

5.10 Levels of assessment – Overlays

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

Note – Some overlays may only be included for information purposes. This may result in no change to the level of assessment or assessment criteria under the planning scheme.

Table 5.10.a Levels of Assessment for the Acid sulfate soils overlay

Development	Level of Assessment	Additional assessment criteria
Material change of use, Lot reconfiguration, Operational Work		
Involving filling or excavation, if the natural level of the ground is less than 20 metres AHD, where the disturbance of land is equal to or less than 5m AHD, involving: <ul style="list-style-type: none"> (a) filling equal or greater than 500m³, or (b) filling equal or greater than 0.5 metres in depth; or (c) excavation equal to or greater than 100m³. 	Code assessment	All outcomes in the: <ul style="list-style-type: none"> • Filling and excavation code; • Acid sulfate overlay code.

Table 5.10.b Levels of Assessment for the Biodiversity areas overlay

Development	Level of Assessment	Additional assessment criteria
All aspects of development		
Material change of use, Reconfiguring a lot, Building work or Operational work if prescribed exempt development.	Exempt	None.
Material change of use		
All where involving: <ul style="list-style-type: none"> (a) material change of use, involving a new premises; (b) an existing premises with an increase in gross floor area. 	Code assessment Note – If material change of use is impact assessable, the level of assessment is not lowered to code assessment.	All outcomes in the Biodiversity areas overlay code.
Reconfiguring a lot		
All, except for lot amalgamations.	Code assessment Note – If reconfiguring a lot is impact assessable, the level of assessment is not lowered to code assessment.	All outcomes in the Biodiversity areas overlay code.
Operational work		
Operational work for filling and excavation.	Code assessment Note – If operational work is impact assessable, the level of assessment is not lowered to code assessment.	All outcomes in the Biodiversity areas overlay code.
Operational work for clearing vegetation	Code assessment	All outcomes in the Biodiversity areas overlay code.

Table 5.10.c Levels of Assessment for the Bushfire hazard overlay

Development	Level of Assessment	Additional assessment criteria
All aspects of development		
Material change of use, Reconfiguring a lot, Building work or Operational work if prescribed exempt development.	Exempt	None.
Material change of use		
Material change of use for a dwelling house involving a new premises or extension to the habitable component of the dwelling house.	Code Assessment	All outcomes in the Bushfire hazard overlay code.
Material change of use other than for a dwelling house, if essential community infrastructure.	Code assessment	All outcomes in the Bushfire hazard overlay code.
Material change of use other than for a dwelling house, if: (a) increasing the number of dwelling units. (b) involving difficult to evacuate activities. (c) involving the congregational activities.	Impact assessment	The planning scheme and all outcomes in the Bushfire hazard overlay code.
Reconfiguring a lot		
All, except for lot amalgamations.	Code assessment Note – If reconfiguring a lot is impact assessable, the level of assessment is not lowered to code assessment.	All outcomes in the Bushfire hazard overlay code.

Table 5.10.d Levels of Assessment for the Cairns Airport overlay

Development	Level of Assessment	Additional assessment criteria
All aspects of development		
Material change of use, Reconfiguring a lot, Building work or Operational work if prescribed exempt development.	Exempt	None.
Material change of use		
Material change of use, other than for: (a) Animal husbandry; (b) Cropping; (c) Dwelling House; or (d) Park.	No change to level of assessment	All outcomes in Table 8.2.4.3.a in the Cairns airport overlay code.
All other Material change of use, not otherwise specified within this table.	Code assessment Note – If material change of use is impact assessable, the level of assessment is not lowered to code assessment.	All outcomes in Table 8.2.4.3.a in the Cairns airport overlay code.

Development	Level of Assessment	Additional assessment criteria
Reconfiguring a lot		
All.	Code assessment Note – If reconfiguring a lot is impact assessable, the level of assessment is not lowered to code assessment.	All outcomes in: <ul style="list-style-type: none"> • Table 8.2.4.3.a in the Cairns airport overlay code; • The relevant zone code (except where overridden by the Cairns airport overlay code).
Operational works		
Operational works involving excavation or filling	Code assessment Note – If operational works is impact assessable, the level of assessment is not lowered to code assessment.	All outcomes in <ul style="list-style-type: none"> • Table 8.2.4.3.a in the Cairns airport overlay code; • Filling and excavation code.

