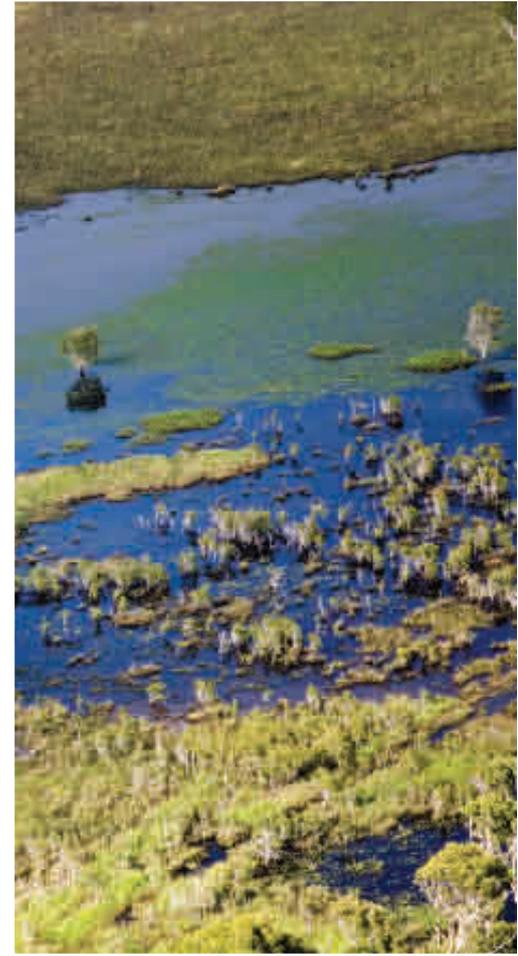


Temporary State Planning Policy 1/11

Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments



Sustainable Planning Act 2009

TEMPORARY STATE PLANNING POLICY

Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments

May 2011

Making the temporary State planning policy

This temporary State planning policy was made jointly by the Honourable Kate Jones MP, Minister for Environment and Resource Management, and the Honourable Paul Lucas MP, Deputy Premier, Attorney-General, Minister for Local Government and Special Minister of State, under Chapter 2, Part 4, Division 3 of the *Sustainable Planning Act 2009*.

Commencement

This temporary State planning policy takes effect on 3 May 2011.

Prepared by:

Natural Resources and Environment Business Group

Department of Environment and Resource Management

© State of Queensland (Department of Environment and Resource Management) 2011

This document has been prepared with all due diligence and care, based on the best available information at the time of publication. The department holds no responsibility for any errors or omissions within this document. Any decisions made by other parties based on this document are solely the responsibility of those parties. Information contained in this document is from a number of sources and, as such, does not necessarily represent government or departmental policy.

If you need to access this document in a language other than English, please call the Translating and Interpreting Service (TIS National) on 131 450 and ask them to telephone Library Services on +61 7 3224 8412.

This publication is available in alternative formats (including large print and audiotape) on request for people with a vision impairment. Contact (07) 322 48412 or email <library@derm.qld.gov.au>

May 2011

Contents

Explanatory statement	1
Need to protect wetlands	1
Outcome sought by the temporary SPP.....	1
Implementing the temporary SPP.....	3
Reflecting regional plans.....	3
1. Policy outcome	4
Policy outcome sought by the State Planning Policy	4
2. Application of the State Planning Policy	4
State Planning Policy and State Planning Policy Guideline	4
Areas to which the SPP applies	4
Development to which the SPP applies.....	4
3. Making or amending a planning instrument	5
Achieving the policy outcome through regional plans	5
Achieving the policy outcome through a local planning instrument	5
4. Development assessment	5
Achieving the policy outcome through development assessment	5
Acceptable circumstances for not fully achieving the policy outcome	5
5. Information and advice about the SPP	6
Sources of information and advice	6
Operation of the SPP	6
Development assessment code – protecting wetlands of high ecological significance in Great Barrier Reef catchments.....	7
A1.1 Purpose of the code	7
A1.2 Application of the code	7
A1.3 Using the code	8
A1.4 Code provisions.....	9
Annex 2	15
Great Barrier Reef wetland protection areas	15
Annex 3	16
Factors for determining an overriding need in the public interest.....	16
Annex 4	16
Glossary of terms	17

Explanatory statement

Need to protect wetlands

Queensland has the most diverse array of wetlands in Australia. Wetlands deliver many ecosystem services that contribute to our well-being, such as water and food supply, filtering of pollutants, regulation of climate and flooding, coastal protection, provision of habitat for biodiversity, and recreation and tourism opportunities.

The Queensland Government's Strategy for the Conservation and Management of Queensland's Wetlands¹ (wetlands strategy) recognises the need to protect wetlands and aims, among other things, to:

- avoid further loss or degradation of natural wetlands unless overriding public interest can be shown
- base the management and use of natural wetlands on ecologically sustainable management and integrated catchment management practices.

Queensland's increasing population and associated urban, industrial and agricultural activities place major development pressures on wetlands. In some cases, development causes the loss or degradation of wetlands, which damages wetland habitat, introduces pollutants and nutrients, or changes the natural water regimes of wetlands.

The Queensland State of the Environment Report 2007 found that the state's freshwater wetlands are being lost at the rate of about 7000 hectares per year, which demonstrates that a key objective of the wetlands strategy is not being achieved. Freshwater wetlands are lacustrine and palustrine wetlands, such as swamp and lake wetlands².

Environmental values³ for Queensland wetlands include those values that support the biological integrity of a wetland. The protection of these values is important in achieving the objective of both the *Environmental Protection Act 1994* and the *Sustainable Planning Act 2009*, that is, ecologically sustainable development.

The Temporary State Planning Policy (1/11): Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments (the SPP) has been developed in response to action 7 of the Reef Water Quality Protection Plan, which prioritises the development of new regulations and policies to improve reef water quality and conserve and protect wetland and riparian areas.

