

8.2.4 Biodiversity areas overlay code

8.2.4.1 Application

1. This code applies to assessing development in the Biodiversity areas overlay, if:
 - a. assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for an overlay (section 5.10); or
 - b. impact assessable development.
2. Land in the Biodiversity areas overlay is identified on the Biodiversity areas overlay map and is included in the following sub-categories:
 - a. High ecological significance sub-category;
 - b. High ecological significance strategic sub-category;
 - c. General ecological significance sub-category;
 - d. General ecological significance strategic sub-category;
 - e. Koala habitat area sub-category.
 - f. Matters of state environmental significance sub-category.
3. When using this code, reference should be made to section 1.5 and section 5.3.3.
4. A neighbourhood plan code may vary the application of this code. Where that occurs, the neighbourhood plan code prevails to the extent it varies from this code.

Note—The following purpose, overall outcomes, performance outcomes and acceptable outcomes comprise the assessment benchmarks of this code.

Note—Where this code includes performance outcomes or acceptable outcomes that relate to:

- ecological assessment, koala habitat or development design, guidance is provided in the Biodiversity areas planning scheme policy;
- wildlife movement solutions, guidance is provided in the Infrastructure design planning scheme policy;
- an environmental offset, guidance is provided in the Offsets planning scheme policy.

Note—Biodiversity areas mapping:

- The Biodiversity areas overlay mapping includes areas with both existing biodiversity values and areas of strategic biodiversity value.
- The Biodiversity areas overlay mapping has been undertaken on a city-wide scale. Ecological assessments may be appropriate in order to assess the broader impact of development on desired biodiversity values and outcomes for the locality, area or the region. Such an assessment may be considered as part of relevant information in revision and refinement of the biodiversity outcomes in the locality.
- In such cases the revision and refinement of biodiversity outcomes may be dealt with as part of the development proposal. Prior to undertaking such an assessment, discussions should be undertaken with Council to identify existing and planned biodiversity values for the site. In undertaking the assessment and proposing alternate outcomes, the existing values and planned biodiversity outcomes for the site, area, locality and region must be considered and provided for. This assessment should also address the practicality, based on the extent of existing developments, of being able to achieve the planned biodiversity values and outcomes for the site.

Note—In accordance with the *Environmental Offsets Act 2014*, environmental offsets as identified in performance outcome PO9 and acceptable outcome AO9 of this code will be applicable only where development will or is likely to have a significant residual impact on matters of local environmental significance or matters of State environmental significance and all reasonable on-site mitigation measures for the development have been, or will be, undertaken.

8.2.4.2 Purpose

1. The purpose of the Biodiversity areas overlay code is to:
 - a. Implement the policy direction in the Strategic framework, in particular:
 - i. Theme 3: Brisbane’s clean and green leading environmental performance and Element 3.1 – Brisbane’s environmental values;
 - ii. Theme 5: Brisbane’s CityShape and Element 5.6 – Brisbane’s Greenspace System.
 - b. Provide for the assessment of the suitability of development in the Biodiversity areas overlay.
 - c. Provide for the protection, avoidance or mitigation of impacts to matters of local environmental significance and matters of state environmental significance.
2. The purpose of the code will be achieved through the following overall outcomes:
 - a. Conservation, consolidation, connection and restoration of the network of lands with in-situ values or areas of strategic biodiversity value within Brisbane.
 - b. Protection and enhancement of waterways and foreshores with significant biodiversity values.
 - c. Protection and enhancement of wetlands with significant biodiversity values and their hydrological value and water-cleaning functions.
 - d. Protection, enhancement and restoration of koala habitat and the facilitation of safe koala movement to assist in the long-term retention of a viable koala population within South East Queensland.
 - e. Avoidance of impacts to biodiversity values, ecological features and ecological processes through the placement of development within a development footprint plan.
 - f. All reasonable on-site measures to avoid and mitigate impacts on biodiversity values from the development have been, or will be, undertaken.
 - g. Provision for environmental offsets that achieve an equivalent environmental outcome, where development will or is likely to have a significant residual impact on matters of local environmental significance or matters of State environmental significance.

