

5.10 Levels of assessment - Overlays

The following tables identify where an overlay changes the level of assessment from that stated in a zone or local plan and the relevant assessment criteria.

Note - Where development is proposed on land that is included in more than one overlay that changes the level of assessment, or subject to more than one sub-category within an overlay that changes the level of assessment, the highest level of assessment applies.

5.10.1 Coastal hazard overlay

The table should be read in conjunction with section 5.3 to determine when the assessment levels in this table may be varied by other provisions of this planning scheme.

Table 5.10.1.1 Levels of assessment and assessment criteria for Coastal hazard overlay

| Development | Level of assessment | Assessment criteria |
|---|---|--|
| All aspects of development | | |
| Material change of use, reconfiguring a lot, building work or operational work | Exempt | |
| | If complying with the circumstances for exempt development in Table 1.7.7.1 'Exempt development'. | None |
| Material change of use, reconfiguring a lot, building work or operational work for Park. ⁽⁵⁷⁾ | No change | |
| | In all instances | If self-assessment – the relevant self-assessment outcomes in Table 8.2.1.1 of the 8.2.1 'Coastal hazard overlay code' If code assessment – the 8.2.1 'Coastal hazard overlay code' If impact assessment – The planning scheme. |
| Material change of use for a use in the retail and commercial activities defined activities group or low impact industry activities defined activity group | | |
| Material change of use | No change | |
| | If : a. not in the Limited development zone; b. using an existing building; c. not increasing gross floor area by more than 80m ² ; d. complying with the relevant criteria for self-assessable development. | If self-assessment - the relevant self-assessment outcomes in Part A of Table 8.2.1.1 of the 8.2.1 'Coastal hazard overlay code'. If code assessment – the 8.2.1 8.2.1 'Coastal hazard overlay code' If impact assessment – the Planning Scheme. |
| All other material change of use (MCU) | | |
| Material change of use in the Balance coastal planning area | No change | |
| | In all instances | If self-assessment – the relevant self-assessment outcomes in Table 8.2.1.1 of the 8.2.1 'Coastal hazard overlay code' |

5 Tables of assessment

| Development | Level of assessment | Assessment criteria |
|---|--|--|
| | | <p>If code assessment – the 8.2.1 'Coastal hazard overlay code'</p> <p>If impact assessment – The planning scheme.</p> |
| Material change of use in the Erosion Prone Area | Code assessment | |
| | <p>In all instances</p> <p>Note - If the MCU is impact assessable in the zone or local plan, then the level of assessment is not lowered to code assessment.</p> | 8.2.1 'Coastal hazard overlay code'. |
| Material change of use in the High risk storm tide inundation area. | Code assessment | |
| | <p>If for the following:</p> <ul style="list-style-type: none"> a. Dwelling house⁽²²⁾ where not included in the Limited development zone; or b. Outdoor sport and recreation⁽⁵⁵⁾; or c. Permanent plantation⁽⁵⁹⁾; or d. Cropping⁽¹⁹⁾ (where involving forestry for wood production); or e. Tourist park⁽⁸⁴⁾ where not included in the Limited development zone; or f. Home based business⁽³⁵⁾ where not included in the Limited development zone. <p>Note - If the MCU is impact assessable in the zone or local plan, then the level of assessment is not lowered to code assessment.</p> | 8.2.1 'Coastal hazard overlay code' |
| | Impact assessment | |
| If not code assessment | The planning scheme. | |
| Material change of use in the Medium risk storm tide inundation area. | No change | |
| | <p>If not code assessment or impact assessment as identified below.</p> | <p>If self-assessment – the relevant self-assessment outcomes in Table 8.2.1.1 of the 8.2.1 'Coastal hazard overlay code'</p> <p>If code assessment – the 8.2.1 8.2.1 'Coastal hazard overlay code'</p> <p>If impact assessment – The planning scheme.</p> |
| Code assessment | | |

5 Tables of assessment

| Development | Level of assessment | Assessment criteria |
|--|---|--|
| | <p>If for a residential accommodation building (including a dwelling house⁽²²⁾) where not involving vulnerable land use⁽¹⁰⁰⁾ (flood and coastal)</p> <p>Note - If the MCU is impact assessable in the zone or local plan, then the level of assessment is not lowered to code assessment.</p> | 8.2.1 'Coastal hazard overlay code' |
| Impact assessment | | |
| | If for a vulnerable land use ⁽¹⁰⁰⁾ (flood and coastal). | The planning scheme. |
| Reconfiguring a lot | | |
| Reconfiguring a lot for boundary realignment | No change | |
| | If in the Balance coastal planning area | <p>If self-assessment – the relevant self-assessment outcomes in Table 8.2.1.1 of the 8.2.1 8.2.1 'Coastal hazard overlay code'.</p> <p>If code assessment - the 8.2.1 8.2.1 'Coastal hazard overlay code'.</p> <p>If impact assessment – the planning scheme.</p> |
| | Code assessment | |
| | <p>If in the following:</p> <p>a. High risk storm tide inundation area; or</p> <p>b. Erosion Prone Area; or</p> <p>c. Medium risk storm tide inundation area.</p> | 8.2.1 'Coastal hazard overlay code' |
| Reconfiguring a lot for creating lots by subdividing another lot | No change | |
| | In all circumstances | <p>If code assessment – the 8.2.1 8.2.1 'Coastal hazard overlay code'.</p> <p>If impact assessment – the planning scheme.</p> |
| Operational Work | | |
| Operational work for filling or excavation | Code assessment | |
| | <p>If:</p> <p>a. associated with a material change of use or reconfiguring a lot; or</p> <p>b. in the Balance flood planning area; or</p> <p>c. in the following zones:</p> <p>i. General residential zone; or</p> <p>ii. Centre zone; or</p> | 8.2.1 'Coastal hazard overlay code' |

