

5.10 Categories of development and assessment - Overlays

The following tables identify where an overlay changes the category of development or the category of assessment from that otherwise applicable for the zone or local plan as well as any additional assessment benchmarks or requirements for accepted development.

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

5.10.1 Coastal hazard overlay

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

Table 5.10.1.1 Coastal hazard overlay

Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
All aspects of development		
Material change of use, reconfiguring a lot, building work or operational work	Accepted development	
	If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'. Editor's note - Development approval is not required	None
Material change of use, reconfiguring a lot, building work or operational work for Park. ⁽⁵⁷⁾	No change	
	In all instances	If accepted development subject to requirements – the relevant accepted development subject to requirements outcomes in Table 8.2.1.1 of the 8.2.1 'Coastal hazard overlay code' If assessable development - Code assessment – the 8.2.1 'Coastal hazard overlay code' If assessable development - 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	

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	<p>If :</p> <ul style="list-style-type: none"> a. not in the Limited development zone; b. using an existing building; c. not increasing gross floor area by more than 80m²; d. complying with the relevant requirements for accepted development. 	<p>If accepted development subject to requirements - the relevant accepted development subject to requirements outcomes in Part A of Table 8.2.1.1 of the 8.2.1 'Coastal hazard overlay code'.</p> <p>If assessable development - Code assessment – the 8.2.1 8.2.1 'Coastal hazard overlay code'</p> <p>If assessable development - impact assessment – the Planning Scheme.</p>
All other material change of use (MCU)		
Material change of use in the Balance coastal planning area	No change	
	In all instances	<p>If accepted development subject to requirements – the relevant accepted development subject to requirements outcomes in Table 8.2.1.1 of the 8.2.1 'Coastal hazard overlay code'</p> <p>If assessable development - code assessment – the 8.2.1 'Coastal hazard overlay code'</p> <p>If assessable development - impact assessment – The planning scheme.</p>
Material change of use in the Erosion Prone Area	Assessable development - Code assessment	
	<p>In all instances</p> <p>Note - If the MCU is impact assessable in the zone or local plan, then the category of development and category of assessment is not lowered to assessable development - code assessment.</p>	8.2.1 'Coastal hazard overlay code'.
Material change of use in the High risk storm tide inundation area.	Assessable development - 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 	8.2.1 'Coastal hazard overlay code'

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	<p>b. Outdoor sport and recreation⁽⁵⁵⁾; or</p> <p>c. Permanent plantation⁽⁵⁹⁾; or</p> <p>d. Cropping⁽¹⁹⁾ (where involving forestry for wood production); or</p> <p>e. Tourist park⁽⁸⁴⁾ where not included in the Limited development zone; or</p> <p>f. Home based business⁽³⁵⁾ where not included in the Limited development zone.</p> <p>Note - If the MCU is impact assessable in the zone or local plan, then the category of development and category of assessment is not lowered to assessable development - code assessment.</p>	
Assessable development - Impact assessment		
	If not assessable development - code assessment	The planning scheme.
Material change of use in the Medium risk storm tide inundation area.	No change	
	If not assessable development - code assessment or assessable development - impact assessment as identified below.	<p>If accepted development subject to requirements – the relevant accepted development subject to requirements outcomes in Table 8.2.1.1 of the 8.2.1 'Coastal hazard overlay code'</p> <p>If assessable development - code assessment – the 8.2.1 'Coastal hazard overlay code'</p> <p>If assessable development - impact assessment – The planning scheme.</p>
	Assessable development - Code assessment	
	If for a residential accommodation building (including a dwelling house ⁽²²⁾ where not involving vulnerable land use ⁽¹⁰⁰⁾ (flood and coastal)	8.2.1 'Coastal hazard overlay code'

