

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'

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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	

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Development	Level of assessment	Assessment criteria
	If for a residential accommodation building (including a dwelling house ⁽²²⁾) where not involving vulnerable land use ⁽¹⁰⁰⁾ (flood and coastal) Note - If the MCU is impact assessable in the zone or local plan, then the level of assessment is not lowered to code assessment.	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	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'. If code assessment - the 8.2.1 8.2.1 'Coastal hazard overlay code'. If impact assessment – the planning scheme.
	Code assessment	
Reconfiguring a lot for creating lots by subdividing another lot	If in the following:	8.2.1 'Coastal hazard overlay code'
	a. High risk storm tide inundation area; or b. Erosion prone area; or c. Medium risk storm tide inundation area.	
Operational Work		
Operational work for filling or excavation	Code assessment	
	If: a. associated with a material change of use or reconfiguring a lot; or b. in the Balance flood planning area; or c. in the following zones: i. General residential zone; or ii. Centre zone; or	8.2.1 'Coastal hazard overlay code'

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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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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

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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 Figure 8.3.1 of the 8.2.2 'Flood hazard overlay code'.	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'.

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Development	Level of assessment	Assessment criteria
	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 8.2.2.9 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 8.2.2.9 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 8.2.2.9 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 8.2.2.9 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	

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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 8.2.2.9 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 8.2.2.9 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	

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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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