

Accepted development requirements for operational work that is the removal, destruction or damage of marine plants

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Does this document apply to the proposal?

These accepted development requirements are for operational work that is the removal, destruction or damage of a marine plant as specified in this document.

This document does not address other legislative requirements such as other development triggers or the need for other approvals e.g. tenure under the *Land Act 1994*, development approval under the *Planning Act 2016*, marine park approvals etc. These must be obtained separately.

It is the responsibility of the proponent when undertaking accepted development, to obtain tenure or otherwise meet requirements to lawfully access land where the accepted development is proposed. Accepted development may only occur in a place where a person or entity has a lawful right to undertake that work.

Where development involves operational work that is the constructing or raising waterway barrier works or operational work completely or partly within in a declared Fish Habitat Area or a material change of use for aquaculture, see the accepted development requirements in the following documents:

- *Accepted development requirements for operational work that is constructing or raising waterway barrier works*
- *Accepted development requirements for operational work that is completely or partly within a declared fish habitat area*
- *Accepted development requirements for material change of use that is aquaculture*

If the proposed work does not comply with the accepted development requirements within this document, the work is not accepted development. Work that is not accepted development is assessable development and requires a development approval.

For assessable development that is operational work that is the removal, destruction or damage of a marine plant please contact the State Assessment and Referral Agency (SARA) of the Department of Infrastructure, Local Government and Planning (DILGP) to obtain pre-lodgement advice involving all relevant state agencies. This will include the Department of Agriculture and Fisheries.

Information on how to lodge a development application for assessable development, including the use of the online preparation and lodgement system MyDAS, is available on the DILGP website.

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1 How to use this document

When operational work that is the removal, destruction or damage of marine plants complies with the requirements within this document, the work is accepted development. This document states the requirements that must be complied with, and provides guidance.

Guidance material will be provided in a shaded box that appears like this.

The glossary at the end of the document defines specific terms that are used within this document. Terms that are defined in the glossary are underlined throughout the document. If a term is not included in the glossary, it may be defined in the *Fisheries Act 1994* (Fisheries Act) or the *Planning Act 2016* (Planning Act).

Read and understand section 3 in addition to the specific work type and its requirements. Work types are categorised as follows:

- 4.1 New work for a private purpose
- 4.2 New work for a public purpose
- 5.1 Maintenance of an existing lawful work for a private purpose
- 5.2 Maintenance of an existing lawful work for a public purpose

Note that additional accepted development requirements for recovery in and immediately following disaster situations declared under the *Disaster Management Act 2003* are contained in section 6.

Other resources that are referred to in this document and will assist compliance with the requirements include:

- *Fisheries Act 1994*
- *Fisheries Regulation 2008*
- *Planning Act 2016*
- *Planning Regulation 2017*

These are available at www.legislation.qld.gov.au

This document is reviewed periodically and may be amended. Ensure the current version of the document is used.

For enquiries on technical matters refer to section 8 of this document.

2 Introduction

This document is prepared under the Planning Act and the Fisheries Act and specifies the requirements when development that is operational work that is the removal, destruction or damage of a marine plant is accepted development.

For development to be accepted development it must comply with all of the requirements for accepted development. Ensure that the development complies with all requirements before proceeding.

Marine plants are protected under section 123 of the Fisheries Act. Marine plants provide important habitat for Queensland's fish, including the provision of shelter, food and nursery areas for juvenile fish species. Effective protection and management of marine plants will assist in sustaining Queensland's fish stocks for recreational, commercial and traditional fisheries.

The Planning Act makes it an offence to carry out assessable development without a development permit. Under the Fisheries Act, a person must not unlawfully remove, destroy or damage a marine plant or cause a marine plant to be removed, damaged or destroyed. Penalties apply.

3 Requirements for all work

3.1 Notification

Notification must be submitted prior to, but no more than twenty (20) business days before work commences. The notification form must be completed and submitted to Fisheries Queensland, Department of Agriculture and Fisheries (DAF) by email to accepteddevelopment@daf.qld.gov.au or through the online notification system, <http://adr.fisheries.qld.gov.au>.

If notifying by email, a map of the location of the works is to be submitted with the notification form and all sections of the form must be completed in full. Where there are exceptions to the requirements for notification, this is provided as guidance throughout the document.

3.2 Site access

Sites where accepted development is occurring must be open for inspection by DAF staff during business hours, during works and on request.

3.3 Standards

The following standards apply under these accepted development requirements:

1. The removal, destruction or damage of the following marine plants, is not permitted under these Accepted Development Requirements:
 - Saltmarsh that is part of a *Coastal Saltmarsh* ecological community as defined in the *approved conservation advice for Subtropical and Temperate Coastal Saltmarsh* in accordance with s266B of the *Environment Protection and Biodiversity Conservation Act 1999 Conservation Advice for Subtropical and Temperate Coastal Saltmarsh*; and
 - *Bruguiera hainesii*. This species is listed as critically endangered under the International Union for Conservation of Nature (IUCN). Within Australia its known range is highly restricted and in proximity to Cairns.
2. Development work must minimise impacts to marine plants and other fish habitats.
3. Where work is maintenance of, or otherwise involves an existing lawful work, documented evidence that the structure is a lawful work is available to be provided on request. An example of documented evidence includes a copy of the original valid approval for the work that is being maintained.
4. Disturbed tidal land is to be restored to pre-works profiles to promote natural restoration of marine plants and tidal fish habitats¹.
5. Other than spoil deliberately used for re-profiling the substrate, spoil from excavation must be removed from tidal land and other wetlands, including waterways.
6. Spoil and disturbed substrate is managed to prevent acid sulfate soil oxidation and movement of sediment, runoff and leachate to fish habitats.
7. Soil and sediment must not be removed from areas subject to quarantine restrictions e.g. declared fire ant areas.
8. Pruning and trimming of marine plants must be conducted according to the following:
9. Mangroves are pruned or trimmed by no more than a third of their height
10. Mangrove branches greater than 25 mm in diameter must be pre-cut underneath to prevent splitting
11. Cutting equipment must be kept sharp and clean at all times
12. Subsurface roots of mangroves where the trunk and branches have been removed must be left in-situ to minimise substrate disturbance¹.
13. Marine plant material that has been removed, damaged or destroyed, is removed from tidal land².
14. Chemicals are not to be used on marine plants.
15. Marine plants are not to be burned, unless specifically permitted under these accepted development requirements.

¹ Components of work that are drain maintenance, authorised dredging and dredge spoil disposal activities and runnelling to approved profiles are not required to comply with this standard.

² Components of work that are marine plant restoration are not required to comply with this standard
Accepted Development Requirements for operational work that is the removal, destruction or damage of marine plants, TONISSOO Samantha, July, 2017

3.4 Guidance to minimise impacts

Minimise impacts to marine plants and other fish habitats by taking the following actions:

- Tie back mangrove branches that do not require removal or trimming, to prevent unnecessary damage during works
- Prune or trim during dormant period in cooler months
- Minimise the area of land disturbed or compacted e.g. construct a work platform above the substrate
- Ensure the least volume of soil or sediment is disturbed
- Limit the use of machinery
- Use machinery no greater than the capacity required for the purpose
- Implement sediment and erosion control measures
- Undertake works at times that minimise disruption to fish migration and the flowering and fruiting of the marine plants
- Undertake works at times of limited tidal flow to limit suspension of sediment and increased turbidity.

4 Requirements for new work

4.1 New work for a private purpose

Table 1 lists the requirements for accepted development including the maximum allowable disturbance for new work that is the removal, destruction or damage of a marine plant for a private purpose.

Table 1 – Accepted Development Requirements– New work for a private purpose

Work type	Requirements for accepted development
1.1 Sea lettuce (<i>Enteromorpha</i> and <i>Ulva</i> species) may be removed and <u>possessed</u> to use as bait for recreational fishing, or to sell as bait for recreational fishing.	Sea lettuce is to be removed by hand only. Notification under section 3 does not apply.
1.2 Algae may be removed and <u>possessed</u> for use in aquaria.	Algae is to be removed by hand only. Notification under section 3 does not apply.
1.3 <u>Restoration</u> or other actions as directed / under an enforcement or <u>trespass notice</u> issued under Queensland or Commonwealth legislation	The removal, destruction, or damage of <u>marine plants</u> is restricted to the direction, or as required to fulfil the notice.
1.4 Works associated with providing an environmental offset for impacts to marine plants, declared Fish Habitat Areas or waterways providing for fish passage	Removal, destruction, or damage of <u>marine plants</u> is restricted to works detailed in an offset delivery plan referenced in an agreed delivery arrangement under the <i>Environmental Offset Act 2014</i> .
1.5 Removal and use of mangrove seeds and propagules for mangrove rehabilitation within or immediately adjacent to the developers property (owned or leased)	Removal of seed and propagules is by hand, within 100 km of the rehabilitation site. Seeds or propagules must be unattached (free from the parent tree and/or the <u>substrate</u>). This work type must be under an endorsed project plan (work type 1.7) or works associated with providing an environmental offset (work type 1.4). See Appendix 2 for the details required to be submitted with a request for project plan endorsement

Work type	Requirements for accepted development
<p>1.6 Removal of saltmarsh plants from <u>non-tidal land</u> for saltmarsh rehabilitation within or immediately adjacent to the developers property (owned or leased)</p>	<p>Saltmarsh plants are to be removed only from <u>non-tidal land</u> and within 100 km of the rehabilitation site.</p> <p>After the removal of saltmarsh, substrate profiles are to be restored and divots filled with soil similar to that at the site, or with sand.</p> <p>No more than 20% of the area of a non-tidal <u>saltmarsh patch</u> can be removed. Plant removal must be evenly distributed across the patch.</p> <p>Biodiversity of an area is not to be reduced.</p> <p>Removal does not denude an area of a saltmarsh species.</p> <p>Individual divots must not exceed 50 cm x 50 cm</p> <p>Saltmarsh species must be consistent with the naturally occurring species assemblage at the rehabilitation site.</p> <p>This work type must be under an endorsed project plan (work type 1.7) or works associated with providing an environmental offset (work type 1.4)</p> <p>See Appendix 2 for the details required to be submitted with a request for project plan endorsement</p>
<p>1.7 <u>Fish habitat rehabilitation or restoration</u> work that provides a net benefit to marine plant communities.</p>	<p>Removal, destruction, or damage of <u>marine plants</u> is in accordance with a Fisheries Queensland endorsed project plan.</p> <p>Structures integral to the rehabilitation or <u>restoration</u> activity may be included as part of the endorsed project plan.</p> <p>See Appendix 2 for the details required to be submitted with a request for project plan endorsement</p>
<p>1.8 Construction of fence for access control and stock control</p>	<p>Removal, destruction, or damage of <u>marine plants</u> is limited to non-tidal saltmarsh plants for the placement of posts.</p> <p>The line of least <u>marine plant</u> disturbance is to be used.</p> <p>Fences are to be constructed above <u>highest astronomical tide</u>.</p>
<p>1.9 Construction of a boat ramp, jetty, pontoon, mooring or mooring pile for access to vessels in an existing lawful <u>artificial waterway</u></p>	<p>Works occur entirely within the bed and banks of the existing lawful <u>artificial waterway</u>.</p>
<p>1.10 Construction of a jetty or pontoon for access to vessels in coastal waters or a <u>waterway</u> other than an existing lawful <u>artificial waterway</u></p>	<p>The jetty or pontoon commences within the landowner's private freehold lot.</p> <p>There is no existing maritime <u>infrastructure</u> (e.g. jetty, pontoon, boat ramp) on the lot.</p>