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	Note - If the MCU is impact assessable in the zone or local plan, then the category of development and category of assessment is not lowered to assessable development - code assessment.	
Assessable development - 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 accepted development subject to requirements – the relevant accepted development subject to requirements outcomes in Table 8.2.1.1 of the 8.2.1 8.2.1 'Coastal hazard overlay code'.</p> <p>If assessable development - code assessment - the 8.2.1 8.2.1 'Coastal hazard overlay code'.</p> <p>If assessable development - impact assessment – the planning scheme.</p>
	Assessable development - Code assessment	
	<p>If in the following:</p> <ul style="list-style-type: none"> a. High risk storm tide inundation area; or b. Erosion Prone Area; or c. Medium risk storm tide inundation area. 	8.2.1 'Coastal hazard overlay code'
Reconfiguring a lot for creating lots by subdividing another lot	No change	
	In all circumstances	<p>If assessable development - code assessment – the 8.2.1 8.2.1 'Coastal hazard overlay code'.</p> <p>If assessable development - impact assessment – the planning scheme.</p>
Operational Work		

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Operational work for filling or excavation	Assessable development - Code assessment	
	<p>If:</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> i. General residential zone; or ii. Centre zone; or iii. Community facilities zone; or iv. Recreation and open space zone; or v. Industry zone; or vi. Township zone; or vii. Emerging community zone. <p>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 .</p>	8.2.1 'Coastal hazard overlay code'
	Assessable development - Impact assessment	
	If not assessable development - code assessment.	The planning scheme.
All other operational work	No change	
	In all instances	<p>If accepted development subject to requirements – the relevant accepted development subject to requirements outcomes in Table 8.2.1.1 of the 8.2.1 'Coastal hazard overlay code'.</p> <p>If assessable development - code assessment - the 8.2.1 'Coastal hazard overlay code'.</p> <p>If assessable development - impact assessment – the planning scheme.</p>

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Building Work		
Building work not associated with a material change of use	No change	
	If:	If accepted development subject to requirements – the relevant accepted development subject to requirements outcomes in Table 8.2.1.1 of the 8.2.1 'Coastal hazard overlay code'.
	a. in the Balance coastal planning area; or	If assessable development - code assessment - the 8.2.1 'Coastal hazard overlay code'.
	b. in the Erosion Prone Area and not increasing gross floor area by more than 50m ² .	
		If assessable development - impact assessment – the planning scheme.
Assessable development - Code assessment		
If:	8.2.1 'Coastal hazard overlay code'	
a. in the Erosion Prone Area and increasing gross floor area by more than 50m ² ; or		
b. in the following:		
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.		
Assessable development - Impact assessment		
If in the High risk storm tide inundation area included in the Limited development zone	The planning scheme.	

5.10.2 Flood hazard overlay

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

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

Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
All aspects of development		
Material change of use, reconfiguring a lot, building work or operational work.	Accepted development	
	If complying with the circumstances for accepted development in Table 1.7.7.1 'Accepted development'. Editor's note - Development approval is not required	None
Material change of use, reconfiguring a lot, building work or operational work for Park.	No change	
	In all instances	If accepted development subject to requirements - the relevant accepted development subject to requirements outcomes in Table 8.2.2.1 of the Flood hazard overlay code. If assessable development - code assessment - the Flood hazard overlay code. If assessable development - 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;	If accepted development subject to requirements - the relevant accepted development subject to requirements outcomes in Part A of Table 8.2.2.1 of the Flood hazard overlay code. If assessable development - code assessment – the Flood hazard overlay code

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Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	<ul style="list-style-type: none"> c. not increasing gross floor area by more than 80m²; d. complying with the relevant requirements for accepted development. 	If assessable development - 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.	<p>If accepted development subject to requirements – the relevant accepted development subject to requirements outcomes in Table 8.2.2.1 of the Flood hazard overlay code</p> <p>If assessable development - code assessment – the Flood hazard overlay code</p> <p>If assessable development - impact assessment - The planning scheme</p>
Material change of use in the High risk area.	Assessable development - Code assessment	
	<p>If for the following:</p> <ul style="list-style-type: none"> a. Dwelling house 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; or d. Permanent plantation; or e. Cropping (where involving forestry and wood production); or f. Tourist park where not included in the Limited development zone. 	Flood hazard overlay code

