State development assessment provisions

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Queensland Government

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Contents

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Part A:
Introduction and policy context

Introduction

The State Development Assessment Provisions (SDAP) set out the matters of interest to the state for development assessment, where the chief executive administering the *Sustainable Planning Act 2009* (the Act) is responsible for assessing or deciding development applications.

The SDAP is prescribed in the Sustainable Planning Regulation 2009 (the Regulation), and contains the matters the chief executive administering the Act (the chief executive) may have regard to when assessing a development application as either an assessment manager or a referral agency. The chief executive may give these matters the weight the chief executive is satisfied is appropriate.

Schedule 3 of the Regulation prescribes development that is assessable development. Schedule 5 of the Regulation prescribes the matters that the chief executive may have regard to when assessing an application for particular development. Schedules 6 and 7 of the Regulation prescribe when the chief executive is an assessment manager or a referral agency for certain development applications.

The SDAP is a statutory instrument made under the Act, and has effect throughout the state for development applications where the chief executive is the assessment manager or a referral agency.

Statement of objectives

The SDAP is an outcome of the introduction of the State Assessment and Referral Agency (SARA) on 1 July 2013, which is a key element of the reform of Queensland's planning system. While land use planning in Queensland is primarily the responsibility of local government, matters of interest to the state are assessed by the state at a site level for certain aspects.

By expressing the matters of interest to the state in development assessment in a complete and comprehensive manner, it will be easier for applicants to address these matters 'up-front' with the lodgement of their development application, rather than have to provide additional information to the state through a response to an information request. This process is further simplified by the inclusion of the fast track framework within the SDAP. The SDAP contains the criteria for assessment by the chief executive as either an assessment manager or a referral agency, and provides applicants with:

(1) increased transparency and clarity on how development can comply with the matters of interest to the state
(2) clarity on when the state is to be involved in the assessment of a development application
(3) qualifying criteria to enable self-identification of eligibility for fast track assessment pathway.

Together with other elements of planning reform, such as the State Planning Policy, the rollout of new regional plans, and the progressive rollout of the fast track framework, SARA and the SDAP will lead to greater certainty, fewer unnecessary delays, and better planning outcomes for Queensland communities.

Supporting best practice development assessment and processes—guiding principles

An effective land use planning system must enable and facilitate the delivery of development that advances the social, economic and environmental needs of all Queenslanders. It must do this while protecting our wellbeing and enhancing our natural environment, places, heritage and culture. It must always strive to make better places for people to live, work and enjoy. It must enhance, not degrade, our living environment and create the right conditions for appropriate change and growth.

Planning and development decisions and processes in Queensland will be underpinned by the following interdependent principles. These principles, together with the state interests expressed in the State Planning Policy, will deliver the planning system Queensland needs for the future.

For matters where the state has an interest in development assessment, it is essential that the state outlines completely and comprehensively those aspects that an applicant is to address to support consideration of the development application by the state. This will provide the applicant with the opportunity to more effectively demonstrate to the state the merits of a particular proposal, and lead to a faster assessment of the development application by the state.

Table A.1 details the guiding principles which support and guide the preparation of the state codes.

The principles apply to and underpin all the matters regulated by the state and the state codes in the SDAP.

These principles will be applied by the chief executive in the assessment of development applications, and in balancing the matters of interest to the state to deliver more efficient and reasonable planning decisions. These types of decisions will help to create the most robust, relevant and responsive planning system in Australia.

Table A.1: Guiding principles

Outcome focussed	
Clearly focus on the delivery of **outcomes**	Queensland's economic development is supported through decision-making which integrates and balances the economic, environmental and social needs of current and future generations. Innovative approaches to design and development are supported where consistent with a planning scheme's strategic intent. Stated objectives, needs and aspirations of the community, at the state, regional and local level, are supported by development.
Integrated	
Reinforce the role of local planning schemes as the **integrated**, comprehensive statement of land use policy and development intentions for a local area	Plans are coordinated and integrated expressions of land use policy intent for a local area, considering state, regional and local matters. Plans integrate land use, resource management and infrastructure needs and considerations. Plans include performance-based assessment of development against a clear hierarchy of planning policies demonstrably linked to the achievement of ambitious and long-term strategic planning.
Efficient	
Support the **efficient** determination of appropriate development	Ensuring that development requirements are focused to satisfy the purpose of the relevant state code and the purpose of the Act, and are proportionate to risk Assessment is responsive, flexible and performance-based. Development regulation and restriction is only where necessary and if so, is proportionate to the potential impacts of the development being regulated. Strategically consistent development is facilitated and supported through targeted plans.
Positive	
Enable **positive** responses to change, challenges and opportunities	Contemporary information, challenges and community needs and aspirations are reflected through up-to-date plans. Evidence and objectively assessed needs form a basis for planning which uses the best available knowledge. Community resilience and adaptability to change are enhanced.
Accountable	
Promote confidence in the planning system through plans and decisions which are transparent and **accountable**	Plans reflect balanced community views and aspirations with a clear focus on increasing the community's role in plan making. Defensible, logical and fair development decisions are supported through clear and transparent planning schemes. Access to planning information is simple and clear, capitalising on opportunities presented by technology.

Managing competing matters of interest

The process of resolving potential conflicts and tensions must be undertaken in an efficient and transparent manner, with consideration to a resolution that best achieves and advances the purpose of the Act.

The SDAP consists of a number of state codes—in some circumstances these state codes will compete or even conflict. Therefore, specific regional and local circumstances must be considered when determining how to resolve these at a site level.

When applying the SDAP, the chief executive will consider the following three objectives when making a decision on a development application where there is a conflict. These objectives are a guide to managing competing interests and priorities, including any conflict arising between matters of interest to the state.

(1) Applying the guiding principles in Table A.1

The guiding principles outlined in Table A.1 are central to the interpretation of the state codes. These principles carry equal weight, and are to be considered by the chief executive when integrating and balancing outcomes.

(2) Consider the matters of interest to the state in their entirety

The SDAP contains a number of codes outlining how the state regulates a range of discrete matters of interest. Where an application involves more than one matter of interest to the state, any areas of conflict will be resolved by the chief executive and SARA officers. This will be done by considering the matter of interest in its entirety, and the purpose of the Act.

(3) Addressing the regional and local context

The SDAP does not give weight to any particular state code over another, recognising that regional and local context must always be considered when integrating matters of interest to the state at the regional and local level.

The relationship between the State Planning Policy and the SDAP

The State Planning Policy (SPP) is a key component of Queensland's land use planning system, which enables development, protects our natural environment and allows communities to grow and prosper.

The SPP defines the Queensland Government's policies about matters of state interest in land use planning and development.

When the chief executive is an assessment manager or a referral agency for a development application the SPA provides that the chief executive must, to the extent relevant and within the limits of the jurisdiction, assess the development application against the SPP, to the extent the SPP is not appropriately reflected in the local government's planning scheme.

Figure A.1 illustrates the relationship between the state interests expressed in the SPP and the modules of the SDAP — showing where there is an intersect with a matter of interest to the state in the SDAP.

Further information about the SPP and copies of the SPP can be accessed at *http://www.dilgp.qld.gov.au/planning/state-planning-instruments/state-planning-policy.html*.

Figure A.1 The relationship between the SPP and the SDAP

	The SPP state interests				
The SDAP modules	Liveable communities and housing	Economic growth	Environment and heritage	Safety and resilience to hazards	Infrastructure
Module 1. Community amenity	✓				✓
Module 3. Aquaculture		✓	✓		

The SDAP modules	The SPP state interests				
	Liveable communities and housing	Economic growth	Environment and heritage	Safety and resilience to hazards	Infrastructure
Module 4. Environmentally relevant activities			✓	✓	
Module 5. Fisheries resources		✓	✓		
Module 7. Water resources		✓	✓	✓	
Module 8. Native vegetation clearing	✓		✓		
Module 9. Queensland heritage	✓		✓		
Module 10. Coastal protection	✓	✓	✓	✓	
Module 11. Wetland protection			✓		
Module 12. Unexploded ordnance (UXO)				✓	
Module 13. Major hazard facilities				✓	
Module 14. Maritime safety				✓	✓
Module 16. Particular dams				✓	✓
Module 17. Public passenger transport	✓				✓
Module 18. State transport infrastructure protection					✓
Module 19. State transport network functionality					✓
Module 20. Wind farm development	✓	✓			✓

Part B:
Application and operation

Application

The SDAP applies to the assessment of a development application by the chief executive:

(1) as assessment manager
(2) as a referral agency.

The SDAP is not applied by local government in the assessment of development applications.

In assessing and deciding a development application, the chief executive is bound by the decision-making rules outlined in the Act.

Operation

Material that is, and is not, part of the SDAP

Parts A and B

All information included in *Part A: Introduction and policy context* and *Part B: Application and operation* of the SDAP form statutory components of the document, except information identified as an editor's note.

Part C: Fast track framework

Part C contains the qualifying criteria for each of those triggers eligible for assessment under the SARA fast track framework. Please note that the whole of Part C: Fast track framework took effect from 4 August 2014.

Where the chief executive is the assessment manager or referral agency for a development application, aspects of that application may qualify for a streamlined assessment. The fast track framework is a streamlined SARA referral and assessment process that allows certain aspects of development to be assessed and quickly decided by SARA, and to be subject to a reduced fee.

Each fast track qualifying criteria contains:

(1) **Purpose** — outlines the purpose and intent of the SARA fast track process; guidance on how to determine whether a triggered aspect of development may be eligible for a fast track assessment pathway; and how to demonstrate if the triggered aspect of development may qualify for fast track assessment
(2) **Qualifying criteria checklist** — contains the fast track qualifying criteria applicable for each eligible trigger, which must be met by the proposed development in order to qualify for a fast track assessment pathway (such as FastTrack5) and the applicable reduced SARA development application fee
(3) **Reference documents** — additional information that may assist applicants in determining if a triggered aspect of development qualifies for a fast track assessment.

Part D: State codes and other matters

Part D includes the state codes for each matter of interest that are applicable where the chief executive is the assessment manager or referral agency for a development application. For user readability, and to ensure that sufficient context and background is provided within Part D, the codes are included in 20 modules.

Editor's note: Some modules contain only a single code, others contain up to three codes. Some modules no longer contain codes because the relevant matter of interest to the state is no longer assessed by the chief executive administering the Act.

All information relating to a particular matter of interest to the state for development assessment, as contained within a state code, is provided within the module containing that particular state code.

All information in the module is statutory, other than editor's notes and lists of reference documents, which are intended to assist applicants in preparing a development application.

The document overview on page 3 provides a quick reference guide to the specific state codes contained within each module. Each code contains the following information:

(1) **Purpose** — outlines the intent of the code
(2) **Criteria for assessment** — contains tables with performance outcomes and acceptable outcomes to be met by the proposed development
(3) **Reference tables** — information required to apply the code (applies to *Module 7: Water resources* and *Module 8: Native vegetation clearing* only).

Each module also contains the following, which is applicable to all state codes contained within the module:

(1) **Reference documents** — state codes outline relevant reference documents that may support the interpretation and assessment of a proposal against a particular matter; however, as stated above, the information listed under the reference documents heading is non-statutory information. A hyperlink to the reference documents is contained only in the reference documents section within each module and is indicated as *hyperlink*
(2) **Glossary of terms** — an individual glossary is included within each module and defines terms specific to that module. Words that are underlined are words that are defined within the glossary contained in each module. The glossary for each module is relevant only to that module
(3) **Abbreviations** — where applicable, an individual list is included within each module of abbreviations specific to that module.

Glossary

The terms used in the SDAP have the meaning assigned to that term by:

(1) the glossary of the applicable state code, or
(2) the Act, or
(3) the Regulation, or
(4) the *Acts Interpretation Act 1954*, section 36, or
(5) the ordinary meaning, if the term is not otherwise defined in one of the instruments mentioned above.

In the event a term has been defined in more than one of the instruments mentioned in paragraphs (1) to (4) above, the meaning contained in the instrument highest on the list will prevail.

Where a term is defined in an act or a regulation it is stated in the glossary of terms section of the module and the definition for that term is provided in an editor's note for ease of reference. The definition is taken to be the definition from the current version of the source legislation or statutory instrument.

Numbered and bulleted lists

Numbered and bulleted lists throughout this document are to be interpreted as 'and' statements unless the word 'or' is specifically included.

Figures, notes and editor's notes

Figures provide information to support the outcomes and are statutory information.

Notes are identified by the title 'Note' and are statutory information.

Editor's notes are extrinsic material, as per the *Acts Interpretation Act 1954*, and are identified by the title 'Editor's note'. They are non-statutory.

Note: This is an example of a note.

Editor's note: This is an example of an editor's note.

Hyperlinks

Where a hyperlink is available, the text appears in the following style: *hyperlink*. This shows an embedded link to a document, website or mapping system.

Reference documents

Where relevant, reference documents are listed to provide further guidance about a matter contained within a qualifying criteria or state code.

Mapping

Where relevant, hyperlinks are provided to the DA mapping system (as amended from time to time) *http://www.dilgp.qld.gov.au/planning/development-assessment/da-mapping-system.html*, which contains mapping layers relevant to SARA. The mapping on the DILGP website is available for viewing by the general public.

The DA mapping system aims to provides a central repository for all available mapping layers that may assist users in identifying relevant assessment or referral triggers under the Regulation and/or responding to provisions contained within the SDAP.

Schedule 3 of the Regulation prescribes certain development as assessable development. Schedule 6 of the Regulation specifies when the chief executive will be the assessment manager for an application, and Schedule 7 of the Regulation specifies when the chief executive will be a referral agency for an application. For the purposes of this document, the DA mapping system is intended to provide guidance to applicants and the chief executive about whether an application potentially involves a matter of interest to the state, and therefore whether it may require assessment by the chief executive.

The fast track framework

When the fast track framework applies

The fast track framework commenced on 4 August 2014 and is a streamlined SARA referral and assessment process that allows for selected aspects of development to be assessed and quickly decided by SARA. If eligible, a reduced fee applies.

Having confirmed the triggers relevant to their application, applicants can use Table B.2 or Table B.3 of the SDAP to pre-determine if triggered aspects of their application are eligible for a SARA fast track assessment prior to lodgement or referral of the application to SARA.

If the chief executive is an assessment manager or referral agency for a development application under the provisions of the Regulation mentioned in column 3 of Table B.2 or column 3 of Table B.3, and the application seeks to be assessed as per the fast track assessment pathway, the application must qualify utilising corresponding criteria in column 5 of Table B.2 or column 5 of Table B.3.

For the triggers 7.2.2, 7.3.33, and 7.2.34, if the application involves volumetric subdivision only, it is to be assessed against Table 7.2.2a, Table 7.3.33a or Table 7.2.34a respectively.

Having confirmed that the relevant aspect of the development meets the SARA FastTrack5 qualifying criteria, SARA can quickly assess and provide a referral response or decisions for a FastTrack5 eligible aspect of the development within five days of acceptance of the aspect of development meeting the qualifying criteria. Applications that qualify for SARA fast track assessment will not be subject to an information request and standard conditions will generally be applied.

Qualifying for fast track assessment

To qualify for fast track assessment, applications must demonstrate that all of the qualifying criteria for each eligible triggered aspect of development are met. If the application does not meet all of the relevant fast track qualifying criteria, the standard SARA assessment applies, as per the Act (i.e. requiring full assessment against SDAP modules and subject to standard statutory timeframes).

If after lodgement or referral a triggered aspect of the application is proven to not meet the relevant fast track qualifying criteria, applicants will be asked to provide a supplementary fee to ensure that the application is properly made or properly referred to SARA for the relevant trigger(s). The application will then follow the standard SARA assessment process and statutory timeframes, as per the Act.

When there are one or more triggers

In circumstances where an application has more than one trigger, including one or more fast track eligible triggered aspects of development, the application will be subject to the standard SARA timeframes, however fast track eligible aspects of development will benefit from the reduced fee. Fast track eligible aspects of development will also not be subject to an information request and standard conditions will generally be applied.

It is at the applicant's discretion as to whether or not they will seek to qualify for fast track assessment for any or all of the eligible triggers.

In these circumstances, SARA will then review the documentation provided, and confirm that a triggered aspect of development qualifies for SARA fast track assessment. The reduced SARA development application fee will be applied for each qualified fast track trigger at the time of lodgement or referral of the application.

The state codes

When the state codes apply

If the chief executive is the assessment manager for a development application under the provisions of the Regulation mentioned in Table B.2, column 3, the application must comply with the state codes mentioned in table B.2, column 5.

If the chief executive is a referral agency for a development application under the provisions of the Regulation mentioned in Table B.3, column 3, the application must comply with the state codes mentioned in Table B.3, column 5.

How the state codes are complied with

The relevant criteria in the state codes include the purpose statement, performance outcomes and acceptable outcomes.

Acceptable outcomes are provided for most performance outcomes, and represent ways in which the relevant performance outcomes can be met. An application that complies with the applicable acceptable outcomes will satisfy the relevant performance outcome. If an application does not comply with all applicable acceptable outcomes, an alternative solution is proposed, or no acceptable outcome has been provided in the state code, the proposed development must comply with the relevant performance outcome in order to comply with the purpose of the code. If an application does not comply with the performance outcomes then the proposed development must comply with the purpose of the code.

Where multiple acceptable outcomes are provided as a means for achieving compliance with a performance outcome they are to be read in the following way:

(1) if there is an 'AND' provided between each acceptable outcome, this means all of the acceptable outcomes apply if they are relevant to the application

(2) if there is an 'OR' between each acceptable outcome and there are only two acceptable outcomes, this means one or the other apply if they are relevant to the application

(3) if there are three or more acceptable outcomes provided and there is an 'AND' provided between the first two or more acceptable outcomes, then an 'OR' provided between the last two acceptable outcomes, this means that all of the acceptable outcomes apply and one-or-the-other of the last two acceptable outcomes apply (for example, the code lists AO7.1 AND AO7.2 AND AO7.3 OR AO7.4 — this means either AO7.1, AO7.2 and AO7.3 apply OR AO7.1, AO7.2 and AO7.4 apply)

(4) if there are three or more acceptable outcomes provided and the following statement is provided between the first two acceptable outcomes — 'OR all of the following acceptable outcomes apply' OR 'OR both of the following acceptable outcomes apply'; this means that either the first acceptable outcome applies OR all other acceptable solutions apply from the second acceptable outcome onwards (for example, the code lists AO2.1, OR both of the following acceptable outcomes apply, AO2.2 AND AO2.3 — this means either AO2.1 applies, OR AO2.2 AND AO2.3 apply).

State assessment criteria – Assessment manager

Table B.2: Assessment manager role

Matter of interest	Development type	Relevant provisions of the Regulation*	Assessment paths available	Relevant module and codes
Aquaculture	Material change of use	Schedule 6, Table 3, Item 10	Standard	**Module 3: Aquaculture** 3.1 Aquaculture state code
Environmentally relevant activities	Material change of use	Schedule 6, Table 3, Item 1	Standard	**Module 4: Environmentally relevant activities** 4.1 Concurrence environmentally relevant activity state code
Fisheries development other than aquaculture	Building work or operational work	Schedule 6, Table 3, Item 11	Standard	**Module 5: Fisheries resources** 5.1 Development in a declared fish habitat area state code OR 5.2 Constructing or raising waterway barrier works in fish habitats state code OR 5.3 Removal, destruction or damage of marine plants state code
Native vegetation clearing	Operational work	Schedule 6, Table 3, Item 2	Standard	**Module 8: Native vegetation clearing** 8.1 Queensland vegetation management state code
Queensland heritage	Various aspects of development	Schedule 6, Table 3, Item 7	Standard	**Module 9: Queensland heritage** 9.1 Queensland heritage place state code
Tidal works or development in a coastal management district	Operational work	Schedule 6, Table 3, Item 6	Standard	**Module 10: Coastal protection** 10.1 Tidal works, or development in the coastal management district state code
Water — taking or interfering with	Operational work	Schedule 6, Table 3, Item 3	Standard	**Module 7: Water resources** 7.1 Sustainable management of water resources state code
Watercourse or lake — removal of quarry material	Various aspects of development	Schedule 6, Table 3, Item 5	Standard	**Module 7: Water resources** 7.2 Removal of quarry material state code
Wetland protection area	Operational work	Schedule 6, Table 3, Item 13	Standard	**Module 11: Wetland protection** 11.1 Wetland protection area state code
Major hazard facilities	Material change of use	Schedule 6, Table 3, Item 4	Standard	**Module 13: Major hazard facilities** 13.1 Major hazard facilities state code
Particular dams	Operational work	Schedule 6, Table 3, Item 3A	Standard	**Module 16: Particular dams** 16.1 Referable dams state code
Wind farms	Material change of use	Schedule 6, Table 3, Item 15	Standard	**Module 20: Wind farm development** 20.1 Wind farm state code

Note: If the relevant provision of the Regulation is Schedule 6, Table 4, Item 1 — applications involving multiple jurisdictions, the relevant module and codes that apply to the application are to be determined through:

- aligning the relevant aspect mentioned in Schedule 6, Table 4, Item (1)(a) of the Regulation to the corresponding provision mentioned in Table B.2 column 3, and applying the module and codes mentioned in Table B.2 column 5.

State assessment criteria – Referral agency

Table B.3: Referral agency role

Matter of interest	Development type	Relevant provisions of the Regulation	Assessment paths available	Relevant module and codes
Aquaculture	Material change of use	Schedule 7, Table 2, Item 28	Standard	**Module 3: Aquaculture** 3.1 Aquaculture state code
Environmentally relevant activities	Material change of use	Schedule 7, Table 2, Item 1	Standard	**Module 4: Environmentally relevant activities** 4.1 Concurrence environmentally relevant activity state code
Fish habitat area — works or other development	Building work	Schedule 7, Table 2, Item 25	Standard	**Module 5: Fisheries resources** 5.1 Development in a declared fish habitat area state code
	Operational work	Schedule 7, Table 2, Item 26	Standard	
Marine plants — removal, destruction or damage	Operational work	Schedule 7, Table 2, Item 30	Standard	**Module 5: Fisheries resources** 5.3 Removal, destruction or damage of marine plants state code
	Reconfiguring a lot	Schedule 7, Table 2, Item 31	Standard	
	Material change of use	Schedule 7, Table 2, Item 32	Standard	
		Schedule 7, Table 3, Item 25	Standard	
Native vegetation clearing	Reconfiguring a lot	Schedule 7, Table 2, Item 4	Standard	**Module 8: Native vegetation clearing** 8.1 Queensland vegetation management state code
	Operational work	Schedule 7, Table 2, Item 5	Standard	
	Material change of use	Schedule 7, Table 3, Item 10	Standard	
Queensland heritage	Building work	Schedule 7, Table 1, Item 12	Standard	**Module 9: Queensland heritage** 9.1 Queensland heritage place state code
	Various aspects of development	Schedule 7, Table 2, Item 19	Standard	
Tidal works or development in a coastal management district	Operational work	Schedule 7, Table 2, Item 13	Standard	**Module 10: Coastal protection** 10.1 Tidal works, or development in the coastal management district state code
		Schedule 7, Table 2, Item 15	Standard	**Module 14: Maritime safety** 14.1 Marine safety state code
			FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
	Reconfiguring a lot	Schedule 7, Table 2, Item 14	Standard	**Module 10: Coastal protection** 10.1 Tidal works or development in the coastal management district state code
	Material change of use	Schedule 7, Table 3, Item 5	Standard	
	Building work	Schedule 7, Table 1, Item 11	Standard	
Water — taking or interfering	Operational work	Schedule 7, Table 2, Item 9	Standard	**Module 7: Water resources** 7.1 Sustainable management of water

Matter of interest	Development type	Relevant provisions of the Regulation	Assessment paths available	Relevant module and codes
with		Schedule 7, Table 2, Item 10	Standard	resources state code
Watercourse or lake — removal of quarry material	All aspects of development	Schedule 7, Table 2, Item 12	Standard	**Module 7: Water resources** 7.2 Removal of quarry material state code
Particular Levees	Operational work	Schedule 7, table 3, Item 48	Standard	**Module 7: Water resources** 7.3 Particular levees state code
Waterway barrier works — constructing or raising	Operational work	Schedule 7, Table 2, Item 29	Standard	**Module 5: Fisheries resources** 5.2 Constructing or raising waterway barrier works in fish habitats state code
Wetland — land in or near	Reconfiguring a lot	Schedule 7, Table 2, Item 43A	Standard	**Module 11: Wetland protection** 11.1 Wetland protection area state code
	Material change of use	Schedule 7, Table 3, Item 21A	Standard	
	Operational work	Schedule 7, Table 2, Item 43B	Standard	
Unexploded ordnance (UXO)	Reconfiguring a lot	Schedule 7, Table 2, Item 22	Standard	**Module 12: Unexploded ordnance (UXO)** 12.1 Unexploded ordnance state code
	Material change of use	Schedule 7, Table 3, Item 11	Standard	**Module 12: Unexploded ordnance (UXO)** 12.1 Unexploded ordnance state code
Major hazard facilities	Material change of use	Schedule 7, Table 2, Item 8	Standard	**Module 13: Major hazard facilities** 13.1 Major hazard facilities state code
Particular dams	Operational work	Schedule 7, Table 2, Item 11	Standard	**Module 16: Particular dams** 16.1 Referable dams state code
Public passenger transport	Building work	Schedule 7, Table 1, Item 14	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code
	Reconfiguring a lot	Schedule 7, Table 2, Item 33	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 1: Community amenity** 1.1 Managing noise and vibration impacts from transport corridors state code 1.2 Managing air and lighting impacts from transport corridors state code **Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code **Module 19: State transport network functionality**

Matter of interest	Development type	Relevant provisions of the Regulation	Assessment paths available	Relevant module and codes
				19.2 Transport infrastructure and network design state code
	Material change of use or operational work	Schedule 7, Table 3, Item 14	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 1: Community amenity** 1.1 Managing noise and vibration impacts from transport corridors state code 1.2 Managing air and lighting impacts from transport corridors state code **Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code **Module 19: State transport network functionality** 19.2 Transport infrastructure and network design state code
Railways	Building work	Schedule 7, Table 1, Item 16	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 1: Community amenity** 1.1 Managing noise and vibration impacts from transport corridors state code 1.2 Managing air and lighting impacts from transport corridors state code **Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code
	Material change of use	Schedule 7, Table 3, Item 15A	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 1: Community amenity** 1.1 Managing noise and vibration impacts from transport corridors state code 1.2 Managing air and lighting impacts from transport corridors state code **Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code **Module 19: State transport network functionality**

Matter of interest	Development type	Relevant provisions of the Regulation	Assessment paths available	Relevant module and codes
				19.2 Transport infrastructure and network design state code
	Operational work	Schedule 7, Table 3, Item 15B	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code
	Reconfiguring a lot	Schedule 7, Table 2, Item 34	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 1: Community amenity** 1.1 Managing noise and vibration impacts from transport corridors state code 1.2 Managing air and lighting impacts from transport corridors state code **Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code **Module 19: State transport network functionality** 19.2Transport infrastructure and network design state code
State-controlled roads	Building work	Schedule 7, Table 1, Item 8	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code
	Reconfiguring a lot	Schedule 7, Table 2, Item 2	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 1: Community amenity** 1.1 Managing noise and vibration impacts from transport corridors state code 1.2 Managing air and lighting impacts from transport corridors state code **Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on

Matter of interest	Development type	Relevant provisions of the Regulation	Assessment paths available	Relevant module and codes
				state transport infrastructure state code **Module 19: State transport network functionality** 19.1 Access to state-controlled roads state code 19.2 Transport infrastructure and network design state code
	Operational work	Schedule 7, Table 2, Item 3	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code **Module 19: State transport network functionality** 19.1 Access to state-controlled roads state code
		Schedule 7, Table 3, Item 1A	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code **Module 19: State transport network functionality** 19.1 Access to state-controlled roads state code
	Material change of use	Schedule 7, Table 3, Item 1	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 1: Community amenity** 1.1 Managing noise and vibration impacts from transport corridors state code 1.2 Managing air and lighting impacts from transport corridors state code **Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code **Module 19: State transport network functionality** 19.1 Access to state-controlled roads state code

Matter of interest	Development type	Relevant provisions of the Regulation	Assessment paths available	Relevant module and codes
				19.2 Transport infrastructure and network design state code
State transport infrastructure (thresholds)	Various aspects of development	Schedule 7, Table 3, Item 2	Standard	**Module 17: Public passenger transport** 17.1 Public passenger transport state code **Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code **Module 19: State transport network functionality** 19.2 Transport infrastructure and network design state code
State-controlled transport tunnels	Reconfiguring a lot	Schedule 7, Table 2, Item 34A	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 1: Community amenity** 1.1 Managing noise and vibration impacts from transport corridors state code 1.2 Managing air and lighting impacts from transport corridors state code **Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code **Module 19: State transport network functionality** 19.2 Transport infrastructure and network design state code
	Material change of use or operational work	Schedule 7, Table 3, Item 15C	FastTrack5	Refer to Part C, FastTrack5 qualifying criteria for this trigger
			Standard	**Module 1: Community amenity** 1.1 Managing noise and vibration impacts from transport corridors state code 1.2 Managing air and lighting impacts from transport corridors state code **Module 18: State transport infrastructure protection** 18.1 Filling, excavation and structures state code 18.2 Stormwater and drainage impacts on state transport infrastructure state code **Module 19: State transport network functionality** 19.2 Transport infrastructure and network design state code

Part C:
Fast track framework

Introduction

Please note that the Part C: Fast track framework took effect from 4 August 2014.

The fast track framework is a streamlined SARA referral and assessment process that allows aspects of development subject of selected triggers to be assessed and decided quickly by SARA, and to be subject to a reduced fee. Part C includes the qualifying criteria for each of those triggers eligible for assessment under the SARA fast track framework (summarised in Table C.1 below).

For each eligible trigger, the qualifying criteria checklists are provided to enable applicants to self-determine whether or not a triggered aspect of development qualifies for fast track assessment. Having confirmed that the relevant aspect of the development meets the SARA FastTrack5 qualifying criteria, SARA can quickly assess and provide a referral response or decisions for a FastTrack5 eligible aspect of the development within five days of acceptance that the aspect of development meets the qualifying criteria. Applications that qualify for SARA fast track assessment will not be subject to an information request and standard conditions will generally be applied.

SARA fast track triggers and qualifying criteria

Table C.1: FastTrack5 qualifying criteria

Trigger number	Matter of interest
Trigger 7.1.8	State-controlled road (Building work)
Trigger 7.1.14	Public passenger transport (Building work)
Trigger 7.1.16	Railways (Building work)
Trigger 7.2.2	State-controlled road (Reconfiguration of a lot)
Trigger 7.2.3	State-controlled road (Operational work)
Trigger 7.2.15	Tidal works (Operational work)
Trigger 7.2.33	Public passenger transport (Reconfiguration of a lot)
Trigger 7.2.34	Railways (Reconfiguration of a lot)
Trigger 7.2.34A	State-controlled transport tunnels (Reconfiguring a lot)
Trigger 7.3.1	State-controlled road (Material change of use)
Trigger 7.3.1A	State-controlled road (Operational work)
Trigger 7.3.14	Public passenger transport (Material change of use or operational work)
Trigger 7.3.15A	Railways (Material change of use)
Trigger 7.3.15B	Railways (Operational work)
Trigger 7.3.15C	State-controlled transport tunnels (Material change of use or operational work)

Editor's note: The trigger number is to be read as, for example, trigger 7.1.8, means the trigger prescribed in the Regulation in Schedule 7, Table 1, Item 8.

FastTrack5 trigger 7.1.8 qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

State-controlled road (Building work)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.1.8 is to confirm that the application for building work involving a state-controlled road or future state-controlled road qualifies for a fast track assessment.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.1.8: Fast track qualifying criteria

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for a: (a) planned upgrade to a state-controlled road, or (b) future state-controlled road?	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport protection		
2	Will the proposed development require the need for works within 25 metres of a state-controlled road or a future state-controlled road? Editor's note: Works includes building work and operational work as defined under the Act.	**No** or **N/A** Application should contain a site/layout plan which demonstrates that works are not proposed within 25 metres of the corridor.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
3	(a) Does your subject site include an overland flow path? Editor's note: An overland flow path is open space floodway channels, road reserves, pavement expanses and other flow paths that convey flows typically in excess of the capacity of the Minor Drainage System (Road Drainage Manual – July 2015).	**No** Proceed to question 3(b).
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(b) Is the point at which stormwater leaves your site within 50 metres of a flood hazard/prone area as indicated in the relevant local government planning scheme that adjoins a state-controlled road or future state-controlled road? Editor's note: Flood hazard/prone area terminology may vary between local	**No** Proceed to question 3(c). Applicant should supply a copy of the relevant planning scheme map which demonstrates that a point of discharge is located 50 metres or more from the flood hazard/prone area.

Qualifying criteria		Response
	government planning schemes.	**Yes** Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(c) Will your proposal change the existing topography (lay of the land) of the subject site resulting in stormwater flowing towards a state-controlled road or future state-controlled road?	**No** Applicant should supply site/layout plan with contour lines which demonstrate that the subject site pre and post development slopes away from any state-controlled road or future state-controlled road.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.1.14 qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

Public passenger transport (Building work)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.1.14 is to confirm that the application for building work on future public passenger transport corridor qualifies for a fast track assessment.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway.

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.1.14: Fast track qualifying criteria

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for a future public passenger transport corridor?	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport protection		
2	Will the proposed development require the need for works within 25 metres of a state transport corridor, state transport infrastructure or a future state transport corridor? Editor's note: Works includes building work and operational work as defined under the Act.	**No** Application should contain a site/layout plan which demonstrates that works are not proposed within 25 metres of corridor.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.1.16 qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

Railways (Building work)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.1.16 is to confirm that the application for building work on future railway land qualifies for a fast track assessment.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway.

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.1.16: Fast track qualifying criteria

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for future railway land.	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
Community amenity		
2	Is your proposal for one or more of the following uses: (1) child care centre (2) educational establishment (3) hospital (4) multiple dwelling (5) relocatable home park (6) residential care facility (7) resort complex (8) retirement facility (9) rooming accommodation (10) short-term accommodation (11) tourist park.	**No** Proceed to question 3.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport protection		
3	Will the proposed development require the need for works within 25 metres of a railway or future railway land? Editor's note: Works includes building work and operational work as defined under the Act.	**No** Application should contain a site/layout plan which demonstrates that works are not proposed within 25 metres of the corridor.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
4	(a) Does your subject site include an overland flow path? Editor's note: An overland flow path is open space floodway channels, road	**No** Proceed to question 4(b).

Qualifying criteria		Response
	reserves, pavement expanses and other flow paths that convey flows typically in excess of the capacity of the minor drainage system (Road Drainage Manual - July 2015).	**Yes** Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(b) Is the point at which stormwater leaves your site within 50 metres of a flood hazard/prone area as indicated in the relevant local government planning scheme that adjoins a railway or future railway land? Editor's note: Flood hazard/prone area terminology may vary between local government planning schemes.	**No** Proceed to question 4(c). Applicant should supply a copy of the relevant planning scheme map which demonstrates that a point of discharge is located 50 metres or more from the flood hazard/prone area.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(c) Will your proposal change the existing topography (lay of the land) of the subject site resulting in stormwater flowing towards a railway or future railway land?	**No** Applicant to supply site/layout plan with contour lines which demonstrates that the subject site pre and post development slopes away from any railway or future railway land.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.2.2 qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

State-controlled road (Reconfiguring a lot)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.2.2a and 7.2.2b is to confirm that the application for reconfiguring a lot involving a state-controlled road or future state-controlled road qualifies for a fast track assessment.

Development involving volumetric subdivision is to be assessed against table 7.2.2a only. All other development is to be assessed against table 7.2.2b.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway.

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.2.2a: Fast track qualifying criteria (volumetric subdivision only)

Qualifying criteria		Response
Volumetric subdivision		
1	Is your proposal solely for the volumetric subdivision of an existing or approved building?	**Yes** The application is fast track compliant. No further assessment against the remaining criteria in table 7.2.2b is required.
		No Proceed with assessment against table 7.2.2b.

Table 7.2.2b: Fast track qualifying criteria (all other development)

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for a: (a) planned upgrade to a state-controlled road, or (b) future state-controlled road?	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
Community amenity		
2	Is your proposal for one or more of the following uses: (1) child care centre (2) educational establishment (3) hospital (4) multiple dwelling (5) relocatable home park (6) residential care facility (7) resort complex (8) retirement facility	**No** Proceed to question 3.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

Qualifying criteria		Response
	(9) rooming accommodation (10) short-term accommodation (11) tourist park.	
State transport protection		
3	Will the proposed development require the need for works within 25 metres of a state-controlled road or a future state-controlled road? Editor's note: Works includes building work and operational work as defined under the Act.	**No** or **N/A** Application should contain a site/layout plan which demonstrates that works are not proposed within 25 metres of the corridor.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
4	(a) Does your subject site include an overland flow path? Editor's note: An overland flow path is open space floodway channels, road reserves, pavement expanses and other flow paths that convey flows typically in excess of the capacity of the minor drainage system (Road Drainage Manual - July 2015).	**No** Proceed to question 4(b).
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(b) Is the point at which stormwater leaves your site within 50 metres of a flood hazard/prone area as indicated in the relevant local government planning scheme that adjoins a state-controlled road or future state-controlled road? Editor's note: Flood hazard/prone area terminology may vary between local government planning schemes.	**No** Proceed to question 4(c). Applicant should supply a copy of the relevant planning scheme map which demonstrates that a point of discharge is located 50 metres or more from the flood hazard/prone area.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(c) Will your proposal change the existing topography (lay of the land) of the subject site resulting in stormwater flowing towards a state-controlled road or future state-controlled road?	**No** Applicant to supply site/layout plan with contour lines which demonstrates that the subject site pre and post development slopes away from any state-controlled road or a future state-controlled road.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport network functionality		
5	(a) Does the development: i. Propose a new direct vehicular access to a state-controlled road, or ii. Have an existing direct vehicular access to a state-controlled road?	**No** Proceed to question 6. Demonstrated on a site/layout plan which confirms that the subject site does not have direct access to a state-controlled road.
		Yes Proceed to question 5(b).
	AND	
	(b) Has a permitted road access location approval, under Section 62 of the *Transport Infrastructure Act 1994*, been granted by DTMR for the proposed or existing access to the state-controlled road in relation	**Yes** Applicants must provide: (a) A copy of the Section 62 approval granted by

Qualifying criteria		Response
	to the proposed development?	DTMR, or (b) A letter from DTMR stating that an existing direct vehicular access does not compromise the safety and efficiency of a state-controlled road.
		No Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
6	Does your proposal include a vehicular access onto a local road within 100 metres of its intersection with a state-controlled road?	**No** Applicants must provide a site/layout plan demonstrating that access via a local road is not located within 100 metres of an intersection with any state-controlled road.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.2.3 qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

State-controlled road (Operational work)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.2.3 is to confirm that the application for operational work involving a state-controlled road or future state-controlled road qualifies for a fast track assessment.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway.

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.2.3: Fast track qualifying criteria

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for: (a) planned upgrade to a state-controlled road, or (b) future state-controlled road?	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport protection		
2	Will the proposed development require the need for works within 25 metres of a state-controlled road or a future state-controlled road? Editor's note: Works includes building work and operational work as defined under the Act.	**No** or **N/A** Application should contain a site/layout plan which demonstrates that works are not proposed within 25 metres of the corridor.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
3	(a) Does your subject site include an overland flow path? Editor's note: An overland flow path is open space floodway channels, road reserves, pavement expanses and other flow paths that convey flows typically in excess of the capacity of the minor drainage system (Road Drainage Manual - July 2015).	**No** Proceed to question 3(b).
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(b) Is the point at which stormwater leaves your site within 50 metres of a flood hazard/prone area as indicated in the relevant local government planning scheme that adjoins a state-controlled road or future state-controlled road? Editor's note: Flood hazard/prone area terminology may vary between local government planning schemes.	**No** Proceed to question 3(c). Applicant should supply a copy of the relevant planning scheme map which demonstrates that a point of discharge is located 50 metres or more from the flood hazard/prone area.
		Yes Application cannot qualify for the fast track

Qualifying criteria		Response
	AND	assessment pathway and must follow the standard SARA assessment.
	(c) Will your proposal change the existing topography (lay of the land) of the subject site resulting in stormwater flowing towards a state-controlled road or future state-controlled road?	**No** Applicant to supply site/layout plan with contour lines which demonstrates that the subject site pre and post development slopes away from any state-controlled road or a future state-controlled road.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport network functionality		
4	(a) Does the development: i. Propose a new direct vehicular access to a state-controlled road, or ii. Have an existing direct vehicular access to a state-controlled road?	**No** Proceed to question 5. Demonstrated on a site/layout plan which confirms that the subject site does not have direct access to a state-controlled road.
		Yes Proceed to question 4(b).
	AND	
	(b) Has a permitted road access location approval, under Section 62 of the *Transport Infrastructure Act 1994*, been granted by DTMR for the proposed or existing access to the state-controlled road in relation to the proposed development?	**Yes** Applicants must provide: (a) A copy of the Section 62 approval granted by DTMR, or (b) A letter from DTMR stating that an existing direct vehicular access does not compromise the safety and efficiency of a state-controlled road.
		No Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
5	Does your proposal include a vehicular access onto a local road within 100 metres of its intersection with a state-controlled road?	**No** Applicants must provide a site/layout plan demonstrating that access via a local road is not located within 100 metres of an intersection with any state-controlled road.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.2.15 qualifying criteria

Please note that the fast track framework took effect from 4 August 2014.

Tidal works (Operational work)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.2.15 is to confirm that the application for operational works in tidal water qualifies for a fast track assessment.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

(3) The fast track qualifying criteria outlined below in table 7.2.15 does not apply to tidal works in Gold Coast Waters. Please refer to the existing triggers in Schedule 7 of the *Sustainable Planning Regulation 2009*.

Table 7.2.15: Fast track qualifying criteria

Qualifying criteria		Response
Tidal works		
1	Is the proposed tidal works for one or more of the following uses: (1) private single vessel pontoon (2) private single vessel jetty (3) private single vessel boat ramp (4) drainage outlet (5) stormwater outlet	**No** Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
		Yes Proceed to question 2.
2	Will the proposed tidal works, including any structures and any vessel berthed, moored or attached to the structure: (a) encroach into, pass over or under a navigation corridor, or (b) be located in a high risk maritime development zone?	**No** Application contains a site layout plan demonstrating that tidal works, including any structures and any vessel berthed at a structure: (a) do not encroach into, pass over or under a navigation corridor, or (b) are not located in a high risk maritime development zone.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.2.33 qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

Public passenger transport (Reconfiguring a lot)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.2.33a and table 7.2.33b is to confirm that the application for reconfiguring a lot involving a public passenger transport corridor or future public passenger transport corridor qualifies for a fast track assessment.

Development involving volumetric subdivision is to be assessed against table 7.2.33a only. All other development is to be assessed against table 7.2.33b.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway.

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.2.33a: Fast track qualifying criteria (volumetric subdivision only)

Qualifying criteria		Response
Volumetric subdivision		
1	Is your proposal solely for the volumetric subdivision of an existing or approved building?	**Yes** The application is fast track compliant. No further assessment against the remaining criteria in table 7.2.2b is required.
		No Proceed with assessment against table 7.2.33b.

Table 7.2.33b: Fast track qualifying criteria (all other development)

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for a future state transport corridor?	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
Community amenity		
2	Is your proposal for one or more of the following uses: (1) child care centre (2) educational establishment (3) hospital (4) multiple dwelling (5) relocatable home park (6) residential care facility (7) resort complex	**No** Proceed to question 3.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

Qualifying criteria		Response
	(8) retirement facility (9) rooming accommodation (10) short-term accommodation (11) Tourist park.	
State transport protection		
3	Will the proposed development require the need for works within 25 metres of a state transport corridor, state transport infrastructure or a future state transport corridor? Editor's note: Works includes building work and operational work as defined under the Act.	**No** or **N/A** Application should contain a site/layout plan which demonstrates that works are not proposed within 25 metres of the corridor).
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
4	(a) Does your subject site include an overland flow path? Editor's note: An overland flow path is open space floodway channels, road reserves, pavement expanses and other flow paths that convey flows typically in excess of the capacity of the minor drainage system (Road Drainage Manual - July 2015).	**No** Proceed to question 4(b).
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(b) Is the point at which stormwater leaves your site within 50 metres of a flood hazard/prone area as indicated in the relevant local government planning scheme that adjoins a state transport corridor or future state transport corridor? Editor's note: Flood hazard/prone area terminology may vary between local government planning schemes.	**No** Proceed to question 4(c). Applicant should supply a copy of the relevant planning scheme map which demonstrates that a point of discharge is located 50 metres or more from the flood hazard/prone area.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(c) Will your proposal change the existing topography (lay of the land) of the subject site resulting in stormwater flowing towards a state transport corridor, state transport infrastructure or future state transport corridor?	**No** Applicant to supply site/layout plan with contour lines which demonstrates that the subject site pre and post development slopes away from any state transport corridor, state transport infrastructure or a future state transport corridor.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.2.34 qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

Railways (Reconfiguring a lot)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.2.34a and 7.2.34b is to confirm that the application for reconfiguring a lot involving a railway or future railway land qualifies for a fast track assessment.

Development involving volumetric subdivision is to be assessed against table 7.2.34a only. All other development is to be assessed against 7.2.34b.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway.

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.2.34a: Fast track qualifying criteria (volumetric subdivision only)

Qualifying criteria		Response
Volumetric subdivision		
1	Is your proposal solely for the volumetric subdivision of an existing or approved building?	**Yes** The application is fast track compliant. No further assessment against the remaining criteria in table 7.2.2b is required.
		No Proceed with assessment against table 7.2.34b.

Table 7.2.34b: Fast track qualifying criteria (all other development)

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for future railway land?	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
Community amenity		
2	Is your proposal for one or more of the following uses: (1) child care centre (2) educational establishment (3) hospital (4) multiple dwelling (5) relocatable home park (6) residential care facility (7) resort complex (8) retirement facility	**No** Proceed to question 3.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

Qualifying criteria		Response
	(9) rooming accommodation (10) short-term accommodation (11) tourist park.	
State transport protection		
3	Will the proposed development require the need for works within 25 metres of a railway or a future railway land? Editor's note: Works includes building work and operational work as defined under the Act.	**No** or **N/A** Application should contain a site/layout plan which demonstrates that works are not proposed within 25 metres of the corridor.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
4	(a) Does your subject site include an overland flow path? Editor's note: An overland flow path is open space floodway channels, road reserves, pavement expanses and other flow paths that convey flows typically in excess of the capacity of the minor drainage system (Road Drainage Manual - July 2015).	**No** Proceed to question 4(b).
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(b) Is the point at which stormwater leaves your site within 50 metres of a flood hazard/prone area as indicated in the relevant local government planning scheme that adjoins a railway or future railway land? Editor's note: Flood hazard/prone area terminology may vary between local government planning schemes.	**No** Proceed to question 4(c). Applicant should supply a copy of the relevant planning scheme map which demonstrates that a point of discharge is located 50 metres or more from the flood hazard/prone area.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(c) Will your proposal change the existing topography (lay of the land) of the subject site resulting in stormwater flowing towards a railway or future railway land?	**No** Applicant to supply site/layout plan with contour lines which demonstrates that the subject site pre and post development slopes away from any railway or future railway land?
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport network functionality		
5	Does your proposal include access (existing or proposed) to or across an existing railway or future railway land?	**No**
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.2.34A qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

State-controlled transport tunnels (Reconfiguring a lot)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.2.34A is to confirm that the application for reconfiguring a lot if any part of the land is, or within 50m of a state-controlled transport tunnel or future state-controlled transport tunnel qualifies for a fast track assessment.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway.

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.2.34A: Fast track qualifying criteria

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for a future state-controlled transport tunnel?	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
Community amenity		
2	Is your proposal for one or more of the following uses: (1) child care centre (2) educational establishment (3) hospital (4) multiple dwelling (5) relocatable home park (6) residential care facility (7) resort complex (8) retirement facility (9) rooming accommodation (10) short-term accommodation (11) tourist park.	**No** Proceed to question 3.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport protection		
3	Will the proposed development require the need for works on or within 50 metres of a state-controlled transport tunnel or future state-controlled transport tunnel? Editor's note: Works includes building work and operational work as defined under the Act.	**No** or **N/A** Application should contain a site/layout plan which demonstrates that works are not proposed within 50 metres of a state-controlled transport tunnel or future state-controlled transport tunnel.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the

Qualifying criteria		Response
		standard SARA assessment.
4	(a) Does your subject site include an overland flow path? Editor's note: An overland flow path is open space floodway channels, road reserves, pavement expanses and other flow paths that convey flows typically in excess of the capacity of the minor drainage system (Road Drainage Manual - July 2015).	**No** Proceed to question 4(b).
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(b) Is the point at which stormwater leaves your site within 50 metres of a flood hazard/prone area as indicated in the relevant local government planning scheme that adjoins a state-controlled transport tunnel or future state-controlled transport tunnel? Editor's note: Flood hazard/prone area terminology may vary between local government planning schemes.	**No** Proceed to question 4(c). Applicant should supply a copy of the relevant planning scheme map which demonstrates that a point of discharge is located 50 metres or more from the flood hazard/prone area.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(c) Will your proposal change the existing topography (lay of the land) of the subject site resulting in stormwater flowing towards a state-controlled transport tunnel or future state-controlled transport tunnel?	**No** Applicant to supply site/layout plan with contour lines which demonstrates that the subject site pre and post development slopes away from any state-controlled transport tunnel or a future state-controlled transport tunnel.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.3.1 qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

State-controlled road (Material change of use)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.3.1 is to confirm that the application for a material change of use involving a state-controlled road or future state-controlled road qualifies for a fast track assessment.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway.

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.3.1: Fast track qualifying criteria

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for a: (a) planned upgrade to a state-controlled road, or (b) future state-controlled road?	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
Community amenity		
2	Is your proposal for one or more of the following uses: (1) child care centre (2) educational establishment (3) hospital (4) multiple dwelling (5) relocatable home park (6) residential care facility (7) resort complex (8) retirement facility (9) rooming accommodation (10) short-term accommodation (11) tourist park.	**No** Proceed to question 3.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport protection		
3	Will the proposed development require the need for works within 25 metres of a state-controlled road or a future state-controlled road? Editor's note: Works includes building work and operational work as defined under the Act.	**No** or **N/A** Application should contain a site/layout plan which demonstrates that works are not proposed within 25 metres of the corridor.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

Qualifying criteria		Response
4	(a) Does your subject site include an overland flow path? Editor's note: An overland flow path is open space floodway channels, road reserves, pavement expanses and other flow paths that convey flows typically in excess of the capacity of the minor drainage system (Road Drainage Manual - July 2015).	**No** Proceed to question 4(b).
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(b) Is the point at which stormwater leaves your site within 50 metres of a flood hazard/prone area as indicated in the relevant local government planning scheme that adjoins a state-controlled road or future state-controlled road? Editor's note: Flood hazard/prone area terminology may vary between local government planning schemes.	**No** Proceed to question 4(c) Applicant should supply a copy of the relevant planning scheme map which demonstrates that a point of discharge is located 50 metres or more from the flood hazard/prone area.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(c) Will your proposal change the existing topography (lay of the land) of the subject site resulting in stormwater flowing towards a state-controlled road or future state-controlled road?	**No** Applicant to supply site/layout plan with contour lines which demonstrates that the subject site pre and post development slopes away from any state transport corridor, state transport infrastructure or a future state transport corridor.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport network functionality		
5	(a) Does the development: i. Propose a new direct vehicular access to a state-controlled road, or ii. Have an existing direct vehicular access to a state-controlled road?	**No** Proceed to question 6. Demonstrated on a site/layout plan which confirms that the subject site does not have direct access to a state-controlled road.
		Yes Proceed to question 5(b).
	AND	
	(b) Has a permitted road access location approval, under Section 62 of the *Transport Infrastructure Act 1994*, been granted by DTMR for the location of any proposed or existing access to the state-controlled road in relation to the proposed development?	**Yes** Applicants must provide: (a) A copy of the Section 62 approval granted by DTMR, or (b) A letter from DTMR stating that an existing direct vehicular access does not compromise the safety and efficiency of a state-controlled road.
		No Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
6	Does your proposal include a vehicular access onto a local road within 100 metres of its intersection with a state-controlled road?	**No** Applicants must provide a site/layout plan demonstrating that access via a local road is not located within 100 metres of an intersection with any state-controlled road.

Qualifying criteria		Response
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.3.1A qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

State-controlled road (Operational work)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.3.1A is to confirm that the application for operational work involving a state-controlled road or future state-controlled road qualifies for a fast track assessment.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway.

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.3.1A: Fast track qualifying criteria

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for a: (a) planned upgrade to a state-controlled road, or (b) future state-controlled road?	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport protection		
2	Will the proposed development require the need for works within 25 metres of a state-controlled road or a future state-controlled road? Editor's note: Works includes building work and operational work as defined under the Act.	**No** or **N/A** Application should contain a site/layout plan which demonstrates that works are not proposed within 25 metres of the corridor.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
3	(a) Does your subject site include an overland flow path? Editor's note: An overland flow path is open space floodway channels, road reserves, pavement expanses and other flow paths that convey flows typically in excess of the capacity of the minor drainage system (Road Drainage Manual - July 2015).	**No** Proceed to question 3(b).
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(b) Is the point at which stormwater leaves your site within 50 metres of a flood hazard/prone area as indicated in the relevant local government planning scheme that adjoins a state-controlled road or future state-controlled road? Editor's note: Flood hazard/prone area terminology may vary between local	**No** Proceed to question 3(c). Applicant should supply a copy of the relevant planning scheme map which demonstrates that a point of discharge is located 50 metres or more from the flood hazard/prone area.

Qualifying criteria		Response
	government planning schemes. AND	**Yes** Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	(c) Will your proposal change the existing topography (lay of the land) of the subject site resulting in stormwater flowing towards a state-controlled road or future state-controlled road?	**No** Applicant to supply site/layout plan with contour lines which demonstrates that the subject site pre and post development slopes away from any state-controlled road or a future state-controlled road. **Yes** Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport network functionality		
4	(a) Does the development: i. Propose a new direct vehicular access to a state-controlled road, or ii. Have an existing direct vehicular access to a state-controlled road? AND	**No** Proceed to question 5. Demonstrated on a site/layout plan which confirms that the subject site does not have direct access to a state-controlled road. **Yes** Proceed to question 4(b).
	(b) Has a permitted road access location approval, under Section 62 of the *Transport Infrastructure Act 1994*, been granted by DTMR for the location of any proposed or existing access to the state-controlled road in relation to the proposed development?	**Yes** Applicants must provide: (a) A copy of the Section 62 approval granted by DTMR, or (b) A letter from DTMR stating that an existing direct vehicular access does not compromise the safety and efficiency of a state-controlled road. **No** Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
5	Does your proposal include a vehicular access onto a local road within 100 metres of its intersection with a state-controlled road?	**No** Applicants must provide a site/layout plan demonstrating that access via a local road is not located within 100 metres of an intersection with any state-controlled road. **Yes** Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.3.14 qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

Public passenger transport (Material change of use or operational work)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.3.14 is to confirm that the application for operational work or a material change of use near a public passenger transport corridor or future public passenger transport corridor qualifies for a fast track assessment.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway.

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.3.14: Fast track qualifying criteria

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for a future state transport corridor?	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
Community amenity		
2	Is your proposal for one or more of the following uses: (1) child care centre (2) educational establishment (3) hospital (4) multiple dwelling (5) relocatable home park (6) residential care facility (7) resort complex (8) retirement facility (9) rooming accommodation (10) short-term accommodation (11) tourist park.	**No** Proceed to question 3.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport protection		
3	Will the proposed development require the need for works within 25 metres of a state transport corridor, state transport infrastructure or a future state transport corridor? Editor's note: Works includes building work and operational work as defined under the Act.	**No** or **N/A** Application should contain a site/layout plan which demonstrates that works are not proposed within 25 metres of the corridor.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
4	(a) Does your subject site include an overland flow path?	**No**

Qualifying criteria	Response
Editor's note: An overland flow path is open space floodway channels, road reserves, pavement expanses and other flow paths that convey flows typically in excess of the capacity of the minor drainage system (Road Drainage Manual - July 2015).	Proceed to question 4(b).
	Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
AND	
(b) Is the point at which stormwater leaves your site within 50 metres of a flood hazard/prone area as indicated in the relevant local government planning scheme that adjoins a state transport corridor or future state transport corridor? Editor's note: Flood hazard/prone area terminology may vary between local government planning schemes.	**No** Proceed to question 4(c). Applicant should supply a copy of the relevant planning scheme map which demonstrates that a point of discharge is located 50 metres or more from the flood hazard/prone area.
	Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
AND	
(c) Will your proposal change the existing topography (lay of the land) of the subject site resulting in stormwater flowing towards a state transport corridor, state transport infrastructure or future state transport corridor?	**No** Applicant to supply site/layout plan with contour lines which demonstrates that the subject site pre and post development slopes away from any state transport corridor, state transport infrastructure or a future state transport corridor.
	Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.3.15A qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

Railways (Material change of use)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.3.15A is to confirm that the application for a material change of use involving a railway or future railway land qualifies for a fast track assessment.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway.

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.3.15A: Fast track qualifying criteria

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for future railway land?	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
Community amenity		
2	Is your proposal for one or more of the following uses: (1) child care centre (2) educational establishment (3) hospital (4) multiple dwelling (5) relocatable home park (6) residential care facility (7) resort complex (8) retirement facility (9) rooming accommodation (10) short-term accommodation (11) tourist park.	**No** Proceed to question 3.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport protection		
3	Will the proposed development require the need for works within 25 metres of a railway or future railway land? Editor's note: Works includes building work and operational work as defined under the Act.	**No** or **N/A** Application should contain a site/layout plan which demonstrates that works are not proposed within 25 metres of the corridor.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

Qualifying criteria		Response
4	(a) Does your subject site include an overland flow path? Editor's note: An overland flow path is open space floodway channels, road reserves, pavement expanses and other flow paths that convey flows typically in excess of the capacity of the minor drainage system (Road Drainage Manual - July 2015).	**No** Proceed to question 4(b).
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(b) Is the point at which stormwater leaves your site within 50 metres of a flood hazard/prone area as indicated in the relevant local government planning scheme that adjoins a railway or future railway land? Editor's note: Flood hazard/prone area terminology may vary between local government planning schemes.	**No** Proceed to question 4(c). Applicant should supply a copy of the relevant planning scheme map which demonstrates that a point of discharge is located 50 metres or more from the flood hazard/prone area.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(c) Will your proposal change the existing topography (lay of the land) of the subject site resulting in stormwater flowing towards a railway or future railway land?	**No** Applicant to supply site/layout plan with contour lines which demonstrates that the subject site pre and post development slopes away from any railway or future railway land.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport network functionality		
5	Does your proposal include a vehicular access onto a local road or state-controlled road within 100 metres of a railway crossing?	**No** Applications must include a site/layout plan demonstrating that access via a local road or state-controlled road is not located within 100 metres of a railway crossing.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
6	Does your proposal include access (existing or proposed) to or across an existing railway or future railway land?	**No**
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.3.15B qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

Railways (Operational work)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.3.15B is to confirm that the application for operational work involving a railway or future railway land qualifies for a fast track assessment.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway.

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.3.15B: Fast track qualifying criteria

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for future railway land?	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport protection		
2	Will the proposed development require the need for works within 25 metres of a railway or future railway land? Editor's note: Works includes building work and operational work as defined under the Act.	**No** or **N/A** Application should contain a site/layout plan which demonstrates that works are not proposed within 25 metres of the corridor.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
3	(a) Does your subject site include an overland flow path? Editor's note: An overland flow path is open space floodway channels, road reserves, pavement expanses and other flow paths that convey flows typically in excess of the capacity of the minor drainage system (Road Drainage Manual - July 2015).	**No** Proceed to question 3(b).
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(b) Is the point at which stormwater leaves your site within 50 metres of a flood hazard/prone area as indicated in the relevant local government planning scheme that adjoins a railway or future railway land? Editor's note: Flood hazard/prone area terminology may vary between local	**No** Proceed to question 3(c). Applicant should supply a copy of the relevant planning scheme map which demonstrates that a point of discharge is located 50 metres or more from the flood hazard/prone area.

Qualifying criteria		Response
	government planning schemes. AND	**Yes** Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	(c) Will your proposal change the existing topography (lay of the land) of the subject site resulting in stormwater flowing towards a railway or future railway land?	**No** Applicant to supply site/layout plan with contour lines which demonstrates that the subject site pre and post development slopes away from any railway or future railway land.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport network functionality		
4	Does your proposal include a vehicular access onto a local road or state-controlled road within 100 metres of a railway crossing?	**No** Applications must include a site/layout plan demonstrating that access via a local road or state-controlled road is not located within 100 metres of a railway crossing.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
5	Does your proposal include access (existing or proposed) to or across an existing railway or future railway land?	**No**
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

FastTrack5 trigger 7.3.15C qualifying criteria

Please note that fast track framework took effect from 4 August 2014.

State-controlled transport tunnel (Material change of use or operational work)

Purpose

The purpose of the fast track qualifying criteria outlined below in table 7.3.15C is to confirm that the application for a material change of use or operational work involving a state-controlled transport tunnel or future state-controlled transport tunnel qualifies for a fast track assessment.

Editor's note:

(1) ALL responses to the qualifying criteria must be the green-coloured option to be able to qualify for the fast track assessment pathway.

(2) Where any of the responses are not the green-coloured option, the application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment and be assessed against the relevant SDAP modules and codes applicable to this trigger under Table B.3: Referral agency role.

Table 7.3.15C: Fast track qualifying criteria

Qualifying criteria		Response
State transport planning		
1	Is the land on which you propose development impacted by DTMR planning for a future state-controlled transport tunnel?	**No** Demonstrated with a copy of the DA mapping system print report which confirms that the subject site is not impacted by DTMR planning.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
Community amenity		
2	Is your proposal for one or more of the following uses: (1) child care centre (2) educational establishment (3) hospital (4) multiple dwelling (5) relocatable home park (6) residential care facility (7) resort complex (8) retirement facility (9) rooming accommodation (10) short-term accommodation (11) tourist park.	**No** Proceed to question 3.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
State transport protection		
3	Will the proposed development require the need for works on or within 50 metres of existing or future state-controlled transport tunnel? Editor's note: Works includes building work and operational work as defined under the Act.	**No** or **N/A** Application should contain a site/layout plan which demonstrates that works are not proposed within 50 metres of an existing or future state-controlled transport tunnel.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

Qualifying criteria		Response
4	(a) Does your subject site include an overland flow path? Editor's note: An overland flow path is open space floodway channels, road reserves, pavement expanses and other flow paths that convey flows typically in excess of the capacity of the minor drainage system (Road Drainage Manual - July 2015).	**No** Proceed to question 4(b).
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(b) Is the point at which stormwater leaves your site within 50 metres of a flood hazard/prone area as indicated in the relevant local government planning scheme that adjoins a state-controlled transport tunnel or future state-controlled transport tunnel? Editor's note: Flood hazard/prone area terminology may vary between local government planning schemes.	**No** Proceed to question 4(c). Applicant should supply a copy of the relevant planning scheme map which demonstrates that a point of discharge is located 50 metres or more from the flood hazard/prone area.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.
	AND	
	(c) Will your proposal change the existing topography (lay of the land) of the subject site resulting in stormwater flowing towards a state-controlled transport tunnel or future state-controlled transport tunnel?	**No** Applicant to supply site/layout plan with contour lines which demonstrates that the subject site pre and post development slopes away from any state-controlled transport tunnel or a future state-controlled transport tunnel.
		Yes Application cannot qualify for the fast track assessment pathway and must follow the standard SARA assessment.

Reference documents

Department of Transport and Main Roads 2015 *Road drainage manual*

Glossary of terms

Busway see the *Transport Infrastructure Act 1994*, schedule 6.

Editor's note: Busway means:

(1) a route especially designed and constructed for, and dedicated to, the priority movement of buses for passenger transport purposes
(2) places for the taking on and letting off of bus passengers using the route.

Editor's note: See DA mapping system–SARA layers.

Child care centre see the standard planning scheme provisions.

Editor's note: Child care centre means the premises used for minding or care, but not residence, of children.

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

Editor's note: the DA mapping system is available at *DA mapping system*.

Educational establishment see the standard planning scheme provisions.

Editor's note: Educational establishment means premises used for training and instruction designed to impart knowledge and develop skills. The use may include after school care for students or on-site student accommodation.

Future public passenger transport corridor see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: Future public passenger transport corridor means land identified in a guideline made under the *Transport Planning and Coordination Act* 1994, section 8E for any of the following—

(1) busway transport infrastructure;

(2) busway transport infrastructure works;

(3) light rail transport infrastructure;

(4) light rail transport infrastructure works;

(5) rail transport infrastructure;

(6) railway works.

Future railway land see the *Transport Infrastructure Act 1994.*

Editor's note: Future railway land means land that the chief executive administering the *Transport Infrastructure Act 1994* has, by written notice given to a local government and published in the gazette, indicated is intended to be used for a railway under that Act (section 242).

Future state-controlled road see the *Transport Infrastructure Act 1994,* section 42.

