Division 1 - Acid Sulfate Soils Overlay

5.1.1 Introduction

(1) This division contains the provisions for the Acid Sulfate Soils Overlay. They are -

(a) The Acid Sulfate Soils Overlay Tables of Assessment, that incorporates -
(i) Levels of assessment for development in the Acid Sulfate Soils Overlay (section 5.1.2);
(ii) Assessment criteria for development in the Acid Sulfate Soils Overlay (section 5.1.3);
(iii) Acid Sulfate Soils Overlay - Table of Assessment for Material Change of Use of Premises (section 5.1.4);
(iv) Acid Sulfate Soils Overlay - Table of Assessment for Other Development not associated with a Material Change of Use of Premises (section 5.1.5).

(b) The Acid Sulfate Soils Overlay Code, that incorporates -
(i) Compliance with the Acid Sulfate Soils Overlay Code (section 5.1.6);
(ii) Overall Outcomes for the Acid Sulfate Soils Overlay Code (section 5.1.7);
(iii) Acceptable Solutions applicable to Self-Assessable Development (section 5.1.8);
(iv) Specific Outcomes and Probable Solutions applicable to Assessable Development (section 5.1.9).

5.1.2 Levels of assessment for development affected by the Acid Sulfate Soils Overlay

(1) Sections 5.1.4 and 5.1.5 identify the level of assessment for development affected by the Acid Sulfate Soils Overlay, as follows -

(a) section 5.1.4 Acid Sulfate Soils Overlay - Table of Assessment for Making a Material Change of Use of Premises -
(i) column 1 identifies uses that are exempt, self-assessable or assessable;
(ii) column 2 identifies the level of assessment for the uses listed in column 1;
(iii) where the use is defined in Part 9 - Schedule 3 - Dictionary, Division 1 - Uses and is not listed in column 1 it is exempt;
(iv) where the use is not defined in Part 9 - Schedule 3 - Dictionary, Division 1 - Uses and is not listed in column 1 it is code assessable.

(b) section 5.1.5 Acid Sulfate Soils Overlay - Table of Assessment for Other Development not associated with a Material Change of Use of Premises -
(i) column 1 identifies other development that is exempt, self-assessable or assessable;
(ii) column 2 identifies the level of assessment for other development listed in column 1;
(iii) where the other development is not listed in column 1 it is exempt.

(2) Other overlays may alter the level of assessment identified in 1(a) and (b)[5.1].

[5.1] Refer to Part 5 - Overlays to determine the level of assessment for the use or other development where another overlay affects the lot and Part 1, section 1.2.5(10)(f) that explains how the highest level of assessment applies.

5.1.3 Assessment criteria for development in the Acid Sulfate Soils Overlay

(1) Development on a lot affected by the Acid Sulfate Soils Overlay is assessed against the assessment criteria listed in column 3 of sections 5.1.4 and 5.1.5, as follows -

(a) acceptable solutions in section 5.1.8 of the Acid Sulfate Soils Overlay Code for self-assessable development; or

(b) specific outcomes in section 5.1.9 of the Acid Sulfate Soils Overlay Code for assessable development.

(2) Self-assessable development that does not comply with all the acceptable solutions in section 5.1.8 of the Acid Sulfate Soils Overlay Code is assessable development.

5.1.4 Acid Sulfate Soils Overlay - Table of Assessment for Material Change of Use of Premises

Acid Sulfate Soils Overlay - Table of Assessment for Material Change of Use of Premises

