

FastTrack5 qualifying criteria checklist 6

Clearing native vegetation to manage thickened vegetation (operational works)

(SDAP version 2.4 dated 16 November 2018)

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

1. schedule 10, part 3, division 3, table 1 (operational work for managing thickened vegetation as defined under the *Vegetation Management Act 1999*).

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

Where an application has more than one SARA trigger, but not all triggers or aspects of development are eligible for FastTrack5 assessment, the application will be subject to the standard statutory assessment timeframes. However, any aspects of development eligible for FastTrack5 assessment will benefit from the reduced FastTrack5 application fee.

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

When seeking FastTrack5 assessment for eligible triggers, you must:

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

Where not defined, all terms used in this form have the meaning given in the State Development Assessment Provisions (SDAP) State Code 16.

Qualifying criteria		Response	Supporting information provided
Relevant purpose determination			
1	Has the chief executive of the <i>Vegetation Management Act 1999</i> determined the proposed clearing is for a relevant purpose?	<p>Yes: Proceed to question 2.</p> <p>The proposed clearing area the subject of the relevant purpose determination must be the same as the proposed clearing area the subject of the development application.</p> <p>A copy of the following information from the Department of Natural Resources, Mines and Energy must be provided:</p> <ol style="list-style-type: none"> a. the letter confirming the proposed development is for a relevant purpose and b. the Relevant Purpose Determination Plan showing the area subject to the relevant purpose determination. 	<input type="checkbox"/>
		No: Application cannot qualify for the FastTrack5 assessment pathway.	

Areas subject to a Notice Requiring Compliance			
2	Is the proposed clearing area subject to a notice requiring compliance ?	<p>No: Proceed to question 3.</p> <p>The proposed clearing area must not be subject to a restoration notice, stop work notice, Land Act notice, trespass notice under the <i>Land Act 1994</i> for the clearing of vegetation, enforcement notice or other compliance notice containing conditions about the restoration of vegetation.</p> <p>A copy of the relevant purpose determination letter from the Department of Natural Resources, Mines and Energy must be provided confirming the proposed clearing area is not subject to a notice requiring compliance.</p>	<input type="checkbox"/>
		<p>Yes: Application cannot qualify for the FastTrack5 assessment pathway and must follow the standard SARA assessment. Please refer to the relevant SDAP state codes.</p>	
Particular regulated areas			
3	Is the proposed clearing area a particular regulated area ?	<p>No: Proceed to question 4.</p> <p>The proposed clearing area must not be an exchange area, unlawfully cleared area, declared area (voluntary) or an area on a PMAV shown as a category A area were the chief executive of the <i>Vegetation Management Act 1999</i> reasonably believes that a vegetation clearing offence is or has been committed.</p> <p>A copy of the relevant purpose determination letter from the Department of Natural Resources, Mines and Energy must be provided confirming the proposed clearing area is not a particular regulated area.</p>	<input type="checkbox"/>
		<p>Yes: Application cannot qualify for the FastTrack5 assessment pathway and must follow the standard SARA assessment. Please refer to the relevant SDAP state codes.</p>	
Legally secured offset area			
4	Is the proposed clearing area a legally secured offset area ?	<p>No: Proceed to question 5.</p> <p>The proposed clearing area must not be a legally secured offset area under the <i>Environmental Offsets Act 2014</i>.</p> <p>The applicant must demonstrate that the proposed clearing area is not an area that is:</p> <ol style="list-style-type: none"> a. an environmental offset protection area; or b. an area declared as an area of high nature conservation value under section 19F of the <i>Vegetation Management Act 1999</i>; or c. another area prescribed under a regulation; <p>and under the <i>Environmental Offsets Act 2014</i> or another Act, the area is subject to a delivery or management plan or agreement (however described) to achieve a conservation outcome for a prescribed environmental matter.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. To obtain information on any legally secured offset area that is either: <ol style="list-style-type: none"> i. an environmental offset protection area; or 	<input type="checkbox"/>

		<p>ii. another area prescribed under a regulation; please contact the Department of Environment and Science. For enquiries regarding records on the register of offsets contact offsets@des.qld.gov.au</p> <p>2. To obtain information about any legally secured offset area that is an area declared as an area of high nature conservation value, undertake a current title search. Title searches can be purchased by calling 1300 255 750 or 13 QGOV (13 74 68) or by contacting your local DNRME titles office.</p>		
		<p>Yes: Application cannot qualify for the FastTrack5 assessment pathway and must follow the standard SARA assessment. Please refer to the relevant SDAP state codes.</p>		
<p>Area limit</p>				
5	<p>Is the proposed clearing area equal to or less than 400 hectares?</p>	<p>Yes: Proceed to question 6.</p> <p>The application must demonstrate the proposed clearing area the subject of the development application is not greater than 400 hectares.</p> <p>A copy of the relevant purpose determination letter from the Department of Natural Resources, Mines and Energy must be provided that includes a Relevant Purpose Determination Plan (RPDP) showing an area determined to be for a relevant purpose of less than 400 hectares.</p>	<input type="checkbox"/>	
		<p>No: Application cannot qualify for the FastTrack5 assessment pathway and must follow the standard SARA assessment. Please refer to the relevant SDAP state codes.</p>		
<p>Self-Audit</p>				
6a	<p>Have you, or any employee, contractor or agent on your behalf, undertaken any previous clearing for managing thickened vegetation on the lot under a development approval for a development application approved under the FastTrack5 process?</p>	<p>Yes: Proceed to question 6b.</p> <p>The application must confirm whether or not any prior clearing for managing thickened vegetation has occurred on the lot by the applicant or the applicant's employee, contractor or agent.</p> <p>No: Proceed to question 7.</p>	<input type="checkbox"/>	

