Queensland

Coastal Protection and Management Act 1995

Coastal Protection and Management Regulation 2017

Current as at 1 July 2020

Queensland

Coastal Protection and Management Regulation 2017

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Coastal Protection and Management Regulation 2017

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1 Short title

This regulation may be cited as the *Coastal Protection and Management Regulation 2017*.

2 Commencement

This regulation commences on 1 September 2017.

3 Dictionary

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Part 2 Coastal zone map and coastal management districts

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

(1) For section 18C of the Act, 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.

5 Coastal management district—Act, s 54

(1) For section 54(1) of the Act, the declaration as a coastal management district, under the expired provision, of the area

shown as a coastal management district on the map called 'Coastal Management District For Queensland', dated 17 November 2015 is continued in force.

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

(3) In this section—

expired provision means the *Coastal Protection and Management Regulation 2003*, section 4A as in force immediately before the commencement.

6 Fixing coastal building lines—Act, s 66

(1) For section 66(1) of the Act, each line shown on the map mentioned in section 5(1) 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.

7 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 6 can be accessed, free of charge, on the department's website.

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11 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*.

(4) In this section—

port lessee see the *Transport Infrastructure Act 1994*, section 267.

port lessor see the *Transport Infrastructure Act 1994*, section 267.

port manager see the *Transport Infrastructure Act 1994*, section 267.

12 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 10, 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 works

13 Assessment benchmarks for particular prescribed tidal works—Act, s 167

(1) This section applies to a development application for, or a change application relating to, assessable development that is prescribed tidal works, if the planning chief executive is not the assessment manager or responsible entity for the application.

(2) For section 167(5)(a) and (c) of the Act, the code in schedule 3—

(a) is prescribed as an assessment benchmark for the Planning Act for the assessable development; and

(b) prescribes, for the Planning Act, section 19(1)(b), the extent to which a local government may apply a planning scheme as a categorising instrument under that Act in relation to tidal works in the tidal area for its local government area, as defined under that Act.

14 Requirements for accepted development—Act, s 167

(1) This section applies to operational work stated in the *Planning Regulation 2017*, schedule 7, section 10(a), if undertaken by an entity mentioned in the *Planning Regulation 2017*, schedule 7, section 10(b).

(2) For section 167(5)(b) of the Act, the operational work must comply with the document called 'Code for accepted development—For tidal works, or work completely or partly in a coastal management district' dated August 2017 and published on the department's website.

15 Tidal works that are prescribed tidal works—Act, s 167

(1) Subject to subsection (2), the following works are prescribed tidal works for section 167(5)(d) of the Act—

(a) works that consist only of tidal works;

(b) works that consist of both—

(i) tidal works; and

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

(2) The following works are not prescribed tidal works—

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

(b) tidal works 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 the Gold Coast Waterways Authority, Queensland Transport, a port authority or a port operator;

(c) tidal works 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

accepted development under the local government's planning scheme or is development requiring code assessment under the Planning Act;

(d) tidal works the subject of—

(i) a deemed approval; or

(ii) a development approval given under the repealed *Integrated Planning Act 1997* on or before 20 October 2003.

(3) In this section—

aquaculture see the *Fisheries Act 1994*, schedule 1.

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.

Part 5 Transitional provision

16 Existing development applications

(1) This section applies to a development application for prescribed tidal works made, but not decided, before the commencement.

(2) Previous schedule 4A continues to apply in relation to deciding the application.

(3) In this section—

previous schedule 4A means the *Coastal Protection and Management Regulation 2003*, schedule 4A as in force immediately before the commencement.

Schedule 1 Fees for allocations

section 8

		$
1	Application for an allocation (Act, s 73(2)(b)) allowing the removal of—	
	(a) 10,000m^3 of quarry material or less	264.70
	(b) more than 10,000m^3 of quarry material	784.00
2	Application to transfer all or part of an allocation (Act, s 82(2)(c)) allowing the removal of—	
	(a) 10,000m^3 of quarry material or less	82.50
	(b) more than 10,000m^3 of quarry material	247.80
3	Application to renew an allocation notice (Act, s 83(2)(b)) allowing the removal of—	
	(a) 10,000m^3 of quarry material or less	165.10
	(b) more than 10,000m^3 of quarry material	496.70

Schedule 2 Royalty payable for removed quarry material

section 9

		$
1	Royalty for quarry material removed under an allocation notice (Act, s 102(1))—for each cubic metre removed—	
	(a) by a government entity or a local government for its own use	0.76
	(b) otherwise	2.24

