

Code for accepted development

For tidal works, or work completely or partly in a coastal
management district

August 2017

Prepared by: Environment Planning, Department of Environment and Heritage Protection

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Introduction

This code is prepared under section 167 (5)(b) of the *Coastal Protection and Management Act 1995* (Coastal Act) to enable accepted development under the *Planning Act 2016* (Planning Act). Accepted development is development for which a development approval is not required as long as the development complies with an applicable code.

Purpose of this code

The purpose of this code is to ensure tidal works, or work completely or partly in a coastal management district:

- (1) is managed to protect and conserve environmental, social and economic coastal resources; and
- (2) enhances the resilience of coastal communities to coastal hazards.

Application

This code applies to operational work listed under Schedule 7, section 10 of the Planning Regulation 2017¹. The specific operational work this code applies to is listed in Table 1.

This code only applies to work on lawful structures, undertaken by:

- a local government or their contracted representative
- the Gold Coast Waterways Authority under the *Gold Coast Waterways Authority Act 2012*, or their contracted representative
- the department (or on behalf of the department) administering the Transport Infrastructure Act or the *Transport Planning and Coordination Act 1994*.

For the purpose of this code they will be referred to as 'the construction entity'.

Parts of the code

This code is divided into two parts:

- Part A of this code provides the acceptable outcomes that must be met for all development as listed in Table 1
- Part B of this code provides the acceptable outcomes that must be met for the specific development as listed in Table 2.

If the proposal involves multiple development types, each relevant part of the code will apply.

Before commencing work under this code, the construction entity is responsible for ensuring the work will comply with the code. Development that cannot meet the acceptable outcomes does not comply with the code. If development cannot comply with the code, the development is assessable development and a development approval under the Planning Act must be obtained.

Note: The Planning Act requires that a person must not carry out assessable development, unless all necessary development permits are in effect for the development otherwise penalties apply.

¹ Other than 'excluded work' as defined under Schedule 10, Part 17, Division 1, section 28(3) of the *Planning Regulation 2017*. Refer to the Department of Environment and Heritage Protection's (EHP) guideline on Excluded works (coastal) available on the EHP website at: www.ehp.qld.gov.au/coastal.

Table 1: Operational work to which this code applies

Development	Operational work
Minor public marine development	<ul style="list-style-type: none"> • Tidal works associated with minor public marine development carried out by the construction entity. • Interfering with quarry material on State coastal land above high-water mark associated with minor public marine development carried out by the construction entity.
Stormwater infrastructure	<ul style="list-style-type: none"> • Tidal works associated with existing stormwater infrastructure carried out by the construction entity. • Interfering with quarry material on State coastal land above high-water mark associated with existing stormwater infrastructure carried out by the construction entity.
Certain work involving boardwalks, beach access and viewing structures, netted swimming enclosures and pedestrian/bikeway bridges.	<ul style="list-style-type: none"> • Tidal works associated with boardwalks, beach access and viewing structures, netted swimming enclosures and pedestrian/bikeway bridges carried out by the construction entity. • Interfering with quarry material on State coastal land above high-water mark associated with boardwalks, viewing structure, beach access structures, netted swimming enclosures and pedestrian/bikeway bridges carried out by the construction entity.
Beach re-profiling and beach nourishment	<ul style="list-style-type: none"> • Tidal works associated with the re-profiling of a beach or beach nourishment associated with a coastal erosion event, carried out by the construction entity. • Interfering with quarry material on State coastal land above high-water mark associated with the re-profiling of a beach or beach nourishment, associated with a coastal erosion event, carried out by the construction entity.
Demolition of structures seaward of high-water mark	<ul style="list-style-type: none"> • Tidal works associated with the complete demolition of a structure seaward of high-water mark owned by and carried out by the construction entity. <p><i>NOTE – This does not apply to demolition of structures intended for erosion control or sediment trapping such as groynes, seawalls or artificial reefs, as its removal may have potential for a significant impact on coastal processes.</i></p>
Management of a natural waterway mouth across a beach	<ul style="list-style-type: none"> • Tidal works associated with managing a natural waterway mouth across a beach carried out by the construction entity. • Interfering with quarry material on State coastal land above high-water mark associated with managing a natural waterway mouth across a beach carried out by the construction entity.
Reconstruction of a functional seawall or revetment	<ul style="list-style-type: none"> • Tidal works associated with the reconstruction of existing functional seawall or revetment carried out by the construction entity.
Reconstruction or maintenance of a road, carpark or path, and addition of a footpath to a road	<ul style="list-style-type: none"> • Interfering with quarry material on State coastal land above high-water mark associated with the reconstruction or maintenance of an existing formed road, carpark or path, or the addition of a footpath to a road carried out by the construction entity.

Note: For the purposes of this code, ‘tidal works’ does not include the reclamation of land under tidal water.

Table 2: Parts of this code applying to development

Development	Part of code
All development	Part A
Minor public marine development	Part B.1
Stormwater infrastructure	Part B.2
Certain work involving boardwalks, beach access and viewing structures, netted swimming enclosures and pedestrian/bikeway bridges	Part B.3
Beach re-profiling and beach nourishment	Part B.4
Demolition of structures seaward of high-water mark	Part B.5
Management of a natural waterway mouth across a beach	Part B.6
Reconstruction of a functional seawall or revetment	Part B.7
Reconstruction or maintenance of a road, carpark or path, and addition of a footpath to a road	Part B.8

Meaning of terms

Terms used in this code have the same meaning as the Planning Act in the first instance, the Coastal Act, State Planning Policy or the State Development Assessment Provisions. Other terms used in this code are defined in the glossary or are otherwise to be applied in consideration of their ordinary meaning.

