



PLANNING SCHEME

Information sheet

Overlays

This information sheet explains what overlays are, why they are important, and how they are used to regulate development in the planning scheme.

What are overlays and why are they important?

An 'overlay' is a term used for a map layer used in the planning scheme to identify areas that may include local matters of importance or matters of interest to the State of Queensland. All planning schemes are required to appropriately reflect State Government interests.

How does the planning scheme identify overlays?

Overlays are shown on a series of maps contained in Schedule 2 of the planning scheme. An Overlay Map may include one or multiple overlay features.

What are the type of matters considered if an overlay affects a site or an area?

Overlays and associated codes in the planning scheme identify matters to be considered in determining whether development is located, designed and operated appropriately with regard to the specific constraints, values and opportunities that may exist at the site and its surrounds. It is important that these matters are considered in the early stages of development design.

Overlays can be an expression of many things, with a typical map identifying:

- a particular sensitivity of lands to the effects of development; or
- a potential constraint or hazard to land which would need to be expressly avoided or mitigated in the preparation of a development application; or
- if there is a presence of valuable resources or natural features to be retained; or
- if there are particular opportunities for development.

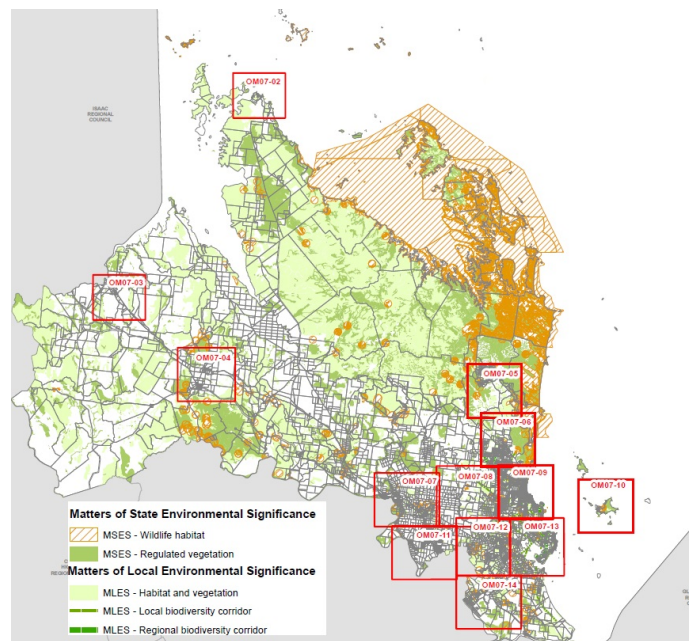


Figure 1: Example overlay map addressing matters of State and local environmental significance

What overlays are included in the Planning Scheme?

The following table lists the overlays included in the Livingstone Planning Scheme 2018.

Acid sulfate soils overlays
Agricultural land Class A and Class B overlay
Airport environs overlays <ul style="list-style-type: none"> Australian Noise Exposure Forecast Distance to runways <ul style="list-style-type: none"> Lighting area Light restriction zone Wildlife hazard buffer zone Obstacle Limitation Surface
Biodiversity overlays <ul style="list-style-type: none"> MSES - declared fish habitat MSES - high ecological significance wetlands MSES - high ecological value waters (watercourses) MSES - high ecological value waters (wetlands) MSES - marine park MSES - protected area MSES - regulated vegetation MSES - wildlife habitat MLES - habitat and vegetation MLES - local and regional biodiversity corridors MLES - wetlands Stream order Waterways Waterway potential assessment area <p>Note: MSES means 'matters of state environmental significance'. MLES means 'matters of local environmental significance'.</p>
Bushfire hazard area overlays <ul style="list-style-type: none"> Very high potential bushfire intensity High potential bushfire intensity Medium potential bushfire intensity Potential impact buffer
Coastal hazard area overlays <ul style="list-style-type: none"> Erosion prone area Storm tide hazard area
Drainage problem area overlay
Extractive and mining resource area overlays <ul style="list-style-type: none"> Key Resource Area: resource and processing area Key Resource Area: separation area Key Resource Area: transport route Historic, current or potential mining and extractive resources
Flood hazard area overlay
Heritage register overlays <ul style="list-style-type: none"> Queensland State Heritage Register site Local Heritage Register site Local and State Heritage site potential assessment area

