

State code 7: Maritime safety

7.1 Purpose statement

The purpose of the code is to ensure development:

1. supports the viable operation of **aids to navigation**
2. supports the safe operation of vessels in **navigable waterways**.

Note: Guidance for achieving the performance outcomes and acceptable solutions for this state code is available in the State Development Assessment Provisions Supporting Information – Marine Safety, Department of Transport and Main Roads, 2016.

7.2 Performance outcomes and acceptable outcomes

Development that is operational work in tidal waters should demonstrate compliance with the relevant provisions of table 7.2.1.

Table 7.2.1: Operational work

Performance outcomes	Acceptable outcomes
Lighting	
PO1 Development avoids lighting that has the potential to interfere with aids to navigation .	<p>AO1.1 Development ensures that at all times, all lights on or above the development site do not interfere with safe navigation in surrounding waterways by:</p> <ol style="list-style-type: none"> 1. shielding lights to prevent glare or reflection 2. avoiding flood lighting which may reduce the visibility of aids to navigation 3. avoiding flashing or flickering lights which may be confused with aids to navigation 4. avoiding coloured lights such as green, blue or red lights, which may be confused with aids to navigation. <p>AND</p> <p>AO1.2 Lighting complies with section 3 of AS 4282-1997 Control of the obtrusive effects of outdoor lighting.</p>
Aids to navigation	
PO2 Development does not interfere with aids to navigation .	<p>AO2.1 Development does not remove any material that may destabilise an aid to navigation, including ground tackle.</p> <p>AND</p> <p>AO2.2 Development does not create any temporary or permanent obstruction of aids to navigation.</p> <p>Note: Where development has the potential to obstruct the line of sight to aids to navigation or interfere with the functioning of aids to navigation, an aid to navigation management plan is required.</p> <p>AND</p>



Performance outcomes	Acceptable outcomes
	<p>AO2.3 Development keeps sight lines of any aids to navigation which cross the land clear of obstructions.</p> <p>Note: Where development has the potential to obstruct the line of sight to aids to navigation or interfere with the functioning of aids to navigation, an aid to navigation management plan is required.</p> <p>AND</p> <p>AO2.4 Development ensures ongoing access to aids to navigation for maintenance purposes.</p> <p>AND</p> <p>AO2.5 Development does not result in electrical or electro-magnetic emissions which may impede the operation of aids to navigation.</p>
Protection of navigable waterways	
<p>PO3 Development does not impede the safe movement of vessels in a navigable waterway.</p>	<p>AO3.1 Development ensures navigable waterways are open to vessel traffic at all times.</p> <p>AND</p> <p>AO3.2 Development, including structures and any vessel berthed at the structures:</p> <ol style="list-style-type: none"> 1. does not encroach into, pass over or under a navigation corridor; or 2. is not located in a high-risk maritime development zone. <p>Note: Navigation corridor and high-risk maritime development zone layers are currently unavailable for Gold Coast waters.</p> <p>AND</p> <p>AO3.3 Development does not limit either the depth of a navigable waterway or the size of vessels which can safely navigate the waterway.</p> <p>Note: Where development proposes to temporarily or permanently limit the depth of a navigable waterway or the size of vessels which can navigate a waterway, it is recommended that a vessel traffic management plan be provided. It is also recommended a marine execution plan be submitted to the regional harbour master 30 days prior to the commencement of works.</p> <p>AND</p> <p>AO3.4 Development involving the demolition of structures in a navigable waterway, including piling, ensures the entire structure is removed.</p> <p>AND</p>

Performance outcomes	Acceptable outcomes
	<p>AO3.5 Structures, including all freestanding piles, must be appropriately lit and clearly visible to approaching vessels, and reflective tape must be fitted to all structures to enhance visibility during the hours of darkness.</p> <p>Note: Where necessary, the regional harbour master may require the installation of aids to navigation on structures.</p>

7.3 Reference documents

Department of Transport and Main Roads 2016, State Development Assessment Provisions Supporting Information – Maritime Safety

Standards Australia 1997, AS 4282–1997 Control of the obtrusive effects of outdoor lighting

7.4 Glossary of terms

Aid to navigation see section 104 of the *Transport Operations (Marine Safety) Act 1994*.

Note: **An aid to navigation:**

1. is a device designed to be used for navigation or the guidance of mariners, including a device to help in:
 - a. fixing a ship's position; or
 - b. deciding a safe course for a ship; or
 - c. warning a ship of dangers or obstructions (for example: beacon, buoy, light, lighthouse, marine mark, radio aid or signal)
2. includes any structure or equipment ancillary to the **aid to navigation** (for example: the battery house providing a lighthouse with power; lifesaving equipment that is part of an **aid to navigation**)
3. does not include a device on board a ship.

Aid to navigation management plan includes information on changes to and potential obstructions of existing **aids to navigation** resulting from the proposed development project for all stages of the proposal lifecycle, to ensure safety of navigation at all times.

DA mapping system means the mapping system containing the Geographic Information System mapping layers kept, prepared or sourced by the state that relate to development assessment and matters of interest to the state in assessing development applications.

Note: The **DA mapping system** is available on the department's website.

Gold Coast waters see section 7 of the *Gold Coast Waterways Authority Act 2012*.

Note: The Gold Coast Waterways Authority has responsibility for **Gold Coast waters** which include the inland waterways within the City of Gold Coast local government area as well as the areas at the mouth of the Nerang River, Currumbin Creek and Tallebudgera Creek.

High risk maritime development zone means areas indicated in the **DA mapping system** as high-risk maritime development zone. These are areas in the vicinity of ports, state boat harbours, marinas, and navigationally difficult areas such as waterways which experience significant shoaling and waters between and around populated islands.

High risk maritime development zone includes:

1. marinas with six or more boats
2. state boat harbours
3. port limits and/or pilotage areas
4. sensitive marine environments including areas of constant sand movement
5. from the coast to the extent of Queensland waters (three nautical miles).

Marine execution plan includes detailed information about all development related vessels and their operations during each of the stages of construction, and the relevant impacts on the availability of the **navigable waterway** to vessel traffic.

Navigation corridor means areas indicated in the **DA mapping system** as navigation corridor. These are the sections of a navigable tidal waterway allocated for the movement of vessels.

Navigable waterway means waters with a sufficient depth and width to allow safe passage by all vessel sizes and types that frequently use the area.

Vessel traffic management plan includes information on changes and increases to local vessel traffic resulting from the proposed development project and methods of cumulative vessel traffic management for all stages of the proposal lifecycle, to ensure safety of navigation at all times.