

Proposed amendments to Mackay Region Planning Scheme 2017 under Minor amendment 4 – Flood hazard mapping to reflect flood studies and PSP references; and Administrative amendment 7

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* Notes:

- In the “Planning scheme page & page no.” column, page numbers mentioned below relate to page numbers in the Track change version of version 3.0
- In the “Proposed amendment” column, *italicised text* is an amendment instruction only – this text does not appear in the planning scheme
- In the “Proposed amendment” column, ~~red strikethrough text~~ is text to be deleted from the planning scheme
- In the “Proposed amendment” column, **blue text** is new text to be included in the planning scheme

Minster’s Guidelines and Rules – Schedule 1

- *The Minister’s Guidelines and Rules* (Schedule 1, Item 1) defines Administrative Amendments as follows:

1. For Chapter 2, Part 1 an **administrative amendment** to a planning scheme is an amendment that-

(a) the local government is satisfied corrects or changes—

- i. an explanatory matter about the instrument;
- ii. the format or presentation of the instrument;
- iii. a spelling, grammatical or mapping error in the instrument that does not materially affect the remainder of the instrument;
- iv. a factual matter incorrectly stated in the instrument;
- v. a redundant or outdated term in the instrument;
- vi. inconsistent numbering of provisions in the instrument;
- vii. cross-references in the instrument; or

(b) the local government makes to—

- i. reflect an amendment to the regulated requirements under the Planning Act and used in the planning scheme; or
- ii. amend a statement that a regional plan or the SPP is appropriately integrated, in whole or in part, in the planning scheme, if the Minister has advised the local government that the planning scheme appropriately integrates the regional plan or the SPP.

- *The Minister’s Guidelines and Rules* (Schedule 1, Item 2) defines a minor amendment as follows:

2. For Chapter 2, Part 2 a **minor amendment** is an amendment that is not an administrative amendment and that the local government is satisfied meets any of the following— [NOTE – only items relevant to this amendment included]

- f) includes a PSP having followed the appropriate making or amending process and prepared in accordance with Chapter 3, Part 1 of this document;
- k) ensures the planning scheme contains the most up-to-date information about the risks to life and/or property by providing for the inclusion of new or amended natural hazard mapping in the scheme where the mapping is-
 - i. for a flood hazard area – based on a localised flood study that has been undertaken by an RPEQ, includes climate change projections and has been accepted by a local government; or
 - ii. the state mapping layer, that has not been locally refined, for
 - a. bushfire prone area;
 - b. erosion prone are; or
 - c. storm tide inundation area; or
- i) is of a minor nature and does not include zoning changes.

Number	Planning scheme part & page no.	Proposed amendment	Rationale	Type of amendment
GENERAL				
Document				
GN-1	Throughout the planning scheme document	<i>In the footer throughout the document, amend version number as necessary. Eg:</i> Mackay Region Planning Scheme 2017 – Version 3-03 .1	Planning scheme version number will need to be updated	Administrative – Schedule 1, Item 1(a)(v): a redundant or outdated term in the planning scheme
GN-2	Throughout the planning scheme document	<i>Update page numbers as necessary and add new / delete pages with the text “THIS PAGE LEFT INTENTIONALLY BLANK” as necessary</i>	Formatting amendments.	Administrative – Schedule 1, Item 1(a)(vii): a redundant or outdated term in the planning scheme
Mapping				
GN-3	On all planning scheme maps (Schedules 2 and 3)	<i>On the bottom right hand corner, amend version number as necessary:</i> VERSION 3-03 .1	Planning scheme version number will need to be updated	Administrative – Schedule 1, Item 1(a)(v): a redundant or outdated term in the planning scheme
PRELIMINARIES				
-	-	<i>No amendments specific to this section</i>	-	-
PART 1 - ABOUT THE PLANNING SCHEME				
P1-1	<ul style="list-style-type: none"> Part 1.2 Planning Scheme Components (2) – Page 1- 5 	(2) The following planning scheme policies support the planning scheme: <ul style="list-style-type: none"> (a) Planning scheme policy – bushfire protection (b) Planning scheme policy – constructed lakes (c) Planning scheme policy – cycle facilities and pathway design (d) Planning scheme policy – geometric road design (e) Planning scheme policy – healthy waters 	Amendment required to correct cross reference. The Planning scheme policy – water and sewerage (CTM Water Alliance) has superseded the Planning scheme policy – water supply design.	Administrative – Schedule 1, Item 1(a)(v): a redundant or outdated term in the planning scheme

