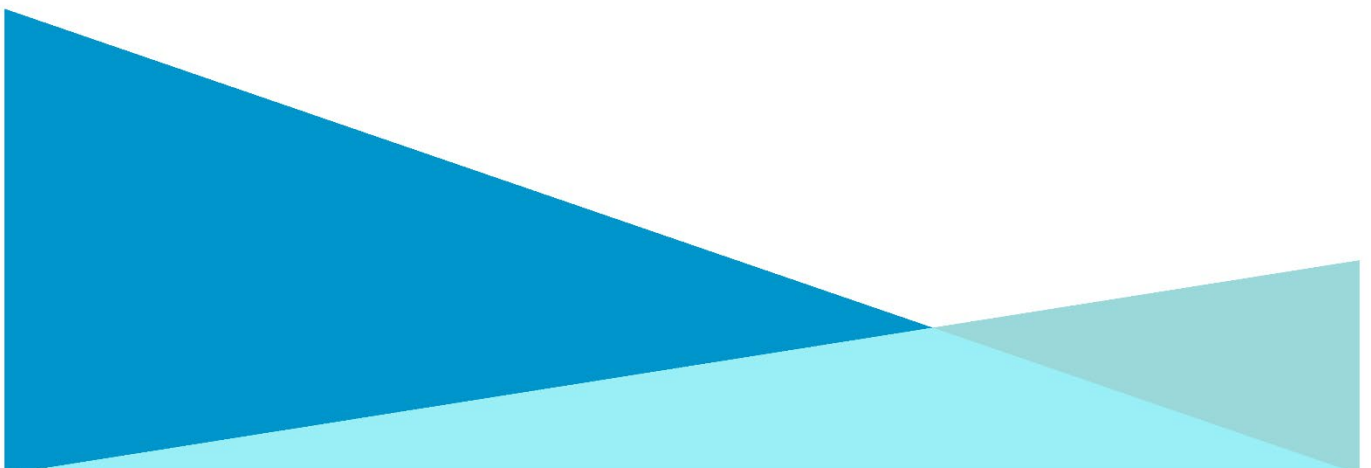




# **Planning**

## **Technical Information Guide**

for the Development Assessment Code



# Document control sheet

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## Document sign-off

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# Technical Information Guide

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# 1.0 Purpose

## 1.1 Purpose of the Guide

The purpose of the *Technical Information Guide for the Development Assessment Code* (the **Guide**) is to:

- (a) provide information to support the implementation of the *Development Assessment Code* (the **Code**);
- (b) identify information that **GCWA** may require or request for a **development application**;
- (c) provide guidance for producing documentation for demonstrating compliance with the performance outcomes and/or acceptable outcomes of the **Code**;
- (d) identify considerations for the siting and layout of **development** in or on the **Gold Coast waterways**; and
- (e) provide relevant standards for **development** to achieve the performance outcomes and/or acceptable outcomes of the **Code**.

## 1.2 Relationship to the Code

This **Guide** is to be read in conjunction with the **Code** and applies:

- (a) where required by the Code to address a performance outcome or an acceptable outcome;
- (b) to **development** that requires the preparation of supporting information that is required to accompany the **development application**; or
- (c) where additional supporting guidance is required for certain performance outcomes and/or acceptable outcomes of the **Code**.

**Table 1: Description of parts in this Technical Information Guide**

Part	Heading	Description
1.0	Purpose	Provides the purpose of the <b>Guide</b> and its relationship to the <b>Code</b> .
2.0	Contextual considerations	Provides information in relation to historical issues that exist in the <b>Gold Coast waterways</b> because of changing assessment regimes over time and existing approvals and permits, and which an applicant will need to consider when proposing <b>development</b> in, on or above <b>tidal land</b> .
3.0	Tidal works	Provides general information on <b>tidal works</b> and a <b>water allocation area</b> to support implementation of the <b>Code</b> .
4.0	Design and location of development	Provides supporting information an applicant must consider when designing and locating <b>development</b> in, on, or above <b>tidal land</b> .

5.0	<b>Required information</b>	Provides details of supporting information an applicant must provide with a <b>development application</b> that requires referral to <b>GCWA</b> , to demonstrate compliance with the <b>Code</b> .
6.0	<b>Tidal works mapping</b>	Provides mapping information, which should assist applicants with information that must accompany a <b>development application</b> that requires referral to <b>GCWA</b> .
7.0	<b>Review</b>	Describes <b>GCWA's</b> approach to reviewing and publishing the <b>Guide</b> .
8.0	<b>Technical references</b>	Lists technical standards and guidelines relevant to <b>development applications</b> .
9.0	<b>Definitions</b>	Provides the meaning for words and terms in <b>bold italics</b> .

## 2.0 Contextual considerations

The **Gold Coast waterways** stand as a unique water environment with the city's artificial **canal** systems being among the narrowest and oldest in Australia.

Landowners of waterfront properties with structures should inform themselves of existing approvals, permits or sanctions that have been issued over time in the **Gold Coast waterways**. This is important because previous policy regimes, as well as existing approvals, permits and sanctions, are important considerations for new **development applications** in the **Gold Coast waterways**.

GCWA may request the applicant to provide copies of existing relevant approvals, permits and sanctions.

The following table sets out several issues and considerations.

**Table 2: Issues and considerations**

Issue	Considerations
<b>Existing approvals, permits or sanctions</b>	<p>Historically, waterfront and on-water development (now called <b>tidal works</b>) have been managed State-wide under many differing legislative regimes by different areas of the State government, with differing approaches. This has led to inconsistent outcomes, in terms of structure/<b>vessel</b> combinations for navigation, long term impacts on waterway maintenance and <b>dredging</b> activities, and loss of public access and inequitable access to waterways from residential land.</p> <p>Master planning within <b>canal</b> estates has also been inconsistent with the level of detail for <b>quay lines</b> and areas for siting of <b>tidal works</b>, which has also caused issues for residents.</p> <p>Further, the multiple assessment regimes applied over time often affect the extent of, and conditions imposed upon, existing approvals, permits, or sanctions.</p>

	<p>Applicants need to understand that these issues and conditions cannot be changed until the existing structure has been removed and the approval, permit or sanction extinguished.</p> <p>Of particular note:</p> <ul style="list-style-type: none"> <li>• current expectations of waterfront landowners about structures and/or size of <b>watercraft</b> may not be realised where existing structures or works exist; and</li> <li>• current <b>tidal works</b> approval requirements cannot be applied retrospectively to existing structures lawfully approved under previous legislative regimes, to the extent of relevant approvals, permits or sanctions.</li> </ul>
<p><b>Changing policies and standards</b></p>	<p>Over time, <b>GCWA</b> intends to regularise any inconsistencies between previous and current standards. It is important that applicants seek advice from <b>GCWA</b> before making new <b>development applications</b> for works on existing structures.</p> <p><b>GCWA</b> will not consider existing approved structures that do not comply with current standards as a precedent for new structures.</p> <p><b>GCWA</b> will assess a <b>development application</b> and impose conditions that provide access, equity and consistency with <b>tidal works</b> requirements that apply at the time the applicant makes the <b>development application</b>.</p>
<p><b>Searches for existing approvals</b></p>	<p>In certain situations, the applicant must seek out and provide <b>GCWA</b> with existing approvals. These approvals and their conditions may necessitate alternate outcomes for a current <b>development application</b> for <b>tidal works</b>.</p> <p>The applicant may search for existing approvals for a property using the links below. Online searches through <b>City of Gold Coast's</b> website for the most recent <b>development approval</b> (if any) are free of charge.</p> <p>For tidal works approvals post-November 2005, please follow this link <a href="#">PD Online   City of Gold Coast</a>.</p> <p>For tidal works approvals pre-November 2005, please follow this link <a href="#">Property (Lot on Plan) Searches (des.qld.gov.au)</a>.</p>
<p><b>Purchaser's responsibilities</b></p>	<p>Purchasers of waterfront land must ensure appropriate due diligence before entering into contracts. Purchasers must verify the lawful nature of adjoining structures and understand ongoing landowner responsibilities, including:</p> <ul style="list-style-type: none"> <li>• management and maintenance of structures and revetment walls; and</li> <li>• other works in a dynamic marine environment.</li> </ul> <p>Purchasers need to understand it is the landowner's responsibility to ensure compliance with conditions of <b>development approvals</b>. From time to time, it is found that no approval has been granted for an existing structure. It is the landowner's responsibility to provide evidence of lawful establishment and operation at all times.</p> <p><b>GCWA</b> recommends that purchasers investigate the extent of approvals (if any) for new structures as well (see "Searching for existing approvals" above). This may be particularly relevant to land adjoining canal ends where constraints on the structure's location and access may exist, or where earlier built structures impact the waterway.</p> <p><b>GCWA</b> will require applicants to demonstrate sufficient manoeuvring area for <b>vessels</b>, including operations to and from a structure in forward gear.</p>

	<p><b>City of Gold Coast's</b> Development Compliance Unit investigates suspected development offences. Where it is found that existing works are unlawful, or not in compliance with conditions of an approval, the <i>Planning Act 2016</i> establishes an enforcement regime to remedy or demolish unlawful works, even on a new or subsequent owner. In the context of pre-purchase checks, this could have implications for a new landowner if a structure was built over the property's <b>extended side boundary</b>.</p>
<b>Retrospective approvals</b>	<p>Where an applicant seeks retrospective approval of an unlawful structure, <b>GCWA</b> will assess the existing unapproved structure as though the structure is yet to be built. Such structures will need to comply with the current approval regime and legislative requirements. Alternatively, the applicant must remove the structure.</p>
<b>Conflicts with existing approvals</b>	<p><b>GCWA</b> will not mediate alternative outcomes where there may be a dispute or inequity about the location or access for a new structure due to a lawfully existing structure.</p> <p><b>GCWA</b> has no power to require a change to an existing lawful approval, or to authorise the use of <b>tidal works</b> or a structure by a third party who is not the relevant person defined under section 123 of the <i>Coastal Protection and Management Act 1995</i>.</p>
<b>Oversized or unsuitable watercraft</b>	<p>Oversized or unsuitable <b>watercraft</b> berthed or moored to existing structures is a common cause for concern, particularly in residential <b>canals</b>. Existing ownership of a <b>watercraft</b> and its size are not grounds to overcome conflict with <b>GCWA's</b> requirements for assessment of <b>tidal works</b>. The applicant must resolve these types of issues.</p>
<b>Channels and shoaling</b>	<p><b>GCWA</b> is bound by environmental approvals that require making best use of existing deeper water (i.e., minimising <b>dredging</b> for channels). Generally, the <b>GCWA channel network</b> follows the natural course of deeper water.</p> <p>In certain locations, a channel's natural course, or features like shoaling or banks, may result in the channel being immediately adjacent to, or even sharing, the rear property boundary of a residential lot. In these situations, <b>GCWA</b> may refuse a <b>development application</b>, or impose conditions that reduce:</p> <ul style="list-style-type: none"> <li>• <b>quay line</b>;</li> <li>• extent of the structure;</li> <li>• maximum <b>vessel</b> dimensions; or</li> <li>• all of these</li> </ul> <p>to ensure greatest operational benefit and achieve <b>GCWA's</b> legislative purpose.</p> <p><i>Note—</i></p> <p>For ease of use and to confirm the location of the <b>GCWA channel network</b>, <b>GCWA</b> has added the <b>GCWA channel network</b> to the <b>tidal works mapping</b>, which can be found on its website here <a href="#">Tidal Works Mapping</a>.</p>
<b>What has changed during the past 20 years?</b>	<p>Separation between <b>vessels</b> alongside a berth has been the most significant change during the past 20 years.</p> <p>For <b>vessels</b> less than 15 metres, the required inset of 1.5 metres from the <b>extended side boundary</b> for the structure (as defined under the <b>prescribed tidal works code</b>) is also required for the <b>vessel</b> to manoeuvre.</p>

Also, previous approvals were focused on a structure. The **length overall** of a **vessel** in older approvals generally came with conditions that the **vessel** should not cross the property's side boundary prolongation. Effectively, this did not consider how several **vessels, moored** bow to stern, whether **moored** alongside a single, long pontoon, or at a group of pontoons, would manoeuvre to and from the structure.

