

8.2.11 Natural areas overlay code

8.2.11.1 Application

This code applies to assessing development within the Natural areas overlay.

When using this code, reference should be made to Part 5.

8.2.11.2 Purpose

- (1) The purpose of the Natural areas overlay is to protect the natural areas of the region through:
 - (a) avoiding development within biodiversity areas, waterways and waterway corridors, wetlands and declared fish habitat areas;
 - (b) minimising adverse direct and indirect impacts of development on natural areas;
 - (c) minimising adverse impacts on sensitive receiving environments;
 - (d) encouraging expansion of habitat and ecological connectivity and restoration of terrestrial and aquatic ecosystems.

- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development is avoided within:
 - (i) Biodiversity areas;
 - (ii) Wetlands;
 - (iii) Waterways and waterway corridors;
 - (iv) Declared fish habitat areas;
 - (b) where development cannot be avoided, development:
 - (i) Protects and enhances areas of environmental significance;
 - (ii) Provides appropriate buffers to areas of environmental significance;
 - (iii) Protects known populations and supporting habitat of rare and threatened flora and fauna species, as listed in relevant State and Commonwealth legislation;
 - (iv) Ensures that adverse direct or indirect impacts on areas of environmental significance are minimised through design, siting, operation, management and mitigation measures;
 - (v) Does not cause adverse impacts on integrity and quality of water in upstream or downstream catchments, including declared fish habitat areas and the Great Barrier Reef World Heritage Area;
 - (vi) Protects and maintains ecological and hydrological functions of waterways, wetlands, waterway corridors and declared fish habitat areas;
 - (vii) Enhances connectivity across barriers for aquatic species and habitats;
 - (viii) Rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent;
 - (ix) Protects areas of environmental significance from weeds, pests and invasive species;
 - (c) strategic rehabilitation is directed to areas on or off site where it is possible to achieve expanded habitats and increased connectivity.

8.2.11.3 Criteria for assessment

Part A – Criteria for self-assessable and assessable development

Table 8.2.11.3.a – Natural areas overlay code – self-assessable and assessable development

Performance outcomes		Acceptable outcomes	
For self-assessable and assessable development			
Waterways and waterway corridor areas for Urban waterways A or Non-urban waterways			
<p>PO1 Development is set back from waterways to protect and maintain:</p> <ul style="list-style-type: none"> (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and instream habitat values and connectivity; (f) instream migration 	<p>AO1.1 Development does not occur on the part of the lot affected by the waterway corridor.</p> <p>Note – Waterway corridors are identified within Table 8.2.11.3.b.</p>		
Waterways and waterway corridor areas for Urban waterways B			
<p>PO2 Development is set back from waterways to protect and maintain:</p> <ul style="list-style-type: none"> (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and instream habitat values and connectivity; (f) instream migration 	<p>AO2.1 Where a waterway is contained within an easement or reserve for the purpose, development does not occur within the easement or reserve;</p> <p>or</p> <p>AO2.2 Development does not occur on the part of the lot affected by the waterway corridor.</p> <p>Note – Waterway corridors are identified within Table 8.2.11.3.b.</p>		
For assessable development			
Biodiversity areas			
<p>PO3 Development does not cause adverse direct or indirect impacts on biodiversity values.</p> <p>Note – An ecological assessment report may demonstrate compliance with the performance outcome. Planning scheme policy – Natural environment provides guidance on preparing an ecological assessment report.</p>	<p>AO3.1 Development within a biodiversity area is avoided;</p> <p>or</p> <p>AO3.2 Where development cannot be avoided, development ensures adverse impacts on biodiversity values do not occur by:</p> <ul style="list-style-type: none"> (a) designing, siting, operating and managing development to: <ul style="list-style-type: none"> (i) be situated within existing cleared areas, including necessary fire management infrastructure and fire breaks; (ii) ensure unrestricted fauna movement; (iii) retain and restore habitat corridors and biodiversity values; (iv) provide appropriate buffers to biodiversity areas; (v) minimise light and noise emission into biodiversity areas; (vi) manage domestic animal movements, through adequate containment. 		