Development may be subject to other approvals

Compliance with this code does not remove the need to obtain additional approvals or comply with standards or codes under other legislation, both State and Commonwealth. Construction entities are advised to check with all relevant statutory authorities for such approval requirements under the following legislation, including, but not limited to:

- *Aboriginal Cultural Heritage Act 2003*
- *Coastal Protection and Management Act 1995*
- *Environmental Protection Act 1994*
- *Fisheries Act 1994*
- *Gold Coast Waterways Authority Act 2012*
- *Land Act 1994*
- *Marine Parks Act 2004*
- *Nature Conservation Act 1992*
- *Planning Act 2016 (including a State or local planning instrument)*
- *Queensland Heritage Act 1992*
- *Torres Strait Islander Cultural Heritage Act 2003*
- *Transport Operations (Marine Pollution) Act 1995*
- *Transport Operations (Marine Safety) Act 1994*
- *Vegetation Management Act 1999*

- *Work Health and Safety Act 2011*
- *Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)*
- *Great Barrier Reef Marine Park Act 1975 (Commonwealth)*
- *Native Title Act 1993 (Commonwealth)*.

Note: *Quarry material in State coastal land under tidal waters is owned by the State and regulated under the Coastal Act. The removal of quarry material from land under tidal water requires an allocation of the resource under the Coastal Act².*

If quarry material is being removed from land under tidal waters that is trust land or leasehold land or is held under a lease or licence issued by the State, the allocation of quarry material is not regulated by the Coastal Act. Instead, the Forestry Act 1959, which is administered by the Department of Agriculture and Fisheries, applies.

Environmental matters

All work undertaken under this code is to be consistent with the General Environmental Duty as defined under the *Environmental Protection Act 1994*, whereby all reasonable and practicable measures must be undertaken to prevent or minimise the environmental harm that may occur as a result of the work. For example, measures are taken to avoid or minimise any impacts on existing coastal vegetation.

² Removing quarry material from tidal water does not include moving, shifting or otherwise placing material from one location to another within tidal waters.

Part A: All development

Application

This part of the code applies to all development listed in Table 1 carried out by the construction entity.

Acceptable Outcomes

All work under this code must meet the following acceptable outcomes.

Acceptable Outcomes (AO)	
Preliminary matters	
AO1	Unless otherwise specified, work associated with replacement, extension, widening, alteration, relocation, reconstruction or maintenance under this code only apply to existing lawful structures.
AO2	<p>The construction entity has prior to commencing work:</p> <ol style="list-style-type: none"> 1. obtained the permission and followed direction of the owner, lessee, trustee or manager of the land on which the work is to be located; and 2. sought comment and followed advice from: <ol style="list-style-type: none"> a. the local government, if the work is within a local government area b. the relevant Regional Harbour Master in relation to tidal works where work is within a navigable watercourse (excluding Gold Coast waters) c. the Chief Executive Officer of Gold Coast Waterways Authority in relation to tidal works proposed within Gold Coast waters.
AO3	<p>Work on State land is consistent with the purpose for which the State land is dedicated or granted.</p> <p>Note: the following are examples of works that would meet AO3:</p> <ol style="list-style-type: none"> 1. the construction of an additional lane to a public boat ramp and the land above high-water mark is a reserve for landing places or public boat ramps 2. the construction of a pontoon adjacent to a public boat ramp where the land above high-water mark is a reserve for recreation and an approved management plan under the Land Act 1994 for the reserve has been developed and supports the use of the land for minor public marine development including any associated facilities such as car parking 3. the construction of a floating walkway and marine piles and associated land based works where the land above high-water mark is unallocated State land and an allocation process for that land to allow for minor public marine development is to occur to support the works. <p>Note: the following are examples of works that would not meet AO3:</p> <ol style="list-style-type: none"> 1. the construction, for example, of minor public marine development or a boardwalk on unallocated State land above high-water mark that has not yet been appropriately allocated to support the works 2. the purpose of a lease or reserve, such as a reserve for coastal management, beach protection or open space that does not support minor public marine development. <p>Note: the construction entity will need to contact the Department of Natural Resources and Mines if the proposal is not consistent with the State land designation.</p>
AO4	Work that is located on a road under the <i>Land Act 1994</i> has been authorised by the relevant local government for a locally controlled road, or the Department of Transport and Main Roads for a State-controlled road.
Notification of work	
AO5	<p>Pre-work notification</p> <p>Notification of the intention to undertake work under this code is submitted to the Department of Environment and Heritage Protection (EHP) at least five business days (but no more than 20</p>

	business days) before work commences, by completing the pre-work notification sheet (Appendix 1) unless the work is: <ol style="list-style-type: none"> 1. construction and maintenance of a queuing beach adjacent to an existing public boat ramp (refer to Part B.1 of this code) 2. beach nourishment or sand relocation work to maintain physical coastal processes around minor public marine development (e.g. relocation of sand accumulated adjacent to a boat ramp or jetty to the down drift beach) (refer to Part B.1 of this code) 3. installation of screens, trash racks, flood mitigation or backflow prevention devices associated with stormwater infrastructure (refer to Part B.2 of this code).
AO6	Post-work notification Notification is submitted to EHP within 20 business days of completion of work under this code (other than work mentioned in AO5 (1) to (3)) by completing the post-work notification sheet (Appendix 2).
AO7	If the construction entity undertaking the work is not a local government, a copy of the documentation referred to in AO6 is provided by the construction entity to the relevant local government in whose jurisdiction the work was undertaken.
Structural integrity and safety	
AO8	Work is designed and constructed to be structurally sound and safe for use having regard to relevant engineering standards, Australian Standards, the location of the work, the purpose for which the work is to be used, and the impact of natural hazards and tidal influences.
Protection of environmental values and prevention of environmental harm	
AO9	Where applicable, appropriate erosion and sediment control measures are installed to prevent the release of sediment to the adjacent waterway during construction.
AO10	The work avoids significant adverse impacts on matters of state environmental significance or matters of national environmental significance.
AO11	All adjacent areas disturbed by the work under this code (including any temporary access tracks or other temporary work areas established to undertake the work) are rehabilitated by re-establishing the prior environmental values.
AO12	All demolition and waste material from the work is to be removed from the site and reused or disposed of at a waste facility that can lawfully accept the material.
AO13	The work avoids active nesting or roosting areas of threatened wildlife defined under the <i>Nature Conservation Act 1992</i> or 'special least concern animal' under the Nature Conservation (Wildlife) Regulation 2006.
AO14	Outdoor lighting located on or adjacent to a turtle nesting beach (excluding lighting as an aid to navigation) does not directly, indirectly or cumulatively illuminate the beach by ensuring the lighting is hooded or fully shielded, and directed downwards and away from the beach.
Protection of coastal processes and avoidance of coastal erosion impacts	
AO15	All dune areas disturbed by the work are to be revegetated with native dune vegetation species and appropriately treated to prevent wind erosion.
AO16	Work does not cause a change in the flow of water that would result in accelerated coastal erosion of any foreshore including the bed and banks of any tidal waterway.
AO17	Any clean sand excavated as a result of the work that can be used for beach nourishment is to be retained within the active beach system within or adjacent to the development footprint for the work.

