

**Regional**

**Vegetation Management Code**

**for**

**Ongoing Clearing Purposes**

**Inland Burnett Region**

**25 June 2004**



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## 1. Description of Region

This regional vegetation management code applies to the Inland Burnett Region. The boundary of the Inland Burnett Region is defined in digital form held by the Department of Natural Resources, Mines and Energy, and is illustrated in Figure 1.

The Inland Burnett Region is approximately 2,884,693ha and covers the eastern part of the Brigalow Belt Bioregion and the north and western parts of the South-East Queensland Bioregion. It shares a boundary with the Coastal Wide Bay Region to the east, the Capricorn Dawson (Brigalow Belt Bioregion) to the north, the Southern Brigalow (Brigalow Belt Bioregion) to the west and South East Queensland Region to the south.

Vegetation communities of the Inland Burnett Region are diverse, reflecting geology, landscape, temperature and rainfall gradients. The area contains a wide range of habitat types including hilly to mountainous areas in the North and East supporting spotted gum (*C. citriodora*) and *Eucalyptus* spp open forests and woodlands. Intrusive granite derived rugged ranges and basalt hills characteristically support complex notophyll and araucarian microphyll rain forests and tall open forests. Open grassy Eucalypt woodlands however dominate the majority of the area.

The region has been extensively cleared for agriculture and urban purposes and includes the local government areas of Kingaroy, Murgon, Wondai, Mundubbera, Gayndah, Perry, Monto, Eidsvold and parts of Nanango, Kilkivan and Biggenden shires.

The Inland Burnett contains 124 reserves, which total an area of approximately 429,352ha or 14.9% of the region. These include 8 National Parks, 8 Conservation Parks, 1 Nature Refuge, and 29 Forest Reserves protected under the *Nature Conservation Act 1992* and 78 reserves protected under the *Forestry Act 1959*.

The region includes the catchments of Three Moon Creek, Nogo River, Auburn River, Boyne River, Stuart River and Barambah Creek, which all flow into the Burnett River.

The region supports a wide diversity of industries including intensive agriculture, broadscale cropping and grazing, forestry (both plantation and native forestry), commercial, tourism and service industries. The majority of land in the area is of freehold tenure (approximately 65%) with the remainder being made up of various forms of State land tenure. This is in contrast to most other regions in Queensland. The size of land holdings is relatively small compared to other areas of the State.

The Inland Burnett Region has about 1% of the State's population (approximately 40 500) and is fairly static overall with some of the smaller rural shires declining in population whilst some of the southern Burnett shires are increasing in population. This increasing population is resulting in the further development of rural residential areas, which may fragment agricultural land.

The region has a rich history of Indigenous and European cultural heritage and is recognised as an outstanding area of biodiversity. Major threats to regional ecosystems and vegetation management include uncontrolled or inappropriate fires, salinity in potential and existing discharge areas and weed invasion of areas with high nature conservation value (such as riparian zones and core retention areas) and good agricultural land.

## 2. Regulatory background

This is a regional vegetation management code to be used for the assessment of development applications for clearing vegetation under the *Integrated Planning Act 1997*. It is prepared in accordance with provisions set out in the *Vegetation Management Act 1999* (VMA) and is to be applied in the circumstances where the VMA allows that an application for assessable clearing be accepted.

The Chief Executive of the Department that administers the *Vegetation Management Act 1999* is responsible for assessing clearing applications made under that Act.

This code provides the basis, consistent with the purposes of the *Vegetation Management Act 1999*, for making decisions about vegetation.

### Purpose of the *Vegetation Management Act 1999*

The *Vegetation Management Act 1999* states:

- ‘(1) The purpose of this Act is to regulate the clearing of vegetation in a way that—
- a) conserves the following:
    - (i) Remnant endangered regional ecosystems
    - (ii) Remnant of concern regional ecosystems
    - (iii) Remnant not of concern regional ecosystems
  - b) conserves vegetation in declared areas; and
  - c) ensures the clearing does not cause land degradation; and
  - d) prevents the loss of biodiversity; and
  - e) maintains ecological processes; and
  - f) manages the environmental effects of the clearing to achieve the matters mentioned in paragraphs (a) to (e); and
  - g) reduces greenhouse gas emissions.
- (2) The purpose is achieved mainly by providing for—
- a) codes for the Planning Act relating to the clearing of vegetation that are applicable codes for the assessment of vegetation clearing applications under IDAS; and
  - b) the enforcement of vegetation clearing provisions; and
  - c) declared areas; and
  - d) a framework for decision making that, in achieving the Act’s purpose in relation to subsection (1) (a) to (e), applies the precautionary principle that lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment if there are threats of serious or irreversible environmental damage; and
  - e) the phasing out of broadscale clearing of remnant vegetation by 31 December 2006.
- (3) In this section—
- “environment”** includes—
- (a) ecosystems and their constituent parts including people and communities; and
  - (b) all natural and physical resources; and
  - (c) those 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; and
  - (d) the social, economic, aesthetic and cultural conditions affecting the matters in paragraphs (a) to (c) or affected by those matters.’

### **3. Purpose of the code**

The purpose of the Code is to provide performance criteria and, where appropriate, acceptable solutions that achieve the purpose of the *Vegetation Management Act 1999*.

### **4. Amendments of this code**

Section 15 of the *Vegetation Management Act 1999* (VMA) states that the Minister may amend a regional vegetation management code without undertaking the required consultation if:

- ‘(a) the amendment is only to correct a minor error in the code, or make another change that is not a change of substance; or
- (b) the code states that an amendment of a stated type may be made to the code by amendment under this section and the amendment is of the stated type.’

The type of amendment that can be made to this code under Section 15 (b) of the VMA is:

- Protection of vegetation associated with rivers identified under legislation regulating wild rivers.

### **5. Scope of applications assessed by this code**

A vegetation clearing application will be assessed under this code if the applicant has satisfied the chief executive that the development applied for is for a relevant purpose listed in S.22A of the *Vegetation Management Act 1999*. The relevant purposes are:

- a project declared to be a significant project under the *State Development and Public Works Organisation Act 1971*, section 26;
- necessary to control non-native plants or declared pests;
- to ensure public safety;
- for establishing a necessary fence, firebreak, road or other built infrastructure, if there is no suitable alternative site for the fence, firebreak, road or infrastructure;
- a natural and ordinary consequence of other assessable development for which a development approval as defined under the *Integrated Planning Act 1997* was given, or a development application as defined under the *Integrated Planning Act 1997* was made, before 16 May 2003;
- for fodder harvesting;
- for thinning;
- for clearing of encroachment;
- for an extractive industry;
- for clearing regrowth on leases issued under the *Land Act 1994* for agriculture or grazing purposes.

## 6. How to use this Code

The code is comprised of nine parts shown in Table 1.

Part A of the code contains performance requirements that must be met by all applications; no acceptable solutions are given.

Parts S, W, M, F, T, E, X and R of the code contain performance requirements that must be met by applications for particular purposes as shown in Table 1. The parts also contain acceptable solutions for meeting those requirements. The stated acceptable solution represents one way in which the relevant performance requirement may be met. Applicants who do not adopt the acceptable solution must show how they will meet the performance requirement. An applicant must meet each Performance Requirement by either:

- a) complying with the acceptable solution; or
- b) satisfying the assessment manager that the performance requirement is met through another solution proposed by the applicant.

Table 1 shows which parts of the code are used for each application purpose. Where the application is for multiple purposes over the same area, the applicant must meet all performance requirements for all of the purposes of the clearing. However, an application that is for clearing in regrowth on leasehold land for one or more of the purposes S, W, M, F, T, E, or X will be assessed under the code for the relevant purpose, and not under the part of the code for regrowth on leasehold land.

In determining whether an application meets the acceptable solution, or whether another solution provided by the applicant meets a performance requirement, the precautionary principle will be applied.

Properly made Development Applications for clearing vegetation made under the *Integrated Planning Act 1997* (IPA) are assessed using:

- Matters mentioned in Section 3.5.4(2) and (3) of IPA, which include:
  - The appropriate part of the code which relates to the purpose of the application; and
  - The laws that are administered by, and the relevant policies that are applied by, the Assessment Manager;
  - The common material as defined in IPA;
- The Property Vegetation Management Plan provided by the applicant;
- If there is a Property Map of Assessable Vegetation over the area which is the subject of the application, that Property Map of Assessable Vegetation;
- Regional Ecosystem or Remnant maps that apply to the area of land that is the subject of the application;
- Any further relevant information supplied by the applicant.

**Table 1: Parts of the code**

<b>Purpose of application</b>	<b>Part of Code</b>	<b>Part</b>
All applications	Mandatory Requirements for All Clearing	A
A project declared to be a significant project under the <i>State Development and Public Works Organisation Act 1971</i> , section 26	Requirements for Clearing for Significant Projects	S
Necessary to control non-native plants or declared pests	Requirements for Clearing for Weed or Pest Management	W
For establishing a necessary fence, firebreak, road or other built infrastructure, if there is no suitable alternative site for the fence, firebreak, road or infrastructure.	Requirements for Clearing for Management Activities	M
Clearing that is a natural and ordinary consequence of other assessable development for which a development approval as defined under the <i>Integrated Planning Act 1997</i> was given, or a development application as defined under the <i>Integrated Planning Act 1997</i> was made, before 16 May 2003.	Requirements for Clearing for Management Activities	M
To ensure public safety.	Requirements for Clearing for Management Activities	M
For fodder harvesting	Requirements for Fodder Harvesting	F
For thinning	Requirements for Thinning	T
For clearing of encroachment	Requirements for Clearing Encroachment	E
For an extractive industry	Requirements for Clearing for an Extractive Industry	X
For clearing regrowth on leases issued under the <i>Land Act 1994</i> for agriculture or grazing purposes, other than clearing for any other purpose.	Requirements for Clearing Regrowth	R

## 7. Assessment code

The performance requirements in Part A of this code must be met. No other solutions comply with the code.

### Part A: Mandatory requirements for all clearing applications

Performance Requirement
<p><b>PR A.1</b></p> <p>To conserve remnant endangered regional ecosystems, clearing does not occur in any “category 1 area” on a Property Map of Assessable Vegetation (PMAV), or where there is no PMAV, in any endangered regional ecosystem except where the Chief Executive is satisfied that the clearing is:</p> <ul style="list-style-type: none"> <li>• for a project declared to be a significant project under the <i>State Development and Public Works Organisation Act 1971</i>, section 26; or</li> <li>• necessary to control non-native plants or declared pests; or</li> <li>• to ensure public safety; or</li> <li>• for establishing a necessary fence, firebreak, road or other built infrastructure, if there is no suitable alternative site for the fence, firebreak, road or infrastructure; or</li> <li>• for thinning; or</li> <li>• to remove encroachment; or</li> <li>• for an extractive industry.</li> </ul>

**Performance Requirement****PR A.2**

To conserve remnant of concern regional ecosystems, clearing does not occur in any area shown as a “category 2 area” on a Property Map of Assessable Vegetation, or where there is no PMAV, in any of concern regional ecosystem except where the Chief Executive is satisfied that the clearing is:

- for a project declared to be a significant project under the *State Development and Public Works Organisation Act 1971*, section 26; or
- necessary to control non-native plants or declared pests; or
- to ensure public safety; or
- for establishing a necessary fence, firebreak, road or other built infrastructure, if there is no suitable alternative site for the fence, firebreak, road or infrastructure; or
- a natural and ordinary consequence of other assessable development for which a development approval as defined under the *Integrated Planning Act 1997* was given, or a development application as defined under the *Integrated Planning Act 1997* was made, before 16 May 2003; or
- for thinning; or
- to remove encroachment; or
- for an extractive industry.

**PR A.3**

To prevent loss of biodiversity, clearing does not occur to the extent that:

- the remnant extent of a not of concern regional ecosystem falls below 30% of its pre-clearing extent or 10 000 hectares in the bioregion; and
- the remnant extent of an of concern regional ecosystem falls below 10% of its pre-clearing extent; and
- the remnant extent of an of concern regional ecosystem falls below 30% of its pre-clearing extent where its remnant extent is less than 10 000 hectares,

except where the Chief Executive is satisfied that the clearing is:

- for a project declared to be a significant project under the *State Development and Public Works Organisation Act 1971*, section 26; or
- necessary to control non-native plants or declared pests; or
- to ensure public safety; or
- for establishing a necessary fence, firebreak, road or other built infrastructure, if there is no suitable alternative site for the fence, firebreak, road or infrastructure; or
- for an extractive industry.