8.2.4.3 Performance outcomes and acceptable outcomes

Table 8.2.4.3.A—Performance outcomes and acceptable outcomes

Performance outcomes	Acceptable outcomes	Comments
Section C		
If a site is wholly or partly in the High ecological significance sub-category or the High ecological significance strategic sub-category		
PO4 Development ensures that ecological features and ecological processes, koala habitat trees, areas of strategic biodiversity value, waterways and wetlands within the High ecological significance sub-category or the High ecological significance strategic sub-category are protected, conserved and restored to ensure the	AO4.1 Development: a. ensures that the development footprint, including roads, services, stormwater management infrastructure, any associated filling or excavation works and any fire management access and buffers, are located wholly outside the High ecological	Complies with AO4.1 – refer to the arborist report and updated engineer reports and plans.

<p>area's long-term viability. Note—Where proposing development within the High ecological significance sub-category, the High ecological significance strategic sub-category, the General ecological significance sub-category or the General ecological significance strategic sub-category, refer to section 8.2.4.1 Application of this code with regard to satisfying the Purpose of the code and this performance outcome. The proposed solution must provide the same level of service without significant disruption of biodiversity values or outcomes.</p>	<p>significance sub-category or the High ecological significance strategic sub-category; or b. complies with AO4.2, AO4.3 and AO4.4.</p> <p>AO4.2 Development ensures that the development footprint, design and layout are informed by an ecological assessment which:</p> <ul style="list-style-type: none"> a. identifies and evaluates biodiversity values, ecological features (including significant vegetation communities listed in Table 8.2.4.3.B, significant flora species listed in Table 8.2.4.3.C, or significant fauna species listed in Table 8.2.4.3.D), koala habitat trees, areas of strategic biodiversity value, waterways and wetlands; b. identifies the likely impacts of the development to biodiversity; c. outlines how any potential impacts on biodiversity will be avoided and mitigated. <p>Note—Guidance on completing an ecological assessment, development design and identifying koala habitat are included in the Biodiversity areas planning scheme policy.</p>	
	<p>AO4.3 Development ensures that the development footprint, design and layout conserves ecological features (including significant vegetation communities listed in Table 8.2.4.3.B, significant flora species listed in Table 8.2.4.3.C, or significant fauna species listed in Table 8.2.4.3.D), koala habitat trees and wetlands in a spatial configuration which:</p> <ul style="list-style-type: none"> a. conserves areas within the High ecological significance sub-category or the High ecological significance strategic sub-category that connect habitat or areas of strategic biodiversity value which have the capacity to connect habitat upon being restored; 	

	<ul style="list-style-type: none">b. maximises the size and consolidates areas to be conserved for biodiversity purposes on site and in combination with adjoining sites;c. provides connectivity between areas to be conserved for biodiversity purposes on site and with adjoining sites;d. minimises the edge-to-area ratio of areas to be conserved for biodiversity purposes to limit edge effects;e. minimises fragmentation by infrastructure;f. includes a single development footprint plan for each new residential lot to be created which is:<ul style="list-style-type: none">i. 1000m² or less where on a lot in the Low density residential zone, the Low-medium density residential zone, the Medium density residential zone, the High density residential zone or the Character residential zone;ii. 2500m² or less where on a lot in the Environmental management zone, the Conservation zone, the Emerging community zone, the Rural zone or the Rural residential zone;g. excludes filling or excavation from areas to be conserved for biodiversity, except where it is directly associated with habitat restoration. <p>Note—Guidance on development design is included in the Biodiversity areas planning scheme policy.</p>	
	<p>AO4.4 Development is designed to minimise edge effects by locating land uses compatible with the long-term preservation of biodiversity adjacent to areas within the High ecological significance sub-category or the High ecological significance strategic sub-category, including:</p> <ul style="list-style-type: none">a. esplanade roads and pathways;b. landscaping or habitat restoration areas consisting	

