



Part 7 Codes

Division 3 Constraint Codes

Chapter 9 Natural Wetland Areas and Natural Waterways

1.0 Purpose

This code seeks to ensure the long term protection, enhancement and management of natural waterways and wetlands for their ecological, fishery, shore line and bank stabilisation, hydro-geological, open space, recreational, environmental, scientific and cultural value. This code supports and implements, at the local level, state and national policies (in particular, the **Moreton Bay Marine Park Strategic and Zoning Plans** and the **Draft State Coastal Management Plan**), legislation and strategies (eg. the **Wetlands Policy** of the Commonwealth Government of Australia and **Declared Fish Habitat Areas of Queensland**) and international agreements including:

- Convention of Wetlands of International Importance especially as Waterfowl Habitat (**RAMSAR, 1971**);
- **Agreement for the Protection of Migratory Birds and Birds in Danger of Extinction and their Environment**, between the Government of Australia and the Government of Japan, **1974, (JAMBA)**;
- **Agreement for the Protection of Migratory Birds and their Environment** between the governments of Australia and the People's Republic of China, **1976, (CAMBA)**.

This code provides for the maintenance of effective and functional buffers between development and natural waterways and wetland areas to ensure that ecological and hydrological conditions can be continued and protected and natural processes can occur, without impacting on the residential amenity of those areas. The code promotes the maintenance and creation, or enhancement, of viable linkages between wetlands and natural waterways, their associated ecosystems and other natural areas. It also provides for the maintenance of appropriate water regimes and water quality objectives, to ensure the protection of the ecological characteristics and environmental values of wetland areas and natural waterways and their associated ecosystems.

2.0 Application

- 2.1 This code applies to development indicated as code assessable or impact assessable by the Table of Development of the domain or Local Area Plan (LAP) within which the development is proposed.
- 2.2 In particular, this code applies to development on sites that include or are immediately adjacent to natural wetland areas or natural waterways, as identified on **Overlay Map OM11 – Natural Wetland and Waterways Areas**, or by an approved Ecological Site Assessment prepared in accordance with **Planning Scheme Policy 8 – Guidelines for Ecological Assessments**.
- 2.3 Performance Criteria PC1-PC11 apply to all development subject to this code.

3.0 Development Requirements

Performance Criteria	Acceptable Solutions
Development that is Code Assessable or Impact Assessable	
Ecological Assessment	
PC1 Prior to commencing the development design: <ol style="list-style-type: none"> a) the ecological features and functions located on and/or adjacent to the site must be identified and assessed; b) any ecologically significant areas, including any wetland, aquatic and riparian areas, or degraded areas suitable for rehabilitation to become ecologically significant, and located on and/or adjacent to the site, must be identified. 	AS1 An ecological assessment is prepared by a suitably qualified and experienced person in accordance with Planning Scheme Policy 8 – Guidelines for Ecological Assessments .



Performance Criteria	Acceptable Solutions
Retention of Ecologically Significant Areas	
<p>PC2 Ecologically significant areas must be protected and maintained.</p>	<p>AS2 Development does not occur within an ecologically significant area, including wetlands, aquatic and riparian communities.</p>
<p>PC3 Ecologically significant areas must not be negatively impacted upon, either directly or indirectly, by activity resulting from the establishment and operation of the development.</p>	<p>AS3 No acceptable solution provided.</p>
Setback	
<p>PC4 All development (including structures, fill, infrastructure and services) must be set back from any ecologically significant areas, including wetlands, aquatic and riparian communities, to enable:</p> <ul style="list-style-type: none"> a) the continued ecological function of the area; and b) access to the area for maintenance and management purposes. 	<p>PC4 No acceptable solution provided.</p>
Rehabilitation	
<p>PC5 The degraded wetland and waterway areas, ecological corridors and buffer areas that are important to the viability of ecologically significant areas must be rehabilitated as near as is practical to the naturally occurring composition of plant species, and respond to the habitat requirements of fauna.</p>	<p>AS5.1 The degraded area identified in the approved Ecological Site Assessment as requiring rehabilitation is rehabilitated in accordance with an approved Rehabilitation Plan utilising local endemic species and stock that:</p> <ul style="list-style-type: none"> a) reflects the species composition of native remnant vegetation on the site or surrounds; b) consolidates existing habitats on the site; c) does not displace native flora species or degrade fauna habitat. <p>AS5.2 A detailed Landscape Plan, incorporating the rehabilitation, is prepared in accordance with Planning Scheme Policy 13 – Landscape Strategy Part 2 – Landscape Works Documentation Manual.</p>
Water Management	
<p>PC6 The natural hydrological regimes of wetlands and waterways, including natural water quality, quantity and groundwater conditions, must be maintained and enhanced.</p>	<p>AS6 A Stormwater Management Plan which is prepared for the site in accordance with the Stormwater Management and Water Quality Guidelines demonstrates that:</p> <ul style="list-style-type: none"> a) stormwater is treated prior to discharge into the wetland or waterway; b) stormwater is discharged at appropriate areas of the waterway; c) the velocity and quality of stormwater to be discharged into the wetland or waterway does not degrade the environmental values of the wetland or waterway; d) the development will not impact on the geo-hydrology affecting the wetland or waterway.