**Performance Requirement****PR A.4**

To prevent the loss of biodiversity, clearing does not reduce the total extent of remnant vegetation in the Inland Burnett Region to less than 30% of the pre-clearing extent of remnant vegetation of the code area except where the Chief Executive is satisfied that the clearing is:

- for a project declared to be a significant project under the *State Development and Public Works Organisation Act 1971*, section 26; or
- necessary to control non-native plants or declared pests; or
- to ensure public safety; or
- for establishing a necessary fence, firebreak, road or other built infrastructure, if there is no suitable alternative site for the fence, firebreak, road or infrastructure; or
- for an extractive industry.

**PR A.5**

To prevent loss of biodiversity, clearing does not occur in an area which is identified on a map<sup>1</sup> prepared by the chief executive of the agency which administers the *Nature Conservation Act 1992* and certified for use for the purposes of this code by the chief executive of the Department of Natural Resources, Mines & Energy, as an area of essential habitat for a species of wildlife listed as vulnerable, rare, near threatened or endangered under that Act, except where the Chief Executive is satisfied that the clearing is:

- for a project declared to be a significant project under the *State Development and Public Works Organisation Act 1971*, section 26; or
- necessary to control non-native plants or declared pests; or
- to ensure public safety; or
- for establishing a necessary fence, firebreak, road or other built infrastructure, if there is no suitable alternative site for the fence, firebreak, road or infrastructure; or
- for thinning; or
- to remove encroachment.

<sup>1</sup> The map is held in digital form by the Department of Natural Resources, Mines & Energy and may be reduced or enlarged to show the essential habitat for a particular area.

**Performance Requirement**

**PR A.6**

To ensure clearing does not cause land degradation and to maintain ecological processes, clearing does not occur in Drainage Basin Sub Areas that have less than 30% of the area covered with remnant vegetation, unless the Chief Executive is satisfied that the clearing is:

- for a project declared to be a significant project under the *State Development and Public Works Organisation Act 1971*, section 26; or
- necessary to control non-native plants or declared pests; or
- to ensure public safety; or
- for establishing a necessary fence, firebreak, road or other built infrastructure, if there is no suitable alternative site for the fence, firebreak, road or infrastructure; or
- for fodder harvesting; or
- for thinning; or
- to remove encroachment; or
- for an extractive industry; or
- for clearing regrowth on leases issued under the *Land Act 1994* for agriculture and grazing purposes.

**Part S: Requirements for Clearing for Significant Projects<sup>2</sup>**

<b>Performance Requirement</b>	<b>Acceptable Solution</b>
<p><b>PR S.1a</b> Prevent loss of biodiversity and maintain ecological processes associated with natural wetlands, lakes and springs.</p>	<p><b>AS S.1a</b> S.1a.1 Clearing does not occur in or within:</p> <ul style="list-style-type: none"> <li>a) natural wetlands, lakes and springs; and</li> <li>b) natural wetlands within regional ecosystems 11.1.1, 11.1.2, 11.1.3, 11.1.4, 11.2.4, 11.3.3, 11.3.4, 11.3.12, 11.3.15, 11.3.16, 11.3.22, 11.3.24, 11.3.25, 11.3.27, 11.3.28, 11.3.37, 11.3.38, 11.4.3, 11.5.8, 11.5.10, 11.5.17, 11.9.5, 11.10.14, 11.12.11, 12.1.1, 12.1.2, 12.1.3, 12.2.5, 12.2.7, 12.2.11, 12.2.12, 12.2.15, 12.3.1, 12.3.2, 12.3.3, 12.3.4, 12.3.5, 12.3.6, 12.3.7, 12.3.8, 12.3.9, 12.3.10, 12.3.11, 12.3.12, 12.3.13, 12.3.15, 12.5.4, 12.5.9, 12.8.21, 12.8.22, 12.8.23, 12.9/10.10, 12.9/10.11, 12.9/10.15, 12.9/10.22, 12.11.4, 12.11.13, 12.11.21, 12.12.12, 12.12.17 and 12.12.18; and</li> <li>c) 50 metres of the static high water mark for natural wetlands, lakes and springs; and</li> </ul> <p>S.1a.2 Mechanical clearing does not occur between 50 and 100 metres of the static high water mark of a natural wetland, lake or spring.</p>
<p><b>PR S.1b</b> Prevent loss of biodiversity and maintain ecological processes associated with purpose built wetlands and lakes.</p>	<p><b>AS S.1b</b> S.1b.1 Clearing does not occur in or within:</p> <ul style="list-style-type: none"> <li>a) purpose built wetlands and lakes; and</li> <li>b) 50 metres of the static high water mark for purpose built wetlands and lakes; and</li> </ul> <p>S.1b.2 Mechanical clearing does not occur between 50 and 100 metres of the static high water mark of a purpose built wetland or lake.</p>
<p><b>PR S2</b> To prevent the loss of biodiversity and to maintain ecological processes, viable networks of wildlife habitat are maintained.</p>	<p><b>AS S.2</b> S.2.1 Remnant vegetation is retained in clumps of at least 10 hectares with a perimeter (metres) to area (hectare) ratio of no more than 200:1 that are connected by corridors of vegetation with a minimum width of 200 metres.</p> <p>AND S.2.2 Where retained vegetation adjoins the property, clumps within the property are connected to the</p>

<sup>2</sup> Significant projects are those declared to be a significant project under the *State Development and Public Works Organisation Act 1971*, section 26.

Performance Requirement	Acceptable Solution
	<p>adjoining retained vegetation by corridors of greater than 200 metres width;</p> <p>AND</p> <p>S.2.3 Clearing does not occur in State Wildlife Corridors;</p> <p>AND</p> <p>S.2.4 Clearing does not occur in an area which is identified on a map<sup>3</sup> prepared by the chief executive of the agency which administers the <i>Nature Conservation Act 1992</i> and certified for use for the purposes of this code by the chief executive of NRM&amp;E, as an area of essential habitat for a species of wildlife listed as vulnerable, rare, near threatened or endangered under that Act.</p>
<p><b>PR S.3</b></p> <p>To ensure clearing does not cause land degradation, to prevent the loss of biodiversity and to maintain ecological processes, watercourses and adjacent habitat are protected to:</p> <ol style="list-style-type: none"> <li>maintain bank stability by protecting against erosion and slumping; and</li> <li>maintain water quality by filtering sediments, nutrients and other pollutants; and</li> <li>maintain aquatic habitat; and</li> <li>provide food for aquatic ecosystems; and</li> <li>maintain wildlife habitat</li> </ol>	<p><b>AS S.3</b></p> <p>Clearing does not occur within:</p> <ol style="list-style-type: none"> <li>40 metres of each high bank of each stream order 5 and above; and</li> <li>20 metres of each high bank of each stream order 3 and 4; and</li> <li>10 metres of each high bank of each stream order 1 and 2 if the watercourse is a Gully or there is a change in vegetation indicating a riparian zone.</li> </ol>
<p><b>PR S.4</b></p> <p>To ensure clearing does not cause land degradation and to maintain ecological processes, no adverse effect on the environment from soil erosion is to occur.</p>	<p><b>AS S.4</b></p> <p>S.4.1 Clearing activities occur in accordance with Table 2; and</p> <p>S.4.2. Clearing must not be undertaken in a manner that allows negative environmental effects from soil erosion to occur outside the permit area.</p>

<sup>3</sup> The map is held in digital form by the Department of Natural Resources, Mines & Energy and may be reduced or enlarged to show the essential habitat for a particular area.

Performance Requirement	Acceptable Solution
<p><b>PR S.5</b> To ensure clearing does not cause land degradation and to maintain ecological processes, increased salinity and waterlogging and the salinisation of ground and surface water is prevented.</p>	<p><b>AS S.5</b> Clearing does not occur:</p> <ul style="list-style-type: none"> <li>a) occur in existing or potential discharge areas; and</li> <li>b) occur within 50 metres of an existing or potential discharge area; and</li> <li>c) occur in areas subject to waterlogging or areas at risk of waterlogging as a result of clearing; and</li> <li>d) reduce the extent of remnant vegetation to less than 50% of the pre-clearing extent of remnant vegetation in a contributing catchment; with vegetation preferentially retained in priority recharge areas.</li> </ul>
<p><b>PR S.6</b> To ensure clearing does not cause land degradation and to maintain ecological processes, the release of acid and associated metal contaminants into the environment from the disturbance of acid sulfate soils (ASS) is prevented.</p>	<p><b>AS S.6</b></p> <p>S.6.1 Clearing in low-lying coastal lands below 5 metres Australian Height Datum and in Land Zones 1, 2 and 3:</p> <ul style="list-style-type: none"> <li>a) does not result in disturbance or exposure of Acid Sulfate Soils or changes to the hydrology of the site likely to result in aeration of horizons containing iron sulfides or mobilisation of acid and metals; or</li> <li>a) is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</li> </ul> <p>S.6.2 Clearing in areas with a high probability of Acid Sulfate Soils is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</p>
<p><b>PR S.7</b> To conserve remnant regional ecosystems, the current extent of those regional ecosystems and category 1, category 2 and category 3 areas shown on a Property Map of Assessable Vegetation are maintained.</p>	<p><b>AS S.7</b></p> <p>S.7.1 Clearing does not occur in regional ecosystems or in category 1, category 2, or category 3 areas shown on a Property Map of Assessable Vegetation.</p> <p>OR</p> <p>S.7.2 Where clearing occurs in areas listed in S.7.1, the clearing is offset by protecting another area of non-remnant vegetation<sup>4</sup> (other than a category 1, category 2, category 3 or category 4 area on a PMAV) that achieves the following:</p>

<sup>4</sup> Other than vegetation that would be required to be retained under the conditions of a development approval.

<b>Performance Requirement</b>	<b>Acceptable Solution</b>
	<ul style="list-style-type: none"> <li>a) the regional ecosystem to be restored is the same regional ecosystem as the regional ecosystem to be cleared; and</li> <li>b) the area of the regional ecosystem to be restored is at least equal to the area to be cleared; and</li> <li>c) there is a demonstrated high probability that within 20 years the area being restored will be capable of being mapped as remnant vegetation.</li> </ul>
<p><b>PR S.8</b>            Conserve remnant vegetation, prevent loss of biodiversity, maintain ecological processes, ensure clearing does not cause land degradation and to manage the environmental effects of clearing.</p>	<p><b>AS S.8</b>            S.8.1 Clearing does not occur in an area of vegetation retained as a condition of a previous development permit on the property.            S.8.2 Clearing is limited to the extent that is reasonably necessary for the construction and operation of the significant project.</p>

