## State code 16: Native vegetation clearing

Table 16.2.2: General

| **Performance outcomes** | **Acceptable outcomes** | **Response** |
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| Clearing avoids or minimises impacts | | |
| PO1 Clearing and adverse impacts of clearing do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:   1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. | No acceptable outcome is prescribed. | *Complies with PO# / AO#*  *Use this column to indicate whether compliance is achieved with the relevant PO or AO (or if they do not apply), and explain why* |
| Clearing on land in particular circumstances | | |
| PO2 Clearing is consistent with any notice requiring compliance on the land subject to the development application, unless a better environmental outcome can be achieved.  Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured.  Further guidance on meeting the requirements of a better environmental outcome can be found in State Development Assessment Provisions Guidance Material: State code 16: Native vegetation clearing, Department of Natural Resources and Mines, 2017. | No acceptable outcome is prescribed. |  |
| PO3 Clearing is consistent with vegetation management requirements for particular regulated areas unless a better environmental outcome can be achieved.  Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured.  Further guidance on meeting the requirements of a better environmental outcome can be found in State code 16: Native vegetation clearing guidance material. | No acceptable outcome is prescribed. |  |
| PO4 Clearing of a legally secured offset area:   1. is consistent with the offset delivery plan; or agreement for the offset area on the land subject to the development application; or 2. only occurs if an additional offset is provided that is consistent with the *Environmental Offsets Act 2014* and the relevant policy in the Queensland Environmental Offsets Policy, Department of Environment and Heritage Protection, 2014.   Note: Reference to ‘agreement’ above includes the ‘agreed delivery arrangement’ for the offset area as well as instruments associated with the legally secured offset area. Clearing should be consistent with any agreement however described. | No acceptable outcome is prescribed. |  |
| Clearing of vegetation as a result of the material change of use or reconfiguration of a lot | | |
| PO5 Clearing as a result of a material change of use, or clearing as a result of reconfiguring a lot does not occur. | No acceptable outcome is prescribed. |  |
| Clearing that could already be done under an exemption | | |
| PO6 Clearing does not occur unless it is clearing that could be done as exempt clearing work for the purpose of the development (as prescribed under schedule 21 of the Planning Regulation 2017) prior to the material change of use or reconfiguring a lot application being approved. | No acceptable outcome is prescribed. |  |

Table 16.2.3: Specific

| **Performance outcomes** | **Acceptable outcomes** | **Response** |
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| Clearing associated with wetlands (public safety and infrastructure, a coordinated project, extractive industry, high value agriculture clearing, and irrigated high value agriculture clearing) | | |
| PO7 Clearing maintains the current extent of vegetation associated with any natural wetland to protect:   1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and   terrestrial habitat. | AO7.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland.  OR | *Complies with PO# / AO#*  *Use this column to indicate whether compliance is achieved with the relevant PO or AO (or if they do not apply), and explain why* |
| AO7.2 Clearing within 100 metres of the defining bank of any natural wetland:   1. does not occur within 50 metres of the defining bank of any natural wetland; and 2. does not exceed widths in table 16.3.1 in this code.   OR |  |
| AO7.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (matter of state environmental significance). |  |
| Clearing associated with wetlands (necessary to control non-native plants or declared pests, encroachment, thinning, fodder harvesting) | | |
| PO8 Clearing maintains vegetation associated with a natural wetland to protect:   1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat. | *Clearing necessary to control non-native plants or declared pests:*  AO8.1 Where clearing is necessary to control non-native plants or declared pests, mechanical clearing does not occur within five metres of the defining bank of a natural wetland.  AND |  |
| AO8.2 Clearing only occurs:   1. within a 1.5 metre radius from the base of the stem of individual non-native or declared pests; or 2. to the extent necessary to provide access for the control of the non-native plants or declared pests.   AND |
| AO8.3 Clearing for access tracks running parallel to a natural wetland is not to be located within 10 metres of the defining bank of a natural wetland.  AND |
| *Clearing for thinning:*  AO8.4 Mechanical clearing does not occur in any of the following areas:   1. inside the defining bank of a natural wetland; 2. within 50 metres of the defining bank of a natural wetland.   AND |
| *Clearing for encroachment*:  AO8.5 Mechanical clearing does not occur within 20 metres of the defining bank of a natural wetland.  AND |