Performance Criteria	Acceptable Solutions
On-Site Effluent Disposal	
<p>PC7</p> <p>The ecologically significant areas must be buffered from effluent/ irrigation treatment plants/ disposal areas to ensure that suitable areas are provided for the treatment of wastewater, prior to entering into the existing groundwater system and adjoining waterway and wetland areas.</p>	<p>AS7</p> <p>Where development is proposed to occur on unsewered land, any on-site wastewater disposal facility is to comply with the requirements of Part 7, Division 3 Constraint Codes, Chapter 17 – Unsewered Land.</p>
Buffers and Setbacks to Natural Wetland and Waterway Areas	
<p>PC8</p> <p>Buffers must be provided incorporating development setback/s of dimensions and characteristics that will ensure that the development does not result in a negative impact upon the long-term viability of the ecologically significant areas (including any wetland, aquatic and riparian communities) located on and/or adjacent to the site.</p> <p>Vegetated buffers should also include groundcover and shrubs, where the natural constraints of the site allow this.</p>	<p>AS8.1.1</p> <p>Buffer/s of not less than 100 metres width, incorporating vegetated and degraded areas requiring rehabilitation, are provided between the development and a freshwater or tidal wetland and associated riparian communities, as identified on Overlay Map OM11 – Natural Wetland and Waterway Areas.</p> <p>OR</p> <p>AS8.1.2</p> <p>Buffer/s are provided of dimensions and characteristics that will protect the long-term viability of any freshwater or tidal wetlands and their associated riparian communities, as identified on Overlay Map OM11 – Natural Wetland and Waterway Areas, in accordance with expert ecological advice provided as part of the Ecological Site Assessment.</p> <p>OR</p> <p>AS8.1.3</p> <p>Buffer/s of not less than 60 metres width, incorporating vegetated and degraded areas requiring rehabilitation, are provided between the development and a waterway identified as a Major Linkage (Water Based) and associated riparian communities, as identified on Overlay Map OM11 – Natural Wetland and Waterway Areas.</p> <p>OR</p> <p>AS8.1.4</p> <p>Buffer/s are provided of dimensions and characteristics that will protect the long-term viability of Major Linkages (Water Based) and associated riparian communities as identified on Overlay Map OM11 – Natural Wetland and Waterway Areas, in accordance with expert ecological advice provided as part of the approved Ecological Site Assessment.</p> <p>OR</p> <p>AS8.1.5</p> <p>Buffer/s are provided of 30 metres width, incorporating vegetated and degraded areas requiring rehabilitation, between the development and any waterways identified as an Other Natural Waterway and associated riparian communities, as identified on Overlay Map OM11 – Natural Wetland and Waterway Areas.</p> <p>OR</p> <p>AS8.1.6</p> <p>Buffer/s, of dimensions and characteristics that will protect the long-term viability of any Other Natural Waterways and their associated riparian communities, as identified on Overlay Map OM11 – Natural Wetland and Waterway Areas, are in accordance with expert ecological advice provided as part of the approved Ecological Site Assessment.</p>



Performance Criteria	Acceptable Solutions
	<p>Note: <i>The buffer width for wetlands is measured from the outer, landward boundary of the mapped Freshwater or Tidal Wetland, as shown on Overlay Map OM11 – Natural Wetland and Waterway Areas, or as defined through an approved Ecological Assessment. The buffer width, on each side of the waterway, is measured from the top of the high bank or from the outer landward boundary of a mapped riparian community, as shown on Overlay Map OM11 – Natural Wetland and Waterway Areas, or as defined through an approved Ecological Assessment.</i></p>
Ecological Corridors	
<p>PC9 Ecological corridors must be provided of dimensions and characteristics that can be demonstrated will effectively link ecologically significant areas on and/or adjacent to the site, in order to facilitate the effective movement of flora and fauna using the site and surrounds.</p>	<p>AS9.1.1 Ecological corridors of not less than 100 metres are provided on-site and link ecologically significant areas either within or adjacent to the site. OR AS9.1.2 Ecological corridors of dimensions and characteristics that are sufficient to facilitate the movement of flora and fauna between ecologically significant areas located on and/or adjacent to the site are provided in accordance with expert ecological advice provided as part of the approved Ecological Site Assessment</p>
Management Arrangements	
<p>PC10 Management arrangements must facilitate the conservation and protection of ecologically significant areas, ecological corridors and buffers.</p>	<p>AS10.1 Ecologically significant areas, buffers and ecological corridors, identified in the Ecological Assessment, are: a) dedicated as Public Open Space, where required for public access or for some other public purpose consistent with their ecological values and functions; or b) incorporated within Private Open Space and included within a Voluntary Statutory Covenant under the Land Title Act 1994. AS10.2 An Open Space Management Plan has been prepared, in accordance with Part 7, Division 2 Specific Development Codes, Chapter 21 – Landscape Work.</p>
Vehicular and Pedestrian Crossing	
<p>PC11 The number of vehicular and pedestrian crossings over or through ecologically significant areas on the site (in particular, the wetland, aquatic and riparian communities) must be minimised.</p>	<p>AS11.1.1 Vehicular and/or pedestrian accessways do not cross over or through ecologically significant areas (in particular, wetland, aquatic and riparian communities) on the site. OR AS11.1.2 Any vehicular and/or pedestrian accessways that cross over or through ecologically significant areas (in particular, wetland, aquatic and riparian communities) on the site are designed to: a) minimise the area of disturbance; b) facilitate the unimpeded movement of fauna.</p>