Ports North

APPENDIX E.1

Draft : Environmental Impact Statement

Appendix E.1

Cairns Plan Performance Criteria

4.6.8 Potential or Actual Acid Sulfate Soil Material Code

Identification of Affected Premises

Acid sulfate soils occur naturally over extensive low lying areas of Coastal Queensland predominantly below 5 metres AHD. Cairns, as a coastal City, includes extensive areas where there is a potential for acid sulfate soils to occur.

Purpose

The purpose of this Code is to:

- Ensure that on premises with the potential to contain acid sulfate soils or premises containing acid sulfate soils development is undertaken so that:

  a) The disturbance of acid sulfate soils is avoided; or

  b) The generation or release of acid and metal contaminants from acid sulfate soils do not have significant adverse impacts on the natural and built environment or human health; and

- Reflect State Planning Policy 2/02 Planning and Managing Development involving Acid Sulfate Soils in CairnsPlan.

Applicability

This Code applies to development that is:

- Assessable development; and
- On premises:

  a) with a natural ground level of below 20 metres AHD; and

  b) where activity affects subsoil below 5 metres AHD (see figure 1); and

- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use of Premises except for a House, Home Activity, Home Based Business, Illuminated Tennis Court, Caretaker's Residence, Dual Occupancy, Shopping Facilities (0-500m2 gfa), Restricted Premises, Detached Bottle Shop, Business Facilities, Tavern, Restaurant, Child Care Centre, Veterinary Facilities, Primary Industry, Aquaculture Minor, Intensive Animal Husbandry, Industry Class A, B & C, Business and Technology Park, Park, Place of Assembly, Telecommunication Facility, Railway Activities, Institution, Indoor Sport and Entertainment, or Outdoor Sport and Entertainment.
Reconfiguring a Lot resulting in one or more additional lots.
Operational Work, associated with Reconfiguring a Lot.
Operational Work, involving excavation or filling of more than 50m3 of material not associated with a Material Change of Use.

Elements of the Code

Part A – For Self-Assessable and Assessable Development

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
None	None

Part B – For Assessable Development Only

Identification and Management of Acid Sulfate Soils

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 The extent and location of acid sulfate soils or potential acid sulfate soils must be identified.	**A1.1** No acceptable measures are specified. Note: The Planning Scheme Policy, Reports and Information Council May Request, provides a guide to the information which should be provided to demonstrate that the performance criteria are achieved.

Disturbance of Acid Sulfate Soils

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 No environmental harm resulting from acid sulphate soils or potential acid sulphate soils exposure is caused.	**A2.1** No acceptable measures are specified.
P3 The disturbance of acid sulfate soils or potential acid sulfate soils is avoided or minimised.	**A3.1** The disturbance of acid sulfate soils or potential acid sulfate soils must be avoided by: a) not excavating or otherwise removing soil or sediment identified as containing acid sulfate soils; and b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; and c) not undertaking filling that results in: i) actual acid sulfate soils being moved below the water table; and ii) previously saturated acid sulfate soils being aerated.
P4 The release of acid and associated metal contaminants into the environment is avoided or minimised.	**A4.1** The disturbance of acid sulfate soils or potential acid sulfate soils avoids the release of acid and metal contaminants by: a) neutralising existing acidity and preventing the generation of acid and metal contaminants; and b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment. **A4.2** Acid sulphate soils must undergo appropriate treatment before disposal whether or not that disposal occurs offsite.

