Wetland Code

1  Application

This Code will apply in assessing a material change of use and/or building work, operational work or subdivision proposed on land in or adjacent to a wetland as indicated on the Waterway Corridors and Wetlands Planning Scheme Maps.

In applying this Code to an artificial wetland, priority will be given to the primary purposes for which the artificial wetland was created, while considering its ecological values and other functions.

2  Using this Code

In using this Code reference should also be made to Section 1.1—How to use the Codes, at the front of this Chapter.

This Code is only ever called up as a ‘secondary’ Code by some other Code. This Code is to be read as part of that other Code.

In assessing proposals the following Codes are also likely to be used:
• Acid Sulfate Soil
• Biodiversity
• Stormwater Management
• Waterway.

The following Planning Scheme Policies should also be consulted where relevant:
• Environment Impact Assessment
• Heritage Register
• Management of Urban Stormwater Quality
• Natural Assets.

3  Purpose

The purpose of this Code is to:
• ensure that the ecological, flood control and water cleaning functions of wetlands are protected and managed to ensure their long term viability
• ensure that wetlands are retained and protected as part of development proposals, unless there is an overriding public interest to the contrary.

Overriding public interest is to be interpreted as applying where the long term social benefits of any wetland modification outweigh the loss of natural wetland benefits. Examples of issues where ‘overriding public interest’ may need to be considered include the development of major port facilities and the role of wetlands in the life cycles of disease carrying insects.

4  Performance Criteria and Acceptable Solutions

<table>
<thead>
<tr>
<th>Performance Criteria</th>
<th>Acceptable Solutions</th>
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</thead>
<tbody>
<tr>
<td>P1 Wetlands must be adequately protected from the impacts of adjacent development</td>
<td>A1.1 Development is set back:</td>
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<tr>
<td></td>
<td>• 40m from the maximum water level of a freshwater wetland</td>
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<tr>
<td></td>
<td>• 100m from the Highest Astronomical Tide line of a tidal wetland</td>
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<td></td>
<td>A1.2 The use complies with the Biodiversity Code</td>
</tr>
<tr>
<td>P2 Ecological features and processes associated with the wetland must be protected, managed and restored where necessary, to ensure their long term viability</td>
<td>A2 The use complies with all relevant Acceptable Solutions in the Biodiversity Code</td>
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</tbody>
</table>

Glossary

Draining: any activity that alters the hydrological regime of any locality by facilitating the removal of surface water or ground water either in a locality or in a manner that encourages drainage of a locality. Activities include construction, deepening, extending, opening, installing or laying any canal, drain or pipe

Maximum water level within a wetland: the outer limit of the fluctuating water level of a wetland, characterised by either live or dead wetland vegetation and hydric soil types that are seasonally inundated or seasonally waterlogged
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<td><strong>P3</strong> Proposals must be designed to protect wetland values through maintenance of hydrological regimes, including water quantity, water quality and wet/dry phases, during and after construction</td>
<td><strong>A3</strong> The use complies with the Biodiversity Code, and the Stormwater Management Code, and the Waterway Code and with the Management of Urban Stormwater Quality Planning Scheme Policy</td>
</tr>
</tbody>
</table>