

## PLANNING SCHEME POLICY NO. 12

### Biodiversity

#### 1 Introduction

##### 1.1 Purpose

The purpose of this Planning Scheme Policy is to provide guidance regarding compliance with the Code for Nature Conservation and Biodiversity in the assessment of relevant development applications under Maroochy Plan 2000. This guidance is based on the outcomes of the Maroochy Biodiversity Strategy.

##### 1.2 Applicability

This Policy applies to any code- or impact-assessable development application requiring assessment against the Code for Nature Conservation and Biodiversity. Applicable developments are outlined in the Tables of Development Assessment (Sections 4-6 of Volume 1).

##### 1.3 Abbreviations

**BAMM:** Biodiversity Assessment and Mapping Methodology

**CAR:** Comprehensive, adequate and representative

**DEO:** Desired environmental outcome<sup>1</sup>

**DNRM:** Department of Natural Resources and Mines

**EVR:** Endangered, vulnerable or rare species according to the *Nature Conservation Act 1992* or the *Commonwealth Environmental Protection & Biodiversity Conservation Act 1999*

**IPA:** *Integrated Planning Act 1997*

**RE:** Regional Ecosystem

##### 1.4 Reference

*Maroochy Biodiversity Strategy*, Ecotone Environmental Services, EConcern & Paul Summers Planning Strategies 2006

<sup>1</sup> For the purposes of this Policy, the term DEOs refers only to DEOs outlined in Map 1 and Table 1, and not those under Maroochy Plan 2000. It is noted however that compliance with these DEOs will assist in achieving compliance with those of Maroochy Plan 2000.

## 2 Development Assessment Considerations

This section of the Policy outlines development assessment considerations for compliance with the Code for Nature Conservation and Biodiversity.

### 2.1 Impact- or Code-Assessable Applications under Chapter 3 of the IPA

- (a) In determining impact- or code-assessable applications lodged prior to commencement of this Policy, Council will:
- (i) Determine applications on the basis of compliance with the Code for Nature Conservation and Biodiversity; and
  - (ii) If commencement of this Policy is:
    - (1) Before the day the decision stage for the application started; or
    - (2) If the decision stage has stopped – before the day the decision stage is restarted:

Give weight to the extent it considers appropriate:

    - (1) Provision of clear protection and enhancement of the Critical and Irreplaceable Values depicted on Map 2; and
    - (2) Consistency with the DEOs depicted on Map 1 and explained in Table 1; or
  - (iii) If commencement of this Policy is:
    - (1) After the day the decision stage for the application started; or
    - (2) If the decision stage has stopped – after the day the decision stage is restarted:

Exclude specific consideration of the DEOs depicted on Map 1 and explained in Table 1, and the Critical and Irreplaceable Values depicted on Map 2. However, this Policy does not prevent Council negotiating improved biodiversity outcomes, particularly to maximise protection and enhancement of the Critical and Irreplaceable Values depicted on Map 2.
- (b) In determining impact- or code-assessable applications lodged after commencement of this Policy, Council will seek development outcomes that:
- (i) Provide clear protection and enhancement of the Critical and Irreplaceable Values depicted on Map 2;
  - (ii) Are consistent with the DEOs depicted on Map 1 and explained in Table 1; and
  - (iii) Comply with the provisions of the Code for Nature Conservation and Biodiversity.

**2.2 Applications to Change Approvals or Conditions under Sections 3.5.24 or 3.5.33 of the IPA**

In determining applications for changes to approvals or conditions, Council will have regard to the matters Council considered in the original application, as outlined in Section 2.1 of this Policy.

**2.3 Applications to Extend Currency Periods under Section 3.5.22 of the IPA**

Irrespective of the date of the original approval of the application, Council will seek development outcomes that:

- (a) Provide clear protection and enhancement of the Critical and Irreplaceable Values depicted on Map 2;
- (b) Are consistent with the DEOs depicted on Map 1 and explained in Table 1; and
- (c) Comply with the provisions of the Code for Nature Conservation and Biodiversity.

To achieve these outcomes, the applicant may seek a concurrent application to change the approval or conditions under Sections 3.5.24 or 3.5.33 of the IPA.

Table 1: Biodiversity Desired Environmental Outcomes (Depicted on Map 1)

DESIRED ENVIRONMENTAL OUTCOME	BIODIVERSITY ATTRIBUTE
<p><b>DEO 1</b> This land should:</p> <p>(a) Have any potential for broad-acre development<sup>2</sup> removed;</p> <p>(b) Be reserved under the CAR reserve system where ecologically viable and where satisfying CAR principles; and</p> <p>(c) Be buffered from potentially impacting peripheral land use.</p>	<p>Endangered vegetation within a habitat core</p> <p>Endangered vegetation within a habitat mosaic</p> <p>Endangered vegetation outside a habitat core</p> <p>Endangered vegetation outside a habitat core or mosaic</p> <p>Of concern vegetation within a habitat core</p> <p>Not of concern vegetation within a habitat core</p>
<p><b>DEO 2</b> This land should be further investigated to determine which areas may serve as compensatory habitat for loss of DEO 1 lands to development. Land that can serve as compensatory habitat should:</p> <p>(a) Have any potential for broad-acre development<sup>4</sup> removed;</p> <p>(b) If committed as compensatory habitat, be reserved under a CAR reserve system where ecologically viable and satisfying CAR principles; and</p> <p>(c) Be buffered from potentially impacting peripheral areas.</p>	<p>Regrowth vegetation within a habitat core</p>
<p><b>DEO 3</b> For the larger habitat cores of the Mary Valley and Ranges landscape element (C06a, C07a, C10a, C15a and C17a), land should:</p> <p>(a) Be retained for low intensity development focussed on strategically less significant areas not amounting to a proportion of more than 5% of the overall area of the particular habitat core; and</p> <p>(b) Be retained for revegetation and rehabilitation purposes.</p> <p><b>DEO 4</b> For habitat cores not included in DEO 3 above<sup>3</sup>, the land should be retained for revegetation and rehabilitation purposes</p>	<p>Non-remnant or non-regrowth within a habitat core</p>

