9.4.8 Prescribed tidal work code

9.4.8.1 Application

1. This code applies to assessing operational work for prescribed tidal work if:
2. assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for a material change of use (section 5.5) or operational work (section 5.8); or
3. impact assessable development, to the extent relevant.

Note—Prescribed tidal work is tidal work (operational work undertaken in tidal waters) which is completely or partly within a local government tidal area. Brisbane’s local government tidal area does not include the tidal area for strategic port land or waters not adjacent to a local government area such as Commonwealth land and waters which are outside the 3 nautical mile limit of State waters.

Note—This code must be read in conjunction with the ‘Code for assessable development that is prescribed tidal works’ contained in Schedule 4A of the Coastal Protection and Management Regulation 2003. This code complements the code contained in Schedule 4A of the Coastal Protection and Management Regulation 2003 by specifying relevant provisions for application within Brisbane City Council’s local government tidal area.

1. When using this code, reference should be made to section 1.5 and section 5.3.3.

9.4.8.2 Purpose

1. The purpose of the Prescribed tidal work code is to assess the suitability of development for prescribed tidal work.
2. The purpose of the code will be achieved through the following overall outcomes:
3. Prescribed tidal work is designed to be compatible with the character and amenity of its location.
4. Prescribed tidal work is designed, constructed and maintained to exhibit the highest practicable level of flood resilience and the owner of prescribed tidal work is easily identifiable.

9.4.8.3 Performance outcomes and acceptable outcomes

Table 9.4.8.3—Performance outcomes and acceptable outcomes

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| Performance outcomes | Acceptable outcomes |
| Section A—Prescribed tidal work to which specific outcomes 1.1, 2.1, 2.2, 3.1, 4.1 of the code contained in Schedule 4A of the Coastal Protection and Management Regulation 2003 apply |
| PO1Development for prescribed tidal work for a landing for individual use is consistent in size with a nearby landing. | AO1Development for prescribed tidal work for a landing for individual use is not located within 1.5m of a side boundary or an extended side boundary into the Brisbane River.Note—The extended side boundary has the same meaning as defined by the Coastal Protection and Management Regulation 2003. |
| PO2Development for prescribed tidal work for a pontoon or jetty for an individual use is designed to be compatible with the character and amenity of the work’s immediate surrounds. | AO2.1Development for prescribed tidal work for a pontoon or jetty for individual use has:1. a floatation unit and independent deck, not including the walkway, up to 25m2 in area and a maximum dimension of 10m;
2. an access walkway with a minimum width of 1.2m and a maximum width of 1.8m.
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| AO2.2Development for prescribed tidal work for a ramp for individual use has a width up to 3.5m as measured at the foreshore.Note—The foreshore has the same meaning as defined by the Coastal Protection and Management Regulation 2003. |
| Section B—Prescribed tidal work to which specific outcome 12.1 of the code contained in Schedule 4A of the Coastal Protection and Management Regulation 2003 applies |
| PO3Development for prescribed tidal work is designed, constructed and maintained to ensure it is tethered to its existing location during a 100 year annual recurrence interval Brisbane River flood event. | AO3Development for prescribed tidal work is designed and constructed to incorporate:1. a tethering system between:
2. the structure and an onshore anchor block or abutment; or
3. the base of a pile associated with the structure;
4. a tethering system which is designed to withstand the flow velocities associated with a 100 year annual recurrence interval Brisbane River flood event and includes allowance for a debris loading of not less than 10kN per metre of structure.

Note—kN means kilonewton as defined by the Coastal Protection and Management Regulation 2003. |
| PO4Development ensures that the owner of the prescribed tidal work can be easily identified. | AO4Development provides for a metal plate with the owner’s name, contact details and address to be permanently attached to the prescribed tidal work.Note—Additionally, the name and ABN of the supplier may also be listed along with the maximum vessel displacement or the length of vessel the pontoon is designed to accommodate. |
| Section C—Prescribed tidal work relating to the land adjacent to the tidal waters |
| PO5Development for a private prescribed tidal work (landing) avoids access across publicly owned or controlled land, such as a Council park. | AO5.1Development ensures that no private prescribed tidal work (landing) is located where it requires access across publicly owned or controlled land, such as a dedicated road, a Council park (whether freehold land or trust land), recreation pathway or the like. |
| AO5.2Development ensures that any public prescribed tidal work (landing) is in accordance with:1. an existing strategy for public access to the Brisbane River; or
2. a park embellishment item or transport infrastructure item identified in the Local government infrastructure plan.
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