Under current requirements, **vessel beam** forms an important consideration in **GCWA's** assessment. As the **length overall** to **vessel beam** ratio is generally increasing, so too is the level of scrutiny for how these wider **vessels** might pass each other in a waterway.

## 3.0 Tidal works

### 3.1 Tidal works

**Tidal works** is defined in the *Coastal Protection and Management Act 1995* and include the construction or demolition of structures such as basins, boat ramps, breakwaters, bridges, docks, jetties, marinas, navigation channels, pipelines, pontoons, seawalls, and the like.

**GCWA** is a **referral agency** for **development applications** for **tidal works** in **Gold Coast waters**. The majority of applications assessed by **GCWA** involve boat ramps, jetties, or pontoons constructed in, on, or above **tidal land** to serve as berthing, launching or mooring structures for recreational **watercraft**.

A landowner of property directly adjoining **tidal water** (a waterfront property) has an assumed right of access to the **navigable waterway**. This right of access does not infer any right or entitlement to construct a **marine access structure** (boat ramp, jetty, or pontoon etc.) in, on or above **tidal land**.

**Prescribed tidal works** are a subset of **tidal works**, as defined in section 15 of the *Coastal Protection and Management Regulation 2017* (see the schedule to this **Guide**). The **prescribed tidal works code** sets out mandatory criteria for **tidal works** development in **Gold Coast waters**. As the **assessment manager**, it is **City of Gold Coast's** responsibility to apply the **prescribed tidal works code** as part of its assessment of a **development application** for **operational work** that is **tidal works**.

Any right to establish a structure or undertake works in, on or above **tidal land** is subject to an applicant obtaining and maintaining the relevant **development approval**.

A **development approval** does not grant rights to the underlying natural seabed, which remain vested in the State of Queensland, or **canal** beds, which remain the responsibility of **City of Gold Coast**. However, a right of use and an obligation to maintain the seabed may exist under the *Coastal Protection and Management Act 1995*, where **City of Gold Coast** gives the applicant a **development approval**.

### 3.2 Water allocation area

A **water allocation area** is the term for the area of a waterway within which a waterfront property owner may locate and construct a **marine access structure (prescribed tidal works)**, subject to approval. Structures and their use must not:

- (a) impact upon the operation of a **navigable waterway**; or
- (b) obstruct access or the operations of existing **water traffic** within the **navigable waterway**.

As such, **GCWA** must consider the location of a structure, as well as the **vessel** that intends to berth or **moor** at the structure, in context of the waterway and surrounding uses.

To identify a relevant area for a **development application** for a private **marine access structure**, the **prescribed tidal works code** requires the applicant to submit a **water allocation area** plan with a **development application**. The purpose of the **water allocation area** plan is to designate a general area for use by an applicant. It excludes areas used by **City of Gold Coast** for maintenance **dredging** and access in dense or constrained waterways (usually found between lots).

A **water allocation area** is not a tenure, nor does it confer a use right or exclusive use of the water area. The **water allocation area** is essentially a potential construction envelope, showing the location for a structure. It is an administrative tool for **GCWA** to:

- (a) assess access rights of adjoining property owners; and
- (b) maintain safer navigation.

A **water allocation area** is only relevant to the subject **development application**. Where an applicant proposes new development, then **GCWA** will assess a new **water allocation area** taking into consideration any changed conditions or requirements at the site.

Importantly, waterfront lot owners do not hold any right to transfer or reallocate a **water allocation area**. The **water allocation area** attaches to the waterfront property's lot, not to an individual or a corporate entity.

*Note—*

For further information about **water allocation areas**, please refer to the document titled *Preparing a water allocation area for tidal works in natural waterways – Guideline for coastal development*, published by the Department of the Environment, Tourism, Science and Innovation, and which can be found online here [Preparing a water allocation area for tidal works in natural waterways](#).

## 4.0 Design and location of development

Applicants must take care with the design of **development**, including works and structures in, on or above **tidal land**, to ensure a **development** is suitable within the **Gold Coast waterways**. This section provides additional information for the design and siting of **development** to ensure compliance with the **Code**.

### 4.1 Navigable waterway

The **navigable waterway** provides for the safer movement and passage of **vessel** sizes and types that frequently use the area. Generally, **GCWA** will refuse a **development application** for **development** within the **navigable waterway** because the **development** will obstruct or prevent navigational access for **vessels**, which directly conflicts with the purposes of the **GCWA Act**.

**GCWA** determines the length and width of the **navigable waterway** to ensure sufficient space or “sea room” for two **vessels** approaching one another, to safely manoeuvre and pass each other.

**GCWA's tidal works mapping** shows the **navigable waterway** for **Gold Coast waterways** (see section 6.0 of this **Guide**).

#### 4.1.1 Navigational access

Maintaining the **navigable waterway** for safer **vessel** navigation is essential for best possible waterways management, which includes maritime safety. **Development** must not limit or adversely impact upon navigational access for **vessels** within **navigable waterways**.

**GCWA** will aim to achieve this by ensuring **development**:

- (a) minimises congestion, avoids conflicts, and does not obstruct or temporarily close the **navigable waterway** to **water traffic**;

- (b) does not extend into the **navigable waterway**;
- (c) remains clear of the **GCWA channel network** and **public marine facilities**;
- (d) does not limit access and depth of the **navigable waterway**;
- (e) does not limit the size of **vessels** that can safely navigate the **navigable waterway**;
- (f) is consistent with the **vessel envelope, quay line** and **water allocation area**; and
- (g) structures are appropriately lit and clearly visible to approaching **vessels**.

Note—

**GCWA's tidal works mapping** describes information for the foreshore envelope, pontoon envelope, **vessel envelope, quay line** and **water allocation area** (see section 6.0 of this Guide).

#### 4.1.2 Aids to navigation and buoy mooring areas

It is essential that any **development** in, on, or above **tidal land** does not impact upon **GCWA's** system of **aids to navigation** and **buoy mooring areas**. **Development applications** should ensure that **GCWA's aids to navigation** and **buoy mooring areas** can serve their respective functions without restriction.

**GCWA** will aim to achieve this by ensuring **development** does not:

- (a) obstruct sight lines to an **aid to navigation**;
- (b) remains clear of **aids to navigation** and **buoy mooring areas**;
- (c) restrict access to an **aid to navigation**, including for service and maintenance purposes;
- (d) restricts access to a **buoy mooring area**, including for maintenance purposes;
- (e) obstructs **vessel** manoeuvrability within a **buoy mooring area**, including available water depth and swing radius for **vessels** that frequently use the area;
- (f) emit electrical or electro-magnetic signals that might affect the operation of an **aid to navigation**; and
- (g) remove any material that may destabilise an **aid to navigation** or **buoy mooring area**.

## 4.2 Determining vessel size

The design of **development** must consider the profile of the underlying **navigable waterway** in the choice of structure and a **vessel's beam** and **length overall**.

**GCWA** recommends that applicants carefully consider both:

- (a) size of the **vessel** intended to berth or **moor** at a structure; and
- (b) overall character of the waterway in which the **vessel** will be used.

More specifically, **GCWA** recommends that applicants consider:

- (a) waterway width to ensure sufficient space or "sea room" for two **vessels** to safely manoeuvre and pass each other; and
- (b) bridge heights, choke points, entrance width, current flow, shoaling, and tidal range, as well as **vessel** operations at slower speeds (interaction with other **vessels**, speed over rudder, squat effect, steerage way etc.).

**GCWA** recommends to applicants that **vessel beam** should be no more than one third the width of unobstructed water of the **navigable waterway** at its narrowest point. This should enable **vessels** to safely pass in the **navigable waterway**.

Applicants can find further resources to assist calculations for berth sizes using **vessel** dimensions in the *Australian Standard AS 3962:2020 Marina design*.<sup>1</sup>

Note—

**GCWA** has determined a maximum **vessel** beam of 8 metres in rivers and wider natural water bodies to maintain safer navigational access for catamarans.

### 4.3 Vessel manoeuvring

It is important to remember that the Gold Coast **canals** are some of the oldest and narrowest in Australia.

When assessing an application for a structure within a **canal**, **GCWA** must consider how the applicant proposes to berth or **moor** and turn the **vessel** in the canal. **GCWA** needs to be satisfied that the **vessel** proposed for the structure can enter and depart the canal in a forward direction, in order to:

- (a) maintain navigational access for all **vessels**; or
- (b) limit impacts upon navigational access.

A notable characteristic of most Gold Coast **canals** is the distinct lack of a vessel turning circle at their ends, as might be found in a narrow cul-de-sac street. To demonstrate forward entry and departure from a waterway, the applicant must demonstrate how the proposed **vessel** can turn around at, or within close proximity to, the subject lot. *Australian Standard AS 3962:2020 Marina design* provides the calculation **length overall** x 1.5 as minimum space for vessel manoeuvring.

As **vessels** get larger, the applicant must clearly demonstrate the **vessel's** turning manoeuvre by:

- (a) showing how the manoeuvre will only occur within the lot's **water allocation area**, the lot's **vessel envelope**, and the fairway (access channel);
- (b) providing scale drawings to show where the proposed **vessel** will achieve the **length overall** x 1.5 swing radius;
- (c) in applying the **length overall** x 1.5 calculation, showing how the proposed **vessel** is going to turn 180° (via swept **vessel** path).