Number	Planning scheme part & page no.	Proposed amendment	Rationale	Type of amendment
		(f) Planning scheme policy – landscape (g) Planning scheme policy – pavement design (h) Planning scheme policy – quality assurance requirements for design (i) Planning scheme policy – site regrading (j) Planning scheme policy – stormwater drainage design (k) Planning scheme policy – structures / bridge design (l) Planning scheme policy – subsurface drainage design (m) Planning scheme policy – open space (n) Planning scheme policy – water and sewerage (CTM Water Alliance)		
PART 2 - STATE PLANNING PROVISIONS				
-	-	<i>No amendments specific to this section</i>	-	
PART 3 - STRATEGIC FRAMEWORK				
-	-	<i>No amendments specific to this section</i>	-	
PART 4 - PRIORITY INFRASTRUCTURE PLAN				
-	-	<i>No amendments specific to this section</i>	-	
PART 5 - TABLES OF ASSESSMENT				
-	-	<i>No amendments specific to this section</i>	-	-
PART 6 - ZONES				
-	-	<i>No amendments specific to this section</i>	-	
PART 7 - LOCAL PLANS				
P7-1	<ul style="list-style-type: none"> Table 7.2.1.3.A – Mackay city centre local plan code AO5.5 Page 9-114 	AO25.1 Development on sites with a: <ul style="list-style-type: none"> “secondary active frontage”; or frontage adjoining public open space or a car park; provide the following:	Amendment improves reference to and clarity around the requirements of supporting documents under the PSP.	Minor amendment – Schedule 1, item 2(f) - includes a PSP having followed the appropriate making or amending

Number	Planning scheme part & page no.	Proposed amendment	Rationale	Type of amendment
		<p>(a) a pedestrian entrance that is visible from the street; and</p> <p>(b) activation measures¹ for a minimum of 60% of the total frontage length; and</p> <p>(c) articulation measures² at a maximum spacing of every 10 metres along the frontage; and</p> <p>(d) vegetation between the building and the road frontage boundary in accordance with the landscaping provisions (PO36-38) within Part 9.4.2 – General development requirements code; and</p> <p>(e) shade trees between the road frontage boundary and the kerb in accordance with the requirements of Planning scheme policy – landscape, including all guidance documents and lists³.</p> <p>Insert footnote:</p> <p>1 “Activation measures” include pedestrian entrances/doors, large windows and openings</p> <p>2 Articulation measures” include building line projections/recessions (minimum depth 500mm), footpath awnings, articulated roof profile, alternating materials and colours.</p> <p>3 Guidance documents and lists under the Planning scheme policy – landscape include the List of plant species, List of furniture and materials and Guidance document for landscape documentation.</p>		process and prepared in accordance with Chapter 3, Part 1 of the MGR
PART 8 - OVERLAYS				
P8-1	<ul style="list-style-type: none"> • Table 8.2.9.3.A – Landscape character and image corridor overlay code • AO5.5 • Page 8-42 	<p><i>Landscape character and image corridor overlay code</i></p> <p>AO5.5</p> <p>A minimum 5 metre wide landscaping buffer is provided in accordance with the requirements of Planning scheme policy – landscape, including all guidance documents and lists¹⁷, along the full frontage of the image corridor:</p> <p>(a) landscaped buffers for screening purposes - for sensitive land uses and industrial development (including ROLs that will facilitate future sensitive land uses or industrial development) and other types of development that benefit from or require visual screening; or</p> <p>(b) landscape buffers for development benefiting from public exposure - for commercial development and other types of development that benefits from exposure – a different form of landscape buffer is required that allows views from the road frontage to the parts of the development benefitting from public exposure and provides signature trees and feature planting¹⁸.</p>	Amendment to more clearly refer to the PSP – landscape and guidance documents and lists. Also refers to two different types of landscaped buffers which are now more clearly explained in the PSP – landscape. The PSP – landscape will contain a section dealing with Landscape buffers under proposed	<p>Minor amendment – Schedule 1, item 2(l) - Is of a minor nature and does not include zoning changes.</p> <p>Minor amendment – Schedule 1, item 2(f) - includes a PSP having followed the appropriate making or amending process and</p>