Part B: Specific development activities

Part B.1: Minor public marine development

Application

This part of the code applies to tidal works or interfering with quarry material on State coastal land above high-water mark for minor public marine development carried out by the construction entity.

Part B.1 of this code applies to the following types of work for a public purpose:

1. replacement of existing minor public marine development
2. extension of a boat ramp, floating walkway, pontoon, jetty or wharf
3. construction of a floating walkway, pontoon or jetty adjacent to and integral with an existing public boat ramp, or in conjunction with extension of an existing public boat ramp
4. installation or removal of mooring piles
5. construction and maintenance of a queuing beach adjacent to an existing public boat ramp.

Acceptable outcomes

All work to which this part applies must meet the following acceptable outcomes.

Acceptable Outcomes (AO)	
Preliminary matters	
AO18	<p>For work that is located on trust land under the <i>Land Act 1994</i> (i.e. a reserve or deed of grant in trust), or land subject to a lease, licence or permit to occupy, or is unallocated State land, the construction entity has:</p> <ol style="list-style-type: none">1. provided a State Land Officer with a copy of relevant documentation outlining:<ol style="list-style-type: none">a. the views of any lessee or trustee or other land holder for land on which the proposed work is locatedb. how the work is consistent with the purposes and use of the land for which the land was granted or dedicatedc. the person or entity that will own or manage the minor public marine development following its construction and that the person or entity has the authority to occupy the land in order to own or manage the work (for example, the person appointed manager of a boat ramp is also the trustee of the adjoining State land above high-water mark—e.g. a reserve).2. subsequently received the prior written consent of the State Land Officer to locate the work on the land. <p>AO18 (1) and (2) do not apply if the work is to be completely undertaken or located on:</p> <ol style="list-style-type: none">a. unallocated State land below the high-water markb. within a State managed boat harbour under lease to State government. <p>For the purposes of this acceptable outcome, State Land Officer means an officer employed in the department administering the <i>Land Act 1994</i> (presently the Department of Natural Resources and Mines) having the delegation under the current Land Act (Ministerial) Delegation to provide owner's consent for a development application under the Planning Act.</p> <p>Note: Requests for written consent of the State Land Officer can be made by emailing the request to SLAMlodgement@dnrm.qld.gov.au.</p>
Location and extent of the work to minimise impacts on the coastal environment	
AO19	<p>The footprint of the work is limited to the following:</p> <ol style="list-style-type: none">1. for replacement of minor public marine development – the same location and plan area (i.e. footprint) as the existing structure, or the planned area (revised boat ramp orientation and/or revised lane width) to meet current design standards.

	<ol style="list-style-type: none"> 2. for extension of a boat ramp: <ol style="list-style-type: none"> a. an increase in the number of boat ramp lanes by no more than 100 per cent and the finished boat ramp is less than 30 metres wide in total; and b. an increase in the boat ramp length by no more than 20 metres; and c. an extension of a boat ramp width to comply with current design standards. 3. for extension of a floating walkway, pontoon, jetty or wharf – an increase in the total deck area of no more than 100 per cent, up to a maximum extension length of 20 metres (e.g. a 10 metre long jetty can be extended in length by 10 metres, however a 50 metre long jetty can only be extended in length by 20 metres). 4. for construction of a new floating walkway, pontoon or jetty – the work is adjacent to and integral with an existing public boat ramp and occupy an area less than 300 square metres in total. 5. for a queuing beach or work to move accumulated sand from the down-drift side to the up-drift side—250 square metres each side of the boat ramp, floating walkway, pontoon or jetty including both the area where work are undertaken above and below high-water mark. 6. for mooring piles—the cross-sectional area of the pile.
AO20	The work does not affect maritime access to adjoining or adjacent properties and does not extend past the side boundary or the extended side boundary of the lot connected to the work.
Structural integrity and safety	
AO21	<p>A pontoon is designed and constructed to be stable when used for its intended purpose and design loading and ensures the following standards are met:</p> <ol style="list-style-type: none"> 1. for all pontoons—the whole of the base of the pontoon's flotation unit remains in contact with the water within which it is constructed at all times and the angle of tilt is no more than 15o. 2. for a pontoon, excluding pontoons only used for rowing boats—at least 75mm of the height of the pontoon's flotation unit remains above the water over which it is constructed. 3. for a pontoon used only for rowing boats—the top surface of the pontoon's flotation unit and the entire surface of the pontoon's access walkways remains above the water.
AO22	A pontoon's access walkway extends at least 500mm onto the pontoon's flotation unit.
AO23	A pontoon's abutment is located no less than 300mm above the water level at high-water mark to ensure it remains above water at all times.
AO24	A pontoon is designed and constructed to ensure its flotation unit will rise and fall to allow for changes in water levels.
AO25	For a pontoon located in an area subject to flooding, the pontoon is restrained (e.g. via a tethering system) to prevent the pontoon washing away, including if water levels exceed the pile height for a pontoon ordinarily moored by piles.
AO26	<p>The level of the deck of a jetty is at least 300mm above the water level at highest astronomical tide, or piles or other markers indicate the presence of the jetty or pier when it is inundated.</p> <p>Note: <i>the deck of a jetty does not mean an independent deck that is not connected with the jetty or pier.</i></p>
AO27	A boat ramp for vehicle use has a minimum width of 3.6 metres and a gradient between 1 in 7 and 1 in 10, as appropriate.
AO28	<p>The work:</p> <ol style="list-style-type: none"> 1. does not place an additional load on any existing structure 2. can be structurally supported by an existing structure.
AO29	<p>The work are located and designed to:</p> <ol style="list-style-type: none"> 1. allow safe public access to, over, under or around the structures 2. ensure emergency vehicles can access the area.