	<p>of local indigenous plant species; c. open space land uses; d. employee or communal recreation areas; e. stormwater management infrastructure where adopting water sensitive urban design solutions. Note—Guidance on development design to minimise edge effects is included in the Biodiversity areas planning scheme policy.</p>	
<p>If a site is wholly or partly in the High ecological significance sub-category or the High ecological significance strategic sub-category, where involving a new road</p>		
<p>PO5 Development for a road is designed and constructed to facilitate the safe movement of native fauna.</p>	<p>AO5 Development incorporates location-specific wildlife movement solutions, on any roads which dissect an area within the High ecological significance sub-category or the High ecological significance strategic sub-category. Note—Locations for wildlife movement solutions may be indicated on the Streetscape hierarchy overlay mapping. Guidance on wildlife movement infrastructure is included in the Infrastructure design planning scheme policy</p>	<p>Not applicable – none of the new road dissects environmentally mapped areas.</p>
<p>If a site is wholly or partly in the General ecological significance sub-category or the General ecological significance strategic sub-category</p>		
<p>PO6 Development ensures that ecological features and ecological processes, koala habitat trees, areas of strategic biodiversity value and wetlands within the General ecological significance sub-category or the General ecological significance strategic sub-category area are protected, conserved and restored to ensure the area's long-term viability. Note—Where proposing development within the High ecological significance sub-category, the High ecological significance strategic sub-category, the General ecological significance sub-category or the General ecological significance strategic sub-category, refer to section 8.2.4.1 Application of this code with regard to satisfying the Purpose of the code and this performance outcome. The proposed solution must</p>	<p>AO6.1 Development: a. ensures that the development footprint including roads, services, stormwater management infrastructure, any associated filling or excavation works and any fire management access and buffers, are located wholly outside the General ecological significance sub-category or the General ecological significance strategic sub-category; or b. Complies with AO6.2 and AO6.3</p> <p>AO6.2 Development ensures that the development footprint, design and layout are informed by an ecological</p>	<p>Not applicable – site is not mapped within the general ecological significance strategic sub-category.</p>

<p>provide the same level of service without significant disruption of biodiversity values or outcomes.</p>	<p>assessment which:</p> <ul style="list-style-type: none">a. identifies and evaluates biodiversity values, ecological features (including significant vegetation communities listed in Table 8.2.4.3.B, significant flora species listed in Table 8.2.4.3.C, or significant fauna species listed in Table 8.2.4.3.D), koala habitat trees, areas of strategic biodiversity value, waterways and wetlands;b. identifies the likely impacts of the development to biodiversity;c. outlines how any potential impacts on biodiversity will be avoided and mitigated. <p>Note—Guidance on completing an ecological assessment, development design and identifying koala habitat are included in the Biodiversity areas planning scheme policy.</p> <hr/> <p>AO6.3 Development ensures that the development footprint, design and layout conserves ecological features (including significant vegetation communities listed in Table 8.2.4.3.B, significant flora species listed in Table 8.2.4.3.C, or significant fauna species listed in Table 8.2.4.3.D), koala habitat trees, waterways and wetlands in a spatial configuration which:</p> <ul style="list-style-type: none">a. maximises the size and consolidates areas of strategic biodiversity value to be conserved for biodiversity purposes on site and in combination with adjoining sites;b. maximises connectivity between areas to be conserved for biodiversity purposes on site and with adjoining sites;c. minimises the edge-to-area ratio of areas to be conserved for biodiversity purposes to limit edge effects;d. minimises fragmentation by infrastructure;e. includes a single development footprint plan for each new residential lot to be created which is:	
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	<ul style="list-style-type: none"> i. 1000m² or less where on a lot in the Low density residential zone, the Low-medium density residential zone, the Medium density residential zone, or the Character residential zone; or ii. 2500m² or less where on a lot in the Environmental management zone, the Conservation zone, the Emerging community zone, the Rural zone or the Rural residential zone; f. excludes filling or excavation from areas to be conserved for biodiversity except where it is directly associated with habitat restoration or revegetation works. <p>Note—Guidance on development design is included in the Biodiversity areas planning scheme policy.</p>	
<p>If a site is wholly or partly in the Koala habitat area sub-category, where not in the High ecological significance sub-category, High ecological significance strategic sub-category, General ecological significance sub-category or General ecological significance strategic sub-category</p>		
<p>PO7 Development is located and designed to protect and enhance koala habitat by:</p> <ul style="list-style-type: none"> a. reducing threats to resident and transient koalas; b. protecting the maximum number of non-juvenile koala habitat trees in the Koala habitat area sub-category; c. consolidating and maximising the size of areas to be conserved on site and in combination with adjoining sites; d. minimising the edge-to-area ratio of areas to be conserved, to limit edge effects; e. providing connectivity and safe koala movement between koala habitat areas. 	<p>AO7.1 Development ensures that the development footprint, design and layout, including roads, are informed by an ecological assessment which identifies koala habitat trees, movement corridors and the likely impacts to koala habitat as a result of the development. Note—Guidance on identifying koala habitat, completing an ecological assessment and designing development to protect koalas is included in the Biodiversity areas planning scheme policy.</p> <p>AO7.2 Development ensures that the development footprint, design and layout:</p> <ul style="list-style-type: none"> a. protects non-juvenile koala habitat trees; b. maximises the size and consolidates areas to be conserved as koala habitat on site and in 	<p>Not applicable – site is not mapped within the Koala habitat area sub-category.</p>