Schedule 3 Code for assessable development that is prescribed tidal works

section 13

Part 1 Preliminary

1 Purpose of code

The purpose of this code is to ensure prescribed tidal works—

(a) are compatible with the character and amenity of their surrounding area; and

(b) are designed and constructed in a way to ensure they are structurally sound; and

(c) are safe for their intended use; and

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

(e) involve only minimal use of State tidal land for a private purpose; and

(f) do not cause a significant adverse effect to any of the following—

(i) existing public use of, and access to, State tidal land or tidal water;

(ii) navigable access to, or navigable egress from, any lot that adjoins, or is in the immediate surroundings of, a lot connected to prescribed tidal works;

(iii) the natural features of 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.

2 Definitions

In this code—

acceptable outcome, for achieving a performance outcome stated in the table, column 1, means the acceptable outcome stated in the table, column 2 opposite the performance outcome.

AEP means annual exceedance probability.

annual exceedance probability means the probability, expressed as a percentage, of an event exceeding a particular level or magnitude in any 1 year.

AS/NZS 1170.0 means AS/NZS 1170.0:2002, Structural design actions, Part 0: General principles.

AS/NZS 1170.1 means AS/NZS 1170.1:2002 (R2016), Structural design actions, Part 1: Permanent, imposed and other actions.

AS/NZS 1170.2 means AS/NZS 1170.2:2011 (R2016), Structural design actions, Part 2: Wind actions.

AS 1170.4 means AS 1170.4—2007, Structural design actions, Part 4: Earthquake actions in Australia.

AS 2758 means AS 2758, Aggregates and rock for engineering purposes (series).

AS/NZS 2885 means AS/NZS 2885.4:2016, Pipelines—Gas and liquid petroleum, Part 4: Submarine pipeline systems.

AS 3962 means AS 3962—2001, Guidelines for design of marinas.

AS 4678 means AS 4678—2002, Earth-retaining structures.

AS 4997 means AS 4997—2005, Guidelines for the design of maritime structures.

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

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

(a) the structural components of the works; and

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

extended side boundary, of a lot connected to prescribed tidal works, 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 width of navigable access to, or egress from, an adjoining lot to less than 3m or cause a significant adverse effect to navigational safety—at an angle that ensures—

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

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

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

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.

lighting standard means each of the following Australian Standards—

(a) SA/SNZ TS 1158.6:2015, Lighting for roads and public spaces, Part 6: Luminaires—Performance;

(b) AS/NZS 1158.3.1:2005, Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting—Performance and design requirements;

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

live load, in relation to prescribed tidal works, means the total load applied to the works by anything temporarily on or attached to the works.

load means weight, force or pressure.

lot includes a parcel of unallocated State land.

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

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

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

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, including, for example, by way of piles or anchored cables;

(d) an abutment for the access walkway.

prescribed deck means a structure, other than a bridge, that—

(a) is connected to land; and

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

(c) is not intended, or normally used, for launching, landing or mooring vessels.

Examples of a prescribed deck—

boardwalk, viewing platform, recreational deck

private purpose, in relation to prescribed tidal works, means a purpose—

(a) related to use of the works—

(i) for launching, landing or mooring a vessel used only for recreation; or

(ii) for the benefit of, or in connection with, residential property only; and

(b) that is not related to use of the works for the benefit of, or in connection with, a commercial activity or public use.

projected sea level rise means an increase in sea level projected to be 0.8m by 2100.

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

(a) the purpose or activity for which the works are intended to be used;

(b) the dead load of the works;

(c) the live load of the works, including, for example—

(i) the maximum number of people likely to use the works at any given time; and

(ii) the maximum number and types of vehicles likely to be on or moored at the works at any given time;

(d) the height or velocity of waves likely to occur in the tidal water under, within or over which the works are located;

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

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

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

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

(b) relevant to achieving the performance 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 earth or other materials that are landward of the wall.

roofed means covered with a permanent or temporary attachment.

Example of temporary attachment—

detachable wind sail

s 5(2) outcome see section 4 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 earth or other materials that are landward of the wall.

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

stormwater outlet means a pipe or drain for the discharge of stormwater or floodwater.

vegetation does not include marine plants.

vehicle includes a boat or other vessel.

water allocation area, for a lot, means an area of State tidal land designated by the State, a local government or the Gold Coast Waterways Authority as an area in relation to which a development application for prescribed tidal works connected to the lot may be made.

