

# State code 8: Coastal development and tidal works

**Table 8.2.1: All development**

Performance outcomes	Acceptable outcomes	Response
<b>Development in the erosion prone area</b>		
<p><b>PO1</b> Development does not occur in the erosion prone area unless the development:</p> <ol style="list-style-type: none"> <li>1. is one of the following types of development:               <ol style="list-style-type: none"> <li>a. coastal-dependent development; or</li> <li>b. temporary, readily relocatable or able to be abandoned; or</li> <li>c. essential community infrastructure; or</li> <li>d. redevelopment of an existing permanent building or structure that cannot be relocated or abandoned; and</li> </ol> </li> <li>2. cannot feasibly be located elsewhere.</li> </ol>	No acceptable outcome is prescribed.	Complies. No works are proposed within the erosion prone area. Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).
<p><b>PO2</b> Development other than coastal protection work:</p> <ol style="list-style-type: none"> <li>1. avoids impacting on coastal processes; and</li> <li>2. ensures that the protective function of landforms and vegetation is maintained.</li> </ol> <p>Note: In considering reconfiguring a lot applications, the state may require land in the erosion prone area to be surrendered to the State for coastal management purposes under the <i>Coastal Protection and Management Act 1995</i>. Where the planning chief executive receives a copy of a land surrender requirement or proposed land surrender notice under the <i>Coastal Protection and Management Act 1995</i>, this must be considered in assessing the application.</p>	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).
<p><b>PO3</b> Development is located, designed and constructed to minimise the impacts from coastal erosion by:</p> <ol style="list-style-type: none"> <li>1. locating the development as far landward as practicable; or</li> </ol>	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).

Performance outcomes	Acceptable outcomes	Response
2. where it is demonstrated that 1 is not feasible, mitigate or otherwise accommodate the risks posed by coastal erosion.		
<b>PO4</b> Development does not significantly increase the risk or impacts to people and property from coastal erosion.	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).
<b>PO5</b> Development other than coastal protection work avoids directly or indirectly increasing the severity of coastal erosion either on or off the site.	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).
<b>PO6</b> In areas where a coastal building line is present, building work is located landward of the coastal building line unless coastal protection work has been constructed to protect the development.	No acceptable outcome is prescribed.	Complies. Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).
<b>Artificial waterways</b>		
<b>PO7</b> Development of artificial waterways, canals and dry-land marinas minimises impacts on coastal resources by: <ul style="list-style-type: none"> <li>1. maintaining the tidal prism volume of the natural waterway to which it is connected</li> <li>2. demonstrating a whole-of-life strategy for the disposal of dredged material.</li> </ul>	No acceptable outcome is prescribed.	N/A
<b>Coastal protection work</b>		
<b>PO8</b> Works for beach nourishment minimise adverse impacts on coastal processes and avoid any increase in the severity of erosion on adjacent land by: <ul style="list-style-type: none"> <li>1. sourcing sand from an area that does not adversely impact on the active beach system</li> <li>2. ensuring imported sand is compatible with natural beach sediments and coastal processes of the receiving beach.</li> </ul>	No acceptable outcome is prescribed.	N/A
<b>PO9</b> Erosion control structures are only constructed where there is an imminent threat to buildings or infrastructure of value, and there is no feasible option for either:	No acceptable outcome is prescribed.	N/A

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> <li>1. beach nourishment; or</li> <li>2. relocation or abandonment of structures.</li> </ol> <p>Statutory Note: The monetary value of buildings or infrastructure should be more than the cost of associated erosion control structures.</p>		
<p><b>PO10</b> Erosion control structures minimise interference with coastal processes, or any increase to the severity of erosion on adjacent land by:</p> <ol style="list-style-type: none"> <li>1. locating the erosion control structure as far landward as practicable and directly adjacent to the structure it is intended to protect</li> <li>2. where required and feasible, importing sand to the site to mitigate any increase in the severity of erosion</li> <li>3. the design of the structure.</li> </ol>	No acceptable outcome is prescribed.	N/A
<b>Water quality</b>		
<p><b>PO11</b> Development:</p> <ol style="list-style-type: none"> <li>1. maintains or enhances environmental values of receiving waters</li> <li>2. achieves the water quality objectives of Queensland waters</li> <li>3. avoids the release of prescribed water contaminants to tidal waters.</li> </ol> <p>Note: See Environmental Protection (Water) Policy 2009 for the relevant water quality objectives.</p>	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ), the Engineering Report ( <b>Appendix I</b> ) and the Water Treatment Strategy ( <b>Appendix O</b> ).
<b>Category C and R areas of vegetation</b>		
<p><b>PO12</b> Development:</p> <ol style="list-style-type: none"> <li>1. avoids impacts on category C areas of vegetation and category R areas of vegetation; or</li> <li>2. minimises and mitigates impacts on category C areas of vegetation and category R areas of vegetation after demonstrating avoidance is not reasonably possible.</li> </ol>	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ) and Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).

Performance outcomes	Acceptable outcomes	Response
<b>Public use of and access to state coastal land</b>		
<b>PO13</b> Development maintains or enhances public use of and access to and along state coastal land (except where this is contrary to the protection of coastal resources or public safety).	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ) and Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
<b>PO14</b> Private marine development ensures that works: <ol style="list-style-type: none"> <li>1. are used for marine access purposes only</li> <li>2. minimise the use of state coastal land</li> <li>3. do not interfere with access between navigable waterways and adjacent properties.</li> </ol>	No acceptable outcome is prescribed.	N/A
<b>PO15</b> Development ensures erosion control structures are located within the premises they are intended to protect unless there is no feasible alternative.	No acceptable outcome is prescribed.	N/A
<b>Matters of state environmental significance</b>		
<b>PO16</b> Development: <ol style="list-style-type: none"> <li>1. avoids impacts on matters of state environmental significance; or</li> <li>2. minimises and mitigates impacts on matters of state environmental significance after demonstrating avoidance is not reasonably possible; and</li> <li>3. provides an offset if, after demonstrating all reasonable avoidance, minimisation and mitigation measures are undertaken, the development results in an acceptable significant residual impact on a matter of state environmental significance.</li> </ol> <p>Statutory note: For Brisbane core port land, an offset may only be applied to development on land identified as E1 Conservation/Buffer, E2 Open Space or Buffer/Investigation in the Brisbane Port LUP precinct plan. For the Brisbane Port LUP, see <a href="http://www.portbris.com.au">www.portbris.com.au</a>.</p> <p>Note: Guidance for determining if the development will have a significant residual impact on the matter of state environmental</p>	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).

Performance outcomes	Acceptable outcomes	Response
significance is provided in the Significant Residual Impact Guideline, Department of State Development, Infrastructure and Planning, 2014. Where the significant residual impact is considered an acceptable impact on the matter of state environmental significance and an offset is considered appropriate, the offset should be delivered in accordance with the <i>Environmental Offsets Act 2004</i> .		

**Table 8.2.2: All operational work**

Performance outcomes	Acceptable outcomes	Response
<b>Private marine development</b>		
<b>PO17</b> Private marine development does not require the construction of coastal protection work, shoreline or riverbank hardening or dredging for marine access purposes.	No acceptable outcome is prescribed.	N/A
<b>Disposal of solid waste or dredged material from artificial waterways</b>		
<b>PO18</b> Solid waste from land and dredged material from artificial waterways is not disposed of in tidal water unless it is for beneficial reuse.	No acceptable outcome is prescribed.	N/A
<b>Disposal of dredged material other than from artificial waterways</b>		
<b>PO19</b> Dredged material is returned to tidal water where this is needed to maintain coastal processes and sediment volume.	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ) and the Engineering report ( <b>Appendix I</b> ). Further detail will be addressed at the detailed design phase of the proposed development.
<b>PO20</b> Where it is not needed to maintain coastal processes and sediment volume, the quantity of dredged material disposed to tidal water is minimised through beneficial reuse or disposal on land.	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ) and the Engineering report ( <b>Appendix I</b> ). Further detail will be addressed at the detailed design phase of the proposed development.
<b>All dredging and any disposal of dredged material in tidal water</b>		
<b>PO21</b> All dredging and any disposal of dredged material in tidal water is: 1. demonstrated to be safe with regard to protection of the marine environment and by	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ) and the Engineering report ( <b>Appendix I</b> ). Further detail will be addressed at the detailed design phase of the proposed development.

Performance outcomes	Acceptable outcomes	Response
<p>meeting the National Assessment Guidelines for Dredging 2009, Department of Environment and Energy, 2009, or later version; and</p> <p>2. supported by a monitoring and management plan that protects the marine environment and that complies with the National Assessment Guidelines for Dredging 2009, Department of Environment and Energy, 2009, or later version.</p>		
<b>Reclamation</b>		
<p><b>PO22</b> Development does not involve reclamation of land below tidal water, other than for the purposes of:</p> <ol style="list-style-type: none"> <li>1. coastal-dependent development, public marine development or community infrastructure; or</li> <li>2. strategic ports, priority ports, boat harbours or strategic airports and aviation facilities, in accordance with a statutory land use plan or master plan, where there is a demonstrated net benefit for the state or region and no feasible alternative exists; or</li> <li>3. coastal protection work or work necessary to protect coastal resources or coastal processes.</li> </ol>	No acceptable outcome is prescribed.	N/A

**Table 8.2.3: Operational work which is not assessed by local government**

Performance outcomes	Acceptable outcomes	Response
<p><b>PO23</b> Works are located and designed such that they continue to operate safely during and following a defined storm tide event.</p>	<p><b>AO23.1</b> Tidal work is designed and located in accordance with the Guideline: Building and</p>	N/A

Performance outcomes	Acceptable outcomes	Response
	engineering standards for tidal works, Department of Environment and Heritage Protection, 2017.	

