Accepted development requirements for operational work

That is the removal, destruction or damage of marine plants

March 2025 Draft for Engagement

Queensland Government

This publication has been compiled by Fisheries Queensland, Department of Primary Industries.

The Department of Primary Industries proudly acknowledges all First Nations peoples (Aboriginal peoples and Torres Strait Islanders) and the Traditional Owners and Custodians of the country on which we live and work. We acknowledge their continuing connection to land, waters and culture and commit to ongoing reconciliation. We pay our respect to their Elders past, present and emerging.

Summary

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:

- apply to operational work within a declared fish habitat areas
- address other legislative requirements for new **works** or **maintenance** of existing structures, such as other **development** triggers or the need for other authorisation e.g. tenure under the *Land Act 1994*, **development approvals** under the *Planning Act 2016*, *Queensland Heritage Act 1992* or *Marine Parks Act 2004* etc. These must be obtained separately.

This document may not apply to:

- new private works on a parcel of land where a reconfiguration of a lot (Ral) or material change of use (MCU) application has been decided since 1 March 2005 where impacts to marine plants:
    - relate to private infrastructure, such as fences; jetties; pontoons but were not applied for or approved and conditioned within the development approval, and/or
    - were not assessed due to a missed trigger to remove, destroy or damage marine plants when the MCU/ RaL was decided or subsequently.

  Contact the State Assessment and Referral Agency (SARA) to obtain pre-lodgement advice to confirm applicability of this document.

See Appendix 5 for further information.

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

If **development** involves operational work that is constructing or raising **waterway barrier works**, operational work completely or partly within in a declared fish habitat area or a material change of use that is aquaculture, refer to the **accepted development** requirements for:

- constructing or raising waterway barrier works
- work that is completely or partly within a declared fish habitat area
- material change of use that is aquaculture.

If the proposed work does not comply with the **accepted development** requirements, the work is not **accepted development**. Work that is not **accepted development** is **assessable development** and requires **development approval**:

- Contact SARA to obtain pre-lodgement advice involving relevant agencies[1]. This will include Fisheries Queensland.
- Find out how to submit a development application, including how to use the online preparation and lodgement system MyDAS2.

[1]Note, not all state **development** triggers are captured through the SARA process, e.g. **works** in a marine park.

Contents

Figures

1 Version control

Version	Date	Comment
1	3 July 2017	Transition, including some minor changes, from previous self-assessable codes (MPO6) into accepted development requirements to align with the release of the *Planning Act 2016.*
2 - Draft for engagement	3 March 2025	Revision of works requiring endorsed project plans. Incorporation of new rehabilitation work types. Incorporation of new work types resulting from stakeholder feedback. Review of identified issues with existing work types.

2 How to use this document

This document includes the following elements to help you determine whether your impacts to **marine plant**s are **accepted development**. This document is reviewed periodically and may be amended, so make sure you are using the current version.

Guides

Information to help guide you will appear like this throughout the document.

Glossary

The glossary, section 9, p. 39, defines specific terms used in this document, which are highlighted in bold throughout. Terms not in the glossary may be defined in the *Fisheries Act 1994* (Fisheries Act) or the *Planning Act 2016* (Planning Act).

Requirements

Make sure you read and understand the requirements and specific work types:

- Section 4: Requirements for all work - notification, site access and standards
- Section 5: Requirements for new works - private purpose, public purpose and rehabilitation
- Section 6: Maintenance of an existing lawful work
- Section 7: Accepted development requirements for recovery in and immediately following disaster situations declared under the *Disaster Management Act 2003*
- Section 8: 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*

Resources

Resources referred to in this document will help you to comply with the requirements.

The following legislation is available at legislation.qld.gov.au:

- *Fisheries Act 1994*
- Fisheries (General) Regulation 2019
- *Planning Act 2016*
- Planning Regulation 2017

Contacts and further information

For more information, including questions about technical matters, visit fisheries.qld.gov.au, email planningassessment@daf.qld.gov.au or call 13 25 23.

3 Introduction

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

Accepted development must comply with all requirements in this document. If they do not comply, the works, by default, are **assessable development**. It is an offence against the Planning Act to carry out **assessable development** without a development permit. Penalties apply.

Marine plants are protected under section 123 of the Fisheries Act. **Marine plant**s provide essential habitat for Queensland's fish, such as nursery areas for juvenile fish as well as shelter and food to a wide range of fish species of all ages. Effective protection and management of **marine plant**s will assist in sustaining Queensland's fish stocks for recreational, commercial and traditional fisheries

Marine plants are recognised as a fisheries resource due to their essential role in supporting fisheries. Beyond fisheries, they hold cultural and spiritual values and provide vital ecosystem services, including coastal protection, water quality improvement, carbon sequestration, habitat, biodiversity enhancement, and opportunities for recreation, tourism, research, and education.

4 Requirements for all work

All work must comply with sections 4.1 – 4.3, in addition to the requirements of the relevant work type, to comply with these accepted development requirements.

4.1 Notification

Notification forms, section 10, p. 43, must be completed and submitted to Fisheries Queensland, Department of Primary Industries, by email to acceptedevelopment@daf.qld.gov.au.

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.

Pre-work notification

Notification must be submitted prior to, but no more than 20 business days before work commences.

Note: You do not need to wait for a reply to commence your work.

4.2 Site access

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

4.3 Standards

Under these accepted development requirements, the following standards apply:

1. The removal, destruction or damage of **marine plant**s, that are listed **threatened species** and/or **threatened ecological communities** is not permitted under these **accepted development** requirements, unless:
   - specifically permitted under these **accepted development** requirements, or
   - a specific approval, under the legislation protecting the species or community based on its threatened status, is held and the work is otherwise consistent with a work type within this document.

   Examples of **marine plants** that are also listed **threatened species** and/or **threatened ecological communities** include the following:
   - **Marine plants** that are part of Regional Ecosystems (RE) listed in the Regional Ecosystem Description Database with a biodiversity status or *Vegetation Management Act 1999* class of “endangered”.
   - **Marine plants** that are part of the vulnerable Coastal Saltmarsh threatened ecological community (TEC) as defined in the approved conservation advice for Subtropical and Temperate Coastal Saltmarsh in accordance with s266B of the Australian *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The Subtropical and Temperate Coastal Saltmarsh includes the RE 12.1.2 coastal saltmarshes ecological community.
   - **Marine plants** that are part of the endangered Coastal Swamp Oak TEC, as defined in the approved conservation advice for the Coastal Swamp Oak (*Casuarina glauca*) Forest of

New South Wales and South East Queensland ecological community, EPBC Act - s266B. The Coastal Swamp Oak ecological community coincides with two Regional Ecosystems; RE 12.1.1 - listed as 'of concern', and RE 12.3.20 - listed as 'endangered'.

- **Marine plants** that are part of the endangered Coastal Swamp TEC, as defined in the approved conservation advice for the Coastal Swamp Sclerophyll Forest of New South Wales and South East Queensland ecological community, EPBC Act. The Coastal Swamp TEC coincides with at least six regional ecosystems, including RE 12.2.7 - listed as 'least concern', RE 12.3.4 -listed as 'of concern', RE 12.3.4a -listed as 'of concern', RE 12.3.5 - listed as 'least concern', RE 12.3.6 -listed as 'least concern' and RE 12.3.20 - listed as 'endangered'.
- *Bruguiera hainesii* - Haines's Orange Mangrove. This species is listed as critically endangered under the Queensland *Nature Conservation Act 1992* (NC Act), the EPBC Act, and the International Union for Conservation of Nature (IUCN). Within Australia its current known range is highly restricted and in proximity to Cairns.
- Where it occurs on tidal land or as an epiphyte of another marine plant such as:
    - Ant plant - *Myrmecodia beccarii*. This species is listed as vulnerable under the NC Act and the EPBC Act. Within Australia its current known range is coastal woodlands dominated by *Melaleuca viridiflora* or mangroves, usually between Cooktown and Ingham.
    - *Dendrobium mirbelianum* - Dark-stemmed Antler Orchid or Mangrove Orchid. This species is listed as endangered under the NC Act and the EPBC Act. Within Australia its known range is currently highly restricted and in proximity to the Cairns and Cooktown regions, including Daintree, and the Torres Strait Islands.

2. **Development** work must minimise impacts to **marine plants** and other associated **fish habitat**.
3. Minimise the area of sediment disturbed or compacted e.g. construct a work platform above the substrate.
4. Limit the use of machinery and use machinery no larger than that required for the purpose. Damage to marine plants caused by machinery must be within the allowable disturbance area for the applicable work type.
5. New **works** are designed to avoid impacts on nearby **marine plants** such as transferring erosion to adjacent areas.
6. Prevent erosion from occurring and prevent sediment from entering the **waterway**.

Refer to the Best Practice Erosion and Sediment Control document.

7. 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.

8. Disturbed **tidal land** outside of any permanent works footprint is to be restored to pre-works profiles to promote natural restoration of **marine plants** and tidal **fish habitats**[2].
9. Other than **spoil** deliberately used for re-profiling the **substrate**, **spoil** from excavation must be removed from **tidal land** and other **wetlands,** including **waterways**.
10. **Spoil** and disturbed **substrate** is managed to prevent acid sulfate soil oxidation and movement of sediment, runoff and leachate to **fish habitats**.
11. Soil and sediment must not be removed from areas subject to quarantine restrictions, without separate relevant authorisation e.g. declared fire ant areas.
12. Pruning and trimming of **marine plants** must be conducted according to the following:
    - Mangroves are pruned or trimmed by no more than a third of their height
    - Mangrove branches greater than 25 mm in diameter must be pre-cut underneath to prevent splitting
    - Cutting equipment must be kept sharp and clean at all times

Where possible, tie back mangrove branches that do not require removal or trimming, to prevent unnecessary damage during works.

13. Subsurface roots of mangroves where the trunk and branches have been removed must be left in-situ to minimise **substrate** disturbance[2].
14. **Marine plant** material that has been removed, damaged or destroyed, is removed from **tidal land**[3].
15. Chemicals are not to be used on **marine plants**, unless specifically permitted under these **accepted development** requirements.
16. **Marine plants** are not to be burned, unless specifically permitted under these **accepted development** requirements.

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

[3] Components of work that are marine plant **rehabilitation** and authorised dredging and dredge **spoil** disposal activities are not required to comply with this standard

5 Requirements for new work

5.1 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
5.1.1 Sea lettuce of the *Enteromorpha* and *Ulva* species may be removed and **possessed** to use as bait for recreational fishing, or to sell as bait for recreational fishing.	Removal, destruction, or damage of **marine plants** is limited to 10L per day. Sea lettuce is removed by hand only.  Notification under section 4 does not apply.
5.1.2 Algae may be removed and **possessed** for use in aquaria.	Removal, destruction, or damage of **marine plants** is limited to 10L per day. Algae is removed by hand only.  Notification under section 4 does not apply.
5.1.3 Seagrass disturbance associated with the collection of bloodworms	Seagrass is lifted by hand with a pitchfork. The working area is levelled, and all seagrass replaced in an upright position either during or immediately after digging.  This work type cannot be used within a declared fish habitat area. A person must not in a declared fish habitat area take worms by using a digging implement - see section 80 of the Fisheries (General) Regulation.  Notification under section 4 does not apply.

Work type	Requirements for accepted development
5.1.4 **Restoration** or other actions as directed / under an enforcement or restoration order or an enforcement or trespass notice issued under Queensland or Commonwealth legislation	Removal, destruction, or damage of **marine plants** is limited to the direction, or as required to fulfil the notice.
5.1.5 **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 **marine plants** is limited to works detailed in an **offset delivery plan** referenced in an **agreed delivery arrangement** that has been executed and is current under the *Environmental Offsets Act 2014*.
5.1.6 Construction of fence for access control or stock control	Removal, destruction, or damage of **marine plants** is limited to non-tidal saltmarsh plants for the placement of posts. • The line of least **marine plant** disturbance is to be used. • Fences are to be constructed above **highest astronomical tide**.  Check if there has been an MCU or RaL approval since 1 March 2005 to ensure it provided for impacts to marine plants.
5.1.7 Construction of a boat ramp, jetty, pontoon, mooring or mooring pile for access to vessels in an existing lawful **artificial waterway**	Removal, destruction, or damage of **marine plants** is limited to within the bed and banks of the existing lawful **artificial waterway**.
5.1.8 Construction of a jetty or pontoon for access to vessels in coastal waters or a **waterway** other than an existing lawful **artificial waterway**	Removal, destruction, or damage of **marine plants** is limited to: • 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

Work type	Requirements for accepted development
Figure 1a and 1b (jetty) Figure 2 (pontoon)	The jetty deck or pontoon access walkway is to be a maximum of 1.7 metres wide measured parallel to the foreshore, by ten metres long measured perpendicular to the foreshore and from the level of **highest astronomical tide** towards the **waterway**. There is no existing maritime **infrastructure** such as a jetty, pontoon or boat ramp on the lot. The jetty or pontoon commences within the landowner's private freehold lot. The construction of the jetty or pontoon and its ongoing use does not require dredging. The jetty or pontoon is located on the lot where the minimum area of **marine plant** disturbance is required for construction. Jetties or pontoon access walkways greater than 1.5 metres in width located over **fish habitats** are constructed using materials that allow at least 40% light penetration. For pontoons, the flotation unit is to be located where there are no **marine plants**. The jetty or pontoon access walkway does not require any temporary or permanent alteration of the existing bank profile and does not require revetment. Driving of piles through the bank profile is acceptable. Check if there has been an MCU or RaL approval since 1 March 2005 to ensure it provided for impacts to marine plants.
5.1.9 Installation of vessel mooring within a designated mooring area.	Removal, destruction, or damage of **marine plants** is restricted to within a designated mooring area listed in Appendix 4. Removal, destruction, or damage of **marine plants** is limited to a maximum of 3 m^2 per mooring. The mooring is located in navigable waters at **lowest astronomical tide.** Dredging is not required for the use of the mooring. The vessel does not rest on the **substrate** at any time.