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

3 When lot is connected to prescribed tidal works

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

(a) the works are attached to the lot; or

(b) the works are not attached to the lot but are 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

4 References to s 5(2) outcome in acceptable outcome

In the table, a reference to the words 's 5(2) outcome', in brackets, before an acceptable outcome is a reference to the requirement, under section 5(2) of this code, that the acceptable outcome must be complied with to achieve the performance outcome stated opposite the acceptable outcome.

Part 2 Compliance with code

5 How to comply with code

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

(2) A performance outcome mentioned in item 12.10, 13.1, 13.2, 15.1, 15.2, 16.1, 16.3, 17.1, 18.1, 18.2, 18.3, 18.6, 19.1, 19.2, 19.3 or 20.1 of the table is achieved only if the acceptable outcome for the item is complied with.

(3) Also, a performance 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 16.3, 17.1, 18.1 to 18.4, 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 acceptable outcome for the item for achieving the outcome are appropriately certified.

(4) An acceptable outcome, other than an acceptable outcome mentioned in subsection (2), stated for a performance

outcome provides a guide for how the performance outcome may be achieved.

(5) In this section—

appropriately certified, for tidal works carried out to comply with an acceptable outcome for achieving a performance outcome, means the tidal works have been certified by a relevant engineer as having been designed and constructed to achieve 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) environmental engineering;

(c) geotechnical engineering;

(d) structural engineering.

6 Relationship between particular performance outcomes and acceptable outcomes

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

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

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

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

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

(4) The acceptable outcome for the direct performance outcome is taken to include the Australian Standard instead of the stated direct standard.

(5) In this section—

stated direct standard, included in the acceptable outcome for a direct performance outcome, means a standard stated in the acceptable outcome, other than a relevant planning scheme standard.

Part 3 Performance outcomes and acceptable outcomes

Table

Column 1	**Column 2**
Performance outcome	**Acceptable outcome**
Character and amenity (generally)—prescribed tidal works in a canal	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
1.1 Prescribed tidal works in a canal are compatible with their location, having regard to the following— (a) the character and amenity of the works' immediate surroundings and the locality within which the works are located; (b) if the relevant planning scheme states the desired character or amenity for the works' immediate surroundings or the locality within which the works are located—the stated desired character or amenity.	The design and construction of the prescribed tidal works is consistent with the following standards— (a) subject to paragraph (c), prescribed tidal works do not extend past the side boundary or extended side boundary of the lot connected to the works; (b) subject to paragraph (c)— (i) for prescribed tidal works for a private purpose—the works are not roofed; or (ii) for prescribed tidal works for a non-private purpose—the works are not roofed unless they are 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 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).
Character and amenity (generally)—prescribed tidal works not in a canal	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
2.1 Prescribed tidal works not in a canal are compatible with their location, having regard to the following— (a) the character and amenity of the works' immediate surroundings and the locality within which the works are located; (b) if the relevant planning scheme states the desired character or amenity for the works' immediate surroundings or the locality within which the works are located—the stated desired character or amenity.	The design and construction of the prescribed tidal works is consistent with the following standards— (a) subject to paragraph (d), prescribed tidal works do not extend past the side boundary or extended side boundary of the lot connected to the works; (b) subject to paragraph (d), prescribed tidal works are the only works of their type along the edge of the tidal water fronting the lot connected to the works; (c) subject to paragraph (d)— (i) for prescribed tidal works for a private purpose—the works are not roofed; or (ii) for prescribed tidal works for a non-private purpose—the works are not roofed unless they are the main access to land; (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);