Work type	Requirements for accepted development
<p>Figure 1A and 1B (jetty) Figure 2 (pontoon)</p>	<p>The construction of the jetty or pontoon and its ongoing use does not require dredging.</p> <p>The jetty or pontoon is located on the lot where the minimum area of <u>marine plant</u> disturbance is required for construction.</p> <p>Removal, destruction, or damage of <u>marine plants</u> is restricted to:</p> <ul style="list-style-type: none"> • The footprint of the jetty or the pontoon access walkway; and • Excluding the landward edge, a maximum of 0.5m around the perimeter of the jetty or pontoon access walkway footprint for construction; and • The jetty deck or pontoon access walkway is to be a maximum of 1.7 metres wide (measured parallel to the foreshore), by ten (10) metres long (measured perpendicular to the foreshore and from the level of <u>highest astronomical tide</u> towards the waterway). <p>Jetties or pontoon access walkways greater than 1.5 metres in width located over <u>fish habitats</u> are constructed using materials that allow at least 40% light penetration.</p> <p>For pontoons, the flotation unit is to be located where there are no marine plants.</p> <p>The jetty or pontoon access walkway does not require any temporary or permanent alteration of the existing bank profile and must not require revetment.</p> <p style="text-align: center;">Driving of piles through the bank profile is acceptable</p>
<p>1.11 Installation of vessel mooring within a mooring area designated for protected area management purposes by the Department of National Parks, Sport and Racing (DNPSR) and approved by the Department of Transport and Main Roads (DTMR).</p>	<p>Removal, destruction, or damage of <u>marine plants</u> is restricted to a designated mooring area listed in Appendix 3.</p> <p>Removal, destruction, or damage of <u>marine plants</u> is restricted to a maximum of 3 m² per mooring.</p> <p>The mooring is located in navigable waters at <u>lowest astronomical tide</u> and dredging is not required for the use of the mooring.</p> <p>The vessel does not rest on the <u>substrate</u> at any time.</p> <p>Mooring tackle does not rest on the <u>substrate</u> at any time.</p>
<p>1.12 Installation of mooring piles for use in coastal waters or a <u>waterway</u> other than an existing lawful <u>artificial waterway</u></p>	<p>Removal, destruction, or damage of <u>marine plants</u> is restricted to a maximum of 1 m² per mooring pile, with a maximum of two (2) piles per property.</p> <p>There is no existing maritime <u>infrastructure</u> (e.g. jetty, pontoon, boat ramp) on or adjoining the landowner's lot.</p>

Work type	Requirements for accepted development
	<p>The mooring is located in navigable waters at <u>lowest astronomical tide</u> and dredging is not required for the use of the mooring. The vessel does not rest on the <u>substrate</u> at any time.</p> <p>The mooring pile does not require any temporary or permanent alteration of the existing bank profile and does not require revetment.</p> <p>Driving of piles through the bank profile is acceptable</p>
<p>1.13 Retrieval of vessels, <u>debris</u> from <u>tidal land</u> or waterways that requires the removal, destruction or damage of a <u>marine plant</u>.</p>	<p>Retrieval is necessary as a result of a natural disaster (e.g. storm or flood).</p> <p>Disturbance of <u>marine plants</u> and <u>tidal lands</u> is minimised and removal, destruction, or damage of <u>marine plants</u> is restricted to a maximum of 25m².</p> <p>Trimmed <u>marine plant</u> material must be removed from <u>tidal land</u> and disposed of lawfully.</p> <p>The removal, destruction or damage of marine plants required to undertake the retrieval should be in proportion to the need for the retrieval.</p>
<p>1.14 <u>Waterway barrier works</u> that are <u>accepted developments</u>³</p>	<p>The <u>waterway barrier work</u> is located where the minimum area of <u>marine plant</u> disturbance is required for construction.</p> <p>Removal, destruction, or damage of <u>marine plants</u> is restricted to a maximum of 17 m² per work site⁴ that is:</p> <ul style="list-style-type: none"> • The footprint of the waterway barrier • Access to undertake construction of the waterway barrier.
<p>1.15 Replacement of floodgates that is accepted development³</p>	<p>Removal, destruction or damage of marine plants is restricted to a maximum of 25m² per work site⁴ that is:</p> <ul style="list-style-type: none"> • the footprint of the structure • access to undertake replacement of the floodgates
<p>1.16 For educational, research or <u>monitoring</u> work</p>	<p>Work in accordance with the requirements below must be undertaken by a:</p> <ul style="list-style-type: none"> • Primary, secondary or tertiary institution • Research institution • Registered surveyor • Registered research company • Appropriately qualified and experienced consultant

³ See *Accepted development requirements for operational work that is constructing or raising waterway barrier works*

⁴ If more than one notification under *Accepted development requirements for operational work that is constructing or raising waterway barrier works* is required per work site, this does not extend the maximum allowable disturbance area of marine plants.

Work type	Requirements for accepted development
	<p>Vehicles and machinery are not to be used on <u>tidal lands</u>, except for vehicle mounted sediment core drilling devices.</p> <p>For collection of <u>marine plants</u>:</p> <p>No more than twenty litres of <u>marine plants</u> may be collected in one day.</p> <p><u>Marine plants</u> are to be bagged and labelled with the location collection date.</p> <p>For line-of-sight boundary definition and boundary survey:</p> <p>Removal, destruction, or damage of <u>marine plants</u> is restricted to a maximum one (1) metre path width for line-of-sight for boundary definition and survey of existing property boundaries.</p> <p>Impacts to <u>marine plants</u> are minimised by tying back <u>marine plants</u> and minimal hand cutting.</p> <p>For geotechnical survey works:</p> <p>Removal, destruction, or damage of <u>marine plants</u> is restricted to a maximum of 25 m² for core drilling, sediment investigation works, and vehicle access.</p> <p>For sediment collection and <u>substrate disturbance</u>:</p> <p>Removal, destruction, or damage of <u>marine plants</u> is restricted to a maximum of ten (10) m² in association with <u>substrate</u> disturbance and sediment collection.</p>
<p>1.17 Removal of <u>dead marine wood</u> from <u>development sites</u> for hobby or limited <u>trade or commerce</u>.</p>	<p><u>Dead marine wood</u> is only removed from plants that have been removed or destroyed under a development permit for operational work that is the removal, destruction or damage of a <u>marine plant</u>.</p> <p>Written endorsement must be obtained from the holder of the <u>development approval</u> prior to any removal of <u>dead marine wood</u> and made available on request.</p> <p style="background-color: #cccccc; padding: 5px;">Notification under section 3 does not apply</p>
<p>1.18 Until the 1 January 2019 the collection of <u>dead marine wood</u> from unallocated State land for hobby use or limited <u>trade or commerce</u>. This work type is being phased out and activities are to be transitioned to work type 1.17 before the 1 January 2019.</p>	<p>An <u>authorised person</u> may only carry out <u>development</u> that is the collection of <u>dead marine wood</u> if the person holds a fisheries <u>resource allocation authority</u> (RAA) issued under the <i>Fisheries Act 1994</i> for the collection of <u>dead marine wood</u>.</p> <p><u>Dead marine wood</u> is only collected from unallocated State land (USL). It cannot be collected from land other than USL.</p> <p>Only unattached pieces of <u>dead marine wood</u> may be collected.</p> <p>No more than 50 pieces of <u>dead marine wood</u> are to be collected each calendar month.</p>

Work type	Requirements for accepted development
	<p>An <u>authorised person</u> must not hold more than 100 pieces of <u>dead marine wood</u> at any one time.</p> <p>The length of each piece of <u>dead marine wood</u> must be no longer than one (1) metre. Pieces over one (1) metre must not be cut or broken to achieve size restrictions.</p> <p>All collection is by hand, and carried by hand from <u>tidal land</u>. Access to and from the <u>tidal land</u> is by foot. No vehicles, machinery or tools are allowed on <u>tidal land</u>.</p> <p>At the point of sale of a <u>dead marine wood</u> item, the seller must display the number of the relevant RAA.</p>

4.2 New work for a public purpose

Table 2 lists the requirements for accepted development including the maximum allowable disturbance for new work that is the removal, destruction or damage of a marine plant for a public purpose.

Table 2 – Accepted Development – New work for a public purpose

Work type	Requirements for accepted development
2.1 Installation of swimming safety enclosures	Removal, destruction or damage of <u>marine plants</u> is restricted to the area within the enclosure and within five (5) metres of the perimeter of the enclosure other than the offshore side, where disturbance is restricted to within one (1) metre of the perimeter.
2.2 Installation of temporary structures for public safety at aquatic events	Removal, destruction or damage of <u>marine plants</u> is restricted to a maximum of 1m ² per anchor or mooring. Temporary structures are to be installed no more than five (5) days before the event, and must be removed within three (3) days of event conclusion.
2.3 Beach cleaning	Removal, destruction or damage of <u>marine plants</u> is restricted to the removal of unattached <u>marine plants</u> and bacteria on sandy shorelines under Local Government management and direction.
2.4 Removal or disturbance of fallen trees from <u>tidal land</u> to restore safe public access and use of public <u>infrastructure</u> including designated access tracks	Removal, destruction or damage of <u>marine plants</u> is restricted to only trees of terrestrial origin that have fallen or washed onto <u>tidal land</u> due to a particular event, such as lightning strike. Notification under section 3 does not apply
2.5 Saltmarsh burning for public health and safety or ecosystem management (e.g. for a defined biodiversity objective, or pest / weed control)	Saltmarsh burning of Queensland Parks and Wildlife Services ⁵ (QPWS) managed land / areas by QPWS (or their delegates) as detailed in a QPWS Burn Program with agreement from Fisheries Queensland. Burns are planned in accordance with the QPWS Fire Management System.

⁵ Public entities other than QPWS require approval to burn saltmarsh.