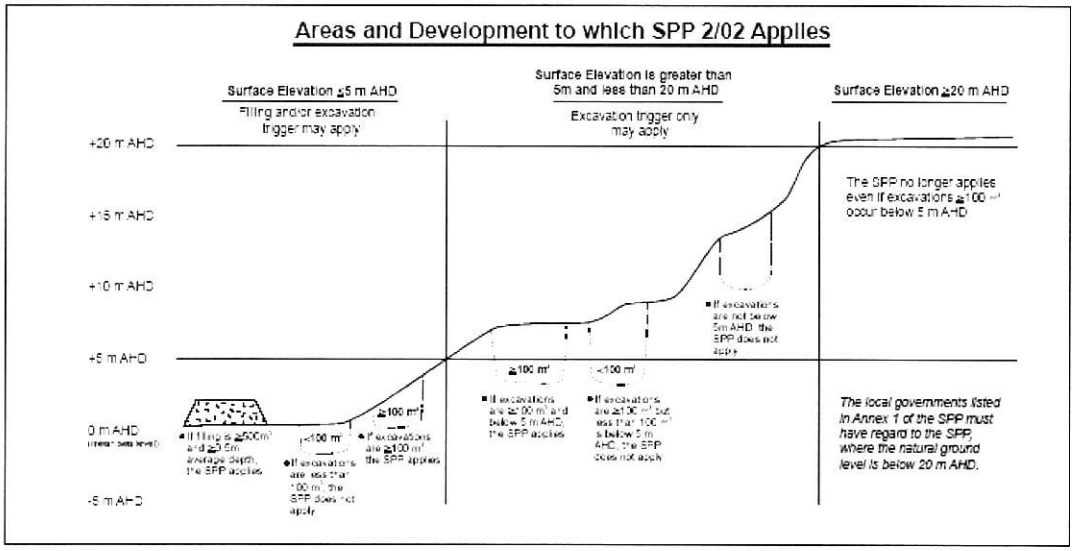

Figure 1

Source: Diagram in Section 3 of the State Planning Policy 2/02 Guideline: Acid Sulfate Soils.

4.6.9 Vegetation Conservation & Significant Waterway Code

Identification of Affected Premises

It is important that remaining natural areas are conserved in order to protect biological diversity and to maintain essential ecological processes and landscape integrity.

The Vegetation Conservation / Waterway Significance Overlays identify:

- Premises that have vegetation conservation values; and
- Significant waterways.

Conservation Attributes

Vegetation conservation values for areas on an Overlay have been assessed considering the following conservation attributes:

- Presence of endangered, rare or vulnerable plant species;
- Regional significance of vegetation type;
- Structural integrity of any remnant vegetation;
- Size or connectivity of any remnant vegetation;
- Corridor function;
- Catchment process;
- Presence of riparian or wetland areas.

The categories of vegetation conservation values on the Overlay and the characteristics of each category are contained in the following table.

CATEGORY	CHARACTERISTICS
Vegetation Category 1	Premises within this designation possess very high values for at least two of the conservation attributes and high values for the remaining attributes.
Vegetation Category 2	Premises within this designation possess high values for at least four of the conservation attributes.
Vegetation Category 3	Premises within this designation possess at least one of the conservation attributes. Premises may contain more than one attribute, that will to need to be identified and considered in any development application.
Vegetation Category 4	Premises within this designation possess at least one of the conservation attributes. Premises may contain more than one attribute, that will to need to be identified and considered in any development application.

The significance of waterways included in an Overlay has been assessed considering the following conservation attributes:

- Biodiversity values;
- Riparian and instream habitat;
- Hydrological and water quality values;
- The presence of remnant riparian areas; and
- Connectivity to areas of high biodiversity or conservation reserves.

The categories of Significant Waterways identified on an Overlay and the characteristics of each category are contained in the following table.

CATEGORY	CHARACTERISTICS
Waterway Category 1	Have riparian areas included in a Vegetation Category 1 area on an Overlay; or Have stream sections that are in close proximity to conservation reserves or areas of high ecological values such as National Parks, World Heritage Areas or Vegetation Category 1 Value areas; or Are ranked by the two highest ratings in the FNQ 2010 Regional Environmental Strategy - Key Waterways Report.
Waterway Category 2	Have riparian areas located within 200m of a Vegetation Category 1 area on the Overlay; or Have riparian areas located within 200m of a conservation reserve.
Waterway Category 3	Have a well developed riparian area generally greater than 25m in width.
Waterway Category 4	Have a well developed riparian area generally less than 25m in width.

The waterways identified in the Vegetation Conservation / Waterway Significance Overlay are not limited to waterways that may be classified as a "watercourse" for the purposes of the Water Act 2000.

Purpose

The purpose of this Code is to ensure that the following desired development outcomes are achieved:

- The protection and enhancement of water quality and conservation values;
- The protection biodiversity;
- Essential ecological processes are maintained;
- The protection of identified conservation values and connectivity of vegetation communities;
- The prevention of fragmentation, alienation or adverse impacts in vegetation communities; and
- The protection of waterways and riparian corridors.