A draft State planning policy was released in December 2011 with the intention of making a final SPP. The consultation period for the draft SPP has been extended until 28 April 2011 due to extreme weather events. In order to enable due consideration to be given to submissions received during the extended consultation period, this temporary SPP has been prepared to replace the Temporary State Planning Policy (1/10): Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments, which ceases to have effect one year after it commenced.⁴

Outcome sought by the SPP

This SPP seeks to ensure that development in or adjacent to wetlands of high ecological significance in Great Barrier Reef catchments is planned, designed, constructed and operated to prevent the loss or degradation of wetlands and their values, or enhances these values, in particular, the hydrological regime and ecological values of those wetlands.

This outcome supports the objective of the *Environmental Protection Act 1994* and existing related policies under other legislation, including the:

- *Vegetation Management Act 1999*
- *Water Act 2000*
- *Fisheries Act 1994*
- *Coastal Protection and Management Act 1995*
- *Nature Conservation Act 1992*
- *Sustainable Planning Act 2009*.

¹ Wetlands strategy available from the DERM website <www.derm.qld.gov.au>

² See Glossary for the definition of lacustrine and palustrine wetlands.

³ The environmental values of wetlands relate to the wetland ecological and hydrological functions including the wetland's physical form and hydrological regime, and the presence and diversity of flora and fauna species.

⁴ SPP 1/10 came into effect on 2 May 2010.

The SPP provides direction on the following wetland protection issues relevant to the *Sustainable Planning Act 2009*:

- how planning instruments can protect environmental values in wetlands of high ecological significance in Great Barrier Reef catchments
- how particular development can achieve the relevant policy outcomes for protecting wetland environmental values.

Implementing the SPP

The SPP is to be implemented by:

- local and regional planning instruments that ensure planning and development contribute to the protection of environmental values in wetlands of high ecological significance in Great Barrier Reef catchments, as specified in section 3 of this SPP
- development that achieves the outcomes identified in section 4.2 of this SPP.

The SPP will influence those planning and development decisions that may individually or collectively affect wetland environmental values. Local planning instruments will be required to reflect the SPP provisions on wetland planning and development assessment. Until that time, the development assessment code at Annex 1 of the SPP will be applied in assessment of development applications.

The SPP is supported by the State Planning Policy Guideline: Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments, which gives further information and advice on the implementation of this SPP and identifies the key resource materials required for a development application to which this SPP applies.

The SPP is supported by an extensive mapping process evaluating wetland values and identifies wetlands of high ecological significance.

Reflecting regional plans

Statutory regional plans in Queensland endorse the adoption of policies that seek to balance development with the protection of areas of ecological significance, including wetlands. This SPP is consistent with the Far North Queensland Regional Plan 2009–2031, and their associated state planning regulatory provisions, which have effect in part of the area to which this SPP applies.

1. Policy outcome

Policy outcome sought by the State planning policy

- 1.1 Development in or adjacent to wetlands of high ecological significance in Great Barrier Reef catchments is planned, designed, constructed and operated to minimise or prevent the loss or degradation of the wetlands and their values, or enhances these values.

2. Application of the State planning policy

State planning policy and State planning policy guideline

- 2.1 The temporary State Planning Policy: Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments (SPP) is a statutory instrument under the *Sustainable Planning Act 2009*.
- 2.2 The temporary State Planning Policy Guideline: Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments (SPP guideline) provides advice about implementing the SPP and is declared to be extrinsic material under the *Statutory Instruments Act 1992*, s. 15.
- 2.3 When designating land for community infrastructure, a Minister or local government must consider the development outcomes set out in Part 4 of this policy.
- 2.4 Terms used in the SPP, code and SPP guideline have the same meaning as defined in the *Sustainable Planning Act 2009*, the *Sustainable Planning Regulation 2009*, and the *Environmental Protection Regulation 2008*. The glossary explains particular words used in the SPP and the SPP guideline.

Areas to which the SPP applies

- 2.5 The SPP applies to Great Barrier Reef wetland protection areas defined in a map⁵ at Annex 2.

Development to which the SPP applies

- 2.6 The SPP applies to assessable development⁶ under Schedule 3, Part 1 of the *Sustainable Planning Regulation 2009*, a planning scheme, or a State planning regulatory provision, if the development is:
 - 2.6.1 Making a material change of use of premises that—
 - (a) is not for a domestic housing activity; and
 - (b) any part of the land is situated in a Great Barrier Reef wetland protection area; and
 - (c) involves operational works as described in section 2.6.3 of this policy.
 - 2.6.2 Reconfiguring a lot if—
 - (a) any part of the land is situated in a Great Barrier Reef wetland protection area; and
 - (b) the reconfiguration results in more than six lots, or if any of the resulting lots is less than five hectares; and
 - (c) the reconfiguration involves operational work as described in section 2.6.3 of this policy.
 - 2.6.3 Operational work that is high impact earthworks⁷ in a Great Barrier Reef wetland protection area, other than operational work for a domestic housing activity.

⁵ The maps will be approved by the chief executive (environment) in accordance with the *Sustainable Planning Act 2009* and updates will require public notification.

⁶ Assessable development has the same meaning as the *Sustainable Planning Act 2009* definition.

⁷ See Glossary for definition of high impact earthworks.

3. Making or amending a planning instrument

Achieving the policy outcome through regional plans

- 3.1 A regional plan achieves the policy outcome in section 1.1 if the plan:
- (a) identifies the wetlands of high ecological significance (HES) in Great Barrier Reef catchments mapped at Annex 2; and
 - (b) provides for development to be located outside the HES wetlands; and
 - (c) identifies best practice environmental management policies for development in Great Barrier Reef wetland protection areas in the region.