Applicants must note that the owner of the lot opposite also has a right to use the entire **quay line** with a maximum **vessel beam**, whether a structure exists or not.

### 4.4 Finger structures

**GCWA** refers to jetties and pontoons constructed with a vessel berth generally perpendicular to the shoreline as **finger structures**.

Where a **vessel** berths bow (front) into the shore on a **finger structure**, reversing the **vessel** from the berth requires manoeuvring space equal to the **vessel's length overall** x 1.5, in accordance with *Australian Standard AS 3962:2020 Marina design*.

As an example, for a **vessel** of 8 metres **length overall**, the applicant must demonstrate a minimum of 12 metres manoeuvring clearance to and from the **finger structure** (8 metres x 1.5 = 12 metres). This means that a **vessel's length overall** on a **finger structure** may also be limited by the available width of a waterway, which comprises the unobstructed channel and the width of the subject property's **vessel envelope** (see **Figure 6** on page 19).

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<sup>1</sup> *Australian Standard AS 3962:2020 Marina design*, Table 3.2

GCWA will assess the 1.5 metres clearance space for **finger structure** applications on a case-by-case basis. A minimum of 1 metre from the **vessel** to the **extended side boundary** is mandatory.

A **finger structure** may also trigger restrictions on the **vessel's length overall** to avoid additional **dredging** requirements or unwanted **vessel** grounding. The applicant must provide evidence of sufficient unencumbered width and depth to demonstrate returning to the berth at low tides and manoeuvring equal to at least the **vessel's length overall** x 1.5.

Further, the applicant must demonstrate **vessel** manoeuvring without relying on another property's **quay line**, **water allocation area**, **extended side boundary**, or the maximum **vessel envelope** (see **Figure 6** on page 19).

**GCWA's tidal works mapping** describes all these features to assist applicants, as outlined in section 6.0.

Where a **development application** proposes a **finger structure** next to an existing **T-head structure**, **GCWA** will assess the application on its merit to ensure it does not compromise navigational access, in terms of equity and functionality.

Note—

Artificial canals are **development approvals** of themselves and must not be altered without approval. City of Gold Coast maintains canal profiles through dredging maintenance programs. To obtain an approved canal foreshore profile, please contact City of Gold Coast's Operational Works Unit on 1300 465 326 or by email at [mail@goldcoast.qld.gov.au](mailto:mail@goldcoast.qld.gov.au).

## 4.5 Clearance between T-head structures and extended side boundaries

GCWA refers to jetties or pontoons with a vessel berth constructed generally parallel with the shoreline as **T-head structures**. This also includes L-head type structures.

Generally, **T-head structures** require 1.5 metres minimum clearance between the structure and the property's **extended side boundaries** and/or the proposed **water allocation area** side boundary. This clearance also applies to any **vessel** up to 15 metres **length overall** that the applicant proposes to berth or **moor** parallel to the shore at the structure.

**GCWA** is unable to support **development applications** for **T-head structures** where **canal** features like bends, corners, and cul-de-sacs provide less than 8 metres at the **quay line**, or where the **T-head structure's** position impacts upon navigational access, or equitable and fair use for other **vessels**. In these instances, a boat ramp or **finger structure** may be an appropriate solution.

## 4.6 Minimum space for vessels more than 15 metres

Where the applicant proposes a **vessel** more than 15 metres **length overall**, the combined neighbouring property insets of 1.5 metres from the **extended side boundary** (i.e., 3 metres in total) no longer satisfy best practice for minimum space between **vessels** for "alongside berths".<sup>2</sup>

In these instances, the applicant proposing the **vessel** more than 15 metres must contribute the difference to satisfy **length overall** x 0.2, in accordance with *Australian Standard AS 3962:2020 Marina Design*.

As an example, for a **vessel** of 17 metres **length overall**, provided the neighbouring property's inset is 1.5 metres, the applicant's **development application** must provide an inset of 1.9 metres (17 metres x 0.2 = 3.4 metres) to demonstrate the minimum space of 3.4 metres between **vessels** intended to berth or **moor** at the neighbouring properties.

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<sup>2</sup> *Australian Standard AS 3962:2020 Marina design*, clause 3.3.2

## 4.7 Reducing quay line to increase vessel beam

The **quay line** dimension should allow most **canal** front properties to have adequate water depth to float a **vessel**.

Where an applicant requests **GCWA** to reduce the **quay line** for greater **vessel beam** (and consequently, **length overall**), **GCWA** will consider the **vessel's** manoeuvring and passage through the relevant waterway. **GCWA's** assessment for reducing the **quay line** will require the careful consideration of any existing **quay lines**. It is important to note that **vessel** passage through many of the narrower Gold Coast **canal** systems already present navigational challenges.

While a **vessel** with greater **vessel beam** and **length overall** may comfortably berth or **moor** at the structure, the **vessel's** greater dimensions may obstruct, or even prevent, its and other **vessel's** safe passage through a narrow **canal** system.

## 4.8 Revetment walls and rock armouring

A revetment wall or rock armouring must not adversely impact upon the **navigable waterway**.

The applicant must provide a site and layout plan and elevation drawings to show the height, as well as the length and breadth of any revetment wall or rock armouring. It is important to show the real property boundary on both the site plan and elevation drawings.

The applicant must also show the revetment wall within the property's waterfront and **extended side boundaries**.

# 5.0 Required information

## 5.1 Supporting information for development applications

**GCWA** requires the following supporting information to demonstrate compliance with the **Code** and address **GCWA's** waterways management requirements:

- (a) Detailed description of the proposed **tidal works**. If amending or using existing works, **GCWA** will require an indexed and detailed description of ALL alterations.
- (b) An application that is appropriately titled (e.g., address and type of **tidal works**, such as boat ramp, jetty, mooring pile, pontoon and walkway, or revetment wall.)
- (c) A current registered plan of the property/properties showing the designated lot number together with the owner's name, address, and applicant's contact details.
- (d) Any existing **development approvals**, including those for existing structures.
- (e) A recent digital aerial photograph that clearly defines the property lot and width of the waterway (see **Figure 1** on page 16).
- (f) If amending a drawing or approval, all amendments must include a written explanation of all proposed changes. These changes must be supported by an original revised drawing showing any changes and the revised plan number.

## 5.2 Site and layout plan

**GCWA** requires a site and layout plan to demonstrate compliance with the **Code**. The site and layout plan must show the following information:

### 5.2.1 All development

- (a) The nominated scale of the drawing.
- (b) The drawing and revision number.
- (c) All plans must be signed and dated by a Registered Professional Engineer of Queensland (RPEQ).
- (d) The location of any proposed and existing structures on the nominated lot in relation to the real property boundaries and **quay line**.
- (e) The dimensions and configuration of the proposed works, structure and **watercraft** berthing position(s) projected from property boundaries.
- (f) The designated lot and real property numbers and the designated lot and real property numbers of adjacent lots.
- (g) The actual metes and bounds description of the property boundaries expressed as degrees, minutes, and seconds.
- (h) Scaled and dimensioned side/elevation drawing that accurately shows the proposed **development** (i.e., structure, **watercraft**, and seabed profile) (see **Figure 2** on page 16).

### 5.2.2 Tidal works

- (a) For wet berths (including dry docks), the maximum **length overall** and **vessel beam** of the **vessel** proposed to berth or **moor** at the site. The **vessel** must be capable of turning around in front of the property and within the access channel to enter and depart the waterway in a forward direction. The **vessel** must satisfy a turning capability equal to **length overall** x 1.5. The **vessel** must be drawn on the plan, to scale, and in its berthed position (e.g., for a **finger structure**, bow (front) in).
- (b) For dry berths (e.g., storage on top of pontoon), the **vessel's** maximum **length overall** proposed to dry berth at the site. The **length overall** must be 1 metre less than the distance from the dry berth access point or rack to the **extended side boundary**. The dry berthed **vessel** must also demonstrate a swept **vessel** path into the dry berth. Small craft less than 4 metres may show a **vessel beam** plus 1 metre to the **extended side boundary** when entering and departing from the dry berth.
- (c) The approved **quay line**. In the absence of an approved **quay line**, the proposed alignment or line of all structures (e.g., Cabbage Tree Point foreshore).
- (d) The **extended side boundaries** and/or proposed **water allocation area** boundaries (see **Figures 3** and **4** on page 17).
- (e) For corner or cul-de-sac applications, a plan showing a wider area to enable the assessment of equitable, fair, and safe use of the waterway (see **Figure 5** on page 18). This may include provision at the applicant's expense, of existing tidal works approvals.
- (f) A **water allocation area** plan showing the existing structures and water allocation of neighbouring properties 20 metres on either side (see **Figures 6** and **7** on page 19).

Note—

For **tidal works** in natural waterways, please refer to the document titled *Preparing a water allocation area for tidal works in natural waterways – Guideline for coastal development*, published by the Department of the Environment, Tourism, Science and Innovation, and which can be found online here [Preparing a water allocation area for tidal works in natural waterways](#).