Applicability

This Code applies to development that is:

- Assessable; and
- On premises:
  a) within a Conservation Value designation; or
  b) containing a Significant Waterway; or
  c) adjoining another premises containing a Significant Waterway.
- Identified on a Vegetation Conservation / Significant Waterway Significance Overlay contained in Chapter 3; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use, except for a Home Activity, Home Based Business, Primary Industry.
Reconfiguring a Lot
Operational Work, associated with Reconfiguring a Lot
Operational Work, - excavation or filling of more than $50m^3$ of material not associated with a Material Change of Use.
Operational Work, vegetation clearing not associated with a Material Change of Use
Building Work not associated with a Material Change of Use other than minor building work.

Elements of the Code

Part A – For Self-Assessable Development

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
None	None

Part B – For Assessable Development Only

Protection of Conservation Values

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
Vegetation Category 3 and Vegetation Category 4	
P1 Development must not unnecessarily affect vegetation conservation values.	**A1.1** The vegetation on premises must be retained except vegetation within a 6m radius of the outer limits of the footprint of an approved building; and **A1.2** Development does not damage the root zone of vegetation through compaction, excavation or filling; and **A1.3** Development does not affect any hydrological scheme, which causes drainage or flooding of vegetation.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
Vegetation Category 1 and Vegetation Category 2	
P2 Development does not fragment or alienate areas identified as having key or moderate conservation values	**A2.1** No acceptable measures are specified.
P3 Development optimises the viability and connectivity of areas identified as having key or moderate conservation values.	**A3.1** No acceptable measures are specified.
P4 Development does not adversely affect vegetation conservation values in areas identified as having a key or moderate conservation value.	**A4.1** Where development occurs: a) it is located on that part of the site which poses the least threat to the vegetation conservation values, for example: i) adjacent to existing development; ii) within an existing cleared area; iii) within a disturbed area with little potential for rehabilitation; iv) within an area close to an access road; and b) Buildings and structures are constructed within building areas identified as having the least impact on the vegetation conservation values; and c) Roads, driveways, infrastructure and park facilities are located outside areas identified as having Key or Moderate Conservation Values, apart from boardwalks, pathways and similar facilities which assist in the appreciation and interpretation of the area; and d) Fence lines are located outside areas of identified as having Key or Moderate Conservation Values. **A4.2** The vegetation on premises must be retained except vegetation within a 6m radius of the outer limits of the footprint of an approved building; and **A4.3** Development does not damage the root zone of vegetation through compaction, excavation or filling; and **A4.4** Development does not affect any hydrological scheme, which causes drainage or flooding of vegetation.

Riparian Corridors

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P5 The riparian corridor adjacent to waterways must be maintained.	**A5.1** Development does not occur within the riparian corridor; and **A5.2** The riparian corridor is: a) transferred to public ownership for an appropriate reserve purpose; or b) protected through an Environmental Covenant; and **A5.3** Vegetation within the riparian corridor is retained.
P6 Degraded sections of the riparian corridor must be rehabilitated.	**A6.1** Degraded sections of the riparian corridor are revegetated with endemic species typical of the riparian corridor in the area.

Development Adjacent to Waterways and Riparian Corridors

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P7 The riparian corridor adjacent to waterways must be maintained.	**A7.1** Development and infrastructure must not be located in a riparian corridor.
P8 Development of premises adjoining or containing a waterway must not adversely affect the integrity of the waterway or the riparian corridor.	**A8.1** All roads must: a) not be located in a riparian corridor; and b) be developed and constructed to achieve a low speed environment where adjacent to a riparian corridor; and **A8.2** Open space areas are: a) located adjacent to riparian corridors; and b) located to provide connectivity between riparian corridors and areas of vegetation conservation value; and **A8.3** Low intensity development and the lowest intensity of development is located adjacent to the riparian corridor.

Ecological Values and Natural Processes

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P9 The ecological values and natural processes of waterways must be protected to maintain or enhance environmental quality and aquatic habitat values.	**A9.1** Development of a premises adjoining or containing a waterway does not involve clearing of vegetation or modification of the bed or banks of the waterway.
P10 No interference with waterways occurs unless necessary to improve channel stability.	**A10.1** No acceptable measures are specified.