5 Tables of assessment

| Development | Level of assessment | Assessment criteria |
|--|--|---|
| | iii. Community facilities zone; or iv. Recreation and open space zone; or v. Industry zone; or vi. Township zone; or vii. Emerging community zone. Note - If the operational work is impact assessable in the zone or local plan, then the level of assessment is not lowered to code assessable. | |
| Impact assessment | | |
| | If not code assessment. | The planning scheme. |
| All other operational work | No change | |
| | In all instances | If self-assessment – the relevant self-assessment outcomes in Table 8.2.1.1 of the 8.2.1 'Coastal hazard overlay code'. If code assessment - the 8.2.1 'Coastal hazard overlay code'. If impact assessment – the planning scheme. |
| Building Work | | |
| Building work not associated with a material change of use | No change | |
| | If: a. in the Balance coastal planning area; or b. in the Erosion Prone Area and not increasing gross floor area by more than 50m ² . | If self-assessment – the relevant self-assessment outcomes in Table 8.2.1.1 of the 8.2.1 'Coastal hazard overlay code'. If code assessment - the 8.2.1 'Coastal hazard overlay code'. If impact assessment – the planning scheme. |
| Code assessment | | |
| | If: a. in the Erosion Prone Area and increasing gross floor area by more than 50m ² ; or b. in the following: | 8.2.1 'Coastal hazard overlay code' |

| Development | Level of assessment | Assessment criteria |
|-------------|--|----------------------|
| | i. High risk storm tide inundation area not included in the Limited development zone; or ii. Medium risk storm tide inundation area. Note - If the building work is impact assessable in the zone or local plan, then the level of assessment is not lowered to code assessable. | |
| | Impact assessment | |
| | If in the High risk storm tide inundation area included in the Limited development zone | The planning scheme. |

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MBRC Planning Scheme version 2

5 Tables of assessment

5.10.2 Flood hazard overlay

Table 5.10.2.1 Levels of assessment and assessment criteria for Flood hazard overlay

| Development | Level of assessment | Assessment criteria |
|---|--|--|
| All aspects of development | | |
| Material change of use, reconfiguring a lot, building work or operational work. | Exempt | |
| | If complying with the circumstances for exempt development in Table 1.7.7.1 'Exempt development'. | None |
| Material change of use, reconfiguring a lot, building work or operational work for Park. ⁽⁵⁷⁾ | No change | |
| | In all instances | If self-assessment - the relevant self-assessment outcomes in Table 8.2.2.1 of the 8.2.2 'Flood hazard overlay code'. If code assessment - the 8.2.2 'Flood hazard overlay code'. If impact assessment - The planning scheme. |
| Material change of use for a use in the retail and commercial activities defined activities group or low impact industry activities defined activity group | | |
| Material change of use. | No change | |
| | If: a. not in the Limited development zone; b. using an existing building; c. not increasing gross floor area by more than 80m ² ; d. complying with the relevant criteria for self-assessable development. | If self-assessment - the relevant self-assessment outcomes in Part A of Table 8.2.2.1 of the 8.2.2 'Flood hazard overlay code'. If code assessment – the 8.2.2 'Flood hazard overlay code' If impact assessment – the Planning Scheme. |
| All other material change of use (MCU) | | |
| Material change of use in the Balance flood planning area | No change | |
| | In all instances. | If self-assessment – the relevant self-assessment outcomes in Table 8.2.2.1 of the 8.2.2 'Flood hazard overlay code' If code assessment – the 8.2.2 'Flood hazard overlay code' If impact assessment - The planning scheme |