AO30	The work is capable of being certified by a RPEQ that the work has been constructed in accordance with these code provisions related to structural integrity and safety.
Protection of environmental values and prevention of environmental harm	
AO31	Sediment disturbed below high-water mark as a result of the work does not produce a visible turbidity plume extending more than 50 metres beyond the footprint of the work. Where it is likely a plume will extend more than 50 metres, appropriate control measures are to be installed (e.g. silt curtain).
Protection of coastal processes and avoidance of coastal erosion impacts	
AO32	Coastal protection work for minor public marine development is permitted if it is: <ul style="list-style-type: none"> 1. beach nourishment that complies with Part B.4 of this code; or 2. abutment protection work for jetties, pontoons or floating walkways where relocation of the abutment is not practicable and the protection work is no greater than 10 metres in total length along and parallel to the shoreline.
AO33	The work is designed and constructed to not interfere with, or to reinstate the following outside the structure footprint: <ul style="list-style-type: none"> 1. longshore sediment transport processes 2. dune crest height 3. volume of sand within the dune system 4. coastal vegetation cover including dunal vegetation such as sand spinifex grass for sand trapping.
AO34	Sediment used to construct a queuing beach has the following characteristics: <ul style="list-style-type: none"> 1. the sediment consists predominately of sand (i.e. 90 per cent of the sediment has a grain size diameter greater than 0.06mm) 2. the sediment contains less than 10 per cent fines (i.e. sediment with a grain diameter of less than 0.06mm) 3. the sand is clean and free of contaminants.
AO35	The sand used to construct a queuing beach is only from a source outside of the active beach system or sourced from other approved or accepted development covered under this code.
AO36	Sand that has accumulated around or seaward of a boat ramp, pontoon, jetty or floating walkway and is hindering safe usage and needs to be relocated is placed on the down drift side of the structure.
AO37	Beach nourishment or sand relocation work is limited to the movement of less than 1000 tonnes of sediment for each location of a public marine development per year.

Part B.2: Stormwater infrastructure

Application

This part of the code applies to tidal works or interfering with quarry material on State coastal land above high-water mark for stormwater infrastructure carried out by the construction entity.

Part B.2 of this code applies to the following types of work:

1. reconstruction of a stormwater outlet, where the replacement structure is located over the same location and the same plan area as the previous structure
2. alterations to a stormwater outlet, involving:
 - a. increasing the discharge capacity of the outlet (e.g. increased pipe diameter)
 - b. installation of a screen, trash rack or gross pollutant trap
 - c. installation of flood mitigation or backflow prevention devices (e.g. tide flaps, valves)
 - d. lengthening, shortening or providing additional support (e.g. supporting piles) to an outlet.
3. installation of scour protection.

Acceptable Outcomes

All work to which this part applies must meet the following acceptable outcomes.

Acceptable Outcomes (AO)	
Location and extent of the work to minimise impacts on the coastal environment	
AO38	The following design criteria is met for the location and extent of work: <ol style="list-style-type: none">1. discharge capacity of an outlet is not increased by more than 100 per cent2. gross pollutant trap area does not exceed five square metres3. installation of scour protection area does not exceed 15 square metres or extend greater than five metres from the outlet.
Protection of coastal processes and avoidance of coastal erosion impacts	
AO39	Alteration to existing stormwater outlets avoids adversely affecting the stability of the adjacent beach, dune, watercourse or bank.

Part B.3: Certain work involving boardwalks, beach access and viewing structures, netted swimming enclosures and pedestrian/bikeway bridges

Application

This part of the code applies to tidal works or interfering with quarry material on State coastal land above high-water mark carried out by the construction entity.

Part B.3 of this code applies to the following types of work:

1. widening of a boardwalk or viewing structure
2. reconstruction of a boardwalk, viewing structure or beach access structures
3. realignment of a boardwalk or viewing structure
4. construction of beach access structures
5. addition of a viewing structure and showers to beach access structures
6. construction or relocation of netted swimming enclosures
7. replacement of a pedestrian and/or bikeway bridge over a tidal watercourse.

Acceptable Outcomes

All work to which this part applies must meet the following acceptable outcomes.

Acceptable Outcomes (AO)	
Location and extent of the work to minimise impacts on the coastal environment	
AO40	The following design criteria is met for the location and extent of work: <ol style="list-style-type: none"> 1. widening of a boardwalk or viewing structure does not increase its width by more than 50 per cent or extend the work seaward of its current footprint. 2. reconstruction of a boardwalk, viewing structure or beach access structure is in the same footprint as the existing structure. 3. realignment of a boardwalk or viewing structure does not result in work seaward of its current footprint. 4. construction of a beach access structure occupies a footprint not exceeding 20 square metres. 5. minor additions to a beach access structure such as viewing platforms or showers does not occupy a footprint greater than 15 square metres. 6. replacement of a pedestrian and/or bikeway bridge is in the same footprint and provides for the same or greater clearance above a tidal watercourse as the existing structure. 7. any construction corridor for the above work is less than 5 metres in width.
Structural integrity and safety	
AO41	The work: <ol style="list-style-type: none"> 1. does not place an additional load on any existing structure such as a seawall, or 2. can be structurally supported by an existing structure.
AO42	The boardwalk, viewing structure, beach access structure or pedestrian/bikeway bridge does not prevent or hinder maintenance work being undertaken on any existing retaining wall, revetment or seawall or other structure.
AO43	Where the work involves the realignment of a boardwalk or viewing structure the existing structure is to be fully removed and the land rehabilitated to its prior natural condition.
AO44	A swimming enclosure is adequately anchored to prevent displacement during extreme storm events or the net is able to be retracted to avoid damage by an extreme storm event.
AO45	The work is capable of being certified by a RPEQ that the work has been constructed in accordance

	with these code provisions related to structural integrity and safety.
Protection of environmental values and prevention of environmental harm	
AO46	The work does not prevent or adversely change the movement of water below the level of highest astronomical tide level by filling, excavation or design of the structure.
Protection of coastal processes and avoidance of coastal erosion impacts	
AO47	Work is located as far landward as practicable to minimise coastal erosion risks.
AO48	Any boardwalk, viewing structure or beach access structure crossing, or located on top, of the foredune area is demountable or relocatable to facilitate removal if threatened by erosion or considered expendable.
AO49	The work is designed and constructed to not interfere with, or to reinstate the following outside the structure footprint: <ul style="list-style-type: none"> 1. dune crest height 2. volume of sand within the dune system 3. coastal vegetation cover including dunal vegetation such as sand spinifex grass for sand trapping.