<p>2.6 Removal from beaches and foreshores of:</p> <ul style="list-style-type: none"> - unattached, decomposing marine plant material that has become a public health issue; and - algae or cyanobacteria that is toxic or has become a public health issue. 	<p>Removal, destruction or damage of <u>marine plants</u> is limited to incidental removal of unattached marine plants whilst undertaking targeted removal of the algae and/or cyanobacteria and/or unattached decomposing marine plants.</p> <p style="background-color: #e0e0e0; padding: 5px;">Notification under section 3 does not apply</p>
<p>2.7 <u>Fish habitat</u> clean-up activities</p>	<p>Removal, destruction or damage of <u>marine plants</u> is restricted to a total of 10 m² through removal of rubbish and dumped materials.</p> <p style="background-color: #e0e0e0; padding: 5px;">Notification under section 3 does not apply</p>
<p>2.8 Removal of obsolete or unlawful structures and vessels, including associated restoration works</p>	<p>Removal, destruction or damage of <u>marine plants</u> is in accordance with the details of a Fisheries Queensland endorsed project plan.</p> <p style="background-color: #e0e0e0; padding: 5px;">See Appendix 2 for the minimum details required to be submitted with a request for project plan endorsement.</p> <p style="background-color: #e0e0e0; padding: 5px;">Notification is to be as specified in the endorsed project plan.</p>
<p>2.9 Works associated with providing an environmental offset for impacts to marine plants, declared Fish Habitat Areas or waterways providing for fish passage</p>	<p>Removal, destruction, or damage of <u>marine plants</u> is restricted to works detailed in an offset delivery plan referenced in an agreed delivery arrangement under the <i>Environmental Offset Act 2014</i>.</p>
<p>2.10 Removal and use of mangrove seeds and propagules for mangrove rehabilitation within or immediately adjacent to the developers property (owned or leased)</p>	<p>Removal of seed and propagules is by hand, within 100 km of the rehabilitation site.</p> <p>Seeds or propagules must be unattached (free from the parent tree and/or the <u>substrate</u>).</p> <p>This work type must be under an endorsed project plan (work type 2.12) or works associated with providing an environmental offset (work type 2.9).</p> <p style="background-color: #e0e0e0; padding: 5px;">See Appendix 2 for the details required to be submitted with a request for project plan endorsement</p>
<p>2.11 Removal of saltmarsh plants from <u>non-tidal land</u> for</p>	<p>Saltmarsh plants are to be removed only from <u>non-tidal land</u> and within 100 km of the rehabilitation site.</p>

<p>saltmarsh rehabilitation within or immediately adjacent to the developers property (owned or leased)</p>	<p>After the removal of saltmarsh, substrate profiles are to be restored and divots filled with soil similar to that at the site, or with sand.</p> <p>No more than 20% of the area of a non-tidal <u>saltmarsh patch</u> can be removed. Plant removal must be evenly distributed across the patch.</p> <p>Biodiversity of an area is not to be reduced.</p> <p>Removal does not denude an area of a saltmarsh species.</p> <p>Individual divots must not exceed 50 cm x 50 cm</p> <p>Saltmarsh species must be consistent with the naturally occurring species assemblage at the rehabilitation site.</p> <p>This work type must be under an endorsed project plan (work type 2.12) or works associated with providing an environmental offset (work type 2.9)</p> <p>See Appendix 2 for the details required to be submitted with a request for project plan endorsement</p>
<p>2.12 <u>Fish habitat rehabilitation or restoration</u> work (including not-for-profit <u>marine plant</u> nursery establishment) that provides a net benefit to marine plant communities.</p>	<p>Removal, destruction or damage of <u>marine plants</u> is in accordance with the details of a Fisheries Queensland endorsed project plan.</p> <p>Structures integral to the rehabilitation or <u>restoration</u> activity may be included as part of the endorsed project plan.</p> <p>See Appendix 2 for the minimum details required to be submitted with a request for project plan endorsement.</p> <p>Notification is to be as specified in the endorsed project plan.</p>
<p>2.13 Construction of fence for access control</p>	<p>Removal, destruction or damage of <u>marine plants</u> is limited to the non-tidal saltmarsh plants for the placement of posts.</p> <p>The line of least <u>marine plant</u> disturbance is to be used.</p> <p>Fences are to be constructed above <u>highest astronomical tide</u>.</p>
<p>2.14 Installation of signs – safety and warning signs with an overriding requirement to be placed on <u>tidal lands</u></p>	<p>Removal, destruction or damage of <u>marine plants</u> is restricted to a maximum of 2 m² for the installation of each sign.</p> <p>Notification under section 3 does not apply</p>
<p>2.15 Installation of pipelines and cables (including in conduit)</p>	<p>Removal, destruction or damage of <u>marine plants</u> is restricted to a total of 25m² per pipeline for drilling entry and exit point or trimming to attach pipeline or cable to an existing structure.</p> <p>Placement or installation by directional drilling or attaching to an existing structure only (e.g. bridge).</p> <p>Any marine plant disturbance for access is within the maximum 25m² disturbance area.</p>

<p>2.16 Co-locating a drainage pipe or outlet to an existing lawful structure</p>	<p>Removal, destruction or damage of <u>marine plants</u> is restricted to a maximum of 25 m².</p> <p>Any marine plant disturbance for access and scour protection is within the maximum 25m² disturbance area.</p>
<p>2.17 Upgrade of an existing lawful single or dual lane boat ramp in its original location</p>	<p>Removal, destruction or damage of <u>marine plants</u> is restricted to a maximum of 25 m².</p> <p>Only one upgrade is allowed per boat ramp.</p> <p>Upgrade does not result in additional dredging for navigational access to the structure.</p> <p>Upgrade may include lengthening or widening the existing ramp(s).</p> <p>The upgrade, including the existing structure, may result in a maximum of:</p> <ul style="list-style-type: none"> • 3 boat ramp lanes; or • 2 boat ramp lanes and a pontoon; or • 1 boat ramp lane and two pontoons <p>Upgrade does not include erosion protection works such as revetment of adjacent banks or shoreline.</p> <p>Upgrade does not include <u>marine plant</u> or <u>tidal land</u> disturbance for car or trailer parking, staging areas or associated facilities.</p>
<p>2.18 Construction of a jetty, pontoon, boardwalk or fishing platform</p>	<p>Removal, destruction or damage of <u>marine plants</u> is restricted to a maximum of 25 m² including within the footprint of the structure and for construction.</p> <p>The line of least <u>marine plant</u> disturbance is to be used.</p> <p>Erosion protection works are not included.</p> <p>Dredging is not required for use of the structure.</p> <p>Work does not involve <u>marine plant</u> or <u>tidal land</u> disturbance for car or trailer parking, staging areas or associated facilities.</p> <p>Walkways greater than 1.5 metres in width located over <u>fish habitats</u> are constructed using materials that allow at least 40% light penetration.</p>
<p>2.19 Installation of vessel mooring approved by the Department of Transport and Main Roads (DTMR)</p>	<p>Removal, destruction or damage of <u>marine plants</u> is restricted to a maximum of 1 m² for each mooring.</p> <p>Mooring is located in navigable waters at <u>lowest astronomical tide</u> and dredging is not required for the use of the mooring. The vessel does not rest on the <u>substrate</u> at any time.</p> <p>Mooring tackle does not rest on the <u>substrate</u> at any time.</p>
<p>2.20 Installation of vessel mooring within a mooring area designated for</p>	<p>Removal, destruction, or damage of <u>marine plants</u> is restricted to a designated mooring area listed in Appendix 3.</p>

protected area management purposes by the Department of National Parks, Sport and Racing (DNPSR) and approved by the Department of Transport and Main Roads (DTMR).	<p>Removal, destruction, or damage of <u>marine plants</u> is restricted to a maximum of 3 m² per mooring.</p> <p>The mooring is located in navigable waters at <u>lowest astronomical tide</u> and dredging is not required for the use of the mooring.</p> <p>The vessel does not rest on the <u>substrate</u> at any time.</p> <p>Mooring tackle does not rest on the <u>substrate</u> at any time.</p>
2.21 Installation of mooring piles approved by the DTMR for use in coastal waters or a <u>waterway</u> other than an existing lawful <u>artificial waterway</u>	<p>Removal, destruction or damage of <u>marine plants</u> is restricted to a maximum total of 1m²</p> <p>A maximum of two (2) mooring piles is permitted per vessel.</p> <p>Mooring piles are located to ensure the vessel does not rest on the <u>substrate</u> at any time.</p> <p>The mooring is located in navigable waters at <u>lowest astronomical tide</u> and dredging is not required for the use of the mooring. The vessel does not rest on the <u>substrate</u> at any time.</p> <p>The mooring pile does not require temporary or permanent alteration of the existing bank profile and does not require revetment.</p> <p>Driving of piles through the bank profile is acceptable</p>
2.22 Relocation of existing <u>aids to navigation</u>	<p>Removal, destruction or damage of <u>marine plants</u> is restricted to a maximum of 5m² for the relocation of each existing navigation aid to maintain alignment with the deepest channel.</p> <p>Notification under section 3 does not apply</p>
2.23 Installation of new <u>aids to navigation</u>	<p>Removal, destruction or damage of <u>marine plants</u> is restricted to a maximum of 5m² for each navigation aid.</p>
2.24 Installation of new powerlines and <u>associated powerline infrastructure</u> , including for access tracks ⁶ , signage and realignment	<p>Removal, destruction or damage of <u>marine plants</u> is restricted to a maximum of 25 m² including:</p> <ul style="list-style-type: none"> - installation of new powerlines or realignment of powerlines; and - <u>associated powerline infrastructure</u>; and - access tracks; and - signage
2.25 Retrieval of vessels and <u>debris</u> from <u>tidal land</u> or waterways that	<p>Retrieval is necessary as a result of a natural disaster (e.g. storm or flood) or an accident or emergency.</p>

⁶ If access tracks constitute waterway barrier works (refer to <https://www.daf.qld.gov.au/fisheries/habitats/policies-and-guidelines/fish-habitat-factsheets/what-is-a-waterway-barrier-work>), they must also comply with Accepted Development Requirements for operational work that is the construction or raising of waterway barrier works or be completed under a relevant development approval.