Work type	Requirements for accepted development
	Mooring tackle does not rest on the **substrate** at any time.
5.1.10 Installation of mooring piles for use in coastal waters or a **waterway** other than an existing lawful **artificial waterway**	Removal, destruction, or damage of **marine plants** is limited to a maximum of 1 m^2 per mooring pile, with a maximum of two piles per property. Mooring piles are installed adjacent to the landholder's lot. There is no existing maritime **infrastructure** such as a jetty, pontoon or boat ramp on or adjoining the landowner's lot. The mooring is located in navigable waters at **lowest astronomical tide** and dredging is not required for the use of the mooring. The vessel does not rest on the **substrate** at any time. The mooring pile does not require any temporary or permanent alteration of the existing bank profile and does not require revetment.  Driving of piles through the bank profile is acceptable.  Check if there has been an MCU or RaL approval since 1 March 2005 to ensure it provided for impacts to marine plants.
5.1.11 Retrieval of vessels, **debris** from **tidal land** or **waterways** that requires the removal, destruction or damage of a **marine plant**.	Removal, destruction, or damage of **marine plants** is limited to a maximum of 25 m^2. Retrieval is necessary as a result of a natural disaster such as storm or flood. Disturbance of **marine plants** and **tidal lands** is minimised. Trimmed **marine plant** material must be removed from **tidal land** and disposed of lawfully.  25 m^2 is the maximum area of marine plant disturbance. Removal, destruction or damage of **marine plants** required to undertake the retrieval should be in proportion to the need for the retrieval and seek to minimise the area of disturbance.

Work type	Requirements for accepted development
5.1.12 **Waterway barrier works** that are **accepted development**[4]	Removal, destruction, or damage of **marine plants** is limited to a maximum of 25 m^2 per work site[5] that is: • The footprint of the **waterway barrier work** • Access to undertake construction of the **waterway barrier work**. The **waterway barrier work** is located where the minimum area of **marine plant** disturbance is required for construction. Impacts associated with temporary construction access are stabilised to prevent erosion and sediment movement and rehabilitated to restore marine plants.
5.1.13 For educational, research or **monitoring** work	Work in accordance with the requirements below must be undertaken by a: • Primary, secondary or tertiary educational institution • Research institution • Registered surveyor • Registered research company • Government agency • **Natural resource management group** • Appropriately qualified and experienced consultant Vehicles and machinery are not to be used on **tidal lands**, with the exception of vehicle mounted sediment core drilling devices. <u>For collection of **marine plants**:</u> No more than twenty litres of **marine plants** may be collected in one day. **Marine plants** are to be bagged and labelled with the location and collection date. <u>For line-of-sight boundary definition and boundary survey</u>**:** Removal, destruction, or damage of **marine plants** is limited to a maximum one metre path width for line-of-sight for boundary definition and survey of existing property boundaries. Impacts to **marine plants** are minimised by tying back **marine plants** and minimal hand cutting. <u>For geotechnical survey **works**:</u>

[4] See *Accepted development requirements for operational work: constructing or raising **waterway barrier works***

[5] 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
	Removal, destruction, or damage of **marine plants** is limited to a maximum of 25 m^2 for core drilling, sediment investigation **works**, and vehicle access. For sediment collection and **substrate** disturbance**:** Removal, destruction, or damage of **marine plants** is limited to a maximum of 10 m^2 in association with **substrate** disturbance and sediment collection.
5.1.14 Removal of **dead marine wood** from **development** sites for hobby or for limited **trade or commerce**.	**Dead marine wood** 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 **marine plant**. Written endorsement must be obtained from the holder of the **development approval** prior to any removal of **dead marine wood** and made available on request. Notification under section 4 does not apply.
5.1.15 Removal of **dead marine wood** for cultural use	The taking, using or keeping of **dead marine wood** is only undertaken by an Aboriginal person or Torres Strait Islander person. The taking, using or keeping of **dead marine wood** is limited to the purpose of satisfying a personal, educational, domestic or non-commercial communal need of the Aboriginal person or Torres Strait Islander person. Where possible, **dead marine wood** is returned to the source location after the use. Notification under section 4 does not apply.
5.1.16 Removal of **marine plants** to feed aquatic megafauna that are in care e.g. turtles/ dugongs undergoing rehabilitation	Removal, destruction, or damage of **marine plants** is limited to a maximum of twenty litres of **marine plants** per day. Marine plant collection should be spaced out over the donor patch. This is to ensure an area is not denuded of a species and the donor site can recover. Notification under section 4 does not apply.

5.2 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
5.2.1 Installation of swimming safety enclosures	Removal, destruction or damage of **marine plants** is limited to the area within the enclosure and within five metres of the perimeter of the enclosure other than the offshore side, where disturbance is restricted to within one metre of the perimeter.
5.2.2 Installation of temporary structures for public safety at aquatic events	Removal, destruction or damage of **marine plants** is limited to a maximum of 1 m^2 per anchor or mooring. Temporary structures are to be installed no more than five days before the event and must be removed within three days of event conclusion.
5.2.3 Beach cleaning	Removal, destruction or damage of **marine plants** is limited to the removal of unattached **marine plants** on sandy shorelines under Local Government management and direction.
5.2.4 Beach nourishment required to maintain stability for existing seawall or revetment	Removal, destruction or damage of **marine plants** is limited to: • Up to 25 m^2 per 100 lineal meters for the removal of unattached **dead marine wood** to facilitate beach nourishment; and • Smothering of **beach wrack** within the nourishment footprint Where possible, store and replace dead marine wood back on a tidally influenced part of the nourished area at the completion of works.
5.2.5 Removal or disturbance of fallen trees from **tidal land** to restore safe public access and use of public **infrastructure** including designated access tracks	Removal, destruction or damage of **marine plants** from tidal land that is a designated access track is limited to fallen trees and other detached marine plant material that impedes access or the safe use of the access track or the public infrastructure. Removal, destruction or damage of **marine plants** from tidal land in other situations is limited to only trees of terrestrial origin that have fallen or washed onto **tidal land** due to a particular event, such as lightning strike or erosion. Notification under section 4 does not apply.

5.2.6 Removal or relocation of **beach wrack** from shorelines in a marine protected area	Removal or relocation of **beach wrack** within a marine protected area may be undertaken by Queensland Parks and Wildlife Service (QPWS) or their delegates if deemed necessary by the Department of Environment, Science, Innovation and Tourism.
5.2.7 Saltmarsh burning for reduction of fire hazard to the public or ecosystem management.	Saltmarsh burning of Queensland Parks and Wildlife Service (QPWS) managed land / areas is only undertaken by QPWS or their supervised delegates as detailed in a QPWS Burn Program. Burns are planned and undertaken in accordance with the QPWS Fire Management System and relevant Bioregional Planned Burn Guideline. Burns are located above **highest astronomical tide**. No more than 50% of the saltmarsh community is burnt within a reserve in any year. Burns are planned to be low intensity and only executed during times where soil moisture is high.
5.2.8 Burning of *Casuarina glauca* communities with associated saltcouch, *Sporobolus virginicus,* understory by Local Government[6] for reduction of fire hazard to the public or for planned ecosystem management.	Burning of *Casuarina glauca* and associated saltcouch, *Sporobolus virginicus,* communities must be: • undertaken by local government or their supervised delegates. • in accordance with a local government fire management plan. • in accordance with permits issued by Queensland Fire and Emergency Services. Burns are located above **highest astronomical tide**. No more than 50% of the specified **marine plant** community is burnt within a reserve in any year. Burns are planned to be low intensity and only executed during times where soil moisture is high. Burns are undertaken at a minimum fire interval of seven yrs in any given **patch** to allow for *Casuarina glauca* to reach reproductive maturity between fires.
5.2.9 Removal of unattached, decomposing marine plant material and algae or cyanobacteria from beaches and foreshores that is toxic or has become a public health issue.	Removal, destruction or damage of **marine plants** 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**.

[6] Standard 1 does not apply to this work type.

	Notification under section 4 does not apply.
5.2.10 Removal of rubbish and dumped materials from a **fish habitat**	Removal, destruction or damage of **marine plants** is limited to a total of 10 m^2 to effect targeted removal of rubbish and dumped materials. Notification under section 4 does not apply.
5.2.11 Removal of derelict vessels, including associated **restoration** works (Figure 3)	Removal, destruction or damage of **marine plants** is limited to the minimum required to facilitate the vessel removal including: • The footprint of the vessel • Up to an additional four metres around the perimeter of the vessel if required • The airspace above and **substrate** below the vessel • Trimming for mooring lines Other requirements Tidal profiles and **substrate** are to be restored to be consistent with the adjacent area and to allow for natural recolonisation of **marine plants**. Access requirements Removal, destruction or damage of **marine plants** is limited to; • The line of least disturbance, and • The minimum required to allow for the removal of the vessel, and • Up to a maximum of 50 m^2
5.2.12 **Works** associated with providing an environmental offset for impacts to **marine plant**s, declared fish habitat areas or **waterway**s providing for fish passage	Removal, destruction, or damage of **marine plants** is limited to **works** detailed in an **offset delivery plan** referenced in an **agreed delivery arrangement** that has been executed and is current under the *Environmental Offsets Act 2014.*
5.2.13 Construction of fence or bollards for access control	Removal, destruction or damage of **marine plants** is limited to non-tidal saltmarsh plants for the placement of posts. The line of least **marine plant** disturbance is to be used.

	Fences are to be constructed above **highest astronomical tide**.
5.2.14 Installation of safety and warning signs with an overriding requirement to be placed on **tidal land**	Removal, destruction or damage of **marine plants** is limited to a maximum of 2 m^2 for the installation of each sign. Notification under section 4 does not apply.
5.2.15 Installation of pipelines and cables including in conduit	Removal, destruction or damage of **marine plants** is limited to a total of 25 m^2 per pipeline for drilling entry and exit point or trimming to attach pipeline or cable to an existing structure. Placement or installation is by directional drilling or attaching to an existing structure such as a bridge. Any **marine plant** disturbance for access is within the maximum 25 m^2 disturbance area.
5.2.16 Co-locating a drainage pipe or outlet to an existing lawful structure	Removal, destruction or damage of **marine plants** is limited to a maximum of 25 m^2. Any **marine plant** disturbance for access and scour protection is within the maximum 25 m^2 disturbance area.
5.2.17 Upgrade of an existing lawful single or dual lane boat ramp in its original location	Removal, destruction or damage of **marine plants** is limited to a maximum of 25 m^2. Only one upgrade is allowed per boat ramp. Upgrade does not result in additional dredging for navigational access to the structure. Upgrade may include lengthening or widening the existing ramp/s. The upgrade, including the existing structure, may result in a maximum of: • 3 boat ramp lanes; or • 2 boat ramp lanes and a pontoon; or • 1 boat ramp lane and 2 pontoons Upgrade does not include erosion protection **works** such as revetment of adjacent banks or shoreline. Upgrade does not include **marine plant** or **tidal land** disturbance for car or trailer parking, staging areas or associated facilities.
5.2.18 Construction of a jetty, pontoon, boardwalk or fishing platform	Removal, destruction or damage of **marine plants** is limited to a maximum of 25 m^2 including within the footprint of the structure and for construction. The line of least **marine plant** disturbance is to be used. Erosion protection **works** are not included.

	Dredging is not required for use of the structure. Work does not involve **marine plant** or **tidal land** disturbance for car or trailer parking, staging areas or associated facilities. Walkways greater than 1.5 metres in width located over **fish habitats** are constructed using materials that allow at least 40% light penetration.
5.2.19 Installation of vessel mooring approved by the Department of Transport and Main Roads (DTMR)	Removal, destruction or damage of **marine plants** is limited to a maximum of 1 m^2 for each mooring. Mooring is located in navigable waters at **lowest astronomical tide.** Dredging is not required for the use of the mooring. The vessel does not rest on the **substrate** at any time. Mooring tackle does not rest on the **substrate** at any time.
5.2.20 Installation of vessel mooring within a designated mooring area.	Removal, destruction, or damage of **marine plants** is restricted to within a designated mooring area listed in Appendix 4. Removal, destruction, or damage of **marine plants** is limited to a maximum of 3 m^2 per mooring. The mooring is located in navigable waters at **lowest astronomical tide**. Dredging is not required for the use of the mooring. The vessel does not rest on the **substrate** at any time. Mooring tackle does not rest on the **substrate** at any time.
5.2.21 Installation of mooring piles approved by the DTMR for use in coastal waters or a **waterway** other than an existing lawful **artificial waterway**	Removal, destruction or damage of **marine plants** is limited to a maximum total of 1 m^2 A maximum of two mooring piles is permitted per vessel. Mooring piles are located to ensure the vessel does not rest on the **substrate** at any time. The mooring is located in navigable waters at **lowest astronomical tide.** Dredging is not required for the use of the mooring. The vessel does not rest on the **substrate** at any time. The mooring pile does not require temporary or permanent alteration of the existing bank profile and does not require revetment. Driving of piles through the bank profile is acceptable.
5.2.22 Relocation of existing **aids to navigation**	Removal, destruction or damage of **marine plants** is limited to a maximum of 5 m^2 for the relocation of each existing navigation aid to maintain alignment with the deepest or safest channel.

	Notification under section 4 does not apply.
5.2.23 Installation of new **aids to navigation**	Removal, destruction or damage of **marine plants** is limited to a maximum of 5 m^2 for each navigation aid.
5.2.24 Installation of new powerlines and **associated powerline infrastructure**, including for access tracks[7], signage and realignment	Removal, destruction or damage of **marine plants** is limited to a maximum of 25 m^2 including: - installation of new powerlines or realignment of powerlines; and - **associated powerline infrastructure**; and - access tracks; and - signage
5.2.25 Retrieval of vessels and **debris** from **tidal land** or **waterway**s that requires the removal, destruction or damage of a **marine plant**.	Removal, destruction or damage of **marine plants** is limited to a maximum of 25 m^2. Retrieval is necessary as a result of a natural disaster; such as a. storm or flood; or an accident, or **emergency**. Disturbance of **marine plants** and **tidal lands** is minimised. Trimmed **marine plant** material must be removed from **tidal land** and disposed of lawfully. 25 m^2 is the maximum area of **marine plant** disturbance. Removal, destruction or damage of **marine plant**s required to undertake the retrieval should be in proportion to the need for the retrieval and seek to minimise the area of disturbance.
5.2.26 **Waterway barrier works** that are **accepted development**[8]	Removal, destruction or damage of **marine plants** is limited to a maximum of 25 m^2 per work site[9] for: • The footprint of the **waterway barrier work**; and • Access to undertake construction of the **waterway barrier work**.