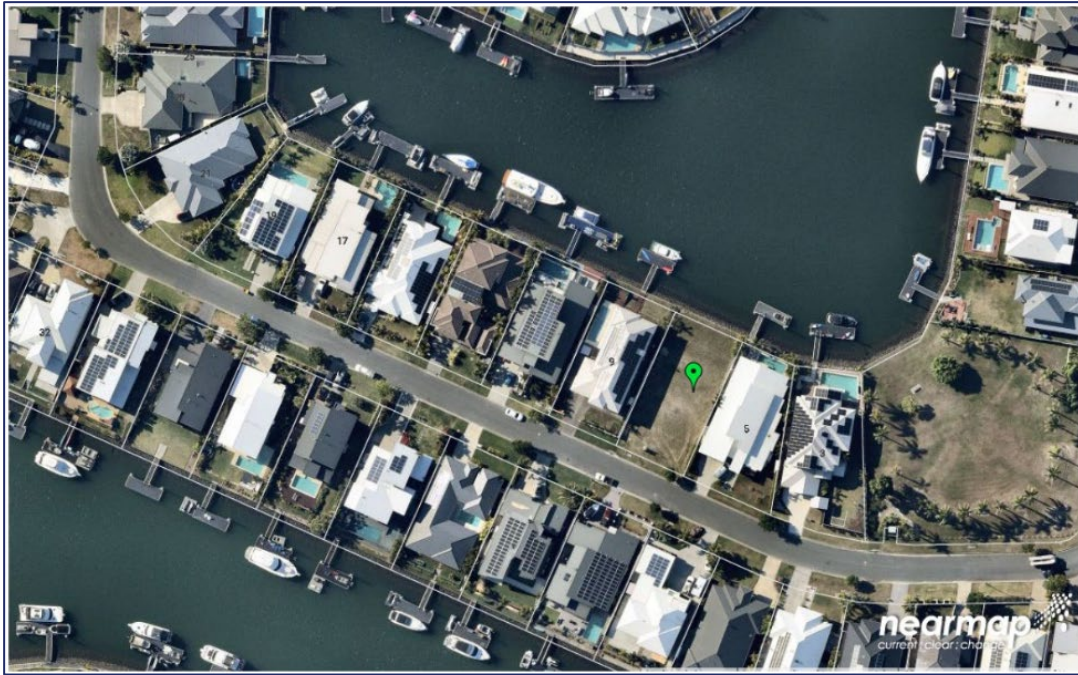


Figure 1: Example of aerial photograph identifying particular lot

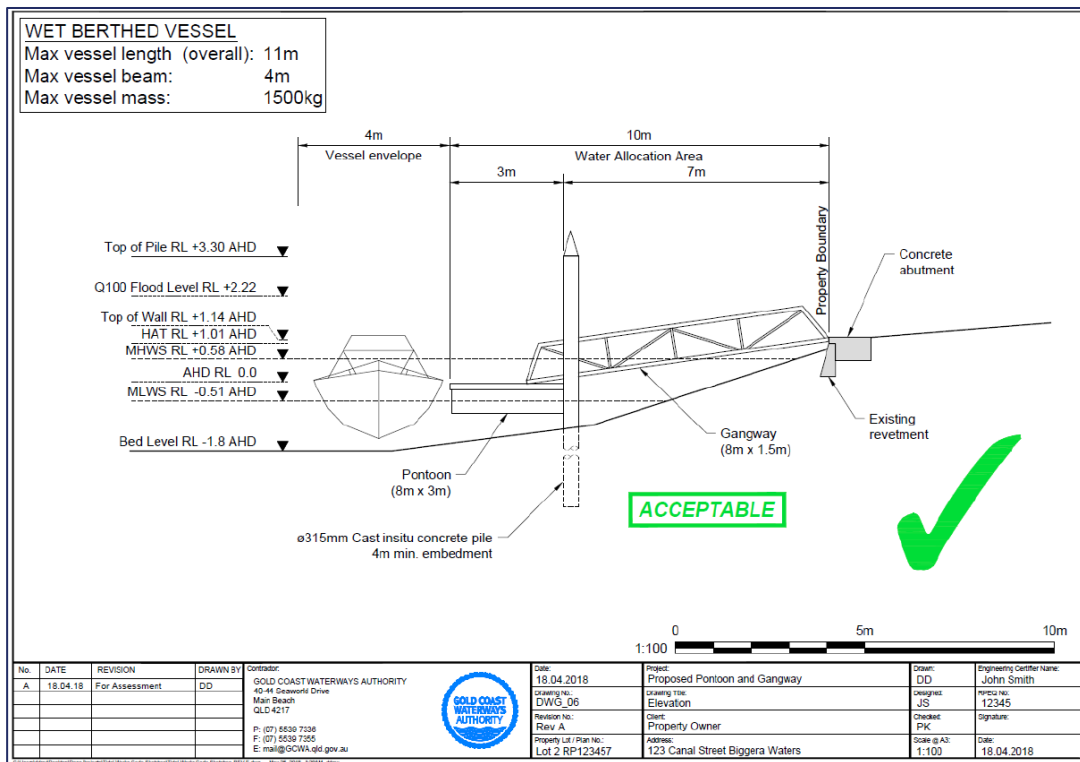


Figure 2: Example of acceptable site elevation showing vessel in berthing position

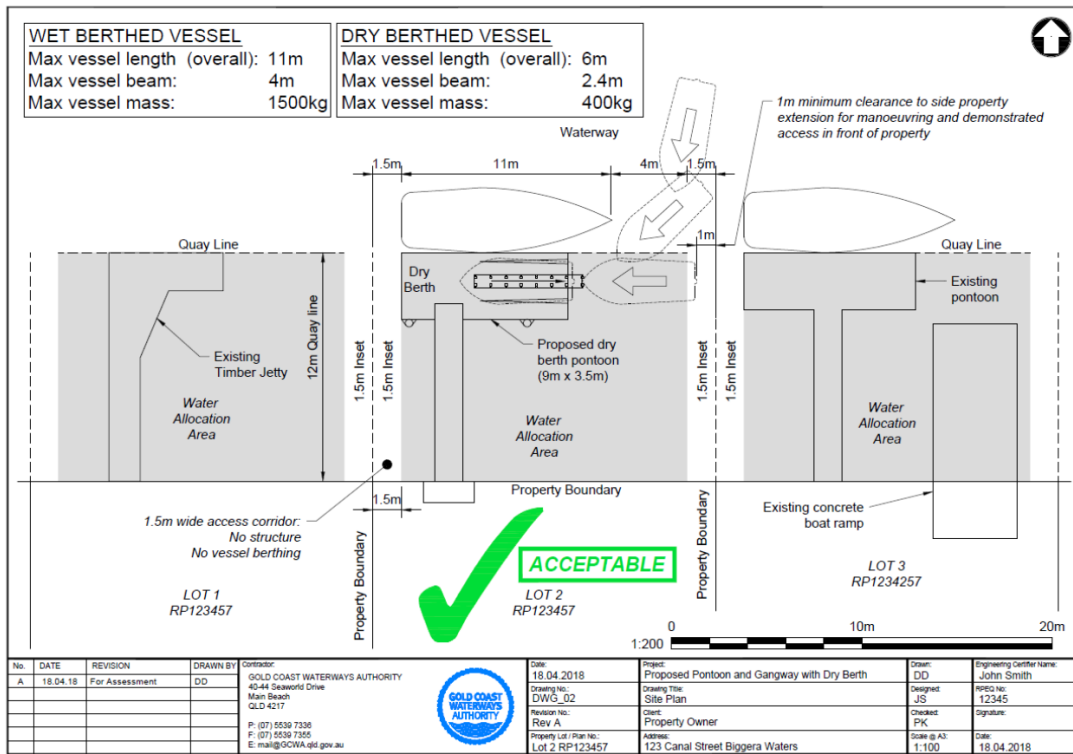


Figure 3: Example of acceptable site and layout plan and water allocation area plan

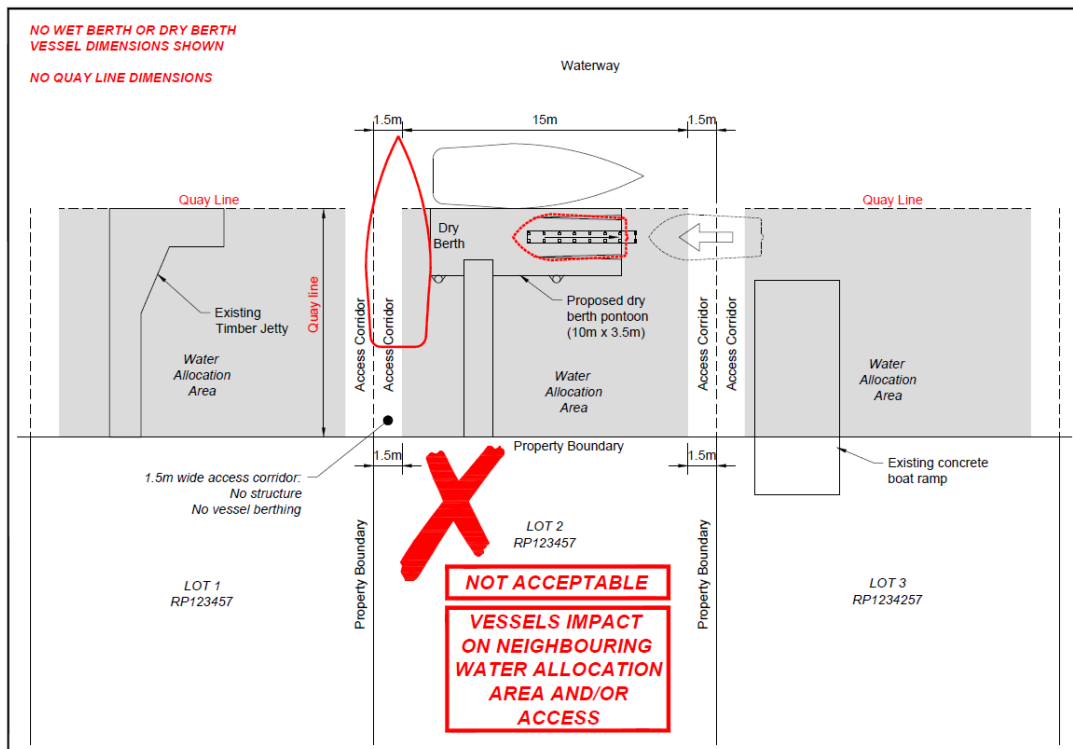


Figure 4: Example of unacceptable site and layout plan and water allocation area plan

