a) rise and fall to allow for the change; and (b) not be separated from the lot to which the pontoon is connected.	The design and construction of the pontoon is consistent with the following standards— (a) subject to paragraph (c), the pontoon's flotation unit is— (i) attached, through the pontoon's system for mooring the unit, to concrete anchors in the bank landward of the pontoon; or (ii) moored by piles; (b) subject to paragraph (c), if a tidal water level change resulting from a 1% probability flood event would cause a pontoon's flotation unit to detach from the system for mooring the unit— (i) the standard applying under paragraph (a); and (ii) the pontoon's flotation unit is restrained with a tethering system so that it can withstand the effects of the event; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).
18.7 Prescribed tidal work that is a pontoon identifies the lot to which the pontoon is connected.	(s 6(2) solution) The design and construction of the pontoon is consistent with the following standards— (a) a label that identifies the lot to which the pontoon is connected is written or stamped on, or fixed to, the outside of the pontoon's flotation unit; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).

Column 1	Column 2
Specific outcome	**A probable solution**
Design, construction and safety—retaining walls, revetments and seawalls	
19.1 Prescribed tidal work that is a retaining wall, revetment or seawall, is designed and constructed in a way to ensure it is able to support its intended loads, having regard to its relevant loading matters.	(s 6(2) solution) The design and construction of the retaining wall, revetment or seawall is consistent with the following standards— (a) subject to paragraph (b), a retaining wall, revetment or seawall is able to support at least a distributed live load of 3.0kPa; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).
19.2 Prescribed tidal work that is a retaining wall, revetment or seawall, is designed and constructed in a way to ensure it can withstand— (a) any tendency of overturning or sliding; and (b) any other effects of waves or changes in water levels on the retaining wall, revetment or seawall.	(s 6(2) solution) The design and construction of the retaining wall, revetment or seawall is consistent with the following standards— (a) subject to paragraph (c), a retaining wall, revetment or seawall has a factor of safety of no less than 1.5; (b) subject to paragraph (c), a retaining wall, revetment or seawall is able to withstand the effect of waves, or waves and water levels, resulting from a storm or other natural event of a magnitude that has a 2% or lower probability of occurring in any calendar year; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).

Column 1	Column 2
Specific outcome	**A probable solution**
19.3 Prescribed tidal work that is a retaining wall, revetment or seawall not founded upon rock, is designed and constructed to protect the seaward side of retaining wall, revetment or seawall from erosion.	(s 6(2) solution) The design and construction of the retaining wall, revetment or seawall is consistent with the following standards— (a) subject to paragraph (c), a retaining wall, revetment or seawall provides for a sub-layer or enough filter material to ensure it is reasonably likely to remain in place for at least 50 years; (b) subject to paragraph (c), the bottom edge of the base of a retaining wall, revetment or seawall is reasonably likely to prevent any adverse effects from potential erosion of the soil under the retaining wall, revetment or seawall for at least 50 years; (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).
19.4 Prescribed tidal work that is a retaining wall, revetment or seawall, is not adversely affected by hydrostatic pressure behind the retaining wall, revetment or seawall.	The design and construction of the retaining wall, revetment or seawall is consistent with the following standards— (a) subject to paragraph (b), a retaining wall, revetment or seawall provides for drainage holes, and suitable filter material behind the holes, to relieve any hydrostatic pressure behind the retaining wall, revetment or seawall; (b) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a).

Column 1	Column 2
Specific outcome	**A probable solution**
Design, construction and safety—wharves	
20.1 Prescribed tidal work that is a wharf is designed and constructed in a way to ensure it is able to support its intended loads, having regard to its relevant loading matters.	(s 6(2) solution) The design and construction of the wharf is consistent with the following standards— (a) subject to paragraph (c), a major wharf, or a minor wharf accessible to vehicular traffic, is able to support at least the following— (i) a distributed live load of 5.0kPa; (ii) a concentrated live load of 13kN; or (b) subject to paragraph (c), a minor wharf not accessible to vehicular traffic is able to support at least the following— (i) a distributed live load of 5.0kPa; or (ii) a concentrated live load of 4.5kN; or (c) if a relevant planning scheme standard is more stringent than the standard mentioned in paragraph (a) or (b)—the relevant planning scheme standard, to the extent it is more stringent than the standard mentioned in paragraph (a) or (b).

