

Part 8 Overlays

8.1 Preliminary

- (1) Overlays identify areas in the planning scheme that reflect state and local level interests and that have one or more of the following characteristics:
 - (a) there is a particular sensitivity to the effects of development;
 - (b) there is a constraint on land use or development outcomes;
 - (c) there is a presence of valuable resources;
 - (d) there are opportunities for development.
- (2) Overlays are mapped and included in Schedule 2.
- (3) The changed levels of assessment, if applicable, for development affected by an overlay are in Part 5.
- (4) Some overlays may be included for information purposes only. This should result in no change to the level of assessment or any additional assessment criteria.
- (5) Assessment criteria for an overlay must be contained in one or more of the following:
 - (a) a map for an overlay
 - (b) a code for an overlay
 - (c) a zone code
 - (d) a local plan
 - (e) a development code
- (6) Where development is proposed on premises partly affected by an overlay, the assessment criteria for the overlay only relates to the part of the premises affected by the overlay.
- (7) The overlays for the planning scheme are:
 - (a) Acid sulfate soils overlay code
 - (b) Biodiversity areas overlay code
 - (c) Bushfire hazard overlay code
 - (d) Coastal hazard overlay code
 - (e) Flood hazard overlay code
 - (f) Landscape heritage overlay code
 - (g) Landslide hazard overlay code
 - (h) Waterway corridors and wetlands overlay code
- (8) The following overlays for the planning scheme without codes are:
 - (a) Airport environs overlay map

8.2 Overlay codes

8.2.1 Acid sulfate soils overlay code

8.2.1.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot or operational work in the Acid sulfate soils 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 Acid sulfate soils overlay is identified on the Acid sulfate soils overlay map and is included in the following sub-categories:
- (a) Land at or below 5m AHD sub-category
 - (b) Land above 5m AHD and below 20m AHD 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.

8.2.1.2 Purpose

- (1) The purpose of the Acid sulfate soils overlay code is to:
- (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 2: Infrastructure, Element 3.5.2 Urban infrastructure, Element 3.5.3 Water management.
 - (ii) Theme 5: Regional landscapes and natural resources, Element 3.8.2 Primary production, forestry and fisheries, Element 3.8.4 – Water resources.
 - (iii) Theme 6: Natural environment, Element 3.9.3 Coastal management.
 - (b) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting groundwater or filling land;
 - (b) Development ensures that disturbed acid sulfate soils or drainage waters are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protects corrodible assets from acid sulfate soil.

Table 8.2.1.2.a Criteria for assessable development

Performance outcomes	Acceptable outcomes
Identification and management of acid sulfate soils	
<p>PO1 The extent and location of acid sulfate soils or potential acid sulfate soils is identified.</p>	<p>AO1 An acid sulfate soils investigation is undertaken.</p>
<p>PO2 Development does not disturb acid sulfate soils or potential acid sulfate soils, or is managed to avoid or minimise the release of acid or metal contaminants where disturbance is unavoidable.</p>	<p>AO2.1 The disturbance of acid sulfate soils or potential acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> (a) not excavating or otherwise removing soil or sediment identified as containing acid sulfate soils (b) not permanently or temporary extracting ground water that results in the aeration of previously saturated acid sulfate soils (c) not undertaking filling that results in: <ul style="list-style-type: none"> (i) actual acid sulfate soils being moved below the water table; (ii) previously saturated acid sulfate soils being aerated. <p>OR</p>
	<p>AO2.2 The disturbance of acid sulfate soils or potential acid sulfate soils avoids the release of acid and metal contaminants by:</p> <ul style="list-style-type: none"> (a) neutralising existing acidity and preventing the generation of acid and potential metal contaminants; (b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment.
	<p>AO2.3 Where identified, acid sulfate soils are managed in accordance with and Acid Sulfate Soils Management plan prepared in accordance with the <i>Queensland Acid Sulfate Soil Technical Manual - Soil Management Guidelines (2002)</i>.</p>
<p>PO3 No environmental harm is caused as a result of exposure of acid sulfate soils or potential acid sulfate soils.</p>	<p>AO3.1 No acceptable measures are prescribed.</p>