# State code 11: Removal, destruction or damage of marine plants

Table 11.2.2: Operational works

Performance outcomes	Acceptable outcomes	Response
<b>All development</b>		
<p>PO1 There is a demonstrated need for the development, and alternatives (locations and designs) which do not involve removal, destruction or damage of marine plants and impacts to fisheries resources and fish habitats are not viable.</p>	<p>For development associated with a public health or safety purpose:</p> <p>AO1.1 Development is for:</p> <ol style="list-style-type: none"> <li>1. signage or aids to warn the public of a safety hazard (for example, within a waterway to warn of submerged rocks, crocodiles, marine stingers); or</li> <li>2. prevention of an impending public safety issue; or</li> <li>3. the mitigation of a hazard to public safety that has resulted from a specific unforeseen event (for example, a fallen tree that is a danger to safe navigation); or</li> <li>4. placement of a cyclone mooring identified under a cyclone contingency plan by the harbour master or controlling port authority, and is located in accordance with the plan; or</li> <li>5. a public health purpose that has been endorsed in writing by Queensland Health or the relevant local government.</li> </ol> <p>For any other development, no acceptable outcome is prescribed.</p> <p>Note: The application should identify and document the impacts of alternative proposals.</p>	<p>N/A</p> <p>The proposed development seeks to avoid impacts on marine plants where possible. However, the proposal will involve marine plant removal as depicted in the Waterway Determination and Marine Plant Assessment Report, Drawing No. DA-01.4, provided for reference as <b>Appendix G</b>. The proposed clearing area of 0.1965ha is proposed to be substantially offset with rehabilitation of 15 hectares, of which approximately 4 hectares will be wetland area.</p>



Performance outcomes	Acceptable outcomes	Response
<p>PO2 Only those aspects of a development that have a functional requirement to be located on tidal land create the requirement to remove, destroy or damage marine plants. Ancillary elements (for example: car and trailer parks, rest rooms, offices) occur outside of tidal land.</p> <p>Note: Tidal land within the development site should be accurately identified on plans provided with the application, together with the location of highest astronomical tide, mean high water spring and mean low water spring tide heights.</p> <p>The extent, location, species and condition of marine plants that are proposed for removal, damage or destruction and retained have been clearly and accurately identified and mapped to enable risks and impacts to be properly assessed.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Complies. Refer to the Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>) for the proposed clearing of marine plants and an indication of the HAT.</p>
<p>PO3 Development impacting marine plants:</p> <ol style="list-style-type: none"> <li>1. directly abuts land that has full riparian access rights; or</li> <li>2. provides a public facility.</li> </ol> <p>Note: Further guidance on rights in context of fisheries resources and fish habitats is provided in the operational policy provisions of Management and protection of marine plants and other tidal fish habitats (FHMOP 001), Department of Primary Industries and Fisheries, 2007.</p> <p>The provision of owners consent to lodge the development application does not confer rights.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Complies. The proposed development is to be undertaken on freehold land and the proponent has the permission of the owner to undertake the proposed works).</p>
<p>PO4 The spatial extent of disturbance to marine plants is minimised.</p> <p>Note: For more information, refer to relevant fish habitat management operational policies and fish habitat guidelines:</p>	<p>For work associated with private development that is a jetty, pontoon or boat ramp only:</p> <p>AO4.1 Only one structure adjoins the property.</p> <p>Note: A structure includes boat ramps, jetties and pontoons</p> <p>AND</p>	<p>Complies. The spatial extent of disturbance to be marine plants has been avoided where possible and minimised. The applicant proposes to undertake rehabilitation works to offset the proposed clearing as indicated in the Waterways Determination and Marine Plan Assessment Report (<b>Appendix G</b>).</p>

Performance outcomes	Acceptable outcomes	Response
<p>1. Management and protection of marine plants and other tidal fish habitats (FHMOP 001), Department of Primary Industries and Fisheries, 2007</p> <p>2. Tidal fish habitats, erosion control and beach replenishment (FHMOP 010), Department of Primary Industries and Fisheries, 2007</p> <p>3. Dredging, extraction and spoil disposal activities (FHMOP 004), Department of Primary Industries, 1998</p> <p>4. Departmental procedures for permit applications assessment and approvals for insect pest control in wetlands (FHMOP 003), Department of Primary Industries, 1996</p> <p>5. Fisheries guidelines for fish-friendly structures (FHG 006), Department of Primary Industries and Fisheries, 2006.</p>		
	<p>AO4.2 The extent of marine plants removed, damaged or destroyed does not exceed two metres along the waterway frontage (width).</p> <p>AND</p>	<p>Complies. Refer to the Waterways Determination and Marine Plant Assessment Report (<b>Appendix G</b>), which indicates that the mapped waterway dose not demonstrate the physical and hydrological attributes required to be defined as a watercourse. The Department of Agriculture and Fisheries (DAF) indicated in pre-lodgement advice (<b>Appendix R</b>) that the mapped feature is not considered a waterway, therefore the extent of proposed marine plant removal is not greater than the prescribed two metres.</p>
	<p>AO4.3 The long-term use and operability of the development will not result in ongoing adverse impacts or new adverse impacts or additional development. For example, a proposed jetty will not result in the need to dredge navigation access to the development in the future.</p>	<p>Complies. The proposed development will not result in ongoing adverse impacts or additional adverse impacts. Conversely, the proposed development seeks to offset the proposed clearing of marine plants with rehabilitation of wetland areas as prescribed in the Waterways Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>
	<p>AND one of the following acceptable outcomes apply</p> <p>AO4.4 The extent of marine plant removal, damage or destruction for a jetty or pontoon development has a maximum:</p> <ol style="list-style-type: none"> <li>1. area of 30 square metres;</li> <li>2. width of two metres along the shoreline (highest astronomical tide);</li> <li>3. length of 15 metres from highest astronomical tide (measured perpendicular to the shore).</li> </ol> <p>OR</p>	<p>N/A</p>
	<p>AO4.5 The boat ramp development has a maximum development footprint of 45 square metres.</p> <p>For any other development, no acceptable outcome is prescribed.</p>	<p>N/A</p> <p>The proposed development seeks to clear an area of 0.1965ha, which is proposed to be substantially offset</p>

Performance outcomes	Acceptable outcomes	Response
		with rehabilitation of 15 hectares, of which approximately 4 hectares will be wetland area. The proposed clearing of marine plants is prescribed in the Waterways Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
PO5 The timing of works avoids marine plant flowering, fish spawning and fish migration periods.	No acceptable outcome is prescribed.	Complies. The proposed clearing may be undertaken in accordance with suitable timing.
<p>PO6 Development of or adjacent to, fish habitats avoids the unnecessary loss, degradation or fragmentation of fish habitats and their values and the loss of fish movement.</p> <p>Note: For more information, refer to relevant fish habitat management operational policies and fish habitat guidelines:</p> <ol style="list-style-type: none"> <li>1. Management and protection of marine plants and other tidal fish habitats (FHMOP 001), Department of Primary Industries and Fisheries, 2007</li> <li>2. Tidal fish habitats, erosion control and beach replenishment (FHMOP 010), Department of Primary Industries and Fisheries, 2007</li> <li>3. Dredging, extraction and spoil disposal activities (FHMOP 004), Department of Primary Industries, 1998</li> <li>4. Departmental procedures for permit applications assessment and approvals for insect pest control in wetlands (FHMOP 003), Department of Primary Industries, 1996</li> <li>5. Fisheries guidelines for fish-friendly structures (FHG 006), Department of Primary Industries and Fisheries, 2006.</li> </ol>	No acceptable outcome is prescribed.	Complies. Refer to the Waterways Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ), which indicates that the mapped waterway does not demonstrate the physical and hydrological attributes required to be defined as a watercourse. The Department of Agriculture and Fisheries (DAF) indicated in pre-lodgement advice ( <b>Appendix R</b> ) that the mapped feature is not considered a waterway, the proposed development is not anticipated to result in unnecessary loss or fragmentation of fish habitats.
<p>PO7 Development does not increase the risk of mortality, disease or injury, or compromise the health, productivity, marketability or suitability for human consumption of fisheries resources, having regard to (but not limited to):</p> <ol style="list-style-type: none"> <li>1. biotic and abiotic conditions, such as water and sediment quality</li> <li>2. substances that are toxic to plants or toxic to or cumulative within fish</li> </ol>	No acceptable outcome is prescribed.	Complies. Refer to the Waterways Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ), which indicates that the mapped waterway does not demonstrate the physical and hydrological attributes required to be defined as a watercourse. The Department of Agriculture and Fisheries (DAF) indicated in pre-lodgement advice ( <b>Appendix R</b> ) that the mapped feature is not considered a waterway, the proposed development is not anticipated to result in unnecessary loss or fragmentation of fish habitats.

Performance outcomes	Acceptable outcomes	Response
<p>3. design of structures  4. impacts on reproductive success  5. effect on fish energy reserves  6. whether fish may be physically damaged, killed, trapped or stranded  7. fish passage and access to habitats generally; and  8. the impacts of pest fish and other relevant pest species.</p> <p>Note: A fish salvage plan may be required to demonstrate compliance with the performance outcome and may form a condition of any approval.</p> <p>Permits or other authorities may be required under the <i>Fisheries Act 1994</i> for the use of regulated fishing apparatus and to possess fisheries resources.</p>		
<p>PO8 Works are undertaken to encourage fish habitats and fisheries resource values to naturally regenerate.</p> <p>Note: Substitution of fish habitats is not supported.</p> <p>A condition of approval for any marine plant restoration is likely to require a post-works monitoring and maintenance program appropriate for the scale of the restoration works.</p>	No acceptable outcome is prescribed.	N/A.
<p>PO9 Development likely to cause drainage or disturbance to acid sulfate soils, prevents the release of contaminants and impacts on fisheries resources and fish habitats.</p> <p>Note: Management of acid sulfate soil is consistent with the current Queensland acid sulfate soil technical manual: Soil management guidelines v4.0, Department of Science, Information Technology, Innovation and the Arts, 2014.</p>	No acceptable outcome is prescribed.	N/A. Geotechnical investigation will be undertaken to avoid areas of Potential Acid Sulfate Soils (PASS) where identified.
PO10 Tidal and freshwater inundation and drainage patterns, extent and timing are maintained or restored	For bridges:	

Performance outcomes	Acceptable outcomes	Response
such that ecological processes continue and associated fish habitat values and condition are maintained.	<p>AO10.1 Bridges are designed with abutments above the highest astronomical tide. AND</p> <p>For water, sewer or stormwater infrastructure:</p> <p>AO10.2 Infrastructure is placed below the existing natural substrate surface level, and natural substrate, surface levels and habitat condition and values are reinstated.</p> <p>For any other development, no acceptable outcome is prescribed.</p>	<p>The proposed development seeks to clear an area of 0.1965ha, which is proposed to be substantially offset with rehabilitation of 15 hectares, of which approximately 4 hectares will be wetland area. The proposed clearing of marine plants is prescribed in the Waterways Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>
<p>PO11 Development:</p> <ol style="list-style-type: none"> <li>1. maintains natural processes of erosion and accretion unless there is an immediate and significant threat; and</li> <li>2. does not result in increased risk of waterway bed or bank scour or erosion or shoreline or foreshore erosion.</li> </ol>	<p>No acceptable outcome is prescribed.</p>	<p>Complies. Refer to the Waterways Determination and Marine Plant Assessment Report (<b>Appendix G</b>), which indicates that the mapped waterway does not demonstrate the physical and hydrological attributes required to be defined as a watercourse. The Department of Agriculture and Fisheries (DAF) indicated in pre-lodgement advice (<b>Appendix R</b>) that the mapped feature is not considered a waterway</p>
<p>PO12 The development is designed, sited and constructed to ensure its long-term use and operability will not result in ongoing adverse impacts or new adverse impacts or additional development including:</p> <ol style="list-style-type: none"> <li>1. dredging to maintain access</li> <li>2. trimming of marine plants</li> <li>3. warning signs or protective structures.</li> </ol>	<p>No acceptable outcome is prescribed.</p>	<p>Complies. The proposed development will not result in ongoing adverse impacts or additional adverse impacts. Conversely, the proposed development seeks to offset the proposed clearing of marine plants with rehabilitation of wetland areas as prescribed in the Waterways Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>
<p>PO13 Development does not restrict or reduce public use of or access to tidal land and waterways (areas host to fisheries resources).</p>	<p>For development for a material change of use or reconfiguration of a lot:</p> <p>AO13.1 Tidal land and fish habitats are separated from development and are available for public use.</p>	<p>Complies. The proposed development does not seek to reduce or impede public access on the adjoining Unallocated State Land (USL). The proposed development will be confined to the subject site, which is freehold</p>