| AO8.6 Clearing does not include the application of root absorbed broad spectrum herbicides within 50 metres of the defining bank of a natural wetland or within the distance specified from a wetland in the directions for use on the label for the product, whichever is the greater.  AND |
| *Clearing for fodder harvesting:*  AO8.7 Mechanical clearing does not occur in any of the following areas:   1. inside the defining bank of any natural wetland; and 2. within 20 metres of the defining bank of any natural wetland.   AND |
| AO8.8 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas:   1. inside the defining bank of any natural wetland; and 2. within 100 metres of the defining bank of any natural wetland. |
| Clearing associated with wetlands (necessary environmental clearing – land restoration and natural disaster preparation) | | |
| PO9 Clearing maintains vegetation associated with any natural wetland or rehabilitates the cleared area to protect:   1. water quality by filtering sediments, nutrients and other pollutants 2. aquatic habitat; and 3. terrestrial habitat. | AO9.1 Clearing does not occur in, or within 100 metres of, the defining bank of any natural wetland.  OR |  |
| AO9.2 Clearing within 100 metres of the defining bank of any natural wetland and:   1. does not occur within 50 metres of the defining bank of the natural wetland; and 2. does not exceed the widths in table 16.3.1 of this code.   OR |
| AO9.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. |
| Clearing associated with wetlands (necessary environmental clearing - natural channel diversion and contaminants removal) | | |
| PO10 Clearing maintains the current extent of vegetation associated with any natural wetland or rehabilitates the cleared area to protect:   1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat. | AO10.1 Clearing does not occur in, or within 100 metres of the defining bank of any natural wetland.  OR |  |
| AO10.2 Clearing within 100 metres of the defining bank of any natural wetland and:   1. does not occur within 50 metres of the defining bank of any natural wetland; and 2. does not exceed the widths in table 16.3.1 of this code.   OR |
| AO10.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.  OR |
| AO10.4 Where clearing is for natural channel diversion or contaminants removal, and clearing cannot be reasonably avoided, and:   1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated,   an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (a matter of state environmental significance). |
| Clearing associated with watercourses and drainage features (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing) | | |
| PO11 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature to protect:   1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat. | AO11.1 Clearing does not occur in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code.  OR |  |
| AO11.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code:   1. does not exceed the widths in table 16.3.1 of this code; and 2. does not occur within five metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature.   OR |
| AO11.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with any watercourse or drainage feature (a matter of state environmental significance). |
| Clearing associated with watercourses and drainage features (necessary environmental clearing- land restoration and natural disaster preparation) | | |
| PO12 Clearing maintains vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect:   1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat. | AO12.1 Clearing does not occur within any watercourse or drainage feature or within the relevant distances from each defining bank of any watercourse or drainage feature in table 16.3.2 of this code.  OR |  |
| AO12.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code:   1. does not exceed the widths in table 16.3.1 of this code; and 2. does not occur within five metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature.   OR |
| AO12.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. |
| Clearing associated with watercourses and drainage features (necessary environmental clearing – natural channel diversion, and contaminants removal) | | |
| PO13 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect:   1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat. | AO13.1 Clearing does not occur within any watercourse or drainage feature or within the relevant distances from each defining bank of any watercourse or drainage feature in table 16.3.2 of this code.  OR |  |
| AO13.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code:   1. does not exceed the widths in table 16.3.1 of this code; and 2. does not occur within five metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature.   OR |
| AO13.3 Where clearing cannot be reasonably avoided, and:   1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated   an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a watercourse or drainage feature (a matter of state environmental significance). |
| Clearing associated with watercourses or drainage features (necessary to control non-native plants or declared pests, thinning, fodder harvesting) | | |
| PO14 Clearing maintains vegetation associated with any watercourse or drainage feature to protect:   1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat. | *Clearing necessary to control non-native plants or declared pests:*  AO14.1 Mechanical clearing does not occur within 20 metres of the defining bank of a watercourse or drainage feature.  AND |  |