Achieving the policy outcome through a local planning instrument

- 3.2 A local planning instrument achieves the policy outcome in section 1.1 if the instrument:
- (a) identifies the HES wetlands in Great Barrier Reef catchments mapped at Annex 2
 - (b) reflects the development outcomes in section 4.1; and
 - (c) either—
 - i) reflects the code at Annex 1; or
 - ii) includes alternative provisions providing protection for wetland environmental values of the HES wetlands that is the same as, or better than the code.⁸

4. Development assessment

Achieving the policy outcome through development assessment

- 4.1 Development, to which this SPP applies, achieves the policy outcome in section 1.1 if:
- 4.1.1 Other than in an urban area, the development—
 - (a) is located outside HES wetlands; and
 - (b) avoids adverse effects on HES wetlands.
 - 4.1.2 In an urban area, the development—
 - (a) is located outside HES wetlands; and
 - (b) avoids adverse effects on HES wetlands; or
 - (c) where adverse effects on HES wetlands cannot be avoided
 - i) those effects are minimised; and
 - ii) an environmental offset⁹ is provided for any remaining environmental impacts.
- 4.2 The code at Annex 1 sets out specific outcomes and acceptable outcomes for achieving the development outcomes in section 4.1. Table 1 at Annex 1 summarises the acceptable outcomes for complying with each of the development outcomes.

Acceptable circumstances for not fully achieving the policy outcome

- 4.3 Despite section 4.1, development that does not fully achieve the policy outcome in section 1.1 is acceptable if the development:
- 4.3.1 Either—

⁸ **Note:** Part 3 of the SPP guideline provides further guidance about achieving the policy outcomes through a planning instrument.

⁹ See Glossary for definition of environmental offset.

- (a) provides for an overriding need in the public interest in accordance with the factors outlined at Annex 3; or
- (b) is a development commitment¹⁰; or
- (c) is for one or more of the following types of community infrastructure¹¹
 - i) aeronautical facilities of State significance described in SPP 1/02: Development in the Vicinity of Certain Airports and Aviation Facilities, and associated facilities
 - ii) emergency services facilities
 - iii) wharves, public jetties, port facilities and navigational facilities
 - iv) domestic gas pipelines
 - v) operating works under the *Electricity Act 1994*; or
 - vi) storage, works and administrative facilities associated with the provision or maintenance of essential community infrastructure.

4.3.2 Nevertheless, development described in 4.3.1 above is still required to:

- (a) achieve the development outcome(s) set out in the development assessment code, where relevant, to the maximum extent practicable where this would not compromise the intrinsic characteristics of the development; and
- (b) provide an environmental offset for any adverse impact on an area of high ecological significance that cannot be avoided.

5. Information and advice about the SPP

Sources of information and advice

The Department of Environment and Resource Management (DERM) can provide advice about implementing and interpreting the SPP, and on reflecting the SPP in a planning instrument.

The Environmental Protection Regulation 2008 and the SPP guideline contain further information about wetland environmental values.

The Department of Local Government and Planning can provide advice about reflecting the SPP in a local planning instrument, and the operation of the Integrated Development Assessment System (IDAS).

Operation of the SPP

The SPP will operate for up to 12 months.

¹⁰ See Glossary for definition of development commitment.

¹¹ See Schedule 2 of the Sustainable Planning Regulation 2009.

Annex 1

Development assessment code – protecting wetlands of high ecological significance in Great Barrier Reef catchments

A1.1 Purpose of the code

The purpose of this code is to ensure that development in or adjacent to wetlands of high ecological significance in Great Barrier Reef catchments is planned, designed, constructed and operated to minimise or prevent the loss or degradation of the wetlands and their values, or enhances these values. This is achieved by the following development outcomes:

- A1.1.1 For development to which the code applies in a Great Barrier Reef wetland protection area¹², other than in an urban area, the development—
- (a) is located outside HES wetlands; and
 - (b) avoids adverse effects on HES wetlands.
- A1.1.2 For development to which the policy applies in a Great Barrier Reef wetland protection area, in an urban area, the development—
- (a) is located outside HES wetlands; and
 - (b) avoids adverse effects on HES wetlands; or
 - (c) where adverse effects on HES wetland cannot be avoided:
 - i) those effects are minimised; and
 - ii) an environmental offset¹³ is provided for any remaining environmental impacts.

A1.2 Application of the code

The SPP applies to assessable development¹⁴ under Schedule 3, Part 1 of the Sustainable Planning Regulation 2009, a planning scheme, or a State planning regulatory provision, if the development is:

- A1.2.1 Making a material change of use of premises that—
- (a) is not for a domestic housing activity; and
 - (b) any part of the land is situated in a Great Barrier Reef wetland protection area; and
 - (c) involves operational works as described in section 2.6.3 of this policy.¹⁵
- A1.2.2 Reconfiguring a lot if—
- (a) any part of the land is situated in a Great Barrier Reef wetland protection area; and
 - (b) the reconfiguration results in more than six lots, or if any of the resulting lots is less than five hectares; and
 - (c) the reconfiguration involves operational work as described in section 2.6.3 of this policy.
- A1.2.3 Operational work that is high impact earthworks¹⁶ in a Great Barrier Reef wetland protection area, other than operational work for a domestic housing activity.

This code is a development assessment code for use in the IDAS under the *Sustainable Planning Act 2009*.

¹² See map at Annex 2.

¹³ See Glossary for definition of environmental offset.

¹⁴ Assessable development has the same meaning as the *Sustainable Planning Act 2009* definition.

¹⁵ Section A1.2.3 of this Annex has the same wording as 2.6.3 of the policy

¹⁶ See Glossary for definition of high impact earthworks.

Applications received, but not decided before this SPP took effect, are not subject to the requirements of this code and will be decided as if the code has not been made.

This code is also a tool for local government in drafting their local planning instruments. This code may be used by the local government to reflect the SPP in their planning scheme in accordance with section 3.2 of the SPP.

The guidelines referred to by the code may be reviewed by DERM whenever policies and guidelines relevant to best practice environmental management in Queensland are created or amended.

A1.3 Using the code

The code contains a ‘purpose’ and a range of specific outcomes development must achieve in order to comply with the code and therefore the SPP. These outcomes are linked to protecting the wetland environmental values described in the Environmental Protection Regulation 2008.