Editor's note: Future state-controlled road means a road or land that the chief executive administering the *Transport Infrastructure Act 1994* has, by written notice given to a local government and published in the gazette, indicated is intended to become a state-controlled road under that Act, section 42.

Editor's note: See DA mapping system–SARA layers.

Future state-controlled transport tunnel see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: Future state-controlled tunnel means a tunnel that forms part of—

(1) future state-controlled road, or

(2) future railway land, or

(3) a future public passenger transport corridor.

Future state transport corridor means any of the following:

(1) a future state-controlled road

(2) future railway land

(3) a future public passenger transport corridor

(4) a future state-controlled transport tunnel

(5) a future active transport corridor.

Gold Coast Waters see the *Gold Coast Waterways Authority Act 2012,* section 7*.*

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

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

(1) marinas with six or more boats

(2) State boat harbours

(3) port limits and/or pilotage areas

(4) sensitive marine environments including areas of constant sand movement

(5) from the coast to the extent of Queensland waters (3 nautical miles).

Hospital see the standard planning scheme provisions.

Editor's note: Hospital means premises used for medical or surgical care or treatment of patients, whether or not residing on the premises. The use may include ancillary accommodation for employees and ancillary activities directly serving the needs of patients and visitors.

Light rail see the *Transport Infrastructure Act 1994,* schedule 6.

Editor's note: Light rail means:

(1) a route wholly or partly dedicated to the priority movement of light rail vehicles for passenger transport purposes, whether or not the route was designed and constructed for those purposes as well as other purposes

(2) places for the taking on and letting off of light rail vehicle passengers using the route.

Editor's note: See DA mapping system–SARA layers.

Limited access road see the *Transport Infrastructure Act 1994*.

Editor's note: Limited access road means a state-controlled road, or part of a state-controlled road, declared to be a limited access road under the *Transport Infrastructure Act 1994*, section 54.

Editor's note: See DA mapping system–SARA layers.

Local road means a road controlled by a local government authority.

Multiple dwelling see the standard planning scheme provisions.

Editor's note: Multiple dwelling means premises containing three or more dwellings for separate households.

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

Permitted road access location see the *Transport Infrastructure Act 1994*.

Editor's note: Permitted road access location means a permitted road access location under a decision in force under the *Transport Infrastructure Act 1994,* section 62(1).

Planned upgrade means an extension, upgrade, or duplication of state transport infrastructure or transport networks for which affected land has been identified:

(1) in a publicly available government document, or
(2) in written advice to affected land owners.

Editor's note: Government documents are commonwealth, state or local government documents that include a statement of intent for, or a commitment to, a planning outcome or infrastructure provision.

Editor's note: See DA mapping system–SARA layers.

Private single vessel pontoon means a pontoon that is:

(1) constructed to provide private access to private land from tidal water for non-commercial purposes, and
(2) designed for a single on-water vessel to be attached to the pontoon while it remains on the water (this includes a pontoon with one associated ancillary mooring such as a dry berth or a personal watercraft pod).

Private single vessel jetty means a jetty that is:

(1) constructed to provide private access to private land from tidal water for non-commercial purposes, and
(2) designed for a single on-water vessel to be attached to the jetty while it remains on the water (this includes a jetty with one associated ancillary mooring such as a dry berth or a personal watercraft pod).

Private single vessel boat ramp means a boat ramp that is:

(1) constructed to provide private access to private land from tidal water for non-commercial purposes, and
(2) designed to launch a single vessel at a time from the ramp.

Public passenger transport see the *Transport Planning and Coordination Act 1994*, section 3.

Editor's note: Public passenger transport means the carriage of passengers by a public passenger servicing using a public passenger vehicle.

Railway see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: Railway means land on which railway transport infrastructure or other rail infrastructure is situated.

Editor's note: See DA mapping system–SARA layers.

Railway crossing see the *Transport Infrastructure Act 1994*.
Editor's note: Railway crossing means a level crossing, bridge or another structure used to cross over or under a railway.

Relocatable home park see the standard planning scheme provisions.

Editor's note: Relocatable home park means premises used for relocatable dwellings (whether they are permanently located or not) that provides long-term residential accommodation. The use may include a manager's residence and office, ancillary food and drink outlet, kiosk, amenity buildings and the provision of recreation facilities for the exclusive use of residents.

Residential care facility see the standard planning scheme provisions.

Editor's note: Residential care facility means a residential use of premises for supervised accommodation where the use includes medical and other support facilities for residents who cannot live independently and require regular nursing or personal care.

Resort complex see the standard planning scheme provisions.

Editor's note: Resort complex means premises used for tourist and visitor short-term accommodation that include integrated leisure facilities including:

(1) restaurants and bars
(2) meeting and function facilities
(3) sporting and fitness facilities
(4) staff accommodation
(5) transport facilities directly associated with the tourist facility such as a ferry terminal and air services.

Retirement facility see the standard planning scheme provisions.

Editor's note: Retirement facility means a residential use of premises for an integrated community and specifically built and designed for older people. The use includes independent living units and may include serviced unit where residents require some support with health care and daily living needs. The use may also include a manager's residence and office, food and drink outlet, amenity buildings, communal facilities and accommodation for staff.

Road access location see the *Transport Infrastructure Act 1994*.

Editor's note: Road access location means a location on a property boundary between land and a road for the entry or exit of traffic.

Rooming accommodation see the standard planning scheme provisions.

Editor's note: Rooming accommodation means premises used for the accommodation of one or more households where each resident:

(1) has a right to occupy one or more rooms
(2) does not have a right to occupy the whole of the premises in which the rooms are situated
(3) may be provided with separate facilities for private use
(4) may share communal facilities or communal space with one or more of the other residents.

The use may include:

(1) rooms not in the same building on site
(2) provision of a food or other service
(3) on site management or staff and associated accommodation.

Short-term accommodation see the standard planning scheme provisions.

Editor's note: Short-term accommodation means premises used to provide short-term accommodation for tourists or travellers for a temporary period of time (typically not exceeding three consecutive months) and may be self-contained.

State-controlled road see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: State-controlled road means:

(1) a state-controlled road within the meaning of the *Transport Infrastructure Act 1994*, schedule 6, or
(2) State toll road corridor land.

Editor's note: See DA mapping system–SARA layers.

State-controlled transport tunnel see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: state-controlled transport tunnel means:

(1) a tunnel that forms part of a—
    (a) state-controlled road, or
    (b) railway, or
    (c) public passenger transport corridor, or
(2) a railway tunnel easement.

Editor's note: See DA mapping system—SARA layers.

State transport corridor means any of the following terms (defined under the *Transport Infrastructure Act 1994*, *Transport Planning and Coordination Act 1994* and Sustainable Planning Regulation 2009):

(1) a state-controlled road
(2) a railway
(3) a public passenger transport corridor

(4) a state-controlled tunnel
(5) an active transport corridor.

State transport infrastructure means any of the following terms (defined under the *Transport Infrastructure Act 1994*, the *Transport Planning and Coordination Act 1994* and the Sustainable Planning Regulation 2009):

(1) state-controlled road
(2) busway transport infrastructure
(3) light rail transport infrastructure
(4) rail transport infrastructure
(5) other rail infrastructure
(6) active transport infrastructure.

Tidal water see the *Land Act 1994*.

Editor's note: Tidal water means any part of the sea or of a port, or of a watercourse, lagoon, swamp or other place where water may be found, ordinarily within the ebb and flow of the tide at spring tides.

Tourist park see the standard planning scheme provisions.

Editor's note: Tourist park means premises used to provide for accommodation in caravans, self-contained cabins, tents and similar structures for the public for short term holiday purposes. The use may include, where ancillary, a manager's residence and office, kiosk, amenity buildings, food and drink outlet, or the provision of recreation facilities for the use of occupants of the tourist park and their visitors, and accommodation for staff.

Abbreviations

DTMR — Department of Transport and Main Roads

SARA —State Assessment and Referral Agency

Part D:
State codes and other matters

Module 1. Community amenity

1.1 Managing noise and vibration impacts from transport corridors state code

1.1.1 Purpose

The purpose of the code is to regulate sensitive development to:

(1) ensure that state transport operations and infrastructure are protected from development on nearby land that may lead to operational constraints on the state's transport system

(2) protect the community from significantly adverse impacts on health, wellbeing and quality of life resulting from environmental emissions (noise and vibration) generated by existing and future state transport operations and infrastructure.

Editor's note: Guidance for achieving the performance outcomes and acceptable outcomes for this state code is available in the *State Development Assessment Provisions Supporting Information – Community Amenity (noise)*, Department of Transport and Main Roads, 2013.

1.1.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Building work	Table 1.1.1
Material change of use	Table 1.1.1
Reconfiguring a lot	Table 1.1.2

Table 1.1.1: Building work and material change of use

Performance outcomes	Acceptable outcomes
Accommodation activities near a state-controlled road or type 1 multimodal corridor	
PO1 Development involving an accommodation activity achieves acceptable noise levels for residents and visitors by mitigating adverse impacts on the development from noise generated by a state-controlled road or a type 1 multi-modal corridor.	**AO1.1** All facades of an accommodation activity exposed to noise from a state-controlled road or type 1 multi-modal corridor meet the following external noise criteria#: (1) ≤60 dB(A) L_{10} (18 hour) facade corrected (measured L_{90} (8 hour) free field between 10 pm and 6 am ≤40 dB(A)) (2) ≤63 dB(A) L_{10} (18 hour) facade corrected (measured L_{90} (8 hour) free field between 10 pm and 6 am >40 dB(A)). AND **AO1.2** Every private open space in an accommodation activity exposed to noise from a state-controlled road or type 1 multi-modal corridor meets the following external noise criteria#: (1) ≤57 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6 am and 12 midnight ≤45 dB(A)) (2) ≤60 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6 am and 12 midnight >45 dB(A)). AND **AO1.3** Every passive recreation area in an accommodation activity exposed to noise from a state-controlled road or type 1 multi-modal corridor meets the following external noise criteria#: (1) 63 dB(A) L_{10} (12 hour) free field (between 6 am and 6 pm).

Performance outcomes	Acceptable outcomes
	AND **AO1.4** Every habitable room in an accommodation activity (other than a residential building) exposed to noise from a state-controlled road or type 1 multi-modal corridor meets the following internal noise criteria#: (1) ≤35 dB(A) L_{eq} (1 hour) (maximum hour over 24 hours). Note: Noise levels from state-controlled roads or type 1 multi-modal corridors are to be measured in accordance with *AS1055.1–1997 Acoustics – Description and measurement of environmental noise*. Editor's note: Habitable rooms of residential buildings located within a transport noise corridor must comply with the *Queensland Development Code MP4.4 Buildings in a transport noise corridor*, Queensland Government, 2010. Transport noise corridors are mapped on the Department of Infrastructure, Local Government and Planning's State Planning Policy Interactive Mapping System.
Accommodation activities near a railway (with 15 or more passing trains per day) or a type 2 multi-modal corridor	
PO2 Development involving an accommodation activity achieves acceptable noise levels for residents and visitors by mitigating adverse impacts on the development from noise generated by a railway with 15 or more passing trains per day or a type 2 multi-modal corridor.	**AO2.1** All facades of an accommodation activity exposed to noise from a railway with 15 or more passing trains per day or a type 2 multi-modal corridor meet the following external noise criteria#: (1) ≤65 dB(A) L_{eq} (24 hour) facade corrected (2) ≤87 dB(A) (single event maximum sound pressure level) facade corrected. AND **AO2.2** Every private open space and passive recreation area in an accommodation activity exposed to noise from a railway with 15 or more passing trains per day or a type 2 multi-modal corridor meets the following external noise criteria#: (1) ≤62 dB(A) L_{eq} (24 hour) free field (2) ≤84 dB(A) (single event maximum sound pressure level) free field. AND **AO2.3** Every habitable room in an accommodation activity (other than a residential building) exposed to noise from a railway with 15 or more passing trains per day or a type 2 multi-modal corridor meets the following internal noise criteria#: (1) ≤45 dB(A) single event maximum sound pressure level (railway). Note: Noise levels from railways or type 2 multi-modal corridors are to be measured in accordance with *AS1055.1–1997 Acoustics – Description and measurement of environmental noise.* Editor's note: Habitable rooms of residential buildings located within a transport noise corridor must comply with the *Queensland Development Code MP4.4 Buildings in a transport noise corridor*, Queensland Government, 2010. Transport noise corridors are mapped on the Department of Infrastructure, Local Government and Planning's State Planning Policy Interactive Mapping System.
Accommodation activities near a busway or light rail	
PO3 Development involving an accommodation activity achieves acceptable noise levels for residents and visitors by mitigating adverse impacts on the development from noise generated by a busway or light rail.	**AO3.1** All facades of an accommodation activity exposed to noise from a busway or light rail meet the following external noise criteria#: (1) ≤55 dB(A) L_{eq} (1 hour) facade corrected (maximum hour between 6 am and 10 pm) (2) ≤50 dB(A) L_{eq} (1 hour) facade corrected (maximum hour between 10 pm and 6 am) (3) ≤64 dB(A) L_{max} facade corrected (between 10 pm and 6 am).

Performance outcomes	Acceptable outcomes
	AND **AO3.2** Every private open space and passive recreation area in an accommodation activity exposed to noise from a busway or light rail meets the following external noise criteria#: (1) ≤52 dB(A) L_{eq} (1 hour) free field (maximum hour between 6 am and 10 pm) (2) ≤66 dB(A) L_{max} free field. AND **AO3.3** Every habitable room of an accommodation activity exposed to noise from a busway or light rail meets the following internal noise criteria#: (1) ≤35 dB(A) L_{eq} (1 hour) (maximum hour over 24 hours). Note: Noise levels from a busway or light rail are to be measured in accordance with *AS1055.1–1997 Acoustics – Description and measurement of environmental noise*.
Particular development near a state-controlled road or type 1 multi-modal corridor	
PO4 Development involving a: (1) child care centre, or (2) educational establishment achieves acceptable noise levels for workers and patrons by mitigating adverse impacts on the development from noise generated by a state-controlled road or a type 1 multi-modal corridor.	**AO4.1** All facades of buildings for a child care centre or educational establishment exposed to noise from state-controlled roads or type 1 multi-modal corridors meet the following external noise criteria#: (1) ≤58 dB(A) L_{10} (1 hour) facade corrected (maximum hour during normal opening hours). AND **AO4.2** Outdoor education areas and outdoor play areas exposed to noise from a state-controlled road or type 1 multi-modal corridor meet the following external noise criteria#: (1) ≤63 dB(A) L_{10} (12 hours) free field (between 6 am and 6 pm). AND **AO4.3** Indoor education areas and indoor play areas in a childcare centre or educational establishment exposed to noise from a state-controlled road or type 1 multi-modal corridor meet the following internal noise criteria#: (1) ≤35 dB(A) L_{eq} (1 hour) (maximum hour during opening hours). Note: Noise levels from state-controlled roads or type 1 multi-modal corridors are to be measured in accordance with *AS1055.1–1997 Acoustics – Description and measurement of environmental noise.*
PO5 Development involving a hospital achieves acceptable noise levels for workers and patrons by mitigating adverse impacts on the development from noise generated by a state-controlled road or a type 1 multi-modal corridor.	**AO5.1** All facades of buildings for a hospital exposed to noise from state-controlled roads or type 1 multi-modal corridors meet the following external noise criteria#: (1) ≤58 dB(A) L_{10} (1 hour) facade corrected (maximum hour during normal opening hours). AND **AO5.2** Patient care areas exposed to noise from a state-controlled road or type 1 multi-modal corridor meet the following internal noise criteria#: (1) ≤35 dB(A) L_{eq} (1 hour) (maximum hour during opening hours). Note: Noise levels from state-controlled roads or type 1 multi-modal corridors are to be measured in accordance with *AS1055.1–1997 Acoustics – Description and measurement of environmental noise.*
Particular development near a railway (with 15 or more passing trains per day) or a type 2 multi-modal corridor	
PO6 Development involving a: (1) child care centre, or	**AO6.1** All facades of buildings in a child care centre or educational establishment exposed to noise from a railway with 15 or more passing trains per day or a type 2 multi-modal corridor meet the following external

Performance outcomes	Acceptable outcomes
(2) educational establishment achieves acceptable noise levels for workers and patrons by mitigating adverse impacts on the development from noise generated by a railway with 15 or more passing trains per day or a type 2 multi-modal corridor.	noise criteria#: (1) ≤65 dB(A) L_{eq} (1 hour) facade corrected (maximum hour during normal opening hours) (2) ≤87 dB(A) (single event maximum sound pressure level) facade corrected. AND **AO6.2** Outdoor education areas and outdoor play areas exposed to noise from a railway with 15 or more passing trains per day or a type 2 multi-modal corridor meet the following external noise criteria#: (1) ≤62 dB(A) L_{eq} (12 hour) free field (between 6 am and 6 pm) (2) ≤84 dB(A) (single event maximum sound pressure level) free field. AND **AO6.3** Sleeping rooms in a child care centre exposed to noise from a railway with 15 or more passing trains per day or a type 2 multi-modal corridor meet the following internal noise criteria#: (1) ≤45 dB(A) single event maximum sound pressure level. AND **AO6.4** Indoor education areas and indoor play areas exposed to noise from a railway with 15 or more passing trains per day or a type 2 multi-modal corridor meet the following internal noise criteria#: (1) ≤50 dB(A) single event maximum sound pressure level. Note: Noise levels from railways or type 2 multi-modal corridors are measured in accordance with *AS1055.1–1997 Acoustics – Description and measurement of environmental noise.*
PO7 Development involving a hospital achieves acceptable noise levels for workers and patrons by mitigating adverse impacts on the development from noise generated by a railway with 15 or more passing trains per day or a type 2 multi-modal corridor.	**AO7.1** All facades of buildings for a hospital exposed to noise from a railway with 15 or more passing trains per day or a type 2 multi-modal corridor meet the following external noise criteria#: (1) ≤65 dB(A) L_{eq} (1 hour) facade corrected (maximum hour during normal opening hours) (2) ≤87 dB(A) (single event maximum sound pressure level) facade corrected. AND **AO7.2** Ward areas exposed to noise from a railway with 15 or more passing trains per day or a type 2 multi-modal corridor meet the following internal noise criteria#: (1) ≤45 dB(A) single event maximum sound pressure level. AND **AO7.3** Patient care areas (other than ward areas) exposed to noise from a railway with 15 or more passing trains per day or a type 2 multi-modal corridor meet the following internal noise criteria#: (1) ≤50 dB(A) single event maximum sound pressure level. Note: Noise levels from railways or type 2 multi-modal corridors are measured in accordance with *AS1055.1–1997 Acoustics – Description and measurement of environmental noise.*
Particular development near a busway or light rail	
PO8 Development involving a: (1) child care centre, or	**AO8.1** All facades of buildings for a child care centre or educational establishment exposed to noise from a busway or light rail meet the

Performance outcomes	Acceptable outcomes
(2) educational establishment achieves acceptable noise levels for workers and patrons by mitigating adverse impacts on the development from noise generated by a busway or light rail.	following external noise criteria#: (1) ≤55 dB(A) L_{eq} (1 hour) facade corrected (maximum hour during normal opening hours). AND **AO8.2** Outdoor education areas and outdoor play areas exposed to noise from a busway or light rail meet the following external noise criteria#: (1) ≤52 dB(A) L_{eq} (1 hour) free field (maximum hour during normal opening hours) (2) ≤66 dB(A) L_{max} free field (during normal opening hours). AND **AO8.3** Indoor education areas and indoor play areas exposed to noise from a busway or light rail meet the following internal noise criteria#: (1) ≤35 dB(A) L_{eq} (1 hour) (maximum hour during opening hours). Note: Areas exposed to noise from a busway or light rail are measured in accordance with *AS1055.1–1997 Acoustics – Description and measurement of environmental noise.*
PO9 Development involving a hospital achieves acceptable noise levels for workers and patients by mitigating adverse impacts on the development from noise generated by a busway or light rail.	**AO9.1** All facades of buildings for a hospital exposed to noise from a busway or light rail meet the following external noise criteria#: (1) ≤55 dB(A) L_{eq} (1 hour) facade corrected (maximum hour during normal opening hours). AND **AO9.2** Patient care areas exposed to noise from a busway or light rail meet the following internal noise criteria#: (1) ≤35 dB(A) L_{eq} (1 hour) (maximum hour during opening hours). Note: Areas exposed to noise from a busway or light rail are measured in accordance with *AS1055.1–1997 Acoustics – Description and measurement of environmental noise.*
Noise barriers or earth mounds	
PO10 Noise barriers or earth mounds erected to mitigate noise from transport operations and infrastructure are designed, sited and constructed to: (1) maintain safe operation and maintenance of state transport infrastructure (2) minimise impacts on surrounding properties (3) complement the surrounding local environment (4) maintain fauna movement corridors where appropriate	**AO10.1** Where adjacent to a state-controlled road or type 1 multi-modal corridor, noise barriers and earth mounds are designed, sited and constructed in accordance with Chapter 7 Integrated Noise Barrier Design of the *Transport Noise Management Code of Practice – Volume 1 Road Traffic Noise*, Department of Transport and Main Roads, 2013. OR **AO10.2** Where adjacent to a railway or type 2 multi-modal corridor, noise barriers and earth mounds are designed, sited and constructed in accordance with the *Civil Engineering Technical Requirement — CIVIL-SR-014 Design of noise barriers adjacent to railways*, Queensland Rail, 2011. OR **AO10.3** No acceptable outcome is prescribed for noise barriers and earth mounds adjacent to a busway or light rail.
Vibration	
PO11 Development mitigates adverse impacts on the development from vibration generated by transport operations and infrastructure.	No acceptable outcome is prescribed.

Table 1.1.2: Reconfiguring a lot

Performance outcomes	Acceptable outcomes
Future anticipated accommodation activity near a state-controlled road or type 1 multi-modal corridor	
PO1 Development involving land where a future anticipated accommodation activity is made exempt or self-assessable development under a local planning instrument is to achieve acceptable noise levels for residents and visitors by mitigating adverse impacts on the development site from noise generated by a state-controlled road or a type 1 multi-modal corridor.	**AO1.1** Land for a future anticipated accommodation activity exposed to noise from a state-controlled road or type 1 multi-modal corridor meets the following external noise criteria at the building envelope or if the building envelope is unknown, the deemed-to-comply setback distance for buildings stipulated by the local planning instrument or relevant building regulations#: (1) ≤57 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6 am and 12 midnight ≤45 dB(A)) (2) ≤60 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6 am and 12 midnight ›45 dB(A)).
Future anticipated accommodation activity near a railway (with 15 or more passing trains per day) or a type 2 multi-modal corridor	
PO2 Development involving land where a future anticipated accommodation activity is made exempt or self-assessable development under a local planning instrument is to achieve acceptable noise levels for residents and visitors by mitigating adverse impacts on the development site from noise generated by a railway with 15 or more passing trains per day or a type 2 multimodal corridor.	**AO2.1** Land for a future anticipated accommodation activity exposed to noise from a railway with 15 or more passing trains per day or a type 2 multi-modal corridor meets the following external noise criteria at the building envelope or if the building envelope is unknown, the deemed-to-comply setback distance for buildings stipulated by the local planning instrument or relevant building regulations#: (1) ≤62 dB(A) L_{eq} (24 hour) free field (2) ≤84 dB(A) (single event maximum sound pressure level) free field.
Future anticipated accommodation activity near a busway or light rail	
PO3 Development involving land where a future anticipated accommodation activity is made exempt or self-assessable development under a local planning instrument is to achieve acceptable noise levels by mitigating adverse impacts on the development site from noise generated by a busway or light rail.	**AO3.1** Land for a future anticipated accommodation activity exposed to noise from a busway or light rail meets the following external noise criteria at the building envelope or if the building envelope is unknown, the deemed-to-comply setback distance for buildings stipulated by the local government planning instrument or building regulations#: (1) ≤52 dB(A) L_{eq} (1 hour) free field (maximum hour between 6 am and 10 pm) (2) ≤47 dB(A) L_{eq} (1 hour) free field (maximum hour between 10 pm and 6 am) (3) ≤66 dB(A) L_{max} free field.
Noise barriers or earth mounds	
PO4 Noise barriers or earth mounds erected to mitigate noise from transport operations and infrastructure are designed, sited and constructed to: (1) maintain safe operation and maintenance of state transport infrastructure (2) minimise impacts on surrounding properties (3) complement the surrounding local environment (4) maintain fauna movement corridors where appropriate.	**AO4.1** Where adjacent to a state-controlled road or a type 1 multi-modal corridor, noise barriers and earth mounds are designed, sited and constructed in accordance with Chapter 7 Integrated Noise Barrier Design of the *Transport Noise Management Code of Practice – Volume 1 Road Traffic Noise*, Department of Transport and Main Roads, 2013. OR **AO4.2** Where adjacent to a railway or a type 2 multi-modal corridor, noise barriers and earth mounds are designed, sited and constructed in accordance with the *Civil Engineering Technical Requirement — CIVIL-SR-014 Design of noise barriers adjacent to railways*, Queensland Rail, 2011. OR **AO4.3** No acceptable outcome is prescribed for noise barriers and earth mounds adjacent to a busway or light rail.

Editor's note: To demonstrate compliance with the acceptable outcome, it is recommended that a noise assessment report, certified by an RPEQ be provided. The noise assessment report should be prepared in accordance with the *State Development Assessment Provisions Supporting Information – Community Amenity (Noise)*, Department of Transport and Main Roads, 2013.

1.2 Managing air and lighting impacts from transport corridors state code

1.2.1 Purpose

The purpose of the code is to regulate sensitive development to:

(1) ensure that state transport operations and infrastructure are protected from development on nearby land that may lead to operational constraints on the state's transport system

(2) protect the community from significantly adverse impacts on health, community wellbeing and quality of life resulting from environmental emissions (air particles and light) generated by existing and future state-controlled transport operations and infrastructure.

This will be achieved through ensuring that land is developed in a way that reduces the effect of exposure to environmental emissions (air particles and light) on the community, and the potential impact on the operation of state-controlled transport operations.

Editor's note: Guidance for achieving the performance outcomes and acceptable outcomes for this state code is available in the *State Development Assessment Provisions Supporting Information – Community Amenity (Noise)*, Department of Transport and Main Roads, 2013.

1.2.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Building work	Table 1.2.1
Material change of use	Table 1.2.1
Reconfiguring a lot	Table 1.2.1

Table 1.2.1: Building work, material change of use and reconfiguring a lot

Performance outcomes	Acceptable outcomes
Air quality	
PO1 Development involving sensitive development achieves acceptable levels of air quality for occupiers or users of the development by mitigating adverse impacts on the development from air emissions generated by state transport infrastructure.	**AO1.1** Every private open space and passive recreation area of an accommodation activity meets the air quality objectives in the *Environmental Protection (Air) Policy 2008* for the following indicators: (1) carbon monoxide (2) nitrogen dioxide (3) sulphur dioxide (4) photochemical oxidants (5) respirable particulate matter (PM10) (6) fine particulate matter (PM2.5) (7) lead (8) toluene (9) formaldehyde (10) xylenes. AND **AO1.2** Every outdoor education area and passive recreation area of an educational establishment, childcare centre, and hospital meets the air quality objectives in the *Environmental Protection (Air) Policy 2008* for the following indicators: (1) carbon monoxide (2) nitrogen dioxide (3) sulphur dioxide (4) photochemical oxidants (5) respirable particulate matter (PM10)

Performance outcomes	Acceptable outcomes
	(6) fine particulate matter (PM2.5) (7) lead (8) toluene (9) formaldehyde (10) xylenes.
Lighting impacts	
PO2 Development involving an accommodation activity or hospital achieves acceptable levels of amenity for residents and patients by mitigating lighting impacts from state transport infrastructure.	**AO2.1** Buildings for an accommodation activity or hospital are designed, sited and constructed to incorporate treatments to attenuate ingress of artificial lighting from state transport infrastructure during the hours of 10 pm–6 am.

1.3 Reference documents

Department of Transport and Main Roads 2013 *Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise)*

Department of Transport and Main Roads 2013 *State Development Assessment Provisions Supporting Information—Community Amenity (noise)*

Queensland Government 2008 *Environmental Protection (Air) Policy*

Queensland Government 2008 *Environmental Protection (Noise) Policy*

Queensland Rail 2010 *CIVIL SR_014 Design of noise barriers adjacent to railways, Civil Engineering Technical Requirements*

Standards Australia 1997 *AS1055.1–1997 Acoustics – Description and measurement of environmental noise*

Standards Australia 1989 *AS3671 Acoustics – Road traffic noise intrusions—Building siting and construction*

Queensland Government Queensland Development Code 2010 *MP4.4 Buildings in a transport noise corridor*

Department of State Development, Infrastructure and Planning 2014 *Queensland Planning Provisions version 3.1*

Australian Building Codes Board 2014 *Building Code of Australia*

1.4 Glossary of terms

Accommodation activity means any of the following:

(1) caretaker's accommodation

(2) community residence

(3) dual occupancy

(4) dwelling house

(5) dwelling unit

(6) multiple dwelling

(7) relocatable home park

(8) residential care facility

(9) resort complex

(10) retirement facility

(11) rooming accommodation

(12) short-term accommodation

(13) tourist park

(14) a development with a combination of uses (1) to (13).

Busway see the *Transport Infrastructure Act 1994*, schedule 6.

Editor's note: Busway means:

(1) a route especially designed and constructed for, and dedicated to, the priority movement of buses for passenger transport purposes

(2) places for the taking on and letting off of bus passengers using the route.

Editor's note: See DA mapping system—SARA layers.

Child care centre see the standard planning scheme provisions.

Editor's note: Child care centre means the premises used for minding or care, but not residence, of children.

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

Editor's note: The DA mapping system is available at *DA mapping system*.

Educational establishment see the standard planning scheme provisions.

Editor's note: Educational establishment means premises used for training and instruction designed to impart knowledge and develop skills. The use may include after school care for students or on-site student accommodation.

Habitable Room see the *Building Code of Australia*.

Editor's note: Habitable room means a room used for normal domestic activities, and includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom but excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

Hospital see the standard planning scheme provisions.

Editor's note: Hospital means premises used for medical or surgical care or treatment of patients, whether or not residing on the premises. The use may include ancillary accommodation for employees and ancillary activities directly serving the needs of patients and visitors.

Indoor education area means an enclosed area within a child care centre or educational establishment intended for use for the training or teaching of people including a classroom, lecture hall/theatre and library.

Indoor play area means an enclosed area within a child care centre or educational establishment intended for use for children's play. This term excludes functional areas such as bathrooms, food preparation areas, washing facilities and other spaces of a specialised nature.

Light rail see the *Transport infrastructure Act 1994*, schedule 6.

Editor's note: Light rail means a route wholly or partly dedicated to the priority movement of light rail vehicles for passenger transport purposes, whether or not the route was designed and constructed for those purposes as well as other purposes; places for the taking on and letting off of light rail vehicle passengers using the route.

Editor's note: See DA mapping system—SARA layers.

Local planning instrument see the *Sustainable Planning Act 2009*, schedule 3.

Editor's note: Local planning instrument means a planning scheme, temporary local planning instrument or planning scheme policy.

Outdoor education area means outdoor areas intended for use for the training or teaching of persons. This term does not include playgrounds or outdoor sport and recreational areas.

Outdoor play area see the *Queensland Development Code*.

Editor's note: Outdoor play area means an unenclosed area located outside the external walls of the building. This term only includes playgrounds/play areas in a child care centre or educational establishment.

Passive recreation area means an area used for passive recreation such as a park, playground or walking track. This term does not include drainage reserves or channels, landscape buffer strips, environmental areas or corridors, or conservation areas or corridors.

Patient care area see the *Building Code of Australia*.

Editor's note: Patient care area means a part of a health-care building normally used for the treatment, care, accommodation, recreation, dining and holding of patients including a ward area and treatment area. A ward area means that part of a patient care area for resident patients and may contain areas for accommodation, sleeping, associated living and nursing facilities. A treatment area means an area within a patient care area such

as an operating theatre and rooms used for recovery, minor procedures, resuscitation, intensive care and coronary care from which a patient may not be readily moved.

Private open space means an outdoor space for the exclusive use of occupants of a building.

Railway see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: Railway means land on which railway transport infrastructure or other rail infrastructure is situated.

Editor's note: See DA mapping system—SARA layers.

Residential building means a class 1, class 2, class 3 or class 4 building as defined in the *Building Code of Australia*.

Resort complex see the standard planning scheme provisions.

Editor's note: Resort complex means premises used for tourist and visitor short-term accommodation that include integrated leisure facilities including:

(1) restaurants and bars

(2) meeting and function facilities

(3) sporting and fitness facilities

(4) staff accommodation

(5) transport facilities directly associated with the tourist facility such as a ferry terminal and air services.

Sensitive development means development for any of the following:

(1) an accommodation activity

(2) an educational establishment

(3) a child care centre

(4) a hospital.

State-controlled road see the Sustainable Planning Regulation 2009*, schedule 26*.

Editor's note: State-controlled road means:

(1) a state-controlled road within the meaning of the *Transport Infrastructure Act 1994*, schedule 6, or

(2) State toll road corridor land.

Editor's note: See DA mapping system—SARA layers.

State transport infrastructure means any of the following terms (defined under the *Transport Infrastructure Act 1994*, the *Transport Planning and Coordination Act 1994* and the Sustainable Planning Regulation 2009):

(1) a state-controlled road

(2) busway transport infrastructure under the *Transport Infrastructure Act 1994*

(3) light rail transport infrastructure under the *Transport Infrastructure Act 1994*

(4) rail transport infrastructure under the *Transport Infrastructure Act 1994*

(5) other rail infrastructure under the *Transport Infrastructure Act 1994*

(6) active transport infrastructure under the *Transport Planning and Coordination Act 1994*.

Transport noise corridor see the *Building Act 1975*, chapter 8B.

Editor's note: Transport noise corridor means land designated under chapter 8B of the *Building Act 1975* as a transport noise corridor.

Type 1 multi-modal corridor means a transport corridor that includes a state-controlled road and at least one of the following:

(1) a busway

(2) light rail

(3) a railway with 15 or less passing trains per day.

Type 2 multi-modal corridor means a transport corridor that includes a railway (with 15 or more passing trains per day) and at least one of the following:

(1) a state-controlled road

(2) a busway

(3) light rail.

1.5 Abbreviations

dB(A) – decibels measured on the 'A' frequency weighting network

Module 2. Regional plans

This module was previously applied to the assessment of applications for reconfiguration of a lot to which the South-East Queensland State Planning Regulatory Policy (SEQ SPRP) applies. However, the prescribed matter specified in schedule 5 of the Sustainable Planning Regulation 2009 (SPR) for these applications is the SEQ SPRP. As such, development applications for reconfiguration of a lot to which the SEQ SPRP applies must be assessed against the SEQ SPRP, not SDAP, and this module has consequently been deleted.

Module 3. Aquaculture

3.1 Aquaculture state code

3.1.1 Purpose

The purpose of this code is to ensure aquaculture industry development and practices are ecologically sustainable in a way that also supports economic growth. The aquaculture area state code ensures:

(1) fisheries and aquaculture fisheries resources (proposed brood stock and culture species) for which aquaculture may be appropriately carried out
(2) the prevention, control and eradication of disease in fish
(3) the containment of aquaculture fisheries resources to prevent escape or accidental release
(4) the ability to prevent the entry of fisheries resources into the development area
(5) the ability to meet food and other relevant supply chain standards
(6) the standards will be met by features of the development, such as the location of ponds and the aquaculture furniture that will be used
(7) any proposed disturbance or impact to fisheries resources, or displacement of commercial, recreational or Indigenous fishing is managed
(8) monitoring where required
(9) rehabilitation of the development area if the development is abandoned or ends.

Editor's note: Ensuring biosecurity issues are considered in the ongoing operation of aquaculture facilities is critical to protect fisheries resources and to ensure the long-term economic viability of the fishing industry in Queensland. Where development for an aquaculture facility is approved, certain conditions must be adhered to as part of the ongoing operation of the facility. Applicants can contact the Department of Agriculture and Fisheries for more detailed information on operating an aquaculture facility.

3.1.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Material change of use	Table 3.1.1

Table 3.1.1: Material change of use

Performance outcomes	Acceptable outcomes
Location	
PO1 The aquaculture activity is suitably located for the type and scale of aquaculture activity proposed. Editor's note: Further information on site selection, and the environmental, operational and commercial factors that should influence site selection, is available on the *Department of Agriculture and Fisheries website*. Editor's note: To assist in demonstrating sound site selection, an applicant should provide details of how issues have been addressed, including sign off by a Registered Professional Engineer of Queensland (RPEQ).	**AO1.1** The site meets the recommendations detailed in the guideline *Site identification for aquaculture: Assessment of chemical contamination in site selection*, Department of Primary Industries and Fisheries, 2005.

Performance outcomes	Acceptable outcomes
PO2 Development on or in Queensland waters or unallocated tidal State land is undertaken for prescribed aquaculture only. Editor's note: A resource allocation authority is required under the *Fisheries Act 1994* before certain development can proceed. See also section 216 of the Fisheries Regulation 2008.	No acceptable outcome is prescribed.
PO3 If the development is located in a marine park, it is within a zone appropriate for the aquaculture development. Note: Refer to the relevant marine park zoning plan: (1) Marine parks (Great Barrier Reef Coast) zoning plan 2004 (2) Marine parks (Great Sandy) zoning plan 2006 (3) Marine parks (Moreton Bay Marine) zoning plan 2008.	No acceptable outcome is prescribed.
PO4 Aquaculture development is located to avoid or minimise impacts on the natural environment. Editor's note: (1) All necessary approvals that regulate impacts to the natural environment must be obtained prior to the commencement of any construction activities. (2) Separate approvals may be required under other state or federal legislation. (3) Bilateral agreements may apply.	No acceptable outcome is prescribed.
Development and construction of an aquaculture facility	
PO5 Development maintains or enhances community access to fisheries resources and fish habitats.	**AO5.1** The development does not impact existing infrastructure or access arrangements to fisheries resources and fish habitats. OR **AO5.2** The development provides community fishing access through linkages between the commercial and recreational fisheries, and infrastructure, services and facilities.
PO6 Development that has the potential to impact the operations and productivity of Queensland commercial or recreational fisheries (due to adjustment of fisheries) mitigates any adverse impacts due to adjustment of fisheries.	**AO6.1** If the development: (1) restricts access to an area, or (2) restricts fishing activities, or (3) diminishes access to fisheries resources in some other way, then – (a) affected commercial fishers are adequately compensated (b) any adverse impacts of development on commercial fisheries or recreational fishing is appropriately offset.
PO7 The development will not increase the risk of mortality, disease or injury to, or compromise the health and productivity of fisheries resources.	**AO7.1** Suitable habitat conditions, such as including but not limited to water and sediment quality, will be maintained to sustain the health and condition of fisheries resources and fish habitats affected by the development. AND **AO7.2** Herbicides are not used on, or where they may drift on, to fisheries resources or fish habitats. AND **AO7.3** Fish will not become trapped or stranded as a result of the development. OR **AO7.4** Risks of fish stranding occurring have been identified and are demonstrably manageable. Editor's note: This can be demonstrated through preparing a fish salvage plan.

Performance outcomes	Acceptable outcomes
PO8 Development resulting in drainage or disturbance of acid sulphate soil is managed to prevent impacts on fisheries resources and fish habitats.	**AO8.1** Run-off and leachate from disturbed or oxidised acid sulphate soils is contained and treated, and not released to a waterway or other fish habitat. Editor's note: Management of acid sulphate soils should to comply with the *Queensland Acid Sulfate Soil Technical Manual*, Department of Science, Information Technology, Innovation and the Arts, 2014.
PO9 The aquaculture facility is designed, constructed, and can be managed and maintained appropriately for the aquaculture fisheries resource. Editor's note: Further guidance is available in the aquaculture policy *Management arrangements for translocation of live aquatic organisms (transport between bioregions) for aquaculture FAMOP015,* Department of Employment, Economic Development and Innovation, 2011.	**AO9.1** The location and design of the aquaculture facility is appropriate for the proposed species. AND **AO9.2** Noxious fish are not to be held or produced in the aquaculture facility. AND **AO9.3** Exotic fish, and fish that are non-endemic to the location, are not to be held or produced in the aquaculture facility. OR **AO9.4** All hazards and risks associated with any proposed culture of exotic fish or fish that are non-endemic to the location are addressed.
PO10 The aquaculture facility is designed to maintain integrity of the aquaculture product.	**AO10.1** The aquaculture facility design will allow the integrity of the aquaculture product to be maintained and lawful methods of harvesting of the aquaculture product are proposed. AND **AO10.2** The aquaculture facility design will allow food safety and ethical standards to be met.
PO11 The aquaculture facility is designed and constructed to mitigate risks of impact on the natural environment.	**AO11.1** The design and construction of the aquaculture facility minimises the risk of impact on waterways by: (1) being located away from important natural features such as waterways and wetlands (2) constructing every pond above the highest astronomical tide (3) not allowing discharge from ponds and tanks to enter waterways (4) including all reasonable and practicable measures to ensure that all waters are secured in such a way as to prevent the escape of any aquaculture fisheries resources into Queensland waters. AND **AO11.2** The design of the aquaculture facility allows control over the release of water from all ponds, tanks and drainage systems within the approved aquaculture area. OR **AO11.3** The design of the aquaculture facility ensures there is no release or discharge to waterways by: (1) not allowing release of discharge from ponds and tanks to enter waterways, or (2) not allowing exotic fish in open or flow-through systems that allow release or discharge into waterways.
PO12 The aquaculture facility is designed to allow for management of disease. Note: Further information can be found in the *Health management technical guidelines for aquaculture: Technical guidelines for health management for aquaculture, including aquaculture undertaken under the self-assessable code*, Department of Agriculture,	**AO12.1** The aquaculture facility is designed such that any fish mortalities and processing wastes (including filter residues) are treated and disposed of in accordance with the Australian Government Department of Agriculture, Fisheries and Forestry AQUAVETPLAN (as updated from time to time) available on the Australian Government Department of Agriculture, Fisheries and Forestry website.

Performance outcomes	Acceptable outcomes
Fisheries and Forestry, 2008.	
Land-based aquaculture	
PO13 Ponds are designed, constructed, managed and maintained to avoid leakage, ensure immunity from flooding, and minimise biosecurity and disease risks. Editor's note: Risk assessment considerations can be found in the *Guidelines for constructing and maintaining aquaculture containment structures: Guidelines for best practice in-ground pond construction for aquaculture*, Department of Agriculture, Fisheries and Forestry, 2007.	**AO13.1** Appropriate risk assessment has been undertaken with regards to site and design options, and the outcomes of the risk assessment are applied to the development proposed. AND **AO13.2** The development is not located on flood prone land. AND **AO13.3** Ponds are constructed above the highest astronomical tide. AND **AO13.4** Containers used to cultivate aquaculture fisheries resources are constructed with the lowest point of the top of wall at least the height of the Q100 flood level, or no lower than the highest known or recorded flood level if Q100 is unavailable. AND **AO13.5** Containers used for treatment and settlement are constructed so that the lowest point on the top of wall is at least the height of the Q50 flood level. AND **AO13.6** An appropriate size and number of overflow outlets are constructed 0.5 metres from the lowest point on the top of wall. AND **AO13.7** All in-ground structures, including any structure or impoundment used for the collection or treatment of wastewater, are constructed so as to adequately prevent the ingress of stormwater run-off, for example, by constructing a bund or levee wall around the structure or impoundment. AND **AO13.8** Control over the release of water from all ponds, tanks and drainage systems within the premises is able to be maintained at all times. AND **AO13.9** All reasonable and practicable measures to ensure that all waters (for example, ponds, tanks, aquaria) on the premises are screened to prevent the escape of any aquaculture fisheries resources (eggs, juveniles or adults) into Queensland waters. AND **AO13.10** Where water is to be introduced for aquaculture, the water is screened to prevent the movement of any juvenile or adult wild fauna (excepting zooplankton) into the premises. Editor's note: *Management arrangements for potentially high-risk activities in the context of ecologically sustainable development (ESD) for aquaculture facilities FAMOP001,* Department of Primary Industries and Fisheries, 2004 provides guidance on how to meet the acceptable outcomes.
PO14 Land-based aquaculture facilities that hold fish capable of overland escape are designed to prevent overland escape.	**AO14.1** The aquaculture area is secured to prevent the overland escape of aquaculture product by maintaining a perimeter barrier that is impervious to all size classes of the aquaculture fisheries resources.

Performance outcomes	Acceptable outcomes
PO15 Land-based bioremediation practices for the purpose of aquaculture are designed, constructed, managed and maintained to minimise impacts on fisheries resources.	**AO15.1** Where fish are used for bioremediation purposes, only approved fish species are to be used.
Tidal aquaculture	
P**O16** Aquaculture furniture or other structures associated with any aquaculture on tidal land are designed and maintained to avoid or minimise impacts on native fauna.	**AO16.1** Development prevents stranding or entanglement of native fauna, including, but not limited to: (1) fisheries resources (2) marine mammals (3) reptiles.
PO17 Animals selected for aquaculture in tidal waters must minimise risks to and avoid impacts on wild fisheries resources and other indigenous flora and fauna specific to that area. Editor's note: Aquaculture fisheries resources must be carefully placed within an authorised area to avoid release or escape of the aquaculture fisheries resource from the approved area. Animals must not to be stocked outside the approved aquaculture area. If any aquaculture fisheries resource stocked within the approved aquaculture area subsequently moves outside of the approved area the authority holder will no-longer have entitlement to access or harvest this resource. If spawning or reproduction of any aquaculture fisheries resource occurs within the approved aquaculture area the authority holder does not have any entitlement to access or harvest the progeny (eggs, larvae, juveniles or adults) that become distributed outside of the approved aquaculture area. The authority holder remains responsible for any harm, impact or damage caused by the release or escape of such organisms that were required to be contained.	**AO17.1** Animals must not be released to or placed in Queensland waters unless they are of the same species and same genetic stock as the resident population of that area. AND **AO17.2** Tidal aquaculture is only of native Queensland fish species that are endemic to the location of the development. AND **AO17.3** The aquaculture fisheries resource can and will be produced from sufficient broodstock sourced from the area to ensure appropriate genetic diversity to minimise risks to the environment. AND **AO17.4** Structures that will hold aquaculture fisheries resources are designed, constructed, operated and maintained at all times to prevent the escape or release of aquaculture fisheries resources. AND **AO17.5** Structures associated with the aquaculture activity are designed, constructed, correctly deployed, operated and maintained at all times to prevent movement from the intended point of placement, anchoring or mooring.
PO18 Aquaculture infrastructure is designed, constructed, managed and maintained to avoid impacts to fisheries resources.	**AO18.1** Materials proposed to be on the approved aquaculture area are not hazardous or can and will be handled in a manner that will not endanger or be likely to endanger a person, a person's property, or the environment. AND **AO18.2** Aquaculture furniture used in oyster areas does not interfere with natural ecosystems, such as seagrass communities. AND **AO18.3** Aquaculture furniture is temporary and does not include fixed structures on the substrate (except for the supporting posts). AND **AO18.4** All materials used in the construction of aquaculture furniture or placed within the premises, are of an inert and non-hazardous nature. AND **AO18.5** Other structure, including break walls, fences, boat ramps and jetties, are not constructed on areas allocated for prescribed aquaculture. AND **AO18.6** Development that involves oyster farming within Moreton Bay

Performance outcomes	Acceptable outcomes
	Marine Park is consistent with the *Oyster Industry Management Plan for Moreton Bay Marine Park*, Department of Primary Industries and Fisheries, 2008. Editor's note: Further information can be found in *Oyster Industry Management Plan for Moreton Bay Marine Park*, Department of Primary Industries and Fisheries, 2008.
PO19 Facilities for the aquaculture of pearl oysters are designed, constructed, maintained and managed to meet pearl oyster quarantine management requirements for Queensland. Editor's note: Further pearl oyster quarantine information can be found on the *Department of Agriculture and Fisheries website*.	No acceptable outcome is prescribed.
Aquaculture of barramundi for inland catchments	
PO20 The development does not compromise the ecological integrity of fauna in inland catchments (west of the Great Dividing Range). Editor's note: Aquacultured barramundi west of the Great Dividing Range (in inland catchments shared with other states) are not to be used for non-food purposes, including stocking Queensland waters or dams. Further information is available in *Health protocol for the importation and movement of live barramundi (FAMPR002)*, Department of Agriculture, Fisheries and Forestry, 2011.	**AO20.1** The development is designed to prevent the spread of disease or the introduction of barramundi into catchments where it does not naturally occur, through: (1) ensuring that containers used for the aquaculture of barramundi are constructed on land that is situated above the Q100 flood level (2) ensuring container design includes filters so that all waters leaving containers used for aquaculture of barramundi are screened to prevent the escape of eggs, juveniles or adults.
Exotic fish	
PO21 No water or organisms originating from the aquaculture of exotic fish reaches Queensland waters.	**AO21.1** Culture of exotic fish does not occur in open or flow-through systems that discharge into waterways. AND **AO21.2** All containers used to aquaculture exotic fish are screened to exclude vertebrate predators (for example birds) without causing injury to such predators. AND **AO21.3** Containers used for the aquaculture of exotic fish are constructed on land that is situated above the Q100 flood level. AND **AO21.4** Filters with screens are installed so that any water leaving containers used for the aquaculture of exotic fish are treated to prevent the escape of eggs, juveniles or adults.
PO22 Commonwealth quarantine protocols have successfully been completed for any fish proposed for production.	No acceptable outcome is prescribed.
Aquaculture of rare, threatened and endangered species recognised in international, Commonwealth and state legislation	
PO23 Aquaculture of any rare, threatened or endangered fish that are recognised under state or commonwealth legislation (for example the *Environment Protection and Biodiversity Conservation Act 1999* list of threatened fauna (under any category) or the *Queensland Nature Conservation Act 1992):* (1) provides a net benefit to management of the species in question (2) avoids or acceptably minimises biosecurity	No acceptable outcome is prescribed.

Performance outcomes	Acceptable outcomes
risks (3) acceptably manages any risks to the rare, threatened or endangered fish. Editor's note: For example, considering the risks of obtaining broodstock, maintaining the genetic integrity of restricted populations, translocation and disease. Editor's note: Examples of such species include Queensland lungfish, Mary and Murray River cods, silver perch, honey blue-eye and Oxleyan pygmy perch.	
For aquaculture in the Great Sandy Strait Marine Park	
PO24 Development in the Great Sandy Strait Marine Park complies with relevant information, protocols and monitoring programs. Editor's note: Further information for applicants can be found in the *Implementation guide for Great Sandy Regional Marine Aquaculture Plan*, Department of Employment, Economic Development and Innovation (Fisheries Queensland), 2011.	No acceptable outcome is prescribed.

3.2 Reference documents

Aquaculture policies and guidelines

Queensland Primary Industries and Fisheries 2004 FAMOP001 – Management arrangements for potentially high-risk activities in the context of ecologically sustainable development for aquaculture facilities

Editor's note: This includes the following:
(1) flood prone land,
(2) exotic freshwater fish species
(3) barramundi in inland catchments
(4) use of aquacultured product for bait.

Queensland Primary Industries and Fisheries December 2003 *FAMOP005 – Policy relating to the relaying of oysters within Queensland waters*

Queensland Primary Industries and Fisheries December 2003 *FAMOP006 – Policy relating to the transshipment of oysters into Queensland waters*

Department of Employment, Economic Development and Innovation 2011 *FAMOP015 – Management arrangements for translocation of live aquatic organisms (transport between bioregions) for aquaculture*

Queensland Primary Industries and Fisheries May 2007 *Policy for maximising rock oyster production: management of non-productive oyster areas*

Queensland Primary Industries and Fisheries August 2008 *Oyster Industry Management Plan for Moreton Bay Marine Park*

Queensland Primary Industries and Fisheries 2007 *Guidelines for constructing and maintaining aquaculture containment structures*

Queensland Primary Industries and Fisheries September 2005 *Site identification for aquaculture: Assessment of chemical contamination in site selection*

Department of Primary Industries and Fisheries February 2008 *Health management technical guidelines for aquaculture*

Department of Employment, Economic Development and Innovation (Fisheries Queensland) 2011 *Great Sandy Regional Marine Aquaculture Plan (GSRMAP)*

Conservation Agreement between Minister for Sustainability, Environment, Water, Population and Communities on behalf of the Commonwealth of Australia and The Minister for Agriculture, Food and Regional Economies and The Minister for Environment on behalf of the State of Queensland dated 7 September 2011 - Agreement in relation to aquaculture operations in the Great Sandy Marine Park as described in the Great Sandy regional marine aquaculture plan (Queensland Government, approved October 2010) and made under the Environment Protection and Biodiversity Conservation Act 1999 (Cth)

Department of Employment, Economic Development and Innovation 2011 *Implementation guide for the Great Sandy Regional Marine Aquaculture Plan authorities*

Translocation and biosecurity

Department of Agriculture, Fisheries and Forestry June 2011 *FAMPR001 – Health protocol for the importation of selected live penaeid species from outside Queensland's East Coast waters* (i.e. Gulf of Carpentaria, Torres Strait, Northern Territory and Western Australia)

Department of Agriculture, Fisheries and Forestry June 2011 *FAMPR002 – Health protocol for the importation and movement of live barramundi*

Department of Agriculture, Fisheries and Forestry June 2011 *FAMPR003 – Health protocol for the translocation and movement of live bivalve molluscs*

Department of Employment, Economic Development and Innovation June 2011 *FAMPR004 – Health protocol for the movement of live marine crustaceans including crabs, lobsters and bugs*

Department of Employment, Economic Development and Innovation June 2011 *FAMPR005 – Health protocol for the movement of live eels*

Department of Employment, Economic Development and Innovation June 2011 *FAMPR006 – Health protocol for the movement of live freshwater crayfish and prawns*

Department of Employment, Economic Development and Innovation June 2011 *FAMPR007 – Health protocol for the movement of live freshwater native finfish (other than barramundi and eels)*

Department of Agriculture, Fisheries and Forestry 2013 *Identifying and reporting disease in aquaculture*

Editor's note: This website contains information on aquaculture health, pests and diseases

Department of Agriculture, Fisheries and Forestry 2011 *Preventing disease in aquaculture*

Editor's note: This website contains information on the different measures in place to protect Queensland aquaculture from disease outbreaks

Department of Agriculture, Fisheries and Forestry 2011 *Controls over chemical use*

Editor's note: This website contains information regarding controls over use of agricultural and veterinary chemicals in the aquaculture industry

Department of Agriculture, Fisheries and Forestry 2013 *Pearl oyster quarantine*

Editor's note: This website contains information on pearl oyster quarantine in preventing disease introduction to a farm and its spread within the farm

Self assessable codes

Department of Agriculture, Fisheries and Forestry April 2014 *AQUA01-Code for self-assessable development—Low impact aquaculture*

Other references

Australian Government Department of Agriculture, Fisheries and Forestry *AQUAVETPLAN*

Editor's note: This website contains information on the Australian Aquatic Veterinary Emergency Plan.

Australian Government - Ministerial Council on Forestry, Fisheries and Aquaculture 1999 *National policy for the translocation of live aquatic organisms – Issues, principles and guidelines for implementation*

Department of Science, Information Technology, Innovation and the Arts, 2014 Queensland Acid Sulfate Soil Technical Manual

International Erosion Control Association 2008 *Best Practice Erosion and Sediment Control Guidelines*

Department of Environment and Heritage Protection 2014 *Queensland Environmental Offsets Policy*

3.3 Glossary of terms

Aquaculture see the Fisheries Act 1994, schedule.

Editor's note: Aquaculture means the cultivation of live fisheries resources for sale other than in circumstances prescribed under a regulation.

Aquaculture fisheries resources see the *Fisheries Act 1994*, schedule.

Editor's note: Aquaculture fisheries resources means live fish and other marine plants cultivated in aquaculture.

Aquaculture furniture see the Fisheries Act 1994, schedule.

Editor's note: Aquaculture furniture means a cage, rack, tank, tray or anything else used, or capable of being used, in aquaculture or to assist in aquaculture.

AQUAVETPLAN means the Australian Aquatic Veterinary Emergency Plan.

Editor's note: AQUAVETPLAN is a series of manuals that outline Australia's approach to national disease preparedness and propose the technical response and control strategies to be activated in a national aquatic animal disease emergency. The manuals also provide guidance based on sound analysis, linking policy, strategies, implementation, coordination and emergency management plans.

Bioremediation means the branch of biotechnology that uses biological processes to overcome environmental problems.

Editor's note: For example, the culture of fisheries resources for the purpose of improving the quality of discharge water from treatment and settlement ponds.

Biosecurity means protection from the risks posed by organisms to the economy, environment and people's health.

Container see the *Fisheries Act 1994*, schedule.

Editor's note: Container includes a basket, case and tray.

Discharge means the release of wastewater into natural waterways.

Disease see the *Fisheries Act 1994*, section 94.

Editor's note: Disease means –

(1) a disease, parasite, pest, plant or other thing (the disease) that has, or may have, the effect (directly or indirectly) of killing or causing illness in fisheries resources, or in humans or animals that eat fisheries resources infected with or containing the disease; or

(2) a chemical or antibiotic residue; or
(3) a species of a fish or plant that may compete against fisheries resources or other fisheries resources to the detriment of the fisheries resources or other fisheries resources.

Exotic fish means fish originating from anywhere outside Queensland.

Fish see the *Fisheries Act 1994*, section 5.

Editor's note: Fish –
(1) means an animal (whether living or dead) of a species that throughout its life cycle usually lives:
  (a) in water (whether freshwater or saltwater)
  (b) in or on foreshores or
  (c) in or on land under water
(2) includes:
  (a) prawns, crayfish, rock lobsters, crabs and other crustaceans
  (b) scallops, oysters, pearl oysters and other molluscs
  (c) sponges, annelid worms, bêche-de-mer and other holothurians
  (d) trochus and green snails
(3) however, does not include:
  (a) crocodiles
  (b) protected animals under the *Nature Conservation Act 1992*
  (c) pests under the *Pest Management Act 2001*; or
  (d) animals prescribed under a regulation not to be fish
(4) also includes:
  (a) the spat, spawn and eggs of fish
  (b) any part of fish or of spat, spawn or eggs of fish
  (c) treated fish, including treated spat, spawn and eggs of fish
  (d) coral, coral limestone, shell grit or star sand
  (e) freshwater or saltwater products declared under a regulation to be fish.

Fisheries resources see the *Fisheries Act 1994*, schedule.

Editor's note: Fisheries resources includes fish and marine plants.

Fishing see the *Fisheries Act 1994*, schedule.

Editor's note: Fishing includes –
(1) searching for, or taking, fish
(2) attempting to search for, or take, fish
(3) engaging in other activities that can reasonably be expected to result in the locating, or taking, of fish
(4) landing fish (from a boat or another way), bringing fish ashore or transhipping fish.

Highest astronomical tide means the highest level of the tides that can be predicted to occur under average meteorological conditions and under any combination of astronomical conditions.

Land see the *Fisheries Act 1994*, schedule.

Editor's note: Land includes foreshores and tidal and non-tidal land.

Marine Park see the *Marine Parks Act 2004*.

Editor's note: Marine park means a marine park declared, or taken to be declared, under the *Marine Parks Act 2004*.

Pond means an earthen in-ground container.

Prescribed aquaculture means aquaculture for which a resource allocation has been obtained.

Resource allocation authority see the *Fisheries Act 1994*, schedule.

Editor's note: Resource allocation authority means a resource allocation authority issued, and in force, under the *Fisheries Act 1994* part 5, division 3, subdivision 2A.

Tank means an above-ground container used for intensive aquaculture within an enclosed facility.

Tidal land see the *Fisheries Act 1994*, schedule.

Editor's note: Tidal land includes reefs, shoals and other land permanently or periodically submerged by waters subject to tidal influence.

Translocation means the movement of live aquatic organisms (including all stages of the organism's life cycle and any derived viable genetic material):

(1) beyond its accepted distribution; or
(2) to areas which contain genetically distinct populations; or
(3) to areas with superior parasite or disease status.

Waterway see the *Fisheries Act 1994*, schedule.

Editor's note: Waterway includes a river, creek, stream, watercourse or inlet of the sea.

Abbreviations

RPEQ – Registered Professional Engineer Queensland

Module 4. Environmentally relevant activities

4.1 Concurrence environmentally relevant activities state code

4.1.1 Purpose

The purpose of this code is to protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).

Note: In deciding whether all reasonable and practical measures have been taken to minimise adverse effects of the activity, the chief executive may consider the following matters:

(1) the nature of the environmental harm or potential environmental harm
(2) the sensitivity of the receiving environment
(3) the current state of technical knowledge for the activity
(4) the likelihood of successful application of the different measures that might be taken to minimise the adverse effects
(5) the financial implications of the different measures as they would relate to the type of activity
(6) if the adverse effect is caused by the location of the activity being carried out, whether it is feasible to carry out the activity at another location.

4.1.2 Criteria for assessment

(1) Subject to subsection (2), development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Material change of use	Table 4.1.1

(2) A material change of use for an environmentally relevant activity mentioned in column 1 of Table 4.1.1 must comply with the relevant provisions of Table 4.1.2, Table 4.1.3 and Table 4.1.4 mentioned in column 2 of Table 4.1.1.

Table 4.1.1: Environmentally relevant activity applicable criteria for activity

Environmentally relevant activity	Relevant provisions of code
All environmentally relevant activities (ERA)	**Table 4.1.2**—PO1–PO6
ERA 16 (extractive and screening activities) other than riverine quarry extraction under the Environmental Protection Regulation 2008, schedule 2, section 16 in a strategic environmental area	**Table 4.1.2**—PO1–PO6 **Table 4.1.3**—PO1
ERA 16 (extractive and screening activities) under the Environmental Protection Regulation 2008, schedule 2, section 16 that is riverine quarry extraction in a strategic environmental area	**Table 4.1.2**—PO1–PO6 **Table 4.1.3**—PO2–PO5
Intensive animal industry	**Table 4.1.2**—PO1–PO6 **Table 4.1.4**—PO1–PO6

Table 4.1.2: All environmentally relevant activities

Performance outcomes	Acceptable outcomes
Site suitability	
PO1 The choice of the site at which the activity is to be carried out minimises serious environmental harm on areas of high conservation value and special significance, and sensitive land uses at adjacent places.	**AO1.1** Both of the following apply: (1) areas of high conservation value and special significance likely to be affected by the activity are identified and evaluated, and any adverse effects on these areas are minimised, including any edge effects on the areas (2) the activity does not have an adverse effect beyond the site. OR **AO1.2** Both of the following apply: (1) areas of high conservation value and special significance likely to be affected by the proposal are identified and evaluated and any adverse effects on the areas are minimised, including any edge effects on the areas (2) critical design requirements will prevent emissions having an irreversible or widespread impact on adjacent areas.
Location of activity on the site	
PO2 The location for the activity on the site protects all environmental values relevant to adjacent sensitive land uses.	**AO2.1** The location of the activity means there will be no adverse effect on any environmental values. OR **AO2.2** Both of the following apply: (1) the activity and components of the activity are located on the site in a way that prevents or minimises adverse effects on the use of adjacent land and allows for effective management of the environmental impacts of the activity (2) areas used for storing environmentally hazardous materials in bulk are located to take into consideration the likelihood of flooding.
PO3 The activity avoids adverse impacts on matters of state environmental significance or, where this is not reasonably possible, impacts are minimised and, where this is not reasonably possible, an environmental offset is provided for any significant residual impact to matters of state environmental matters that are prescribed environmental matters.	**AO3.1** Matters of state environmental significance likely to be affected by the activity are identified and evaluated, and any adverse effects on the matters of state environmental significance are avoided or, where this cannot be reasonably achieved, impacts are minimised, and where this cannot be reasonably achieved, an environmental offset is provided for any significant residual impact to matters of state environmental significance that are prescribed environmental matters. Editor's note: Applications for development should identify anticipated losses, and outline what actions are proposed to be undertaken to offset the loss in accordance with the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
PO4 Development avoids or minimises and offsets any adverse impacts on riparian areas and ecological corridors located in a strategic environmental area.	**AO4.1** Development is set back from a waterway by at least 200 metres. AND **AO4.2** Development minimises adverse impacts on fish passage during works and the carrying out of the activity. AND **AO4.3** Clearing of riparian vegetation is minimised or, where this cannot be reasonably achieved, an environmental offset is provided for any significant residual impact. AND **AO4.4** Natural regeneration of native plant species is facilitated in cleared riparian areas.
Critical design requirements	
PO5 The design of the facility at which the activity	**AO5.1** The activity does not involve the storage, production, treatment or

Performance outcomes	Acceptable outcomes
is to be carried out permits the activity to be carried out in accordance with best practice environmental management.	release of hazardous contaminants, or involve a regulated structure. OR **AO5.2** Development ensures that— (1) all storage provided for hazardous contaminants includes secondary containment to prevent or minimise releases to the environment from spillage or leaks. (2) regulated structures must comply with the *Manual for assessing consequence categories and hydraulic performance of structures,* Department of Environment and Heritage Protection, 2013. (3) containers are provided for the storage of hazardous contaminants and are secured to prevent the removal of the containers from the site by a flood event. (4) the design of the facility— (a) prevents or minimises the production of hazardous contaminants and waste, or (b) contains and treats hazardous contaminants, rather than releasing them.
PO6 Development avoids or minimises any adverse impacts from pollutants on environmental values and water quality objectives for receiving waters (surface and groundwater) on site or leaving a site located in a strategic environmental area.	**AO6.1** Development demonstrates current best practice environmental management to meet relevant environmental values and water quality objectives of the *Environmental Protection (Water) Policy* or relevant to the ERA to be carried out on the site. OR **AO6.2** All stormwater, wastewater, discharges and overflows leaving the site are: (1) treated to the quality of the receiving waters prior to discharge, or (2) reclaimed or re-used such that there is no export of pollutants to receiving waters.