8.2 Overlay codes

8.2.1 Acid sulfate soils overlay code

8.2.1.1 Application

This code applies to assessing development within the Acid sulfate soils overlay.

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

8.2.1.2 Purpose

(1) The purpose of the Acid sulfate soils overlay code is to ensure that development which occurs on a site containing or potentially containing acid sulfate soils is undertaken so that the potential risks to the natural and built environment or human health associated with disturbing acid sulfate soils are identified and addressed through avoidance or mitigation.

(2) The purpose of the code will be achieved through the following overall outcomes:
- (a) the disturbance of acid sulfate soils is avoided;
- (b) where the disturbance of acid sulfate soils is reasonably necessary, the generation or release of acid and metal contaminants from acid sulfate soils or potential acid sulfate soils does not have adverse impacts on the natural and built environment and human health.

8.2.1.3 Criteria for assessment

Part A – Criteria for assessable development

Table 8.2.1.3.a – Acid sulfate soils overlay code – assessable development

Performance outcomes	Acceptable outcomes
For assessable development	
Identification and management of acid sulfate soils	
PO1 The extent and location of acid sulfate soils likely to be disturbed is accurately identified.	**AO1.1** No excavation or filling occurs on the site. or **AO1.2** An acid sulfate soils investigation is undertaken. Note - Planning scheme policy - Acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.

Performance outcomes	Acceptable outcomes
PO2 Development avoids disturbing acid sulfate soils or is managed to prevent the release of acid and metal contaminants.	**AO2.1** The disturbance of acid sulfate soils is avoided by: (a) not excavating or otherwise removing soil or sediment identified as containing acid sulfate soils; (b) not permanently or temporarily extracting groundwater that results in the oxygenation of previously saturated acid sulfate soils; (c) not undertaking filling that results in: (i) actual acid sulfate soils being moved below the water table; (ii) previously saturated acid sulfate soils being aerated. Or **AO2.2** The disturbance of acid sulfate soils is undertaken in accordance with an acid sulphate soils management plan and avoids the release of acid and metal contaminants by: (a) neutralising existing acidity and preventing the generation of acid and metal contaminants; (b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment; (c) preventing the in situ oxidation of acid sulfate soils through ground water level management; (d) appropriately treating acid sulphate soils before disposal occurs on or off site; (e) documenting management strategies and reporting requirements in an acid sulfate soils environmental management plan. Note - Planning scheme policy - Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.
PO3 No environmental harm is caused as a result of exposure of acid sulfate soils or potential acid sulfate soils.	**AO3**.1 No acceptable outcomes are provided.

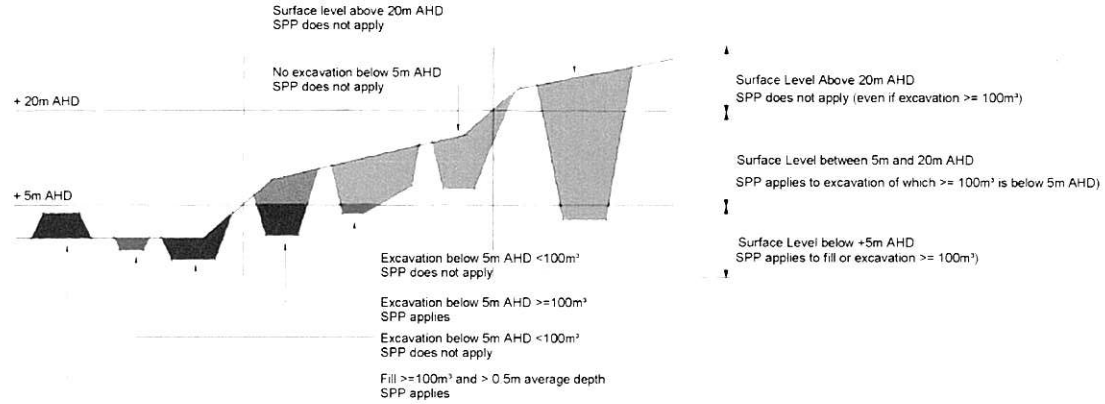

Figure 8.2.1.3.a – Acid sulfate soils

8.2.10 Landscape values overlay code

8.2.10.1 Application

This code applies to assessing development within the Landscape values overlay.

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

8.2.10.2 Context

This section is extrinsic material under section 15 of the Statutory Instruments Act 1992.