Performance outcomes	Acceptable outcomes	Response
	For any other development, no acceptable outcome is prescribed.	
<p>PO14 Development does not adversely impact on community access to fisheries resources and fish habitats including recreational and indigenous fishing access.</p> <p>Note: In some cases, compensation for impact on fisheries access, operations and/or productivity may be necessary. The Guideline on fisheries adjustment provides advice for proponents on relevant fisheries adjustment processes and is available by request from the Department of Agriculture and Fisheries.</p>	AO14.1 The development does not alter existing infrastructure or existing community access arrangements.	Complies. The proposed development does not seek reduce or impede public access on the adjoining Unallocated State Land (USL). The proposed development will be confined to the subject site, which is freehold
<p>PO15 Development does not adversely impact on commercial fishing access and linkages between a commercial fishery and infrastructure, services and facilities.</p> <p>Note: In some cases, compensation for impact on fisheries access, operations and/or productivity may be necessary. The Guideline on fisheries adjustment provides advice for proponents on relevant fisheries adjustment processes and is available by request from the Department of Agriculture and Fisheries.</p>	No acceptable outcome is prescribed.	N/A
<b>Private maritime infrastructure</b>		
PO16 Evidence of a relevant development approval for the removal, damage or destruction of marine plants is required if a material change of use or reconfiguration of a lot occurred since 1 March 2005.	No acceptable outcome is prescribed.	N/A
<b>Erosion control structures and beach replenishment</b>		
<p>PO17 Removal, destruction or damage to marine plants as a result of erosion control structures or beach replenishment only occurs where there is an immediate and significant threat of erosion to:</p> <ol style="list-style-type: none"> <li>1. the use of the land for its existing or approved purpose; and</li> <li>2. infrastructure, structures or buildings are not expendable or not able to be relocated.</li> </ol>	No acceptable outcome is prescribed.	N/A

Performance outcomes	Acceptable outcomes	Response
Note: Further detail on erosion control is provided in Tidal fish habitats, erosion control and beach replenishment (FHMOP 010), Department of Primary Industries and Fisheries, 2007.		
PO18 The area that the beach replenishment is to be carried out on is a high-energy, sandy sediment shoreline with biological communities adapted to mobile sediments.	No acceptable outcome is prescribed.	N/A
PO19 Erosion control structures including beach replenishment does not create terrestrial land, unless it is a sacrificial dune or beach which forms an integral part of the erosion control design.	No acceptable outcome is prescribed.	N/A
PO20 The beach replenishment work is undertaken in a way that minimises the need for other erosion control activities or works.	No acceptable outcome is prescribed.	N/A
PO21 The beach replenishment work is undertaken in a way that minimises the frequency of any ongoing replenishment requirements.	AO21.1 Beach replenishment will not require maintenance more often than every two years.  AND	N/A
	AO21.2 A source of replenishment material for future maintenance is identified and secured.	N/A
PO22 Erosion control structures are located parallel to the shoreline and as far landward as possible to avoid impacts to tidal land and marine plants.	No acceptable outcome is prescribed.	N/A
<b>Dredging</b>		
PO23 Capital dredging is to create or provide access to public infrastructure.  Note: 1. Privately owned marina facilities or maritime infrastructure development that is open to the general public and facilitates unrestricted public use for fishing purposes may be considered public infrastructure 2. Dredging for access to private structures that do not provide unrestricted public use is not supported.	No acceptable outcome is prescribed.	N/A
PO24 Maintenance dredging is consistent with an existing development approval for dredging; and within approved profiles for navigational purposes.	No acceptable outcome is prescribed.	N/A
PO25 Disposal of dredge spoil avoids adverse impacts on marine plants.	AO25.1 Dredge spoil is not deposited on tidal land.	N/A
<b>Temporary works</b>		

Performance outcomes	Acceptable outcomes	Response
PO26 Fish habitats and the fisheries resources they support are restored to pre-existing or improved condition and extent when the temporary works has ceased.	No acceptable outcome is prescribed.	N/A
PO27 Temporary works will be in place or are undertaken for a specified period and for the shortest possible time.	No acceptable outcome is prescribed.	N/A
PO28 A temporary structure is in place for a specified period and is designed to be completely removed.	No acceptable outcome is prescribed.	N/A
<b>Restoration</b>		
<p>PO29 Restoration does not:</p> <ol style="list-style-type: none"> <li>1. compromise condition of fish habitats or fisheries productivity; or</li> <li>2. substitute a particular fish habitat for another type of habitat, for example, creation of mangrove communities from other tidal fish habitats; or</li> <li>3. substitute a natural fish habitat for artificial fish habitat; or</li> <li>4. deliver fish habitats that are likely to be regularly disturbed, such as through predictable sediment removal or maintenance dredging; or</li> <li>5. deliver fish habitats that will predictably be at a high risk of contamination and/or further disturbance.</li> </ol> <p>Note: For further guidance refer to Restoration of fish habitats: Fisheries guidelines for marine areas (FHG 002), Department of Primary Industries, 1998.</p> <p>Restoration works authorised through an endorsed restoration plan under the code for self- assessable development MP06 – Minor impact works in a declared fish habitat area or involving the removal, destruction or damage of marine plants, Department of Agriculture, Fisheries and Forestry, 2013, do not require a development permit.</p>	No acceptable outcome is prescribed.	N/A



Performance outcomes	Acceptable outcomes	Response
PO30 Marine plants to be used for revegetation purposes have local provenance.	AO30.1 Marine plants used in restoration works are collected within a 100 kilometre radius of the site.	Complies. The proposed rehabilitation works will be undertaken utilising appropriate species.
<b>Matters of state environmental significance</b>		
<p>PO31 Development:</p> <ol style="list-style-type: none"> <li>1. avoids impacts on matters of state environmental significance; or</li> <li>2. minimises and mitigates impacts on matters of state environmental significance after demonstrating avoidance is not reasonably possible; and</li> <li>3. provides an offset if, after demonstrating all reasonable avoidance, minimisation and mitigation measures are undertaken, the development results in an acceptable significant residual impact on a matter of state environmental significance.</li> </ol> <p>Statutory note: For Brisbane core port land, an offset may only be applied to development on land identified as E1 Conservation/Buffer, E2 Open Space or Buffer/Investigation in the Brisbane Port LUP precinct plan. For the Brisbane Port LUP, see <a href="http://www.portbris.com.au">www.portbris.com.au</a>.</p> <p>Note: For the purpose of this code, the matter of state environmental significance assessed is marine plants under the <i>Fisheries Act 1994</i>.</p> <p>Guidance for determining if the development will have a significant residual impact on the matter of state environmental significance is provided in the Significant Residual Impact Guideline, Department of State Development, Infrastructure and Planning, 2014. Where the significant residual impact is considered an acceptable impact on the matter of state environmental significance under the Environmental Offsets framework and an offset is</p>	No acceptable outcome is prescribed.	Complies. The proposed development will be sited to avoid areas of MSES where possible as detailed in the Waterways Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ). The proposed development seeks to clear an area of 0.1965ha, which is proposed to be substantially offset with rehabilitation of 15 hectares, of which approximately 4 hectares will be wetland area.

Performance outcomes	Acceptable outcomes	Response
considered appropriate, the offset should be delivered in accordance with the <i>Environmental Offsets Act 2014</i> .		

# State code 18: Constructing or raising waterway barrier works in fish habitats

Table 18.2.2: Operational work

Performance outcomes	Acceptable outcomes	Response
<b>All development</b>		
<b>PO1</b> There is a demonstrated need for the development and alternatives (locations and designs) which have a lesser impact on fish passage or do not involve constructing or raising waterway barrier works are not viable.	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
<b>PO2</b> Development has a functional requirement to be located within a waterway. Ancillary elements of development occur outside the waterway.  Note: Bed and banks of the waterway and any associated wetlands and riparian areas within the development site should be accurately identified on plans provided with the application, together with the location of highest astronomical tide, mean high water spring and mean low water spring tide heights if the waterway is tidal.	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
<b>PO3</b> The number and extent of waterway barrier works and the spatial and temporal extent of their impacts on waterways providing for fish passage are minimised.	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
<b>PO4</b> For the life of the barrier, adequate fish passage must be provided and maintained at all waterway barrier works through:  1. fish way(s) that adequately provide for the movement of fish; or  2. the movement of fish is adequately provided for in another way.	For all crossings:  AO4.1 Hydraulic conditions (depth, velocities and turbulence) from the downstream to the upstream limit of the structure allow for fish passage of all fish attempting to move through the crossing at all flows up to the drownout of the structure. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.2 For the life of the crossing, the relative levels of: 1. a bed level crossing or a culvert invert 2. bed erosion protection 3. apron scour protection; and 4. the stream bed are maintained to avoid drops in elevation at their joins.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).

Performance outcomes	Acceptable outcomes	Response
	AND	
	AO4.3 The crossing and associated erosion protection structures are installed at no steeper gradient than the waterway bed gradient. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.4 The crossing and associated erosion protection structures are roughened throughout to approximately simulate natural bed conditions. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.5 Design and maintenance measures are in place for the life of the crossing to keep crossings clear of blockages through a regular inspection program in order to retain fish passage through the crossing. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	For waterway crossings other than bridges and culverts:  AO4.6 The crossing is built at or below bed level so that the surface of the crossing is no higher than the stream bed at the site. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.7 The lowest point of the crossing is installed at the level of the lowest point of the natural stream bed (pre-construction), within the footprint of the proposed crossing. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.8 There is a height difference between the lowest point of the crossing and the edges of the low flow section of the crossing so that water is channelled into the low flow section of the crossing. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.9 The level of the remainder of the crossing is no higher than the lowest point of the natural stream bed outside of the low flow channel. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	For bridges:  AO4.10 Bridge support piles are not constructed within the low-flow channel and do not constrict the edges of the low-flow channel, and the number of piles in-stream are minimised. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.11 Bridge abutments and bank revetment works do not extend into the waterway beyond the toes of the banks. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).

Performance outcomes	Acceptable outcomes	Response
	AO4.12 Suitable fish habitats are maintained within the low-flow channel. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	For culverts:  AO4.13 Culverts are only installed where the site conditions do not allow for a bridge. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.14 The combined width of the culvert cell apertures are equal to 100 percent of the main channel width. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.15 The base of the culvert incorporates a low flow channel consistent with the natural low flow channel and: 1. is buried a minimum of 300 millimetres to allow bed material to deposit and reform the natural bed on top of the culvert base; or 2. the base of the culvert is the stream bed; or 3. the base of the culvert cell and any instream scour protection is roughened throughout to approximately simulate natural bed conditions. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.16 The outermost culvert cells incorporate roughening elements such as baffles on their bankside sidewalls. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.17 Roughening elements are installed on the upstream wingwalls on both banks to the height of the upstream obvert or the full height of the wingwall. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.18 Roughening elements provide a contiguous lower velocity zone (no greater than 0.3 metres/second) for at least 100 millimetres width from the wall through the length of the culvert and wingwalls. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.19 Culvert alignment to the stream flow minimises water turbulence. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AO4.20 There is sufficient light at the entrance to and through the culvert so that fish are not discouraged by a sudden darkness. AND	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).