Schedule 5 Dictionary

section 3

aid to navigation has the meaning given by the *Transport Operations (Marine Safety) Act 1994*, section 104.

allocation means an allocation of quarry material under chapter 2, part 5, division 1, of the Act.

Brisbane core port land has the meaning given in the *Transport Infrastructure Act 1994*, schedule 6.

commencement, for part 5, see section 17.

dredge management plan means a dredge management plan continued in effect under section 201 of the Act.

government body, for schedule 4, item 1, means—

(a) a department, or part of a department; or

(b) a local government.

prescribed tidal work see section 14.

previous, for part 5, see section 17.

public marine facility see *Transport Infrastructure Act 1994*, schedule 6.

Endnotes

1 Index to endnotes

2 Key

Key to abbreviations in list of legislation and annotations

Key		Explanation	Key		Explanation
AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
amdt	=	amendment	prov	=	provision
ch	=	chapter	pt	=	part
def	=	definition	pubd	=	published
div	=	division	R[X]	=	Reprint No. [X]
exp	=	expires/expired	RA	=	Reprints Act 1992
gaz	=	gazette	reloc	=	relocated
hdg	=	heading	renum	=	renumbered
ins	=	inserted	rep	=	repealed
lap	=	lapsed	(retro)	=	retrospectively
notfd	=	notified	rv	=	revised version
num	=	numbered	s	=	section
o in c	=	order in council	sch	=	schedule
om	=	omitted	sdiv	=	subdivision
orig	=	original	SIA	=	Statutory Instruments Act 1992
p	=	page	SIR	=	Statutory Instruments Regulation 2012
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory

requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments included	Effective	Notes
1	none	20 October 2003	
1A	2003 SL No. 260	29 December 2003	
1B	2003 SL No. 269	13 January 2004	
1C	2003 SL No. 321	1 March 2004	
1D	2004 SL No. 316	17 December 2004	
1E	2005 SL No. 152	1 July 2005	
1F	2005 SL No. 275	18 November 2005	
1G	2006 SL No. 164	1 July 2006	
1H	2006 SL No. 221	28 August 2006	R1H withdrawn, see R2
2	—	28 August 2006	
2A	2007 SL No. 159	1 July 2007	
2B	2008 SL No. 207	1 July 2008	
2C	2008 SL No. 333	3 October 2008	
2D	2009 SL No. 98	1 July 2009	
2E	2009 SL No. 98	1 August 2009	R2E withdrawn, see R3
3	—	1 August 2009	
3A	2009 SL No. 280	18 December 2009	
3B	2010 Act No. 19	23 May 2010	
3C	2010 SL No. 162	1 August 2010	
3D	2011 SL No. 135	1 August 2011	
3E rv	2012 SL No. 2	3 February 2012	
3F rv	2012 SL No. 114	1 August 2012	

Current as at	Amendments included	Notes
18 October 2013	2013 SL No. 204	
7 March 2014	2014 SL No. 21	

4 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

Coastal Protection and Management Regulation 2003 SL No. 203

made by the Governor in Council on 4 September 2003
notfd gaz 5 September 2003 pp 57–8
ss 1–2 commenced on date of notification
remaining provisions commenced 20 October 2003 (see s 2)
exp 1 September 2014 (see SIA s 54)
Notes—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.
(2) A regulatory impact statement and explanatory note were prepared.

amending legislation—

Coastal Protection and Management (Coastal Management Districts) Regulation 2003 SL No. 260 pts 1, 3

notfd gaz 31 October 2003 pp 691–4
ss 1–2 commenced on date of notification
remaining provisions commenced 29 December 2003 (see s 2)

Coastal Protection and Management Legislation Amendment Regulation (No. 1) 2003 SL No. 269 pts 1, 3

notfd gaz 7 November 2003 pp 757–60
ss 1–2 commenced on date of notification
remaining provisions commenced 13 January 2004 (see s 2)