The Cairns region is internationally renowned for its outstanding scenery, from the Great Barrier Reef and Wet Tropics World Heritage Areas to the forested hillslopes, rainforests, stunning seascapes, freshwater scenery and canefields. The region's landscapes and natural areas also have important cultural significance for the region's indigenous communities.

The Cairns region coastline is one of the few places in the world where two extensive natural World Heritage Areas meet. The Great Barrier Reef is the world's largest World Heritage Area and the most extensive coral reef system, of exceptional natural beauty. The Wet Tropics rainforest are also world-renowned for their biodiversity and natural beauty. Protection and enhancement of these World Heritage Areas and their biodiversity are aims of the Far North Queensland Regional Plan 2009-2031.

Within the Cairns region are large national park areas where steep mountain ranges with tropical rainforests and waterways meet the Coral Sea along a coastal interface of sandy beaches and rocky headlands. The steep hillslopes behind the generally narrow coastal plain are signature landscape features of the city of Cairns and the region generally, creating a dramatic backdrop of rich green vegetation, frequently with cloud capped ridges and peaks. Views to these natural forested hillslopes contribute significantly to the tourist image of Cairns, especially where viewed in combination with canefields, waterways and the coastline.

The coastline of the Cairns region includes many picturesque sandy beaches, attractive bays and visually prominent headlands, where scenic routes provide opportunities for views of the dramatic and largely natural combination of forested mountains and shoreline. Waterways of high scenic value include rivers and creeks, gorges, waterfalls, rockpools and a lake. Fed by the region's high rain rainfall, freshwater creeks and waterfalls flow from mountainous regions through attractive semi-secluded valleys, into gorges and drain into the major river catchments.

Between the coast and the mountains the rural landscape is characterised by distinctive patterns of canefields and other rural production areas, and this rural character is an important part of the region's scenic landscape values.

Numerous lookout and scenic route opportunities in the Cairns region offer view to attractive landscape features, the coastline, Coral Sea and offshore islands. Panoramic or long-distance view corridors are available across a diversity of landscape patterns, including extensive views across canefields and lowlands to distant mountains. The shoreline and seascape scenery is also unusually diverse, ranging from the distinctive Trinity Inlet mudflats and mangroves, to rocky headlands and the azure waters of sandy beaches and islands. The distinctive tropical character and scenic amenity value of these beaches and islands are irreplaceable, and face long term threats from the potential impacts of sea level rise.

Within this scenic context, the Cairns region is also characterised by the distribution and scale of urban areas, and their close visual relationship to the mountains and coastline. Cairns City is the principal centre, with wide streets, large canopied tropical streets and park trees, plus taller buildings and an urban esplanade overlooking the mudflats of Trinity Inlet. The Cairns region is also characterised by its coastal towns and villages and hinterland settlements, each with their own distinct character. There are many attractive places and available views within these settlements such as scenic watercourses, historic buildings, monuments, views and rainforest and water, with many towns framed by a skyline of forested ranges visible from within or from the edges of towns.

The Cairns region is an extensive area of scenic beauty comprised of many natural and rural landscape elements enjoyed by residents and visitors, within close proximity to (and accessible from) the urban area and major routes. Population growth pressures present a challenge to maintain the landscape values that underpin the liveability, cultural significance, tourist image and prosperity of the Cairns region.

8.2.10.3 Purpose

(1) The purpose of the Landscape values overlay code is to ensure that development protects, maintains and enhances the landscape values within the Cairns region.

(2) The purpose of the code will be achieved through the following overall outcomes:
- (a) areas of High landscape value are protected, retained and enhanced;
- (b) areas of Medium landscape value are managed to integrate and limit the visual impact of development;
- (c) the landscape values of the Coastal scenery zone are managed to integrate and limit the visual impact of development;
- (d) development maintains and enhances the significant landscape elements and features which contribute to the cultural significance and distinctive character and identify of the Cairns region;
- (e) ridges and vegetated hillslopes are not developed in a way that adversely impacts on landscape values;
- (f) inland watercourses, forested mountains and coastal landscape character types remain predominantly natural in appearance in order to maintain the region's diverse character and distinctive tropical image, in particular:
  - (i) areas in the coastal landscape character type which are predominantly natural and undeveloped in appearance retain this natural landscape character;
  - (ii) inland watercourses which are predominantly natural and undeveloped in appearance retain this natural landscape character;
  - (iii) the rural character of canfields, grassy hillsides and lowlands landscape character types which are predominantly rural or natural in appearance are maintained.
- (g) landscape values are maintained when viewed from:
  - (i) lookouts;
  - (ii) scenic routes;
  - (iii) gateways;
  - (iv) public places.
- (h) view towards High landscape value areas and the Coral Sea are not diminished;
- (i) development is consistent with the prevailing landscape character of its setting, and is neither visually dominant nor visually intrusive;
- (j) advertising devices do not detract from the landscape values, character types or amenity of an area.