| AO14.2 Clearing only occurs:   1. within a 1.5 metre radius from the base of the stem of individual non-native or declared pests; or 2. to the extent necessary to provide access for the control of the non-native plant or declared pest.   AND |
| AO14.3 Clearing for access tracks running parallel to a watercourse or drainage feature is not to be located within 10 metres of the defining bank of the watercourse or drainage feature. |
| *Clearing for thinning:*  AO14.4 Mechanical clearing does not occur in any of the following areas:   1. inside the defining bank of any watercourse or drainage feature; 2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature. 3. within 30 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature. 4. within 50 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature. |
| *Clearing for fodder harvesting:*  AO14.5 Mechanical clearing does not occur in any of the following areas:   1. inside the defining bank of any watercourse or drainage feature; and 2. within 20 metres of the defining bank of any watercourse or drainage feature.   AND |
| AO14.6 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas:   1. inside the defining bank of any watercourse or drainage feature; and   within 100 metres of the defining bank of any watercourse or drainage feature. |
| Clearing associated with watercourses or drainage features (encroachment) | | |
| PO15 Clearing of encroachment maintains:   1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. | AO15.1 Mechanical clearing does not occur within 20 metres of the defining bank of a watercourse or drainage feature.  AND |  |
| AO15.2 Clearing does not include the application of root-absorbed broad spectrum herbicides within 50 metres of the defining bank of a watercourse or drainage feature or within the distance specified from a watercourse or drainage feature in the directions for use on the label for the product, whichever is the greater. |
| Maintaining connectivity (public safety and relevant infrastructure activities, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing) | | |
| PO16 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes. | AO16.1 Clearing occurs in accordance with table 16.3.3 in this code. |  |
| Connectivity areas (coordinated project) | | |
| PO17 In consideration of vegetation on the land subject to the development application and on adjacent land:   1. sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or 2. where this not reasonably possible, the applicant provides an offset. | AO17.1 Clearing occurs in accordance with table 16.3.3 of this code.  OR |  |
| AO17.2 Where clearing cannot be reasonably avoided; and clearing has been reasonably minimised; an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance). |
| Maintaining connectivity (necessary environmental clearing - land restoration and natural disaster preparation) | | |
| PO18 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes, or where this is not reasonably possible, the cleared area is rehabilitated. | AO18.1 Clearing occurs in accordance with table 16.3.3 of this code.  OR |  |
| AO18.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. |
| Connectivity areas (necessary environmental clearing – natural channel diversion and contaminants removal) | | |
| PO19 In consideration of vegetation on the land subject to the development application and on adjacent land:   1. sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or 2. where this is not reasonably possible, the applicant rehabilitates the cleared area; or 3. where this not reasonably possible, the applicant provides an offset. | AO19.1 Clearing occurs in accordance with table 16.3.3 of this code.  OR |  |
| AO19.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.  OR |
| AO19.3 Where clearing cannot be reasonably avoided, and:   1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated   an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance). |
| Soil erosion (public safety and relevant infrastructure activities, coordinated project, high value agriculture clearing, irrigated high value agriculture clearing, necessary environmental clearing) | | |
| PO20 Clearing does not result in:   1. accelerated soil erosion including, but not limited to – mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and 2. any associated loss of chemical, physical or biological fertility – including, but not limited to water holding capacity, soil structure, organic matter, soil biology, and nutrients, within or outside the land the subject of the development application. | AO20.1 Clearing is undertaken in accordance with an erosion and sediment control plan, which includes measures to ensure the rates of soil loss and sediment movement are the same or less than those prior to the proposed development.  OR |  |
| AO20.2 The local government is the assessment manager for the development application.  Note: For guidance on developing a sediment and erosion control plan, please refer to the Best Practice Erosion and Sediment Control Document, IECA, 2008. |
| Soil erosion (necessary to control non-native plants or declared pests, thinning, encroachment, fodder harvesting) | | |
| PO21 Clearing does not result in:   1. accelerated soil erosion – including, but not limited to - mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and 2. any associated loss of chemical, physical or biological fertility – including, but not limited to water holding capacity, soil structure, organic matter, soil biology and nutrients, within or outside the land subject of the development application. | Clearing necessary to control non-native plants or declared pests:  AO21.1 Mechanical clearing retains 50 per cent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area.  AND |  |
