1.

### Coastal protection overlay code[[1]](#footnote-1)

#### Application

This code applies to development:-

1. subject to a coastal setback line in the Coastal protection overlay shown on the overlay maps contained within **Schedule 2 (Mapping)** ora coastal management district or erosion prone area identified on the SPP interactive mapping system; and

1. identified as requiring assessment against the coastal protection overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

#### Purpose and overall outcomes

1. The purpose of the Coastal protection overlay code is to:-
	1. protect people and property from coastal hazards;

Editor’s note—‘coastal hazard’ is defined in the *Coastal Protection and Management Act 1995* and means erosion of the foreshore or tidal inundation. Storm tide inundation is addressed in the Flood hazard overlay code.

* 1. protect coastal resources and their values to the greatest extent practicable;
	2. ensure that decisions about coastal development take appropriate account of the predicted effects of climate change, including sea level rise;
	3. maintain or enhance public access to the coast;
	4. support opportunities for coastal-dependent development and maritime development in appropriate locations along the coast.
1. The purpose of the code will be achieved through the following overall outcomes:-
	1. development allows for natural fluctuations of the coast as far as practicable, including appropriate allowance for climate change and sea level rise;
	2. unless explicitly anticipated by the planning scheme through the allocation of zones, development within an erosion prone area avoids:-
		1. intensification of existing uses;
		2. new permanent built structures; or
		3. seaward extensions to existing built structures;
	3. development avoids adverse impacts to coastal landforms and alterations to physical coastal processes and, as far as practicable, avoids the need for coastal protection works;
	4. development preserves the integrity of the coastal setback line as the defined seaward boundary for building work and other development adjacent to the beachfront;
	5. development maintains public access to the coast consistent with maintaining public safety and conserving coastal resources;
	6. development preserves opportunities for locating coastal-dependant land uses in areas adjoining tidal waters.

#### Specific benchmarks for assessment

Table 8.2.6.3.1 Requirements for development accepted subject to requirements and benchmarks for assessable development

| **Performance outcomes** | **Acceptable outcomes** | **Compliance / Representations** |
| --- | --- | --- |
| ***Dual occupancy and dwelling house*** |  |
| **PO1**The dual occupancy or dwelling house is sited and designed to protect people and property from coastal hazards and avoid the need for additional coastal protection works.Note—PO1 is alternative provisions to QDC MP1.1, P2 and QDC MP1.2, P2 where it relates to a rear boundary only.  | **AO1**All buildings and other permanent structures are setback at least 6m landward of the coastal setback line for the site.**OR**Where there is no coastal setback line for the site, and the site adjoins the beachfront or a beachfront reserve, all buildings and permanent structures are located:-1. landward or equal to the seaward alignment of any buildings on neighbouring properties; or
2. where there are no neighbouring properties, at least 6m from the seaward property boundary of the site.

Note—‘permanent structures’ includes swimming pools and retaining walls. Note—AO1 is alternative provisions to QDC MP1.1, A2 and QDC MP1.2, A2 where it relates to a rear boundary only. | Provide a brief description how your proposal complies with the relevant Acceptable outcome (if applicable) or a detailed analysis how compliance is achieved with the Performance outcome. |

Table 8.2.6.3.2 Benchmarks for assessable development

| **Performance outcomes** | **Acceptable outcomes** | **Compliance / Representations** |
| --- | --- | --- |
| ***Development in the erosion prone area*** |  |
| **PO2**Except in limited circumstances, erosion prone areas in a coastal management district are:-1. maintained as development-free buffers; or
2. where permanent buildings or structures exist, coastal erosion risks are avoided or mitigated.
 | **AO2**Development is situated wholly outside of an erosion prone area in a coastal management district, except where:- 1. essential community infrastructure;
2. temporary and/or relocatable development;
3. redevelopment; or
4. coastal-dependent development.
 | Click and provide your representations.  |
| **PO3**Development for essential community infrastructure or temporary and/or relocatable development:-1. demonstrates that it is not feasible to locate the development outside the erosion prone area; and
2. provides for built structures to be located landward of the alignment of adjacent habitable buildings; or
3. where the achievement of (b) (above) is not reasonably practicable, provides for built structures to be located as far landward as practicable.