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Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	<p>Note - If the MCU is assessable development - impact assessment in the zone or local plan, then the level of assessment is not lowered to assessable development - code assessment.</p>	
	Assessable development - Impact assessment	
	If not assessable development - code assessment	The planning scheme
Material change of use in the Medium risk area.	Assessable development - Code assessment	
	<p>If not assessable development - impact assessment</p> <p>Note - For clarity, Dwelling house is code assessable in the Medium risk area.</p> <p>Note - If the MCU is assessable development - impact assessment in the zone or local plan, then the level of assessment is not lowered to assessable development - code assessment.</p>	Flood hazard overlay code
	Assessable development - Impact assessment	
	<p>If for a:</p> <p>a. residential accommodation building (where not a Dwelling House); or</p> <p>b. vulnerable use (flood and coastal)</p>	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 Flood hazard overlay code.	Assessable development - Code assessment	
	<p>If for a Dwelling house</p> <p>Note - If the MCU is assessable development - impact assessment in the zone or local plan, then the level of assessment is not lowered to assessable development - code assessment.</p>	Flood hazard overlay code.
	Assessable development - Impact assessment	
	If not assessable development - code assessment	The planning scheme

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Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Reconfiguring a lot		
Reconfiguring a lot for boundary realignment.	No change	
	Where not in the following: <ol style="list-style-type: none"> 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 Flood hazard overlay code. 	If accepted development subject to requirements – the relevant accepted development subject to requirements outcomes in Table 8.2.2.1 of the Flood hazard overlay code. If assessable development - code assessment – the Flood hazard overlay code. If assessable development - impact assessment - the Planning Scheme.
	Assessable development - Code assessment	
	If not otherwise specified	Flood hazard overlay code
	Assessable development - 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	
Reconfiguring a Lot for creating lots by subdividing another lot.	No change	
	If not assessable development - impact assessment	If assessable development - code assessment - Flood hazard overlay code If assessable development - impact assessment - The planning scheme
	Assessable development - 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	

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Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	<p>If:</p> <ul style="list-style-type: none"> 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 Flood hazard overlay code. 	<p>If accepted development subject to requirements – the relevant accepted development subject to requirements outcomes in Table 8.2.2.1 of the Flood hazard overlay code.</p> <p>If assessable development - code assessment – the Flood hazard overlay code.</p> <p>If assessable development - impact assessment - the Planning Scheme.</p>
	Assessable development - Code assessment	
	If not assessable development - impact assessment	Flood hazard overlay code
	Assessable development - Impact assessment	
	<p>If:</p> <ul style="list-style-type: none"> 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	<p>If accepted development subject to requirements – the relevant accepted development subject to requirements outcomes in Table 8.2.1.1 of the Flood hazard overlay code.</p> <p>If assessable development - code assessment - the Flood hazard overlay code.</p>

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Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
		If assessable development - 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	<p>If accepted development subject to requirements – the relevant accepted development subject to requirements outcomes in Table 8.2.1.1 of the Flood hazard overlay code.</p> <p>If assessable development - code assessment - the Flood hazard overlay code.</p> <p>If assessable development - impact assessment – the planning scheme.</p>
	Assessable development - Code assessment	
	<p>If in the following:</p> <ul style="list-style-type: none"> 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 Flood hazard overlay code <p>Note - If the building work is assessable development - impact assessment in the zone or local plan, then the level of assessment is not lowered to assessable development - code assessment.</p>	Flood hazard overlay code
	Assessable development - Impact assessment	
If in the High risk flood hazard area included in the Limited development zone.	The planning scheme.	