**Part W: Requirements for Clearing Vegetation for Weed or Pest Management<sup>5</sup>**

<b>Performance Requirement</b>	<b>Acceptable Solution</b>
<p><b>PR W.1a</b> Prevent loss of biodiversity and maintain ecological processes associated with natural wetlands, lakes and springs.</p>	<p><b>AS W.1a</b> Mechanical clearing does not occur in or within:</p> <ul style="list-style-type: none"> <li>a) natural wetlands, lakes and springs; and</li> <li>b) natural wetlands within regional ecosystems 11.1.1, 11.1.2, 11. 1. 3, 11.1.4, 11.2.4, 11.3. 3, 11.3.4, 11. 3. 12, 11. 3. 15, 11. 3. 16, 11. 3. 22, 11. 3. 24, 11. 3. 25, 11. 3. 27, 11. 3. 28, 11. 3. 37, 11. 3. 38, 11. 4. 3, 11. 5. 8, 11. 5. 10, 11. 5. 17, 11. 9. 5, 11.10.14, 11. 12. 11, 12. 1. 1, 12.1.2, 12.1.3, 12.2. 5, 12.2.7, 12. 2. 11, 12. 2. 12, 12.2.15, 12.3.1, 12.3.2, 12.3.3, 12.3.4, 12.3.5, 12.3.6, 12.3.7, 12.3.8, 12.3.9, 12.3.10, 12.3.11, 12.3.12, 12.3.13, 12.3.15, 12.5.4, 12.5.9, 12.8.21, 12.8.22, 12.8.23, 12.9/10.10, 12.9/10.11, 12.9/10.15, 12.9/10.22, 12.11.4, 12.11.13, 12.11.21, 12.12.12, 12.12.17 and 12.12.18; and</li> <li>c) 100 metres of the static high water mark for natural wetlands, lakes and springs.</li> </ul>
<p><b>PR W.1b</b> Prevent loss of biodiversity and maintain ecological processes associated with purpose built wetlands and lakes.</p>	<p><b>AS W.1b</b> Mechanical clearing does not occur in or within:</p> <ul style="list-style-type: none"> <li>a) purpose built wetlands and lakes; and</li> <li>b) 100 metres of the static high water mark of purpose built wetlands and lakes.</li> </ul>
<p><b>PR W.2</b> To ensure clearing does not cause land degradation, to prevent the loss of biodiversity and to maintain ecological processes, watercourses and adjacent habitat are protected to:</p> <ul style="list-style-type: none"> <li>a. maintain bank stability by protecting against erosion and slumping; and</li> <li>b. maintain water quality by filtering sediments, nutrients and other pollutants; and</li> <li>c. maintain aquatic habitat; and</li> <li>d. provide food for aquatic</li> </ul>	<p><b>AS W.2</b> Mechanical clearing does not occur within:</p> <ul style="list-style-type: none"> <li>a) 40 metres of each high bank of each stream order stream order 5 and above; and</li> <li>b) 20 metres of each high bank of each stream order 3 and 4; and</li> <li>c) 10 metres of each high bank of each stream order 1 and 2 if the watercourse is a Gully or there is a change in vegetation indicating a riparian zone.</li> </ul>

<sup>5</sup> Weed or pest management means clearing to control non-native plants or pests declared under the *Land Protection (Pest and Stock Route Management) Act 2002*.

Performance Requirement	Acceptable Solution
ecosystems; and e. maintain wildlife habitat.	
<p><b>PR W.3</b> To ensure clearing does not cause land degradation and to maintain ecological processes, no adverse effect on the environment from soil erosion is to occur.</p>	<p><b>AS W.3</b> W.3.1 Clearing activities occur in accordance with Table 2; and  W.3.2. Clearing must not be undertaken in a manner that allows negative environmental effects from soil erosion to occur outside the permit area.</p>
<p><b>PR W.4</b> To ensure clearing does not cause land degradation and to maintain ecological processes, increased salinity and waterlogging and the salinisation of ground and surface water are prevented.</p>	<p><b>AS W.4</b> Mechanical clearing or the aerial application of herbicide does not occur: a) in existing or potential groundwater discharge areas; and b) within a buffer of at least 50 metres of an existing or potential discharge area; and c) in areas subject to waterlogging or areas at risk of waterlogging as a result of clearing.</p>
<p><b>PR W.5</b> To ensure clearing does not cause land degradation and to maintain ecological processes, the release of acid and associated metal contaminants into the environment from the disturbance of acid sulfate soils (ASS) is prevented.</p>	<p><b>AS W.5</b> W.5.1 Clearing in low-lying coastal lands below 5 metres Australian Height Datum and in Land Zones 1, 2 and 3: a) does not result in disturbance or exposure of Acid Sulfate Soils or changes to the hydrology of the site likely to result in aeration of horizons containing iron sulfides or mobilisation of acid and metals; or b) is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.  W.5.2 Clearing in areas with a high probability of Acid Sulfate Soils is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</p>

Performance Requirement	Acceptable Solution
<p><b>PR W.6</b> To prevent the loss of biodiversity, the natural floristic composition and range of densities of the regional ecosystem at that locality are restored or maintained.</p>	<p><b>AS W.6</b> Clearing in all remnant regional ecosystems:</p> <ul style="list-style-type: none"> <li>a) is limited to the extent reasonably necessary for the removal of non-native plants or declared pests; and</li> <li>b) maintains viable populations of each native species present and listed in the regional ecosystem description<sup>6</sup>.</li> </ul>
<p><b>PR W.7</b> To ensure clearing does not cause land degradation, to prevent the loss of biodiversity and to maintain ecological processes, the environmental effects of clearing for control of non-native plants and declared pests are minimised.</p>	<p><b>AS W.7</b> W 7.1 Mechanical clearing only occurs where:</p> <ul style="list-style-type: none"> <li>a) the infested area to be cleared is greater than 250 metres square; and</li> <li>b) clearing is required to provide immediate access to the area of the non-native plants or declared pest if no alternative route exists; and</li> <li>c) greater than 60% of the total foliage cover (including shrub and canopy layers) is composed of a non-native plant or declared pest; or</li> <li>d) the area contains a rabbit warren complex and the clearing is limited to a perimeter of 3 metres around each hole.</li> </ul> <p>AND</p> <p>W 7.2 Clearing using aerial application of herbicide only occurs where:</p> <ul style="list-style-type: none"> <li>a) greater than 60% of the total foliage (including shrub and canopy layers ) is composed of a non-native plant or declared pest; and</li> <li>b) the area to be cleared is greater than 1 hectare.</li> </ul> <p>AND</p> <p>W 7.3 Clearing by other means is limited to:</p> <ul style="list-style-type: none"> <li>a) the area infested by the pest and a 1 metre buffer around the extent of the pest infestation; and</li> <li>b) the extent necessary to provide access to the area of the non-native plants or declared pests, if no alternative route exists.</li> </ul> <p>AND</p> <p>W.7.4 For a declared animal pest, clearing occurs only where there is no suitable alternative method of control.</p>

<sup>6</sup> The Regional Ecosystem description is the full description of the regional ecosystem that appears in the Regional Ecosystem Description Database published by the Environmental Protection Agency.

**Part M: Requirements for Clearing for Management Activities<sup>7</sup>.**

<b>Performance Requirement</b>	<b>Acceptable Solution</b>
<p><b>PR M.1a</b> Prevent loss of biodiversity and maintain ecological processes associated with natural wetlands, lakes and springs.</p>	<p><b>AS M.1a</b> M.1a.1 Clearing does not occur in or within:</p> <ul style="list-style-type: none"> <li>a) natural wetlands, lakes and springs; and</li> <li>b) natural wetlands within regional ecosystems 11.1.1, 11.1.2, 11. 1. 3, 11.1.4, 11.2.4, 11.3. 3, 11.3.4, 11. 3. 12, 11. 3. 15, 11. 3. 16, 11. 3. 22, 11. 3. 24, 11. 3. 25, 11. 3. 27, 11. 3. 28, 11. 3. 37, 11. 3. 38, 11. 4. 3, 11. 5. 8, 11. 5. 10, 11. 5. 17, 11. 9. 5, 11.10.14, 11. 12. 11, 12. 1. 1, 12.1.2, 12.1.3, 12.2. 5, 12.2.7, 12. 2. 11, 12. 2. 12, 12.2.15, 12.3.1, 12.3.2, 12.3.3, 12.3.4, 12.3.5, 12.3.6, 12.3.7, 12.3.8, 12.3.9, 12.3.10, 12.3.11, 12.3.12, 12.3.13, 12.3.15, 12.5.4, 12.5.9, 12.8.21, 12.8.22, 12.8.23, 12.9/10.10, 12.9/10.11, 12.9/10.15, 12.9/10.22, 12.11.4, 12.11.13, 12.11.21, 12.12.12, 12.12.17 and 12.12.18; and</li> <li>c) 50 metres of the static high water mark for natural wetlands, lakes and springs; and</li> </ul> <p>M.1a.2 Mechanical clearing does not occur between 50 and 100 metres of the static high water mark of a natural wetland, lake or spring.</p>
<p><b>PR M.1b</b> Prevent loss of biodiversity and maintain ecological processes associated with purpose built wetlands and lakes.</p>	<p><b>AS M.1b</b> M.1b.1 Clearing does not occur:</p> <ul style="list-style-type: none"> <li>a) in purpose built wetlands and lakes; and</li> <li>b) within 50 metres of the static high water mark for purpose built wetlands and lakes; and</li> </ul> <p>M.1b.2 Mechanical clearing does not occur between 50 and 100 metres of the static high water mark of a purpose built wetland or lake.</p>
<p><b>PR M2</b> To prevent the loss of biodiversity and to maintain ecological processes, viable networks of wildlife habitat are maintained.</p>	<p><b>AS M.2</b> M 2.1 Remnant vegetation is retained in clumps of at least 10 hectares with a perimeter (metres) to area (hectare) ratio of no more than 200:1 that are connected by corridors of vegetation with a minimum width of 200 metres.</p>

<sup>7</sup> Management Activities include clearing that is:

- a) For establishing a necessary fence, firebreak, road or other built infrastructure, if there is no suitable alternative site for the fence, firebreak, road or infrastructure; or
- b) a natural and ordinary consequence of other assessable development for which a development approval as defined under the *Integrated Planning Act 1997* (IPA) was given, or a development application as defined under IPA was made, before 16 May 2003; or
- c) to ensure public safety.

Performance Requirement	Acceptable Solution
	<p>AND</p> <p>M.2.2 Where retained vegetation adjoins the property, clumps within the property are connected to the adjoining retained vegetation by corridors of greater than 200 metres width.</p> <p>AND</p> <p>M.2.3 Clearing does not occur in State Wildlife Corridors.</p> <p>AND</p> <p>M.2.4 Clearing does not occur in an area which is identified on a map<sup>8</sup> prepared by the chief executive of the agency which administers the <i>Nature Conservation Act 1992</i> and certified for use for the purposes of this code by the Chief Executive of the Department of Natural Resources, Mines &amp; Energy, as an area of essential habitat for a species of wildlife listed as vulnerable, rare, near threatened or endangered under that Act.</p>
<p><b>PR M.3</b></p> <p>To ensure clearing does not cause land degradation, to prevent the loss of biodiversity and to maintain ecological processes, watercourses and adjacent habitat are protected:</p> <ol style="list-style-type: none"> <li>a. maintain bank stability by protecting against erosion and slumping; and</li> <li>b. maintain water quality by filtering sediments, nutrients and other pollutants; and</li> <li>c. maintain aquatic habitat; and</li> <li>d. provide food for aquatic ecosystems;</li> <li>e. and maintain wildlife habitat.</li> </ol>	<p><b>AS M.3</b></p> <p>Clearing does not occur in or within:</p> <ol style="list-style-type: none"> <li>a) 40 metres of each high bank of each stream order 5 and above; and</li> <li>b) 20 metres of each high bank of each stream order 3 and 4; and</li> <li>c) 10 metres of each high bank of each stream orders 1 and 2 if the watercourse is a Gully or there is a change in vegetation indicating a riparian zone.</li> </ol>

<sup>8</sup> The map is held in digital form by the Department of Natural Resources, Mines & Energy and may be reduced or enlarged to show the essential habitat for a particular area.