Acceptable outcomes are provided for most specific outcomes, and represent ways in which the relevant performance outcomes can be met. An application that complies fully with the acceptable outcome will satisfy the relevant specific outcomes. If an application does not comply with the acceptable outcomes, or if no acceptable outcome has been provided in the code, the application must demonstrate how it will meet the relevant specific outcome.

When determining whether an application meets the specific outcomes, the assessment manager or concurrence agency must apply the precautionary principle¹⁷. That is, the assessment manager must not use the lack of full scientific certainty as a reason for not imposing requirements or conditions to minimise potential adverse affects on wetland environmental values.

Table 1 below provides a summary of the acceptable outcomes which will demonstrate compliance with each of the development outcomes in section 1 of this code.

Table 1 – Demonstrating compliance with development outcomes

Development outcome (DO)	Acceptable outcomes (AO)
Development is located outside the HES wetland	AO1.1
Development avoids adverse effects on the wetland	AO2.1–2.3, AO3.1, AO4.1–4.3, AO5.1, AO5.8, AO6.1, AO7.1, AO8.1, AO9.1, AO10.1 and AO11.1–11.2.
Development minimises adverse effects on the wetland and an environmental offset is provided for any remaining impacts.	AO3.2–3.3, AO5.2–5.7, AO6.2, AO7.2, AO8.2–8.4, AO9.2–9.3, AO10.2–10.4 and AO11.1–11.2.
Where development meets the requirements of section 4.3 of the SPP (acceptable circumstances for not fully achieving the policy outcome).	All of the above to the greatest extent practicable without compromising the intrinsic characteristics of the development.

¹⁷ Chapter 1, Part 2, Section 5 of the *Sustainable Planning Act 2009* requires that decision-making processes apply the precautionary principle as one way of advancing the purpose of the Act to seek to achieve ecological sustainability (section 3).

A1.4 Code provisions

Specific outcomes (SO)	Acceptable outcomes (AO)
Development positioning	
SO1 Development is not carried out in a HES wetland.	<p>AO1.1 Development is located outside:</p> <ul style="list-style-type: none"> a) the mapped boundary of a HES wetland in a Great Barrier Reef wetland protection area; or b) an alternative mapped boundary of the HES wetland— <ul style="list-style-type: none"> (1) submitted as part of the development application; and (2) supported by a detailed assessment and site analysis of the wetland to delineate its extent in accordance with the Queensland Wetland Definition and Delineation Guidelines (2010); and (3) that the alternative assessment manager or concurrence agency agrees is a more accurate representation of the boundary.
SO2 An adequate buffer to a HES wetland is provided.	<p>To avoid adverse effects:</p> <p>AO2.1 A buffer surrounding a HES wetland in a Great Barrier Reef wetland protection area is provided and has a minimum width of:</p> <ul style="list-style-type: none"> a) 200 metres where a HES wetland is located outside an urban area or b) 50 metres where a HES wetland is located within an urban area. <p>OR</p> <p>AO2.2 An alternative buffer is provided, the width of which is supported by an evaluation of the values, functioning and threats to the wetland.</p> <p>AND</p> <p>AO2.3 A buffer surrounding a wetland of ecological significance is maintained.</p> <p>Note: DERM should be contacted for information on maintaining a wetland buffer and the process for determining an alternative buffer width.</p>

Specific outcomes (SO)	Acceptable outcomes (AO)
Hydrology	
<p>SO3 The existing surface water hydrological regime of the Great Barrier Reef wetland protection area (including the HES wetland) is maintained or enhanced.</p> <p>Note: The hydrological regime of surface waters includes:</p> <ul style="list-style-type: none"> • peak flows • volume of flows • duration of flows • frequency of flows • seasonality of flows • water depth (seasonal average) • wetting and drying cycle. 	<p>To avoid adverse effects:</p> <p>AO3.1 Development does not change the existing surface water hydrological regime of a HES wetland, including through channelisation, redirection or interruption of flows.</p> <p>Note: An assessment of the extent of change must take into account the natural variability of the hydrological regime of the wetland.</p> <p>To minimise adverse effects:</p> <p>AO3.2 If AO3.1 does not apply, the extent of the change is minimised to ensure the wetland values and functioning are protected. The change is minimised if, at least:</p> <ul style="list-style-type: none"> a) there is no change to the reference duration high-flow and low-flow duration frequency curves, low-flow spells frequency curve and mean annual flow to and from the wetland; and b) any relevant stream flows into the wetland comply with relevant environmental flow objectives (EFOs) of the applicable water resource plan for the area; and c) for development resulting in an increase to the velocity or volume of stormwater flows into the HES wetland – the collection and reuse of stormwater occurs in accordance with (a) and (b). <p>Note: Reference durations for wetland types are available in the SPP guideline.</p> <p>OR</p> <p>AO3.3 If neither AO3.1 nor AO3.2 apply, the following apply in relation to the development:</p> <ul style="list-style-type: none"> a) a net ecological benefit and improvement to the values and functioning of the wetland; and b) development is limited to rehabilitating the existing hydrological regime or restoring the natural hydrological regime of the wetland to enhance the ecological functions and biodiversity values of the wetland. <p>Note: Refer to the Wetland Rehabilitation Guidelines for the Great Barrier Reef Catchment (2008).</p>
<p>SO4 The existing groundwater hydrological regime of the Great Barrier Reef wetland protection area (including the HES wetland) is protected or enhanced.</p>	<p>To avoid adverse effects:</p> <p>AO4.1 The water table and hydrostatic pressure within the Great Barrier Reef wetland protection area is not lowered or raised outside the bounds of variability under existing conditions.</p> <p>OR</p> <p>AO4.2 The water table and hydrostatic pressure in the Great Barrier Reef wetland protection area is returned to its natural state.</p> <p>AND</p> <p>AO4.3 Development does not result in the ingress of saline water into freshwater aquifers.</p>