Number	Planning scheme part & page no.	Proposed amendment	Rationale	Type of amendment
		<p>¹⁷ Guidance documents and lists under the Planning scheme policy – landscape include the List of plant species, List of furniture and materials and Guidance document for landscape documentation.</p> <p>¹⁸ "Signature trees and feature plantings" means landscaping that is used to visually soften parts of the development, emphasize parts of the development and/or form an attractive landmark in its own right.</p>	Planning Scheme Policy Amendment 2.	prepared in accordance with Chapter 3, Part 1 of the MGR
PART 9 - DEVELOPMENT CODES				
P9-1	<ul style="list-style-type: none"> Table 9.4.1.3.A – General development requirements code AO1.1 Page 9-114 	<p>AO1.1 Development is:</p> <p>(a) connected to Council's reticulated water supply network, including the installation of easily accessed water meters, in accordance with Planning scheme policy – water and sewerage (CTM Water Alliance); or</p> <p>(b) if connection to Council's reticulated water supply network is not possible, a potable on-site water supply is provided.</p>	Amendment required to correct cross reference. The Planning scheme policy – water and sewerage (CTM Water Alliance) has superseded the Planning scheme policy – water supply design.	Minor amendment – Schedule 1, item 2(f) - includes a PSP having followed the appropriate making or amending process and prepared in accordance with Chapter 3, Part 1 of the MGR
P9-2	<ul style="list-style-type: none"> Table 9.4.1.3.A – General development requirements code AO1.2 Page 9-114 	<p>AO1.2 Development is:</p> <p>(a) connected to Council's reticulated wastewater network in accordance with Planning scheme policy – water and sewerage (CTM Water Alliance); or</p> <p>(b) if connection to Council's reticulated wastewater network is not possible, an on-site wastewater disposal system is provided in accordance with:</p> <p>(i) for systems serving 20 or less people – <i>Environmental Protection (Water) Policy 1997 and the On Site Sewerage Code (NR&M July 2002)</i> and <i>Australian Standard AS/NZS1547</i>; or</p> <p>(ii) for systems serving more than 20 people – an appropriate system that does not result in direct or cumulative adverse public health and environmental impacts within and outside the site.</p>	Amendment required to correct cross reference. The Planning scheme policy – water and sewerage (CTM Water Alliance) has superseded the Planning scheme policy – sewerage system design.	Minor amendment – Schedule 1, item 2(f) - includes a PSP having followed the appropriate making or amending process and prepared in accordance with Chapter 3, Part 1 of the MGR
P9-3	<ul style="list-style-type: none"> Table 9.4.1.3.A – 	AO7	Amendment required to correct cross reference.	Minor amendment – Schedule 1, item