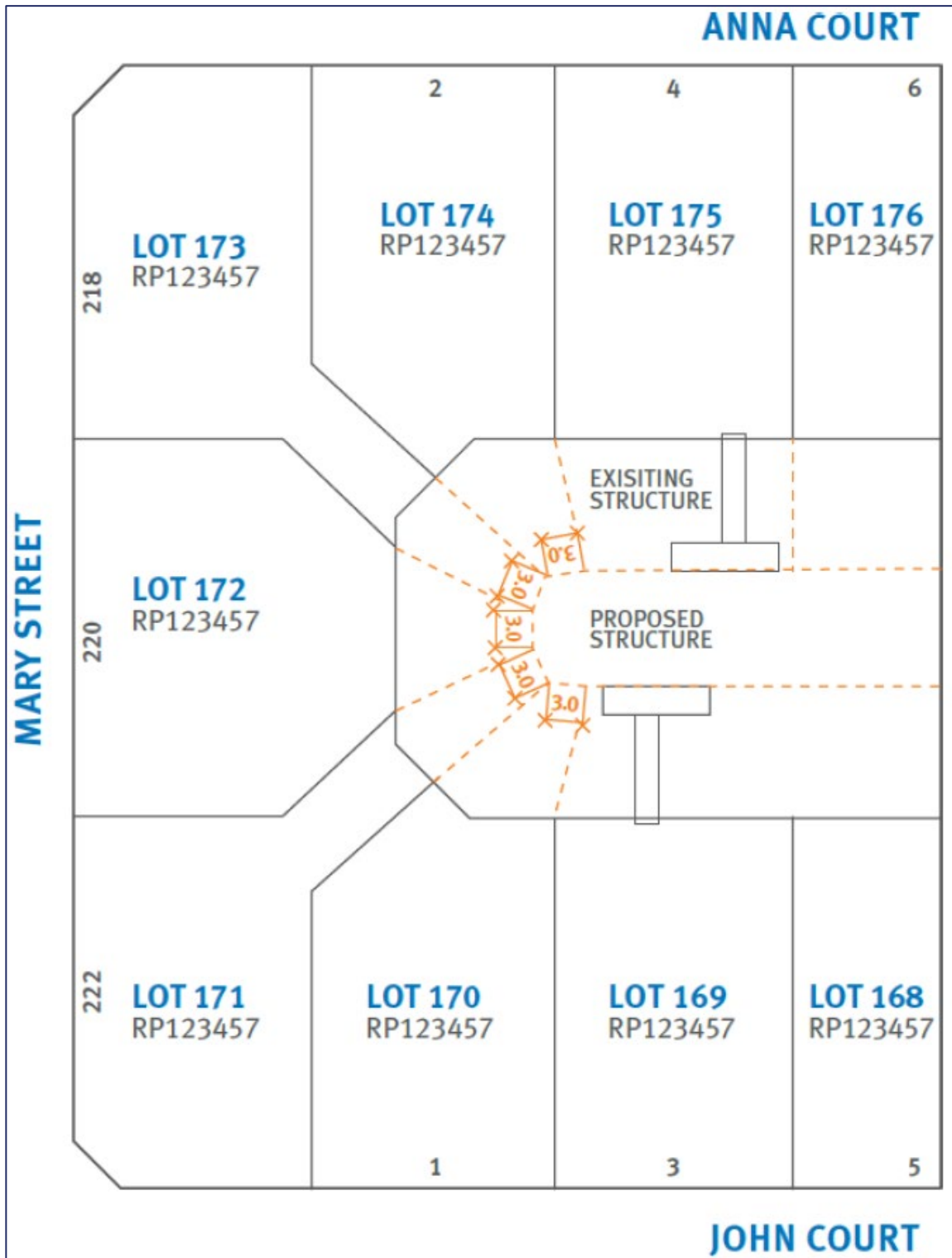


Figure 5: Example of water allocation area plan for cul-de-sac canal (using the guideline published by the Department of the Environment, Tourism, Science and Innovation to establish equitable water allocation areas)

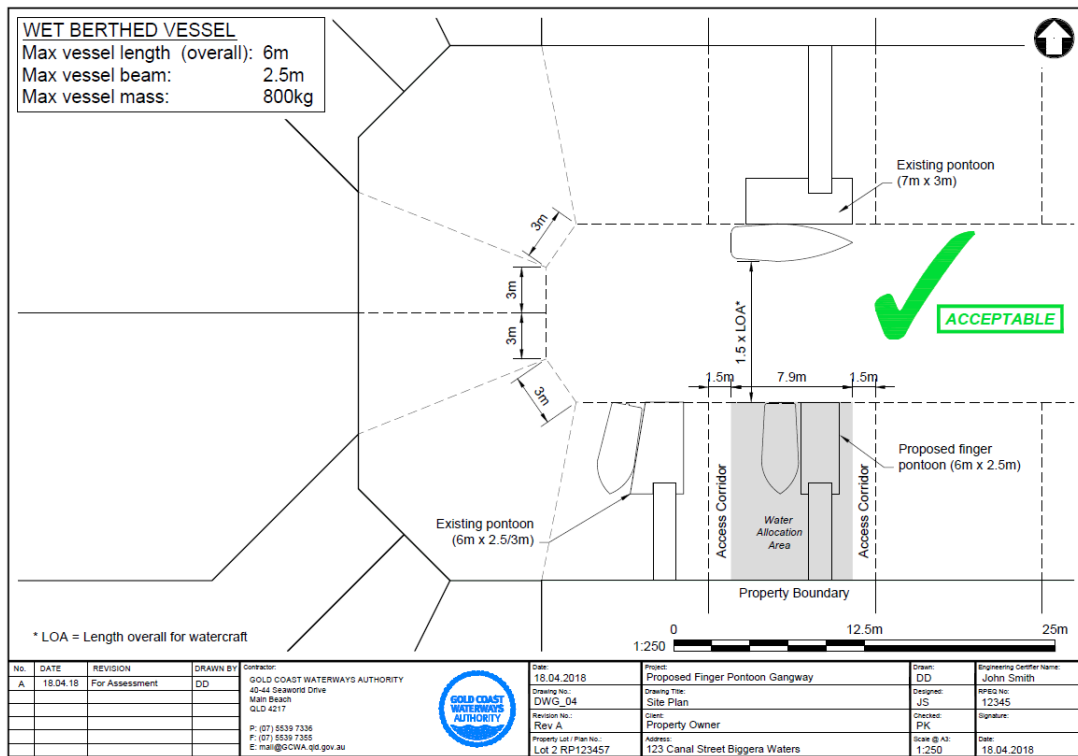


Figure 6: Example of acceptable site and layout plan and water allocation area plan

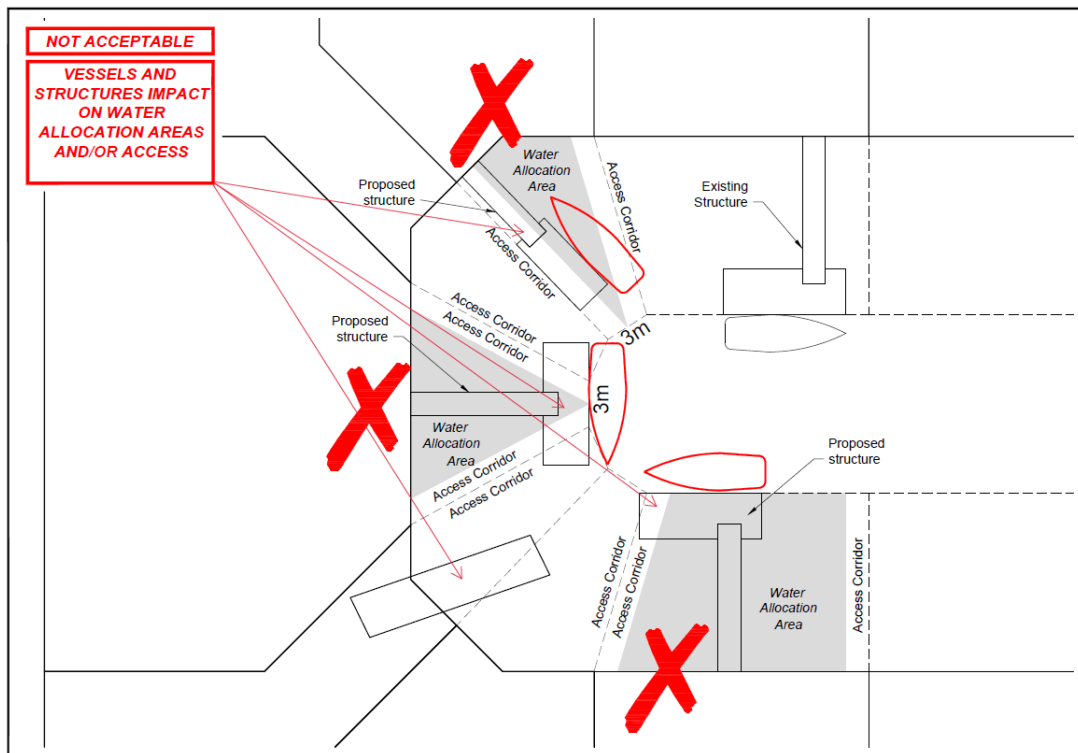


Figure 7: Example of unacceptable site and layout plan and water allocation area plan

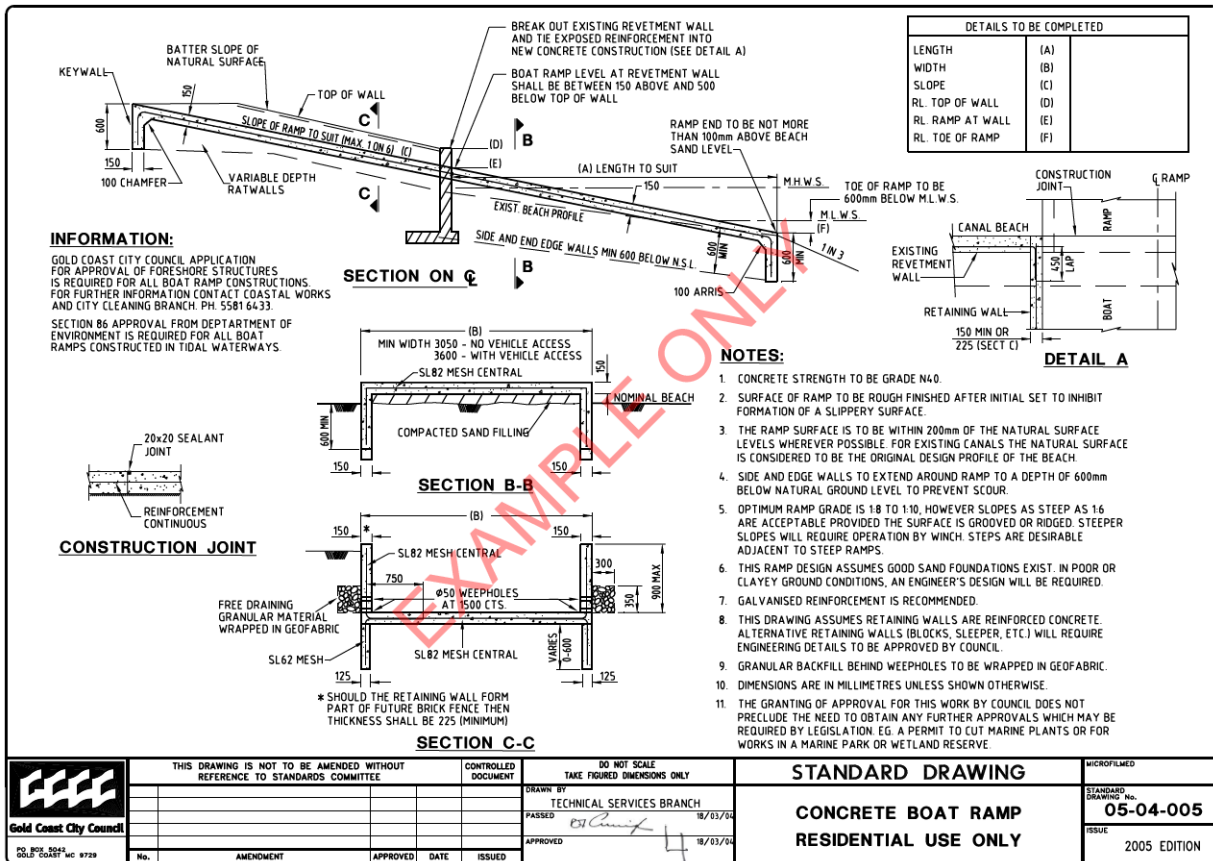


Figure 8: Example of site and layout plan for boat ramp. Please refer to City of Gold Coast's website for latest version.