<p>f. minimising fragmentation by infrastructure, particularly roads; g. excluding filling or excavation from areas to be conserved.</p> <p>Note—Guidance on identifying koala habitat is included in the Biodiversity areas planning scheme policy. Note—Where proposing development within the High ecological significance sub-category, the High ecological significance strategic sub-category, the General ecological significance sub-category or the General ecological significance strategic sub-category, refer to section 8.2.4.1 Application of this code with regard to satisfying the Purpose of the code and this performance outcome. The proposed solution must provide the same level of service without significant disruption of biodiversity values or outcomes.</p>	<p>combination with adjoining sites; c. maximises connectivity between non-juvenile koala habitat trees which will be conserved on site and with adjoining sites; d. excludes filling or excavation from the tree protection zone of non-juvenile koala habitat trees. Refer to Figure b.</p>	
<p>PO8 Development design and layout facilitates the safe movement of koalas through the landscape.</p>	<p>AO7.3 Development ensures that landscaping and open space areas incorporate koala habitat trees.</p> <p>AO8.1 Development ensures that fencing or other barriers are designed to allow safe koala movement, and to exclude koalas from areas containing domestic or security dogs. Note—Guidance on designing development to protect koalas is included in the Biodiversity areas planning scheme policy.</p> <p>AO8.2 Development incorporates infrastructure solutions which facilitate the movement of koalas across a road which dissects bushland within the Koala habitat area sub-category. Note—Guidance on wildlife movement solutions suited to use by koalas is included in the Biodiversity areas planning scheme policy. Note—Further guidance on wildlife movement solutions is included in the Infrastructure design planning scheme policy.</p>	
<p>If a site is wholly or partly located in the High ecological significance sub-category, the High ecological significance strategic sub-category, the General ecological significance sub-category or the General ecological significance strategic sub-category, other than for a dwelling house</p>		
<p>PO9 Development which has or is likely to have a significant residual impact on a matter of State environmental significance or a matter of local environmental</p>	<p>AO9 No acceptable outcomes is prescribed.</p>	<p>Complies – all development will occur outside of the mapped vegetation area, with protection measures to be implemented during construction (refer to arborist report).</p>

significance, after all reasonable on-site mitigation measures have been or will be undertaken, provides an environmental offset.

Note— Environmental offsets are provided in compliance with the Queensland environmental offsets framework and the Offsets planning scheme policy.