| AO21.2 New access tracks to gain access to a non-native plant or declared pest infestation do not exceed five metres in width or de-stabilise the banks of any watercourse or drainage feature as a result of crossing, construction or use.  AND |
| *Clearing for thinning:*  AO21.3 Mechanical clearing does not:   1. occur in a regional ecosystem in table 16.3.6 of this code that states ‘mechanical thinning not permitted’; 2. disturb more than 50 per cent of the ground surface or result in any hectare less than 50 per cent ground cover, whether dead or alive; and 3. occur on slopes in excess of five per cent.   AND |
| AO21.4 Mechanical clearing does not occur within 50 metres of an area of soil erosion and instability.  AND |
| *Clearing for encroachment:*  AO21.5 Mechanical clearing:   1. is limited to slopes less than five per cent; and 2. retains 50 per cent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area.   AND |
| *Clearing for fodder harvesting:*  AO21.6 Mechanical clearing does not occur on a slope greater than five percent.  OR |
| AO21.7 Mechanical clearing does not occur within 50 metres of an areas of soil erosion and instability. |
| Salinity (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing, necessary environmental clearing, fodder harvesting) | | |
| PO22 Clearing does not contribute to or accelerate land degradation through waterlogging, or through the salinisation of groundwater, surface water or soil. | AO22.1 Clearing does not occur within 100 metres of a salinity expression area. |  |
| Conserving endangered and of concern regional ecosystems (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing) | | |
| PO23 Clearing maintains the current extent of endangered regional ecosystems and of concern regional ecosystems. | AO23.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem.  OR |  |
| AO23.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table 16.3.1 of this code.  OR |
| AO23.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in table 16.3.1 of this code.  OR |
| AO23.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of endangered regional ecosystems and of concern regional ecosystems (a matter of state environmental significance). |
| Essential habitat (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing and irrigated high value agriculture clearing, fodder harvesting) | | |
| PO24 Clearing maintains the current extent of essential habitat. | AO24.1 Clearing does not occur in essential habitat.  OR |  |
| AO24.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code.  OR |
| AO24.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code.  OR |
| AO24.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance). |
| Essential habitat (necessary environmental clearing – land restoration and natural disaster preparation) | | |
| PO25 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area. | AO25.1 Clearing does not occur in essential habitat.  OR |  |
| AO25.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code.  OR |
| AO25.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code.  OR |
| AO25.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. |
| Essential habitat (necessary environmental clearing – natural channel diversion and contaminants removal) | | |
| PO26 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area, or maintains the current extent of essential habitat. | AO26.1 Clearing does not occur in essential habitat.  OR |  |
| AO26.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code.  OR |
| AO26.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code.  OR |
| AO26.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.  OR |
| AO26.5 Where clearing cannot be reasonably avoided, and:   1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated   an offset is provided for any acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance). |
| Acid sulfate soils (public safety and relevant infrastructure activities, coordinated project, extractive industry, high value agriculture clearing, irrigated high value agriculture clearing, necessary environmental clearing, necessary to control non-native plants or declared pests, thinning, encroachment) | | |
| PO27 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:   1. aeration of horizons containing iron sulphides; or 2. mobilisation of acid or metals. | AO27.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.  OR |  |
| AO27.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:   1. it does not involve mechanical clearing; and 2. acid sulfate soils are managed consistent with the State Planning Policy, Department of Infrastructure, Local Government and Planning, July 2017, and with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual, Department of Science Information Technology Innovation and the Arts, 2014.   OR |
| AO27.3 The local government is the assessment manager for the development application. |
| Clearing is staged (extractive industry) | | |
| PO28 Clearing:   1. is staged in line with operational needs that restrict clearing to the current operational area 2. only occurs in the area from which material will be extracted, and any reasonably associated infrastructure, within the term of the development approval; and 3. does not occur without required permits. | No acceptable outcome is prescribed. |  |