Accepted Development Requirements for operational work that is the removal, destruction or damage of marine plants, TONISSOO Samantha, July, 2017

<p>requires the removal, destruction or damage of a <u>marine plant</u>.</p>	<p>Disturbance of <u>marine plants</u> and <u>tidal lands</u> is minimised and removal, destruction, or damage of <u>marine plants</u> is restricted to a maximum of 25m².</p> <p>Trimmed <u>marine plant</u> material must be removed from <u>tidal land</u> and disposed of lawfully.</p> <p>The removal, destruction or damage of marine plants required to undertake the retrieval should be in proportion to the need for the retrieval.</p>
<p>2.26 <u>Waterway barrier works that are accepted development</u></p>	<p>Marine plant disturbance is restricted to a maximum of 25 m² per work sites⁸ for:</p> <ul style="list-style-type: none"> • The footprint of the waterway barrier; and • Access to undertake construction of the waterway barrier. <p>Where practicable, the <u>waterway barrier work</u> is located where the minimum area of <u>marine plant</u> disturbance is required for construction and access.</p>
<p>2.27 For educational, research or <u>monitoring</u> work</p>	<p>Work in accordance with the requirements below must be undertaken by a:</p> <ul style="list-style-type: none"> • Primary, secondary or tertiary institution • Research institution • Registered surveyor • Registered research company • Natural Resource Management group • Appropriately qualified and experienced consultant. <p>Vehicles and machinery are not to be used on <u>tidal land</u>, except for vehicle mounted sediment core drilling devices.</p> <p>For collection of <u>marine plants</u>:</p> <p>Marine plant disturbance is restricted to a maximum collection of 20L/day.</p> <p><u>Marine plants</u> are to be bagged and labelled with the location and collection date.</p> <p>For line-of-sight boundary definition and boundary survey:</p> <p>Removal, destruction, or damage of <u>marine plants</u> is restricted to a maximum one (1) metre path width for line-of-sight for boundary definition and survey of existing property boundaries.</p>

⁷ See Accepted Development Requirements for operational work that is constructing or raising waterway barrier works

⁸ If more than one notification under *Accepted Development Requirements for operational work that is constructing or raising waterway barrier works* is required per work site, this does not extend the maximum allowable disturbance area of marine plants.

Accepted Development Requirements for operational work that is the removal, destruction or damage of marine plants, TONISSOO Samantha, July, 2017

	<p>Impacts to <u>marine plants</u> are minimised by tying back <u>marine plants</u> and minimal hand cutting.</p> <p>For geotechnical survey works:</p> <p>Removal, destruction or damage of <u>marine plants</u> disturbance is restricted to a maximum of 25 m² for core drilling and sediment investigation works, including placement of fill for access vehicles.</p> <p>For sediment collection and <u>substrate</u> disturbance:</p> <p>Removal, destruction, or damage of <u>marine plants</u> is restricted to a maximum of 10m² in association with <u>substrate</u> disturbance and sediment collection.</p>
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5 Maintenance of an existing lawful work

5.1 Maintenance of an existing lawful work for a private purpose

Table 3 lists the requirements for accepted development including the maximum allowable disturbance for maintenance work that is the removal, destruction or damage of a marine plant for a private purpose.

Table 3 – Accepted Development – Maintenance work for a private purpose

Work type	Requirements for accepted development
3.1 For <u>maintenance</u> of an existing <u>lawful work</u> that is not specifically referenced in any other item of this Table 3	Marine plant disturbance is restricted to: <ul style="list-style-type: none"> • The footprint of the work • Up to an additional one (1) metre around the perimeter of the work • The airspace above and <u>substrate</u> below this area
3.2 For maintenance of aeroplane and helicopter landing areas and certified aerodromes	Maintenance is to be in accordance with the Civil Aviation Safety Authority (CASA) rules, regulations and standards (https://www.casa.gov.au/landing-page/rules-and-regulations) Aeroplane and helicopter landing areas are to comply with the requirements of <i>Civil Aviation Advisory Publication (CAAP) 92-1(1)</i> and <i>92-2(1)</i> , respectively. Certified aerodromes are to comply with the Manual of Standards
3.3 For <u>maintenance</u> of a constructed artificial lake or canal	Work must occur entirely within the bed and banks of the constructed artificial lake or canal to the original design specifications of the constructed water body.
3.4 For <u>maintenance</u> of a constructed marina or boat harbour	Work must occur entirely within the footprint of the constructed marina or boat harbour to the original design specifications of the constructed structure.
3.5 For <u>maintenance</u> of constructed Port reclamation ponds	Work must occur entirely within the bed and banks of the constructed Port reclamation pond.
3.6 For <u>maintenance</u> of a constructed drain that is unlined, eight (8) metres or less in width from top of bank to top of bank; or a constructed drain that has a lined bed (e.g. lined with concrete) Figures 3A and 3B	Removal, destruction or damage of <u>marine plants</u> is restricted to the bed of the drain and one (1) bank. The bank to be cleared must be the bank that provides the least shade to the drain, unless access to this bank is restricted. Branches overhanging the bed of the drain may be trimmed back to the height of the top of the <u>drain bank</u> . For unlined drains, maintenance does not include lining of the drain
3.7 For <u>maintenance</u> of a constructed drain that is unlined and over eight (8)	Only the bed of the drain and the bank access points may be cleared. Access through bank vegetation at strategic points may be cleared to allow for machinery access.

metres in width from top of bank to top of bank Figure 4	Branches overhanging the bed of the drain may be trimmed back to the height of the top of the <u>drain bank</u> .
3.8 For <u>maintenance</u> of a constructed drain that has both banks and bed lined (e.g. lining with concrete) Figure 5	Removal, destruction or damage of <u>marine plants</u> restricted to the bed of the drain and both banks. Branches overhanging the bed of the drain may be trimmed back to the height of the top of the <u>drain bank</u> .
3.9 For <u>maintenance</u> of a drain inlet or outlet	Removal, destruction or damage of <u>marine plants</u> is restricted to five (5) metres in front and one (1) metre each side of the inlet or outlet
3.10 For ongoing use of dredge material disposal sites in an agreed Dredge Management Plan or as specified in a current authority for the environmentally relevant activity	Works are restricted to within the bounds of the original approved dredge disposal site.
3.11 For <u>maintenance</u> of a marked constructed navigation channel	Removal, destruction or damage of <u>marine plants</u> is restricted to the approved depth, width and batter of original design specifications.
3.12 For <u>maintenance</u> of runnels for mosquito control	Removal, destruction or damage of <u>marine plants</u> is restricted to the following: <ul style="list-style-type: none"> • Pruning of <u>marine plants</u> within the footprint, above and one (1) metre each side of the constructed runnel • Removal of mangrove pneumatophores, mangrove seedlings, saltmarsh vegetation or silt blocking the runnel • Periodic re-profiling of runnels with <u>spoil</u> broadcast in a thin layer over adjacent areas using a runnelling machine. Broadcast spoil does not smother fish habitats or affect tidal flows • Filling the runnel if it has been placed incorrectly or backfilling the runnel outlet to reduce scouring and encourage sheet flow during tidal exchange.
3.13 For <u>maintenance</u> of warning signs and official navigation leads	Removal, destruction or damage of <u>marine plants</u> is restricted as follows: <ul style="list-style-type: none"> • Within one (1) metre from all sides of the sign; • Pruning within the viewing arc for a maximum of ten (10) metres along a continuous length of vegetated foreshore; and • A maximum total area of 50 m².

3.14 For maintenance of an existing powerline or associated powerline infrastructure (e.g. powerlines, posts, stays and poles), including formed (Figure 10) and unformed maintenance vehicle access tracks, warning signs (Figure 9) or viewing arcs and decommissioning.

Maintenance does **not** include:

- Works that will more than double the diameter of an existing pole;
- Relocation of an existing powerline or associated powerline infrastructure

For powerlines:

Powerline voltage	Allowable disturbance below powerline	Allowable disturbance above and beside powerline
<1000V	4.7 metres	7.0 metres
1000V – 65kV	5.0 metres	7.0 metres
66kV – 109kV	6.6 metres	7.0 metres
110kV – 329kV	7.5 metres	7.0 metres
>330kV	8.0 metres	7.0 metres

For powerline infrastructure e.g. towers, power poles, posts, stays and pylons:

- Within ten (10) metres of any extremity of the subtransmission pole or associated infrastructure
- Within 20 metres of any extremity of the transmission structure or associated power infrastructure
- The minimum required for access to allow maintenance of stays.

For visibility or warning signs that cannot be practicably re-located in front of the marine plant fringe:

- A continuous length along the vegetated foreshore no greater than ten (10) metres, and
- A total area no greater than 50 m².

For an existing formed access track to powerlines or associated powerline infrastructure:

- A maximum distance of one (1) metre from any edge of the driveable surface of the track.

For an existing unformed access track to powerlines or associated powerline infrastructure:

- A maximum distance of three (3) metres from each side of the centre line of the track.

For decommissioning of powerlines and associated powerline infrastructure including access tracks:

- Within ten (10) metres or any extremity of the subtransmission pole or associated infrastructure
- Within 20 metres of any extremity of the transmission structure or associated power infrastructure

	<ul style="list-style-type: none"> • The minimum required for access to allow decommissioning of stays. • A maximum distance of one (1) metre from any edge of the driveable surface of a formed access track. • A maximum distance of three (3) metres from each side of the centre line of an unformed access track. <p>Stumping of poles at ground level may provide a lesser impact alternative to complete removal</p> <p>Public access should be restricted where appropriate to prevent unauthorised access and promote natural revegetation.</p>
<p>3.15 For <u>maintenance</u> of an existing <u>on-farm drain</u></p> <p>Figure 6</p>	<p>Removal, destruction or damage of <u>marine plants</u> is restricted to:</p> <p>For <u>on-farm drains</u> less than 2 metres in width⁹:</p> <p>The bed and banks of the <u>on-farm drain</u>. Where possible, <u>marine plants</u> should be retained along each side of the <u>on-farm drain</u>.</p> <p>For <u>on-farm drains</u> 2-8m in width⁶:</p> <p>The bed and one bank only</p> <p>For <u>on-farm drain</u> outlets or inlets, floodgates and scour protection:</p> <p>Within five (5) metres upstream, five (5) metres downstream and one (1) metre each side of the structure.</p> <p><u>Marine plant</u> removal from the <u>drain bank</u> is permitted and limited to the minimum required for a point of access.</p> <p>The access area is to be marked on the ground before clearing commences.</p> <p>Works must occur entirely with the <u>farm</u> property boundaries.</p> <p>The removal of <u>marine plants</u> is only undertaken where necessary to maintain the function of the <u>on-farm drain</u>.</p> <p>The existing drain profile is retained and <u>drain banks</u> disturbed to the least extent necessary to removal <u>marine plants</u>.</p> <p>Accumulated sediments may be removed from the bed of the drain.</p> <p>Mangroves should be pruned or trimmed no more than once every 12 months.</p>

⁹ Drain width is measured from the high bank to the opposite high bank.

5.2 Maintenance of an existing lawful work for a public purpose

Table 4 lists the requirements for accepted development including the maximum allowable disturbance for maintenance work that is the removal, destruction or damage of a marine plant for a public purpose.