Performance Requirement	Acceptable Solution
<p><b>PR M.4</b> To ensure clearing does not cause land degradation and to maintain ecological processes, no adverse effect on the environment from soil erosion is to occur.</p>	<p><b>AS M.4</b> M.4.1 Clearing activities occur in accordance with Table 2; and  M.4.2. Clearing must not be undertaken in a manner that allows negative environmental effects from soil erosion to occur outside the permit area.</p>
<p><b>PR M.5</b> To ensure clearing does not cause land degradation and to maintain ecological processes, increased salinity and waterlogging and the salinisation of ground and surface water are prevented.</p>	<p><b>AS M.5</b> M.5.1 Clearing for built infrastructure where the clearing exceeds 2 hectares, does not occur: a) occur in existing or potential discharge areas; and b) occur within 50 metres of an existing or potential discharge area; and c) occur in areas subject to waterlogging or areas at risk of waterlogging as a result of clearing; and d) reduce the extent of remnant vegetation to less than 50% of the pre-clearing extent of remnant vegetation in a contributing catchment; with vegetation preferentially retained in priority recharge areas.</p>
<p><b>PR M.6</b> To ensure clearing does not cause land degradation and to maintain ecological processes, the release of acid and associated metal contaminants into the environment from the disturbance of acid sulfate soils (ASS) is prevented.</p>	<p><b>AS M.6</b> M.6.1 Clearing in lands below 5 metres Australian Height Datum and in Land Zones 1, 2 and 3: a) does not result in disturbance or exposure of Acid Sulfate Soils or changes to the hydrology of the site likely to result in aeration of horizons containing iron sulfides or mobilisation of acid and metals; or b) is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.  M.6.2 Clearing in areas with a high probability of Acid Sulfate Soils is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</p>

<b>Performance Requirement</b>	<b>Acceptable Solution</b>
<p><b>PR M.7</b> To conserve remnant endangered regional ecosystems and remnant of concern regional ecosystems, the current extent of endangered and of concern regional ecosystems and category 1 and category 2 areas shown on a Property Map of Assessable Vegetation are maintained.</p>	<p><b>AS M.7</b> M.7.1 Clearing does not occur in remnant endangered regional ecosystems or remnant of concern regional ecosystems or areas shown as ‘category 1’ or ‘category 2’ areas on a Property Map of Assessable Vegetation.</p>
<p><b>PR M.8</b> Conserve remnant vegetation, prevent loss of biodiversity, maintain ecological processes, ensure clearing does not cause land degradation and to manage the environmental effects of clearing.</p>	<p><b>AS M.8</b> M.8.1 Clearing does not occur in an area of vegetation retained as a condition of a previous development permit on the property.</p> <p>AND M.8.2 Clearing is limited to the extent that is reasonably necessary for the construction of the fence, road, firebreak or built infrastructure, or for public safety.</p>

## Part F: Requirements for Fodder Harvesting<sup>9</sup>

<b>Performance Requirement PR F.1</b>
To ensure clearing does not cause land degradation, to maintain ecological processes and to prevent the loss of biodiversity, clearing for fodder harvesting does not occur unless the property or area in which the property is located is drought declared on or after 25 June 2004.

<b>Performance Requirement</b>	<b>Acceptable Solution</b>
<p><b>PR F.2a</b> Prevent loss of biodiversity and maintain ecological processes associated with natural wetlands, lakes and springs.</p>	<p><b>AS F.2a</b> F 2a.1 Clearing does not occur:</p> <ul style="list-style-type: none"> <li>a) in natural wetlands, lakes and springs; and</li> <li>b) in natural wetlands within regional ecosystems 11.1.1, 11.1.2, 11. 1. 3, 11.1.4, 11.2.4, 11.3. 3, 11.3.4, 11. 3. 12, 11. 3. 15, 11. 3. 16, 11. 3. 22, 11. 3. 24, 11. 3. 25, 11. 3. 27, 11. 3. 28, 11. 3. 37, 11. 3. 38, 11. 4. 3, 11. 5. 8, 11. 5. 10, 11. 5. 17, 11. 9. 5, 11.10.14, 11. 12. 11, 12. 1. 1, 12.1.2, 12.1.3, 12.2. 5, 12.2.7, 12. 2. 11, 12. 2. 12, 12.2.15, 12.3.1, 12.3.2, 12.3.3, 12.3.4, 12.3.5, 12.3.6, 12.3.7, 12.3.7a, 12.3.8, 12.3.9, 12.3.10, 12.3.11, 12.3.12, 12.3.13, 12.3.15, 12.5.4, 12.5.9, 12.8.21, 12.8.22, 12.8.23, 12.9/10.10, 12.9/10.11, 12.9/10.15, 12.9/10.22, 12.11.4, 12.11.13, 12.11.21, 12.12.12, 12.12.17 and 12.12.18; and</li> <li>c) within 50 metres of the static high water mark for natural wetlands, lakes and springs; and</li> </ul> <p>F 2a.2 Clearing between 50 and 100 metres of the static high water mark of a natural wetland, lake or spring does not cause mechanical destruction of vegetation of the ground layer and occurs in accordance with Table 2.</p>
<p><b>PR F 2b</b> Prevent loss of biodiversity and maintain ecological processes associated with purpose built wetlands and lakes.</p>	<p><b>AS F.2b</b> F 2b.1 Clearing does not occur:</p> <ul style="list-style-type: none"> <li>a) in purpose built wetlands and lakes; and</li> <li>b) within 50 metres of the static high water mark for purpose built wetlands and lakes; and</li> </ul> <p>F 2b.2 Clearing between 50 and 100 metres of the static high water mark of a purpose built wetland or lake does not cause mechanical destruction of vegetation of the ground layer and occurs in accordance with Table 2.</p>

<sup>9</sup> Fodder harvesting is the clearing of woody native plants suitable for browse fodder. Lopping for fodder harvesting does not require approval. Lopping means cutting or pruning branches, but not removing a trunk, or cutting or pruning so severely that the tree is likely to die.

Performance Requirement	Acceptable Solution
<p><b>PR F.3</b> To prevent the loss of biodiversity and to maintain ecological processes, viable wildlife habitat is maintained.</p>	<p><b>AS F.3</b> Clearing does not remove any mature trees.</p>
<p><b>PR F.4</b> To ensure clearing does not cause land degradation, to prevent the loss of biodiversity and to maintain ecological processes, watercourses and adjacent habitat are protected to:</p> <ul style="list-style-type: none"> <li>a. maintain bank stability by protecting against erosion and slumping; and</li> <li>b. maintain water quality by filtering sediments, nutrients and other pollutants; and</li> <li>c. maintain aquatic habitat; and</li> <li>d. provide food for aquatic ecosystems; and</li> <li>e. maintain wildlife habitat.</li> </ul>	<p><b>AS F.4</b> Clearing does not occur within:</p> <ul style="list-style-type: none"> <li>a) 80 metres total width buffer, plus the bed/active zone and defining bank on stream orders 5 and above; and</li> <li>b) 40 metres total width buffer, plus the bed/active zone and defining bank on stream orders 3 and 4; and</li> <li>c) 20 metres total width buffer, plus the bed/active zone and defining bank on stream orders 1 and 2 if the watercourse is a Gully or there is a change in vegetation indicating a riparian zone.</li> </ul>
<p><b>PR F.5</b> To ensure clearing does not cause land degradation and to maintain ecological processes, no adverse effect on the environment from soil erosion is to occur.</p>	<p><b>AS F.5</b> Clearing activities occur in accordance with Table 2.</p>
<p><b>PR F.6</b> To ensure clearing does not cause land degradation and to maintain ecological processes, increased salinity and waterlogging and the salinisation of ground and surface water is prevented.</p>	<p><b>AS F.6</b> Clearing does not:</p> <ul style="list-style-type: none"> <li>a) occur in existing or potential groundwater discharge areas; and</li> <li>b) occur within a buffer of at least 50 metres of an existing or potential discharge area; and</li> <li>c) occur in areas subject to waterlogging; and</li> <li>d) reduce the extent of remnant vegetation to &lt;50% of the pre-clearing extent in a contributing area above existing or potential groundwater discharge areas (saline or non saline) in association with regional, intermediate and local groundwater flow systems.</li> </ul>

Performance Requirement	Acceptable Solution
<p><b>PR F.7</b> To ensure clearing does not cause land degradation and to maintain ecological processes, the release of acid and associated metal contaminants into the environment from the disturbance of acid sulfate soils (ASS) is avoided.</p>	<p><b>AS F.7</b> F 7.1 Clearing:</p> <ul style="list-style-type: none"> <li>a) in low-lying coastal lands below 5 metres Australian Height Datum and in Land Zones 1, 2 and 3 does not result in disturbance or exposure of Acid Sulfate Soils or changes to the hydrology of the site likely to result in aeration of horizons containing iron sulfides or mobilisation of acid and metals; or</li> <li>b) is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</li> </ul> <p>F 7.2 Clearing in areas with a high probability of Acid Sulfate Soils is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</p>
<p><b>PR F.8</b> To conserve remnant not of concern regional ecosystems and to prevent the loss of biodiversity, the natural floristic composition and the structural integrity of the regional ecosystem are maintained.</p>	<p><b>AS F.8</b> Clearing:</p> <ul style="list-style-type: none"> <li>a) maintains the species composition and size classes of the regional ecosystem typical at that locality; and</li> <li>b) maintains viable populations of each species listed in the regional ecosystem description.</li> </ul>
<p><b>PR F.9</b> The environmental effects of fodder harvesting are managed.</p>	<p><b>AS F.9</b> Clearing:</p> <ul style="list-style-type: none"> <li>a) occurs by selective felling, cutting or breaking<sup>10</sup>; and</li> <li>b) is limited to suitable fodder species; and</li> <li>c) does not destroy vegetation that is not suitable fodder species.</li> </ul>

<sup>10</sup> Selective felling, cutting or breaking involves the harvesting of individual trees only.

**Part T: Requirements for Thinning<sup>11</sup>**

<b>Performance Requirement</b>	<b>Acceptable Solution</b>
<p><b>PR T.1a</b> Prevent loss of biodiversity and maintain ecological processes associated with natural wetlands, lakes and springs.</p>	<p><b>AS T.1a</b> T.1a.1 Mechanical clearing does not occur:</p> <ul style="list-style-type: none"> <li>a) in natural wetlands, lakes and springs; and</li> <li>b) in natural wetlands within regional ecosystems 11.1.1, 11.1.2, 11. 1. 3, 11.1.4, 11.2.4, 11.3. 3, 11.3.4, 11. 3. 12, 11. 3. 15, 11. 3. 16, 11. 3. 22, 11. 3. 24, 11. 3. 25, 11. 3. 27, 11. 3. 28, 11. 3. 37, 11. 3. 38, 11. 4. 3, 11. 5. 8, 11. 5. 10, 11. 5. 17, 11. 9. 5, 11.10.14, 11. 12. 11, 12. 1. 1, 12.1.2, 12.1.3, 12.2. 5, 12.2.7, 12. 2. 11, 12. 2. 12, 12.2.15, 12.3.1, 12.3.2, 12.3.3, 12.3.4, 12.3.5, 12.3.6, 12.3.7, 12.3.8, 12.3.9, 12.3.10, 12.3.11, 12.3.12, 12.3.13, 12.3.15, 12.5.4, 12.5.9, 12.8.21, 12.8.22, 12.8.23, 12.9/10.10, 12.9/10.11, 12.9/10.15, 12.9/10.22, 12.11.4, 12.11.13, 12.11.21, 12.12.12, 12.12.17 and 12.12.18; and</li> <li>c) within 100 metres of the static high water mark for natural wetlands, lakes and springs.</li> </ul>
<p><b>PR T.1b</b> Prevent loss of biodiversity and maintain ecological processes associated with purpose built wetlands and lakes.</p>	<p><b>AS T.1b</b> T.1b.1 Mechanical clearing does not occur:</p> <ul style="list-style-type: none"> <li>a) in purpose built wetlands and lakes; and</li> <li>b) within 100 metres of the static high water mark for purpose built wetlands and lakes.</li> </ul>
<p><b>PR T.2</b> To prevent the loss of biodiversity and to maintain ecological processes, viable wildlife habitat is maintained.</p>	<p><b>AS T.2</b> T.2.1 Clearing:</p> <ul style="list-style-type: none"> <li>a) does not clear mature trees; and</li> <li>b) does not alter species composition or densities typical of the regional ecosystem surrounding that locality; and</li> <li>c) does not occur in pre-existing thick patches of remnant vegetation; and</li> <li>d) maintains viable populations of each species present and listed in the regional ecosystem description<sup>12</sup>.</li> </ul> <p>AND T.2.2 Clearing achieves a mosaic pattern that includes the protection of patches and strips of remnant</p>

<sup>11</sup> Thinning means the selective clearing of vegetation at a locality to restore it to the floristic composition and range of densities typical of the regional ecosystem surrounding that locality. The term does not include clearing using a chain or cable linked between 2 tractors, bulldozers or other traction vehicles

<sup>12</sup> The Regional Ecosystem description is the full description of the regional ecosystem that appears in the Regional Ecosystem Description Database published by the Environmental Protection Agency.