Column 1	Column 2
Performance outcome	**Acceptable outcome**
	(e) any other relevant planning scheme standard that is not inconsistent with the standards mentioned in paragraphs (a) to (d).
Character and amenity (height, scale and size)	
3.1 Prescribed tidal works are of a height, scale and size to ensure the works are compatible with the character and amenity of their location, having regard to the following— (a) the height, scale and size of the natural features of the works' immediate surroundings and the locality within which the works are located; (b) the height, scale and size of the existing buildings or other structures in the works' immediate surroundings and the locality within which the works are located; (c) if the relevant planning scheme states the desired height, scale or size of buildings or other structures in the works' immediate surroundings or the locality within which the works are located—the stated desired height, scale or size.	The height, scale and size of the prescribed tidal works is consistent with each relevant planning scheme standard.
Character and amenity (materials and colours)	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
4.1 The materials used for, and the colours of, prescribed tidal works are compatible with the character and amenity of the works' location, having regard to the following— (a) the natural features of the works' immediate surroundings and the locality within which the works are located; (b) the existing buildings or other structures in the works' immediate surroundings and the locality within which the works are 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 works' immediate surroundings or the locality within which the works are located—the stated desired materials or colours.	The materials used for, and colours of, the prescribed tidal works are consistent with each relevant planning scheme standard.
Lighting	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
5.1 Lighting, other than an aid to navigation, for prescribed tidal works is installed in a way to ensure the security and safe use of the works without causing significant adverse effects on the amenity of the locality within which the works are located.	The lighting for the prescribed tidal works, other than an aid to navigation, is consistent with the following standards— (a) subject to paragraph (c), lighting for prescribed tidal works 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), (b) and (c).
Signage	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
6.1 A sign erected or otherwise placed in position for prescribed tidal works, other than a sign erected or placed for safety reasons or under an Act— (a) is compatible with the character and amenity of the works' immediate surroundings and the locality within which the works are located; and (b) is not a dominant feature of the works, unless the dominance is for safety reasons.	A sign erected or otherwise placed in position for prescribed tidal works, 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 works, or the owner of the works, is the only sign erected or placed in position for identifying the works or owner; (b) subject to paragraph (c), a sign erected or otherwise placed in position for prescribed tidal works is integrated into the design and construction of the works; (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), (b) and (c).
Earthwork, vegetation and rehabilitation	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
7.1 Excavation and filling for prescribed tidal works— (a) is carried out only to the extent reasonably necessary for the works; and (b) does not have a significant adverse effect on— (i) the natural features, including the banks, of the tidal water in the works' immediate surroundings; or (ii) the level of the surface of the land under the tidal water in the works' immediate surroundings or any foreshore near the works.	The earthwork and filling for the prescribed tidal works is consistent with each relevant planning scheme standard.

Column 1	Column 2
Performance outcome	**Acceptable outcome**
7.2 The location and construction of prescribed tidal works ensures vegetation is cleared or disturbed only to the extent reasonably necessary for the works.	Vegetation on land affected by the prescribed tidal works is dealt with in a way consistent with the following standards— (a) subject to paragraph (b), the clearing or disturbance of vegetation for a purpose associated with the construction of prescribed tidal works, including, for example, parking for construction or workers' vehicles or stockpiling of construction materials— (i) is avoided; or (ii) if the clearing or disturbance of vegetation for a purpose associated with the construction of the works can not be avoided—the clearing or disturbance is limited to the smallest area of land reasonably necessary for the purpose; (b) any other relevant planning scheme standard that is not inconsistent with the standard mentioned in paragraph (a).