Part B.4: Beach re-profiling or beach nourishment

Application

This part of the code applies to tidal works or interfering with quarry material on State coastal land above high-water mark carried out by the construction entity.

Part B.4 of this code applies to re-profiling a beach by transferring sand from the intertidal zone to the upper beach or beach nourishment to restore a beach system for the purpose of managing impacts from coastal erosion to:

1. ensure public safety
2. protect development
3. preserve significant vegetation, habitat or cultural heritage values, or
4. reinstate beach amenity and access.

Acceptable Outcomes

All work to which this part applies must meet the following acceptable outcomes.

Acceptable Outcomes (AO)	
Location and extent of the work to minimise impacts on the coastal environment	
AO50	The landward extent of the work is limited to: <ol style="list-style-type: none"> 1. the existing erosion scarp; or 2. the seaward edge of dune vegetation.
AO51	Beach re-profiling does not exceed the movement of: <ol style="list-style-type: none"> 1. Ten cubic metres per lineal metre of beach for open coasts beaches south of and including the east coast of Fraser Island, or 2. Five cubic metres per lineal metre of beach for all other beaches.
AO52	The depth of excavation for beach re-profiling will not exceed 0.5 metres below the original beach profile elevation.
AO53	For beach nourishment the volume of sand placed on a beach compartment shall not exceed 5000 cubic metres per year.
Protection of environmental values and prevention of environmental harm	
AO54	Earthworks associated with beach re-profiling do not expose or disturb underlying bedrock, coffee rock and other cemented sediment material or consolidated mud/organic material layers.
AO55	Established vegetation should not be buried or otherwise harmed by the work.
Protection of coastal processes and avoidance of coastal erosion impacts	
AO56	Beach re-profiling and beach nourishment is to be finished to a stable slope consistent with typical beach and dune forms in the area.
AO57	For beach re-profiling, sand is only excavated from an inter-tidal area immediately seaward of the intended deposition area.
AO58	The sand used for beach nourishment is only from a source outside of the active beach system or sourced from other approved or accepted development covered under this code.
AO59	Sand for beach nourishment will has the following characteristics:

	<ol style="list-style-type: none"> 1. the sediment consists predominately of sand (i.e. 90 per cent on the sediment has a grain size diameter greater than 0.06mm). 2. the sand used for the work has a similar or coarser grading to the upper beach sand at the site. 3. the sediment contains less than 10 per cent fines (i.e. sediment with a grain diameter of less than 0.06mm). 4. the sediment is clean, free of contaminants and does not contain any deleterious material such as builders waste or rock.
AO60	<p>Sand for beach re-profiling will have the following characteristics:</p> <ol style="list-style-type: none"> 1. the sand used for the work has a similar or coarser grading to the upper beach sand at the site. 2. the sediment contains less than 10 per cent fines (i.e. sediment with a grain diameter of less than 0.06mm).

Part B.5: Demolition of structures seaward of high-water mark

Application

This part of the code applies to tidal works that involves the complete demolition of a structure seaward of high-water mark carried out by the construction entity.

Part B.5 of this code applies to the following types of work:

1. demolition of an existing structure below high-water mark where the demolition will result in the complete removal of the structure.

The following types of work are specifically excluded from this code:

- demolition of structures intended for erosion control or sediment trapping such as groynes, seawalls or artificial reefs.

Acceptable Outcomes

All work to which this part applies must meet the following acceptable outcomes.

Acceptable Outcomes (AO)	
Preliminary Matters	
AO61	The demolition is only undertaken by, or with the consent of the owner of the structure being demolished, or in accordance with a tidal works notice and authorisation under section 61 of the <i>Coastal Protection and Management Act 1995</i> .
Structural integrity and safety	
AO62	The demolition is undertaken in a safe manner having regard to relevant Australian Standards.
AO63	The demolition does not adversely affect the structural integrity of any existing revetment, seawall or other structure.
AO64	The entire structure is removed within three (3) months of commencement of the demolition.
AO65	Where piles being extracted cannot be fully removed, the construction entity is to: <ol style="list-style-type: none">1. obtain advice from the relevant Regional Harbour Master or Gold Coast Waterways Authority, as appropriate, in relation to leaving remnants of the piles in place and the minimum pile head level to be achieved for remnant piles2. comply with any advice provided by the relevant Regional Harbour Master or Gold Coast Waterways Authority, as appropriate, in relation to the work.

Part B.6: Management of a natural waterway mouth across a beach

Application

This part of the code applies to tidal works or interfering with quarry material on State coastal land above high-water mark carried out by the construction entity.

Part B.6 of this code applies to the following types of work:

1. Earthworks to manage the opening of a natural creek mouth to ensure:
 - a. acceptable flood water discharge or preferential point of discharge
 - b. entrance migration is managed to avoid impacts on adjacent development
 - c. the entrance remains open or closed to maintain water quality, recreational attributes or manage environmental issues.

Note: *The work must meet the definition of 'earthworks' in the Glossary. This code is intended to allow for the pushing, filling or excavation of sand only, but not for structures (for example using rock, sand bags or concrete). For these works a development application would be required.*

Acceptable Outcomes

All work to which this part applies must meet the following acceptable outcomes.