Performance Requirement	Acceptable Solution
	<p>vegetation representative of a range of densities of the regional ecosystem</p> <p>AND</p> <p>T.2.3 Clearing only occurs in</p> <ul style="list-style-type: none"> <li>a) regional ecosystems 12.12.11, 12.9-10.18, 12.12.24, 12.9-10.3, 12.11.18, 11.3.26, 11.12.26, 11.9.13, 11.10.1, 12.5.7, 12.9-10.2, 12.10.17, 12.10.21, 12.11.6, 12.12.5, 12.8.17, 12.10.7, 12.11.7, 12.11.14, 12.11.22, 12.12.7, 11.12.1, 11.12.3, 11.5.1, 11.5.4, 12.3.11, 12.9-10.19, 12.11.19, 12.12.25, 12.11.17, 12.12.12, 12.5.4, 11.7.4, 11.3.2, 11.3.18, 11.3.19, 11.8.4, 11.9.2, 11.12.22, 11.3.3a; or</li> <li>b) other regional ecosystems described as grassy woodlands or woodlands or open forests.</li> </ul>
<p><b>PR T.3</b></p> <p>To ensure clearing does not cause land degradation, to prevent the loss of biodiversity and to maintain ecological processes, watercourses and adjacent habitat are protected to:</p> <ul style="list-style-type: none"> <li>a. maintain bank stability by protecting against erosion and slumping; and</li> <li>b. maintain water quality by filtering sediments, nutrients and other pollutants; and</li> <li>c. maintain aquatic habitat; and</li> <li>d. provide food for aquatic ecosystems; and</li> <li>e. maintain wildlife habitat.</li> </ul>	<p><b>AS T.3</b></p> <p>Mechanical clearing does not occur within:</p> <ul style="list-style-type: none"> <li>a) 40 metres of each high bank of each stream order 5 and above; and</li> <li>b) 20 metres of each high bank of each stream order 3 and 4; and</li> <li>c) 10 metres of each high bank of each stream order 1 and 2 if the watercourse is a Gully or there is a change in vegetation indicating a riparian zone;</li> </ul>
<p><b>PR T.4</b></p> <p>To ensure clearing does not cause land degradation and to maintain ecological processes, no adverse effect on the environment from soil erosion is to occur.</p>	<p><b>AS T.4</b></p> <p>T.4.1 Clearing occurs in accordance with Table 2.</p> <p>AND</p> <p>T.4.2 Clearing must not be undertaken in a manner that allows negative environmental effects from soil erosion to occur outside the permit area.</p>

Performance Requirement	Acceptable Solution
<p><b>PR T.5</b> To ensure clearing does not cause land degradation and to maintain ecological processes, increased salinity and waterlogging and the salinisation of ground and surface water is prevented.</p>	<p><b>AS T.5</b> Clearing does not occur:</p> <ul style="list-style-type: none"> <li>a) in existing or potential discharge areas; and</li> <li>b) within 50 metres of an existing or potential discharge area; and</li> <li>c) in areas subject to waterlogging or areas at risk of waterlogging as a result of clearing.</li> </ul>
<p><b>PR T.6</b> To ensure clearing does not cause land degradation and to maintain ecological processes, the release of acid and associated metal contaminants into the environment from the disturbance of acid sulfate soils (ASS) is prevented.</p>	<p><b>AS T.6</b></p> <p>T.6.1 Mechanical clearing in lands below 5 metres Australian Height Datum and in Land Zones 1, 2 and 3:</p> <ul style="list-style-type: none"> <li>a) does not result in disturbance or exposure of Acid Sulfate Soils or changes to the hydrology of the site likely to result in aeration of horizons containing iron sulfides or mobilisation of acid and metals; or</li> <li>b) is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</li> </ul> <p>T.6.2 Mechanical clearing in areas with a high probability of Acid Sulfate Soils is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</p>
<p><b>PR T.7</b> To prevent the loss of biodiversity, thinning only occurs in areas where demonstrated thickening has occurred.</p>	<p><b>AS T.7</b></p> <p>T.7.1 Clearing only occurs in areas where it is demonstrated that the density of the vegetation has thickened.</p> <p>AND</p> <p>T.7.2 Clearing only occurs in areas of thickening which is demonstrated by:</p> <ul style="list-style-type: none"> <li>a) comparing the density of remnant vegetation in the earliest available aerial photography that includes the subject area with the most recent available aerial photography that shows the same area; and</li> <li>b) finding that there is an increase in the density or extent of vegetation that is inconsistent with the range of densities of the regional ecosystem surrounding that locality or</li> <li>c) finding that the species is not listed in the description of the regional ecosystem.</li> </ul>

Performance Requirement	Acceptable Solution
<p><b>PR T.8</b> To prevent the loss of biodiversity, the natural floristic composition and range of densities of the regional ecosystem at that locality are restored or maintained.</p>	<p><b>AS T.8</b> Clearing:</p> <ul style="list-style-type: none"> <li>a) does not remove mature trees; and</li> <li>b) attains the species composition, size classes and densities typical of the regional ecosystem surrounding that locality; and</li> <li>c) maintains viable populations of each species present and listed in the regional ecosystem description<sup>13</sup>; and</li> <li>d) does not remove pre-existing thick patches of remnant vegetation; and</li> <li>e) achieves a mosaic pattern of the range of densities of the regional ecosystem surrounding that locality.</li> </ul>

<sup>13</sup> The Regional Ecosystem description is the full description of the regional ecosystem that appears in the Regional Ecosystem Description Database published by the Environmental Protection Agency.

**Part E: Requirements for Clearing Encroachment<sup>14</sup>**

<b>Performance Requirement</b>	<b>Acceptable Solution</b>
<p><b>PR E.1a</b> Prevent loss of biodiversity and maintain ecological processes associated with natural wetlands, lakes and springs.</p>	<p><b>AS E.1a</b> Mechanical clearing does not occur on or within:</p> <ul style="list-style-type: none"> <li>a) natural wetlands, lakes and springs; and</li> <li>b) natural wetlands within regional ecosystems 11.1.1, 11.1.2, 11. 1. 3, 11.1.4, 11.2.4, 11.3. 3, 11.3.4, 11. 3. 12, 11. 3. 15, 11. 3. 16, 11. 3. 22, 11. 3. 24, 11. 3. 25, 11. 3. 27, 11. 3. 28, 11. 3. 37, 11. 3. 38, 11. 4. 3, 11. 5. 8, 11. 5. 10, 11. 5. 17, 11. 9. 5, 11.10.14, 11. 12. 11, 12. 1. 1, 12.1.2, 12.1.3, 12.2. 5, 12.2.7, 12. 2. 11, 12. 2. 12, 12.2.15, 12.3.1, 12.3.2, 12.3.3, 12.3.4, 12.3.5, 12.3.6, 12.3.7, 12.3.8, 12.3.9, 12.3.10, 12.3.11, 12.3.12, 12.3.13, 12.3.15, 12.5.4, 12.5.9, 12.8.21, 12.8.22, 12.8.23, 12.9/10.10, 12.9/10.11, 12.9/10.15, 12.9/10.22, 12.11.4, 12.11.13, 12.11.21, 12.12.12, 12.12.17 and 12.12.18; and</li> <li>c) 100 metres of the static high water mark for natural wetlands, lakes and springs.</li> </ul>
<p><b>PR E.1b</b> Prevent loss of biodiversity and maintain ecological processes associated with purpose built wetlands and lakes.</p>	<p><b>AS E.1b</b> Mechanical clearing does not occur on or within:</p> <ul style="list-style-type: none"> <li>a) purpose built wetlands and lakes; and</li> <li>b) 100 metres of the static high water mark for purpose built wetlands and lakes.</li> </ul>
<p><b>PR E.2</b> To prevent loss of biodiversity and to maintain ecological processes, viable networks of wildlife habitat are maintained.</p>	<p><b>AS E.2</b> Clearing:</p> <ul style="list-style-type: none"> <li>a) does not alter species composition or densities typical of the regional ecosystem; and</li> <li>b) maintains viable populations of each species present and listed in the regional ecosystem description.</li> </ul>

<sup>14</sup> Encroachment means a woody species that has invaded an area of a grassland regional ecosystem to the extent the area is no longer consistent with the description of the regional ecosystem.

Performance Requirement	Acceptable Solution
<p><b>PR E.3</b> To ensure clearing does not cause land degradation, to prevent the loss of biodiversity and to maintain ecological processes, watercourses and adjacent habitat are protected to:</p> <ul style="list-style-type: none"> <li>a. maintain bank stability by protecting against erosion and slumping; and</li> <li>b. maintain water quality by filtering sediments, nutrients and other pollutants; and</li> <li>c. maintain aquatic habitat; and</li> <li>d. provide food for aquatic ecosystems; and</li> <li>e. maintain wildlife habitat.</li> </ul>	<p><b>AS E.3</b> Mechanical clearing does not occur within:</p> <ul style="list-style-type: none"> <li>a) 40 metres of each high bank of each stream orders 5 and above; and</li> <li>b) 20 metres from each high bank of each stream order 3 and 4; and</li> <li>c) 10 metres from each high bank of each stream order 1 and 2 or if the watercourse is a Gully or there is a change in vegetation indicating a riparian zone.</li> </ul>
<p><b>PR E.4</b> To ensure clearing does not cause land degradation and to maintain ecological processes, no adverse effect on the environment from soil erosion is to occur.</p>	<p><b>AS E.4</b> E.4.1 Clearing occurs in accordance with Table 2.</p> <p>AND E.4.2 Clearing must not be undertaken in a manner that allows negative environmental effects from soil erosion to occur outside the permit area.</p>
<p><b>PR E.5</b> To ensure clearing does not cause land degradation and to maintain ecological processes, increased salinity and waterlogging and the salinisation of ground and surface water is prevented.</p>	<p><b>AS E.5</b> Clearing does not occur:</p> <ul style="list-style-type: none"> <li>a) in existing or potential discharge areas; and</li> <li>b) within 50 metres of existing or potential discharge areas; and</li> <li>c) in areas subject to waterlogging or areas at risk of waterlogging as a result of clearing.</li> </ul>
<p><b>PR E.6</b> To prevent the loss of biodiversity, clearing for encroachment only occurs in areas where demonstrated encroachment has occurred.</p>	<p><b>AS E.6</b> E.6.1 Clearing for encroachment only occurs in a regional ecosystem for which an application for clearing of encroachment may be accepted under the <i>Vegetation Management Act 1999</i> section 22A(2).</p> <p>AND E.6.2 Clearing only occurs in areas of encroachment which is demonstrated by:</p> <ul style="list-style-type: none"> <li>a) comparing the density of woody remnant vegetation in the earliest available aerial photography that includes the subject area with the most recent available aerial</li> </ul>

Performance Requirement	Acceptable Solution
	<p>photography that shows the same area; and</p> <p>b) finding that there is an increase in the density or extent of woody vegetation that is inconsistent with the description of the regional ecosystem<sup>15</sup>, or</p> <p>c) finding that the woody species is not listed in the description of the regional ecosystem<sup>16</sup>.</p>
<p><b>PR E.7</b></p> <p>To ensure clearing does not cause land degradation and to maintain ecological processes, the release of acid and associated metal contaminants into the environment from the disturbance of acid sulfate soils (ASS) is prevented.</p>	<p><b>AS E.7</b></p> <p>E.7.1 Mechanical clearing in below 5 metres Australian Height Datum and in Land Zones 1, 2 and 3:</p> <p>a) does not result in disturbance or exposure of Acid Sulfate Soils or changes to the hydrology of the site likely to result in aeration of horizons containing iron sulfides or mobilisation of acid and metals; or</p> <p>b) is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</p> <p>E.7.2 Mechanical clearing in areas with a high probability of Acid Sulfate Soils is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</p>
<p><b>PR E.8</b></p> <p>To prevent the loss of biodiversity, the natural floristic composition and range of densities of the regional ecosystem at that locality are restored or maintained.</p>	<p><b>AS E.8</b></p> <p>Clearing:</p> <p>a) attains the species composition, size classes and densities typical of the regional ecosystem surrounding that locality; and</p> <p>b) maintains viable populations of each species present and listed in the regional ecosystem description<sup>17</sup>; and</p> <p>c) does not remove pre-existing thick patches of woody vegetation; and</p> <p>d) removes only the encroaching species.</p>

<sup>15</sup> The Regional Ecosystem description is the full description of the regional ecosystem that appears in the Regional Ecosystem Description Database published by the Environmental Protection Agency.

