



Figure 8.2.1.2.a Acid sulfate soils (SPP triggers)

8.2.2 Biodiversity areas overlay code

8.2.2.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot or operational work in the Biodiversity areas overlay, if:
 - (a) self assessable or assessable development where this code is an assessable code identified in the assessment criteria column of the table of assessment for an overlay (section 5.10);
 - (b) impact assessable development.
- (2) Land in the Biodiversity areas overlay is identified on the Biodiversity areas overlay map and includes all areas mapped as a matter of state environmental significance (MSES).
- (3) When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3, in Part 5.

8.2.2.2 Purpose

- (1) The purpose of the Biodiversity overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 6: Natural environment, Element 3.9.2 Biodiversity conservation, Element 3.9.3 Coastal management.
 - (b) enable an assessment of whether development is suitable on land within the Biodiversity areas overlay.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Conservation, connection and restoration of a network of land with biodiversity values, or reconnecting land with biodiversity values in Yarrabah.
 - (b) Biodiversity values, ecological features and process are protected from harm.

Table 8.2.2.2.a Criteria for self assessable and assessable development

Performance outcomes	Acceptable outcomes
If development is for a dwelling house on land affected by any of the Biodiversity areas	
<p>PO1 Development is contained within a building location envelope which is sited to minimise the clearing or fragmentation of native vegetation and environmental values, including native fauna movement.</p>	<p>AO1.1 Development occurs within cleared areas or the land within a building location envelope that is limited to the cleared area;</p>
	<p>AO1.2 The building location envelope: (a) does not exceed 1000m²; (b) is of a single regular-shaped contiguous area; (c) may exclude a single driveway of no greater than 6 metres in width that provides access between the lawful road frontage and the building location envelope.</p>
	<p>AO1.3 The perimeter of the building location envelope or areas within the building location envelop are fenced to prevent native fauna access inside the envelope, or to contain domestic pets within the envelope.</p>
	<p>AO1.4 All other fencing outside the building location envelope is designed to be fauna-friendly to allow the free passage of native fauna from one site to another.</p>
Development (other than a dwelling house) on land entirely or partly affected by any of the Biodiversity areas	
<p>PO2 Development avoids matters of state environmental significance (MSES) and protects and enhances ecological connectivity and/or habitat extent.</p>	<p>AO2.1 Development including roads, access driveways, services, fire breaks and any filling or excavation works are located entirely outside matters of state environmental significance (MSES); or</p>
	<p>AO2.2 Development not complying with AO2.1 ensures that the development footprint and site layout is determined in accordance with an ecological assessment which identifies the ecological values (including significant vegetation communities, significant fauna species and wetland ecosystems) and outlines how potential impacts on ecological values will be avoided or mitigated;</p>

Performance outcomes	Acceptable outcomes
	<p>AO2.3</p> <p>Development conserves ecological values and maintains or enhances ecological connectivity in a spatial configuration that:</p> <ul style="list-style-type: none"> (a) ensures that matters of state environmental significance (MSES) are consolidated in areas large enough to maintain ecological values, functions and processes; (b) connects or restores habitat or has the capacity to connect habitat upon being restored; (c) maximises the size and consolidates areas to be conserved for biodiversity both on and off-site. (d) maximises connectivity between areas being conserved for biodiversity purposes; (e) minimises the edge to area ratio of areas to be conserved for biodiversity to limit edge effect impacts. (f) excludes excavation or filling from areas to be conserved for biodiversity values, unless such works enable habitat restoration or revegetation works.
	<p>AO2.4</p> <p>Development is designed to minimise edge effect impacts such as light and noise intrusion.</p>
	<p>AO2.5</p> <p>Development does not encroach within 20m of existing riparian vegetation and watercourses.</p>

8.2.3 Bushfire hazard overlay code

8.2.3.1 Application

- (1) This code applies to assessing a material change of use or reconfiguring a lot in the Bushfire hazard overlay, if:
 - (a) self assessable or assessable development where this code is an assessable code identified in the assessment criteria column of the table of assessment for an overlay (section 5.10);
 - (b) impact assessable development.
- (2) Land in the Bushfire hazard overlay is identified on the Bushfire hazard map and is included in the following sub-categories:
 - (a) Medium bushfire hazard sub-category
 - (b) High bushfire hazard sub-category
 - (c) Very high bushfire sub-category
 - (d) Potential bushfire impact buffer sub-category
- (3) When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3, in Part 5.