

FastTrack5 qualifying criteria checklist 5

Tidal works – coastal protection (operational work)

(SDAP version 2.6 dated 7th February 2020)

This form must be used when seeking a FastTrack5 assessment pathway for the following trigger:

1. schedule 10, part 17, division 3, table 1 (operational works in tidal waters)

For this checklist, either table 1 or table 2 must be completed, as relevant.

When submitting an application containing a FastTrack5 trigger to SARA using MyDAS2, applicants must upload a completed qualifying criteria checklist for each eligible trigger. The responses on the form must demonstrate that the triggered aspect of development meets all qualifying criteria applicable to the relevant eligible trigger.

Applicants should also provide or make reference to any supporting information or material that supports their claim for a FastTrack5 assessment.

When seeking FastTrack5 assessment for eligible triggers, you must:

1. have completed any other forms relevant to your application
2. upload a completed copy of this form when referring your application using MyDAS2
3. provide all supporting information required on the form at the time of lodgement – this information will assist SARA in undertaking its FastTrack5 assessment.

Where not defined, all terms used in this form have the meaning given in the Act or the regulation.

Table 1: Marinas or state boat harbours

Qualifying criteria		Response	Supporting information provided
1	Is the proposed tidal works: a. for a marine access purpose b. located within a developed marina or state boat harbour area .	Yes: Proceed to question 2. An excerpt from the DA mapping system must be provided and demonstrate the subject site is located within a mapped developed marina or state boat harbour area .	<input type="checkbox"/>
		No: Application cannot qualify for the FastTrack5 assessment pathway and must follow the standard SARA assessment. Please refer to the relevant SDAP state codes.	
2	Is the proposed tidal works located within an existing lease issued under the <i>Land Act 1994</i> and supported by owner's consent from: a. if the works are in a state boat harbour, the Department of Transport and Main Roads (DTMR); or b. otherwise, the Department of Natural Resources, Mines and Energy (DNRME).	Yes: Proceed to question 3. A copy of lease under the <i>Land Act 1994</i> and owner's consent from either DNRME or DTMR, as appropriate, must be provided.	<input type="checkbox"/>
		No: Application cannot qualify for the FastTrack5 assessment pathway and must follow the standard SARA assessment. Please refer to the relevant SDAP state codes.	
3	Has the design of the tidal works been certified by a Registered Professional Engineer of Queensland (RPEQ) as	Yes: Application is eligible for FastTrack5 assessment. Plans certified by an RPEQ must be provided.	<input type="checkbox"/>

Qualifying criteria	Response	Supporting information provided
<p>complying with the relevant standards?</p> <p>Note: Tidal works must be designed in accordance with all appropriate Australian Standards, and the Prescribed Tidal Works Code contained in a regulation declared under the <i>Coastal Protection and Management Act 1995</i>.</p>	<p>No: Application cannot qualify for the FastTrack5 assessment pathway and must follow the standard SARA assessment. Please refer to the relevant SDAP state code.</p>	