<sup>16</sup> As above.

<sup>17</sup> As above.

## Part X: Requirements for Clearing for an Extractive Industry<sup>18</sup>

An application that is for clearing for extractive industry and is also for the purpose of clearing for a significant project declared under the *State Development and Public Works Organisation Act 1971*, section 26 will be assessed under this part of the code, and not under Part S.

An application that is for clearing for extractive industry and is also for the purpose of clearing for establishing a necessary fence, firebreak, road or other built infrastructure, or for clearing that is a natural and ordinary consequence of other assessable development for which a development approval as defined under the *Integrated Planning Act 1997* was given, or a development application as defined under the *Integrated Planning Act 1997* was made, before 16 May 2003, will be assessed under this part of the code, and not under Part M.

Performance Requirements	Acceptable Solutions
<p><b>PR M.1a</b> Prevent loss of biodiversity and maintain ecological processes associated with natural wetlands, lakes and springs.</p>	<p><b>AS X.1a</b> X.1a.1 Clearing does not occur in or within:</p> <ul style="list-style-type: none"> <li>a) natural wetlands, lakes and springs; and</li> <li>b) natural wetlands within regional ecosystems 11.1.1, 11.1.2, 11. 1. 3, 11.1.4, 11.2.4, 11.3. 3, 11.3.4, 11. 3. 12, 11. 3. 15, 11. 3. 16, 11. 3. 22, 11. 3. 24, 11. 3. 25, 11. 3. 27, 11. 3. 28, 11. 3. 37, 11. 3. 38, 11. 4. 3, 11. 5. 8, 11. 5. 10, 11. 5. 17, 11. 9. 5, 11.10.14, 11. 12. 11, 12. 1. 1, 12.1.2, 12.1.3, 12.2. 5, 12.2.7, 12. 2. 11, 12. 2. 12, 12.2.15, 12.3.1, 12.3.2, 12.3.3, 12.3.4, 12.3.5, 12.3.6, 12.3.7, 12.3.8, 12.3.9, 12.3.10, 12.3.11, 12.3.12, 12.3.13, 12.3.15, 12.5.4, 12.5.9, 12.8.21, 12.8.22, 12.8.23, 12.9/10.10, 12.9/10.11, 12.9/10.15, 12.9/10.22, 12.11.4, 12.11.13, 12.11.21, 12.12.12, 12.12.17 and 12.12.18; and</li> <li>c) 50 metres of the static high water mark for natural wetlands, lakes and springs; and</li> </ul> <p>X.1a.2 Mechanical clearing does not occur between 50 and 100 metres of the static high water mark of a natural wetland, lake or spring.</p>

<sup>18</sup> Extractive industry means one or more of the following:

- (a) dredging material from the bed of any waters;
  - (b) extracting rock, sand, clay, gravel, loam or other material, from a pit or quarry;
  - (c) screening, washing, grinding, milling, sizing or separating material extracted from a pit or quarry.
- Note that sizing is taken to include crushing.

<b>Performance Requirements</b>	<b>Acceptable Solutions</b>
<p><b>PR X.1b</b> Prevent loss of biodiversity and maintain ecological processes associated with purpose built wetlands and lakes.</p>	<p><b>AS X.1b</b> X.1b.1 Clearing does not occur:  <ul style="list-style-type: none"> <li>c) in purpose built wetlands and lakes; and</li> <li>d) within 50 metres of the static high water mark for purpose built wetlands and lakes; and</li> </ul>   X.1b.2 Mechanical clearing does not occur between 50 and 100 metres of the static high water mark of a purpose built wetland or lake.</p>
<p><b>PR X 2</b> To prevent the loss of biodiversity and to maintain ecological processes, viable networks of wildlife habitat are maintained.</p>	<p><b>AS X.2</b> X.2.1 Vegetation is retained in corridors with a 5:1 length to width ratio, which provide connectivity between:  <ul style="list-style-type: none"> <li>a) clumps of retained vegetation on the property or on adjoining properties; and</li> <li>b) wetlands; and</li> <li>c) endangered or of concern regional ecosystems.</li> </ul>   OR  X.2.2 Viable networks of wildlife habitat are maintained by offsetting areas of vegetation immediately adjacent to the area of vegetation affected by the application, in a manner that meets the requirements of X.2.1.   AND  X.2.3 Clearing does not occur in State Wildlife Corridors.</p>
<p><b>PR X.3</b> To ensure clearing does not cause land degradation, to prevent the loss of biodiversity and to maintain ecological processes, watercourses and adjacent habitat are protected:  <ul style="list-style-type: none"> <li>a) maintain bank stability by protecting against erosion and slumping; and</li> <li>b) maintain water quality by filtering sediments, nutrients and other pollutants; and</li> <li>c) maintain aquatic habitat; and</li> <li>d) provide food for aquatic ecosystems;</li> </ul> </p>	<p><b>AS X.3</b> Clearing does not occur in or within:  <ul style="list-style-type: none"> <li>a) 40 metres of each high bank of each stream order 5 and above; and</li> <li>b) 20 metres of each high bank of each stream order 3 and 4; and</li> <li>c) 10 metres of each high bank of each stream orders 1 and 2 if the watercourse is a Gully or there is a change in vegetation indicating a riparian zone.</li> </ul> </p>

Performance Requirements	Acceptable Solutions
e) and maintain wildlife habitat.	
<p><b>PR X.4</b> To ensure clearing does not cause land degradation and to maintain ecological processes, no adverse effect on the environment from soil erosion is to occur.</p>	<p><b>AS X.4</b> X.4.1 Clearing must not be undertaken in a manner that allows adverse environmental effects from soil erosion resulting from the clearing to occur outside the operational area.</p> <p>AND X 4.2 Clearing is:</p> <ul style="list-style-type: none"> <li>a) staged in line with operational needs to restrict clearing to the operational area; and</li> <li>b) limited to the area from which material will be extracted within the term of the permit.</li> </ul>
<p><b>PR X.5</b> To ensure clearing does not cause land degradation and to maintain ecological processes, increased salinity and waterlogging and the salinisation of ground and surface water are prevented.</p>	<p><b>AS X.5</b> Clearing does not occur:</p> <ul style="list-style-type: none"> <li>a) occur in existing or potential discharge areas; and</li> <li>b) occur within 50 metres of an existing or potential discharge area; and</li> <li>c) occur in areas subject to waterlogging or areas at risk of waterlogging as a result of clearing; and</li> <li>d) reduce the extent of remnant vegetation to less than 50% of the pre-clearing extent of remnant vegetation in a contributing catchment; with vegetation preferentially retained in priority recharge areas.</li> </ul>
<p><b>PR X.6</b> To ensure clearing does not cause land degradation and to maintain ecological processes, the release of acid and associated metal contaminants into the environment from the disturbance of acid sulfate soils (ASS) is prevented.</p>	<p><b>AS X.6</b> X.6.1 Clearing in lands below 5 metres Australian Height Datum and in Land Zones 1, 2 and 3:</p> <ul style="list-style-type: none"> <li>a) does not result in disturbance or exposure of Acid Sulfate Soils or changes to the hydrology of the site likely to result in aeration of horizons containing iron sulfides or mobilisation of acid and metals; or</li> <li>b) is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</li> </ul>

Performance Requirements	Acceptable Solutions
	<p>X.6.2 Clearing in areas with a high probability of Acid Sulfate Soils is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</p>
<p><b>PR X.7</b> To conserve remnant endangered regional ecosystems and remnant of concern regional ecosystems, the current extent of endangered and of concern regional ecosystems and category 1 and category 2 areas shown on a Property Map of Assessable Vegetation are maintained.</p>	<p><b>AS X.7</b> Clearing does not occur in an endangered or of concern regional ecosystem or an area shown as ‘category 1’ or ‘category 2’ on a Property Map of Assessable Vegetation, unless the clearing:</p> <p>a) is in a resource/processing area or transport route of a Key Resource Area identified in a State Planning Policy on Protection of Extractive Resources, or if no State Planning Policy is made, is in a resource/processing area or transport route for an area that in the opinion of the chief executive is an extractive resource of State significance;</p> <p>AND</p> <p>b) the clearing is offset by protecting an area of non-remnant (other than a category 1, category 2, category 3 or category 4 area on a PMAV), or remnant vegetation that may otherwise be approved to be cleared under this code that achieves the following:</p> <ul style="list-style-type: none"> <li>i. the regional ecosystem to be restored is or will be the same regional ecosystem as the regional ecosystem to be cleared; and</li> <li>ii. the area of the regional ecosystem to be restored is at least equal to the area to be cleared; and</li> <li>iii. there is a demonstrated high probability that within 20 years the area being restored will be capable of being mapped as remnant vegetation.</li> </ul>

<b>Performance Requirements</b>	<b>Acceptable Solutions</b>
<p><b>PR X.8</b>                      Conserve remnant vegetation, prevent loss of biodiversity, maintain ecological processes, ensure clearing does not cause land degradation and to manage the environmental effects of clearing.</p>	<p><b>AS X.8</b>                      X.8.1 Clearing does not occur in an area of vegetation retained as a condition of a previous development permit for clearing on the property;</p> <p>AND</p> <p>X.8.2 Clearing for the construction of infrastructure associated with an extractive industry operation is limited to the extent that is reasonably necessary for the construction and operation of the infrastructure;</p> <p>AND</p> <p>X.8.3 Clearing is:</p> <ul style="list-style-type: none"> <li>a) staged in line with operational needs to restrict clearing to the area required for active extractive activity at any one time; and</li> <li>b) limited to the area from which material will be extracted within the term of the permit.</li> </ul>

## Part R: Requirements for Clearing Regrowth<sup>19</sup>

Where this part of the code refers to a regional ecosystem in the acceptable solutions, the pre-clearing extent map will be used to determine the location and extent of the regional ecosystem.

Performance Requirements	An Acceptable Solution
<p><b>PR R.1a</b> Prevent loss of biodiversity and maintain ecological processes associated with natural wetlands, lakes and springs.</p>	<p><b>AS R.1a</b> R.1a.1 Clearing does not occur in or within:</p> <ul style="list-style-type: none"> <li>a) natural wetlands, lakes and springs; and</li> <li>b) natural wetlands within regional ecosystems 11.1.1, 11.1.2, 11. 1. 3, 11.1.4, 11.2.4, 11.3. 3, 11.3.4, 11. 3. 12, 11. 3. 15, 11. 3. 16, 11. 3. 22, 11. 3. 24, 11. 3. 25, 11. 3. 27, 11. 3. 28, 11. 3. 37, 11. 3. 38, 11. 4. 3, 11. 5. 8, 11. 5. 10, 11. 5. 17, 11. 9. 5, 11.10.14, 11. 12. 11, 12. 1. 1, 12.1.2, 12.1.3, 12.2. 5, 12.2.7, 12. 2. 11, 12. 2. 12, 12.2.15, 12.3.1, 12.3.2, 12.3.3, 12.3.4, 12.3.5, 12.3.6, 12.3.7, 12.3.8, 12.3.9, 12.3.10, 12.3.11, 12.3.12, 12.3.13, 12.3.15, 12.5.4, 12.5.9, 12.8.21, 12.8.22, 12.8.23, 12.9/10.10, 12.9/10.11, 12.9/10.15, 12.9/10.22, 12.11.4, 12.11.13, 12.11.21, 12.12.12, 12.12.17 and 12.12.18; and</li> <li>c) 50 metres of the static high water mark for natural wetlands, lakes and springs; and</li> </ul> <p>R.1a.2 Mechanical clearing does not occur between 50 and 100 metres of the static high water mark of a natural wetland, lake or spring.</p>
<p><b>PR R.1b</b> Prevent loss of biodiversity and maintain ecological processes associated with purpose built wetlands and lakes.</p>	<p><b>AS R.1b</b> R.1b.1 Clearing does not occur:</p> <ul style="list-style-type: none"> <li>a) in purpose built wetlands and lakes; and</li> <li>b) within 50 metres of the static high water mark for purpose built wetlands and lakes; and</li> </ul> <p>R.1b.2 Mechanical clearing does not occur between 50 and 100 metres of the static high water mark of a purpose built wetland or lake.</p>

<sup>19</sup> For the purposes of this code, regrowth is non-remnant vegetation that has emerged following clearing undertaken on or before 31 December 1989, and is on a lease issued under the *Land Act 1994* for agriculture or grazing purposes.