### 5.3 Waste management strategy

Where a **development application** relates to a **marina** or an establishment where **vessels** will berth or **moor**, the applicant will need to provide, as part of any waste management strategy:

- (a) for those **developments** with six (6) or more berths, details of a suitable location for common user facilities for handling and disposing of ship-sourced pollutants, including oil, garbage, and sewage; and
- (b) information about how every **vessel** in the **marina** can access common user facilities, consistent with *Australian Standard AS 3962:2020 Marina Design*.

Note—

Under the *Transport Operations (Marine Pollution) Act 1995*, **GCWA** may direct the provision of reception facilities for disposal of sewage and other pollutants. Applicants should consider installation of these facilities during initial planning to avoid potentially expensive retrofit.

### 5.4 Water traffic management plan or report

**GCWA** will require a water traffic management plan or report for **development applications** that may impact the use of the **navigable waterway** by **water traffic**. This includes **development** that obstructs **water traffic**, limits the depth of the **navigable waterway**, and/or limits the size of **vessels** that may safely navigate the waterway.

**GCWA** will also require a water traffic management plan or report for **development applications** involving **dredging** operations to ensure appropriate management of the operations, safe passage, and unobstructed navigational access of **water traffic**.

Depending on the size and nature of the **development**, the water traffic management plan or report may be relatively simple or quite complex.

As a minimum, **GCWA** expects the water traffic management plan or report to include details for:

- (a) existing **water traffic**;
- (b) changes in **water traffic** resulting from the proposed **development**;
- (c) projections on how **water traffic** will be managed during all stages of the proposed **development** (i.e., stop/go controls, lookouts, stop work);
- (d) signage;
- (e) public or targeted notification (mail out/letterbox drops);
- (f) relocating machinery to allow **vessel** passage;
- (g) alternate navigation routes;
- (h) alternate temporary berthing or **mooring** arrangements for affected **vessels**;
- (i) temporary **aids to navigation**; or
- (j) temporary channel closures (with the harbour master direction or police controls).

For more complex **development applications**, the applicant should include additional details about some or all of the following:

- (a) existing and proposed waterways;
- (b) proposed patterns of operation;
- (c) changes to any existing and new channels or waterways;
- (d) maximum permitted **vessel** size;
- (e) maximum **vessel** draft;
- (f) air draft and/or safe clearance heights for overwater obstructions such as bridges and powerlines;
- (g) tidal information.

**GCWA** will confirm with the applicant the information required for the water traffic management plan or report.

*Note—*

Maritime Safety Queensland may require similar information to **GCWA**. Generally, the same water traffic management report or plan will suffice for **GCWA**'s assessment.

## 5.5 Aid to navigation management plan

**GCWA** will require an aid to navigation management plan where a **development application** has the potential to obstruct the line of sight to **aids to navigation** or interfere with the function of **aids to navigation**.

**GCWA** expects the aid to navigation management plan to include details for:

- (a) existing **aids to navigation**;
- (b) changes to existing **aids to navigation**;
- (c) new **aids to navigation** systems;

- (d) infrastructure required for all stages of the proposed **development**;
- (e) type and characteristics of systems and infrastructure items;
- (f) location and operational network;
- (g) lifecycle costs and schedules;
- (h) operational and maintenance requirements;
- (i) funding schedule;
- (j) existing **water traffic** service systems and infrastructure; and
- (k) proposed changes to existing **water traffic** service systems and infrastructure.

## 6.0 Tidal works mapping

### 6.1 Purpose

**GCWA** has developed the **tidal works mapping** for the purpose of assisting applicants with preparing **development applications** in the **Gold Coast waterways**.

The **tidal works mapping** provides information relevant for **development** in, on, or above **tidal land** to minimise adverse impacts on, and maintain navigational access within, the Gold Coast’s artificial and natural waterways.

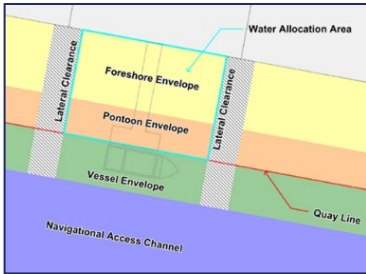
Specifically, the **tidal works mapping** provides information for each Gold Coast waterfront property, including:


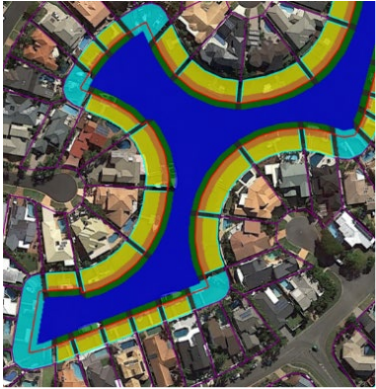
- (a) lot and plan
- (b) pontoon envelope
- (c) **quay line**
- (d) **vessel envelope**
- (e) **water allocation area**.



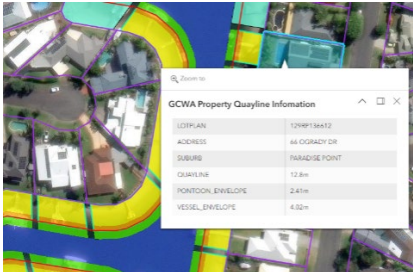
**GCWA** makes the **tidal works mapping** available for free public viewing through its website.

*Note—*

The **tidal works mapping** provides information for residential waterfront properties only. **GCWA** has purposely not mapped other waterfront land, such as parks and road heads etc. In the unlikely event of a development proposal for unmapped waterfront land, **GCWA** will assess the proposal on its merit, considering factors such as surrounding **quay lines** and **vessel envelopes**.

Example figure	Area	Colour	Description
 <p>Figure 1: Example of typical water allocation area with foreshore envelope, pontoon envelope, quay line, vessel envelope, and navigable waterway</p>	Foreshore envelope	<b>Yellow box</b>	In artificial waterways, this area represents the City of Gold Coast’s foreshore profile.  <i>Note—</i> As natural waterways vary in foreshore gradient, it is shown as an estimate.
	Pontoon envelope	<b>Orange box</b>	In artificial waterways, this area should assist applicants to prevent unintended pontoon grounding on the City of Gold Coast’s foreshore profile at mean low water spring tides (MLWS).
	Vessel envelope	<b>Green box</b>	An area that extends the water allocation side boundaries to create the extremities for the vessel envelope.
	Navigable waterway	<b>Blue area</b>	A preserved area of a waterway for water traffic navigation and movements (e.g., fairway).

 <p>Figure 2: Example of water allocation area, quay line, pontoon envelope, and vessel envelope</p>	<p><b>Quay line</b>      <b>Red line</b>      A quay line is the furthest point that a structure may extend from a waterfront lot.</p> <p><b>Water allocation area</b>      <b>Aqua line</b>      An area within which a structure may be constructed. A property's seaward boundary is shared with the quay line (Red line).</p> <p><i>Note—</i> Individual water allocation areas are not shown for lots with bends and/or deflections.</p>
 <p>Figure 3: Example of constrained lots</p>	<p><b>Potentially constrained lots</b>      <b>Aqua area</b>      An area that requires higher levels of assessment scrutiny to ensure equity and access.</p> <p>Canal ends, concave bends in a waterway, and irregular side property boundaries can often lead to conflicting water allocation areas (Aqua lines). In these situations, GCWA will carefully consider historic approvals, neighbouring uses and access rights, and vessel manoeuvring within the canal system.</p> <p>GCWA may require an applicant to source and provide existing approvals for neighbouring properties. This ensures that access and equity for the proposed structure considers existing historic approvals and is achievable.</p> <p>There is currently no guideline for water allocation areas within Gold Coast artificial waterways.</p> <p>However, as assessment manager, City of Gold Coast advises that applicants may use the document titled Preparing a water allocation area for tidal works in natural waterways – Guideline for coastal development (published by the Department of the Environment, Tourism, Science and Innovation) as a tool to satisfy City of Gold Coast's assessment benchmark requirements under the prescribed tidal works code.</p>

	<p><b>Constrained lots</b> rarely occur in natural waterways, as bends are generally more gradual.</p>
 <p>Figure 4: Example of master planned estate</p>	<p><b>Master planned estate</b> <b>Green area</b> An area under a master plan which may provide varying information details, including a quay line.</p> <p>The list of master planned areas includes Hope Island Resort and Sanctuary Cove. Generally, these two areas do not require referral to GCWA, unless the lot fronts a natural waterway.</p> <p>The tidal works mapping provides contact information for development enquires (click within the Green area).</p> <p><i>Note—</i> Lots within Hope Island and Sanctuary Cove that front a natural waterway will require referral to GCWA.</p>
 <p>Figure 5: Example of non-tidal waters area</p>	<p><b>Non-tidal waters area</b> <b>Brown area</b> GCWA does not assess development in waterways that are not tidal water. These include many of the Gold Coast lakes, such as Lake Orr and Clear Island Waters.</p> <p>The tidal works mapping provides contact information for development enquires (click within the Brown area)</p>
 <p>Figure 6: Example of descriptive text box after selecting desired lot</p>	<p><b>Descriptive text box</b></p> <p>When using the tidal works mapping and clicking on a particular property lot, a text box will appear with information:</p> <ul style="list-style-type: none"> <li>(a) address</li> <li>(b) lot and plan</li> <li>(c) pontoon envelope</li> <li>(d) quay line</li> <li>(e) vessel envelope.</li> </ul> <p>GCWA calculates the pontoon envelope using City of Gold Coast’s canal profile and MLWS.</p> <p>GCWA does not assess the pontoon envelope. It has been included in the tidal works mapping to assist applicants.</p>

## 6.2 Inconsistency

Should any inconsistency or question arise about information from the *tidal works mapping*, **GCWA's** written advice in relation to that inconsistency or question shall prevail.

## 6.3 Amendments

**GCWA** will update information for the *tidal works mapping*, identifying updates by date.

**GCWA** recommends regularly checking its website for the latest updates.

## 7.0 Review

**GCWA** will review this **Guide** biennially (every two years).

However, material changes to legislation or other circumstances may warrant earlier review if those changes or circumstances impact upon the **Guide's** effectiveness.

**GCWA** will publish this **Guide** on its website.

## 8.0 Technical references

A **development application** must meet the following, as relevant:

- *Australian Standard AS 3962:2020 Marina design*
- *Report No. 134-2013 Design and Operational Guidelines for Superyacht Facilities*, published by World Association for Waterborne Transport Infrastructure (PIANC)
- *The Spit Master Plan*, released in May 2019.