Acceptable Outcomes (AO)	
Location and extent of the work to minimise impacts on the coastal environment	
AO66	The extent of the work is limited to relocation of the channel within an area defined by: <ol style="list-style-type: none"> 1. the seaward extent being 30 metres from the pre-disturbance position of the high-water mark. 2. inland from the coast, the foredune or areas of bare sand or pioneer zone herbaceous vegetation (i.e. excluding channel changes within inland channels or areas of woody vegetation). 3. along the coast, within the range of historical channel movement along the beach determined from aerial photography.
AO67	The relocated channel is to have similar cross-sectional area and depth as the existing channel dimension.
Protection of environmental values and prevention of environmental harm	
AO68	Mangrove mud, marine clay, coffee rock or other consolidated materials are not to be disturbed by the work.
AO69	Earthwork is to be finished to a stable slope consistent with typical beach and dune forms in the area.
Protection of coastal processes and avoidance of coastal erosion impacts	
AO70	The total volume of sand moved does not exceed 500 cubic metres.
AO71	Excavated sand is to be deposited in the entrance intended to be closed or on the beach and intertidal areas on either side of the new entrance and preferably on the longshore transport down drift side.

Part B.7: Reconstruction of a functional seawall or revetment

Application

This part of the code applies to tidal works associated with the reconstruction of seawalls or revetments carried out by the construction entity.

Part B.7 of this code applies to the following type of work:

1. reconstruction of a functional seawall or revetment where the replacement structure occupies the same location and has the same plan area (i.e. footprint) as the previous lawful structure except as specified in the acceptable outcomes below.

Note: *The existing seawall or revetment must meet the definition of a 'functional seawall or revetment' in the Glossary. This code is not intended to allow upgrading of unapproved or poor quality structures that do not meet the fit for purpose test without consideration of the impacts on coastal processes or alternative solutions. For example the replacement of ad hoc erosion barriers constructed from tyres, timber, tipped rock, construction or demolition waste or geotextile tubes is not permitted under this code.*

Acceptable Outcomes

All work to which this part applies must meet the following acceptable outcomes.

Acceptable Outcomes (AO)	
Location and extent of the work to minimise impacts on the coastal environment	
AO72	The footprint of the structure is limited to: <ol style="list-style-type: none">1. the same location and occupies the same footprint as the existing structure except where it is essential to upgrade the design to ensure it is fit for purpose.2. the upper seaward edge and the toe does not extend any further seaward than that shown in the approved design.
Structural integrity and safety	
AO73	The work is capable of being certified by a RPEQ that the work has been constructed in accordance with these code provisions related to structural integrity and safety, and is fit for purpose.
Protection of coastal processes and avoidance of coastal erosion impacts	
AO74	Any sediment excavated as a result of the work that can be used for beach nourishment is to be retained within the active beach system within or adjacent to the development footprint for the work.

Part B.8: Reconstruction or maintenance of a road, carpark or path, and addition of a footpath to a road

Application

This part of the code applies to interfering with quarry material on State coastal land above high-water mark associated with the reconstruction or maintenance of a road, carpark or pathway carried out by the construction entity.

Part B.8 of this code applies to the following types of work:

1. Reconstruction or maintenance of an existing formed road, carpark or pathway
2. Realignment of an existing formed road, carpark or pathway
3. Construction of a footpath adjoining a road.

Note: *The existing road or carpark must meet the definition of 'formed road, carpark or pathway' in the Glossary. This code is not intended to allow for the reconstruction or upgrading of unapproved or informal tracks and carparks without consideration of erosion vulnerability and review of setback options within the erosion prone area. For these works a development application would be required.*

Acceptable Outcomes

All work to which this part applies must meet the following acceptable outcomes.

Acceptable Outcomes (AO)	
Location and extent of the work to minimise impacts on the coastal environment	
AO75	<p>The following design criteria is met for the location and extent of work:</p> <ol style="list-style-type: none"> 1. reconstruction of an existing formed road, carpark or pathway – the same footprint as the existing structure 2. realignment of an existing formed road, carpark or pathway – a footprint no further seaward than the existing structure 3. construction of a footpath – on the landward side of and adjoining an existing formed road. <p>Note: <i>where the realignment of an existing formed road, carpark or pathway, or construction of a new footpath is in association with minor public marine development, AO18 of Part B.1 applies.</i></p>
AO76	<p>The work does not involve upgrading the existing structure.</p> <p>Note: <i>upgrading means increasing the capacity of the road or design standard of the road, but does not include kerbing and channelling signage or safety structures.</i></p>
Protection of environmental values and prevention of environmental harm	
AO77	<p>The work does not prevent or adversely change the movement of water below the level of highest astronomical tide level by filling, excavation or design of the structure.</p>
Protection of coastal processes and avoidance of coastal erosion impacts	
AO78	<p>Work is located as far landward as practicable to minimise coastal erosion risks and reconstruction of a formed road, pathway or carpark includes an assessment of the opportunity to move the work further landward to minimise risk from future coastal erosion.</p>
AO79	<p>The work is designed and constructed to not interfere with, or to reinstate the following outside the structure footprint:</p>

- | | |
|--|---|
| | <ol style="list-style-type: none">1. dune crest height2. volume of sand within the dune system3. coastal vegetation cover including dunal vegetation such as sand spinifex grass for sand trapping. |
|--|---|

Glossary

Above high-water mark: landward of high-water mark.

Active beach system: the areas adjacent to the beach onshore (and in the nearshore where sediments are actively transferred between these areas by wind and wave action, and alongshore by wave driven and tidal currents. This zone is said to be in 'dynamic equilibrium' where coastal processes are actively shaping and reshaping the coast by dune building, beach erosion, sand bar migration

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

Backflow prevention device: a device designed so that water flows in one direction through piped stormwater systems and minimises water flowing back up stormwater pipes.

Beach amenity: includes the recreational and scenic values of a beach.

Beach access structure: a structure that provides pedestrian access to a beach or the foreshore from land such as stairs or a surfaced pathway. It does not include a structure intended to provide marine access to land.

Beach compartment: section of coast of relatively homogenous geomorphology and coastal processes. It is commonly a sector of coast bounded by headlands or river mouths, or influenced by near shore-reefs or islands reefs, but can also be a simple division based on sediment transport rates and wave energy.

Beach nourishment: the replenishment of a beach system using imported sediment to balance erosion losses or to re-establish a wider beach and dune system. It does not include the creation of a new beach.