Performance outcomes	Acceptable outcomes	Response
	<p>AO4.21 The depth of cover above the culvert is as low as structurally possible, except where culverts have an average recurrence interval (ARI) greater than 50 years. AND</p> <p>AO4.22 For culvert crossings designed with a flood immunity ARI greater than 50 years, fish passage is provided up to culvert capacity.</p> <p>For all other development no acceptable outcome is prescribed.</p>	<p>Refer to the Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p> <p>Refer to the Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>
<p>(1) <b>PO5</b> Waterway barrier works are designed, constructed, operated and maintained to provide lateral and longitudinal fish passage for all members of the fish community, regardless of size, species, life-stage or swimming ability, and accommodating future and seasonal increases in fish biomass.</p> <p>(2)</p> <p>(3) Note: In order to demonstrate compliance with this performance outcome, the seasonal and flow related biomass of the fish community at the location of the proposed waterway barrier works will need to be surveyed and addressed in the design of the fish way by a person suitably qualified and experienced in fish passage biology. In addition, any future increases in fish biomass should be quantified and catered for.</p> <p>(4)</p> <p>(5) Lateral fish passage refers to the movement into both permanent and temporary offstream systems, including wetlands, lagoons, floodplain etc. Fragmentation of connectivity into and out of these systems must be mitigated via adequate fish passage.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Refer to the Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>
<p><b>PO6</b> Development is designed and operated so that all components of waterway barrier works (for example scour protection, intake and outlet structures, spillway, stilling basin, apron and dissipation structures) and all pathways of potential fish movement provide safe fish passage. Stepped spillways (including sheet pile weirs) are not acceptable.</p> <p>Note: Stepped spillway (including sheet pile weirs) have been associated with high mortalities and injuries to fish.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Refer to the Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>

Performance outcomes	Acceptable outcomes	Response
<p>Assessment of this performance outcome will include consideration of adequate tailwater depth at the toe of the spillway (for example: stilling basin) at commencement to spill (for example: 30 percent of the head difference).</p>		
<p><b>PO7</b> The drownout characteristics of the waterway barrier works and the frequency, timing and duration of drownout conditions will provide adequate fish passage for the fish community and biomass moving past the barrier.</p> <p>Note: Determining adequacy of fish passage will involve consideration of passage achieved during drownout and during other hydraulic conditions and the relative frequencies of these conditions among other things.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Refer to the Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>
<p><b>PO8</b> Development does not increase the risk of mortality, disease or injury, or compromise the health, productivity, marketability or suitability for human consumption of fisheries resources, having regard to (but not limited to):</p> <ol style="list-style-type: none"> <li>1. biotic and abiotic conditions, such as water and sediment quality</li> <li>2. substances that are toxic to plants or toxic to or cumulative within fish</li> <li>3. design of structures</li> <li>4. impacts on reproductive success</li> <li>5. effect on fish energy reserves</li> <li>6. whether fish may be physically damaged, injured, killed, trapped or stranded</li> <li>7. fish passage and access to habitat generally; and</li> <li>8. the impacts of pest fish and other relevant pest species.</li> </ol>	<p>No acceptable outcome is prescribed.</p>	<p>Refer to the Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>

Performance outcomes	Acceptable outcomes	Response
<p>Note: A fish salvage plan may be required to demonstrate compliance with the performance outcome and may form a condition of any approval. Permits or other authorities may be required under the <i>Fisheries Act 1994</i> for the use of regulated fishing apparatus and to possess fisheries resources.</p>		
<p><b>PO9</b> Development:</p> <ol style="list-style-type: none"> <li>1. avoids non-essential hardening or unnatural modification of the main channel of the waterway</li> <li>2. retains natural fish habitat and features such as rock outcrops and boulders, wherever possible</li> <li>3. avoids channelisation (i.e. straightening) of meandering waterways or where channels need to be significantly modified, simulates natural waterways and habitat features (for example, by including meanders, pools, riffles, shaded and open sections, deep and shallow sections and different types of substrata); and</li> <li>4. avoids construction during times of elevated flows.</li> </ol>	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
<p><b>PO10</b> Where waterway barrier works will modify water levels or flow characteristics of the waterway, existing up and downstream structures are upgraded to provide adequate fish passage in accordance with the new levels or flow characteristics.</p>	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
<p><b>PO11</b> Sufficient water exchange and flow is maintained and provided to sustain and where necessary restore, water quality and the health and condition of fisheries resources, ecological functions and fish passage.</p>	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
<p><b>PO12</b> Development likely to cause drainage or disturbance to acid sulfate soils, prevents the release of contaminants and impacts on fisheries resources and fish habitats.</p>	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).



Performance outcomes	Acceptable outcomes	Response
Note: Management of acid sulfate soil is consistent with the current Queensland acid sulfate soil technical manual: Soil Management Guidelines V4.0, Department of Science, Information Technology, Innovation and the Arts, 2014.		
<b>PO13</b> Construction avoids direct and indirect disturbance, or where avoidance is not possible, minimises direct and indirect disturbance to beds, banks and vegetation adjacent to the permanent development footprint.	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
<b>PO14</b> After completion of in-stream works, disturbed areas of the bed and banks of the waterway outside the permanent development footprint are returned to their original profile and stabilised to promote regeneration of natural fish habitats.  Note: Monitoring of the success of fish habitat regeneration, within and adjacent to the work site, is likely to be conditioned as part of any development approval.	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
<b>PO15</b> The natural substrate of the waterway bed is retained or reconstructed so that the post-construction substrate is comparable to the natural substrate; for example in terms of size and consistency.	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
<b>PO16</b> Development does not adversely impact on community access to tidal land and waterways.	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
<b>PO17</b> Development does not adversely impact on community access to fisheries resources and fish habitats including recreational and indigenous fishing access.  Note: In some cases, compensation for impact on fisheries access, operations and/or productivity may be necessary. The Guideline on fisheries adjustment provides advice for proponents on relevant fisheries adjustment processes and is available by request from the Department of Agriculture and Fisheries.	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).

Performance outcomes	Acceptable outcomes	Response
<p><b>PO18</b> Development does not adversely impact on commercial fishing access and linkages between a commercial fishery and infrastructure, services and facilities.</p> <p>Note: In some cases, compensation for impact on fisheries access, operations and/or productivity may be necessary. The Guideline on fisheries adjustment provides advice for proponents on relevant fisheries adjustment processes and is available by request from the Department of Agriculture and Fisheries.</p>	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
<b>Development involving fish ways</b>		
<p><b>PO19</b> Having regard to the hydrology of the site and fish movement characteristics, the fish way is capable of operating, and will operate:</p> <ol style="list-style-type: none"> <li>for as long as the waterway barrier work is in position; and</li> <li>whenever there are inflows into the impoundment or waterway, release out of the impoundment and during overtopping events; and</li> <li>when the impoundment is above dead storage level.</li> </ol>	<p>AO19.1 For the life of the waterway barrier works, the lower operational range of the fish way is at least:</p> <ol style="list-style-type: none"> <li>0.5 metres below minimum headwater drawdown level; and</li> <li>0.5 metres below minimum tail water level at the site.</li> </ol>	N/A
<p><b>PO20</b> For the life of the waterway barrier works, the hydrology of the development allows for adequate fish movement.</p>	<p>AO20.1 The lower operational range of the fish way is at least:</p> <ol style="list-style-type: none"> <li>0.5 metres below minimum headwater drawdown level; and</li> <li>0.5 metres below minimum tail water level at the site.</li> </ol>	N/A
<p><b>PO21</b> Fish way maximises fish movement by providing:</p> <ol style="list-style-type: none"> <li>continuous attraction flows at the fish way entrance under all flow conditions within the fish way's operating range</li> <li>additional means of fish attraction are included in the fish way design if appropriate</li> <li>attraction flow velocities are sufficient and variable to attract the whole fish community, and expected future and seasonal biomass</li> </ol>	No acceptable outcome is prescribed.	N/A

Performance outcomes	Acceptable outcomes	Response
4. adequate holding chamber capacity for the expected fish biomass in any lock, lift, trap and transfer type fish ways  5. adequate exit conditions for downstream fish passage; and  6. for future adjustments in capacity or operation that may be needed once in place.		
<b>PO22</b> Fish ways are designed so that: <ol style="list-style-type: none"> <li>1. water intakes, outlets, screens and other structures do not cause entrainment, injury or mortality to fish</li> <li>2. appropriate light levels are maintained at entrances, exits and throughout the fish way to ensure successful use by fish</li> <li>3. fish attracted to the spillway or outlet flows are able to access the fish way without having to swim back downstream</li> <li>4. fish are able to exit upstream and downstream fish ways at a water levels over the full range of tailwater and headwater levels</li> <li>5. exits are located to avoid fish being washed back over the spillway during overtopping</li> <li>6. adequate hydraulic conditions and minimum water depth for fish passage is maintained throughout the fish way</li> <li>7. predation on fish using the fish way is avoided</li> </ol>	No acceptable outcome is prescribed.	N/A

Performance outcomes	Acceptable outcomes	Response
<p>8. rubbish and debris do not impede fish passage or cause blockages or damage the fish way</p> <p>9. delays in fish movement are avoided when fish are undertaking upstream spawning migrations; and</p> <p>10. delays in fish movement are avoided immediately after times when there have been flows in the system but no fish passage in the rising hydrograph.</p>		
<p><b>PO23</b> All water releases are directed through the fish way as a priority over the outlet works.</p>	<p>No acceptable outcome is prescribed.</p>	<p>N/A</p>
<p><b>PO24</b> All flows and releases initiate and terminate adjacent to the fish way or are directed parallel to the fish way entrance and all flows are transferred to the fish way as soon as possible during a flow recession.</p> <p>Note: Flows and releases include but are not limited to spillway overtopping and outlet flows. Such flows must not compete with fish way attraction flows or reduce the operation of a fish way.</p>	<p>No acceptable outcome is prescribed.</p>	
<p><b>PO25</b> Mechanisms are in place to ensure that operational issues in fish ways are promptly rectified for the life of the fish way including but not limited to:</p> <ol style="list-style-type: none"> <li>1. all components are designed to be durable, reliable and adequately protected from damage during high flow and flood events</li> <li>2. all components can be replaced; and</li> <li>3. a contingency plan ensures provision of alternate adequate fish passage during the fish way re-instatement process.</li> </ol> <p>Note: Fish way downtime greater than 14 consecutive calendar days is likely to have a significant impact to fisheries resources.</p>	<p>No acceptable outcome is prescribed.</p>	<p>N/A</p>
<p><b>PO26</b> Development provides for:</p>	<p>No acceptable outcome is prescribed.</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> <li>1. installation of monitoring equipment (such as traps and lifting equipment); and</li> <li>2. access for monitoring, maintenance and operational purposes.</li> </ol>		
<b>PO27</b> Water supply for the fish ways and attraction flows are sourced from surface quality water or equivalent water quality.	No acceptable outcome is prescribed.	N/A
<b>PO28</b> Tailwater control structures such as a gauging weir, rock bar or stream crossings are fitted with a fish way or designed to provide fish passage.	No acceptable outcome is prescribed.	N/A
<b>Development involving floodgates</b>		
<b>PO29</b> Floodgates are designed and operated: <ol style="list-style-type: none"> <li>1. to provide hydraulic conditions adequate for fish passage over an adequate duration of the tidal cycle; and</li> <li>2. as tidally activated, automatic floodgates.</li> </ol>	No acceptable outcome is prescribed.	N/A
<b>PO30</b> The invert of the floodgate is at bed level.	No acceptable outcome is prescribed.	N/A
<b>PO31</b> The operation of the floodgate will not result in adverse impacts on water quality that may harm fish or fish habitat.	No acceptable outcome is prescribed.	N/A
<b>Temporary waterway barrier works</b>		
<b>PO32</b> The temporary waterway barrier works will exist only for a specified temporary period and provide for adequate fish movement.	<b>AO32.1</b> The temporary waterway barrier work: <ol style="list-style-type: none"> <li>1. is a partial barrier, or</li> <li>2. does not constrict the area or flows of a low flow channel.</li> </ol>	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).
	AND one of the following acceptable outcomes apply: <b>AO32.2</b> The temporary structure is only in place outside of known fish spawning or migration periods. OR	
	<b>AO32.3</b> The barrier is opened periodically every five days for at least 48 hours to allow <b>fish</b> movement and water exchange. OR	