column 1	column 2	column 3
Use[5.2]	**Level of Assessment**[5.3]	**Assessment Criteria**
■ Aged Persons and Special Needs Housing ■ Agriculture ■ Airport ■ Animal Keeping ■ Apartment Building ■ Brothel ■ Bulky Goods Showroom ■ Car Wash Facility ■ Cemetery ■ Child Care Centre ■ Commercial Office ■ Community Facility ■ Display and Sale Activity ■ Drive Through Restaurant ■ Dual Occupancy ■ Dwelling House ■ Education Facility ■ Emergency Services ■ Estate Sales Office ■ Extractive Industry ■ Forestry ■ Funeral Parlour ■ Garden Centre ■ General Industry ■ Health Care Centre ■ Heavy Industry ■ Hospital ■ Hotel ■ Indoor Recreation Facility ■ Institution ■ Intensive Agriculture ■ Landscape Supply Depot ■ Marine Services ■ Mobile Home Park ■ Multiple Dwelling ■ Night Club ■ Outdoor Recreation Facility ■ Park ■ Passenger Terminal ■ Place of Worship ■ Produce Store ■ Refreshment Establishment ■ Retail Warehouse ■ Roadside Stall ■ Rural Enterprise ■ Service Industry ■ Service Station ■ Shop	Self-Assessable If complying with the assessment criteria being the acceptable solutions listed in column 3 Code Assessable If not self-assessable	■ Acceptable Solutions in section 5.1.8 of the Acid Sulfate Soils Overlay Code ■ Acid Sulfate Soils Overlay Code

[5.2] See Part 9 - Schedule 3 - Dictionary, Division 1 - Uses for defined uses.
[5.3] See Part 9 - Schedule 3 - Dictionary, Division 2 - Administrative Terms for a definition of level of assessment.

Acid Sulfate Soils Overlay - Table of Assessment for Material Change of Use of Premises

column 1	column 2	column 3
Use[5.2]	**Level of Assessment[5.3]**	**Assessment Criteria**
Continued - ■ Telecommunications Facility ■ Tourist Accommodation ■ Tourist Park ■ Utility Installation ■ Vehicle Depot ■ Vehicle Parking Station ■ Vehicle Repair Premises ■ Veterinary Surgery ■ Warehouse	Self-Assessable If complying with the assessment criteria being the acceptable solutions listed in column 3 Code Assessable If not self-assessable	■ Acceptable Solutions in section 5.1.8 of the Acid Sulfate Soils Overlay Code ■ Acid Sulfate Soils Overlay Code
Defined uses not listed in column 1	Exempt	
Uses not defined in Part 9 - Schedule 3 - Dictionary, Division 1 - Uses	Code Assessable	■ Acid Sulfate Soils Overlay Code

5.1.5 Acid Sulfate Soils Overlay - Table of Assessment for Other Development not associated with a Material Change of Use of Premises

Acid Sulfate Soils Overlay - Table of Assessment for Other Development

column 1	column 2	column 3
Other Development	**Level of Assessment[5.4]**	**Assessment Criteria**
Reconfiguration for -		
Creating lots by subdividing another lot by Standard Format Plan[5.5]	Code Assessable	■ Acid Sulfate Soils Overlay Code
Building Work for -		
■ Domestic Outbuilding ■ Private Tennis Court	Self-Assessable If complying with the assessment criteria being the acceptable solutions listed in column 3 Code Assessable If not self-assessable	■ Acceptable Solutions in section 5.1.8 of the Acid Sulfate Soils Overlay Code ■ Acid Sulfate Soils Overlay Code
Operational Work for -		
■ Excavation and Fill	Self-Assessable If complying with the assessment criteria being the acceptable solutions listed in column 3 Code Assessable If not self-assessable	■ Acceptable Solutions in section 5.1.8 of the Acid Sulfate Soils Overlay Code ■ Acid Sulfate Soils Overlay Code
■ Private Waterfront Structure	Self-Assessable If complying with the assessment criteria being the acceptable solutions listed in column 3 Code Assessable If not self-assessable	■ Acceptable Solutions in section 5.1.8 of the Acid Sulfate Soils Overlay Code ■ Acid Sulfate Soils Overlay Code
Operational Work for Reconfiguring a Lot (by Standard Format Plan)	Code Assessable	■ Acid Sulfate Soils Overlay Code
All other development not listed in column 1	Exempt	

[5.4] See Part 9 - Schedule 3 - Dictionary, Division 2 - Administrative Terms for a definition of level of assessment.
[5.5] Whether or not having a Community Management Statement.