[7] If access tracks constitute **waterway barrier works** (refer to https://www.business.qld.gov.au/industries/farms-fishing-forestry/fisheries/development/waterways/barriers), 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**.

[8] See Accepted Development Requirements for operational work that is constructing or raising **waterway barrier works**

[9] 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 plant**s.

	Where practicable, the **waterway barrier work** is located where the minimum area of **marine plant** disturbance is required for construction and access.
5.2.27 For educational, research or **monitoring** work	Work in accordance with the requirements below must be undertaken by a: • Primary, secondary or tertiary educational institution • Research institution • Registered surveyor • Registered research company • Government agency • **Natural resource management group** • Appropriately qualified and experienced consultant. Vehicles and machinery are not to be used on **tidal land**, except for vehicle mounted sediment core drilling devices. For collection of **marine plants:** **Marine plant** disturbance is limited to a maximum collection of 20L/day. **Marine plants** are to be bagged and labelled with the location and collection date. For line-of-sight boundary definition and boundary survey**:** Removal, destruction, or damage of **marine plants** is limited to a maximum one metre path width for line-of-sight for boundary definition and survey of existing property boundaries. Impacts to **marine plants** are minimised by tying back **marine plants** and minimal hand cutting. For geotechnical survey **works:** Removal, destruction or damage of **marine plants** is limited to a maximum of 25 m^2 for core drilling and sediment investigation **works**, including placement of fill for access vehicles. For sediment collection and **substrate** disturbance**:** Removal, destruction, or damage of **marine plants** is limited to a maximum of 10 m^2 in association with **substrate** disturbance and sediment collection.

5.3 New work that is rehabilitation

Table 3 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 **rehabilitation** purpose.

Table 3 – Accepted Development Requirements– New work that is rehabilitation

Work type	Requirements for accepted development
5.3.1 Removal of **marine plants** from **development** sites for **rehabilitation works**.	Removal of **marine plant**s used for **rehabilitation works** is limited to **marine plants** that: • Have been separately authorised for removal under a **development approval** for operational work that is the removal, destruction or damage of **marine plant**s, or • Have been separately authorised for removal under these **Accepted Development** Requirements Are sourced from within 100km of the rehabilitation site Written endorsement is obtained from the holder of the **development approval** or person responsible for the **accepted development** notification prior to any removal of **marine plants** and made available on request. Notification under section 4 does not apply.
5.3.2 Removal and use of mangrove seeds and propagules for mangrove **rehabilitation**	Removal of mangrove seeds and propagules is limited to: • no more than twenty litres of mangrove seeds or propagules collected in one day • Removal of seeds and propagules from within 100 km of the **rehabilitation** site. **Marine plant** species must be consistent with the naturally occurring species assemblage at the **rehabilitation** site. Removal of seed and propagules is by hand. When collecting seeds or propagules from the **substrate** they must be unattached and not taken root. Seeds and propagules are to be kept in water and planted into the **rehabilitation** or nursery site within 10 days of collection. The **rehabilitation** site is to be monitored every four months for a period of one year after completion of the on-ground **works**.

Work type	Requirements for accepted development
	Records are to be kept as per the relevant sections of Appendix 2 of this document and be made available at DPIs request.  **Rehabilitation** is to be undertaken generally in accordance with the guidance in Appendix 3 of this document.  When collecting seeds and propagules directly from trees: Care should be taken to not damage the parent tree. No more than 10% of seeds and propagules should be removed from any given tree to maximise genetic diversity of the planting stock and source site.
5.3.3 Removal and use of saltmarsh cuttings and/or seed from **non-tidal land** for saltmarsh **rehabilitation**	Collection of saltmarsh cuttings is limited to no more than 100 cuttings per day. Saltmarsh cuttings are to be removed only from **non-tidal land**. No more than 20% of the parent plant should be taken for cuttings. Cutting removal must be evenly distributed across the **patch**. Collection of saltmarsh seed is limited to no more than 10% of seed collected from any one plant. Seeds collected are close to maturity. Additional requirements Saltmarsh cuttings and/or seeds are to be removed from within 100 km of the **rehabilitation** site. **Marine plant** species must be consistent with the naturally occurring species assemblage at the **rehabilitation** site. The **rehabilitation** site is to be monitored every four months for a period of one year after completion of the on-ground **works**. Records are to be kept as per the relevant sections of Appendix 2 of this document and be made available at DPIs request.

Work type	Requirements for accepted development
	Rehabilitation is to be undertaken generally in accordance with the guidance in Appendix 3 of this document. Care should be taken when accessing sensitive areas for the purposes of collecting saltmarsh cuttings and/or seed. Even small changes in **substrate** levels can impact the viability of donor sites. Access to donor sites should avoid impacts to adjacent **marine plant** communities. Do not drive on saltmarsh.
5.3.4 Removal and use of seagrass **sprig**s, **sod**s and/or seed for seagrass **rehabilitation**	Collection of seagrass **sprig**s and/or **sod**s is limited to no more than: • 100 **sprig**s; or • 10 **sod**s per day. Donor seagrass **patch** must be at least 1000 m^2. Plant removal must be evenly distributed across the **patch**. Individual **sod**s must not exceed 10 cm x 10 cm. Collection of seagrass seed is limited to: • No more than twenty litres of seagrass collected in one day. Only spathes/flowers containing seeds are to be removed. Seeds collected are close to maturity. Additional requirements Seagrass material is to be removed from within 100 km of the **rehabilitation** site. **Marine plant** species must be consistent with the naturally occurring species assemblage at the **rehabilitation** site. The **rehabilitation** site is to be monitored every four months for a period of one year after completion of the on-ground **works**. Records are to be kept as per the relevant sections of Appendix 2 of this document and be made available at DPIs request.

Work type	Requirements for accepted development
	Rehabilitation is to be undertaken generally in accordance with the guidance in Appendix 3 of this document. Care should be taken when accessing sensitive areas for the purposes of collecting seagrass **sprig**s, **sod**s and/or seed. Flower / seed removal should avoid uprooting rhizomes. Snapping flower heads rather than pulling is best practice to ensuring that the rest of the plant and rhizomes remain intact. If accessing seagrass beds at low tide on foot, numbers of people should be minimised to reduce trampling and impacts to the donor seagrass bed. Seagrass collection should be spaced out over the donor **patch.** This is to ensure the area where **sod**s or **sprig**s have been removed can recover quickly and where flowers are removed, the donor site retains enough seed for population survival.
5.3.5 Establishment of not-for-profit **marine plant** nursery to exclusively supply **marine plant**s for **rehabilitation** project.	**Marine plant** collection meets the requirements of work types 5.3.1, 5.3.2, 5.3.3 or 5.3.4 within this document, with the exception of: • The **rehabilitation** site is to be monitored every four months for a period of one year after completion of the on-ground **works**. • Removal of cuttings, seed/s and/or propagules occurs within 100 km of the rehab site • Marine plant species must be consistent with the naturally occurring species assemblage at the **rehabilitation** site. Nurseries are limited to providing **marine plants** to local **rehabilitation** and **restoration** projects. i.e. **Marine plants** can only be used if collected within a 100 km of the site being revegetated. Where **marine plants** are used by the nursery in **rehabilitation** projects, sites are to be monitored every four months for a period of one year after completion of the on-ground **works**.

Work type	Requirements for accepted development
	Where **marine plants** are supplied to a third party for use in rehabilitation projects, written certification is provided to the third party as follows: "*The marine plants supplied are for the purposes of rehabilitation only, and have been lawfully collected and grown out by [INSERT NAME USED ON ADR NOTIFICATION] in accordance with the accepted development requirements for operational work: removal, destruction or damage of marine plants.* *These marine plants were collected at [insert GPS coordinates of collection site] and are to be used for rehabilitation within 100 km of this location*" Records are to be kept as per the relevant sections of Appendix 2 of this document and be made available at DPIs request.  The establishment of a facility to commercially cultivate **marine plants** for **trade or commerce** may only be undertaken with the authority of an Aquaculture Licence and is not **accepted development**.  Notification is required on the establishment of the nursery and every 12 months that the nursery is active. Ongoing notification of each collection event is not required, however records are to be kept as per the work type.  **Rehabilitation** is to be undertaken generally in accordance with the guidance in Appendix 3 of this document.
5.3.6 Removal, destruction or damage of **marine plants** within an area of bank reprofiling to promote **marine plant** re-growth or active **rehabilitation** resulting in a net increase in **marine plant**s.	Removal, destruction or damage of **marine plants** is limited to: • Up to 25 m^2 per 50 continuous lineal metres of bank reprofiling **Marine plants** over 2 m tall are avoided. Final bank profiles provide hydrology, tidal profile and **substrate** that are conducive with the recolonisation of local **marine plants**, or **marine plants** that are to be actively planted.

Work type	Requirements for accepted development
	The **rehabilitation** site is to be monitored every four months for a period of one year after completion of the on-ground **works**. Records are to be kept as per the relevant sections of Appendix 2 of this document and be made available at DPIs request. Where possible **marine plants** should be retained on site **Rehabilitation** is to be undertaken generally in accordance with the guidance in Appendix 3 of this document.
5.3.7 Placement of structures on **tidal land** to facilitate the colonisation of **marine plants** and stabilise the eroded bank e.g. Coir logs, rock **fillet** (Figure 4a), timber **fillet** (Figure 4b) This work type is only appropriate for areas where there is a wide enough intertidal bench in front of the bank to place the structure and have **marine plant**s re-colonise behind it.	Removal, destruction or damage of **marine plants** is limited to the footprint of the structure, up to a maximum of 25 m^2 per 100 lineal metres. Use of structures is for the primary purpose of facilitating **marine plant** colonisation Bank revetment and groynes are not accepted. Structures are placed to limit erosive forces on areas of natural **substrate** that are conducive for **marine plant** colonisation. Structures are placed to ensure fish are not trapped behind the structures on receding tides. Each **fillet** is to be no more than 30 m long. All structures are secured so they do not dislodge. Where timber is used, it is untreated. The **rehabilitation** site is to be monitored every four months for a period of one year after completion of the on-ground **works** to ensure the colonisation of **marine plant**s. Records are to be kept as per the relevant sections of Appendix 2 of this document and be made available at DPIs request. Where possible **marine plants** should be retained on site.

Work type	Requirements for accepted development
	Where rock is used consideration should be given to creating structures that are conducive to shellfish recruitment and colonisation. **Rehabilitation** is to be undertaken generally in accordance with the guidance in Appendix 3 of this document.
5.3.8 Complete or partial removal of man-made tidal bunds to increase tidal flow	Removal, destruction or damage of **marine plants** is limited to: • **Marine plants** located on the bund; and • Up to an additional one metre around the perimeter of the bund if required. It is recommended to consult with impacted stakeholders and understand the implications before undertaking barrier removal as some barriers can hold back substantial volumes of water and sediments. This work type considers impacts to **marine plants** only. There are other issues likely to be relevant to barrier removal, particularly in tidal areas. Partial removal of bunds within tidal **waterways** are likely to require **waterway barrier works** approval. This must be authorised under the **Accepted development** requirements for operational work that is the constructing or raising **waterway barrier works**; or will require a **development approval** under the Planning Act. Sediments and potential contaminants on the upstream side of the barrier are managed in accordance with best practise erosion and sediment guidelines and are not released into **waterways**. Remove **spoil** and all material associated with the bund removal from **tidal lands** and **waterways** and dispose of at an appropriate licensed facility that accepts this type of waste.

Work type	Requirements for accepted development
	Potential and actual acid sulfate soils are managed in accordance with the most updated version of the *Queensland Acid Sulfate Soil Technical Manual*. Restore **tidal land** profiles that are temporarily disturbed by the **development** to pre-works profiles. The **rehabilitation** site is to be monitored every four months for a period of one year after completion of the on-ground **works** to ensure: - **Marine plant**s are recolonising in the increased tidal area - The integrity of any remaining bund material is maintained if applicable Records are to be kept as per the relevant sections of Appendix 2 of this document and be made available at DPIs request. **Rehabilitation** is to be undertaken generally in accordance with the guidance in Appendix 3 of this document.
5.3.9 Shellfish reef **restoration** (Figure 5)	Removal, destruction or damage of **marine plants** is limited to: • Macro algae, • Mangrove pneumatophores only, at the edge of a mangrove root system located outside the mangrove tree canopy area, and • At the edge of a **patch** of seagrass where there is less than 5% seagrass coverage at any time of the year. Any shell material must be sterilised before inclusion in the reef. Design and placement of reef **substrate** or structures: Do not alter coastal processes that would impact nearby **marine plant**s Do not result in fish becoming trapped or stranded. Other approvals are required for the placement of live shellfish e.g. general fisheries permit
5.3.10 **Rehabilitation** of **marine plant** communities through the removal of structures	Temporary **Marine plant** disturbance associated with the removal of a structure is limited to: • The footprint of the structure • Up to an additional one metre around the perimeter of the structure

Work type	Requirements for accepted development
	• The airspace above and **substrate** below this area • Tidal profiles and **substrate** are to be restored to be consistent with the adjacent area and allow for natural recolonisation of **marine plants**. Structures cannot be replaced under this work type.
5.3.11 Translocation of epiphytic **marine plants,** including ferns, orchids and ant plants (Figure 6)	Is limited to where the host **marine plant:** • Is authorised for removal, destruction or damage, or • Under imminent threat from erosion or other natural process, or • The host plant is dead Any attached epiphytes may be translocated to the nearest suitable host **marine plant**. The translocation of the epiphyte to the new host **marine plant** is in order of preference: • In accordance with a specific approval, or recovery plan if applicable • To the same host species • Attached in the same orientation • Located in a community of similar biodiversity in the same catchment or • Within a nearby **rehabilitation** area.
5.3.12 Retrofitting living seawalls to an existing **lawful work**	Removal, destruction or damage of **marine plants** for the installation of textured tiles to existing structures, is limited to: • **marine plant**s located on the existing structure within the footprint of the tile/s.
5.3.13 Selective removal of invasive non-native species that are listed in a local government biosecurity plan, where they would otherwise meet the definition of a **marine plant**.	Removal, destruction or damage of **marine plants** is limited to invasive non-native species that are listed in a local government biosecurity plan, where they would otherwise meet the definition of a **marine plant**. <u>Access requirements</u> Vehicle use is restricted to **non-tidal land** or existing access tracks. <u>Physical removal</u> Small bar chainsaws and brush cutters are the only motorised tool that may be used to physically remove listed weed plants. Minimise impacts upon the **substrate** and other **marine plants** that are not listed weeds within the local government biosecurity plan.