Performance outcomes	Acceptable outcomes	Response
	AO32.4 Fish movement is provided for via a stream diversion.	
<b>PO33</b> Temporary barriers are removed at the end of their design life, so that full movement for <b>fish</b> is reinstated and the bed and banks are returned to their original profile and stability.	No acceptable outcome is prescribed.	
<b>PO34</b> Where there are species, at the site of the temporary waterway barrier works that require downstream movement during works, provisions are made to allow those species to move downstream.	No acceptable outcome is prescribed.	
<b>PO35</b> The condition and value of aquatic macrophytes and other fish habitats is maintained.	No acceptable outcome is prescribed.	
<b>Matters of state environmental significance</b>		
<p><b>PO36</b> Development:</p> <ol style="list-style-type: none"> <li>1. avoids impacts on matters of state environmental significance; or</li> <li>2. minimises and mitigates impacts on matters of state environmental significance after demonstrating avoidance is not reasonably possible; and</li> <li>3. provides an offset if, after demonstrating all reasonable avoidance, minimisation and mitigation measures are undertaken, the development results in an acceptable significant residual impact on a matter of state environmental significance.</li> </ol> <p>Statutory note: For Brisbane core port land, an offset may only be applied to development on land identified as E1 Conservation/Buffer, E2 Open Space or Buffer/Investigation in the Brisbane Port LUP precinct plan. For the Brisbane Port LUP, see <a href="http://www.portbris.com.au">www.portbris.com.au</a>.</p> <p>Note: For the purpose of this code, the matters of state environmental significance assessed are marine plants, waterways that provide for fish passage and declared fish habitat areas.</p> <p>Guidance for determining if the development will have a significant residual impact on the matter of state environmental significance is provided in the</p>	No acceptable outcome is prescribed.	Refer to the Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ) and the Environmental Assessment report ( <b>Appendix H</b> ).

Performance outcomes	Acceptable outcomes	Response
<p>Significant Residual Impact Guideline, Department of State Development, Infrastructure and Planning, 2014. Where the significant residual impact is considered an acceptable impact on the matter of state environmental significance under the Environmental Offsets framework and an offset is considered appropriate, the offset should be delivered in accordance with the <i>Environmental Offsets Act 2014</i>.</p>		

# State code 16: Native vegetation clearing

Table 16.2.2: General

Performance outcomes	Acceptable outcomes	Response
<b>Clearing avoids or minimises impacts</b>		
<p>PO1 Clearing and adverse impacts of clearing do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:</p> <ol style="list-style-type: none"> <li>1. reasonably avoided; or</li> <li>2. reasonably minimised where it cannot be reasonably avoided.</li> </ol>	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).
<b>Clearing on land in particular circumstances</b>		
<p>PO2 Clearing is consistent with any notice requiring compliance on the land subject to the development application, unless a better environmental outcome can be achieved.</p> <p>Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured.</p> <p>Further guidance on meeting the requirements of a better environmental outcome can be found in State Development Assessment Provisions Guidance Material: State code 16: Native vegetation clearing, Department of Natural Resources and Mines and Energy, 2019.</p>	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).
<p>PO3 Clearing is consistent with vegetation management requirements for particular regulated areas unless a better environmental outcome can be achieved.</p>	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).



Performance outcomes	Acceptable outcomes	Response
<p>Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured.</p> <p>Further guidance on meeting the requirements of a better environmental outcome can be found in State Development Assessment Provisions Guidance Material: State code 16: Native vegetation clearing, Department of Natural Resources and Mines and Energy 2019.</p>		
<p><b>PO4 Clearing of a legally secured offset area:</b></p> <ol style="list-style-type: none"> <li>1. is consistent with the offset delivery plan; or agreement for the offset area on the land subject to the development application; or</li> <li>2. only occurs if an additional offset is provided that is consistent with the <i>Environmental Offsets Act 2014</i> and the relevant policy in the Queensland Environmental Offsets Policy, Department of Environment and Heritage Protection, 2014.</li> </ol> <p>Note: Reference to ‘agreement’ above includes the ‘agreed delivery arrangement’ for the offset area as well as instruments associated with the legally secured offset area. Clearing should be consistent with any agreement however described.</p>	No acceptable outcome is prescribed.	N/A
<b>Clearing of vegetation as a result of the material change of use or reconfiguration of a lot</b>		
PO5 Clearing as a result of a material change of use, or clearing as a result of reconfiguring a lot does not occur.	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).
<b>Clearing that could already be done under an exemption</b>		
PO6 Clearing does not occur unless it is clearing that could be done as exempt clearing work for the purpose of the development (as prescribed under schedule 21 of the Planning Regulation 2017) prior to the material change of use or reconfiguring a lot application being approved.	No acceptable outcome is prescribed.	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).

Table 16.2.3: Specific

Performance outcomes	Acceptable outcomes	Response
Clearing associated with wetlands (public safety, relevant infrastructure activities consequential development of IPA approval, a coordinated project, extractive industry)		
PO7 Clearing maintains the current extent of vegetation associated with any natural wetland to protect: <ol style="list-style-type: none"> <li>1. bank stability by protecting against bank erosion;</li> </ol> and <ol style="list-style-type: none"> <li>2. water quality by filtering sediments, nutrients and other pollutants; and</li> <li>3. aquatic habitat; and</li> <li>4. terrestrial habitat.</li> </ol>	AO7.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland.  OR	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).
	AO7.2 Clearing within 100 metres of the defining bank of any natural wetland: <ol style="list-style-type: none"> <li>1. does not occur within 10 metres of the defining bank of any natural wetland; and</li> <li>2. does not exceed widths in table 16.3.1 in this code.</li> </ol> OR	
	AO7.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (matter of state environmental significance).	Complies. Refer to the Environmental Assessment Report ( <b>Appendix H</b> ).
Clearing associated with wetlands (necessary to control non-native plants or declared pests, encroachment, managing thickened vegetation, fodder harvesting)		
PO8 Clearing maintains vegetation associated with a natural wetland to protect: <ol style="list-style-type: none"> <li>1. bank stability by protecting against bank erosion; and</li> <li>2. water quality by filtering sediments, nutrients and other pollutants; and</li> </ol>	Clearing necessary to control non-native plants or declared pests:  AO 8.1 Mechanical clearing does not occur in any of the following areas, unless it is required to provide necessary access to control non-native plants or declared pests:	N/A

Performance outcomes	Acceptable outcomes	Response
3. aquatic habitat; and 4. terrestrial habitat.	<ol style="list-style-type: none"> <li>1. inside the defining bank of any natural wetland; and</li> <li>2. within 20 metres of the defining bank of any natural wetland.</li> </ol> <p>AND</p> <p>AO8.2 Clearing to provide necessary access to control non-native plants or declared pests only occurs where:</p> <ol style="list-style-type: none"> <li>1. clearing does not exceed five metres in width; and</li> <li>2. clearing retains all mature trees and habitat trees; and</li> <li>3. the access track:               <ol style="list-style-type: none"> <li>a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or</li> <li>b. is required to provide access across the wetland.</li> </ol> </li> </ol> <p>AND</p> <p>AO8.3 Chemical clearing retains:</p> <ol style="list-style-type: none"> <li>1. all mature trees; and</li> <li>2. all habitat trees; and</li> <li>3. at least 50 per cent of immature trees in each 50 metre by 50 metre area.</li> </ol> <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO8.4 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a natural wetland:</p> <ol style="list-style-type: none"> <li>1. 100 metres; or</li> <li>2. the distance specified on the approved product label; or</li> <li>3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.</li> </ol> <p>AND</p> <p>AO8.5 Aerial application of a foliar herbicide does not occur within whichever is the greater distance from the defining bank of a natural wetland;</p> <ol style="list-style-type: none"> <li>1. 50 metres; or</li> <li>2. the distance specified for wetlands on the approved product label; or</li> <li>3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.</li> </ol> <p>AND</p> <p>Clearing for managing thickened vegetation:</p> <p>AO8.6 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. inside the defining bank of a natural wetland; and</li> <li>2. within 20 metres of the defining bank of a natural wetland.</li> </ol>	

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <hr/> <p>Clearing for encroachment:</p> <p>AO8.7 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. inside the defining bank of any natural wetland; and</li> <li>2. within 20 metres of the defining bank of any natural wetland.</li> </ol> <p>AND</p> <p>AO8.8 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a natural wetland</p> <ol style="list-style-type: none"> <li>1. 100 metres; or</li> <li>2. the distance specified on the approved product label; or</li> <li>3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.</li> </ol> <p>AND</p>	
	<p>Clearing for fodder harvesting:</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO8.9 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. inside the defining bank of any natural wetland; and</li> <li>2. within 20 metres of the defining bank of any natural wetland.</li> </ol> <p>AND</p>	
	<p>AO8.10 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. inside the defining bank of any natural wetland; and</li> <li>2. within 100 metres of the defining bank of any natural wetland.</li> </ol>	
<b>Clearing associated with wetlands (necessary environmental clearing – land restoration and natural disaster preparation)</b>		
<p>PO9 Clearing maintains vegetation associated with any natural wetland or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> <li>1. bank stability by protecting against bank erosion; and</li> <li>2. water quality by filtering sediments, nutrients and other pollutants; and</li> <li>3. aquatic habitat; and</li> <li>4. terrestrial habitat.</li> </ol>	<p>AO9.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. inside the defining bank of any natural wetland; and</li> <li>2. within 100 metres of the defining bank of any natural wetland.</li> </ol> <p>OR</p> <p>AO9.2 Clearing within 100 metres of the defining bank of any natural wetland only occurs where:</p> <ol style="list-style-type: none"> <li>1. clearing does not exceed 0.5 hectares; and</li> <li>2. clearing retains all mature trees and habitat trees; and</li> <li>3. clearing that is for flood preparation complies with all of the following:</li> </ol>	N/A

Performance outcomes	Acceptable outcomes	Response
	<p><b>a.</b> clearing is undertaken by felling only; and:</p> <p><b>b.</b> clearing does not exceed 100 square metres; and</p> <p><b>c.</b> clearing does not occur outside the defining banks of a natural wetland; and</p> <p><b>d.</b> clearing does not occur within 50 metres of other clearing for flood preparation.</p> <p>OR</p> <p>AO9.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ol style="list-style-type: none"> <li><b>1.</b> does not exceed 10 metres in width; and</li> <li><b>2.</b> retains all mature trees and habitat trees; and</li> <li><b>3.</b> the access track:               <ol style="list-style-type: none"> <li><b>a.</b> runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or</li> <li><b>b.</b> is required to provide access across the wetland.</li> </ol> </li> </ol>	