Table 4.1.3: Environmentally relevant activities in a strategic environmental area

Performance outcomes	Acceptable outcomes
Concurrence ERA 16 (extractive and screening activities)—other than riverine quarry extraction **Geomorphic processes**	
PO1 Bed and bank stability is preserved.	**AO1.1** Excavation in the bed of a stream is limited to scour depth. AND **AO1.2** Excavation in the bed of a stream is less than one-third of the bed width. AND **AO1.3** Clearing of in-stream vegetation is limited to the minimum area required for the activity to be carried out. AND **AO1.4** The final stream profile does not direct flow into a bank.
Concurrence ERA 16 (extractive and screening activities)—riverine quarry material extraction **Geomorphic and hydrological processes**	
PO2 Extraction must occur from areas of active deposition including: (1) aggrading bars, or (2) sand slugs, or (3) benches and islands, or (4) sediment pockets in bedrock channels.	No acceptable outcome is prescribed.

Performance outcomes	Acceptable outcomes
PO3 Excavation must not occur below the current bed level of a watercourse or waters.	No acceptable outcome is prescribed.
PO4 Bed and bank stability is preserved during the operation or the carrying out of the activity.	**AO4.1** Vehicle access tracks and crossings associated with the activity have scour protection on the bed immediately downstream of the crossing. AND **AO4.2** Access ramps and tracks are kept to a minimum and constructed to minimise erosion and turbulence problems at times of high flow. AND **AO4.3** Ramps cut into the bank for vehicle access are orientated downstream. AND **AO4.4** Vehicle crossings are orientated perpendicular to the stream channel ±10°. AND **AO4.5** Where vehicle crossings are required, these will be at stream-bed level; OR if it can be demonstrated that stream-bed level crossings are inappropriate, any culverts for vehicle crossing are aligned with the direction of natural stream flow, when that flow is of a depth equal to the culvert height. AND **AO4.6** The activity includes measures to prevent stormwater erosion in drains and cuttings on the bank. AND **AO4.7** Stream-bed controls are located upstream and downstream of the site. AND **AO4.8** Excavation in the stream-bed is less than one-third of the bed width. AND **AO4.9** Clearing of in-stream vegetation is limited to the minimum area required for the activity to occur.
PO5 Bed and bank stability is preserved.	**AO5.1** The stream is rehabilitated as near as possible to its natural state after the activity has been conducted. AND **AO5.2** Exposed bank areas are prepared to facilitate natural regeneration of native plant species. AND **AO5.3** Stream-bed and bank controls are retained upstream and downstream of the site of the activity.

Table 4.1.4: Intensive animal industries

Performance outcomes	Acceptable outcomes
Surface water	
PO1 The structures containing and controlling run-off from the activity and waste re-use areas minimise adverse effects on surface waters external to the activity.	No acceptable outcome is prescribed.

Performance outcomes	Acceptable outcomes
Editor's note: To meet the requirements of this performance outcome, it is recommended that the applicant develop a management system for the activity, detailing: (1) environmental hazards (2) risk assessment processes (3) an auditable, risk-based management system for the operation of the activity (4) procedures for annual review (5) proposed maintenance operations (6) stock numbers (7) monitoring of pens, sheds, ponds, drainage and any obvious dust, noise and odour impacts. Note: Development should have regard to the following industry guideline for surface water for the applicable ERA. (1) **Cattle:** *National guidelines for beef cattle feedlots in Australia, 3rd Edition*, Meat & Livestock Australia, 2012 (2) **Cattle and sheep:** *National beef cattle feedlot environmental code of practice, 2nd Edition*, Meat & Livestock Australia, 2012 (3) **Pig keeping:** *National environmental guidelines for piggeries, 2nd Edition (Revised),* Tucker, RW, McGahan, EJ, Galloway, JL and O'Keefe for Australian Pork Limited, 2010 (4) **Poultry farming:** *Queensland guidelines for meat chicken farms*, Department of Agriculture, Fisheries and Forestry, 2012	
Groundwater	
PO2 The activity is designed and managed to prevent or minimise adverse effects on groundwater or any associated surface ecological systems. Editor's note: Development should have regard to the following industry guideline for groundwater for the applicable ERA. (1) **Cattle:** *National guidelines for beef cattle feedlots in Australia, 3rd Edition*, Meat & Livestock Australia, 2012 (2) **Cattle and sheep:** *National beef cattle feedlot environmental code of practice, 2nd Edition*, Meat & Livestock Australia, 2012 (3) **Pig keeping:** *National environmental guidelines for piggeries, 2nd Edition (Revised),* Tucker, RW, McGahan, EJ, Galloway, JL and O'Keefe for Australian Pork Limited, 2010 (4) **Poultry farming:** *Queensland guidelines for meat chicken farms*, Department of Agriculture, Fisheries and Forestry, 2012	No acceptable outcome is prescribed.
Amenity	
PO3 The activity is designed and managed to minimise adverse effects on the amenity of the surrounding community.	No acceptable outcome is prescribed.
Native flora and fauna	
PO4 The activity is designed and managed to minimise adverse effects on ecological communities. Editor's note: Development should have regard to the following industry guideline for native flora and fauna for	No acceptable outcome is prescribed.

Performance outcomes	Acceptable outcomes
the applicable ERA. (1) **Cattle:** *National guidelines for beef cattle feedlots in Australia, 3rd Edition*, Meat & Livestock Australia, 2012 (2) **Cattle and sheep:** *National beef cattle feedlot environmental code of practice, 2nd Edition*, Meat & Livestock Australia, 2012 (3) **Pig keeping:** *National environmental guidelines for piggeries, 2nd Edition (Revised),* Tucker, RW, McGahan, EJ, Galloway, JL and O'Keefe for Australian Pork Limited, 2010 (4) **Poultry farming:** *Queensland guidelines for meat chicken farms*, Department of Agriculture, Fisheries and Forestry, 2012	

4.2 Reference documents

Tucker, RW, McGahan, EJ, Galloway, JL and O'Keefe for Australian Pork 2010 *National environmental guidelines for piggeries, 2nd edition (revised)*

Meat & Livestock Australia et al 2012 *National guidelines for beef cattle feedlots in Australia, 3rd Edition*

Department of Agriculture, Fisheries and Forestry 2012 *Queensland guidelines: Meat chicken farms*

Department of Environment and Heritage Protection 2013 *Manual for assessing consequence categories and hydraulic performance of structures*

Department of Environment and Heritage Protection 2014 *Queensland Environmental Offsets Policy*

Department of Environment and Heritage Protection 2009 *Environmental Protection (Water) Policy*

Department of Primary Industries 2000 *Reference manual for the establishment and operation of beef cattle feedlots in Queensland*

Meat & Livestock Australia et al 2012 *National beef cattle feedlot environmental code of practice, 2nd Edition*

Department of State Development, Infrastructure and Planning 2014 *State Planning Policy*

4.3 Glossary of terms

Area of high conservation value or special significance see the *Environmental Protection Act 1994*, section 17.

Best practice environmental management, for an activity, see the *Environmental Protection Act 1994*, section 21.

Editor's note: In deciding best practice environmental management of an activity is the management of the activity to achieve an ongoing minimisation of the activity's environmental harm through cost-effective measures assessed against the measures currently used nationally and internationally for the activity.

In deciding the best practice environmental management of an activity, regard must be had to the following measures:

(1) strategic planning by the person carrying out, or proposing to carry out, the activity
(2) administrative systems put into effect by the person, including staff training and monitoring and review of the systems
(3) public consultation carried out by the person
(4) product and process design
(5) waste prevention, treatment and disposal.

The above matters do not limit the measures to which regard may be had in deciding the best practice environmental management of an activity.

Environment includes:

(1) ecosystems and their constituent parts, including people and communities
(2) all natural and physical resources
(3) the qualities and characteristics of locations, places and areas, however large or small, that contribute to their biological diversity and integrity, intrinsic or attributed scientific value or interest, amenity, harmony and sense of community
(4) the social, economic, aesthetic and cultural conditions that affect, or are affected by, things mentioned in paragraphs (1) to (3).

Environmental offset see the *Environmental Offsets Act 2014*.

Editor's note: Environmental offset means an activity undertaken to counterbalance a significant residual impact of a prescribed activity on a prescribed environmental matter.

Environmental value see the *Environmental Protection Act 1994*, section 9.

Editor's note: Environmental value means—

(1) a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety
(2) another quality of the environment identified and declared to be an environmental value under an environmental protection policy or regulation.

Hazardous contaminant see the *Environmental Protection Act 1994*, schedule 4.

Editor's note: Hazardous contaminant means a contaminant, other than an item of explosive ordnance that, if improperly treated, stored, disposed of or otherwise managed, is likely to cause serious or material environmental harm because of:

(1) its quantity, concentration, acute or chronic toxic effects, carcinogenicity, teratogenicity, mutagenicity, corrosiveness, explosiveness, radioactivity or flammability, or
(2) its physical, chemical or infectious characteristics.

Matters of state environmental significance see the *State Planning Policy*, Department of State Development, Infrastructure and Planning, 2014.

Editor's note: Matters of state environmental significance means the following natural values and areas:

(1) protected area (including all classes of protected area except nature refuges and coordinated conservation areas) under the *Nature Conservation Act 1992*
(2) marine parks and land within a 'marine national park', 'conservation park', 'scientific research', 'preservation' or 'buffer' zone under the *Marine Parks Act 2004*
(3) areas within declared fish habitat areas that are management A areas or management B areas under the Fisheries Regulation 2008
(4) threatened wildlife under the *Nature Conservation Act 1992* and special least concern animal under the Nature Conservation (Wildlife) Regulation 2006
(5) regulated vegetation under the *Vegetation Management Act 1999* that is:
    (i) Category B areas on the regulated vegetation management map, that are 'endangered' or 'of concern' regional ecosystems
    (ii) Category C areas on the regulated vegetation management map that are 'endangered' or 'of concern' regional ecosystems
    (iii) Category R areas on the regulated vegetation management map
    (iv) areas of essential habitat on the essential habitat map for wildlife prescribed as 'endangered wildlife' or 'vulnerable wildlife' under the *Nature Conservation Act 1992*
    (v) regional ecosystems that intersect with watercourses identified on the vegetation management watercourse map
    (vi) regional ecosystems that intersect with wetlands identified on the wildlife management wetlands map
(6) wetlands in a wetland protection area or wetlands of high ecological significance shown on the Map of Referable Wetlands under the Environment Protection (Water) Policy 2009, schedule 2
(7) legally secured offset areas.

Prescribed environmental matters see the *Environmental Offsets Act 2014*.

Editor's note: A prescribed environmental matter is any species, ecosystem or other similar matter protected under Queensland legislation for which an environmental offset may be provided. Each of the prescribed environmental matters are listed under the *Environmental Offsets Regulation 2014*. Not all environmental matters that may be impacted by development are associated with an offset requirement. Offsets are only required for a limited set of environmental values – categorised as prescribed environmental matters. These prescribed matters may be of national, state or local significance.

Regulated structure means a structure that is assessed as being a regulated structure under the *Manual for assessing consequence categories and hydraulic performance of structures* published by the Department of Environment and Heritage Protection, 2013.

Sensitive land uses mean any of the following as defined in the standard planning scheme provisions:

(1) child care centre
(2) community care centre
(3) community residence
(4) dual occupancy
(5) dwelling house
(6) educational establishment
(7) health care services
(8) hospital

(9) multiple dwelling
(10) office
(11) relocatable home park
(12) residential care facility
(13) retirement facility
(14) rooming accommodation
(15) short-term accommodation
(16) tourist park.

Serious environmental harm see the *Environmental Protection Act 1994*, section 17.

Editor's note: Serious environmental harm is environmental harm (other than environmental nuisance):

(1) that is irreversible, of a high impact or widespread
(2) caused to an area of high conservation value or special significance
(3) that causes actual or potential loss or damage to property of an amount of, or amounts totalling, more than the threshold amount or
(4) that results in costs of more than the threshold amount being incurred in taking appropriate action to:
    (a) prevent or minimise the harm
    (b) rehabilitate or restore the environment to its condition before the harm.

Significant residual impact see the *Environmental Offsets Act 2014*.

Editor's note: Generally, a significant residual impact is an adverse impact, whether direct or indirect, of a prescribed activity on all or part of a prescribed environmental matter that —

(1) remains, or will or is likely to remain, (whether temporarily or permanently) despite on-site mitigation measures for the prescribed activity; and
(2) is, or will or is likely to be, significant.

Strategic environmental area see the *Regional Planning Interests Act 2014*.

Waste see the *Environmental Protection Act 1994*, section 13.

Editor's note: Waste includes anything, other than a resource approved under the *Waste Reduction and Recycling Act 2011*, Chapter 8, that is:

(1) left over, or an unwanted by-product, from an industrial, commercial, domestic or other activity, or
(2) surplus to the industrial, commercial, domestic or other activity generating the waste.

4.4 Abbreviations

ERA – Environmentally relevant activity

Module 5. Fisheries resources

5.1 Development in a declared fish habitat area state code

5.1.1 Purpose

Declared fish habitat areas protect, manage and link fish habitat types within an individual location, and create a comprehensive, adequate and representative network of protected fish habitats along the Queensland coast.

The purpose of this code is to ensure development that occurs in declared fish habitat areas is managed to support the fish stocks on which Queensland's fishing and seafood industry sectors rely. The code is designed to ensure that development:

(1) is managed to support fish stocks
(2) maintains the integrity, structure and fish habitat values of all fish habitat areas, and ensuring these areas are given significant protection from physical disturbance.

5.1.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
All development completely or partly within a declared fish habitat area	Table 5.1.1

Table 5.1.1: All development completely or partly within a declared fish habitat area

Performance outcomes	Acceptable outcomes
PO1 There is a demonstrated right to propose development in the declared fish habitat area. Editor's note: Further guidance on rights in the context of fisheries resources and fish habitats is provided in the policy provisions of *Management of declared fish habitat areas (FHMOP 002)* Department of Primary Industries and Fisheries, 2008.	**AO1.1** Development is for public infrastructure that has no alternative viable route that does not require works on tidal land or fish habitats. OR **AO1.2** Works are for a legitimate public health or safety issue and the applicant is an entity or acting on behalf of an entity. OR **AO1.3** The following can be demonstrated: (1) tenure is held for the land directly abutting the declared fish habitat area (2) tenure has been granted over the area of work or a resource entitlement or resource allocation has been granted for the resource being developed.
PO2 Development is only undertaken for a prescribed purpose in a declared fish habitat area and, does not significantly impact on the natural condition of fish habitat and natural processes of the area. Editor's note: Further guidance on prescribed development purposes in a declared fish habitat area is provided in the policy provisions of *Management of declared fish habitat areas (FHMOP 002)* Department of Primary Industries and Fisheries, 2008.	**AO2.1** Development is for one of the following purposes: (1) restoring the fish habitat or natural processes (2) managing fisheries resources or fish habitat (3) researching, including monitoring or educating (4) ensuring public health or safety (5) providing public infrastructure to facilitate fishing (6) providing subterranean public infrastructure if the surface of the area can be restored, after the completion of the works or activity, to its condition before the performance of the works or activity (7) constructing a temporary structure (8) maintaining a structure that was constructed before the area was

Performance outcomes	Acceptable outcomes
	declared to be a fish habitat area (9) maintaining a structure, other than a structure mentioned in paragraph (8) that has been lawfully constructed (10) if the land is in a management B area — constructing a permanent structure on tidal land or within the management area, or depositing material for beach replenishment in the management area. Editor's note: A resource allocation authority is required under the Fisheries Act 1994 before development can proceed.
PO3 The development will not increase the risk of mortality, disease or injury, or compromise the health and productivity of fisheries resources.	**AO3.1** Suitable habitat conditions, including but not limited to water and sediment quality, will be maintained to sustain the health and condition of fisheries resources within all fish habitats. AND **AO3.2** Herbicides are not used on, and will not drift onto, tidal land or wetlands or into waterways. AND **AO3.3** Fish will not become trapped or stranded as a result of development. OR **AO3.4** Risks of fish stranding occurring have been identified and are demonstrably manageable.
PO4 Development maintains or enhances community access to fisheries resources and fish habitats, such as through fishing access and linkages between the commercial fishery and infrastructure, services and facilities.	**AO4.1** The development does not impact on existing infrastructure or existing community access arrangements for declared fish habitat areas. OR **AO4.2** The development improves community access to fisheries resources and fish habitats (e.g. provision of public fishing platforms, public boardwalks).
PO5 Development that has the potential to impact the operations and productivity of Queensland commercial or recreational fisheries mitigates any adverse impacts due to adjustment of fisheries. Editor's note: 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.	**AO5.1** Affected fisheries, and the impacts on those fisheries, are identified. AND **AO5.2** Fair and reasonable compensation to commercial fishers is determined. AND **AO5.3** The impact of the development on commercial fisheries and recreational fishers is mitigated.
Restoring the fish habitat or natural processes	
PO6 Development that is restoring the fish habitat or natural processes minimises impacts on the declared fish habitat area. Editor's note: Development to restore fish habitat areas includes: (1) reinstating tidal profiles for allowing restoration of marine plant communities (2) restoring tidal flows and inundation patterns. Editor's note: The vast majority of restoration works are likely to be authorised self-assessable works under the self-assessable code *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, with an endorsed restoration plan (no development application required).	**AO6.1** Restoration work will not result in the substitution of fish habitats. AND **AO6.2** Prior to restoration works, the area of disturbance does not show evidence of adequate natural recovery. AND **AO6.3** Restoration works are specifically for the benefit of fish habitats, fisheries productivity and natural ecological processes within the declared fish habitat area. AND **AO6.4** Restoration works are undertaken in disturbed areas that are in degraded condition and the works will result in increased fisheries productivity. AND **AO6.5** Proposed restoration works are feasible, are likely to be successful,

Performance outcomes	Acceptable outcomes
	and the benefits of the restoration works outweigh the impacts of conducting the work. AND **AO6.6** Any restoration proposed in a declared fish habitat area includes a post-works monitoring and maintenance program appropriate for the scale of the restoration works.
PO7 Excess sediment from restoration or marine plants that are required for a restoration project are obtained and managed to avoid further disturbance within the declared fish habitat area.	**AO7.1** Excess sediment from restoration is disposed of lawfully outside of the boundaries of a declared fish habitat area. AND **AO7.2** Marine plants for revegetation purposes are obtained from within a declared fish habitat area only if: (1) no alternative source of marine plants from outside the declared fish habitat area is feasible (2) the removal of marine plants is assessed to have minimal impact on the declared fish habitat area (3) the marine plants are to satisfy local provenance. Editor's note: Vegetation to be used within a restoration project should comply with any relevant provisions of the *National policy for the translocation of live aquatic organisms*. See *Management and protection of marine plants and other tidal fish habitats (FHMOP 001)*, Department of Primary Industries and Fisheries, 2007 for specific guidance on marine plant translocation.
PO8 Benthic disturbance, as a result of development in a fish habitat area enables the area to be restored to the condition and profile that existed before the disturbance from development. Editor's note: Such disturbances include but are not limited to those associated with provision of subterranean infrastructure, or temporary structures.	**AO8.1** Surface sediment type is restored to match the surrounding or pre-works sediment profile to aid recolonisation by flora and fauna. AND **AO8.2** Any disturbance to waterway banks is suitably protected from erosion. AND **AO8.3** The total surface area of substrate disturbance is minimised (for example, corridor width trench and any adjacent temporary spoil stockpile).
PO9 Development resulting in drainage or disturbance of acid sulfate soil prevents adverse impacts on fisheries resources and fish habitats.	**AO9.1** Run-off and leachate from disturbed or oxidised acid sulfate soils is contained, treated and not released to a waterway or other fish habitat. AND **AO9.2** Management of acid sulfate soil is consistent with the current version of the *Queensland acid sulfate soils technical manual: Soil management guidelines*, Department of Natural Resources and Mines, 2002. Editor's note: *Queensland acid sulfate soil technical manual: Soil management guidelines*, Department of Natural Resources and Mines, 2002 provides further guidance on the management of acid sulfate soils.
Managing fisheries resources or fish habitats	
PO10 Management of fisheries resources or fish habitats in a declared fish habitat area benefits or minimises impacts on the declared fish habitat area.	**AO10.1** There is a demonstrated overriding need for development that involves managing fisheries resources or fish habitat within the declared fish habitat area. AND **AO10.2** Management of fisheries resources or fish habitat in a declared fish habitat area is undertaken by the state or community groups for public benefit. AND **AO10.3** Management of fisheries resources or fish habitats benefits the declared fish habitat area.

Performance outcomes	Acceptable outcomes
	Editor's note: Such management may include managing public access, controlling marine pests or improving water quality.
Researching, including monitoring or educating	
PO11 Development to support research, including monitoring or educating, within the declared fish habitat area minimises impacts on the declared fish habitat area. Editor's note: Research and monitoring works may be self-assessable works under the self-assessable code *MP05: Works for educational, research or monitoring purposes in a declared fish habitat area or involving the removal, destruction or damage of marine plants*, Department of Employment, Economic Development and Innovation, 2011.	**AO11.1** Development for education or research is directly related to education or research about one or more of the following, and is necessary to achieve the desired educational or research outcome: (1) fish or fisheries (2) fish habitat (3) general biological or ecosystem values or processes within the area (4) survey works for existing property boundary definition and investigation of impacts of development on the declared fish habitat area. AND **AO11.2** For permanent educational structures (for example, educational signs or boardwalks) within a declared fish habitat area, the: (1) structure is publicly owned and for public benefit (2) educational benefits justify the impacts, or (3) the structure is strategically located to achieve a high level of community use, benefit or awareness. OR **AO11.3** Works for education or research: (1) are limited in nature, frequency and extent (2) are temporary (3) allow for the fish habitat to quickly recover through natural processes without any requirement for restoration works (4) allow for the fish habitat to be restored, if relevant, at the completion of the project.
Ensuring public health or safety	
PO12 Development that is ensuring public health or safety (other than works for mosquito control) within the declared fish habitat minimises impacts on the declared fish habitat area.	**AO12.1** Works for a public health issue are: (1) formally endorsed by Queensland Health or the relevant local government (2) necessary, as all alternative options that do not require works in a declared fish habitat area have been considered and are not viable or not achievable in the available timeframes for an urgent response to the public health issue. AND **AO12.2** Works for a public safety purpose have no viable alternative options and are only for: (1) signage or aids to navigation to warn the public of a safety hazard (for example, within a waterway to warn of submerged rocks, crocodiles, marine stingers) (2) preventing an impending public safety issue (for example, beach cleaning to remove dangerous items such as syringes) (3) removal of a hazard to public safety that has resulted from a specific unforseen event (for example, a fallen tree that is a danger to safe navigation, sediment deposited by a flood that is a danger to safe access to a public boat ramp; cleanup of an oil spill) (4) construction of a public marine stinger net to enable safe community use of the declared fish habitat area (5) placement of a cyclone mooring identified under a cyclone contingency

Performance outcomes	Acceptable outcomes
	plan by the harbour master or controlling port authority or corporation, and located in accordance with a cyclone mooring plan.
Public infrastructure to facilitate fishing	
PO13 Development that is public infrastructure to facilitate fishing minimises impacts on the declared fish habitat area.	**AO13.1** There is a demonstrated overriding need for public infrastructure to facilitate fishing, the development has a direct link to the activity of fishing and: (1) is a public jetty, pontoon, boat ramp or fishing platform (2) the proposed location has been identified as the most suitable through a strategic planning document (3) associated infrastructure that does not have a physical requirement to be within a declared fish habitat area is not located in the declared fish habitat area (for example, boat trailer parks, car parks, rest rooms). AND **AO13.2** The structure does not require dredging within the declared fish habitat area for access.
Providing subterranean public infrastructure	
PO14 Development that is providing subterranean public infrastructure to transect the declared fish habitat area minimises impacts on the declared fish habitat area.	**AO14.1** Works for the construction of subterranean public infrastructure will: (1) be placed below the existing substrate surface level (2) have no viable alternative route that does not require works within a declared fish habitat area (3) allow satisfactory restoration of the substrate surface.
Constructing a temporary structure	
PO15 Development for a temporary structure minimises impacts on the declared fish habitat area.	**AO15.1** A temporary structure is located in part of the declared fish habitat area for which the applicant can demonstrate a level of 'rights' or interests. AND **AO15.2** A temporary structure has a documented and measurably lesser impact on the declared fish habitat area than all other reasonable options. AND **AO15.3** The temporary structure is for a public benefit project. AND **AO15.4** A temporary structure is in place for no more than six weeks. OR **AO15.5** Structures with a demonstrated negligible impact (for example, a temporary pipeline placed on the substrate surface of a declared fish habitat area where there is no damage through access or any outflow from the pipe into the area) may be left in place for up to six months. AND **AO15.6** A temporary structure is appropriately designed such that all of its components are contained within the approved area and can be completely removed from the declared fish habitat area within six weeks of completion of works. AND **AO15.7** To minimise impacts on the declared fish habitat area, a temporary structure is in place only at a time that avoids or minimises conflict with known fish migration periods (if relevant to the structure type and design proposed). AND **AO15.8** A temporary waterway barrier that prevents tidal flow is not be left in place for longer than 30 business days.

Performance outcomes	Acceptable outcomes
	AND **AO15.9** Once the structure is removed, the tidal profile is restored to allow natural recolonisation by marine plants and fauna.
Maintenance of structures	
PO16 Maintenance of a structure in or partially in a declared fish habitat area minimises impacts on the declared fish habitat area. Editor's note: The relevant structure being maintained may be a structure that was constructed before the area was declared to be a declared fish habitat area. Editor's note: Some maintenance works may be self-assessable works under the self-assessable code *MP02: Maintenance works on existing lawful structures in a declared fish habitat area or involving the removal, destruction or damage of marine plants*, Department of Agriculture, Fisheries and Forestry, 2013.	**AO16.1** Maintenance works includes: (1) the trimming of marine plants, immediately adjacent to the relevant structure, that impinge on the safe use of that structure, or (2) temporary disturbance of the declared fish habitat area for the purpose of accessing the structure (for example, an access track), provided the disturbance is necessary and minimised the disturbed area will be satisfactorily restored within 14 days of conclusion of maintenance works, or (3) relocation or exchange of the structure, if there is a clear net benefit to the declared fish habitat area.
Certain permanent structures and beach replenishment within the declared fish habitat area management B area only	
PO17 Development that is constructing a permanent structure within a declared fish habitat area (management B area) only, minimises impacts on the declared fish habitat area.	**AO17.1** A permanent structure: (1) is proposed in a part of the declared fish habitat area where the applicant can demonstrate a legal right or interest over that part of the declared fish habitat area that is greater than the legal right or interest of another member of the community (2) has a demonstrated overriding requirement to be in the declared fish habitat area (3) is demonstrated to be of the smallest size necessary to serve the overriding functional requirement (4) has a measurably lower level of predicted impact on the declared fish habitat area than all other reasonable options.
PO18 Development that is depositing material for beach replenishment in a declared fish habitat area (management B area only) minimises impacts on the declared fish habitat area.	**AO18.1** Beach replenishment in a declared fish habitat area: (1) is carried out in the management B area and the applicant can demonstrate a level of rights for the area (2) is for the control of existing or imminent erosion (3) is carried out on a high-energy, sandy sediment shoreline with biological communities adapted to mobile sediments (4) does not create terrestrial land for the placement of structures (for example, park infrastructure), unless for a sacrificial dune or beach where this forms an integral part of erosion control design and will minimise the frequency and impact of ongoing erosion control activities on the declared fish habitat area and all other reasonable options would have a greater impact on the management B area. AND **AO18.2** The beach replenishment: (1) sources suitable replenishment material from a distance of greater than 100 metres* outside a declared fish habitat area or from works within a declared fish habitat area that have been authorised for another purpose (2) identifies a source of replenishment material for future maintenance (3) does not involve dredging or use of other techniques such as 'beach scraping or sand pushing' to obtain replenishment material within a declared fish habitat area (4) will not require maintenance more often than every two years. *Editor's note: Excluding where sediment is sourced from a navigation channel.

Performance outcomes	Acceptable outcomes
Boardwalks	
PO19 Development that is for a boardwalk in a declared fish habitat area minimises impacts on the declared fish habitat area.	**AO19.1** The benefits of the boardwalk will outweigh any adverse impacts to the declared fish habitat area. AND **AO19.2** The boardwalk will be: (1) publicly owned and for public benefit (2) strategically located to achieve a high level of community use or benefit or awareness of the fish habit area (3) for education or for providing public access to prevent uncontrolled disturbance of the declared fish habitat area. AND **AO19.3** The boardwalk will: (1) have pedestrian decking surfaces that allow a minimum of 40 per cent light penetration to the substrate (2) maintain existing tidal hydrology. Editor's note: Guidance on how to meet the acceptable outcomes is included in *Fisheries guidelines for fish-friendly structures (FHG 006)*, Department of Primary Industries and Fisheries, 2006.
Bridges	
PO20 For a development for a bridge in a declared fish habitat area (management B area only): (1) the development minimises impacts on the declared fish habitat area (2) there is an overriding need for the bridge to be located in the management B area.	**AO20.1** Bridges in a declared fish habitat area are located in the management B area of the declared fish habitat area. AND **AO20.2** The bridge is located on or between lands for which the applicant can demonstrate rights. AND **AO20.3** The bridge: (1) abutments are outside the management B area (2) is supported on piles only (not culverts, pipes or causeways) and the number of bridge piles within the management B area is minimised (3) is designed to direct all water run-off from the surface of the bridge for treatment outside the declared fish habitat area (4) has minimal impacts on vessel access upstream from the declared fish habitat area.
Dredging or extracting sediment (for restoring fish habitats or natural processes)	
PO21 Dredging or extracting in a declared fish habitat area restores fish habitats or natural processes. Editor's note: Applicants should review *MP06 – Minor impact works in a declared fish habitat are or involving the removal, destruction or damage of marine plants*—a self-assessable code may be applicable and not require a development application. See also prescribed development purpose—Restoring the fish habitat or natural processes.	**AO21.1** Dredging or extracting sediment from a declared fish habitat area is only for the purpose of restoring fish habitats or natural processes.
Fishing platforms	
PO22 Development that is for a public fishing platform in a declared fish habitat area minimise impacts on the declared fish habitat area.	**AO22.1** The proposed location for a public fishing platform in a declared fish habitat area: (1) has been assessed to the most the most suitable location through a strategic planning approach

Performance outcomes	Acceptable outcomes
	(2) reflects an existing community requirement for the structure, which has been demonstrated and documented (3) is supported by an incorporated recreational fishing group for the area. AND **AO22.2** Public fishing platforms in a declared fish habitat area: (1) do not require dredging (2) have pedestrian decking surfaces that allow a minimum of 40 per cent light penetration.
PO23 Development that is for a private fish platform in a declared fish habitat area minimises impacts on the declared fish habitat area.	**AO23.1** Private fishing platforms in a declared fish habitat area are located within management B areas of the declared fish habitat areas only. AND **AO23.2** Private fishing platforms: (1) originate from a lot adjoining the declared fish habitat area for which the applicant can demonstrate rights (2) do not extend from a lot that already has a jetty, pontoon or boat ramp. AND **AO23.3** Private fishing platforms: (1) do not require dredging (2) do not adversely affect navigation for community access to the declared fish habitat area (3) have a total permanent footprint of less than 40 square metres (4) do not extend through a marine plant fringe of more than 15 metres in width (measured perpendicular to the shore) (5) have pedestrian decking surfaces that allow a minimum of 40 per cent light penetration.
Industrial water inlets or outlets	
PO24 Industrial water inlet or outlet structures are compatible with the management B area, and minimise impacts on management B areas.	**AO24.1** Industrial water inlet or outlet structures may be located in a management B area if: (1) the structures, including intake or discharge pipes and necessary associated pipes and transfer pipes, originate from adjoining land for which the applicant can demonstrate rights (2) fish health and productivity and the potential use of exposed fish for food or aquaculture purposes are not reasonably expected to be compromised by the proposed use of the structure (3) alternatives for reuse and or disposal outside the declared fish habitat area are impractical. AND **AO24.2** Industrial water inlet or outlet structures: (1) use only buried pipelines, surface laid pipeline systems or elephant trunk systems (2) do not require intake channels or dredging unless the excavation is necessary to install a buried pipeline and the substratum surface of the declared fish habitat area is satisfactorily restored (3) have an intake or outlet volume of water that has minimal impact on natural hydrology within the declared fish habitat area.
Jetties, pontoons and boat ramps (public) — management A and B areas	
PO25 Development that is for a public jetty, pontoon or boat ramp in a declared fish habitat area minimises impacts on the declared fish habitat area.	**AO25.1** Public jetties, pontoons and boat ramps have: (1) a direct link to the activity of fishing (2) a proposed location that has been identified as the most suitable through a strategic planning approach

Performance outcomes	Acceptable outcomes
	(3) a demonstrated existing community requirement for the structure. AND **AO25.2** Public jetties, pontoons and boat ramps: (1) do not require additional dredging within the declared fish habitat area for access (2) do not include associated infrastructure that does not have a physical requirement to be within a declared fish habitat area (3) have vessel staging areas that are appropriate for the size of the boat ramp (4) have pedestrian decking surfaces that allow a minimum of 40 per cent light penetration.
PO26 Development that is for a private jetty, pontoon or boat ramp in a declared fish habitat area minimises impacts on the declared fish habitat area.	**AO26.1** Private jetties, pontoons and boat ramps are located within management B areas of declared fish habitat areas only. AND **AO26.2** Private jetties, pontoons and boat ramps: (1) originate from an adjoining lot for which the applicant can demonstrate rights (2) do not extend from a lot that already has a jetty, pontoon, boat ramp or adjacent mooring unless the new structure is replacing an existing structure. AND **AO26.3** Private jetties, pontoons and boat ramps: (1) do not require dredging to use the structure (2) have a total permanent footprint of less than 40 square metres (3) extend through a marine plant fringe less than 15 metres wide measured perpendicular to the shore (jetties and pontoons) and the jetty or pontoon access walkway is less than 2 metres wide (4) for boat ramps – extend through a mangrove fringe less than 3 metres wide measured perpendicular to the shore, and the total area of marine plant disturbance required for construction is less than 45 square metres (5) have pedestrian decking surfaces that allow a minimum of 40 per cent light penetration (6) do not adversely affect navigation.
Marina and port facilities — management A and B areas	
PO27 Development is not a marina or port.	No acceptable outcome is prescribed.
Moorings (public or cyclone)	
PO28 Development that is for public vessel or cyclone moorings in a declared fish habitat area minimises impacts on the declared fish habitat area. Note: Moorings for restoration purposes are likely to be authorised under *MP06 – Minor impact works in a declared fish habitat are or involving the removal, destruction or damage of marine plants*, Department of Agriculture, Fisheries and Forestry, 2013 as an endorsed rehabilitation plan.	**AO28.1** Vessel moorings located in the declared fish habitat area demonstrate an overriding community need. AND **AO28.2** Cyclone mooring are: (1) specifically identified under the relevant port cyclone contingency plan by the controlling authority (for example, a port authority) (2) located in accordance with any cyclone mooring plan (identifying current and future demand) prepared by the controlling authority (3) only used during a cyclone event or other genuine emergency situation (4) available for use by other vessels when authorised by the relevant regional harbour master in the event of a cyclone. OR **AO28.3** Moorings for restoring the fish habitat or natural processes of the declared fish habitat area:

Performance outcomes	Acceptable outcomes
	(1) are a component of a project aimed at restoring a particular habitat type within the declared fish habitat area (such as a coral habitat) that has been degraded through vessel anchor damage (2) are public moorings (3) comply with the criteria under *Restoration of fish habitats: Fisheries guidelines for marine areas (FHG 002),* Department of Primary Industries, 1998.
PO29 Development that is for private vessel moorings in a declared fish habitat area minimises impacts on the declared fish habitat area. Editor's note: Where appropriate, designated moorings areas (DMAs) are in place to accommodate private and individual moorings. Editor's note: Environmentally friendly moorings in a DMA within a management B area are authorised under self-assessable code *Minor impact works in a declared fish habitat area or involving the removal, destruction or damage of marine plants (MP06)* Department of Agriculture, Fisheries and Forestry, 2013.	**AO29.1** Private vessel moorings are only located in management B areas of declared fish habitat areas. AND **AO29.2** A private vessel mooring in a management B area: (1) is located directly adjacent to a lot for which the applicant can demonstrate rights (2) is not located adjacent to a lot that already has a jetty, pontoon, boat ramp or adjacent mooring, unless the mooring is replacing these structures (3) is entirely within an extension of the side boundaries of the applicant's property and on the same side of the waterway as the premises (4) will not interfere with foreshore access (5) has an environmentally friendly mooring design (6) does not require dredging to use the mooring. OR **AO29.3** A private vessel mooring in a management B area: (1) is located within a government approved designated mooring area (2) has an environmentally friendly mooring design (3) does not require dredging to use the mooring.
Mosquito control – management A and B areas	
PO30 Development that is works for mosquito control in a declared fish habitat area minimises impacts on the declared fish habitat area. Note: *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, authorises, and includes particular requirements for, self-assessable works for mosquito control for public health purposes. Editor's note: An approval is not required for pest management using pesticides or biological control of mosquitoes undertaken in accordance with *The lawful use of physical, pesticide and biological controls in a declared fish habitat area (FHACoP01)*, Department of Primary Industries and Fisheries, 2005.	**AO30.1** For works for mosquito control in a declared fish habitat area, there is an overriding need for the works. AND **AO30.2** Works for mosquito control: (1) do not include works for the control of other nuisance pest insect species (for example, midges) (2) are identified as required to be carried out in the declared fish habitat area under a mosquito management plan developed in accordance with the *Mosquito management code of practice for Queensland*, Local Government Association of Queensland, 2012. Note: Guidance on how to meet the acceptable outcomes is available in the *Mosquito management code of practice for Queensland*, Local Government Association of Queensland, 2012. AND **AO30.3** Runnelling works will comply with the policy guidelines in *Departmental procedures for permit applications assessment and approvals for insect pest control in coastal wetlands (FHMOP 003*), Department of Primary Industries, 1996. A runnel must include: (1) increase tidal flushing (2) follow lines of natural water flow (3) be no deeper than 30 centimetres (4) have a 3:1 width:depth ratio (5) a spoon shape with gently sloping concave sides

Performance outcomes	Acceptable outcomes
	(6) be designed to appropriately manage and dispose of acid sulfate soils.
Aids to navigation	
PO31 Development that is for constructing an aid to navigation in a declared fish habitat area minimises impacts on the declared fish habitat area.	**AO31.1** The location of the aid to navigation is: (1) endorsed in writing by Maritime Safety Queensland (2) necessary, as all alternative options that do not require works in a declared fish habitat area have been considered, and are not viable or do not achieve timeframes for an urgent response to a public safety hazard.
Overhead electricity and communication cables	
PO32 Development that is for overhead electricity and communication cables in a declared fish habitat area minimises impacts on the declared fish habitat area.	**AO32.1** Overhead electricity and communication cables: (1) span the declared fish habitat area, or (2) if it is not possible to span the declared fish habitat area – are located in the management B area AND **AO32.2** For overhead electricity and communication cables: (1) rights over the works area can be demonstrated (for example, a power infrastructure easement) (2) future maintenance of the cables and their support infrastructure will not involve major adverse impacts on the declared fish habitat area. AND **AO32.3** The development: (1) minimises impacts through measures, such as using the maximum cable span length and minimising disturbance required for access (2) involves no permanent filling (for example, the construction of permanent raised pads for the support structures or access causeways) (3) ensure that any associated warning signs do not require marine plant disturbance, unless this would compromise the purpose of the warning sign.
Reclamation — management B areas only	
PO33 Filling of tidal land is only to occur as a result of beach replenishment in management B areas.	**AO33.1** Filling of tidal land as a result of beach replenishment may occur in a management B area if: (1) all other reasonable options would have greater measurable impact on the management B area (2) the filled land is not for the placement of structures or infrastructure (3) the filled land is to be a sacrificial dune or beach that is an integral part of erosion control design, and will minimise the frequency or impact of ongoing replenishment or other erosion control activities on the management B area.
Revetments, groynes and gabions (managing fisheries resources or fish habitat)	
PO34 Revetments, groynes and gabions for the purpose of managing fisheries resources or fish habitat in a declared fish habitat area are designed and located to minimise impacts on the declared fish habitat area.	**AO34.1** Revetments, groynes and gabions for the purpose of managing fisheries resources or fish habitat: (1) are constructed as part of a government agency or community group project to manage fisheries resources or fish habitats, or (2) are for a fisheries or fish habitat management purpose, or (3) are undertaken by a government agency or community groups for public benefit, or (4) ensure feasible and measurable benefits outweigh the associated impacts. AND **AO34.2** Erosion control structures in management B areas:

Performance outcomes	Acceptable outcomes
	(1) result in no further permanent loss of fish habitats beyond the footprint of the structure (2) include rehabilitation of disturbed fish habitats to the greatest extent possible.
Revetments, groynes and gabions (erosion control)	
PO35 Revetments, groynes and gabions built for erosion control in a declared fish habitat minimise impacts on the declared fish habitat area. Editor's note: From a fish habitat perspective, erosion protection structures (for example, gabions) that also serve to maintain or establish bank vegetation (for example, mangroves) may have greater benefit than structures focused at only achieving erosion protection. In addition, filled geotextile fabric may have benefits over harder materials in some circumstances, including easier removal where required. Editor's note: (1) Further detail on fish-friendly structures is provided in *Fisheries guidelines for fish-friendly structures (FHG 006)*, Department of Primary Industries and Fisheries, 2006 for a discussion of the benefits of geotextile fabric. (2) Further detail on erosion control and regularisation is provided in *Tidal fish habitats, erosion control and beach replenishment (FHMOP 010)*, Department of Primary Industries and Fisheries, 2007.	**AO35.1** Revetments, groynes and gabions built for erosion control are located in management B areas of declared fish habitat areas. AND **AO35.2** Erosion control structures are: (1) located in a part of the management B area for which the applicant can demonstrate a level of rights or interests (for example, adjoining property) (2) located where there is evidence of significant erosion, or there is an immediate threat of significant erosion, which would result in the loss of one or more of the following— (a) the opportunity to preserve the ability to use the land for its existing or approved purpose (b) infrastructure, structures or buildings that are not expendable or not able to be relocated (3) located where there is an inadequate erosion buffer zone and managed retreat is not possible (4) the best available erosion management solution from both the erosion management and fish habitat management perspectives. AND **AO35.3** Erosion control structures: (1) include minimal regularisation of the foreshore boundary required to maintain a consistent alignment with adjacent properties as part of an erosion control strategy for the location (2) result in no further permanent loss of fish habitats beyond the footprint of the structure (3) include rehabilitation of disturbed fish habitats to the greatest extent possible.
Signs	
PO36 Signs in a declared fish habitat minimise impacts on the declared fish habitat area.	**AO36.1** For signs in a declared fish habitat area, there is an overriding community benefit involved in locating the sign in the declared fish habitat area if they are for: (1) warning the public of a hazard or danger, or (2) research or education: (a) where the educational benefits outweigh any impacts (b) where strategically located to achieve a high level of community use or benefit or awareness. AND **AO36.2** Signs do not involve disturbance of marine plants unless this would compromise the purpose of a warning sign (for example, the viewing arc).
Stormwater outlets	

Performance outcomes	Acceptable outcomes
PO37 Stormwater outlets built in a declared fish habitat area are designed and located to minimise impacts on the declared fish habitat area.	**AO37.1** Stormwater outlets are located in management B areas of declared fish habitat areas. AND **AO37.2** Stormwater outlet structures: (1) originate from adjoining land for which the applicant can demonstrate rights (2) are only used if stormwater storage, re-use and disposal on terrestrial land outside the declared fish habitat area is impractical. AND **AO37.3** The stormwater outlets: (1) incorporate current best practice water quality treatment techniques or apparatus (2) incorporate measures (for example, retention basins) upstream of the declared fish habitat area to reduce water velocities and discharge volumes (for example, retention basins).
Tidal aquaculture — management A and B areas	
PO38 Development that is tidal aquaculture is not supported in declared fish habitat areas.	**AO38.1** Placing of structures that constitute tidal works within licensed oyster areas in management B areas complies with the *Oyster industry management plan for Moreton Bay Marine Park*, Department of Primary Industries and Fisheries, 2008.
Water impoundment structures (permanent) — management A and B areas	
PO39 Development is not for a permanent dam, weir, bund or other water impoundment structure in a declared fish habitat area.	No acceptable outcome prescribed.
All development – environmental offsets	
PO40 Impacts to declared fish habitat areas or legally secured offset areas for declared fish habitat areas, including the fisheries resources and fish habitats that they contain, are avoided or mitigated and an environmental offset is provided for any significant residual impact.	**AO40.1** Residual impact to declared fish habitat areas or legally secured offset areas for declared fish habitat areas, including the fisheries resources and fish habitats that they contain, is comprehensively and accurately documented to demonstrate that impacts are avoided or, where this cannot be achieved, impacts are minimised. OR **AO40.2** Where residual impact to declared fish habitat areas or legally secured offset areas for declared fish habitat areas, including the fisheries resources and fish habitats that they contain, is accurately documented and it cannot be demonstrated that impact can be reasonably avoided or minimised, an environmental offset is provided for any significant residual impact. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.7 (Declared fish habitat areas and highly protected zones of State marine parks) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Additional requirements for development within a strategic environmental area	
PO41 Where clearing of marine plants or legally secured offset areas for marine plants cannot be avoided and the extent of clearing has been minimised, an environmental offset is provided for any significant residual impact from the clearing.	**AO41.1** Clearing of marine plants or legally secured offset areas for marine plants is reasonably minimised and an environmental offset is provided for any significant residual impact from the clearing. AND **AO41.2** Clearing of marine plants is limited to the minimum area required for the works and to allow for maintenance.

Performance outcomes	Acceptable outcomes
PO42 Natural regeneration of any cleared or work area is facilitated wherever possible.	**AO42.1** There is no impediment to the natural regeneration of native plant species in the area of clearing and works following completion of works.
PO43 Development avoids or minimises adverse impacts on fish passage during works and the carrying out of the activity.	No acceptable outcome is prescribed.
PO44 Development avoids or minimises impacts on fish habitat values.	**AO44.1** Works are located, designed and constructed to minimise impacts on fish habitat values and function.
PO45 Development avoids or minimises impacts on natural drainage lines or flow paths, during construction and operation.	No acceptable outcome is prescribed.
PO46 Development avoids or minimises any adverse impacts from pollutants on environmental values and water quality objectives for receiving waters (surface and groundwater) on site or leaving a site.	**AO46.1** Development demonstrates best practice environmental management to meet relevant environmental values and water quality objectives of *the Environmental Protection (Water) Policy*. OR **AO46.2** All stormwater, wastewater, discharges and overflows leaving the site are: (1) treated to the quality of the receiving waters prior to discharge, or (2) reclaimed or re-used such that there is no export of pollutants to receiving waters.

5.2 Constructing or raising waterway barrier works in fish habitats state code

5.2.1 Purpose

The purpose of this code is to ensure that development of waterway barrier works; such as bridges, culvert crossings, causeways, bunds, levees, weir and dams, is designed and located to protect fish habitats and the connectivity between fish habitats, thus sustaining fisheries access and productivity. This code is designed to ensure that:

(1) access for fish along waters and into key fish habitats is maintained and restored

(2) the ability for fish to move through the waterway network and access alternative habitats is maintained and restored (longitudinal connectivity)

(3) connectivity between main waterway channels and other aquatic habitats (for example, inundated floodplains) is maintained and restored (lateral connectivity).

Editor's note: For guidance on how to determine development that this code applies to see the Department of Agriculture, Fisheries and Forestry 2014 fact sheets:

- *Maintaining Fish Passage in Queensland: What is a Waterway?*
- *Maintaining Fish Passage in Queensland: What is a Waterway Barrier Work?*
- *Maintaining Fish Passage in Queensland: What is not a Waterway Barrier Work?*

5.2.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Operational work	Table 5.2.1

Table 5.2.1: Operational work

Performance outcomes	Acceptable outcomes
All assessable waterway barrier works	
PO1 The development will not increase the risk of mortality, disease or injury or compromise the health and productivity of fisheries resources.	**AO1.1** The development ensures that one or more of the following is achieved: (1) the waterway barrier works includes a fish way that adequately provides for the movement of fish across the barrier works, or (2) the movement of fish across the waterway barrier works is adequately provided for in another way, or (3) the height of the waterway barrier works allows enough water to flow across the barrier works to adequately provide for the movement of fish across the barrier works, or (4) the waterway barrier works is intended to exist only for a temporary period, and the level of disruption to fish movement in the area is acceptable, or (5) it is not necessary or desirable, for the best management, use, development or protection of fisheries resources or fish habitats, for the waterway barrier works to provide for the movement of fish across the barrier works. AND **AO1.2** Suitable habitat conditions, such as water and sediment quality, will be maintained to sustain the health and condition of fisheries resources within all fish habitats. AND **AO1.3** Cumulative effects of waterway barrier works do not impede fish movements, and will not affect reproductive success, health or mortality by depleting fish energy reserves. AND **AO1.4** Fish will not become trapped or stranded as a result of development. OR **AO1.5** Risks of fish stranding occurring have been identified and are demonstrably manageable.
PO2 Development maintains or enhances the community access to fisheries resources and fish habitats, through for example fishing access and linkages between commercial fisheries and infrastructure, services and facilities.	**AO2.1** The development does not impact on existing infrastructure or access required by commercial or recreational fishing.
PO3 Development that has the potential to impact on the operations and productivity of commercial or recreational fisheries mitigates any adverse impacts due to adjustment of fisheries. Editor's note: 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.	**AO3.1** Affected fisheries, and the impacts on those fisheries are identified. AND **AO3.2** Fair and reasonable compensation to commercial fishers is determined. AND **AO3.3** The impact of the development on commercial fisheries and recreational fishers is mitigated.
PO4 When the purpose of a waterway barrier is no longer relevant, or the design life of the structure is complete and the structure is not intended to be re-lifed, the waterway barrier will be removed.	**AO4.1** At the end of the viable operation of the development, the waterway barrier (and where appropriate any fish way) will be removed from the waterway and fish habitats and fish passage will be reinstated to previous or better levels. OR **AO4.2** If the barrier remains in place, fish passage provision in accordance with the approved design and operation is maintained as long as the barrier

Performance outcomes	Acceptable outcomes
	remains.
PO5 Development demonstrates appropriate rights and an overriding public need for the development, including consideration of any impacts beyond the footprint of the constructed development. Editor's note: For example, dams and weirs affect fish habitats up and downstream from the structure by pooling and restricting water flows.	**AO5.1** The development is supported by a statutory instrument (for example, regional plans made under the Act, Shoreline Erosion Management Plan (SEMP), coordinated project approval under the *State Development and Public Works Organisation Act 1971*), and the impact on fish habitats have been properly considered. AND **AO5.2** The following can be demonstrated: (1) tenure is held for the land directly abutting the waterway where the works will be carried out and has the applicant has full riparian access rights on both sides of the barrier (2) tenure has been granted over the area of work, or (3) resource allocation or resource entitlement has been granted for the resource being developed. AND **AO5.3** Development is for public infrastructure. OR **AO5.4** Development is for public infrastructure for which there is no alternative viable route that does not require waterway barrier works. OR **AO5.5** Development is for a legitimate public health or safety issue and the applicant is an entity or acting on behalf of an entity.
PO6 Development minimises stream crossings.	**AO6.1** Where multiple waterway barrier works are demonstrated to be essential, these are located a minimum of 100 metres apart (including existing structures).
PO7 Development avoids non-essential hardening or unnatural modification of channels.	**AO7.1** The development does not involve the channelisation of meandering waterways. AND **AO7.2** Where channels need to be significantly modified, the development simulates natural watercourses by including meanders, pools, riffles, shaded and open sections, deep and shallow sections, and different types of substrata. Natural features such as rock outcrops and boulders are retained or recreated.
PO8 Impacts on water quality in declared fish habitat areas are minimised.	**AO8.1** Development involves erosion and sediment control measures. Editor's note: Erosion and sediment control should be in accordance with the *Best practice erosion and sediment control guidelines*, International Erosion Control Association Australasia, 2008.
PO9 Development resulting in drainage or disturbance of acid sulfate soil is managed to prevent impacts on fisheries resources and fish habitats.	**AO9.1** Run-off and leachate from disturbed or oxidised acid sulfate soils is contained, treated and not released to a waterway or other fish habitat in accordance with the *Queensland acid sulfate soils technical manual: Soil management guidelines*, Department of Natural Resources and Mines, 2002.
All development – environmental offsets	
PO10 Impact to fish passage or legally secured offset areas for fish passage is avoided, or mitigated and an environmental offset is provided for any significant residual impact.	**AO10.1** Residual impact to fish passage or legally secured offset areas for fish passage, including the fisheries resources and fish habitat they contain, is comprehensively and accurately documented to demonstrate that impact is avoided or, where this cannot be achieved, that impacts are minimised. OR **AO10.2** Where residual impact to fish passage or legally secured offset areas for fish passage, including the fisheries resources and fish habitat they contain, is accurately documented and it cannot be demonstrated that impact can be reasonably avoided or minimised, an environmental offset is provided for any significant residual impact.

Performance outcomes	Acceptable outcomes
	Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.8 (Waterway providing for fish passage) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Incorporation of fish ways	
PO11 Where the waterway barrier works will be a barrier to fish movement, provisions are made for adequate fish movement by incorporating a fish way or fish ways for the works.	No acceptable outcome is prescribed.
PO12 Any fish way proposed as part of the development is demonstrated to be a feasible and reliable solution that will provide adequate fish passage. Editor's note: Further information about the importance of fish passage and design considerations can be found in the book *From sea to source: International guidance for the restoration of fish migration highways.*	**AO12.1** A person or entity that is suitably qualified and experienced in fish passage biology and fish way design and delivery demonstrates and verifies that any fish way design will provide adequate fish passage. AND **AO12.2** Development uses a fish way design that has been successfully implemented under similar conditions (such as flows and fish communities) and has been demonstrated to provide adequate fish passage through actual scientific monitoring. AND **AO12.3** Development provides for the installation of monitoring equipment, such as traps and lifting equipment, access for monitoring, and a monitoring program of sufficient rigour to: (1) demonstrate the success of the fish way and fish passage at the site (2) provide the basis for optimising operation of the works and fish way. AND **AO12.4** The fish way design maximises flexibility for future adjustments that may be needed once in place. AND **AO12.5** The owner or operator demonstrates the means and commitment to promptly rectify any faults found in the fish way during commissioning, monitoring and operation, if these lead to inadequacies in the fish movement that are provided. AND **AO12.6** Any tailwater control structures such as a gauging weir, rock bar or stream crossings are fitted with a fish way or designed to allow fish passage. AND **AO12.7** Any existing in-stream structure downstream of the proposed waterway barrier works, which increases the barrier effect to fish passage through changes in flow characteristics, is fitted with adequate fish passage facilities.
PO13 Lateral (upstream and downstream) and longitudinal fish movement is provided for.	**AO13.1** More than one fish way is provided, for example, to provide up and downstream fish passage or to provide fish passage under a range of flow regimes.
PO14 Any fish way is be capable of operating whenever there is flow in the waterway (inflow or release), the dam is above dead storage level, and the fish way will be operational for as long as the waterway barrier is in position.	**AO14.1** The operational range of a fish way is sufficient having regard to the hydrology of the site and the fish movement characteristics (in particular timing of movements in relation to seasons and hydrographs). AND **AO14.2** The lower operational range of the fish way is down to at least 0.5 metres below minimum headwater drawdown level (dead storage or

Performance outcomes	Acceptable outcomes
	minimum off-take level, whichever is lower) and to at least 0.5 metres below minimum tail water level at the site. AND **AO14.3** Upstream and downstream fish ways will be operated whenever there are inflows into the impoundment or release out of the impoundment, and during overtopping events. AND **AO14.4** All releases are directed firstly through the fish way as a priority over the outlet works, with the fish way being operated whenever a release is made through it, regardless of whether the release volume is less than the optimal minimum release for fish way operation. AND **AO14.5** The fish way is designed such that non-operation duration (for example, less than two weeks) and incidents due to maintenance issues (for example, siltation, debris, breakdowns, sourcing of parts) are minimised. AND **AO14.6** Fish ways are monitored and maintained to ensure that the fish way is operational at all times.
PO15 Any fish way, and all associated componentry are designed to be durable, reliable and adequately protected from damage from high flow and flood events, to prevent or minimise non-operation.	**AO15.1** Development ensures that mechanisms are in place to ensure that operational issues in fish ways are promptly rectified for the life of the fish way. AND **AO15.2** The quality of materials and components for construction of the fish way are appropriate for the intended service life of the fish way.
PO16 Any fish way is located in a position and manner that maximise the attraction and movement of fish, while also enabling access for monitoring, maintenance and operating purposes.	**AO16.1** Modelling demonstrates, by showing the likely flow patterns and adjacent to the fish way entrance, the location of the fish way entrance is optimal for fish attraction across the operational range of the fish way. AND **AO16.2** Outlet works are adjacent to the fish way, but are positioned and designed so as not to interfere with fish access and attraction to the fish way entrance during outlet releases. AND **AO16.3** Spillway overtopping flows initiate and terminate adjacent to the fish way or are directed parallel to the fish way entrance. AND **AO16.4** Spillway flows are transferred to fish way releases as soon as possible during a flow recession. AND **AO16.5** There is a continuous attraction flow at all times at the fish way entrance when the fish way is operating. AND **AO16.6** Attraction flow velocities are sufficient and variable to attract the whole fish community. AND **AO16.7** Appropriate light levels are maintained at fish way entrances.

Performance outcomes	Acceptable outcomes
	AND **AO16.8** Additional means of fish attraction are included in the fish way design if appropriate. AND **AO16.9** The fish way entrance is accessible under all flow conditions within its operating range. AND **AO16.10** Fish attracted to the spillway are able to access the fish way without having to swim back downstream. AND **AO16.11** Water supply for the fish ways and attraction flows are sourced from surface quality water or equivalent quality water. AND **AO16.12** There are adequate holding chamber dimensions for the fish biomass (for lock, lift, trap and transfer type fish ways). AND **AO16.13** The fish way has adequate hydraulic conditions for all fish within and throughout the fish ways.
PO17 The seasonal and flow-related biomass of the fish community at the location of the waterway barrier works has been surveyed, and has been catered for in the design of the fish way.	**AO17.1** The fish way design, operation and capacity will avoid or acceptably minimise failure to pass any members of the fish community, for example, due to size, class or swimming ability. AND **AO17.2** Future increases in fish biomass are quantified and catered for in the design of the fish way (for example, in capacity or flexibility of operation).
PO18 Fish ways and other means of fish passage at waterway barrier works cater for the whole fish community taking into account species, size classes, life stages and swimming abilities.	**AO18.1** The seasonal and flow-related composition of the fish community at the location of the waterway barrier works is well understood and catered for. AND **AO18.2** The fish way design, operation and capacity will avoid or acceptably minimise any delays in fish movement.
PO19 Development does not increase the risk of mortality, disease or injury, or compromise the health and productivity in fish.	**AO19.1** All pathways providing fish passage at a proposed waterway barrier works are safe for fish to pass. AND **AO19.2** Fish passage will not adversely impact on the wellbeing of fish. AND **AO19.3** The designs of all components of waterway barriers, including but not limited to spillway, stilling basin, apron and dissipation structures, are developed and implemented with safe downstream fish passage as a key design consideration. Note: A stepped spillway (including sheet pile weirs) is not an acceptable solution as high mortalities and injuries to fish have been associated with such designs. AND **AO19.4** There is adequate minimum tailwater depth at the toe of the spillway (for example, stilling basin) at commencement to spill (for example, 30 per cent of the head difference).

Performance outcomes	Acceptable outcomes
	AND **AO19.5** Intake and outlet works adjacent to the waterway barrier are screened or otherwise designed and placed to prevent fish passing through or becoming trapped in these works. AND **AO19.6** Intake screen dimensions are such that small fish are not drawn through the outlet works and velocities are low enough that fish are not impinged or entrained on the screens. AND **AO19.7** The fish way exit is located so as to avoid entrainment in any outlet work screens and avoid fish being washed back over the spillway during overtopping. AND **AO19.8** Cover is provided for fish moving from the exit. AND **AO19.9** Fish exit upstream and downstream fish ways at the water level over the full range of tailwater and headwater levels. AND **AO19.10** Trash and debris are excluded from the upstream fish way exit and downstream fish way entrance with designs that ensure that fish can access the exits and entrances, and that the fish way(s) are not blocked or damaged by trash or debris. AND **AO19.11** Adequate minimum depth is maintained through the fish way. AND **AO19.12** The risk of fish kills arising from the works are minimised (for example, through entrapment of fish upstream or between works). AND **AO19.13** Contingency plans in case of mechanical or electrical failure of fish ways are in place. AND **AO19.14** The fish way design, operation and capacity will avoid or acceptably minimise predation within and upon the fish community using the fish way.
Inherent barrier design and provision of fish passage	
PO20 Fish passage is provided for: (1) in the inherent design of the waterway barrier works (2) over the in-situ life of the barrier in that position through adequate construction and maintenance of the barrier.	**AO20.1** Development avoids or minimises loss of, or modification to, fish habitat. AND **AO20.2** The drownout characteristics of the waterway barrier allow for adequate fish passage at the site. AND **AO20.3** At drownout, the conditions at the barrier are such that: (1) the tailwater and headwater levels across the weir are essentially equal (2) velocities are sufficiently low for fish passage (e.g. 0.3 metres/second) at or close to the edge of the spillway crest (3) the weir is fully submerged to a sufficient depth to allow for fish passage, and for the species and size classes of fish moving through the site to cross the weir

Performance outcomes	Acceptable outcomes
	(4) to the degree that provides for adequate fish passage at the site. AND **AO20.4** The frequency, timing and duration of drownout conditions are adequate for the movement requirements of the fish community moving past the barrier. AND **AO20.5** Delays to fish passage when there are flows in the system but no fish passage in the rising hydrograph are accurately defined for the design, and avoided or limited to a maximum of three days. AND **AO20.6** In assessing whether the inherent barrier design provides adequate fish passage, impacts on lateral and longitudinal fish movement are considered.
PO21 The use of floodgates is avoided or minimised.	**AO21.1** There is an overriding need for new floodgates, and other alternatives are unviable. AND **AO21.2** Hydraulic conditions through the floodgates are adequate for fish passage. AND **AO21.3** Floodgates are designed and operated as (tidally activated) automatic floodgates. AND **AO21.4** The invert of the floodgate is at bed level. AND **AO21.5** Floodgates allow for fish passage over an adequate duration of the tidal cycle. AND **AO21.6** The operation of the floodgate will not result in impacts on water quality that may impact on fish or fish habitat.
PO22 Waterway barriers that are bridges are designed, constructed and maintained to provide adequate fish passage for the site and: (1) fish passage is provided for the life of the crossing (2) 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. Editor's note: For guidance on when a bridge is and is not considered to be waterway barrier work see the Department of Agriculture, Fisheries and Forestry 2014 fact sheets *Maintaining Fish Passage in Queensland: What is a Waterway Barrier Work?* and *Maintaining Fish Passage in Queensland: What is not a Waterway Barrier Work?*	**AO22.1** A bridge that is designed to allow adequate fish passage is preferentially installed to a culvert. AND **AO22.2** In-stream bridge structures such as piles are minimised. AND **AO22.3** Bridge support piles are not constructed within the low-flow channel or so that they constrict the edges of the low-flow channel. AND **AO22.4** Bridge abutments do not extend into the waterway beyond the toes of the banks. AND **AO22.5** Bank revetment works do not extend into the waterway beyond the toes of the banks. AND **AO22.6** Permanent access or erosion control structures within the main channel adjacent to the bridge are set at or below bed level, roughened to approximately simulate natural bed conditions, and maintained so that there are no drops in elevation at their edges or joins with the stream bed.