Table 4 – Accepted Development – Maintenance of work for a public purpose

Work type	Requirements for accepted development
4.1 For <u>maintenance</u> of an existing <u>lawful work</u> that is not specifically referenced in any other item of this Table 4	Removal, destruction or damage of <u>marine plants</u> is restricted to: <ul style="list-style-type: none"> • The footprint of the work • Up to an additional one (1) metre around the perimeter of the work • The airspace above and <u>substrate</u> below this area
4.2 For <u>maintenance</u> of aeroplane and helicopter landing areas and certified aerodromes	<u>Maintenance</u> to be in accordance with the Civil Aviation Safety Authority (CASA) rules, regulations and standards (https://www.casa.gov.au/landing-page/rules-and-regulations) Aeroplane and helicopter landing areas are to comply with the requirements of <i>Civil Aviation Advisory Publication (CAAP) 92-1(1)</i> and <i>92-2(1)</i> , respectively. Certified aerodromes are to comply with the Manual of Standards.
4.3 For <u>maintenance</u> of a constructed artificial lake or canal	Work must occur entirely within the bed and banks of the constructed artificial lake to original design specifications.
4.4 For <u>maintenance</u> of a constructed marina or boat harbour	Work must occur entirely within the footprint of the constructed marina or boat harbour to original design specifications.
4.5 For <u>maintenance</u> of constructed Port reclamation ponds	Work must occur entirely within the bed and banks of the constructed Port reclamation pond.
4.6 For <u>maintenance</u> of a constructed drain that is unlined, eight (8) metres or less in width from top of bank to top of bank; or a constructed drain that has a lined bed (e.g. lined with concrete) Figures 3A and 3B	Removal, destruction or damage of <u>marine plants</u> is restricted to the bed of the drain and one (1) bank. The bank to be cleared must be the bank that provides the least shade to the drain, unless access to this bank is restricted. Branches overhanging the bed of the drain may be trimmed back to the height of the top of the <u>drain bank</u> .
4.7 For <u>maintenance</u> of a constructed drain that is unlined and over eight (8) metres in width from top of bank to top of bank	Only the bed of the drain and the bank access points may be cleared. Access through bank vegetation at strategic points may be cleared to allow for machinery access.

Figure 4	Branches overhanging the bed of the drain may be trimmed back to the height of the top of the <u>drain bank</u> .
4.8 For <u>maintenance</u> of a constructed drain that has both banks and bed lined (e.g. lining with concrete) Figure 5	Removal, destruction or damage of <u>marine plants</u> is restricted to the bed of the drain and both banks. Branches overhanging the bed of the drain may be trimmed back to the height of the top of the <u>drain bank</u> .
4.9 For <u>maintenance</u> of a drain inlet or outlet	Removal, destruction or damage of <u>marine plants</u> is restricted to a maximum of 25m ² including: <ul style="list-style-type: none"> • in front of the inlet/outlet; and • no more than 1m to each side of the inlet or outlet; and • only that which is reasonably necessary to maintain the functionality of the drain.
4.10 For ongoing use of dredge material disposal sites in an agreed Dredge Management Plan or as specified in a current authority for the environmentally relevant activity	Works are restricted to within the bounds of the original approved dredge disposal site.
4.11 For <u>maintenance</u> of a marked constructed navigation channel	Work is restricted to within the approved depth, width and batter to original design specifications.
4.12 For <u>maintenance</u> of a bird hide	Removal, destruction or damage of <u>marine plants</u> is restricted to pruning only and a maximum of: <ul style="list-style-type: none"> • One (1) metre under and around the bird hide; and • Ten (10) metres from the bird hide within the arc of viewing to the height of the viewing line. Where practicable, crown/canopy lifting should be undertaken instead of pruning.
4.13 For <u>maintenance</u> of a boat ramp	Removal, destruction or damage of <u>marine plants</u> is restricted to the footprint of the boat ramp and ten (10) metres from the perimeter of the footprint.
4.14 For <u>maintenance</u> of a vehicle road bridge, including approaches Figure 7	Removal destruction or damage of <u>marine plants</u> is restricted to the footprint of the vehicle road bridge and five (5) metres from the perimeter of the footprint.
4.15 For maintenance of rail infrastructure including	Works are restricted to the footprint of the rail line or bridge and five (5) metres from the perimeter of the footprint

lines, bridges, approaches, line-of-sight and powerlines Figure 7	For overhead rail powerlines, works are restricted to seven (7) metres above, below and each side of the lines.
4.16 For <u>maintenance</u> of a swimming enclosure	Removal destruction or damage of <u>marine plants</u> is restricted to the area within the enclosure and within five (5) metres of the perimeter of the enclosure, other than the offshore side where disturbance is restricted to within one (1) metre of the perimeter.
4.17 For <u>maintenance</u> of an unformed local authority or government agency vehicle access path Figure 8	Removal destruction or damage of <u>marine plants</u> is restricted to within three (3) metres on each side of the centre line of the path.
4.18 For <u>maintenance</u> of road safety— <u>maintenance</u> of sight clearance lines at intersections, roundabouts, interchanges and horizontal curves	Removal destruction or damage of <u>marine plants</u> is restricted to that which is required to achieve the <u>maintenance</u> of sight clearance lines for road safety at all intersections, roundabouts and horizontal curves in accordance with the current published road design standards accepted in Queensland. Works are to be undertaken by the agency responsible for <u>maintenance</u> of the road, or an <u>entity</u> contracted by the agency responsible for maintaining the road.
4.19 For <u>maintenance</u> of runnels for mosquito control	Removal, destruction or damage of <u>marine plants</u> is restricted to the following: <ul style="list-style-type: none"> • Pruning of <u>marine plants</u> within the footprint, above and one (1) metre each side of the constructed runnel • Removal of mangrove pneumatophores, mangrove seedlings, saltmarsh vegetation or silt blocking the runnel • Periodic re-profiling of runnels with <u>spoil</u> broadcast in a thin layer over adjacent areas using a runnelling machine. Broadcast spoil does not smother fish habitats or affect tidal flows. • Filling the runnel if it has been placed incorrectly or backfilling the runnel outlet to reduce scouring and encourage sheet flow during tidal exchange.
4.20 For <u>maintenance</u> of warning signs and official navigation leads	Removal, destruction or damage of <u>marine plants</u> is restricted to: <ul style="list-style-type: none"> • Within one (1) metre from all sides of the sign; • Pruning within the viewing arc for a maximum of ten (10) metres along a continuous length of vegetated foreshore; and • A maximum total area of 50m².
4.21 For <u>maintenance</u> of an existing powerline or	Maintenance does not include:

associated powerline infrastructure (e.g. powerlines, posts, stays and poles), including formed (Figure 9) and unformed (Figure 10) maintenance vehicle access tracks, warning signs or viewing arcs and decommissioning.

- Works that will more than double the diameter of an existing pole;
- Relocation of an existing powerline or associated powerline infrastructure

For powerlines:

Powerline voltage	Allowable disturbance below powerline	Allowable disturbance above and beside powerline
<1000V	4.7 metres	7.0 metres
1000V – 65kV	5.0 metres	7.0 metres
66kV – 109kV	6.6 metres	7.0 metres
110kV – 329kV	7.5 metres	7.0 metres
>330kV	8.0 metres	7.0 metres

For powerline infrastructure e.g. towers, power poles, posts, stays and pylons:

- Within ten (10) metres or any extremity of the subtransmission pole or associated infrastructure
- Within 20 metres of any extremity of the transmission structure or associated power infrastructure
- The minimum required for access to allow maintenance of stays.

For visibility or warning signs that cannot be practicably re-located in front of the marine plant fringe:

- A continuous length along the vegetated foreshore no greater than ten (10) metres, and
- A total area no greater than 50 m².

For an existing formed access track to powerlines or associated powerline infrastructure:

- A maximum distance of one (1) metre from any edge of the driveable surface of the track.

For an existing unformed access track to powerlines or associated powerline infrastructure:

- A maximum distance of three (3) metres from each side of the centre line of the track.

For decommissioning of powerlines and associated powerline infrastructure including access tracks:

- Within ten (10) metres or any extremity of the subtransmission pole or associated infrastructure
- Within 20 metres of any extremity of the transmission structure or associated power infrastructure
- The minimum required for access to allow decommissioning of stays.

	<ul style="list-style-type: none">• A maximum distance of one (1) metre from any edge of the driveable surface of a formed access track.• A maximum distance of three (3) metres from each side of the centre line of an unformed access track. <p>Stumping of poles at ground level may provide a lesser impact alternative to complete removal</p> <p>Public access should be restricted where appropriate to prevent unauthorised access and promote natural revegetation.</p>
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6 Accepted development requirements for recovery in and immediately following disaster situations declared under the *Disaster Management Act 2003*

In addition to the above accepted development requirements (which are still available for use), these provisions apply to otherwise lawful clean up, replacement and repair works (recovery works) within a declared area. These provisions:

- apply to otherwise lawful replacement and/or repair to public and private infrastructure that have been damaged by a disaster and occur within a declared area
- are in effect for one year from the date of declaration of a disaster situation
- apply to all individuals and organisations lawfully undertaking recovery works on a lawful work
- allow that where recovery works have commenced without notification, notification is to be lodged with Fisheries Queensland, Department of Agriculture and Fisheries as soon as practicable after the commencement of the recovery works
- allow that normal restrictions on disturbance of marine plants may be relaxed, but only to that which is necessary to undertake the recovery works because of the disaster situation
- any disturbance of marine plants and tidal lands associated with recovery works is minimised

Table 5 – Accepted Development – Recovery works for declared disaster situations

Work type	Requirements for accepted development
5.1 Otherwise lawful <u>like-for-like</u> replacement of <u>infrastructure</u> that has been lost or damaged in a declared disaster	<p>The removal, destruction or damage of marine plants is for otherwise lawful recovery works to restore an existing <u>lawful work</u>.</p> <p>The recovery works will reinstate the <u>lawful work</u> within the existing footprint and will provide the same function.</p> <p>Where the <u>lawful work</u> is a revetment wall or bridge, the existing footprint means a similar footprint in relation to the location of the bank alignment post-<u>disaster</u>.</p> <p>Recovery works can be undertaken under any tidal or other flow conditions.</p>
5.2 Damaged <u>marine plants</u> that are trees that pose a public safety concern, or threaten private or public <u>infrastructure</u> can be made safe by trimming.	<p><u>Marine plant</u> trimming may be carried out by, or on behalf of, state or local government only.</p> <p>Trim broken branches to the trunk leaving a sufficient stub to avoid trunk damage.</p> <p>Take no action on any exposed root systems, unless unstable trees are a safety risk.</p> <p>Take no action on smothered root systems.</p>

Work type	Requirements for accepted development
	<p>Trunks of large trees that are causing, or are likely to cause, a public safety concern may be trimmed to 1.5 metres above the substrate. Trimmed <u>marine plant</u> material must be removed from <u>tidal lands</u> and <u>waterways</u> and disposed of lawfully.</p> <p>Notification under section 3 does not apply</p>
<p>5.3 Removal of certain unattached marine plant <u>debris</u> from waterways, shorelines and tidal land.</p>	<p>Any unattached marine plant <u>debris</u> may be removed where necessary to prevent:</p> <ul style="list-style-type: none"> • damage to infrastructure or vessels • threats to public health and safety. <p>Any large unattached marine plant <u>debris</u> may be removed where necessary to prevent:</p> <ul style="list-style-type: none"> • movement at high tide that may bruise tree trunks • impact on recruitment of seedlings. <p>Unattached <u>marine plant debris</u> that has been removed must be disposed of lawfully.</p> <p>Notification under section 3 does not apply</p>
<p>5.4 Clean-up of any unattached marine plant <u>debris</u> that have been relocated by the disaster to areas outside waterways, shorelines and tidal lands.</p>	<p>Any unattached marine plant <u>debris</u> may be cleaned up from these areas.</p> <p>Unattached <u>marine plant debris</u> that has been cleaned up must be disposed of lawfully.</p> <p>Notification under section 3 does not apply</p>

A person exercising powers under section 77 of the *Disaster Management Act 2003* is considered to be acting lawfully for the purposes of section 123 of the Fisheries Act 1994.