Performance outcomes	Acceptable outcomes	Response
	OR	
	AO9.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	
Clearing associated with wetlands (necessary environmental clearing - natural channel diversion and contaminants removal)		
<p>PO10 Clearing maintains the current extent of vegetation associated with any natural wetland or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> <li>1. bank stability by protecting against bank erosion; and</li> <li>2. water quality by filtering sediments, nutrients and other pollutants; and</li> <li>3. aquatic habitat; and</li> <li>4. terrestrial habitat.</li> </ol>	<p>AO10.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. inside the defining bank of any natural wetland; and</li> <li>2. within 100 metres of the defining bank of any natural wetland.</li> </ol> <p>OR</p> <p>AO10.2 Clearing within 100 metres of the defining bank of any natural wetland only occurs where:</p> <ol style="list-style-type: none"> <li>1. clearing does not exceed 0.5 hectares; and</li> <li>2. clearing retains all mature trees and habitat trees.</li> </ol> <p>OR</p> <p>AO10.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ol style="list-style-type: none"> <li>1. does not exceed 10 metres in width; and</li> <li>2. retains all mature trees and habitat trees; and</li> <li>3. the access track:               <ol style="list-style-type: none"> <li>a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or</li> </ol> </li> </ol>	<p>Refer to the Environmental Assessment Report (<b>Appendix H</b>) and Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>



Performance outcomes	Acceptable outcomes	Response
	<p><b>b.</b> is required to provide access across the wetland.</p> <p>OR</p> <p>AO10.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> <p>OR</p>	
	<p>AO10.5 Where clearing is for natural channel diversion or contaminants removal, and clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> <li>1. clearing has been reasonably minimised; and</li> <li>2. the cleared area cannot be reasonably rehabilitated,</li> </ol> <p>an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (a matter of state environmental significance).</p>	
<p>Clearing associated with watercourses and drainage features (public safety, relevant infrastructure activities, consequential development of IPA approval, coordinated project, extractive industry)</p>		
<p>PO11 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature to protect:</p> <ol style="list-style-type: none"> <li>1. bank stability by protecting against bank erosion; and</li> <li>2. water quality by filtering sediments, nutrients and other pollutants; and</li> <li>3. aquatic habitat; and</li> <li>4. terrestrial habitat.</li> </ol>	<p>AO11.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. inside the defining bank of a watercourse or drainage feature; and</li> <li>2. within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code.</li> </ol> <p>OR</p> <p>AO11.2 Clearing within any watercourse or drainage feature, or within the relevant distance</p>	<p>Refer to the Environmental Assessment Report (<b>Appendix H</b>) and Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>

Performance outcomes	Acceptable outcomes	Response
	<p>of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code:</p> <ol style="list-style-type: none"> <li>1. does not exceed the widths in table 16.3.1 of this code; and</li> <li>2. does not occur within 10 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature.</li> </ol> <p>OR</p> <p>AO11.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with any watercourse or drainage feature (a matter of state environmental significance).</p>	
<b>Clearing associated with watercourses and drainage features (necessary environmental clearing- land restoration and natural disaster preparation)</b>		
<p>PO12 Clearing maintains vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> <li>1. bank stability by protecting against bank erosion; and</li> <li>2. water quality by filtering sediments, nutrients and other pollutants; and</li> <li>3. aquatic habitat; and</li> </ol>	<p>AO12.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. inside the defining bank of a watercourse or drainage feature; and</li> <li>2. within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code.</li> </ol> <p>OR</p>	<p>Refer to the Environmental Assessment Report (<b>Appendix H</b>) and Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>

Performance outcomes	Acceptable outcomes	Response
<p>4. terrestrial habitat.</p>	<p>AO12.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code only occurs where:</p> <ol style="list-style-type: none"> <li>1. clearing does not exceed 0.5 hectares; and</li> <li>2. clearing retains all mature trees and habitat trees; and</li> <li>3. clearing that is for flood preparation complies with all of the following:               <ol style="list-style-type: none"> <li>a. clearing is undertaken by felling only; and</li> <li>b. clearing does not exceed 100 square metres; and</li> <li>c. clearing does not occur outside of the defining bank of any watercourse or drainage feature; and</li> <li>d. clearing does not occur within 50 metres of other clearing for flood preparation.</li> </ol> </li> </ol> <p>OR</p> <p>AO12.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ol style="list-style-type: none"> <li>1. does not exceed 10 metres in width; and</li> <li>2. retains all mature trees and habitat trees; and</li> <li>3. the access track:</li> </ol>	

Performance outcomes	Acceptable outcomes	Response
	<ul style="list-style-type: none"> <li>a. runs parallel to a watercourse or drainage feature and clearing is not within 10 metres of the defining bank of a watercourse or drainage feature; or</li> <li>b. is required to provide access across the watercourse or drainage feature.</li> </ul>	
	AO12.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	
Clearing associated with watercourses and drainage features (necessary environmental clearing – natural channel diversion, and contaminants removal)		
PO13 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect:	AO13.1 Clearing does not occur within any of the following areas: <ul style="list-style-type: none"> <li>1. inside the defining bank of a watercourse or drainage feature; and</li> </ul>	Refer to the Environmental Assessment Report ( <b>Appendix H</b> ) and Waterway Determination and Marine Plant Assessment Report ( <b>Appendix G</b> ).

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> <li>1. bank stability by protecting against bank erosion; and</li> <li>2. water quality by filtering sediments, nutrients and other pollutants; and</li> <li>3. aquatic habitat; and</li> <li>4. terrestrial habitat.</li> </ol>	<ol style="list-style-type: none"> <li>2. within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code.</li> </ol> <p>OR</p> <p>AO13.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code only occurs where:</p> <ol style="list-style-type: none"> <li>1. clearing does not exceed 0.5 hectares; and</li> <li>2. clearing retains all mature trees and habitat trees.</li> </ol> <p>OR</p> <p>AO13.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where:</p> <ol style="list-style-type: none"> <li>1. clearing does not exceed 10 metres in width; and</li> <li>2. clearing retains all mature trees and habitat trees; and</li> <li>3. the access track:               <ol style="list-style-type: none"> <li>a. runs parallel to a watercourse or drainage feature and clearing is not within 10 metres of the defining bank of a watercourse or drainage feature; or</li> <li>b. is required to provide access across the watercourse or drainage feature.</li> </ol> </li> </ol> <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO13.4 Where clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> <li>1. clearing has been reasonably minimised; and</li> <li>2. the cleared area cannot be reasonably rehabilitated, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a watercourse or drainage feature (a matter of state environmental significance).</li> </ol>	
<p>Clearing associated with watercourses or drainage features (necessary to control non-native plants or declared pests, managing thickened vegetation, fodder harvesting)</p>		
<p>PO14 Clearing maintains vegetation associated with any watercourse or drainage feature to protect:</p> <ol style="list-style-type: none"> <li>1. bank stability by protecting against bank erosion; and</li> <li>2. water quality by filtering sediments, nutrients and other pollutants; and</li> <li>3. aquatic habitat; and</li> <li>4. terrestrial habitat.</li> </ol>	<p>Clearing necessary to control non-native plants or declared pests:</p> <p>AO14.1 Mechanical clearing does not occur in any of the following areas, unless it is required to provide necessary access to control non-native plants or declared pests:</p> <ol style="list-style-type: none"> <li>1. inside the defining bank of any watercourse or drainage feature; and</li> <li>2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature; and</li> <li>3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; and</li> <li>4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature.</li> </ol>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <hr/> <p>AO14.2 Clearing to provide necessary access to control non-native plants or declared pests only occurs where:</p> <ol style="list-style-type: none"> <li>1. clearing does not exceed five metres in width; and</li> <li>2. clearing retains all habitat trees and mature trees; and</li> <li>3. the access track:               <ol style="list-style-type: none"> <li>a. runs parallel to the watercourse or drainage feature and is not within 10 metres of the defining bank of the watercourse or drainage feature; or</li> <li>b. is required to provide access across the watercourse or drainage feature.</li> </ol> </li> </ol> <p>AND</p> <hr/> <p>AO14.3 Chemical clearing retains all of the following:</p> <ol style="list-style-type: none"> <li>1. mature trees; and</li> <li>2. habitat trees; and</li> <li>3. at least 50 per cent of immature trees in any 50 metre by 50 metre area.</li> </ol>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO14.4 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a watercourse or drainage feature:</p> <ol style="list-style-type: none"> <li>1. 100 metres; or</li> <li>2. any distance specified on the approved product label; or</li> <li>3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.</li> </ol> <p>AND</p> <p>AO14.5 Aerial application of a foliar herbicide does not occur within whichever is the greater distance from the defining bank of a watercourse or drainage feature:</p> <ol style="list-style-type: none"> <li>1. 50 metres; or</li> <li>2. any distance specified on the approved product label; or</li> <li>3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.</li> </ol> <p>AND</p>	



Performance outcomes	Acceptable outcomes	Response
	<p>Clearing for managing thickened vegetation:</p> <p>AO14.6 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. inside the defining bank of any watercourse or drainage feature;</li> <li>2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature;</li> <li>3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature;</li> <li>4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature.</li> </ol> <p>AND</p>	
	<p>Clearing for fodder harvesting:</p> <p>AO14.7 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. inside the defining bank of any watercourse or drainage feature; and</li> <li>2. within 20 metres of the defining bank of any watercourse or drainage feature.</li> </ol> <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO14.8 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. inside the defining bank of any watercourse or drainage feature; and</li> <li>2. within 100 metres of the defining bank of any watercourse or drainage feature.</li> </ol>	
<b>Clearing associated with watercourses or drainage features (encroachment)</b>		
<p>PO15 Clearing of encroachment maintains:</p> <ol style="list-style-type: none"> <li>1. bank stability by protecting against bank erosion; and</li> <li>2. water quality by filtering sediments, nutrients and other pollutants; and</li> <li>3. aquatic habitat; and</li> <li>4. terrestrial habitat.</li> </ol>	<p>AO15.1 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. inside the defining bank of any watercourse or drainage feature; and</li> <li>2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature; and</li> <li>3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; and</li> <li>4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature.</li> </ol> <p>AND</p> <p>AO15.2 Root-absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a watercourse or drainage feature:</p> <ol style="list-style-type: none"> <li>1. 100 metres; or</li> <li>2. any distance specified on the approved product label; or</li> </ol>	<p>Refer to the Environmental Assessment Report (<b>Appendix H</b>) and Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>