Work type	Requirements for accepted development
	Any significant impacts to the **substrate** that occur must be addressed by restoring the profile of the **substrate**. Any listed weeds that are removed are to be lawfully disposed of and in a manner that avoids plant materials re-entering the adjacent **tidal lands**.  ☑ Non-motorised equipment such as secateurs, lopping shears, bow saws, pruning saw, spades, shovels, picks, mattocks, crow bars are permitted. ☒ Motorised equipment such as mowers, rotary hoes, bobcats are not permitted except for small-bar chain saws and brush cutters. <u>Control using herbicides</u> Herbicides must be registered by the Australian Pesticides and Veterinary Medicines Authority for the control of the targeted weed. The selected herbicide must be used in accordance with the specifications of the manufacturer, including suitability for use in aquatic areas. Herbicides must only be applied by an authorised and certified person. Broad scale aerial distribution of herbicides is not allowed within a tidal area. Herbicides may only be applied via hand-held equipment, e.g. a backpack spray unit, a controlled droplet applicator, etc., to minimise impacts on non-target vegetation and **substrate**. Herbicides are applied to targeted vegetation only and not to open water surfaces. Spraying of herbicides onto a water body to control floating pest plants is not allowed. Large areas of weed treatment in aquatic areas are treated in strips or parts, with each part treated once the previous treated weeds have decomposed or have been removed from tidal lands. This will help maintain water oxygen levels and limit any possible fish kills.

6 Maintenance of an existing lawful work

Table 4 lists the requirements for **accepted development** including the maximum allowable disturbance for **maintenance works** that is the removal, destruction or damage of a **marine plant**. The work type will specify if that work type is restricted to **works** for a **private purpose** or a **public purpose**. If it is not specified, the work type is available for both uses.

Table 4 – Accepted Development – Maintenance work

Work type	Requirements for accepted development
6.4.1 For **maintenance** of an existing **lawful work** that is not specifically referenced in any other item of this Table 4	Removal, destruction or damage of **marine plants** is limited to: • The footprint of the **works** • Up to an additional one metre around the perimeter of the **works** • The airspace above and **substrate** below this area
6.4.2 For **maintenance** of aeroplane and helicopter landing areas and certified aerodromes	Removal, destruction or damage of **marine plants** is limited to: the trimming of **marine plants** by no more than 1 m beyond the minimum amount required for the obstacle and visual segment surface limitations detailed in the aerodromes manual and in accordance with the Civil Aviation Safety Authority rules, regulations and manual of standards. https://www.casa.gov.au/landing-page/rules-and-regulations[10]
6.4.3 For **maintenance** of a constructed artificial lake or canal	Removal, destruction or damage of **marine plants** is limited to: • Entirely within the bed and banks of the constructed artificial lake or canal to the original design specifications of the constructed water body.
6.4.4 For **maintenance** of a constructed marina or boat harbour	Removal, destruction or damage of **marine plants** is limited to: • Entirely within the footprint of the constructed marina or boat harbour to the original design specifications of the constructed structure.
6.4.5 For **maintenance** of constructed Port reclamation ponds	Removal, destruction or damage of **marine plants** is limited to: • Entirely within the bed and banks of the constructed Port reclamation pond.
6.4.6 For **maintenance** of a constructed drain that is unlined, eight metres or less in width from top of bank to top of bank (Figure 7); or a constructed drain that has	Removal, destruction or damage of **marine plants** is limited to: • The bed of the drain and one 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 **drain bank**.

[10] Standard 12.1 requiring mangroves to be trimmed by no more than one third of their height does not apply to this work type.

a lined bed (e.g. lined with concrete) (Figure 8)	For unlined drains, **maintenance** does not include lining of the drain
6.4.7 For **maintenance** of a constructed drain that is unlined and over eight metres in width from top of bank to top of bank Figure 9	Removal, destruction or damage of **marine plants** limited to: • the bed of the drain and • the bank access points. Access through bank vegetation at strategic points may be cleared to allow for machinery access and is limited to 25m^2 in total. Branches overhanging the bed of the drain may be trimmed back to the height of the top of the **drain bank**.
6.4.8 For **maintenance** of a constructed drain that has both banks and bed lined such as with concrete Figure 10	Removal, destruction or damage of **marine plants** is limited 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 **drain bank**.
6.4.9 For **maintenance** of a drain inlet or outlet	Removal, destruction or damage of **marine plants** is limited to a maximum of 25 m^2, which includes • 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.
6.4.10 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	Removal, destruction or damage of **marine plants** is limited to within the bounds of the original approved dredge disposal site.
6.4.11 For **maintenance** of a marked constructed navigation channel	Removal, destruction or damage of **marine plants** is limited to the approved depth, width and batter of original design specifications.
6.4.12 For **maintenance** of runnels for mosquito control	Removal, destruction or damage of **marine plants** is limited to the following: • Pruning of **marine plants** within the footprint, above and one 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 **spoil** broadcast in a thin layer over adjacent areas using a runnelling machine.

<table>
<tr><td></td><td>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.</td></tr>
<tr><td>6.4.13 For maintenance of warning signs and official navigation leads</td><td>Removal, destruction or damage of marine plants is limited to the following:
Within one metre from all sides of the sign;
Pruning within the viewing arc for a maximum of ten metres along a continuous length of vegetated foreshore; and
A maximum total area of 50 m^2.</td></tr>
<tr><td>6.4.14 For maintenance of an existing powerline or associated powerline infrastructure such as powerlines, posts, stays and poles, formed (Figure 11) and unformed maintenance vehicle access tracks, (Figure 12) warning signs or viewing arcs and decommissioning.</td><td>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
<u>For powerlines</u>:<table><tr><th>Powerline voltage</th><th>Allowable disturbance below powerline</th><th>Allowable disturbance above and beside powerline</th></tr><tr><td><1000V</td><td>4.7 metres</td><td>7.0 metres</td></tr><tr><td>1000V – 65kV</td><td>5.0 metres</td><td>7.0 metres</td></tr><tr><td>66kV – 109kV</td><td>6.6 metres</td><td>7.0 metres</td></tr><tr><td>110kV – 329kV</td><td>7.5 metres</td><td>7.0 metres</td></tr><tr><td>>330kV</td><td>8.0 metres</td><td>7.0 metres</td></tr></table><u>For powerline infrastructure e.g. towers, power poles, posts, stays and pylons</u>:
Removal, destruction or damage of marine plants is limited to:
Within ten 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.
<u>For visibility or warning signs that cannot be practicably re-located in front of the marine plant fringe</u>:
Removal, destruction or damage of marine plants is limited to:
A continuous length along the vegetated foreshore no greater than ten metres, and
A total area no greater than 50 m^2.</td></tr>
</table>

	For an existing **formed access track** to powerlines or **associated powerline infrastructure:** Removal, destruction or damage of **marine plants** is limited to: • A maximum distance of one metre from any edge of the driveable surface of the track. For an existing **unformed access track** to powerlines or **associated powerline infrastructure:** Removal, destruction or damage of **marine plants** is limited to: • A maximum distance of three metres from each side of the centre line of the track. For decommissioning of powerlines and **associated powerline infrastructure** including access tracks**:** Removal, destruction or damage of **marine plants** is limited to: • Within ten 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. • A maximum distance of one metre from any edge of the driveable surface of a **formed access track**. • A maximum distance of three metres from each side of the centre line of an **unformed access track**. Stumping of poles at ground level may provide a lesser impact alternative to complete removal Public access should be restricted where appropriate to prevent unauthorised access and promote natural revegetation.
6.4.15 For **maintenance** of an existing lawful fishway Figure 13	Removal, destruction or damage of **marine plants** is limited to: • 3m in front of the entrance and 3m in front of the exit of the fishway; and • no more than 1m around the perimeter of the fishway; and • only that which is reasonably necessary to maintain the functionality of the fishway.
6.4.16 For **maintenance** of an existing **on-farm**	Removal, destruction or damage of **marine plants** is limited to:

drain for a **private purpose** Figure 14	For **on-farm drains** less than 2 metres in width[11]**:** • The bed and banks of the **on-farm drain.** Where possible, **marine plants** should be retained along each side of the **on-farm drain.** For **on-farm drains** 2-8m in width[11]**:** • The bed and one bank only For **on-farm drain** outlets or inlets, floodgates and scour protection: • Within five metres upstream, five metres downstream and one metre each side of the structure. **Marine plant** removal from the **drain bank** is permitted and limited to the minimum required for a point of access. The access area is to be marked on the ground before clearing commences. **Works** must occur entirely within the **farm** property boundaries. The removal of **marine plants** is only undertaken where necessary to maintain the function of the **on-farm drain**. The existing drain profile is retained and **drain banks** disturbed to the least extent necessary to remove **marine plants**. Accumulated sediments may be removed from the bed of the drain. Mangroves should be pruned or trimmed no more than once every 12 months.
6.4.17 For **maintenance** of a bird hide for a **public purpose**	Removal, destruction or damage of **marine plants** is limited to pruning only and a maximum of: • One metre under and around the bird hide; and • Ten 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.

[11] Drain width is measured from the high bank to the opposite high bank.

6.4.18 For **maintenance** of a boat ramp for a **public purpose**	Removal, destruction or damage of **marine plants** is limited to: • the footprint of the boat ramp, and • ten metres from the perimeter of the footprint.
6.4.19 For **maintenance** of a vehicle road bridge, or culvert crossing, including approaches for a **public purpose** Figure 15	Removal destruction or damage of **marine plants** is limited to: • The footprint of the vehicle road **infrastructure**, and • five metres from the perimeter of the footprint.
6.4.20 For **maintenance** of rail **infrastructure** including lines, bridges, approaches, line-of-sight and powerlines for a **public purpose** Figure 15	Removal destruction or damage of **marine plants** is limited to: • The footprint of the rail line or bridge, and • five metres from the perimeter of the footprint For overhead rail powerlines, removal destruction or damage of **marine plants** is limited to: • seven metres above, below and each side of the lines.
6.4.21 For **maintenance** of a swimming enclosure for a **public purpose**	Removal destruction or damage of **marine plants** is limited to: • the area within the enclosure and • within five metres of the perimeter of the enclosure, other than the offshore side where disturbance is restricted to within one metre of the perimeter.
6.4.22 For **maintenance** of an unformed local authority or government agency vehicle access path for a **public purpose** Figure 16	Removal destruction or damage of **marine plants** is limited to within three metres on each side of the centre line of the path.
6.4.23 For **maintenance** of road safety—**maintenance** of sight clearance lines at intersections, roundabouts, interchanges and horizontal curves for a **public purpose**	Removal destruction or damage of **marine plants** is limited to that which is required to achieve the **maintenance** 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 **maintenance** of the road, or an **entity** contracted by the agency responsible for maintaining the road.

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

Work type	Requirements for accepted development
	Trimmed **marine plant** material must be removed from **tidal lands** and **waterways** and disposed of lawfully. Notification under section 4 does not apply.
7.5.3 Removal of certain unattached **marine plant debris** from **waterways**, shorelines and **tidal land**.	Any unattached **marine plant debris** may be removed where necessary to prevent: • damage to **infrastructure** or vessels • threats to public health and safety. Any large unattached **marine plant debris** may be removed where necessary to prevent: • movement at high tide that may bruise tree trunks • impact on recruitment of seedlings. Unattached **marine plant debris** that has been removed must be disposed of lawfully. Notification under section 4 does not apply.
7.5.4 Clean-up of any unattached **marine plant debris** that have been relocated by the **disaster** to areas outside **waterways**, shorelines and **tidal lands**.	Any unattached **marine plant debris** may be cleaned up from these areas. Unattached **marine plant debris** that has been cleaned up must be disposed of lawfully. Notification under section 4 does not apply.

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.

Works carried out due to an **emergency**

Where **works** are to be carried out due to an **emergency**, the exemptions in section 166 of the Planning Act are applicable. **Works** carried out due to an **emergency** under the exemptions must comply with all relevant provisions of section 166 of the Planning Act.

8 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**
8.6.1 Construction of runnels for mosquito control by Local Government for a ***public purpose*** that was endorsed by Fisheries Queensland and referred to under self-assessable code MP06.	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: • City of Gold Coast • Redlands • Moreton Bay for the Redcliffe and Pine Rivers areas Runnels are constructed as per the above Fisheries Queensland endorsed Integrated Mosquito Management Program developed by the Local Government. Runnels must be: • 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
8.6.2 Operational **works** for a ***public purpose*** 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.	The following MPMS were endorsed by Fisheries Queensland and remain in force under these **Accepted Development** Requirements: • Bundaberg Regional Council—Mangrove Management Strategy • Cairns Regional Council—Marine Plant Management Strategy • Fraser Coast Regional Council—Maryborough Mangrove Management Strategy. The current version of the MPMS must be referred to and is available from Fisheries Queensland or the relevant local government agency. Removal, destruction or damage of **marine plants** is in accordance with the details of an endorsed MPMS.  Notification under section 4 does not apply Signage and notification is to be as specified in the MPMS. Signage is required to state the name of the MPMS.

9 Glossary

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

Means development for which a development approval is not required.

Agreed delivery arrangement as defined in the *Environmental Offsets Act 2014*

Aids 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.

Beach wrack means detached marine plants, including seaweed, seagrass, propagules and dead marine wood deposited onshore by the tides, wind and waves.