## 9.0 Definitions

The words and terms used within this **Guide** have the same meaning given in Part 4 of the **Code**, or as defined by relevant legislation.

The words or terms in **bold italics** have the meanings defined in the **GCWA Act**, a **Board Policy**, or Part 4 of the **Code**.

For ease of use, the technical terms required to support implementation of the **Code** are defined in the table below.

Where words or terms used in this **Guide** are not defined, but are defined in the **GCWA Act**, the **Planning Act**, or the **Planning Regulation**, then their respective definition applies.

Term/Acronym	Definition
<b><i>aid to navigation</i></b>	<p>as defined in the <i>Transport Operations (Marine Safety) Act 1994</i>, section 104.</p> <p>For convenience, the definition is reproduced below—</p> <p><b>104 Meaning of aid to navigation</b></p> <p>(1) <i>An aid to navigation is a device designed to be used for navigation or the guidance of mariners, including a device to help in—</i></p> <p style="padding-left: 20px;">(a) <i>fixing a ship’s position; or</i></p> <p style="padding-left: 20px;">(b) <i>deciding a safe course for a ship; or</i></p> <p style="padding-left: 20px;">(c) <i>warning a ship of dangers or obstructions.</i></p> <p style="padding-left: 20px;"><i>Examples—beacon, buoy, light, lighthouse, marine mark, radio aid or signal</i></p> <p>(2) <i>An aid to navigation includes any structure or equipment ancillary to the aid to navigation.</i></p> <p><i>Examples—</i></p> <ol style="list-style-type: none"> <li>1. <i>the battery house providing a lighthouse with power</i></li> <li>2. <i>lifesaving equipment that is part of an aid to navigation</i></li> </ol> <p>(3) <i>However, an aid to navigation does not include a device on board a ship.</i></p>
<b><i>anchor</i></b>	means that part of a vessel’s own equipment, used, or intended to be used to anchor the vessel, or hold the vessel fast, to the seabed.
<b><i>assessment benchmarks</i></b>	as defined in the <i>Planning Act 2016</i> , section 43(1)(c).
<b><i>assessment manager</i></b>	as defined in the <i>Planning Act 2016</i> , section 48.
<b><i>Board policy</i></b>	<p>means a strategic policy approved by the GCWA Board:</p> <ul style="list-style-type: none"> <li>• <i>Board Policy—Tidal works; and</i></li> <li>• <i>Board Policy—Reclamation of land under tidal water.</i></li> </ul>
<b><i>buoy mooring</i></b>	as defined in the <i>Transport Operations (Marine Safety) Act 1994</i> , schedule 1.

	<p>For convenience, the definition is reproduced below—</p> <p><b>buoy mooring</b> means something, other than the ship’s own equipment, used, or intended to be used, for mooring a ship, that consists of each of the following—</p> <p>(a) a device attached to or sitting on the seabed or the bed of other Queensland waters;</p> <p>(b) a system involving cables, chains or ropes that is attached to the device mentioned in paragraph (a);</p> <p>(c) a buoy or other float on the surface of the water, that is attached to the system mentioned in paragraph (b) and marks the location of the device and system.</p>
<b>buoy mooring area</b>	means those areas identified on GCWA’s website as buoy mooring areas, which can be found here <a href="#">Buoy mooring areas</a> .
<b>canal</b>	<p>as defined in the <i>Coastal Protection and Management Act 1995</i>, section 9.</p> <p>For convenience, the definition is reproduced below—</p> <p><b>9 Meaning of canal</b></p> <p>(4) Canal means an artificial waterway—</p> <p>(a) connected, or intended to be connected, to tidal water; and</p> <p>(b) from which boating access to the tidal water is not hindered by a lock, weir or similar structure.</p> <p>(5) Canal includes a canal surrendered to the State under the <i>Canals Act</i>, section 13(4).</p> <p>(6) However, canal does not include any part of tidal water containing facilities that are used commercially or by members of a club or association for 1 or more of the following—</p> <p>(c) boat launching, landing, berthing or storing;</p> <p>(d) boat repairs of a minor nature;</p> <p>(e) boat provisioning, fueling or servicing;</p> <p>(f) recreation, comfort and convenience of persons who own or use boats.</p> <p>(7) Also, canal does not include an artificial waterway that intersects, or is connected to, inundated land or leased land if a registered proprietor of the land or lessee of the leased land may restrict or prohibit the use or movement of vessels in water on the land.</p> <p>(8) In this section—</p> <p><b>registered proprietor, of land</b>, means a person recorded in the freehold land register under the <i>Land Title Act 1994</i> as a proprietor of the land.</p>
<b>City Plan</b>	means the planning scheme for the Council of the City of Gold Coast, as amended for alignment with the <i>Planning Act 2016</i> .

<b>City of Gold Coast</b>	means the Council of the City of Gold Coast.
<b>coastal processes</b>	<p>as defined in the <i>State Development and Assessment Provisions, State code 8: Coastal development and tidal works</i>.</p> <p>For convenience, the definition is reproduced below—</p> <p><b>Coastal processes</b> means the natural processes of the coast, including:</p> <ol style="list-style-type: none"> <li>1. sediment transport to and along the coast;</li> <li>2. wind, waves, tides and currents which transfer energy to the coast and drive sediment transport;</li> <li>3. fluctuations in the location and form of landforms and the foreshore and associated ecosystems from sediment transport (erosion and land building); and</li> <li>4. 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).</li> </ol>
<b>Code</b>	means the <i>Development Assessment Code</i> published by the Gold Coast Waterways Authority.
<b>constrained lot</b>	<p>means a lot with a distance between the extended side boundaries of 3 metres or less at the seaward boundary due to meanders or bends in the waterway, or the position of the lot side boundaries.</p> <p><i>Note—</i> Typically, constrained lots are formed by tight bends within a waterway or the end of a canal.</p>
<b>development</b>	as defined in the <i>Planning Act 2016</i> , schedule 2.
<b>development applications</b>	as defined in the <i>Planning Act 2016</i> , schedule 2.
<b>development approval</b>	as defined in the <i>Planning Act 2016</i> , section 49.
<b>dredging</b>	<p>means the mechanical removal of dredged seabed material from below tidal water.</p> <p><i>Note—</i> Dredging excludes minor adjustments to the seabed surface to level troughs and peaks, or local redistribution of seabed material, commonly called bed levelling.</p>
<b>extended side boundary</b>	<p>as defined in the <i>Coastal Protection and Management Regulation 2017</i>, schedule 3.</p> <p>For convenience, the definition is reproduced below—</p> <p><b>extended side boundary</b>, 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—</p>

	<p>(a) in a continuing straight line; or</p> <p>(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—</p> <p>(i) the width of navigable access to, or egress from, any adjoining lot is not reduced to less than 3m; and</p> <p>(ii) no significant adverse effect is caused to navigational safety.</p>
<b>finger structure</b>	means a jetty or pontoon with a vessel berth generally perpendicular to the shore.
<b>GCWA</b>	means the Gold Coast Waterways Authority.
<b>GCWA Act</b>	means the <i>Gold Coast Waterways Authority Act 2012</i> .
<b>GCWA channel network</b>	<p>means the Gold Coast channel network prepared by GCWA and shown on GCWA's channel network mapping layer.</p> <p><i>Note—</i> The GCWA channel network can be found on GCWA's website here <a href="#">Tidal Works Mapping</a>.</p>
<b>Gold Coast waters</b>	<p>as defined in the <i>Gold Coast Waterways Authority Act 2012</i>, section 7(1).</p> <p>For convenience, the definition is reproduced below—</p> <p><b>7 Meaning of Gold Coast waters and Gold Coast waterways</b></p> <p>(1) <i>The Gold Coast waters are all of the waters within the following areas—</i></p> <p>(a) <i>the Gold Coast City local government area;</i></p> <p>(b) <i>the area near the mouth of Currumbin Creek described in schedule 1, section 1;</i></p> <p>(c) <i>the area near the Gold Coast Seaway described in schedule 1, section 2;</i></p> <p>(d) <i>the area near the mouth of Tallebudgera Creek described in schedule 1, section 3.</i></p>
<b>Gold Coast waterways</b>	<p>as defined in the <i>Gold Coast Waterways Authority Act 2012</i>, section 7(2).</p> <p>For convenience, the definition is reproduced below—</p> <p><b>7 Meaning of Gold Coast waters and Gold Coast waterways</b></p> <p>(2) <i>The Gold Coast waterways are all of the waterways in Gold Coast waters.</i></p>
<b>government supported transport infrastructure</b>	<p>means infrastructure for transport that is—</p> <p>(a) materially funded by the State or Commonwealth; or</p> <p>(b) provided by a person, other than under a development approval or infrastructure agreement, on terms that—</p> <p>(i) are agreed to by the State or Commonwealth; and</p>

	(ii) are intended to support the commercial viability of the infrastructure.
<b>length overall</b>	means the overall length of the vessel including any bow sprit, bow rail in the fore section of the vessel, and any davit or duck board or outboard motor at the stern (rear). It includes any part of a vessel or thing that may obstruct safe and equitable use of the waterway.
<b>marina</b>	as defined in the <i>Gold Coast Waterways Authority Act 2012</i> , section 42(4).
<b>marine access structure</b>	means a structure in, on or above tidal land to facilitate watercraft access for people between land and a navigable waterway (for example, a jetty, landing, mooring, pontoon, and boat ramp, but excludes a deck and boardwalk).
<b>marine infrastructure</b>	means a boat ramp, jetty, landing, marina, mooring, pontoon or the like that can be used by watercraft.
<b>master plan</b>	means detailed historical plans held by GCWA for a master planned area.
<b>master planned area</b>	<p>means those estates as described below and sanctioned developments that have a master plan prepared for the canal—</p> <ul style="list-style-type: none"> <li>(a) Calypso Bay, Jacobs Well – master planned development;</li> <li>(b) River Links, Helensvale;</li> <li>(c) Hope Island (flood mitigation) canal, Hope Island – City of Gold Coast master planned development;</li> <li>(d) Coomera Waters – master planned development;</li> <li>(e) Coomera Quays – master planned development;</li> <li>(f) Sovereign Islands – master planned development;</li> <li>(g) Ephraim Island – apart from the marina, there is no identified quay line at Ephraim Island for private structures – for enquiries, please contact the body corporate;</li> <li>(h) Harbour Town, Biggera Waters – master planned development.</li> </ul> <p><i>Note—</i> GCWA keeps master plan records electronically and may provide information on request by an applicant.</p>
<b>moor</b>	means to moor or berth a vessel to a fixed structure with lines or ropes by hand in the usual sense of securing a vessel to prevent the vessel drifting or moving.
<b>navigable waterway</b>	means waters with sufficient depth and width to allow safe passage by all vessel sizes and types that frequently use the area.
<b>operational work</b>	as defined in the <i>Planning Act 2016</i> , schedule 2.
<b>Planning Act</b>	means the <i>Planning Act 2016</i> .