Performance outcomes	Acceptable outcomes
PO23 Waterway barriers that are culverts provide adequate fish passage for the site, and: (1) fish passage is provided for the life of the crossing (2) 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. Editor's note: For further guidance see the Department of Agriculture, Fisheries and Forestry 2014 fact sheet *Maintaining Fish Passage in Queensland: What is a Waterway Barrier Work?*	**AO23.1** Culverts are only installed where the site conditions do not allow for a bridge. AND **AO23.2** The combined width of the culvert cell apertures are equal to 100 per cent of the main channel width. AND **AO23.3** The culvert crossing and associated erosion protection structures are installed at no steeper gradient than the waterway bed gradient. AND **AO23.4** For the life of the culvert crossing, relative levels of the culvert invert, apron and scour protection and the stream bed are kept so that there are no drops in elevation at their respective joins. AND **AO23.5** The base of the culvert is: (1) 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 is roughened throughout the culvert floor to approximately simulate natural bed conditions. AND **AO23.6** The outermost culvert cells incorporate roughening elements such as baffles on their bankside sidewalls. AND **AO23.7** 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 **AO23.8** 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 **AO23.9** In-stream scour protection structures are roughened throughout to approximately simulate natural bed conditions. AND **AO23.10** Culvert alignment to the stream flow minimises water turbulence. AND **AO23.11** There is sufficient light at the entrance to and through the culvert so that fish are not discouraged by a sudden descent into darkness. AND **AO23.12** 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 **AO23.13** For culvert crossings designed with a flood immunity >ARI 50, fish passage is provided up to culvert capacity. AND

Performance outcomes	Acceptable outcomes
	AO23.14 Adequate design (for example, culvert aperture) 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 **AO23.15** Crossings within the bed and banks do not incorporate culverts.
PO24 Waterway crossings other than bridges or culverts provide adequate fish passage for the site and: (1) fish passage is provided for the life of the crossing (2) 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. Editor's note: For guidance on when a waterway crossing is not considered to be waterway barrier work see the Department of Agriculture, Fisheries and Forestry 2014 fact sheet *Maintaining Fish Passage in Queensland: What is not a Waterway Barrier Work?*	**AO24.1** 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 **AO24.2** For the life of the crossing, relative levels of the crossing, any bed erosion or scour protection and the stream bed are kept so that there are no drops in elevation at their respective joins. AND **AO24.3** The crossing and associated erosion protection structures are installed at no steeper gradient than the waterway bed gradient. AND **AO24.4** The crossing and associated erosion protection structures are roughened throughout to approximately simulate natural bed conditions. AND **AO24.5** 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 **AO24.6** There is a height difference from the lowest point of the crossing to the edges of the low flow section of the crossing to channel water into the low flow section. AND **AO24.7** 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.
PO25 All waterway barriers are designed, constructed and maintained to provide adequate fish passage for the site and fish passage is provided for the life of the barrier.	**AO25.1** 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 barrier at all flows up to the drownout of the structure. AND **AO25.2** Aperture size of openings (for example, at screens or trash racks) ensures adequate fish passage. AND **AO25.3** Hydraulic conditions are such that adequate fish passage is provided. AND **AO25.4** Flows across, or releases out of, the structure are such that adequate fish passage is provided in terms of timing, frequency and duration, as well as water volume and depth. AND **AO25.5** Water quality across the barrier allows for fish passage.

Performance outcomes	Acceptable outcomes
Temporary waterway barrier works	
PO26 The temporary waterway barrier works will exist only for a temporary period and cause a minimal and acceptable disruption to fish movement in the area, during the period of installation. Editor's note: Code for self assessable development *Temporary waterway barrier works* (*WWBW02)*, Department of Employment, Economic Development and Innovation, 2010 and the GIS data layer 'Queensland Waterways for Waterway Barrier Works' provide guidance on the length of time that a temporary barrier may be acceptable in particular streams.	**AO26.1** Temporary waterway barrier works can be in place at a given site for no more than 12 months. AND **AO26.2** In tidal waters, to ensure significant impacts on upstream and downstream habitats are avoided, the temporary waterway barrier works will not completely block the waterway for more than 3 weeks, unless steps taken to ensure water exchange occurs (such as breaching of the bund or pumping water), to prevent upstream marine plants and benthos being submerged in freshwater, or the barrier is sufficiently permeable. AND **AO26.3** Delays to fish movement are avoided at times when fish are known to be undertaking upstream spawning migrations, even on very small or zero flow events or river rises. Waterway barrier works are scheduled out of this period, or other provision for fish movement is made (for example, the use of a partial barrier, periodic barrier, stream diversion or fish way). AND **AO26.4** Where there are species at the site that require downstream movement during works, provisions are made to allow those species to move downstream. AND **AO26.5** Water diversion around the site or through the barrier is implemented if the barrier is in position for more than four weeks, and there is any flow in the system for the purpose of ensuring that vegetation die-off, decomposition and associated reduction in water quality does not become an issue upstream of the barrier, in areas where there is more than 30 per cent coverage of terrestrial grasses within the ponded area. AND **AO26.6** Where there are aquatic macrophytes immediately downstream of the barrier and those macrophytes would ordinarily be submerged or partially submerged, water will need to be passed across the barrier at all times to avoid their desiccation. AND **AO26.7** On removal of a temporary barrier, full movement for fish is reinstated. AND **AO26.8** On removal of a temporary barrier, the waterway bed and banks are returned to their original profile and stability, so that long-term fish movement at the site is not compromised.
PO27 Fish movement is required past temporary waterway barrier works where the duration of the barrier is greater than that allowed for under the code for self assessable development *Temporary waterway barrier works (WWBW02*), Department of Agriculture, Fisheries and Forestry, April 2013. Editor's note: Code for self assessable development *Temporary waterway barrier works* (*WWBW02),* Department of Agriculture, Fisheries and Forestry, April 2013, and the GIS data layer 'Queensland waterways for waterway barrier works' provide	**AO27.1** Development provides for adequate fish movement through the incorporation of a fish way or fish ways for the works. AND **AO27.2** The barrier: (1) is a partial barrier (2) does not constrict the area or flows of a low flow channel (3) all work will be completed (and the barrier removed) during low flows when the flow will be contained wholly within a low flow channel. This would require a predictable flow regime where the likelihood of flow events during the works is very small (for example a 1 in 20 year probability).

Performance outcomes	Acceptable outcomes
guidance on the acceptable length of time that a temporary barrier may remain in place in particular streams.	AND **AO27.3** The barrier is opened periodically every five days for at least 48 hours to allow fish movement and water exchange. AND **AO27.4** Fish movement is provided for via a stream diversion.
PO28 Erosion control elements of the temporary waterway barrier works do not impact on fish passage.	**AO28.1** The use of gabions is avoided to prevent fish entrapment on receding flows.
PO29 Fish passage is not necessary or desirable, for the best management, use, development or protection of fisheries resources or fish habitats, for the temporary waterway barrier works to provide for the movement of fish across the barrier works. Editor's note: 'Other barriers' referred to in the *Fisheries Act 1994* may be applied to existing natural barriers that preclude upstream fish movement. Provision of upstream fish movement at barrier works on the site of a waterfall that does not drownout is not necessary, providing that the works do not impact on climbing fish species (for example, with the installation of smooth surfaces or overhangs).	**AO29.1** It is demonstrated through an appropriate level of scientifically designed and executed fish survey by a suitably qualified and experienced entity that there are no fish in the area during any flow regimes. AND **AO29.2** The conditions at the site causing fish to be absent are not able to be remediated while the proposed barrier is in place. OR **AO29.3** There are other barriers in the area where the waterway barrier works is, or is to be, located which prevent movement of fish located in the area. AND **AO29.4** Other barriers in the area of the waterway barrier works could not reasonably be expected to be modified or removed in the future to restore fish passage. AND **AO29.5** Fish passage is not provided where this would introduce fish (including non-endemic fish or noxious fish) into an area where these species were not previously found, and this would be more detrimental to the existing fish community than the effect of the barrier.
Construction	
PO30 The construction of waterway barrier works does not limit the movement or wellbeing of fish.	**AO30.1** Work does not commence during times of elevated flows. AND **AO30.2** Excavation work in unbunded tidal areas is to be scheduled to occur within two hours either side of low tide. AND **AO30.3** In-stream work is scheduled for the driest time of the year. AND **AO30.4** In-stream construction is completed as quickly as possible to lessen the impact on fish and habitats, and timed to minimise conflict with fish migrations. AND **AO30.5** Routes for the developments are planned to minimise the impact on fish passage and fish habitat (for example, roads and railways minimise crossings and avoid crossings in environmentally sensitive areas).
PO31 The development does not cause, or minimises direct or indirect disturbance to the bed and banks adjacent to the approved footprint of works.	**AO31.1** Removal of stream-bank vegetation and disturbance to the natural banks and bed of the waterway is avoided or minimised. AND **AO31.2** Disturbance to the outer bank of waterway beds during work and while gaining access is minimised.

Performance outcomes	Acceptable outcomes
	AND **AO31.3** Heavy machinery is excluded from fragile areas and areas which host fisheries resources. AND **AO31.4** After completion of the in-stream works, all areas of the bed and banks of the waterway that are outside of the approved permanent footprint of the works, and which have been disturbed as a result of the construction or raising of the waterway barrier works, are returned to their original profile and stabilised to promote regeneration of natural fish habitats. AND **AO31.5** By the completion of works, the profiles of the bed and banks are reinstated to natural stream profiles and stability. AND **AO31.6** The waterway bed will be retained with natural substrate, or reconstructed with substrate comparable to the natural substrate size and consistency. AND **AO31.7** Vegetation and cover will be rapidly re-established so that the native plant community at the site can recover or be enhanced (for example, by using native species). AND **AO31.8** Fish habitats, including fisheries resource values, will be able to naturally regenerate to pre-works conditions. Editor's note: Monitoring of the success of fish habitat regeneration, within and adjacent to the work site, will be a development permit condition.
Additional requirements for development within a strategic environmental area	
PO32 Sediment and other polluting material must be captured during construction and operation of a waterway barrier.	**AO32.1** During construction: (1) environmental safety measures such as silt curtains are used to capture sediments (2) materials that are pollutants (such as debris, chemicals, or construction material) are not stored in the stream bed, unless they are to be used immediately. AND **AO32.2** After construction the stream bed and banks are protected to prevent erosion or slumping, by ensuring: (1) the waterway bed is lined with the original top soil retained during the construction (2) materials that are pollutants (such as debris, chemicals, or construction material) are removed from the location and appropriately treated and disposed of as waste outside the strategic environmental area – for example to a managed landfill (3) temporary barriers are removed after use and the natural materials either returned to their original location in the strategic environmental area, or if not taken from the strategic environmental area, appropriately treated and disposed of as waste outside the strategic environmental area – for example to a managed landfill.
PO33 The works do not impede fish passage, particularly during critical periods that are	**AO33.1** Works (except temporary works required for less than 20 business days) that are not drowned out regularly must contain a fish way, the design of which

Performance outcomes	Acceptable outcomes
important for breeding, feeding, nursery and recruitment of indigenous fish species.	is approved by the Department of Agriculture and Fisheries. AND **AO33.2** Any fish way must be operational at all times except where natural flows would have prevented fish passage. AND **AO33.3** In the case of drought, any fish trapped in the impoundment must be rescued. AND **AO33.4** Vegetation and cover is retained or replaced to pre-work levels and conditions. AND **AO33.5** All works are constructed during periods when fish passage is least affected.
PO34 Development avoids or minimises any adverse impacts on environmental values and water quality objectives for receiving waters (surface and groundwater) on site or leaving a site from pollutants.	**AO34.1** Development demonstrates best practice environmental management to meet relevant environmental values and water quality objectives of the *Environmental Protection (Water) Policy*. OR **AO34.2** All stormwater, wastewater, discharges and overflows leaving the site are: (1) treated to the quality of the receiving waters prior to discharge, or (2) reclaimed or re-used such that there is no export of pollutants to receiving waters.

5.3 Removal, destruction or damage of marine plants state code

5.3.1 Purpose

The purpose of this code is to ensure the protection of marine plant communities that are fisheries resources and to ensure development provides ecosystem services that support fisheries productivity.

5.3.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Material change of use	Table 5.3.1
Operational work	Table 5.3.1
Reconfiguring a lot	Table 5.3.1

Table 5.3.1: Operational work (including operational work as part of a material change of use or reconfiguring a lot)

Performance outcomes	Acceptable outcomes
PO1 Development avoids and protects fish habitats and fisheries resources.	**AO1.1** A buffer surrounding fish habitats is provided and has a minimum width of: (1) For tidal fish habitats— (a) 100 metres above highest astronomical tide outside an urban area, or

Performance outcomes	Acceptable outcomes
	(b) 50 metres above highest astronomical tide within an urban area (2) non-tidal fish habitats— (a) 50 metres above bankfull width outside an urban area or (b) 25 metres above bankfull width within an urban area. Editor's note: Guidelines to assist with determining the appropriate buffer widths: (1) *Fisheries guidelines for fish habitat buffer zones* (*FHG 003)*, Department of Primary Industries, 2000 (2) *Queensland wetland buffer planning guideline*, Department of Natural Resources and Mines, 2011.
PO2 There is a demonstrated right to propose development within or adjacent to the public fish habitats and fisheries resources. Editor's note: Further guidance on rights in context of fisheries resources and fish habitats is provided in the policy provisions of *Management of declared fish habitat areas (FHMOP 002)*, Department of Primary Industries and Fisheries, 2008.	**AO2.1** The development is supported by a statutory instrument (for example, regional plans made under the Act, Shoreline Erosion Management Plan (SEMP), coordinated project approval under the *State Development and Public Works Organisation Act 1971*), and the impacts on fish habitats have been properly considered. OR **AO2.2** Development is for public infrastructure. OR **AO2.3** Development is for public infrastructure for which there is no alternative viable route that does not require works on tidal land or fish habitats. OR **AO2.4** Development is for a legitimate public health or safety issue, and the applicant is an entity or acting on behalf of an entity. OR **AO2.5** The following can be demonstrated: (1) tenure is held for the land directly abutting the tidal land and has full riparian access rights, or (2) tenure has been granted over the area of work, or (3) resource entitlement or resource allocation has been granted for the resource being developed, or (4) for private development work that is a jetty, pontoon or boat ramp, no other maritime access structure adjoins the property.
PO3 There is an overriding functional requirement for the development or part of the development to be located on tidal lands. Editor's note: Development components that have a functional requirement to be located over fish habitats are acceptable. For example car park areas (including for boat ramps), parklands, marina offices, spoil disposal or amenity facilities do not depend on their location to be on or over tidal lands to function, where alternatives of lesser impact exist.	**AO3.1** Development is for maritime infrastructure (for example, jetty, boat ramp, moorings). OR **AO3.2** Development is lineal or nodal infrastructure required to cross or be located within a waterway or tidal area (for example, bridge, culvert crossing, stormwater outlet, pipeline). OR **AO3.3** The access is required for the construction of the marine or lineal infrastructure.
PO4 Development maintains or enhances community access to fisheries resources and fish habitats, such as through fishing access and linkages between the commercial fishery and infrastructure, services and facilities.	**AO4.1** The development does not impact on existing infrastructure or access required by fishing sectors.
PO5 Development that has the potential to	**AO5.1** Affected fisheries, and the impacts on those fisheries, are identified.

Performance outcomes	Acceptable outcomes
impact on the operations and productivity of Queensland commercial or recreational fisheries mitigates any adverse impacts due to adjustment of fisheries.	AND **AO5.2** Fair and reasonable compensation to commercial fishers is determined. AND **AO5.3** The impact of the development on commercial fisheries and recreational fishers is mitigated. Editor's note: 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.
PO6 The development will not increase the risk of mortality, disease or injury, or compromise the health and productivity of fisheries resources.	**AO6.1** Fish will not become trapped or stranded as a result of development. AND **AO6.2** Risks of fish stranding occurring have been identified, and are demonstrably manageable. AND **AO6.3** Suitable habitat conditions, such as water and sediment quality, will be maintained to sustain the health and condition of fisheries resources within all fish habitats. AND **AO6.4** Herbicides are not used on, and will not drift onto, tidal land or wetlands, or within waterways.
PO7 Development resulting in drainage or disturbance of acid sulfate soil is managed to prevent impacts on fisheries resources and fish habitats.	**AO7.1** Run-off and leachate from disturbed or oxidised acid sulfate soils is contained and treated, and not released to a waterway or other fish habitat. Editor's note: Management of acid sulfate soil is consistent with the current *Queensland acid sulfate soil technical manual: Soil management guidelines*, Department of Natural Resources and Mines, 2002.
PO8 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. Editor's note: For more information, refer to relevant fish habitat management operational policies and fish habitat guidelines: (1) *Management and protection of marine plants and other tidal fish habitats (FHMOP 001)*, Department of Primary Industries and Fisheries, 2007 (2) *Tidal fish habitats, erosion control and beach replenishment (FHMOP 010)*, Department of Primary Industries and Fisheries, 2007 (3) *Dredging, extraction and spoil disposal activities (FHMOP 004)*, Department of Primary Industries, 1998 (4) *Departmental procedures for permit applications assessment and approvals for insect pest control in wetlands (FHMOP 003)*, Department of Primary Industries, 1996 (5) *Fisheries guidelines for fish-friendly structures (FHG 006)*, Department of Primary Industries and Fisheries, 2006	**AO8.1** The development does not directly impact fish habitats and is located: (1) above the highest astronomical tide for tidal fish habitat, or (2) above bankfull width for non-tidal fish habitats (freshwater). OR **AO8.2** Where impacts on fish habitats cannot be avoided, development meets the following criteria: (1) the location, design and work methods will result in the smallest impact possible to fish habitats (2) development does not increase the risk of transfer of, or impacts from, pest fish and other relevant pest species (3) tidal and freshwater inundation and drainage patterns, extent and timing are maintained such that ecological processes continue (4) works or development will not restrict fish access to fish habitats or fisheries resources (5) tidal or freshwater fish habitats will not be substituted for another type of habitat, for example, creation of mangrove communities from other tidal fish habitats (6) works are undertaken to avoid both seagrass flowering periods and fish spawning and migration periods (7) impacts are mitigated where possible.

Performance outcomes	Acceptable outcomes
Public infrastructure to facilitate fishing	
PO9 Development provides public use and access to fisheries resources.	**AO9.1** Structures over tidal land are located over areas naturally devoid of marine plants, or areas that have undergone existing disturbance or degradation. AND **AO9.2** Development that is public infrastructure to facilitate fishing has a direct link to the activity of fishing, and: (1) is a public jetty, pontoon, boat ramp or fishing platform (2) the proposed location has been identified as the most suitable through a strategic planning approach (3) there is an existing community requirement for the structure (4) the development will result in the smallest impact possible to fish habitats. AND **AO9.3** Avoidance of disturbance, whether that disturbance is permanent or temporary, for access paths, tracks or dredging navigable access. AND **AO9.4** If development results in fish habitat disturbance, there is an overriding requirement for the development to be located within the tidal land, wetlands or a waterway. AND **AO9.5** The long-term operability and impact of the use of the development will not require additional new development and associated impacts will not result in the need for dredge navigation access to the proposed jetty in the future.
Public infrastructure (linear and nodal)	
PO10 Development provides a public benefit.	**AO10.1** The applicant is an entity or has the authority to act on behalf of an entity.
PO11 There is an overriding requirement for the development to be located on tidal land or other fish habitats.	**AO11.1** There is no other viable alternative route that does not require works on tidal land or fish habitats. AND **AO11.2** The development has a functional requirement to be located on tidal land, within a waterway or over fish habitats.
Public infrastructure – waterway crossings	
PO12 Development maintains existing tidal inundation and drainage patterns and extent.	**AO12.1** Bridge crossings are designed with abutments above the highest astronomical tide. AND **AO12.2** Culvert crossing are designed with the size and number of culverts such that it is the entire width of the waterway, the obvert being above the highest astronomical tide and the invert being equal to natural bed level, or a maximum of 300 millimetres below natural bed level. AND **AO12.3** Development is a bed level crossing of 15 metres in width or less.
PO13 Development provides for fish passage.	No acceptable outcome is prescribed.
Public infrastructure – pipeline or subterranean infrastructure	
PO14 Public infrastructure that is a pipeline	**AO14.1** The public infrastructure will be placed below the existing natural

Performance outcomes	Acceptable outcomes
or subterranean infrastructure maintains existing tidal hydrology, including inundation and drainage patterns and extent.	substrate surface level, and natural substrate and surface levels will be reinstated. AND **AO14.2** The public infrastructure will not cause waterway bed or bank scour or waterway bed or bank erosion.
Public infrastructure – dredging or extracting sediment	
PO15 Works for public infrastructure that are dredging or extracting material are undertaken so as to avoid impacts on marine plants.	**AO15.1** Works for public infrastructure are for capital dredging, are proposed by a public entity and are for a demonstrated need. AND **AO15.2** Works are maintenance dredging consistent with a previously lawfully dredged area, or otherwise approved profiles for navigational purposes. AND **AO15.3** Works are undertaken to avoid both seagrass flowering periods and fish spawning and migration periods.
PO16 Disposal of dredge spoil is undertaken in a manner that avoids impacts on marine plants.	**AO16.**1 Dredge spoil is not disposed of on tidal land. OR **AO16.2** Spoil disposal will occur at a designated, approved spoil disposal site. OR **AO16.3** Spoil disposal occurs as part of a beach replenishment program supported by a strategic planning process.
Private infrastructure – dredging or extracting sediment	
PO17 Works for dredging or extracting sediment for private infrastructure are only undertaken where there is an overriding public need exists for the work.	**AO17.1** Works for private infrastructure will provide public or community benefit. AND **AO17.2** The works are a component of private development works and there is an overriding public need for the dredging component of the development to occur. AND **AO17.3** The development is supported by a statutory instrument (for example, regional plans made under the Act, Shoreline Erosion Management Plan (SEMP), coordinated project approval under the *State Development and Public Works Organisation Act 1971*), and the impact on fish habitats have been properly considered. Editor's note: (1) For example, private marina facilities or development that is open to the general public and facilitates public access for fishing purposes and future maintenance dredging is within the approved footprint of the facility, and is the least impact option based on fisheries resources and fish habitats. (2) Dredging for access to private structures is not supported.
Public infrastructure – erosion control and beach replenishment	
PO18 Public infrastructure for erosion and beach replenishment works is provided to address existing significant and imminent erosion, maintain natural shoreline and foreshore processes and existing fish habitat values. Editor's note: Further detail on erosion control is provided in *Tidal fish habitats, erosion control and*	**AO18.1** Public infrastructure for erosion and beach control replenishment provides an erosion buffer zone and facilitates managed retreat. Editor's note: Further guidance on erosion control is provided in *Tidal fish habitats, erosion control and beach replenishment (FHMOP 010)*, Department of Primary Industries and Fisheries, 2007. AND **AO18.2** The cause of shoreline and foreshore erosion is identified and treated.

Performance outcomes	Acceptable outcomes
beach replenishment (FHMOP 010), Department of Primary Industries and Fisheries, 2007.	AND **AO18.3** Development provides a riparian buffer zone with a minimum width of: (1) for tidal fish habitats: (a) 100 metres above the highest astronomical tide outside an urban area, or (b) 50 metres above the highest astronomical tide within an urban area (2) for non-tidal fish habitats: (a) 50 metres above bankfull width outside an urban area, or (b) 25 metres above bankfull width an urban area. AND **AO18.4** An erosion control structure is provided to address a short-term significant erosion risk that will result in the loss of buildings, structures or infrastructure that are not expendable or relocatable. AND **AO18.5** Erosion control works: (1) minimise disturbance to fish habitats and fisheries resources (2) result in no further loss of fish habitats (for example, through reclamation of tidal land) (3) maximise fish habitat enhancement or creation through fish friendly design (4) minimise disruption to community use of the area. AND **AO18.6** Erosion control structures: (1) are located where the applicant can demonstrate a level of rights or interest (2) are located parallel to the shoreline and as far landward as possible. Minor regularisation may be supported (3) are located landward of, or adjoining, the existing land profile (4) incorporate fish-friendly design. AND **AO18.7** Development does not involve the placement of sand on soft-sediment shorelines to create an artificial beach unless the site has a demonstrable history of sand placement for public recreation purposes.
PO19 Erosion control and beach replenishment that requires filling of tidal land is avoided where possible, and impact on tidal land is minimised.	**AO19.1** Minor filling is required to regularise a shoreline or foreshore as part of erosion control activities. AND **AO19.2** Filling of tidal land is for the creation of dune or beach above highest astronomical tide and the filling: (1) is part of an erosion control strategy, or (2) does not create terrestrial land for the placement of structures or for terrestrial activities, or (3) is an integral part of the erosion control design, or (4) will minimise replenishment frequency or impact to fish habitats, or (5) will remove the need for other erosion control works that will have a greater impact on fish habitats. AND **AO19.3** Placement of sand is required for the effective functioning of an erosion control structure.
Private development work	

Performance outcomes	Acceptable outcomes
PO20 Maritime infrastructure providing for private access avoids impacts on marine plants and fish habitat.	**AO20.1** Structures over tidal land are located over areas that are naturally devoid of marine plants. OR **AO20.2** Development work associated with a private jetty or pontoon has a maximum marine plant disturbance area of 30 square metres. The marine plant disturbance area has a maximum width of two metres along the shoreline (highest astronomical tide height) and a maximum length of 15 metres from the shoreline (perpendicular). OR **AO20.3** Private development work that is a boat ramp has a maximum marine plant disturbance area of 45 square metres. The area below the highest astronomical tide is not to exceed 45 square metres (that is, no other fish habitats are to be disturbed or modified). AND **AO20.4** The long-term operability and impact of the use of the development will not require additional new development and associated impacts, for example, a proposed private jetty will not result in the need to dredge navigation access to the proposed jetty in the future. AND **AO20.5** Only one maritime access structure will adjoin the property.
Temporary development	
PO21 The design of the temporary development results in the smallest possible disturbance to fish habitat and fisheries resources.	**AO21.1** Temporary development: (1) will have lesser impact on the tidal lands or fish habitats than all other reasonable options (2) is designed to minimise impacts to fish habitat and fisheries productivity (3) will be in place or undertaken for the shortest possible time, having regard to the nature of the development (4) is designed to avoid filling or reclamation of tidal lands (5) can and will be completely removed from tidal land and fish habitats (6) will be carried out during a time that avoids or minimises conflict with known fish migration or spawning periods. AND **AO21.2** Disturbed land profiles will be restored to allow original inundation and drainage patterns. AND **AO21.3** The development provides for regeneration or restoration of fish habitat and fisheries resource values. AND **AO21.4** The development will not result in the permanent substitution of fish habitat. AND **AO21.5** The development provides for a post-works monitoring and maintenance program.
Public health or safety	
PO22 Development that is ensuring public health or safety is undertaken in a manner that minimises impacts on fish habitat and fisheries resources. Note: The following are not considered public	**AO22.1** Development for a public health issue: (1) is endorsed in writing by Queensland Health or the relevant local government (2) is necessary, as all alternative options that do not require removal or disturbance of marine plants have been considered and are not viable

Performance outcomes	Acceptable outcomes
health or safety issues: (1) management of 'nuisance' issues (for example, biting midge control, or the management of odours from decaying vegetation) (2) foreshore erosion, unless its control is required as a short-term emergency response to a catastrophic event that presents an immediate threat to public safety through undermining of dwellings or infrastructure. In such cases, the emergency provisions of the *Sustainable Planning Act 2009* may apply. Where possible, erosion management measures should be developed prior to public safety becoming an issue (3) capital dredging for navigation.	or achievable in the available timeframes for an adequate response to the public health issue (3) if the development is for a long-term response with permanent or ongoing impacts to fish habitats – ensures an agreed program to identify and implement measures to reduce the impacts of the response over time on the area. AND **AO22.2** Development for a public safety purpose has no viable alternative options and is for: (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 (2) preventing an impending public safety issue (for example, beach cleaning to remove dangerous items such as syringes), or (3) the mitigation of a hazard to public safety that has resulted from a specific unforseen event (for example, a fallen tree that is a danger to safe navigation), or (4) placement of a cyclone mooring identified under a cyclone contingency plan by the harbour master or controlling port authority or corporation, and is located in accordance with the plan.
Restoration works	
PO23 Restoration works to reinstate fish habitats, fisheries productivity and natural ecological processes to a pre-existing natural condition are undertaken in a manner that mitigates impacts on marine plants and fish habitats. Editor's note: For further guidance refer to *Restoration of fish habitats: Fisheries guidelines for marine areas (FHG 002)*, Department of Primary Industries, 1998. 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.	**AO23.1** Works will not result in additional fish habitat disturbance, removal or degradation. AND **AO23.2** Land profiles are restored to original inundation and drainage patterns. AND **AO23.3** Works are undertaken to encourage fish habitats and fisheries resource values to naturally regenerate. AND **AO23.4** Fish habitat restoration work will not result in the substitution of fish habitats. AND **AO23.5** Physical restoration of fish habitats (for example, replanting) is undertaken where natural regeneration is, or is likely to be, unsuccessful. AND **AO23.6** Permanent structures (for example, boardwalk) to facilitate restoration works: (1) provide a means of managing an identified impact or degrading process (2) retain natural ecological processes (3) are the least impact alternative available. AND **AO23.7** Works include a post-works monitoring and maintenance program, appropriate for the scale of the restoration works. AND **AO23.8** Marine plants used in restoration works are collected within a 100 kilometre radius of the site to maintain the genetic integrity of the restoration site and local marine plant communities.
Works for aesthetic purposes or to provide for views	
PO24 Removal, trimming or damage to	**AO24.1** Works are undertaken in accordance with a mangrove management

Performance outcomes	Acceptable outcomes
marine plants to provide views or for aesthetic purposes is undertaken in a manner that maintains the integrity of fish habitat.	strategy endoresed by Fisheries Queensland.
All development – environmental offsets	
PO25 Impacts to marine plants or legally secured offset areas for marine plants are avoided or mitigated, and an environmental offset is provided for any significant residual impact.	**AO25.1** Residual impact to marine plants or legally secured offset areas for marine plants is comprehensively and accurately documented to demonstrate that impact is avoided or, where this cannot be achieved, that impacts are minimised. OR **AO25.2** Where residual impact to marine plants or legally secured offset areas for marine plants is accurately documented and it cannot be demonstrated that impact can be reasonably avoided or minimised, an environmental offset is provided for any significant residual impact. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.9 (Marine plants) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Additional requirements for development within a strategic environmental area for specified works	
PO26 Development minimises clearing of marine plants including beyond the extent of operational work. Natural regeneration of any cleared or work area is facilitated wherever possible.	**AO26.1** Clearing of marine plants is limited to the minimum area required for the works and to allow for maintenance. AND **AO26.2** There is no impediment to the natural regeneration of native plant species in the area of clearing and works following completion of works.
PO27 Development avoids or minimises adverse impacts on fish passage during works and the carrying out of the activity.	No acceptable outcome is prescribed.
PO28 There is nil net loss in marine plants as a result of development.	**AO28.1** Any marine plant damaged during construction is replaced at the completion of the development with the same species of plant in the disturbed area outside of the footprint of the development.
PO29 Development does not impact on fish habitat values.	**AO29.1** Development in tidal waters is located, designed and constructed to ensure that the activities do not impact on fish habitat values and function.
PO30 Development avoids or minimises any adverse impacts from pollutants on environmental values and water quality objectives for receiving waters (surface and groundwater) on site or leaving a site.	**AO30.1** Development demonstrates best practice environmental management to meet relevant environmental values and water quality objectives of the *Environmental Protection (Water) Policy*. OR **AO30.2** All stormwater, wastewater, discharges and overflows leaving the site are: (1) treated to the quality of the receiving waters prior to discharge, or (2) reclaimed or re-used such that there is no export of pollutants to receiving waters.

5.4 Reference documents

Guidelines

Department of Primary Industries 1998 *Restoration of fish habitats: Fisheries guidelines for marine areas FHG 002*

Department of Primary Industries 2000 *Fisheries guidelines for fish habitat buffer zones FHG 003*

Department of Primary Industries and Fisheries 2006 *Fisheries guidelines for fish-friendly structures FHG 006*

Department of Primary Industries and Fisheries 2005 *The lawful use of physical, pesticide and biological controls in a declared fish habitat area (FHACoP01)*

Local Government Association of Queensland 2012 *Mosquito management code of practice for Queensland*.

Policies

Department of Primary Industries and Fisheries 2007 *Management and protection of marine plants and other tidal fish habitats (FHMOP 001)*

Department of Agriculture, Fisheries and Forestry *Management of declared fish habitat areas (FHMOP 002)*

Editor's note: Responsibility of Department of National Parks, Recreation, Sport and Racing

Department of Agriculture, Fisheries and Forestry 1996 *Departmental procedures for permit applications assessment and approvals for insect pest control in coastal wetlands (FHMOP 003)*

Department of Environment and Heritage Protection 2014 *Queensland Environmental Offsets Policy*

Department of Primary Industries 1998 *Dredging, extraction and spoil disposal activities: Departmental procedures for provision of fisheries comments (FHMOP 004)*

Department of National Parks, Recreation, Sport and Racing 2013 *Operational policy – Marine resource management: Fish habitat area selection, assessment, declaration and review*

Department of Primary Industries and Fisheries 2007 *Tidal fish habitats, erosion control and beach replenishment (FHMOP 010)*

Department of Primary Industries and Fisheries 2008 *Oyster industry management plan for Moreton Bay Marine Park*

Australian Government, Ministerial Council on Forestry, Fisheries and Aquaculture 1999 *National policy for the translocation of live aquatic organisms*

Self-assessable codes

Department of Primary Industries and Fisheries 2005 *The lawful use of physical, pesticide and biological controls in a declared fish habitat area (FHACoP01)*

Department of Employment, Economic Development and Innovation 2011 *Removal of dead marine wood from unallocated State land for trade or commerce (MP01)*

Department of Employment, Economic Development and Innovation 2013 *Maintenance works on existing lawful structures (other than powerlines and on-farm drains) in a declared fish habitat area or involving the removal, destruction or damage of marine plants (MP02)*

Department of Employment, Economic Development and Innovation 2011 *On-farm drain maintenance works involving the removal, destruction or damage of marine plants (MP03)*

Department of Agriculture, Fisheries and Forestry 2012 *Maintenance works on powerlines and associated infrastructure in a declared fish habitat area or involving the removal, destruction or damage of marine plants (MP04)*

Department of Employment, Economic Development and Innovation 2011 *Works for educational, research or monitoring purposes in a declared fish habitat area or involving removal, destruction or damage of marine plants (MP05)*

Department of Agriculture, Fisheries and Forestry 2013 *Minor impact works in a declared fish habitat area or involving the removal, destruction or damage of marine plants (MP06)*

Department of Employment, Economic Development and Innovation 2011 *Minor waterway barrier works* (WWBW01)

Department of Agriculture Fisheries and Forestry, April 2013 *Temporary waterway barrier works (WWBW02)*

Department of Employment, Economic Development and Innovation 2012 *Regularly constructed temporary waterway barrier works (lower Burdekin) (WWBW03)*

Other references

Department of Agriculture, Fisheries and Forestry 2014 fact sheet *Maintaining Fish Passage in Queensland: What is a Waterway?*
Department of Agriculture, Fisheries and Forestry 2014 fact sheet *Maintaining Fish Passage in Queensland: What is a Waterway Barrier Work?*

Department of Agriculture, Fisheries and Forestry 2014 fact sheet *Maintaining Fish Passage in Queensland: What is not a Waterway Barrier Work?*

Department of Employment, Economic Development and Innovation 2010 *Declared fish habitat area network strategy 2009-14: Planning for the future of Queensland's declared fish habitat area network*

Department of Agriculture, Fisheries and Forestry 2012 *Declared fish habitat area network assessment report 2012*

Department of National Parks, Recreation, Sport and Racing 2013 *Declared fish habitat area network progress report – June 2013*

Department of Natural Resources and Mines 2002 *Queensland acid sulfate soil technical manual: Soil management guidelines*

International Erosion Control Association Australasia 2008 *Best practice erosion and sediment control* document

Department of Environment and Resource Management 2011 *Queensland wetland buffer planning guideline*

Fish habitat area summaries available from the Department of National Parks, Recreation, Sport and Racing website

International Ecohydraulics Symposium 2012 *From Sea to Source: International guidance for the restoration of fish migration highways*

Editor's note: The From Sea to Source document is 36mb

Department of Agriculture, Fisheries and Forestry 2013 *Guideline on fisheries adjustment as a result of development*

Editor's note: This document is available from the Department of Agriculture and Fisheries upon request.

SEQ Catchments website and factsheet

5.5 Glossary of terms

Aquaculture see the *Fisheries Act 1994.*

Editor's note: Means the cultivation of live fisheries resources for sale other than in circumstances prescribed under a Regulation.

Bankfull width see the Sustainable Planning Regulation 2009.

Editor's note: Bankfull width has the meaning given by the minor waterway barrier works code.

Best practice environmental management, for an activity, see the *Environmental Protection Act 1994*, section 21.

Editor's note: In deciding best practice environmental management of an activity is the management of the activity to achieve an ongoing minimisation of the activity's environmental harm through cost-effective measures assessed against the measures currently used nationally and internationally for the activity.

In deciding the best practice environmental management of an activity, regard must be had to the following measures:

(1) strategic planning by the person carrying out, or proposing to carry out, the activity
(2) administrative systems put into effect by the person, including staff training and monitoring and review of the systems
(3) public consultation carried out by the person
(4) product and process design
(5) waste prevention, treatment and disposal.

The above matters do not limit the measures to which regard may be had in deciding the best practice environmental management of an activity.

Declared fish habitat area see the *Fisheries Act 1994*.

Editor's note: Declared fish habitat area means an area that is declared under the *Fisheries Act 1994* to be a fish habitat area. Section 120 of the *Fisheries Act 1994* deals with declaration of fish habitat areas.

Designated mooring area see Management of declared fish habitat areas (FHMOP 002).

Editor's note: Designated mooring area means an area designated for moorings under an agreement, plan or legislation by the Department of Agriculture and Fisheries, Department of Transport and Main Roads and/or any other relevant agencies.

Disease see the *Fisheries Act 1994* Section 94.

Editor's note: Disease means:

(1) a disease, parasite, pest, plant or other thing (the disease) that has, or may have, the effect (directly or indirectly) of killing or causing illness in fisheries resources, or in humans or animals that eat fisheries resources infected with or containing the disease
(2) a chemical or antibiotic residue, or
(3) a fish or plant species that may compete against fisheries resources or other fisheries resources to the detriment of the fisheries resources or other fisheries resources.

Drownout means when the tailwater and headwater levels across a weir are essentially equal, velocities are sufficiently low at, or close to, the edge of the spillway crest and the weir is fully submerged to a sufficient depth to allow for fish passage and for the species and size-classes of fish moving through the site to cross the weir.

Entity see the *Fisheries Act 1994*, Schedule.

Editor's note: Entity includes an entity established under the law of the Commonwealth or another state.

Environmental attribute see the *Regional Planning interests Act 2014*.

Editor's note: Environmental attribute, for an area, means an attribute of the environment identified as an environmental attribute for the area under a regional plan or regulation.

Environmental offset see the *Environmental Offsets Act 2014*.

Editor's note: Environmental offset means an activity undertaken to counterbalance a significant residual impact of a prescribed activity on a prescribed environmental matter.

Environmentally friendly moorings means moorings that cause less damage to a seagrass bed, by ensuring there is minimal contact with the sea floor, while still being able to safely secure vessels.

Editor's note: for more information on environmentally friendly moorings see the SEQ Catchments website and factsheet.

Fish see the *Fisheries Act 1994* Section 5.

Editor's note: Fish:

(1) means an animal (whether living or dead) of a species that throughout its life cycle usually lives:
    (a) in water (whether freshwater or saltwater), or
    (b) in or on foreshores, or
    (c) in or on land under water.
(2) includes:
    (a) prawns, crayfish, rock lobsters, crabs and other crustaceans
    (b) scallops, oysters, pearl oysters and other molluscs
    (c) sponges, annelid worms, bêche-de-mer and other holothurians
    (d) trochus and green snails.
(3) does not include:
    (a) crocodiles, or
    (b) protected animals under the *Nature Conservation Act 1992*, or
    (c) pests under the *Pest Management Act 2001*, or
    (d) animals prescribed under a Regulation not to be fish.
(4) also includes:
    (a) the spat, spawn and eggs of fish
    (b) any part of fish or of spat, spawn or eggs of fish
    (c) treated fish, including treated spat, spawn and eggs of fish
    (d) coral, coral limestone, shell grit or star sand
    (e) freshwater or saltwater products declared under a Regulation to be fish.

Fish habitat see the *Fisheries Act 1994*.

Editor's note: Fish habitat includes land, waters and plants associated with the life cycle of fish, and includes land and waters not presently occupied by fisheries resources.

Fish way see the *Fisheries Act 1994*.

Editor's note: Fish way means a fish ladder or another structure or device by which fish can pass through, by or over waterway barrier works.

Fisheries resources see the *Fisheries Act 1994*.

Editor's note: Fisheries resources includes fish and marine plants.

Fishery see the *Fisheries Act 1994*, section 7.

Editor's note: Fishery means activities by way of fishing, for example, activities specified by reference to all or any of the following:
(1) a species of fish
(4) a type of fish by reference to sex, size or age or another characteristic
(5) an area
(6) a way of fishing
(7) a type of boat
(8) a class of person
(9) the purpose of an activity
(10) the effect of the activity on a fish habitat, whether or not the activity involves fishing
(11) anything else prescribed under a Regulation.

Fishing see the *Fisheries Act 1994*.

Editor's note: Fishing includes:
(1) searching for, or taking, fish
(2) attempting to search for, or take, fish
(3) engaging in other activities that can reasonably be expected to result in the locating, or taking, of fish
(4) landing fish (from a boat or in another way), bringing fish ashore or transhipping fish.

Foreshore see the *Fisheries Act 1994*.

Editor's note: Foreshore means parts of the banks, bed, reefs, shoals, shore and other land between high water and low water.

Harbour master see the *Transport Operations (Marine Safety) Act 1994*.

Editor's note: Harbour master means a person who is appointed under the *Transport Operations (Marine Safety) Act 1994* as a harbour master.

Highest astronomical tide means the highest level of the tides that can be predicted to occur under average meteorological conditions and under any combination of astronomical conditions.

Land includes foreshores and tidal and non-tidal land.

Legally secured offset area see the *Environmental Offsets Act 2014*.

Management B area see the Fisheries Regulation 2008.

Editor's note: A Management B area means an area within a declared fish habitat area identified by the words 'management B' on the fish habitat area plan mentioned in schedule 3 for the declared fish habitat area.

Marine plant see the *Fisheries Act 1994*, section 8.

Editor's note: Marine plant includes the following:
(1) a plant (a tidal plant) that usually grows on, or adjacent to, tidal land, whether it is living, dead, standing or fallen
(2) material of a tidal plant, or other plant material on tidal land
(3) a plant, or material of a plant, prescribed under a Regulation or management plan to be a marine plant.

A marine plant does not include a plant that is a declared pest under the *Land Protection (Pest and Stock Route Management) Act 2002.*

Non-endemic fish means fish originating from anywhere outside the catchment under consideration.

Resource allocation authority means a resource allocation authority issued, and in force, under part 5, division 3, subdivision 2A of the *Fisheries Act 1994*.

Significant residual impact see the *Environmental Offsets Act 2014*.

Editor's note: Generally, a significant residual impact is an adverse impact, whether direct or indirect, of a prescribed activity on all or part of a prescribed environmental matter that—

(1) remains, or will or is likely to remain, (whether temporarily or permanently) despite on-site mitigation measures for the prescribed activity; and

(2) is, or will or is likely to be, significant.

Strategic environmental area see the *Regional Planning Interests Act 2014*.

Editor's note: a strategic environmental area is an area that –

(1) contains 1 or more environmental attributes for the area

(2) is either—

(a) shown on a map in a regional plan as a strategic environmental area, or

(b) prescribed under regulation.

Tidal land see the *Fisheries Act 1994*.

Editor's note: Tidal land includes reefs, shoals and other land permanently or periodically submerged by waters subject to tidal influence.

Translocation means the movement of live aquatic organisms (including all stages of the organism's life cycle and any derived viable genetic material):

(1) beyond its accepted distribution

(2) to areas which contain genetically distinct populations, or

(3) to areas with superior parasite or disease status.

Waterway see the *Fisheries Act 1994*.

Editor's note: Waterway includes a river, creek, stream, watercourse or inlet of the sea. For further guidance see the Department of Agriculture, Fisheries and Forestry 2014 fact sheet *Maintaining Fish Passage in Queensland: What is a Waterway?*

Waterway barrier works see the *Fisheries Act 1994*, Schedule.

Editor's note: Waterway barrier works means a dam, weir or other barrier across a waterway if the barrier limits fish stock access and movement along a waterway. For further guidance see the Department of Agriculture, Fisheries and Forestry 2014 fact sheets *Maintaining Fish Passage in Queensland: What is a waterway barrier work?* and *Maintaining Fish Passage in Queensland: What is not a waterway barrier work?*

5.6 Abbreviations

EFM – Environmentally friendly mooring

GIS – Geographic information system

SEMP – Shoreline erosion management plan

Module 6. Strategic cropping land

The single code in this module, *6.1: Particular development on strategic cropping land state code* and therefore the entirety of this module, has been deleted due to the removal of the integrated development assessment system referral triggers relating to strategic cropping land (SCL). The Sustainable Planning Regulation 2009 (the Regulation) was amended on 13 June 2014 to remove all referral triggers in Schedule 7, table 3, relating to particular development on SCL or potential SCL.

Module 7. Water resources

7.1 Sustainable management of water resources state code

7.1.1 Purpose

The purpose of the code is to provide for the sustainable management of water and other resources.

7.1.2 Criteria for assessment

Subject to subsection (2), development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Operational work	Table 7.1.1

Development mentioned in column 1 of Table 7.1.1 must comply with the relevant provisions of Table 7.1.2 and Table 7.1.3 mentioned in column 2 of Table 7.1.1.

Table 7.1.1: Development and relevant provisions of the code

Development	Relevant provisions of code
For works that take or interfere with water in a watercourse, lake or spring.	**Table 7.1.2**—General: PO1–PO4
For works that take or interfere with artesian water or subartesian water.	**Table 7.1.2**—General: PO1–PO4 **Table 7.1.2**—Artesian water and subartesian water: PO5–PO6
For works that take overland flow water where the works are reconfiguring existing works.	**Table 7.1.2**—General: PO1–PO4 **Table 7.1.2**—Overland flow: PO7–PO8 **Table 7.1.2**—Reconfiguring existing works: PO9–PO12
For works that take overland flow water in a limited catchment area identified in a water resource plan.	**Table 7.1.2**—General: PO1–PO4 **Table 7.1.2**—Overland flow: PO7–PO8 **Table 7.1.2**—Limited catchment area: PO13
For works that take overland flow water or contaminated agricultural run-off water.	**Table 7.1.2**—General: PO1–PO4 **Table 7.1.2**—Overland flow: PO7–PO8 **Table 7.1.2**—Contaminated agricultural run-off: PO14
For works that take overland flow water as part of an environmentally relevant activity or under an environmental authority.	**Table 7.1.2**—General:PO1–PO4 **Table 7.1.2**—Overland flow: PO7–PO8 **Table 7.1.2**—Environmentally relevant activity: PO15
For works that take overland flow water as a result of rehabilitating degraded land.	**Table 7.1.2**—General: PO1–PO4 **Table 7.1.2**—Overland flow: PO7–PO8 **Table 7.1.2**—Rehabilitating degraded land: PO16–PO17
For works that take overland flow water, incidental to capturing coal seam gas water.	**Table 7.1.2**—General: PO1–PO4 **Table 7.1.2**—Overland flow: PO7–PO8 **Table 7.1.2**—Coal seam gas water: PO18
For works that take overland flow water, where prescribed in a water resource plan or a regulation under the *Water Act 2000*.	**Table 7.1.2**—General: PO1–PO4 **Table 7.1.2**—Overland flow: PO7–PO8

Table 7.1.2: Operational work

Performance outcomes	Acceptable outcomes
General	
PO1 Works do not adversely impact on the natural riverine ecosystem.	No acceptable outcome is prescribed.
PO2 Works do not adversely impact other users' ability to access the resource.	No acceptable outcome is prescribed.
PO3 Works do not adversely impact on the physical integrity of the watercourse.	No acceptable outcome is prescribed.
PO4 Works are located and constructed in a way that is consistent with any of the following, to the extent they are relevant to the proposed development: (1) a water resource plan (2) a resource operations plan (3) a moratorium notice issued under the *Water Act 2000.* Editor's note: Moratorium notices are published on the DNRM website.	No acceptable outcome is prescribed.
Artesian and subartesian water	
PO5 Works maintain the natural ecosystem processes of the artesian or subartesian system.	No acceptable outcome is prescribed.
PO6 Works are to minimise impact on connectivity between artesian water or subartesian water and surface water.	No acceptable outcome is prescribed.
Overland flow	
PO7 Works are located and constructed in a way that minimises adverse impacts on neighbouring properties.	**AO7.1** Works are contained within the property boundaries. AND **AO7.2** At full supply level, the area inundated is contained within the property boundaries. AND **AO7.3** Any bywash resulting from the works, and any water diverted away from contaminated areas, exits the premises as close as practicable to the same location to which it exited the property boundary prior to construction of the works.
PO8 Works are constructed and operated in accordance with a certified report. Editor's note: If a water licence has been granted for the proposed development a certified report is not required.	**AO8.1** The works are for: (1) taking a maximum of 12 megalitres of contaminated agricultural run-off water, or (2) taking for stock and domestic purposes, or (3) rehabilitating degraded land.
Reconfiguring existing works	
PO9 Construction of new works must not increase overall take or increase: (1) the capacity of the works to store water (2) the rate at which the works take water (3) the average volume of water taken by the works.	No acceptable outcome is prescribed.
PO10 Works must not involve reconfiguration of natural bodies of water or bunded areas.	No acceptable outcome is prescribed.

Performance outcomes	Acceptable outcomes
PO11 Works must not involve reconfiguration of storage capacity of any of the following: (1) a lake that was not used for irrigation or other intensive stocking or production (2) land being used for irrigated or dryland agriculture or areas surrounded by levee banks designed to prevent the land becoming inundated (3) naturally occurring infield storages.	No acceptable outcome is prescribed.
PO12 New works must be located within the same property boundaries as the existing works.	No acceptable outcome is prescribed.
Limited catchment area	
PO13 In the limited catchment areas, any works for storing water must not: (1) be larger than necessary for storing water other than overland flow water, or (2) be able to take floodwater overflowing from any adjacent watercourse. Editor's note: Limited catchment areas are listed in Table 7.5.1, column 2.	**AO13.1** In the limited catchment areas (identified in Table 7.5.1, column 1), the incidental take of overland flow water: (1) is located within the sub-catchment/management area listed in Table 7.5.1, column 2 for the relevant limited catchment area (2) is stored in a local catchment area that is less than or equal to the area of the limited catchment area specified in Table 7.5.1, column 3.
Contaminated agricultural run-off	
PO14 If development involves storage capacities of 12 megalitres or greater, the storage capacities must: (1) be necessary because there is no alternative way to take the water by reconfiguring existing works (2) be no larger than necessary to contain contaminated agricultural run-off water or tailwater (3) minimise the volume of water that becomes contaminated agricultural run-off water (4) where practicable, allow for water that is not contaminated agricultural run-off water or tailwater to be passed through the works.	No acceptable outcome is prescribed.
Environmentally relevant activity	
PO15 Works capture no more overland flow water than is necessary for the operation of the environmentally relevant activity or environmental authority under the *Environmental Protection Act 1994*.	No acceptable outcome is prescribed.
Rehabilitating degraded land	
PO16 The maximum height or depth of any part of the works is 400 millimetres.	No acceptable outcome is prescribed.
PO17 The works are only for rehabilitating degraded land, as certified by: (1) a soil scientist, stating that the area to be inundated is degraded and the works are an appropriate method for rehabilitation, or	**AO17.1** The area inundated as a result of the rehabilitation is 2 hectares or less.

Performance outcomes	Acceptable outcomes
(2) a requirement of the *Land Act 1994*, or (3) the works have been approved for funding under the Primary Industry Productivity Enhancement Scheme.	
Coal seam gas water	
PO18 Any storage for the works must: (1) be no larger than necessary to store coal seam gas water for the beneficial use of the resource under Chapter 8 of the *Waste Reduction and Recycling Act 2011* (2) minimise the volume of overland flow water that is taken (3) not have the ability to take floodwater from any adjacent watercourse (4) not contain coal seam gas water that could be stored in an existing alternative storage.	No acceptable outcome is prescribed.

7.2 Removal of quarry material state code

7.2.1 Purpose

The purpose of the code is to provide for the sustainable removal of quarry material and management of water resources.

7.2.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Various aspects of development	Table 7.2.1

Table 7.2.1: Various aspects of development

Performance outcomes	Acceptable outcomes
Riverine quarry material	
PO1 Development does not adversely impact on the natural riverine ecosystem.	No acceptable outcome is prescribed.
PO2 Development does not adversely impact other users' ability to access the resource.	No acceptable outcome is prescribed.
PO3 Development does not adversely impact on the physical integrity of the watercourse or lake.	No acceptable outcome is prescribed.
PO4 The development is located and constructed in a way that is consistent with any of the following to the extent they are relevant to the proposed development: (1) a water resource plan (2) a resource operations plan (3) a moratorium notice issued under the	No acceptable outcome is prescribed.

Performance outcomes	Acceptable outcomes
Water Act 2000. Editor's note: Moratorium notices are published on the DNRM website.	
PO5 Development does not adversely impact on downstream features, including but not limited to estuaries and beaches, that naturally require riverine quarry material from the watercourse or lake.	No acceptable outcome is prescribed.
PO6 Development is carried out in a way that does not adversely impact built infrastructure such as road crossings, bridges, weirs and pump sites.	No acceptable outcome is prescribed.

7.3 Particular levees state code

7.3.1 Purpose

The purpose of the code is to ensure the community's resilience to the impacts of flood events is maintained or enhanced by the Category 3 levee.

7.3.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Operational work	Table 7.3.1

Table 7.3.1: Operational work for a Category 3 levee

Performance outcomes	Acceptable outcomes
PO1 The Category 3 levee must be designed, constructed and managed such that it maintains or enhances the resilience of impacted people to the potential impacts of the levee. Editor's note: Refer to the *Guidelines for the construction and modification of levees*, Department of Natural Resources and Mines, 2014 for guidance on meeting the performance outcome, including through: (a) carrying out a risk assessment of the potential impacts of the levee on the community's resilience (b) carrying out an analysis of the proposed mitigation measures (c) undertaking public consultation.	No acceptable outcome is prescribed.

7.4 Reference documents

Department of Natural Resources and Mines 2014 *Guidelines for the construction and modification of levees*

Queensland Government Business and Industry Portal 2015 *Overland flow works that require certification*

7.5 Reference tables

Table 7.5.1 Limited catchment area parameters

Column 1: Water resource plan area	Column 2: Sub-catchment/ management area	Column 3: Area of local catchment
Fitzroy Basin	Fitzroy, Lower Mackenzie, Upper Mackenzie, Lower Dawson, Upper Dawson, Isaac Connors, Nogoa and Comet	250 ha

7.6 Glossary of terms

Artesian water see the *Water Act 2000*, schedule 4.

Editor's note: Artesian water means water that occurs naturally in, or is introduced artificially into, an aquifer, which if tapped by a bore, would flow naturally to the surface.

Beneficial use means the resource such as water has a beneficial use other than disposal. An example of beneficial use is reusing or recycling water.

Bywash means water that is diverted from a dam or reservoir and is usually associated with a pipe or other structure to prevent uncontrolled overtopping.

Category 3 levee see the *Water Regulation 2002*

Editor's note: Category 3 levee means a levee that has off-property impacts and affects 3 or more impacted people.

Certified report is a report:

(1) produced and certified by a person:
  (a) who is an RPEQ
  (b) who has relevant farm water supply discipline experience if the proposed development is for agricultural production
(2) that is prepared in accordance with or consideration of the information on certified reports provided on the Queensland Government Business and Industry Portal for 'overland flow works that require certification'.

Coal seam gas water means underground water brought to the surface of the earth or moved underground in connection with exploring for or producing coal seam gas.

Contaminated agricultural runoff water means overland flow water that contains, or is likely to contain, excess nutrients or farm chemicals at levels potentially harmful to the quality of water in a watercourse.

Environmental authority see the *Environmental Protection Act 1994*.

Editor's note: Environmental authority means generally an environmental authority issued under section 195 of the *Environmental Protection Act 1994* that approves an environmentally relevant activity applied for in an application.

Existing works means works that allow taking of overland flow water that are in existence at the time the relevant development application is made.

Flood channel means a natural secondary channel on a floodplain that carries water during flood events. This term includes distributary channels that disperse waters across floodplains and terminal wetlands, and flood runners that are shallow channels with entry and exit points off watercourses.

Floodplain see the *Water Act 2000*.

Editor note: Floodplain means an area of reasonably flat land adjacent to a watercourse that—

(a) is covered from time to time by floodwater overflowing from the watercourse; and
(b) does not, other than in an upper valley reach, confine floodwater to generally follow the path of the watercourse; and
(c) has finer sediment deposits than the sediment deposits of any bench, bar or in-stream island in the watercourse.

Floodwater see the *Water Act 2000*.

Editor's note: Floodwater, in relation to a watercourse or lake, means water that has overflowed the outer banks of the watercourse, or the bed and banks of the lake, because of a flood event affecting the watercourse or lake, and is on land near the watercourse or lake.

Incidental take of overland flow water means to take overland flow water in a storage that is primarily for storing water from a source other than overland flow.

Intensive stocking is a technique of stocking land on a long term basis above what is normally considered to be the carrying capacity of the land, for example, by implementing strategic or rotational grazing.

Impacted people mean those people residing or otherwise occupying buildings that are impacted by the levee.

Lake see the *Water Act 2000*, schedule 4.

Editor's note: Lake includes —

(a) if a feature is identified on the watercourse identification map as a lake—means the feature identified on the map; or
(b) otherwise, includes –
  i. a lagoon, swamp or other natural collection of water, whether permanent or intermittent
  ii. the bed and banks and any other element confining or containing the water.

Levee see the *Water Act 2000,* schedule 4.

Editor's note: Levee means an artificial embankment or structure which prevents or reduces the flow of overland flow water onto or from land. A levee includes levee-related infrastructure.

Off-property impacts see the *Water Regulation 2002*

Editor's note: Off-property impacts are:

(1) a change to the flow path of overland flow water where it enters or exits the property
(2) a change to the velocity of flow beyond the boundaries of the property
(3) a change to the flooded area beyond the boundaries of the property
(4) a change to the flood height beyond the boundaries of the property.

Overland flow water see the *Water Act 2000*, schedule 4.

Editor's note: Overland flow water —

(1) means water, including floodwater, that is urban stormwater or is other water flowing over land, otherwise than in a watercourse or lake —
  (a) after having fallen as rain or in any other way, or
  (b) after rising to the surface naturally from underground.
(2) does not include —
  (a) water that has naturally infiltrated the soil in normal farming operations, including infiltration that has occurred in farming activity such as clearing, replanting and broadacre ploughing, or
  (b) tailwater from irrigation if the tailwater recycling meets best practice requirements, or
  (c) water collected from roofs for rainwater tanks.

Quarry material see the *Water Act 2000*, schedule 4.

Editor's note: Quarry material means material, other than a mineral within the meaning of any Act relating to mining, in a watercourse or lake. Quarry material includes stone, gravel, sand, rock, clay, earth and soil unless it is removed from the watercourse or lake as waster material.

Resilience means the ability to adapt to changing conditions and prepare for, withstand and rapidly recover from disruption.

Resource operations plan see the *Water Act 2000*, schedule 4.

Editor's note: Resource operations plan means a plan approved under section 103(5) of the *Water Act 2000*.

Same premises means contiguous parcels of land or tenure under the same land ownership or tenure holder.

Subartesian water see the *Water Act 2000*, schedule 4.

Editor's note: Subartesian water means water that occurs naturally in, or is introduced artificially into, an aquifer, which if tapped by a bore, would not flow naturally to the surface.

Water resource plan see the *Water Act 2000*, schedule 4.

Editor's note: Water resource plan means a plan approved under section 50(2) of the *Water Act 2000*.

Watercourse see the *Water Act 2000*, schedule 4.

Editor's note: A watercourse

(1) is a river, creek or other stream, including a stream in the form of an anabranch or a tributary, in which water flows permanently or intermittently, regardless of the frequency of flow events —
  (a) in a natural channel, whether artificially modified or not, or
  (b) in an artificial channel that has changed the course of the stream.
(2) A watercourse includes any of the following located in it —
  (a) in-stream islands
  (b) benches

(c) bars

(3) However, a watercourse does not include a drainage feature

(4) Further—

(a) Unless there is a contrary intention, a reference to a watercourse in the *Water Act 2000*, other than in section 5 or in the definitions in schedule 4 to the extent they support the operation of section 5, is a reference to anywhere that is—

(i) upstream of the downstream limit of the watercourse

(ii) between the lateral limits of the water course.

(b) a reference to the *Water Act 2000* to, or a to a circumstance that involves, land adjoining a watercourse, is a reference to, or a circumstance that involves, and effectively adjoining a watercourse.

7.7 Abbreviations

DNRM – Department of Natural Resources and Mines

RPEQ – Registered Professional Engineer Queensland

Module 8. Native vegetation clearing

8.1 Queensland vegetation management state code

8.1.1 Purpose

The purpose of the code is to regulate the clearing of native vegetation within Queensland to:

(1) conserve remnant vegetation that is—
  (a) an endangered regional ecosystem
  (b) an of concern regional ecosystem
  (c) a least concern regional ecosystem
(2) conserve vegetation in declared areas
(3) ensure clearing does not cause land degradation
(4) prevent loss of biodiversity
(5) maintain ecological processes
(6) manage environmental effects of the clearing to achieve (1) through (5)
(7) reduce greenhouse gas emissions
(8) allow for sustainable land use.

8.1.2 Criteria for assessment

(1) Subject to subsection (2), development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Material change of use	Table 8.1.1
Operational work	Table 8.1.2
Reconfiguring a lot	Table 8.1.1

(2) Development that is a material change of use or reconfiguring a lot mentioned in column 1 of Table 8.1.1 must comply with the relevant provisions of Tables 8.1.3 to 8.1.11 mentioned in column 2 of Table 8.1.1.
(3) Development that is operational work mentioned in column 1 of Table 8.1.2 must comply with the relevant provisions of Tables 8.1.4 to 8.1.11 mentioned in column 2 of Table 8.1.2.

Table 8.1.1: Development and relevant provisions of the code—material change of use and reconfiguring a lot

Development	Relevant provisions of code
An application for a project declared to be a coordinated project	**Table 8.1.3** — General: PO1 – PO3 **Table 8.1.4** — Public safety, relevant infrastructure and coordinated projects: PO2 — PO10
An application for an extractive industry	**Table 8.1.3** — General: PO1 – PO3 **Table 8.1.5** — Extractive industry: PO2 – PO9
An application for high value agriculture or irrigated high value agriculture	**Table 8.1.3** — General: PO1 – PO3 **Table 8.1.6** — High value agriculture clearing and irrigated high value agriculture clearing: PO1 – PO9
An application for a material change of use or reconfiguring a lot for which there will be no clearing as a result of the material change of	**Table 8.1.3** — General: PO4

Development	Relevant provisions of code
use or reconfiguring a lot	
An application for a material change of use or reconfiguring a lot for which all clearing is limited to clearing that could be done under an exemption for the purpose of the development (as prescribed under Schedule 24, Parts 1 and 2 of the Sustainable Planning Regulation 2009) prior to the material change of use or reconfiguring a lot application being approved	**Table 8.1.3** — General: PO1, PO2, PO3 and PO5
An application for all other purposes, where not listed above	**Table 8.1.3** — General: PO1 – PO3 **Table 8.1.4** — Public safety, relevant infrastructure and coordinated projects: PO2 — PO10

Table 8.1.2: Development and relevant provisions of the code—operational work

Development	Relevant provisions of code
Clearing of encroachment	**Table 8.1.3** — General: PO2- PO3 **Table 8.1.10** — Encroachment: PO1 – PO6
For fodder harvesting	**Table 8.1.3** — General: PO2– PO3 **Table 8.1.11** — Fodder: PO1 – PO11
Establishing a necessary fence, firebreak, road or vehicular track, or for constructing necessary built infrastructure (each relevant infrastructure), and the clearing for the relevant infrastructure cannot reasonably be avoided or minimised	**Table 8.1.3** — General: PO2– PO3 **Table 8.1.4—** Public safety, relevant infrastructure and coordinated projects: PO1 – PO10
Clearing that is a natural and ordinary consequence of other assessable development for which a development approval was given under the repealed *Integrated Planning Act 1997*, or a development application was made under that Act, before 16 May 2003	**Table 8.1.3** — General: PO2– PO3 **Table 8.1.4** — Public safety, relevant infrastructure and coordinated projects: PO1 – PO10
To ensure public safety	**Table 8.1.3** — General: PO2– PO3 **Table 8.1.4** — Public safety, relevant infrastructure and coordinated projects: PO1 – PO10
A project declared to be a coordinated project under the *State Development and Public Works Organisation Act 1971*, section 26	**Table 8.1.3** — General: PO2– PO3 **Table 8.1.4** — Public safety, relevant Infrastructure and coordinated projects: PO1 – PO10 OR Where the coordinated project involves extractive industry: **Table 8.1.3** — General: PO1 – PO3 **Table 8.1.4** — Public safety, relevant infrastructure and coordinated projects: PO2 – PO10 **Table 8.1.5** — Extractive industry: PO1 – PO2 OR Where the coordinated project involves high value agriculture clearing or irrigated high value agriculture clearing: **Table 8.1.3** — General: PO1 – PO3

Development	Relevant provisions of code
	Table 8.1.6 — High value agriculture clearing and irrigated high value agriculture clearing: PO1(1)-(3) and (5) – PO9
For thinning	**Table 8.1.3** — General: PO2– PO3 **Table 8.1.9** — Thinning: PO1 – PO7
Necessary to control non-native plants or declared pests	**Table 8.1.3** — General: PO2– PO3 **Table 8.1.8** — Weed or pest management: PO1 – PO7
For an extractive industry	**Table 8.1.3** — General: PO2– PO3 **Table 8.1.5** — Extractive industry: PO1 – PO9
For necessary environmental clearing	**Table 8.1.3** — General: PO2– PO3 **Table 8.1.7** — Necessary environmental clearing: PO1 – PO14
For high value agriculture clearing and irrigated high value agriculture clearing	**Table 8.1.3** — General: PO2– PO3 **Table 8.1.6** — High value agriculture clearing and irrigated high value agriculture clearing: PO1 – PO9

Table 8.1.3: General

Performance outcomes	Acceptable outcomes
Clearing to reasonably avoid and minimise impacts	
PO1 Clearing only occurs where the applicant has demonstrated that the development has first reasonably avoided, and then reasonably minimised the impacts of development.	No acceptable outcome is prescribed.
Clearing on land in particular circumstances	
PO2 Clearing in an area must not be inconsistent with or impact on any of the following unless a better environmental outcome can be achieved: (1) a declared area, or (2) an exchange area, or (3) unlawfully cleared area, or (4) a restoration notice, or (5) an enforcement notice under the *Sustainable Planning Act 2009* issued for a vegetation clearing offence, or (6) a compliance notice containing conditions about the restoration of vegetation, or (7) a Land Act notice, or (8) a trespass notice if the trespass related act under the *Land Act 1994* for the notice is the clearing of vegetation on the relevant land, or (9) an area on a PMAV shown to be category A where the chief executive of the VMA reasonably believes that a vegetation clearing offence is being, or has been, committed in relation to the area.	No acceptable outcome is prescribed.
Clearing on land that is an environmental offset area	
PO3 Clearing on land that contains an existing	**AO3.1** Clearing is consistent with the offset delivery plan or agreement for the

Performance outcomes	Acceptable outcomes
environmental offset is consistent with the delivery plan or agreement for the environmental offset area. Editor's note: Environmental offset agreements may also be described as an 'agreed delivery arrangement' or 'delivery agreement'. Clearing should be consistent with any agreement however described.	environmental offset area. OR **AO3.2** An additional environmental offset is provided that is consistent with the relevant *Queensland Environmental Offsets Policy.*
No clearing of vegetation as a result of the material change of use or reconfiguration of a lot	
PO4 Clearing as a result of the material change of use or reconfiguration of a lot will not occur.	No acceptable outcome is prescribed.
Clearing that could already be done under an exemption	
PO5 All clearing is limited to clearing that could be done under an exemption for the purpose of the development (as prescribed under Schedule 24, Parts 1 and 2 of the Sustainable Planning Regulation 2009) prior to the material change of use application being approved.	No acceptable outcome is prescribed.