Coastal Protection and Management Legislation Amendment Regulation (No. 2) 2003 SL No. 321 pts 1, 3

notfd gaz 5 December 2003 pp 1114–17
ss 1–2 commenced on date of notification
remaining provisions commenced 1 March 2004 (see s 2)

Environmental Protection and Other Legislation Amendment Regulation (No. 1) 2004 SL No. 316 ss 1, 2(2), pt 2

notfd gaz 17 December 2004 pp 1277–85
ss 1–2 commenced on date of notification
remaining provisions commenced 17 December 2004 (see s 2(2))

Environmental Legislation Amendment Regulation (No. 1) 2005 SL No. 152 pts 1–2

notfd gaz 1 July 2005 pp 763–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2005 (see s 2)

Coastal Protection and Management and Other Legislation Amendment Regulation (No. 1) 2005 SL No. 275 pts 1–2
notfd gaz 18 November 2005 pp 1052–3
commenced on date of notification

Environmental Legislation Amendment Regulation (No. 1) 2006 SL No. 164 pts 1–2
notfd gaz 30 June 2006 pp 1060–7
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2006 (see s 2)

Coastal Protection and Management Legislation Amendment Regulation (No. 1) 2006 SL No. 221 pts 1, 3
notfd gaz 18 August 2006 pp 1821–5
ss 1–2 commenced on date of notification
remaining provisions commenced 28 August 2006 (see s 2)

Environmental Protection Legislation Amendment Regulation (No. 1) 2007 SL No. 159 pts 1–2
notfd gaz 29 June 2007 pp 1157–65
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2007 (see s 2)

Environmental Protection Legislation Amendment Regulation (No. 2) 2008 SL No. 207 pts 1–2
notfd gaz 27 June 2008 pp 1268–78
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2008 (see s 2)

Environmental Protection Legislation Amendment Regulation (No. 4) 2008 SL No. 333 pts 1–2
notfd gaz 3 October 2008 pp 690–3
commenced on date of notification

Environmental Protection Legislation Amendment Regulation (No. 1) 2009 SL No. 98 pts 1–2
notfd gaz 19 June 2009 pp 707–11
ss 1–2 commenced on date of notification
s 5 commenced 1 August 2009 (see s 2(2))
remaining provisions commenced 1 July 2009 (see s 2(1))

Sustainable Planning Regulation 2009 SL No. 280 ss 1–2, pt 9 div 6
notfd gaz 27 November 2009 pp 1001–6
ss 1–2 commenced on date of notification
remaining provisions commenced 18 December 2009 (see s 2)

Transport and Other Legislation Amendment Act (No. 2) 2010 No. 19 s 1, ch 2 pt 3
date of assent 23 May 2010
commenced on date of assent

Environment and Resource Management Legislation Amendment Regulation (No. 2) 2010 SL No. 162 pts 1, 4
notfd gaz 2 July 2010 pp 1033–7

ss 1–2 commenced on date of notification
remaining provisions commenced 1 August 2010 (see s 2)

Environment and Resource Management Legislation Amendment Regulation (No. 1) 2011 SL No. 135 pts 1, 4
notfd gaz 8 July 2011 pp 632–5
ss 1–2 commenced on date of notification
remaining provisions commenced 1 August 2011 (see s 2)

Coastal Protection and Management Amendment and Repeal Regulation 2012 SL No. 2 pts 1–2
notfd gaz 20 January 2012 pp 111–12
ss 1–2 commenced on date of notification
remaining provisions commenced 3 February 2012

Environment and Heritage Protection Legislation Amendment Regulation (No. 1) 2012 SL No. 114 pts 1–2
notfd gaz 27 July 2012 pp 927–9
ss 1–2 commenced on date of notification
remaining provisions commenced 1 August 2012 (see s 2)

Environment and Heritage Protection Legislation Amendment Regulation (No. 1) 2013 SL No. 204 pts 1–2
notfd <www.legislation.qld.gov.au> 18 October 2013
commenced on date of notification

Coastal Protection and Management Amendment Regulation (No. 1) 2014 SL No. 21
notfd <www.legislation.qld.gov.au> 7 March 2014
commenced on date of notification