Number	Planning scheme part & page no.	Proposed amendment	Rationale	Type of amendment
	General development requirements code <ul style="list-style-type: none"> • AO7 • Page 9-116 	In urban areas, fire hydrants are provided and designed in accordance with the following: <ul style="list-style-type: none"> (a) hydrants are located at intervals of no more than: <ul style="list-style-type: none"> (i) 120 metres on a residential street and common access ways within common property in community title; or (ii) 90 metres on a commercial or industrial street and access ways; and (b) a hydrant is located: <ul style="list-style-type: none"> (i) at each intersection; and (ii) in a suitable and identifiable location; and (c) on an access road, designed appropriately for safe passage of emergency vehicles; and (d) in accordance with Planning scheme policy – water and sewerage (CTM Water Alliance). 	The Planning scheme policy – water and sewerage (CTM Water Alliance) has superseded the Planning scheme policy – water supply design.	2(f) - includes a PSP having followed the appropriate making or amending process and prepared in accordance with Chapter 3, Part 1 of the MGR
P9-4	<ul style="list-style-type: none"> • Table 9.4.1.3.A – General development requirements code • AO36.1 • Page 9-116 	<p>AO36.1 On site screening accords with the landscape buffer requirements of the Planning scheme policy – landscape, including all guidance documents and lists⁷⁸.</p> <p><i>Insert footnote:</i></p> <p>⁷⁸ Guidance documents and lists under the Planning scheme policy – landscape include the List of plant species, List of furniture and materials and Guidance document for landscape documentation.</p>	<p>Amendment to clarify that the only on-site requirements from PSP - landscape are landscape buffers. Also strengthen to state that supporting documents also apply.</p> <p>There are no other landscaping requirements related to private sites in PSP - landscape. Guidance is provided in AO36.2 of the General development requirements code.</p>	Minor amendment – Schedule 1, item 2(f) - includes a PSP having followed the appropriate making or amending process and prepared in accordance with Chapter 3, Part 1 of the MGR
P9-5	<ul style="list-style-type: none"> • Table 9.4.1.3.A – General development 	<p>AO40 Streetscapes, including footpaths, street furniture, street trees, landscaping, and other street elements, are designed in accordance with the requirements of Planning scheme policy – landscape, including all guidance documents and lists⁷⁹.</p>	AO amended to remove specific references and just generally refer to the design of	Minor amendment – Schedule 1, item 2(l) - Is of a minor nature and does

Number	Planning scheme part & page no.	Proposed amendment	Rationale	Type of amendment
	requirements code <ul style="list-style-type: none"> • AO40 • Page 9-132 	<i>Insert footnote:</i> ⁷⁹ Guidance documents and lists under the Planning scheme policy – landscape include the List of plant species, List of furniture and materials and Guidance document for landscape documentation.	streetscapes including all of their elements. Reference to the PSP - landscape also clarifies that all supporting materials to this PSP also apply. Removed further wording around the design of elements achieving visual cohesion and clear movement as this is covered in the PSP – landscape.	not include zoning changes. Minor amendment – Schedule 1, item 2(f) - includes a PSP having followed the appropriate making or amending process and prepared in accordance with Chapter 3, Part 1 of the MGR
P9-6	<ul style="list-style-type: none"> • Table 9.3.8.3.A – Industry activities code • AO9.1 • Page 9-45 	<i>Industry activities code</i> AO9.1 Outdoor utility areas, storage (including bin storage), rainwater tanks and servicing areas are screened from view from roads by one or a combination of the following: (a) 1.8 metre high visual screen fence; and (b) 2 metre wide landscape buffer, planted in accordance with the requirements of Planning scheme policy – landscape, including all guidance documents and lists 27- Guidance documents and lists under the Planning scheme policy – landscape include the List of plant species, List of furniture and materials and Guidance document for landscape documentation.	Amendment to AO required to clarify that the landscape buffer must be in accordance with the PSP – landscape and all supporting documents. Reference has just change from the Standard drawings, to the PSP – landscape which now deals with landscape buffers.	Minor amendment – Schedule 1, item 2(l) - Is of a minor nature and does not include zoning changes.
P9-7	<ul style="list-style-type: none"> • Table 9.4.3.3.A – Reconfiguring a lot code • AO2.11 • Page 9-159 	AO2.11 A network of pedestrian and bicycle routes: (a) is provided along streets in accordance with Council's standard road cross-sections; and (b) is provided along open space corridors; and	Minor amendment to add reference in ROL code to existing provision related to the provision of pedestrian and bicycle routes.	Minor amendment – Schedule 1, item 2(f) - includes a PSP having followed the appropriate making

