



## **Maintenance of Works in Waterway Areas Subordinate Local Law 2023**

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# **Moreton Bay Regional Council**

## **Maintenance of Works in Waterway Areas Subordinate Local Law 2023**

### **Part 1 Preliminary**

#### **1 Short title**

This subordinate local law may be cited as the *Maintenance of Works in Waterway Areas Subordinate Local Law 2023*.

#### **2 Authorising local law**

This subordinate local law is made pursuant to the *Maintenance of Works in Waterway Areas Local Law 2023*.

#### **3 Object**

The object of this subordinate local law is to assist in the implementation of the *Maintenance of Works in Waterway Areas Local Law 2023* by specifying certain matters for the purposes of that local law relating to specified prescribed works and prescribed work reports.

### **Part 2 Maintenance of prescribed works in waterway areas, sale of lots and prescribed works reports**

#### **4 Application of pt 6 of local law—local law, ss 11, 22**

This subordinate local law applies for the purposes of *Maintenance of Works in Waterway Areas Local Law 2023*, parts 5 and 8.

#### **5 Specified prescribed works—local law, ss 21, 22**

For each of *Maintenance of Works in Waterway Areas Local Law 2023*, sections 21 and 22, definition, *specified prescribed work*, each of the following is a specified prescribed work—

- (a) a seawall; and
- (b) a revetment wall; and
- (c) a training wall; and
- (d) a jetty; and
- (e) a pontoon; and
- (f) a boat ramp.

## 6 Requirements for a prescribed work report—local law, ss 11, 22

- (1) For *Maintenance of Works in Waterway Areas Local Law 2023*, section 11, the following is a minimum requirement for a prescribed work report—
  - (a) for a prescribed work that is a seawall or revetment wall—the report must be prepared by a person who is a registered professional engineer under the *Professional Engineers Act 2002* and who can competently address the matters specified in *Maintenance of Works in Waterway Areas Local Law*, section 11(2)(b); or
  - (b) for another prescribed work—the report must be prepared by a person who is reasonably qualified to provide the report and who can competently address the matters specified in *Maintenance of Works in Waterway Areas Local Law*, section 11(2)(b).
- (2) For *Maintenance of Works in Waterway Areas Local Law 2023*, section 22, each of the following is a requirement for a prescribed work report—
  - (a) for—
    - (i) a prescribed work that is a seawall or revetment wall—the report must be prepared by a person who is a registered professional engineer under the *Professional Engineers Act 2002*; or
    - (ii) another prescribed work—the report must be prepared by a person who is reasonably qualified to provide the report; and
  - (c) the report must be prepared by a person who can competently address the matters specified in paragraphs (d) and (e); and
  - (d) the report must state whether the specified prescribed work—
    - (i) is in a safe condition; and
    - (ii) is in good working order, repair and condition; and
    - (iii) in any respect, presents a danger to any person or property; and
    - (iv) needs any specific repairs or other works to ensure that the specified prescribed work is in a safe condition and good working order, repair and condition; or
    - (v) should be demolished; and
  - (e) if the report states that the specified prescribed work needs specific repairs or other works or should be demolished, the report must state an approximate time by which the repairs or other works (including any demolition works) should be carried out, having regard to any danger to any person or property that the specified prescribed work may present and the specified prescribed work's capacity to fulfil its intended function.