



Queensland

# Coastal Protection and Management Amendment Regulation (No. 1) 2014

## Subordinate Legislation 2014 No. 21

made under the

*Coastal Protection and Management Act 1995*

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**1 Short title**

This regulation may be cited as the *Coastal Protection and Management Amendment Regulation (No. 1) 2014*.

**2 Regulation amended**

This regulation amends the *Coastal Protection and Management Regulation 2003*.

**3 Amendment of pt 4, hdg (Prescribed tidal work)**

Part 4, heading, 'Prescribed tidal'—

*omit, insert—*

Tidal

**4 Insertion of new pt 4, div 1, hdg**

After part 4 heading—

*insert—*

**Division 1 Prescribed tidal work**

**5 Insertion of new pt 4, div 2, hdg**

After section 15—

*insert—*

**Division 2 Codes for IDAS**

**6 Amendment of s 16 (Code for IDAS for prescribed tidal work)**

(1) Section 16, heading—

*omit, insert—*

**16 Codes for IDAS for particular tidal work**

(2) Section 16—

*insert—*

- (1A) 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) Section 16(1A) and (2)—  
*renumber* as section 16(2) and (3).

## 7 **Amendment of sch 4A (IDAS code for development applications for prescribed tidal work)**

- (1) Schedule 4A, section 3—

*insert—*

**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.

- (2) Schedule 4A, section 6(2), after ‘18.4,’—

*insert—*

18.7,

- (3) Schedule 4A, section 6(3)—

*omit, insert—*

- (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.

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- (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.
- (4) Schedule 4A, part 3, item 14.2, column 1, ‘water’—  
*omit, insert—*  
tidal water
- (5) Schedule 4A, part 3, item 18.6—

*omit, insert—*

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| <p>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—</p> <ul style="list-style-type: none"> <li>(a) rise and fall to allow for the change; and</li> <li>(b) not be separated from the lot to which the pontoon is connected.</li> </ul> | <p>The design and construction of the pontoon is consistent with the following standards—</p> <ul style="list-style-type: none"> <li>(a) subject to paragraph (c), the pontoon's flotation unit is— <ul style="list-style-type: none"> <li>(i) attached, through the pontoon's system for mooring the unit, to concrete anchors in the bank landward of the pontoon; or</li> <li>(ii) moored by piles;</li> </ul> </li> <li>(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— <ul style="list-style-type: none"> <li>(i) the standard applying under paragraph (a); and</li> <li>(ii) the pontoon's flotation unit is restrained with a tethering system so that it can withstand the effects of the event;</li> </ul> </li> <li>(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).</li> </ul> |
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| <p>18.7 Prescribed tidal work that is a pontoon identifies the lot to which the pontoon is connected.</p> | <p>(s 6(2) solution)</p> <p>The design and construction of the pontoon is consistent with the following standards—</p> <p>(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;</p> <p>(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).</p> |
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#### ENDNOTES

- 1 Made by the Governor in Council on 6 March 2014.
- 2 Notified on the Queensland legislation website on 7 March 2014.
- 3 The administering agency is the Department of Environment and Heritage Protection.

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