Beach re-profiling: re-profiling a beach by transferring sand from the intertidal zone to the upper beach. The purpose of beach re-profiling is to return sand which has been eroded from the dunes and upper beach and moved down the profile into the intertidal zone during a storm or other severe weather event (a coastal erosion event). This sand would typically be returned to the upper beach in calm weather over a period of months or years. The beach re-profiling seeks to mechanically accelerate this beach replenishment process to restore beach amenity, protect assets or preserve trees which have been undermined.

Beach re-profiling does not mean the relocation of sand from a beach, dune or creek mouth area that is not immediately adjacent to the eroded site.

Boardwalk: a piled or cantilevered structure that provides a platform used primarily for pedestrian access.

Coastal erosion: the loss of land or the removal of beach or dune sediments by wave action, wind action, tidal currents or water flows or by permanent inundation due to sea level rise.

Coastal erosion event: a short episode of significant coastal erosion caused by a severe storm or cyclone, tides, storm tides or channel migration.

Coastal hazard: as defined under the *Coastal Protection and Management Act 1995*.

Coastal management district: means a coastal management district under the *Coastal Protection and Management Act 1995*.

Coastal processes: natural processes of the coast including:

(a) sediment transport to and along the coast

(b) wind, waves, tides and currents which transfer energy to the coast and drive sediment transport

(c) fluctuations in the location and form of landforms and the foreshore and associated ecosystems from sediment transport (erosion and land building)

(d) changes in sea-level, ecological processes (including growth and spread of native plants); and the natural water cycle (for example coastal wetlands' role in filtration and flood mitigation).

Coastal protection work: any permanent or periodic work undertaken primarily to manage the impacts of coastal erosion or storm tide inundation, including the use of erosion control structures and altering coastal processes such as sediment transport.

Construction entity: means the Department of Transport and Main Roads (TMR), Gold Coast Waterways Authority (GCWA) or a local government.

Development: as defined under the *Planning Act 2016*.

Development approval: as defined under the *Planning Act 2016*.

Earthworks: The physical repositioning of natural material from the land surface by mechanical means. It may

involve excavation, filling or movement of materials.

Ecosystem: a dynamic complex of plant, animal and micro-organism communities and their nonliving environment interacting as a functional unit.

EHP: Department of Environment and Heritage Protection.

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.

Fit for purpose: means that the development is in a safe condition complies with relevant current standards (e.g. Australian standards) and is of a design intended to achieve its purpose.

Foreshore: as defined under the *Coastal Protection and Management Act 1995*.

Formed road, carpark or pathway: a public structure which has been designed and constructed to achieve its intended purpose and which can be considered an asset of a local government. It does not include ad hoc or informal tracks or cleared areas which provide a similar function (for example a bitumen surfaced road planned and constructed by a local government compared to a sand track which has evolved by repeated 4WD use).

Functional seawall or revetment: means a wall constructed along a shoreline to:

(a) prevent erosion by wave, water flow or tidal action from the sea

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

(c) has been designed and constructed to originally be fit for purpose

(d) is currently functional for its intended purpose.

Gold Coast Waters: as defined under the *Gold Coast Waterways Authority Act 2012*.

High-water mark: as defined under the *Coastal Protection and Management Act 1995*.

Lawful structure / work: means:

1. development that has an approval for operational work that is tidal works, or work lawfully constructed under another Act, or
2. development that:
 - a. is owned or managed by the State or local government, and
 - b. was constructed prior to January 1974 as demonstrated by dated design drawings, survey plans or aerial photography, and
 - c. is fit for purpose.

Load: weight, force or pressure.

Marine access structure: maritime development that provides access to tidal water from land. For example, a boat ramp, jetty, pontoon, floating dock, fixed pier or gangway. A marine access structure does not include a canal, navigation channel, deck or boardwalk.

Matters of National Environmental Significance: means the following matters protected under the *Environment Protection and Biodiversity Conservation Act 1999*: world heritage properties; national heritage places; wetlands of international importance (listed under the Ramsar Convention); listed threatened species and ecological communities; migratory species protected under international agreements; Commonwealth marine areas; the Great Barrier Reef Marine Park; protection of the environment from nuclear actions (including uranium mines).

Matters of State Environmental Significance: see schedule 2 of the Environmental Offsets Regulation 2014.

Note: Matters of state environmental significance are prescribed environmental matters under the Environmental Offsets Regulation 2014 that require an offset when a prescribed activity will have a significant residual impact on the matter. A matter of state environmental significance is any of the following matters:

1. regional ecosystems under the Vegetation Management Act 1999 that:
 - a. are endangered regional ecosystems

- b. are of concern regional ecosystems
 - c. intersect with a wetland shown on the vegetation management wetlands map
 - d. contain areas of essential habitat shown on the essential habitat map for an animal that is endangered wildlife or vulnerable wildlife or a plant that is endangered wildlife or vulnerable wildlife
 - e. are located within the defined distances stated in the Environmental Offsets Policy 2014 from the defining banks of a relevant watercourse or drainage feature as shown on the vegetation management watercourse and drainage feature map
 - f. contain remnant vegetation and are areas of land determined to be required for ecosystem functioning ('connectivity areas')
2. wetlands in a wetland protection area or wetlands of high ecological significance shown on the Map of referable wetlands under the Environmental Protection Regulation 2008
 3. wetlands and watercourses in high ecological value waters as defined in schedule 2 of the Environmental Protection (Water) Policy 2009
 4. designated precincts in strategic environmental areas under the Regional Planning Interests Regulation 2014
 5. threatened wildlife under the Nature Conservation Act 1992 and special least concern animals under the Nature Conservation (Wildlife) Regulation 2006
 6. protected areas under the Nature Conservation Act 1992 excluding coordinated conservation areas
 7. highly protected zones of state marine parks under the Marine Parks Act 2004
 8. declared fish habitat areas under the Fisheries Act 1994
 9. waterways that provide for fish passage under the Fisheries Act 1994 if the construction, installation or modification of waterway barrier works carried will limit the passage of fish along the waterway
 10. marine plants under the Fisheries Act 1994
 11. legally secured offset areas.

Minor public marine development: means repairing, upgrading, extending, replacing or reconstructing a marine access structure that serves a public purpose or construction of a new public marine access structure adjacent to existing public marine access infrastructure.

Natural creek mouth: the area at which a natural waterway discharges into the sea.