Specific outcomes (SO)	Acceptable outcomes (AO)
Water quality – stormwater	
<p>SO5 During construction and operation of development:</p> <ul style="list-style-type: none"> • a wetland is not used for stormwater treatment • the buffer and water quality values of a HES wetland are protected from stormwater impacts. <p>Note: Best practice stormwater management is available in the following guidelines:</p> <ul style="list-style-type: none"> • for urban areas: Urban Stormwater Quality Planning Guidelines • for outside urban areas: Wetland Management Handbook: Farm Management Systems guidelines for managing wetlands in intensive agriculture. 	<p>In an urban area</p> <p>To avoid adverse effects:</p> <p>AO5.1 Development does not result in any measurable change to the quantity or quality of stormwater entering the HES wetland during construction or operation.</p> <p>To minimise adverse effects:</p> <p>AO5.2 Stormwater quality is managed in accordance with best practice environmental management for erosion and sediment control.</p> <p>AND</p> <p>AO5.3 During construction, development incorporates erosion and sediment control measures to achieve best practice design objectives.</p> <p>Note: An erosion and sediment control plan should be prepared by a suitably qualified person to demonstrate compliance with acceptable outcomes AO5.2 and AO5.3.</p> <p>AND</p> <p>AO5.4 During construction, release of sediment-laden stormwater is avoided for the nominated design storm, and minimised if the design storm is exceeded, consistent with the erosion and sediment control plan, including the following best practice:</p> <ul style="list-style-type: none"> • stormwater runoff during any construction works is diverted or bypassed around the HES wetland; and • all stormwater runoff saved for dewatering flow from site catchments achieves a maximum concentration of 50 mg/L of total suspended solids; and • all drainage lines, diversion and collection drains and bank, chutes and outlets are able to safely carry peak flow in accordance with the Queensland Urban Stormwater Quality Planning Guidelines. <p>AND</p> <p>AO5.5 During construction, erosion and sediment control practices, including approved proprietary products, are designed, installed, constructed, maintained and monitored in accordance with local conditions and recommendations by suitably qualified persons or professionals.¹⁸</p> <p>AND</p> <p>AO5.6 During operation, stormwater discharges are treated in accordance with best practice load reduction design objectives before stormwater flow enters the buffer area of the wetland. Stormwater treatment should address pollutants including, but not limited to:</p> <ul style="list-style-type: none"> • total suspended solids • total phosphorus • total nitrogen • gross pollutants >5 mm. <p>AND</p> <p>AO5.7 During operation, development incorporates stormwater flow control measures to achieve best practice design objectives.</p>

¹⁸ Suitably qualified persons or professionals includes those with tertiary qualifications and experience in sediment and erosion control and environmental management, such as a Registered Professional Engineer Queensland (RPEQ).

Specific outcomes (SO)	Acceptable outcomes (AO)																																		
	<p>Other than in an urban area</p> <p>To avoid adverse effects:</p> <p>AO5.8 Development does not result in any measurable change to the quantity or quality of stormwater entering the HES wetland during construction or operation.</p>																																		
Ecological values																																			
Vegetation and land degradation																																			
<p>SO6 Development involving the clearing of vegetation protects the biodiversity, ecological values and processes, and hydrological functioning of a HES wetland, including:</p> <ul style="list-style-type: none"> • water quality values • aquatic habitat values • terrestrial habitat values • usage of the site by native wetland fauna species or communities, including threatened or near threatened species, and species of regional and local significance. 	<p>To avoid adverse effects:</p> <p>AO6.1 Vegetation clearing undertaken as a consequence of development does not occur:</p> <ul style="list-style-type: none"> • in a HES wetland; or • in a buffer area under specific outcome SO2. <p>In an urban area</p> <p>To minimise adverse effects:</p> <p>AO6.2 Development is undertaken outside of the HES wetland and buffer, so as to minimise the extent of vegetation clearing required.</p>																																		
<p>SO7 Development avoids land degradation in a Great Barrier Reef wetland protection area, including:</p> <ul style="list-style-type: none"> • mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding • loss or modification of chemical, physical or biological properties or functions of soils. 	<p>To avoid adverse effects:</p> <p>AO7.1 Development in the Great Barrier Reef wetland protection area does not occur on landforms that are particularly vulnerable to soil loss, such as steep slopes.</p> <p>To minimise adverse effects:</p> <p>AO7.2 Mechanical clearing of vegetation within a Great Barrier Reef wetland protection area is located outside of the HES wetland and buffer, and occurs only in accordance with the following:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Soil stability class</th> <th style="text-align: center;">South-east Queensland bioregion</th> <th style="text-align: center;">Coastal bioregions</th> <th style="text-align: center;">Western bioregions</th> <th style="text-align: center;">Brigalow Belt & New England Tablelands</th> </tr> </thead> <tbody> <tr> <td></td> <td colspan="4" style="text-align: center;">On a slope less than—</td> </tr> <tr> <td>Very stable</td> <td style="text-align: center;">15 %</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> <td style="text-align: center;">15 %</td> </tr> <tr> <td>Stable</td> <td style="text-align: center;">12 %</td> <td style="text-align: center;">32 %</td> <td style="text-align: center;">10 %</td> <td style="text-align: center;">12 %</td> </tr> <tr> <td>Unstable</td> <td style="text-align: center;">8 %</td> <td style="text-align: center;">10 %</td> <td style="text-align: center;">3 %</td> <td style="text-align: center;">8 %</td> </tr> <tr> <td>Very unstable</td> <td style="text-align: center;">5 %</td> <td style="text-align: center;">1 %</td> <td style="text-align: center;">1 %</td> <td style="text-align: center;">5 %</td> </tr> </tbody> </table>					Soil stability class	South-east Queensland bioregion	Coastal bioregions	Western bioregions	Brigalow Belt & New England Tablelands		On a slope less than—				Very stable	15 %	-	-	15 %	Stable	12 %	32 %	10 %	12 %	Unstable	8 %	10 %	3 %	8 %	Very unstable	5 %	1 %	1 %	5 %
Soil stability class	South-east Queensland bioregion	Coastal bioregions	Western bioregions	Brigalow Belt & New England Tablelands																															
	On a slope less than—																																		
Very stable	15 %	-	-	15 %																															
Stable	12 %	32 %	10 %	12 %																															
Unstable	8 %	10 %	3 %	8 %																															
Very unstable	5 %	1 %	1 %	5 %																															