Table 2: Private marine access structures

Qualifying criteria	Response	Supporting information provided
<p>1 Is the proposed tidal works:</p> <p>a. private marine development which is a:</p> <p>i. pontoon; or</p> <p>ii. jetty less than 3 metres in width; or</p> <p>iii. boat ramp; and</p> <p>b. not a roofed structure; and</p> <p>c. located within a developed tidal waterway area.</p>	<p>Yes: Proceed to question 2. An excerpt from the DA mapping system must be provided and demonstrate the subject site is located within an area mapped as a developed tidal waterway area.</p> <p><input type="checkbox"/></p> <p>No: Application cannot qualify for the FastTrack5 assessment pathway and must follow the standard SARA assessment. Please refer to the relevant SDAP state codes.</p>	
<p>2 Will the proposed tidal works attach to adjoining, privately owned, freehold land, and is this land included in the application?</p> <p>Note: To comply with qualifying criteria, the tidal works cannot extend across state land that is situated above high water mark (e.g. an esplanade or reserve).</p>	<p>Yes: Proceed to question 3. Proposal plans must be supplied showing the land to which the tidal works will attach.</p> <p><input type="checkbox"/></p> <p>No: Application cannot qualify for the FastTrack5 assessment pathway and must follow the standard SARA assessment. Please refer to the relevant SDAP state codes.</p>	
<p>3 Are there any existing structures or works seaward of the tidal boundary of the land?</p>	<p>No: Proceed to question 4. Proposal plans must be supplied identifying the tidal boundary of the land, and demonstrating that no existing structures or works, such as revetment walls, jetties or reclamation works, are seaward of the tidal boundary.</p> <p>Yes: Application cannot qualify for the FastTrack5 assessment pathway and must follow the standard SARA assessment. Please refer to the relevant SDAP state codes.</p>	
<p>4 Is the proposed tidal works either:</p> <p>a. located within a water allocation area approved for the works by the Gold Coast Waterway Authority; or</p> <p>b. where a water allocation area has not been set, located within an area:</p> <p>i. set back at least 1.5 metres from the extended side boundaries of the</p>	<p>Yes: Proceed to question 5. Proposal plans must be supplied showing the location of the tidal works as per either 3a or 3b.</p> <p><input type="checkbox"/></p> <p>No: Application cannot qualify for the FastTrack5 assessment pathway and must follow the standard SARA assessment. Please refer to the relevant SDAP state codes.</p>	

Qualifying criteria		Response	Supporting information provided
	adjoining privately owned land; and ii. not seaward of a quayline ; or iii. not within a navigation corridor . Note: Plans showing water allocation areas can be obtained from the Gold Coast Waterway Authority.		
5	Has the design of the tidal works been certified by a RPEQ as complying with the relevant standards? Note: Tidal works must be designed in accordance with all appropriate Australian Standards, and the Prescribed Tidal Works Code contained in the Coastal Protection and Management Regulation 2003.	Yes: Application is eligible for FastTrack5 assessment. Plans certified by an RPEQ must be provided.	<input type="checkbox"/>
		No: Application cannot qualify for the FastTrack5 assessment pathway and must follow the standard SARA assessment. Please refer to the relevant SDAP state codes.	

Glossary of terms

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.

Developed marina or state boat harbour area means areas indicated in the **DA mapping system** as developed marinas or state boat harbours. These are existing facilities that have been developed for the purpose of the safe mooring of vessels.

Developed tidal waterway area means areas indicated in the **DA mapping system** as a developed tidal waterway area. These are natural tidal waterways that have a high number of private marine access structures.

Note: A **developed tidal waterway area** is distinct from a **water allocation area**. However, an area mapped as a **developed tidal waterway area** may include a **water allocation area**.

Extended side boundaries of a lot adjacent or connected to prescribed tidal work, means the projection of the side boundary of the lot over tidal water:

1. in a continuing straight line; or
2. if extending the side boundary into tidal water in a continuing straight line would reduce the width of access to a **navigable waterway** from any adjoining lot to less than three metres, or cause a significant adverse effect to navigational safety, at an angle that ensures:
 - a. the width is not reduced to less than 3 metres; and
 - b. no significant adverse effect is caused to navigational safety.

Marine access purpose means a structure in tidal water used to facilitate vessel access for people between land and a **navigable waterway**. This includes jetties, pontoons and boat ramps but excludes decks and boardwalks.

Navigable waterway means waters with sufficient depth and width to allow safe passage by all vessel sizes and types that frequently use the area. This includes areas seaward of a **quayline** or **navigation corridor** determined by a managing authority.

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.

Private marine development means a work for a non-commercial purpose attached to private land and extending over abutting tidal water.

Quayline means a boundary set by a managing authority for the waterway that defines how far tidal works, such as pontoons or jetties, may extend into a waterway.

Tidal boundary means the legal property boundary adjoining the tidal area, as defined in the *Survey and Mapping Infrastructure Act 2003*.

Water allocation area means the area of a waterway defined or endorsed by a managing authority for the waterway where a waterfront property owner may apply for approval to locate and construct a marine access structure.

Note: A managing authority for a **water allocation area** may include Gold Coast Waterways Authority or Department of Transport and Main Roads. A **water allocation area** is distinct from a **developed tidal waterway area**. However, an area mapped as a **developed tidal waterway area** may include a **water allocation area**.