Works carried out due to an emergency

Where works are to be carried out due to an emergency, the exemptions in section 165 of the Planning Act are applicable. Works carried out due to an emergency under the exemptions must comply with all relevant provisions of section 165 of the Planning Act.

7 Grandfather provisions previously included in Code for self-assessable development *Minor impact works in a declared Fish Habitat Area or involving the removal, destruction or damage of marine plants* Code number: MP06 January 2013 under the *Fisheries Regulation 2008* and the *Sustainable Planning Act 2009*

Due to changes in legislation and policy that applies to the assessment of development and environmental offsets, some provisions previously permitted under self-assessable code MP06 called up under the *Fisheries Regulation 2008 and Sustainable Planning Act 2009* are no longer applicable for consideration as new accepted development under the *Planning Act 2016*. This has prompted a change in approach that provides for the consideration of significant residual impacts on marine plants, a matter of state environmental significance for the *Environmental Offsets Act 2014*, as required by current legislation and policy.

This section documents grandfather provisions previously permitted as self-assessable development and enables these to continue in their previously approved form as accepted development under the *Planning Act 2016*.

New proposals of this nature, and amendments to projects listed in these grandfathered provisions, that involve the removal, destruction or damage of a marine plant are assessable development and a development application will need to be lodged.

Table 6 lists the requirements for accepted development including the maximum allowable disturbance for new work that is the removal, destruction or damage of a marine plant for specified grandfathered projects.

Table 6 – Accepted Development Requirements– Grandfathered projects

Work type	Requirements for accepted development
<p>6.1 Construction of runnels for mosquito control by Local Government for a <i>public purpose</i> that was endorsed by Fisheries Queensland and referred to under self-assessable code MP06.</p>	<p>The following local government integrated mosquito management programs were endorsed by Fisheries Queensland prior to December 2007 and are included for the purpose of these grandfather provisions:</p> <ul style="list-style-type: none"> • City of Gold Coast • Redlands • Moreton Bay for the Redcliffe and Pine Rivers areas <p>Runnels are constructed as per the above Fisheries Queensland endorsed Integrated Mosquito Management Program developed by the Local Government.</p> <p>Runnels must be:</p> <ul style="list-style-type: none"> • Hand-dug or constructed using specialised mechanical equipment • Less than 0.3 m deep with a width to depth ratio of 3:1 • Follow and be confluent with existing natural drainage lines

Work type	Requirements for accepted development
<p>6.2 Operational works for a <i>public purpose</i> as detailed in a Marine Plant (fish habitat) Management Strategy (MPMS) that was endorsed by Fisheries Queensland and referred to under self assessable code MP06.</p>	<p>The following MPMS were endorsed by Fisheries Queensland and remain in force under these Accepted Development Requirements:</p> <ul style="list-style-type: none"> • Bundaberg Regional Council—Mangrove Management Strategy • Cairns Regional Council—Marine Plant Management Strategy • Fraser Coast Regional Council—Maryborough Mangrove Management Strategy. <p>The current version of the MPMS must be referred to and is available from Fisheries Queensland or the relevant local government agency.</p> <p>Removal, destruction or damage of <u>marine plants</u> is in accordance with the details of an endorsed MPMS.</p> <p style="background-color: #cccccc; padding: 5px;">Notification under section 3 does not apply</p> <p>Signage and notification is to be as specified in the MPMS. Signage is required to state the name of the MPMS.</p>

8 Contacts and further information

Additional information is available from Fisheries Queensland, Department of Agriculture and Fisheries:

Website: www.daf.qld.gov.au/fisheries

Email: planningassessment@daf.qld.gov.au

Customer service centre: 13 25 23

9 Glossary

Accepted development Refer to s.44(4) of the Planning Act

Means development for which a development approval is not required.

Aid to navigation Refer to s.104 of the *Transport Operations (Marine Safety) Act 1994*

Artificial waterway Refer to s. 8 of the *Coastal Protection and Management Act 1995*

Means an artificial channel, lake or other body of water, and includes an access channel, artificial channel, lake or other body of water.

Assessable development Refer to s.44(3) of the Planning Act

Means development for which a development approval is required.

Associated powerline infrastructure includes the following:

- i) Access tracks used to access maintenance works on the powerlines or for routine inspections;
- ii) Electricity supply infrastructure, including towers, power boxes, power posts and stays;
- iii) Warning signage relating to the powerlines.

Authorised person is a person who—

- i) Possess a current and relevant resource allocation authority (RAA); and
- ii) Makes the RAA available for immediate inspection (refer: s.88 of the Fisheries Act); and
- iii) Undertakes the dead marine wood collection.

Dead marine wood Refer to s.88B(4) of the Fisheries Act

Means a branch or a trunk that is:

- i) Part of a dead marine plant; or
- ii) Was a part of a marine plant.

Debris means the remains of anything broken down or destroyed; ruins; fragments; rubbish.

Declared area Refer s.11, schedule dictionary of the *Disaster Management Act 2003*

Means—

- a) for a disaster situation declared under section 64(1) of the *Disaster Management Act 2003*—the disaster district, or the part of the disaster district, for which the disaster situation is declared; or
- b) for a disaster situation declared under section 69 of the *Disaster Management Act 2003*—the State or, if the disaster situation is declared for a part of the State, the part.

Development Refer Sch.2 of the Planning Act

Means –

- a) carrying out—
 - (i) building work; or
 - (ii) plumbing or drainage work; or
 - (iii) operational work; or
- b) reconfiguring a lot; or
- c) making a material change of use of premises

Development approval Refer s.49(1) of the Planning Act

Means -

- i) A preliminary approval; or
- ii) A development permit; or
- iii) A combination of a preliminary approval and a development permit.

Disaster Refer to s.13(1) of the *Disaster Management Act 2003*

Means a serious disruption in a community, caused by the impact of an event that requires a significant coordinated response by the State and other entities to help the community recover from the disruption.

Disaster situation Refer to s.11, schedule dictionary of the *Disaster Management Act 2003*

Means a disaster situation declared under section 64(1) or section 69 of the *Disaster Management Act 2003*.

Drain bank is the alongside, or sloping down to the drain, i.e. the portion of land extending from one side of the drain bed to the height of the top of the bank.

Emergency Refer to s.165(8) of the Planning Act

Means an event or situation that involves an imminent and definite threat requiring immediate action (whether before, during or after the event or situation), other than routine maintenance due to wear and tear.

Entity Refer s.4, schedule dictionary of the Fisheries Act

Includes an entity established under the law of the Commonwealth or another state.

Farm is a tract of land currently used for farming or culture activities.

Fish habitat Refer s.4, schedule dictionary of the Fisheries Act.

Includes land, waters and plants associated with the life cycle of fish, and includes land and waters not presently occupied by fisheries resources.

Formed access track is a track that has been built up over the natural levels of the ground for the purpose of allowing access for maintenance vehicles.

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

Infrastructure Refer to schedule 2 Dictionary of the Planning Act

Does not include land, facilities, services or works for an environmental offset.

Lawful work is work that was constructed in compliance with all of the requirements, under any Act, relating to a work of that type at the time of construction. A lawful work may be owned by a public or private entity. A naturally occurring waterway is not a lawful work.

Like-for-like replacement includes replacement of a lawful work at its original location for the same purpose or function and may include improved engineering and ecological outcomes without increasing impacts to marine plants.

Lowest Astronomical Tide means the lowest level of the tides that can be predicted to occur under average meteorological conditions and any combination of astronomical conditions.

Maintenance is works on and around an existing lawful work, including reconstruction and replacement within and up to the extent of the original footprint to maintain its safe, effective functioning and ongoing use and operation.

Maintenance does not include the following:

- Work to extend the existing lawful work beyond the original footprint in any dimension
- Construction of a new work
- Disturbance of marine plants for aesthetic purposes
- Beach replenishment work

Maintenance (on-farm drains only) means the use of machinery to undertake marine plant removal required in the cleaning and de-silting of existing drains; and hand or mechanical trimming, moving or selective removal of marine plants to provide access for maintenance tasks.

Maintenance of on-farm drains does not include any of the following:

- Redirection or enlargement of existing drains;

- Construction of new drainage structures, including drains, water storage or treatment ponds, floodgates or clearing for new cane assignment or other production areas;

Marine plant Refer s. 8 of the Fisheries Act

- a) a plant that usually grows on, or adjacent to tidal land, whether it is living, dead, standing or fallen;
- b) material of a tidal plant, or other plant material on tidal land
- c) a plant, or material of a plant, prescribed under a regulation or management plan to be a marine plant.

A marine plant does not include a plant that is a declared pest under the *Biosecurity Act 2014*

Monitoring includes low impact collection of baseline sampling data, survey and investigation works associated with the impacts of development.

Non-tidal land is all land that does not meet the definition of tidal land.

On-farm drain includes any of the following existing lawful works: intake and discharge drains; storage and settlement ponds; drain access roads; headlands; spoon drains; on-farm floodgates; and other structures related to the movement of water that are necessary for ongoing farming operations, including aquaculture.

Possess Refer to s 4 Schedule Dictionary of the Fisheries Act

Means to have custody or control of a thing; and have an ability or right to obtain custody or control of the thing.

Private purpose means for a private residential or commercial use, or use that does not meet the definition of public purpose, on land held under freehold, leasehold or similar tenure.

Public purpose means for a use relating to the provision of services or infrastructure for the public by government, community groups and energy and water suppliers and that is undertaken for a public benefit.

Rehabilitation means returning a site to a state where natural succession can continue the recovery process and allow fisheries values of the site to be returned, for example, planting propagules or seeds. It may be required that plant material to be used for rehabilitation is sourced from areas where a development approval for the removal, destruction or damage of a marine plant has been issued.

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

Restoration means actions to return a site to an agreed pre-existing condition.

Saltmarsh patch means an area of saltmarsh which may include a mosaic of saltmarsh plants and bare substrate (saltpans).