Specific outcomes (SO)	Acceptable outcomes (AO)
Ecological corridors	
<p>SO8 Existing ecological corridors are protected or enhanced and have dimensions and characteristics that will:</p> <ul style="list-style-type: none"> • effectively link habitats on and/or adjacent to the site • facilitate the effective movement of terrestrial and aquatic fauna accessing and/or using the site as habitat. 	<p>To avoid adverse effects:</p> <p>AO8.1 Development does not occur within an existing ecological corridor.</p> <p>To minimise adverse effects:</p> <p>AO8.2 If an ecological corridor is required to facilitate fauna movement, access or use of the HES wetland, the ecological corridor has a minimum width of 100 metres, and is provided and maintained in accordance with the Wetland Rehabilitation Guidelines for the Great Barrier Reef Catchment (2008) or other relevant guidelines.</p> <p>OR</p> <p>AO8.3 The width of the ecological corridor is sufficient to facilitate fauna movement, access or use of the HES wetland and is provided and maintained in accordance with the Wetland Rehabilitation Guidelines for the Great Barrier Reef Catchment (2008), or other relevant guidelines.¹⁹</p> <p>AND</p> <p>AO8.4 Unimpeded movement of fauna associated with and/or likely to use the HES wetland as part of their normal life cycle is facilitated within and through the Great Barrier Reef wetland protection area, particularly along identified ecological corridors by:</p> <ul style="list-style-type: none"> • ensuring that development (e.g. roads, pedestrian access, in-stream structures, etc), both during construction and operation, does not create barriers to the movement of fauna along or within ecological corridors; and • providing wildlife movement infrastructure where necessary and directing fauna to locations where wildlife movement infrastructure has been provided to enable fauna to safely negotiate a development area; and • separating fauna from potential hazards (e.g. through fencing).
Pest and invasive species	
<p>SO9 Development does not result in pest management impacts that pose a risk to the ecological values and processes of a HES wetland.</p>	<p>To avoid adverse effects:</p> <p>AO9.1 Development does not result in the introduction of any non-native fauna or pest species.</p> <p>To minimise adverse effects:</p> <p>AO9.2 Exclusion fencing is provided in appropriate locations to manage the threat of pest species to the HES wetland, and to prevent stock from carrying weeds or exotics into the HES wetland</p> <p>AND</p> <p>AO9.3 The exclusion fencing does not result in a barrier or hazard to the movement of wetland fauna.</p>

¹⁹ To support an ecological corridor of less than 100 metres, an ecological assessment should be prepared and submitted with the development application, or may be required through an information request for the application.

Specific outcomes (SO)	Acceptable outcomes (AO)
Noise, light and visual disturbance	
<p>SO10 During construction and operation of development wetland fauna values are protected from impacts associated with noise, light or visual disturbance.</p>	<p>To avoid adverse effects:</p> <p>AO10.1 Development does not result in any measurable impact on wetland fauna values from noise, light or visual disturbance during construction or operation.</p> <p>To minimise adverse effects:</p> <p>AO10.2 Lighting is managed to ensure it does not have an adverse effect on the wetland fauna values of a HES wetland, in accordance with expert ecological advice.</p> <p>AND</p> <p>AO10.3 Noise is managed to ensure it does not have an adverse effect on the wetland fauna values of a HES wetland, in accordance with expert ecological advice.</p> <p>AND</p> <p>AO10.4 Visual disturbance is controlled to ensure it does not have an adverse effect on the wetland fauna values of a HES wetland, in accordance with expert ecological advice. Visual disturbance may be controlled through exclusion of activities in certain areas (e.g. line of sight buffers, exclusion fencing, etc), and the use of visual screens or similar during sensitive periods, such as breeding periods and roosting periods.</p>
Operational management, maintenance and monitoring issues	
<p>SO11 Ongoing management, maintenance and monitoring is undertaken to ensure adverse effects on hydrology, water quality and ecological processes of a HES wetland are avoided or minimised during construction and operation of the development.</p>	<p>To avoid or minimise adverse effects:</p> <p>AO11.1 Construction and operations related to the development are carried out in accordance with an operational management plan where appropriate. The plan can form an amendment to an existing approved management plan for the site.</p> <p>AND</p> <p>AO11.2A Performance bond and agreement is lodged, where appropriate, with the concurrence agency or alternative assessment manager to ensure the approved management, maintenance or monitoring program is implemented.</p>
Environmental offsets in urban areas	
<p>SO12 For development in an urban area where it is not possible to avoid adverse effects on HES wetlands, development:</p> <p>a) minimises adverse effects; and</p> <p>b) an environmental offset²⁰ is provided for any remaining environmental impacts on the HES wetland.</p>	
<p>Note: An environmental offset to compensate the loss of environmental values caused by the development is consistent with the policy principle of the Qld Government Environmental Offsets Policy 2008 and corresponding specific issue offsets policy.</p>	