<b>Planning Regulation</b>	means the <i>Planning Regulation 2017</i> .
<b>prescribed tidal works</b>	<p>as defined in the <i>Coastal Protection and Management Regulation 2017</i>, section 15.</p> <p>For convenience, the definition is reproduced below—</p> <p><b>15 Tidal works that are prescribed tidal works—Act, s 167</b></p> <p>(1) Subject to subsection (2), the following works are prescribed tidal works for section 167(5)(d) of the Act—</p> <p>(a) works that consist only of tidal works;</p> <p>(b) works that consist of both—</p> <p>(i) tidal works; and</p> <p>(ii) other work that is not tidal works if the other work is an integral part of the tidal works.</p> <p>(2) The following works are not prescribed tidal works—</p> <p>(a) tidal works within a State managed boat harbour;</p> <p>(b) tidal works for a new or existing structure used for the operation of—</p> <p>(i) a port authority or port operator; or</p> <p>(ii) a public marine facility constructed by or for the Gold Coast Waterways Authority, Queensland Transport, a port authority or a port operator;</p> <p>(c) tidal works for any of the following—</p> <p>(i) creating or changing the configuration or characteristics of a navigational channel;</p> <p>(ii) an inlet or outlet for development for aquaculture if the development is carried out on land and is made accepted development under the local government’s planning scheme or is development requiring code assessment under the Planning Act;</p> <p>(d) tidal works the subject of—</p> <p>(i) a deemed approval; or</p> <p>(ii) a development approval given under the repealed <i>Integrated Planning Act 1997</i> on or before 20 October 2003.</p> <p>(3) In this section—</p> <p><b>aquaculture</b> see the <i>Fisheries Act 1994</i>, schedule 1.</p> <p><b>Queensland Transport</b> means the department in which the <i>Transport Operations (Marine Safety) Act 1994</i> is administered.</p> <p><b>State managed boat harbour</b> see the <i>Transport Infrastructure (Public Marine Facilities) Regulation 2011</i>, schedule 4.</p>
<b>prescribed tidal works code</b>	means the <i>Code for assessable development that is prescribed tidal works</i> in the <i>Coastal Protection and Management Regulation 2017</i> , schedule 3.

<b>public marine infrastructure</b>	means infrastructure for public use that requires a location in tidal water to function (including public jetties, pontoons, boat ramps, and any queuing beaches associated with that use).
<b>public marine facility</b>	as defined in the <i>Transport Infrastructure Act 1994</i> , schedule 6.
<b>quay line</b>	means the line defining how far a structure may extend out into a waterway as shown by: (a) GCWA’s tidal work mapping; (b) a master plan; or (c) in all other circumstances, as decided in writing by GCWA.
<b>reclamation</b>	as defined in the <i>Coastal Protection and Management Act 1995</i> , Dictionary. For convenience, the definition is reproduced below— <i><b>reclamation</b>, of land under tidal water, means raising the land above high-water mark, whether gradually and imperceptibly or otherwise, by carrying out works, including dredging and the depositing of solid material.</i>
<b>referral agency</b>	as defined in the <i>Planning Act 2016</i> , section 54(2).
<b>referral agency response</b>	as defined in the <i>Planning Act 2016</i> , section 56(4)
<b>reconfiguring a lot</b>	as defined in the <i>Planning Act 2016</i> , schedule 2.
<b>site cover</b>	means the portion of the term lease over water, or proposed term lease over water, expressed as a percentage, that will be covered by a structure, measured to its outermost projection, after the development is carried out.
<b>Spit master plan</b>	as defined in the <i>Implementation of The Spit Master Plan Act 2020</i> .
<b>Spit master plan area</b>	means the master plan area under the <i>Implementation of The Spit Master Plan Act 2020</i> .
<b>Technical Information Guide</b>	means this <i>Technical Information Guide for the Development Assessment Code</i> , which provides additional technical information to assist with demonstrating compliance with GCWA’s <i>Development Assessment Code</i> .
<b>T-head structure</b>	means a jetty or pontoon with the vessel berth generally parallel with the shore. <i>Note—</i> A T-head structure includes an L-head structure.
<b>term lease area (also referred to as a seabed lease or wet lease)</b>	means an approved lease area over unallocated state land that is inundated by tidal water. <i>Note—</i> Department of Natural Resources and Mines issues and administers term leases.

<b>tidal land</b>	means— (a) land under tidal water; or (b) land that will or may be under tidal water.
<b>tidal water</b>	as defined in the <i>Coastal Protection and Management Act 1995</i> , Dictionary. For convenience, the definition is reproduced below— <b>tidal water means—</b> (a) the sea and any part of a harbour or watercourse ordinarily within the ebb and flow of the tide at spring tides; or (b) the water downstream from a downstream limit as defined under the <i>Water Act 2000</i> .
<b>tidal works</b>	as defined in the <i>Coastal Protection and Management Act 1995</i> , Dictionary. For convenience, the definition is reproduced below— 1. <i>Tidal works means any of the following--</i> (a) works in, on or above— (i) land under tidal water; or (ii) land that will or may be under tidal water because of development on or near the land; (b) works that are— (i) an integral part of works mentioned above (the principal works); and (ii) carried out in, on or above land directly adjacent to the land in, on or above which the principal works are carried out; (c) works designed to be exposed to tidal water because of shoreline fluctuations; (d) works designed to prevent the erosion of land by the sea (whether or not within the ebb and flow of the tide at spring tides); (e) works within the boundaries of a canal, whether above or below high-water mark. 2. <i>Tidal works includes:</i> (a) the construction or demolition of a basin, boat ramp, breakwater, bridge, dam, dock, dockyard, embankment, groyne, jetty, pipeline, pontoon, powerline, seawall, slip, small craft facility, training wall or wharf; and (b) works in tidal water necessarily associated with the construction or demolition mentioned in paragraph (a); and (c) the reclamation of land under tidal water. 3. <i>Tidal works does not include—</i> (a) the erection of a sign or other structure, including, for example, a navigational aid or sign for maritime navigation, under a direction made under another Act;

	<p>or</p> <p>(b) the construction of an open drain that—</p> <p>(i) is less than 1 m deep; and</p> <p>(ii) has a cross sectional area less than 2.5m<sup>2</sup>; or</p> <p>(c) works that are assessable development, carried out within a coastal management district, of any of the following types—</p> <p>(i) the disposal of dredge spoil or other solid waste material in tidal water;</p> <p>(ii) the construction of an artificial waterway; or</p> <p>(d) the removal of quarry material that has accumulated within the boundaries of, or in an area adjoining, a previously approved tidal work to allow the work to be used for the function for which it was approved; or</p> <p>(e) the removal of quarry material from land under tidal water, if the removal is for no other purpose than the sale of the material or use of the material to reclaim land; or</p> <p>(f) the construction of buoy moorings.</p>
<b>tidal works mapping</b>	<p>means the information shown on GCWA’s tidal works mapping layer to assist applicants in preparing a development application for prescribed tidal works in Gold Coast waters.</p> <p><i>Note—</i> The tidal works mapping can be found on GCWA’s website here <a href="#">Tidal Works Mapping</a>.</p>
<b>vessel</b>	<p>see watercraft.</p> <p><i>Note—</i> For this Guide, the terms vessel and watercraft are inter-changeable.</p>
<b>vessel beam</b>	<p>means the dimension of the vessel at its widest point.</p>
<b>vessel envelope</b>	<p>means the length and width of an area of water outside the quay line where a vessel or vessels using a structure may berth or moor, except finger structures.</p> <p>The length of the vessel envelope is generally realised by extending the water allocation area side boundary.</p> <p><i>Note—</i> The vessel envelope is commonly referred to as a “wet berth”.</p>
<b>watercraft</b>	<p>as defined by the <i>Transport Infrastructure Act 1994</i>, schedule 6.</p> <p>For convenience, the definition is reproduced below—</p> <p><b>watercraft</b> includes anything that is water traffic or a device, for example, a sailboard, used for the movement of persons who are on or in water.</p>
<b>water allocation area</b>	<p>as defined in the <i>Coastal Protection and Management Regulation 2017</i>, schedule 3.</p>

	<p>For convenience, the definition is reproduced below—</p> <p><b>water allocation area</b>, for a lot, means an area of State tidal land designated by the State, a local government, or the Gold Coast Waterways Authority, as an area in relation to which a development application for prescribed tidal works connected to the lot may be made.</p> <p><i>Note—</i></p> <p>For general guidance, see the document titled <i>Preparing a water allocation area for tidal works in natural waterways – Guideline for coastal development</i>, published by the Department of the Environment, Tourism, Science and Innovation, and which can be found online here <a href="#">Preparing a water allocation area for tidal works in natural waterways</a>.</p>
<b>water traffic</b>	<p>as defined by the <i>Transport Infrastructure Act 1994</i>, schedule 6.</p> <p>For convenience, the definition is reproduced below—</p> <p><b>water traffic</b> includes a hovercraft and a vehicle, person, aircraft or other craft on or in water.</p> <p><i>Note—</i></p> <p>Water traffic does not include a structure or device that is fixed in place in, on, or above tidal land.</p>
<b>waterways management program</b>	as defined in the <i>Gold Coast Waterways Authority Act 2012</i> , section 19(1).
<b>waterways management strategy</b>	as defined in the <i>Gold Coast Waterways Authority Act 2012</i> , section 15(1).
<b>waterways related development</b>	<p>means:</p> <ul style="list-style-type: none"> <li>(a) development that, in order to function, must be located in Gold Coast waterways or be able to access Gold Coast waterways; and</li> <li>(b) may include, but is not limited to— <ul style="list-style-type: none"> <li>(i) ports, harbours, and navigation channels and facilities;</li> <li>(ii) aquaculture involving marine species, tidal generators, and coastal protection functions;</li> <li>(iii) works for erosion control structures and beach nourishment;</li> <li>(iv) private marine access purposes;</li> <li>(v) public marine facilities;</li> <li>(vi) boat ramps, boat ramp queuing beaches, jetties, pontoons, and wharves;</li> <li>(vii) tourism facilities for marine (boating) purposes;</li> <li>(viii) community or sporting facilities that require access to tidal water in order to function, such as diving facilities, marine rescue organisations, rowing, sailing or surf clubs; or</li> <li>(ix) co-located residential and tourist uses that are part of an integrated development proposal (e.g. mixed-use development) incorporating a marina, if these uses are located directly landward of the marina; but</li> </ul> </li> </ul>

- (c) does not include—
  - (i) residential development, including canal development, as the predominant use; or
  - (ii) transport infrastructure, other than for access to the waterways.



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