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		(c) connects key focal points in the local area such as centres, community activities, public transport interchanges and open spaces; and (d) provides linkages to important focal points beyond the local area, and contributes toward the provision of regional pedestrian and bicycle routes; and (e) is provided in accordance with Planning scheme policy – cycle facilities and pathway design		or amending process and prepared in accordance with Chapter 3, Part 1 of the MGR
P9-8	<ul style="list-style-type: none"> • Table 9.4.3.3.A – Reconfiguring a lot code • AO3.5 • Page 9-160 	AO3.5 A network of pedestrian and bicycle routes are provided along streets throughout the industrial area in accordance with Council’s standard cross sections and Planning scheme policy – cycle facilities and pathway design.	Minor amendment to add reference in ROL code to existing provision related to the provision of pedestrian and bicycle routes.	Minor amendment – Schedule 1, item 2(f) - includes a PSP having followed the appropriate making or amending process and prepared in accordance with Chapter 3, Part 1 of the MGR
P9-9	<ul style="list-style-type: none"> • Table 9.4.3.3.A – Reconfiguring a lot code • AO2.8 • Page 9-158 	AO2.8 Streets are designed in accordance with: (a) Planning scheme policy – geometric road design; and (b) Planning scheme policy – pavement design; and (c) Council’s standard cross sections; and (d) Planning scheme policy – landscape.	Amendment should be made to clarify that the streetscape design considerations of the PSP – landscape must also be considered when designing streets.	Minor amendment - Schedule 1, item 2(f) - includes a PSP having followed the appropriate making or amending process and prepared in accordance with Chapter 3, Part 1 of the MGR

Number	Planning scheme part & page no.	Proposed amendment	Rationale	Type of amendment
P9-10	<ul style="list-style-type: none"> Table 9.4.1.3.A – General development requirements code NEW PO/AO 54 Page 9-137 	<p>Create new section heading “Operational work”</p> <p>Insert new PO/AO directly after PO53.</p> <p>PO54 Development must comply with the application, design, and construction requirements of Planning scheme policy – operational works application and construction requirements.</p> <p>AO54 No acceptable outcome prescribed.</p>	<p>New PO to reference the new Planning scheme policy - construction application requirements.</p> <p>The requirement is embedded in the PO with no AO, as the requirements for construction touch points etc are mandatory and flexibility is not desired.</p>	<p>Minor amendment – Schedule 1, item 2(f) - includes a PSP having followed the appropriate making or amending process and prepared in accordance with Chapter 3, Part 1 of the MGR</p>
PART 10 - OTHER PLANS				
-	-	No amendments specific to this section	-	-
SCHEDULE 1 - DEFINITIONS				
-	-	No amendments specific to this section	-	
SCHEDULE 2 - MAPPING				
SC2-1	<ul style="list-style-type: none"> SC2.5 - Flood and coastal hazards overlay maps - Flood hazards 	<p>Amend flood hazards map to incorporate updated flood hazard mapping from the ‘Sandy Creek Catchment Flood Study’ and the ‘Rocky Dam Creek Catchment Flood Study’ (both of which have been adopted by Council) into the Area affected by 1% AEP flood event and Area affected by 0.2% AEP flood event layers.</p>	<p>Amendment required to show latest flood hazard information produced under two recent flood studies that have been approved by Council.</p>	<p>Minor Amendment– Schedule 1, Item 2(k): ensures the planning scheme contains the most up-to-date information about the risks to life and/or property by providing for the inclusion of new or amended natural hazard mapping in the scheme where the mapping is-</p> <p>(i) for a flood hazard area –</p>