Column 1	Column 2
Performance outcome	**Acceptable outcome**
7.3 After the construction of prescribed tidal works, any land damaged or destabilised by, and any vegetation damaged, destroyed or removed by, the construction of the works is rehabilitated.	Land or vegetation affected by the prescribed tidal works is dealt with in a way consistent with the following standards— (a) subject to paragraph (b)— (i) land surfaces damaged or destabilised by the prescribed tidal works are restored and stabilised; and (ii) vegetation damaged, destroyed or removed by prescribed tidal works is replaced with native vegetation for the locality within which the works are located, to the extent it is reasonably practicable to replace the vegetation with native vegetation; (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	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
8.1 Prescribed tidal works do not have a significant adverse effect on the availability of public access to, along or across State coastal land.	The design and construction of the prescribed tidal works is consistent with the following standards— (a) subject to paragraph (b), prescribed tidal works do not involve the erection or placement of any physical barrier preventing existing public access to, along or across State coastal land near the works; (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 works does not adversely affect the safety of members of the public accessing State coastal land.	Public access to State coastal land near the prescribed tidal works is consistent with each relevant planning scheme standard.
Navigable access to, or egress from, lots that adjoin, or are in the immediate surroundings of, a lot connected to prescribed tidal works	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
10.1 Prescribed tidal works that are for a private purpose do not adversely affect navigable access to, or navigable egress from, any lot that adjoins, or is in the immediate surroundings of, a lot connected to prescribed tidal works.	The design and construction of the prescribed tidal works is consistent with the following standards— (a) subject to paragraph (b), prescribed tidal works— (i) for a lot connected to the works for which there is a water allocation area —are not constructed outside the water allocation area; and (ii) for a lot connected to works for which there is no water allocation area —are no closer than 1.5m to that lot's side boundary or extended side boundary; (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	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
11.1 Prescribed tidal works have appropriate infrastructure, including, in particular, road access, parking facilities, sewerage services and water services, having regard to the following— (a) the nature and scale of the works; (b) the number of people that may be on or at the works at any given time; (c) the number of vehicles that may be on or moored at the works at any given time; (d) the protection of any foreshores near the works and the vegetation and marine plants on the foreshores.	The infrastructure for prescribed tidal works is consistent with each relevant planning scheme standard.
Design, construction and safety—all prescribed tidal works	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
12.1 Prescribed tidal works are designed and constructed in a way to ensure they are structurally sound, having regard to the following— (a) relevant engineering standards; (b) the location of the works; (c) the purpose for which the works are to be used; (d) the impact of flooding, storm tide, overtopping by waves, projected sea level rise, tidal influences and hydrodynamic forces; (e) the design life of the works; (f) the dead load of the works and the intended live load for the works; (g) the impact of hydrostatic pressures on the works; (h) the stability of individual components of the works, including, for example, boulders, concrete blocks or sandbags.	The design and construction of the prescribed tidal works is consistent with the following standards— (a) subject to paragraph (c), 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 works; (b) subject to paragraph (c), the projected sea level rise is factored into the design and construction of the prescribed tidal works; (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
Performance outcome	**Acceptable outcome**
12.2 Prescribed tidal works do not adversely affect the structural integrity of any existing revetment or seawall or another existing structure.	The design and construction of the prescribed tidal works is consistent with the following standards— (a) subject to paragraph (b), prescribed tidal works, including any abutment, piling or other structure connected with the works— (i) do 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
Performance outcome	**Acceptable outcome**
12.3 Prescribed tidal works are designed and constructed in a way to ensure they do not adversely affect the stability of the bed and banks of tidal water.	The design and construction of the prescribed tidal works is consistent with the following standards— (a) subject to paragraph (b), prescribed tidal works do not cause, by changing the flow of water, the removal of, or disturbance to, the sediment on the bed and banks 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
Performance outcome	**Acceptable outcome**
12.4 Prescribed tidal works are designed and constructed using materials suitable for marine environments, having regard to their ability to resist the following— (a) attack by marine organisms; (b) corrosion; (c) deterioration or breakage resulting from exposure to environmental conditions including, for example, the following— (i) abrasion; (ii) immersion in seawater; (iii) wave action.	The design and construction of the prescribed tidal works 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
Performance outcome	**Acceptable outcome**
12.5 Prescribed tidal works are designed and constructed in a way to ensure they do not adversely affect the operation or maintenance of any existing stormwater outlet.	The design and construction of the prescribed tidal works is consistent with the following standards— (a) subject to paragraph (c), vessels moored at prescribed tidal works do not impede the discharge of stormwater; (b) subject to paragraph (c), prescribed tidal works do 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).

Column 1	Column 2
Performance outcome	**Acceptable outcome**
12.6 Prescribed tidal works are designed and constructed in a way to ensure they do not adversely affect the water quality of tidal water, including, in particular, as a result of— (a) release, into the tidal water, of materials used in the construction of the works; 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 works 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
Performance outcome	**Acceptable outcome**
12.7 Prescribed tidal works are designed and constructed in a way to ensure they are safe for persons using the works.	The design and construction of the prescribed tidal works is consistent with the following standards— (a) subject to paragraph (d), each Australian Standard relevant to the design or construction of structures, 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 are directed at ensuring any surface of prescribed tidal works 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 (d), any part of prescribed tidal works that is unsafe for persons using the works is surrounded by adequate barriers to deter persons from entering the part;

Column 1	Column 2
Performance outcome	**Acceptable outcome**
	(c) subject to paragraph (d), each Australian Standard relevant to the design or construction of structures, to the extent the requirements stated in the Standard are directed at ensuring prescribed tidal works provide safety ladders or other design features for the safety of a person who falls off the works into water; (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).