Performance Requirements	An Acceptable Solution
<p><b>PR R.2</b> To prevent the loss of biodiversity and to maintain ecological processes, viable networks of wildlife habitat are maintained.</p>	<p><b>AS R.2</b> R.2.1 On properties up to 200 hectares, retain vegetation:</p> <ul style="list-style-type: none"> <li>a) in clump/s of at least 10 hectares with a perimeter (metres) to area (hectare) ratio of no more than 200:1 that are connected by corridors of vegetation with a minimum width of 100 metres; and</li> <li>b) to optimise viability and connectivity.</li> </ul> <p>R.2.2 On properties greater than 200 hectares, retain vegetation in clump/s of at least 10 hectares with a perimeter (metres) to area (hectare) ratio of no more than 200:1 that are connected by corridors of vegetation with a minimum width of 100 metres and average width of 200 metres.</p> <p>R.2.3 Where retained vegetation adjoins the property, clumps within the property are connected to the adjoining retained vegetation by corridors of greater than 200 metres width;</p> <p>R.2.4 Clearing does not occur in State Wildlife Corridors.</p>
<p><b>PR R.3</b> To ensure clearing does not cause land degradation, to prevent the loss of biodiversity and to maintain ecological processes, watercourses and adjacent habitat are protected:</p> <ul style="list-style-type: none"> <li>a. maintain bank stability by protecting against erosion and slumping; and</li> <li>b. maintain water quality by filtering sediments, nutrients and other pollutants; and</li> <li>c. maintain aquatic habitat; and</li> <li>d. provide food for aquatic ecosystems; and</li> <li>e. maintain wildlife habitat.</li> </ul>	<p><b>AS R.3</b> Clearing does not occur within:</p> <ul style="list-style-type: none"> <li>a) 40 metres of each high bank of each stream order 5 and above; and</li> <li>b) 20 metres of each high bank of each stream order 3 and 4; and</li> <li>c) 10 metres of each high bank of each stream order 1 and 2 if the watercourse is a Gully or there is a change in vegetation indicating a riparian zone.</li> </ul>

Performance Requirements	An Acceptable Solution
<p><b>PR R.4</b> To ensure clearing does not cause land degradation and to maintain ecological processes, no adverse effect on the environment from soil erosion is to occur.</p>	<p><b>AS R.4</b> Clearing occurs in accordance with Table 2.</p>
<p><b>PR R.5</b> To ensure clearing does not cause land degradation and to maintain ecological processes, increased salinity and waterlogging and the salinisation of ground and surface water are prevented.</p>	<p><b>AS R.5</b> Clearing does not occur:</p> <ul style="list-style-type: none"> <li>a) in existing or potential groundwater discharge areas; and</li> <li>b) within 50 metres of an existing or potential discharge area; and</li> <li>c) in areas subject to waterlogging or areas at risk of waterlogging as a result of clearing;</li> <li>d) in priority recharge areas.</li> </ul>
<p><b>PR R.6</b> To ensure clearing does not cause land degradation and to maintain ecological processes, the release of acid and associated metal contaminants into the environment from the disturbance of acid sulfate soils (ASS) is prevented.</p>	<p><b>AS R.6</b></p> <p>R.6.1 Clearing in lands below 5 metres Australian Height Datum and in Land Zones 1, 2 and 3:</p> <ul style="list-style-type: none"> <li>a) does not result in disturbance or exposure of Acid Sulfate Soils or changes to the hydrology of the site likely to result in aeration of horizons containing iron sulfides or mobilisation of acid and metals; or</li> <li>b) is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</li> </ul> <p>R.6.2 Clearing in areas with a high probability of Acid Sulfate Soils is conducted in accordance with an Acid Sulfate Soil Environmental Management Plan prepared in accordance with the <i>State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils</i> and Guideline.</p>

**Table 2: Limitations for clearing within the Inland Burnett Region**

<b>Soil Order</b>	<b>Slope %</b>	<b>Limitations for clearing</b>
Ferrosols Dermosols, Kandosols, Rudosols, Tenosols and Vertosols Chromosols, Hydrosols, Kurosols, Podosols and Sodosols Dispersible soils with an Exchangeable Sodium Percentage >15%	0 to 20 0 to 15 0 to 8 0 to 5	Nil
Ferrosols Dermosols, Kandosols, Rudosols, Tenosols and Vertosols Chromosols, Hydrosols, Kurosols, Podosols and Sodosols Dispersible soils with an Exchangeable Sodium Percentage >15%	>20 to 30 >15 to 20 >8 to 12 >5 to 8	No mechanical clearing for clearing regrowth.
Ferrosols Dermosols, Kandosols, Rudosols, Tenosols and Vertosols Chromosols, Hydrosols, Kurosols, Podosols and Sodosols Dispersible soils with an Exchangeable Sodium Percentage >15%	>30 to 35 >20 to 30 >12 to 15 >8 to 12	No mechanical clearing for: <ul style="list-style-type: none"> <li>• Clearing for weed or pest management activities; and</li> <li>• Clearing for fodder harvesting; and</li> <li>• Clearing for thinning; and</li> <li>• Clearing encroachment; and</li> <li>• Clearing for regrowth.</li> </ul>
Ferrosols Dermosols, Kandosols, Rudosols, Tenosols and Vertosols Chromosols, Hydrosols, Kurosols, Podosols and Sodosols Dispersible soils with an Exchangeable Sodium Percentage >15%	>35 >30 >15 >12	No mechanical clearing for: <ul style="list-style-type: none"> <li>• Clearing for weed or pest management activities; and</li> <li>• Clearing for fodder harvesting; and</li> <li>• Clearing for thinning; and</li> <li>• Clearing for regrowth.</li> </ul>

## 7. Dictionary

**Acid sulfate soils:** are soils, sediments or peat containing highly acidic soil horizons or layers affected by the oxidation of soil material that is rich in iron sulfides, primarily pyrite and/or soils, sediments or peat containing iron sulfides or other sulfidic material that has not been exposed to air and oxidised .

**Aerial application of herbicide** includes the use of aircraft, including helicopters and small single engine planes, to spray pesticides for non-native plants and declared pests.

**Aerial Photography:** Vertical aerial photographs, identified by film number, run number and frame number, captured as part of a coordinated aerial photography program or project on which the date of photography, flying height, lens focal length and project name are specified.

**Contributing area** is the groundwater flow system that influences the occurrence of dryland salinity.

**Contributing Catchment** means, for:

- a) a local ground water flow system, the area of the surface catchment measured above a point 5 km downstream from an existing or potential discharge area;
- b) an intermediate groundwater flow system, the area encompassed by a 15km radius from an existing or potential discharge area;
- c) a regional groundwater flow system:
  - i). the area with the relevant drainage basin sub area at a higher elevation than an existing or potential discharge area; or
  - ii). for the Coastal Wide Bay Region Code, the Inland Burnett Region Code and the South East Queensland Region Code, the area encompassed by a 30km radius from an existing or potential discharge area.

**Corridors:** are continuous strips of vegetation; that link clumps of vegetation; that are used, or capable of being used, by wildlife for movement or habitat; and are capable of being habitat in their own right.

**Declared pest:** is a pest declared under the *Land Protection (Pest and Stock Route Management) Act 2002*.

**Demonstrated, for a proposed offset,** includes demonstrated by reference to published literature, the written opinion of a recognised expert in the field of revegetation; or by comparison to revegetation projects in similar regional ecosystems and similar conditions.

**Demonstrated thickening:** means the increase in the density of woody remnant vegetation which can be proven by reference to the earliest available aerial photography that includes the subject area when compared with the most recent available aerial photography that shows the same area.

**Demonstrated encroachment:** means the increase in density of woody vegetation in grassland regional ecosystems listed in the *Vegetation Management Regulation 2000* which can be proven by reference to the earliest available aerial photography that includes the subject area when compared with the most recent available aerial photography that shows the same area.

**Discharge area is:**

- a) that part of the land surface where groundwater discharge produces a net movement of water out of the groundwater; and
- b) identified by an assessment process consistent with the document: *Salinity Management Handbook*, Queensland Department of Natural Resources, 1997; or
- c) identified by an approved salinity hazard map.

**Dispersible soils:** are soils in which clay material disintegrates into particles less than 2 microns when submerged in distilled water for 12 hours.

**Drainage Basin Sub Area:** is identified on an electronic map layer held by the Department of Natural Resources, Mines & Energy.

**Encroachment:** means a woody species that has invaded an area of a grassland regional ecosystem to the extent the area is no longer consistent with the description of the regional ecosystem.

**Floristic composition:** is determined by the Queensland Herbarium's complete description of the regional ecosystem.

**Fodder harvesting:** is the clearing of fodder species for the purpose of being eaten by stock.

**Fodder species:** are species where the proponent can establish with published literature, to the satisfaction of the Chief Executive, that:

- a) in the local conditions, the species is suitable for browse fodder (that it is palatable, non-toxic and contributes to stock nutrition); and
- b) the species will regenerate successfully after harvesting.

Such information may be located in current scientific literature, such as Everist, SL (1985) *Use of Fodder Trees and Shrubs*, Qld Department of Primary Industries Information Series QI85015

Fodder species do NOT include Brigalow (*Acacia harpophylla*), Gidgee (*Acacia cambagei*) and all species of the genera Eucalyptus and Corymbia.

**Foliage cover:** is the percentage of the sample site occupied by the vertical projection of the foliage and woody branches.

**Grassland regional ecosystem:** means a grassland regional ecosystem prescribed under a regulation as a grassland regional ecosystem.

**Groundwater flow system:** is a mapping unit that classifies the land surface into zones with hydrogeological characteristics that influence the occurrence of dryland salinity. The hydrogeological characteristics relate to the movement of

groundwater from a recharge area, through a transmission zone, to a discharge area or a potential discharge area.

**Gully:** A gully is an incised “U” or “V” shaped channel with the following features:

- usually convey runoff during or immediately after periods of heavy rainfall;
- bed and banks are clearly defined with at least one steep bank with a slope of >25 degrees; and
- bed has evidence of soil erosion/deposition and/or incision.

**High bank:** The defining bank is the terrace or bank or, if no bank is present, the point on the active floodplain, which confines the average annual peak flows.

**High probability of Acid Sulfate Soils:** are areas identified as having a high probability of Acid Sulfate Soil from an approved Department of Natural Resources, Mines & Energy Acid Sulfate Soil risk map.

**Inland Burnett:** is the Inland Burnett Region shown in Figure 1.

**Intermediate groundwater flow system:** is a ground water flow system where the distance between a discharge area and the closest recharge area is between 5km and 15km.

**Lake:** is a lagoon, billabong, or other natural area of open water, whether permanent or intermittent.

**Land Zones 1 – 12:** are as defined in the regional ecosystem database published by the department and appearing on the department’s website.

**Local ground water flow system:** is a ground water flow system where the distance between a discharge area and the closest recharge area is less than 5km.

**Mature trees:** are trees that:

- a) are present in the dominant canopy as dominants or co-dominants; and
- b) have a trunk diameter, measured 1.3 metres above the ground, more than ½ of that of the largest trees of the same species in the regional ecosystem typical at that locality; or
- c) have one or more hollows more than 10 centimetres in diameter and more than 2 metres above the ground.

**Mechanical clearing:** means to clear vegetation using machinery, which disturbs the soil surface or uproots woody vegetation.

**Non-native plants:** are those that are non-endemic to Australia.

**Open forest** Regional ecosystems described as open forests by the Queensland Herbarium including low and tall open forests.

**Open woodland** Regional ecosystems described as open woodlands by the Queensland Herbarium including low open woodlands.

Operational area: means the area actively being used for extractive industry at any one time.