Landslide hazard area overlay
Regional infrastructure overlays <ul style="list-style-type: none"> Declared stock route Major electricity infrastructure
Road hierarchy overlays
Scenic amenity overlays <ul style="list-style-type: none"> Coastal scenic transport route Coastal scenic transport route potential assessment area Coastline foreshore Coastline foreshore potential assessment area Coastal green break Scenic amenity (Management Area A) Scenic amenity (Management Area B)
Transport noise corridor overlays <ul style="list-style-type: none"> State controlled road noise corridor Railway noise corridor
Transport infrastructure overlays <ul style="list-style-type: none"> State controlled road Railway
Water resource area overlay

Where do overlays come from?

Overlays are mapped using available information that is held by either the Council or other State Government agencies. The most suitable information available at the time is used to prepare the overlay maps. There are limitations on the accuracy of the information used to create some of the overlay maps. It is important that where an overlay is mapped on a specific site, further investigation should be undertaken as part of the development assessment process.

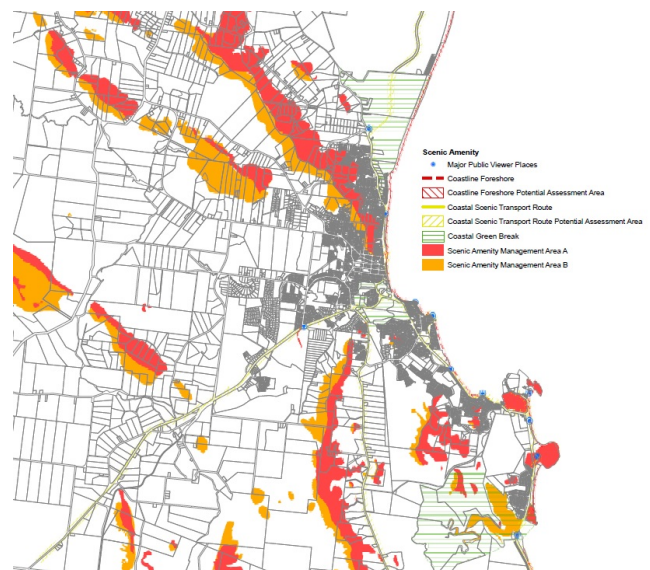


Figure 2: Example overlay map addressing scenic amenity matters

What happens if a lot is affected by an overlay?

Having an overlay situated over a lot may or may not trigger a development assessment under the planning scheme. The overlay maps are to be used in conjunction with the Tables of Assessment contained within Part 5 of the planning scheme. The Tables of Assessment determine the circumstances whether or not an overlay applies, the categories of development and assessment if the lot is affected by an overlay, and also the assessment benchmarks to be used for any development assessment.

If a development application is required under Part 5 of the planning scheme as a result of an overlay, in most instances an overlay code will be triggered as an assessment benchmark.

Not all overlays will trigger development assessment and not all overlays have an overlay code. An overlay may be used purely for information purposes or it may be referred to in the assessment criteria contained within other codes such as a zone code, local plan code, or development code.

What overlay codes are included in the planning scheme?

The following overlay codes are contained within Part 8 of the planning scheme. These overlay codes contain assessment criteria to assess the suitability of specific development affected by overlays.

- Acid sulphate soils overlay code
- Airport environs overlay code
- Biodiversity overlay code
- Bushfire hazard overlay code
- Coastal hazard overlay code
- Extractive resources overlay code
- Flood hazard overlay code
- Heritage place overlay code
- Landslide hazard overlay code
- Scenic amenity overlay code

What happens if development is not consistent with an applicable overlay code?

A development proposal that is assessed as not complying with an applicable Overlay Code will trigger Council's ability to refuse the development proposal or to impose conditions if it is considered that the conditions will be suitable for ensuring that the development can comply with the Overlay Code.

Disclaimer: The content of this information sheet is a summary and has been prepared to assist the reader to understand the Planning Scheme. This advice given does not bind or fetter the Council in any way in exercising its statutory responsibilities in assessing any development application which might be made to the Council. Please refer to the full Livingstone Planning Scheme 2018 document on Council's website for further detail.