Spoil is earth, soil, rock gravel, unwanted material or marine plant that results from maintenance works.

Substrate is the underlying hard or soft surface of sediment, soils, sand, rock or mud.

Subtransmission powerlines are powerlines with a voltage of 109kV and below.

Tidal land Refer s.4 of the Fisheries Act

Includes reefs, shoals and other land permanently or periodically submerged by waters subject to tidal influence (refer s.4, schedule dictionary of the Fisheries Act).

Trade or commerce includes:

- a) a business activity
- b) anything else done for reward or gain.

Transmission powerlines are powerlines with a voltage of 110kV and above.

Unformed access track is a track that follows the natural levels of the ground, used for the purpose of allowing access for maintenance vehicles.

Waterway Refer s.4, schedule dictionary of the Fisheries Act

Includes a river, creek, stream watercourse or inlet of the sea.

Waterway barrier works means a dam, weir or other barrier across a waterway if the barrier limits fish stock access and movement along a waterway.

Wetland means an area 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:

- at least periodically the land supports plants or animals that are adapted to and dependent on living in wet conditions for at least part of their life cycle, or
- the substratum is predominantly undrained soils that are saturated, flooded or ponded long enough to develop anaerobic conditions in the upper layers, or
- the substratum is not soil and is saturated with water, or covered by water at some time.

Works Refer Sch.2 of the Planning Act

Includes building work, operational work, plumbing work and drainage work

Note - In this document, depending on context may also mean operational work that is the removal, destruction or damage of a marine plant or other works within the context of this document.

10 Notification form for accepted development

Email the completed form to Fisheries Queensland, Department of Agriculture and Fisheries at accepteddevelopment@daf.qld.gov.au.

All applicable fields must be completed. Incomplete forms will not be registered and your works will not be lawful. It is your responsibility to ensure the work complies with all accepted development requirements.

You may be required to obtain approvals under other legislation prior to commencing work.

PART 1. NOTIFICATION

Notification must be submitted prior to but no more than 20 business days before commencing works (unless Section 6 Disaster provisions apply and then it must be provided as soon as practicable after commencement).

1. Date work to commence:

1. Estimated work duration (number of days):

2. Contact details of person undertaking the works

This person must be contactable and may be contacted by Fisheries Queensland for monitoring purposes.

Name and organisation (if applicable):

Physical address:

Postal address:

Email:

Telephone:

3. Location of the works

Attach a map of the location to this notification form

Street address:

Property description (Lot on Plan or adjacent Lot on Plan):

Local Government Area:

Name of waterway (if relevant):

Coordinates of work location:

Latitudinal and longitudinal extend for work area in decimal degrees (i.e -52.458769; 152.489357). Note: a minimum of one point (centre of work) is required.

____ . _____ S ____ . _____ E; ____ . _____ S ____ . _____ E;
____ . _____ S ____ . _____ E; ____ . _____ S ____ . _____ E.

Datum system: GDA94 WGS84

4. Work details

Purpose: Private or Public
 New work or Maintenance

Work type (e.g. 1.15 For educational, research or monitoring work):

Description of works proposed:

Description of method of works:

Type and size (e.g. length and width) of work:

5. Removal, destruction or damage of marine plants

Area of removal/destruction/damage _____m²

Type of marine plant disturbance: *Tick one or more*

Temporary Permanent

Marine plant(s) to be removed, damaged or destroyed: *Tick one or more*

Mangrove Salt couch Succulent Seagrass
 Other: *Please specify:*

6. Declaration

In completing this notification form, I confirm the following:

- This document has been read
- This document has been understood
- The proposed works meet the work standards and the requirements for accepted development

Name of person notifying: *Name to be provided in full*

Date of notification:

Keep a copy of the notification form, evidence of the notification date, and any reference number that is issued. This information must be available upon request.

11 Appendices

Appendix 1- Figures

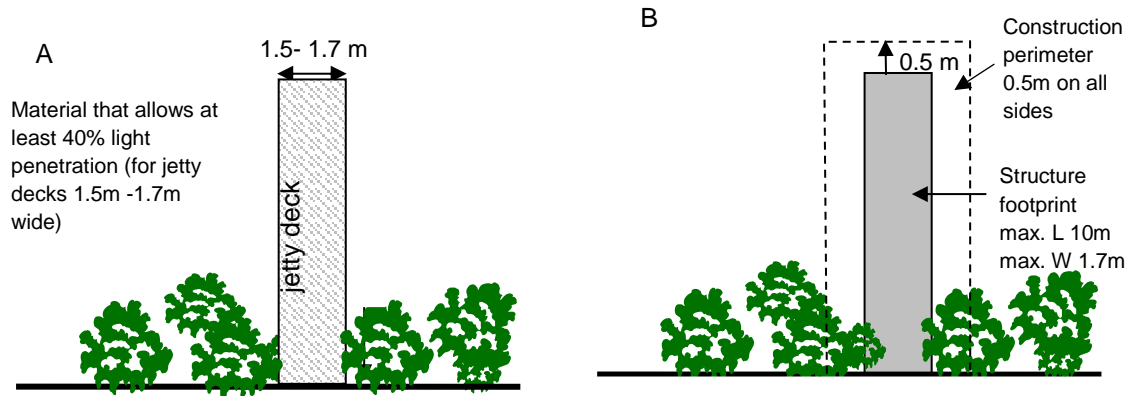


Figure 1A – Jetties 1.5-1.7m wide located over fish habitats must have decking that allows at least 40% light penetration

Figure 1B - Maximum allowable removal, destruction or damage of marine plants for the construction of a jetty for private use

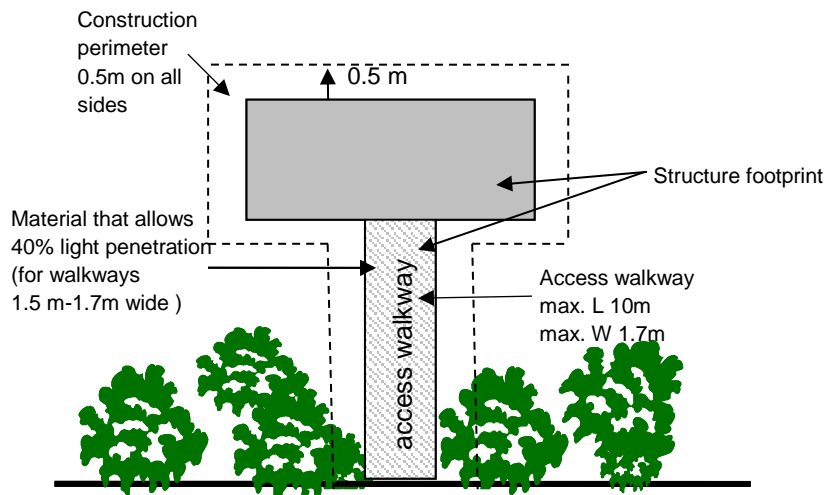


Figure 2 – Maximum allowable removal, destruction or damage of marine plants for the construction of a pontoon for private use

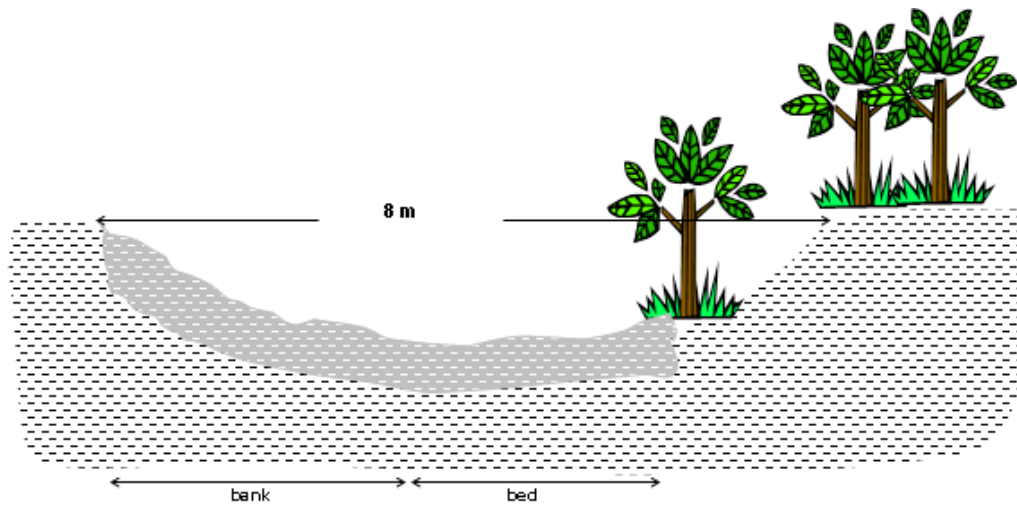


Figure 3A – Constructed drain that is unlined and less than 8m in width

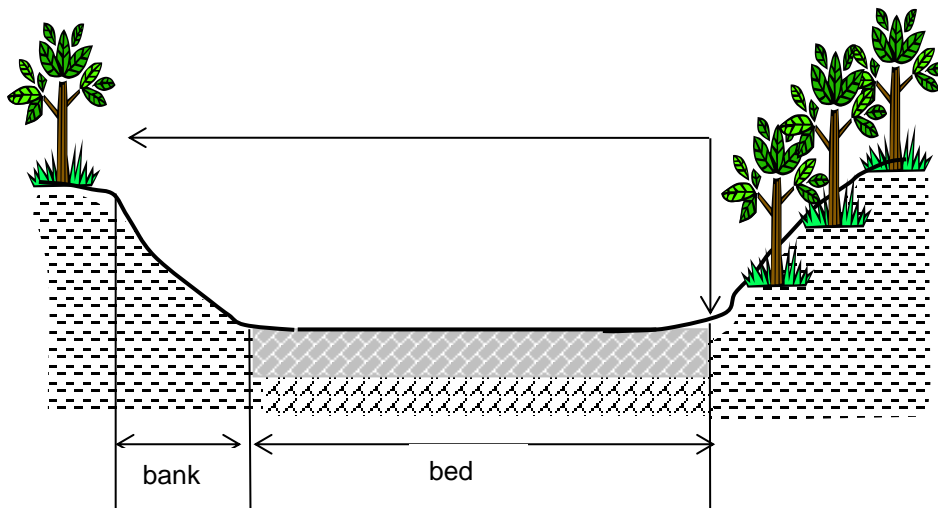


Figure 3B – Constructed drain that has a lined bed (e.g. with concrete)