8.2.10.4 Criteria for assessment

Part A – Criteria for assessable development

Table 8.2.10.4.a – Landscape values overlay code – assessable development

Performance outcomes	Acceptable outcomes
For assessable development	
Development within the High landscape value area	
PO1 Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2: (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 5 years of construction; (c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements; (d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality; (e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure; (f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure; (g) extractive industry operations are avoided or screened from view. Note - A visual impact assessment is undertaken in accordance with Planning scheme policy – Landscape values in satisfaction of a performance outcome	**AO1.1** Buildings and structures are not more than 8.5 metres and 2 storeys in height. Note - Height is inclusive of the roof height. **AO1.2** Buildings and structures are setback not less than 50 metres from ridgelines or peaks. **AO1.3** Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer. **AO1.4** Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the site. **AO1.5** The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette. Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow. **AO1.6** No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%). **AO1.7** Where for accommodation activities or reconfiguration of a lot involving 5 or more dwellings or 5 or more new lots in a High landscape value area development demonstrates that the height, design, scale, position on site, proposed construction materials and external finishes are compatible with the landscape values. Note - A visual impact assessment undertaken in accordance with Planning scheme policy – Landscape values may be required. **AO1.8** Advertising devices do not occur.

Performance outcomes	Acceptable outcomes
Development within the Medium landscape value area	
PO2 Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2: (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) Is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 5 years of construction; (c) Retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements; (d) Incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality; (e) Avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure; (f) Avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure; (g) Extractive industry operations are avoided or screened from view. Note - A visual impact assessment is undertaken in accordance with Planning scheme policy – Landscape values in satisfaction of performance outcomes.	**AO2.1** Buildings and structures are not more than 8.5 metres and 2 storeys in height. Note - Height is inclusive of the roof height. **AO2.2** Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer. **AO2.3** Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the site. **AO2.4** The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette. Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow. **AO2.5** No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%). **AO2.6** Advertising devices do not occur.
Development with a scenic buffer area	
PO3 Development within a Scenic buffer area as identified on the Landscape values overlay maps contained in Schedule 2: (a) retains visual access to views of the surrounding landscape, the sea and other water bodies;	**AO3.1** Where within a Scenic buffer area the height of buildings and structures is not more than identified within the acceptable outcomes of the applicable zone code. **AO3.2** No clearing of native vegetation is undertaken within a scenic buffer area.

Performance outcomes	Acceptable outcomes
(b) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors; (c) incorporates building materials and external finishes that are compatible with the scenic amenity and the landscape character; (d) Minimises visual impacts on the setting and views in terms of: (i) The scale, height and setback of buildings; (ii) The extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways; (iii) The scale, extent and visual prominence of advertising devices. Note - A visual impact assessment is undertaken in accordance with Planning scheme policy – Landscape values in satisfaction of a performance outcomes	**AO3.3** Where within a Scenic buffer area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres or landscaped in accordance with the requirements of the landscaping code. **AO3.4** Development does not result in the replacement of or creation of new, additional, or enlarged advertising devices.
Development within the coastal scenery zone	
PO4 The landscape values of the Coastal scenery zone as identified on the Landscape values overlay maps contained in Schedule 2 are managed to integrate and limit the visual impact of development. Note - A visual impact assessment is undertaken in accordance with Planning scheme policy – Landscape values in satisfaction of a performance outcomes	**AO4.1** The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore. **AO4.2** Where located adjacent to the foreshore buildings and structures are setback: (a) Where no adjoining development, a minimum of 50 metres from the coastal high water mark and the setback area is landscaped with a native vegetation buffer that has a minimum width of 10 metres; or (b) Where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures, but not less than 10m from the coastal high water mark. The setback area is landscaped in accordance with the requirements of the landscaping code but may allow areas for pedestrian and vehicle access. **AO4.3** Where separated from the foreshore by land contained within public ownership (e.g. unallocated State land, esplanade or other public open space), buildings and structures area setback: (a) where no adjoining development, a minimum of 6 metres from the coastward property boundary. The setback area is landscape in accordance with the requirements of