Column 1	Column 2
Performance outcome	**Acceptable outcome**
12.8 Appropriate measures are taken for prescribed tidal works for a non-private purpose to ensure an unsupportable live load is not applied to the works by persons or vehicles.	The design and construction of the prescribed tidal works is consistent with the following standards— (a) subject to paragraph (b), prescribed tidal works have erected or placed in position on or near the works, a sign that— (i) is visible at all times; and (ii) states the maximum live load that may be applied to the works, in terms of the maximum number of persons that may be on the works at any given time or the maximum number of vehicles of a particular type that may be on or moored at the works at any given time; (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
Performance outcome	**Acceptable outcome**
12.9 Prescribed tidal works, other than a prescribed deck for a private purpose, are designed and constructed in a way to ensure the use of tidal water in a canal for a non-maritime purpose is minimised.	The design and construction of the prescribed tidal works is consistent with each relevant planning scheme standard.
12.10 Prescribed tidal works that are a prescribed deck and for a private purpose, are designed and constructed in a way to ensure the use of tidal water in a canal for a non-maritime purpose is minimised.	(s 5(2) outcome) The design and construction of the prescribed deck is consistent with the following standards— (a) subject to paragraph (c), a prescribed deck does not extend more than 3m from the waterfront boundary of the lot connected to the deck; (b) subject to paragraph (c), a prescribed deck is at least 3m inside of the side boundary or extended side boundary of the lot connected to the 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).
Design, construction and safety—boat ramps and slipways for private purpose	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
13.1 Prescribed tidal works that are a boat ramp or slipway for a private purpose are designed and constructed in a way to ensure they are structurally sound while also ensuring the safe movement of vehicles or persons between the boat ramp or slipway and the surface of the land on which the boat ramp or slipway is located.	(s 5(2) outcome) The design and construction of the boat ramp or slipway is consistent with the following standards— (a) subject to paragraph (c), the walls at the edge of the boat ramp or slipway penetrate into the earth at least 600mm below the surface of the land on which the boat ramp or slipway is located; (b) subject to paragraph (c), the surface of the boat ramp or slipway 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).

Column 1	Column 2
Performance outcome	**Acceptable outcome**
13.2 Prescribed tidal works that are a boat ramp or slipway for a private purpose are designed and constructed in a way to ensure the safe movement of vehicles or persons over the boat ramp or slipway.	(s 5(2) outcome) The design and construction of the boat ramp or slipway is consistent with the following standards— (a) subject to paragraph (d), the upper surface of a boat ramp or slipway has a width of— (i) for a boat ramp or slipway with vehicle access—no less than 3.6m; or (ii) for a boat ramp or slipway without vehicle access—no less than 3.0m; (b) subject to paragraph (d), the whole upper surface of a boat ramp or slipway 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 70° to the centre-line of the boat ramp or slipway; (ii) covering the surface with a substance ordinarily used on slippery surfaces to prevent skidding;

Column 1	Column 2
Performance outcome	**Acceptable outcome**
	(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 slipway for which a winch is not used to hoist or haul vessels onto the boat ramp or slipway 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)—1:7; 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	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
14.1 Prescribed tidal works that are a bridge do not adversely affect existing public use of tidal water, including, for example, use of the tidal water for canoeing, swimming or other recreational activities.	The design and construction of 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 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).

Column 1	Column 2
Performance outcome	**Acceptable outcome**
14.2 Prescribed tidal works that are a bridge do 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—prescribed decks	
15.1 Prescribed tidal works that are a prescribed deck and for a private purpose are designed and constructed in a way to ensure the deck is able to support its intended loads, having regard to its relevant loading matters.	(s 5(2) outcome) The design and construction of the prescribed deck is consistent with the following standards—

Column 1	Column 2
Performance outcome	**Acceptable outcome**
	(a) subject to paragraph (b), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the prescribed deck— (i) AS/NZS 1170.0; (ii) AS/NZS 1170.1; (iii) AS/NZS 1170.2; (iv) AS 4997; (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).
15.2 Prescribed tidal works that are a prescribed deck and for a non-private purpose are designed and constructed in a way to ensure the deck is able to support its intended loads, having regard to its relevant loading matters.	(s 5(2) outcome) The design or construction of the prescribed deck is consistent with the following standards—

Column 1	Column 2
Performance outcome	**Acceptable outcome**
	(a) subject to paragraph (b), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of a prescribed deck— (i) AS/NZS 1170.0; (ii) AS/NZS 1170.1; (iii) AS/NZS 1170.2; (iv) AS 1170.4; (v) AS 4997; (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
Performance outcome	**Acceptable outcome**
15.3 Prescribed tidal works that are a prescribed deck do not prevent or hinder remedial work being undertaken on any bank of tidal water or for any existing revetment or seawall or another existing structure.	The design and construction of the prescribed deck is consistent with the following standards— (a) subject to paragraph (b), a prescribed 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 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 works that are a jetty or pier are designed and constructed in a way to ensure the jetty or pier is able to support its intended loads, having regard to its relevant loading matters.	(s 5(2) outcome) The design and construction of the jetty or pier is consistent with the following standards—