5 List of annotations

PART 2—COASTAL ZONE MAP AND COASTAL MANAGEMENT DISTRICTS
pt hdg sub 2012 SL No. 2 s 4

Approval of coastal zone map—Act, s 18C
prov hdg amd 2004 SL No. 316 s 4
sub 2012 SL No. 2 s 4
s 4 amd 2003 SL No. 260 s 5
sub 2012 SL No. 2 s 4

Declaration of coastal management district—Act, s 54
s 4A ins 2012 SL No. 2 s 4

Fixing coastal building lines—Act, s 66
s 4B ins 2012 SL No. 2 s 4

Access to maps and information held in digital electronic form
s 4C ins 2012 SL No. 2 s 4

PART 3—FEES AND ROYALTIES
Division 1—Fees
Fees for assessment of development application
s 5 amd 2004 SL No. 316 s 5
om 2013 SL No. 204 s 3

Division 2—Royalties
Subdivision 1—Rate of royalty and when it is payable
sdiv hdg om 2004 SL No. 316 s 6

Rate of royalty—Act, s 102
prov hdg amd 2004 SL No. 316 s 7(1)
s 7 amd 2004 SL No. 316 s 7(2)

When royalty payable—Act, s 102
prov hdg amd 2004 SL No. 316 s 7(1)
s 8 amd 2004 SL No. 316 ss 7(2), 8
sub 2012 SL No. 2 s 5

Subdivision 2—Exemption from payment of royalty
sdiv hdg om 2004 SL No. 316 s 6

Royalty not payable for particular transport-related matters
prov hdg sub 2004 SL No. 316 s 9(1)
s 9 amd 2004 SL No. 316 s 9(2); 2010 Act No. 19 s 19

Subdivision 3—Waiver of payment of royalty
sdiv hdg om 2004 SL No. 316 s 6

Royalty not payable for removal of quarry material for particular purposes
s 10 sub 2012 SL No. 2 s 6

When waiver application may be made
s 11 amd 2004 SL No. 316 s 8
om 2012 SL No. 2 s 6

When royalty must be waived
s 12 om 2012 SL No. 2 s 6

Refund of royalty waived
s 13 om 2012 SL No. 2 s 6

PART 4—TIDAL WORK
pt hdg prev pt 4 hdg om R1 (see RA s 40)
pres pt 4 hdg ins 2005 SL No. 275 s 3
amd 2014 SL No. 21 s 3

Division 1—Prescribed tidal work
div hdg ins 2014 SL No. 21 s 4

Work that is prescribed tidal work
s 14 prev s 14 om R1 (see RA s 40)
pres s 14 ins 2005 SL No. 275 s 3
amd 2009 SL No. 280 s 62

Work that is not prescribed tidal work
s 15 prev s 15 om R1 (see RA s 40)
pres s 15 ins 2005 SL No. 275 s 3
amd 2009 SL No. 280 s 63; 2010 Act No. 19 s 20; 2012 SL No. 2 s 7

Division 2—Codes for IDAS
div hdg ins 2014 SL No. 21 s 5

Codes for IDAS for particular tidal work
s 16 prev s 16 om R1 (see RA s 40)
pres s 16 ins 2005 SL No. 275 s 3
amd 2009 SL No. 280 s 64; 2014 SL No. 21 s 6

PART 5—TRANSITIONAL PROVISIONS FOR COASTAL PROTECTION AND MANAGEMENT AMENDMENT AND REPEAL REGULATION 2012
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sch 1 amd 2003 SL No. 260 s 6; 2003 SL No. 269 s 6; 2003 SL No. 321 s 6; 2004 SL No. 216 s 10; 2006 SL No. 221 s 6
sub 2012 SL No. 2 s 9

SCHEDULE 2—FEES FOR ASSESSMENT OF DEVELOPMENT APPLICATIONS
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def ***private purpose*** ins 2013 SL No. 204 s 5

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def ***approved dredge management plan*** amd 2006 SL No. 221 s 7(1)
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def ***Brisbane core port land*** ins 2010 Act No. 19 s 21
def ***commencement*** ins 2012 SL No. 2 s 11(2)
def ***dredge management plan*** amd 2006 SL No. 221 s 7(2)
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def ***previous*** ins 2012 SL No. 2 s 11(2)
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def ***waiver application*** om 2012 SL No. 2 s 11(1)