| Clearing for agriculture (coordinated project, high value agriculture clearing, irrigated high value agriculture clearing) | | |
| PO29 Clearing only occurs where the land is suitable for agriculture having regard to topography, climate and soil attributes.  Note: Guidance for determining land suitability is provided in the Guidelines for meeting the land suitability and economic viability requirements for high value and irrigated high value agriculture applications, Department of Natural Resources and Mines, 2015. | No acceptable outcome is prescribed. |  |
| PO30 Clearing only occurs where there is no alternative area on the land subject to the development application for the clearing. | No acceptable outcome is prescribed. |  |
| PO31 For applications for irrigated high value agriculture clearing, the owner of the land is an eligible owner who has, or may have, access to enough water for establishing, cultivating and harvesting the crops to which the clearing relates. | No acceptable outcome is prescribed. |  |
| Clearing for necessary environmental clearing – land restoration and natural disaster preparation | | |
| PO32 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area. | AO32.1 Clearing maintains the natural floristic composition and range of sizes across the application area.  OR |  |
| AO32.2 Clearing does not exceed the widths prescribed in table 16.3.1 of this code.  OR |
| AO32.3 Clearing does not exceed the areas prescribed in table 16.3.1 of this code.  OR |
| AO32.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. |
| Clearing for necessary environmental clearing - natural channel diversion and contaminants removal | | |
| PO33 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area or maintains the current extent of vegetation. | AO33.1 Clearing maintains the natural floristic composition and range of sizes across the application area.  OR |  |
| AO33.2 Clearing does not exceed the widths prescribed in table 16.3.1 of this code.  OR |
| AO33.3 Clearing does not exceed the areas prescribed in table 16.3.1 of this code.  OR |
| AO33.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the endangered regional ecosystems and of concern regional ecosystems are rehabilitated.  OR |
| AO33.5 Where clearing an endangered regional ecosystem or of concern regional ecosystem cannot be reasonably avoided, minimised or rehabilitated, an offset is provided for any acceptable significant residual impact from clearing of an endangered regional ecosystem or of concern regional ecosystem (a matter of state environmental significance). |
| Conserving remnant vegetation that are regional ecosystems (necessary to control non-native plants or declared pests) | | |
| PO34 Clearing activities:   1. maintain the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and 2. retain mature trees. | AO34.1 Mechanical clearing does not exceed the limitations defined in table 16.3.4 of this code.  OR |  |
| AO34.2 Root-absorbed broad spectrum herbicides are not:   1. applied via aerial application; or 2. ground applied on a broad acre basis; or 3. used inconsistently with the product directions. |
| Requirements for dense regional ecosystems (necessary to control non-native plants or declared pests) | | |
| PO35 Clearing retains canopy vegetation in dense regional ecosystems. | AO35.1 Clearing does not occur in regional ecosystems listed in table 16.3.5 of this code.  OR |  |
| AO35.2 Clearing and associated soil disturbance in regional ecosystems listed in table 16.3.5 of this code only occurs:   1. within a 1.5 metre radius from the base of the stem of   individual non-native plants or declared pests; and   1. to the extent necessary to provide access for the control of the non-native plants or declared pests. |
| Restoring the regional ecosystem (thinning) | | |
| PO36 Clearing activities:   1. restore the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and 2. retain mature trees, habitat trees and tall immature trees and thickets. | AO36.1 Clearing does not occur in any of the following areas:   1. in thickets; 2. for mechanical clearing, within five metres or less from the trunk of a mature tree, habitat tree or tall immature tree.   AND |  |
| AO36.2 Clearing retains:   1. all mature trees and habitat trees; 2. a full range of sizes and species typical of the regional ecosystem in the area; and 3. where the number of mature trees plus habitat trees is less than 20 per hectare, tall immature trees to total 20 mature trees, habitat trees and tall immature trees per hectare.   AND |
| AO36.3 If clearing immature trees, retain immature trees distributed in a pattern that is as natural as possible and of at least the density specified in table 16.3.6 of this code.  AND |
| AO36.4 If clearing low shrubs:   1. in regional ecosystems where clearing is restricted to low shrubs as specified in table 16.3.6 of this code – clearing retains all immature trees; 2. in regional ecosystems where clearing is not restricted to low shrubs as specified in table 16.3.6 – clearing retains at least the number of immature trees specified in table 16.3.6; and 3. clearing retains at least 10 per cent of the predominate species that have thickened.   AND |
| AO36.5 Mechanical clearing does not result in debris being stacked or pushed against a mature tree, habitat tree or tall immature tree.  AND |
| AO36.6 Clearing is not undertaken by:   1. aerial application of any herbicide; 2. application of a root-absorbed broad spectrum herbicide.   AND |