5 Tables of assessment

| Development | Level of assessment | Assessment criteria |
|--|---|------------------------------------|
| Material change of use in the High risk area. | Code assessment | |
| | If for the following: <ul style="list-style-type: none"> a. Dwelling house⁽²²⁾ where not included in the Limited Development Zone; or b. Home based business where not included in the Limited development zone. c. Outdoor sport and recreation⁽⁵⁵⁾; or d. Permanent plantation⁽⁵⁹⁾; or e. Cropping⁽¹⁹⁾ (where involving forestry and wood production); or f. Tourist park⁽⁸⁴⁾ where not included in the Limited development zone. <p>Note - If the MCU is impact assessment in the zone or local plan, then the level of assessment is not lowered to code assessment.</p> | 8.2.2 'Flood hazard overlay code' |
| | Impact assessment | |
| | If not code assessment | The planning scheme |
| Material change of use in the Medium risk area. | Code assessment | |
| | If not impact assessment <p>Note - For clarity, Dwelling house is code assessable in the Medium risk area.</p> <p>Note - If the MCU is impact assessment in the zone or local plan, then the level of assessment is not lowered to code assessment.</p> | 8.2.2 'Flood hazard overlay code' |
| | Impact assessment | |
| | If for a: <ul style="list-style-type: none"> a. residential accommodation building (where not a Dwelling House); or b. vulnerable use (flood and coastal) | The planning scheme |
| Material Change of Use in a Drainage investigation area identified on Figures 8.2.2.1 to 8.2.2.10 of the | Code assessment | |
| | If for a Dwelling house ⁽²²⁾ <p>Note - If the MCU is impact assessment in the zone or local plan, then the level of assessment is not lowered to code assessment.</p> | 8.2.2 'Flood hazard overlay code'. |

5 Tables of assessment

| Development | Level of assessment | Assessment criteria |
|---|--|---|
| 8.2.2 'Flood hazard overlay code'. | Impact assessment | |
| | If not code assessment | The planning scheme |
| Reconfiguring a lot | | |
| Reconfiguring a lot for boundary realignment. | No change | |
| | Where not in the following: a. High risk area; or b. Medium risk area; or c. a Drainage master plan area identified on Figures 8.2.2.1 to 8.2.2.10 of the 8.2.2 'Flood hazard overlay code'. | If self-assessment – the relevant self-assessment outcomes in Table 8.2.2.1 of the 8.2.2 'Flood hazard overlay code'. If code assessment – the 8.2.2 'Flood hazard overlay code'. If impact assessment - the Planning Scheme. |
| | Code assessment | |
| | If not otherwise specified | 8.2.2 'Flood hazard overlay code' |
| | Impact assessment | |
| | If in a Drainage investigation area identified on Figures 8.2.2.1 to 8.2.2.10 of the 8.2.2 'Flood hazard overlay code' | The planning scheme |
| Reconfiguring a Lot for creating lots by subdividing another lot. | No change | |
| | If not impact assessment | If code assessment - 8.2.2 'Flood hazard overlay code' If impact assessment - The planning scheme |
| | Impact assessment | |
| | If in a Drainage investigation area identified on Figures 8.2.2.1 to 8.2.2.10 of the Flood hazard overlay code. | The planning scheme |
| Operational Work (filling or excavation only) | | |
| Operational Work | No change | |
| | If: a. associated with a material change of use or reconfiguring a lot; or b. in the Balance flood planning area; or c. in accordance with the Drainage master plan for a Drainage investigation area identified on Figures 8.2.2.1 to 8.2.2.10 of the 8.2.2 'Flood hazard overlay code'. | If self-assessment – the relevant self-assessment outcomes in Table 8.2.2.1 of the 8.2.2 'Flood hazard overlay code'. If code assessment – the 8.2.2 'Flood hazard overlay code'. If impact assessment - the Planning Scheme. |
| | Code assessment | |

5 Tables of assessment

| Development | Level of assessment | Assessment criteria |
|---|--|---|
| | If not impact assessment | 8.2.2 'Flood hazard overlay code' |
| | Impact assessment | |
| | If: a. not in accordance with the Drainage master plan for a Drainage investigation area identified on Figures 8.2.2.1 to 8.2.2.10 of the 8.2.2 'Flood hazard overlay code'; or b. in the High risk area included in the Limited development zone and not associated with a material change of use or reconfiguring a lot. | The planning scheme. |
| All other operational work | No change | |
| | In all instances | If self-assessment – the relevant self-assessment outcomes in Table 8.2.1.1 of the 8.2.2 'Flood hazard overlay code'. If code assessment - the 8.2.2 'Flood hazard overlay code'. If impact assessment – the planning scheme. |
| Building Work | | |
| Building work not associated with a material change of use. | No change | |
| | If in the Balance flood planning area | If self-assessment – the relevant self-assessment outcomes in Table 8.2.1.1 of the 8.2.2 'Flood hazard overlay code'. If code assessment - the 8.2.2 'Flood hazard overlay code'. If impact assessment – the planning scheme. |
| | Code assessment | |
| | If in the following: a. High risk area not included in the Limited development zone; or b. Medium risk area; or c. Drainage investigation area identified on Figure 8.2.2.1 to 8.2.2.10 of the 8.2.2 'Flood hazard overlay code' Note - If the building work is impact assessment in the zone or local plan, then the level of assessment is not lowered to code assessment. | 8.2.2 'Flood hazard overlay code' |
| Impact assessment | | |

5 Tables of assessment

| Development | Level of assessment | Assessment criteria |
|-------------|---|----------------------|
| | If in the High risk flood hazard area included in the Limited development zone. | The planning scheme. |

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