5.1.6 Compliance with the Acid Sulfate Soils Overlay Code

(1) Development that is consistent with the following complies with the Acid Sulfate Soils Overlay Code -

(a) acceptable solutions in section 5.1.8 where self-assessable development; or

(b) specific outcomes in section 5.1.9 where assessable development.

Note -

For guidance on acid sulfate soil investigation and management refer to *State Planning Policy Guideline 2/02 Planning and Managing Development Involving Acid Sulfate Soils*, including Queensland ASS Sampling and ASS Technical Manuals.

5.1.7 Overall Outcomes of the Acid Sulfate Soils Overlay Code

(1) The overall outcomes are the purpose of the Acid Sulfate Soils Overlay Code.

(2) The overall outcomes sought for the Acid Sulfate Soils Overlay Code are the following -

(a) the presence and extent of acid sulfate soils (ASS) are identified and managed in conjunction with uses and other development;

(b) the natural and built environments, including infrastructure and human health, are protected from adverse effects associated with the release of acid and metal contaminants from ASS.

5.1.8 Acceptable Solutions applicable to Self-Assessable Development

Self-Assessable Development	
Acceptable Solutions	
A1.	(1) Where the natural ground level is equal to or below 5 metres Australian Height Datum (AHD) as shown on this overlay map and involves - (a) excavating or otherwise removing **less than** 100m^3 of soil or sediment; or (b) filling of land with **less than** 500m^3 of material, where the average depth of the material is **less than** 500mm; or (2) Where the natural ground level is greater than 5 metres AHD and less than 20 metres AHD as shown on this overlay map and involves – (a) excavating or otherwise removing **less than** 100m^3 of soil or sediment from below the 5-metre AHD level; or (b) filling of land. **Note -** Diagram 1 - Acid Sulfate Soil Affected Areas provides a diagrammatic representation of development that is self-assessable or assessable.

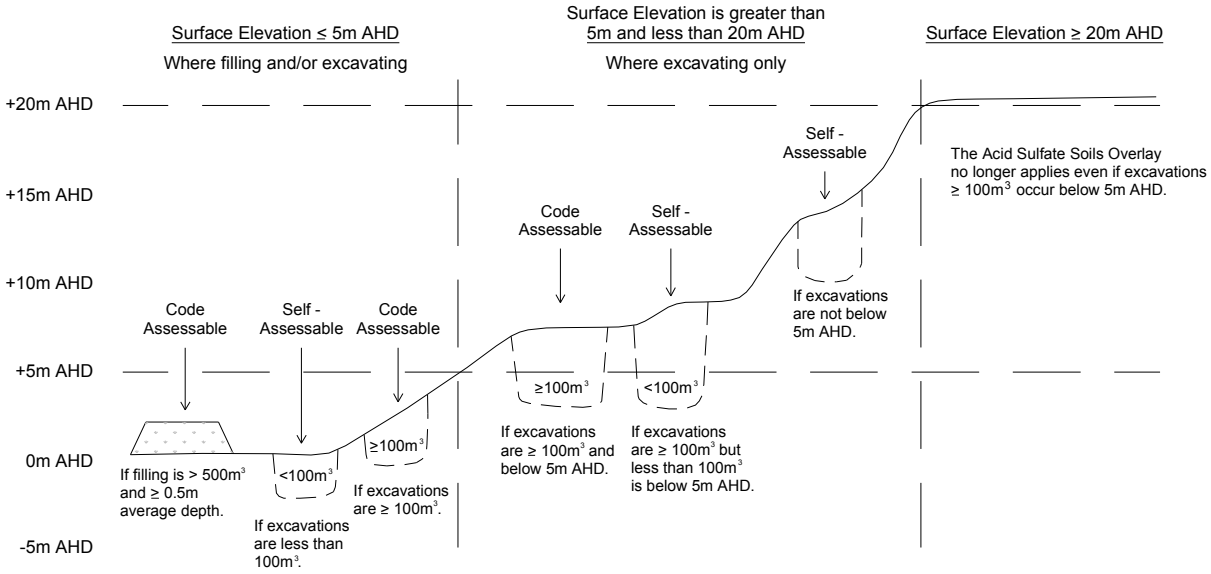
Table 1: Level of Assessment for development scenarios