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 to schedule 2 Dictionary 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.166(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 schedule 1 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.

Fillet structures constructed in front of an eroding bank to reduce wave energy, usually constructed out of rock or timber. These structures absorb wave action and create an area of still water between the fillet and the eroding bank. This still water area encourages the accumulation of sediment and provides a habitat that is suitable for the natural regeneration of marine plants.

Fish habitat Refer schedule 1 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 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

1) Marine plant includes the following -
   a) a plant (a tidal 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 by regulation to be a marine plant.
2) Marine plant does not include a plant that is –
   a) prohibited matter or restricted matter under the *Biosecurity Act 2014; or*
   b) Controlled biosecurity matter or regulated biosecurity matter under the *Biosecurity Act 2014*

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

Natural resource management group is an organisation that focuses on the sustainable management and conservation of natural resources, including land, water, biodiversity, and ecosystems.

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

Offset delivery plan as defined in the *Environmental Offsets Act 2014*

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.

Patch refers to a distinct area where a particular type of vegetation or plant community is concentrated. Characterised by relatively uniform plant composition compared to the surrounding area.

Possess Refer to schedule 1 Dictionary of the Fisheries Act

Means to have custody or control of the 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 retuned, for example, planting propagules or seeds.

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

Sod is the surface of the substrate containing the roots and seagrass growing on it.

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

Sprig is a small stem bearing leaves taken from a plant.

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.

Threatened ecological communities are communities recognised through legislation as being vulnerable, rare, threatened or endangered.

Threatened species are species recognised through legislation as being vulnerable, rare, threatened or endangered.

Tidal land Refer schedule 1 Dictionary of the Fisheries Act

Includes reefs, shoals and other land permanently or periodically submerged by waters subject to tidal influence.

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 schedule 1 Dictionary of the Fisheries Act

includes a river, creek, stream, watercourse, drainage feature or inlet of the sea.

Waterway barrier works Refer schedule 1 Dictionary of the Fisheries Act

means a dam, weir, crossing, fill or other complete or partial barrier within a waterway if the barrier limits fish access to, or movement within, 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 includes building work, operational work, plumbing work and drainage work. Refer to Schedule 2 of the Planning Act.

10 Notification form for accepted development

This form is to be completed and submitted to Fisheries Queensland, Department of Primary Industries prior to, but no more than 20 business days before commencing **works.** The exception is for **works** being undertaken under section 7 of the document for which notification must be provided as soon as practicable after commencement. You do not need to wait for a reply to commence your work. Email the completed form to acceptedevelopment@daf.qld.gov.au.

You may be required to obtain approvals from other agencies prior to commencing work.

Contact details of person/organisation undertaking the works	
Name	
Organisation	
Contact address	
Postal address	
Email	
Phone	

Details of the work	
Date **works** to commence	
Expected timeframe e.g. 30 calendar days, or end date	
Lot on Plan	
Street Address	
Lat. / Long. (decimal degrees, GDA2020)	
Local Government Area	
Name of **waterway** if relevant	
Attach a map of the location to this notification form	☐ Map attached
Work type/s (e.g. 1.14 For educational, research or **monitoring** work)	**New Work Private Purpose** ☐ Work type 5.1.4 ☐ Work type 5.1.5 ☐ Work type 5.1.6 ☐ Work type 5.1.7 ☐ Work type 5.1.8 ☐ Work type 5.1.9 ☐ Work type 5.1.10 ☐ Work type 5.1.11 ☐ Work type 5.1.12 ☐ Work type 5.1.13 Name of work type: _____.

New Work Public Purpose

☐ Work type 5.2.1 ☐ Work type 5.2.2 ☐ Work type 5.2.3

☐ Work type 5.2.4 ☐ Work type 5.2.6 ☐ Work type 5.2.7

☐ Work type 5.2.8 ☐ Work type 5.2.11 ☐ Work type 5.2.12

☐ Work type 5.2.13 ☐ Work type 5.2.15 ☐ Work type 5.2.16

☐ Work type 5.2.17 ☐ Work type 5.2.18 ☐ Work type 5.2.19

☐ Work type 5.2.20 ☐ Work type 5.2.21 ☐ Work type 5.2.23

☐ Work type 5.2.24 ☐ Work type 5.2.26 ☐ Work type 5.2.27

Name of work type: _____.

New Work Rehabilitation

☐ Work type 5.3.2 ☐ Work type 5.3.3 ☐ Work type 5.3.4

☐ Work type 5.3.5 ☐ Work type 5.3.6 ☐ Work type 5.3.7

☐ Work type 5.3.8 ☐ Work type 5.3.9 ☐ Work type 5.3.10

☐ Work type 5.3.11 ☐ Work type 5.3.12 ☐ Work type 5.3.13

Name of work type: _____.

Maintenance

☐ Work type 6.4.1 ☐ Work type 6.4.2 ☐ Work type 6.4.3

☐ Work type 6.4.4 ☐ Work type 6.4.5 ☐ Work type 6.4.6

☐ Work type 6.4.7 ☐ Work type 6.4.8 ☐ Work type 6.4.9

☐ Work type 6.4.10 ☐ Work type 6.4.11 ☐ Work type 6.4.12

☐ Work type 6.4.13 ☐ Work type 6.4.14 ☐ Work type 6.4.15

☐ Work type 6.4.16 ☐ Work type 6.4.17 ☐ Work type 6.4.18

☐ Work type 6.4.19 ☐ Work type 6.4.20 ☐ Work type 6.4.21

☐ Work type 6.4.22 ☐ Work type 6.4.23

Name of work type: _____.

Declared disaster situations

☐ Work type 7.5.1

Disaster name: _____.

Date of disaster declaration: _____.

	Expiry of disaster declaration: _____. **Grandfathered Provisions** ☐ Work type 8.6.1 Endorsed integrated mosquito management program: ☐ City of Gold Coast ☐ Redlands ☐ Moreton Bay for the Redcliffe and Pine River areas
Description of proposed **works**, including method, type and size (length and width)	Description of works proposed: Description of method of works: Type and size (e.g. length and width) of work:
Removal, destruction or damage of **marine plant**s	Total area of removal/destruction/damage _____m^2 Type of **marine plant** disturbance: Tick one or more ☐ Temporary _____m^2 ☐ Permanent _____m^2 **Marine plant**(s) to be removed, damaged or destroyed: Tick one or more ☐ Mangrove ☐ Salt couch ☐ Succulent ☐ Seagrass ☐ Other: *Please specify:*

Declaration

In submitting this form, I confirm:

☐ I have read this document

☐ I have understood this document

☐ All applicable fields are completed and I acknowledge that an incomplete form will not be registered and the works will not be authorised

☐ The work complies with all requirements of the relevant section in addition to the standards and notification requirements of the Accepted development Requirements

☐ A map of the location of the works is included in this submission

☐ The requirements have been made clear to the person/organisation undertaking the works

Contact details of person/organisation notifying	
Name	
Organisation	
Date of notification	
Signature	

You must keep a copy of this completed and signed form, evidence of the notification date and any reference number you are provided. You must be able to provide this information if requested.