Performance outcomes	Acceptable outcomes
	<ul style="list-style-type: none"> (b) protecting and maintaining the values of biodiversity areas; (c) providing for strategic rehabilitation of vegetation species and coverage, and habitat connectivity; (d) protecting undeveloped areas of biodiversity through appropriate land tenure; (e) rehabilitating degraded areas to improve habitat condition, function and extent.
Water quality and integrity	
<p>PO4 Development does not cause adverse impacts on the quality and integrity of water in upstream or down-stream catchments, including the Great Barrier Reef Marine Park.</p>	<p>AO4.1 No acceptable outcomes are provided.</p> <p>Note – An ecological assessment report may demonstrate compliance with the performance outcome. Planning scheme policy – Natural environment provides guidance on preparing an ecological assessment report.</p>
Declared fish habitat areas and fish habitat buffer areas	
<p>PO5 Development does not cause adverse impacts on fish habitat values.</p> <p>Note – An ecological assessment report may demonstrate compliance with the performance outcome. Planning scheme policy – Natural environment provides guidance on preparing an ecological assessment report</p>	<p>AO5.1 Development ensures adverse impacts on fish habitat values are avoided by designing, siting, operating and managing development to:</p> <ul style="list-style-type: none"> (a) contribute to the protection of fish habitat values; (b) maintain the quality and integrity of declared fish habitat areas and water entering them.
Wetlands and wetland buffer areas	
<p>PO6 Development does not occur within a wetland.</p>	<p>AO6.1 No acceptable outcomes are provided.</p>
<p>PO7 Development is set back from wetlands to maintain water quality, ecological and hydrological functions and values of wetlands and their receiving waters.</p> <p>Note – Planning scheme policy – Natural environment is applicable.</p>	<p>AO7.1 Development is set back from wetlands in accordance with Table 8.2.11.3.c;</p> <p>or</p> <p>AO7.2 Where an alternative buffer is proposed, the width of the alternative buffer is supported by an evaluation of the environmental values, functioning and threats to the wetland.</p>
<p>PO8 Wetlands and wetland buffer areas are maintained, protected and restored.</p> <p>Note – Wetland buffer areas are identified within Table 8.2.11.3.c.</p>	<p>AO8.1 Native vegetation within wetlands and wetland buffer areas is retained.</p> <p>AO8.2 Degraded sections of wetlands and wetland buffer areas are revegetated with native plants in patterns and densities which emulate the relevant regional ecosystem.</p>

Performance outcomes	Acceptable outcomes
Waterways and waterway buffer areas	
<p>PO9 Development is set back from waterways to protect and maintain:</p> <ul style="list-style-type: none"> (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and instream habitat values and connectivity; (f) instream migration. <p>Note – Planning scheme policy – Natural environment is applicable.</p>	<p>AO9.1 Waterway corridors are provided adjacent to waterways in accordance with the requirements of Table 8.2.11.3.b.</p> <p>or</p> <p>AO9.2 Where a waterway corridor of an alternative width is proposed, the alternative width is supported by an evaluation of the waterway to ensure the protection and maintenance of:</p> <ul style="list-style-type: none"> (a) water quality; (b) hydrological functions; (c) opportunities for instream migration; (d) ecological processes; (e) riparian and instream habitat values and connectivity; (f) biodiversity values. <p>AO9.3 Development, other than Community infrastructure or open space is not located within a waterway or waterway corridor.</p>
Additional requirements for Urban waterway A and Non-urban waterway	
<p>PO10 Waterways and waterway corridors are protected, and degraded areas are restored and waterways and waterway corridors transferred to public ownership.</p>	<p>AO10.1 Native vegetation within waterways and waterway corridors is retained.</p> <p>AO10.2 Waterway corridors are:</p> <ul style="list-style-type: none"> (a) transferred to public ownership for an appropriate reserve purpose; or (b) protected through an Environmental Covenant. <p>AO10.3 Degraded sections of waterways and waterway corridors are revegetated with endemic plant species in patterns and densities which emulate the natural state of waterway corridors within the area.</p> <p>AO10.4 The lowest intensity of development is located adjacent to the waterway corridor.</p>

Table 8.2.11.3.b – Widths of waterway corridors for waterways

Waterway classification	Waterway corridor width
Urban waterway A	10 metres, measured perpendicular from the top of the high bank.
Urban waterway B	5 metres, measured perpendicular from the top of the high bank.
Non-urban waterway	25 metres, measured perpendicular from the top of the high bank.

Note – Waterway classifications are identified on the Natural areas overlay mapping contained in Schedule 2 and defined in Schedule 1.2.

Table 8.2.11.3.c — Setbacks and buffer areas for wetlands

Wetland classification	Setback and buffer area
Urban wetland	50 metres from the edge of the wetland.
Non-urban wetland	100 metres from the edge of the wetland.