Table 5.10.e Levels of Assessment for the Coastal hazards overlay

Development	Level of Assessment	Additional assessment criteria
All aspects of development		
Material change of use, Reconfiguring a lot, Building work or Operational work if prescribed exempt development.	Exempt	None
Material change of use		
Material change of use for: (a) a Park; or (b) other uses in an existing premises not involving building work exceeding 25m ² , where complying with all acceptable outcomes in Table 8.2.4.3.a of the Coastal hazards code.	No change to level of assessment	All outcomes in Table 8.2.4.3.a in the Coastal hazards overlay code.
All other Material change of use , not otherwise specified within this table.	Code assessment Note – If material change of use is impact assessable, the level of assessment is not lowered to code assessment.	All outcomes in Table 8.2.4.3.a in the Coastal hazards overlay code.
Reconfiguring a lot		
All.	Code assessment Note – If reconfiguring a lot is impact assessable, the level of assessment is not lowered to code assessment.	All outcomes in: <ul style="list-style-type: none"> • Table 8.2.4.3.a in the Coastal hazards overlay code; • The relevant zone code (except where overridden by the Coastal hazards overlay code).

Development	Level of Assessment	Additional assessment criteria
Operational works		
Operational works involving excavation or filling	Code assessment Note – If reconfiguring a lot is impact assessable, the level of assessment is not lowered to code assessment.	All outcomes in <ul style="list-style-type: none"> Table 8.2.4.3.a in the Coastal hazards overlay code. Filling and excavation code.

Table 5.10.f Levels of Assessment for the Flood hazard overlay

Development	Level of Assessment	Additional assessment criteria
All aspects of development		
Material change of use, Reconfiguring a lot, Building work or Operational work if prescribed exempt development.	Exempt	None
Material change of use		
Material change of use in a flood hazard area, except for: (a) Animal husbandry. (b) Cropping. (c) Environmental facility, less than 50m ² GFA. (d) Landing. (f) Outdoor sport and recreation. (g) Park.	Code assessment Note – If material change of use is impact assessable, the level of assessment is not lowered to code assessment.	All outcomes in the Flood hazard overlay code.
All other development		
All other development within a Flood hazard area.	No change to the level of assessment	Flood hazard overlay code.

Table 5.10.g Levels of Assessment for the Landscape heritage overlay

Development	Level of Assessment	Additional assessment criteria
All aspects of development		
Material change of use, Reconfiguring a lot, Building work or Operational work if prescribed exempt development.	Exempt	None.
Material change of use, Reconfiguring a lot, Operational work if part of the Landscape heritage overlay.	No change to the level of assessment	Landscape heritage overlay code – all outcomes.

Table 5.10.h Levels of Assessment for the Landslide hazard overlay

Development	Level of Assessment	Additional assessment criteria
All aspects of development		
Material change of use, Reconfiguring a lot, Building work or Operational work if prescribed exempt development.	Exempt	None.
Material change of use		
Material change of use for a Dwelling house where complying with all the acceptable outcomes contained within the Landslide hazard overlay code.	No change to the level of assessment	All acceptable outcomes in the Landslide hazard overlay code.
Material change of use for a Dwelling house where not complying with all of the acceptable outcomes contained within the Landslide hazard overlay code.	Code assessment	All outcomes in the Landslide hazard overlay code.
Material change of use, excluding: <ul style="list-style-type: none"> • Home based business • Park • Permanent plantation 	Code assessment	All outcomes in the Landslide hazard overlay code.
Reconfiguring a lot		
All, excluding lot amalgamations.	Code assessment	All outcomes in the Landslide hazard overlay code.
Operational works		
Operational works involving excavation or filling involving more than 20m ³ of material (excluding 200mm high topsoil).	Code assessment	All outcomes in the Landslide hazard overlay code.
Operational works involving tree clearing.	Code assessment	All outcomes in the Landslide hazard overlay code.

Table 5.10.i Levels of Assessment for the Waterway corridors and wetlands overlay

Development	Level of Assessment	Additional assessment criteria
All aspects of development		
Material change of use, Reconfiguring a lot, Building work or Operational work if prescribed exempt development.	Exempt	None.
Material change of use		
Material change of use, excluding: <ul style="list-style-type: none"> • Home based business • Park • Permanent plantation 	Code assessment	All outcomes in the Waterway corridors and wetlands overlay code.

Development	Level of Assessment	Additional assessment criteria
Reconfiguration of a lot		
All except for: (a) lot amalgamations; (b) boundary re-alignments that remove any boundaries dividing a waterway corridor and / or a wetland.	Code assessment Note – If reconfiguring a lot is impact assessable, the level of assessment is not lowered to code assessment.	All outcomes in the Waterway corridors and wetlands overlay code.
Operational works		
All.	Code assessment	All outcomes in the Waterway corridors and wetlands overlay code.