Column 1	Column 2
Performance outcome	**Acceptable outcome**
	(a) subject to paragraph (b), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the jetty or pier— (i) AS/NZS 1170.0; (ii) AS/NZS 1170.1; (iii) AS/NZS 1170.2; (iv) AS 1170.4; (v) AS 4997; (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
Performance outcome	**Acceptable outcome**
16.2 Prescribed tidal works that are a jetty or a pier are designed and constructed in a way to ensure the jetty or pier remains above the water at highest astronomical tide.	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 the 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 the jetty or pier is less than 300mm above the water at highest astronomical tide; (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
Performance outcome	**Acceptable outcome**
16.3 Prescribed tidal works that are a jetty or pier and for a private purpose and are on State tidal land are designed and constructed in a way to ensure the jetty or pier is of a size suitable for the use of a vessel while still minimising the amount of tidal water occupied by the jetty or pier.	(s 5(2) outcome) The design and construction of the jetty or pier is consistent with the following standards— (a) subject to paragraph (b)— (i) all parts of the deck of the jetty or pier have a width of at least 900mm and not more than 3m; and (ii) all parts of the jetty or pier are within a water allocation area for the lot connected to the jetty or pier; (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—pipelines and other underground services	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
17.1 The design and construction of prescribed tidal works that are a pipeline or another underground service ensures vessels anchoring near the works can not interfere with, or damage, the works.	(s 5(2) outcome) The design and construction of the pipeline or underground service is consistent with the following standards— (a) subject to paragraph (b)— (i) for a pipeline that is gas or liquid petroleum pipeline—AS/NZS 2885 to the extent requirements stated in the Standard apply to the design or construction of the pipeline; or (ii) for another pipeline or other underground service—the pipeline or 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	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
18.1 Prescribed tidal works that are a pontoon and not used only for rowing, are designed and constructed in a way to ensure the pontoon is able to support its intended loads, having regard to its relevant loading matters.	(s 5(2) outcome) The design and construction of the pontoon is consistent with the following standards— (a) subject to paragraph (b), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the pontoon— (i) AS/NZS 1170.0; (ii) AS/NZS 1170.1; (iii) AS/NZS 1170.2; (iv) AS 1170.4; (v) AS 3962; (vi) AS 4997; (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
Performance outcome	**Acceptable outcome**
18.2 Prescribed tidal works that are a pontoon and used only for rowing are designed and constructed in a way to ensure— (a) the pontoon is able to support its intended loads, having regard to its relevant loading matters; and (b) the pontoon is safe for persons using the pontoon to launch and retrieve rowing vessels.	(s 5(2) outcome) The design and construction of the pontoon is consistent with the following standards— (a) subject to paragraph (b)— (i) for a pontoon constructed within a marina—AS 3962 to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the pontoon; or (ii) for a pontoon not constructed within a marina— (A) the access walkway of a pontoon used only for rowing is able to support at least a live load of 3.0kPa; and (B) the flotation unit of a pontoon used only for rowing is able to support at least a live load of 1.5kPa; and

Column 1	Column 2
Performance outcome	**Acceptable outcome**
	(C) at least 75mm of the height of the pontoon's flotation unit will remain above the surface of 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 walkway; (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
Performance outcome	**Acceptable outcome**
18.3 Prescribed tidal works that are a pontoon are 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 5(2) outcome) The design and construction of the pontoon is consistent with the following standards— (a) subject to paragraph (b)— (i) for a pontoon constructed within a marina—AS 3962 to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the pontoon; or (ii) for a pontoon not constructed within a marina— (A) the pontoon's access walkway extends at least 500mm onto the pontoon's flotation unit; and

Column 1	Column 2
Performance outcome	**Acceptable outcome**
	(B) for a pontoon used only for rowing—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; and (C) for a pontoon other than a pontoon mentioned in sub-subparagraph (B)—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; and

Column 1	Column 2
Performance outcome	**Acceptable outcome**
	(D) 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; (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
Performance outcome	**Acceptable outcome**
18.4 Prescribed tidal works that are a pontoon are designed and constructed in a way to ensure the pontoon's flotation unit will— (a) rise and fall to allow for a change in tidal water levels, including a change caused by a flood or storm tide; and (b) not be separated from the lot to which the pontoon is connected because of— (i) a change in tidal water levels mentioned in paragraph (a); or (ii) the flow of tidal water around the pontoon, including tidal water affected by a flood or storm tide.	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 flood or storm tide with an AEP of 1% 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).