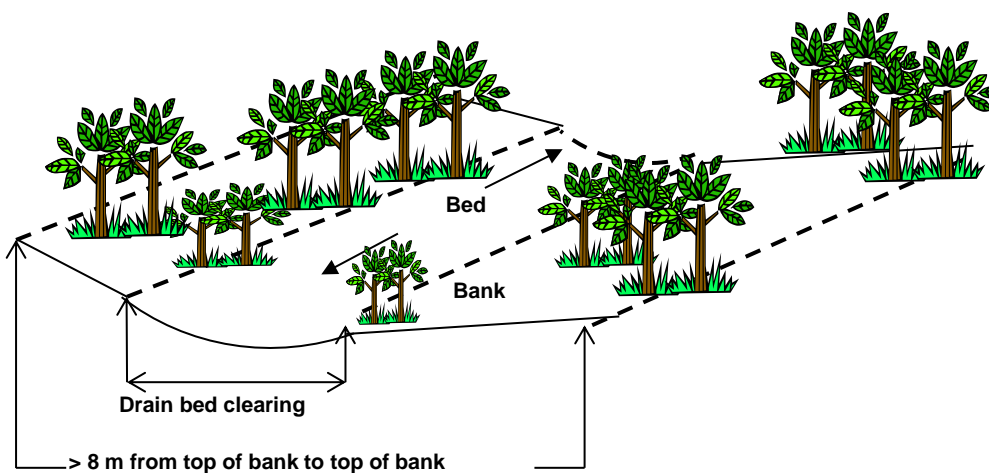


Figure 4 – Constructed drain that is unlined and greater than 8 metres

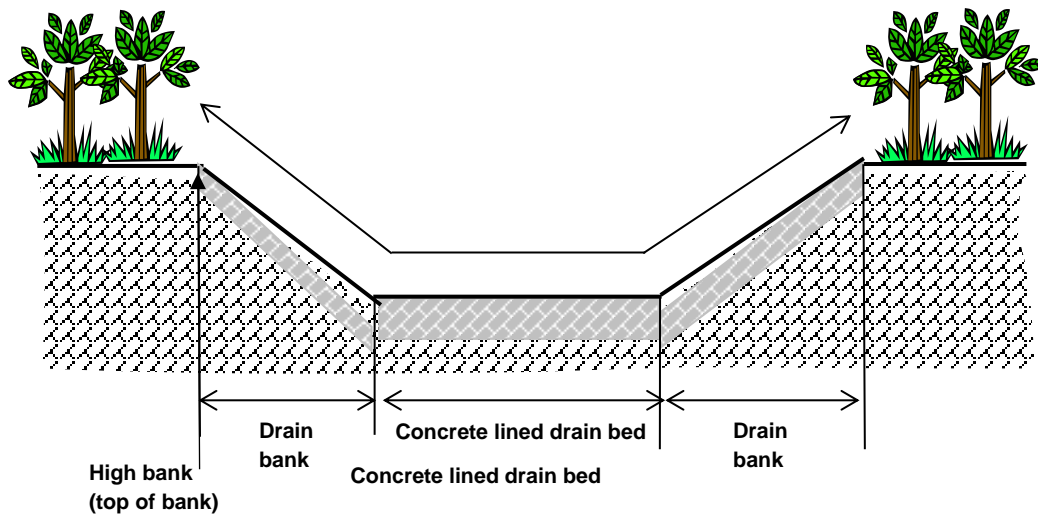


Figure 5 – Constructed drain with both banks and bed lined (e.g. with concrete)

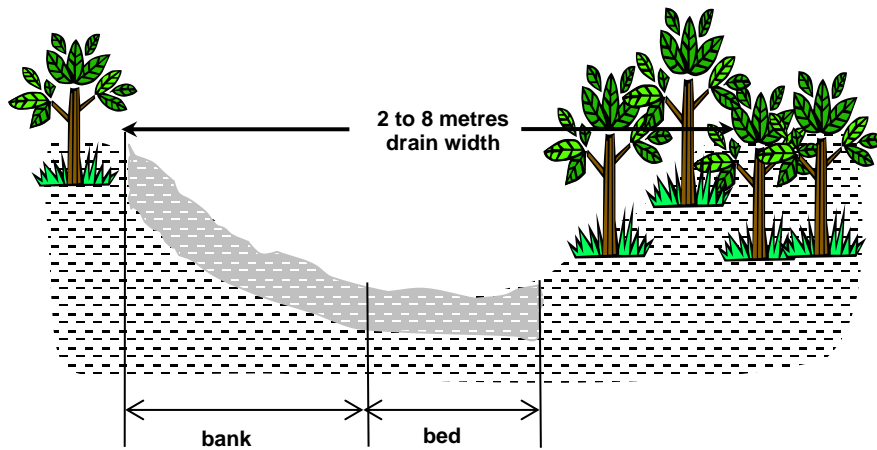


Figure 6 – Maximum allowable removal, destruction or damage of marine plants for on-farm drain 2-8 metres wide

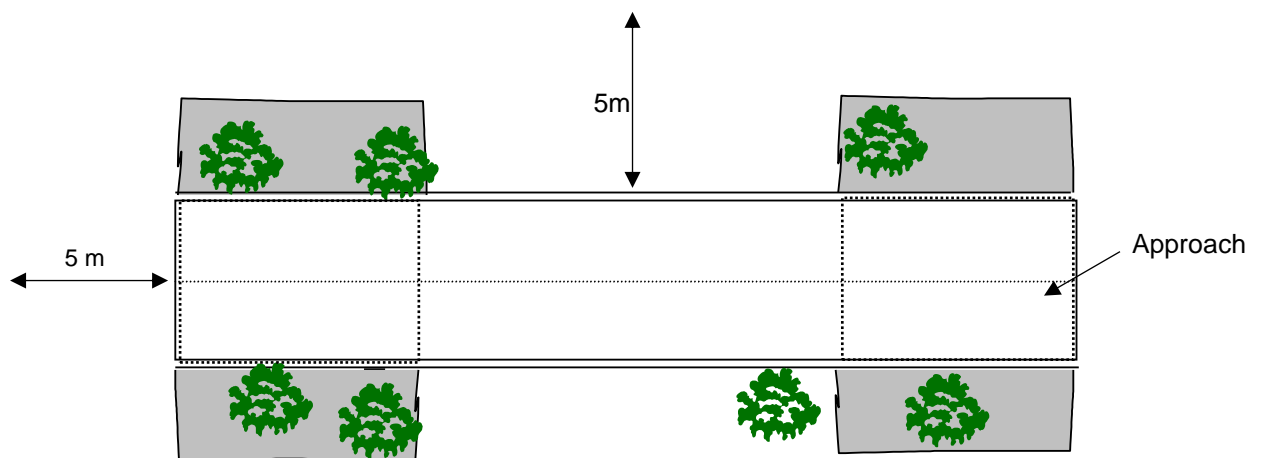


Figure 7 – Public vehicle road bridge or public rail bridge showing approaches and 5m from perimeter

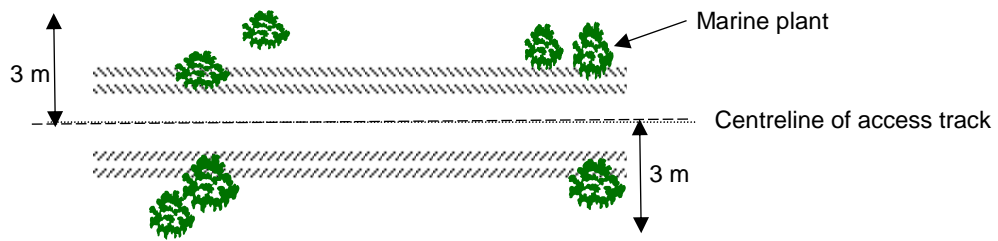


Figure 8 – Unformed local authority or government agency vehicle access path

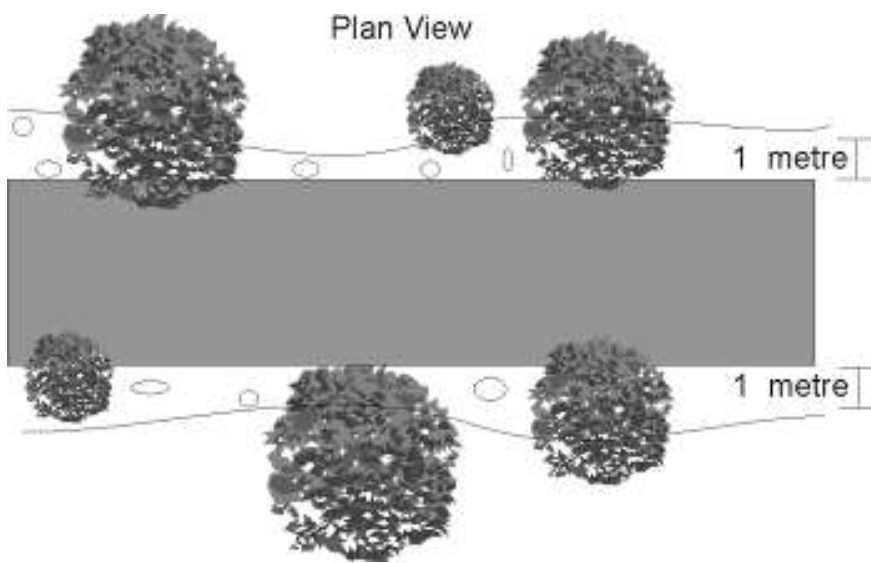


Figure 9 – Formed powerline access track

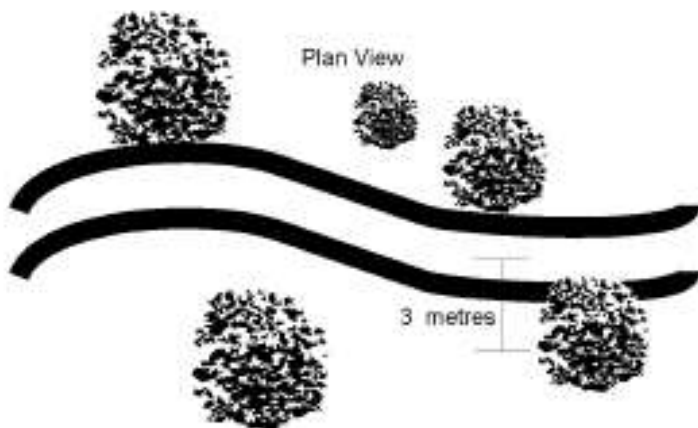


Figure 10 – Unformed powerline access track

Appendix 2 - Details required for inclusion in a project plan submitted to Fisheries Queensland for endorsement

Details required for inclusion in a project plan:

- Introduction
- Scope of project
- Alternative options
- Rationale
- Timing
- Management measures
- Drawings / plans / maps showing locality or design of project

Appendix 3 – Designated mooring areas for protected area management purposes

- A mooring area designated under Part 4 of the Marine Parks (Moreton Bay) Zoning Plan 2008, available from the Department of National Parks, Sport, and Racing.
- Round Hill Creek Designated Mooring Area within the Seventeen Seventy-Round Hill declared Fish Habitat Area, as per the plan prepared 21 October 2008, available from Maritime Safety Queensland.