Table 8.1.4: Public safety, relevant infrastructure and coordinated projects

Performance outcomes	Acceptable outcomes
Limits to clearing	
PO1 Clearing is limited to the extent that is necessary: (1) for establishing a necessary fence, firebreak, road or vehicular track, or for constructing necessary built infrastructure (each relevant infrastructure), where the clearing cannot reasonably be avoided or minimised, or (2) as a natural and ordinary consequence of other assessable development for which a development approval as defined under the repealed *Integrated Planning Act 1997* was given, or a development application as defined under that Act was made, before 16 May 2003, or (3) to ensure public safety, or (4) for a coordinated project and any associated ancillary works —other than a coordinated project that involves high value agriculture clearing, or irrigated high value agriculture clearing.	No acceptable outcome is prescribed.
Wetlands	
PO2 Maintain the current extent of vegetation associated with any natural wetland to protect: (1) water quality by filtering sediments, nutrients and other pollutants (2) aquatic habitat (3) terrestrial habitat.	**AO2.1** Clearing does not occur in or within 100 metres of any natural wetland. OR **AO2.2** Clearing only occurs within 100 metres of any natural wetland where: (1) the clearing does not occur within 50 metres of the defining bank of any natural wetland, or (2) the widths stipulated by Table 1 are not exceeded.

Performance outcomes	Acceptable outcomes
	OR **AO2.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an environmental offset is provided for any significant residual impact from clearing of vegetation associated with a natural wetland. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.3 (Wetlands and watercourses) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Watercourses and drainage features	
PO3 Maintain the current extent of vegetation associated with any watercourse or drainage feature to protect: (1) bank stability by protecting against bank erosion (2) water quality by filtering sediments, nutrients and other pollutants (3) aquatic habitat (4) terrestrial habitat.	**AO3.1** Clearing does not occur: (1) in any watercourse or drainage feature, or (2) within the relevant distance stipulated by Table 2 of the defining bank of any watercourse or drainage feature. OR **AO3.2** Clearing only occurs within any watercourse or drainage feature, or within the relevant distance stipulated by Table 2 of the defining bank of any watercourse or drainage feature where: (1) the clearing does not occur within 5 metres of the defining bank, or (2) the widths stipulated by Table 1 is not exceeded. OR **AO3.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an environmental offset is provided for any significant residual impact from clearing of vegetation associated with any watercourse or drainage feature. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.3 (Wetlands and watercourses) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Connectivity (public safety and relevant infrastructure)	
PO4 In consideration of vegetation on the subject lot(s) and in the landscape adjacent to the subject lot(s), vegetation is retained that: (1) is of sufficient size and configured in a way that maintains ecosystem functioning (2) remains in the landscape despite threatening processes.	**AO4.1** Clearing occurs in accordance with Table 3.
Connectivity (coordinated projects)	
PO5 In consideration of vegetation on the subject lot(s) and in the landscape adjacent to the subject lot(s), vegetation is retained that: (1) is of sufficient size and configured in a way that maintains ecosystem functioning (2) remains in the landscape despite threatening processes or where this is not reasonably possible, maintain the current extent of vegetation.	**AO5.1** Clearing occurs in accordance with Table 3. OR **AO5.2** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an environmental offset is provided for any significant residual impact from clearing of vegetation that forms a connectivity area. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.2 (Connectivity areas) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Soil erosion	

Performance outcomes	Acceptable outcomes
PO6 Clearing does not result in: (1) accelerated soil erosion including, but not limited to - mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding (2) any associated loss of chemical, physical or biological fertility — including, but not limited to water holding capacity, soil structure, organic matter, soil biology, and nutrients within or outside the lot(s) that are the subject of the application.	**AO6.1** Clearing is undertaken in accordance with a sediment and erosion control plan which includes measures to ensure the rates of soil loss and sediment movement are the same or less than those prior to the proposed development. OR **AO6.2** The application is a development application where a local government is the assessment manager. Editor's note: For guidance on developing a sediment and erosion control plan, please refer to the IECA (2008) *Best practice erosion & sediment control document*
Salinity	
PO7 Clearing does not contribute to land degradation through: (1) waterlogging, or (2) the salinisation of groundwater, surface water or soil.	**AO7.1** Clearing does not occur in or within 200 metres of a discharge area or recharge area. OR **AO7.2** Clearing is less than: (1) 2 hectares, or (2) 10 metres wide.
Conserving endangered and of concern regional ecosystems	
PO8 Maintain the current extent of endangered regional ecosystems and of concern regional ecosystems.	**AO8.1** Clearing does not occur in: (1) an endangered regional ecosystem, or (2) an of concern regional ecosystem. OR **AO8.2** Clearing in an endangered regional ecosystem or an of concern regional ecosystem does not exceed the width or area prescribed in Table 1. OR **AO8.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an environmental offset is provided for any significant residual impact from clearing of endangered regional ecosystems and of concern regional ecosystems. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.1 (Regulated vegetation) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Essential habitat	
PO9 Maintain the current extent of essential habitat.	**AO9.1** Clearing does not occur in an area of essential habitat. OR **AO9.2** Clearing in essential habitat does not exceed the widths or areas prescribed in Table 1. OR **AO9.3** Clearing only occurs where an area of essential habitat is isolated and small in size and at risk from threatening processes, for the prescribed species. OR **AO9.4** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an

Performance outcomes	Acceptable outcomes
	environmental offset is provided for any significant residual impact from clearing of essential habitat. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.1 (Regulated vegetation) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Acid sulfate soils	
PO10 Clearing activities do not result in disturbance of acid sulfate soils or changes to the hydrology of the location that will either: (1) aerate horizons containing iron sulfides, or (2) mobilise acid or metals.	**AO10.1** Clearing does not occur in land zone 1, land zone 2 or land zone 3. OR **AO10.2** Clearing in land zone 1, land zone 2 or land zone 3 in areas below the 5 metre Australian Height Datum only occurs where: (1) it does not involve mechanical clearing (2) the acid sulfate soils are managed consistent with the *State Planning Policy*, Department of State Development, Infrastructure and Planning, 2014, and with the Soil Management Guidelines in the *Queensland Acid Sulfate Soil Technical Manual*, Department of Science, Information Technology, Innovation and the Arts, 2014. OR **AO10.3** The application is a development application where a local government is the assessment manager.

Table 8.1.5: Extractive industry

Performance outcomes	Acceptable outcomes
Limits to clearing for an extractive industry	
PO1 Clearing is limited to the extent that is necessary for: (1) dredging material from the bed of any waters (2) extracting, from a pit or quarry, rock, sand, clay, gravel, loam or other material (3) screening, washing, grinding, milling, sizing or separating material extracted from a pit or quarry (4) carrying out work that is the natural and ordinary consequence of carrying out work mentioned in subparagraphs (1), (2) and (3) above.	No acceptable outcome is prescribed.
Clearing is staged	
PO2 Clearing: (1) is staged in line with operational needs that restrict clearing to the current operational area (2) is limited to the area from which material will be extracted, and any reasonably associated infrastructure, within the term of the development approval (3) cannot occur until all required permits are obtained.	No acceptable outcome is prescribed.
Wetlands	

Performance outcomes	Acceptable outcomes
PO3 Maintain the current extent of vegetation associated with any natural wetland to protect: (1) water quality by filtering sediments, nutrients and other pollutants (2) aquatic habitat (3) terrestrial habitat.	**AO3.1** Clearing does not occur in, or within 100 metres of, any natural wetland. OR **AO3.2** Clearing only occurs within 100 metres of any natural wetland where: (1) the clearing does not occur within 50 metres of the of the natural wetland, or (2) the widths stipulated by Table 1 are not exceeded. OR **AO3.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an environmental offset is provided for any significant residual impact from clearing of vegetation associated with a natural wetland. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.3 (Wetlands and watercourses) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Watercourses and drainage features	
PO4 Maintain the current extent of vegetation associated with any watercourse or drainage feature to protect: (1) bank stability by protecting against bank erosion (2) water quality by filtering sediments, nutrients and other pollutants (3) aquatic habitat (4) terrestrial habitat.	**AO4.1** Clearing does not occur: (1) in any watercourse or drainage feature (2) within the relevant distance stipulated in Table 2 of the defining bank of any watercourse or drainage feature. OR **AO4.2** Clearing only occurs within any watercourse or drainage feature, or within the relevant distance stipulated by Table 2 of the defining bank of any watercourse or drainage feature where: (1) the clearing does not occur within 5 metres of the defining bank, or (2) the widths stipulated by Table 1 is not exceeded. OR **AO4.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an environmental offset is provided for any significant residual impact from clearing of vegetation associated with any watercourse or drainage feature. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.3 (Wetlands and watercourses) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Connectivity	
PO5 In consideration of vegetation on the subject lot(s) and in the landscape adjacent to the subject lot(s), vegetation is retained that: (1) is of sufficient size and configured in a way that maintains ecosystem functioning (2) remains in the landscape despite threatening processes.	**AO5.1** Clearing occurs in accordance with Table 3.
Salinity	
PO6 Clearing does not contribute to land degradation through: (1) waterlogging, or	**AO6.1** Clearing does not occur in or within 200 metres of a discharge area or recharge area. OR

Performance outcomes	Acceptable outcomes
(2) the salinisation of groundwater, surface water or soil.	**AO6.2** Clearing is less than: (1) 2 hectares, or (2) 10 metres wide.
Conserving endangered and of concern regional ecosystems	
PO7 Maintain the current extent of endangered regional ecosystems and of concern regional ecosystems.	**AO7.1** Clearing does not occur in: (1) an endangered regional ecosystem, or (2) an of concern regional ecosystem. OR **AO7.2** Clearing in an endangered regional ecosystem or an of concern regional ecosystem does not exceed the width or area prescribed in Table 1. OR **AO7.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an environmental offset is provided for any significant residual impact from the clearing of endangered regional ecosystems and of concern regional ecosystems. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.1 (Regulated vegetation) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Essential habitat	
PO8 Maintain the current extent of essential habitat.	**AO8.1** Clearing does not occur in an area of essential habitat. OR **AO8.2** Clearing in essential habitat does not exceed the width or area prescribed in Table 1. OR **AO8.3** Clearing only occurs where an area of essential habitat is isolated and small in size and at risk from threatening processes, for the prescribed species. OR **AO8.4** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an environmental offset is provided for any significant residual impact from the clearing of essential habitat. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.1 (Regulated vegetation) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Acid sulfate soils	
PO9 Clearing activities do not result in the disturbance of acid sulfate soils or changes to the hydrology of the location that will either: (1) aerate horizons containing iron sulfides, or (2) mobilise acid or metals.	**AO9.1** Clearing does not occur in land zone 1, land zone 2 or land zone 3. OR **AO9.2** Clearing in land zone 1, land zone 2 or land zone 3 in areas below the 5 metre Australian Height Datum only occurs where: (1) it does not involve mechanical clearing (2) the acid sulfate soils are managed consistent with the *State Planning Policy*, Department of State Development, Infrastructure and Planning, 2014, and with the Soil Management Guidelines in the *Queensland Acid Sulfate Soil Technical Manual*, Department of Science, Information Technology, Innovation and the Arts, 2014.

Performance outcomes	Acceptable outcomes
	OR **AO9.3** The application is a development application where a local government is the assessment manager.

Table 8.1.6: High value agriculture clearing and irrigated high value agriculture clearing

Performance outcomes	Acceptable outcomes
High value and irrigated high value agriculture clearing	
PO1 Clearing is only for high value agriculture clearing or irrigated high value agriculture clearing where: (1) the land is suitable for agriculture having regard to topography, climate and soil attributes (2) there is no alternative site on the land for the clearing (3) a business plan, for activities related to the clearing, demonstrates the viability of the activities (4) where a regulation prescribes restrictions relevant to the clearing, these restrictions are complied with (5) if for irrigated high value agriculture clearing, demonstrate that the owner of the land is an eligible owner who has, or may have, access to enough water for establishing, cultivating and harvesting the crops to which the clearing relates. Editor's note: The *Guidelines for applying to clear for high-value or irrigated high-value agriculture* provide assistance to landholders with applications for high value agriculture clearing and irrigated high value agriculture clearing under section 22DAB of the VMA.	No acceptable outcome is prescribed.
Wetlands	
PO2 Maintain the current extent of vegetation associated with any natural wetland to protect: (1) water quality by filtering sediments, nutrients and other pollutants (2) aquatic habitat (3) terrestrial habitat.	**AO2.1** Clearing does not occur in, or within 100 metres of, any natural wetland. OR **AO2.2** Clearing only occurs within 100 metres of any natural wetland where: (1) the clearing does not occur within 50 metres of the natural wetland, or (2) the widths stipulated by Table 1 are not exceeded. OR **AO2.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an environmental offset is provided for any significant residual impact from the clearing of vegetation associated with a natural wetland. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.3 (Wetlands and watercourses) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Watercourses and drainage features	

Performance outcomes	Acceptable outcomes
PO3 Maintain the current extent of vegetation associated with any watercourse or drainage feature to protect: (1) bank stability by protecting against bank erosion (2) water quality by filtering sediments, nutrients and other pollutants (3) aquatic habitat (4) terrestrial habitat.	**AO3.1** Clearing does not occur: (1) in any watercourse or drainage feature (2) within the relevant distance stipulated in Table 2 of the defining bank of any watercourse or drainage feature. OR **AO3.2** Clearing only occurs within any watercourse or drainage feature, or within the relevant distance stipulated by Table 2 of the defining bank of any watercourse or drainage feature where: (1) the clearing does not occur within 5 metres of the defining bank, or (2) the widths stipulated by Table 1 is not exceeded. OR **AO3.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an environmental offset is provided for any significant residual impact from clearing of vegetation associated with any watercourse or drainage feature. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.3 (Wetlands and watercourses) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Connectivity area	
PO4 In consideration of vegetation on the subject lot(s) and in the landscape adjacent to the subject lot(s), vegetation is retained that: (1) is of sufficient size and configured in a way that maintains ecosystem functioning (2) remains in the landscape despite threatening processes.	**AO4.1** Clearing occurs in accordance with Table 3.
Soil erosion	
PO5 Clearing: (1) does not result in: (a) accelerated soil erosion including, but not limited to - mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding (b) any associated loss of chemical, physical or biological fertility—including, but not limited to water holding capacity, soil structure, organic matter, soil biology, and nutrients (2) maintains ecological processes, within or outside the lot(s) that are the subject of the application.	**AO5.1** Clearing is undertaken in accordance with a sediment and erosion control plan which includes measures to ensure the rates of soil loss and sediment movement are the same or less than those prior to the proposed development. Editor's note: For guidance on developing a sediment and erosion control plan, please refer to the IECA (2008) *Best practice erosion & sediment control document*
Salinity	
PO6 Clearing does not contribute to land degradation through: (1) waterlogging, or (2) the salinisation of groundwater, surface water or soil.	**AO6.1** Clearing of vegetation does not occur in, or within 200 metres of, a discharge area or recharge area. OR **AO6.2** Clearing of vegetation is less than: (1) 2 hectares, or

Performance outcomes	Acceptable outcomes
	(2) 10 metres wide.
Conserving endangered and of concern regional ecosystems	
PO7 Maintain the current extent of endangered regional ecosystems and of concern regional ecosystems, or provide a significant beneficial outcome where the clearing cannot be reasonably avoided, and impacts reasonably minimised.	**AO7.1** Clearing does not occur in: (1) an endangered regional ecosystem, or (2) an of concern regional ecosystem. OR **AO7.2** Clearing in an endangered regional ecosystem, or an of concern regional ecosystem does not exceed the width or area prescribed in Table 1. OR **AO7.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an environmental offset is provided for any significant residual impact from the clearing of endangered regional ecosystem or of concern regional ecosystems, or a significant beneficial outcome is provided for the clearing of an endangered regional ecosystem or of concern regional ecosystems. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.1 (Regulated vegetation) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Essential habitat	
PO8 Maintain the current extent of essential habitat.	**AO8.1** Clearing does not occur in an area of essential habitat. OR **AO8.2** Clearing in essential habitat does not exceed the width or area prescribed in Table 1. OR **AO8.3** Clearing only occurs where an area of essential habitat is isolated and small in size and at risk from threatening processes, for the prescribed species. OR **AO8.4** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an environmental offset is provided for any significant residual impact for the clearing of essential habitat. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.1 (Regulated vegetation) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Acid sulfate soils	
PO9 Clearing activities do not result in the disturbance of acid sulfate soils or changes to the hydrology of the location that will either: (1) aerate horizons containing iron sulfides, or (2) mobilise acid or metals.	**AO9.1** Clearing does not occur in land zone 1, land zone 2 or land zone 3. OR **AO9.2** Clearing in land zone 1, land zone 2 or land zone 3 in areas below the 5 metre Australian Height Datum only occurs where: (1) it does not involve mechanical clearing (2) the acid sulfate soils are managed consistent with the *State Planning Policy*, Department of State Development, Infrastructure and Planning, 2014, and with the Soil Management Guidelines in the *Queensland Acid Sulfate Soil Technical Manual*, Department of Science, Information Technology, Innovation and the Arts, 2014.

Performance outcomes	Acceptable outcomes
	OR **AO9.3** The application is a development application where a local government is the assessment manager.

Table 8.1.7: Necessary environmental clearing

Performance outcomes	Acceptable outcomes
Limits to clearing	
PO1 Clearing is reasonably avoided, or is limited to the extent that is necessary to: (1) restore the ecological and environmental condition of land, or (2) divert existing natural channels in a way that replicates the existing form of the natural channels, or (3) prepare for the likelihood of a natural disaster, or (4) remove contaminants from land.	No acceptable outcome is prescribed.
Wetlands (land restoration, natural disaster preparation)	
PO2 Maintain vegetation associated with any natural wetland to protect: (1) water quality by filtering sediments, nutrients and other pollutants (2) aquatic habitat (3) terrestrial habitat or where this is not reasonably possible, rehabilitate.	**AO2.1** Clearing does not occur: (1) in any natural wetland, or (2) within 100 metres of any natural wetland. OR **AO2.2** Clearing only occurs within 100 metres of any natural wetland where: (1) the clearing does not occur within 50 metres of the natural wetland, or (2) the widths stipulated by Table 1 are not exceeded. OR **AO2.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, the cleared area is rehabilitated in accordance with an environmental clearing management plan.
Wetlands (natural channel diversion and contaminants removal)	
PO3 Maintain vegetation associated with any natural wetland to protect: (1) water quality by filtering sediments, nutrients and other pollutants (2) aquatic habitat (3) terrestrial habitat or where this is not reasonably possible, rehabilitate or maintain the current extent.	**AO3.1** Clearing does not occur: (1) in any natural wetland, or (2) within 100 metres of any natural wetland. OR **AO3.2** Clearing only occurs within 100 metres of any natural wetland where: (1) the clearing does not occur within 50 metres of the natural wetland, or (2) the widths stipulated by Table 1 are not exceeded. OR **AO3.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, the cleared area is rehabilitated. OR **AO3.4** Where clearing is for natural channel diversion or contaminants removal, and it can be demonstrated that clearing cannot be reasonably avoided, and: (1) the extent of clearing has been reasonably minimised

Performance outcomes	Acceptable outcomes
	(2) the cleared area cannot be reasonably rehabilitated an environmental offset is provided for any significant residual impact from clearing vegetation associated with a natural wetland. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.3 (Wetlands and watercourses) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Watercourses and drainage features (land restoration and natural disaster preparation)	
PO4 Maintain vegetation associated with any watercourse or drainage feature to protect: (1) bank stability by protecting against bank erosion (2) water quality by filtering sediments, nutrients and other pollutants (3) aquatic habitat (4) terrestrial habitat. or where this is not reasonably possible, rehabilitate.	**AO4.1** Clearing does not occur: (1) within any watercourse or drainage feature, or (2) within the relevant distances stipulated in Table 2 from each defining bank of any watercourse or drainage feature. OR **AO4.2** Clearing only occurs within any watercourse or drainage feature, or within the relevant distance stipulated by Table 2 of the defining bank of any watercourse or drainage feature where: (1) the clearing does not occur within 5 metres of the defining bank of any watercourse or drainage feature, or (2) the widths stipulated by Table 1 are not exceeded. OR **AO4.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, the cleared area is rehabilitated.
Watercourses and drainage features (natural channel diversion and contaminants removal)	
PO5 Maintain vegetation associated with any watercourse or drainage feature to protect: (1) bank stability by protecting against bank erosion (2) water quality by filtering sediments, nutrients and other pollutants (3) aquatic habitat (4) terrestrial habitat or where this is not reasonably possible, rehabilitate or maintain the current extent.	**AO5.1** Clearing does not occur: (1) within any watercourse or drainage feature, or (2) within the relevant distances stipulated in Table 2 from each defining bank of any watercourse or drainage feature. OR **AO5.2** Clearing only occurs within any watercourse or drainage feature, or within the relevant distance stipulated by Table 2 of the defining bank of any watercourse or drainage feature where: (1) the clearing does not occur within 5 metres of the defining bank of any watercourse or drainage feature, or (2) the widths stipulated by Table 1 are not exceeded. OR **AO5.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, the cleared area is rehabilitated. OR **AO5.4** Where it can be demonstrated that clearing cannot be reasonably avoided, and: (1) the extent of clearing has been reasonably minimised (2) the cleared area cannot be reasonably rehabilitated an environmental offset is provided for any significant residual impact from clearing of vegetation associated with a watercourse or drainage feature. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.3 (Wetlands and watercourses) of the *Significant Residual Impact Guideline*

Performance outcomes	Acceptable outcomes
	and the relevant *Queensland Environmental Offsets Policy*.
Connectivity (land restoration and natural disaster preparation)	
PO6 In consideration of vegetation on the subject lot(s), and in the landscape adjacent to the subject lot(s), vegetation is retained that: (1) is of sufficient size and configured in a way that maintains ecosystem functioning (2) remains in the landscape despite threatening processes or where this is not reasonably possible, rehabilitate.	**AO6.1** Clearing occurs in accordance with Table 3. OR **AO6.2** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, the cleared area is rehabilitated.
Connectivity (natural channel diversion and contaminants removal)	
PO7 In consideration of vegetation mapped on the subject lot(s) and in the landscape adjacent to the subject lot(s), vegetation is retained that: (1) is of sufficient size and configured in a way that maintains ecosystem functioning (2) remains in the landscape despite threatening processes or where this is not reasonably possible, rehabilitate, or maintain the current extent.	**AO7.1** Clearing occurs in accordance with Table 3. OR **AO7.2** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, the cleared area is rehabilitated. OR **AO7.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and: (1) the extent of clearing has been reasonably minimised (2) the cleared area cannot be reasonably rehabilitated an environmental offset is provided for any significant residual impact from clearing vegetation that forms a connectivity area. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.2 (Connectivity areas) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Soil erosion	
PO8 Clearing does not result in: (1) accelerated soil erosion including but not limited to - mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding (2) any associated loss of chemical, physical or biological fertility— including, but not limited to water holding capacity, soil structure, organic matter, soil biology, and nutrients within and outside the lot(s) that are the subject of the application.	**AO8.1** Clearing is undertaken in accordance with a sediment and erosion control plan which includes measures to ensure the rates of soil loss and sediment movement are the same or less than those prior to the proposed development. Editor's note: For guidance on developing a sediment and erosion control plan, please refer to the IECA (2008) *Best practice erosion & sediment control document*
Salinity	
PO9 Clearing does not contribute to, or accelerate, land degradation through: (1) waterlogging, or (2) the salinisation of groundwater, surface water or soil.	**AO9.1** Clearing does not occur in, or within 200 metres of, a discharge area or recharge area. OR **AO9.2** Clearing is less than:

Performance outcomes	Acceptable outcomes
	(1) 2 hectares, or (2) 10 metres wide.
Essential habitat (land restoration and natural disaster preparation)	
PO10 Clearing does not occur in essential habitat, or where this is not reasonably possible, rehabilitate where the clearing cannot be reasonably avoided and impacts reasonably minimised.	**AO10.1** Clearing does not occur in essential habitat. OR **AO10.2** Clearing in essential habitat does not exceed the widths or areas prescribed in Table 1. OR **AO10.3** Clearing only occurs where an area of essential habitat is isolated and small in size and at risk from threatening processes, for the prescribed species. OR **AO10.4** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, the cleared area is rehabilitated.
Essential habitat (natural channel diversion and contaminants removal)	
PO11 Clearing does not occur in essential habitat, or where this cannot reasonably be avoided, rehabilitate or maintain the current extent of essential habitat.	**AO11.1** Clearing does not occur in essential habitat. OR **AO11.2** Clearing in essential habitat does not exceed the widths or areas prescribed in Table 1. OR **AO11.3** Clearing only occurs where an area of essential habitat is isolated and small in size and at risk from threatening processes, for the prescribed species. OR AO11.4 Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, the cleared area is rehabilitated. OR **AO11.5** Where it can be demonstrated that clearing cannot be reasonably avoided, and: (1) the extent of clearing has been reasonably minimised (2) the cleared area cannot be reasonably rehabilitated an environmental offset is provided for any significant residual impact from clearing of essential habitat. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.1 (Regulated vegetation) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Clearing regional ecosystems (land restoration and natural disaster preparation)	
PO12 Clearing does not occur in endangered regional ecosystems, of concern regional ecosystems or least concern regional ecosystems, or where this is not reasonably possible, rehabilitate where the clearing cannot	**AO12.1** Clearing does not occur in: (1) an endangered regional ecosystem, or (2) an of concern regional ecosystem, or (3) a least concern regional ecosystem.

Performance outcomes	Acceptable outcomes
be reasonably avoided and impacts reasonably minimised.	OR **AO12.2** Clearing: (1) maintains the natural floristic composition and range of sizes across the application area, or (2) does not exceed the widths or areas prescribed in Table 1. OR **AO12.3** Where it can be demonstrated that clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, the cleared area is rehabilitated.
Clearing regional ecosystems (natural channel diversion and contaminants removal)	
PO13 Clearing does not occur in endangered regional ecosystems, of concern regional ecosystems or least concern regional ecosystems, or where this cannot be reasonably be avoided, rehabilitate or maintain the current extent of endangered regional ecosystems and of concern regional ecosystems.	**AO13.1** Clearing does not occur in: (1) an endangered regional ecosystem, or (2) an of concern regional ecosystem, or (3) a least concern regional ecosystem. OR **AO13.2** Clearing: (1) maintains the natural floristic composition and range of sizes across the application area, or (2) does not exceed the widths or areas prescribed in Table 1. OR **AO13.3** Where it can be demonstrated that clearing cannot be reasonably avoided and the extent of clearing has been reasonably minimised, endangered regional ecosystems and of concern regional ecosystems are rehabilitated. OR **AO13.4** Where clearing an endangered regional ecosystem or of concern regional ecosystem and it can be demonstrated that clearing cannot be reasonably avoided, minimised or rehabilitated, an environmental offset is provided for any significant residual impact from clearing an endangered regional ecosystem or of concern regional ecosystem. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.1 (Regulated vegetation) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Acid sulfate soils	
PO14 Clearing does not result in, or accelerate, the disturbance of acid sulfate soils or changes to the hydrology of the location that will either: (1) aerate horizons containing iron sulfides, or (2) mobilise acid or metals.	**AO14.1** Clearing vegetation does not occur in: (1) land zone 1, land zone 2 or land zone 3 (2) areas below the 5 metre Australian Height Datum where acid sulfate soils are present. OR **AO14.2** Clearing in land zone 1, land zone 2 or land zone 3 in areas below the 5 metre Australian Height Datum only occurs where: (1) it does not involve mechanical clearing (2) the acid sulfate soils are managed consistent with the *State Planning Policy*, Department of State Development, Infrastructure and Planning, 2014, and with the Soil Management Guidelines in the *Queensland Acid Sulfate Soil Technical Manual*, Department of Science, Information Technology, Innovation and the Arts, 2014. OR

Performance outcomes	Acceptable outcomes
	AO14.3 The application is a development application where a local government is the assessment manager.

Table 8.1.8: Weed or pest management

Performance outcomes	Acceptable outcomes
Limits to clearing for weed or pest management	
PO1 Clearing is limited to the extent necessary to: (1) control non-native plants or declared pests, or (2) provide access for control of non-native plants or declared pests if no alternative route exists.	No acceptable outcome is prescribed
Wetlands	
PO2 Maintain vegetation associated with a natural wetland to protect: (1) water quality by filtering sediments, nutrients and other pollutants (2) aquatic habitat (3) terrestrial habitat.	**AO2.1** Mechanical clearing does not occur within 5 metres of a natural wetland. AND **AO2.2** Clearing only occurs: (1) within a 1.5 metre radius from the base of the stem of individual non-native or declared plants, or (2) to the extent necessary to provide access for the control of the non-native or declared plants. AND **AO2.3** Clearing for access tracks running parallel to a natural wetland is not to be located within 10 metres of the natural wetland.
Watercourses and drainage features	
PO3 Maintain vegetation associated with any watercourse or drainage feature to protect: (1) bank stability by protecting against bank erosion (2) water quality by filtering sediments, nutrients and other pollutants (3) aquatic habitat terrestrial habitat.	**AO3.1** Mechanical clearing does not occur within 20 metres of the defining bank of a watercourse or drainage feature. AND **AO3.2** Clearing only occurs: (1) within a 1.5 metre radius from the base of the stem of individual non-native or declared plants, or (2) to the extent necessary to provide access for the control of the non-native or declared plant. AND **AO3.3** Clearing for access tracks running parallel to a watercourse or drainage feature is not to be located within 10 metres of the defining bank of the watercourse or drainage feature.
Soil erosion	
PO4 Clearing does not result in: (1) accelerated soil erosion including, but not limited to - mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding (2) any associated loss of chemical, physical or biological fertility— including, but not	**AO4.1** Mechanical clearing retains 50 per cent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area. AND **AO4.2** New access tracks, necessary to gain access to a weed infestation, do not: (1) exceed 5 metres in width (2) de-stabilise the banks of any watercourse or drainage feature as a result

Performance outcomes	Acceptable outcomes
limited to water holding capacity, soil structure, organic matter, soil biology and nutrients within or outside the lot(s) that are the subject of the application.	of crossing construction or use.
Conserving remnant vegetation that are regional ecosystems	
PO5 Clearing activities: (1) maintain the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area (2) do not remove mature trees.	**AO5.1** Mechanical clearing does not exceed the limitations defined in Table 4. AND **AO5.2** Soil absorbed broad spectrum herbicides are not: (1) applied via aerial application, or (2) ground applied on a broad acre basis, or (3) used inconsistently with the product directions.
Requirements for dense regional ecosystems	
PO6 The removal of canopy vegetation does not occur in the regional ecosystems listed in Table 5.	**AO6.1** Clearing and associated soil disturbance in regional ecosystems listed in Table 5 occurs only: (1) within a 1.5 metre radius from the base of the stem or individual non-native or declared plants, or (2) to the extent necessary to provide access for the control of the non-native or declared plant.
Acid sulfate soils	
PO7 Clearing activities do not result in disturbance of acid sulfate soils or changes to the hydrology of the location that will either: (1) aerate horizons containing iron sulfides, or (2) mobilise acid or metals.	**AO7.1** Clearing does not occur in land zone 1, land zone 2 or land zone 3. OR **AO7.2** Clearing in land zone 1, land zone 2 or land zone 3 in areas below the 5 metre Australian Height Datum only occurs where: (1) it does not involve mechanical clearing (2) the acid sulfate soils are managed consistent with the *State Planning Policy*, Department of State Development, Infrastructure and Planning, 2014, and with the Soil Management Guidelines in the *Queensland Acid Sulfate Soil Technical Manual*, Department of Science, Information Technology, Innovation and the Arts, 2014. OR **AO7.3** The application is a development application where a local government is the assessment manager.

Table 8.1.9: Thinning

Performance outcomes	Acceptable outcomes
Clearing limited to specific regional ecosystems	
PO1 Clearing for the purpose of thinning does not occur in the regional ecosystems listed in Table 6, except where clearing is solely for removing native plants not naturally occurring within the regional ecosystem.	No acceptable outcome is prescribed.
Retained vegetation density	
PO2 Clearing must retain a density of vegetation consistent with the natural floristic composition of the regional ecosystem.	**AO2.1** The vegetation density is consistent with a representative reference site of the same regional ecosystem. OR **AO2.2** The vegetation density is consistent with the natural floristic composition

Performance outcomes	Acceptable outcomes
	of the regional ecosystem as demonstrated by, biocondition benchmarks for regional ecosystem condition assessment, the *Regional Ecosystem Description Database* and supplementary data, or the Queensland Herbarium.
Wetlands	
PO3 Maintain vegetation associated with any natural wetland to protect: (1) water quality by filtering sediments, nutrients and other pollutants (2) aquatic habitat (3) terrestrial habitat.	**AO3.1** Mechanical clearing does not occur within 20 metres of a natural wetland.
Watercourses and drainage features	
PO4 Maintain vegetation associated with any watercourse or drainage feature to protect: (1) bank stability by protecting against bank erosion (2) water quality by filtering sediments, nutrients and other pollutants (3) aquatic habitat (4) terrestrial habitat.	**AO4.1** Mechanical clearing does not occur within 20 metres from the defining bank of a watercourse or drainage feature.
Soil erosion	
PO5 Clearing does not result in: (1) accelerated soil erosion including, but not limited to - mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding (2) any associated loss of chemical, physical or biological fertility — including, but not limited to water holding capacity, soil structure, organic matter, soil biology, and nutrients within or outside the lot(s) that are the subject of the application.	**AO5.1** Mechanical clearing must: (1) retain 50 per cent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area (2) not occur on slopes in excess of 10 per cent.
Conserving remnant vegetation that are regional ecosystems	
PO6 Clearing of vegetation: (1) maintains the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area (2) does not remove habitat trees.	**AO6.1** Thinning must retain mature trees and habitat trees. AND **AO6.2** Thinning must retain immature trees to: (1) return the immature tree density to a more typical level (2) retain representatives of all the species that occur in the regional ecosystem in about the proportion to what would normally exist (3) retain the range of tree sizes that would normally occur (4) space immature trees as evenly as possible across the thinned area. AND **AO6.3** Thinning is not undertaken: (1) by ground application of soil absorbed broad spectrum herbicides, or (2) aerial application of any herbicides.
Acid sulfate soils	
PO7 Clearing activities do not result in disturbance of acid sulfate soils or changes to	**AO7.1** Clearing does not occur in land zone 1, land zone 2 or land zone 3.

Performance outcomes	Acceptable outcomes
the hydrology of the location that will either: (1) aerate horizons containing iron sulfides, or (2) mobilise acid or metals.	OR **AO7.2** Clearing in land zone 1, land zone 2 or land zone 3 in areas below the 5 metre Australian Height Datum only occurs where: (1) it does not involve mechanical clearing (2) the acid sulfate soils are managed consistent with the *State Planning Policy*, Department of State Development, Infrastructure and Planning, 2014, and with the Soil Management Guidelines in the *Queensland Acid Sulfate Soil Technical Manual*, Department of Science, Information Technology, Innovation and the Arts, 2014. OR **AO7.3** The application is a development application where a local government is the assessment manager.

Table 8.1.10: Encroachment

Performance outcomes	Acceptable outcomes
Clearing limited to specific regional ecosystems	
PO1 Clearing for the purpose of encroachment only occurs in the regional ecosystems listed in Table 7.	No acceptable outcome is prescribed.
Mature trees	
PO2 Clearing for the purpose of encroachment: (1) results in the restoration of the regional ecosystem (2) does not remove habitat trees.	**AO2.1** Clearing of encroachment, based on ground assessment: (1) retains all mature trees, habitat trees and groves (2) retains representatives of all immature, non-encroaching species (3) may remove non-native species and native species, that do not belong in that regional ecosystem, from the clearing area. OR **AO2.2** Clearing of encroachment is limited to: (1) those areas where encroachment was not visible on aerial photographs taken in the year 1950 to present (2) retain habitat trees and mature trees of all non-encroaching species.
Wetlands	
PO3 Maintain vegetation associated with a wetland to protect: (1) water quality by filtering sediments, nutrients and other pollutants (2) aquatic habitat (3) terrestrial habitat.	**AO3.1** Mechanical clearing does not occur within 20 metres of the defining bank of a natural wetland. AND **AO3.2** The application of soil absorbed broad spectrum herbicides does not occur within 50 metres of the defining bank of a natural wetland.
Watercourses and drainage features	
PO4 Clearing associated with a watercourse or drainage feature is protected in a manner that maintains: (1) bank stability by protecting against bank erosion (2) water quality by filtering sediments, nutrients and other pollutants (3) aquatic habitat (4) terrestrial habitat.	**AO4.1** Mechanical clearing does not occur within 20 metres of the defining bank of a watercourse or drainage feature. AND **AO4.2** The application of soil absorbed broad spectrum herbicides does not occur within 50 metres of the defining bank of a watercourse or drainage feature.

Performance outcomes	Acceptable outcomes
Soil erosion	
PO5 Clearing does not result in: (1) accelerated soil erosion including, but not limited to - mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding (2) any associated loss of chemical, physical or biological fertility — including, but not limited to water holding capacity, soil structure, organic matter, soil biology and nutrients within or outside the lot(s) that are the subject of the application.	**AO5.1** Mechanical clearing: (1) is limited to slopes less than 5 per cent (2) retains 50 per cent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area.
Acid sulfate soils	
PO6 Clearing activities do not result in disturbance of acid sulfate soils or changes to the hydrology of the location that will either: (1) aerate horizons containing iron sulfides, or (2) mobilise acid or metals.	**AO6.1** Clearing does not occur in land zone 1, land zone 2 or land zone 3. OR **AO6.2** Clearing in land zone 1, land zone 2 or land zone 3 in areas below the 5 metre Australian Height Datum only occurs where: (1) it does not involve mechanical clearing (2) the acid sulfate soils are managed consistent with the *State Planning Policy*, Department of State Development, Infrastructure and Planning, 2014, and with the Soil Management Guidelines in the *Queensland Acid Sulfate Soil Technical Manual*, Department of Science, Information Technology, Innovation and the Arts, 2014. OR **AO6.3** The application is a development application where a local government is the assessment manager.

Table 8.1.11: Fodder

Performance outcomes	Acceptable outcomes
Limits to fodder harvesting	
PO1 Clearing for fodder harvesting: (1) occurs only in the following areas: (a) Balonne Shire Council (b) Barcaldine Shire Council (c) Barcoo Shire Council (d) Blackall Tambo Regional Council (e) Bulloo Shire Council (f) Diamantina Shire Council (g) Goondiwindi Regional Council (h) Longreach Regional Council (i) Maranoa Regional Council (j) Murweh Shire Council	No acceptable outcome is prescribed.

Performance outcomes	Acceptable outcomes
(k) Paroo Shire Council (l) Quilpie Shire Council (m) Western Downs Regional Council (n) Winton Shire Council (2) is limited to the extent necessary to provide fodder for stock.	
Conserving vegetation that contains endangered regional ecosystems and of concern regional ecosystems	
PO2 Clearing: (1) does not occur in vegetation that contains endangered regional ecosystems (2) is limited to vegetation that contains of concern regional ecosystems 6.5.3, 11.5.13, 6.5.5 and 4.7.3, and by selective harvesting where it does not remove more than 3 in 10 fodder trees.	No acceptable outcome is prescribed.
Cleared vegetation	
PO3 Cleared vegetation is not moved from where it falls.	No acceptable outcome is prescribed.
Conserving the fodder resource	
PO4 Fodder harvesting does not reduce the total extent of the fodder in the regional ecosystem listed in Tables 8 and 9 on a lot to below 50 per cent of its current extent within any 10 year period.	**AO4.1** Fodder harvesting is limited to the regional ecosystems and harvesting methods listed in Tables 8 and 9, and: (1) is limited to areas that have not been harvested in the past 10 years (2) retained vegetation is not harvested within 10 years of the harvesting of an adjacent area which has been subject to either strip harvesting or block harvesting.
Wetlands	
PO5 Maintain vegetation associated with any natural wetland to protect: (1) water quality by filtering sediments; nutrients and other pollutants (2) aquatic habitat (3) terrestrial habitat.	**AO5.1** Mechanical clearing does not occur within 20 metres of any natural wetland. OR **AO5.2** Strip harvesting or block harvesting does not occur within 100 metres of any natural wetland.
Watercourses and drainage features	
PO6 Maintain vegetation associated with any watercourse or drainage feature to protect: (1) bank stability by protecting against bank erosion (2) water quality by filtering sediments, nutrients and other pollutants (3) aquatic habitat (4) terrestrial habitat.	**AO6.1** Mechanical clearing does not occur within 20 metres from the defining bank of any watercourse or drainage feature. OR **AO6.2** Strip harvesting or block harvesting does not occur within 100 metres of the defining bank of any watercourse or drainage feature.
Soil erosion	
PO7 Clearing does not result: (1) accelerated soil erosion including, but not limited to - mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or	**AO7.1** Strip harvesting or block harvesting: (1) does not occur on a slope that exceeds 5 per cent (2) is aligned across the slope. OR

Performance outcomes	Acceptable outcomes
scalding (2) any associated loss of chemical, physical or biological fertility — including, but not limited to water holding capacity, soil structure, organic matter, soil biology and nutrients within or outside the lot(s) that are the subject of the application.	**AO7.2** Harvesting occurs using selective harvesting or breaker harvesting methods.
Salinity	
PO8 Clearing does not contribute to land degradation through: (1) waterlogging, or (2) the salinisation of groundwater, surface water or soil.	**AO8.1** Clearing does not occur in or within 200 metres of a discharge area or recharge area, or salinity warning area. OR **AO8.2** Clearing is less than: (1) 2 hectares, or (2) 10 metres wide.
Conserving vegetation	
PO9 Fodder harvesting activities: (1) retain at least: (a) 50 per cent of the predominant canopy cover of the vegetation over each 300 by 300 metre (9 hectare) area when selective harvesting or narrow strip harvesting (b) 55 per cent of the predominant canopy cover of the vegetation over each 300 by 300 metre (9 hectare) area when block harvesting or wide strip harvesting (2) maintain the range of species of the regional ecosystem at the locality.	**AO9.1** Selective harvesting does not: (1) harvest more than 5 in 10 individual fodder trees in any given area (2) remove non-fodder species beyond that needed to provide access for harvesting, or (3) involve mechanical clearing within 50 metres of a scarp or an area of instability, in the following regional ecosystems 6.7.1, 6.7.6, 6.7.14, 6.7.15, 6.7.16, 11.7.1, 11.7.2 and 11.7.5. OR **AO9.2** Strip harvesting or block harvesting only occurs in regional ecosystems listed in Table 8. AND **AO9.3** Block harvesting: (1) is limited to the harvesting area and width of retained vegetation listed in Table 10 (2) retains non-fodder species with height of 4 metres or more within the harvested area (3) does not occur in fodder regional ecosystems that are less than 10 hectares in area or 500 metres in width (4) tracks between blocks are limited to a width of 10 metres. OR **AO9.4** Wide strip harvesting: (1) occurs where the harvested strip is 70-135 metres in width (2) retains a minimum of 165 metres wide strip of retained vegetation on either side of the cleared strip (3) only occurs for a 800 metre length with the retention of a 200 metre wide patch of vegetation at the end of each length (4) does not occur in fodder regional ecosystems that are less than 10 hectares in area or 500 metres in width. OR **AO9.5** Narrow strip harvesting: (1) occurs where the harvested strip is 20 to 50 metres in width (2) retains vegetation on either side of the strip a width at least equal to the

Performance outcomes	Acceptable outcomes
	width of the harvested strip (3) does not occur in fodder regional ecosystems listed in Tables 8 and 9 that are less than 10 hectares in area or 500 metres in width.
Essential habitat	
PO10 Maintain the current extent of essential habitat.	**AO10.1** Fodder harvesting does not occur in essential habitat. OR **AO10.2** Clearing in essential habitat does not exceed the width or area prescribed in Table 1. OR **AO10.3** Where it can be demonstrated that the clearing cannot be reasonably avoided, and the extent of clearing has been reasonably minimised, an environmental offset is provided for any significant residual impact from clearing of essential habitat. Editor's note: Applications for development should identify whether there is likely to be a significant residual impact and a need for an environmental offset having regard to Section 3.1 (Regulated vegetation) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
Fodder species	
PO11 Fodder harvesting consists predominantly of fodder species.	**AO11.1** Fodder harvesting consists predominantly of fodder species and only occurs in the regional ecosystems listed in Tables 8 or 9.

8.1.3 Reference tables

Table 1

Clearing limits per regional ecosystem structure category		
Structure category	**Width (metres)**	**Area (hectares)**
Dense and mid-dense*	10	0.5
Sparse and very sparse*	20	2
Grassland*	25	5

*Editor's note: Refer to the structure category within the *Regional Ecosystem Description Database* available on the Department of Environment and Heritage Protection website.

Table 2

Distance from defining banks of watercourses and drainage features	
Stream order	**Distance from the defining bank of a watercourse or drainage feature (metres)**
Coastal bioregions and sub-regions	
1 or 2	10
3 or 4	25
5 or greater	50
Non-coastal bioregions and sub-regions	
1 or 2	25

3 or 4	50
5 or greater	100

Table 3

Maintaining connectivity	
Coastal bioregions and sub-regions	**Non-coastal bioregions and sub-regions**
Clearing does not: (1) occur in areas of vegetation that are less than 10 hectares (2) reduce the extent of vegetation to less than 10hectares (3) occur in areas of vegetation less than 100 metres wide (4) reduce the width of vegetation to less than 100 metres (5) occur where the extent of vegetation on the subject lot(s) is reduced to or less than 30 per cent of the total area of the lot(s).	Clearing does not: (1) occur in areas of vegetation that are less than 50 hectares (2) reduce the extent of vegetation to less than 50 hectares (3) occur in areas of vegetation less than 200 metres wide (4) reduce the width of vegetation to less than 200 metres (5) occur where the extent of vegetation on the subject lot(s) is reduced to or less than 30 per cent of the total area of the lot(s).

Table 4

Clearing limitations for mechanical weed control	
Estimated per cent weed cover	**Clearing limitations**
Up to 50 per cent	Retain all habitat trees and retained trees and at least 50 per cent of the trees with a diameter of 15-19 cm, measured at breast height.
More than 50 per cent	Retain all retained trees or habitat trees.

Table 5

Dense regional ecosystems					
3.2.1	3.10.17	7.8.2	7.12.16	8.12.17	12.2.3
3.2.2	3.10.18	7.8.3	7.12.17	8.12.18	12.2.12
3.2.11	3.10.19	7.8.4	7.12.19	8.12.19	12.2.21
3.2.12	3.11.1	7.8.11	7.12.20	8.12.28	12.3.1
3.2.13	3.11.2	7.8.12	7.12.37	8.12.29	12.3.13
3.2.17	3.11.3	7.8.13	7.12.39	8.12.30	12.5.13
3.2.21	3.12.1	7.8.14	7.12.40	9.5.2	12.8.3
3.2.28	3.12.2	7.11.1	7.12.41	9.8.3	12.8.4
3.2.29	3.12.20	7.11.2	7.12.42	9.8.7	12.8.5
3.2.30	3.12.21	7.11.3	7.12.43	9.11.8	12.8.6
3.2.31	3.12.22	7.11.6	7.12.44	9.11.9	12.8.7
3.3.1	3.12.35	7.11.7	7.12.45	9.12.8	12.8.13
3.3.2	3.12.36	7.11.8	7.12.46	9.12.34	12.8.18
3.3.3	3.12.3	7.11.10	7.12.47	11.2.3	12.8.21
3.3.4	3.12.4	7.11.12	7.12.48	11.3.11	12.8.22
3.3.5	3.12.5	7.11.14	7.12.49	11.4.1	12.9-10.15
3.3.6	3.12.6	7.11.23	7.12.50	11.4.6	12.9-10.16
3.3.7	7.2.1	7.11.24	7.12.64	11.5.11	12.11.1
3.3.38	7.2.2	7.11.25	7.12.68	11.5.15	12.11.4
3.3.39	7.2.5	7.11.27	8.2.2	11.5.18	12.11.10
3.3.40	7.2.6	7.11.28	8.2.4	11.7.5	12.11.11
3.3.55	7.2.9	7.11.29	8.2.5	11.8.3	12.11.12
3.3.68	7.2.10	7.11.30	8.3.1	11.8.6	12.11.13
3.5.3	7.3.3	7.11.36	8.3.9	11.8.7	12.12.1
3.5.4	7.3.4	7.12.1	8.3.10	11.8.13	12.12.10
3.5.20	7.3.5	7.12.2	8.8.1	11.9.4	12.12.13
3.5.32	7.3.10	7.12.4	8.10.1	11.9.8	12.12.16
3.7.1	7.3.17	7.12.5	8.11.2	11.10.8	12.12.17
3.8.1	7.3.23	7.12.6	8.11.10	11.11.5	12.12.18
3.8.2	7.3.35	7.12.7	8.12.1	11.11.18	13.11.7
3.8.5	7.3.36	7.12.9	8.12.2	11.11.21	13.12.6
3.10.1	7.3.37	7.12.10	8.12.3	11.12.4	
3.10.2	7.3.38	7.12.11	8.12.10	11.12.18	
3.10.3	7.3.49	7.12.12	8.12.11	12.2.1	
3.10.5	7.8.1	7.12.13	8.12.16	12.2.2	

Table 6

Regional ecosystems where thinning cannot occur					
1.10.5	3.12.4	7.11.7	8.3.9	10.4.5	11.11.18
2.1.1	3.12.5	7.11.8	8.3.10	10.4.6	11.11.19
2.1.2	3.12.6	7.11.10	8.5.7	10.4.7	11.11.21
2.1.3	3.12.20	7.11.12	8.8.1	10.7.3	11.12.4
2.1.4	3.12.21	7.11.14	8.10.1	10.7.7	11.12.12
2.7.1	3.12.22	7.11.23	8.11.2	10.7.8	11.12.18
2.7.2	3.12.28	7.11.24	8.11.7	10.9.1	11.12.21
2.10.5	3.12.35	7.11.25	8.11.9	10.9.2	12.1.1
3.1.1	3.12.36	7.11.26	8.11.10	10.9.3	12.1.2
3.1.2	3.12.37	7.11.27	8.12.1	10.9.6	12.1.3
3.1.3	3.12.38	7.11.28	8.12.2	10.10.1	12.2.1
3.1.4	4.3.23	7.11.29	8.12.3	11.1.1	12.2.2
3.1.5	4.7.1	7.11.30	8.12.10	11.1.2	12.2.3
3.1.6	4.7.6	7.11.36	8.12.11	11.1.3	12.2.12
3.2.1	4.7.7	7.12.1	8.12.16	11.1.4	12.2.21
3.2.2	4.7.8	7.12.2	8.12.17	11.2.3	12.3.1
3.2.11	4.9.15	7.12.4	8.12.18	11.3.1	12.3.13
3.2.12	4.9.17	7.12.5	8.12.19	11.3.5	12.5.9
3.2.13	4.9.19	7.12.6	8.12.28	11.3.8	12.5.13
3.2.17	5.7.1	7.12.7	8.12.30	11.3.11	12.8.3
3.2.21	5.7.2	7.12.9	9.3.9	11.3.17	12.8.4
3.2.28	5.7.5	7.12.10	9.3.23	11.3.34	12.8.5
3.2.29	5.7.12	7.12.11	9.4.1	11.4.1	12.8.6
3.2.30	5.7.13	7.12.12	9.4.2	11.4.3	12.8.7
3.2.31	5.7.14	7.12.13	9.4.3	11.4.5	12.8.13
3.3.1	7.1.1	7.12.16	9.5.2	11.4.6	12.8.18
3.3.2	7.1.2	7.12.17	9.5.15	11.4.7	12.8.19
3.3.3	7.1.3	7.12.19	9.5.16	11.4.8	12.8.21
3.3.4	7.1.4	7.12.20	9.7.2	11.4.9	12.8.22
3.3.5	7.2.1	7.12.39	9.8.3	11.4.10	12.8.23
3.3.6	7.2.2	7.12.40	9.8.6	11.5.10	12.9-10.6
3.3.7	7.2.5	7.12.41	9.8.7	11.5.11	12.9-10.9
3.3.38	7.2.6	7.12.42	9.10.3	11.5.15	12.9-10.15
3.3.39	7.2.10	7.12.43	9.11.8	11.5.16	12.9-10.16
3.3.40	7.3.3	7.12.44	9.11.9	11.5.18	12.11.1
3.3.68	7.3.4	7.12.45	9.11.28	11.7.1	12.11.4
3.3.69	7.3.10	7.12.46	9.11.29	11.7.2	12.11.10
3.3.70	7.3.17	7.12.47	9.11.30	11.7.5	12.11.11

Regional ecosystems where thinning cannot occur					
3.5.3	7.3.23	7.12.48	9.12.8	11.8.3	12.11.12
3.5.4	7.3.35	7.12.49	9.12.9	11.8.6	12.11.13
3.5.20	7.3.36	7.12.50	9.12.34	11.8.7	12.12.1
3.5.32	7.3.37	7.12.54	9.12.36	11.8.13	12.12.10
3.7.1	7.3.38	7.12.57	9.12.37	11.9.1	12.12.13
3.7.2	7.3.49	7.12.64	9.12.38	11.9.4	12.12.16
3.8.1	7.8.1	7.12.65	10.3.1	11.9.5	12.12.17
3.8.2	7.8.2	7.12.66	10.3.2	11.9.6	12.12.18
3.8.5	7.8.3	7.12.68	10.3.3	11.9.8	12.12.19
3.10.1	7.8.4	8.1.1	10.3.4	11.9.11	12.12.26
3.10.3	7.8.11	8.1.2	10.3.16	11.9.12	13.11.7
3.10.5	7.8.12	8.1.3	10.3.19	11.10.3	13.12.6
3.11.1	7.8.13	8.1.5	10.3.29	11.10.8	
3.11.2	7.8.14	8.2.2	10.3.30	11.11.2	
3.11.3	7.11.1	8.2.4	10.4.1	11.11.5	
3.12.1	7.11.2	8.2.5	10.4.2	11.11.13	
3.12.2	7.11.3	8.2.14	10.4.3	11.11.14	
3.12.3	7.11.6	8.3.1	10.4.4	11.11.16	

Table 7

Grassland regional ecosystems in which encroachment can be cleared					
3.3 56	4.3.13	4.9.9	6.7.17	10.3.7	11.4.11
3.3.60	4.3.20	5.7.9	8.3.12	10.3.8	11.8.11
3.3.61	4.9.7	5.7.10	9.8.5	11.3.20	11.9.12
3.12.32	4.9.8	6.3.13	9.12.42	11.3.31	

Table 8

Regional ecosystems in which fodder species are dominant and suitable for fodder harvesting by all harvesting practices						
4.5.1	5.5.2	5.7.14	6.5.8	6.5.14	6.7.9	6.7.17
4.5.2	5.5.4	6.3.21	6.5.9	6.5.15	6.7.10	
4.5.3	5.5.6	6.5.1	6.5.10	6.5.16	6.7.11	
4.5.4	5.6.4	6.5.6	6.5.11	6.5.18	6.7.12	
5.5.1	5.7.5	6.5.7	6.5.13	6.6.1	6.7.13	

Table 9

Regional ecosystems in which fodder species are not dominant and harvesting is limited to selective harvesting only.					
4.7.3	6.3.24	6.5.17	6.7.15	11.3.28	11.7.2
5.5.3	6.5.2	6.7.1	6.7.16	11.3.17	11.11.2
6.3.16	6.5.3	6.7.6	11.3.2	11.5.13	
6.3.18	6.5.5	6.7.14	11.3.20	11.7.1	

Table 10

Block harvesting	
Block harvesting area	**Minimum width of retained vegetation**
1 – 4 hectares (100 metre by 100 metre – 200 metre by 200 metre)	100 metres
0.5 hectare (75 metre by 75 metre)	50 metres
0.25 hectare (50 metre by 50 metre)	25 metres

Table 11

Measurements of mature trees at 1.3 metres (diameter breast height)		
Clearing purpose	**Bioregion/subregion**	**Measurement at 1.3 metres**
Encroachment	N/A	Trees with a single trunk – ›20 centimetres Trees with several trunks – ›30 centimetres
Thinning and weed control	Coastal bioregions and subregions	Eucalyptus, Corymbia, Angophora, Lophostemon - ›40 centimetres Genera other than Eucalyptus, Corymbia, Angophora and Lophostemon – ›20 centimetres
Thinning and weed control	Non-coastal bioregions and subregions	Eucalyptus, Corymbia, Angophora, Lophostemon - ›30 centimetres Genera other than Eucalyptus, Corymbia, Angophora and Lophostemon - ›20 centimetres

Table 12

Range of size classes – trees	
Class	**Diameter at breast height (1.3 metres)**
1	‹5 centimetres
2	5-10 centimetres
3	›10-20 centimetres
4	›20-40 centimetres

8.2 Figures

Figure 1: Location of coastal and non-coastal bioregions and sub-regions

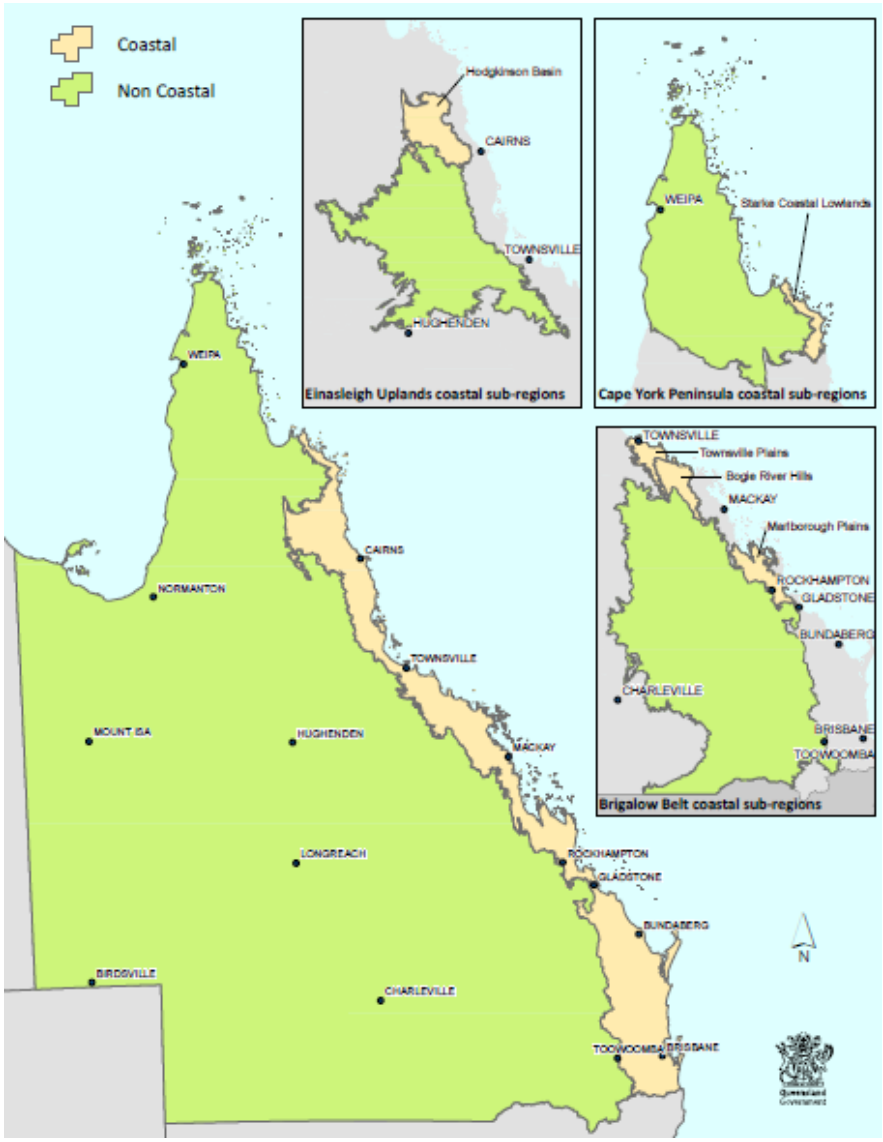
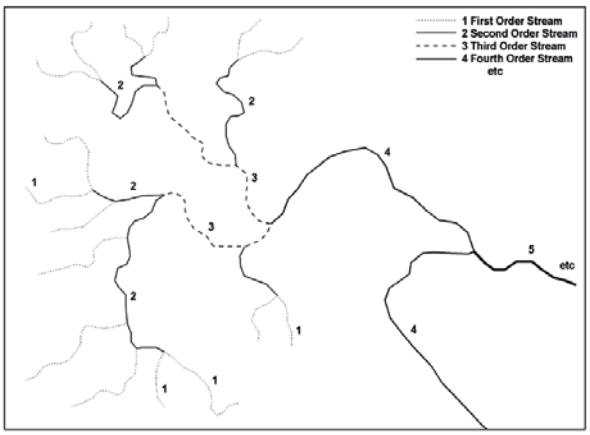


Figure 2: Diagrammatic view of stream ordering

When two streams of the same order join, the resulting stream becomes one stream order larger. If two streams of different orders join, the resultant stream order is that of the larger stream.



Note: for this diagram, streams are watercourses and drainage features shown on the vegetation management watercourse and drainage feature map.

8.3 Reference documents

Department of State Development, Infrastructure and Planning 2014 *State Planning Policy*

Department of Science, Information Technology Innovation and the Arts *Queensland Acid Sulfate Soil Technical Manual*

Department of Natural Resources and Mines 2014 *Guidelines for determining high value and irrigated high value agriculture*

Department of Environment and Heritage Protection *Regional ecosystems database*

Department of Environment and Heritage Protection *Benchmarks*

Department of Environment and Heritage Protection 2014 *Queensland Environmental Offsets Policy*

Department of Environment and Resource Management 2011 *Salinity Management Handbook*

Department of Natural Resources and Mines 2013 *Guidelines for necessary environmental clearing*

International Erosion Control Association (IECA) 2008 *Best practice erosion & sediment control document*

Department of Natural Resources and Mines 2015 *Guidelines for applying to clear for high-value or irrigated high-value agriculture*

8.4 Glossary of terms

Accelerated soil erosion is soil erosion that exceeds the natural level and that occurs as a direct result of human activity.

Aerial application is application by aircraft.

Application area is the area identified as proposed for clearing in the property vegetation management plan.

Benchmarks are quantitative values derived from reference sites for each condition attribute assessed in BioCondition, and are used as a reference value for comparison purposes. Benchmarks have been developed from information published by the State of Queensland (acting through the Department of Science, Information Technology, Innovation and the Arts).