Performance outcomes	Acceptable outcomes
	the landscaping code but may allow for areas for pedestrian and vehicle access; or (b) Where there is adjoining development, setbacks will be consistent with that of adjoining . The setback area is landscaped in accordance with the requirements of the landscaping code.
PO5 Development is to maximise opportunities to maintain and/or enhance natural landscape values through the maintenance and restoration of vegetated buffers between development and coastal waters where practicable. Note - A visual impact assessment is undertaken in accordance with Planning scheme policy – Landscape values in satisfaction of a performance outcomes	**AO5.1** No clearing of native vegetation is undertaken within a Coastal scenic area, except for vegetation damage undertaken in accordance with the Vegetation management code.

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	
PO1 Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and instream habitat values and connectivity; (f) instream migration	**AO1.1** Development does not occur on the part of the lot affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.11.3.b.
Waterways and waterway corridor areas for Urban waterways 'B'	
PO2 Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and instream habitat values and connectivity; (f) instream migration	**AO2.1** Where a waterway is contained within an easement or reserve for the purpose, development does not occur within the easement or reserve; or **AO2.2** Development does not occur on the part of the lot affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.11.3.b.
For assessable development	
Biodiversity areas	
PO3 Development does not cause adverse direct or indirect impacts on biodiversity values. 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.	**AO3.1** Development within a biodiversity area is avoided; or **AO3.2** Where development cannot be avoided, development ensures adverse impacts on biodiversity values do not occur by: (a) designing, siting, operating and managing development to: (i) be situated within existing cleared areas, including necessary fire management infrastructure and fire breaks; (ii) ensure unrestricted fauna

Performance outcomes	Acceptable outcomes
	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. (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	
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.	**AO4.1** No acceptable outcomes are provided. 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.
Declared fish habitat areas and fish habitat buffer areas	
PO5 Development does not cause adverse impacts on fish habitat values. 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	**AO5.1** Development ensures adverse impacts on fish habitat values are avoided by designing, siting, operating and managing development to: (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	
PO6 Development does not occur within a wetland.	**AO6.1** No acceptable outcomes are provided.
PO7 Development is set back from wetlands to maintain water quality, ecological and hydrological functions and values of wetlands and their receiving waters. Note - Planning scheme policy – Natural environment is applicable.	**AO7.1** Development is set back from wetlands in accordance with Table 8.2.11.3.c; or **AO7.2** Where an alternative buffer is proposed, the width of the alternative buffer is supported by an evaluation of the environmental values,

Performance outcomes	Acceptable outcomes
	functioning and threats to the wetland.
PO8 Wetlands and wetland buffer areas are maintained, protected and restored. Note - Wetland buffer areas are identified within Table 8.2.11.3.c.	**AO8.1** Native vegetation within wetlands and wetland buffer areas is retained. **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.
Waterways and waterway buffer areas	
PO9 Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and instream habitat values and connectivity; (f) instream migration. Note - Planning scheme policy – Natural environment is applicable.	**AO9.1** Waterway corridors are provided adjacent to waterways in accordance with the requirements of Table 8.2.11.3.b. or **AO8.2** 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: (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. **AO9.3** Development, other than Community infrastructure or open space is not located within a waterway or waterway corridor.
Additional requirements for Urban waterway 'A' and Non-urban waterway	
PO10 Waterways and waterway corridors are protected, and degraded areas are restored and waterways and waterway corridors transferred to public ownership.	**AO10.1** Native vegetation within waterways and waterway corridors is retained. **AO10.2** Waterway corridors are: (a) transferred to public ownership for an appropriate reserve purpose; or (b) protected through an Environmental Covenant. **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. **AO10.4** The lowest intensity of development is located adjacent to the waterway corridor.

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'	10 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 within the Overlay mapping contained in Schedule 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.