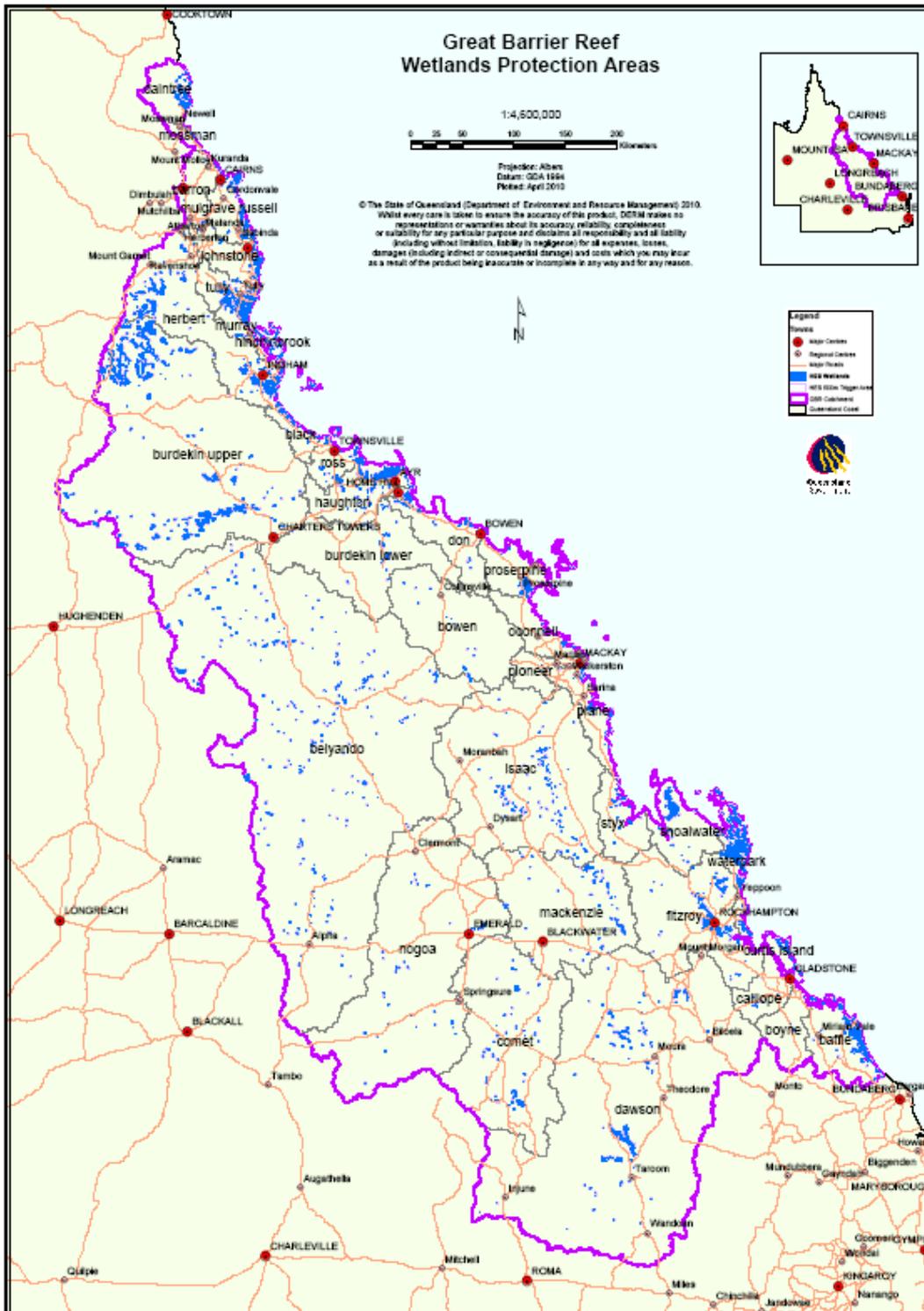
²⁰ See Glossary for definition of environmental offset.

Annex 2

Great Barrier Reef wetland protection areas

A2.1 The following map of Great Barrier Reef wetland protection areas has been included at a small scale to allow easier download of the SPP. The map is available at a larger scale for more detailed scrutiny through links on the DERM website or on CD.

A2.2 Information about assessment of conservation significance and mapping methods used for data layers is available in the SPP guideline.



Annex 3

Factors for determining an overriding need in the public interest

Factors for determining overriding need in the public interest.

A3.1 For section 4.3, there is overriding need if:

- (a) the overall social, economic and environmental benefits of the development outweigh
 - i) any detrimental effect upon the natural values of the land and adjacent areas
 - ii) conflicts with the policy outcome of this SPP
- (b) the development cannot be located elsewhere so as to avoid conflicting with the policy outcome of this SPP.

A3.2 The following do not establish an overriding need in the public interest:

- (a) uses with relatively few locational requirements
- (b) interests in or options over land
- (c) the availability or ownership of land.

Annex 4

Glossary of terms²¹

Average recurrence interval means the average, or expected, value of the periods between exceedances of a given rainfall total accumulated over a given duration. It is implicit in this definition that the periods between exceedances are generally random.

Buffer means the transition zone between the wetland and the surrounding land use. Its purpose is to support the values and processes of the wetland and protect it from external threats.

Clearing, for vegetation—

- a) means remove, cut down, ringbark, push over, poison or destroy in any way, including by burning, flooding or draining; but
- b) does not include destroying standing vegetation by stock, or lopping a tree.

Discharge area means an area in the landscape where groundwater moves to the soil surface. Evidence of this includes salt scalds, seepage or waterlogging. Salt may also accumulate in a discharge area.

Domestic housing activity means the construction or use of a single residence on a lot and any reasonably associated building or structure.

Development commitment means any of the following:

- a) has a valid preliminary approval as of the date of commencement of this policy; or
- b) arises from, and is necessary to give effect to, a valid development approval; or
- c) is located within a state development area and is consistent with the development scheme prepared for the state development area; or
- d) the Coordinator-General has evaluated an environmental impact statement under Part 4 of the *State Development and Public Works Organisation Act 1971*, Part 4, s. 35(3), and the report recommends the development be approved (with conditions); or
- e) is government supported transport infrastructure and the development is consistent with a government approval to construct given before the date of commencement of this policy; or
- f) is consistent with a designation of land for community infrastructure under the *Sustainable Planning Act 2009*.

Note: A development commitment does **not** include circumstances where the planning scheme makes the **principle** use subject to further planning or environmental assessment.

Ecological corridor means an area of land (typically vegetated) or water, including areas above and below ground, that is capable of providing fauna habitat in its own right, and/or has the potential to do so, while allowing fauna to move to and between other habitats.