Block harvesting refers to fodder harvesting in a patch or clump and retaining undisturbed fodder vegetation around the block.

Breaker harvesting refers to fodder harvesting using a single tractor with a breaker bar to push down or break off the top or branches of fodder trees.

Broadacre cropping refers to the commercial cultivation of plants for oil; winter and summer cereals including wheat, barley, oats, triticale, sorghum, maize and millets; pulses including lupins, chickpeas, faba beans, field peas, mung beans, soybeans, lentils, guar, dolichos; sugar cane; rice; or cotton; or tea; or another commercial crop as approved by the Chief Executive of the VMA.

Category A area see the *Vegetation Management Act 1999* section 20AL.

Editor's note: A category A area is an area, other than a category B area, category C area, category R area or category X area, shown on the regulated vegetation management map as a category A area that—

(1) is any of the following—

(a) a declared area;

(b) an offset area;

(c) an exchange area; or

(2) has been unlawfully cleared; or

(3) is, or has been, subject to—

(a) a restoration notice; or

(b) an enforcement notice under the Planning Act containing conditions about restoration of vegetation; or

(4) has been cleared of native vegetation and in relation to the clearing a person has been found guilty by a court, whether or not a conviction has been recorded, of a clearing offence; or

(5) the chief executive decides under section 20BA [of the VMA] is a category A area.

Category B area see the *Vegetation Management Act 1999*, section 20AM.

Editor's note: A category B area is an area, other than a category A area, category C area, category R area or category X area, shown on the regulated vegetation management map as a category B area that—

(1) contains remnant vegetation; or

(2) the chief executive [administering the VMA] decides to show on the regulated vegetation management map as a category B area; or

(3) if section 20AN [of the VMA] does not apply to the area—

(a) is a Land Act tenure to be converted under the *Land Act 1994* to another form of tenure; and

(b) contains—

(i) an endangered regional ecosystem; or

(ii) an of concern regional ecosystem; or

(iii) a least concern regional ecosystem.

Category X area see the *Vegetation Management Act 1999*, section 20AO.

Editor's note: A category X area is an area, other than a category A area, category B area, category C area or category R area, shown on the regulated vegetation management map as a category X area. However, an area is not a category X area if the chief executive decides under section 20CA of the *Vegetation Management Act 1999* the area is not a category X area.

Clearing to clear, for vegetation:

(1) means remove, cut down, ringbark, push over, poison or destroy in any way including by burning, flooding or draining, but

(2) does not include destroying standing vegetation by stock, or lopping a tree.

Editor's note: For the purpose of assessment of a material change of use or reconfiguring a lot application, any reference to clearing is taken to be "clearing as a result of the material change of use" or "clearing as a result of the reconfiguring a lot".

"Clearing as a result of the material change of use" includes:

(1) Clearing of vegetation that will result from the change in use, consisting of any of the following:

(a) Clearing to construct built infrastructure—including buildings, stormwater management systems, water supply and sewerage systems—that are proposed as part of the material change of use application.

(b) Clearing for roads, vehicle parking, vehicle and pedestrian access, utilities corridors, services, fences, firebreaks and fire management lines that are proposed as part of the material change of use application.

(c) Clearing that may not be necessary for developing infrastructure but is associated with the use applied for.

(2) Clearing of vegetation that will become exempt if the development application is approved. This includes any of the following examples:

(a) Clearing for routine management and essential management purposes associated with the approved development including clearing to maintain proposed infrastructure, facilities, roads, access routes, utilities, services and fences, and clearing to maintain the safety of persons and property that will be associated with the development.

(b) Clearing for necessary fire breaks and fire management lines and safety buffers associated with the development. This will be assessed as follows:

(i) All built infrastructure other than underground services, roads and fences will be assessed as requiring clearing for firebreaks and safety buffers with a width of 20 metres or 1.5 times the height of the tallest adjacent tree to the infrastructure, whichever is the greater

(ii) All proposed allotment boundaries will be assessed as requiring clearing for fire management lines with a width of 10 metres constructed on either side of the allotment boundary unless written evidence from the relevant Area Director of the Queensland Fire and Rescue Service which confirms an alternative fire management line width is required or acceptable

(iii) In the case of evidence being presented which demonstrates constraints on clearing for fire management lines as being reasonably imposed in accordance with written evidence from the relevant Area Director or equivalent officer of the Queensland Fire and Rescue Service, the development may be conditioned so that the full extent of exempt clearing prescribed for essential management under Schedule 24 of the Sustainable Planning Regulation 2009 cannot be carried out by current or future **landholders.**

"Clearing as a result of reconfiguring a lot" includes:

(1) Clearing of vegetation that will result from reconfiguring a lot, consisting of any of the following:

(a) Clearing for boundary fence lines for each proposed allotment (whether or not the clearing is proposed as part of the application)

(b) Clearing to construct built infrastructure, including stormwater management systems, water supply and sewerage systems, roads, access routes or utilities corridors that are proposed as part of the reconfiguring a lot application or that will be required as a condition of approval by the assessment manager

(c) Clearing for excavation and filling, for example, where the lots are to be levelled.

(2) Clearing of vegetation that will become exempt if the development application is approved. This includes any of the following examples:

(a) Clearing for a single residence and reasonably associated buildings and structures for each allotment to be created as a result of the reconfiguring a lot, where no such dwelling house already exists on the proposed allotment

(b) All lots will be assessed as including clearing of 2 hectares for the purpose stated in (2)(a), or for lots smaller than 2 hectares the whole area of the lot, unless the application demonstrates that a greater or smaller area will be required and achieved—for example, building envelopes binding on title

(c) Clearing for routine management and essential management purposes associated with the approved development including clearing to maintain proposed infrastructure, facilities, roads, access routes, utilities, services and fences, and clearing to maintain the safety of persons and property that will be associated with the development

(d) Clearing for necessary fire breaks, fire management lines and safety buffers associated with the development. This will be assessed as follows:

(i) All built infrastructure other than underground services, roads and fences will be assessed as requiring clearing for firebreaks and safety buffers with a width of 20 metres or 1.5 times the height of the tallest adjacent tree to the infrastructure, whichever is the greater.

(ii) All proposed allotment boundaries will be assessed as requiring clearing for fire management lines with a width of 10 metres constructed on either side of the allotment boundary unless written evidence from the relevant Area Director of the Queensland Fire and Rescue Service which confirms an alternative fire management line width is required or acceptable.

(iii) In the case of evidence being presented which demonstrates constraints on clearing for fire management lines as being reasonably imposed in accordance with written evidence from the relevant Area Director of the Queensland Fire and Rescue Service, the development may be conditioned so that the full extent of exempt clearing prescribed for essential management under Schedule 24 of the Sustainable Planning Regulation 2009 cannot be carried out by current or future landholders.

Coastal bioregions and subregions include the following bioregions and subregions, as shown in Figure 1:

(1) Brigalow Belt Bioregion sub-regions Townsville Plains (sub-region 11.1), Bogie River Hills (sub-region 11.2), and Marlborough Plains (sub-region 11.14)

(2) Central Queensland Coast Bioregion

(3) Cape York Peninsula Bioregion sub-region Starke Coastal Lowlands (sub-region 3.2)

(4) Einasleigh Uplands Bioregion sub-region Hodgkinson Basin

(5) Wet Tropics Bioregion

(6) South East Queensland Bioregion.

Contaminants removal means part (d) of necessary environmental clearing, defined as clearing of vegetation that is necessary to remove contaminants from land.

Coordinated project see the *State Development and Public Works Organisation Act 1971*, section 26.

Editor's note: A coordinated project is a project declared to be a coordinated project under the *State Development and Public Works Organisation Act 1971*.

Crops see the *Vegetation Management Act 1999*

Editor's note: Crops means all or any of the following—
(a) annual horticulture,
(b) broadacre cropping, or
(c) perennial horticulture.

Defining bank is the bank which confines the seasonal flows but may be inundated by flooding from time to time. This can be either:

(1) the bank or terrace that confines the water before the point of flooding, or

(2) where there is no bank the seasonal high water line which represents the point of flooding.

Dense regional ecosystems are those listed in Table 5.

Discharge area is an area in the landscape where the net movement of groundwater is out of the catchment. Waterlogging and salting are most likely to occur in this area, as expressions of groundwater discharging at the soil surface by seepage or evaporation. A discharge area is identified by an assessment process that is consistent with the *Salinity Management Handbook*, second edition, Department of Environment and Resource Management, 2011.

Drainage feature is a natural landscape feature, including a gully, drain, drainage depression or other erosion feature that—

(1) is formed by the concentration of, or operates to confine or concentrate, overland flow water during and immediately after rainfall events; and

(2) flows for only a short duration after a rainfall event, regardless of the frequency of flow events; and

(3) commonly, does not have enough continuing flow to create a riverine environment; and

(4) is shown on the vegetation management watercourse and drainage feature map:

  (a) at a scale of 1:25 000 on the vegetation management watercourse and drainage feature map for the local government areas of Brisbane, Moreton Bay, Gold Coast, Sunshine Coast, Logan and Redlands, excluding applications to clear vegetation for extractive industry, or

  (b) on the vegetation management and drainage feature watercourse map for all other local governments and applications to clear vegetation for extractive industries.

Eligible owner see the *Vegetation Management Act 1999*, section 22DAC.

Editor's note: Eligible owner means an owner of land who—

(1) is authorised under the *Water Act 2000*, section 20 to take overland flow water or subartesian water for any purpose; or

(2) holds a water entitlement for the taking of water under the *Water Act 2000*; or

(3) holds an existing authority for the taking of water under the *Water Act 2000*, section 1089; or

(4) was, when the application was made, eligible to participate in a process for a water entitlement; or

(5) is a customer of a water service provider under the *Water Supply (Safety and Reliability) Act 2008*; or

(6) holds an approval under the *Waste Reduction and Recycling Act 2011*, chapter 8 and the resource to which the approval relates is water; or

(7) has applied for a water licence under the *Water Act 2000*, section 206; or

(8) holds, or has a right to be supplied water under, an environmental authority under the *Environmental Protection Act 1994*; or

(9) is authorised to take water under a law of another State or Territory in compliance with an authorisation declared under the *Water Act 2000*, section 808(1)(b).

Encroachment means a woody species that has invaded an area of a grassland regional ecosystem to an extent the area is no longer consistent with the description of the regional ecosystem.

Endangered regional ecosystem see the *Vegetation Management Act 1999*

Editor's note: Endangered regional ecosystem means a regional ecosystem declared to be an endangered regional ecosystem under the *Vegetation Management Act 1999.*

Environmental clearing management plan outlines management actions that will be undertaken in an area cleared for necessary environmental clearing to rehabilitate the area over time to ensure endangered regional ecosystems, of concern regional ecosystems, least concern regional ecosystems, essential habitat and connectivity are maintained, wetlands and watercourses are protected, and the effects of clearing do not result in land degradation.

Editor's note: Refer to the *Guidelines for necessary environmental clearing,* Department of Natural Resources and Mines, 2013 to assist with developing the management plan.

Environmental offset see the *Environmental Offsets Act 2014*.

Editor's note: Environmental offset means an activity undertaken to counterbalance a significant residual impact of a prescribed activity on a prescribed environmental matter.

Environmental offset area see the *Environmental Offsets Act 2014*

Editor's note: Environmental offset area means a legally secured offset area under *the Environmental Offset Act 2014*.

Essential habitat see the *Vegetation Management Act 1999*, section 20AC.

Editor's note: Essential habitat is shown on the essential habitat map.

Editor's note: Essential habitat for protected wildlife is a category A area, category B area or category C area shown on the regulated vegetation management map:

(1) that has at least 3 essential habitat factors for the protected wildlife that must include any essential habitat factors that are stated as mandatory for the protected wildlife in the essential habitat database; or

(2) in which the protected wildlife, at any stage of its life cycle, is located.

Essential habitat database see the *Vegetation Management Act 1999*.

Editor's note: An essential habitat database means a database, listing essential habitat factors for protected wildlife, certified by the chief executive administering the *Vegetation Management Act 1999* as an essential habitat database.

Essential habitat factor see the *Vegetation Management Act 1999*.

Editor's note: Essential habitat factor, for protected wildlife, is a component of the wildlife's habitat, including for example, a landform, pollinator, regional ecosystem, soil and water, that is necessary or desirable for the wildlife at any stage of its lifecycle.

Essential habitat map see the *Vegetation Management Act 1999*, section 20AC.

Editor's note: The essential habitat map is a map certified by the chief executive [vegetation] as the essential habitat map for the State and showing, for the State, areas the chief executive reasonably believes are areas of essential habitat for protected wildlife.

Essential management see the *Sustainable Planning Regulation 2009*.

Editor's note: Essential management means clearing native vegetation:

(1) for establishing or maintaining a necessary firebreak to protect infrastructure other than a fence, road or vehicular track, if the maximum width of the firebreak is equivalent to 1.5 times the height of the tallest vegetation adjacent to the infrastructure, or 20 metres, whichever is the greater, or
(2) for establishing a necessary fire management line if the maximum width of the clearing for the fire management line is 10 metres, or
(3) necessary to remove or reduce the imminent risk that the vegetation poses of serious personal injury or damage to the infrastructure, or
(4) by fire under the *Fire and Rescue Service Act 1990* to reduce hazardous fuel load, or
(5) necessary to maintain infrastructure including any core airport infrastructure, buildings, fences, helipads, roads, stockyards, vehicular tracks, watering facilities and constructed drains other than contour banks, other than to source construction material, or
(6) for maintaining a garden or orchard, other than clearing predominant canopy trees to maintain underplantings established within remnant vegetation, or
(7) on land subject to a lease issued under the *Land Act 1994* for agriculture or grazing purposes to source construction timber to repair existing infrastructure on the land, if —
    (a) the infrastructure is in need of immediate repair
    (b) the clearing does not cause land degradation as defined under the VMA
    (c) restoration of a similar type, and to the extent of the removed trees, is ensured, or
(8) by the owner on freehold land to source construction timber to maintain infrastructure on any land of the owners, if —
    (a) the clearing does not cause land degradation as defined under the VMA

(b) restoration of a similar type, and to the extent of the removed trees, is ensured.

Exchange area see the *Vegetation Management Act 1999*.

Editor's note: Exchange area means an area of vegetation that must be protected in the way provided under a self-assessable vegetation clearing code in exchange for clearing high value regrowth vegetation.

Extractive industry see the *Vegetation Management Act 1999*.

Editor's note: Extractive industry means an extractive industry as defined under the standard planning scheme provisions.

Extractive industry means premises used for the extraction and processing of extractive resources and associated activities, including their transportation to market.

Fodder harvesting see the *Vegetation Management Act 1999.*

Editor's note: Fodder harvesting is the clearing of vegetation predominantly consisting of fodder species:

(1) necessary to provide fodder for stock

(2) carried out in a way that—

(a) conserves the vegetation in perpetuity

(b) conserves the regional ecosystem in which the vegetation is situated

(c) results in the woody biomass of the cleared vegetation remaining where it is cleared.

Fodder species are any of the following:

(1) *Acacia aneura*

(2) *Acacia cibaria (Acacia brachystachya)*

(3) *Acacia excelsa*

(4) *Acacia pendula*

(5) *Acacia stowardii*

(6) *Alphitonia excelsa*

(7) *Flindersia maculosa*

(8) *Geijera parviflora*.

Groundwater is water occurring below the surface of the ground.

Gully erosion is the removal of soil by water creating large incised channels more than 30 centimetres in depth.

Habitat trees includes trees used for habitat, nesting and feeding. Habitat trees are trees used or potentially used by hollow-dwelling fauna. Habitat trees are identified as a living tree with one or more visible hollows of 10 cm or more in diameter that are positioned at least 2 metres above the base of the tree. Nest trees are trees which contain an active bird's nest or the nest of a raptor or other bird which utilises the same nest year after year. Feed trees are trees which display five or more incisions typically made by a yellow bellied glider.

Horticulture means the commercial cultivation of fruit, vegetables and flowers including berries, grapes, vines and nuts.

High value agriculture clearing see the *Vegetation Management Act 1999*.

Editor's note: High value agriculture clearing means clearing carried out to establish, cultivate and harvest crops, other than clearing for grazing activities or plantation forestry. For further information refer to *Guidelines for determining high value and irrigated high value agriculture*, Department of Natural Resources and Mines, 2013.

Immature trees are all woody plants that are greater than 2 metres high, other than mature trees.

Irrigated high value agriculture clearing see the *Vegetation Management Act 1999*.

Editor's note: Irrigated high value agriculture clearing means clearing carried out to establish, cultivate and harvest crops, or pasture, other than clearing for plantation forestry, that will be supplied with water by artificial means. For further information refer to *Guidelines for determining high value and irrigated high value agriculture*, Department of Natural Resources and Mines, 2013.

Land Act Notice see the *Vegetation Management Act 1999,* section 20BA(b).

Editor's note: A Land Act Notice is issued by the chief executive (administering the VMA) for clearing in contravention of a tree clearing provision under the *Land Act 1994* as in force before the commencement of the *Vegetation Management and Other Legislation Amendment Act 2004*, section 3.

Land degradation see the *Vegetation Management Act 1999*.

Editor's note: Land degradation includes the following:

(1) soil erosion

(2) rising water tables

(3) the expression of salinity

(4) mass movement by gravity of soil or rock

(5) stream bank instability

(6) a process that results in declining water quality.

Land restoration means part (a) of the necessary environmental clearing, defined as clearing of vegetation that is necessary to restore the ecological and environmental condition of land.

Land Zone 1 quaternary estuarine and marine deposits subject to periodic inundation by saline or brackish marine waters. Includes mangroves, saltpans, off-shore tidal flats and tidal beaches.

Land Zone 2 quaternary coastal dunes and beach ridges. Includes degraded dunes, sand plains and swales, lakes and swamps enclosed by dunes, as well as coral and sand cays.

Land Zone 3 quaternary alluvial systems, including floodplains, alluvial plains, alluvial fans, terraces, levees, swamps, channels, closed depressions and fine textured palaeo- estuarine deposits. Also includes estuarine plains currently under fresh water influence, inland lakes and associated dune systems (lunettes).

Least concern regional ecosystem see the *Vegetation Management Act 1999*

Editor's note: Least concern regional ecosystem means a regional ecosystem declared to be a least concern regional ecosystem under the *Vegetation Management Act 1999*.

Maintain the current extent means to:

(1) avoid clearing the regional ecosystems, or

(2) if subparagraph (1) is not reasonably practicable, ensure the structure and function of the regional ecosystem is maintained (minimise the clearing), or

(3) if subparagraphs (1) or (2) are not reasonably practicable, provide an environmental offset.

Mass movement is a landslip, earthflow, landslide, rock avalanche or soil creep.

Mature trees are trees with a diameter at 1.3 metres (diameter breast height) as specified in Table 11.

Mechanical clearing is the clearing of vegetation using machinery which disturbs the soil surface or uproots woody vegetation.

Natural channel diversion means part (b) of necessary environmental clearing, defined as clearing that is necessary to divert existing natural channels in a way that replicates the existing form of the natural channels.

Natural disaster preparation means part (c) of necessary environmental clearing, defined as clearing that is necessary to prepare for the likelihood of a natural disaster.

Necessary environmental clearing see the *Vegetation Management Act 1999*.

Editor's note: Necessary environmental clearing means clearing of vegetation that is necessary to—

(a) restore the ecological and environmental condition of land, or

Example—stabilising banks of watercourses and drainage features, works to rehabilitate eroded areas, works to prevent erosion of land or for ecological fire management

(b) divert existing natural channels in a way that replicates the existing form of the natural channels, or

(c) prepare for the likelihood of a natural disaster, or

Example—removal of silt to mitigate flooding

(d) remove contaminants from land.

Non-coastal bioregions and subregions include the following bioregions and subregions, as shown in Figure 1:

(1) Brigalow Belt Bioregion sub-regions not listed under coastal bioregions and subregions

(2) New England Tableland Bioregion

(3) Northwest Highlands Bioregion

(4) Gulf Plains Bioregion

(5) Cape York Peninsula Bioregion sub-regions not listed under coastal bioregions and sub-regions

(6) Mitchell Grass Downs Bioregion

(7) Channel Country Bioregion

(8) Mulga Lands Bioregion

(9) Einasleigh Uplands Bioregion sub-regions not listed under coastal bioregions and sub-regions

(10) Desert Uplands Bioregion.

Of concern regional ecosystem see the *Vegetation Management Act 1999.*

Editor's note: Of concern regional ecosystem means a regional ecosystem declared to be an of concern regional ecosystem under the *Vegetation Management Act 1999*.

Property map of assessable vegetation (PMAV) see *Vegetation Management Act 1999*.

Editor's note:

(1) A property map of assessable vegetation (or PMAV) is a map certified by the chief executive as a PMAV for an area and showing the vegetation category area for the area.

(2) The map may also show for the area the location of the boundaries of, and the regional ecosystem number for, each regional ecosystem in the area.

Property vegetation management plan see the *Vegetation Management Act 1999*

Editor's note: Property vegetation management plan mean a plan of the are to which a vegetation clearing application or concurrence agency application relates showing the matters prescribed under a regulation.

Protected wildlife see the *Vegetation Management Act 1999.*

Editor's note: Protected wildlife means native wildlife prescribed under the *Nature Conservation Act 1992* as —

(1) extinct in the wild wildlife, or

(2) endangered wildlife, or

(3) vulnerable wildlife, or

(4) near threatened wildlife, or

(5) least concern wildlife.

Public safety means clearing to ensure public safety.

Range of sizes means retaining a range of all size classes as outlined in Table 12.

Recharge area an area in the landscape where the net movement of water is downwards into and 'recharging' the groundwater. (Also sometimes referred to as an intake area.) A recharge area is identified by an assessment process that is consistent with the *Salinity Management Handbook*, second edition, Department of Environment and Resource Management, 2011.

Regional ecosystem see the *Vegetation Management Act 1999.*

Editor's note: Regional ecosystem means a vegetation community in a bioregion that is consistently associated with a particular combination of geology, landform and soil.

Regional ecosystem description database is a database prepared by the Queensland Herbarium, which can be accessed at www.ehp.qld.gov.au.

Regulated vegetation management map see the *Vegetation Management Act 1999* section 20A.

Editor's note: The regulated vegetation management map is the map certified by the chief executive [administering the VMA] as the regulated vegetation management map for a part of the State and showing the vegetation category areas for the part.

Rehabilitated means undertaking management actions in accordance with an environmental clearing management plan to ensure:

(1) clearing vegetation associated with a wetland protects:

  (a) water quality by filtering sediments, nutrients and pollutants

  (b) aquatic habitat

  (c) terrestrial habitat

(2) clearing vegetation associated with a watercourse or drainage feature protects:

  (a) bank stability by protecting against bank erosion

  (b) water quality by filtering sediments, nutrients and pollutants

  (c) aquatic habitat

  (d) terrestrial habitat

(3) connectivity areas are maintained

(4) essential habitat is maintained

(5) endangered regional ecosystems, of concern regional ecosystem and least concern regional ecosystems are maintained.

Editor's note: Refer to the *Guidelines for necessary environmental clearing*, Department of Natural Resources and Mines, 2013 to assist with developing relevant management actions to ensure the application area is appropriately rehabilitated.

Relevant infrastructure see the *Vegetation Management Act 1999*.

Editor's note: A vegetation clearing application is for a relevant purpose if the applicant satisfies the chief executive administering the VMA that the development applied for is for a necessary fence, firebreak, road or vehicular track, or for constructing necessary built infrastructure (each relevant infrastructure) and the clearing for the relevant infrastructure cannot be reasonably avoided or minimised.

Remnant vegetation see the *Vegetation Management Act 1999.*

Editor's note: Remnant vegetation means vegetation:

(1) that is—

  (a) an endangered regional ecosystem, or

  (b) an of concern regional ecosystem, or

  (c) a least concern regional ecosystem

(2) forming the predominant canopy of the vegetation:

  (a) covering more than 50 per cent of the undisturbed predominant canopy

  (b) averaging more than 70 per cent of the vegetation's undisturbed height

  (c) composed of species characteristic of the vegetation's undisturbed predominant canopy.

Retained tree is any native tree that has a diameter at 1.3 metres above ground level which is 20 centimetres or more. For multi-stemmed trees, add the diameters of the two largest stems.

Retained vegetation is an area of a fodder regional ecosystem that has an average canopy height of fodder species that is more than 4 metres.

Rill erosion is the removal of soil creating small channels up to 30 centimetres deep.

Routine management see the Sustainable Planning Regulation 2009.

Editor's note: Routine management, for clearing native vegetation on land, means the clearing of native vegetation:

(1) to establish a necessary fence, road or vehicular track if the maximum width of clearing for the fence, road or track is 10 metres, or

(2) to construct necessary build infrastructure, including core airport infrastructure, other than contour banks, fences, roads or vehicular tracks, if:

  (a) the clearing is not to source construction timber

  (b) the total extent of clearing is less than 2 hectares

  (c) the total extent of the infrastructure is less than 2 hectares, or

(3) by the owner on freehold land to source construction timber for establishing necessary infrastructure on any land of the owner, if —

  (a) the clearing does not cause land degradation as defined under the VMA

(b) restoration of a similar type, and to the extent of the removed trees, is ensured, or

(4) by the lessee of land subject to a lease issued under the *Land Act 1994* for agriculture or grazing purposes to source construction timber, other than commercial timber, for establishing necessary infrastructure on the land if:

(a) the clearing does not cause land degradation as defined under the VMA

(b) restoration of a similar type, and to the extent of the removed trees, is ensured.

Salinisation is the process of salts accumulating in soils or waters.

Salinity means waterlogging or the salinisation of groundwater, surface water or soil.

Salinity warning area means:

(1) vegetation indicative of saline conditions

(2) current or periodic seepage of the soil level or where the water table depth is less than 5 metres

(3) low-lying or break of slope areas

(4) landforms where seepage is likely (e.g. sandy soils overlaying heavier soils)

(5) vegetation indicative of wet conditions or bare areas, scalds or areas that are prone to erosion.

Scalding is:

(1) a bare area formed when the surface soil is removed by wind or water erosion, exposing a more clayey subsoil which is relatively impermeable to water, or

(2) where surface soil has been transformed into a hard-setting condition by exposure to raindrop impact or wind erosion.

Seasonal high water line is a zone which represents the usual peak seasonal flow level and can be identified by deposition, debris or characteristic vegetation zonation. If this is not obvious, project a horizontal line from the seasonal high water line on the opposite bank.

Selective harvesting means the harvesting of individual fodder trees in regional ecosystems identified in Tables 8 or 9 while retaining at least 50 per cent of the fodder trees in the harvesting area.

Sheet erosion is the removal of a uniform layer of soil from the surface with generally no obvious channel created.

Significant beneficial outcome is environmental work that will achieve a significant beneficial outcome to the biodiversity values of the land. This can include:

(1) repairing soil erosion or scalds, or

(2) stabilising unstable gullies, or

(3) fencing stock out of the area between the defining banks of a watercourse or drainage feature, or

(4) improving the condition of regulated vegetation or wildlife habitat by activities such as:

(a) weed or pest control

(b) using environmental burning to restore the regional ecosystem

(c) undertake revegetation.

Editor's note: The environmental work can occur on the same lot as the clearing, another lot on the same property, or another lot on a different property in the locality. Applicant will be required to identify the location, nature of the works and a management plan for the works.

Significant residual impact see the *Environmental Offsets Act 2014*

Editor's note: Generally, a significant residual impact is an adverse impact, whether direct or indirect, of a prescribed activity on all or part of a prescribed environmental matter that –

(1) remains, or will or is likely to remain, (whether temporarily or permanently) despite on-site mitigation measures for the prescribed activity; and

(2) is, or will or is likely to be, significant.

Slope is a measure of the upward or downward incline of the land surface over any 30 metre length in the application area.

Soil absorbed broad spectrum herbicides are herbicides that are taken up through the root systems of plants, such as those with hexazinone and tebuthiuron as active ingredients.

Soil erosion means mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and any associated loss of chemical, physical or biological fertility— including, but not limited to water holding capacity, soil structure, organic matter, soil biology, and nutrients.

Stream order is a numerical ordering classification of each stream segment according to its position within a catchment, as shown in Figure 2. Streams are watercourses and drainage features shown on the vegetation management watercourse and drainage feature map.

Strip harvesting refers to harvesting fodder in a strip and retaining undisturbed fodder vegetation along both sides of the strip.

Thinning is the selective clearing of vegetation to restore a regional ecosystem to the floristic composition and range of densities typical of that regional ecosystem in that area.

Vegetation see the *Vegetation Management Act 1999*, section 8.

Editor's note: Vegetation is a native tree or plant other than the following—

(1) a grass or non-woody herbage

(2) a plant within a grassland ecosystem prescribed under a regulation

(3) a mangrove.

Editor's note: For the purpose of this code, vegetation is limited to vegetation located within a category A area or category B area, shown on the regulated vegetation management map or a property map of assessable vegetation. Vegetation is also limited to vegetation located within a category X area or category R area where it is identified as assessable under the *Sustainable Planning Regulation 2009*.

Vegetation management watercourse and drainage feature map see the *Vegetation Management Act 1999*.

Editor's note: The vegetation management watercourse and drainage feature map is the map certified by the chief executive administering the VMA as the vegetation management watercourse and drainage feature map showing particular watercourses and drainage features for the State.

The map consists of the following documents:

(1) the document called Vegetation management watercourse and drainage feature map (1:25 000)

(2) the document called Vegetation management watercourse and drainage feature map (1:100 000 and 1:250 000).

Vegetation management wetlands map see the *Vegetation Management Act 1999*.

Editor's note: The vegetation management wetlands map is the map certified by the chief executive administering the VMA as the vegetation management wetlands map showing particular wetlands for the State.

Watercourse is a watercourse as defined under the *Vegetation Management Act 1999* Schedule, other than an artificial channel, that is shown:

(a) at a scale of 1:25 000 on the vegetation management watercourse and drainage feature map for the local government areas of Brisbane, Moreton Bay, Gold Coast, Sunshine Coast, Logan and Redlands, excluding applications to clear vegetation for extractive industry, or

(b) on the vegetation management watercourse and drainage feature map for all other local governments and applications to clear vegetation for extractive industries.

Waterlogging is to soak or saturate with water.

Weed cover is the estimated percentage of the area that is covered by weeds, measured over a 30 by 30 metre (0.09 hectare) area.

Wetland means an area of land that supports plants or is associated with plants that are adapted to and dependent on living in wet conditions for at least part of their life cycle, and are shown on the vegetation management wetlands map.

Wind erosion is the movement of soil by wind.

8.5 Abbreviations

DNRM – Department of Natural Resources and Mines

PMAV – Property Map of Assessable Vegetation

VMA – *Vegetation Management Act 1999*

Module 9. Queensland heritage

9.1 Queensland heritage place state code

9.1.1 Purpose

The purpose of this code is to ensure that development of State heritage places is compatible with their long-term conservation, and that development of archaeological State heritage places appropriately investigates and manages their potential to yield archaeological artefacts.

The Queensland heritage register contains detailed information for every place which is entered in it; including the history of the place, a written description of it and a statement about its cultural heritage significance (section 31 of the *Queensland Heritage Act 1992*). A place may be entered in the register as a State heritage place if it satisfies one or more of the criteria in section 35 of the *Queensland Heritage Act 1992*, as follows:

(a) is important in demonstrating the evolution or pattern of Queensland's history
(b) demonstrates rare, uncommon or endangered aspects of Queensland's cultural heritage
(c) has potential to yield information that will contribute to an understanding of Queensland's history
(d) is important in demonstrating the principal characteristics of a particular class of cultural places
(e) is important because of its aesthetic significance
(f) is important in demonstrating a high degree of creative or technical achievement at a particular period
(g) has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons
(h) has a special association with the life or work of a particular person, group or organisation of importance in Queensland's history.

A place entered in the Queensland heritage register as an archaeological State heritage place only satisfies criterion (c) for the potential of the place to contain an archaeological artefact that is an important source of information about Queensland's history.

The Queensland heritage register entry for any State heritage place, including its statement of significance, should be considered when assessing development on it.

Editor's note: The State Assessment and Referral Agency (SARA) will seek advice from the Queensland Heritage Council (via the Department of Environment and Heritage Protection) on any application that will potentially destroy or substantially reduce the cultural heritage significance of a State heritage place.

9.1.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
All development	Table 9.1.1

Editor's note: For Queensland heritage places, building work is defined in the *Sustainable Planning Act* 2009 section 10 to include relatively minor work, such as:

(1) altering, repairing, maintaining or moving a built, natural or landscape feature
(2) excavating, filling or other disturbances to land that may damage, expose or move archaeological artefacts or underwater cultural heritage artefacts
(3) altering, repairing or removing artefacts that contribute to the place's cultural heritage significance, including, for example, furniture or fittings
(4) altering, repairing or removing building finishes that contribute to the place's cultural heritage significance, including, for example, paint, wallpaper or plaster.

Table 9.1.1: All development

Performance outcomes	Acceptable outcomes
State heritage place (except an archaeological State heritage place)	
PO1 Development does not destroy or substantially reduce the cultural heritage significance of a State heritage place unless there is no prudent and feasible alternative to carrying out the development.	**AO1.1** The features, fabric, contents, setting and archaeological potential of the place, which contribute to cultural heritage significance, are conserved and new fabric or uses are only introduced if they maintain or enhance cultural heritage significance. Editor's note: (1) Advice about how to meet this acceptable outcome is available in *Guideline: Developing heritage places – Using the development criteria*, Department of Environment and Heritage Protection 2013. (2) It is recommended that a heritage impact statement be prepared in accordance with *Guideline: Preparing a heritage impact statement*, Department of Environment and Heritage Protection, 2013 to demonstrate compliance with this acceptable outcome. (3) A conservation management plan may be required for some applications. Refer to *Guideline: Conservation management plans*, Department of Environment and Heritage Protection, 2013. OR **AO1.2** Development destroys or substantially reduces cultural heritage significance only if there is no prudent and feasible alternative. An alternative will not be prudent or feasible if it involves: (1) an extraordinary or unacceptable economic cost to the state, the community, a section of the community or an individual, or (2) an extraordinary or unacceptable environmental or social disadvantage, or (3) technical impractibility, or (4) risk to public health or safety, or (5) other unusual or unique circumstances. Editor's note: It is recommended that the application present sufficient alternative options to demonstrate there is no prudent and feasible alternative. The alternatives should include: (1) the option of not proceeding with the development (2) the optimum development that would result in the minimum impact on cultural heritage (3) the whole of the proposed development, not just the part occurring on the place (4) options outside the confines of the proposed development (5) sale, lease or other form of disposal of all or part of the property if this may favour or aid conservation. Further guidance is available in *Guideline: No prudent and feasible alternative,* Department of Environment and Heritage Protection, 2013. Editor's note: A pre-lodgement meeting is recommended to discuss the likely impact of the development proposal early in the process. Editor's note: Public engagement should be undertaken, including: (1) a process and timetable for dialogue about the proposed development with people and organisations having an interest in the heritage values of the place (2) identifying the relevant people and organisations, informing them about the development proposal, and offering to engage them in the discussion (3) sharing information and engaging in dialogue aimed at reaching a shared position (4) documenting the engagement process and recording community comment (to be included with the application).
Archaeological State heritage place	
PO2 Development does not have a detrimental impact on any archaeological artefact on an archaeological State heritage place.	**AO2.1** There is no potential for the development to have a detrimental impact on any archaeological artefact on the archaeological State heritage place. OR **AO2.2** Development on the archaeological State heritage place provides for appropriate management of the archaeological artefacts in accordance with the results of an archaeological investigation. Editor's note: Further guidance is available in the *Guideline: Archaeological investigations,* Department of Environment and Heritage Protection, 2013.

9.2 Reference documents

Australian National Committee of the International Council on Monuments and Sites:

- *The Burra Charter: The Australia ICOMOS Charter for places of cultural significance, 2013*
- *Practice note: Understanding and assessing cultural significance, Version 1, November 2013*
- *Practice note: Developing policy, Version 1, November 2013*
- *Practice note: Preparing studies and reports – contractual and ethical issues, Version 1, November 2013*
- *Practice note: The Burra Charter and Archaeological Practice, Version 1, November 2013*
- *Practice note: Interpretation, Version 1, November 2013*
- *Practice note: Burra Charter Article 22 – New Work, Version 1, November 2013*

Department of Environment and Heritage Protection 2013 *Guideline: Developing heritage places – Using the development criteria*

Department of Environment and Heritage Protection 2013 *Guideline: Conservation management plans*

Department of Environment and Heritage Protection 2013 *Guideline: Archival recording of heritage places*

Department of Environment and Heritage Protection 2013 *Guideline: Preparing a heritage impact statement*

Department of Environment and Heritage Protection 2013 *Guideline: No prudent and feasible alternative*

Department of Environment and Heritage Protection 2013 *Guideline: Archaeological investigations*

Department of Environment and Heritage Protection 2013 *Queensland heritage register* (conduct an online search of the heritage register)

Department of Environment and Heritage Protection 2013 *Guideline: Assessing cultural heritage significance - Using the cultural heritage criteria*

9.3 Glossary of terms

Archaeological artefact see the *Queensland Heritage Act 1992*, schedule.

Editor's note: Archaeological artefact means any artefact that is evidence of an aspect of Queensland's history, whether it is located in, on or below the surface of land. Archaeological artefact does not include a thing that is Aboriginal cultural heritage under the *Aboriginal Cultural Heritage Act 2003* or Torres Strait Islander cultural heritage under the *Torres Strait Islander Cultural Heritage Act 2003*. Archaeological artefact does not mean an underwater cultural heritage artefact.

Archaeological investigation see the *Queensland Heritage Act 1992*, schedule.

Editor's note: Archaeological investigation of a place means a physical investigation of the place carried out by an appropriately qualified person for the purpose of investigating, recording or conserving archaeological artefacts on the place.

Archaeological potential means potential to contain an archaeological artefact or other feature that is an important source of information about an aspect of Queensland's history.

Archaeological State heritage place see the *Queensland Heritage Act 1992*, schedule.

Editor's note: Archaeological State heritage place means a State heritage place in relation to which the statement in the Queensland heritage register about the place's cultural heritage significance relates only to the place's potential to contain an archaeological artefact or underwater cultural heritage artefact.

Conservation means all the processes of looking after a place so as to retain its cultural heritage significance.

Editor's note: This definition has been sourced from the Australia ICOMOS *Burra Charter*, 2013.

Cultural heritage significance see the *Queensland Heritage Act 1992*, schedule.

Editor's note: Cultural heritage significance, of a place or feature of a place, means its aesthetic, architectural, historical, scientific, social, or other significance, to the present generation or past or future generations.

Detrimental impact on an archaeological artefact means a detrimental impact on the cultural heritage significance of the archaeological artefact.

Fabric means all the physical material of the place including elements, fixtures, contents, and objects.

Editor's note: This definition has been sourced from the *Burra Charter*.

Feature see the *Queensland Heritage Act 1992*, schedule.

Editor's note: Feature in relation to a place, includes the following:
(1) a building or structure, or part of a building or structure
(2) an artefact, including an archaeological artefact and underwater cultural heritage artefact
(3) a precinct
(4) a natural or landscape feature.

Place see the *Queensland Heritage Act 1992*, schedule.

Editor's note: Place—
(1) means a defined or readily identifiable area of land, whether or not held under two or more titles or owners
(2) includes:
  (a) any feature on land mentioned in item 1
  (b) any part of the immediate surrounds of a feature mentioned in paragraph (a) that may be required for its conservation.

Queensland heritage place see the *Queensland Heritage Act 1992*, schedule.

Editor's note: Queensland heritage place means a State heritage place or a protected area.

Editor's note: This definition has been sourced from the *Queensland Heritage Act 1992.*

Queensland heritage register see the *Queensland Heritage Act 1992*, schedule.

Editor's note: Queensland heritage register means the register kept under Part 3 of the *Queensland Heritage Act 1992*.

Setting means the immediate and extended environment of a place that is part of or contributes to its cultural significance and distinctive character.

Editor's note: This definition has been sourced from the *Burra Charter*.

State heritage place see the *Queensland Heritage Act 1992*, schedule.

Editor's note: State heritage place means a place entered in the Queensland heritage register as a State heritage place under Part 4 of the *Queensland Heritage Act 1992*.

Underwater cultural heritage artefact see the *Queensland Heritage Act 1992*, schedule.

Editor's note: Underwater cultural heritage artefact means an historic shipwreck, an historic aircraft wreck or an historic underwater article.

Use means the functions of a place, as well as the activities and practices that may occur at the place and are dependent on it.

Editor's note: This definition is based on the definition of the term *use* contained in the *Burra Charter*; however it does not define practices as being customary or traditional in nature. This is because these terms refer to aspects of Aboriginal and Torres Strait Islander cultural heritage significance, in relation to which places cannot be entered in the Queensland heritage register under the *Queensland Heritage Act 1992*. Places of cultural heritage significance in this regard are managed under the *Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Islander Cultural Heritage Act 2003*.

9.4 Abbreviations

ICOMOS – International Council On Monuments and Sites

Module 10. Coastal protection

10.1 Tidal works, or development in the coastal management district state code

10.1.1 Purpose

The purpose of this code is to ensure tidal works or development completely or partly within the coastal management district:

(1) is managed to protect and conserve environmental, social and economic coastal resources
(2) enhances the resilience of coastal communities to coastal hazards.

10.1.2 Criteria for assessment tables

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
All development	Table 10.1.1
Operational work	Table 10.1.2
Reconfiguring a lot	Table 10.1.3

Table 10.1.1: All development

Performance outcomes	Acceptable outcomes
PO1 Development in a coastal hazard area is compatible with the level of severity of the coastal hazard.	**AO1.1** Development is located outside a high coastal hazard area unless it is: (1) coastal-dependent development, or (2) compatible with inundation due to its nature or function, or (3) temporary, readily relocatable, or able to be abandoned, or (4) essential community service infrastructure, or (5) small to medium scale tourist development, or (6) redevelopment within an existing built-up urban area, or is redevelopment of built structures that cannot be relocated or abandoned. AND **AO1.2** Development referred to in AO1.1(6) avoids being located within a high coastal hazard area, or where this is not practicable, minimises the exposure of people and permanent structures to coastal hazard impacts.
PO2 Development siting, layout and access in a coastal hazard area responds to potential inundation due to a defined storm tide event and minimises associated risks to personal safety and property.	**AO2.1** Development within a coastal hazard area is located, designed, constructed and operated to maintain or enhance the community's resilience to a defined storm tide event by limiting the exposure of people and structures to associated impacts. AND **AO2.2** Development mitigates any residual impacts from storm tide inundation in a coastal hazard area including by ensuring: (1) habitable rooms of built structures are located above the defined storm tide event level and any additional freeboard level that would ordinarily apply in a flood prone area under a relevant planning scheme standard, or (2) a safe refuge is available for people within the premises during a defined storm tide event, or (3) at least one evacuation route remains passable for emergency evacuations during a defined storm tide event, including consideration of the capacity of the route to support the evacuation of the entire local

Performance outcomes	Acceptable outcomes
	population within a reasonably short time frame (for example, 12 hours). AND **AO2.3** Development within a coastal hazard area is located, designed and constructed to ensure exposed structures can sustain flooding from a defined storm tide event. AND **AO2.4** Essential community service infrastructure is: (1) located so that it is not inundated by a recommended storm tide event specified for that infrastructure, or (2) located and designed to ensure any components of the infrastructure that are likely to fail to function or may result in contamination when inundated by a storm tide (for example, electrical switch gear and motors, water supply pipeline air valves) are: (a) located above the peak water level for a recommended storm tide event, or (b) designed and constructed to exclude storm tide intrusions or infiltration (including by being located in the ground), or (c) able to temporarily stop functioning during a recommended storm tide event without causing significant adverse impacts to the infrastructure or the community. AND **AO2.5** Emergency services infrastructure and emergency shelters, police facilities, and hospitals and associated facilities have an emergency rescue area above the peak water level for a recommended storm tide event.
PO3 Development directly, indirectly and cumulatively avoids an unacceptable increase in the severity of the coastal hazard, and does not significantly increase the potential for damage on the premises or to other premises.	**AO3.1** Development avoids increasing the number of premises from which people would need to be evacuated to prevent death or injury from a defined storm tide event.
PO4 Development avoids the release of hazardous materials as a result of a natural hazard event. Editor's note: Applications should: (1) assess the risk of storm tide inundation releasing or otherwise exposing hazardous materials, including appropriate emergency planning and contingency measures. (2) applications are to be supported by a report certified by a Registered Professional Engineer of Queensland (RPEQ) that demonstrates this performance outcome will be achieved.	**AO4.1** Development that involves the manufacture or storage of hazardous materials in bulk are designed to: (1) prevent the intrusion of waters from a defined storm tide event into structures or facilities containing the hazardous materials, or (2) ensure hazardous materials remain secured despite inundation, including secure from the effects of hydrodynamic forcing associated with wave action or flowing water.
PO5 Natural processes and the protective function of landforms and vegetation are maintained in coastal hazard areas.	**AO5.1** Development in an erosion prone area within the coastal management district: (1) maintains vegetation on coastal landforms where its removal or damage may: (a) destabilise the area and increase the potential for erosion, or (b) interrupt natural sediment trapping processes or dune or land building processes (2) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design, construction and operating standards (3) minimises the need for erosion control structures or riverbank hardening through location, design and construction standards (4) maintains physical coastal processes outside the development footprint

Performance outcomes	Acceptable outcomes
	for the development, including longshore transport of sediment along the coast (5) reduces the risk of shoreline erosion for areas adjacent to the development footprint unless the development is an erosion control structure (6) reduces the risk of shoreline erosion for areas adjacent to the development footprint to the maximum extent feasible in the case of erosion control structures. AND **AO5.2** Development in a storm tide inundation area is located, designed, constructed and operated to: (1) maintain dune crest heights, or where a reduction in crest heights cannot be avoided, mitigate risks to development from wave overtopping and storm tide inundation (2) maintain or enhance coastal ecosystems and natural features, such as mangroves and coastal wetlands, between the development and tidal waters, where the coastal ecosystems and natural features protect or buffer communities and infrastructure from sea-level rise and impacts from storm tide inundation. AND **AO5.3** Redevelopment of built structures in the erosion prone area within a coastal management district: (1) avoids intensifying the use of the premises, or (2) demonstrates that any intensification of use will not result in an increase in the need for erosion control structures or riverbank hardening. AND **AO5.4** Development that is coastal protection work involves, in order of priority: (1) beach nourishment undertaken in accordance with a program of beach nourishment works that source sediment of a suitable quality and type from outside the active beach system, or (2) the construction of an erosion control structure, where it is demonstrated that installing an erosion control structure is the only feasible option for protecting permanent structures from coastal erosion and those structures cannot be abandoned or relocated in the event of coastal erosion occurring. Editor's note: Applications for coastal protection work should be supported by a report certified by a Registered Professtional Engineer of Queensland (RPEQ) that demonstrates how the engineering solution sought by the work will be achieved. Editor's note: Applications for erosion control structures should demonstrate the consideration of beach nourishment techniques, and include a statement of why nourishment (in whole or part) has not been adopted as the preferred means of controlling the erosion risk. AND **AO5.5** Development involving reclamation: (1) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability (2) is located outside the active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state (3) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and

Performance outcomes	Acceptable outcomes
	avoid wind and water run-off erosion. Editor's note: Applications for reclamation should be supported by a report certified by an RPEQ that demonstrates how the engineering solutions by the work will be achieved.
PO6 Erosion prone areas in a coastal management district are maintained as development free buffers, or where permanent buildings or structures exist, coastal erosion risks are avoided or mitigated.	**AO6.1** Development locates built structures outside the part of the coastal management district that is the erosion prone area unless the development is listed under AO1.1 (1) – (4). AND **AO6.2** Small to medium scale tourist development is located outside the erosion prone area unless it is redevelopment. AND **AO6.3** Coastal-dependent development: (1) locates, designs and constructs relevant buildings or structures to withstand coastal erosion impacts, including by use of appropriate foundations, or (2) installs and maintains coastal protection works to mitigate adverse impacts to people and permanent structures from coastal erosion at the location. AND **AO6.4** Development that is temporary, readily relocatable or able to be abandoned, or essential community service infrastructure: (1) locates built structures landward of an applicable coastal building line, or (2) where there is no coastal building line, locates habitable built structures landward of the alignment of adjacent habitable buildings, or (3) locates lifesaver towers or beach access infrastructure to minimise its impacts on physical coastal processes, or (4) where it is demonstrated that (1) or (2) is not reasonable and (3) does not apply: (a) locates built structures as far landward as practicable (b) uses layout design to minimise the footprint of the development that remains within the erosion prone area. AND **AO6.5** Redevelopment of existing built structures not referred to in AO6.4, and excluding marine development: (1) relocates built structures outside that part of the erosion prone area that is within the coastal management district, or (2) relocates built structures as far landward as practicable, and landward of an applicable coastal building line, or (3) where there is no coastal building line: (a) relocates built structures landward of the alignment of adjacent habitable buildings, or (b) uses layout design to minimise the footprint of the development that remains within the erosion prone area, or (c) provides sufficient space seaward of the development within the premises to allow for the construction of erosion control structures. AND **AO6.6** Redevelopment of built structures in the erosion prone area within a coastal management district, which results in an intensification of use, mitigates the erosion threat to the development, having regard to: (1) design and construction standards (2) installing and maintaining on-site erosion control structures within the premises if the development is not intended to be temporary.
PO7 Development avoids or minimises adverse	**AO7.1** Coastal protection work that is in the form of beach nourishment uses

Performance outcomes	Acceptable outcomes
impacts on coastal resources and their values, to the maximum extent reasonable.	methods of placement suitable for the location that do not interfere with the long-term use of the locality of, or natural values within or neighbouring, the proposed placement site. AND **AO7.2** Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to co-locate the development with existing marine infrastructure. AND **AO7.3** Marine development: (1) relies on a natural channel of a depth adequate for the intended vessels, or (2) where there are no feasible alternative locations for the facility in the local area that do not require dredging for navigation channel purposes, development is located, designed and operated to minimise the need for capital and maintenance dredging for navigation channel purposes. AND **AO7.4** Development minimises dredging or the disposal of material in coastal waters during key biological events (such as fish aggregations or spawning) for species found in the area. AND **AO7.5** Measures are to be incorporated as part of siting and design of the development to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site to the greatest extent practicable. This includes: (1) maintaining or restoring vegetated buffers between development and coastal waters to the extent practicable, unless the development is within ports or airports, or is marine development (2) maintaining or enhancing the connectivity of ecosystems in consideration of the cumulative effect of the development in addition to existing developed areas (3) retaining coastal wetlands, seagrass beds and other locally important feeding, nesting or breeding sites for native wildlife. AND **AO7.6** Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values and water quality objectives outlined in the *Environmental Protection (Water) Policy 2009.* AND **AO7.7** Development avoids the disturbance of acid sulphate soils, or where it is demonstrated that this is not possible, the disturbance of acid sulphate soils is carefully managed to minimise and mitigate the adverse effects of the disturbance on coastal resources.
PO8 Coastal protection work is undertaken only as a last resort where erosion presents an imminent threat to public safety or permanent structures. Editor's note: Applications for coastal protection work must be supported by a report certified by an RPEQ that demonstrates how the engineering solution sought by the work will be achieved.	**AO8.1** Coastal protection work is only undertaken to protect existing permanent structures from imminent adverse coastal erosion impacts, and the structures cannot reasonably be relocated or abandoned. AND **AO8.2** Coastal protection work to protect private structures is undertaken on private land to the maximum extent reasonable. AND **AO8.3** Coastal protection work does not increase the coastal hazard risk for adjacent areas or properties.
PO9 Development avoids adverse impacts on matters of state environmental significance, or	**AO9.1** Development: (1) is set back from matters of state environmental significance

Performance outcomes	Acceptable outcomes
where this is not reasonably possible, impacts are minimised and an environmental offset is provided for any significant residual impacts to matters of state environmental significance that are prescribed environmental matters.	(2) avoids interrupting, interfering or otherwise adversely impacting underlying natural ecosystem components or processes and interactions that affect or maintain the matters of state environmental significance, such as water quality, hydrology, geomorphology and biological processes, or (3) incorporates measures as part of its location and design to protect and retain matters of state environmental significance and underlying ecosystem processes within and adjacent to the development site to the greatest extent practicable. Editor's note: Applications for development should identify any threatened species or their habitats, or threatened ecosystems, that may be affected by the proposal. In particular, applications should identify and describe how the development avoids adverse impacts on any critical life stage ecological processes within or adjacent to the development area. AND **AO9.2** Where impacts cannot be reasonably avoided or minimised, an environmental offset is provided for any significant residual impact on matters of state environmental significance that are prescribed environmental matters caused by the development. Editor's note: Applications for development should identify anticipated losses, and outline what actions are proposed to be undertaken to offset the loss in accordance with the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.
PO10 Development maintains or enhances general public access to or along the foreshore, unless this is contrary to the protection of coastal resources or public safety.	**AO10.1** Development adjacent to state coastal land or tidal water: (1) demonstrates that restrictions to public access are necessary for: (a) the safe or secure operation of development, or (b) the maintenance of coastal landforms and coastal habitat (2) separates residential, tourist and retail development from tidal water with public areas or public access facilities, or (3) maintains existing public access (including public access infrastructure that is in the public interest) through the site to the foreshore for: (a) pedestrians, via access points including approved walking tracks, boardwalks and viewing platforms, or (b) vehicles, via access points including approved roads or tracks. AND **AO10.2** Development adjacent to state coastal land, including land under tidal water: (1) is located and designed to: (a) allow safe and unimpeded access to, over, under or around built structures located on, over or along the foreshore (b) ensure emergency vehicles can access the area near the development, or (2) minimises and offsets any loss of access to and along the foreshore within two kilometres of the existing access points, and the access is located and designed to be consistent with (1)(a) and (b). AND **AO10.3** Any parts of private development that extend over tidal water are to be designed, constructed and used for marine access purposes only.
PO11 Private marine development avoids structures attaching to, or extending across, non-tidal state coastal land abutting tidal waters.	**AO11.1** Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across state coastal land that is situated above the high water mark. Editor's note: For occupation permits or allocations of State land, refer to the *Land Act 1994*.

Performance outcomes	Acceptable outcomes
PO12 Further development of artificial waterways avoids or minimises adverse impacts on coastal resources and their values, and does not contribute to: (1) an increase in the risk of flooding or erosion (2) degradation of water quality (3) degradation and loss of matters of state environmental significance (including, but not limited to, coastal wetlands, fish habitat areas and migratory species habitat).	**AO12.1** The design, construction and operation of artificial tidal waterways maintains the tidal prism volume of the natural waterway to which it is connected. AND **AO12.2** The design, construction and operation of artificial tidal waterways does not increase risk from flooding. AND **AO12.3** The design, construction and operation of an artificial waterway in connection with the reconfiguration of a lot ensures: (1) water inlet and outlet structures are of sufficient capacity to maintain the water quality within the waterway (2) water discharged from the artificial waterway protects the environmental values and water quality objectives of the receiving waters (3) dredged material is not disposed of in tidal water beyond the artificial waterway unless there is a beneficial reuse, e.g. beach nourishment. Editor's note: For more information on environmental values and water quality objectives see Schedule 1 of the *Environment Protection (Water) Policy 2009*. AND **AO12.4** The location of the artificial waterway avoids matters of state environmental significance, or does not result in any significant adverse impact on matters of state environmental significance.
PO13 Development does not involve reclamation of land below tidal water, other than for the purposes of: (1) coastal-dependent development, public marine development or community infrastructure (2) strategic ports, boat harbours or strategic airports and aviation facilities, in accordance with a statutory land use plan, where there is a demonstrated net benefit for the state or region and no feasible alternative exists (3) coastal protection work or work necessary to protect coastal resources or physical coastal processes.	No acceptable outcome is prescribed.

Table 10.1.2: Operational work

Performance outcomes	Acceptable outcomes
PO1 Tidal works that is private marine development does not result in adverse impacts to tidal land. Editor's note: In addressing this performance outcome, the applicant should comply with the performance criteria and acceptable standards set out in the Operational Policy *Building and engineering standards for tidal works*, Department of Environment and Heritage Protection, 2013. Editor's note: Applications should be supported by a report certified by an RPEQ to demonstrate compliance with this performance outcome.	**AO1.1** The location and design of tidal works that is private marine development: (1) is on private land abutting tidal water and used for property access purposes (2) occupies the minimum area reasonably required for its designed purpose (3) is not to be roofed or otherwise covered (4) does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access (5) does not adversely impact on public safety or public access and use of the foreshore.
PO2 Development does not result in the disposal of material dredged from an artificial	**AO2.1** The design and construction of the artificial waterway includes onsite provisions for drying, re-handling and disposal of dredged material on site to

Performance outcomes	Acceptable outcomes
waterway into coastal waters, with the exception of: (1) reclamation works, or (2) coastal protection works, or (3) the maintenance of an existing artificial waterway and the at-sea disposal of material that has previously been approved for the waterway.	facilitate the timely disposal to land or re-use.
PO3 The design and construction of an artificial waterway maintains coastal landforms.	**AO3.1** The design and construction of the artificial waterway provides for sand bypassing where this is necessary to prevent erosion of adjacent coasts and minimise sedimentation of the waterway. AND **AO3.2** Clean sand accumulating within an artificial waterway is returned to the active beach system, rather than disposed on land.
PO4 Development that involves dredging includes and complies with a management plan that demonstrates how environmental impacts will be managed and mitigated, and how the requirements of the *National Assessment Guidelines for Dredging,* Australian Government Department of the Environment, Water, Heritage and the Arts, 2009, will be met.	**AO4.1** A management plan for the development: (1) directs the operation of the development (2) identifies disposal methods and disposal sites for the removed material for the construction and operational phases of the development (3) outlines how any adverse effects from extraction activities on sediment transport processes or adjacent coastal landforms will be mitigated or otherwise remediated by suitably planned and implemented beach nourishment and rehabilitation works. Editor's note: The suitability of the dredged sediment for ocean disposal is to follow the assessment of potential contaminants under the *National assessment guidelines for dredging*, Australian Government Department of the Environment, Water, Heritage and the Arts, 2009. AND **AO4.2** For land based disposal of dredged material, any area used for storing, dewatering, drying or rehandling dredged material as outlined in the dredge management plan is: (1) of sufficient size for the projected volume of dredged material from relevant capital or maintenance dredging (2) protected from future development that would compromise the use of the area for its intended purpose of material storage and dewatering. AND **AO4.3** For at-sea disposal of suitable dredged material, the dredge management plan specifies that material is placed at a dredged material disposal site only if it is demonstrated that it is not feasible to: (1) dispose of the material above the high water mark, if the material is from maintenance works for an existing artificial waterway for which at-sea disposal was previously approved, or (2) keep the dredged material within the active sediment transport system for the locality, or (3) use the material for beach nourishment or another beneficial purpose. AND **AO4.4** For at-sea disposal of dredged material where the marine spoil disposal site is a retentive (i.e. non-dispersive) site, the disposal site identified in the dredge management plan has the capacity to hold and retain the material within its boundaries during construction and operation of the development. Editor's note: The use of dredged material for a beneficial purpose could include development of port or other marine facilities, use for construction or industrial

Performance outcomes	Acceptable outcomes
	purposes, or use to create or modify land or waters for an approved environmental outcome (such as creation of a bird roosting site). Further information about beneficial uses is contained in the *National assessment guidelines for dredging*, Australian Government Department of the Environment, Water, Heritage and the Arts, 2009.
Within a strategic environmental area: riparian and wildlife corridor functions	
PO5 Natural regeneration of any cleared or work area is facilitated wherever possible.	**AO5.1** There is no impediment to the natural regeneration of native plant species in the area of clearing and works following completion of works.
Within a strategic environmental area: hydrological processes	
PO6 Development avoids or minimises impacts on natural drainage lines or flow paths, during both construction and operation.	No acceptable outcome is prescribed.
Within a strategic environmental area: water quality	
PO7 Development avoids or minimises any adverse impacts on environmental values and water quality objectives for receiving waters (surface and groundwater) from pollutants on site or leaving a site located in a strategic environmental area.	**AO7.1** Development demonstrates best practice environmental management to meet relevant environmental values and water quality objectives of the *Environmental Protection (Water) Policy 2009*. OR **AO7.2** All stormwater, wastewater, discharges and overflows leaving the site are: (1) treated to the quality of the receiving waters prior to discharge, or (2) reclaimed or re-used such that there is no export of pollutants to receiving waters.

Table 10.1.3: Reconfiguring a lot

Performance outcomes	Acceptable outcomes
PO1 Erosion prone areas in a coastal management district are maintained as development free buffers, or where permanent buildings or structures exist, coastal erosion risks are avoided or mitigated.	**AO1.1** Land within the erosion prone area is surrendered to the State and dedicated as a reserve for beach protection, coastal management or environmental purposes, unless: (1) the development is in a port or is for coastal-dependent development, or (2) the surrender of the land will not enhance coastal management outcomes, for example, because there is already substantial development seaward of the lot. Editor's note: Land surrendered to the State for public use under AO1.1 is to be: (1) placed in a State land reserve for beach protection and coastal management purposes under the *Land Act 1994,* with local government as trustee, or (2) managed for beach protection and coastal management purposes under another management regime to the satisfaction of the chief executive administering the *Sustainable Planning Act 2009* and *Land Act 1994*, if it is demonstrated that AO1.1(1) cannot be reasonably achieved. (3) The *Land Act 1994* also includes provisions for voluntary land surrender for freehold land to the satisfaction of the chief executive administering the Land Act.
PO2 Development maintains or enhances general public access to or along the foreshore, unless this is contrary to the protection of coastal resources or public safety.	**AO2.1** Reconfiguring a lot that abuts the foreshore or tidal waters is designed to enhance public access if it involves the creation of 10 or more lots or the opening of a new road, unless it is for coastal-dependent development.
PO3 Development in connection with a canal enhances public access to coastal waters.	**AO3.1** The canal avoids intersecting with land or tidal land where the passage, use or movement of vessels in water could be restricted by the registered proprietor of the land. AND **AO3.2** The area of the canal relating to the development is surrendered to the State as a public waterway. AND **AO3.3** The plans of subdivision for the canal are consistent with

Performance outcomes	Acceptable outcomes
	Requirements for plans of subdivision of an artificial waterway, Department of Environment and Heritage Protection, 2013.

10.2 Reference documents

Department of Environment and Heritage Protection 2009 *Environmental Protection (Water) Policy 2009*

Department of Environment and Heritage Protection *Certification (statutory declaration): Design of tidal works*

Department of Environment and Heritage Protection 2013 *Building and engineering standards for tidal works*

Department of Environment and Heritage Protection 2013 *Guideline: Removal or interfering with coastal dunes*

Department of Environment and Heritage Protection 2013 *Guideline: Approval requirements for local government works in coastal management district*

Department of Environment and Heritage Protection 2013 *Guideline: Building work seaward of a coastal building line*

Department of Environment and Heritage Protection 2013 *Guideline: Constructing tidal works*

Department of Environment and Heritage Protection 2013 *Guideline: Operational work on State coastal land*

Department of Environment and Heritage Protection 2013 *Guideline: Preparing a water allocation area for tidal works*

Department of Environment and Heritage Protection 2013 *Guideline: Development involving an artificial waterway*

Department of Environment and Heritage Protection 2013 *Coastal hazard technical guide*

Department of Environment and Heritage Protection 2014 *Queensland environmental offsets policy*

Australian Government Department of the Environment, Water, Heritage and the Arts 2009 *National assessment guidelines for dredging*

10.3 Glossary of terms

Annual exceedance probability means the likelihood of occurrence of a flood of a given size or larger in any one year, usually expressed as a percentage.

Artificial waterway see the Coastal Protection and Management Act 1995, schedule.

Editor's note: Artificial waterway means an artificial channel, lake or other body of water. An artificial waterway includes:

(1) An access channel
(2) An artificial channel that is formed because land has been reclaimed from tidal water and is intended to allow boating access to allotments on subdivided land
(3) Other channels subject to the ebb and flow of the tide
(4) Any additional to an artificial waterway.

However, an artificial waterway does not include the following:

(1) A swimming pool
(2) An ornamental pond of no more than 5000 square metres in area
(3) A pond for aquaculture or for treating effluent
(4) A freshwater storage reservoir for domestic water supply
(5) A water storage facility situated on a natural watercourse and used for irrigation or other agricultural purposes
(6) A part of a river, creek or stream in which water flows in a natural channel, whether artificially improved or not
(7) A drain for carrying stormwater or other material
(8) Any of the following used for accessing port infrastructure if constructed in the area of a part for which a port authority or port operator is responsible—
    (a) a navigation channel
    (b) a harbour swing basin
    (c) a berth pocket
    (d) a berth approach or departure path.

Beach nourishment means the replenishment of a beach system using imported sediment to balance erosion losses or to re-establish a wider dunal buffer zone.

Best practice environmental management, for an activity, see the *Environmental Protection Act 1994*, section 21.

Editor's note: In deciding best practice environmental management of an activity is the management of the activity to achieve an ongoing minimisation of the activity's environmental harm through cost-effective measures assessed against the measures currently used nationally and internationally for the activity.

