

Notice to Development Consultants and Building Certifiers – Noosa Plan 2020 Flood Overlay

Noosa Council has identified an error in the tables of assessment for the Flood Hazard Overlay. The intention of the table of assessment is to trigger assessment against the Flood Hazard overlay code. The error relates to the wording of uses that are listed as not needing assessment against the Flood Hazard overlay code.

The correct wording is provided in the table below and explained as follows:

For material change of use, all material change of use applications on land subject to the flood hazard overlay as shown on the mapping are code assessable against the flood overlay code **except for**:

- where in an existing building on an existing lot
- where in an existing dwelling house on an existing lot
- a dwelling house (including an extension to a house)
- a home-based business
- rooming accommodation in a Low-Density Residential Zone
- short-term accommodation if within a dwelling house.

For operational work involving filling or excavation, all development applications on land subject to the flood hazard overlay are code assessable and assessed against the flood overlay code.

For building work not associated with a material change, building work applications on land subject to the flood hazard overlay are code assessable against the flood overlay code **except for**:

- where in an existing building on an existing lot
- where in an existing dwelling house on an existing lot
- a new dwelling house (including an extension to a house)
- a home based business
- rooming accommodation in a Low Density Residential Zone
- short-term accommodation if within a dwelling house.

The flood hazard requirements for these uses that are exempt from the flood hazard overlay code are located in the following use codes:

- Low Density Housing Code
- Home-based Business Code.

Exemption certificates

Changes to correct the error will form part of a future amendment to Noosa Plan 2020. In the meantime, proponents can make application to Noosa Council for an exemption certificate under Section 46(3)(b)(iii) of the Planning Act, where the development has been categorised

as assessable development because of the error. A development approval is not required for assessable development if there is an exemption certificate for the development.

Applications for exemption certificates are to take the form of a letter include property description (lot and plan), description of the development and reason for the exemption certificate.

There is no cost for this application.

Further information on exemption certificates are included in the attached [Fact Sheet: Exemption Certificates](#).

Table 5.9.6 Flood Hazard Overlay

Development subject to overlay	Categories of development and assessment	Assessment benchmarks for assessable development and criteria for accepted development
Flood Hazard Overlay - if on land subject to a flood hazard overlay		
Material change of use , except for the following: <ul style="list-style-type: none"> • Where in an existing building or <u>dwelling house</u> on an existing lot; or • a <u>Dwelling house</u>; or • a <u>Home-based business</u>; or • <u>Rooming accommodation</u> in a Low Density Residential Zone; or • <u>Short-term accommodation</u> if within a <u>dwelling house</u>. 	Code assessment	
		Flood Hazard Overlay Code
Operational work involving filling or excavation of land	Code assessment	
		Flood Hazard Overlay Code

Building work not associated with a material change of use, except for the following: <ul style="list-style-type: none"> • building work in an existing building or to an existing <u>dwelling house</u>; or • Dwelling house; or • a <u>Home-based Business</u>; or • <u>Rooming accommodation</u> in the Low Density Residential Zone; or • <u>Short-term accommodation</u> within a <u>dwelling house</u>. 	Code assessment	
		Flood Hazard Overlay Code

Reconfiguring a lot	Code assessment	
		Flood Hazard Overlay Code