Endangered species means species that are prescribed as endangered wildlife under the *Nature Conservation Act 1992*.

Enhance means to improve the current ecological values and processes and/or hydrological functioning of a HES wetland.

Environmental values for wetlands are those declared under the Environmental Protection Regulation 2008 to be the environmental values to be protected or enhanced for wetlands. The environmental values are the qualities of a wetland that support and maintain the following:

- (a) the health and biodiversity of the wetland's ecosystems
- (b) the wetland's natural state and biological integrity
- (c) the presence of distinct or unique features, plants or animals in the wetland, including threatened wildlife²² and their habitats
- (d) the wetland's natural hydrological cycle
- (e) the natural interaction of the wetland with other ecosystems, including other wetlands.

²¹ Note that other terms are defined in the *Sustainable Planning Act 2009* or Sustainable Planning Regulation 2009

²² See the *Nature Conservation Act 1992* for definition.

Environmental offset is an action taken to compensate for a negative environmental impact that might result from development. Environmental offsets are positive measures taken to counterbalance negative environmental impacts that cannot otherwise be avoided or minimised. An offset may be located within or outside the geographic site of the activity or development and should be legally secured. Further information is available in the Queensland Government Environmental Offsets Policy and any corresponding specific issue offset policy.

Great Barrier Reef (GBR) catchments include the following catchments: Baffle, Belyando, Black, Barron, Boyne, Burdekin Lower, Burdekin Upper, Bowen, Calliope, Curtis Island, Comet, Daintree, Dawson, Don, Fitzroy, Haughton, Herbert, Hinchinbrook, Isaacs, Johnstone, Mackenzie, Mossman, Mulgrave–Russell, Murray, Nogoia, O’Connell, Other Islands²³, Pioneer, Plane, Proserpine, Ross, Shoalwater, Styx, Tully and Waterpark.

Government supported transport infrastructure means government supported transport infrastructure as defined under the *Transport Infrastructure Act 1994*.

High ecological significance (HES) wetlands comprise wetlands that have been identified as high ecological significance in accordance with criteria set out in the SPP guideline. HES wetlands are defined on the map in Annex 2.

High impact earthworks has the meaning provided under the Sustainable Planning Regulation 2009.

Hydrological regime means the surface and groundwater flows of water into and out of a wetland, and its associated natural wetting and drying cycle, over an appropriate temporal scale. It includes:

- peak flows
- volume of flows
- duration of flows
- frequency of flows
- seasonality of flows
- water depth (seasonal average)
- wetting and drying cycle.

Lacustrine wetlands means large, open, water-dominated systems (for example, lakes) larger than eight hectares. This definition also applies to modified systems (for example, dams), which possess characteristics similar to lacustrine systems (for example, deep, standing or slow-moving waters).

Map of referable wetlands, a document approved by the chief executive (environment) under the Sustainable Planning Regulation 2009.

Mechanical clearing means the clearing of vegetation using machinery which disturbs the soil surface or uproots woody vegetation.

Near threatened species means native wildlife prescribed as near threatened wildlife under the *Nature Conservation Act 1992*.

Palustrine wetlands means primarily vegetated non-channel environments of less than eight hectares. They include billabongs, swamps, bogs, springs, soaks, etc and have more than 30 per cent emergent vegetation.

Recharge means the process of natural groundwater movement or drainage into surface water.

Regrowth vegetation means vegetation that is defined on the regrowth vegetation map.

Regional landscape means the land allocated as regional landscape by a regional plan.

Rural living area means the land allocated as rural living area by a regional plan.

Stable soils includes those soils listed in the SPP guideline.

State development area has the same meaning given by the *State Development and Public Works Organisation Act 1971*.

Threatened species means native wildlife that are prescribed as extinct in the wild wildlife or endangered wildlife or vulnerable wildlife under the *Nature Conservation Act 1992*.

Unstable soils includes those soils listed in the SPP guideline.

Urban area (used in Sustainable Planning Regulation 2009) means:

- (a) an area identified in a gazette notice by the chief executive under the *Vegetation Management Act 1999* as an urban area

²³ Refers to the islands that do not, on their own, constitute an individual AquaBAMM assessment. For example, Hinchinbrook and Curtis islands were large enough to be considered on their own; however, there are a number of other small islands.

- (b) if no gazette notice has been published – an area identified as an area intended specifically for urban purposes, including future urban purposes (but not rural residential or future rural residential purposes) on a map in a planning scheme that—
- i) identifies the areas using cadastral boundaries
 - ii) is used exclusively or primarily to assess development applications.

Urban purposes (used in Sustainable Planning Regulation 2009) means purposes for which land is used in cities or towns, including residential, industrial, sporting, recreation and commercial purposes, but not including environmental, conservation, rural, natural or wilderness area purposes.

Vegetation means any vegetation on a site including grasses and non-woody herbage.

Very stable soils includes those soils listed in the SPP guideline.

Very unstable soils means those soils listed in the SPP guideline.

Visual disturbance means the disturbance of fauna by visual intrusions that could lead to a loss or diminishment of key life cycle functions (for example, nest abandonment, modified feeding patterns), or changes to usage patterns of the wetland by mobile fauna (such as birds). For example, this may include disturbance by people, pets, and vehicles.

Water means all or any of the following:

- (a) water in a wetland, watercourse, lake or spring
- (b) underground water
- (c) overland flow water
- (d) water that has been collected in a dam.

Wetland fauna means species that have adapted to living in wetlands and are dependent on them for:

- all of their life cycle
- a major part of their life
- for critical stages of their life cycle, such as breeding and larval development.

Wetland flora means plants that are adapted to and dependent on living in wet conditions for at least part of their life cycle.

Wetland protection area means an area shown as a wetland protection area on the map of referable wetlands, a document approved by the chief executive (environment).

Wildlife movement infrastructure means, for example, fauna underpasses under roads and sewage infrastructure, and fauna overpasses over roads.