11 Appendices

Appendix 1 - Figures

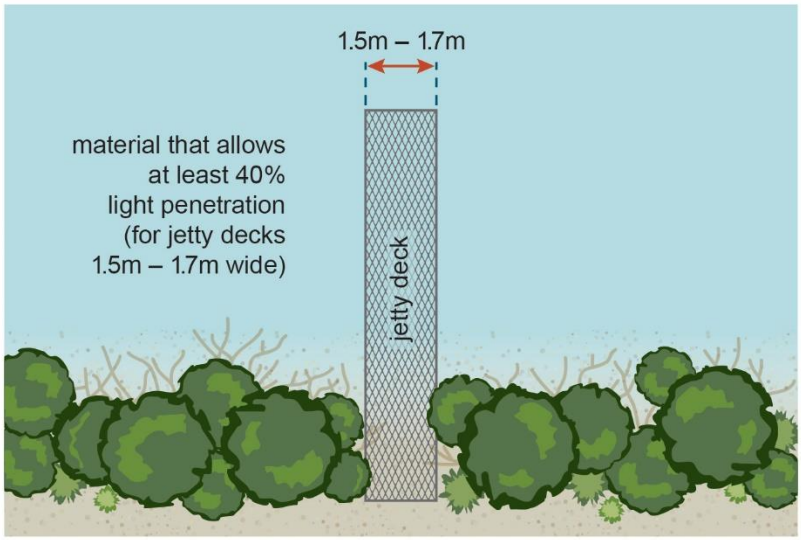

Figure 1a: Jetties 1.5-1.7m wide must provide 40% light

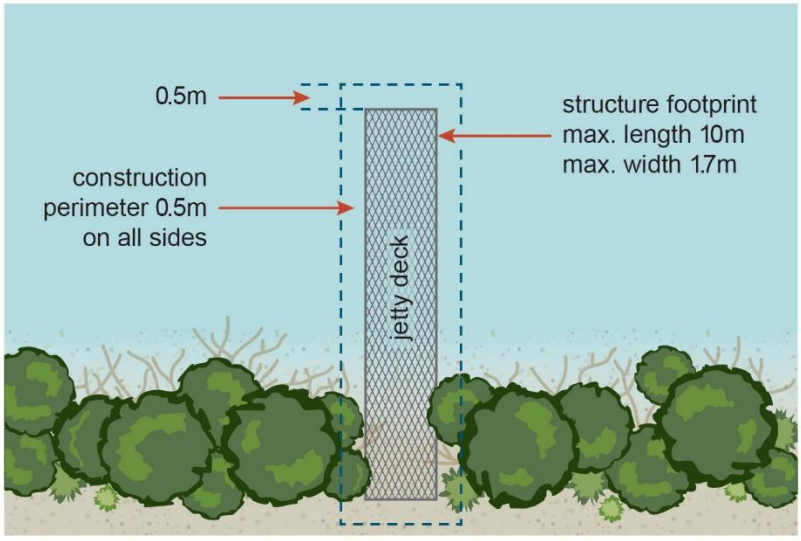

Figure 1b: Jetties allowable disturbance area

Figure 1: Jetties

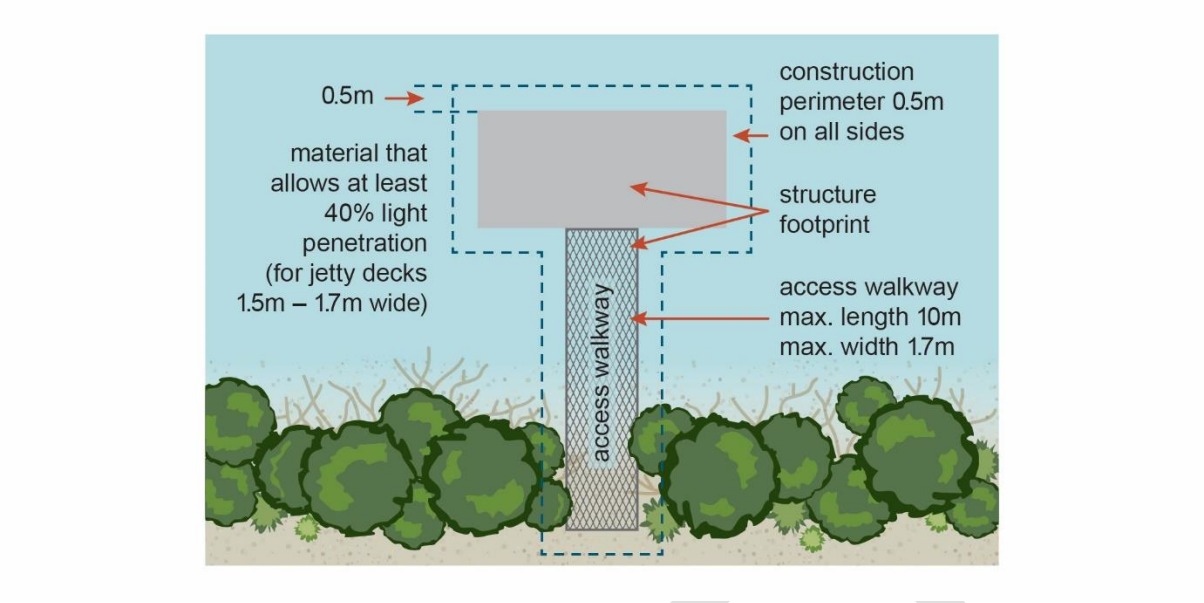

Figure 2: Pontoons

Figure 3: Removal of derelict vessels

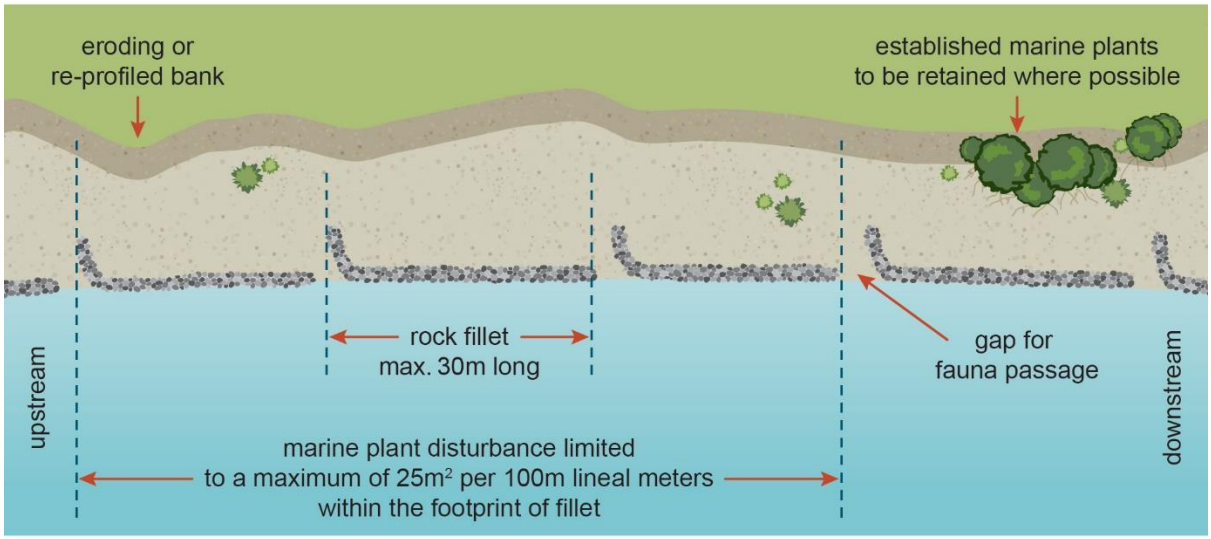

Figure 4a: Rock Fillet

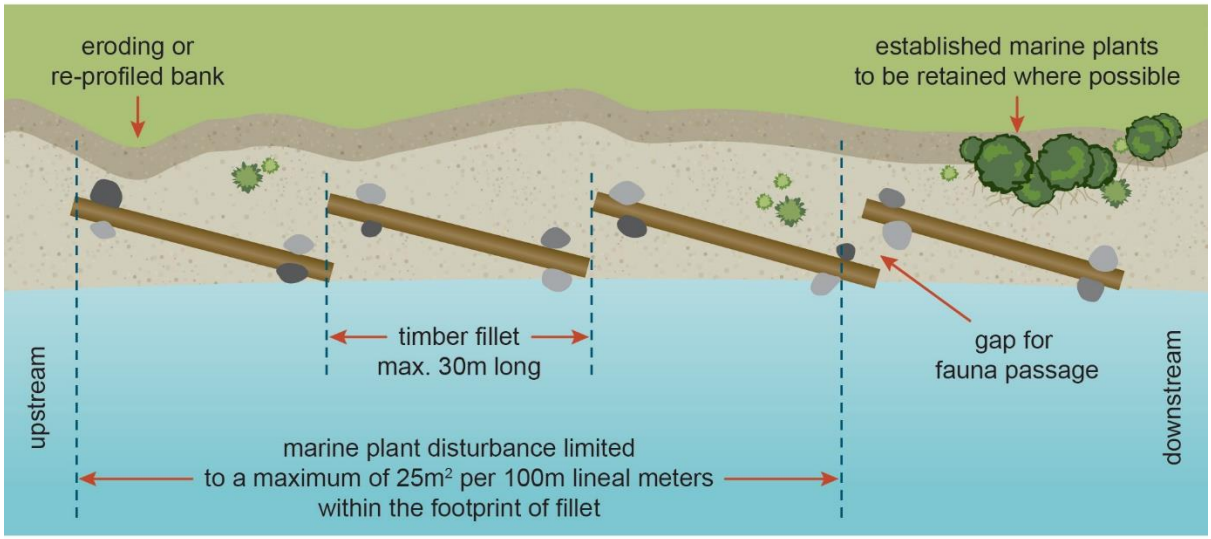

Figure 4b: Timber Fillet

Figure 4: Rock and Timber Fillets

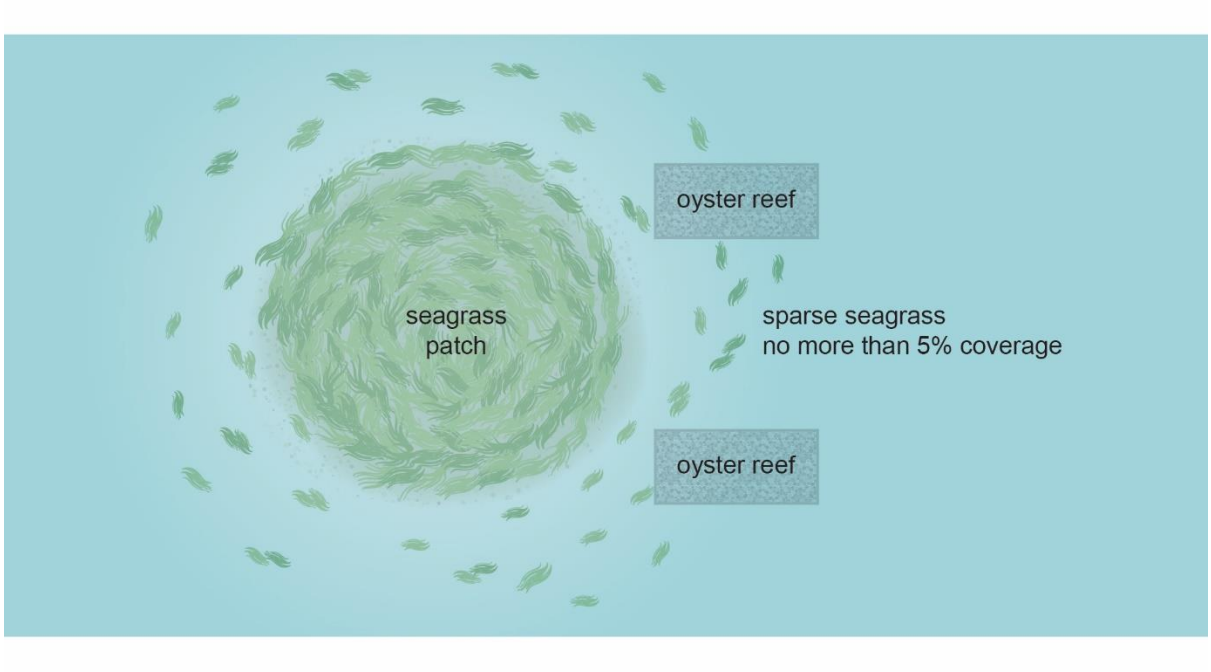

Figure 5: Shellfish reef restoration

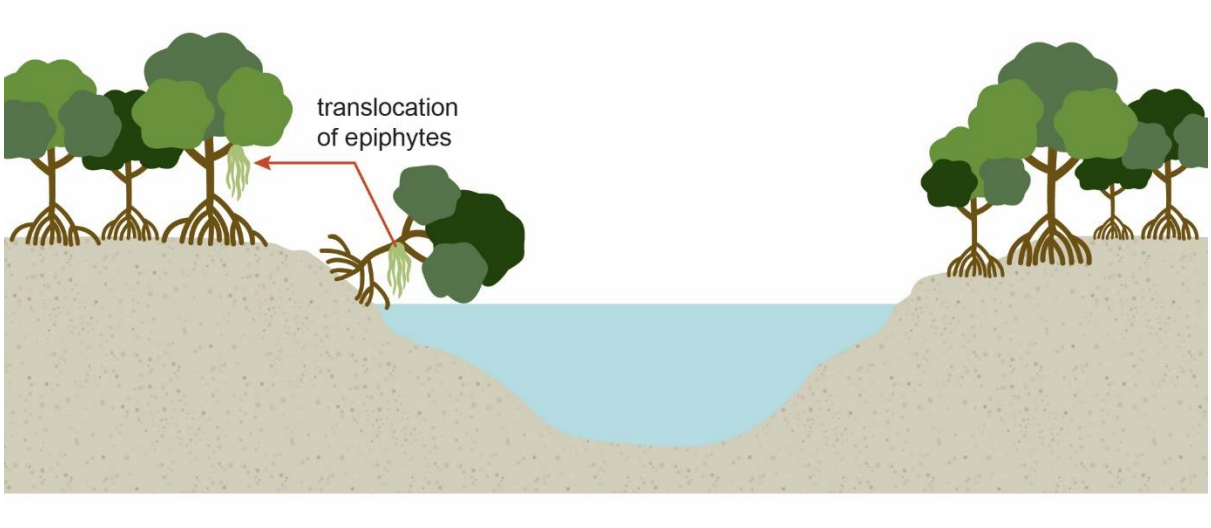

Figure 6: Translocation of epiphytes

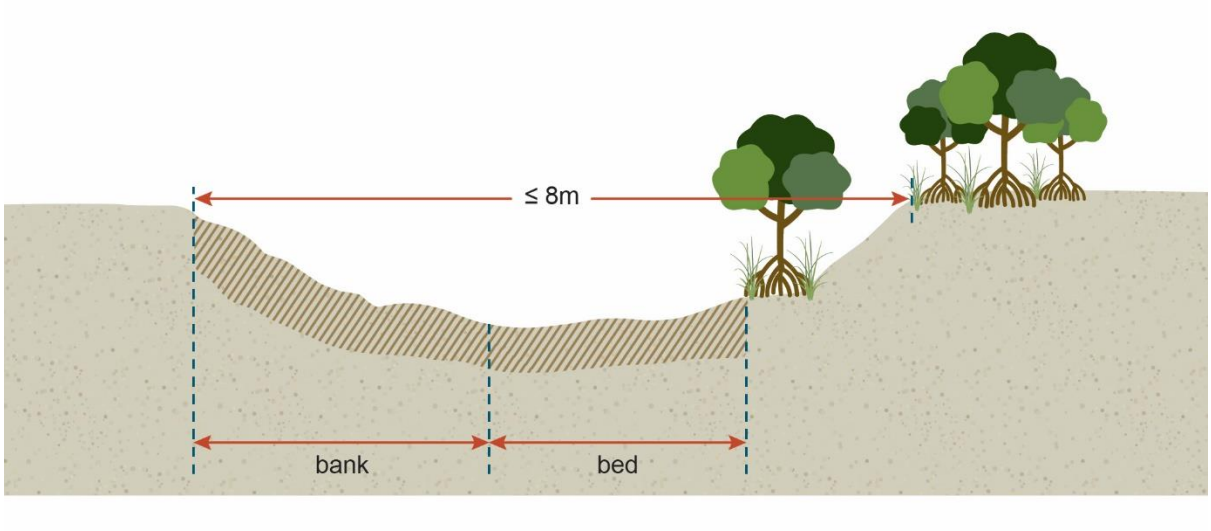

Figure 7: Constructed drain that is unlined, less than 8m wide

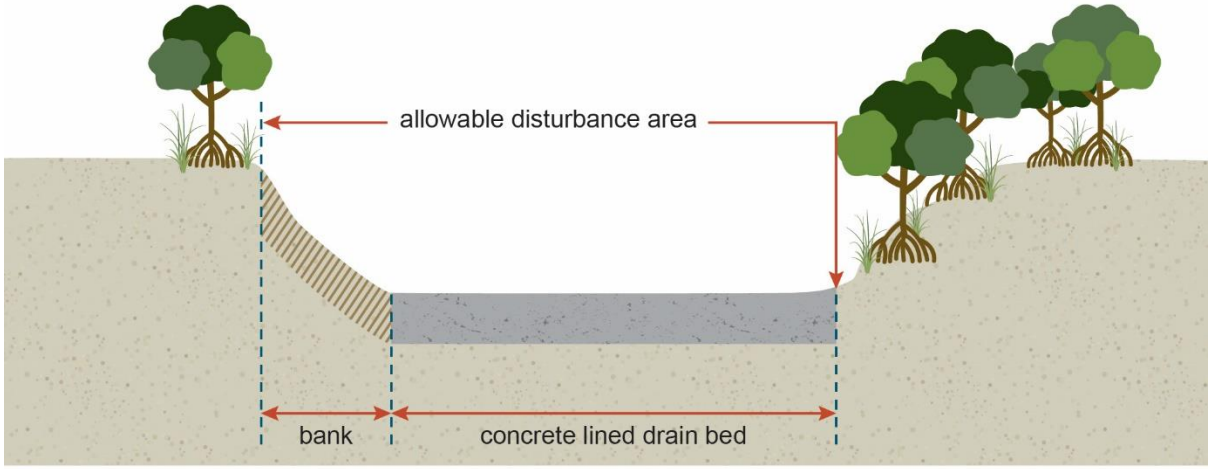

Figure 8: Constructed drain that has a lined bed e.g. concrete