Pre-clearing extent: for a regional ecosystem, means the extent of the regional ecosystem before it was cleared, which is shown on the most recently released version of a digital map of the pre-clearing extent of regional ecosystems prepared by the Queensland Herbarium.

Potential groundwater discharge area: Low lying parts of the landscape (relative to adjacent terrain) where groundwater movements are within 2-5m of the land surface and the landscape may be subject to upward movement of groundwater in the future.

Priority recharge areas are areas

- a) identified as moderate-high or high on the recharge layer of an approved Salinity Hazard Map of the Department of Natural Resources, Mines and Energy; or
- b) identified using an assessment process as outlined in the document: *Salinity Management Handbook*, Queensland Department of Natural Resources, 1997.

Property: is a lease, a license or permit under the Land Act; a single freehold lot or an aggregation of freehold lots that are geographically contiguous and are managed as a single unit.

Protecting: when offsetting means the area is either: declared as an area of high nature conservation value or vulnerable to land degradation under the *Vegetation Management Act 1999*; a protected tenure under the *Nature Conservation Act 1992*; or lawfully covenanted under the *Land Title Act 1994* and *Integrated Planning Act 1997*.

Purpose built wetlands and lakes: are wetlands and lakes that have been artificially constructed to perform the ecological and nature conservation functions of natural wetlands, or provide essential habitat for native or migratory wetland-dependent flora and fauna species. They do not include farm dams constructed for purposes other than nature conservation such as stock or domestic water supply and irrigation.

Rabbit warren complex: is an underground place with 2 or more entry points where rabbits breed.

Resource/processing area: means the area of an extractive resource and the operational areas associated with extraction and processing of extractive materials. For a Key Resource Area identified by a State Planning Policy on Protection of Extractive Resources, the terms means the resource/processing area defined for that Key Resource Area in that State Planning Policy

Shrub is a woody plant that is multistemmed at the base (or within 200 millimetres from the ground level) or, if single stemmed, less than 2 metres tall.

- Size classes** is a range of heights characteristic of a particular species of vegetation.
- Soil erosion:** includes, gully erosion, rill erosion, sheet erosion, stream bank erosion, wind erosion or scalding; and associated loss of chemical, physical or biological fertility (such as water holding capacity, soil structure, organic matter, soil biology and nutrients).
- Springs:** are –
- a) where water naturally rises to and flows over the surface of land; and
  - b) those areas listed in: Fensham and Fairfax (2002) ‘Queensland springs distribution-assessment’.
- State Wildlife Corridors:** are areas identified on a map<sup>20</sup> prepared by the Chief Executive of Environmental Protection Agency and certified by the Chief Executive of the Department of Natural Resources, Mines and Energy for the purposes of this code as State Wildlife Corridors.
- Static high water mark:** is the settled ordinary water level that occurs under average meteorological conditions. It is less than extreme levels that can be caused by storm surges.
- Stream order:** is a numerical ordering classification of each watercourse segment according to its position within a catchment, as shown in Figure 2. Stream orders are determined using the most recent version of Commonwealth of Australia 1:100,000 topographic series. When two streams of the same order join, the resulting watercourse becomes one stream order larger. If two streams of different order join, the resultant stream order is that of the larger stream.
- Thinning:** means the selective clearing of remnant vegetation at a locality to restore a regional ecosystem to the floristic composition and range of densities typical of the regional ecosystem surrounding that locality. The term does not include using a chain or cable linked between 2 tractors, bulldozers or other traction engines.
- Transport Route:** means the route used to transport<sup>21</sup> extractive materials to markets. For a Key Resource Area identified by a State Planning Policy on Protection of Extractive Resources, the term means the transport route defined for that Key Resource Area in that State Planning Policy
- Typical of the regional ecosystem surrounding/of that locality:** regional ecosystems are representative of regional ecosystems of the same sub-regional or provincial scale.

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<sup>20</sup> The map is held in digital form by the Department of Natural Resources, Mines & Energy and may be reduced or enlarged to show the State wildlife corridors for a particular area.

<sup>21</sup> Generally road haulage is used to transport extractive materials, but in some circumstances could be:

- Rail transport, for example for transporting rail ballast where the extractive resource deposit is adjacent to rail (some rail ballast is trucked to a distribution centre at a rail siding); or
- Conveyor transport comprising a loading point, conveyor, and a distribution centre where there are significant rates of extraction.

Vegetation indicating a riparian zone: Vegetation that indicates good subsoil moisture conditions which probably occurs as a result of prolonged sub soil seepage. For example, water couch, rushes, sedges, tea trees, bottlebrushes, river sheoak, and weeping lilly pilly or weeping myrtle. This vegetation will usually be confined to the watercourse bed and defining banks and not generally occur in adjacent lands.

Viable network: areas of vegetation that exhibit high levels of connectivity, are large enough to allow ecosystem functioning, are self generating and able to remain in the landscape in spite of threatening processes.

Viable populations: means maintaining a range of size classes of the species at sufficient populations to ensure its ongoing presence at that site.

Waterlogging: is the saturation of soil by soil water.

Wetlands: are one or more of the following -

- a) areas of permanent or periodic/intermittent inundation, with water that is static or flowing fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed 6 metres. To be a wetland the area must have one or more of the following attributes:
  - i. at least periodically the land supports plants and animals that are adapted to and dependent on living in wet conditions for at least part of their life cycle.
  - ii. the substratum is predominantly undrained soils that are saturated, flooded or ponded long enough to develop anaerobic conditions in the upper levels.
  - iii. the substratum is not soil and is saturated with water, or covered by water at some time; and
- b) those areas shown as a swamp, lake, marsh, waterhole, wetland, billabong, pool or spring on the latest Sunmap or Commonwealth of Australia 1:100000 topographic map series; and
- c) Ramsar wetlands; and
- d) lands that incorporate a declared Fish Habitat Area under the Fisheries Act 1994; and
- e) those identified in Environment of Australia (2001) *A Directory of Important Wetlands in Australia, Third Edition*. Environment of Australia, Canberra.

Wildlife habitat: is the combination of factors both biotic and abiotic that meet the requirements of a particular species of native plant or animal.

Woodland Regional Ecosystems described as Woodlands by the Queensland Herbarium including low and tall woodlands.

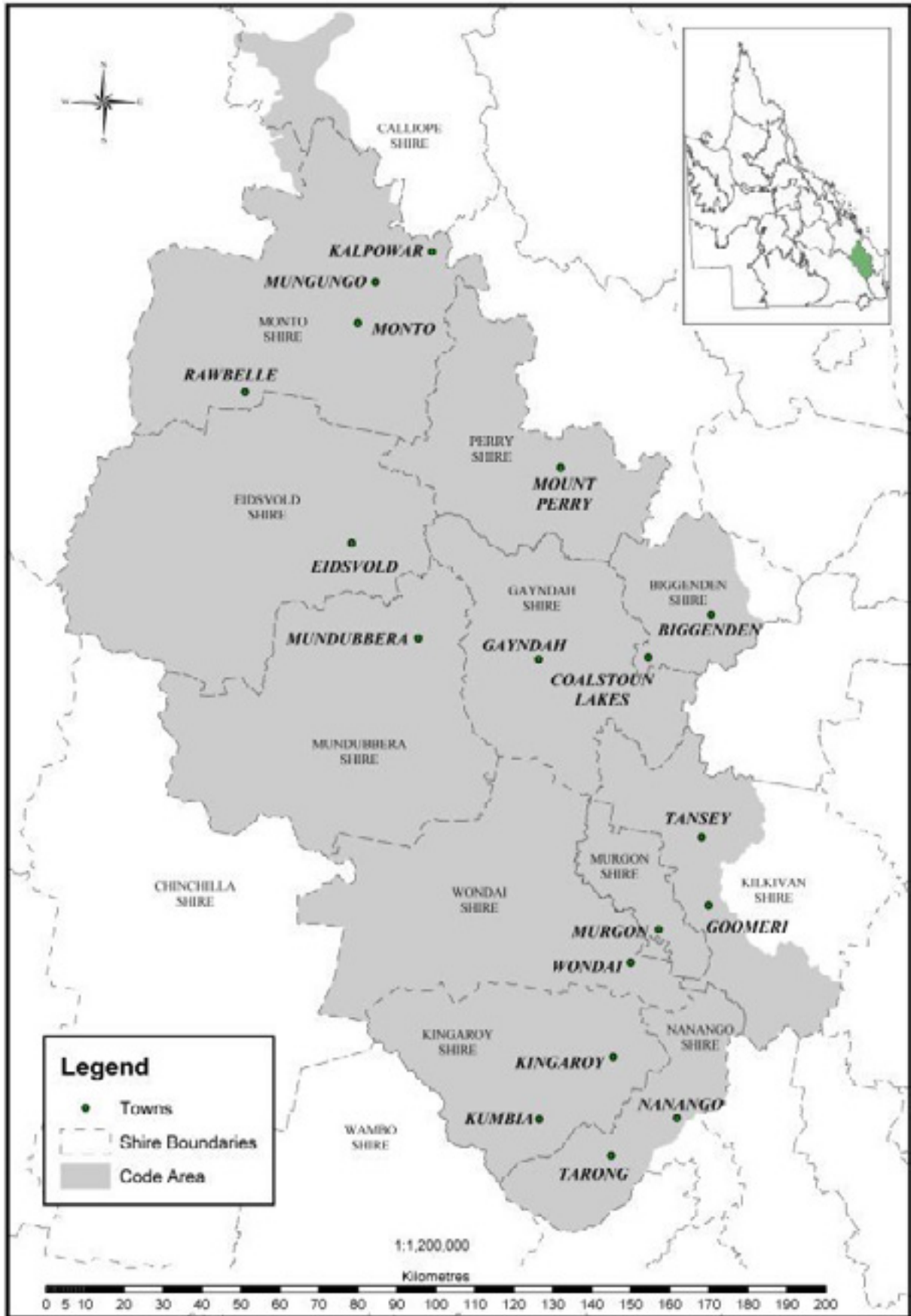
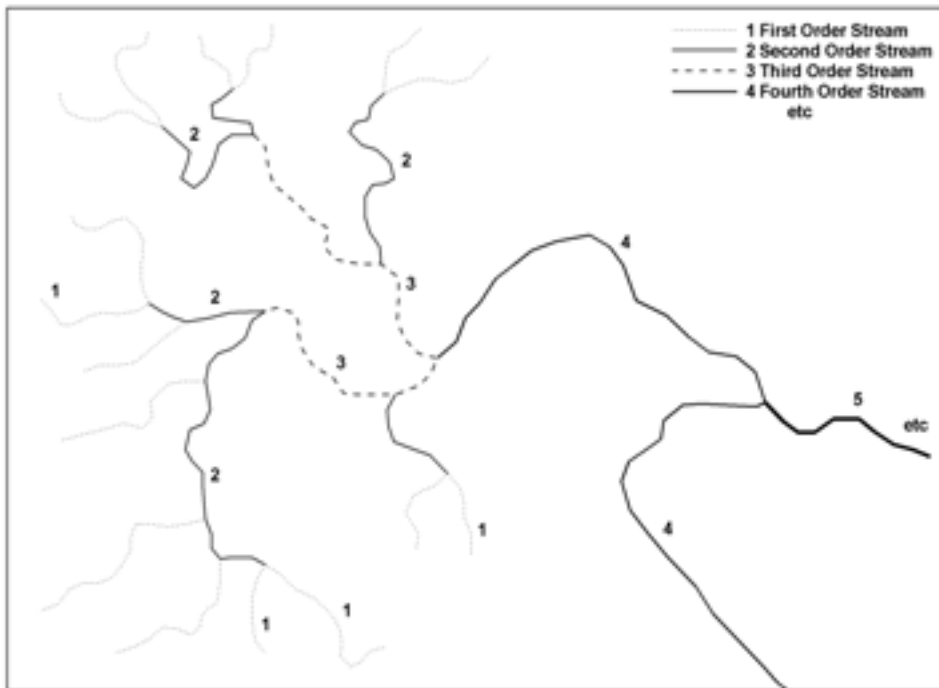


Figure 1: Location of Inland Burnett Region



**Figure 2: Diagrammatic view of stream ordering**