**State code 8: Coastal development and tidal works**

State Development Assessment Provisions Guidance Material: State code 8: Coastal Development and tidal works provides direction on how to address this code.

**Table 8.1: All development**

| **Performance outcomes** | **Response**  |
| --- | --- |
| **Development in the erosion prone area** |
| **PO1** Development is only permitted in the **erosion prone area** where it:1. is one of the following types of development:
2. **coastal-dependent development**; or
3. **temporary, readily relocatable or able to be abandoned**; or
4. **essential community infrastructure**; or
5. **redevelopment** of an existing permanent building or structure that cannot be relocated or abandoned; and
6. cannot feasibly be located elsewhere; or
7. is located landward of:
8. a **fit for purpose revetment**; or
9. a proposed revetment that is consistent with:
	1. an **agreement with a local government**;or
	2. the alignment of adjacent lawful revetments; or
10. is on a lot less than 2000m2 where a **coastal building line** is present.
 | Complies with PO#Use this column to indicate whether compliance is achieved with the relevant PO, and explain why |
| **PO2** Development (other than **coastal protection work**)in the **erosion prone area**:1. does not adversely impact **coastal processes**; and
2. ensures that the protective function of landforms and vegetation is maintained.

Note: In considering reconfiguring a lot applications, the State may require land in the **erosion prone area** to be surrendered to the State for coastal management purposes under the *Coastal Protection and Management Act 1995*.Where the planning chief executive receives a copy of a land surrender requirement or proposed land surrender notice under the *Coastal Protection and Management Act 1995*, this must be considered in assessing the application. |  |
| **PO3** Development is sited, designed and constructed to limit the risk of impacts of **coastal erosion** to an acceptable level by: 1. locating development outside the **erosion prone area**; or
2. mitigating or otherwise accommodating the risks posed by **coastal erosion.**
 |  |
| **PO4** Development in the **erosion prone area** does not significantly increase the risk or impacts to people and property from **coastal erosion**.  |  |
| **PO5** Development (other than **coastal protection work**) in the **erosion prone area** does not directly or indirectly increase the severity of **coastal erosion** either on or off the site. |  |
| **PO6** In **erosion prone areas** where a **coastal building line** is present, building work is located landward of the **coastal building line** unless **coastal protection work** has been constructed to protect the development. |  |
| **Artificial waterways** |
| **PO7** Development of **artificial waterways**, canals and **dry-land marinas** conserves **coastal resources** by: 1. ensuring changes to water flows, water levels and sediment movement do not adversely impact the natural waterway to which it is connected;
2. demonstrating appropriate storage, treatment and disposal of **dredged material** for the life of the development.
 |  |
| **Coastal protection work** |
| **PO8** Works for **beach nourishment** minimises adverse impacts on **coastal processes**. |  |
| **PO9** Works for **beach nourishment** do not increase the severity of erosion on adjacent land. |  |
| **PO10 Erosion control structures** (excluding revetments) are only constructed where there is an **imminent threat** to **significant** **buildings or infrastructure**, and there is no feasible option for either:1. **beach nourishment**; or
2. relocation or abandonment of structures.
 |  |
| **PO11 Erosion control structures** (revetments only) are only constructed where:1. there is an **imminent threat** to **significant** **buildings or infrastructure**, and there is no feasible option for either:
2. **beach nourishment**; or
3. relocation or abandonment of structures; or
4. the development:
5. is in a consistent alignment with adjacent lawful revetments; or
6. is consistent with an **agreement with a local government** that a revetment is appropriate in the proposed location.
 |  |
| **PO12 Erosion control structures** minimise interference with **coastal processes** and reducethe severity of erosion on adjacent land.  |  |
| **Water quality** |
| **PO13** Development: 1. maintains or enhances **environmental values** of receiving waters;
2. achieves the **water quality objectives** of Queensland waters;
3. avoids the release of **prescribed water contaminants** to **tidal waters**.
 |  |
| **Public use of and access to State coastal land** |
| **PO14** Development maintains or enhances public use of and access to and along **State coastal land** (except where this is contrary to the protection of **coastal resources** or public safety). |  |
| **PO15** **Private marine development** does not reduce public use of and access to **State coastal land** and ensures that works:1. are used for **marine access purposes** only;
2. minimise the use of **State coastal land**;
3. are designed to accommodate the berthing of one vessel only per waterfront residence;
4. do not interfere with access between **navigable waterways** and adjacent properties.
 |  |
| **PO16** Development does not reduce public use of and access to **State coastal land** and ensures that **erosion control structures**, intended to protect a freehold or leasehold (not State land) premises, are wholly located within the lot:1. except where impeded by **significant buildings or infrastructure** that cannot be removed or relocated; or
2. for revetments the development is:
3. in a consistent alignment with adjacent lawful revetments; or
4. consistent with an **agreement with a local government** that a revetment is appropriate in the proposed location.
 |  |
| **Matters of state environmental significance** |
| **PO17** Development is designed and sited to: 1. avoid impacts on **matters of state environmental significance**; or
2. minimise and mitigate impacts on **matters of state environmental significance** after demonstrating avoidance is not reasonably possible; and
3. provide an **offset** if, after demonstrating all reasonable avoidance, minimisation and mitigation measures are undertaken, the development results in an acceptable **significant residual impact** on a **matter of state environmental significance**.