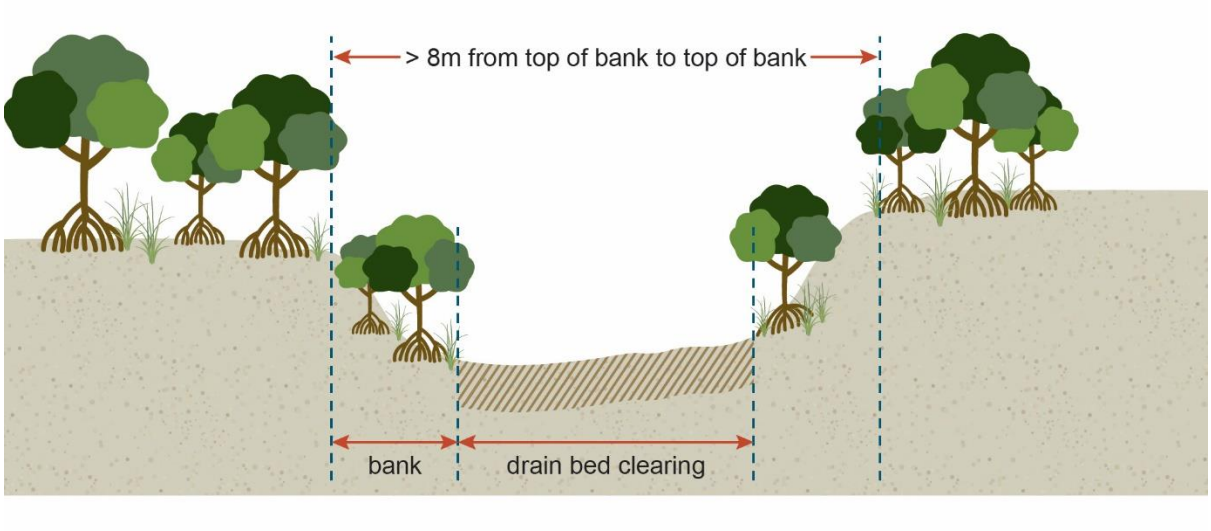

Figure 9: Constructed drain that is unlined, greater than 8m wide

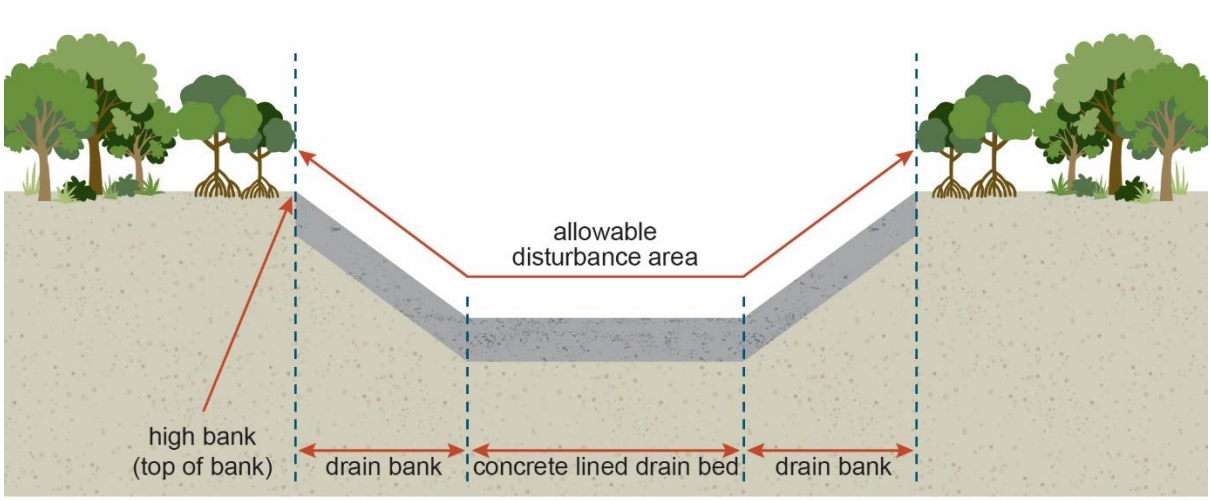

Figure 10: Constructed drain with both banks and bed lined e.g. concrete

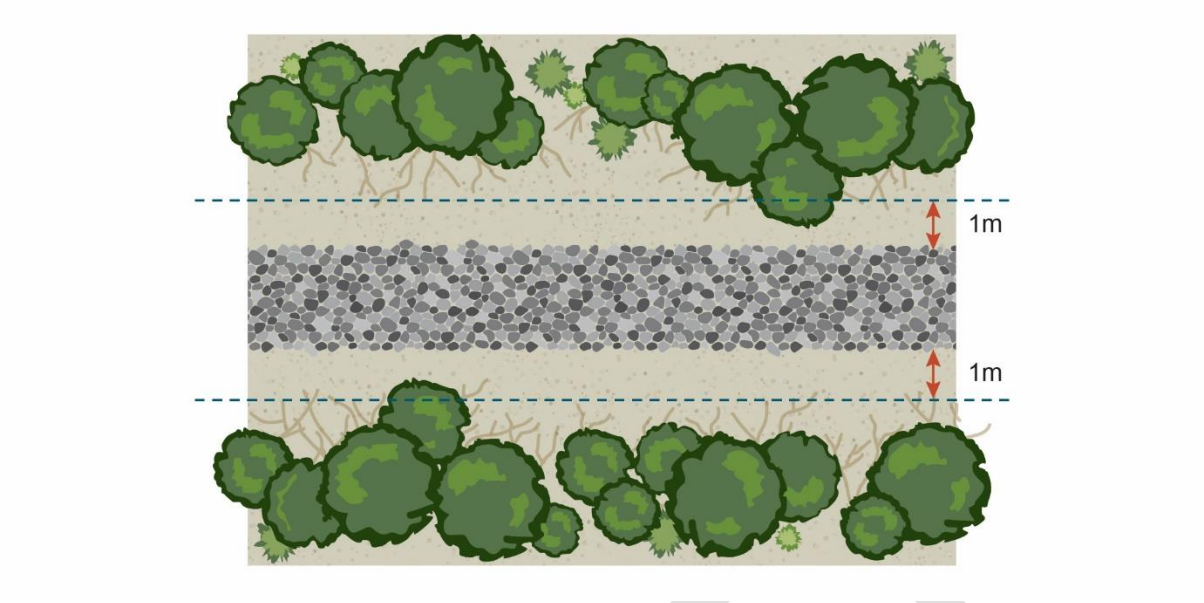

Figure 11: Formed powerline access track

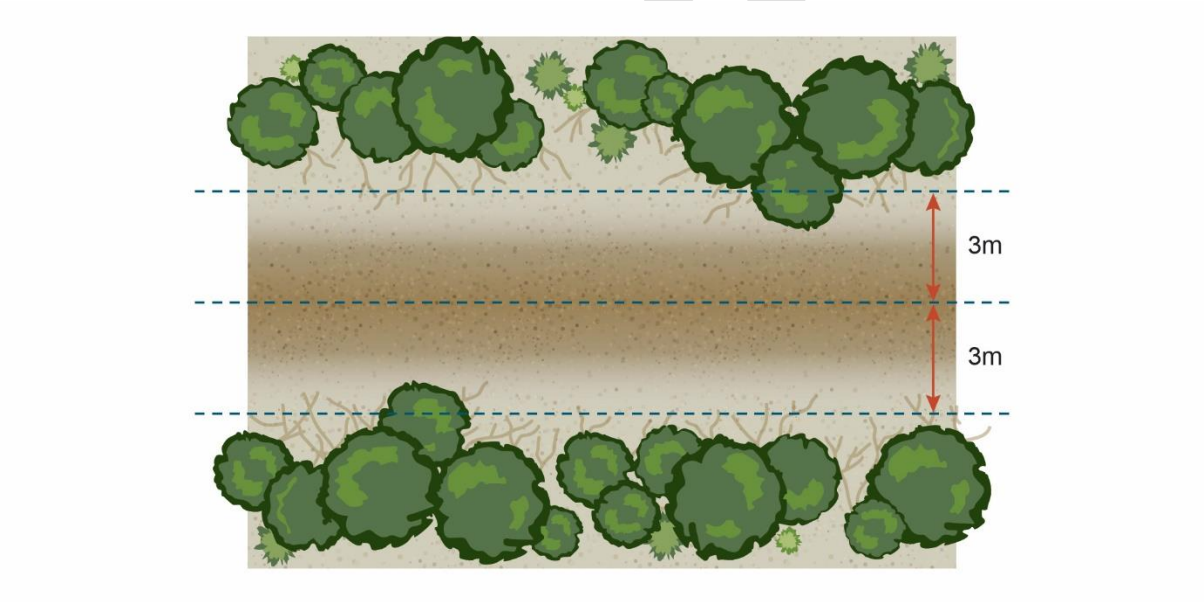

Figure 12: Unformed powerline access track

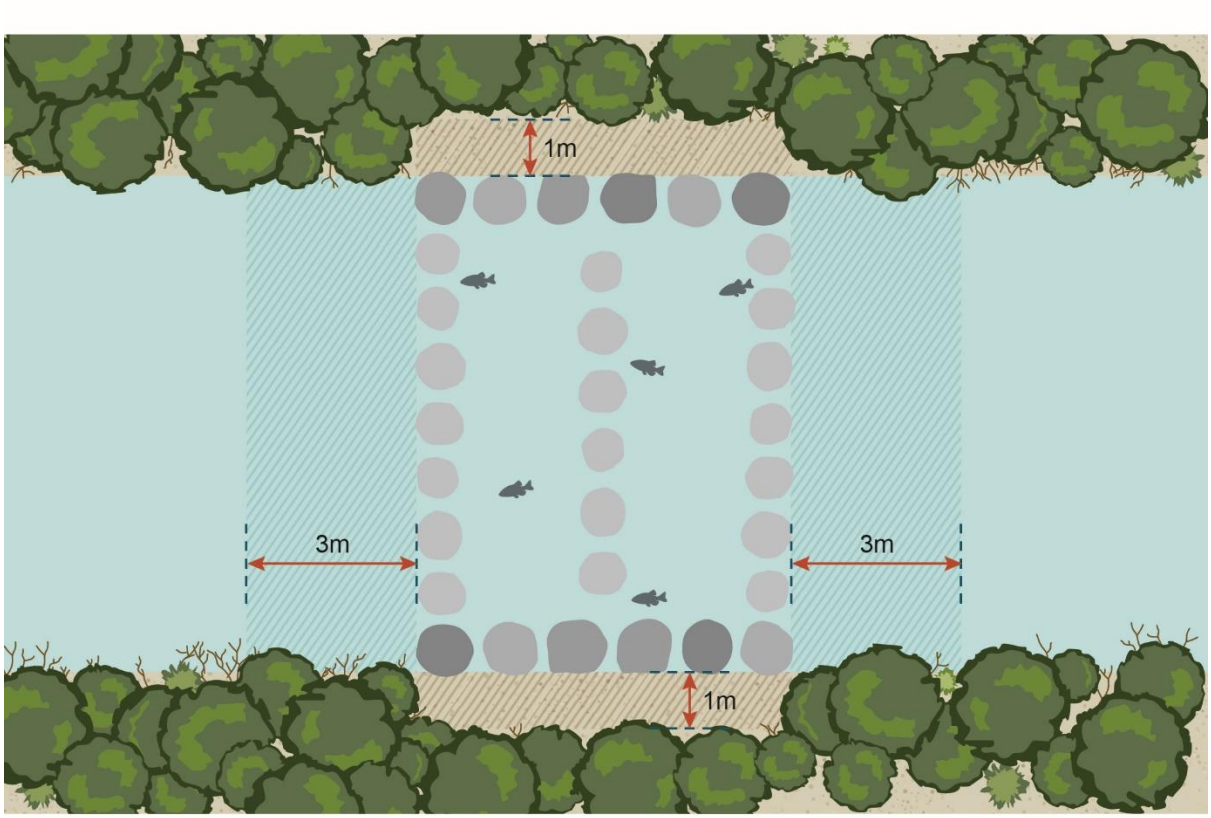

Figure 13: Maintenance of a fishway

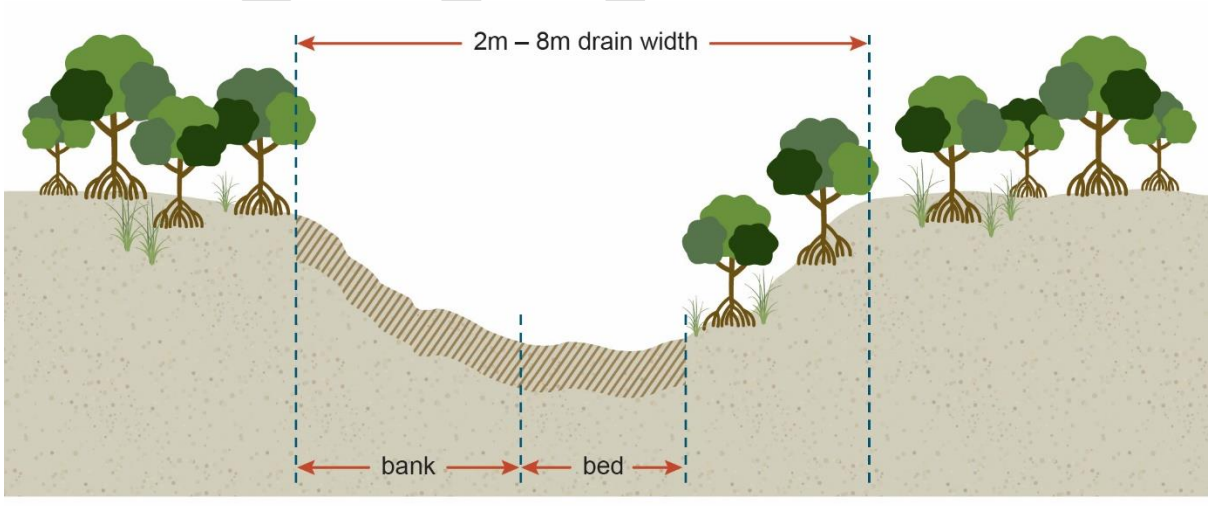

Figure 14: Private on-farm drain 2-8m wide

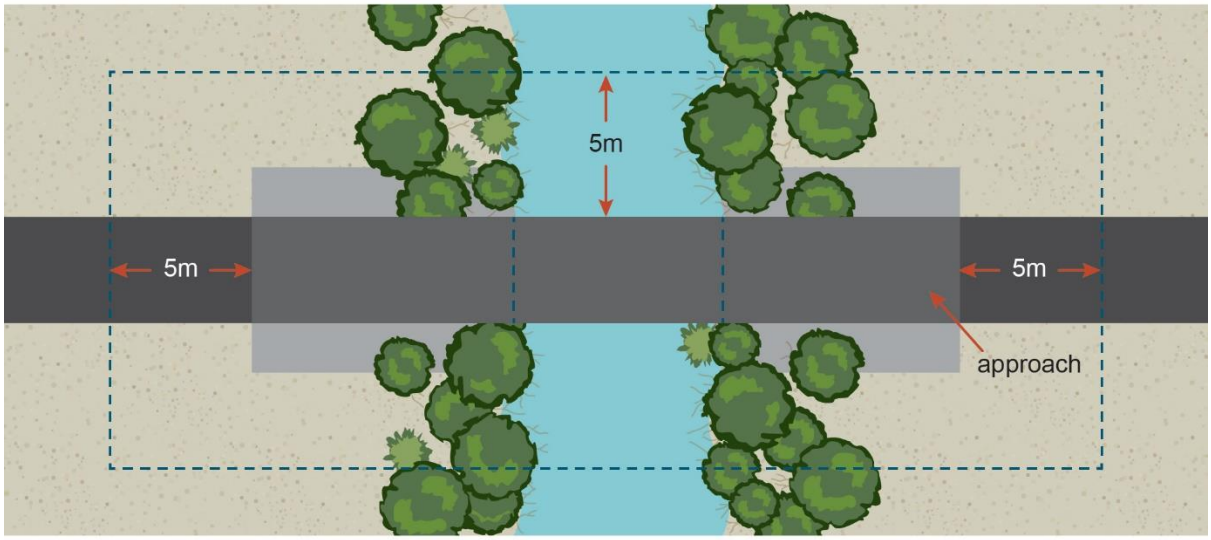

Figure 15: Public vehicle road bridge / culvert or public rail bridge

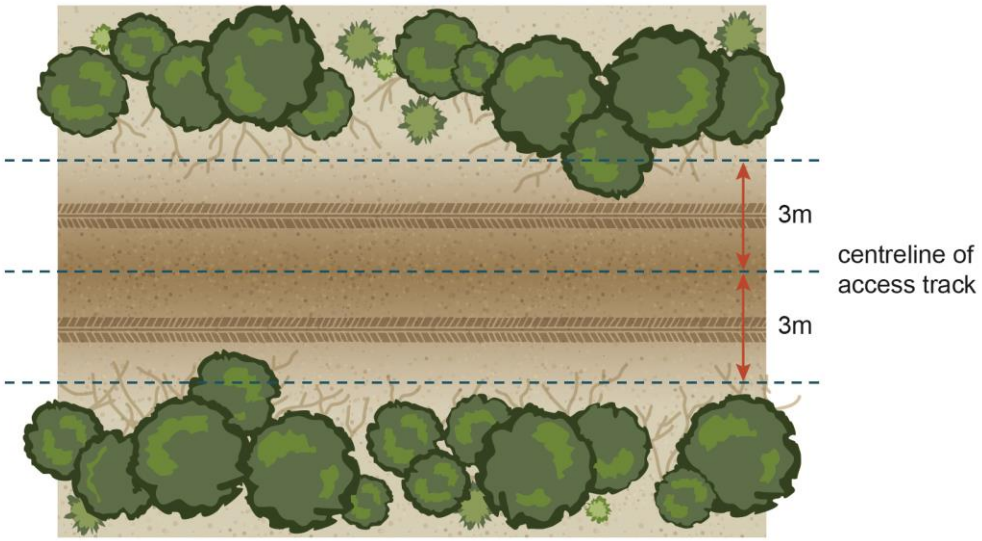

Figure 16: Unformed local authority or government agency vehicle access path

Appendix 2 – Record Keeping for Rehabilitation Projects under work types 5.3.2 – 5.3.8