Number	Planning scheme part & page no.	Proposed amendment	Rationale	Type of amendment
				based on a localised flood study that has been undertaken by an RPEQ, includes climate change projections and has been accepted by a local government
SC2-2	<ul style="list-style-type: none"> SC2-2 – Map Index Flood and coastal hazards overlay maps – Flood hazards 	<p><i>Amend gazettal date:</i></p> <p>9 November 2020</p>	This amendment is consequential to amending the flood hazard overlay mapping.	Administrative – Schedule 1, Item 1(a)(v): a redundant or outdated term in the planning scheme
SC2-3	<ul style="list-style-type: none"> SC2.5 - Flood and coastal hazards overlay maps - Flood hazards 	<p><i>Amend explanatory information about the map.</i></p> <p>Flood hazard overlay data was supplied by Mackay Regional Council Flood Studies on the Pioneer River, Goosepond Creek, Bakers Creek, McCrearys Creek South, Bells Creek, Sandy Creek, Rocky Dam Creek and Plane Creek catchment areas in the Mackay, Walkerston and Sarina urban areas. The flood hazard overlay mapping does not identify all flood hazards and is to be used as a guide only for planning purposes. Always check with Council about whether there is a flood study available for a particular area of interest. The Flood and coastal hazard overlay code is considered to be relevant in areas not covered by the overlay but where developments are below the Defined Flood Event (DFE) or Minimum Floor Levels.</p>	Required to clarify information about the areas covered by Flood studies and mapped under this overlay.	Administrative – Schedule 1, Item 1(a)(v): a redundant or outdated term in the planning scheme

Number	Planning scheme part & page no.	Proposed amendment	Rationale	Type of amendment			
SC2-4	<ul style="list-style-type: none"> SC2.5 - Flood and coastal hazards overlay maps - Flood hazards 	<p><i>Update effective from date:</i></p> <p>Effective from 27 May 2019 9 November 2020</p>	This amendment is consequential to amending the flood hazard overlay mapping.	Administrative – Schedule 1, Item 1(a)(v): a redundant or outdated term in the planning scheme			
SCHEDULE 2 – MAPPING (in planning scheme document)							
-	-	No amendments specific to this section	-	-			
SCHEDULE 3 - PRIORITY INFRASTRUCTURE PLAN MAPPING							
-	-	No amendments specific to this section	-				
SCHEDULE 4 - NOTATIONS REQUIRED UNDER THE SUSTAINABLE PLANNING ACT 2009							
-	-	No amendments specific to this section	-				
SCHEDULE 5 - LAND DESIGNATED FOR COMMUNITY INFRASTRUCTURE							
-	-	No amendments specific to this section	-				
SCHEDULE 6 - PLANNING SCHEME POLICIES							
-	-	No amendments specific to this section	-				
APPENDIX 1 - INDEX AND GLOSSARY OF ABBREVIATIONS AND ACRONYMS							
-	-	No amendments specific to this section	-				
APPENDIX 2 - TABLE OF AMENDMENTS							
AP2-1	<ul style="list-style-type: none"> Table AP2.1 – Table of amendments 	Date of adoption and effective date	Planning scheme version number	Amendment type	Summary of amendments		Administrative – Schedule 1, Item 1(a)(v): a redundant or outdated term in the planning scheme
		Adoption – 28 October 2020 Effective –	Mackay Region Planning Scheme	Minor and Administrative			

Number	Planning scheme part & page no.	Proposed amendment			Rationale	Type of amendment
		9 November 2020	2017 – Version 3.1	(b) amend planning scheme references to a number of Planning scheme policies: Administrative amendment to: (a) update version numbers and cross-references (b) update effective from dates and explanatory information for overlay maps (c) correct errors		