| AO36.7 Chemical clearing does not occur within five metres of the trunk of a mature tree, habitat tree or tall immature tree. |
| Clearing limited to specific regional ecosystems and specific clearing methods (thinning) | | |
| PO37 Clearing must be for the purpose of restoring the remnant regional ecosystem and only occur if all of the following apply:   1. clearing is in regional ecosystems prescribed in table 16.3.6 of this code; and 2. clearing is in accordance with the clearing restrictions for the regional ecosystem prescribed in table 16.3.6 of this code;   unless the clearing is solely for removing native plants not naturally occurring within the regional ecosystem. | No acceptable outcome is prescribed. |  |
| Clearing is limited to specific regional ecosystems (encroachment) | | |
| PO38 Clearing of encroachment does not occur, other than in the regional ecosystems listed in table 16.3.7 of this code. | No acceptable outcome is prescribed. |  |
| Retained trees (encroachment) | | |
| PO39 Clearing of encroachment:   1. results in the restoration of the regional ecosystem 2. retains mature trees and habitat trees 3. retains all woody vegetation within a grove; and 4. retains representatives of all immature, non-encroaching species in a natural pattern. | No acceptable outcome is prescribed. |  |
| Limits to clearing for fodder harvesting (fodder harvesting) | | |
| PO40 Clearing is limited to:   1. the extent necessary to provide fodder for stock; and 2. areas where the stock is located, and the stock has sufficient water. | No acceptable outcome is prescribed. |  |
| PO41 Clearing must only occur:   1. in regional ecosystems listed in table 16.3.8 or table 16.3.9 of this code; and 2. in accordance with the harvesting method limitations for the regional ecosystem listed in table 16.3.8 or table 16.3.9 of this code. | No acceptable outcome is prescribed. |  |
| PO42 Clearing consists predominantly of fodder species. | No acceptable outcome is prescribed. |  |
| Conserving vegetation (fodder harvesting) | | |
| PO43 Clearing is carried out in a way that conserves:   1. remnant vegetation in perpetuity; and 2. the regional ecosystem in which the vegetation is situated. | AO43.1 Clearing does not result in the removal of non-fodder species with a height of four metres or more. |  |
| A043.2 Selective harvesting:   1. retains all non-fodder species except where the damage is an unavoidable consequence of clearing the selected fodder tree; and 2. when using a chainsaw in regionals ecosystems listed in table 16.3.8 of this code, retains at least one fodder tree for every fodder tree cleared; and 3. in least concern regional ecosystems listed in table 16.3.9 of this code, retains at least one fodder tree for each fodder tree cleared; and 4. in of concern regional ecosystems listed in table 16.3.9 of this code, retains at least two fodder trees for each fodder tree cleared.   AND |
| AO43.3 Strip harvesting and block harvesting:   1. where fodder harvesting has previously occurred in an area of a lot, only occurs if all of the following apply:    1. the vegetation has not been cleared in the last 10 years; and    2. the average height of the fodder trees is at least 70 per cent of the height of the tallest stands of fodder species in the regional ecosystem; and    3. the fodder trees that were previously harvested have now attained an average height of at least 4 metres. 2. aligns clearing along the contour where practical; and 3. does not occur in patches of regional ecosystems that are less than 10 hectares in area or less than 500 metres wide.   AND |
| AO43.4 Strip harvesting:   1. does not result in any strip harvesting area exceeding 50 metres in width; and 2. results in all strip retention areas:    1. being preserved along the length of strip harvest areas to a width of at least 1.5 times that of the adjacent strip harvest area; and    2. containing fodder species with an average height of at least four metres; and 3. does not result in clearing for machinery access between strip harvest areas exceeding 15 metres in width.   AND |
| AO43.5 Block harvesting:   1. does not result in any block harvest area exceeding one hectare; and 2. results in block retention areas:    1. being preserved between block harvest areas in accordance with the widths specified in table 16.3.10 of this code; and    2. containing fodder species with an average height of at least four metres; and 3. does not result in clearing for machinery access between block harvest areas exceeding 10 metres in width. |
| Cleared vegetation (fodder harvesting) | | |
| PO44 Fodder harvesting is carried out in a way that results in the woody biomass of the cleared vegetation remaining where it is cleared. | No acceptable outcome is prescribed. |  |
| Conserving the fodder resource (fodder harvesting) | | |
| PO45 Fodder harvesting is carried out in a way that will conserve the fodder resource. | AO45.1 Within any 10 year period, commencing from the expiry date of any development approval or any Accepted Development Vegetation Clearing Code notification, clearing does not occur:   1. more than once in the same area of a lot; and 2. in more than 50 per cent of the area of the regional ecosystem listed in table 16.3.8 and table 16.3.9 of this code on the lot; and 3. in areas required to be retained under this code, a development approval or any Accepted Development Vegetation Clearing Code. |  |