Column 1	Column 2
Performance outcome	**Acceptable outcome**
18.5 Prescribed tidal works that are a pontoon identifies the lot to which the pontoon is connected.	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
Performance outcome	**Acceptable outcome**
18.6 Prescribed tidal works that are a pontoon permanently used for the fuelling of, or the storage of fuel for, vessels are designed and constructed in a way to ensure— (a) the pontoon is able to support its intended loads, having regard to its relevant loading matters; and (b) the pontoon is safe for persons using the pontoon.	(s 5(2) outcome) The design and construction of the pontoon is consistent with the following standards— (a) subject to paragraph (c), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the pontoon— (i) AS/NZS 1170.0; (ii) AS/NZS 1170.1; (iii) AS/NZS 1170.2; (iv) AS 1170.4; (v) AS 4997; (b) subject to paragraph (c), AS 3962 to the extent requirements stated in the Standard apply to a pontoon permanently used for the fuelling of, or the storage of fuel; (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).
Design, construction and safety—revetments and seawalls	

Column 1	Column 2
Performance outcome	**Acceptable outcome**
19.1 Prescribed tidal works that are a revetment or seawall, are designed and constructed in a way to ensure the revetment or seawall is able to support its intended loads, having regard to its relevant loading matters and its intended design life.	(s 5(2) outcome) The design and construction of the revetment or seawall is consistent with the following standards— (a) subject to paragraph (c), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the revetment or seawall— (i) AS/NZS 1170.0; (ii) AS/NZS 1170.1; (iii) AS/NZS 1170.2; (iv) AS 1170.4; (v) AS 4997; (b) subject to paragraph (c), AS 4678 to the extent requirements stated in the Standard apply to earth-retaining structures; (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
Performance outcome	**Acceptable outcome**
19.2 Prescribed tidal works that are a revetment or seawall, are designed and constructed in a way to ensure the revetment or seawall can withstand— (a) any tendency of overturning or sliding; and (b) any other effects of waves or changes in water levels on the revetment or seawall.	(s 5(2) outcome) The design and construction of the revetment or seawall is consistent with the following standards— (a) subject to paragraph (d), a revetment or seawall is able to withstand the effect of waves, or a combination of waves and water levels, resulting from a storm event with an AEP of 2%, factoring in projected sea level rise; (b) subject to paragraph (d), each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the revetment or seawall— (i) AS/NZS 1170.0; (ii) AS/NZS 1170.1; (iii) AS/NZS 1170.2; (iv) AS 1170.4; (v) AS 4997;

Column 1	Column 2
Performance outcome	**Acceptable outcome**
	(c) subject to paragraph (d), AS 4678 to the extent requirements stated in the Standard apply to earth-retaining structures; (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).

Column 1	Column 2
Performance outcome	**Acceptable outcome**
19.3 Prescribed tidal works that are a revetment or seawall are designed and constructed to protect the revetment or seawall from erosion at the base of the revetment or seawall.	(s 5(2) outcome) The design and construction of the revetment or seawall is consistent with the following standards— (a) subject to paragraph (d), a revetment or seawall provides for a sub-layer or enough filter material to prevent erosion of the land under the revetment or seawall; (b) subject to paragraph (d), the bottom edge of the base of a revetment or seawall will withstand undermining by scour; (c) subject to paragraph (d), AS 2758 to the extent requirements stated in the Standard apply to the sizing and grading of filter layers and armour materials; (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).

Column 1	Column 2
Performance outcome	**Acceptable outcome**
19.4 Prescribed tidal works that are a revetment or seawall are not adversely affected by hydrostatic pressure.	The design and construction of the revetment or seawall is consistent with the following standards— (a) subject to paragraph (b), AS 4678 to the extent requirements stated in the Standard apply to hydrostatic pressure for earth-retaining structures; (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—wharves	
20.1 Prescribed tidal works that are a wharf are designed and constructed in a way to ensure it is able to support its intended loads, having regard to its relevant loading matters.	(s 5(2) outcome) The design and construction of the wharf is consistent with the following standards— (a) subject to paragraph (b)— (i) for a wharf constructed within a marina—AS 3962 to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the wharf; or

Column 1	Column 2
Performance outcome	**Acceptable outcome**
	(ii) for a wharf not constructed within a marina—each of the following Australian Standards to the extent requirements stated in the Standard apply to relevant loading matters for the design or construction of the wharf— (A) AS/NZS 1170.0; (B) AS/NZS 1170.1; (C) AS/NZS 1170.2; (D) AS 1170.4; (E) AS 4997; (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).

Schedule 4 Dictionary

section 3

aid to navigation see 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.

Gold Coast Waterways Authority means the Gold Coast Waterways Authority established under the *Gold Coast Waterways Authority Act 2012*.

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*.

prescribed tidal works means the works that are prescribed tidal works under section 15.

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