Performance outcomes	Acceptable outcomes	Response
	3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.	
<b>Maintaining connectivity (public safety, relevant infrastructure activities, consequential development of IPA approval, extractive industry)</b>		
PO16 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes.	AO16.1 Clearing occurs in accordance with table 16.3.3 in this code.	N/A
<b>Connectivity areas (coordinated project)</b>		
PO17 In consideration of vegetation on the land subject to the development application and on adjacent land:  1. sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or 2. where this not reasonably possible, the applicant provides an offset.	AO17.1 Clearing occurs in accordance with table 16.3.3 of this code.  OR AO17.2 Where clearing cannot be reasonably avoided; and clearing has been reasonably minimised; an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance).	N/A
<b>Maintaining connectivity (necessary environmental clearing - land restoration and natural disaster preparation)</b>		
PO18 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes, or where this is not reasonably possible, the cleared area is rehabilitated.	AO18.1 Clearing occurs in accordance with table 16.3.3 of this code.  OR AO18.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A
<b>Connectivity areas (necessary environmental clearing – natural channel diversion and contaminants removal)</b>		
PO19 In consideration of vegetation on the land subject to the development application and on adjacent land:	AO19.1 Clearing occurs in accordance with table 16.3.3 of this code.  OR	N/A

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> <li>1. sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or</li> <li>2. where this is not reasonably possible, the applicant rehabilitates the cleared area; or</li> <li>3. where this not reasonably possible, the applicant provides an offset.</li> </ol>	<p>AO19.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> <p>OR</p> <p>AO19.3 Where clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> <li>1. clearing has been reasonably minimised; and</li> <li>2. the cleared area cannot be reasonably rehabilitated</li> </ol> <p>an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance).</p>	
Soil erosion (public safety, relevant infrastructure activities, consequential development of Integrated Planning Act approval, coordinated project, necessary environmental clearing)		
<p>PO20 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.</p>	<p>AO20.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to:</p> <ol style="list-style-type: none"> <li>1. prevent accelerated soil erosion; or</li> <li>2. where prevention is not possible, minimise accelerated soil erosion.</li> </ol> <p>OR</p> <p>AO20.2 The local government is the assessment manager for the development application.</p>	N/A
Soil erosion (necessary to control non-native plants or declared pests, managing thickened vegetation, encroachment, fodder harvesting)		
<ol style="list-style-type: none"> <li>1. PO21 Clearing does not result in accelerated soil erosion within or outside the land subject of the development application.</li> </ol>	<p>AO21.1 Clearing only occurs where recognised best practice methods are employed to:</p> <ol style="list-style-type: none"> <li>1. prevent increased soil erosion resulting from the clearing; and</li> </ol>	

Performance outcomes	Acceptable outcomes	Response
	<p>2. stabilise soil erosion which would result from clearing; and</p> <p>3. prevent increased sediment run-off entering a wetland, watercourse or drainage feature as a result of the clearing.</p> <p>AND</p> <p>Clearing necessary to control non-native plants or declared pests:</p> <p>AO21.2 Mechanical clearing:</p> <p>1. does not occur on a slope greater than 15 percent; and</p> <p>2. in each 50 by 50 metre area (0.25 hectares), retains 50 per cent of the ground cover and does not disturb more than 50 per cent of the ground cover.</p> <p>AND</p> <p>AO21.3 New access tracks required to provide necessary access to control a non-native plant or declared pests do not exceed five metres in width or de-stabilise the banks of any watercourse or drainage feature as a result of crossing, construction or use</p> <p>AND</p> <p>Clearing for managing thickened vegetation:</p> <p>AO21.4 Mechanical clearing does not:</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>1. occur in a regional ecosystem in table 16.3.4 of this code that states 'mechanical clearing not permitted';</p> <p>2. disturb more than 50 per cent of the ground surface or result in any hectare having less than 50 per cent ground cover;</p> <p>3. occur on a slope greater than five per cent; and</p> <p>4. occur within 50 metres of an area of existing accelerated soil erosion.</p> <p>AND</p> <p>Clearing for encroachment:</p> <p>AO21.5 Mechanical clearing does not occur in any of the following areas:</p> <p>1. within 50 metres of an area of soil erosion; and</p> <p>2. slopes greater than 5 per cent.</p> <p>AND</p> <p>Clearing for fodder harvesting:</p> <p>AO21.6 Mechanical clearing does not occur on a slope greater than five percent.</p> <p>OR</p> <p>AO21.7 Mechanical clearing does not occur within 50 metres of an areas of soil erosion and instability.</p>	
<p>Salinity (public safety, relevant infrastructure activities, consequential development of Integrated Planning Act 1997 approval, coordinated project, extractive industry, necessary environmental clearing, encroachment, fodder harvesting)</p>		
<p>PO22 Clearing does not contribute to or accelerate land degradation through waterlogging, or through the salinisation of groundwater, surface water or soil.</p>	<p>AO22.1 Clearing does not occur within 100 metres of a salinity expression area.</p>	<p>Refer to Environmental Assessment report (<b>Appendix H</b>) and Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>

Performance outcomes	Acceptable outcomes	Response
<p>Conserving endangered and of concern regional ecosystems (public safety and relevant infrastructure activities, consequential development of Integrated Planning Act 1997 approval, coordinated project, extractive industry)</p>		
<p>PO23 Clearing maintains the current extent of endangered regional ecosystems and of concern regional ecosystems.</p>	<p>AO23.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem.</p> <p>OR</p> <p>AO23.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table 16.3.1 of this code.</p> <p>OR</p> <p>AO23.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in table 16.3.1 of this code.</p> <p>OR</p> <p>AO23.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of endangered regional ecosystems and of concern regional ecosystems (a matter of state environmental significance).</p>	<p>Refer to Environmental Assessment report (<b>Appendix H</b>) and Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>
<p>Essential habitat (public safety, relevant infrastructure activities, consequential development of Integrated Planning Act 1997 approval, coordinated project, extractive industry, fodder harvesting)</p>		
<p>PO24 Clearing maintains the current extent of essential habitat.</p>	<p>AO24.1 Clearing does not occur in essential habitat.</p> <p>OR</p> <p>AO24.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code.</p>	<p>Refer to Environmental Assessment report (<b>Appendix H</b>) and Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>

Performance outcomes	Acceptable outcomes	Response
	<p>OR</p> <p>AO24.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code.</p> <p>OR</p> <p>AO24.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance).</p>	
<b>Essential habitat (necessary environmental clearing – land restoration and natural disaster preparation)</b>		
<p>PO25 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area.</p>	<p>AO25.1 Clearing does not occur in essential habitat.</p> <p>OR</p> <p>AO25.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code.</p> <p>OR</p> <p>AO25.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code.</p> <p>OR</p> <p>AO25.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p>	N/A
<b>Essential habitat (necessary environmental clearing – natural channel diversion and contaminants removal)</b>		



Performance outcomes	Acceptable outcomes	Response
<p>PO26 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area, or maintains the current extent of essential habitat.</p>	<p>AO26.1 Clearing does not occur in essential habitat.</p> <p>OR</p> <p>AO26.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code.</p> <p>OR</p> <p>AO26.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code.</p> <p>OR</p> <p>AO26.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> <p>OR</p> <p>AO26.5 Where clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> <li>1. clearing has been reasonably minimised; and</li> <li>2. the cleared area cannot be reasonably rehabilitated</li> </ol> <p>an offset is provided for any acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance).</p>	
<p>Acid sulfate soils (public safety, relevant infrastructure activities, consequential development of Integrated Planning Act 1997 approval, coordinated project, extractive industry, necessary environmental clearing, necessary to control non-native plants or declared pests, managing thickened vegetation, encroachment)</p>		
<p>PO27 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p>	<p>AO27.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p>	<p>Refer to Environmental Assessment report (<b>Appendix H</b>), Waterway Determination and</p>

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> <li>1. aeration of horizons containing iron sulphides; or</li> <li>2. mobilisation of acid or metals.</li> </ol>	<p>AO27.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> <li>1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and</li> <li>2. acid sulfate soils are managed consistent with the State Planning Policy, Department of Infrastructure, Local Government and Planning, July 2017, and with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual, Department of Science Information Technology Innovation and the Arts, 2014.</li> </ol> <p>OR</p> <p>AO27.3 The local government is the assessment manager for the development application.</p>	<p>Marine Plant Assessment Report (<b>Appendix G</b>) and Geotechnical Report (<b>Appendix J</b>).</p>
<p>Clearing is staged (extractive industry)</p>		
<p>PO28 Clearing:</p> <ol style="list-style-type: none"> <li>1. is staged in line with operational needs that restrict clearing to the current operational area; and</li> <li>2. only occurs in the area from which material will be extracted, and any reasonably associated built infrastructure, within the term of the development approval; and</li> <li>3. does not occur without required permits.</li> </ol>	<p>No acceptable outcome is prescribed.</p>	<p>N/A</p>
<p>Coordinated project – involving clearing for agriculture</p>		
<p>PO29 Clearing only occurs where the land is suitable for agriculture having regard to topography, climate and soil attributes.</p>	<p>No acceptable outcome is prescribed.</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Response
PO30 For applications for irrigated crops, the owner of the land has, or may have, access to enough water for establishing, cultivating and harvesting the crops to which the clearing relates.	No acceptable outcome is prescribed.	
<b>Clearing for necessary environmental clearing – land restoration and natural disaster preparation</b>		
PO31 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area.	AO31.1 Clearing retains all of the following: <ol style="list-style-type: none"> <li>1. habitat trees;</li> <li>2. mature trees; and</li> <li>3. the natural floristic composition and range of sizes across the application area.</li> </ol>	N/A
	OR AO31.2 Clearing is for the purpose of natural disaster preparation and does not exceed the widths prescribed in table 16.3.1 of this code.	
	OR AO31.3 Clearing is for the purpose of natural disaster preparation and does not exceed the areas prescribed in table 16.3.1 of this code.	
	OR AO31.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	
<b>Clearing for necessary environmental clearing - natural channel diversion and contaminants removal</b>		
PO32 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area or maintains the current extent of vegetation.	AO32.1 Clearing retains all of the following: <ol style="list-style-type: none"> <li>1. habitat trees;</li> <li>2. mature trees; and</li> <li>3. the natural floristic composition and range of sizes across the application area.</li> </ol>	N/A

Performance outcomes	Acceptable outcomes	Response
	<p>OR</p> <p>AO32.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the regional ecosystem is rehabilitated.</p> <p>OR</p> <p>AO32.3 Where clearing an endangered regional ecosystem or of concern regional ecosystem cannot be reasonably avoided, minimised or rehabilitated, an offset is provided for any acceptable significant residual impact from clearing of an endangered regional ecosystem or of concern regional ecosystem (a matter of state environmental significance).</p>	
<p>Conserving remnant vegetation that are regional ecosystems (necessary to control non-native plants or declared pests)</p>		
<p>PO33 Clearing activities:</p> <ol style="list-style-type: none"> <li>1. maintain the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and</li> <li>2. retain all habitat and mature trees.</li> </ol>	<p>AO33.1 Mechanical clearing:</p> <ol style="list-style-type: none"> <li>1. only occurs within 1.5 metres from the edge of the canopy of individual non-native plants, unless the clearing is required to provide necessary access to control a non-native plant or declared pest; and</li> <li>2. does not occur using two machines linked by chain or cable; and</li> <li>3. retains all habitat trees and mature trees.</li> </ol> <p>AND</p> <p>AO33.2 Clearing to provide necessary access to control non-native plants or declared pests does not exceed five metres in width.</p>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Response
	AND	
	<p>AO33.3 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional ecosystem, as outlined in the Regional Ecosystem Description Database (REDD).</p> <p>AND</p>	
	<p>AO33.4 Chemical clearing retains all of the following:</p> <ol style="list-style-type: none"> <li>1. mature trees; and</li> <li>2. habitat trees; and</li> <li>3. at least 50 per cent of immature trees in each 50 metre by 50 metre area.</li> </ol> <p>AND</p>	
	<p>AO33.5 Aerial application of a root-absorbed broad spectrum herbicides does not occur.</p> <p>AND</p>	
	<p>AO33.6 Root-absorbed broad spectrum herbicides are not applied within whichever distance is the greater from a mature tree or a habitat tree;</p> <ol style="list-style-type: none"> <li>1. 30 metres; or</li> <li>2. the distance specified on the approved product label; or</li> </ol>	