Natural hazard: means a naturally occurring situation or condition, such as a flood, bushfire, landslide coastal erosion or storm-tide inundation, with the potential for loss or harm to the community, property or environment.

Natural waterway: a naturally formed channel having defined bed and banks down which surface runoff or tidal water flows on a permanent or semi-permanent basis. It includes a creek, stream, river or tidal inlet.

Netted swimming enclosure: a netted enclosure used primarily for safe swimming purposes and designed to keep out sharks, jellyfish or boats that pose a risk to the public.

Pontoon: 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.

Public boat ramp: means a boat ramp used for a public purpose.

Quarry material: as defined under the *Coastal Protection and Management Act 1995*.

Queuing beach: a beach made of sand or fine gravel constructed to dissipate wave energy and/or for preparation of vessels for launching or retrieval.

Regional Harbour Master: Refer to Maritime Safety Queensland, Queensland Department of Transport and Main Roads, www.msq.qld.gov.au.

Rehabilitate: Restoration of land to a pre-existing natural condition by techniques including land surface

reprofiling, return of topsoil and revegetation with native plants.

Registered professional engineer of Queensland (RPEQ): a person who, under the *Professional Engineers Act 2002*, is a registered professional engineer in a discipline relevant to the design of structures in a coastal environment.

Revetment: see seawall.

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

Storm-tide inundation: means temporary inundation of land by abnormally high ocean levels caused by cyclones and severe storms.

Stormwater infrastructure: means infrastructure used for receiving, storing, transporting or treating stormwater.

Stormwater outlet: means a pipe, drain or culvert that forms the point of discharge from a stormwater system to the receiving water.

Structure footprint: means the plan position of the existing or a proposed structure.

State coastal land: as defined under the *Coastal Protection and Management Act 1995*.

State land: land other than freehold land (excluding a deed of grant in trust under the *Land Act 1994*), or land contracted to be granted in fee simple by the State and administered under the *Land Act 1994*.

Tidal water: as defined under the *Coastal Protection and Management Act 1995*.

Tidal works: as defined under the *Coastal Protection and Management Act 1995*. Note: for the purpose of this code, 'tidal works' does not include the reclamation of land under tidal water.

Upper beach: the area of bare sand between the foredune and the high water mark.

Vegetation: as defined under the *Coastal Protection and Management Act 1995*.

Work: is operational work that is undertaking tidal works, or work in a coastal management district.

Appendix 1: Pre-work notification to EHP

Accepted development that is tidal works, or work completely or partly in a coastal management district

Details of project:	
Construction entity:	
Description of work:	
Location of work:	
Value of work:	\$
Start date:	

Attach the following (please tick):

- A site plan (A4 size) showing:
- real property description and boundaries;
 - street names;
 - existing structures; and
 - extent of the structure footprint and proposed work area for the development.

- A clear photo showing the extent of the site prior to commencement of the work.

Endorsement:	
I confirm that	
<ol style="list-style-type: none"> 1. Permission and direction has been obtained from the owner, lessee, trustee or manager of the land on which the work is to be located (as per Part A, AO2). 2. Advice has been sought from the local government (for work within a local government area), the relevant Regional Harbour Master (for work below high-water mark, excluding Gold Coast waters), or the Chief Executive Officer, Gold Coast Waterways Authority (for work proposed within Gold Coast waters) (as per Part A, AO2). 3. Work on any State land is consistent with the purpose for which the State land is dedicated or granted (as per Part A, AO3). 4. Authorisation has been obtained from the local government, or the Department of Transport and Main Roads (as per Part A, AO4, where relevant). 5. For minor public marine development, consent of the State Land Officer has been obtained in relation to the proposed work (as per Part B.1, AO18). 	
Print name:	
Position title:	
Signature:	

Please return your completed notification form via email to palm@ehp.qld.gov.au or mail to:

Permit and Licence Management
 Department of Environment and Heritage Protection
 GPO Box 2454
 Brisbane Queensland 4001

Office use:-	
Ecotrack reference number:	

Date entered:	
EHP office:	

Please keep a copy of this form for your records. No confirmation will be given by EHP.

Appendix 2: Post-work notification to EHP

Accepted development that is tidal works, or work completely or partly in a coastal management district

Details of project:	
Description of work:	
Location of work:	
Completion date:	

Attach the following (please tick):

- A clear photo showing the extent of the site after completion of the work. The post-work photo is to be taken at the same orientation as the pre-works photo.
- 'As constructed' plans for the project.
- Permission from the owner, lessee, trustee or manager of the land on which the work is located (as per Part A, AO2).
- Copy of the advice from the local government, relevant Regional Harbour Master, or the Chief Executive Officer, Gold Coast Waterways Authority (as appropriate) (as per Part A, AO2).
- Statement that the work on any State land is consistent with the purpose for which the State land is dedicated or granted (as per Part A, AO3).
- For minor public marine development located on a road under the *Land Act 1994*, written authorisation from the local government or the Department of Transport and Main Roads (where relevant) (as per Part A, AO4).
- For minor public marine development on State land, written consent of the State Land Officer to locate the work on the land (as per Part B.1, AO18).
- RPEQ Certification that the work has been constructed in accordance with corresponding code provisions relevant to each Part of this code that relate to structural integrity and safety.
- For minor public marine development, written advice listing the trustee, lessee or other relevant authority that is the owner of the tidal works, or has been appointed as the manager of the tidal works, and their contact details.

Endorsement of authorised person for the construction authority:	
I confirm that the proposed work comply with the code for accepted development for operational work under the Coastal Protection and Management Regulation 2017.	
Print name:	
Position title:	
Signature:	

Please return your completed notification form and any supporting documents via email to palm@ehp.qld.gov.au or mail to:

Permit and Licence Management
 Department of Environment and Heritage Protection
 GPO Box 2454
 Brisbane Queensland 4001

Office use:-	
Ecotrack number:	

Date entered:	
EHP office:	
EHP office action:	Where the Department of Natural Resources and Mines (DNRM) were involved in the work, forward a copy of this notification to SLAMlodgement@dnrm.qld.gov.au

Please keep a copy of this form for your records. No confirmation will be given by EHP.