<sup>2</sup> e.g. urban and rural settlement, agriculture and forestry.

<sup>3</sup> i.e. Smaller habitat cores of the Ranges and Mary Valley and habitat cores in the Midlands and Coastal landscape elements. These cores are of lower ecological viability due to smaller size; linear or convoluted shape; and pressures from adjacent high impact land use and could not support additional pressure from more intense development. The non-remnant and non-regrowth vegetation areas within these cores need to be revegetated and rehabilitated to bolster core viability.

<sup>4</sup> Section 7.4 of the Biodiversity Strategy.

DESIRED ENVIRONMENTAL OUTCOME	BIODIVERSITY ATTRIBUTE
<p><b>DEO 5</b> This land should:</p> <p>(a) Have any potential for broad-acre development<sup>4</sup> removed from:</p> <ul style="list-style-type: none"> <li>(i) Remnant vegetation patches within 500m of habitat cores;</li> <li>(ii) Remnant vegetation patches adjacent to endangered REs;</li> <li>(iii) Remnant vegetation patches in the habitat mosaic where they form part of a defined linkage; and</li> <li>(iv) Remnant vegetation patches that have been identified as having particularly significant biodiversity values, comprising:                             <ul style="list-style-type: none"> <li>• Core habitat for EVR species (BAMM Criterion A-very high);</li> <li>• Local endangered REs (BAMM Criterion B3);</li> <li>• Threshold of concern REs (as identified by DNRM);</li> <li>• Local threshold of concern REs (refer analysis in s7.4<sup>4</sup>);</li> <li>• Very high local relative ecosystem size (BAMM Criterion D3);</li> <li>• Very high ecosystem diversity (BAMM Criterion F);</li> <li>• Very high context and connection (BAMM Criterion G); and</li> <li>• Any other remnant vegetation tracts that are larger than 2ha in area.</li> </ul> </li> </ul> <p>(b) Be supported by strategic rehabilitation of non-vegetated areas within the mosaic that:</p> <ul style="list-style-type: none"> <li>(i) Form part of a defined linkage; or</li> <li>(ii) Buffer remnant vegetation identified as having particularly significant biodiversity values [as defined by DEO 5(a)(iv) above].</li> </ul> <p><b>DEO 6</b> In areas where the potential for broad-acre development<sup>4</sup> is retained and exercised, compensatory habitat should be provided in habitat cores or mosaics and focus on areas to be revegetated and rehabilitated under DEO 3 above and strategic rehabilitation under DEO 5 above.</p>	<p>Of concern vegetation within a habitat mosaic</p> <p>Not of concern vegetation within a habitat mosaic</p>
<p><b>DEO 7</b> This land should have any potential for broad-acre development<sup>4</sup> removed from threshold bioregional of concern REs and threshold local of concern REs. Such threshold areas should:</p> <ul style="list-style-type: none"> <li>(a) Be reserved under a CAR reserve system where ecologically viable and where satisfying CAR principles; and</li> <li>(b) Be buffered from potentially impacting peripheral land use.</li> </ul>	<p>Of concern vegetation outside a habitat core or mosaic</p>
<p><b>DEO 8</b> This land should be further investigated to determine which areas may serve as compensatory habitat for loss of DEO 5 and DEO 6 lands to development. Land that can serve as compensatory habitat should have any potential for broad-acre development<sup>4</sup> removed.</p>	<p>Regrowth vegetation within a habitat mosaic</p>

DESIRED ENVIRONMENTAL OUTCOME	BIODIVERSITY ATTRIBUTE
<p><b>DEO 9</b> This land should:</p> <p>(a) Be retained for revegetation and rehabilitation purposes where it:</p> <ul style="list-style-type: none"> <li>(i) Occurs within 100m of a habitat core;</li> <li>(ii) Forms part of a defined linkage;</li> <li>(iii) Occurs within 50m of remnant vegetation identified as having particularly significant biodiversity values [as defined by DEO 5(a)(iv) above]; or</li> <li>(iv) Occurs within 50m of any other remnant vegetation tract greater than 2ha in area; and</li> </ul> <p>(b) Be retained for low intensity development.</p>	<p>Non-remnant and non-regrowth areas within a habitat mosaic</p>
<p><b>DEO 10</b> This land should retain development outcomes that result in moderate-low and low threats.</p>	<p>Remnant (not habitat specific)</p> <p>Regrowth (not habitat specific)</p> <p>Non-remnant and non-regrowth areas (not habitat specific)</p>