Records to be kept:

Marine Plant Collection where relevant:

- The location where **marine plant**s were collected
- Date of collection
- Total number of seeds/ propagules or cuttings collected by species

Propagation and grow out where relevant:

- Location of the not-for profit nursery
- Number of and species propagated
- Method for grow out including water regime and tidal inundation
- Propagation data e.g. **marine plant**s collected versus the number successfully propagated

Revegetation where relevant:

- The location of the revegetation site
- The date and time of revegetation activity
- Number of each species planted

Monitoring:

- Location of **rehabilitation** site
- Date of monitoring event
- Photos from each monitoring event taken from the same location
- Summary of success for example:
    - Success of **marine plant**s planted at the **rehabilitation** site vs losses if applicable
    - Success in establishment of **marine plant**s through natural regeneration
- A summary of any issues that affected the outcomes of **marine plant** colonisation, for example:
    - Any changes in the site conditions
    - Any impacts to the site e.g. from significant weather events.
- Recommendations to improve success.

Appendix 3 - Rehabilitation Guidelines

Introduction

This appendix provides recommended guidance material for rehabilitation. Using this guidance will assist proponents to meet the general standards and other requirements of relevant work type.

Protecting existing **marine plant** communities in the first instance is more cost-effective and preferable to **rehabilitation**. Before starting any **rehabilitation** works, the aim should be to prevent further degradation. Natural regeneration should be monitored to decide if **rehabilitation** or enhancement is needed. Natural regeneration is preferred to avoid impacting undisturbed areas during **rehabilitation** activities. Where natural regeneration is slow or unsuccessful, assisted **rehabilitation** may be appropriate. **Rehabilitation** should restore the site to support natural succession and recover its fisheries values, rather than substituting.

The following eleven step plan is recommended for the **rehabilitation** of intertidal and subtidal areas.

Step 1. Identify site

Step 2. Identify baseline conditions and degrading factors

Step 3. Set **rehabilitation** objectives and criteria for 'success'

Step 4. Determine costs

Step 5. Determine and obtain relevant permits / approvals

Step 6. Formulate **rehabilitation** plan

Step 7. Develop revegetation strategy where necessary

Step 8. Implement plan

Step 9. Assess and monitor site

Step 10. Report results

Step 11. Maintain restored site

Step 1 Identify site

Choosing to rehabilitate a site depends on its value and the goals for that value, which can vary among stakeholders. Identifying the site, stakeholders, values, and concerns helps focus **rehabilitation** efforts and is crucial for success.

Consider these attributes to assess a site's **rehabilitation** potential:

- Type and extent of habitat degradation.
- Occurrence of **marine plant**s at the site prior to disturbance.
- Ease of access, particularly if machinery is needed.
- Availability of sufficient land considering tenure, zoning etc.
- Likelihood of issue of permits or approvals.
- Level of community concern over the site.
- Potential for exposure of acid sulfate soils (ASS) during **rehabilitation**.
- Potential availability of plant material for revegetation if required.
- Potential for erosion control as part of **rehabilitation**.

- Potential for future colonisation by flora and fauna.
- Suitability of physical factors at the site for **rehabilitation** e.g. tidal range, hydrology, freshwater input, wind speed, wind direction, water depth, position of protective headlands or reefs. **Rehabilitation** has been shown to be more successful in low energy environments.
- Potential for the site to counterbalance past, current or proposed **fish habitat** loss
- Potential for the site to counterbalance past or existing stresses where these affect fisheries resources or activities.
- Potential for preservation/**rehabilitation** of unique or critical fisheries qualities e.g. spawning or nursery sites, connectivity, habitat diversity.
- Potential to cause undesirable changes to existing habitat conditions e.g. creating conditions conducive to mosquito breeding, weed invasion or deflecting erosion to other locations.
- Public awareness of the site and the proposed **rehabilitation** project will help in promoting the project and its likely benefits. Awareness may generate greater support and may lead to a greater success rate due to an increase in available resources.

Step 2 Identify baseline conditions and degrading factors

Early in the **rehabilitation** plan, establish baseline conditions for the site. This information allows comparisons before and after the **rehabilitation** project to measure progress and success. Identify and, if possible, eliminate the cause of habitat decline before starting work.

Degrading factors may include:

- weed invasion
- excess sedimentation
- rubbish accumulation
- erosion
- habitat loss e.g. vegetation loss, loss of structural complexity
- unrestricted vehicle or pedestrian access
- unrestricted cattle access
- feral animals
- floating **debris**
- stormwater / freshwater inputs
- discharges/leachates e.g. from ASS or contaminants.
- lack or restriction of tidal influence.

Successful **rehabilitation** is unlikely if degrading factors persist. Ongoing protection from these factors is crucial. If they can't be removed or managed e.g., regular maintenance dredging, **rehabilitation** is not recommended.

Step 3 Set rehabilitation objectives and criteria for 'success'

Decide if the **rehabilitation** goal is to restore the site to its pre-disturbance condition or to a state where natural processes can take over.

Rehabilitation objectives define when the project will be considered complete and successful. Ideally objectives should be measurable e.g. % marine plant coverage after X years.

A project should only be considered successful when the rehabilitated area is colonised by flora and fauna that were present or used the habitat prior to disturbance.

Clearly define the scope of **rehabilitation** efforts before starting, and ensure the project adheres to ecologically sustainable development principles to maintain biodiversity and ecological processes essential for fisheries.

Step 4 Determine costs

After identifying the site and estimating costs, ensure long-term funding is available for the completion of the project. This should consider costs for labour, expertise, materials, equipment, **maintenance**, monitoring, and approvals, depending on the project's scope.

Step 5 Determine and obtain relevant permits/approvals

Prior to starting works, ensure that current statutory state and commonwealth approvals are obtained. Contact your local SARA office, noting that not all state approvals are managed through SARA.

Step 6 Formulate rehabilitation plan

Rehabilitation may only require the removal of the degrading factor/s. The site may then be able to restore naturally. Where removal of degrading factors is not sufficient to return **marine plant**s to the site, alteration of the hydrology and profile of the site or revegetation may be required. Prior to starting works document all stages and consider all project aspects, including future monitoring and **maintenance**.

1. Plan removal of degrading factors

   Identify factors contributing to habitat decline and where possible, remove.

2. Plan strategy to return the previous hydrology and profile of the site

   After a disturbance, adjusting the hydrology and tidal profile of a site may be necessary to support **marine plant** colonisation. These modifications can boost natural **rehabilitation** success by preventing erosion, improving drainage, and ensuring the tidal range is suitable for **marine plant** establishment, either naturally or through planting. It is important that testing for potential acid sulfate soils (PASS) is conducted, and mitigation/contingency measures are put in place. During preparation of the site, it is important that the existing vegetation, unless identified as weeds, is not disturbed. When re-profiling a site, it is important to maintain some level of variation in microtopography at the site.

3. Determine whether revegetation is required

   If natural revegetation is minimal or the site has low re-seeding capacity after a set period, aided or active revegetation may be needed. Establish a threshold for time and/or extent of regrowth that will trigger aided revegetation.

4. Consider unexpected events or failure

   Consider actions that would be undertaken should an unexpected event occur, or rehabilitation does not go to plan. Include actions that would be implemented if problems arise.

Step 7 Develop revegetation strategy where necessary

Once the decision to revegetate is made, carefully select species for planting. Consider whether a mixed community or a monoculture is better: mixed planting may lead to faster diversity, while monoculture can stabilise the site quicker. You might plant a monoculture initially for stabilisation and then add other species later or allow natural succession. Compare plant structures of nearby communities to guide whether a mixed or monospecific community should be established.

Environmental factors affecting the species suitability for a site include:

- salinity
- turbidity
- soil characteristics such as density, pH, texture, composition, nutrients
- tidal profile
- tidal height and range
- inundation frequency
- hydrology including wave action and currents
- quantity and quality of runoff
- local species distribution and abundance
- water quality such as nitrogen, phosphorus, chlorophyll a and turbidity
- proximity to freshwater source and frequency of freshwater inundation.

When selecting a species, consider any legal or other restrictions on its use. In Queensland, all **marine plant**s are protected, so legislative requirements must be followed.

There must be a sufficient source of stock that will suit the available propagation methods.

Determine the quantity of plant material needed / desired plant spacing.

Determine source of plant material, it may be possible to remove plant material from the actual **rehabilitation** site prior to disturbance, and to hold it in a nursery situation until the disturbance has been removed.

Genetic hybridisation and disease need to be considered when translocating material between sites.

Prior to planting, it is important that any collected plant material is checked for disease.

The species to be planted and the method of planting will determine the optimum time of year for collection and planting of seeds and seedlings at the site.

Step 8 Implement plan

After developing a detailed **rehabilitation** plan, implement it as outlined and within the agreed timeframe to improve success. Keep detailed records of all stages to assist with future reporting.

Step 9 Assess and monitor site

After planting, monitor the survival and growth of the plants and check for weed encroachment. Address any issues with troubleshooting measures.

1. Monitor survival

If transplant survival is low, it may signal an unidentified degrading factor. Identify and, if possible, remove this factor. High mortality might require a second planting. Set a threshold, such as 50% mortality, to decide if additional planting is needed.

2. Monitor growth

   High growth rates can create space and protection for additional seedlings, but some plants may need to be thinned for full canopy development. Regularly monitor growth and survival for at least a year after planting, then annually.

3. Troubleshoot problems – modify plan where necessary

   Troubleshooting potential problems is a key follow-up step in the **rehabilitation** process.

Step 10 Report results

Documenting techniques, methods, and outcomes after implementing a **Rehabilitation** Plan is crucial, even if the project isn't successful. This information helps with future projects and problem-solving. There will not be penalties if rehabilitation works fail due to events that are not reasonably foreseeable or beyond reasonable rectification.

Step 11 Maintain restored site

After **rehabilitation** and monitoring, maintain the site's restored values. Periodically reassess the project steps to ensure long-term success, and repeat steps as needed based on site assessments.

Appendix 4 – Designated mooring areas for protected area management

- A mooring area designated under Part 4 of the Marine Parks (Moreton Bay) Zoning Plan 2019.
- 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.

Appendix 5 – Material change of use and reconfiguration of a lot applications

Development applications for a material change of use and/or reconfiguring a lot may inherently involve the removal, destruction or damage of a marine plant or imply an expectation that this may be permitted at a future stage. For example, where:

- boundaries are created or relocated through, or adjacent to, areas of marine plants creating new rights or expectations whereby marine plants may then be removed, damaged or destroyed for fencing or access purposes.
- new lots are created that would result in new rights to build a residence/s or other structures when marine plants are present on the new lot/s and must be avoided. The presence and extent of marine plants must be considered in the assessment and the developable area should be clearly expressed in any approval ensuring the marine plants are avoided and appropriately buffered.
- new lots are created adjacent to waterfront or coastal areas. If the application lacks explicit buffers from fringing fish habitats and marine plants this may result in expectations of additional maritime infrastructure or other access impacting on marine plants associated with any or all of the lots.
- a change in use to a type of open space for a park encouraging active recreational use over and through areas of marine plants will result in impacts through landscaping, mowing, access or trampling.
- a reconfiguration/change of use will interrupt or divert tidal flows from marine plants, thereby changing the tidal flushing and/or the freshwater flows they require to survive
- a change in use proposing stormwater management or flood retention infrastructure in areas of marine plants
    - such a change would undermine the protection and management of the marine plants and the ecosystem services that they provide and must be avoided. For example, incorporating marine plants within proposed infrastructure creates an expectation that they may be removed, destroyed or damaged in the future, for example to control roughness, remove excess growth resulting from nutrients or remove them to facilitate the removal of sediment to restore flows or holding capacity.
    - although marine plants may occur in, or be connected to, aquatic features adjacent to proposed development, they must be separated and protected from the impacts of development, including water quality.

Such development proposals must include an application for the removal, destruction or damage of a marine plant.

If a material change of use or reconfiguring a lot has been applied for or decided without assessment of the relevant removal, destruction or damage of marine plants development trigger, then this is a missed development trigger. To achieve all the necessary approvals, a new application will need to be lodged and it may be necessary to redesign the layout to address relevant aspects of state code 11. If this is the case, it is likely that previously assessed development triggers will also have to be reapplied for and reassessed. To manage projects efficiently and in a timely manner, and to avoid compliance issues, it is very important that the removal, destruction or damage of marine plants development trigger involved in the proposal is identified and applied for as early as possible.