In deciding the best practice environmental management of an activity, regard must be had to the following measures:

(1) strategic planning by the person carrying out, or proposing to carry out, the activity
(2) administrative systems put into effect by the person, including staff training and monitoring and review of the systems
(3) public consultation carried out by the person
(4) product and process design
(5) waste prevention, treatment and disposal.

The above matters do not limit the measures to which regard may be had in deciding the best practice environmental management of an activity.

Canal see the *Coastal Protection and Management Act 1995*, schedule.

Editor's note: Canal means an artificial waterway:

(1) connected, or intended to be connected, to tidal water
(2) from which boating access to the tidal water is not hindered by a lock, weir or similar structure.

Coastal building line see the *Coastal Protection and Management Act 1995*, schedule.

Editor's note: Coastal building line means a line declared as a coastal building line under the *Coastal Protection and Management Act 1995*.

Coastal-dependent development:

(1) means development that in order to function must be located in tidal waters or be able to access tidal water,
(2) may include, but is not limited to:
    (a) industrial and commercial facilities such as ports, harbours and navigation channels and facilities, aquaculture involving marine species, desalination plants, tidal generators, erosion control structures and beach nourishment,
    (b) tourism facilities for marine (boating) purposes,
    (c) community facilities and sporting facilities which require access to tidal water in order to function, such as surf clubs, marine rescue, rowing and sailing clubs, or
    (d) co-located residential and tourist uses that are part of an integrated development proposal (e.g. mixed use development) incorporating a marina, if these uses are located landward of the marina and appropriately protected from natural hazards, but
(3) does not include:
    (a) residential development as the primary use,
    (b) waste management facilities, such as landfills, sewerage treatment plants, or
    (c) transport infrastructure, other than for access to the coast.

Coastal erosion means the wearing away of land or the removal of beach or dune sediments by wave or wind action, tidal currents and water flows.

Coastal hazard see the *Coastal Protection and Management Act 1995*, schedule.

Editor's note: Coastal hazard means erosion of the foreshore or tidal inundation.

Coastal hazard area means an area affected by a coastal hazard, including:
(1) a storm tide inundation area
(2) an erosion prone area.

Coastal hazard areas are identified in accordance with the methodology set out in the *Coastal hazard technical guide*, Department of Environment and Heritage Protection, 2013 and use the following factors to account for the projected impacts of climate change by the year 2100:
(1) a sea-level rise factor of 0.8 metres
(2) an increase in the maximum cyclone intensity by 10 per cent.

Editor's note: the storm tide inundation area and erosion prone area are indicatively shown on the DA mapping system.

Coastal hazard impact means the impact resulting from one or more of the following:
(1) coastal erosion within an erosion prone area that is also within the coastal management district
(2) a defined storm tide event
(3) the permanent inundation of land due to sea-level rise.

Coastal management district see the *Sustainable Planning Act 2009*.

Editor's note: Coastal management district means a coastal management district under the *Coastal Protection and Management Act 1995*, other than an area declared as a coastal management district under section 54(2) of that Act.

Coastal protection work means any permanent or periodic work undertaken primarily to manage the impacts of coastal hazards, including altering physical coastal processes such as sediment transport.

Coastal resources see the *Coastal Protection and Management Act 1995*, schedule.

Editor's note: Coastal resources means the natural and cultural resources of the coastal zone. It includes natural and physical features, processes and landforms, vegetation, wildlife, quarry material, soil, water and places and objects that have anthropological, archaeological, historical, scientific, spiritual, visual or sociological significance or value, including such significance or value under Aboriginal tradition or Island customs.

Coastal waters see the *Coastal Protection and Management Act 1995*, section 13.

Editor's note: Coastal waters means Queensland waters to the limit of the highest astronomical tide.

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

Editor's note: The DA mapping system is available at *DA mapping system*.

Defined storm tide event (DSTE) means the event, measured in terms of likelihood of reoccurrence, and associated inundation level adopted to manage the development of a particular area.

Except in the case of redevelopment, the DSTE is equivalent to a one in 100 year average recurrence interval storm event incorporating:

(1) sea-level rise, and
(2) an increase in cyclone intensity by 10 per cent relative to maximum potential intensity.

In the case of redevelopment, the DSTE is equivalent to a one in 100 year average recurrence interval storm event incorporating:

(1) an increase in cyclone intensity by 10 per cent relative to maximum potential intensity, and
(2) sea-level rise of the amount outlined in table 10.3.1 based on the year of end of design life for the design life outlined for development in table 10.3.2.

Table 10.3.1: Sea-level rise (projected) for the year of the end of design life as per table 10.3.2

Year of end of design life	Sea-level rise (projected)
Year 2050	0.3 metres
Year 2060	0.4 metres
Year 2070	0.5 metres
Year 2080	0.6 metres
Year 2090	0.7 metres
Year 2100	0.8 metres

Table 10.3.2: Design life for redevelopment

Type of development	Design life
Commercial buildings Industrial buildings Short-term tourist accommodation Residential dwellings including multi-storey unit blocks of 10 dwellings or less.	40 years
Multi-storey residential buildings of more than 10 dwellings. Reconfiguring a lot for urban purposes that involves the provision of new public infrastructure such as roads, water connections or sewage connections. Permanent community infrastructure such as sewage treatment plants.	90 years +

Editor's note: Where storm tide inundation levels have not been determined by a local study, the defined storm tide event level can be determined by reference to default storm tide inundation area mapping, as depicted in the DA mapping system. In these mappng layers, storm tide inundation is based on default values of 1.5 metres above highest astronomical tide (HAT) for South East Queensland and 2.0 metres above HAT for the remainder of the state. Where required, the storm tide level can be related back to Australian Height Datum by reference to the Queensland Tide Tables.

Defined storm tide event level means the peak water level reached during a defined storm tide event.

Dredged material means mud, sand, coral, ballast, shingle, gravel, clay, earth and other material removed by dredging from the bed of tidal waters.

Dredging means the mechanical removal of dredged material from below tidal water.

Dry land marina means a marina created by the excavation of land above high water mark.

Environmental attribute see the *Regional Planning Interests Act 2014*.

Editor's note: Environmental attribute, for an area, means an attribute of the environment identified as an environmental attribute for the area under a regional plan or regulation

Environmental offset see the *Environmental Offsets Act 2014*.

Editor's note: Environmental offset means an activity undertaken to counterbalance a significant residual impact of a prescribed activity on a prescribed environmental matter.

Environmental value see the *Environmental Protection Act 1994*, section 9.

Editor's note: The *Environmental Protection (Water) Policy 2009* states the environmental values of waters.

Editor's note: Environmental value is:

(1) a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety, or
(2) another quality of the environment identified and declared to be an environmental value under an environmental protection policy or regulation.

Erosion control structure means a structure designed to protect land or to permanently alter sediment transport processes and includes a structure such as a seawall or revetment (rock walls), groyne, artificial reef, or breakwater.

Erosion prone area see the *Coastal Protection and Management Act 1995,* schedule.

Editor's note: Erosion prone area means an area declared to be an erosion prone area under section 70(1) of the *Coastal Protection and Management Act 1995*.

Essential community service infrastructure includes:
(1) emergency services infrastructure
(2) emergency shelters
(3) police facilities
(4) hospitals and associated facilities
(5) stores of valuable records or heritage items
(6) power stations and substations
(7) major switch yards
(8) communications facilities
(9) sewerage treatment plants
(10) water treatment plants.

Fish habitat see the *Fisheries Act 1994*.

Editor's note: Fish habitat includes land, waters and plants associated with the life cycle of fish, and includes land and water occupied by fisheries resources.

Foreshore see the *Coastal Protection and Management Act 1995*, schedule.

Editor's note: Foreshore means the land lying between the high water mark and low water mark as is ordinarily covered and uncovered by the flow and ebb of the tide at spring tides.

Habitable room see the Building Code of Australia.

Editor's note: Habitable room means a room used for normal domestic activities, and includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom but excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

High coastal hazard area means one or more of the following:
(1) the part of the erosion prone area that is within the coastal management district
(2) land that is expected to be permanently inundated due to a sea-level rise
(3) the part of the storm tide inundation area that is expected to be temporarily inundated to a depth of one metre or more during a defined storm-tide event.

Highest astronomical tide (HAT) means the highest tide level that can be predicted to occur under average meteorological conditions and any combination of astronomical conditions. This level will not be reached every year, and is less than the extreme levels that can be caused by storm tides.

Hydrodynamic forcing means the force exerted on its surroundings by a moving body of water (for example, force exerted on a structure by waves).

Marine development means maritime infrastructure that is related to navigation, shipping and boating.

Marine plant see the *Fisheries Act 1994*, section 8.

Editor's note: Marine plant includes the following:

(1) a plant (a tidal plant) that usually grows on, or adjacent to, tidal land, whether it is living, dead, standing or fallen material of a tidal plant, or other plant material on tidal land
(2) a plant, or material of a plant, prescribed under a Regulation or management plan to be a marine plant.

A marine plant does not include a plant that is a declared pest under the *Land Protection (Pest and Stock Route Management) Act 2002.*

Matters of state environmental significance see the *State Planning Policy*, Department of State Development, Infrastructure and Planning, 2014.

Editor's note: Matters of state environmental significance means the following natural values and areas:

(1) protected area estates (including all classes of protected area except coordinated conservation areas) under the *Nature Conservation Act 1992*
(2) marine parks and land within a 'marine national park', 'conservation park', 'scientific research', 'preservation' and 'buffer' zone under the *Marine Parks Act 2004*
(3) areas within declared fish habitat areas that are management A areas or management B areas under the *Fisheries Regulation 2008*
(4) threatened wildlife under the *Nature Conservation Act 1992* and special least concern animal under the Nature Conservation (Wildlife) Regulation 2006
(5) regulated vegetation under the *Vegetation Management Act 1999* that is:
    (a) category B areas on the regulated vegetation management map, that are 'endangered' or 'of concern' regional ecosystems
    (b) category C areas on the regulated vegetation management map that are 'endangered' or 'of concern' regional ecosystems
    (c) category R areas on the regulated vegetation management map
    (d) areas of essential habitat on the essential habitat map for wildlife prescribed as 'endangered wildlife' or 'vulnerable wildlife' under the *Nature Conservation Act 1992*
    (e) regional ecosystems that intersect with watercourses identified on the vegetation management watercourse map
    (f) regional ecosystems that intersect with wetlands identified on the vegetation management wetlands map
(6) wetlands in a wetland protection area or wetlands of high ecological significance shown on the Map of Referable Wetlands under the Environment Protection Regulation 2008
(7) wetlands and watercourses in high ecological value waters as defined in the Environmental Protection (Water) Policy 2009, schedule 2
(8) legally secured offset areas.

Physical coastal processes means the natural processes of the coast including sediment transport; fluctuations in the location and form of the foreshore, dune systems and associated ecosystems; tides; changes in sea level and coastal hazards (for example, storm-tide), ecological processes (for example, migration of plant and animal species) and the natural water cycle (for example, coastal wetlands' role in nutrient filtration and flood mitigation).

Prescribed environmental matters see *Environmental Offsets Act 2014*

Editor's note: A prescribed environmental matter is any species, ecosystem or other similar matter protected under Queensland legislation for which an environmental offset may be provided. Each of the prescribed environmental matters are listed under the Environmental Offsets Regulation 2014. Not all environmental matters that may be impacted by development are associated with an offset requirement. Offsets are only required for a limited set of environmental values — categorised as prescribed environmental matters. These prescribed matters may be of national, state or local significance.

Private marine development means marine development constructed to provide private access to private land from tidal water for non-commercial purposes, including jetties, ramps, floating docks, fixed piers and gangways.

Reclamation see the *Coastal Protection and Management Act 1995*, schedule.

Editor's note: Reclamation of land under tidal water means raising the land above the high water mark, whether gradually and imperceptibly or otherwise, by carrying out works, including dredging and the depositing of solid material.

Recommended storm tide event (RSTE) means the recommended storm tide event level in table 10.3.3, column 2 for the infrastructure mentioned in table 10.3.3, column 1.

Table 10.3.3: Recommended storm tide event levels for essential community service infrastructure

Type of infrastructure	Recommended storm tide event level (annual exceedance probability)
Hospitals and associated facilities Emergency service facilities* Power stations	0.2%
Major switch yards and substations* Police facilities* School facilities Stores of valuable records or items of historic or cultural significance (e.g. galleries and libraries) Water treatment plants*	0.5%
* The RSTE level applies only to electrical and other equipment that, if damaged by floodwater or debris, would prevent the infrastructure from functioning.	

Redevelopment means development that affects permanent built structures on an already developed site. Redevelopment includes the expansion of a building footprint or addition of a structure, reconstruction or remodelling an exterior, demolition and replacement of existing structures, or the establishment of an alternative type of use and associated land disturbing activities.

Sea-level rise means an increase in sea level caused by global warming due to anthropogenic climate change. Sea-level rise is projected to be 0.8 metres from the present day to 2100.

Significant residual impact see the *Environmental Offsets Act 2014*.

Editor's note: Generally, a significant residual impact is an adverse impact, whether direct or indirect, of a prescribed activity on all or part of a prescribed environmental matter that –

(1) remains, or will or is likely to remain, (whether temporarily or permanently) despite on-site mitigation measures for the prescribed activity; and
(2) is, or will or is likely to be, significant.

Small to medium scale tourist development means development catering for short term accommodation for tourist activity that contains no more than 300 persons and any associated ancillary facilities.

State coastal land see the *Coastal Protection and Management Act 1995*, section 17.

Editor's note: State coastal land means land in a coastal management district, other than land that is:

(1) freehold land, or land contracted to be granted in fee simple by the state, or
(2) a state forest or timber reserve under the *Forestry Act 1959*, or
(3) in a watercourse or lake as defined under the *Water Act 2000*, or
(4) subject to a lease or licence issued by the state.

Storm tide inundation means temporary inundation of land by abnormally high ocean levels caused by cyclones and severe storms.

Storm tide inundation area means the area of land determined to be inundated during a defined storm tide event.

Strategic environmental area see the *Regional Planning Interests Act 2014*.

Editor's note: a strategic environmental area is an area that –

(1) contains 1 or more environmental attributes for the area
(2) is either—
    (a) shown on a map in a regional plan as a strategic environmental area, or
    (b) prescribed under regulation.

Temporary, readily relocatable or able to be abandoned development means a land use or structure that, if threatened by adverse coastal hazard impacts, will be relocated, or discontinued and removed rather than protected from the impacts because:
(1) it is not anticipated to remain in place for more than 10 years and/or is capable of being disassembled or easily removed
(2) there will be negligible adverse economic or social consequences associated with its relocation, or from it being discontinued or removed.

Tidal prism volume means the volume of water in an estuary or inlet between mean high tide and mean low tide, or the volume of water leaving an estuary at ebb tide.

Module 11. Wetland protection area

11.1 Wetland protection area state code

11.1.1 Purpose

The purpose of the code is to ensure that development in wetland protection areas is planned, designed, constructed and operated to prevent the loss or degradation of wetland environmental values, or enhances the values of wetlands within these areas.

The purpose of the code will be achieved through the following overall outcomes in a wetland protection area:

(1) For development to which the code applies in a wetland protection area, the development—
  (a) is located outside of a wetland
  (b) enhances existing wetland environmental values or avoids adverse effects on wetland environmental values.

(2) Where significant adverse impacts on wetland environmental values cannot be avoided:
  (a) those impacts are mitigated
  (b) an environmental offset is provided for any significant residual impacts where impacts cannot be mitigated.

Editor's note:

(A) Development listed in (B) should, to the maximum extent practicable—
  (i) avoid wetlands in a wetland protection area where this would not compromise the intrinsic characteristics of the development
  (ii) mitigate impacts or, where impacts cannot be mitigated, provide an environmental offset for any significant residual impacts on wetland environmental values.

(B) Development that does not fully achieve the outcomes in (A) is acceptable if it is development that—
  (i) provides for an overriding need in the public interest, or
  (ii) is a development commitment, or
  (iii) is for community infrastructure.

11.1.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Material change of use	Table 11.1.1
Operational work	Table 11.1.1
Reconfiguring a lot	Table 11.1.1

Table 11.1.1: All development

Performance outcomes	Acceptable outcomes
Development location	
PO1 Development is not carried out in a wetland in a wetland protection area.	No acceptable outcome is prescribed.
PO2 An adequate buffer to a wetland in a wetland protection area is provided and maintained. Editor's note: The *Queensland wetland buffer guideline*, Department of Environment and Heritage, 2011, should be referred to when planning detailed buffer design to position	**AO2.1** A buffer surrounding a wetland in a wetland protection area is provided and has a minimum width of: (1) 200 metres, where the wetland is located outside an urban area, or (2) 50 metres, where the wetland is located within an urban area.

Performance outcomes	Acceptable outcomes
development, determine any alternative buffer widths, and establish operating measures that avoid adverse impacts on a wetland.	
Hydrology	
PO3 The existing surface water hydrological regime of the wetland protection area (including the area of the wetland) is enhanced or maintained.	**AO3.1** Development must: (1) provide a net ecological benefit and improvement to the environmental values and functioning of a wetland in a wetland protection area (2) rehabilitate the existing hydrological regime, or restore the natural hydrological regime of the wetland in a wetland protection area to enhance the ecological functions and biodiversity values of the wetland. Editor's note: Refer to the *Wetland rehabilitation guidelines for the Great Barrier Reef catchment*, Wetland Care Australia, 2008. OR **AO3.2** Development does not change the existing surface water hydrological regime of a wetland in a wetland protection area, including through channelisation, redirection or interruption of flows. Editor's note: An assessment of the extent of change should take into account the natural variability of the hydrological regime of the wetland. OR **AO3.3** The extent of any change to the existing surface water hydrological regime is minimised to ensure wetland values and functioning are protected. The change is minimised if: (1) there is no change to the reference duration high-flow and low-flow duration frequency curves, low-flow spells frequency curve and mean annual flow to and from the wetland (2) any relevant stream flows into the wetland comply with the relevant flow objectives of the applicable water resource plan for the area (3) for development resulting in an increase to the velocity or volume of stormwater flows into the wetland—the collection and re-use of stormwater occurs in accordance with (1) and (2).
PO4 The existing groundwater hydrological regime of the wetland protection area (including the area of the wetland) is enhanced or protected.	**AO4.1** The water table and hydrostatic pressure in the wetland protection area are returned to their natural state. OR **AO4.2** The water table and hydrostatic pressure in the wetland protection area is not lowered or raised outside the bounds of variability of existing pre-development conditions. AND **AO4.3** Development does not result in the ingress of saline water into freshwater aquifers.
Stormwater management	
PO5 During construction and operation of development in a wetland in a wetland protection area: (1) a wetland in a wetland protection area is not used for stormwater treatment (2) the buffer for and water quality values of a wetland in a wetland protection area are protected from stormwater impacts.	**AO5.1** Development does not result in any measurable change to the quantity or quality of stormwater entering a wetland in a wetland protection area during construction or operation. OR **AO5.2** Development in a wetland protection area manages stormwater quantity and quality in accordance with best practice environmental management for erosion and sediment control in the *State planning policy, Appendix 3, Table A: Construction phase—stormwater management quality design objectives*, Department of State Development, Infrastructure and Planning, 2014. AND **AO5.3** During the construction of development in a wetland protection area, erosion and sediment control practices, including approved proprietary

Performance outcomes	Acceptable outcomes
	products, are designed, installed, constructed, maintained and monitored in accordance with local conditions and recommendations by suitably qualified persons or professionals. During construction, development also incorporates erosion and sediment control measures to achieve best practice design objectives. Editor's note: It is recommended that an erosion and sediment control plan should be prepared by a Registered Professional Engineer of Queensland (RPEQ) or Certified Professional in Erosion and Sediment Control (CPESC) to demonstrate compliance with AO6.2 and AO6.3. AND **AO5.4** During construction of development in a wetland protection area, release of sediment-laden stormwater is avoided for the nominated design storm, and minimised if the design storm is exceeded, consistent with an erosion and sediment control plan for the development which includes the following best practice principles: (1) stormwater run-off during any construction works is diverted or by-passed around a wetland (2) all stormwater run-off saved for dewatering flow from site catchments achieves a maximum concentration of 50 milligrams per litre of total suspended solids (3) all drainage lines, diversion and collection drains and bank, chutes and outlets are able to safely carry peak flow in accordance with the *State planning policy, Appendix 3, Table A: Construction phase—stormwater management quality design objectives*, Department of State Development, Infrastructure and Planning, 2014. AND **AO5.5** During construction of development in a wetland protection area, erosion and sediment control practices, including approved proprietary products, are designed, installed, constructed, maintained and monitored in accordance with local conditions and recommendations by suitably qualified persons or professionals. AND **AO5.6** During operation of development in a wetland protection area, stormwater discharges are treated in accordance with best practice load reduction design objectives before stormwater flow enters the buffer for a wetland. Stormwater treatment should address pollutants including, but not limited to: (1) total suspended solids (2) total phosphorus (3) total nitrogen (4) gross pollutants >5 millimetres. AND **AO5.7** During operation of development in a wetland protection area, development incorporates stormwater flow control measures to achieve best practice design objectives.
Ecological values	
PO6 Development involving the clearing of vegetation protects the biodiversity, ecological values and processes, and hydrological functioning of a wetland in wetland protection area, including: (1) water quality values (2) aquatic habitat values	**AO6.1** Vegetation clearing undertaken as a consequence of development does not occur: (1) in a wetland in a wetland protection area, or (2) in a buffer for a wetland in a wetland protection area.

Performance outcomes	Acceptable outcomes
(3) terrestrial habitat values (4) usage of the site by native wetland fauna species or communities.	
PO7 Development avoids land degradation in a wetland protection area, including: (1) mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, wind erosion or scalding (2) loss or modification or chemical, physical or biological properties or functions of soils.	**AO7.1** Development: (1) is located outside the wetland in a wetland protection area and buffer for the wetland (2) that involves clearing is undertaken in a way that avoids and minimises land degradation in accordance with a sediment and erosion control plan. AND **AO7.2** Mechanical clearing of vegetation within a wetland protection area: (1) is located outside of a wetland and any buffer for the wetland (2) is undertaken in a way that avoids and minimises land degradation in accordance with a sediment and erosion control plan. OR **AO7.3** The application is a development application where a local government is the assessment manager.
PO8 Development in a wetland protection area ensures that any existing ecological corridors are enhanced or protected, and have dimensions and characteristics that will: (1) effectively link habitats on or adjacent to the development (2) facilitate the effective movement of terrestrial and aquatic fauna accessing or using a wetland as habitat.	**AO8.1** Development in a wetland protection area does not occur within an existing ecological corridor. OR each of the following acceptable outcomes apply: **AO8.2** If an ecological corridor is required to facilitate fauna movement, access or use of a wetland in a wetland protection area, the ecological corridor: (1) has a minimum width of 100 metres, and is provided and maintained in accordance with the *Wetland rehabilitation guidelines for the Great Barrier Reef catchment*, Department of Environment and Heritage, 2008 or other relevant guidelines, or (2) is of sufficient width to facilitate fauna movement, access or use of a wetland in a wetland protection area, and is provided and maintained in accordance with the *Wetland rehabilitation guidelines for the Great Barrier Reef catchment*, Department of Environment and Heritage, 2008 or other relevant guidelines. AND **AO8.3** Unimpeded movement of fauna associated with or likely to use, a wetland in a wetland protection area as part of their normal life cycle is facilitated within and through the wetland protection area, particularly along identified ecological corridors, by: (1) ensuring that development (for example, roads, pedestrian access, in-stream structures) during both construction and operation does not create barriers to the movement of fauna along or within ecological corridors (2) providing wildlife movement infrastructure where necessary, and directing fauna to locations where wildlife movement infrastructure has been provided to enable fauna to safely negotiate a development area (3) separating fauna from potential hazards (for example, through fencing) (4) setting development back from a waterway within a strategic environmental area by at least 200 metres.
PO9 Development does not result in the introduction of non-native pest plants or animals that pose a risk to the ecological values and processes of a wetland in a wetland protection area.	**AO9.1** Existing non-native pest plants or animals are removed, or their threat is controlled by adopting pest management practices that provide for the long-term integrity of a wetland in a wetland protection area. OR all of the following acceptable outcomes apply: **AO9.2** Development does not result in the introduction of any non-native fauna

Performance outcomes	Acceptable outcomes
	or pest species in a wetland in a wetland protection area. AND **AO9.3** Exclusion fencing or other pest dispersal control measures are provided in appropriate locations to manage the threat of pest species to a wetland in a wetland protection area. AND **AO9.4** Exclusion fencing does not result in a barrier or hazard to the movement of wetland fauna in a wetland protection area.
PO10 During construction and operation of development in a wetland protection area, wetland fauna are protected from impacts associated with noise, light or visual disturbance.	**AO10.1** Development in a wetland protection area does not result in any measurable impact on wetland fauna from noise, light or visual disturbance during construction or operation. OR **AO10.2** Development in a wetland protection area mitigates noise, light and visual disturbance in accordance with expert advice, to ensure it does not have an adverse effect on the wetland fauna of a wetland in a wetland protection area. Visual disturbance may be mitigated by excluding activities in certain areas (for example, line of sight buffers, exclusion fencing), and using visual screens, or similar, during sensitive periods, such as when breeding or roosting.
PO11 During construction and operation of the development in a wetland protection area, ongoing management, maintenance and monitoring is undertaken to ensure adverse effects on hydrology, water quality and ecological processes of a wetland are avoided or minimised.	**AO11.1** Construction and operations related to the development in a wetland protection area are carried out in accordance with an operational management plan where appropriate.
Offsets	
PO12 Development involving a wetland in a wetland protection area avoids significant adverse impacts on matters of state environmental significance; and riparian areas or wildlife corridors in a strategic environmental area, or where this is not reasonably possible, significant adverse impacts are mitigated and an environmental offset is provided for any significant residual impacts on matters of state environmental significance that are prescribed environmental matters.	**AO12.1** Matters of state environmental significance likely to be affected by development involving a wetland in a wetland protection area are identified and evaluated. AND **AO12.2** Any significant adverse impacts on matters of state environmental significance and riparian areas or wildlife corridors in a strategic environmental area are avoided. OR **AO12.3** Where significant adverse impacts on matters of state environmental significance and on strategic environmental area values cannot be reasonably avoided: (1) significant adverse impacts are mitigated (2) where impacts cannot be reasonably minimised, an environmental offset is provided for any significant residual impacts on matters of state environmental significance that are prescribed environmental matters (3) development minimises clearing of native vegetation in a strategic environmental area beyond the extent of operational work, and natural regeneration of cleared or work areas is facilitated. Editor's note: Applications for development should identify anticipated losses, and outline what actions are proposed to be undertaken to offset the loss in accordance with Section 3.3 (Wetlands and watercourses) of the *Significant Residual Impact Guideline* and the relevant *Queensland Environmental Offsets Policy*.

11.2 Reference documents

Wetland Care Australia 2008 *Wetland rehabilitation guidelines for the Great Barrier Reef catchment*

Department of Environment and Heritage Protection 2014 *Queensland Environmental Offsets Policy*

Department of Environment and Resource Management 2011 *Queensland wetland buffer guideline*

Department of Environment and Resource Management 2011 *Queensland wetland definition and delineation guideline*

Department of State Development, Infrastructure and Planning 2014 *State Planning Policy*

Department of State Development, Infrastructure and Planning 2014 *Significant Residual Impact Guideline*

11.3 Glossary of terms

Agricultural activities means:

(1) cultivating soil

(2) planting, irrigating, gathering or harvesting a crop, including a food or fibre crop

(3) disturbing the soil to establish non-indigenous grasses, legumes or forage cultivars, or

(4) using the land for horticulture or viticulture.

The term does not include:

(1) producing agricultural products for the domestic needs of the occupants of the land if the maximum area of the land on which the products are produced is—

  (a) for fewer than 10 occupants of the land—0.25 hectares

  (b) for 10 or more, but fewer than 50 occupants of the land—2 hectares

  (c) for 50 or more, but fewer than 100 occupants of the land—4 hectares

  (d) for 100 or more occupants of the land—6 hectares, or

(2) producing agricultural products in a market garden, if the maximum area of land on which the products are produced is not more than 4 hectares, or

(3) baling or cutting pasture, or

(4) broadcasting seed to establish an improved pasture, or

(5) planting, gathering or harvesting a crop of pasture or grain species in a preservation area, if the pasture or grain species is—

  (a) only for animal feed

(6) forestry activities, or

(7) activities carried out for land rehabilitation or remediation.

Examples—

  (a) deep ripping, shallow ponding

  (b) blade ploughing in an area that, under the *Vegetation Management Act 1999*, is a category X area or category C area on a property map of assessable vegetation.

Animal husbandry activities means:

(1) breeding, keeping, raising or caring for animals, for commercial purposes, that—

  (a) rely on prepared, packaged or manufactured feed or irrigated or ponded pastures

  (b) are kept in a pen, yard, enclosure, pond, cage, shed, stables or other confined area or structure, or

(2) establishing a feedlot, piggery or dairy.

The term does not include—

(1) grazing, or

(2) raising livestock for the domestic needs of the occupants of the land, or

(3) keeping livestock, for example, horses, necessary for working the land, or

(4) giving livestock supplementary feed, including, for example, by using roller drums, blocks, licks or protein meals—

(a) to maintain the livestock's survival, or

(b) to improve the livestock's fertility, or

(c) for an activity associated with an animal husbandry activities (for example, weaning), or

(d) if the livestock is predominantly reliant on native or improved pasture for feed—to prepare the livestock for sale, or

(5) aquaculture, or

(6) environmentally relevant activities.

Buffer means the transition zone between a wetland and any surrounding land use that supports the values and processes of the wetland and protects it from external threats.

Clear see the *Vegetation Management Act 1999*.

Editor's note: To clear or clearing vegetation–

(1) means remove, cut down, ringbark, push over, poison or destroy in any way, including by burning, flooding or draining but
(2) does not include destroying standing vegetation by stock, or lopping a tree.

Community infrastructure means one or more of the following types of community infrastructure:

(1) aeronautical facilities of State significance

(2) emergency services facilities

(3) wharves, public jetties, port facilities and navigational facilities

(4) domestic gas pipelines

(5) storage and works depots and similar facilities, including administrative facilities associated with the provision or maintenance of the community infrastructure in (1) to (4).

Development approval see the *Sustainable Planning Act 2009*.

Editor's note: Development approval means—

(1) a decision notice or a negotiated decision notice that—

(a) approves, wholly or partially, development applied for in a development application (whether or not the approval has conditions attached to it)

(b) is in the form of a preliminary approval, a development permit, or an approval combining both a preliminary approval and a development permit in the one approval, or

(2) a deemed approval, including any conditions applying to it.

Development commitment means any of the following:

(1) development that arises from, and is necessary to give effect to, a development approval

(2) development that is located within a state development area under the *State Development and Public Works Organisation Act 1971* and is consistent with the development scheme prepared for the state development area

(3) development for which the Coordinator-General has evaluated an environmental impact statement under the *State Development and Public Works Organisation Act 1971* if the report recommends the development be approved

(4) development that is consistent with a designation of land for community infrastructure under the *Sustainable Planning Act 2009*.

Ecological corridor means an area of land (typically vegetated), or water, including areas above and below ground, that is capable of providing fauna habitat in its own right, or has the potential to do so, while allowing fauna to move to and between other habitats.

Environmental offset see the *Environmental Offsets Act 2014.*

Editor's note: Environmental offset means works or activities undertaken to counterbalance the impacts of a development on the natural environment.

Environmental values, for wetlands, are those values declared under the *Environmental Protection Regulation 2008*, section 81A to be the environmental values for wetlands.

Hydrological regime means the surface and groundwater flows of water into and out of a wetland, and its associated natural wetting and drying cycle, over an appropriate temporal scale. It includes:

(1) peak flows

(2) volume of flows

(3) duration of flows

(4) frequency of flows

(5) seasonality of flows

(6) water depth (seasonal average)

(7) wetting and drying cycle.

Map of referable wetlands see Environmental Protection Regulation 2008, schedule 12.

Editor's note: Map of referable wetlands means the 'Map of referable wetlands', a document approved by the chief executive [Environment] on 4 November 2011 and published by the department [Environment and Heritage Protection], as amended from time to time by the chief executive under section 144D [Environmental Protection Regulation 2008].

Matters of state environmental significance see the *State Planning Policy*, Department of State Development, Infrastructure and Planning, 2014.

Editor's note: Matters of state environmental significance means the following natural values and areas:

(1) protected areas (including all classes of protected area except coordinated conservation areas) under the *Nature Conservation Act 1992*

(2) marine parks and land within a 'marine conservation park', 'conservation park', 'scientific research', 'preservation' and 'buffer' zone under the *Marine Parks Act 2004*

(3) areas within declared fish habitat areas that are management A areas and management B areas under the Fisheries Regulation 2008

(4) threatened wildlife under the *Nature Conservation Act 1992* and special least concern animal under the Nature Conservation (Wildlife) Regulation 2008

(5) regulated vegetation under the *Vegetation Management Act 1999* that is:

  (a) Category B areas on the regulated vegetation management map, that are 'endangered' or 'of concern', regional ecosystems

  (b) Category C areas on the regulated vegetation management map that are 'endangered' or 'of concern' regional ecosystems

  (c) Category R areas on the regulated vegetation management map

  (d) areas of essential habitat on the essential habitat map for wildlife prescribed as 'endangered wildlife' or 'vulnerable wildlife' under the *Nature Conservation Act 1992*

  (e) regional ecosystems that intersect with watercourses identified on the vegetation management watercourse map

  (f) regional ecosystems that intersect with wetlands identified on the vegetation management wetlands map

(6) wetlands in a wetland protection area or wetlands of high ecological significance shown on the Map of referable wetlands under the Environmental Protection Regulation 2008

(7) wetlands and watercourses in high ecological value waters as defined in the Environmental Protection (Water) Policy 2009, schedule 2

(8) legally secured offset areas.

Mechanical clearing means clearing vegetation using machinery, which disturbs the soil surface or uproots woody vegetation.

Overriding need the factors for determining overriding need in the public interest are:

(1) There is an overriding need if the overall social, economic and environmental benefits of the development outweigh—

  (a) any detrimental effect upon the natural values of the land and adjacent areas

  (b) any conflicts it has with the outcome of *State Planning Policy*, Department of State Development, Infrastructure and Planning, 2014

  (c) the development cannot be located elsewhere so as to avoid conflicting with the *State Planning Policy*, Department of State Development, Infrastructure and Planning, 2014.

(2) The following do not establish an overriding need in the public interest:

(a) uses with relatively few location-based requirements

(b) interests in or options over land

(c) availability or ownership of land.

Prescribed environmental matter see *Environmental Offsets Regulation 2014*.

Editor's note: A prescribed environmental matter is any species, ecosystem or other similar matter protected under Queensland legislation for which an environmental offset may be provided. Each of the prescribed environmental matters are listed under the Environmental Offsets Regulation 2014. Not all environmental matters that may be impacted by development are associated with an offset requirement. Offsets are only required for a limited set of environmental values — categorised as prescribed environmental matters. These prescribed matters may be of national, State or local significance.

Significant residual impact see the *Environmental Offsets Act 2014*.

Editor's note: Generally, a significant residual impact is an adverse impact, whether direct or indirect, of a prescribed activity on all or part of a prescribed environmental matter that–

(1) remains, or will or is likely to remain, (whether temporarily or permanently) despite on-site mitigation measures for the prescribed activity; and

(2) is, or will or is likely to be, significant.

Strategic environmental area see the *Regional Planning Interests Act 2014*.

Editor's note: a strategic environmental area is an area that –

(1) contains 1 or more environmental attributes for the area

(2) is either—
  (a) shown on a map in a regional plan as a strategic environmental area, or
  (b) prescribed under regulation.

Urban area see the *Sustainable Planning Act 2009*.

Editor's note: Urban area means–

(1) an area identified in a gazette notice by the chief executive under the *Vegetation Management Act 1999* as an urban area, or
(2) if no gazette notice has been published—an area identified as an area intended specifically for urban purposes, including future urban purposes (but not rural residential or future rural residential purposes) on a map in a planning scheme that:

  (a) identifies the areas using cadastral boundaries and Schedule 26 Sustainable Planning Regulation 2009

  (b) is used exclusively or primarily to assess development applications.

Vegetation includes grass and non-woody herbage.

Visual disturbance means the disturbance of fauna by visual intrusions that could lead to a loss or diminishment of key life cycle functions (for example, nest abandonment, modified feeding patterns), or changes to usage patterns of a wetland by mobile fauna (such as birds). This term include disturbance by people, pets or vehicles.

Water means all or any of the following:

(1) water in a wetland, watercourse, lake or spring

(2) underground water

(3) overland flow water

(4) water that has been collected in a dam.

Wetland means an area shown as a wetland on the Map of referable wetlands as defined within the Environmental Protection Regulation 2008.

Wetland fauna means species that have adapted to living in wetlands and are dependant on them for:

(1) all of their life cycle, or

(2) a major part of their life, or

(3) critical stages of their life cycle, such as breeding and larval development.

Wetland protection area means an area shown as a wetland protection area on the Map of referable wetlands as defined within the Environmental Protection Regulation 2008.

Wildlife movement infrastructure includes fauna underpasses under roads and sewage infrastructure, and fauna overpasses over roads.

11.4 Abbreviations

CPESC – Certified Professional in Erosion and Sediment Control

RPEQ – Registered Professional Engineer Queensland

Module 12. Unexploded ordnance (UXO)

12.1 Unexploded ordnance state code

12.1.1 Purpose

The purpose of the code is to ensure that land for which an area management advice has been given for substantial UXO potential is used in a way which is suitable for the site, and does not place another part of the environment, or human health, at risk.

12.1.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Material change of use	Table 12.1.1
Reconfiguring a lot	Table 12.1.1

Table 12.1.1: Material change of use and reconfiguring a lot

Performance outcomes	Acceptable outcomes
PO1 The area for which an area management advice has been given for substantial unexploded ordnance (UXO) potential is managed so that it does not place another part of the environment, or human health, at risk.	**AO1.1** A contractor approved by the Commonwealth Department of Defence has certified that the area for which an area management advice has been given for unexploded ordnance has been remediated or is managed to be suitable for the proposed use. Editor's note: A UXO search can be conducted through the Australian Department of Defence located at http://www.defence.gov.au/uxo Editor's note: The Australian Department of Defence maintains a list of approved UXO consultants (D2) and contractors (F2) on the Defence Environment and Heritage Panel. Further details are located at: http://www.defence.gov.au/estatemanagement/support/DEHP/WhoToEngage.asp

12.2 Reference documents

Australian Government, Department of Defence *Unexploded Ordnance Within Australia*

Editor's note: The Australian Department of Defence will provide advice on the hazards associated with UXO to all Commonwealth, State and Local Government Authorities and private organisations or individuals who request it. Defence is actively engaged in identifying areas where UXO are likely to be present. Members of the public can assist in this process. If you have any information that may be of assistance please contact UXO@defence.gov.au.

12.3 Abbreviations

UXO – unexploded ordnance

Module 13. Major hazard facilities

13.1 Major hazard facilities state code

13.1.1 Purpose

The purpose of this code is to:

(1) assess off-site physical or chemical risks associated with developments involving a major hazard facility or proposed major hazard facility
(2) identify clear, concise and robust assessment criteria to assess any off-site risks a major hazard facility or proposed major hazard facility may have on its surrounding environment
(3) minimise the risk of knock-on effects between a major hazard facility or proposed major hazard facility and any adjacent buildings or structures, hazardous facilities or existing major hazard facilities.

Editor's note: It is a fundamental principle of this code that major hazard facilities and proposed major hazard facilities are designed taking into account of sound engineering principles, relevant Australian Standards and other good industry practice to reduce the risk so far as reasonably practicable (SFARP).

In addition to this, it is recommended that a hazard assessment of the proposed design should be conducted to identify any foreseeable hazard scenarios with the potential to create off-site physical or chemical effects. Any such hazard scenarios should be quantified using suitable software modelling.

Proponents of major hazard facilities and proposed major hazard facilities should demonstrate that they have taken all measures necessary to minimise the likelihood of any off-site hazards from materialising, and to limit their physical and chemical effects in the event they did occur. As a guiding principle, major hazard facilities should be designed so that the effects of any hazards are contained within its boundaries. Where a major hazard facility cannot be designed in accordance with this principle, it should be designed so that the risk to health and safety of persons is minimised SFARP.

13.1.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Material change of use	Table 13.1.1

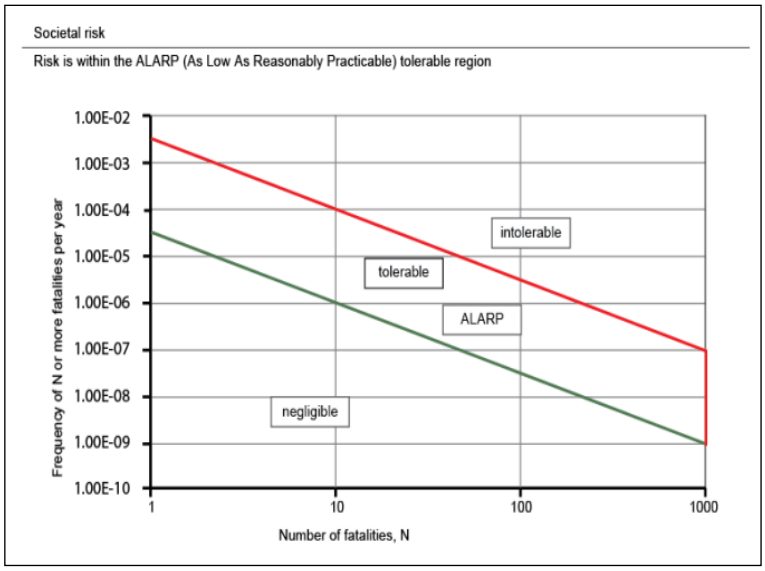
Table 13.1.1: Material change of use

Performance outcomes	Acceptable outcomes
PO1 The major hazard facility or proposed major hazard facility does not create a new risk at any property outside its boundaries that is not commensurate with the sensitivity of the surrounding land uses or zones.	**AO1.1** Any off-site impact from a foreseeable hazard scenario shall not exceed, at the boundary of any vulnerable land use or zone: (1) a dangerous dose to human health, or (2) if the above criteria cannot be achieved: (a) an individual fatality risk level >0.5 x 10^{-6}/year (b) the societal risk criteria in Figure 13.2.1. AND **AO1.2** Any off-site impact from a foreseeable hazard scenario shall not exceed, at the boundary of any sensitive land use or zone: (1) a dangerous dose to human health, or (2) if the above criteria cannot be achieved: (a) an individual fatality risk level >1 x 10^{-6}/year (b) the societal risk criteria in Figure 13.2.1.

Performance outcomes	Acceptable outcomes
	AND **AO1.3** Any off-site impact from a foreseeable hazard scenario shall not exceed, at the boundary of any commercial or community activity land use or zone: (1) a dangerous dose to human health, or (2) if the above criteria cannot be achieved: (a) an individual fatality risk level >5 x 10^{-6}/year (b) the societal risk criteria in Figure 13.2.1. AND **AO1.4** Any off-site impact from a foreseeable hazard scenario shall not exceed, at the boundary of any industrial land use or zone: (1) a dangerous dose to the built environment, or (2) an individual fatality risk level >50 x 10^{-6}/year.

13.2 Reference documents

Figure 13.2.1: Societal risk criteria



American Industrial Hygiene Association 2006 *Emergency response planning guidelines*

National Transport Commission 2011 *Australian code for the transport of dangerous goods by road and rail*

13.3 Glossary of terms

AEGL means Acute Exposure Guidelines Level which identifies threshold exposure limits for the general public and are applicable to emergency exposure periods ranging from 10 minutes to 8 hours as published by the US Environmental Protection Agency.

AEGL-2 means the airborne concentration (expressed as ppm or mg/m3) of a substance above which it is predicted that the general population, including susceptible individuals, could experience irreversible or other serious, long-lasting adverse health effects or an impaired ability to escape.

Commercial or community activity land use means any of the following:
(1) retail centre
(2) shop

(3) office
(4) entertainment building
(5) market
(6) showroom
(7) convention centre
(8) sporting stadium
(9) tourist attraction
(10) nightclub
(11) building for religious worship
(12) community hall
(13) theatre
(14) art gallery.

This term does not include a park, sporting field or open space.

Dangerous dose to human health means:
(1) for fire or explosion - an effect that equals or exceeds the following:
  (a) 4.7kilowatts per square metre for heat radiation, or
  (b) 7kilopascals for explosion overpressure
(2) for toxic or corrosive gases - an effect that equals or exceeds the following:
  (a) AEGL-2 (60 minutes)
  (b) where a corresponding AEGL is not available – ERPG-2
  (c) where a corresponding ERGP-2 is not available – a concentration that is likely to produce the following effects:
    (i) severe distress to almost all people
    (ii) a substantial proportion of people require medical attention
    (iii) some people are seriously injured, requiring prolonged treatment
    (iv) highly susceptible people might be fatally injured.

Dangerous dose to the built environment means an effect from fire or explosion that equals or exceeds the following:
(1) 12.6 kilowatts per square metre for heat radiation, or
(2) 14 kilopascals for explosion overpressure.

ERPG means the *Emergency Response Planning Guidelines* developed by the American Industrial Hygiene Association and includes ERPG-2.

ERPG-2 means the maximum airborne concentration below which it is believed that nearly all individuals could be exposed for up to 1 hour without experiencing or developing irreversible or other serious health effects or symptoms which could impair an individual's ability to take protective action.

Foreseeable hazard scenario means a scenario resulting in an uncontrolled fire, explosion, corrosive vapours or toxic gas release from the development based on the hazardous properties of its hazardous chemicals, their quantities, how they are to be stored or handled and any relevant historical incidents.

Individual fatality risk level means the risk of death to a person at a particular point.

Industrial land use see the standard planning scheme provisions.

Editor's note: Industrial land use means any of the following:
(1) warehouse
(2) low impact industry
(3) medium impact industry
(4) high impact industry
(5) special industry.

Major hazard facility see the Work Health and Safety Regulation 2011, schedule 19.

Editor's note: Major hazard facility means a facility:
(1) at which Schedule 15 chemicals are present or likely to be present in a quantity that exceeds their threshold quantity, or
(2) that is determined under Part 9.2 of the Work Health and Safety Regulation 2011 to be a major hazard facility.

Proposed major hazard facility see the Work Health and Safety Regulation 2011, schedule 19.

Editor's note: Proposed major hazard facility means:

(1) an existing facility or other workplace that is to become a major hazard facility due to the introduction of Schedule 15 chemicals or the addition of further Schedule 15 chemicals, or
(2) a major hazard facility that is being designed or constructed.

Sensitive land use means any of the following as defined in the standard planning scheme provisions:

(1) community residence
(2) dual occupancy
(3) dwelling house
(4) educational establishment
(5) multiple dwelling
(6) relocatable home park
(7) residential care facility
(8) rooming accommodation
(9) short-term accommodation
(10) tourist park.

Threshold quantity see the Work Health and Safety Regulation 2011, schedule 19.

Editor's note: Threshold quantity in relation to a Schedule 15 chemical, means:

(1) the threshold quantity of a specific hazardous chemicals determined under Schedule 15, section 3, or
(2) the aggregate threshold quantity of two or more hazardous chemicals as determined under Schedule 15, section 4.

Vulnerable land use means any of the following as defined in the standard planning scheme provisions:

(1) child care centre
(2) community care centre
(3) educational establishment
(4) health care services
(5) hospital
(6) retirement facility.

13.4 Abbreviations

AEGL – Acute Exposure Guidelines Level

ERPG – Emergency Response Planning Guidelines

SFARP – So far as reasonably practicable

Module 14. Maritime safety

14.1 Maritime safety state code

14.1.1 Purpose

The purpose of the code is to ensure development:

(1) supports the viable operation of aids to navigation
(2) supports the safe operation of vessels in navigable waterways

Editor's note: Guidance for achieving the performance outcomes and acceptable solutions for this state code is available in the *State Development Assessment Provisions Supporting Information – Marine Safety*, Department of Transport and Main Roads, 2013.

14.1.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Operational work	Table 14.1.1

Table 14.1.1: Operational work

Performance outcomes	Acceptable outcomes
Lighting	
PO1 Development avoids lighting that has the potential to interfere with aids to navigation.	**AO1.1** Development ensures that at all times, all lights on or above the development site do not interfere with safe navigation in surrounding waterways by: (1) shielding lights to prevent glare or reflection (2) avoiding flood lighting which may reduce the visibility of aids to navigation (3) avoiding flashing or flickering lights which may be confused with aids to navigation (4) avoiding coloured lights such as green, blue or red lights, which may be confused with aids to navigation. AND **AO1.2** Lighting complies with section 3 of *AS 4282–1997 Control of the obtrusive effects of outdoor lighting.*
Aids to navigation	
PO2 Development does not interfere with aids to navigation.	**AO2.1** Development does not remove any material that may destabilise an aid to navigation, including ground tackle. AND **AO2.2** Development does not create any temporary or permanent obstruction of aids to navigation. Editor's note: Where development has the potential to obstruct the line of sight to aids to navigation or interfere with the functioning of aids to navigation, an aid to navigation management plan is required. AND **AO2.3** Development keeps sight lines of any aids to navigation which cross the land clear of obstructions. Editor's note: Where development has the potential to obstruct the line of sight to aids to navigation or interfere with the functioning of aids to navigation, an aid to navigation

Performance outcomes	Acceptable outcomes
	management plan is required. AND **AO2.4** Development ensures ongoing access to aids to navigation for maintenance purposes. AND **AO2.5** Development does not result in electrical or electro-magnetic emissions which may impede the operation of aids to navigation.
Protection of navigable waterways	
PO3 Development does not impede the safe movement of vessels in a navigable waterway.	**AO3.1** Development ensures navigable waterways are open to vessel traffic at all times. AND **AO3.2** Development, including structures and any vessel berthed at the structures: (1) does not encroach into, pass over or under a navigation corridor, or (2) is not located in a high risk maritime development zone. Editor's note: Navigation corridor and high risk maritime development zone layers are currently unavailable for Gold Coast Waters. AND **AO3.3** Development does not limit either the depth of a navigable waterway or the size of vessels which can safely navigate the waterway. Editor's note: Where development proposes to temporarily or permanently limit the depth of a navigable waterway or the size of vessels which can navigate a waterway, it is recommended that a vessel traffic management plan be provided. It is also recommended a marine execution plan be submitted to the regional harbour master 30 days prior to the commencement of works. AND **AO3.4** Development involving the demolition of structures in a navigable waterway, including piling, ensures the entire structure is removed. AND **AO3.5** Structures, including all freestanding piles, must be appropriately lit and clearly visible to approaching vessels, and reflective tape must be fitted to all structures to enhance visibility during the hours of darkness. Editor's note: Where necessary, the Regional Harbour Master may require the installation of aids to navigation on structures.

14.2 Reference documents

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

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

14.3 Glossary of terms

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

Editor's note:

(1) An aid to navigation is a device designed to be used for navigation or the guidance or mariners, including a device to help in–
  (a) fixing a ship's position, or
  (b) deciding a safe course for a ship, or
  (c) warning a ship of dangers or obstructions.

Examples– beacon, buoy, light, lighthouse, marine mark, radio aid or signal.

(2) An aid to navigation includes any structure or equipment ancillary to the aid to navigation.

Examples–the battery house providing a lighthouse with power; lifesaving equipment that is part of an aid to navigation.

(3) However an aid to navigation does not include a device on board a ship.

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

Gold Coast Waters see the *Gold Coast Waterways Authority Act 2012,* section 7*.*

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

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

(1) marinas with six or more boats

(2) State boat harbours

(3) port limits and/or pilotage areas

(4) sensitive marine environments including areas of constant sand movement

(5) from the coast to the extent of Queensland waters (3 nautical miles).

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

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

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

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

Module 15. Airports

This module was previously applied to the assessment of applications on airport land. However, the prescribed matter specified in schedule 5 of the Sustainable Planning Regulation 2009 (SPR) for these applications is the *Airport Assets (Restructuring and Disposal) Act 2008* (under which the Cairns Airport Land Use Plan and Mackay Airport Land Use Plan are made). As such, development applications on airport land must be assessed against the *Airport Assets (Restructuring and Disposal) Act 2008*, not SDAP, and this module has consequently been deleted.

Module 16. Particular dams

16.1 Referable dams state code

16.1.1 Purpose

The purpose of the code is to ensure the safety of dams that have been failure impact assessed under the *Water Supply (Safety and Reliability) Act 2008*.

Editor's note: A particular dam is any dam that is required to be failure impact assessed under the *Water Supply (Safety and Reliability) Act 2008*, and may be classed as referable or non-referable under that Act. When lodging an application for a particular dam, the applicant is required to provide evidence of acceptance of a failure impact assessment. The acceptance notice for the failure impact assessment will state whether the particular dam is a referable or non-referable dam. Note that a determination of whether a dam is referable or non-referable under the *Water Supply (Safety and Reliability) Act 2008* does not impact on whether or not referral to the state is triggered under the Sustainable Planning Regulation 2009.

16.1.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Operational work	Table 16.1.1

Table 16.1.1: Operational work

Performance outcomes	Acceptable outcomes
PO1 The design of a referable dam meets currently acceptable standards which are appropriate for the site conditions for where the dam is to be constructed so as to minimise impacts on the population at risk.	No acceptable outcome is prescribed. Editor's note: The reference documents in section 16.2 of this module give guidance on likely standards acceptable for a referable dam.

Editor's note: While not addressed in Table 16.1.1, note that particular dams which are identified through a failure impact assessment as non-referable dams under the *Water Supply (Safety and Reliability) Act 2008* are still required to be referred under the Sustainable Planning Regulation 2009.

16.2 Reference documents

Department of Energy and Water Supply 2012 *Guidelines for failure impact assessment of water dams*

Department of Energy and Water Supply 2013 *Guidelines on acceptable flood capacity for water dams*

Department of Natural Resources and Mines 2002 *Queensland dam safety management guidelines*

16.3 Glossary of terms

Failure impact assessment see the *Water Supply (Safety and Reliability) Act 2008*, section 342.

Editor's note: Failure impact assessment is an assessment certified under the *Water Supply (Safety and Reliability) Act 2008* Chapter 4, Part 1 about the safety of a dam, or a proposed dam, by a Registered Professional Engineer of Queensland (RPEQ) who is not, for the dam, or the proposed dam:

(1) the owner
(2) an employee of the owner
(3) the operator, or
(4) an employee of the operator

in accordance with the guidelines made by the chief executive of the *Water Supply (Safety and Reliability) Act 2008* for failure impact assessment of water dams (the failure impact assessment guidelines).

A failure impact assessment must be completed for any dam that, after construction, will be greater than 10 metres in height and have:

(1) a storage capacity of more than 1500 megalitres, or

(2) a storage capacity of more than 750 megalitres and a catchment area that is more than three times maximum surface area at full supply level.

Refer to section 343 of the *Water Supply (Safety and Reliability) Act 2008* for when a dam must be failure impact assessed.

Failure impact rating see the *Water Supply (Safety and Reliability) Act 2008*, section 346(1).

Editor's note: An existing dam has, or a proposed dam after its construction will have, the following failure impact rating if a failure impact assessment, accepted by the chief executive under section 349 of the *Water Supply (Safety and Reliability) Act 2008*, for the dam, or the proposed dam after its construction, states that the population at risk is—

(1) for a category 1 failure impact rating—2 or more persons and not more than 100 persons;

(2) for a category 2 failure impact rating—more than 100 persons.

Population at risk see the *Water Supply (Safety and Reliability) Act 2008*, section 346(2).

Editor's note: Population at risk means the number of persons, calculated under the failure impact assessment guidelines, whose safety will be at risk if the dam, or the proposed dam after its construction, fails.

Referable dam see the *Water Supply (Safety and Reliability) Act 2008*, section 341.

Editor's note: A referable dam is a dam or a proposed dam that, after its construction, will be a referable dam if:

(1) a failure impact assessment of the dam, or the proposed dam, is required to be carried out under the *Water Supply (Safety and Reliability) Act* 2008 Chapter 4, Part 1
(2) the assessment states the dam has, or the proposed dam after its construction will have, a category 1 or category 2 failure impact rating
(3) the chief executive has, under section 349 of the *Water Supply (Safety and Reliability) Act 2008*, accepted the assessment.

Module 17. Public passenger transport

17.1 Public passenger transport state code

17.1.1 Purpose

The purpose of the code is to ensure that development:

(1) supports the integration of land use with public passenger services and public passenger transport infrastructure
(2) does not have a significant adverse impact on existing or future public passenger transport and public passenger transport infrastructure
(3) promotes and maximises the use of public passenger transport as an attractive, efficient and accessible travel alternative to private transport in a way that reduces the overall economic, environmental and social costs of transport
(4) increases opportunities for people to access public passenger transport, including access by active transport
(5) provides, as far as practicable, public passenger transport infrastructure to support public passenger services.

Note: This code applies to all purposes listed under column 1 of Schedule 9 to the Sustainable Planning Regulation2009, except for the following purposes:

- Material change of use — extractive industry, high impact industry, noxious and hazardous industries, intensive animal industries, warehouse, medium impact industry, low impact industry and car park (including heavy vehicle parking)
- Reconfiguring a lot — industry activities
- Operational works — filling or excavation not associated with a material change of use or reconfiguring a lot.

Note: LGA (Local government area) population 1 and LGA population 2 are as defined in Schedule 26 to the Sustainable Planning Regulation 2009.

Editor's note: Guidance for achieving the performance outcomes and acceptable outcomes for this state code is available in the *State Development Assessment Provisions Supporting Information – Public Passenger Transport*, Department of Transport and Main Roads, 2014.

17.1.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Material change of use	Table 17.1.1
Reconfiguring a lot	Table 17.1.1

Table 17.1.1: Material change of use or reconfiguring a lot

Performance outcomes	Acceptable outcomes
All development	
PO1 During construction, development ensures bus-stops continue to function and pedestrian access to the bus stop is maintained at all times.	No acceptable outcome is prescribed.
PO2 New or modified road accesses and modifications to the road network do not conflict with existing bus stops or a public passenger service. Editor's note: To demonstrate compliance with this	No acceptable outcome is prescribed.

Performance outcomes	Acceptable outcomes
performance outcome, it is recommended that a Public Transport Impact Assessment be prepared in accordance with Appendix 1 of the *State Development Assessment Provisions Supporting Information – Public Passenger Transport*, Department of Transport and Main Roads, 2014.	
Accommodation activity (other than a residential care facility), educational establishment, airport, hospital, shopping centre or business activities	
PO3 Development allows for safe, convenient and efficient access for public passenger transport and allows for the progressive staging or extension of public passenger transport to the development.	**AO3.1** Where a development proposes a new or modified road network it must provide for bus movement through the site whilst avoiding backtracking, looping or indirect routes. Editor's note: To demonstrate compliance with this acceptable outcome, it is recommended that a Public Transport Impact Assessment be prepared in accordance with Appendix 1 of the *State Development Assessment Provisions Supporting Information – Public Passenger Transport*, Department of Transport and Main Roads, 2014. AND **AO3.2** Roads intended to accommodate buses are designed and constructed in accordance with *Road Planning and Design Manual (RPDM)*, Volume 3: Guide to Road Design. Editor's note: Guidance on how to meet the acceptable outcomes is available in the *Road Planning and Design Manual (RPDM)*, Volume 3: Guide to Road Design, (1) Part 3: - 4.2 Traffic lanes - 4.8 Bicycle lanes - 4.9 High occupancy vehicle (HOV) lanes - 4.12 Bus stops - 7 Horizontal alignment - 7.7 Super elevation - 7.9 Curve widening (2) Part 4: - 6.3 Bus Facilities - 5.6 Design vehicle swept path (3) Part4A: - 5 Auxiliary lanes (4) Part 4B: Roundabouts: - 4 Geometric Design - 4.6 Circulating carriageway. AND **AO3.3** Traffic calming devices are not installed on roads used for buses. OR **AO3.4** Where road humps are installed on roads used for buses, the road humps are designed in accordance with the *Manual of Uniform Traffic Control Devices (MUTCD).* Editor's Note: Guidance on how to meet the acceptable outcomes are available in the *Manual of Uniform Traffic Control Devices (MUTCD),* Part 13: (1) Local Area Traffic Management, section 2.4 – Road Humps (2) Supplement Part 13: Local Area Traffic Management – 2.4.2-1 Hump Profiles for Bus Routes.
Accommodation activity (other than residential care facility), airport, hospital, hotel, major sport recreation and entertainment facility, hardware and trade supplies, shop, shopping centre, showroom, tourist attraction or business activities	
PO4 Upgraded or new public passenger transport infrastructure is provided to accommodate the demand for public passenger transport generated by the development. Editor's note: To demonstrate compliance with this	No acceptable outcome is prescribed.

Performance outcomes	Acceptable outcomes
performance outcome, it is recommended that a Public Transport Impact Assessment be prepared in accordance with Appendix 1 of the *State Development Assessment Provisions Supporting Information – Public Passenger Transport*, Department of Transport and Main Roads, 2014.	
PO5 The location of public passenger transport infrastructure avoids creating indirect or inefficient routes for public passenger services. Editor's note: To demonstrate compliance with this performance outcome, it is recommended that a Public Transport Impact Assessment be prepared in accordance with Appendix 1 of the *State Development Assessment Provisions Supporting Information – Public Passenger Transport*, Department of Transport and Main Roads, 2014.	No acceptable outcome is prescribed.
Airport, hospital, hotel, major sport, recreation and entertainment facility, residential care facility, shop, shopping centre, showroom, short-term accommodation or tourist attraction	
PO6 On site circulation ensures the safety of public passenger transport, and pedestrians.	**AO6.1** On site pedestrian crossings are located to provide safe sight distances for pedestrians and public passenger transport. AND **AO6.2** On site circulation is designed and constructed so that public passenger transport can enter and leave in a forward gear at all times. AND **AO6.3** Development does not result in public passenger transport movements through car parking aisles.
PO7 Development provides safe and convenient pedestrian access to existing and future public passenger transport infrastructure.	No acceptable outcome is prescribed.
PO8 Development provides taxi ranks which meet the anticipated demand of the proposed development and are located to provide convenient, safe and equitable access for patrons.	**AO8.1** A dedicated taxi rank is provided parallel to the kerb and adjacent to the main entrance. AND **AO8.2** Taxi ranks are designed in accordance with: (1) *AS2890.5–1993 Parking facilities – on-street parking* and *AS1428.1–2009 Design for access and mobility – general requirements for access – new building work* (1) *AS1742.11–1999 Parking controls – manual of uniform traffic control devices* (2) *AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities* (3) *Disability standards for accessible public transport 2002* made under section 31(1) of the *Disability Discrimination Act 1992* (4) *AS/NZS 1158.3.1 – Lighting for roads and public spaces*, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements.
Educational establishments	
PO9 Educational establishments accommodate the safe and efficient operation of public passenger transport and provide safe and	**AO9.1** Educational establishments are designed in accordance with public passenger transport provisions of the *Planning for Safe Transport Infrastructure at Schools*, Department of Transport and Main Roads, 2011.

Performance outcomes	Acceptable outcomes
convenient pedestrian access to public passenger transport.	

17.2 Reference documents

Australian Government 2002 *Subsection 31(1) – Disability standards for accessible public transport 2002 of the Disability Discrimination Act 1992*

Department of Transport and Main Roads 2013 *Road Planning and Design Manual (Queensland Practice) 2nd edition*

Department of Transport and Main Roads 2003 *Manual of Uniform Traffic Control Devices*

Department of Transport and Main Roads 2014 *State Development Assessment Provisions Supporting Information – Public passenger transport*

Department of Transport and Main Roads Translink Division 2015 *Public Transport Infrastructure Manual*

Standards Australia 2009 *AS1428.1-2009 Design for access and mobility – General requirements for access – New building work*

Standards Australia 2000 *AS1742.9—2000 Bicycle facilities— Manual of uniform traffic control devices*

Standards Australia 1999 *AS1742.11—1999 Parking controls—Manual of uniform traffic control devices*

Standards Australia 1993 *AS2890.5—1993 Parking facilities—On-street parking*

Standards Australia 2009 *AS/NZS 2890.6:2009 Parking facilities—Off-street parking for people with disabilities*

Department of Transport and Main Roads 2011 *Planning for safe transport infrastructure at schools*

17.3 Glossary of terms

Accommodation activity means any of the following:

(1) caretaker's accommodation

(2) community residence

(3) dual occupancy

(4) dwelling house

(5) dwelling unit

(6) multiple dwelling

(7) relocatable home park

(8) residential care facility

(9) resort complex

(10) retirement facility

(11) rooming accommodation

(12) short-term accommodation

(13) tourist park

(14) a development with a combination of uses (1) to (13).

Editor's note: See the standard planning scheme provisions.

Active transport see the *Transport Planning and Coordination Act 1994*, section 8A (3).

Editor's note: Active transport means physical activity undertaken as a means of transport from one place to another, including the following:

(1) cycling
(2) walking
(3) cycling or walking to a place to access public passenger transport, or from a place after public passenger transport has been used.

Active transport infrastructure see the *Transport Planning and Coordination Act 1994*, section 8A (3).

Editor's note: Active transport infrastructure means infrastructure used in connection with active transport, including, for example:

(1) a path or walkway for pedestrians
(2) a path, lane or other infrastructure for cyclists
(3) a device or facility designed and constructed for parking bicycles or
(4) an end-of-trip facility.