Editor’s note—‘essential community service infrastructure’ and ‘temporary and/or relocatable development’ are defined in **Schedule 1 (Definitions)**. | **AO3**No acceptable outcome provided.  | Click and provide your representations. |
| **PO4**Redevelopment:-1. relocates built structures outside the erosion prone area; or
2. relocates built structures landward of the alignment of adjacent habitable buildings; and
3. provides sufficient space seaward of the development within the premises to allow for the construction of erosion control structures, such as a sea wall.
 | **AO4**No acceptable outcome provided. | Click and provide your representations. |
| **PO5**Redevelopment that intensifies the use of a site in an urban area mitigates any increase in risk to people and property from adverse coastal erosion impacts. | **AO5**Redevelopment that intensifies the use of a site in an urban area:-1. incorporates a layout that minimises the footprint of the development within the erosion prone area and locates the development as far landward as possible;
2. utilises appropriate foundations for the building or structure;
3. installs and maintains on-site erosion control structures.

Note—mitigation measures should take account of the practicable design life of the development in the context of the future erosion threat. | Click and provide your representations. |
| **PO6**Coastal-dependent development mitigates any increase in risk to people and property from adverse coastal erosion impacts.Editor’s note—‘Coastal-dependent development’ is defined in **Schedule 1 (Definitions)**. | **AO6**Coastal-dependent development:-1. installs and maintains coastal protection works to mitigate adverse impacts to people and property from coastal erosion at the location; or
2. locates, designs and constructs relevant buildings or structures to withstand coastal erosion impacts.

Note—a development application may be required to provide the following information to demonstrate compliance with the performance outcome:-1. assessment of the erosion hazard at a property scale;
2. plans showing the intended location, materials and method of construction for any structures;
3. a report certified by a registered professional engineer that demonstrates the performance outcome will be achieved.
 | Click and provide your representations. |
| ***Coastal setback lines*** |  |
| **PO7**New development or the intensification of existing development on a site subject to a coastal setback line is located and designed to protect people and property from coastal hazards and avoid the need for additional coastal protection works. | **AO7**All buildings and other permanent structures are setback at least 6m landward of the coastal setback line for the site.Note—‘permanent structures’ includes swimming pools and retaining walls. | Click and provide your representations. |
| ***Reconfiguring a lot within the coastal management district*** |  |
| **PO8**Subject to the provisions of the *Coastal Protection and Management Act 1995*, where land within the coastal management district is proposed to be reconfigured to create additional lots, the erosion prone area is to be maintained as a development free buffer zone, unless there is substantial development seaward of the development site. | **AO8.1**Where reconfiguration of a lot is proposed within the coastal management district, the erosion prone area within the lot, or land within 40m of the foreshore (whichever is the greater), is surrendered to the State for public use.**AO8.2**The surrendered land within the coastal management district is:-1. placed in a State land reserve for beach protection and coastal management purposes under the *Land Act 1994* with Council as trustee; or
2. managed for beach protection and coastal management purposes under another management regime to the satisfaction of the chief executive administering the *Coastal Protection and Management Act 1995* and *Land Act 1994*.
 | Click and provide your representations. |
| ***Public access to coastal land*** |  |
| **PO9**Development:-1. does not result in a net loss of public access to State coastal land (including the foreshore) and tidal waters; and
2. where practicable, provides enhanced opportunities for public access in a manner consistent with conserving coastal resources.
 | **AO9**Development is located, designed and operated in a manner that retains or enhances existing public access to State coastal land. **OR**Where loss of public access cannot practicably be avoided, development provides the same or a greater amount of new public access opportunities within, or in close proximity to, the site.  | Click and provide your representations. |

1. Editor’s note—coastal protection areas referred to in this code include:-

the coastal management district identified in the SPP interactive mapping system under the ‘Environment and heritage’ theme, subsection ‘Coastal environment’; and

the erosion prone area identified in the SPP interactive mapping system under the theme ‘Hazards and safety’, subsection ‘Natural hazards risk and resilience’; and

coastal setback lines shown on the overlay maps contained within **Schedule 2 (Mapping)**. [↑](#footnote-ref-1)