Performance outcomes	Acceptable outcomes	Response
	<p>3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.</p>	
Restoring the regional ecosystem (managing thickened vegetation)		
<p>PO34 Clearing activities:</p> <ol style="list-style-type: none"> <li>1. restore the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and</li> <li>2. retain mature trees, habitat trees and tall immature trees and thickets.</li> </ol>	<p>AO34.1 Clearing does not occur in thickets.</p> <p>AND</p>	<p>N/A</p>
	<p>AO34.2 Clearing retains:</p> <ol style="list-style-type: none"> <li>1. all mature trees and habitat trees;</li> <li>2. a full range of sizes and species typical of the regional ecosystem in the area; and</li> <li>3. where the number of mature trees plus habitat trees is less than 20 per hectare, tall immature trees to total 20 mature trees, habitat trees and tall immature trees per hectare.</li> </ol> <p>AND</p>	
	<p>AO34.3 Clearing does not result in debris stacked or pushed against a mature tree, habitat tree or tall immature tree.</p> <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	AO34.4 If clearing immature trees, retain immature trees in each 50 metre by 50 metre area to at least the density specified in table 16.3.4 of this code.	
	AO34.5 If clearing low shrubs: <ol style="list-style-type: none"> <li>1. in regional ecosystems where clearing is restricted to low shrubs as specified in table 16.3.4 of this code – clearing retains all immature trees;</li> <li>2. in regional ecosystems where clearing is not restricted to low shrubs as specified in table 16.3.4 of this code – clearing retains at least the number of immature trees specified in table 16.3.4 of this code; and</li> <li>3. clearing retains at least 10 per cent of the predominate species that have thickened.</li> </ol> AND	
	AO34.6 Mechanical clearing does not occur within 5 metres of the trunk of a mature tree, habitat tree or tall immature tree.  AND	
	AO34.7 Clearing is not undertaken by: <ol style="list-style-type: none"> <li>1. aerial application of any herbicide;</li> <li>2. application of a root-absorbed broad spectrum herbicide.</li> </ol> AND	

Performance outcomes	Acceptable outcomes	Response
	<b>AO34.8 Chemical clearing does not occur within five metres of the trunk of a mature tree, habitat tree or tall immature tree.</b>  AND	
	<b>AO34.9 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional ecosystem, as outlined in the Regional Ecosystem Description Database (REDD).</b>	
Clearing limited to specific regional ecosystems and specific clearing methods (managing thickened vegetation)		
<b>PO35</b> Clearing must be for the purpose of restoring the remnant regional ecosystem and only occur if all of the following apply: <ol style="list-style-type: none"> <li>1. clearing is in regional ecosystems prescribed in table 16.3.4 of this code; and</li> <li>2. clearing is in accordance with the clearing restrictions for the regional ecosystem prescribed in table 16.3.4 of this code. retain mature trees, habitat trees and tall immature trees and thickets.</li> </ol>	<b>No acceptable outcome is prescribed.</b>	N/A
Clearing limited to specific regional ecosystems (encroachment)		
<b>PO36</b> Clearing of encroachment does not occur, other than in the regional ecosystems listed in table 16.3.5 of this code.	No acceptable outcome is prescribed.	N/A
Conserving vegetation (encroachment)		
<b>PO37</b> Clearing activities: <ol style="list-style-type: none"> <li>1. result in the restoration of the regional ecosystem; and</li> <li>2. retain all habitat trees; and</li> <li>3. retain all groves; and</li> </ol>	<b>AO37.1</b> Clearing retains all of the following: <ol style="list-style-type: none"> <li>1. all mature trees; and</li> <li>2. all habitat trees; and</li> <li>3. all woody vegetation within a grove, unless it is undertaken by a regional ecosystem burn.</li> </ol> AND	N/A



Performance outcomes	Acceptable outcomes	Response
<p>4. retain species which make up the natural floristic composition of the regional ecosystem, distributed in a natural pattern.</p>	<p>AO37.2 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional ecosystem, as outlined in the Regional Ecosystem Description Database (REDD).</p> <p>AND</p>	
	<p>AO37.3 Clearing does not result in debris being stacked or pushed against a mature tree or a habitat tree.</p> <p>AND</p>	
	<p>AO37.4 Mechanical clearing does not occur within 10 metres of a mature tree or a habitat tree.</p> <p>AND</p>	
	<p>AO37.5 Aerial application of a herbicide does not occur.</p> <p>AND</p>	
	<p>AO37.6 Chemical clearing does not occur within five metres of a mature tree or a habitat tree.</p> <p>AND</p>	
	<p>AO37.7 Root-absorbed broad spectrum herbicides are not applied in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. regional ecosystems 11.4.11 and 11.8.11; and</li> <li>2. within whichever is the greater distance from a mature tree or a habitat tree:               <ol style="list-style-type: none"> <li>a. 10 metres; or</li> </ol> </li> </ol>	

Performance outcomes	Acceptable outcomes	Response
	<ul style="list-style-type: none"> <li>b. the distance specified by the approved product label; or</li> <li>c. the safety and use conditions specified by the Australian Pesticides and Veterinary Medicines Authority; and</li> <li>3. within whichever is the greater distance from a grove:               <ul style="list-style-type: none"> <li>1. 30 metres; or</li> <li>2. the distance specified by the approved product label; or</li> <li>3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.</li> </ul> </li> </ul>	
<b>Limits to clearing for fodder harvesting (fodder harvesting)</b>		
<p>PO38 Clearing is limited to:</p> <ul style="list-style-type: none"> <li>1. the extent necessary to provide fodder for stock; and</li> <li>2. areas where the stock is located, and the stock have sufficient water.</li> </ul>	No acceptable outcome is prescribed.	N/A
<p>PO39 Clearing must only occur:</p> <ul style="list-style-type: none"> <li>1. in regional ecosystems listed in table 16.3.6 or table 16.3.7 of this code; and</li> <li>2. in accordance with the harvesting method limitations for the regional ecosystem listed in table 16.3.6 or table 16.3.7 of this code.</li> </ul>	No acceptable outcome is prescribed.	
<p>PO40 Clearing consists predominantly of fodder species.</p>	No acceptable outcome is prescribed.	
<b>Conserving vegetation (fodder harvesting)</b>		

Performance outcomes	Acceptable outcomes	Response
<p>PO41 Clearing is carried out in a way that conserves:</p> <ol style="list-style-type: none"> <li>1. remnant vegetation in perpetuity; and</li> <li>2. the regional ecosystem in which the vegetation is situated.</li> </ol>	<p>AO41.1 Clearing does not result in the removal of non-fodder species with a height of four metres or more.</p> <p>AND</p> <p>AO42.2 Selective harvesting:</p> <ol style="list-style-type: none"> <li>1. retains all non-fodder species except where the damage is an unavoidable consequence of clearing the selected fodder tree; and</li> <li>2. when using a chainsaw in regional ecosystems listed in table 16.3.6 of this code, retains at least one fodder tree for every fodder tree cleared; and</li> <li>3. in least concern regional ecosystems listed in table 16.3.7 of this code, retains at least one fodder tree for each fodder tree cleared; and</li> <li>4. in of concern regional ecosystems listed in table 16.3.7 of this code, retains at least two fodder trees for each fodder tree cleared.</li> </ol> <p>AND</p> <p>AO41.3 Strip harvesting and block harvesting:</p> <ol style="list-style-type: none"> <li>1. where fodder harvesting has previously occurred in an area of a lot, only occurs if all of the following apply:               <ol style="list-style-type: none"> <li>a. the vegetation has not been cleared in the last 10 years; and</li> <li>b. the average height of the fodder trees is at least 70 per cent of the height of the tallest stands of fodder species in the regional ecosystem; and</li> </ol> </li> </ol>	<p>N/A</p>

Performance outcomes	Acceptable outcomes	Response
	<p> <b>c.</b> the fodder trees that were previously harvested have now attained an average height of at least 4 metres; and  <b>2.</b> aligns clearing along the contour where practical; and  <b>3.</b> does not occur in patches of regional ecosystems that are less than 10 hectares in area or less than 500 metres wide.         </p> <p>AND</p> <p>AO41.4 Strip harvesting:</p> <p> <b>1.</b> does not result in any strip harvesting area exceeding 50 metres in width; and  <b>2.</b> results in all strip retention areas:  <b>a.</b> being preserved along the length of strip harvest areas to a width of at least 1.5 times that of the adjacent strip harvest area; and  <b>b.</b> containing fodder species with an average height of at least four metres; and  <b>3.</b> does not result in clearing for machinery access between strip harvest areas exceeding 15 metres in width.         </p> <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO41.5 Block harvesting:</p> <ol style="list-style-type: none"> <li>1. does not result in any block harvest area exceeding one hectare; and</li> <li>2. results in block retention areas:               <ol style="list-style-type: none"> <li>a. being preserved between block harvest areas in accordance with the widths specified in table 16.3.8 of this code; and</li> <li>b. containing fodder species with an average height of at least four metres; and</li> </ol> </li> <li>3. does not result in clearing for machinery access between block harvest areas exceeding 10 metres in width.</li> </ol>	
<b>Cleared vegetation (fodder harvesting)</b>		
PO42 Fodder harvesting is carried out in a way that results in the woody biomass of the cleared vegetation remaining where it is cleared.	No acceptable outcome is prescribed.	N/A
<b>Conserving the fodder resource (fodder harvesting)</b>		
PO43 Fodder harvesting is carried out in a way that will conserve the fodder resource.	<p>AO43.1 Clearing does not occur:</p> <ol style="list-style-type: none"> <li>1. in an area that has been cleared in the previous 10-year period; and</li> <li>2. more than once in the same area of a lot; and</li> <li>3. in more than 50 per cent of the area of the regional ecosystem listed in table 16.3.6 and table 16.3.7 of this code on the lot; and</li> <li>4. in areas required to be retained under this code, a development approval or any accepted development vegetation clearing code.</li> </ol>	N/A
Duration of clearing, preventing land degradation, and maintaining biodiversity, ecological processes and regional ecosystems (Vegetation retention purposes)		

Performance outcomes	Acceptable outcomes	Response
<p>PO44 The duration of clearing for a vegetation retention purpose occurs only for a period that:</p> <ol style="list-style-type: none"> <li>1. will not contribute to land degradation; and</li> <li>2. ensures the ongoing maintenance of ecological processes and biodiversity; and</li> <li>3. maintains the regional ecosystem.</li> </ol>	<p>No acceptable outcome is prescribed.</p>	<p>Refer to Environmental Assessment report (<b>Appendix H</b>) and Waterway Determination and Marine Plant Assessment Report (<b>Appendix G</b>).</p>