Airport see the standard planning scheme provisions.

Editor's note; Airport means a premise used for any of the following:

(1) the arrival and departure of aircraft
(2) the housing, servicing, refuelling, maintenance and repair of aircraft
(3) the assembly and dispersal of passengers or goods on or from an aircraft
(4) any ancillary activities directly serving the needs of passengers and visitors to the use
(5) associated training and education facilities
(6) aviation facilities.

Business activities see the standard planning scheme provisions.

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

Editor's note: the DA mapping system is available at *DA mapping system*.

Educational establishment see the standard planning scheme provisions.

Editor's note: Educational establishment means premises used for training and instruction designed to impart knowledge and develop skills. The use may include after school care for students or on-site student accommodation.

Hardware and trade supplies see the standard planning scheme provisions.

Editor's note: Hardware and trade supplies means premises used for the sale, display or hire of hardware and trade supplies including household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like.

Hospital see the standard planning scheme provisions.

Editor's note: Hospital means premises used for medical or surgical care or treatment of patients whether or not involving overnight accommodation. The use may include ancillary accommodation for employees and ancillary activities directly serving the needs of patients and visitors.

Hotel see the standard planning scheme provisions.

Editor's note: Hotel means premises used primarily to sell liquor for consumption.

The use may include short-term accommodation, dining and entertainment activities and facilities.

Major sport, recreation and entertainment facility see the standard planning scheme provisions.

Editor's note: Major sport, recreation and entertainment facility means premises with large scale built facilities designed to cater for large scale events including major sporting, recreation, conference and entertainment events.

Public passenger service see the *Transport Operations (Passenger Transport) Act 1994*, schedule 3.

Editor's note: Public passenger service means a service for the carriage of passengers if:

(1) the service is provided for fare or other consideration or
(2) the service is provided in the course of a trade or business (but not if it is provided by an employer solely for employees) or
(3) the service is a courtesy or community transport service

and includes a driver service and a service for the administration of taxi services, but does not include a service excluded from the *Transport Operations (Passenger Transport) Act 1994* by a Regulation.

Public passenger transport see the *Transport Planning and Coordination Act 1994*, section 3.

Editor's note: Public passenger transport means the carriage of passengers by a public passenger service using a public passenger vehicle.

Public passenger transport infrastructure see the *Transport Planning and Coordination Act 1994*, section 3.

Editor's note: Public passenger transport infrastructure means infrastructure for, or associated with, the provision of public passenger transport, including, but not limited to:

(1) a transit terminal for public passengers services (for example, an airport terminal, a coach terminal, a cruise ship terminal)
(2) a ferry terminal, jetty, pontoon or landing for ferry services
(3) a bus stop, bus shelter, bus station or bus lay-by
(4) a busway station
(5) a light rail station
(6) a taxi rank, limousine rank or limousine standing area
(7) a railway station
(8) vehicle parking and set-down facilities
(9) pedestrian and bicycle paths and bicycle facilities
(10) a road on which a public passenger transport service operates.

Railway see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: Railway means land on which railway transport infrastructure or other rail infrastructure is situated.

Editor's note: See DA mapping system–SARA layers

Residential care facility see the standard planning scheme provisions.

Editor's note: Residential care facility means a residential use of premises for supervised accommodation where the use includes medical and other support facilities for residents who cannot live independently and require regular nursing or personal care.

Road hump see the *Manual of Uniform Traffic Control Devices (MUTCD),* part 13, 1.3.4.

Editor's note: Road hump means a raised transverse section of road causing sharp vertical displacement of vehicles, which is provided as a speed reduction (traffic calming) measure.

Shop see the standard planning scheme provisions.

Editor's note: Shop means premises used for the display, sale or hire of goods or the provision of personal services or betting to the public.

Shopping centre see the standard planning scheme provisions.

Editor's note: Shopping centre means premises comprising two or more individual tenancies that is comprised primarily of shops, and that function as an integrated complex.

Short-term accommodation see the standard planning scheme provisions.

Editor's note: Short-term accommodation means premises used to provide short-term accommodation for tourists or travellers for a temporary period of time (typically not exceeding three consecutive months) and may be self-contained.

The use may include a manager's residence and office and the provision of recreation facilities for the exclusive use of visitors.

Showroom see the standard planning scheme provisions.

Editor's note: Showroom means premises used primarily for the sale of goods of a related product line that are of a size, shape or weight that requires:

(1) a large area for handling, display or storage,
(2) direct vehicle access to the building by members of the public for loading and unloading items purchased or hired.

State-controlled road see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: State-controlled road means:

(1) a state-controlled road within the meaning of the *Transport Infrastructure Act 1994*, schedule 6, or

(2) State toll road corridor land.

Editor's note: See DA mapping system–SARA Layers

State transport infrastructure means any of the following:

(1) state-controlled road
(2) busway transport infrastructure under the *Transport Infrastructure Act 1994*
(3) light rail transport infrastructure under the *Transport Infrastructure Act 1994*
(4) rail transport infrastructure under the *Transport Infrastructure Act 1994*
(5) other rail infrastructure under the *Transport Infrastructure Act 1994*
(6) active transport infrastructure under the *Transport Planning and Coordination Act 1994*.

Tourist attraction see the standard planning scheme provisions.

Editor's note: Tourist attraction means premises used for providing on-site entertainment, recreation or similar facilities for the general public. The use may include provision of food and drink for consumption on site.

Module 18. State transport infrastructure protection

18.1 Filling, excavation and structures state code

18.1.1 Purpose

The purpose of the code is to protect the safety, structural integrity and operation of state transport corridors, future state transport corridors and state transport infrastructure.

Editor's note: Guidance for achieving the performance outcomes and acceptable outcomes for this state code is available in the *State Development Assessment Provisions Supporting Information – Filling and Excavation*, Department of Transport and Main Roads, 2014.

18.1.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
All development	Table 18.1.1

Table 18.1.1: All development

Performance outcomes	Acceptable outcomes
PO1 Buildings, structures, services and utilities do not adversely impact on the safety or operation of: (1) state transport corridors, (2) future state transport corridors, (3) state transport infrastructure. Editor's note: For a railway, *Section 2.3 – Structures, setbacks, utilities and maintenance* of the *Guide to Development in a Transport Environment: Rail*, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.	**AO1.1** Buildings, structures, services and utilities are not located in a railway, future railway land or public passenger transport corridor. AND **AO1.2** Buildings and structures are set back horizontally a minimum of three metres from overhead line equipment. AND **AO1.3** Construction activities do not encroach into a railway or public passenger transport corridor. AND **AO1.4** The lowest part of development in or over a railway or future railway land is to be a minimum of: (1) 7.9 metres above the railway track where the proposed development extends along the railway for a distance of less than 40 metres, or (2) 9.0 metres above the railway track where the development extends along the railway for a distance of between 40 and 80 metres. AND **AO1.5** Existing authorised access points and access routes to state transport corridors for maintenance and emergency works are maintained, allowing for uninterrupted access at all times. AND **AO1.6** Pipe work, services and utilities can be maintained without requiring access to the state transport corridor. AND **AO1.7** Pipe work, services and utilities: (1) are not attached to rail transport infrastructure or other rail infrastructure, and (2) do not penetrate through the side of any proposed building element or structure where built to boundary in, over or abutting a railway. AND

Performance outcomes	Acceptable outcomes
	AO1.8 Buildings and structures are set back a minimum of three metres from a railway bridge. AND **AO1.9** Development below or abutting a railway bridge is to be clear of permanent structures or any other activity that may impede emergency access or works and maintenance of rail transport infrastructure. Editor's note: Temporary activities below or abutting a railway bridge could include, for example, car parking or outdoor storage. AND **AO1.10** Development above a railway is designed to facilitate ventilation as follows: (1) for development extending above a railway for a distance of less than 80 metres, gaps are provided to ensure natural ventilation, or (2) for development extending above a railway for a distance of more than 80 metres, ventilation shafts are provided. Editor's note: For development extending above a railway for a distance of more than 80 metres, it is recommended that modelling of smoke dispersion should be undertaken by a RPEQ to predict the spread of combustion products and inform the ventilation design. *Section 5.1 – Development over a railway* of the *Guide to Development in a Transport Environment: Rail*, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this acceptable outcome.
PO2 Development prevents unauthorised access to: (1) state transport corridors, (2) future state transport corridors, (3) state transport infrastructure, by people, vehicles and projectiles. Editor's note: For a railway, *Section 2.4 – Preventing unauthorised access* of the *Guide to Development in a Transport Environment: Rail*, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.	**AO2.1** Fencing is provided along the property boundary with the railway. Editor's note: Where fencing is provided it is to be in accordance with the railway manager's standards. AND **AO2.2** Accommodation activities with a publicly accessible area located within 10 metres from the boundary of a railway or 20 metres from the centreline of the nearest railway track (whichever is the shorter distance), include throw protection screens for the publicly accessible area as follows: (1) openings of no greater than 25 mm x 25mm (2) height of 2.4 metres vertically above the highest toe hold if see-through, or 2 metres if non see-through. Editor's note: Expanded metal is considered see-through. AND **AO2.3** Development in or over a railway or future railway land includes throw protection screens. Editor's note: Throw protection screens in a railway or future railway land designed in accordance with the relevant provisions of the *Civil Engineering Technical Requirement CIVIL-SR-005 Design of buildings over or near railways*, Queensland Rail, 2011, and the *Civil Engineering Technical Requirement CIVIL-SR-008 Protection screens*, Queensland Rail, 2011, comply with this acceptable outcome. AND **AO2.4** Road barriers are installed along any proposed roads abutting a railway. Editor's note: Road barriers designed in accordance with Queensland Rail *Civil Engineering Technical Requirement CIVIL-SR-007 Design and selection criteria for road/rail interface barriers* comply with this acceptable outcome. AND **AO2.5** Proposed vehicle manoeuvring areas, driveways, loading areas or carparks abutting a railway include rail interface barriers. Editor's note: A Registered Professional Engineer of Queensland (RPEQ) certified barrier design complies with this acceptable outcome.

Performance outcomes	Acceptable outcomes
PO3 Buildings and structures in, over or below a railway or future railway land are able to sustain impacts to their structural integrity in the event of an impact from a derailed train.	**AO3.1** Buildings and structures, including piers or supporting elements, located in, over or below a railway or future railway land are designed and constructed in accordance with *AS5100 Bridge design*, *AS 1170 Structural design actions* and *Civil Engineering Technical Requirement CIVIL-SR-012 Collision protection of supporting elements adjacent to railways*, Queensland Rail, 2011.
PO4 Buildings and structures in, over, below or within 50 metres of a state-controlled transport tunnel or a future state-controlled transport tunnel have no adverse impact on the structural integrity of the state-controlled transport tunnel. Editor's note: For a railway, *Section 2.5 – Tunnels* of the *Guide to Development in a Transport Environment: Rail*, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.	**AO4.1** Development in, over, below or within 50 metres of a state-controlled transport tunnel or future state-controlled transport tunnel ensures that the tunnel is: (1) not vertically overloaded or affected by the addition or removal of lateral loading (2) not adversely affected as a result of directly or indirectly disturbing groundwater or soil. Editor's note: To demonstrate compliance with this acceptable outcome, it is recommended that a RPEQ certified geotechnical investigation, earthworks drawings and supporting technical details, and structural engineering drawings and supporting technical details be prepared and submitted with the application.
PO5 Development involving dangerous goods adjacent to a railway or future railway land does not adversely impact on the safety of a railway. Editor's note: *Section 2.6 – Dangerous goods and fire safety* of the *Guide to Development in a Transport Environment: Rail*, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.	**AO5.1** Development involving dangerous goods, other than hazardous chemicals below the threshold quantities listed in table 5.2 of the *State planning policy guideline: State interest – emissions and hazardous activities, Guidance on development involving hazardous chemicals*, Department of State Development, Infrastructure and Planning, 2013, ensures that impacts on a railway from a fire, explosion, spill, gas emission or dangerous goods incident can be appropriately mitigated. Editor's note: To demonstrate compliance with this acceptable outcome, it is recommended that a risk assessment be undertaken in accordance with *Attachment 1: Risk assessment guide* of the *Guide to Development in a Transport Environment: Rail*, Department of Transport and Main Roads, 2015.
PO6 Any part of the development located within 25 metres of a state-controlled road or future state-controlled road minimises the potential to distract drivers and cause a safety hazard.	**AO6.1** Advertising devices proposed to be located within 25 metres of a state-controlled road or future state-controlled road are designed to meet the relevant standards for advertising outside the boundaries of, but visible from, a state-controlled road, outlined within the *Roadside advertising guide*, Department of Transport and Main Roads, 2013.
PO7 Filling, excavation and construction does not adversely impact on or compromise the safety or operation of: (1) state transport corridors, (2) future state transport corridors, (3) state transport infrastructure. Editor's note: For a railway, *Section 2.7 – Filling, excavation and ground disturbance* of the *Guide to Development in a Transport Environment: Rail*, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.	**AO7.1** Filling and excavation does not undermine, cause subsidence of, or groundwater seepage onto a state transport corridor or future state transport corridor. Editor's note: To demonstrate compliance with this acceptable outcome for a state-controlled road, it is recommended that a filling and excavation report assessing the proposed filling and excavation be prepared in accordance with the requirements of the *Road planning and design manual*, Department of Transport and Main Roads, 2013. Editor's note: To demonstrate compliance with this acceptable outcome for a state transport corridor, excluding a state-controlled road, it is recommended that the following be submitted with the application: (1) a RPEQ certified geotechnical investigation (2) RPEQ certified earthworks drawings and supporting technical details (3) RPEQ certified structural engineering drawings and supporting technical details. Editor's note: If a development involves filling and excavation within a state-controlled road, an approval issued by the Department of Transport and Main Roads under section 33 of the *Transport Infrastructure Act 1994* may be required. AND **AO7.2** Development involving excavation, boring, piling or blasting does not result in vibration impacts during construction or blasting which would compromise the safety and operational integrity of a state transport corridor.

Performance outcomes	Acceptable outcomes
	Editor's note: To demonstrate compliance with this acceptable outcome it is recommended that an RPEQ certified geotechnical report be prepared and submitted with the application. AND **AO7.3** Development does not store fill, spoil or any other material in a railway.
PO8 Filling and excavation does not interfere with or impact on existing or future planned services or public utilities on a state-controlled road.	**AO8.1** Any alternative service and public utility alignment must satisfy the standards and design specifications of the service or public utility provider, and any costs of relocation are borne by the developer. Editor's note: An approval issued by the Department of Transport and Main Roads under section 33 of the *Transport Infrastructure Act 1994* may be required.
PO9 Retaining or reinforced soil structures required to contain fill and excavation: (1) do not encroach on a state transport corridor, (2) are capable of being constructed and maintained without adversely impacting a state transport corridor, (3) do not adversely impact on a state transport corridor through the addition or removal of lateral loads or surcharge loads, (4) are constructed of durable materials which maximise the life of the structure. Editor's note: For a railway, *Section 2.7 – Filling, excavation and ground disturbance* of the *Guide to Development in a Transport Environment: Rail*, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.	**AO9.1** Retaining or reinforced soil structures (including footings, rock anchors and soil nails) are not located in a state transport corridor or future state transport corridor. AND **AO9.2** Retaining or reinforced soil structures in excess of an overall height of one metre abutting a state transport corridor are to be designed and certified by a structural RPEQ. Editor's note: To demonstrate compliance with this acceptable outcome, it is recommended that the following be submitted with the application: (1) a RPEQ certified geotechnical investigation (2) RPEQ certified earthworks drawings and supporting technical details (3) RPEQ certified structural engineering drawings and supporting technical details. AND **AO9.3** Retaining or reinforced soil structures that are set back less than 750 millimetres from a common boundary with a state-controlled road are certified by a structural RPEQ and designed to achieve a low maintenance external finish. AND **AO9.4** Retaining or reinforced soil structures adjacent to a state-controlled road, and in excess of an overall height of two metres, incorporate design treatments (such as terracing or planting) to reduce the overall height impact. AND **AO9.5** Construction materials of all retaining or reinforced soil structures have a design life exceeding 40 years, and comply with the specifications approved by a RPEQ. AND **AO9.6** Temporary structures and batters do not encroach into a railway. AND **AO9.7** Surcharge loading from vehicles or the stockpiling of materials or soil on retaining or reinforced soil structures adjacent to a state transport corridor or future state transport corridor meet the requirements of *AS5100.2 Bridge design—Design loads* or a minimum of 10 kPa (whichever is greater). AND **AO9.8** Excavation or any other works do not remove the lateral load of retaining structures associated with, or adjacent to, a state transport corridor. Editor's note: To demonstrate compliance with this acceptable outcome, it is recommended that a RPEQ certified geotechnical and structural assessment be prepared and submitted with the application.

Performance outcomes	Acceptable outcomes
PO10 Filling and excavation does not cause siltation and erosion run-off from the property, or wind blown dust nuisance onto a state-controlled road.	**AO10.1** Compaction of fill is carried out in accordance with the requirements of *AS 1289.0 2000 – Methods of testing soils for engineering purposes*.
PO11 Where the quantity of fill or excavated spoil material being imported or exported for a development exceeds 10 000 tonnes, and haulage will be on a state-controlled road, any impact on the infrastructure is identified and mitigation measures implemented.	**AO11.1** The impacts on the state-controlled road network are identified, and measures are implemented to avoid, reduce or compensate the effects on the asset life of the state-controlled road. Editor's note: It is recommended that a pavement impact assessment report be prepared to address this acceptable outcome. Guidance for preparing a pavement impact assessment is set out in *Guidelines for assessment of road impacts of development (GARID)*, Department of Main Roads, 2006.
PO12 Filling and excavation associated with providing a driveway crossover to a state-controlled road does not compromise the operation or capacity of existing drainage infrastructure.	**AO12.1** Filling and excavation associated with the design of driveway crossovers complies with the relevant Institute of Public Works Engineering Australia Queensland (IPWEAQ) standards. Editor's note: The construction of any crossover requires the applicant to obtain a permit to work in the state-controlled road corridor under section 33 of the *Transport Infrastructure Act 1994* and a section 62 approval under the *Transport Infrastructure Act 1994* for the siting of the access and associated works.
PO13 Fill material does not cause contamination from the development site onto a state-controlled road.	**AO13.1** Fill material is free of contaminants including acid sulphate content, and achieves compliance with *AS 1289.0 – Methods of testing soils for engineering purposes* and *AS 4133.0-2005 – Methods of testing rocks for engineering purposes*.
PO14 Vibration generated through fill compaction does not result in damage or nuisance to a state-controlled road.	**AO14.1** Fill compaction does not result in any vibrations beyond the site boundary, and is in accordance with *AS 2436–2010 – Guide to noise and vibration control on construction, demolition and maintenance sites*.

18.2 Stormwater and drainage impacts on state transport infrastructure state code

18.2.1 Purpose

The purpose of the code is to ensure that stormwater events, including peak discharges, flood levels, frequency/duration of flooding, flow velocities, water quality, ponding, sedimentation and scour effects associated with development are minimised and managed to avoid creating any adverse impacts on a state transport corridor.

This will be achieved through:

(1) ensuring the protection of the infrastructure assets from damage, any reduction in asset life or increased maintenance costs (whole of life cycle costs)
(2) a no worsening of impacts or actionable nuisance on state transport infrastructure and state transport corridors
(3) maintaining the efficiency of the stormwater infrastructure in state transport corridors to manage water quality and natural overland flows
(4) ensuring stormwater discharge only occurs at a lawful point of discharge.

Editor's note: Guidance for achieving the performance outcomes and acceptable outcomes for this state code is available in the *State Development Assessment Provisions Supporting Information – Stormwater and Drainage*, Department of Transport and Main Roads, 2014.

18.2.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
All development	Table 18.2.1

Table 18.2.1: All development

Performance outcomes	Acceptable outcomes
Stormwater and drainage management	
PO1 Stormwater management for the development must ensure there is no worsening of, and no actionable nuisance in relation to peak discharges, flood levels, frequency or duration of flooding, flow velocities, water quality, ponding, sedimentation and scour effects on an existing or future state transport corridor for all flood and stormwater events that exist prior to development, and up to a 1 per cent annual exceedance probability.	**AO1.1** The development does not result in stormwater or drainage impacts or actionable nuisance within an existing or future state transport corridor. Editor's note: It is recommended that basic stormwater information is to be prepared to demonstrate compliance with AO1.1. OR **AO1.2** A stormwater management statement certified by an RPEQ demonstrates that the development will achieve a no worsening impact or actionable nuisance on an existing or future state transport corridor. OR **AO1.3** A stormwater management plan certified by an RPEQ demonstrates that the development will achieve a no worsening impact or actionable nuisance on an existing or future state transport corridor. OR **AO1.4** For development on premises within 25 metres of a railway, a stormwater management plan certified by an RPEQ demonstrates that: (1) the development will achieve a no worsening impact or actionable nuisance on the railway (2) the development does not cause stormwater, roofwater, ponding, floodwater or any other drainage to be directed to, increased or concentrated on the railway (3) the development does not impede any drainage, stormwater or floodwater flows from the railway (4) stormwater or floodwater flows have been designed to: (a) maintain the structural integrity of the rail transport infrastructure (b) avoid scour or deposition (5) additional railway formation drainage necessitated by the development is located within the premises where the development is carried out (6) retaining structures for excavations abutting the railway corridor provide for drainage.
Lawful point of discharge	
PO2 Stormwater run-off and drainage are directed to a lawful point of discharge to avoid adverse impacts on a future or existing state transport corridor.	**AO2.1** Where stormwater run-off is discharged to a state transport corridor, the discharge is to a lawful point of discharge in accordance with section 3.4 of *Queensland urban drainage manual*, Department of Energy and Water Supply, 2013. OR **AO2.2** For development on premises within 25 metres of a railway, approval from the relevant railway manager for the railway, as defined in the *Transport Infrastructure Act 1994,* schedule 6 has been gained to verify the lawful point of discharge for stormwater onto the railway. AND **AO2.3** Development does not cause a net increase in or concentration of stormwater or floodwater flows discharging onto the state transport corridor during construction or thereafter. AND **AO2.4** Development does not create any additional points of discharge or changes to the condition of an existing lawful point of discharge to the state transport corridor.
Sediment and erosion management	
PO3 Run-off from upstream development is managed to ensure that sedimentation and erosion do not cause siltation of stormwater infrastructure in the state	**AO3.1** Development with a high risk of erosion incorporates erosion and sediment control measures. Editor's note: For a state-controlled road where a development has a high risk of erosion, an erosion and sedimentation control plan should be provided to support a stormwater

Performance outcomes	Acceptable outcomes
transport corridor.	management statement or stormwater management plan. Section 1 of the *Stormwater guideline for environmentally relevant activities*, Department of Environment and Heritage Protection, 2014, defines development considered to have a high risk of erosion.

18.3 Reference documents

Department of Environment and Heritage 2014 *Stormwater guideline for environmentally relevant activities*

Department of Transport and Main Roads 2015 *Guide to Development in a Transport Environment: Rail*

Department of Energy and Water Supply 2013 *Queensland urban drainage manual*

Institute of Public Works Engineering Australasia (Queensland) (IPWEAQ) standards

Standards Australia 2000 *AS1289.0-2000 – Methods of testing soils for engineering purposes*

Standards Australia 2010 *AS2436–2010 – Guide to noise and vibration control on construction, demolition and maintenance sites*

Standards Australia 2005 *AS4133.0–2005 – Methods of testing rocks for engineering purposes*

Department of Main Roads 2006 *Guidelines for assessment of road impacts of development (GARID)*

Department of State Development, Infrastructure and Planning 2013 *State planning policy guideline: State interest – emissions and hazardous activities; Guidance on development involving hazardous chemicals*

Department of Transport and Main Roads 2014 *State development assessment provisions supporting information – filling and excavation*

Department of Transport and Main Roads 2013 *State development assessment provisions supporting information – stormwater and drainage*

Department of Transport and Main Roads 2015 *Road drainage manual*

Department of Transport and Main Roads 2013 *Road planning and design manual (2nd edition)*

Department of Transport and Main Roads 2013 *Roadside advertising guide*

Department of Transport and Main Roads 2013 *Road landscape manual*

Queensland Rail 2011 *Civil Engineering Technical Requirement CIVIL-SR-005 Design of buildings over or near railways*

Queensland Rail 2011 *Civil Engineering Technical Requirement CIVIL-SR-007 Design and selection criteria for road/rail interference barriers*

Queensland Rail 2011 *Civil Engineering Technical Requirement CIVIL-SR-008 Protection screens*

Queensland Rail 2011 *Civil Engineering Technical Requirement CIVIL-SR-012 Collision protection of supporting elements adjacent to railways*

18.4 Glossary of terms

ADG Code see the *Work Health and Safety Act* 2011, schedule 1.

Editor's note: ADG Code means the Australian Code for the Transport of Dangerous Goods by Road and Rail approved by the Australian Transport Council, as in force from time to time.

Annual exceedance probability (AEP) means the probability of exceedance of a given discharge within a period of one year.

Editor's note: AEP is generally expressed as 1 in Y [years]. The terminology of AEP is generally used where the data and procedures are based on annual series analysis.

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

Editor's note: the DA mapping system is available at *DA mapping system*.

Dangerous goods see the *Work Health and Safety Act* 2011, schedule 1.

Editor's note: Dangerous goods means—

(1) asbestos; or

(2) anything defined under the ADG Code as—

  (i) dangerous goods; or

  (ii) goods too dangerous to be transported.

Future public passenger transport corridor see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: Future public passenger transport corridor means land identified in a guideline made under the *Transport Planning and Coordination Act* 1994, section 8E for any of the following—

(1) busway transport infrastructure;

(2) busway transport infrastructure works;

(3) light rail transport infrastructure;

(4) light rail transport infrastructure works;

(5) rail transport infrastructure;

(6) railway works.

Future railway land see the *Transport Infrastructure Act 1994*, section 242.

Editor's note: What is future railway land—

(1) Land becomes future railway land when the chief executive, by written notice to the relevant local government and in the gazette, indicates that the land is intended to be used for a railway.

(2) Future railway land ceases to be future railway land when it is subleased to a railway manager under section 240(4) [of the *Transport Infrastructure Act 1994*].

(3) If the chief executive decides that future railway land is no longer to be used for a railway, the chief executive must give written notice of that fact to the relevant local government and in the gazette.

Future state-controlled road see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: Future state-controlled road means a road or land that the chief executive administering the Transport Infrastructure Act has, by written notice given to a local government and published in the gazette, indicated is intended to become a state-controlled road under that Act, section 42.

Editor's note: See DA mapping system–SARA Layers

Future state-controlled transport tunnel see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: Future state-controlled transport tunnel means a tunnel that forms part of—

(1) future state-controlled road, or

(2) future railway land, or

(3) a future public passenger transport corridor.

Future state transport corridor means any of the following:

(1) a future state-controlled road

(2) future railway land

(3) a future public passenger transport corridor

(4) a future state-controlled transport tunnel

(5) a future active transport corridor.

Lateral load means (horizontal) pressure or force. Lateral load can result from any horizontal pressure load on a retaining structure, for example, earth pressure or surcharge load.

Lawful point of discharge means a point of discharge designated and controlled by DTMR, or at which discharge rights have been granted by registered easement in favour of DTMR.

Other rail infrastructure see the *Transport Infrastructure Act 1994*, schedule 6.

Editor's note: Other rail infrastructure means –

(1) freight centres or depots; or
(2) maintenance depots; or
(3) office buildings or housing; or
(4) rolling stock or other vehicles that operate on a railway; or
(5) workshops; or
(6) any railway track, works or other thing that is part of anything mentioned in paragraphs (a) to (e).

Overhead line equipment means overhead lines, cabling and associated structures used to provide power to electric trains.

Publicly accessible area means a common area accessible by any resident or visitor to the development, including any recreation area, roof deck, open space, lobby, garage, car park, internal or external stairs, landings, ramps or other means of access between levels.

Editor's note: A private balcony is not a publicly accessible area.

Public passenger transport corridor see the Sustainable Planning Regulation 2009. Means land:

(1) on which any of the following transport infrastructure is situated, if the infrastructure is, or is to be, used for providing public passenger services—
    (a) busway transport infrastructure
    (b) light rail transport infrastructure
    (c) rail transport infrastructure, or
(2) on which the following works are being done, if the works relate to transport infrastructure to which (1) applies—
    (a) busway transport infrastructure works
    (b) light rail transport infrastructure works
    (c) railway works, or
(3) on which other services are provided for the maintenance or operation of transport infrastructure mentioned in (1).

Rail transport infrastructure see the *Transport Infrastructure Act 1994*, schedule 6.

Editor's note: Rail transport infrastructure means facilities necessary for operating a railway, including —

(1) railway track and works built for the railway, including for example —
    (a) cuttings
    (b) drainage works
    (c) excavations
    (d) land fill
    (e) track support earthworks
(2) any of the following things that are associated with the railway's operation—
    (a) bridges
    (b) communication systems
    (c) machinery and other equipment
    (d) marshalling yards
    (e) noticeboards, notice markers and signs
    (f) overhead electrical power supply systems
    (g) over-track structures
    (h) platforms
    (i) power and communication cables
    (j) service roads
    (k) signalling facilities and equipment
    (l) stations
    (m) survey stations, pegs and marks
    (n) train operation control facilities
    (o) tunnels
    (p) under-track structures
(3) vehicle parking and set down facilities for intending passengers for a railway that are controlled or owned by a railway manager or the chief executive
(4) pedestrian facilities, including footpath paving, for the railway that are controlled or owned by a railway manager or the chief executive,

(5) but does not include other rail infrastructure.

Railway see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: Railway means land on which railway transport infrastructure or other rail infrastructure is situated.

Editor's note: Railway does not include a light rail or light rail transport infrastructure.

Editor's note: See DA mapping system–SARA Layers

Railway bridge means a structure which crosses a watercourse, land, road or other obstacle, on which rail transport infrastructure or other rail infrastructure is located.

State-controlled road see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: State-controlled road means:

(1) a state-controlled road within the meaning of the *Transport Infrastructure Act 1994*, schedule 6, or

(2) State toll road corridor land.

Editor's note: See DA mapping system–SARA Layers

State-controlled transport tunnel see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: State-controlled transport tunnel means:

(1) a tunnel that forms part of a—

(a) state-controlled road, or

(b) railway, or

(c) public passenger transport corridor, or

(2) a railway tunnel easement.

Editor's note: See DA mapping system–SARA Layers

State transport corridor means any of the following terms (defined under the *Transport Infrastructure Act 1994*, *Transport Planning and Coordination Act 1994* and Sustainable Planning Regulation 2009):

(1) a state-controlled road

(2) a railway

(3) a public passenger transport corridor

(4) a state-controlled transport tunnel

(5) an active transport corridor.

State transport infrastructure means any of the following terms (defined under the *Transport Infrastructure Act 1994*, the *Transport Planning and Coordination Act 1994* and the Sustainable Planning Regulation 2009):

(1) state-controlled road

(2) busway transport infrastructure

(3) light rail transport infrastructure

(4) rail transport infrastructure

(5) other rail infrastructure

(6) active transport infrastructure.

Surcharge load means (vertical) applied pressure behind a retaining structure. Surcharge load can result from (but not limited to) the following sources: construction traffic and material loads (for example, stockpiling), railway loads, and road traffic loads arising from construction works.

Upstream development means development located in the opposite direction of water flow from a state transport corridor, nearer to the source of the flow.

18.5 Abbreviations

AEP — Annual exceedance probability

DTMR — Department of Transport and Main Roads

RPEQ — Registered Professional Engineer of Queensland

Module 19. State transport network functionality

19.1 Access to state-controlled roads state code

19.1.1 Purpose

The purpose of this code is to ensure that development does not adversely impact the safety, function and operational efficiency of the state-controlled road network or a future state-controlled road.

Editor's note: The *Transport Infrastructure Act 1994* (TIA) provides the chief executive administering the TIA with the ability to control access to the state-controlled road network. The main provisions are:

(1) section 62 of the TIA — the chief executive administering the TIA can permit, amend, prohibit, or apply conditions to permitted road access locations between a state-controlled road and adjacent land
(2) section 67(1) of the TIA — if a decision is made under section 62(1) of the TIA, the chief executive must provide written notice of the decision to the owner of the land, the occupier of the land and any persons who may have applied for the decision
(3) section 33 of the TIA — states no person is to carry out road works on, or interfere with, a state-controlled road or its operation without written approval from the chief executive administering the TIA
(4) section 33 of the TIA — an approval for road access works under this section may only be given if there is a permitted road access location under a decision in force under section 62(1) of the TIA in relation to the road access works
(5) section 33 of the TIA — a decision made under this section is provided in a written notice by the chief executive administering the TIA
(6) section 54 of the TIA — allows the chief executive administering the TIA to declare a road or section of a road as a limited access road. The declaration is supported by policy on how access to individual properties will be handled.

Editor's note: A permitted road access location means a permitted road access location under a decision in force under section 62(1) of the TIA. All applicants proposing a road access location for the state-controlled road (including limited access roads) will be required to obtain a separate decision under section 62 of the TIA that is consistent with the development application as submitted.

Editor's note: An approval under section 33 of the TIA will still need to be obtained by the applicant from the chief executive administering the TIA prior to commencement of any works within the state-controlled road.

Editor's note: The chief executive administering the TIA will issue decisions under sections 62 and 33 of the TIA. Each DTMR regional office has maps showing sections of the state-controlled road that are declared as limited access roads.

Editor's note: The requirement to obtain a separate decision under section 62 of the TIA is a separate approval process to the process for seeking a development approval for a development application under the *Sustainable Planning Act 2009*. It is recommended that the applicant seek a decision under section 62 of the TIA prior to lodging a development application.

Editor's note: Guidance for achieving the performance outcomes and acceptable outcomes for this state code are available in the *State Development Assessment Provisions Supporting Information – Access to a state-controlled road*, Department of Transport and Main Roads, 2014.

19.1.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
All development	Table 19.1.1

Table 19.1.1: All development

Performance outcomes	Acceptable outcomes
Location of the direct vehicular access to the state-controlled road	
PO1 Any road access location to the state-controlled road from adjacent land does not compromise the safety and efficiency of the state-controlled road.	**AO1.1** Any road access location to the state-controlled road complies with a decision under section 62 of the TIA. OR **AO1.2** Development does not propose a new or temporary road access location, or a change to the use or operation of an existing permitted road access location to a state-controlled road.

Performance outcomes	Acceptable outcomes
	OR **AO1.3** Any proposed road access location for the development is provided from a lower order road where an alternative to the state-controlled road exists. OR all of the following acceptable outcomes apply **AO1.4** Any new or temporary road access location, or a change to the use or operation of an existing permitted road access location, demonstrates that the development: (1) does not exceed the acceptable level of service of a state-controlled road (2) meets the sight distance requirements outlined in Volume 3, parts 3, 4, 4A, 4B and 4C of the *Road planning and design manual*, 2nd edition, Department of Transport and Main Roads, 2013 (3) does not exceed the acceptable operation of an intersection with a state-controlled road, including the degree of saturation, delay, queuing lengths and intersection layout (4) is not located within and/or adjacent to an existing or planned intersection in accordance with Volume 3, parts 4, 4A, 4B and 4C of the *Road planning and design manual*, 2nd edition, Department of Transport and Main Roads, 2013 (5) does not conflict with another property's road access location and operation. Editor's Note: To demonstrate compliance with this acceptable outcome, it is recommended a traffic impact assessment be developed in accordance with Chapters 1, 4, 6, 7, 8 and 9 of the *Guidelines for assessment of road impacts of development (GARID)*, Department of Main Roads, 2006, and the requirements of Volume 3, parts 4, 4A, 4B and 4C of the *Road planning and design manual*, 2nd edition, Department of Transport and Main Roads, 2013, SIDRA analysis or traffic modelling. AND **AO1.5** Development does not propose a new road access location to a limited access road. Editor's note: Limited access roads are declared by the chief executive under section 54 of the TIA. Details can be accessed by contacting the appropriate DTMR regional office.
Number of road accesses to the state-controlled road	
PO2 The number of road accesses to the state-controlled road maintains the safety and efficiency of the state-controlled road.	**AO2.1** Development does not increase the number of road accesses to the state-controlled road. AND **AO2.2** Where multiple road accesses to the premises exist, access is rationalised to reduce the overall number of road accesses to the state-controlled road. AND **AO2.3** Shared or combined road accesses are provided for adjoining land having similar uses to rationalise the overall number of direct accesses to the state-controlled road. Editor's note: Shared road accesses may require easements to provide a legal point of access for adjacent lots. If this is required, then the applicant must register reciprocal access easements on the titles of any lots for the shared access.
Design vehicle and traffic volume	
PO3 The design of any road access maintains the safety and efficiency of the state-controlled road.	**AO3.1** Any road access meets the minimum standards associated with the design vehicle. Editor's note: The design vehicle to be considered is the same as the design vehicle set under the relevant local government planning scheme.

Performance outcomes	Acceptable outcomes
	AND **AO3.2** Any road access is designed to accommodate the forecast volume of vehicle movements in the peak periods of operation or conducting the proposed use of the premises. AND **AO3.3** Any road access is designed to accommodate 10 year traffic growth past completion of the final stage of development in accordance with GARID. AND **AO3.4** Any road access in an urban location is designed in accordance with the relevant local government standards or *IPWEAQ R-050, R-051, R-052 and R-053 drawings.* AND **AO3.5** Any road access not in an urban location is designed in accordance with *Volume 3, parts 3, 4 and 4A* of the *Road planning and design manual*, 2nd edition, Department of Transport and Main Roads, 2013.
Internal and external manoeuvring associated with direct vehicular access to the state-controlled road	
PO4 Turning movements for vehicles entering and exiting the premises via the road access maintain the safety and efficiency of the state-controlled road.	**AO4.1** The road access provides for left in and left out turning movements only. AND **AO4.2** Internal manoeuvring areas on the premises are designed so the design vehicle can enter and leave the premises in a forward gear at all times. Editor's note: The design vehicle to be considered is the same as the design vehicle set under the relevant local government planning scheme.
PO5 On-site circulation is suitably designed to accommodate the design vehicle associated with the proposed land use, in order to ensure that there is no impact on the safety and efficiency of the state-controlled road.	**AO5.1** Provision of on-site vehicular manoeuvring space is provided to ensure the flow of traffic on the state-controlled road is not compromised by an overflow of traffic queuing to access the site in accordance with *AS2890 – Parking facilities*. AND **AO5.2** Mitigation measures are provided to ensure that the flow of traffic on the state-controlled road is not disturbed by traffic queuing to access the site.
Vehicular access to local roads within 100 metres of an intersection with a state-controlled road	
PO6 Development having road access to a local road within 100 metres of an intersection with a state-controlled road maintains the safety and efficiency of the state-controlled road.	**AO6.1** The road access location to the local road is located as far as possible from where the road intersects with the state-controlled road and accommodates existing operations and planned upgrades to the intersection or state-controlled road. AND **AO6.2** The road access to the local road network is in accordance with *Volume 3, parts 3, 4 and 4A* of the *Road planning and design manual*, 2nd edition, Department of Transport and Main Roads, 2013, and is based on the volume of traffic and speed design of both the local road and intersecting state-controlled road for a period of 10 years past completion of the final stage of development. AND **AO6.3** Vehicular access to the local road and internal vehicle circulation is designed to remove or minimise the potential for vehicles entering the site to queue in the intersection with the state-controlled road or along the state-controlled road itself.

19.2 Transport infrastructure and network design state code

19.2.1 Purpose

The purpose of this code is to ensure that:

(1) Development does not compromise the safe and efficient management and operations of state transport infrastructure and transport networks
(2) Development does not compromise planned upgrades of state transport infrastructure or the development of future state transport corridors
(3) Upgrade works proposed to mitigate adverse impacts of development on the operation and management of state transport infrastructure are:
  (a) consistent with applicable design standards
  (b) consistent with planned upgrades of the state transport infrastructure
(4) Development does not compromise the safe and efficient operation of the overall road hierarchy by imposing traffic loadings on state-controlled roads which could be accommodated on the local road network.

19.2.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
All development	Table 19.2.1

Table 19.2.1: All development

Performance outcomes	Acceptable outcomes
All state transport infrastructure — except state-controlled roads	
PO1 Development does not compromise the safe and efficient management or operation of state transport infrastructure or transport networks. Editor's note: To demonstrate compliance with this performance outcome, it is recommended that a traffic impact assessment be prepared. A traffic impact assessment should identify any upgrade works required to mitigate impacts on the safety and operational integrity of the state transport corridor.	No acceptable outcome is prescribed.
PO2 Development does not compromise planned upgrades to state transport infrastructure or the development of future state transport infrastructure in future state transport corridors. Editor's note: Written advice from DTMR advising that there are no planned upgrades of state transport infrastructure or future state transport corridors that will be compromised by the development will assist in addressing this performance outcome.	**AO2.1** The layout and design of the proposed development accommodates planned upgrades to state transport infrastructure. AND **AO2.2** The layout and design of the development accommodates the delivery of state transport infrastructure in future state transport corridors. Editor's note: To demonstrate compliance with this acceptable outcome, it is recommended that a traffic impact assessment be prepared.
PO3 Development does not adversely impact on the safety of a railway crossing.	**AO3.1** Development does not require a new railway crossing. OR **AO3.2** A new railway crossing is grade separated. OR **AO3.3** Impacts to level crossing safety are mitigated.

Performance outcomes	Acceptable outcomes
	Editor's note: To demonstrate compliance with this acceptable outcome, it is recommended that a traffic impact assessment be prepared. An impact on a level crossing may require an Australian Level Crossing Assessment Model (ALCAM) assessment to be undertaken. *Section 2.2 – Railway crossing safety* of the *Guide to Development in a Transport Environment: Rail*, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this acceptable outcome. AND **AO3.4** Upgrades to a level crossing are designed and constructed in accordance with *AS1742.7 – Manual of uniform traffic control devices, Part 7: Railway crossings* and applicable rail manager standard drawings. AND **AO3.5** Access points achieve sufficient clearance from a level crossing in accordance with *AS1742.7 – Manual of uniform traffic control devices, Part 7: Railway crossings* by providing a minimum clearance of 5 metres from the edge running rail (outer rail) plus the length of the largest vehicle anticipated on-site. AND **AO3.6** On-site vehicle circulation is designed to give priority to entering vehicles at all times.
State-controlled roads	
PO4 Development does not compromise the safe and efficient management or operation of state-controlled roads. Editor's note: A traffic impact assessment will assist in addressing this performance outcome.	No acceptable outcome is prescribed.
PO5 Development does not compromise planned upgrades of the state-controlled road network or delivery of future state-controlled roads. Editor's note: Written advice from DTMR that there are no planned upgrades of state-controlled roads or future state-controlled roads which will be compromised by the development will assist in addressing this performance outcome.	**AO5.1** The layout and design of the development accommodates planned upgrades of the state-controlled road. AND **AO5.2** The layout and design of the development accommodates the delivery of future state-controlled roads. Editor's note: To demonstrate compliance with this acceptable outcome, it is recommended that a traffic impact assessment be prepared.
PO6 Upgrade works on, or associated with, the state-controlled road network are undertaken in accordance with applicable standards.	**AO6.1** Upgrade works for the development are consistent with the requirements of the *Road planning and design manual*, 2nd edition, Department of Transport and Main Roads, 2013. AND **AO6.2** The design and staging of upgrade works on or associated with the state-controlled road network are consistent with planned upgrades.
PO7 Development does not impose traffic loadings on the state-controlled road network which could be accommodated on the local road network.	**AO7.1** New lower order roads do not connect directly to a state-controlled road. AND **AO7.2** The layout and design of the development directs traffic generated by the development to use lower order roads.

19.3 Reference documents

Department of Transport and Main Roads 2014 *State Development Assessment Provisions Supporting Information – Access to a state-controlled road*

Department of Transport and Main Roads 2015 *Guide to Development in a Transport Environment: Rail*

Standards Australia *AS2890 – Parking facilities*

Department of Main Roads 2006 *Guidelines for assessment of road impacts of development* (*GARID)*

Department of Transport and Main Roads 2013 *Road planning and design manual, 2nd edition*

19.4 Glossary of terms

Busway see the *Transport Infrastructure Act 1994*, schedule 6.

Editor's note: Busway means:

(1) a route especially designed and constructed for, and dedicated to, the priority movement of buses for passenger transport purposes
(2) places for the taking on and letting off of bus passengers using the route.

Editor's note: see DA mapping system– SARA Layers

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

Editor's note: the DA mapping system is available at *DA mapping system*.

Degree of saturation means the operational performance of an intersection based on the volume/ capacity ratio.

Future railway land see the *Transport Infrastructure Act 1994.*

Editor's note: Future railway land means land that the chief executive administering the *Transport Infrastructure Act 1994* has, by written notice given to a local government and published in the gazette, indicated is intended to be used for a railway under that Act (section 242).**Future state-controlled road** see the *Transport Infrastructure Act 1994*, section 42.

Editor's note: Future state-controlled road means a road or land that the chief executive administering the *Transport Infrastructure Act 1994* has, by written notice given to a local government and published in the gazette, indicated is intended to become a state-controlled road under that Act (section 42).

Editor's note: see DA mapping system- SARA layers.

Future state transport corridor means any of the following:
(1) a future state-controlled road
(2) future railway land
(3) a future public passenger transport corridor
(4) a future state-controlled transport tunnel
(5) a future active transport corridor.

Level crossing means any crossing of a railway at grade, providing for both vehicular traffic and other road users including pedestrians (*Australian Standard 1742.7 – 2007*).

Level of service means an index of the operational performance of traffic on a given traffic lane, roadway or intersection, based on service measures such as delay, degree of saturation, density and speed during a given flow period.

Light rail see the *Transport Infrastructure Act 1994*, schedule 6.

Editor's note: Light rail means:

(1) a route wholly or partly dedicated to the priority movement of light rail vehicles for passenger transport purposes, whether or not the route was designed and constructed for those purposes as well as other purposes
(2) places for the taking on and letting off of light rail vehicle passengers using the route.

Editor's note: see DA mapping system– SARA layers.

Limited access road see the *Transport Infrastructure Act 1994.*

Editor's note: Limited access road means a state-controlled road, or part of a state-controlled road, declared to be a limited access road under the *Transport Infrastructure Act 1994*, section 54.

Editor's note: see DA mapping system– SARA layers.

Limited access policy see the *Transport Infrastructure Act 1994.*

Editor's note: Limited access policy means a policy for a limited access road prepared under the *Transport Infrastructure Act 1994,* section 54(4).

Editor's note: A limited access policy can be obtained by contacting the appropriate DTMR regional office.

Local road means a road controlled by a local government authority.

Lower order road means a road of a lower order in the road hierarchy than another road within the road hierarchy.

Permitted road access location see the *Transport Infrastructure Act 1994*.

Editor's note: Permitted road access location means a permitted road access location under a decision in force under the *Transport Infrastructure Act 1994,* section 62(1).

Planned upgrade means an extension, upgrade, or duplication of state transport infrastructure or transport networks for which affected land has been identified:

(1) in a publicly available government document, or

(2) in written advice to affected land owners.

Editor's note: Government documents are commonwealth, state or local government documents that include a statement of intent for, or a commitment to, a planning outcome or infrastructure provision.

Editor's note: see DA mapping system – SARA layers.

Public passenger transport see the *Transport Planning and Coordination Act 1994*, section 3.

Editor's note: Public passenger transport means the carriage of passengers by a public passenger service using a public passenger vehicle.

Railway see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: Railway means land on which railway transport infrastructure or other rail infrastructure is situated.
Editor's note: Railway does not include a light rail or light rail transport infrastructure.
Editor's note: see DA mapping system – SARA layers.

Railway crossing see the *Transport Infrastructure Act 1994*.

Editor's note: Railway crossing means a level crossing, bridge or another structure used to cross over or under a railway.

Road access location see the *Transport Infrastructure Act 1994*.

Editor's note: Road access location means a location on a property boundary between land and a road for the entry or exit of traffic.

Road hierarchy is a system of ranking in which roads are ranked in terms of their function, type and capacity to support different types of vehicles and volumes of traffic.

State-controlled road see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: State-controlled road means:

(1) a state-controlled road within the meaning of the *Transport Infrastructure Act 1994*, schedule 6, or

(2) state toll road corridor land.

Editor's note: see DA mapping system – SARA layers.

State-controlled transport tunnel see the Sustainable Planning Regulation 2009, schedule 24.

Editor's note: State-controlled transport tunnel means:

(1) a tunnel that forms part of a—

  (a) state-controlled road, or

  (b) railway, or

  (c) public passenger transport corridor, or

(2) a railway tunnel easement.

Editor's note: see DA mapping system – SARA layers.

State transport corridor means any of the following terms (defined under the *Transport Infrastructure Act 1994*, the *Transport Planning and Coordination Act 1994* and the Sustainable Planning Regulation 2009):

(1) a state-controlled road

(2) a railway

(3) a public passenger transport corridor

(4) a state-controlled transport tunnel

(5) an active transport corridor.

State transport infrastructure means any of the following terms (defined under the *Transport Infrastructure Act 1994*, the *Transport Planning and Coordination Act 1994* and the Sustainable Planning Regulation 2009)–

(1) state-controlled road

(2) busway transport infrastructure

(3) light rail transport infrastructure

(4) rail transport infrastructure
(5) other rail infrastructure
(6) active transport infrastructure.

Transport network means the series of connected routes, corridors and transport facilities required to move goods and passengers and includes roads, railways, public transport routes for example, bus routes), active transport routes (for example, cycleways), freight routes and local, state and privately owned infrastructure.

19.5 Abbreviations

DTMR — Department of Transport and Main Roads

GARID — *Guidelines for Assessment of Road Impacts of Development*

IDAS — Integrated Development Assessment System

IPWEAQ — Institute of Public Works Engineering Australia (Queensland)

RPEQ — Registered Professional Engineer of Queensland

TIA — *Transport Infrastructure Act 1994*

Module 20. Wind farm development

20.1 Wind farm state code

20.1.1 Purpose

This code applies to a material change of use for a new or expanding wind farm.

The purpose of the code is to protect individuals, communities and the environment from adverse impacts as a result of the construction, operation and decommissioning of wind farm development.

Wind farms should be appropriately located, sited, designed and operated to ensure:

(1) the safety, operational integrity and efficiency of air services and aircraft operations
(2) risks to human health, wellbeing and quality of life are minimised by ensuring acceptable levels of amenity and acoustic emissions at sensitive land uses
(3) development avoids, or minimises and mitigates, adverse impacts on the natural environment (fauna and flora) and associated ecological processes
(4) development does not unreasonably impact on the character, scenic amenity and landscape values of the locality
(5) the safe and efficient operation of local transport networks and road infrastructure.

Editor's note: Guidance on how to demonstrate compliance with the performance outcomes and acceptable solutions of this state code are available in the *Wind farm state code planning guideline*.

20.1.2 Criteria for assessment

Development mentioned in column 1 below must be assessed against the assessment criteria in the table mentioned in column 2.

Column 1	Column 2
Material change of use	Table 20.1.1

Table 20.1.1: Material change of use

Performance outcomes	Acceptable outcomes
Aviation safety, integrity & efficiency	
PO1 The safety, operational integrity and efficiency of air services and aircraft operations are not adversely affected by the location, siting, design and operation of the development.	**AO1.1** Wind turbines or wind monitoring towers are 150 metres or less in height and do not infringe on the obstacle limitation surfaces (OLS), procedures for air navigation services – aircraft operations (PANS-OPS) surface, restricted airspace and low flying areas of a certified aerodrome, registered aerodrome or military aerodrome. OR **AO1.2** For development involving wind turbines or wind monitoring towers more than 150 metres in height: (1) written endorsement by the Civil Aviation Safety Authority (CASA), Airservices Australia and the district aerodrome supervisor is provided stating they have no objection to the proposed development, or (2) where within 30 kilometres of a military aerodrome, or a certified aerodrome or registered aerodrome jointly used as a military aerodrome, written endorsement by the federal Department of Defence, Civil Aviation Safety Authority (CASA), Airservices Australia and the district aerodrome supervisor is provided stating they have no objection to the proposed development.

Performance outcomes	Acceptable outcomes
PO2 Development includes lighting and marking measures to ensure the safety, operational integrity and efficiency of air services and aircraft operations.	**AO2.1** Marking of wind turbines is provided so that rotor blades, the nacelle and the upper two thirds of the supporting mast of wind turbines are painted white. AND **AO2.2** The top one third of wind monitoring towers is painted in alternating bands of contrasting colour. AND **AO2.3** For development involving the lighting of wind turbines or wind monitoring towers more than 150 metres in height or within 30 kilometres of a certified aerodrome or registered aerodrome, written endorsement by the Civil Aviation Safety Authority (CASA) and Airservices Australia is provided stating they have no objection to the proposed development and lighting measures. AND **AO2.4** In areas where low flying aircraft occur: (1) marker balls or high visibility sleeves are placed on the outside guy wires of wind monitoring towers, (2) the guy wire ground attachment points have contrasting colours to the surrounding ground/vegetation, and (3) a flashing strobe light is installed to operate on wind monitoring towers during daylight hours. AND **AO2.5** Where LED obstruction lighting is proposed, the frequency range of the LED light emitted falls within the range of wavelengths 655 to 930 nanometres.
Electromagnetic interference	
PO3 Development is designed, located and sited to avoid, or minimise and mitigate, electromagnetic interference to pre-existing television, radar and radio transmission and reception.	No acceptable outcome is provided.
Shadow flicker	
PO4 Development avoids or minimises shadow flicker impacts on existing or approved sensitive land uses.	**AO4.1** The modelled blade shadow flicker impact on any existing or approved sensitive land use(s) does not exceed 30 hours per annum and 30 minutes per day. AND **AO4.2** Wind turbine blades have a low reflectivity finish/treatment.
Flora and fauna	
PO5 Development ensures that impacts on flora, fauna and associated ecological processes are avoided, or minimised and mitigated, through effective siting, design and operation of the development.	No acceptable outcome is provided.
Traffic and access	
PO6 Development provides suitable vehicular access, manoeuvring areas and parking for the ongoing operation and maintenance activities associated with the wind farm.	No acceptable outcome is provided.
Stormwater management	
PO7 Development avoids, or minimises and mitigates, adverse impacts on water quality	No acceptable outcome is provided.

Performance outcomes	Acceptable outcomes
objectives to achieve no worsening to receiving waters during the operation of the wind farm.	
Watercourses and drainage features	
PO8 Development avoids or minimises the clearing of vegetation within any watercourse or drainage feature to protect: (1) bank stability by protecting against bank erosion (2) water quality objectives by filtering sediments, nutrients and other pollutants (3) aquatic habitat (4) terrestrial habitat.	No acceptable outcome is provided.
Character, scenic amenity and landscape values	
PO9 Development avoids, or minimises and mitigates, adverse impacts on the character, scenic amenity and landscape values of the locality and region through effective siting and design.	No acceptable outcome is provided.
Separation distances	
PO10 Wind turbines are adequately separated from existing or approved sensitive land uses on non-host lots.	**AO10.1** Wind turbines are setback at least 1,500 metres from existing or approved sensitive land uses on non-host lots. OR **AO10.2** Where wind turbines are proposed within 1,500 metres of existing or approved sensitive land uses on non-host lots, written agreements (deed of releases) from all affected non-host lot owners are provided accepting the reduced setback.
Acoustic amenity – host lots	
PO11 The predicted acoustic level at all noise affected existing or approved sensitive land uses does not exceed the criteria stated in Table 1.	No acceptable outcome is provided.
Acoustic amenity – non-host lots	
PO12 The predicted acoustic levels at all noise affected existing or approved sensitive land uses does not exceed the criteria stated in Table 2. OR Where the acoustic levels stated in Table 2 cannot be achieved at noise affected existing or approved sensitive land uses: (1) individual written agreements (deed of releases) from non-host lot owners are provided, and (2) the predicted acoustic level at all noise affected existing or approved sensitive land uses does not exceed the criteria stated in Table 1.	No acceptable outcome is provided.
Construction management	
PO13 Construction activities associated with the development avoid, or minimise and	No acceptable outcome is provided.

Performance outcomes	Acceptable outcomes
mitigate, adverse impacts on environmental values, water quality objectives, amenity, local transport networks and road infrastructure.	

20.1.3 Reference tables

Table 1

Acoustic criteria	
Noise description	**Acoustic level does not exceed**
The outdoor (free-field) night-time (10pm to 6am) A-weighted equivalent acoustic level (L_{Aeq}), assessed at all noise affected existing or approved sensitive land uses.	(1) 45dB(A), or (2) the background noise (L_{A90}) by more than 5dB(A), whichever is the greater, for wind speed from cut-in to rated power of the wind turbine and each integer wind speed in between referenced to hub height.

Table 2

Acoustic criteria	
Noise description	**Acoustic level does not exceed**
The outdoor (free-field) night-time (10pm to 6am) A-weighted equivalent acoustic level (L_{Aeq}), assessed at all noise affected existing or approved sensitive land uses.	(1) 35dB(A), or (2) the background noise (L_{A90}) by more than 5dB(A), whichever is the greater, for wind speed from cut-in to rated power of the wind turbine and each integer wind speed in between referenced to hub height.
The outdoor (free-field) day-time (6am to 10pm) A-weighted equivalent acoustic level (L_{Aeq}), assessed at all noise affected existing or approved sensitive land uses.	(1) 37dB(A), or (2) the background noise (L_{A90}) by more than 5dB(A), whichever is the greater, for wind speed from cut-in to rated power of the wind turbine and each integer wind speed in between referenced to hub height.

20.2 Reference documents

Department of Infrastructure, Local Government and Planning 2016 *Wind farm state code planning guideline*

20.3 Glossary of terms

Air services means the premises used for any of the following:

(1) the arrival and departure of aircraft

(2) the housing, servicing, refuelling, maintenance and repair of aircraft

(3) the assembly and dispersal of passengers or goods on or from an aircraft

(4) any ancillary activities directly serving the needs of passengers and visitors to the use

(5) associated training and education facilities

(6) aviation facilities.

Anemometers means a device used for measuring wind speed.

Certified aerodrome means a certified aerodrome as specified under the Civil Aviation Safety Regulations 1998 (CASR) part 139.

Cut-in means the wind speed at which a wind turbine starts power production.

Decommissioning means that the wind turbines, site office and any other above-ground infrastructure is removed from the site, and roads, parking areas and foundation pads are covered and revegetated to return the ground to its former state.

Deed of release means a written agreement between proponent and landowner accepting the following:

(1) a reduced setback between wind turbines and the landowner's existing or approved sensitive land use(s), and/or

(2) an increased acoustic level at the landowner's existing or approved noise affected sensitive land use(s).

Editor's note: See the *Property Law Act 1974*, section 45 for the formal requirements for deeds executed by individuals.

Drainage feature means a natural landscape feature, including a gully, drain, drainage depression or other erosion feature that—

(1) is formed by the concentration of, or operates to confine or concentrate, overland flow water during and immediately after rainfall events,

(2) flows for only a short duration after a rainfall event, regardless of the frequency of flow events,

(3) commonly, does not have enough continuing flow to create a riverine environment.

Electromagnetic interference means disturbance or degradation of telecommunications signals currently in operation over the land use area. Includes signals transmitted via microwave, very high frequency and ultra-high frequency systems.

Environmental value see *Environmental Protection Act 1994*.

Editor's note: Environmental value is:

(1) a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety, or

(2) another quality of the environment identified and declared to be an environmental value under an environmental protection policy or regulation.

Ground level means the level of the natural ground, or, where the level of the natural ground has been changed, the level as lawfully changed.

Guy wire means a tensioned cable designed to add stability to a free-standing structure, such as wind turbines and wind monitoring towers. One end of the guy wire is attached to the structure, and the other is anchored to the ground at some distance from the mast or tower base.

Height of a wind turbine means the maximum height reached by the tip of the turbine blades at their highest point above ground level.

Host lot means a parcel of land (lot(s)) that accommodates any part of a wind farm development.

Hub height of a wind turbine means the height of the hub measured from ground level (i.e. the height of the wind turbine without blades).

Landscape values means areas protected under a regional plan and/or local government planning scheme, such as biodiversity networks, natural economic resource areas (including rural production), scenic amenity areas and landscape heritage areas.

Low flying areas means a designated area where an aircraft can fly over:

(1) any city, town or populous area at an elevation lower than 1,000 feet, or

(2) any other area at an elevation lower than 500 feet.

Low reflectivity means a surface treatment that minimises glint.

Mast means the tower on which the wind turbine sits.

Military aerodrome means an aerodrome under the control of any part of the Defence Force.

Nacelle means the housing that sits on top of the tower and contains the main shaft and generator of the wind turbine.

Non-host lot see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: Non-host lot means a lot no part of which is used for wind farm or part of a wind farm.

Obstacle limitation surfaces (OLS) means a series of surfaces that set the height limits of objects around an aerodrome, and is designed to provide protection for visual flying (when the pilot is flying by sight).

Procedures for air navigation services – aircraft operations (PANS-OPS) means a set of invisible surfaces above the ground around an airport. The PANS-OPS surface is generally above the OLS and is designed to safeguard an aircraft from collision with obstacles when the aircraft's flight may be guided solely by instruments, in conditions of poor visibility.

Restricted airspace means the airspace where aircraft movements are reduced to those with certain specified permissions. The Civil Aviation Safety Authority's Office of Airspace Regulation is responsible for restricted airspace.

Registered aerodrome means a registered aerodrome as specified under the Civil Aviation Safety Regulations 1998 (CASR) part 139.

Rotor blades means the blades and hub of the wind turbine together.

Scenic amenity means a measure of the relative contribution of each place in the landscape to the collective appreciation of open space as viewed from places that are important to the public.

Sensitive land use see the State Planning Policy 2016.

Editor's note: Sensitive land use means any of the following as defined in the standard planning scheme provisions:

(1) caretakers accommodation
(2) child care centre
(3) community care centre
(4) community residence
(5) detention facility
(6) dual occupancy
(7) dwelling house
(8) dwelling unit
(9) educational establishment
(10) health care services
(11) hospital
(12) hotel
(13) multiple dwelling
(14) non-resident workforce accommodation
(15) relocatable home park
(16) residential care facility
(17) resort complex
(18) retirement facility
(19) rooming accommodation
(20) rural workers' accommodation
(21) short-term accommodation
(22) tourist park.

Shadow flicker means a shadow that is cast under certain combinations of geographical position and time of day, when the sun passes behind the blades of a wind turbine and as the blades rotate, the shadow flicks on and off. The duration of this effect, which varies according to the time of the year, can be calculated from the machine geometry and the latitude of the site.

Watercourse see the *Water Act 2000*, schedule 4.

Editor's note: A watercourse

(1) is a river, creek or other stream, including a stream in the form of an anabranch or a tributary, in which water flows permanently or intermittently, regardless of the frequency of flow events –
    (a) in a natural channel, whether artificially modified or not, or
    (b) in an artificial channel that has changed the course of the stream
(2) a watercourse includes any of the following located in it –
    (a) in-stream islands
    (b) benches
    (c) bars
(3) however, a watercourse does not include a drainage feature
(4) further –
    (a) unless there is a contrary intention, a reference to a watercourse in the *Water Act 2000*, other than in section 5 or in the definitions in schedule 4 to the extent they support the operation of section 5, is a reference to anywhere that is—

(i) upstream of the downstream limit of the watercourse
(ii) between the lateral limits of the water course

(b) a reference to the *Water Act 2000* to, or to a circumstance that involves, land adjoining a watercourse, is a reference to, or a circumstance that involves, and effectively adjoining a watercourse.

Water quality objectives means the numerical concentration limits, mass or volume limits per unit of time or narrative statements of indicators established for waters to enhance or protect the environmental values for those waters set out in:

(1) the Environmental Protection (Water) Policy 2009, schedule 1 for water mentioned in the policy, or

(2) otherwise—the Queensland Water Quality Guidelines 2009.

Wind farm see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: Wind farm:

(1) means to the use of premises for generating electricity by wind force, and

(2) includes any of the following that are used in connection with, or are ancillary to, the use of the premises or the construction of works relating to the use—

(a) wind turbines, wind monitoring towers and anemometers
(b) buildings, storage areas, maintenance facilities and other structures
(c) infrastructure and works, including, for example, site access, foundations, electrical works and landscaping, and

(3) does not include the use of premises for generating electricity that is to be used mainly on the premises for a domestic or rural use.

Development involving wind turbines that is not a material change of use for a wind farm may otherwise be assessable development under a planning instrument.

Wind monitoring tower means a mast that incorporates wind speed and direction measuring and recording equipment.

Wind turbine see the Sustainable Planning Regulation 2009, schedule 26.

Editor's note: Wind turbine means a machine or generator that uses wind force to generate electricity, and includes the blades of the machine or generator.

20.4 Abbreviations

CASA – Civil Aviation Safety Authority

dB(A) – decibels measured on the 'A' frequency weighting network.

Free-field – a region in space where sound may propagate free from any form of obstruction, usually greater than 5m from any significant vertical reflecting surface.

L_{Aeq} – The equivalent continuous (time-averaged) A-weighted sound level.

L_{A90} – The A-weighted noise level equalled or exceeded for 90% of the measurement period. This is commonly referred to as the background noise level.

LED – Light emitting diode