	Self Assessment	Code Assessment	Acid Sulfate Soil - Code Not Applicable
Land below 5m AHD			
Filling > 500m^3 & ≥ 0.5m average depth		✓	
Filling > 500m^3 & < 0.5m average depth	✓		
Filling ≤ 500m^3 & ≥ 0.5m average depth	✓		
Filling ≤ 500m^3 & < 0.5m average depth	✓		
Excavating ≥ 100m^3		✓	
Excavating < 100m^3	✓		
Land between 5m and 20m AHD			
Filling	✓		
Excavating ≥ 100m^3 below 5m AHD		✓	
Excavating ≥ 100m^3 but less than 100m^3 of material removed is below 5m AHD	✓		
Land over 20m AHD			
Filling			✓
Excavating			✓

KEY
> Greater than
< Less than
≥ Greater than or equal to
≤ Less than or equal to

Note -
Certain activities applicable to the Acid Sulfate Soil Overlay Code may be applicable to other codes in the Redlands Planning Scheme such as the Excavation and Fill Code. In instances where the Acid Sulfate Soil Overlay Code is self assessable, additional codes such as the Excavation and Fill Code may still be applicable.

Diagram 1 - Acid Sulfate Soils Affected Areas



5.1.9 Specific Outcomes and Probable Solutions applicable to Assessable Development

Assessable Development			
Specific Outcomes		**Probable Solutions**	
S1.	ASS Identification - (1) Filling or excavation on a lot or premises where the natural ground level is equal to or below 5 metres Australian Height Datum (AHD) as shown on this overlay map and involves - (a) excavating or otherwise removing **less than** 100m^3 of soil or sediment; or (b) filling of land with **less than** 500m^3 of material, where the average depth of the material is **less than** 500mm; or (2) Filling or excavation on a lot or premises where the natural ground level is between 5 and 20 metres AHD as shown on this overlay map and involves excavating or otherwise removing **less than** 100m^3 of soil or sediment from below the 5 metres AHD level; or **Note -** Compliance with S1.(1) or (2) achieves compliance with this Code. (3) Confirm the presence or otherwise of ASS; (4) Where the presence of ASS is confirmed, identify the location, depth and maximum actual and potential acidity of ASS likely to result from disturbance.	**P1.**	(1) No probable solution identified; or (2) No probable solution identified; or (3) No probable solution identified; (4) No probable solution identified. **Note -** Where there is the likelihood of the presence or otherwise of ASS prepare and submit an Acid Sulfate Soil Investigation Report.
S2.1	ASS Management - (1) Uses and other development do not - (a) excavate or otherwise remove soil or sediment identified as containing ASS; (b) permanently or temporarily extract groundwater that results in the aeration of previously saturated ASS; (c) undertake filling that results in - (i) actual ASS being moved below the water-table; (ii) previously saturated ASS being aerated.	**P2.1**	(1) No probable solution identified. **Note -** Where the presence of ASS is confirmed, prepare and submit an Acid Sulfate Soil Management Report.

Assessable Development			
Specific Outcomes		**Probable Solutions**	
S2.2	(1) Uses and other development are undertaken in a manner that ensures - (a) existing acidity is neutralised; (b) no generation of acid and metal contaminants; (c) no release of surface or groundwater flows containing acid and metal contaminants into the environment.	**P2.2**	(1) No probable solution identified.