Statutory note: For Brisbane core port land, an offset may only be applied to development on land identified as E1 Conservation/Buffer, E2 Open Space or Buffer/Investigation in the Brisbane Port LUP precinct plan.  |  |

**Table 8.2: All operational work**

| **Performance outcomes** | **Response**  |
| --- | --- |
| **Private marine development** |
| **PO18** **Private marine development** is designed and constructed to maintain existing waterway banks in their natural state and not require:1. **coastal protection work**;
2. shoreline or riverbank hardening;
3. **dredging** for **marine access purposes**.
 | Complies with PO#Use this column to indicate whether compliance is achieved with the relevant PO, and explain why |
| **Disposal of solid waste or dredged material from artificial waterways** |
| **PO19** Solid waste from land and **dredged material** from **artificial waterways** is not disposed of in **tidal water** unless it is for **beneficial reuse**. |  |
| **Disposal of dredged material other than from artificial waterways** |
| **PO20 Dredged material** is returned to **tidal water** where the material is needed to maintain **coastal processes** and sediment volume. |  |
| **PO21** Where the **dredged material** is not needed to maintain **coastal processes** and sediment volume, the quantity of **dredged material** disposed to **tidal water** is minimised through **beneficial reuse** or disposal on land. |  |
| **All dredging and any disposal of dredged material in tidal water** |
| **PO22** **Dredging** or disposal of **dredged material** in tidal waters does not adversely impact on **coastal processes** and **coastal resources**. |  |
| **Reclamation** |
| **PO23** Development does not involve **reclamation** of land below **tidal water**, other than for the purposes of:1. **coastal-dependent development**, **public marine development** or **essential community infrastructure**; or
2. strategic ports, priority ports, boat harbours or strategic airports and aviation facilities, in accordance with a statutory land use plan or master plan; or
3. **coastal protection work** or work necessary to protect **coastal resources** or **coastal processes**.
 |  |

**Table 8.3: Operational work for tidal works which is not assessed by local government**

| **Performance outcomes** | **Acceptable outcomes** | **Response**  |
| --- | --- | --- |
| **PO24** Tidal works are sited and designed to operate safely during and following a **defined storm tide event**.  | **AO24.1** Tidal work is designed and located in accordance with the Guideline: Building and engineering standards for tidal works, Department of Environment and Heritage Protection, 2017. | Complies with PO# / AO#Use this column to indicate whether compliance is achieved with the relevant PO or AO (or if they do not apply), and explain why |