6b	Was a self-audit of this prior clearing completed to ensure the clearing was consistent with the development approval conditions?	<p>Yes: Proceed to question 7.</p> <p>If there has been prior clearing, the application must:</p> <ol style="list-style-type: none"> identify the prior clearing; provide the details of the development approval; and confirm a self-audit has been undertaken for this prior clearing to manage thickened vegetation on the lot. <p>Notes:</p> <ol style="list-style-type: none"> You are not required to submit the results of your self-audit with this application. You must retain all self-audit results and make them available to the Department of Natural Resources, Mines and Energy upon request. Guidance on undertaking a self-audit is available online (search 'self-audit sheet – managing thickened vegetation under a FastTrack5 development approval'). 	<input type="checkbox"/>	
Clearing limitations				
7	Is the proposed clearing consistent with all of the clearing limitations listed in Appendix A?	<p>Yes: Application is eligible for FastTrack5 assessment.</p> <p>The applicant must confirm the proposed clearing will be consistent with all of the clearing limitations listed in Appendix A.</p> <p>Note: Any subsequent development approval will be conditioned in accordance with these clearing limitations.</p>	<input type="checkbox"/>	
		No: Application cannot qualify for the FastTrack5 assessment pathway and must follow the standard SARA assessment. Please refer to the relevant SDAP state codes.		

Appendix A – Clearing limitations

Limitation Number	Clearing limitation
1	Clearing must not include clearing using a chain or cable linked between two tractors, bulldozers or other traction vehicles.
2	The proposed clearing must be consistent with the: <ol style="list-style-type: none"> regional ecosystem/s (listed in table 16.3.6 of SDAP state code 16); method/s of clearing (listed in table 16.3.6 of SDAP state code 16); and restrictions of clearing (listed in table 16.3.6 of SDAP state code 16); approved in the relevant purpose determination.
3	Clearing must not occur in any of the following: <ol style="list-style-type: none"> in thickets; or for mechanical clearing, within five metres or less from the trunk of a mature tree, habitat tree or tall immature tree?
4	Clearing must retain: <ol style="list-style-type: none"> all mature trees and habitat trees; a full range of sizes and species typical of the regional ecosystem in the area; and where the number of mature trees plus habitat trees is less than 20 per hectare, tall immature trees to total 20 mature trees, habitat trees and tall immature trees per hectare?
5	Where clearing immature trees , clearing must retain the number of immature trees specified in table 16.3.6 of SDAP state code 16 distributed in a pattern that is as natural as possible?
6	Where clearing low shrubs in regional ecosystems restricted to low shrubs as specified in table 16.3.6 of SDAP state code 16, clearing must retain:

	<ul style="list-style-type: none"> a. all immature trees; and b. at least 10 per cent of the predominate species that have thickened?
7	<p>Where clearing low shrubs in regional ecosystems not restricted to low shrubs as specified in table 16.3.6 of SDAP state code 16, clearing must retain:</p> <ul style="list-style-type: none"> a. at least the number of immature trees specified in table 16.3.6 of SDAP state code 16; and b. at least 10 per cent of the predominate species that have thickened?
8	Mechanical clearing must not result in debris being stacked or pushed against a mature tree, habitat tree or tall immature tree ?
9	Clearing must not be undertaken by: <ul style="list-style-type: none"> a. aerial application of any herbicide; or b. application of a root-absorbed broad spectrum herbicide?
10	Clearing must not include chemical clearing within five metres of the trunk of a mature tree, habitat tree or tall immature tree ?
11	Mechanical clearing must not occur in any of the following: <ul style="list-style-type: none"> a. inside the defining bank of a natural wetland; or b. within 50 metres of the defining bank of a natural wetland?
12	Mechanical clearing must not occur in any of the following: <ul style="list-style-type: none"> a. inside the defining bank of any watercourse or drainage feature; b. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature; c. within 30 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; or d. within 50 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature?
13	Mechanical clearing must not result in any of the following: <ul style="list-style-type: none"> a. disturb more than 50 per cent of the ground surface or result in any hectare having less than 50 per cent ground cover, whether dead or alive; b. occur on slopes in excess of five per cent; or c. occur within 50 metres of an area of soil erosion and instability?
14	Mechanical clearing must not occur in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum?