

Mackay Region

PLANNING SCHEME

RESPONSE TO 2016 SUBMISSIONS REPORT
February 2017

Response to issues raised in submissions received during the proposed Mackay Region Planning Scheme (proposed planning scheme) public consultation 2016

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-01	ZN-MW-01	Lot 51 SP271122 (formerly Lot 39 RP747401)	McEwen's Beach	Village	Schedule 2 Mapping	Proposed zone is Township	Change the proposed zoning of site from Rural to Township (equivalent zone to Village)	1. Surrounding land is zoned village 2. Existing approval for subdivision 3. Subdivision will allow integration with adjoining properties	Not supported - scheme not changed	<p>Including Lot 51 on SP271122 (formerly Lot 39 on RP747401) within the Township zone (the equivalent of the Village zone under the Mackay City Planning Scheme 2006) will not be supported given that:</p> <ul style="list-style-type: none"> The site is low lying and Council records show that the entire subject site is below 5m AHD. At one point, the site appears to be below 3m AHD, which is below the level for Highest Astronomical Tide. Approximately two-thirds of the site is identified as supporting remnant vegetation. The site contains, and adjoins wetland environments including mangrove wetlands. Development of this lot may trigger the need for infrastructure upgrades which is unlikely to be viable Cumulative environmental impacts of existing and any new lots serviced by on-site sewerage treatment systems may be a concern. <p>Given the above, the proposed zone of Lot 51 on SP271122 will remain Rural.</p>
16-02	GN-AK-01	Nil	N/A	N/A	Various	<p>Bee-keeping defined as 'Animal Husbandry' in Schedule 1. Animal husbandry is:</p> <ul style="list-style-type: none"> Exempt in the Emerging Community, Industry Investigation and Rural zones Self/Code assessment in the Rural Residential zone Impact assessment in all other zones 	<p>1. Bee keeping be made exempt under the Animal Husbandry and Animal keeping definition</p> <p>2. Development of local laws and nuisance provisions under the Animal Management local laws</p>	<p>1. Animal keeping provides codes relevant to dogs, cats and horses. Does not appropriately address amenity and any nuisance issues usually associated with Bee keeping;</p> <p>2. No MCU approvals for this activity as it is currently defined, although the activity exists across the region, which questions the effectiveness of the existing process;</p> <p>3. Through research with Townsville, Rockhampton, Cairns, Gold Coast, Ipswich and Brisbane Councils, none of the Councils were able to demonstrate effective assessment and management of this activity under the Planning Scheme</p>	Supported - scheme change prompted by submission	<p>Due to safety and amenity concerns, it is not considered appropriate to make bee keeping Exempt development in all zones and in all circumstances under the proposed planning scheme. However, it will be determined that low-scale and low-intensity bee keeping activities should be excluded from the proposed planning scheme (including where they are located within an urban area).</p> <p>To achieve this, Council is preparing Local Law (LL) criteria that define when beekeeping activities are not covered by the planning scheme. If beekeeping activities meet all the LL criteria, then the use will not be covered by the planning scheme (no material change of use application required).</p> <p>If bee keeping activities do not meet all the LL criteria, then the planning scheme will apply and the use would be defined as Animal husbandry. The following level of assessments apply for Animal husbandry under the proposed planning scheme:</p> <ul style="list-style-type: none"> Exempt (no material change of use application required in any circumstance) – Emerging community zone, Industry investigation zone and Rural zone Self-assessment (no material change of use application required if meeting relevant provisions) – Rural residential zone if meeting setback, building height/size and other provisions Code assessable (material change of use application required, no public notification) – Rural residential zone if not meeting all of the setback, building height/size and other provisions Impact assessable (material change of use application required, includes public notification) – all other zones <p>A footnote has been added under the Schedule 1 definition for Animal husbandry to clarify the process as described above.</p> <p>It is intended that the LL provisions will come into force at the same time that the proposed planning scheme does (or as soon as possible after).</p>
16-03	ZN-ER-01	Lot 9 on SP217929	Erakala	Rural (MCC)	Schedule 2 Mapping	Proposed zone is Rural	Change proposed zone from Rural to Rural residential	<p>1. That State Planning Policy mapping is not site specific</p> <p>2. Commissioned report indicates that the site does not meet Ag Land criteria</p> <p>3. Mackay Sugar would not raise an objection to a zone change</p> <p>4. The site does not raise any issues identified by the rural residential land study</p> <p>5. The site is viewed as infill within the existing Rural residential node</p> <p>6. Site can be serviced by water, and the existing road network and drainage paths</p> <p>7. The site's location is significantly closer to Mackay than other rural residential nodes with historically stronger take-up rates.</p>	Not supported - scheme not changed	<p>Council notes the new issues provided in the submission to support a change in zoning.</p> <p>However, Council's Rural and Rural Residential Review 2014 found that there is sufficient supply of rural residential land for the life of the proposed planning scheme. The review found that there are significant numbers of vacant rural residential properties and undeveloped rural residential approvals. The proposed planning scheme adds an additional 80ha of new Rural residential zoned land in the region. Council has prepared a factsheet explaining rural and rural residential issues in the region.</p> <p>Even if the study findings indicated that more land is required, it is unlikely that land within the Agricultural land overlay would be selected as suitable given the policy positions of both local and state government on its protection, infrastructure and supply.</p> <p>The advice from Mackay Sugar is noted, however Council is responsible for protecting agricultural land resources whether they are used for cane farming or other agricultural pursuits now or in the future.</p> <p>The Agricultural land overlay mapping is based on the State Government's State Planning Policy (SPP) mapping. Council does not have the capacity to amend SPP mapping on an ad hoc basis without State input. The planning scheme is required to include the SPP mapping as provided.</p> <p>The term 'infill development' is generally not used in a rural residential context. The term is also not relevant to this situation as development on this site would be opposite but not surrounded by Rural Residential development and, as such, it would be a clear extension of Rural residential development into Agricultural land.</p> <p>Given the above, the proposed zone of Lot 9 on SP217929 will remain Rural.</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-04	ZN-SA-01	Lot 206 on SP225093	Sarina	Split zone	Schedule 2 Mapping	Split zone - Emerging Community & Low Density Residential	Change proposed split zone of Low density residential and Emerging community zone to Low density residential	Proposed split zone (Emerging community zone) is inconsistent with existing approval	Not supported - scheme not changed	<p>The part of the site proposed to be zoned Emerging community is currently zoned as Rural in the Sarina Shire Planning Scheme 2005. The proposed Emerging community zone is reflective of the current status of the land, being an undeveloped parcel intended for residential purposes. The zone of the land will likely change through a future planning scheme amendment process once the residential lots are constructed and registered. This is consistent with the zoning methodology for other approved but unconstructed development sites.</p> <p>The part of the site proposed to be zoned Low density residential reflects the equivalent zone from the current Sarina Shire Planning Scheme 2005.</p> <p>Given the above, the proposed zone of Lot 206 on SP225093 will remain part Low density residential, part Emerging community.</p>
16-05	GN-IA-01	Lot 2 on RP735626	Rosella	Rural (MCC)	Various	Proposed Zone is Rural with Investigation Area Precinct	Include site in Industry Investigation zone or remove limitation that 'Rosella investigation area is not sequenced for development in the life of the scheme'	<p>1. The Rosella investigation area should be sequenced for development in the life of the scheme, as the proposed planning scheme does not provide adequate land for uptake of industrial use.</p> <p>2. The land has been identified to transition away from agriculture in proposed development plans and land owners have factored this into business decisions</p> <p>3. The land east of Bruce Highway is not part of Council's recycled water irrigation scheme and experience annual decreases in underground irrigation water use for cane cropping</p> <p>4. The research in Council's Region Sustainability Study identified Rosella as the best available greenfield land for large-footprint industrial uses</p> <p>5. The current infrastructure may be sufficient to service some interim industrial development in Rosella as staged development - particularly large lots requiring less services per square metre.</p> <p>6. The opportunity for a large scale project at this location (102 ha) would be a catalyst for incremental jobs growth and economic output for the region.</p>	Not supported - scheme not changed	<p>The proposed designation as an Investigation area in the Rural zone appropriately reflects the current status of the land. The wording 'not in the life of the planning scheme' reflects the reality of not having trunk infrastructure available to service this area and requiring the planning and infrastructure issues to be resolved.</p> <p>Once planning and infrastructure issues are resolved, a planning scheme amendment can be considered to include the area as being in the life of the planning scheme.</p> <p>The proposed zone and timing provisions do not preclude investigation studies commencing in the life of the planning scheme. Council looks forward to working with all stakeholders to progress the investigation of the area.</p> <p>Given the above, Lot 2 on RP735626 will remain in the proposed Rural zone, Investigation precinct (RU1) and proposed references to industrial development not occurring in the life of the planning scheme will remain.</p>
16-06	DC-IR-01	NA	N/A	N/A	Part 9 - Development codes	Intensive rural activities code PO14 requires Intensive animal industries / aquaculture to not be located within a declared catchment area or a declared groundwater area	Delete PO14 or provide scientific justification for their inclusion in the planning scheme and update terminology	<p>1. "Declared catchment areas" as a definition in legislation was removed in 2013</p> <p>2. "Declared groundwater area" - not defined in legislation, term is likely a hangover from the repealed Water Resources Act</p> <p>3. "Groundwater management areas" are defined in the Water Act, ultimately all areas with groundwater will be in a groundwater management area</p> <p>4. PO10 requires aquaculture to be lined to prevent impacts to groundwater</p> <p>5. Water use requires an allocation / license under the Water Act</p>	Supported - scheme change prompted by submission	PO14 will be deleted as per the submission's request.
16-07	ZN-MK-01	Lots 1 and 2 on SP722074, Lot 1 on RP718917, Lot 1 on RP710668, Lot 1 on RP710418 and Lot 2 on RP707589	Mackay (central area)	Higher Density Residential (MCC)	Schedule 2 Mapping	Proposed zone is Mixed use zone (MX 2 - Fringe Commercial)	Change the proposed zoning of sites from Mixed use to Low impact industry	<p>1. Change the zoning back to Low impact industry, similar to the light industry zoning in the 1999 Transitional Planning Scheme.</p> <p>2. The proposed Mixed use zone, precinct MX2 does not reflect the current use and unreasonably prejudices further industrial development of the property. The confusion as to what is allowable on the site will lead to the property not being able to be sold or rented.</p> <p>3. The amenity of the area for reverting from industrial to residential use is not seen as desirable as elsewhere - i.e. the eastern end of Victoria Street, closer to the City Centre and Pioneer River.</p> <p>4. The recently approved DA-2015-23 that allowed subdivision of the property, placed restrictions on the future use of the subdivided lots, which inhibits improving flexibility of sale or tenancing.</p>	Supported - scheme change prompted by submission	The proposed zone of the lots listed in the submission will be amended from Mixed use zone, Fringe commercial precinct (MX2) to Low impact industry as per the submission's request.
16-08	ZN-OR-01	Lots 211 and 212 on K1241, and Lot 2 RP890737	Ooralea	Rural (MCC)	Schedule 2 Mapping	Proposed to be zoned Industry Investigation (Precinct I12)	Not specified	<p>1. Future conflict with the building of the Sports Precinct and cane production</p> <p>2. Increased traffic on Cowleys Road and Boundary Road competing with cane production traffic and machinery</p>	Noted - scheme change not necessary / possible	The subject sites are proposed to be zoned Industry investigation, Cowleys Road precinct (I12). This provides for future industrial development subject to co-ordinated planning and investigation across the area. Various constraints on the site (such as stormwater, access arrangements, necessary road upgrades and integration with surrounding area) will be addressed at the development application stage.

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	GN-OR-01	Lot 7 SP135748 and Lot 292 on SP277264	Ooralea	Split zone	N/A	Alignment of future Stormwater Drain traverses property in a south-easterly direction. Planning scheme does not identify road connection from subject sites to Schmidtkes Road	Relocate road connection from Bradco Avenue to Schmidtkes Road to the western side of houses, instead of the eastern side of houses fronting Schmidtkes Road.	More economical to go straight south to Schmidtkes Road rather than to follow the southern boundary of the new council drain	Not supported - scheme not changed	The Ooralea local plan, which included a diagram for this area, has been previously removed from the proposed planning scheme. Development layout arrangements, including location of access points on Schmidtkes Road, will be considered in the development application process.
16-09	TA-EI-01	N/A	N/A	N/A	Part 5 - Tables of assessment	Major Electricity Infrastructure (MEI) in the rural zone is impact assessable.	Major Electricity Infrastructure (MEI) in the Rural zone should be code assessable.	1. The majority of MEI exists within the sparsely populated Rural zone, given it is typically the high voltage transmission infrastructure (i.e. greater than 66kV) used to traverse long distances 2. Visual amenity impacts are often easily mitigated due to large land holdings offering more alignment options for this form of infrastructure. 3. Any impacts on agricultural activity and remnant vegetation are assessed against (and conditioned by) state legislation.	Not supported - scheme not changed	It is considered appropriate to maintain the level of assessment for Major electricity infrastructure in the Rural zone as Impact assessment, given the potential impacts from this use on existing amenity and land uses.
	ZN-BU-01	Lot 100 on SP250845	Bucasia	Urban Residential (MCC)	Schedule 2 Mapping	Proposed zone is Emerging community	Change zone of the future Bucasia substation site (Lot 100 SP250845) from Emerging community to Special purpose	1. Recommendation to zone the site Special purpose goes beyond simply achieving an appropriate level of assessment. 2. Informing the incoming residents of an intended use which differs from the predominant land use is important in setting community expectations, especially in instances where infrastructure is yet to be built (i.e.. a vacant site). 3. Ergon Energy endeavours to maintain public awareness of future substation sites informing new residents of our intentions, however this needs to be supported by appropriate zoning to ensure the community is informed of a future land use which differs from theirs.	Supported - scheme change prompted by submission	The proposed zone of Lot 100 on SP250845 will be changed to Special purpose zone as per the submission's request given that: <ul style="list-style-type: none">the subject site is owned by Ergon Energy Corporation Ltd and the future use of the site is for an electricity substation (a "public use") which aligns with the intent of the Special purpose zoneidentifying a Special purpose zone will more clearly convey the future use of the site to stakeholdersthe level of assessment for Substation (code assessment) does not differ between the Emerging community zone and Special purpose zonepublic consultation will be required for a Substation greater than 66kV and where within 100m of a site within a Residential zoneapplying the Special purpose zone is consistent with other future substation sites (Ooralea and Seaforth)
16-10	ZN-SP-01	Lots 1 and 2 on SP279395	Slade Point	Public Purposes (MCC)	Schedule 2 Mapping	Low density residential	Change the proposed zone of 2 and 8 Finch Street from Low density residential to Public purpose (Community facilities zone) (potential uses described in the submission better relate to Local centre zone).	1. 2 Finch Street is now a child care centre. 2. 8 Finch Street (adjoining the child care centre) is preferred to become a use complimenting the medical centre at 1 Finch Street. 3. Since the previous version of the scheme was released site specific matters have changed.	Not supported - scheme not changed	Council acknowledges that site circumstances have changed since 2013. For 2 Finch Street, DA-2015-112 provides approval for subdivision and a childcare centre. Specific grounds for supporting the child care centre and subdivision were the surrounding approved residential uses. The proposed planning scheme acknowledges that child care centres are suitable within a residential zone in certain cases and this does not require a commercial or community zone to proceed. Therefore, no change in the zone is required. For 8 Finch Street, DA-2012-122 changed the former church to a dwelling house. A commercial or community zoning for this site is not desirable as surrounding residents have not been made aware of this change and a changed zone for a single property is not best-practice planning. The Low density residential zone does not preclude lodgement of an application for commercial uses such as a home-based business or a shop/office. Any application would be assessed on its merits - compatibility with surrounding residential uses (i.e. no amenity impacts) and adequacy of on-site car parking, among many other issues, would be considered. Given the above, the proposed zone of Lots 1 and 2 on SP279395 will remain Low density residential.
16-11	ZN-BB-01	Lot 20 on SP189574	Blacks Beach	Special Activities Tourism (MCC)	Schedule 2 Mapping	Low Density Residential	Retain the Special activities (tourism) zoning over the subject site	1. Reduction in land value. 2. Bought the land for that purpose, 3. There are no environmental issues, the land lends itself to subdivision.	Supported - scheme change prompted by submission	The proposed planning scheme does not include a minor tourism zone for small urban areas, but rather, makes other zones more flexible to allow the inclusion of tourism uses when compatible with the surrounding area. Lots on Bourke Street zoned Special activities (tourism) under the Mackay City Planning Scheme 2006, are now proposed to be within a residential zone. The Medium density residential zone, Multi-storey medium density precinct (MD3) accommodates both residential and tourism uses. In consideration of surrounding land uses, slopes, potential building heights and views, it is agreed that the site can be included in the Medium density residential zone, MD3 precinct. The site has unique characteristics and the MD3 precinct is the closest equivalent to the Special activities (tourism) zone and is applied to eastern lots on Bourke Street under the Mackay City Planning Scheme 2006. The site slope and significant frontage will require a unique design and this will be addressed at development application stage. Given the above, the proposed zone of Lot 20 on SP189574 will be changed to Medium density residential, Multi-storey medium density precinct (MD3)
16-12	ZN-WK-01	NA	Walkerston	Rural Residential (MCC)	Schedule 2 Mapping	Rural residential zone	Sites between Bold Street and Kellys road are not suitable for rural residential development	1. Land between Bold Street and Kellys Road is all low lying land which takes runoff from the residential development from the Kelly Country Estate 2. Works have been done to protect existing residential development by building an earth wall.	Not supported - scheme not changed	Properties between Kellys Road and Bold Street are considered to be appropriately zoned Rural residential despite potential flood risks. The lower density nature of the Rural residential zone (including a minimum lot size of 1ha) will allow adequate options for future dwellings to mitigate any flooding impacts whilst minimising any impacts to properties downstream. Any new Dwelling houses will be required to achieve floor levels above the identified flood level under the Flood and coastal hazards overlay code. It is noted that the area is zoned Rural residential in the current Mackay City Planning Scheme 2006 and previous Mackay City Transitional Scheme 1999 (superseded).

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	ZN-WK-02	NA	Walkerston	Rural (MCC)	Schedule 2 Mapping	Primarily Rural zone	Expansion of Walkerston area in land bounded by Stockroute Road, Bergman's Road, Peak Downs Highway and Kelly's Road	<ol style="list-style-type: none"> 120Ha of land available not prone to flooding Marginal cane land or agricultural land Land is close to the Industrial hub of Paget 40mins closer to the Bowen Basin than other areas such as the Northern Beaches Closer to sporting and cultural areas in the city Reduce travel and fatigue for employees driving to and from the Bowen Basin (in comparison to Northern Beaches) Additional access to and from the city to expanded Walkerston locality New sewerage treatment plant at Baker's Creek will be more than capable of meeting the demand from such an expansion The water infrastructure is in place to meet the demand for the expansion proposed and there would be no need for any capital works by Council in the area Walkerston is a town in its own right and with further residential expansion will develop its own expanded centralised business centre once the by-pass road is completed and heavy transport is moved away from the town area Walkerston by-pass provides a second road corridor to the City and the highlands The construction phase of the Walkerston by-pass corridor enables Council to include any sewerage or water pipe networks without disruption in the future when residential expansion follows. 	Not supported - scheme not changed	<p>The proposed planning scheme, through zoning and the Strategic Framework, identify various other areas that can adequately accommodate projected growth in the life of the planning scheme and beyond.</p> <p>The proposed planning scheme identifies significant areas zoned Emerging community (zoned Urban expansion under the current Mackay City Planning Scheme 2006), particularly in the Northern Beaches area. The next areas for development will be in Ooralea and then Richmond. The Strategic Framework advises that the development of the Ooralea investigation area is not sequenced for urban purposes prior to 2026 and the development of the Richmond investigation area is not sequenced for urban purposes before 2031. Thus, consideration of any further investigation areas are well beyond the life of the proposed planning scheme.</p> <p>The subject site is not serviced by urban infrastructure and there are no future plans to service the area. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence is not sustainable.</p> <p>Given the above, the proposed zone of the subject land will remain Rural.</p>
16-13	ZN-HB-01	Lot 2 on RP729979	Habana	Rural (MCC)	Schedule 2 Mapping	Rural zone	Change property from Rural to Rural residential zone	<ol style="list-style-type: none"> Located immediately adjacent to a large node of existing Rural residential zone. Including the side in the Rural residential zone would be a logical extension of the Habana rural residential node. The subject land is not agriculturally productive. The site is elevated and incompatible with modern agricultural machinery and therefore, unsuitable for productive agricultural uses The subject land is no steeper than the adjoining rural residential zone land along Danmaar Drive and Olletts Road Sufficiently elevated to provide the site with flood immunity No additional Rural residential zoned land in either the 2006 Scheme or the proposed planning scheme, meaning that the demand for large semi-rural lots has not been addressed by Council since the introduction of the transitional planning scheme The subject land appropriately fronts Olletts Road, which is a sealed road already providing access to surrounding rural residential development Rural residential development on the subject land can be serviced by appropriate on-site water supply and wastewater disposal systems The subject land can be adequately serviced by electricity and telecommunications infrastructure 	Not supported - scheme not changed	<p>Council's Rural and Rural Residential Review 2014 found that there is sufficient supply of rural residential land for the life of the proposed planning scheme. The review found that there are significant numbers of vacant rural residential properties and undeveloped rural residential approvals in the Mackay Region. The proposed planning scheme adds an additional 80ha of new Rural residential zoned land in the region. Council has prepared a factsheet explaining Rural and Rural residential issues in the region.</p> <p>It is noted that the site is not mapped as Agricultural land and is not farmed. However, the subject site is constrained by other overlays including Bushfire hazard, Landslide hazard and Landscape character. If new areas of rural residential land were to be sought, it is likely other areas, which are not as constrained as the subject site, would be selected. New areas would also need to consider available supply and demand in the area including consideration of unique product and consideration of the cumulative impact on available services and providing ongoing services.</p> <p>Given the above, the proposed zone of Lot 2 on RP729979 will remain Rural.</p>
16-14	GN-UR-01	Lot 21 on SP278032 and Lot 22 on RP704722	South Mackay	Urban Residential (MCC)	Part 6 - Zones	Medium Density Residential (MD2)	Continued use rights for neighbourhood shops in Medium density residential zone (MD2)	<ol style="list-style-type: none"> Only income No issue with zone as long as the shops can keep on being used as shops, with nothing to compromise the use of the shops (e.g. loss of car parking). 	Supported - scheme change not necessary / possible	<p>The proposed planning scheme will not affect existing lawful land uses. As such, the existing uses (including existing car parking arrangements) on the subject site will be able to continue unaffected. If future on-street car parking changes are considered, it will be subject to detailed road design and separate consultation processes.</p> <p>Any proposal to extend the existing uses will be subject to Council's normal development application and assessment processes.</p>
16-15	ZN-WM-01	Lot 6 on RP709463	West Mackay	Urban Residential (MCC)	Schedule 2 Mapping	Low Density Residential	Change the proposed zone of Duncan Street, West Mackay from Low density residential to Medium density residential (MD2)	<ol style="list-style-type: none"> Close to the city Has access to public transport Wide streets Is surrounded by motels; and Is appropriate locality for medium density housing. 	Not supported - scheme not changed	<p>The Medium density residential zone applies to land in the immediate vicinity of the subject site, including properties along and east of Nebo Road and along Shakespeare. This is considered to be adequate to meet demand in the life of the planning scheme.</p> <p>The established character of Duncan Street is low density residential. Some redevelopment opportunities with increased density can be considered in the Low density zone subject to detailed assessment as part of a Development Application.</p> <p>Given the above, the proposed zoning of Lot 6 on RP709463 and the majority of Duncan Street will remain Low density residential.</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-16	ZN-NM-01	Lot 1 on RP710616	North Mackay	Urban Residential (MCC)	Schedule 2 Mapping	Medium Density Residential (MD2)	Change the proposed zoning of the subject site from Medium density residential to Community facilities zone	<ol style="list-style-type: none"> 1. Land purchased by Catholic Church in 2011 and former house demolished 2. Community facilities zone will better reflect the future use of the site - kindergarten 3. Adjoins large St. Joseph's Primary School site zoned Community Facilities 4. Avoid split zoned property once amalgamated 5. Lodgement of a Development Application for a kindergarten is imminent 	Not supported - scheme not changed	<p>The proposed planning scheme identifies that Child care centres are a consistent use in-principle in residential areas, subject to the detailed assessment of any development application. As such, a site specific Community facilities zone is not considered necessary for this use.</p> <p>It is noted that an Impact assessable development application is planned to be submitted under the current Mackay City Planning Scheme 2006. This is considered appropriate as stakeholders will have an opportunity to lodge submissions on the proposal.</p> <p>Should the proposal be approved and implemented, a consequential amendment to the planning scheme can be considered in the future, if required.</p> <p>Given the above, the proposed zone of Lot 1 on RP710616 will remain Medium density residential, General medium density precinct (MD2).</p>
16-17	GN-HD-01	N/A	N/A	N/A	N/A	N/A	Too many high rise units along with massively reduced property values, low rents, high vacancies	No grounds specified.	Noted - scheme change not necessary / possible	High-rise development is appropriately provided for in key strategic locations such as the Mackay City Centre, Mount Pleasant major centre and the Mackay Marina. The proposed planning scheme does not manage market conditions.
	GN-RV-01	N/A	N/A	N/A	N/A	N/A	Urgent need for a Council owned subsidised retirement village	The region lacks public retirement accommodation for pensioners	Noted - scheme change not necessary / possible	<p>The proposed planning scheme facilitates the establishment of retirement housing, including multi-level development options in appropriate areas subject to the detailed assessment of any development applications. Separate to the planning scheme, Council's Facilitating Development Policy encourages these uses through development incentives.</p> <p>There is a Council owned retirement facility on Macarthur Street, South Mackay. Despite Council's ownership of this facility, the proposed planning scheme or Council does not deliver (construct) this form of development. Council has no future plans to provide further facilities, with private developers /operators likely to provide any new retirement facilities in the region.</p>
16-18	ZN-AC-01	Lot 3 on SP152096	Alligator Creek	Rural (Sarina)	Schedule 2 Mapping	Rural	Change to Rural Residential Zone	<ol style="list-style-type: none"> 1. No new areas of Rural residential have been added to the proposed planning scheme, however supply should not be grounds to deny more development. Progress in this location has been better due to the locality, town water, etc. 2. Buffering from the Port of Hay Point and associated rail infrastructure is not an issue 3. The land contribution to agriculture is very small and will be finished in 2 years. 4. 4,000m2 lots under the SSP are far more desirable than a 2ha lot. <p>Closing statement: This type of development would give people a choice of affordable lifestyle blocks close to work opportunities, schools and services.</p> <p>Providing more Rural Residential land in this area would fit perfectly with the current Councils plan for providing residential land in close proximity to major employment to cut down on high volumes of traffic commuting to and from work.</p>	Not supported - scheme not changed	<p>Council's Rural and Rural Residential Review 2014 found overwhelmingly that there is sufficient supply of rural residential land for the life of the proposed planning scheme. The review found that there are significant numbers of vacant rural residential properties and undeveloped rural residential approvals in the Mackay Region. The proposed planning scheme adds an additional 80ha of new Rural residential zoned land around Finato Road. Council has prepared a factsheet explaining Rural and Rural residential issues in the region.</p> <p>It is noted that existing rural residential development exists to the north and east of the subject site. The entire subject site, however, is identified as Agricultural land. Council is required by the State Government's State Planning Policy to protect Agricultural land as an important resource for current and future generations.</p> <p>If new areas of rural residential land were to be sought, it is likely areas that are not identified as Agricultural land and / or impacted by other constraints would be considered. New areas would also need to consider available supply and demand in the area including consideration of unique product and consideration of the cumulative impact on available services and providing ongoing services.</p> <p>Given the above, the proposed zone of Lot 3 on SP152096 will remain Rural.</p>
16-19	ZN-MP-01	Lot 2 on RP727056	Mount Pleasant	Open Space (MCC)	Schedule 2 Mapping	Open space zone	Change zoning of a portion of the subject site, north of Goosepond Creek to Low density residential and a portion of the site at the intersection of Bruce Highway and Sams Road to Major centre.	<ol style="list-style-type: none"> 1. Previous flood studies have established two separate areas within the property are being suitable for development - site A for residential and Site B for commercial 2. Valuations undertaken during the compensation negotiations for the Goosepond Shared Pathway Easement identified suitable portions of land suitable for development. This was reflected in valuations 3. Open space zone from 1999 Transitional Planning Scheme was not consulted on 4. Development of the site could potentially benefit the city through increased rate revenue and offering further opportunities for retirement housing 5. Development is able to be serviced by existing infrastructure offering parkland that contributes to the northern gateway to the city 6. Area part of a historic 5 stage residential development. Stages 1-4 were constructed, including the tavern site. Stage 5 is subject of this submission 	Not supported - scheme not changed	<p>The subject site has been zoned Open space since the Mackay City Transitional Planning Scheme 1999 (superseded). As such, it is appropriate that any planning scheme amendment, or development application, facilitating commercial and/or residential development is subject to public notification.</p> <p>The site is considered highly constrained by flooding as it lies within a major overland flow path subject to Q100 velocities of between 0.5 and 1.5m/s and inundation depths of greater than 1m.</p> <p>A detailed assessment of a flood impact assessment will be undertaken as part of any development application. While the flood impact assessment report referenced in the submission has not been assessed in detail, it is noted that the report appears not to consider climate change. In the Defined Flood Event (DFE) where the minimum development levels is the 1% Annual Exceedance Probability (AEP) including climate change, the finished lot levels are likely to be higher than those reported.</p> <p>Furthermore, the report does not consider impacts to peak flood velocity, or increase in flood risk for events greater than the DFE. The proposed urban development is within an overland flow path, and while fill to the DFE may result in a low inundation risk, the flood risk for events greater than the DFE would be significant due to flow velocities at this location.</p> <p>Given the above, the proposed zone of Lot 2 on RP727056 will remain Open space.</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	GN-FS-01	Lot 2 on RP727057	Mount Pleasant	N/A	Various		Consider flood impact assessment to support zoning identified above	See item 1 above (Issue: ZN-MP-01)	Not supported - scheme not changed	<p>The existing site lies within a major overland flow path subject to Q100 velocities of between 0.5 and 1.5m/s and inundation depths of greater than 1m. Development on the site as a result of the requested changes to the proposed planning scheme has the potential to further constrain what is a major overland flow for the area and is contrary to best management practice.</p> <p>A detailed assessment of a flood impact assessment will be undertaken as part of any development application. While the flood impact assessment report referenced in the submission has not been assessed in detail, it is noted that the report appears not to consider climate change. In the Defined Flood Event (DFE) where the minimum development levels is the 1% Annual Exceedance Probability (AEP) including climate change, the finished lot levels are likely to be higher than those reported.</p> <p>Furthermore, the report does not consider impacts to peak flood velocity, or increase in flood risk for events greater than the DFE. The proposed urban development is within an overland flow path, and while fill to the DFE may result in a low inundation risk, the flood risk for events greater than the DFE would be significant due to flow velocities at this location.</p>
16-20	ZN-OR-02	N/A	Ooralea	Rural (MCC)	Schedule 2 Mapping	Rural (Investigation area precinct)	Notes the area designated for future Ooralea residential plan and its relegation to investigation area. Cowleys Road to remain the urban boundary	<ol style="list-style-type: none"> 1. Protect agricultural land 2. reinforce council's intention for a clear boundary between urban and non-urban uses 	Supported - scheme change prompted by submission	<p>Support comment is noted. The boundary between the urban area and the rural area will be Cowleys Road for the life of the planning scheme.</p> <p>Text in the Strategic Framework document indicating potential support for development west of Cowleys Road will be removed.</p>
	GN-IA-02	N/A	N/A	Rural (MCC)	Schedule 2 Mapping	Rural (Investigation area precinct)	<ol style="list-style-type: none"> a) Concede the future loss of caneland in the Richmond investigation area. Fragmentation of caneland should be avoided as urban development encroaches this area b) Accepts that Rosella investigation area will accommodate industrial development 	Nil	Noted - scheme change not necessary / possible	Support comment is noted.
	LP-MC-01	N/A	Marian	Urban Expansion (Mirani)	Part 7 - Local plans	Identified proposed crossings of the cane rail on Figure 7.2.2.3.A	Concern raised over the two future road rail crossings	<ol style="list-style-type: none"> 1. Proposed rail crossings shown on the two future roads require further separation 2. Consider existing MSL easement for an effluent main in the area 	Not supported - scheme not changed	<p>The separation distance between the two proposed rail crossings identified on Figure 7.2.2.3.A (Marian Central local plan code) is considered to be adequate as a strategic intent, subject to detailed assessment, given that:</p> <ul style="list-style-type: none"> • the crossing extending south of David Price Way is a road providing an important connection to the south • the crossing extending south of the shopping centre is a pedestrian footpath and not a road. The footpath is important to encourage walkability as it provides convenient pedestrian access from the residential area south of the railway to Marian Town Centre <p>The location of the easement for the effluent main is noted.</p>
	LP-MC-02	N/A	Marian	Urban Expansion (Mirani)	Part 7 - Local plans	Medium density residential development identified by Figure 7.2.2.3.A	Residential expansion south of the Marian town centre falls within the 1,500m buffer	Development may be supported subject to conditions	Noted - scheme change not necessary / possible	Comment is noted. Any proposed development will require assessment against the relevant codes of the proposed planning scheme, including the Extractive resources and high impact activities overlay code.
	SF-GN-01	N/A	N/A	N/A	Part 3 - Strategic framework	<p>Statements relating to:</p> <ul style="list-style-type: none"> - protection of agricultural land - protection of Racecourse Mill and associated diversification projects - promotion of the development of renewable energy projects - buffers to milling infrastructure - residential uses limited to those in support of rural production 	<p>Endorsement of statements in the Strategic Framework relating to:</p> <ul style="list-style-type: none"> - agricultural land - Racecourse Mill - renewable energy projects - buffering to milling infrastructure - residential uses support rural production of land 	Nil	Noted - scheme change not necessary / possible	Support comments are noted. Residential developments are defined as a sensitive development are therefore addressed by encroachment statements relating to milling activities.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	SF-SI-01	N/A	Ooralea	Rural (MCC)	Schedule 2 Mapping	Rural designation under Strategic Framework	- Limit development of land bounded by Peak Downs Highway, east of Calrossie Road and north of Stotts Road. - suggest land to the west of the mill to Kowai-Foulden Road as being more suitable for low impact industry development	1. No support for the development of land south of Peak Downs Highway, which is viewed as valuable agricultural land close to the mill 2. Land immediately west of the Racecourse Mill to the Kowai-Foulden Road more suitable for Low impact industry following construction of Ring Road	Supported - scheme change prompted by submission	The Strategic Framework mapping for sites bounded by Peak Downs Highway, east of Calrossie Road, west of Racecourse Mill land and north of Stotts Road has been previously changed from the Industry designation to the Rural designation prior to the 2016 proposed planning scheme consultation. The proposed Strategic Framework document will be amended to delete words relating to the former advertised industrial designation to be consistent with the Strategic Framework mapping.
	ZC-HI-01	N/A	N/A	N/A	Part 6 - Zones	Special industry activities	In Table 6.2.6.3.A, AO 6.1 excludes special industry from sugar mills, requiring a separation distance of 1,500m	Nil	Noted - scheme change not necessary / possible	The High impact industry zone, Sugar mill precinct (HI1) provides for Special industry among a limited range of other uses. Sugar milling or refining is covered by the Special industry use definition (mentioned as an example activity in the definition). Special industry is code assessable within the HI1 precinct. The purpose of AO6.1, of the High impact industry zone code, is to require new Special industry uses on sites zoned High impact industry outside of the HI1 precinct, to locate at least 1,500m from sensitive land uses/residential zones as there is no pre-existing 1,500m buffer. The proposed planning scheme also applies a 1,500m buffer to Sugar mills within the HI1 precinct in order to manage the encroachment of sensitive land uses.
	OV-HI-01	N/A	N/A	N/A	Part 8 - Overlays	Buffers to: - sugar mills and sugar mill ponds - cane railways, sidings and level crossings	Endorsement of - 1,500m buffer from sugar mills and sugar mill ponds - 100m buffer from cane railways, sidings and level crossings	Acceptance that encroachment has occurred at CQU campus and Marian into 1,500m buffer - no further encroachment should be allowed inside the 1,500m buffer.	Noted - scheme change not necessary / possible	Comment is noted. The purpose of the 1,500m buffer from sugar mills and associated infrastructure is not to sterilise land, but to require proposals to consider potential impacts of locating within this area. Such proposals will be assessed against the requirements of the Extractive resources and high impact activities overlay code.
	ZC-TN-01	N/A	Farleigh	Industry High Impact (MCC)	Part 6 - Zones	Township zone code - AO7, AO10.3 and Figure 6.2.23.3.A	The "New Street" and residential area identified in Farleigh is not supported	Proposes new residential uses within the sugar mill buffer	Supported in part - scheme change prompted by submission in part	The intent of Figure 6.2.23.3.A and associated provisions was to set a maximum density on any proposed residential uses, if residential uses are proposed. It was not intended to require residential development. AO7(d) will be amended to make this clearer. The maximum density reflects the number of existing residential uses on this site. The provisions also relocate residential uses next to the primary school (as far from the mill as possible). The "New Street" separates the residential / school area from potential commercial uses closer to the mill. Any development application over the site may propose a suitable layout which will be considered on its merit. Figure 6.2.23.3.A and its associated provisions has previously been discussed at meetings with Mackay Sugar Limited (MSL) during the 2013 public consultation of the proposed planning scheme, and received support in MSL's 2013 submission.
16-21	ZN-SA-02	Lot 16 on SP213679	Sarina	Rural (Sarina)	Schedule 2 Mapping	Rural zone	Change zone of the subject site from Rural to Rural residential	1. Surrounding land is zoned Rural residential 2. Site is not suitable for growing sugar cane or crops as it is stony with gullies and creeks	Not supported - scheme not changed	Council's Rural and Rural Residential Review 2014 found overwhelmingly that there is sufficient supply of rural residential land for the life of the proposed planning scheme. The review found that there are significant numbers of vacant rural residential properties and undeveloped rural residential approvals in the Mackay Region. The proposed planning scheme adds an additional 80ha of new Rural residential zoned land around Finato Road. Council has prepared a factsheet explaining Rural and Rural residential issues in the region It is noted that existing rural residential development exists to the east and west of the subject site. The majority of the subject site, however, is identified as Agricultural land. Council is required by the State Government's State Planning Policy to protect Agricultural land as an important resource for current and future generations. If new areas of rural residential land were to be sought, it is likely areas that are not identified as Agricultural land and / or impacted by other constraints would be considered. New areas would also need to consider available supply and demand in the area including consideration of unique product and consideration of the cumulative impact on available services and providing ongoing services. Given the above, the proposed zone of Lot 16 on SP213679 will remain Rural.
16-22	ZN-WK-03	Lot 88 on SP238575	Walkerston	Rural (MCC)	Schedule 2 Mapping	Rural	Change to Rural residential zone	1. Across the road from existing rural residential development. 2. Unable to sell property as rural, and rural residential might improve changes.	Not supported - scheme not changed	Council's Rural and Rural Residential Review 2014 found overwhelmingly that there is sufficient supply of rural residential land for the life of the proposed planning scheme. The review found that there are significant numbers of vacant rural residential properties and undeveloped rural residential approvals. The proposed planning scheme adds an additional 80ha of new Rural residential zoned land in the region. Council has prepared a factsheet explaining Rural and Rural residential issues in the region. It is noted that existing rural residential development exists to the north of the subject site. The majority of the subject site, however, is identified as Agricultural land. Council is required by the State Government's State Planning Policy to protect Agricultural land as an important resource for current and future generations. If new areas of rural residential land were to be sought, it is likely areas that are not identified as Agricultural land and / or impacted by other constraints would be considered. New rural residential areas would also need to consider available supply and demand in the area including consideration of unique product and consideration of the cumulative impact on available services and providing ongoing services. Given the above, the proposed zone of Lot 88 on SP238575 will remain Rural.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-23	GN-LN-01	N/A	N/A	N/A	Part 1 - About the planning scheme	Proposed planning scheme prepared in accordance with the Sustainable Planning Act 2009	Proposed planning scheme fails to meet the sustainable development standards prescribed by SPA 2009 - failed in any meaningful way to provide any leadership relating to global problems of overpopulation, climate change and sea level rise	<ol style="list-style-type: none"> 3/5 of all animals with a backbone have been wiped out since 1970 by human activity, and global plunge in wildlife stocks Species extinction will lead to ecosystems collapse, decrease in clean air, water, food and climate services The Great Barrier Reef is under pressure from farming run-off, development, Crown of Thorns starfish and the impacts of climate change (coral bleaching) High concentration of carbon dioxide in the atmosphere Sea surface temperatures have increased across the globe and will continue to rise over the coming decades Sea level rise impacts to coastal Mackay cannot be ignored Economic consequences from climate change to coastal communities Appreciates that the proposed planning scheme cannot unilaterally solve the massive global problems associated with human population and environmental degradation 	Noted - scheme change not necessary / possible	<p>Responding to global overpopulation issues is beyond the scope of the planning scheme.</p> <p>The proposed planning scheme aims to reduce the exacerbation of climate change impacts through promoting sustainable urban form (such as reducing travel and land consumption by providing for a mix of compatible uses and an overall increase in density).</p> <p>The proposed planning scheme includes assessment criteria for environmental constraints, including the potential impacts of natural hazards on proposed development in various parts of the proposed planning scheme, including element 3.3.19 in the Strategic Framework, requirements for assessing flood impacts and development in the coastal zone.</p>
16-24	ZN-BA-01	Lot 1 on RP881163	Balnagowan	Rural (MCC)	Schedule 2 Mapping	Rural	Ability to subdivide Rural Zone land by creating criteria where reconfiguration of Rural zone land could be considered.	<ol style="list-style-type: none"> No overlays Adequate services Existing two dwellings No cropping undertaken Good frontage; and Is not mapped as GQAL. 	Not supported - scheme not changed	<p>It is noted that there are small rural lots to the east and north of the subject site.</p> <p>The majority of the subject site, however, is identified as Agricultural land. Council is required by the State Government's State Planning Policy to protect Agricultural land as an important resource for current and future generations.</p> <p>Proposals for reconfiguration should demonstrate that the resulting realignment will not further fragment Agricultural land and simultaneously enhance rural outcomes. Detailed assessment of how a development proposal will be reducing fragmentation and enhancing rural outcomes is considered at a development application stage rather than amending the strategic policy intent in the proposed planning scheme. The proposed planning scheme cannot consider all possible scenarios and potential performance outcomes relevant to proposed development but sets policy positions on aspects of development. High-level elements of the proposed planning scheme (such as a strategic framework and overall outcomes) articulate the strategic intent, while performance and acceptable outcomes identify clear intended outcomes in a measurable way.</p> <p>In instances where the proposal demonstrates that the resulting reconfiguration will not further fragment Agricultural land and simultaneously enhances rural outcomes, the proposed lots are considered on their merit in the development application process. If development does not comply with performance and acceptable outcomes of the proposed planning scheme, the applicant must demonstrate how the proposal still complies with the high-level elements of the proposed planning scheme.</p> <p>Given the above, criteria enabling the subdivision of Lot 1 on RP881163 will not be provided in the proposed planning scheme.</p>
16-25	ZN-AC-02	Lot 6 on RP742349 and Lot 2 on RP742350 and Lot C on AP19508	Alligator Creek	Rural Residential (MCC)	Schedule 2 Mapping	Rural residential zone / unzoned	The land to be zoned Special Purpose consistent with all designated port land	The land is owned by NQBP for port purposes and both lots are gazetted for transport infrastructure purposes. Therefore, the lots should be in the Special purpose zone as for all other port land	Supported - scheme change prompted by submission	Lot 6 on RP742349 and Lot 2 on RP742350 are in the Rural residential zone and Lot C on AP19508 has no zone applied. All three lots will be changed to Special purpose zone as the lots are in NQBP ownership and designated through other legislation as Strategic Port Land. In addition, for the purpose of consistency Lot C has been added to the Strategic Framework corrections in conjunction with the correction for Lots 561 and 562 on Ci2428.
	ZN-MH-01	Lot 52 on SP126417	Mackay Harbour	Special Activities Tourism (MCC)	Schedule 2 Mapping	Open space zone	The land to be zoned Special Purpose consistent with all designated port land	Consistent application of zone with designated port land	Not supported - scheme not changed	Lot 52 on SP126417 serves a public purpose as well as a port purpose, however it is not exclusively for port purposes. The subject site was zoned Open space in the 2013 advertised version of the proposed planning scheme. This is considered appropriate in view of the multiple purposes of the site including community expectations of the use of the area.
	ZN-PG-01	Lot 5 on SP244237 Lot 6 on SP244237	Paget	Industry Low Impact (MCC)	Schedule 2 Mapping	Industry Investigation	The land to be zoned Industry (Low Impact) consistent with scheme amendment 1 of 2012	Consistent with the Council resolution and land exchange agreement	Supported - scheme change prompted by submission	<p>The proposed zone of lot Lots 5 and Lot 6 on SP244237 will be amended from Industry investigation, Boundary Road precinct (I11) to Low impact industry, to reflect the current Mackay City Planning Scheme Zone 2006. The site is unserviced and remains outside of the Priority Infrastructure Area boundary and this will need to be addressed in any future development application over the sites.</p> <p>Proposed site specific design provisions that applied to the subject site under the Industry investigation zone will be introduced into the Low impact industry zone code.</p>
	SF-GN-02	N/A		Public Purposes (MCC)	Part 3 - Strategic framework	Special purpose	Request that the ports be identified as Priority ports in line with the Sustainable Ports Act 2015 in the Strategic Framework mapping	The impact of the Sustainable Ports Act and the designation as Priority Ports, is a statutory masterplan and overlay. The importance of the State priority ports should be reflected in the scheme	Supported in part - scheme change prompted by submission in part	The Strategic Framework narrative on the regional air and seaports (paragraph in section 3.2.2) will be amended to recognise the Port of Mackay and Port of Hay Point as Priority Ports and key regional economic infrastructure as provided under the Sustainable Ports Act 2015. Note this narrative will be further amended to recognise the regional importance of Mackay Airport as a multimodal integrated transport hub as intended in the relevant land use plan (refer to submission 16-81). Council will review obligations in reflecting the statutory port masterplan and overlay provisions and mapping once those documents are complete.
	SF-MP-02	Lot 58 on SP123751	Mackay Harbour	Special Activities (City) (MCC)	Schedule 2 Mapping	Tourism and Eco tourism Development	Adjust the tourism 'star' so it is not directly over port operations land	Tourism designations should be confined to the Mackay Marina	Supported - scheme change prompted by submission	The proposed planning scheme's Strategic framework mapping will be amended to identify the tourism symbol over the Mackay Marina area.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	SF-MP-03	Lot 561 and 562 on Ci2428	Mackay Harbour	Public Purposes (MCC)	Schedule 2 Mapping	Rural	Amend the Strategic Framework map to include these two lots in the Special Purpose (Port) area	Consistent with the applied zone	Supported - scheme change prompted by submission	The proposed Strategic Framework designation will be amended over the subject sites has been changed to Special Purpose (Port).
	OV-TN-01	From Erakala along the Multi Modal Corridor to the Port of Mackay	Mackay Harbour	N/A	Schedule 2 Mapping	Nil	The Port of Mackay rail corridor should be included in the overlay information maps for rail noise corridor	The inclusion of the corridor is beneficial for future planning	Supported - scheme change not necessary / possible	<p>The advantages in mapping this corridor in the Transport Noise corridor overlay to assist identification of sites impacted along the route is acknowledged. However, the designation of noise corridors, including the associated modelling, is prepared under the Building Act. This mapping is provided by the State Government for inclusion to the proposed planning scheme and Council does not have the ability to alter the mapping in any way.</p> <p>The corridor and a buffer area is identified in the Regional infrastructure overlay (identified as "Railway infrastructure"). The corridor is also reflected in the Road hierarchy mapping as "Proposed arterial (State Controlled Road)". Council will review all corridor and transport matters in the future as part of the planned Road hierarchy review and will include this matter for future consideration.</p> <p>Given the above, the Port of Mackay Rail will not be mapped as a Transport Noise Corridor at this time.</p>
	OV-EI-01	Port of Mackay and Port of Hay Point	Mackay Harbour	N/A	Schedule 2 Mapping	Nil	Include all port operations area in the High Impact Activity mapping	To protect on-going port operations	Not supported - scheme not changed	<p>The Extractive industry and high impact activities overlay is about managing uses potentially impacted by existing incompatible uses, not identifying port operations. Identifying port operation areas would unnecessarily complicate the proposed planning scheme and trigger additional unnecessary assessment.</p> <p>Given the above, the Extractive resources and high impact activities overlay mapping will remain unchanged.</p>
	OV-EI-02	Port of Mackay and Port of Hay Point	Mackay Harbour	N/A	Schedule 2 Mapping	Nil	Include parts of the State Planning Policy Model Code in the scheme through adoption of a Ports Protection Code	The navigational aids associated with the ports should be protected	Not supported - scheme not changed	<p>It is considered that the proposed planning scheme adequately reflects the State Planning Policy (SPP) and supports continued operation and expansion of strategic ports.</p> <p>Model codes provided in the SPP are non-mandatory. The development of the Priority Ports masterplan and overlay will adequately protect the region's ports in the future.</p> <p>Council considers potential issues as low risk given the low potential for development near the region's strategic ports.</p> <p>Given the above, a Ports Protection Code will not be incorporated into the proposed planning scheme.</p>
16-26	DC-RC-04	Lot 1 on RP842083 and Lot 200 on Ci124738	Devereux Creek	Rural (MCC)	N/A	Rural	Untie the allotments	Allow family member to build on a lot tied to the principal lot	Not relevant	The untying of allotments is not a planning scheme matter. It is noted that previous advice provided by Development Services indicated that the proposal for untying the subject lots was not supported.
16-27	DC-RC-01	Lot 2 on RP746679 Lot 1 on RP3424 Lot 1 on RL3542	Balberra	Rural (MCC)	Part 9 - Development codes	9.4.3 Reconfiguration of Lot Code - Table 9.4.3.3.B - Lot Size & Frontage Requirements - Minimum Lot Size in the Rural zone is 100Ha	Support for rural subdivision of subject property to have house and shed on separate title	Planning for retirement	Not supported - scheme not changed	<p>Under the current Mackay City Planning Scheme 2006 and Mirani Shire Planning Scheme 2007, the minimum lot size for new lots in the Rural zone is 100ha. Under the Sarina Shire Planning Scheme 2005, the minimum lot size for new lots in the Rural zone is 80ha. The proposed planning scheme identifies a minimum lot size of 100ha across the entire region for consistency, and is based on reasons set out below.</p> <p>The State Planning Policy requires Council to protect agricultural land as a resource for current and future generations, and maintain it's productive capacity by avoiding further fragmentation and encroachment of incompatible uses (such as residential uses not associated with agriculture).</p> <p>The 100ha minimum also acknowledges that cane farming is the predominant form of agriculture in the region currently and for the foreseeable future. Studies have found that the minimum area required for a viable cane farm is 100ha.</p> <p>Proposals for reconfiguration should demonstrate that the resulting realignment will not further fragment agricultural land and simultaneously enhance rural outcomes, which is unlikely at this location as it would create uses not associated with surrounding agricultural use. Given there are 2 additional titles forming this farming unit, those titles could be made available to create another receiving lot at an appropriate location. The submitter is encouraged to consider if options are available under Council's Tradeable development rights policy.</p> <p>Given the above, provisions enabling the subdivision of Lot 2 on RP746679, Lot 1 on RP3424 and Lot 1 on RL3542 will not be incorporated into the proposed planning scheme.</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-28	ZN-BE-01	Lot 1 on SP110550	Beaconsfield	Split zone	Schedule 2 Mapping	Split Zone - Sport and Recreation and Rural	Amend part of parcel zoned Rural to Low Density Residential (referred to as Urban Residential)	<p>1. Rural Use - Land is unsuitable for rural use ~ not considered Good Quality Agricultural Land ~ site is low lying and subject to water inundation ~ costs of filling land to prevent water inundation and then use for rural proposes would be economically unviable ~ area of land is too small for rural purposes ~ the land has not been used for rural purposes for many years</p> <p>2. Near Urban Area ~ compatible planning for an additional residential area ~ nearby developments of Kerrisdale and Mira Flores</p> <p>3. Need ~ support for residential land sales in surrounding residential estates</p> <p>4. Road Access ~ Major and secondary road systems available to support residential development ~ Site location and configuration enables multiple access/agree routes rather than relying on access/egress from one direction only.</p> <p>5. Services ~ All services (water, sewerage, power and phones) are presently available to the subject site</p> <p>6. Access to facilities ~ Ideal for use as residential development as the subject site is close to and well serviced by community facilities and soft infrastructure (Hospitals, medical, shopping centre, schools, sporting & recreational facilities and access to the city heart)</p>	Not supported - scheme not changed	<p>If the existing golf course use was no longer viable, preference would be for a new sporting use rather than residential development. Council remains supportive in-principle (subject to a detailed assessment of a development application) of development on restricted parts of the subject site, complimenting the existing golf course use, however changing the zone of the entire site to Low density residential (the equivalent of Urban residential in the proposed planning scheme) is not supported.</p> <p>The proposed planning scheme, through zoning and the Strategic Framework, identify various other areas that can adequately accommodate projected growth in the life of the planning scheme and beyond. The proposed planning scheme identifies significant areas zoned Emerging community (zoned Urban expansion under the current Mackay City Planning Scheme 2006), particularly in the Northern Beaches area.</p> <p>The next areas for development will be in Ooralea and then Richmond. The Strategic Framework advises that the development of the Ooralea investigation area is not sequenced for urban purposes prior to 2026 and the development of the Richmond investigation area is not sequenced for urban purposes before 2031. Thus, consideration of any further investigation areas are well beyond the life of the proposed planning scheme.</p> <p>The subject site is not serviced by urban infrastructure and there are no future plans to service the area. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence is not sustainable.</p> <p>It is also noted that the Flood and coastal hazard overlay is identified over a substantial part of the subject land.</p> <p>Given the above, the proposed zone of the subject site will remain part Sport and recreation and part Rural.</p>
16-29	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	<p>1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs</p> <p>2. impact on existing views, vistas & amenity from 'Captains Corner'</p> <p>3. impact on property value for 'Captains Corner'</p>	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124859	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	<p>1. Proposed development may impact on existing views, vistas & amenity from 'Captains Corner'</p> <p>2. Future development may have impact on property value for 'Captains Corner'</p> <p>3. Historic building height restrictions over property</p>	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-30	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	<p>1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs</p> <p>2. impact on existing views, vistas & amenity from 'Captains Corner'</p> <p>3. impact on property value for 'Captains Corner'</p>	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124859	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	<p>1. Proposed development may impact on existing views, vistas & amenity from 'Captains Corner'</p> <p>2. Future development may have impact on property value for 'Captains Corner'</p> <p>3. Historic building height restrictions over property</p>	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-31	GN-BP-01	N/A	N/A	N/A	N/A	N/A	Amend errors in Bucasia Beach Local Beach Plan	<p>1. Lack of evidence</p> <p>2. Lack of clear and transparent risk management approach</p> <p>3. Lack of Plan detail</p> <p>4. Use of Incorrect Terminology</p> <p>5. Protection of Wildlife</p> <p>6. Ecotourism Opportunities</p>	Not relevant	<p>The Bucasia Beach Local Plan, is a separate document from the proposed planning scheme. Matters addressed in the Beach Plan are not covered by the proposed planning scheme. As such, the matters raised by the submission cannot be addressed in the proposed planning scheme.</p> <p>The submission has been referred to the Parks, Environment and Sustainability Program in Mackay Regional Council for consideration as part of their public consultation on the Bucasia Beach Local Coastal Plan (note - submissions on this project closed on 2 December 2016).</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-32	ZN-GL-01	Lot 903 on SP201821	Glenella	Urban Expansion (MCC)	Schedule 2 Mapping	Proposed zoning of the subject property is Rural	Change the proposed zoning of the subject site from Rural to Low density residential to reflect the future stages of development	<ol style="list-style-type: none"> 1. Reflect surrounding land and current Urban expansion zone 2. Stage 4 of the estate being prepared for lodgement 3. Until the flood study by GHD is finalised, the development application is assessed and decided upon, it is premature and irresponsible to back-zone the site 4. Council has previously determined the site is suitable for residential development through the Urban expansion zone 5. Clear intent to complete the estate by construction of stages 1-3 6. Site adjoins existing residential development 7. Site has good access to Glenella and Mount Pleasant 8. Site can be serviced by infrastructure suitable for residential development 9. Back zoning of the property decreases its value with serious financial ramifications for the landowner 	Supported in part - scheme change prompted by submission in part	<p>The subject site was identified as proposed Rural zone in the 2013 public consultation version of the proposed planning scheme.</p> <p>Outcomes of flood data in the area was provided to landowners at that time. Due to significant flooding events in recent years, Council has better information available about the suitability of the site for development with regard to environmental constraints.</p> <p>It is likely that the site has potential to accommodate some development, however this cannot be confirmed without specialist information and modelling and full assessment by Council as part of the development application process. A Development Application will need to address flood impacts in the Defined Flood Event.</p> <p>The proposed planning scheme will be amended to identify Emerging community zone generally reflecting proposed Stage 4 (plus an 5m additional offset to the east for flexibility). The balance area will remain in the proposed Rural zone. The Strategic Framework map will be amended to reflect the underlying zone change.</p>
16-33	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	<ol style="list-style-type: none"> 1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. impact on existing views, vistas & amenity from 'Captains Corner' 3. impact on property value for 'Captains Corner' 	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124859	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	<ol style="list-style-type: none"> 1. Proposed development may impact on existing views, vistas & amenity from 'Captains Corner' 2. Future development may have impact on property value for 'Captains Corner' 3. Historic building height restrictions over property 	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-34	ZN-BL-01	Lot 35 on RP747495	Bloomsbury	Rural (MCC)	Schedule 2 Mapping	Rural zone	Change the zoning of subject site to Rural residential to enable a development permit so that the block can be subdivided in the future	<ol style="list-style-type: none"> 1. Property is hilly, rocky block with no agricultural value: impractical for growing crops or running a herd of cattle, overgrown and full of zamia & plants that are poisonous to cattle and other livestock 2. The property adjoins Carlisle Crescent, a road in the already-existing "Whitsunday Park Estate" - practical extension of roadway to join Whitsunday Drive roadway 3. Last block in the area that would be suitable for subdivision into the future given proximity to existing subdivision 4. Property is in the Rural residential zone 5. Existing power services, Telstra and bitumen road frontage from Carlisle Crescent entry 6. Configuration of future subdivision is flexible 7. Development of Laguna Whitsundays Resort would support future subdivision of Bloomsbury 8. Bloomsbury area has improved over the years and has become more popular with working families (demand and support through soft infrastructure - schools, buses, shops, services, etc.). 	Not supported - scheme not changed	<p>Council's Rural and Rural Residential Review 2014 found overwhelmingly that there is sufficient supply of rural residential land for the life of the proposed planning scheme. The review found that there are significant numbers of vacant rural residential properties and undeveloped rural residential approvals. The proposed planning scheme adds an additional 80ha of new Rural residential zoned land in the region. Council has prepared a factsheet explaining Rural and Rural residential issues in the region.</p> <p>It is noted that the subject site is located near existing rural residential development to the north and west and it is not used for agricultural purposes. However the subject site is significantly constrained by overlays including Bushfire hazard, Landslide hazard and Landscape character and part of the site is mapped as Agricultural land. If new areas of rural residential land were to be sought, it is likely other areas which are not as constrained as the subject site would be selected.</p> <p>Given the above, the proposed zone of Lot 35 on RP747495 will remain Rural.</p>
16-35	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	<ol style="list-style-type: none"> 1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. impact on existing views, vistas & amenity from 'Captains Corner' 3. impact on property value for 'Captains Corner' 	Not supported - scheme not changed	<p>Note there is currently no proposed development over the subject site.</p> <p>Consultation on the proposed planning scheme has been undertaken in accordance with the Queensland Government's Statutory Guidelines. Earlier consultation has previously occurred on earlier versions of the proposed planning scheme in 2013 and 2014.</p> <p>Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for more response details on this issue.</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-36	GN-LR-01	Lot 2 on SP135636	North Mackay	Urban Residential (MCC)	N/A	Open space zone	Request for land resumption due to 'back-zoning'	<p>1. The recent rezoning to Open space has made the majority of this almost 8,000m² block virtually worthless</p> <p>2. A housing block was recently approved for development near the road</p> <p>3. Some years back a block at 19 Perkins who also fronts the Gooseponds and only approx. 50 metres away was sold with Council Approval for 10 Residential Units and many blocks in the Perkins Street area was sold for development needing a greater level of fill i.e.. RL 5.5 ADH</p> <p>4. Many of these surrounding blocks were purchased by developers to "opportunity fill" over time.</p>	Supported in part - scheme change prompted by submission in part	<p>In the 2013 and 2016 public consultation versions of the proposed planning scheme, the subject site was identified as proposed Open space zone due to the flood hazard constraints of the site and surrounding area. It is noted that the subject site was previously zoned Rural under the superseded Pioneer Shire Planning Scheme 1983, Rural under the superseded Mackay Transitional Planning Scheme 1999 and is currently zoned Urban Residential under the Mackay City Planning Scheme 2006.</p> <p>The property is subject to significant flood constraints including:</p> <ul style="list-style-type: none"> significant inundation over 1.5m across the majority of the site under the existing scenario Q100 and over 2m with a climate change factor (more intense rain events, increased sea level) added filling above the Q100 across a large area will impact neighbouring residents; no filling is possible along the north western boundary adjacent to the levee as this is a drainage path <p>The proposed zone of the subject site will be amended to part Low density residential (approximately 800m² in the southern corner of the subject site) and Open Space over the balance of the subject site:</p> <ul style="list-style-type: none"> Filling of a restricted footprint for a dwelling house has previously been assessed and a Development Approval issued (DA-2014-253). Filling on the remainder of the site will not be possible and the site is to be free draining. Low density residential zone will be applied to the area of the house pad and a limited area surrounding the house pad. The remaining area will remain open space, with any development as impact assessable to ensure detailed assessment of any flood impacts. <p>The proposed Strategic Framework mapping will also be amended to reflect the change in zone.</p>
16-37	ZN-GL-02	Lot 1 on RP728844 Lot 2 on RP728844 Lot 3 on RP728844	Glenella	Rural (MCC)	Schedule 2 Mapping	Rural	Recognise current usage and land size	<p>1. Highly fragmented already;</p> <p>2. Prevent inappropriate self assessable uses;</p> <p>3. Overlays are no longer valid;</p>	Not supported - scheme not changed	<p>The zoning of land is not necessarily dictated by existing land use and fragmentation does not in itself justify applying another zone. Existing land use rights or current development permits prevail over proposed planning scheme zones. Numerous similar situations exist throughout the region and applying a residential zoning to them would indicate a preference for residential uses over rural uses, which is not the strategic intent.</p> <p>Given the above, the proposed zone of the subject land will remain Rural.</p>
	ZN-GL-03	Lot 5 on RP728844 Lot 1 on RP736046 Lot 504 on CI3896	Glenella	Rural (MCC)	Schedule 2 Mapping	Rural	Amend the zone to Township or Mixed use	Future plans for development	Not supported - scheme not changed	<p>The Mackay Ring Road is the jurisdiction of the State Government. The advice attached to the submission from DTMR indicates that access would only be 'considered' where certain matters were addressed as part of any proposal. One of the matters identified is the requirement to connect the proposed new leg of the roundabout with Glendaragh Road. This would require significant consideration regarding overall road network impacts and broader infrastructure requirements when considering the existing traffic as well as the generated traffic.</p> <p>The proposed planning scheme identifies significant areas zoned Emerging community (zoned Urban expansion under the current Mackay City Planning Scheme 2006), particularly in the Northern Beaches area. The next areas for development will be in Ooralea and then Richmond. The Strategic Framework advises that the development of the Ooralea investigation area is not sequenced for urban purposes prior to 2026 and the development of the Richmond investigation area is not sequenced for urban purposes before 2031. Thus, consideration of any further investigation areas are well beyond the life of the proposed planning scheme.</p> <p>The subject site is not serviced by urban infrastructure and there are no future plans to service the area. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence is not sustainable.</p> <p>If there is a need for specific highway related development in this locality then an application can be lodged and assessed on its merits with consideration of site specific matters such as need, infrastructure, access, design and other matters.</p> <p>Given the above, the proposed zone of the subject land will remain Rural.</p>
	OV-GN-01	Lot 1 on RP728844 Lot 2 on RP728844 Lot 3 on RP728844 Lot 5 on RP728844 Lot 1 on RP736046 Lot 504 on CI3896	Glenella	Rural (MCC)	Schedule 2 Mapping	Rural	Amend the overlay maps to ensure the lots are not affected	<p>1. The land is not used for agriculture;</p> <p>2. The land is cleared and no bushfire risk exists;</p> <p>3. The Biodiversity map incorrectly lists two waterways;</p> <p>4. The land has been cleared and no landscape character applies;</p> <p>5. The land mapped as in flood hazard area is excessive</p>	Not supported - scheme not changed	<p>Much of the overlay mapping provided in the proposed planning scheme is provided by the State Government. Council does not have the ability to alter this mapping.</p> <p>Overlays not based on State Government mapping are based on comprehensive studies and/or definitive criteria applied consistently across the entire region. As such, any amendments to overlay mapping are generally based on a broad strategic review, rather than isolated amendments single properties.</p> <p>Overlay mapping is intended to provide insight into site-specific matters and characteristics, which need to be addressed at the time of development application. The intensity to which a constraint applies to a site is a matter for development application assessment. Flood hazard mapping represents events based on the data and modelling available. Site-specific modelling can be prepared at the time of development for detailed assessment as part of the development application.</p> <p>Given the above, the proposed overlays affecting the subject land will remain unchanged.</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	GN-TM-01	Lot 1 on RP728844 Lot 2 on RP728844 Lot 3 on RP728844 Lot 5 on RP728844 Lot 1 on RP736046 Lot 504 on CI3896	Glenella	Rural (MCC)	Part 5 - Tables of assessment	Rural	Reduce assessment levels; encourage short term accommodation in the Township zone for tourism purposes along the Bruce Highway.	1. Accommodation is only encouraged at locations of high amenity value; 2. The Strategic Framework should encourage more accommodation, especially caravan parks along the highway and ring road for travellers.	Not supported - scheme not changed	The Mackay Ring Road and Bruce Highway are under the jurisdiction of the State Government any access requirements will need to be considered and approved by DTMR. The proposed planning scheme identifies a limited range of accommodation uses (farm stays and nature based tourism) in the Rural zone as code assessment. It is considered that other forms of accommodation uses are impact assessable, given that the proposed planning scheme is underpinned by strong clear principles of avoiding urban development in rural areas (for a variety of reasons). If there is a need for specific highway related accommodation uses in this locality then an application can be lodged and assessed on its merits with consideration of site specific matters such as need, infrastructure, access, amenity, design and other matters. Given the above, the proposed tables of assessment regarding accommodation uses in rural areas will remain unchanged.
	SF-MP-01	Lot 1 on RP728844 Lot 2 on RP728844 Lot 3 on RP728844 Lot 5 on RP728844 Lot 1 on RP736046 Lot 504 on CI3897	Glenella	Rural (MCC)	Schedule 2 Mapping	Rural	Amend the strategic framework to show the actual route of the ring road	There is a conflict between the future state controlled road route designation and the dots showing the Ring Road on the Strategic Framework Map.	Supported in part - scheme change prompted by submission in part	The Strategic Framework mapping will be amended to reflect the gazetted Future State-controlled road alignment for the Mackay Ring Road as 'future state and major road network'. However, the text of the Strategic Framework remains relevant and will not be amended.
16-38	ZN-RV-01	Lot 600 on SP286509	Rural View	Urban Residential (MCC)	Schedule 2 Mapping	Medium Density Residential (Precinct MD2)	Change the zone from residential to Local centre	1. Take advantage of the frontage to Mackay-Bucasia Rd and provide commercial uses 2. Conveniently located on the left hand side of the north bound road; and 3. Convenience facility on the western side of Mackay-Bucasia Rd for the benefit of residents on the western side of Mackay-Bucasia Rd	Not supported - scheme not changed	The identification of centre zones in the proposed planning scheme seek to achieve / maintain the preferred Centres Network as identified by the Centres Strategy and it's extensive supporting studies. Adding additional land for commercial development may compromise the preferred Centres Network. The subject site is located opposite an extensive area of land proposed to be zoned Major Centre (Rural View major centre). The Rural View major centre adequately meets the needs of the northern beaches catchment for the life of the planning scheme. Furthermore, service station uses are code assessable in the Low impact industry zone approximately 300m north of the subject site. The subject land is highly constrained for access and proposed commercial uses (especially service station uses) may result in amenity impacts for existing and future residential uses. The subject site is ideally located for medium density residential development. Given the above, the proposed zone of Lot 600 on SP286509 will remain Medium density residential, General medium density precinct (MD2).
16-39	ZN-RV-02	Lot 600 on SP286509	Rural View	Urban Residential (MCC)	Schedule 2 Mapping	Medium Density Residential (Precinct MD2)	Change the precinct from MD2 to MD3	1. Vision for the land is to create a medium density development with a mixture of detached dwellings, apartments and short term accommodation to take advantage of the proximity to Northern Beaches Central, the new Northern Beaches High School and the transport connectivity via Mackay-Bucasia Rd – including public transport 2. Land to the north (formerly the ACH land) is included in Precinct MD3 designation which allows for higher density and multi storey development whereas the subject land which is adjacent to Mackay-Bucasia Rd and immediately across the road from Northern Beaches Central is included in the MD2 precinct 3. Housing Diversity Fact Sheet, Council states that higher densities can be achieved "in close proximity to centres or other employment modes, along important transport corridors or in close proximity to high amenity elements (such as coastline of high quality parkland). The submitter notes that Kidston Cove fits all these criteria and that given the land is vacant, it presents a very real opportunity to boost densities across the road from Northern Beaches Central while utilising convenient access to Mackay-Bucasia Rd 4. Suitable for development in excess of 2 stories and at a high density than 1 for every 300m2 5. Building height up to 5 stories and densities of 1 for every 100m2 is appropriate given the location	Noted - scheme change not necessary / possible	The existing/adjoining development, topography and access constraints make it difficult to apply the proposed Medium density residential zone, Multi-storey medium density precinct (MD3) without further assessment. Notwithstanding this, the landowner is encouraged to investigate using the land resourcefully given its strategic location and suitability for higher density residential development. Alternative heights can be considered at the time of development application and will be dependent upon good design and functionality outcomes and subject to detailed assessment of other issues. Given the above, the proposed zone of Lot 600 on SP286509 will remain Medium density residential, General medium density precinct (MD2).

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-40	DC-RC-01	Lots 2 and 3 on SP221535	Pleystowe	Rural (MCC)	Part 9 - Development codes	Minimum lot size of Rural zone is 100ha and boundary realignment requirements	1. Allow for subdivisions under 100ha 2. Allow boundary realignments to allow suitable use of land to improve on-site rural pursuits and viable rural lots	1. Allow boundary realignments when there are no changes to the number of allotments and no changes to services or access and the development responds to the condition of the land and suitable frontage to improve on-site rural pursuits 2. Boundary realignments under 100ha should be subject to a different approval process and assessed on their individual merits	Not supported - scheme not changed	Proposals for boundary realignments should demonstrate that the resulting realignment does not further fragment Agricultural land and simultaneously enhance agricultural productivity / rural outcomes. Detailed assessment of how a development proposal will be reducing fragmentation and enhancing rural outcomes is considered at a development application stage rather than amending the strategic policy intent in the proposed planning scheme.
16-41	DC-RC-01	Lot 45 on C124728	Balberra	Rural (MCC)	Part 9 - Development codes	9.4.3 Reconfiguration of Lot Code - Table 9.4.3.3.B - Lot Size & Frontage Requirements - Minimum Lot Size in the Rural zone is 100Ha	Subdivide land and have new street number as Ergon requires separate address to provide another connection.	Ergon Energy requires separate address to provide new additional connections.	Not supported - scheme not changed	Under the current <i>Mackay City Planning Scheme 2006</i> and <i>Mirani Shire Planning Scheme 2007</i> , the minimum lot size for new lots in the Rural zone is 100ha. Under the current <i>Sarina Shire Planning Scheme 2005</i> , the minimum lot size for new lots in the Rural zone is 80Ha. The proposed planning scheme identifies a minimum lot size of 100ha across the entire region for consistency, and is based on reasons set out below. The State Planning Policy requires Council to protect Agricultural land as a resource for current and future generations and maintain its productive capacity by avoiding fragmentation and encroachment of incompatible uses (such as residential uses not associated with agriculture). The 100ha minimum also acknowledges that cane farming is the predominant form of agriculture in the region. Studies have found that the minimum area required for a viable cane farm is 100ha. In addition, providing public services (e.g. road maintenance, rubbish collection, emergency services) to additional residential uses in the rural area in general is inefficient. The Rural and Rural Residential Review 2014 considered all relevant legislation and issues and confirmed that the proposed 100ha minimum lot size in Rural areas is appropriate. The review also found that high numbers of small rural lots already exist throughout the region, and the importance of avoiding further fragmentation was reinforced. Council has prepared a factsheet explaining Rural and Rural residential issues in the region. Given the above, provisions enabling the subdivision of Lot 45 on C124728 will not be incorporated into the proposed planning scheme. Further discussion with Ergon Energy to provide an additional electricity connection is encouraged.
16-42	ZN-BE-02	Lot 290 on SP268112	Beaconsfield	Urban Expansion (MCC)	Schedule 2 Mapping	Medium Density residential	Amend the zone map	Amend the zoning to reflect the current approval. Inconsistent with a revised masterplan.	Supported - scheme change prompted by submission	The proposed zone of the subject site will be amended as per the submitter's request.
	ZN-BE-03	Lot 601 on SP271139	Beaconsfield	Urban Expansion (MCC)	Schedule 2 Mapping	Low Density Residential	Amend the zone map	Amend the zoning to be consistent with surrounding lots. DTMR has concluded land purchase negotiations and the fragment remains.	Supported - scheme change prompted by submission	Council is supportive of the Medium density residential uses spreading across Lot 601 from Lot 602. Design solutions will be required to address proximity to the noise corridor and visual amenity. The site should be developed in association with the neighbouring lot and a proposal formulated across both sites. The proposed zone of the subject site will be amended as per the submitter's request.
	ZN-BE-04	Lot 292 on SP268112	Beaconsfield	Urban Expansion (MCC)	Schedule 2 Mapping	Medium Density Residential	Amend the zone map	Amend the zoning to be consistent with masterplan and the approval of DA-2004-254/A	Noted - scheme change not necessary / possible	At this stage, the application of the Neighbourhood centre zone under the proposed planning scheme is to reflect existing neighbourhood centre uses, rather than applying it to potential future uses. Council supports neighbourhood centre uses in the estate in-principle (subject to detailed assessment), however it is considered that the proposed Medium density residential zoning is appropriate at this time. It is considered important that the community has the opportunity to lodge submissions (either through a planning scheme amendment or a impact assessable development application). Changing the zone of the subject site to Neighbourhood Centre may be considered as part of a future planning scheme amendment (especially if the development has been completed). Given the above, the proposed zone of Lot 292 on SP268112 will remain Medium density residential, General medium density precinct (MD1).
16-43	ZN-BY-01	Lot 10 on SP225930 Lot A on AP20327	Ball Bay	Open Space (MCC)	Schedule 2 Mapping	Open space zone	Amend the zone map	Floating road reserve across the property is zoned open space	Supported - scheme change prompted by submission	The Zone mapping will be amended as requested. The Strategic Framework mapping will also be amended to reflect the zone change.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-44	ZN-RC-01	Lot 1 on RP706928 Lot 2 on RP706824 Lot 1 on RP747396 Lot 2 on RP747396	Racecourse	Rural (MCC)	Schedule 2 Mapping	Rural	Zone subject properties Industry Investigation	1. The Rural zone is inconsistent with the Mackay Isaac Whitsunday Regional Plan 2012 (the Regional Plan), showing the sites as 'urban footprint' 2. The Site has identical characteristics to land to the east (zoned Industry Investigation), and there is no apparent justification for the different zoning. 3. The site achieves the intent of the Industry Investigation zone, including the I12 Precinct, as described in the Draft Planning Scheme. 4. The identification of the subject site as Industry Investigation will strengthen the ability of the Mackay Region Planning Scheme to maintain appropriately zoned and readily available Industrial land.	Not supported - scheme not changed	<p>The proposed planning scheme is not inconsistent with the Mackay Isaac Whitsunday Regional Plan (MIW Regional Plan). The MIW Regional Plan contains a number of references effectively advising that Council's planning scheme considers development potential / constraints in more detail and, accordingly, planning scheme provisions may vary from the MIW Regional Plan.</p> <p>The proposed planning scheme provides adequate capacity to accommodate projected industrial growth, on land already zoned for industrial development (including investigation areas), in the life of the planning scheme. Furthermore, the subject site is not serviced by urban infrastructure with no future plans to service the area, and it has not been demonstrated that there is an overriding need for non-rural development on the subject site. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence, as these sites would be, is not sustainable.</p> <p>The subject site was removed from Industrial designation in the Strategic Framework mapping between V0.8 and V0.10 of the proposed planning scheme as a result of consultation with Mackay Sugar Limited. Such consultation identified that V0.8 of the proposed planning scheme enabled further potential encroachment of urban development within close proximity to Racecourse Mill, associated milling infrastructure and productive Agricultural land.</p> <p>The amendment to the Strategic Framework mapping designation to 'rural' is supported by the State Planning Policy (SPP), noting the protection of the existing Mill land use 'from encroachment by development that would compromise the ability of the land use to function safely and effectively' (State Interest – Emissions and hazardous activities) and further protecting Agricultural land by avoiding locating non-agricultural development on land identified as Agricultural land Class A or Class B (State Interest – Agriculture). Zoning the subject site Industry investigation would be inconsistent with the SPP.</p> <p>Given the above, the proposed zone of the subject land will remain Rural.</p>
16-45	ZN-BB-02	Lot 937 on SP256342 Lot 941 on SP261497 Lot 904 on SP240227	Blacks Beach	Urban Expansion (MCC)	Schedule 2 Mapping	Community Facilities, Emerging Community	Support for mapping changes	Provide flexibility for developers and reflects surrounding land ownership.	Support noted	<p>Commercial centre provisions in the proposed planning scheme are based on the Centres Strategy which includes a Centres network. The Centres Strategy is based on extensive supporting studies. The local centre zone at Blacks Beach provides for up to 5,000m² of GFA and the amount of land zoned Local centre is adequate to accommodate development of this scale. The extent of GFA provided for, and the amount of land and land zoned Local centre, by the proposed scheme meets the needs of the relevant catchment (specified by the proposed planning scheme as Blacks Beach, Dolphin Heads and Eimeo).</p> <p>Council is pleased that the additional flexibility afforded to landowners through the Emerging community zone and related assessment levels is acknowledged. Your support is noted. No changes will be made to the proposed planning scheme as a result of this submission.</p>
16-46	ZN-BB-03	Lot 4, 5 and 6 on RP713050	Blacks Beach	Special Activities Tourism (MCC)	Schedule 2 Mapping	Low density residential	Change the proposed zoning of the subject properties from Low density residential to Medium density residential zone	1. All properties on the eastern side of Bourke Street are required to consider the erosion prone area. The erosion prone zone is not identified in order to preclude development within it 2. The central issue remains that the MRC proposal to rezone the beachfront lots differently either side of the arbitrary line is flawed in logic. 3. Low residential density zone is inconsistent with key elements of the planning scheme strategy, including its promotion of higher density residential and tourism development 4. development within the erosion prone area can be achieved with no greater or lesser risk for developments both north and south of the arbitrary zoning line 5. previous response has offered no counter to the legitimate arguments presented against the proposed rezoning. The proposed Low density residential zone demonstrably fails to appropriately reflect the development potential of our properties. MRC has failed to support its contrary assertion with any sound logic	Noted - may be subject to potential future investigation	<p>Current State Planning Policy (SPP) erosion prone mapping, included as an overlay in the proposed planning scheme, shows that the subject properties are entirely included in the Erosion prone area. This must be considered in determining an appropriate zone.</p> <p>Notwithstanding the above, a future study may be able to demonstrate that the Erosion prone area is less than the area identified, subject to agreement by the State Government. A future amendment could be considered subject to a study demonstrating a reduced Erosion Prone Area. Potential reduction in the identified Erosion prone area may provide opportunities for residential intensification.</p> <p>In the meantime, it should be noted that the Multiple dwellings are Code assessable in the Low density residential zone if the proposal does not exceed the maximum density and height requirements of the zone code. The maximum density requirement for the zone is a plot ratio (gross floor to site area) of 0.5:1. The maximum height requirement is 8.5 metres (2 storeys).</p> <p>Given the above, the proposed zone of the subject sites will remain Low density residential.</p>
16-47	GN-AD-01	Lot 9 on SP122886	Alligator Creek	Rural (Sarina)	N/A	Rural zone	Request address to be listed as Sarina 4737	Having a Mackay postcode (4740) the insurance premiums is through the roof	Not relevant	The proposed planning scheme does not regulate postcode or locality boundaries or property addresses.
16-48	ZN-SA-03	Lot 10 on SP172224	Sarina	Town Zone (Sarina)	Schedule 2 Mapping	Proposed zoning of the property is Community facilities	Change proposed zoning from Community facilities to Low impact industry	1. Historical use of the site is light industrial 2. Landowner pays rates based on Light industrial use 3. Previous contract of sale and bank loan based on light industrial use	Supported - scheme change prompted by submission	<p>The proposed zone for the subject site will be changed from the Community facilities zone to Low impact industry zone.</p> <p>The subject site is considered appropriate to be located in the Low impact industry zone given:</p> <ul style="list-style-type: none"> The site maintains existing, and historical, use rights for Low impact industry land use; The current Town zone, Community facility precinct, under the Sarina Shire Planning Scheme 2005 does not recognise existing long term land use; and Support for Low impact industry at 42 Lee Street indicated by adjacent Low Density Residential lot (1 Nicholson Street).

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-49	ZN-OR-03	Lot 4 on SP237101 (Approved Lots 2 & 31 - Court Judgment No. 4780 of 2014)	Ooralea	Rural (MCC)	Schedule 2 Mapping	Split Zone - Specialised Centre & Rural Zone	Zone approved Lots 2 & 31 (Court Judgment No. 4780 of 2014) Medium density residential zone and balance Low density residential	<ol style="list-style-type: none"> 1. Reflect Judgement issued by the P & E Court (14 November 2016) 2. Land connects directly to shopping centre precinct via the adjacent Schmidtkes Road roundabout and Canecutters Drive 3. Ooralea urban growth corridor provides affordable and accessible housing to support workers in the adjacent employment node of Paget, demonstrating strong sustainability principles by providing for reduced travel times and encouraging bicycle riding to this employment node. 4. Proposed split zone is inappropriate and does not reflect the approved residential subdivision of the land 5. Condition of approval from Judgement requires Council to include the subject site in an appropriate residential zone 	Supported in part - scheme change prompted by submission in part	<p>The proposed zone of the subject site will be changed to part Specialised centre, Showrooms and hardware precinct (SC1), part Emerging community and part Rural, Investigation area precinct (RU1).</p> <p>The extent of the proposed Emerging community zone reflects the area approved for residential development under DA-2014-92 and the proposed 1,899m² and 3,240m² lots fronting Schmidtkes Road. The Emerging community zone is considered the most appropriate zone for this land given that it:</p> <ul style="list-style-type: none"> • reflects the status of the proposed development (approved but not constructed) • is consistent with Council's approach to other unconstructed development sites • is more flexible and administratively simpler than small split-zones based on proposed boundaries of future lots • reflects Condition 4 of the consent order which specifically refers to the "Emerging communities zone" as an example of a "residential zone" <p>The extent of the proposed Specialised centre zone, Showrooms and hardware precinct (SC1) has been amended to cover land east of the proposed Emerging Community zone. The southern extent of the proposed Specialised centre zone, SC1 precinct, and the proposed Emerging community zone align.</p> <p>Despite the change in the extent of the proposed zone, provisions in the proposed Specialised centre zone code such as the requirements setting out intended uses, a maximum gross floor area of 25,000m² and other provisions, remain unchanged.</p> <p>Land south of the proposed Emerging community and Specialised centre zones remain in the proposed Rural zone, RU1 precinct.</p> <p>The Strategic Framework mapping will be amended to identify land proposed to be zoned Emerging community and Specialised centre in the proposed "urban area" designation.</p>
16-50	LP-CC-01	Lot 3 on SP164370	Mackay (central area)	Commercial Centre (MCC)	Part 7 - Local plans	Mackay City Centre Local Plan - City Core precinct. Building height: - 49m AHD on Gregory Street frontage - 32m (10 storeys) on Wood Street frontage	Increase maximum building height to 49m AHD	<ol style="list-style-type: none"> 1. Western half of the site reduced in height from 49m AHD to 32m (10 storeys) is inconsistent with the intent of the City Centre vision outlined in the purpose of the Principal centre zone code. 2. Loss of development scale and intensity - highest buildings moved away from the traditional city heart 3. The limiting height factor for the CBD should be determined by the OLS 4. Other centres like Brisbane and Cairns have many heritage value buildings with the integrity of these buildings maintained within a higher level of development 5. Building height provisions do not consider existing approvals 6. Reduced height conflicts with the policy direction of the Strategic Framework 7. Reduction will detrimentally impact on the future redevelopment potential of the site and its economic redevelopment viability 	Noted - may be subject to potential future investigation	<p>The maximum building height provided for in the 2016 public consultation version of the proposed planning scheme is as follows:</p> <ul style="list-style-type: none"> • western half of the site with frontage to Gregory Street, maximum 49m AHD. This is an increase from 28m (8 storeys) advertised in the 2013 proposed planning scheme (V0.8) • eastern half of the site with frontage to Wood Street, maximum 32m (10 storeys). This is an increase from 28m (8 storeys) advertised in the 2013 proposed planning scheme (V0.8) <p>Therefore, building height has increased on the site from the 2013 public consultation version of the proposed planning scheme, rather than decreased as the submission suggests. It is also noted that the currently proposed maximum height provisions are significantly higher than provided for under the current Mackay City Planning Scheme 2006.</p> <p>Maximum building height provisions within the Mackay City Centre local plan code reflect the policy intent and vision for the City Centre as stated in the Strategic Framework, Principal centre zone code and Mackay City Centre local plan code. The City Centre building height provisions considered a range of issues, including the building height of existing approvals, and in most cases the proposed height provisions exceed approved building heights.</p> <p>Increasing the maximum building height over the subject site and the city core precinct to 49m AHD (from the proposed 32m (10 storeys)) has some merit, however would require further investigation including building height that will need to consider a range of other City Centre built form requirements such as tower setbacks, heritage value, and human scale design within a key public domain area.</p> <p>Therefore, no change to the maximum building height over the city core precinct are made within the proposed planning scheme. The maximum building height applying to the subject site and city core precinct will remain at 32m (10 storeys).</p>
	LP-CC-02	Lot 3 on SP164371	Mackay (central area)	Commercial Centre (MCC)	Part 7 - Local plans	Mackay City Centre Local Plan - City Core precinct City Core/Victoria Street key active frontage setbacks: - Gregory Street, balconies 3m and wall 5m - Wood Street, 5m balconies and 8m wall	Maintain the minimum frontage setback for balconies 3m and building walls 6m as per the 2013 advertised proposed planning scheme	<ol style="list-style-type: none"> 1. significant increase in frontage setbacks compared to the 2013 draft and the current Mackay City Planning Scheme 2006 2. considered to be no planning support for increased frontage setback 3. undermines the purpose of the Principal centre zone 4. the increased frontage setback will detrimentally impact on the future redevelopment potential of the site and its economic redevelopment viability 	Noted - may be subject to potential future investigation	<p>The 2m increase to the front setback for towers of 5m to balconies and 8m to wall in the 2016 public consultation version of the proposed planning scheme (from 3m to balconies and 6m to wall in the 2013 public consultation version of the proposed planning scheme), is in response to increased building height within the city core precinct (from 26m (8 storeys) to 32m (10 storeys)) and in consideration of heritage value and public domain character.</p> <p>The increased tower front setback is not viewed as significant and is unlikely to impact on the economic redevelopment viability of sites given that a number of related built form provisions were relaxed at the same time, which substantially increases the GFA for potential development and improves development viability. These amendments included:</p> <ul style="list-style-type: none"> • rear setback reduced from 18m to 3m (up to 6 storeys) / 6m (over 6 storeys) • minimum frontage and site area provisions removed • maximum tower length increased from 30m to 60m • maximum building depth from the street provision removed • maximum GFA floor area of each storey in a tower increased from 1,000m² to 1,500m² <p>Front setbacks for towers can be included in any review of city centre built form requirements such as building height, heritage value, and human scale design within a key public domain area.</p> <p>Given the above, the minimum front setback for towers applying to the subject site and city core precinct will remain at 5m (to balconies) and 8m (to wall).</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-51	LP-CC-01	Lot 1 on SP142572	Mackay (central area)	Commercial Centre (MCC)	Part 7 - Local plans	Principal centre zone Mackay City Centre Local Plan - City Core precinct. Building height 32m (10 storeys) on Wood Street frontage	Increase maximum building height to 49m AHD	<ol style="list-style-type: none"> 1. Western adjoining lot has reduced in height from 49m AHD to 32m (10 storeys) is inconsistent with the intent of the City Centre vision outlined in the purpose of the Principal centre zone code. 2. loss of development scale and intensity - highest buildings moved away from the traditional city heart 3. the limiting height factor for the Cubed should be determined by the OLS 4. Other centres like Brisbane and Cairns have many heritage value buildings with the integrity of these buildings maintained within a higher level of development 5. Building height provisions do not consider existing approvals 6. Reduced height conflicts with the policy direction of the Strategic Framework 7. reduction will detrimentally impact on the future redevelopment potential of the site and its economic redevelopment viability 	Noted - may be subject to potential future investigation	<p>The maximum building height stated in the 2016 public consultation version of the proposed planning scheme is as follows:</p> <ul style="list-style-type: none"> • western adjoining site with frontage to Gregory Street, maximum 49m AHD. This is an increase from 28m (8 storeys) advertised in the 2013 proposed planning scheme (V0.8) • frontage to Wood Street, maximum 32m (10 storeys). This is an increase from 28m (8 storeys) advertised in the 2013 proposed planning scheme (V0.8) <p>Therefore, building height has increased on the site (and adjoining western site) from the 2013 public consultation version of the proposed planning scheme, rather than decreased as the submission suggests. It is also noted that the currently proposed maximum height provisions are significantly higher than provided for under the current Mackay City Planning Scheme 2006</p> <p>Maximum building height provisions within the Mackay City Centre local plan code reflect the policy intent and vision for the City Centre as stated in the Strategic Framework, Principal centre zone code and Mackay City Centre local plan code. The City Centre building height provisions considered a range of issues, including the building height of existing approvals, and in most cases the proposed height provisions exceed approved building height.</p> <p>Increasing the maximum building height over the subject site and the city core precinct to 49m AHD (from the proposed 32m (10 storeys)) has some merit, however would require further investigation including building height that will need to consider a range of other City Centre built form requirements such as tower setbacks, heritage value, and human scale design within a key public domain area.</p> <p>Therefore, no change to the maximum building height over the city core precinct are made within the proposed planning scheme. The maximum building height applying to the subject site and city core precinct will remain at 32m (10 storeys).</p>
	LP-CC-02	Lot 1 on SP142572	Mackay (central area)	Commercial Centre (MCC)	Part 7 - Local plans	City Core/Victoria Street key active frontage setbacks: - Wood Street, 5m balconies and 8m wall	Maintain the minimum frontage setback for balconies 3m and building walls 6m as per the 2013 advertised proposed planning scheme	<ol style="list-style-type: none"> 1. significant increase in frontage setbacks compared to the 2013 draft and the current Mackay City Planning Scheme 2006 2. considered to be no planning support for increased frontage setback 3. undermines the purpose of the Principal centre zone 4. the increased frontage setback will detrimentally impact on the future redevelopment potential of the site and its economic redevelopment viability 	Noted - may be subject to potential future investigation	<p>The 2m increase to the front setback for towers of 5m to balconies and 8m to wall in the 2016 public consultation version of the proposed planning scheme (from 3m to balconies and 6m to wall in the 2013 public consultation version of the proposed planning scheme), is in response to increased building height within the city core precinct (from 26m (8 storeys) to 32m (10 storeys)) and in consideration of heritage value and public domain character.</p> <p>The increased tower front setback is not viewed as significant and is unlikely to impact on the economic redevelopment viability of sites given that a number of related built form provisions were relaxed at the same time, which substantially increases the GFA for potential development and improves development viability. These amendments included:</p> <ul style="list-style-type: none"> • rear setback reduced from 18m to 3m (up to 6 storeys) / 6m (over 6 storeys) • minimum frontage and site area provisions removed • maximum tower length increased from 30m to 60m • maximum building depth from the street provision removed • maximum GFA floor area of each storey in a tower increased from 1,000m² to 1,500m² <p>Front setbacks for towers can be included in any review of city centre built form requirements such as building height, heritage value, and human scale design within a key public domain area.</p> <p>Given the above, the minimum front setback for towers applying to the subject site and city core precinct will remain at 5m (to balconies) and 8m (to wall).</p>
16-52	LP-CC-01	Lot 10 on RP858200 Lot 102 on CP858268	Mackay (central area)	Commercial Centre (MCC)	Part 7 - Local plans	Mackay City Centre Local Plan - City Core precinct. Building height: - 49m AHD on Gregory Street frontage - 32m (10 storeys) on Wood Street and Victoria Street frontages	Increase maximum building height to 49m AHD	<ol style="list-style-type: none"> 1. Western half of the site reduced in height from 49m AHD to 32m (10 storeys) is inconsistent with the intent of the City Centre vision outlined in the purpose of the Principal centre zone code. 2. loss of development scale and intensity - highest buildings moved away from the traditional city heart 3. the limiting height factor for the Cubed should be determined by the OLS 4. Other centres like Brisbane and Cairns have many heritage value buildings with the integrity of these buildings maintained within a higher level of development 5. Building height provisions do not consider existing approvals 6. Reduced height conflicts with the policy direction of the Strategic Framework 7. reduction will detrimentally impact on the future redevelopment potential of the site and its economic redevelopment viability 	Noted - may be subject to potential future investigation	<p>The maximum building height stated in the 2016 public consultation version of the proposed planning scheme is as follows:</p> <ul style="list-style-type: none"> • western half of the site with frontage to Gregory Street, maximum 49m AHD. This is an increase from 28m (8 storeys) advertised in the 2013 proposed planning scheme (V0.8) • eastern half of the site with frontage to Wood Street and Victoria Street, maximum 32m (10 storeys). This is an increase from 28m (8 storeys) advertised in the 2013 proposed planning scheme (V0.8) <p>Therefore, building height has increased on the site from the 2013 public consultation version of the proposed planning scheme, rather than decreased as the submission suggests. It is also noted that the currently proposed maximum height provisions are significantly higher than provided for under the current Mackay City Planning Scheme 2006.</p> <p>Maximum building height provisions within the Mackay City Centre local plan code reflect the policy intent and vision for the City Centre as stated in the Strategic Framework, Principal centre zone code and Mackay City Centre local plan code. The City Centre building height provisions considered a range of issues, including the building height of existing approvals, and in most cases the proposed height provisions exceed approved building height.</p> <p>Increasing the maximum building height over the subject site and the city core precinct to 49m AHD (from the proposed 32m (10 storeys)) has some merit, however would require further investigation including building height that will need to consider a range of other City Centre built form requirements such as tower setbacks, heritage value, and human scale design within a key public domain area.</p> <p>Therefore, no change to the maximum building height over the city core precinct are made within the proposed planning scheme. The maximum building height applying to the subject site and city core precinct will remain at 32m (10 storeys).</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	LP-CC-02	Lot 10 on RP858200 Lot 102 on CP858269	Mackay (central area)	Commercial Centre (MCC)	Part 7 - Local plans	Mackay City Centre Local Plan - City Core precinct City Core/Victoria Street key active frontage setbacks: - Gregory Street, balconies 3m and wall 5m - Wood Street and Victoria Street, 5m balconies and 8m wall	Maintain the minimum frontage setback for balconies 3m and building walls 6m as per the 2013 advertised proposed planning scheme	1. significant increase in frontage setbacks compared to the 2013 draft and the current Mackay City Planning Scheme 2006 2. considered to be no planning support for increased frontage setback 3. undermines the purpose of the Principal centre zone 4. the increased frontage setback will detrimentally impact on the future redevelopment potential of the site and its economic redevelopment viability	Noted - may be subject to potential future investigation	The 2m increase to the tower front setback of 5m to balconies and 8m to wall (from 3m to balconies and 6m to wall), is in response to increased building height within the city core precinct (from 26m (8 storeys) to 32m (10 storeys)) and in consideration of heritage value and public domain character. The increased tower front setback is not viewed as significant and unlikely to impact on the economic redevelopment viability of sites given that a number of related built form provisions were relaxed at the same time, which substantially increases the GFA for potential development and improves development viability. These amendments included: <ul style="list-style-type: none"> • rear setback reduced from 18m to 3m (up to 6 storeys) / 6m (over 6 storeys) • minimum frontage and site area provisions removed • maximum tower length increased from 30m to 60m • maximum building depth from the street provision removed • maximum GFA floor area of each storey in a tower increased from 1,000m² to 1,500m² Therefore, the minimum tower front setback applying to the subject site and city core precinct will remain at 5m (to balconies) and 8m (to wall).
16-53	ZC-MX-01	Lots 27 and 29 on SP175677	Mackay Harbour		Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maintain the existing approved development schemes and approvals associated with the Mackay Marina Village, including a maximum building height not exceeding the height of the existing Mackay Yacht Club building	1. There is no need or reason for the proposed planning scheme to depart from the existing approved development schemes and approvals associated with the Mackay Marina Village 2. The master plan, Deed and associated agreements provides for a publically accessible community yacht club on Lot 12 on RP124858 3. The Yacht club is an important community orientated feature of the Mackay Marina Village 4. A was placed covenant over the land so that the community would have confidence that the facilities would remain in place, in their current form, for at least 30 years. Without Port Binnli's consent, and in breach of various obligations, that covenant has been removed. 5. Occupiers and other users of the area have come to know and expect the current pattern and extent of development over the long term. Any form of development that is contrary to the Master Plan, Deed and existing approvals would be inconsistent with the long held community expectations for development 6. The Master Plan and Deed and associated arrangements envisaged provision of appropriate amenity, ocean vistas and the protection of views enjoyed by residents in the vicinity of the Yacht Club 7. Permitting multi-storey development at the Mackay Yacht Club will adversely affect the amenity of the area and would result in a loss of views for surrounding residences	Not supported - scheme not changed	The proposed Mixed use zone designation is generally consistent with the existing Special activities (Tourism) zone (under the <i>Mackay City Planning Scheme 2006</i> (the current planning scheme)) and the Deed of Agreement between Council and Port Binnli Pty Ltd, in that the zone supports a range of residential and non-residential uses that support tourism. The anticipated uses of the proposed Mixed use zone are consistent with the existing Marina. The proposed levels of assessment do not fundamentally change for uses consistent with the proposed Mixed use zone when compared to the existing Special activities (Tourism) zone. Furthermore, the existing Deed of Agreement between Council and Port Binnli Pty Ltd also provides for a range of uses to be assessed as code assessable development (e.g. Medium density residential, Multiple dwelling units, Commercial premises). It is not considered appropriate to increase the levels of assessment beyond the current planning scheme. Any application for re-development of Lot 12 SP124858 under the proposed planning scheme would need to address the purpose of the Mixed use zone code and the criteria for assessable development, which includes a number of provisions relating to amenity and built-form outcomes (e.g. s.6.2.13.2(3)(d) and Table 6.2.13.3.A, PO8). So although the code refers to a maximum 5 storeys as an acceptable outcome, the proposed building would still need to be designed to address the relevant scheme provisions. The proposed planning scheme provisions are generally consistent with the current planning scheme in relation to built-form outcomes. It is noted that a covenant was previously entered into between the State of Queensland and Port Binnli Pty Ltd in December 2001, which included various requirements about the use of the site and limitations to the built form. However, this covenant was released by the State of Queensland in July 2012, which means that it no longer exists on the property title. The restrictions on the use of the site that were provided for through the previous covenant were private interests between the State of Queensland and Port Binnli Pty Ltd and their successors in title, being the Mackay Yacht Club Incorporated. Council was never party to the covenant and the restrictions that were in place through the covenant were never incorporated into the Deed of Agreement between Council and Port Binnli Pty Ltd. Therefore, the proposed zoning of the subject site will remain Mixed use, Amenity and convenience precinct (MX1), with a maximum height of 5 storeys.
16-54	PI-PA-01	Various lots	Ooralea	Rural (MCC)	Schedule 3 PIP Mapping	Emerging community zone, outside of the PIA	Amend the proposed PIA to include the established residential neighbourhood within Stages 1-3 of The Waters	1. The draft 2013 Planning Scheme, compared with the draft 2016 Scheme, similarly includes the whole of The Waters at Ooralea in the Emerging Community zone. 2. Infrastructure agreement would ensure there was no financial impediment for Council, balance stages could readily be constructed and serviced. 3. There are considered to be no other comparable cases in the Mackay urban area where an established residential neighbourhood has been omitted from the PIA 4. The Waters at Ooralea is a master planned 236 hectare site located adjacent to the major industrial employment hub of Paget, south of the Mackay City Centre 5. Development approval for Stages 3-8 has been issued by Council, including concept approval for the overall master plan layout 6. The estate provides affordable and accessible housing to support workers of the adjacent employment node at Paget, demonstrating strong sustainability principles by providing for reduced work travel times and encouraging bicycle riding to the adjacent employment node 7. The Waters at Ooralea provides an outstanding opportunity for a fully integrated master planned estate, and is a key contribution to future residential land supply south of the Pioneer River.	Not supported - scheme not changed	All infrastructure matters relevant to Part 4 including the Priority Infrastructure Area (PIA) will be considered as part of the development of the Local Government Infrastructure Plan (LGIP). This is scheduled to commence in 2017. A separate consultation process will be undertaken as part of the development of the LGIP.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	SF-SI-02	Various lots	Ooralea	Rural (MCC)	Part 3 - Strategic framework	Nil	Amend the Strategic Framework, in section 3.2 Strategic Intent – 3.2.2 Growth Management and Urban Consolidation, by including supportive statement outlined in submission regarding future development of The Waters, as contained in the draft 2013 Planning Scheme	<ol style="list-style-type: none"> To support 'out of sequence development' for the balance stages for The Waters The Waters at Ooralea is a master planned 236 hectare site located adjacent to the major industrial employment hub of Paget, south of the Mackay City Centre Development approval for Stages 3-8 has been issued by Council, including concept approval for the overall master plan layout The estate provides affordable and accessible housing to support workers of the adjacent employment node at Paget, demonstrating strong sustainability principles by providing for reduced work travel times and encouraging bicycle riding to the adjacent employment node The Waters at Ooralea provides an outstanding opportunity for a fully integrated master planned estate, and is a key contribution to future residential land supply south of the Pioneer River. 	Not supported - scheme not changed	<p>It is considered that the proposed planning scheme already expresses an adequate level of support and guidance for future development over the subject land given the proposed 'urban area' designation identified on the Strategic Framework mapping and document provisions, the proposed Emerging community zone and zone code provisions and other provisions in the proposed planning scheme.</p> <p>The sequencing of future development is more appropriately managed as part of detailed considerations during the development assessment process.</p>
16-55	ZN-AN-01	Lot 1 on RP847526	Andergrove	Commercial (MCC)	Schedule 2 Mapping	Medium Density Residential Zone (no precinct)	Apply MD2 Precinct to the subject site	<ol style="list-style-type: none"> Whilst the Andergrove Tavern is a fixed long term use on the subject site, the undeveloped site area is ideally situated to support a higher density of Medium Density Residential development The subject site meets the criteria of the Medium Density Residential Zone code criteria for MD2 development The site is located in Andergrove within close proximity of the Andergrove Local Centre on Oak Street; The site is adjoined by existing MDR development and land zoned for future MDR development; Adjoining nodes include the Andergrove Tavern and Gillham park; Nearby education facilities include Whitsunday Anglican School and Pioneer High School; The available land area is relatively limited (5,000m²) and an MD2 precinct designation allows for viable development options of the site, realising the site's development potential; The fully constructed Lorraine Court frontage provides ready access options and provides separation to the low density residential land to the east. A logical mix of MD1 and MD2 development is achieved in a similar arrangement to the precincts surrounding the Andergrove Local Centre 	Not supported - scheme change made for separate reasons	<p>Council in-principle supports resourceful use of land and co-location of uses to support walkable and connected neighbourhoods with a range of services and facilities in close proximity, subject to the detailed assessment of development applications.</p> <p>However, the subject site was identified in the proposed Medium density residential zone, Low-medium density precinct (MD1) in the 2013 consultation version of the proposed planning scheme. This is the intent for the subject site.</p> <p>Further, the subject site is adjoined by land proposed to be zoned Medium density residential, Low-medium density residential precinct (MD1), and opposite land proposed to be zoned Low density residential. It would be unusual to have a single site within the MD2 precinct, surrounded by sites in the MD1 precinct and Low density residential zone.</p> <p>In addition, given the existing use on the site, resolving separation and integration of land uses will require a unique design approach. The design response should be assessed at the time a development application is lodged rather than expecting generic zone provisions to produce solutions.</p> <p>Given the above, the subject site will be more clearly identified as within the Medium density residential zone, Low-medium density precinct (MD1) as intended.</p>
16-56	ZN-HL-01	Lot 34 on RP846362	Haliday Bay	Rural (MCC)	Schedule 2 Mapping	Split zone - Township and Rural	Change the proposed zoning of the subject site from split Township and Rural to Township	<ol style="list-style-type: none"> Limited opportunities exist for future development within Haliday Bay Township zone represents the highest and best use of the site Site has minimal to no productive rural capacity and is wholly covered by 'least concern' remnant vegetation Potential for 25 additional Township lots and 5 lifestyle lots utilising existing road reserve access points Site is a logical extension of Haliday Bay 	Not supported - scheme not changed	<p>The application of the Township zone in the 2016 public consultation version of the proposed planning scheme is generally based on the development approval over the subject site.</p> <p>The requested change to the proposed zone would constitute a significant increase in potential development land in comparison to the size of the existing community, and is not supported given that:</p> <ul style="list-style-type: none"> land already zoned Township in Haliday Bay, Ball Bay and Seaforth will accommodate projected growth in the life of the planning scheme. Land already zoned Township in Haliday Bay (including the current approval on the subject site) can accommodate 70 additional dwellings. This is considered sufficient to meet demand for the foreseeable future. development of this land would likely trigger the need for significant infrastructure upgrades (especially with regards to water supply capacity and the standard of Haliday Bay Road) which is unlikely to be viable the subject site is almost entirely covered in remnant vegetation and is identified within the Bushfire hazard overlay (very high hazard), Landslide hazard overlay and Landscape character overlay cumulative environmental impacts of existing and any new lots serviced by on-site sewerage treatment systems may be a concern. <p>Given the above, the proposed extent of the Township and Rural zones over Lot 34 on RP846362 will remain unchanged.</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	SF-MP-04	Lot 34 on RP846363	Haliday Bay	Rural (MCC)	Schedule 2 Mapping	Rural designation under Strategic Framework	Change the Strategic framework mapping designation of the subject site from Rural to Urban area	1. Limited opportunities exist for future development within Haliday Bay 2. Site is a logical extension of Haliday Bay	Not supported - scheme not changed	The application of the Township zone in the 2016 public consultation version of the proposed planning scheme is generally based on the development approval over the subject site. The requested change to the proposed zone would constitute a significant increase in potential development land in comparison to the size of the existing community, and is not supported given that: <ul style="list-style-type: none"> land already zoned Township in Haliday Bay, Ball Bay and Seaforth will accommodate projected growth in the life of the planning scheme. Land already zoned Township in Haliday Bay (including the current approval on the subject site) can accommodate 70 additional dwellings. This is considered sufficient to meet demand for the foreseeable future. development of this land would likely trigger the need for significant infrastructure upgrades (especially with regards to water supply capacity and the standard of Haliday Bay Road) which is unlikely to be viable the subject site is almost entirely covered in remnant vegetation and is identified within the Bushfire hazard overlay (very high hazard), Landslide hazard overlay and Landscape character overlay cumulative environmental impacts of existing and any new lots serviced by on-site sewerage treatment systems may be a concern. <p>Given the above, the proposed extent of the Urban area and Rural designations over Lot 34 on RP846362 will remain unchanged.</p>
16-57	DC-RC-01	Lot 8 on SP107866 Lot 52 on SP107866 Lot 64 on CI525	Koumala	Rural (Sarina)	Part 9 - Development codes	Minimum lot size of Rural zone is 100ha	Amend the minimum lot size of the Rural zone to 40ha	1. 100ha removes any possibility of reconfiguring the subject lots 2. Sarina planning scheme allows for 40ha minimum lot size in the Rural zone 3. Proposed change will maintain the ability to reconfigure smaller existing lots (40-100ha) that improves utility of the lot, better reflect natural features and infrastructure corridors, separation of uses.	Not supported - scheme not changed	Under the current <i>Mackay City Planning Scheme 2006</i> and current <i>Mirani Shire Plan 2007</i> , the minimum lot size for new lots in the Rural zone is 100ha. Under the current <i>Sarina Shire Planning Scheme 2005</i> , the minimum lot size for new lots in the Rural zone is 80ha. The proposed planning scheme identifies a minimum lot size of 100ha across the entire region for consistency, and is based on reasons set out below. <ul style="list-style-type: none"> The State Government's State Planning Policy (SPP) requires council to protect Agricultural land as a resource for current and future generations and maintain its productive capacity by avoiding fragmentation and encroachment of incompatible uses (such as residential uses not associated with agriculture). The 100ha minimum also acknowledges that cane farming is the predominant form of agriculture in the region currently and for the foreseeable future. Studies have found that the minimum area required for a viable cane farm is 100ha. In addition, providing public services (e.g. road maintenance, rubbish collection, emergency services) to additional residential uses in the rural area in general is inefficient. The Rural and Rural Residential Review 2014 considered all relevant legislation and issues and confirmed that the proposed 100ha minimum lot size in Rural areas is appropriate. The review also found that high numbers of small rural lots already exist throughout the region, and the importance of avoiding further fragmentation was reinforced. Council has prepared a factsheet explaining Rural and Rural residential issues in the region. <p>Given the above, the minimum rural lot size and boundary re-alignment provisions in the proposed planning scheme will remain unchanged.</p>
	DC-RC-02	Lot 8 on SP107866 Lot 52 on SP107866 Lot 64 on CI526	Koumala	Rural (Sarina)	Part 9 - Development codes	Boundary realignment provision AO15.3	Amend the boundary realignment provision AO15.3 to read: <i>Amend Table 9.4.3.3.B – Reconfiguring a lot code – lot size and frontage requirements Rural zone 40 hectares</i>	1. The proposed changes will protect against the creation of any additional lots in rural zone of less than 100ha 2. Improves utility of the lot 3. Boundary reflects natural features, infrastructure corridors or easements 4. Separation of uses or buildings 5. resolution of boundary encroachment issues	Not supported - scheme not changed	Boundary realignment provisions are set out in the Agricultural land overlay code and Reconfiguring a Lot code. These provisions are considered reasonable and relevant and are consistent with the strategic intent / State Government requirement to protect Agricultural land as a resource for current and future generations and maintain its productive capacity by avoiding fragmentation and encroachment of incompatible uses (such as residential uses not associated with agriculture). Given the above, no amendments will be made to the boundary realignment provisions in the proposed planning scheme.
16-58	ZN-PG-02	Lot 10 on SP268377	Paget	Rural (MCC)	Schedule 2 Mapping	Rural zone	Amend the proposed zoning to include part of the subject site in the Industry Investigation zone.	1. Inappropriate Rural zoning of part of lot subject site, having regard to adopted MIW Regional Plan 'Urban Footprint' 2. The site levels of the subject site are no different to other nearby land, which has historically been zoned for High Impact Industry use to the west of Milton Street, or the land to the north that is proposed to be included in the Industry Investigation zone. 3. Zoned industrial land on the west of Milton Street and Industry Investigation zoned land to the north, has similar site levels of 4m AHD, with some areas below 4m AHD. 4. The subject site amply satisfies the purposes of the Industry investigation zone and it is considered that the draft 2016 Planning Scheme is in conflict with the MIW Regional Plan, by not including the subject site in the Industry Investigation zone. 5. Site environmental assessment has been undertaken by Earth Environmental, which concluded that the majority of the subject site was: ~ highly disturbed and with some fill and waste in some areas; ~ there was substantial weed infestation interspersed with pasture grasses; and ~ the site was previously cleared with some areas of regrowth.	Not supported - scheme not changed	The Environmental Site Assessment Report submitted by Earth Environmental has been considered (but not 'assessed' in detail) and the key finding "that development of the lot would not be impeded by any inherent ecological or environmental values with the exception of Area 3a" is noted*. However, environmental matters are just one of a number of key issues to consider. The subject site will not be included within the proposed Industry investigation zone, given that: <ul style="list-style-type: none"> Projected demand for industrial land in the life of the proposed planning scheme can be adequately accommodated in industrial zoned land. The subject sites are low-lying. According to council records, the entire sites are under RL 4m AHD and parts of the sites are lower than the level of the highest astronomical tide. Land north of Leprechaun Park identified for industrial development is higher than the subject site - with levels over 5m AHD in parts. It is acknowledged that the Industry investigation zone requires development proposals to investigate infrastructure. However, council must have a reasonable level of confidence that infrastructure can be viably provided before the Industry investigation zone is applied. The extent of yield of industrial land is also a relevant consideration in this regard. At this point, it has not been adequately demonstrated that infrastructure can be viably provided to this site. <p>Please also note, the proposed planning scheme is not inconsistent with the Mackay Isaac Whitsunday Regional Plan. The Regional Plan contains a number of references effectively advising that council's planning scheme considers development potential / constraints in more detail and, accordingly, planning scheme provisions may vary from the Regional Plan.</p> <p>Given the above, the proposed zone of Lot 10 on SP268377 will remain Rural.</p> <p>* Council has noted the Environmental Site Assessment Report. To be clear, comments above should not be taken as council's support, endorsement or approval for the report.</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-59	SF-MP-05	1 on SP232812 (Lot 4 on SP288922 - cadastre update)	Richmond	Rural (MCC)	Part 3 - Strategic framework	Proposed zone is Rural with investigation area	Re-instate infrastructure and centre designations in the Strategic Framework for the Richmond Investigation Area as per 2013 Draft Scheme.	Lack of guiding development principles will create confusion, competition and conflict between respective landholders as a result of District Centre designation being removed for Strategic Framework map.	Not supported - scheme not changed	<p>The submitter's identification of a potential future District centre at Richmond is noted.</p> <p>However, identifying elements associated with future development for urban purposes in the Richmond investigation area on the Strategic Framework mapping, required to service the investigation area after 2031 is considered premature. Similarly, infrastructure designations in the Strategic Framework can be considered in a future planning scheme and is premature to fix these arrangements at this stage.</p> <p>This centre is not required to service existing or planned catchments in the urban area, but may be required to service the future Richmond investigation area when it is developed, which is not planned for development before 2031.</p>
16-60	DC-RC-03	Lot 20 on SP241637	Farleigh	Rural (MCC)	Schedule 2 Mapping	9.4.3 Reconfiguration of Lot Code - Table 9.4.3.3.B - Lot Size & Frontage Requirements - Minimum Lot Size in the Rural zone is 100ha	Amend the proposed Reconfiguring a Lot Code by including a discretionary clause, whereby under special circumstances (such as separating existing lawful uses), Council is supported in considering such rural subdivisions.	<ol style="list-style-type: none"> Overly restrictive rural Planning Scheme provisions, which do not support Council discretion being exercised to separate existing lawful uses on Rural zoned land; Subject site is located on the northern end of Wainai Road and is located in an area with numerous smaller adjoining lot rural subdivisions; In mid-2016 Council formally acknowledged that part of the subject site had existing use rights for the operation of a civil depot yard; The two existing land uses operate independently of each other and have no business or legal entity connection; This separation of existing lawfully established uses on land included in the Rural zone does not have any amenity impact on the locality or raise any financial issue for Council, as the lawful operation of the uses does not change; This separation of lawfully established uses on a rural site by individually titling them has previously been a well-established development planning and financing procedure e.g. DA-2002-009; 1999 Mackay Planning Scheme had such a provision (example provided in submission); The proposed separation of lawful uses by subdivision on this site; Supports the two predominant land uses onto separate titles and does not remove any land from rural production; Does not detrimentally impact on the amenity of the locality; and All essential services can be provided either by connection to existing utilities in the locality or by on-site management. 	Not supported - scheme not changed	<p>It is not essential that different lawful uses need to be separated by title and this is not considered to be relevant grounds for creating additional lots.</p> <p>The 100ha minimum lot size in the proposed planning scheme is based on the State Government's State Planning Policy (SPP) which requires council to protect Agricultural land as a resource for current and future generations and maintain its productive capacity by avoiding fragmentation and encroachment of incompatible uses (such as residential uses not associated with agriculture).</p> <p>Enabling subdivision on the subject site will increase fragmentation of rural land and reduce the ability for land to return to rural use as per the SPP's and proposed planning scheme's strategic intent.</p> <p>An extract of the purpose of the Rural zone code reads as follows:</p> <p><i>6.2.17.2 Purpose</i> <i>(1) The purpose of the Rural zone code is to:</i> <i>(b) provide opportunities for non-rural uses that are compatible with agriculture, the environment features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes.</i></p> <p>The Rural and Rural Residential Review 2014 considered all relevant legislation and issues and confirmed that the proposed 100ha minimum lot size in Rural areas is appropriate. The review also found that high numbers of small rural lots already exist throughout the region, and the importance of avoiding further fragmentation was reinforced. Council has prepared a factsheet explaining Rural and Rural residential issues in the region.</p> <p>Third party review was sought on this matter and the response can be provided to the submitter upon request.</p> <p>Given the above, the proposed planning scheme will not be amended to include additional criteria enabling subdivision of rural land based on existing lawful uses.</p>
16-61	ZN-RC-02	Lot 8 on RP724007	Racecourse	Rural (MCC)	Schedule 2 Mapping	Rural	Change the proposed zoning of the subject site from Rural to Industry investigation.	<ol style="list-style-type: none"> The Rural zone is inconsistent with the MIW Regional Plan urban footprint Historical planning of the locality through an Enquiry by Design Workshop identified industrial as the most appropriate use for the area With the finalisation of the Ring Road, planning for the locality can proceed with certainty The site was included within the Industrial designation under the Strategic Framework in the publicly advertised V0.8 of the proposed planning scheme The site has similar characteristics to Industry investigation zoned land to the east of Cowleys Road The cane rail line on the western boundary of the site will be abandoned as part of the Ring Road construction The site achieves the intent of the Industry investigation zone The industrial zoning of the site will strengthen the ability of the proposed planning scheme to maintain appropriately zoned and available industrial land The potential shortfall in supply of industrial land within the life of the proposed planning scheme, all suitable land should be considered for zoning for industrial use 	Not supported - scheme not changed	<p>The 'industrial' designation in the Strategic Framework mapping was removed from the subject site between V0.8 and V0.10 of the proposed planning scheme as a result of consultation with Mackay Sugar Limited. This consultation identified that V0.8 of the proposed planning scheme enabled further potential encroachment of urban development within close proximity to Racecourse Mill, associated milling infrastructure and productive Agricultural land.</p> <p>The amendment to the Strategic Framework to remove the subject site from the Strategic Framework mapping is further supported by the State Planning Policy (SPP), noting the protection of existing land uses from encroachment by development that would compromise the ability of the land use to function effectively (State Interest – Emissions and hazardous activities) and further protecting Agricultural land by avoiding locating non-agricultural development on land identified as Agricultural land class A or class B (State Interest – Agriculture). Zoning the subject site Industry investigation would be inconsistent with the SPP.</p> <p>The proposed planning scheme provides adequate capacity to accommodate projected industrial growth, on land already zoned for industrial development (including investigation areas), in the life of the proposed planning scheme. An overriding community need for development of the subject site has not been demonstrated.</p> <p>Furthermore, the subject site is not currently serviced by urban infrastructure and there are no future plans to service the area. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence, is not sustainable.</p> <p>Please also note, the proposed planning scheme is not inconsistent with the Mackay Isaac Whitsunday Regional Plan (MIW Regional Plan). The MIW Regional Plan contains a number of references effectively advising that Council's planning scheme considers development potential / constraints in more detail and, accordingly, planning scheme provisions may vary from the MIW Regional Plan. The State Government has not raised any issues regarding the proposed planning scheme's non-compliance with the MIW Regional Plan to date.</p> <p>Given the above, The proposed zone of Lot 8 on RP724007 will remain Rural.</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-62	ZN-BL-02	Lot 505 on SP221543	Bloomsbury	Rural (MCC)	Schedule 2 Mapping	Rural zone	Include the subject lot area in the Rural Residential zone	<ol style="list-style-type: none"> There 2 are current approvals for the staged Rural Residential development of the land into 69 lots + balance Whitsunday Park Estate achieves the Settlement Pattern Strategic Outcomes expressed in the Draft Planning Scheme The Whitsunday Park Estate affords a high level of amenity for Rural Residential living with points of difference being convenient access to a sealed airstrip on the parent lot 	Not supported - scheme not changed	<p>The development history of this area is noted. Development approvals do not trigger an automatic zone change, especially where the approval is based on special considerations / conditions. A consequential zone change could be considered once the rural residential lots are constructed and registered. Rural Residential development at this location, where directly associated with the adjacent airstrip, may have merit as a unique product subject to the assessment of a development application including detail assessment of the impacts of the operations of the airstrip.</p> <p>Council's Rural and Rural Residential Review 2014 found that there is sufficient supply of rural residential land in the Mackay Region and found that there are significant numbers of vacant rural residential properties and undeveloped rural residential approvals. The proposed planning scheme adds an additional 80ha of new Rural residential zoned land in the region.</p> <p>Given the above, the proposed zone of Lot 505 on SP221543 will remain Rural, but further investigation regarding the airstrip and surrounding uses is encouraged.</p>
	SF-MP-06	Lot 505 on SP221543	Bloomsbury	Rural (MCC)	Schedule 2 Mapping	Strategic framework - Rural	Amend the Strategic Framework Map to reflect the existing "Whitsunday Park Estate" Rural Residential precinct, including the subject lot area.	<ol style="list-style-type: none"> There 2 are current approvals for the staged Rural Residential development of the land into 69 lots + balance Whitsunday Park Estate achieves the Settlement Pattern Strategic Outcomes expressed in the Draft Planning Scheme The Whitsunday Park Estate affords a high level of amenity for Rural Residential living with points of difference being convenient access to a sealed airstrip on the parent lot 	Not supported - scheme not changed	<p>The development history of this area is noted. Development approvals do not trigger an automatic zone change, especially where the approval is based on special considerations / conditions. A consequential strategic framework designation change could be considered once the rural residential lots are constructed and registered. Rural Residential development at this location, where directly associated with the adjacent airstrip, may have merit as a unique product subject to the assessment of a development application including detail assessment of the impacts of the operations of the airstrip.</p> <p>Council's Rural and Rural Residential Review 2014 found that there is sufficient supply of rural residential land in the Mackay Region and found that there are significant numbers of vacant rural residential properties and undeveloped rural residential approvals. The proposed planning scheme adds an additional 80ha of new Rural residential zoned land in the region.</p> <p>Given the above, the proposed designation of Lot 505 on SP221543 will remain Rural, but further investigation regarding the airstrip and surrounding uses is encouraged.</p>
	ZC-RU-01	N/A	N/A	N/A	Part 6 - Zones	Rural zone code - 6.2.17.2 Purpose - (3) (a) (iii) <i>"(iii) the zone also accommodates intensive rural activities, extractive industry (and complementary activities) and other activities requiring a location outside urban areas due to the amount of land required, the significance of impacts generated and/or other reasons, if the development does not:</i> <i>(A) diminish the productive capacity of land for rural activities; and</i> <i>(B) result in adverse impacts on the environment or sensitive land uses; and</i> <i>(C) result in visually obtrusive development that detrimentally impacts on the rural amenity and landscape character of the area; and"</i>	Include additional provisions in the Rural zone code Purpose (3)(a)(iii) to specifically acknowledge private air strips as uses which may possibly be approved under that provision.	Inclusion provides confidence in the provision and scope for approval of rural / private airstrips such as the existing airstrip on Lot 505 on SP221543, where appropriate.	Noted - scheme change not necessary / possible	<p>It is accepted that private airstrips are appropriately located in Rural areas subject to detailed consideration of all relevant issues in an impact assessment process.</p> <p>However, it is not considered necessary to specifically acknowledge private air strips in the Rural zone code overall outcomes given that:</p> <ul style="list-style-type: none"> private airstrips is adequately covered by the reference to "other activities requiring location outside urban areas due to the amount of land required, the significance of impacts generated and/or other reasons" in Overall outcome (3)(a)(iii) there are a vast range of infrequently applied for activities requiring location outside urban areas and it would be inconsistent to not mention all such uses or impractical to mention all such uses
16-63	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	<ol style="list-style-type: none"> Would enable the removal of an iconic facility built purposely to support community based water sporting clubs impact on existing views, vistas & amenity from 'Captains Corner' impact on property value for 'Captains Corner' 	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124859	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	<ol style="list-style-type: none"> Proposed development may impact on existing views, vistas & amenity from 'Captains Corner' Future development may have impact on property value for 'Captains Corner' Historic building height restrictions over property 	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-64	ZN-CR-01	Lot 9 on RP706848 Lot 8 on RP706848	Cremorne	Industry Low Impact (MCC)	Schedule 2 Mapping	The proposed zoning of the subject properties is Industry (low impact)	Change the proposed zoning of the subject properties to Rural residential	<ol style="list-style-type: none"> 1. Decision for properties to remain within the Low impact industry zone is not satisfactory 2. Low impact zone cannot be used as the land is too small, previous MCUs have been denied, advice for industrial purposes is noted as unlikely 3. Banks unlikely to lend for residential use on an industrial zoned site 4. Review of zoning to allow properties to be sold for a reasonable price 	Not supported - scheme not changed	Privately owned properties within the Cremorne Street/Palm Street area, including the subject sites, will be retained within the Low impact industry zone. This is equivalent to the current Industry (Low impact) zoning under the current Mackay City Planning Scheme 2006. It is not appropriate to zone the subject properties Rural residential due to the high flood hazard risk to people and property.
16-65	ZN-ET-01	Various lots	Eton	Rural (MCC)	Schedule 2 Mapping	Rural	Change the proposed zoning of the subject area from Rural to Rural, Investigation area precinct RU1	<ol style="list-style-type: none"> 1. Reflect existing preliminary approval 2. The subject site is physically suitable and strategically located to provide low impact industrial hardstand stock to meet the longer term industrial needs of the region 3. Identification as an Investigation Area supports the Draft Planning Scheme principle of development sequencing and coordination to meet long term needs of the region 4. Identification as an Investigation Area provides a level of certainty to protect the land from incompatible development that may potentially compromise the future use of the land for industrial purposes 5. Identification as an Investigation Area will underpin the further investigations and detailed structure planning necessary prior to any development occurring on the subject site 6. Land is poor agricultural land, elevated and well drained 7. Site is closer to the western mining areas 	Not supported - scheme not changed	<p>The proposed planning scheme provides adequate capacity to accommodate projected industrial growth, on land already zoned for industrial development (including proposed Industry investigation zoned land), in the life of the planning scheme. Beyond, the life of the planning scheme, the proposed planning scheme currently anticipates that Rosella will be the next major area developed for industrial purposes. Preliminary studies have already been undertaken in support of this area.</p> <p>It is noted that the submission's intention for the subject land is to meet a need for transport activities utilising 'hardstand' facilities. While infrastructure requirements may be different to those in urban settings, this has not been fully investigated. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations is not sustainable.</p> <p>Lot 28 on SP278048 has an existing preliminary approval (DA-2015-3) for the Eton Transit Centre and this approval does not provide for blanket industrial uses over the approval site or proposed broader area nor does it justify changing the proposed zone to Rural zone, Investigation area precinct (RU1).</p> <p>Given the above, the proposed zone of the subject land will remain Rural and will not include the Investigation area precinct (RU1).</p>
	SF-MP-07	Various lots	Eton	N/A	Schedule 2 Mapping	Rural designation under Strategic Framework	Change the proposed Strategic framework designation of Rural to Investigation area	<ol style="list-style-type: none"> 1. Identification as an Investigation Area supports the Draft Planning Scheme principle of development sequencing and coordination to meet long term needs of the region 2. Identification as an Investigation Area provides a level of certainty to protect the land from incompatible development that may potentially compromise the future use of the land for industrial purposes 3. Identification as an Investigation Area will underpin the further investigations and detailed structure planning necessary prior to any development occurring on the subject site 4. Previous studies identified potential of Eton for development 5. Investigations indicate a possible deficit of suitably zoned land for industry within the life of the planning scheme 	Not supported - scheme not changed	<p>The proposed planning scheme provides adequate capacity to accommodate projected industrial growth, on land already designated for industrial development, in the life of the planning scheme. Beyond, the life of the planning scheme, the proposed planning scheme currently anticipates that Rosella will be the next major area developed for industrial purposes. Preliminary studies have already been undertaken in support of this area.</p> <p>It is noted that the submission's intention for the subject land is to meet a need for transport activities utilising 'hardstand' facilities. While infrastructure requirements may be different to those in urban settings, this has not been fully investigated. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations is not sustainable.</p> <p>Lot 28 on SP278048 has an existing preliminary approval (DA-2015-3) for the Eton Transit Centre and this approval does not provide for blanket industrial uses over the approval site or proposed broader area nor does it justify changing the proposed zone to Rural zone, Investigation area precinct (RU1).</p> <p>Given the above, the proposed zone of the subject land will remain Rural and will not include the Investigation area precinct (RU1).</p>
	SF-SI-03	Various lots	Eton	N/A	Part 3 - Strategic framework	Strategic intent statements	Include an additional paragraph relating to the proposed Eton investigation area	As per grounds above (See issue: SF-MP-02)	Not supported - scheme not changed	The proposed strategic intent of the area will remain Rural, and additional words relating to a new Investigation area within the Strategic Framework will not be included.
16-66	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	<ol style="list-style-type: none"> 1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. impact on existing views, vistas & amenity from 'Captains Corner' 3. impact on property value for 'Captains Corner' 	Not supported - scheme not changed	See response to SUBMISSIONS 16-79, 16-103 for further information.
	TA-MX-01	Lot 12 on SP124859	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	<ol style="list-style-type: none"> 1. Proposed development may impact on existing views, vistas & amenity from 'Captains Corner' 2. Future development may have impact on property value for 'Captains Corner' 3. Historic building height restrictions over property 	Not supported - scheme not changed	See response to SUBMISSIONS 16-79, 16-103 for further information.
16-67	AD-SP-01	N/A	N/A	N/A	Part 8 - Overlays	N/A	Review the proposed planning scheme on an 'across the board' basis to ensure it appropriately reflects and incorporates the principles of State Planning Policy.	The integration of the important State resources is an important aspect of scheme drafting	Supported - scheme change not necessary / possible	The proposed planning scheme has been subject to various reviews and is considered to appropriately reflect the State Planning Policy.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	DC-EI-01	N/A	N/A	N/A	Part 9 - Development codes	N/A	Review and incorporate the following CCAA and State Government Model Codes: 1. CCAA Extractive Industry Zone Code; 2. CCAA Extractive Industry Use Code; 3. State Planning Policy (SPP) Model Extractive Resources Overlay Code.	Boral is actively involved with the CCAA in developing consistency across the state; and the proposed planning scheme codes are ambiguous	Not supported - scheme not changed	Model codes are non-mandatory. The principles underpinning the proposed planning scheme are for fewer codes and increasing flexibility where appropriate. Some complex uses, which are infrequently applied for require detailed technical assessment and consideration of proposal-specific and site-specific circumstances. This was substantiated by the peer review done by MWH Global for council on the appetite for risk in the proposed planning scheme (the full report is available on council's website). The proposed planning scheme includes an Extractive industry code which complies with the State Planning Policy. It is considered that this code adequately addresses issues relevant to this region and greater complexity and increased provisions is not considered appropriate. Council has regard to industry and Australian Standards in force at the time a development application is lodged to assist with the assessment process.
	GN-EI-01	N/A	N/A	N/A	Part 6 - Zones	N/A	Adopt an Extractive Industry Zone and apply to Key Resource Areas and locally significant quarries including auxiliary development as exempt and colocation of synergistic uses as code; Or apply Code assessment provisions to Extractive Industry if an Extractive industry zone is not adopted; Make Extractive Industry be Code in the Rural zone, where the use is included within the Extractive resources and high impact activities overlay.	Extractive industry is subject to unreasonable and unnecessary assessment provisions	Not supported - scheme not changed	The proposed planning scheme appropriately considers Extractive industry through a range of provisions including the Extractive resources and high impact activities overlay code (which protects the operations of existing Extractive industries) and the Rural zone code (including ability to consider new or expansion of Extractive industry uses). Even if the Extractive industry zone was introduced, it is unlikely that it would reduce the level of assessment for an Extractive industry given the significant impacts generated by such uses. Therefore, the proposed planning scheme will not include the Extractive industry zone.
	DC-EI-02	N/A	N/A	N/A	Part 9 - Development codes		1) Amend Extractive Industry Code to support the increased hours of operation for Extractive Industry; and 2) Where sufficient evidence can be provided that the use will not result in disturbance at surrounding uses, extended hours of operation should be supported.	To align with the CCAA industry code	Not supported - scheme not changed	The hours of operation requirements are considered to be reasonable given the significant impacts that Extractive industries can generate, the sensitive nature of these applications and to provide clear guidance regarding intended outcomes. The hours of operation are in the form of Acceptable Outcomes and, as such, a proposed alternate performance solution can be considered at the development application stage and assessed on its merit. Therefore, the provision relating to hours of operation in the Extractive industry code will remain unchanged.
	TA-HI-01	N/A	N/A	N/A	Part 5 - Tables of assessment		Amend the proposed planning scheme to enable certain High impact industry land uses (i.e. concrete batching plants) to be code assessable development in the Medium and Low impact industry zones.	Nil	Not supported - scheme not changed	Concrete batching plants is a High impact industry use, which is already Code assessable in the High impact industry zone. Concrete batching plants are also Code assessable in the Key Resource Area processing area. The Medium impact industry zone is not used in the proposed planning scheme.
	TA-IA-01	N/A	N/A	N/A	Part 9 - Development codes		Include performance-based solutions / acceptable outcomes in the zone codes or industry activities use code, to support existing concrete batching plants to be code assessable development in the Medium and Low impact industry zones.	Concrete batching plants are not High Impact and no not generate the same impacts as other uses. Code assessment is an appropriate level of assessment.	Not supported - scheme not changed	Concrete batching plants are specifically listed in Schedule 1 as a High impact activity, which is not desirable in the Low impact industry zone where proximate sensitive uses may be affected. The proposed planning scheme does not use the Medium impact industry zone. The proposed planning scheme provides allowances for minor works, however most use intensifications will likely require additional approvals.
	DF-AG-01	N/A	N/A	N/A	Schedule 1 Definitions		Amend the High impact industry zone code to remove the overarching 'Industry Activities' activity group. Ensure incompatible and lower impact industry uses, including 'Low impact industry' 'Service industry', 'Hardware and trade supplies' and Warehouse are identified as inconsistent uses, subject to Impact Assessment.	Lower impact uses can undermine the high impact uses and affect expansion on reverse amenity grounds.	Not supported - scheme not changed	The inclusion of the Industry Activities group is to streamline the proposed planning scheme and allow similar levels of assessment and code provisions to apply to similar uses. The grouping of industrial activities (which excludes retail uses) is considered beneficial generally for industry activities. The relevant zone code forms part of the assessment of any use within an activities group. The proposed planning scheme seeks to avoid medium and high impact industry uses locating in the Low impact industry zone, largely due to the proximity of this zone to sensitive land uses. However, the High impact industry zone provides for most forms of industrial development (including low and medium impact industry). This more flexible approach (than that requested in the submission) is considered appropriate. The encroachment of sensitive land uses within or near high impact industries is considered to be a more important issue. The proposed planning scheme seeks to avoid sensitive land uses within High impact industry areas and contains several provisions managing sensitive land uses near the High impact industry zone.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	TA-IA-02	N/A	N/A	N/A	Part 5 - Tables of assessment		Amend the level of assessment tables for industrial and rural zones to include High Impact Industry (where a Temporary Use) as Exempt development. Adopt the QPP recommended Section 1.7 – 'Local Government Administrative Matters', and through specific mention, clarify that Mobile and Temporary concrete batching and asphalt manufacturing is an example of a Temporary Use.	Mobile and Temporary facilities are not dealt with in the proposed planning scheme apart from a mention in the Administrative Definitions.	Not supported - scheme not changed	The proposed planning scheme is consistent with the Queensland Planning Provisions, which was endorsed by the State Government. A number of other recently drafted planning schemes are also silent on mobile and temporary uses. Temporary and mobile uses are normally associated with the construction of buildings or infrastructure requiring its own assessment and generally not considered to be a use in its own right.
	GN-BH-01	N/A	N/A	N/A	Various		Amend building height requirements in applicable codes to only apply where the site adjoins residential zoned land; or where the building is within a fixed setback; and not apply to certain structures such as materials storage silos.	Height provisions should not apply to structures associated with industrial land uses.	Not supported - scheme not changed	Building height provisions in the proposed planning scheme are considered to be appropriate and they provide clarity to stakeholders (not just adjoining residents) on anticipated development outcomes. Identifying areas with no height limit is not considered to be appropriate. Where buildings or structures do not meet the requirements, it can be assessed on its merits as a potential performance solution.
	OV-HI-02	N/A	Richmond	Rural (MCC)	Part 8 - Overlays	Richmond Investigation Area	Amend the bounds of the Richmond Investigation Area to be wholly contained outside of the KRA Separation Area.	Any future urban development in the separation areas must address issues associated with the proximity to the quarry.	Not supported - scheme not changed	The Strategic Framework makes specific reference to "potential future development in the Richmond investigation area responds to the location of The Cedars Quarry separation area". Other provisions throughout the proposed planning scheme, such as the Extractive resources and high impact activities overlay, reinforce this position. A future Richmond Development Framework Plan will need to consider the various site constraints and overlays. Any proposed development within the Key Resource Area (KRA) separation area will require detailed consideration of all relevant issues.
	ZN-ER-02	N/A	Erakala		Schedule 2 Mapping		Apply the High impact industry zone to the pre-existing concrete batching site.	Nil	Not supported - scheme not changed	Applying an isolated spot zone to this land based on current land use or tenure is not planning best-practice. The proposed Rural zone reflects the long-term strategic land use intent of the site. The proposed Rural zone will not affect existing lawful uses or approvals in any way.
16-68	ZN-SA-04	Lot 6 on RP838639	Sarina	Rural (Sarina)	Schedule 2 Mapping	Rural	Change the proposed zoning of the subject site from Rural to High impact industry	1. Development opportunities on the site for industrial uses with access to North Coast rail line and Bruce Highway frontage 2. Site can be serviced by infrastructure	Not supported - scheme not changed	The site is unsuitable for development given the various constraints such as services, proximity to rail infrastructure and access arrangements. Urban zones in other areas can adequately accommodate projected growth in the life of the planning scheme. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence, is not sustainable. Given the above, the proposed zone of Lot 6 on RP838639 will remain Rural.
16-69	ZN-WM-02	Lot 9 on RP710316 Lot 1 on RP912654	West Mackay	Urban Residential (MCC)	Schedule 2 Mapping	Medium Density Residential (MD3)	Change the zone of the subject sites to Community facilities	1. Community Facilities Zone better reflects what is already occurring on the site and the likely future use of Lot 9 on RP710316. 2. It is considered that the surrounding, proposed MD2 and MD3 precincts will function adequately without these sites being included in the same zone. 3. The diocese specialises in educational facilities and the sites will not be developed for residential purposes regardless of the zoning. 4. There is also no intention to sell the properties.	Not supported - scheme not changed	The proposed planning scheme identifies that Child care centres are a consistent use in-principle in residential areas - subject to the detailed assessment of any development application. As such, a site specific Community facilities zone is not considered necessary for this use. It is noted that an Impact assessable development application under the current Mackay City Planning Scheme 2006 was lodged in January 2017. This is considered appropriate as stakeholders will have an opportunity to lodge submissions on the proposal. Should the proposal be approved and implemented, a consequential amendment to the planning scheme can be considered in the future, if required. Given the above, the proposed zone of Lot 1 on RP710616 will remain Medium density residential, General medium density precinct (MD3).

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-70	ZN-BE-05	Lot 1 SP249146 Lot 2 SP249146	Beaconsfield	Rural (MCC)	Schedule 2 Mapping	Rural zone	Change the zone of the subject sites to enable development - commercial, light industry or high density residential, etc.	1. Considerable funds on previous applications, flood studies, engineers reports and consultation and agreement with council on receiving spoil from adjacent gully. 2. Have approved operational works for fill in preparation of future development. 3. Have recently received approval from Main Roads Dept. for a round-a-bout construction near our front entrance. 4. A development precedent has been set on this Mackay-Bucasia / Holts Road intersection with the establishment our neighbours Masters and Bunnings Hardware.	Not supported - scheme not changed	The subject site is not considered suitable for urban development as it is highly constrained by access issues and the Flood and coastal hazard overlay. The existing approval for OW is for a small portion of the subject site and involves filling for a dwelling house pad. It is not likely that filling the entire site would be supported by council. Urban zones in other areas can adequately accommodate projected growth in the life of the planning scheme. The application of the Specialised centre zoning on the western side of Mackay-Bucasia Road is not justification to apply this zone or other commercial, industrial or residential zones to the subject sites. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence, is not sustainable. Given the above, the proposed zone of Lots 1 and 2 on SP249146 will remain Rural.
16-71	DC-RC-01	Lot 2 on RP738131 Lot 3 on RP738131	Palmyra	Rural (MCC)	Part 9 - Development codes	9.4.3 Reconfiguration of Lot Code - Table 9.4.3.3.B - Lot Size & Frontage Requirements - Minimum Lot Size in the Rural zone is 100Ha	Support for rural subdivision of subject property	1. Excellent property for subdivision; 2. Mackay Regional Council owns Lot 4 on RP 738131 & Walkerston water reservoir was built in 1982; 3. Land is not suitable for any agriculture; 4. All of property is above all flood zones; 5. House is 100 feet above sea level; 6. 66 Volt major power supply lines run past the block; 7. Bitumen road frontage; and 8. Two kilometres to Walkerston township;	Not supported - scheme not changed	Under the current Mackay City Planning Scheme 2006 and current Mirani Shire Plan 2007, the minimum lot size for new lots in the Rural zone is 100ha. Under the current Sarina Shire Planning Scheme 2005, the minimum lot size for new lots in the Rural zone is 80ha. The proposed planning scheme identifies a minimum lot size of 100ha across the entire region for consistency, and is based on reasons set out below. • The State Government's State Planning Policy requires council to protect Agricultural land as a resource for current and future generations and maintain it's productive capacity by avoiding fragmentation and encroachment of incompatible uses (such as residential uses not associated with agriculture). • The 100ha minimum also acknowledges that cane farming is the predominant form of agriculture in the region currently and for the foreseeable future. Studies have found that the minimum area required for a viable cane farm is 100ha. • In addition, providing public services (e.g. road maintenance, rubbish collection, emergency services) to additional residential uses in the rural area in general is inefficient. • The Rural and Rural Residential Review 2014 considered all relevant legislation and issues and confirmed that the proposed 100ha minimum lot size in Rural areas is appropriate. The review also found that high numbers of small rural lots already exist throughout the region, and the importance of avoiding further fragmentation was reinforced. Council has prepared a factsheet explaining Rural and Rural residential issues in the region. Given the above, provisions enabling the subdivision of Lots 2 and 3 on RP738131 will not be incorporated into the proposed planning scheme.
16-72	ZN-SA-05	Lot 4 on SP117897	Sarina	Town Zone (Sarina)	Schedule 2 Mapping	Industry Investigation	Change the zone of the subject site to 'Town Zone'	Allow for the possible development of Tourist Attraction, Education Facility (i.e. independent high school, short term accommodation including RV Retirement Village or Caravan Park, Sporting Complex. 1. Access to Town Water, Electricity and Sewerage 2. No independent high school in Sarina 3. No indoor sporting complex in Sarina 4. 40,000 Grey nomads are travelling around Australia 5. Meets all aspects of the Town zone 6. Oversupply of Industrial Land 7. Roundabout costs make development of property for Industrial Land not viable in 2016-2017	Not supported - scheme not changed	The requested Town zone is no longer applicable in the choice of zones available under the proposed planning scheme. It is assumed that the request relates to applying an urban zone to the lot. The subject land is zoned for industrial development under the current Sarina Shire Planning Scheme 2005. It is ideally located for industrial land uses given its proximity to the Bruce Highway and noise impacts from road and rail. There is a strong need for industrial land in Sarina as there is limited vacancy in Patch Street and lots in this precinct are relatively small to allow industrial expansion. Brewers Park provides Sarina's sporting needs, including a future indoor centre identified on the precinct masterplan. Infrastructure issues (including the highway intersection) in the area will need to be overcome, regardless of the type of development proposed. The provision of infrastructure will require collaboration with all stakeholders. Given the above, the proposed zone of Lot 4 on SP117897 will remain Industry investigation.
16-73	ZN-ER-03	Lot 1 on RP715780 Lot 2 on RP715571 Lot 1 on RP727599 Lot 2 on RP728758 Lot 4 on RP747937 Lot 12 on SP178816	Erakala	Rural (MCC)	Schedule 2 Mapping	Rural zone	Request for the area to be rezoned from Rural to Rural RU1 Precinct - Investigation area	1. The subject land in part is considered to be capable of supporting future residential uses, based on the following grounds: 2. Any future development of the site would complement the existing and approved development in the locality at Bald Hills and Erakala (Settlers Rise); 3. The site adjoins existing residential development to the west and would generally be an extension of this pattern of development; 4. The subject site is not subject to Flood and Inundation; 5. No additional road upgrades apart from normal intersection works would be required in the locality to service the development; 6. The site does not impact upon the Mackay Ring Road; 7. An existing water supply reservoir exists at Farleigh which could provide pressurised potable reticulated water; and 8. Overlays and natural features such as Steep Land, Landscape Character and Bushfire are able to be addressed through detail design.	Not supported - scheme not changed	The proposed planning scheme, through zoning and the Strategic Framework, identify various other areas that can adequately accommodate projected growth in the life of the planning scheme and beyond. The proposed planning scheme identifies significant areas zoned Emerging community (zoned Urban expansion under the current Mackay City Planning Scheme 2006), particularly in the Northern Beaches area. The next areas for development will be in Ooralea and then Richmond. The Strategic Framework advises that the development of the Ooralea investigation area is not sequenced for urban purposes prior to 2026 and the development of the Richmond investigation area is not sequenced for urban purposes before 2031. Thus, consideration of any further investigation areas are well beyond the life of the proposed planning scheme. The subject site is not serviced by urban infrastructure and there are no future plans to service the area. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence is not sustainable. It is also noted that the Agricultural land overlay is identified over a substantial part of the subject land. Given the above, the proposed zone of the subject land will remain Rural.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	SF-MP-08	Lot 1 on RP715780 Lot 2 on RP715571 Lot 1 on RP727599 Lot 2 on RP728758 Lot 4 on RP747937 Lot 12 on SP178816	Erakala	Rural (MCC)	Schedule 2 Mapping	Rural designation under Strategic Framework	Change strategic designation to 'Investigation area'	<p>1. The subject land in part is considered to be capable of supporting future residential uses, based on the following grounds:</p> <p>2. Any future development of the site would complement the existing and approved development in the locality at Bald Hills and Erakala (Settlers Rise);</p> <p>3. The site adjoins existing residential development to the west and would generally be an extension of this pattern of development;</p> <p>4. The subject site is not subject to Flood and Inundation;</p> <p>5. No additional road upgrades apart from normal intersection works would be required in the locality to service the development;</p> <p>6. The site does not impact upon the Mackay Ring Road;</p> <p>7. An existing water supply reservoir exists at Farleigh which could provide pressurised potable reticulated water; and</p> <p>8. Overlays and natural features such as Steep Land, Landscape Character and Bushfire are able to be addressed through detail design.</p>	Not supported - scheme not changed	<p>The proposed planning scheme, through zoning and the Strategic Framework, identify various other areas that can adequately accommodate projected growth in the life of the planning scheme and beyond. The proposed planning scheme identifies significant areas zoned Emerging community (zoned Urban expansion under the current Mackay City Planning Scheme 2006), particularly in the Northern Beaches area.</p> <p>The next areas for development will be in Ooralea and then Richmond. The Strategic Framework advises that the development of the Ooralea investigation area is not sequenced for urban purposes prior to 2026 and the development of the Richmond investigation area is not sequenced for urban purposes before 2031. Thus, consideration of any further investigation areas are well beyond the life of the proposed planning scheme.</p> <p>The subject site is not serviced by urban infrastructure and there are no future plans to service the area. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence is not sustainable.</p> <p>It is also noted that the Agricultural land overlay is identified over a substantial part of the subject land.</p> <p>Given the above, the proposed Strategic Framework designation of the subject land will remain Rural.</p>
	SF-SP-01	Lot 1 on RP715780 Lot 2 on RP715571 Lot 1 on RP727599 Lot 2 on RP728758 Lot 4 on RP747937 Lot 12 on SP178816	Erakala	Rural (MCC)	Part 3 - Strategic framework	Rural designation under Strategic Framework	<p>Add specific paragraph to Strategic Framework, 3.2.2, to describe the Farleigh Investigation Area:</p> <p><i>The Farleigh investigation area (as a new Investigation area 7) considers urban expansion in the area bounded generally by the Bruce Highway, Settlers Rise and Sugarshed Road. The development of the Farleigh investigation area for urban purposes is not sequenced before 2026. Interim development of the investigation area does not compromise its potential future development as an urban area.</i></p>	<p>1. The subject land in part is considered to be capable of supporting future residential uses, based on the following grounds:</p> <p>2. Any future development of the site would complement the existing and approved development in the locality at Bald Hills and Erakala (Settlers Rise);</p> <p>3. The site adjoins existing residential development to the west and would generally be an extension of this pattern of development;</p> <p>4. The subject site is not subject to Flood and Inundation;</p> <p>5. No additional road upgrades apart from normal intersection works would be required in the locality to service the development;</p> <p>6. The site does not impact upon the Mackay Ring Road;</p> <p>7. An existing water supply reservoir exists at Farleigh which could provide pressurised potable reticulated water; and</p> <p>8. Overlays and natural features such as Steep Land, Landscape Character and Bushfire are able to be addressed through detail design.</p>	Not supported - scheme not changed	The proposed strategic intent of the area will remain Rural, and additional words relating to a new Investigation area within the Strategic Framework will not be included.
16-74	ZN-BB-04	Lot 241 on SP171588	Blacks Beach	Urban Residential (MCC)	Schedule 2 Mapping	Medium Density Residential	Amend part of the site to Local centre zone in accordance with the plans of development	Need in the Blacks Beach community with no real prospect for a local centre at Blacks Beach being met from land identified for this purpose. Change in zone will enable part of the intended strategic local centre to be developed immediately and support Council's objectives.	Not supported - scheme not changed	<p>Commercial centre provisions in the proposed planning scheme are based on the Centres Strategy which includes a Centres network. The Centres Strategy is based on extensive supporting studies. The Local centre zone at Blacks Beach provides for up to 5,000m² of GFA and the amount of land zoned Local centre is adequate to accommodate development of this scale. The extent of GFA provided for, and the amount of land and land zoned Local centre, by the proposed planning scheme meets the needs of the relevant catchment (specified by the proposed planning scheme as Blacks Beach, Dolphin Heads and Eimeo).</p> <p>In addition, it is considered that 'walkable', 'convenient' 'basic local facilities' need is satisfied in the zoning and location of the Eimeo Heights store and the Turtle Shores Local centre. Further, the Hawkhaven land is ideally situated with good residential access and connectivity, proximate to existing services and open space and of a size to achieve good residential design outcomes. In consideration of this, it is appropriate to include the Hawkhaven site within the Medium density residential zone to provide housing diversity in the Blacks Beach locality.</p> <p>Given the above, the proposed zone of Lot 241 on SP171588 will remain Medium density residential with part of the site in the General medium density precinct (MD2) and part of the site in the Low-medium density precinct (MD1).</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-75	ZN-NI-01	Lot 7 on SP132374 Lot 4 on RP707035 Lot 8 on SP132374 Lot 1 on RP838480 Lot 1 on SP165568 Lot 2 on RP838480 Lot 3 on SP127522 Lot 4 on RP721439 Lot 8 on SP100425 Lot 7 on SP170018	Nindaroo	Rural (MCC)	Schedule 2 Mapping	Rural zone	Change zone of subject land to Rural zone, Investigation area precinct (RU1).	<ol style="list-style-type: none"> 1. Current proposed zone does not reflect the strategic development potential 2. Subject land physically suitable (undulating land, not flood prone, cleared of vegetation) and appropriately located (adjacent to northern growth front, near Rural View major centre) to provide housing to meet long term need 3. The site meets principles of development sequencing and co-ordination 4. provides level of certainty and protects land from incompatible uses 5. will underpin further investigation and structure planning required prior to future development 6. area was identified as an "Urban Investigation Area" in the 1999 Strategic Plan 7. will provide a flexible long term growth management framework that can appropriately respond to changing population growth dynamics 8. preliminary engineering analysis has previously been undertaken - basis for further investigations 9. current agricultural uses have limited viability due to small size of landholding and fragmented ownership 	Not supported - scheme not changed	<p>The proposed planning scheme, through zoning and the Strategic Framework, identify various other areas that can adequately accommodate projected growth in the life of the planning scheme and beyond. The proposed planning scheme identifies significant areas zoned Emerging community (zoned Urban expansion under the current Mackay City Planning Scheme 2006), particularly in the Northern Beaches area.</p> <p>The next areas for development will be in Ooralea and then Richmond. The Strategic Framework advises that the development of the Ooralea investigation area is not sequenced for urban purposes prior to 2026 and the development of the Richmond investigation area is not sequenced for urban purposes before 2031. Thus, consideration of any further investigation areas are well beyond the life of the proposed planning scheme.</p> <p>The subject site is not serviced by urban infrastructure and there are no future plans to service the area. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence is not sustainable.</p> <p>It is also noted that the Agricultural land overlay is identified over a substantial part of the subject land.</p> <p>Given the above, the proposed zone of the subject land will remain Rural.</p>
	SF-MP-09	Lot 7 on SP132374 Lot 4 on RP707035 Lot 8 on SP132374 Lot 1 on RP838480 Lot 1 on SP165568 Lot 2 on RP838480 Lot 3 on SP127522 Lot 4 on RP721439 Lot 8 on SP100425 Lot 7 on SP170020	Nindaroo	N/A	Schedule 2 Mapping	Rural designation under Strategic Framework	Change strategic designation in the Strategic Framework to 'Investigation area'	<ol style="list-style-type: none"> 1. Current proposed zone does not reflect the strategic development potential 2. Subject land physically suitable (undulating land, not flood prone, cleared of vegetation) and appropriately located (adjacent to northern growth front, near Rural View major centre) to provide housing to meet long term need 3. meets principles of development sequencing and co-ordination 4. provides level of certainty and protects land from incompatible uses 5. will underpin further investigation and structure planning required prior to future development 6. area was identified as an "Urban Investigation Area" in the 1999 Strategic Plan 7. will provide a flexible long term growth management framework that can appropriately respond to changing population growth dynamics 8. preliminary engineering analysis has previously been undertaken - basis for further investigations 9. current agricultural uses have limited viability due to small size of landholding and fragmented ownership 	Not supported - scheme not changed	<p>The proposed planning scheme, through zoning and the Strategic Framework, identify various other areas that can adequately accommodate projected growth in the life of the planning scheme and beyond. The proposed planning scheme identifies significant areas zoned Emerging community (zoned Urban expansion under the current Mackay City Planning Scheme 2006), particularly in the Northern Beaches area.</p> <p>The next areas for development will be in Ooralea and then Richmond. The Strategic Framework advises that the development of the Ooralea investigation area is not sequenced for urban purposes prior to 2026 and the development of the Richmond investigation area is not sequenced for urban purposes before 2031. Thus, consideration of any further investigation areas are well beyond the life of the proposed planning scheme.</p> <p>The subject site is not serviced by urban infrastructure and there are no future plans to service the area. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence is not sustainable.</p> <p>It is also noted that the Agricultural land overlay is identified over a substantial part of the subject land.</p> <p>Given the above, the proposed Strategic Framework designation of the subject land will remain Rural.</p>
	SF-SP-02	Lot 7 on SP132374 Lot 4 on RP707035 Lot 8 on SP132374 Lot 1 on RP838480 Lot 1 on SP165568 Lot 2 on RP838480 Lot 3 on SP127522 Lot 4 on RP721439 Lot 8 on SP100425 Lot 7 on SP170021	Nindaroo	N/A	Part 3 - Strategic framework	Rural designation under Strategic Framework	<p>Add specific paragraph to Strategic Framework, 3.2.2, to describe the Nindaroo Investigation Area:</p> <p><i>The Nindaroo investigation area (as an Investigation area 5) considers urban expansion in the area bounded by the Mackay-Habana Road, Orphanage Road and the extent of urban development to the east. The development of the Nindaroo investigation area for urban purposes is not sequenced before 2026. Interim development of the investigation area does not compromise its potential future development as an urban area.</i></p>	<ol style="list-style-type: none"> 1. Current proposed zone does not reflect the strategic development potential 2. Subject land physically suitable (undulating land, not flood prone, cleared of vegetation) and appropriately located (adjacent to northern growth front, near Rural View major centre) to provide housing to meet long term need 3. Meets principles of development sequencing and co-ordination 4. Provides level of certainty and protects land from incompatible uses 5. Will underpin further investigation and structure planning required prior to future development 6. Area was identified as an "Urban Investigation Area" in the 1999 Strategic Plan 7. Will provide a flexible long term growth management framework that can appropriately respond to changing population growth dynamics 8. Preliminary engineering analysis has previously been undertaken - basis for further investigations 9. Current agricultural uses have limited viability due to small size of landholding and fragmented ownership 	Not supported - scheme not changed	The proposed strategic intent of the area will remain Rural, and additional words relating to a new Investigation area within the Strategic Framework will not be included.
16-76	SF-MP-01	N/A	N/A	N/A	Schedule 2 Mapping	N/A	Revise the Ring Road alignment on Strategic Framework map	Mapping alignment	Supported - scheme change prompted by submission	Strategic Framework mapping will be amended as per the submission's request, to reflect the gazetted Future State-controlled road alignment for the Mackay Ring Road as 'future state and major road network'.
	OV-RH-01	N/A	N/A	N/A	Part 8 - Overlays	N/A	Revise road hierarchy overlay to reflect planned junctions with Ring Road	Mapping update to reflect future road network	Noted - may be subject to potential future investigation	Council intends to complete a broader review of the road hierarchy across the council area. This will include a review of the gazetted Future State-controlled roads and identified Planned upgrades on the State Planning Policy mapping. A future amendment to the Road hierarchy overlay will be undertaken following the outcomes of this review.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	OV-RH-02	N/A	N/A	N/A	Part 8 - Overlays	N/A	Include the Glenella Connection Road deviation on the road hierarchy overlay	Mapping update to reflect future deviation	Noted - may be subject to potential future investigation	Council intends to complete a broader review of the road hierarchy across the council area. This will include a review of the gazetted Future State-controlled roads and identified Planned upgrades on the State Planning Policy mapping. A future amendment to the Road hierarchy overlay will be undertaken following the outcomes of this review.
	GN-RR-01	N/A	Ooralea	Rural (MCC)	Part 8 - Overlays	Rural	Include provisions to prevent direct access to Stockroute Road (future bypass)	To identify access requirements to land abutting future bypass	Not supported - scheme not changed	The future bypass is a gazetted Future State-controlled road. Any assessable development applications will be required to be referred to the State. Any amendments to the proposed planning scheme would replicate certain aspects of the State Planning Policy which is not considered necessary to protect State interests.
	OV-RH-03	N/A	N/A	N/A	Part 8 - Overlays	N/A	Consider identifying future road hierarchy in Sarina development area	Mapping update to reflect future planned road network	Noted - may be subject to potential future investigation	Council intends to complete a broader review of the road hierarchy across the council area. This will include a review of the future development areas. A future amendment to the Road hierarchy overlay will be undertaken following the outcomes of this review.
	SF-MP-10	N/A	N/A	N/A	Part 3 - Strategic framework	N/A	Revise public transport corridors, interchanges and associated codes to reflect latest Translink network	Mapping and scheme update to reflect updated public bus transport network (adopted November 2016)	Not supported - scheme not changed	It is not necessary to amend the Strategic Framework maps to show scheduled bus routes. The intent of the Strategic Framework maps is not to replicate the scheduled bus routes but to show how existing and future developed areas may be serviced by future public transport corridors. Scheduled bus routes can and will change periodically through the life of the planning scheme, and it is not appropriate to link the planning scheme's Strategic Framework mapping to bus service routes. In relation to public passenger transport facilities, the State Planning Policy includes appropriate provisions to protect State interests.
	OV-AE-01	N/A	N/A	N/A	Schedule 2 Mapping	N/A	Identify public safety area for east-west runway and amend the mapping to reflect the aviation facilities including zones A, B and the area of interest, as per State Planning Policy.	State Planning Policy compliance	Supported - scheme change prompted by submission	Overlay mapping for the public safety areas and aviation facilities will be updated to reflect the State Planning Policy (SPP). Terminology for aviation facilities will be updated in the table of assessment and overlay code to reflect the aviation facilities provisions of the SPP code.
	OV-AE-02	N/A	N/A	N/A	Part 8 - Overlays	N/A	Amend to match State Planning Policy zones and better reflect code wording for: 1) protection of aviation facilities - Zones A, B and areas of interest; 2) Pubic safety areas 3) Wildlife hazard	State Planning Policy compliance	Supported in part - scheme change prompted by submission in part	The inconsistency is noted and is a result of changes to the State Planning Policy (SPP) since the initial development of the proposed planning scheme. PO1 and AO1.1 to AO1.8 will be amended to reflect the provisions of the Strategic airports and aviation facilities SPP code as a result of the Aviation facilities overlay mapping amendment. All other provisions are considered to adequately reflect the intent of the SPP. Further review of provisions may occur as part of considering future SPPs once it is adopted by the State, and may form part of future planning scheme amendments.
	SF-MP-11	N/A	N/A	N/A	Schedule 2 Mapping	N/A	Amend special purpose port area in Strategic Framework maps	State Planning Policy compliance	Not supported - scheme not changed	The intention of the Strategic Framework mapping for the 'special purpose' designation for the ports is to broadly reflect the respective port land use plans. It is not intended to identify the Strategic port land extents, which are identified in the respective port land use plans (as gazetted). Several changes to the Strategic Framework mapping 'special purpose' designation have been made in response to specific parcels identified in submission 16-25, issue code ZN-AC-02. Section 287 of the <i>Transport Infrastructure Act 1994</i> identifies that Strategic port land is not subject to a local planning instrument under the Planning Act. This is supported in the proposed planning scheme in Part 10, section 10.1 which identifies that the proposed planning scheme has no jurisdiction over Strategic port land. It is understood that master planning for the Priority Ports of Hay Point and Mackay will commence in 2017. Council will review any requirements to amend planning scheme mapping relating to the priority ports following this process.
16-77	ZN-RV-03	N/A	Rural View		Schedule 2 Mapping	N/A	Commendation for Centres Strategy	Maintaining Major centre designation at Northern Beaches with smaller supporting centres and protecting the city as the Principal centre	Support noted	Support noted.
16-78	DF-LU-01	N/A	N/A	N/A	Schedule 1 Definitions	Air services definition	Add "private airstrip" to the definition of Air services	1. Rural airstrips can create unwanted noise and disturbance, detrimentally impact rural / rural residential living, and disturb natural areas 2. Failure of the planning scheme to control aviation development on Rural zoned land, noise, disruption and potential safety risks of a private airstrip 3. To avoid this past failure, the land use definition must include private airstrips	Noted - scheme change not necessary / possible	The Air services land use definition in Schedule 1 (Table SC1.1.2) is adequately clear in terms of its application to private airstrips. 'Airstrips' and 'private airfields' are mentioned as examples of air services in column 3. Further, land use definitions are provided by the State Government (through the Queensland Planning Provisions) in order to achieve uniformity in terminology used across the state. Given the above, a reference to "private airstrips" will not be made to the definition for Air services.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	TA-RU-01	N/A	N/A	N/A	Part 5 - Tables of assessment	Level of assessment for Air services in Rural zone - impact assessment	Amend the level of assessment to include Air services involving private airstrip to be Impact assessable in the Rural zone	Private airstrips must be impact assessable to allow appropriate enforcement measures with no exceptions for landowners to avoid this level of assessment	Supported - scheme change not necessary / possible	The public consultation version of the proposed planning scheme does make Air services impact assessment across all zones.
	ZC-RU-02	N/A	N/A	N/A	Part 6 - Zones	Uses provisions within the Rural zone code	Include provisions specific to private airstrips	1. Rural airstrips can create unwanted noise and disturbance, detrimentally impact rural / rural residential living, and disturb natural areas 2. Failure of the planning scheme to control aviation development on Rural zoned land.	Not supported - scheme not changed	Air services can vary greatly in scale and nature. Given the amount of land required to accommodate these uses, site and surrounding land circumstances can also vary greatly. In addition, air services is an uncommonly applied for use. For these reasons it is considered impractical to formulate provisions in the proposed planning scheme relevant to private airstrips. The proposed planning scheme aims to strike a balance between clear guidance where warranted and simplicity / streamlining (including the incorporation of as few codes as possible). Specific codes for uncommon uses would likely be too restrictive and /or not able to address proposal-specific or site-specific issues, thus not provide appropriate performance outcomes for assessment. It is considered appropriate that complex, specific and uncommon land uses trigger an impact assessment against all relevant sections of the proposed planning scheme. A rigorous and detailed technical assessment is applied to any proposed Air services use, and it would be assessed on its merits. Given the above, provisions specific to "private airstrips" will not be incorporated into the proposed planning scheme.
16-79	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 'Captains Corner' 3. Impact on property value for 'Captains Corner'	Not supported - scheme not changed	The proposed Mixed use zone is generally consistent with the existing Special activities (Tourism) zone (under the current <i>Mackay City Planning Scheme 2006</i> (current planning scheme)) in that it supports a range of residential and non-residential uses. The proposed planning scheme does not increase the development potential for a multi-storey development on the site. Both the current planning and proposed planning scheme would support potential redevelopment for a multi-storey development subject to demonstrating compliance with relevant code provisions. Any application for re-development of the site under the proposed planning scheme would need to address the purpose of the Mixed use zone code, including the criteria for assessable development, which includes a number of provisions relating to amenity and built-form outcomes (e.g. s.6.2.13.2(3)(d) and Table 6.2.13.3.A, PO8). So although the code refers to a maximum 5 storeys as an acceptable outcome, any proposed building would still need to be designed to address the relevant scheme provisions. The proposed planning scheme provisions are generally consistent with the current planning scheme in relation to built-form outcomes. It should be noted that the current planning scheme does not specify a maximum building height in the Special activities (Tourism) zone. Furthermore, the existing Deed of Agreement between Port Binnli Pty Ltd and Council supports a building height of 6 storeys for residential development. Given the above, the proposed 17 metre (5 storey) height limit for the subject site will remain unchanged. Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124859	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity from 'Captains Corner' 2. Future development may have impact on property value for 'Captains Corner' 3. Historic building height restrictions over property	Not supported - scheme not changed	The proposed Mixed Use zone is generally consistent with the existing Special activities (Tourism) zone (under the current Mackay City Planning Scheme 2006 (current planning scheme)) in that it supports a range of residential and non-residential uses. The proposed levels of assessment do not fundamentally change for uses consistent with the proposed Mixed use zone when compared to the existing Special activities (Tourism) zone. It is not considered appropriate to increase the levels of assessment beyond the current planning scheme. It should be noted that the existing Deed of Agreement between Port Binnli Pty Ltd and Council also provides for a range of uses to be assessed as code assessable development (e.g. Medium density residential, Multiple dwelling units, Commercial premises). Given the above, the tables of assessment for the Mixed use zone will remain unchanged. Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-80	ZN-BE-06	Lot 1 on SP110550 Lot 2 on CI3562	Beaconsfield	Sport and Recreation (MCC)	Schedule 2 Mapping	Major Sport and Recreation	Request for the area to be rezoned from Sport and Recreation and Rural to residential or Emerging Community Zone.	<p>The urban designation would be a more sustainable use of community infrastructure in the context of the locality. Similarly this would assist future priority infrastructure planning of the Richmond-Beaconsfield locality with designation of sustainable development fronts connected to existing urban forms.</p> <p>The Mackay Golf Course is well connected to adjacent urban areas, and associated community and civil infrastructure however has not been designated or zoned as such. The land also provides an opportunity for locational and lifestyle choice.</p> <ol style="list-style-type: none"> Affordability and housing choice with a high level of residential and natural amenity; Opportunity for diversity of urban form, and development outcomes; Continued connection of urban form between development precincts; Efficient use of existing infrastructure to reduce establishment costs and increase urban amenity for existing residents in the locality; Recognition of the subject site within a developing locality; and An increased rates base. 	Supported in part - scheme change not necessary / possible	<p>If the existing golf course use was no longer viable, preference would be for a new sporting use rather than residential development. Council remains supportive in-principle (subject to a detailed assessment of a development application) of development on restricted parts of the subject site, complimenting the existing golf course use, however changing the zone of the entire site to Low density residential or Emerging community is not supported.</p> <p>The proposed planning scheme, through zoning and the Strategic Framework, identify various other areas that can adequately accommodate projected growth in the life of the planning scheme and beyond. The proposed planning scheme identifies significant areas zoned Emerging community (zoned Urban expansion under the current Mackay City Planning Scheme 2006), particularly in the Northern Beaches area.</p> <p>The next areas for development will be in Ooralea and then Richmond. The Strategic Framework advises that the development of the Ooralea investigation area is not sequenced for urban purposes prior to 2026 and the development of the Richmond investigation area is not sequenced for urban purposes before 2031. Thus, consideration of any further investigation areas are well beyond the life of the proposed planning scheme.</p> <p>The subject site is not serviced by urban infrastructure beyond current use and there are no future plans to service increased use of the area. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence is not sustainable.</p> <p>It is also noted that the Flood and coastal hazard overlay is identified over a substantial part of the subject land.</p> <p>Given the above, the proposed zone of the subject site will remain part Sport and recreation and part Rural.</p>
16-81	SF-SI-04	N/A	N/A	N/A	Part 3 - Strategic framework	Strategic framework statement on ports and airports	In section 3.2, amend the paragraph relating to the ports and airport	Suggested wording aligns with role of airport as described in the approved Mackay Airport Land Use Plan.	Supported in part - scheme change prompted by submission in part	<p>The Strategic Framework narrative on the regional air and seaports (paragraph in section 3.2.2) will be amended to improve alignment between the proposed planning scheme and the approved Mackay Airport Land Use Plan by:</p> <ul style="list-style-type: none"> recognising the Mackay Airport is a Multimodal Integrated Transport Hub for the wider region, and development of air and seaports as integrated transport and employment hubs in support of the regional and state economy. Note the narrative is amended to recognise the Port of Mackay and Port of Hay Point Port as Priority Ports and key regional economic infrastructure as provided under the Sustainable Ports Act 2015 (refer to submission 16-25) <p>The association between land uses and port location and operations will be maintained. Note the Special purpose zone code (6.2.19.2) describes under (3)(a)(iii) that land declared under various other acts, including Mackay Airport land, is regulated by a planning instrument other than the planning scheme. This is re-iterated in Part 10.</p>
	SF-SI-05	N/A	N/A	N/A	Part 3 - Strategic framework	Strategic framework statement on centres	In section 3.2.3, amend paragraph relating to centres	<ol style="list-style-type: none"> Mackay airport supports the quality of life of people living in the region that connects the community with goods, services and employment, and Strategic framework should recognise the role of key regional infrastructure, including the Mackay Airport, in supporting the principal, major and district centres. 	Not supported - scheme not changed	<p>The Strategic Framework adequately describes the role and characteristics of Principal, Major and District centres (Paragraph 1 on page 3-10). The suggested amendment would not improve this paragraph.</p> <p>The role of the airport in supporting centres is already addressed in paragraph 3 on page 3-7: "The development of the airport maintains its integration with the transport network and supports the network of centres within the Mackay urban area."</p>
	TA-AP-01	N/A	N/A	N/A	Part 5 - Tables of assessment	Levels of assessment for the Airport environs code	Refine the level of assessment triggers for: - OLS - Development within the wildlife buffer zone - RoL including streets - fix terminology error in table of assessment	Level of assessment triggers of the Airport environs overlay should better match the State Planning Policy.	Supported in part - scheme change prompted by submission in part	<p>All provisions are considered to adequately reflect the intent of the SPP. Further review of provisions may occur as part of considering future SPPs once it is adopted by the State, and may form part of future planning scheme amendments.</p> <p>The error in terminology will be amended for criteria relating to the "Lighting management area".</p>
	ZC-II-01	N/A	N/A	N/A	Part 6 - Zones	Boundary Road east zone code	Amend precinct specific outcomes under the Boundary Road east precinct	The planning scheme cannot regulate development on airport land	Noted - scheme change not necessary / possible	<p>Overall outcome (3)(d)(i)(E) relates specifically to development within the Boundary Road East precinct (II1). The outcome is a two-fold requirement for new Low impact industry development to not impact on, or be impacted by, Mackay Airport. This requirement protects both the amenity of the new development and the operations of Mackay Airport.</p> <p>Development occurring on Mackay Airport land is not regulated by the proposed planning scheme and therefore the outcome stated in the zone code has no bearing or weight on development occurring on airport land. The Special purpose zone code (6.2.19.2) describes under (3)(a)(iii) that land declared under various other acts, including Mackay Airport land, is regulated by a planning instrument other than the planning scheme. This is re-iterated in Part 10. Therefore, the provision does not affect Mackay Airport nor require new development/uses on the Mackay Airport land to respond to future Low impact industry development within precinct II1.</p> <p>Given the above, the proposed Industry investigation zone code will remain unchanged.</p>
	ZC-LD-01	N/A	N/A	N/A	Part 6 - Zones	Low density residential zone code	Amend PO9 to acknowledge the lessened level of amenity for residential properties adjacent to the airport	<ol style="list-style-type: none"> Residential properties adjacent to and surrounding Milton Street/Bridge Road will not have the same level of amenity as other suburban areas due to the airport Options to encourage amalgamation of lots and transition to other less sensitive uses should be considered 	Noted - scheme change not necessary / possible	<p>The suggested amendment to PO9 is not necessary as the PO is considered to address the requirement for sensitive uses to consider amenity impacts of surrounding impacting uses. Additionally, amenity impacts of the Mackay Airport are specifically covered by the Airport environs overlay code in relation to impacts generated by the airport and requires development to consider these impacts.</p> <p>Given the above, PO9 in the proposed Low density residential zone code will remain unchanged.</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	ZC-SP-01	N/A	N/A	N/A	Part 6 - Zones	Special purpose zone code	Amend the purpose of the zone code to exclude development of the Mackay Airport land	1. The Special purpose zone code does not apply to the Mackay Airport land 2. Another option is for the airport land to be mapped as being subject to "other plans" which is an approach taken by Cairns Regional Council	Supported - scheme change prompted by submission	A statement to this effect has been included within the Special purpose zone code within the Purpose section of the code - section 6.2.19.2 (2)(b), and Overall outcomes - section 6.2.19.2 (3)(a)(iii). However, to provide further clarity on the non-application of the zone code to Strategic Port Land, the Purpose statement (2)(b) will be elevated into the Application section of the zone code. In addition, a footnote is included to the Purpose statement that refers the reader to Part 10 of the proposed planning scheme for further reference to "other plans" over land not regulated by the planning scheme.
	OV-AE-03	N/A	N/A	N/A	Part 8 - Overlays	Airport environs overlay code	Amend the Airport environs overlay code to better reflect the State Planning Policy code: Strategic airports and aviation facilities	1. Amend the purpose statement 2. Replace AO1.1-AO1.8 with the State Planning Policy code's AO1.1 and AO1.2 3. Update PO3 and AO3.1 4. AO4.1 and AO 4.2 are incorrectly worded and should be replaced 5. Amend AO7.1 to include the full range of uses listed in SPP code 6. Amend code provisions that address OLS to regulate the height of buildings and structures	Supported in part - scheme change prompted by submission in part	AO1.1 - AO1.8 will be replaced with AO1.1 and AO1.2 in accordance with the SPP and the submitter's request. AO4.1, AO4.2 and AO7.1 are considered to adequately reflect the intent of the State Planning Policy (SPP). All other provisions are considered to adequately reflect the intent of the SPP. Further review of provisions may occur as part of considering future SPPs once it is adopted by the State, and may form part of future planning scheme amendments.
	DF-AD-01	N/A	N/A	N/A	Schedule 1 Definitions	Administration definition for building height and structures	Amend the definition of: - building height to include "load-bearing antenna, aerial, chimney, flagpole or the like" - structure to include "for the purposes of determining infringements into the OLS, structures include any masts, antennae, lift overruns or any other load-bearing item"	These structures can result in permanent obstructions into the operational airspace and need to be regulated.	Noted - may be subject to potential future investigation	Proposed amendments to the administration definitions of building height and structure are considered not necessary. All provisions are considered to adequately reflect the intent of the SPP. Further review of provisions may occur as part of considering future SPPs once it is adopted by the State, and may form part of future planning scheme amendments. Please note, however, that the administrative definition for Building Height is provided by the State Government's Queensland Planning Provisions.
	OV-AE-04	N/A	N/A	N/A	Schedule 2 Mapping	OLS overlay map	Obstacle Limitation Surface mapping is under review	Nil	Noted - scheme change not necessary / possible	The review of the Obstacle Limitation Surface (OLS) mapping is noted. Council will be required to incorporate any updated OLS mapping once it becomes part of the State Government's State Planning Policy.
16-82	SF-SP-03	N/A	N/A	N/A	Part 3 - Strategic framework	3.2.2 Growth Management and Urban Form	The rural areas are protected from the impacts of urban growth and managed to sustain their role in providing the natural resource base, maintaining the landscape function and ecosystem services, and supporting agricultural industries.	Nil	Supported - scheme change prompted by submission	The proposed planning scheme will be amended in accordance with the submitter's request.
	SF-NE-01	N/A	N/A	N/A	Part 3 - Strategic framework	3.4.1 Strategic Outcomes	Insert bullet point: (x) To protect, manage and enhance the condition, extent, diversity and connectivity of the region's natural assets and to maintain the ecological integrity and processes necessary for biodiversity to be resilient to climate change and other threats.	Nil	Noted - scheme change not necessary / possible	The proposed planning scheme has been drafted to reflect positive messages about the vision and strategic outcomes for the region in the strategic framework. Adequate provisions seeking to maintain natural assets and ecological integrity are contained throughout the proposed planning scheme and additional criteria is not needed.
	SF-NE-02	N/A	N/A	N/A	Part 3 - Strategic framework	3.6.1 Strategic Outcomes	Insert bullet point: (x) Catchment areas (such as dams and weirs) are protected in order to deliver a high quality raw water supply for urban reticulation	Nil	Not supported - scheme not changed	The proposed planning scheme has been drafted to reflect positive messages about the vision and strategic outcomes for the region in the strategic framework. The concerns for adequately addressing impacts to water supply are already addressed throughout the proposed planning scheme and additional criteria is not necessary.

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	SF-IN-01	N/A	N/A	N/A	Part 3 - Strategic framework	4.2.10 Population and Employment Table 4.2.10.1 Existing and Projected Population	DNRM notes that population forecasts in the Draft Planning Scheme have been reduced from 200,000 to 180,647 for 2031. Explanation is sought from council as to where the updated forecast is derived from given that it appears the most recent population report council refers to was completed in 2012. The Queensland Governments Statisticians office forecasts Mackay's LGA population to be 171,313 in 2036 from data that was collected in 2015.	Nil	Noted - scheme change not necessary / possible	The Strategic Framework under 3.2.2 correctly refers to 'regional growth towards a population of 180,000' as based on the most recent State Government population projections, 2015 edition which shows population growth to 171,313 by 2036. The table in question is contained in Part 4 Priority Infrastructure Plan, which will be replaced by the Local Government Infrastructure Plan (LGIP). Until such time that the LGIP is adopted and becomes part of the planning scheme, the reader is directed to the Mackay Regional Council Adopted Infrastructure Charges Resolution, which has force and effect in: identification of the Priority Infrastructure Area, setting the Desired Standards of Service for trunk infrastructure, and the plans for trunk infrastructure for each infrastructure network.
	GN-MI-01	N/A	N/A	N/A	Part 5 - Tables of assessment		Clarification is sought regarding Medium impact industry zone. This is not mentioned in Part 1 or featured on zoning maps yet is referenced in Part 5.	Nil	Noted - scheme change not necessary / possible	The proposed planning scheme does not use the Medium impact industry zone , but does use the Medium impact industry land use definition which is referred to in Part 5.
	TA-EC-01	N/A	N/A	N/A	Part 5 - Tables of assessment		Are Animal husbandry and Cropping considered appropriate in Emerging Community Zone? DNRM notes that these activities are exempt in this zone.	This sets up the potential for some interface issues.	Noted - scheme change not necessary / possible	Animal husbandry and cropping are considered acceptable in the Emerging community zone as interim uses (before land is developed for urban purposes). Proposed development may be required to consider and address agricultural uses within / adjoining development areas as part of a Development framework plan assessed with the Development application. In addition, the Agricultural land overlay identifies agricultural land buffers within areas zoned Emerging community and, therefore, interface issues must be addressed in development applications for urban development. As land within the Emerging community zone is developed, relevant zones will be applied as consequential planning scheme amendments. Animal husbandry and cropping uses are not consistent with the Low density residential zone, for instance. Given the above, proposed provisions regarding cropping and animal husbandry in the Emerging community zone code will remain unchanged.
	ZC-CN-01	N/A	N/A	N/A	Part 6 - Zones	PO1 Permanent Plantations	Permanent plantations should be code assessable in the Conservation zone or replaced with the term "revegetation".	Permanent Plantation self-assessable in the Conservation Zone is concerning to DNRM. Permanent plantations imply growing of tree crops for timber or some other forest product. It is considered that this use is not readily compatible with the conservation zone and should be code assessable in said zone. Alternatively the term "permanent plantation" could be replaced with "revegetation" and leave this as a self-assessable use within the Conservation zone.	Not supported - scheme not changed	The use and intent of the Conservation zones was discussed and agreed with the State Government over a number of years and considered appropriate as part of the State Interest Review. A review of the intent of these zones at this late stage is not considered appropriate or relevant given previous agreements. Permanent Plantations are only Self assessable in the Conservation zone where they meet all of the Acceptable Outcomes of the Code. The acceptable outcomes requires permanent plantations to be: • planted with endemic vegetation species • maintain natural watercourses and drainage lines • appropriately setback from adjoining private property. The above provisions are considered adequate to maintain environmental values. Given the above, proposed provisions regarding Permanent Plantations in the Conservation zone will remain unchanged.
	ZC-CN-02	N/A	N/A	N/A	Part 6 - Zones	PO3 Tourist Parks	PO3 Tourist Parks as per the definition provided in this scheme are not appropriate for this zone. Reference to them should be removed.	Tourist parks should be encouraged on lands adjacent to National Parks, State Forests and Conservation Reserves. Low key, ecotourism type operations may be appropriate in this zone if well-defined and regulated. National Parks, state forests, Conservation parks and nature / environmental reserves, land gazetted as protected estate under the nature conservation Act, and land acquired by council under the "Natural environment Levy".	Not supported - scheme not changed	The use and intent of the Open space zone and Conservation zones was discussed and agreed with the State Government over a number of years and considered appropriate as part of the State Interest Review. A review of the intent of these zones at this late stage is not considered appropriate or relevant given previous agreements. Low-key eco-tourism type development is indeed the intent. Any application involving a tourism use in the conservation zone would also need to respond to the relevant use code (if applicable) and relevant overlays. The Conservation zone code states: (ii) a limited range of low intensity accommodation activities and other small scale buildings and infrastructure may be appropriate if these uses: (A) enhance access to, and enjoyment of, the area ; and (B) enable administration and maintenance; ... The State Planning Policy guideline uses Next Generation Tourism Planning as reference material which supports low-scale tourism uses in national parks. Given the above, proposed provisions regarding Tourist parks in the Conservation zone will remain unchanged.

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	ZC-EC-01	N/A	N/A	N/A	Part 6 - Zones	6.2.4.3.A – Emerging Community Zone – Assessable Development	AO1.1 Interim uses consist of (a) Animal Husbandry; or (b) Cropping... These activities for the interim are considered appropriate however considerations must be given to the potential for the creation of contaminated land and the phasing out of these activities prior to residential development.	Potentially creating contaminated land issues	Not supported - scheme not changed	Any contaminated land issues will be considered in detail and addressed as part of the development assessment process.
	ZC-OS-01	N/A	N/A	N/A	Part 6 - Zones	6.2.15 – Open Space Zone Code & Schedule 2 – Mapping – Zones	DNRM is concerned about the widespread use of the open space zoning. It is recommended that the Environmental Management and Conservation Zone and the Environmental Management Zone be included	The Open Space Zone is considered to be for urban purposes and as such the exemption for vegetation clearing for urban purposes in urban zones would apply to these areas. It is important that the Planning Scheme gives adequate protection to remnant vegetation within the LGA by appropriately zoning non-urban land in a zone which reflects a non-urban land use.	Supported - scheme change prompted by submission	The Queensland Planning Provisions (QPP) allow for the Open space zone to include areas for environmental purposes (see V4, Recreation Zones category, Part 6, p.41). The following text will be added to the proposed Open space zone code purpose (6.2.15.2 Purpose (1)) <i>"It may provide for local, district and regional scale parks that serve the recreation needs of a wide range of residents and visitors and may include areas for conservation of natural values."</i> The proposed planning scheme sought to limit the number of zones, but the interpretation of its use outside the urban footprint in terms of Schedule 24 of the <i>Sustainable Planning Regulations 2009</i> will be clarified.
	ZN-BC-01	Lot 119 on SP171916	Bakers Creek	Urban Expansion (Mirani)	Schedule 2 Mapping	Emerging communities zone	Split Zone: Environmental Management and Emerging Community.	The lot contains remnant vegetation. Based on the zone it is considered an urban area for an urban purpose and therefore clearing is exempt.	Noted - scheme change not necessary / possible	The Emerging community zone does not infer that all land within the zone is developable. Development in the Emerging community zone must be supported by extensive investigations and a Development framework plan. The Emerging community zone code requires that Development framework plans identify open space areas and corridors along watercourses and natural drainage. There are other examples throughout the region of Emerging community zones over watercourse corridors that will ultimately be zoned open space. Given the above, the proposed zone of Lot 119 on SP171916 will remain unchanged.
	ZN-GB-01	Lot 1664 on SP210149	Grasree Beach	Open Space and Recreation (Mirani)	Schedule 2 Mapping	Open space zone	Apply the Environmental Management Zone or	As the lot has not been classified as a state conservation area (07/11/16) or protected area estate, DNRM believes this area should be zoned as Environmental Management and Conservation due to the high ecological values contained on the site. Open Space is considered to not be an appropriate zoning as it is an urban purpose zoning - Please refer to earlier comments	Noted - scheme change not necessary / possible	The Conservation zone applies to land with declared conservation status. It is understood, the property is currently in the process of becoming "Land gazetted as protected estate under the <i>Nature Conservation Act 1992</i> ". This is mentioned in the zone code as a criteria for qualifying as "declared conservation status". As such, the property may be included in the Conservation zone in the future if the conservation status is confirmed. Given the above, the proposed zone of Lot 1664 on SP210149 will remain unchanged.
16-83	ZN-WM-03	Lot 103 on SP203788	West Mackay	Rural Residential (MCC)	Schedule 2 Mapping	Emerging community zone	Request subject site be zoned Medium density residential (MD2)	1. Surrounding land located both east of the railway corridor and south of Lansdowne Road is zoned as either Low or Medium Density Residential; 2. The site has been previously approved for a 116 lot subdivision (DA-2011-87) and Material Change of Use – Rural to Urban Residential (DA-2004-111), facilitating an urban residential development outcome over the balance site; 3. An associated structure planning process for new development in the Emerging Community Zone will therefore not provide any additional benefit to site utilisation in this instance as infrastructure connections have been provided to the site, along with the initial alignment of the local internal road network through the DA process; 4. Development intentions likely to achieve a site density consistent with that of the Medium Density Residential Zone – General Medium Density Precinct (Precinct no. MD2); namely, 1 dwelling per 200m ² to 300m ² of site area; 5. The subject site is suitably located within close proximity to community and commercial facilities in the form of the Botanic Gardens, Mackay Base Hospital and the IGA Supermarket, supporting a higher dwelling density outcome over the site; 6. The identification of the subject site within the Medium Density Residential Zone (MD2) would assist in facilitating the development of the site for its highest and best use as a residential purpose.	Not supported - scheme not changed	The development history of the site is noted. It is also noted that Council has in-principle support (subject to a development application) for any development that efficiently utilises appropriately located urban land. Identifying the subject site as proposed Emerging community zone is consistent with Council's approach to zoning large undeveloped sites within the urban area. Once development occurs, appropriate zones are generally applied through a consequential planning scheme amendment process. In addition to being consistent with Council's zoning methodology, it is also considered that the proposed Emerging community zone suits this site specifically due to its flexibility. The proposed Emerging community zone provides for a range development outcomes (including a diversity of residential development) subject to assessment of a Development framework plan as part of the Development application. Applying a Medium density residential zone (including minimum density provisions) would provide for a much narrower range of potential development outcomes. The landowner's current intent for development may align with the Medium density residential zone, however the Emerging community can potentially accommodate current intentions (subject to assessment) or any revised intentions of the current or future owner (if the site changes ownership). Given the above, the proposed zone of Lot 103 on SP203788 will remain Emerging community, Alexandra Street precinct (EC1).
16-84	SF-GN-03	N/A	N/A	N/A	Part 3 - Strategic framework	Strategic framework comprehensively outlines strategic intent for the region	Strategic framework should be more positive, visionary and not be as regulatory	Content of strategic framework should reflect its role as an important visionary document	Supported in part - scheme change prompted by submission in part	The Strategic Framework is part of the regulatory component of the proposed planning scheme and does contain regulatory elements - notably for impact assessable development applications. Marketing material about specific aspects of the Strategic Framework can be prepared to promote the vision for those elements in addition to various guidelines being developed. The Community Statement has been amended to reflect a more positive vision and to highlight the unique attributes, lifestyle and economic foundation of the Mackay Region. The Strategic Framework already contains a positive regional strategic vision in the strategic intent.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	LP-CC-01	N/A	N/A	N/A	Part 7 - Local plans	Maximum building height in the city core (10 storey / 32m) is lower than areas to west and east (49m AHD)	Maximum building height of 49m AHD should be across the whole of the city centre	1. Difference between 49m AHD and 10 storeys is not significant - human scale issues minimal 2. Need to be competitive with other regional cities	Noted - may be subject to potential future investigation	Increasing the maximum building height over the city core precinct to 49m AHD (from the proposed 32m (10 storeys)) has some merit, however would require investigation including building height that will need to consider a range of other City Centre built form requirements such as tower setbacks, heritage value, and human scale design within a key public domain area. Therefore, no change to the maximum building height over the city core precinct will be made within the proposed planning scheme. The maximum building height applying to the city core precinct will remain at 32m (10 storeys).
	SF-SI-06	N/A	N/A	N/A	Part 3 - Strategic framework	Text in 3.2.2 specifies that priority is given to development within the PIA and that out-of-sequence development in investigation areas does not occur unless detailed planning is undertaken, there is full cost recovery of all infrastructure and infrastructure is adequate to serve all development in the area	Support for residential development in zoned areas outside the PIA where it is demonstrated that there is no financial impediment to Council - suggested alternate wording for paragraph in 3.2.2 provided	No financial impediment to Council.	Supported in part - scheme change prompted by submission in part	This paragraph is intended to specifically apply to the investigation areas, and to provide additional guidance to development in these areas where it is to occur before the periods identified in the Strategic Framework. The suggested change to include reference to development 'outside of the PIA' is not supported as it would then be relevant to any zone, which is not the intention of this section. Furthermore, it would focus on the infrastructure assessment and not the zone provisions, which would also be part of any future assessment. Reference to other zones in the Strategic Framework for 'out-of-sequence' development is not required as nothing precludes a development application or possible approval on land outside of the PIA. It is noted that the Developer, subject to council assessment, or Council may undertake the detailed planning. The wording will be amended to remove reference to which entity will carry out the planning. The suggested wording in the remaining part of the paragraph is not considered necessary as it attempts to anticipate the assessment process and potential outcomes. The purpose of this section is to identify that Council will require 'full cost recovery'. Any assessment of infrastructure and subsequent conditioning would be subject to the legislation relevant at the time. Furthermore, the use of an Infrastructure Agreement may be appropriate, but would only be applicable subject to agreement between the Developer and Council.
	PP-SD-01	N/A	N/A	N/A	Schedule 6 Planning Scheme Policies	Q5 urban underground drainage requirement	Support for Q2 urban underground drainage, instead of the current Q5 requirement	Previously discussed and agreed with.	Noted - scheme change not necessary / possible	Council has been working on amending this design requirement in the policy for some time and appreciates contributions made by the UDIA and other stakeholders. The minor system design AEP for residential in the policy is 18.13% (former Q5), but minimum 39% AEP (former Q2) designs are considered in Operational Works applications in accordance with the Development Engineering Bulletin (SP004). Council intends to propose amendments to the Planning Scheme Policy (SC6.12) as a separate process once the proposed planning scheme is adopted.
	ZN-RC-03	Various lots	Racecourse	Rural (MCC)	Schedule 2 Mapping	Rural zone	Change proposed zoning from Rural to Industry investigation	Resolve incidences where MIW urban footprint has not been carried through to an urban zoning	Not supported - scheme not changed	The proposed planning scheme is not inconsistent with the Mackay Isaac Whitsunday Regional Plan. The Regional Plan contains a number of references effectively advising that Council's planning scheme considers development potential / constraints in more detail and, accordingly, planning scheme provisions may vary from the Regional Plan. The proposed planning scheme provides adequate capacity to accommodate projected industrial growth, on land already zoned for industrial development (including investigation areas), in the life of the planning scheme. An overriding community need for development of the subject site has not been demonstrated. Furthermore, the subject site is not currently serviced by urban infrastructure and there are no future plans to service these areas. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence, is not sustainable. Given the above, the proposed zone of the subject land will remain rural.
	ZN-PG-02	Lot 10 on SP268377	Paget	Rural (MCC)	Schedule 2 Mapping	Rural zone	Change proposed zoning from Rural to Industry investigation	Resolve incidences where MIW urban footprint has not been carried through to an urban zoning.	Not supported - scheme not changed	The proposed planning scheme is not inconsistent with the Mackay Isaac Whitsunday Regional Plan. The Regional Plan contains a number of references effectively advising that Council's planning scheme considers development potential / constraints in more detail and, accordingly, planning scheme provisions may vary from the Regional Plan. The subject site has not been included within the proposed Industry investigation zone, given that: • Projected demand for industrial land in the life of the proposed planning scheme can be adequately accommodated in industrial zoned land. • The subject sites are low-lying. According to Council records, the entire sites are under RL 4m AHD and parts of the sites are lower than the level of the highest astronomical tide. Land north of Leprechaun Park identified for industrial development is higher than the subject site - with levels over 5m AHD in parts. • It is acknowledged that the Industry investigation zone requires development proposals to investigate infrastructure. However, Council must have reasonable a level of confidence that infrastructure can be viably provided before the Industry Investigation zone is applied. The extent of yield of industrial land is also a relevant consideration in this regard. At this point, it has not been adequately demonstrated that infrastructure can be viably provided to this site. Council has noted an Environmental Site Assessment Report over the site (attached to another submission) but the report would have to be assessed in detail as part of a development application. An application may require referral to the State.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	OV-AG-01	N/A	N/A	N/A	Schedule 2 Mapping	Agricultural land overlay map	Amend the Agricultural land overlay from areas identified as urban footprint in the MIW Regional Plan	Nil	Not supported - scheme not changed	<p>The methodology for applying and clipping the Agricultural land overlay is based on other designations within the proposed planning scheme, not the Mackay, Isaac, Whitsunday Regional Plan (MIW Regional Plan). It is considered logical and important that the proposed planning scheme is internally consistent, rather than aligning with the MIW Regional Plan which was formulated:</p> <ul style="list-style-type: none"> • over 5 years ago and has not been amended or updated since • before the release of the State Planning Policy and it's new policy on Agricultural land • based on different information to that underpinning the proposed planning scheme <p>The methodology for applying and clipping the Agricultural land overlay is based on proposed planning scheme zones as follows:</p> <ul style="list-style-type: none"> • the overlay may be clipped from urban areas and urban zones • the overlay is not be clipped from the Rural zone or Rural residential zone <p>The above methodology reflects the State Government's position and will be maintained in the proposed planning scheme.</p>
	PP-GN-01	N/A	N/A	N/A	Schedule 6 Planning Scheme Policies	Engineering Design Guidelines Planning Scheme Policies	Review the Engineering design policy guidelines	<ol style="list-style-type: none"> 1. Review for consistency 2. Make reference to relevant Australian Standards, rather than somewhat outdated ad hoc criteria 	Supported - scheme change not necessary / possible	Some amendments have been made prior to the 2016 consultation on the proposed planning scheme to refer to the latest legislation. The Engineering Design Guidelines will progressively be reviewed in the future. Council looks forward to working with various stakeholders in those reviews.
16-85	LP-CC-01	N/A	N/A	N/A	Part 7 - Local plans	Maximum building height in the City Centre Local Plan (City Core) - Maximum height of 32m (10 Storeys)	Remove height restrictions in the City Core	<ol style="list-style-type: none"> 1. Uncompetitive with competing regional markets 2. 10 storeys restricts building design when taking into consideration car parking requirements and other urban design factors (e.g.. Public open space) 	Noted - may be subject to potential future investigation	<p>Increasing the maximum building height over the subject site and the city core precinct to 49m AHD (from the proposed 32m (10 storeys)) has some merit, however would require further investigation including building height that will need to consider a range of other City Centre built form requirements such as tower setbacks, heritage value, and human scale design within a key public domain area.</p> <p>Therefore, no change to the maximum building height over the city core precinct will be made within the proposed planning scheme. The maximum building height applying to the subject site and city core precinct will remain at 32m (10 storeys).</p>
16-86	GN-PS-01	Lot 501 on SP165723 Lot 28 & 29 on SP208025 1-22 on RP701773 Lot 501 on SP165723 Lot 601 on SP165719 Lot 7 on SP133106 Lot 602 on SP165719	N/A	N/A	Various	N/A	Reduce the complexity of the overly prescriptive nature of the codes and increase flexibility for development	Overly prescriptive nature of the codes will increase tension between the development industry and council.	Not supported - scheme not changed	<p>The proposed planning scheme aims to strike a balance between providing clear guidelines on intended development outcomes and flexibility. It is considered that the proposed planning scheme achieves this balance and is not overly prescriptive. Two independent reviews acknowledge the significant lowering of assessment levels and provisions in the proposed scheme.</p> <p>It is also noted that the planning scheme is a performance based instrument. Acceptable outcomes are intentionally clear and measurable however they only represent a nominated means of achieving performance outcomes. Complying with codes is achieved by demonstrating compliance with performance outcomes.</p>
	OV-AG-02	Lot 28 on SP170028 & 29 on SP208025	Rural View	N/A	Schedule 2 Mapping	Agricultural land overlay map	Remove the Agricultural land overlay mapping and associated buffer from the subject lots	Subject lots adjoin urban zoned land and are contained within a Rural residential precinct.	Not supported - scheme not changed	The proposed planning scheme is required to comply with State Planning Policy mapping for non-urban areas. Council has clipped the proposed Agricultural land overlay from urban zones, however clipping the overlay from land proposed to be zoned Rural and Rural residential is not permitted.
	OV-LC-01	N/A	N/A	N/A	Part 8 - Overlays	AO5.5 - minimum landscaping strip width of 5m	Amend AO 5.5 within the Landscape character and image corridor overlay code to decrease minimum landscaping width to 2m.	<ol style="list-style-type: none"> 1. AO requirement of 5m is excessive to any probable impacts caused by development 2. the loss of land from a 5m landscaping strip decreases density and works against affordability 3. The landscaping strip on the frontage of Valetta Gardens is an attractive and reasonable solution. This strip is contained within the road reserve 	Not supported - scheme not changed	<p>For sensitive land uses and industrial development the intent is to provide buffer planting along image corridors. Council's buffer planting standard indicates that 5 metres width is required to achieve effective buffer planting.</p> <p>For commercial development the intent is to provide signature trees and feature planting. 5 metre width is considered reasonable to achieve this.</p> <p>The 5 metre landscape strip width is less than that required in development approvals in recent years (10 metres).</p> <p>Given the above, provisions requiring a 5m landscaping strip will be maintained.</p>
	SF-MP-12	Lot 501 on SP165723	Marian	Rural (Mirani)	Schedule 2 Mapping	N/A	Amend the Strategic framework mapping over the subject site to reflect the draft development framework plan (DFP)	<ol style="list-style-type: none"> 1. A draft DFP has been provided to council with comments 2. Strategic framework mapping incorrectly includes a major sport and recreation facility on the subject site 3. cycling and walking route does not match the draft DFP 	Not supported - scheme not changed	<p>The Strategic Framework outlines strategic intents for a sub-regional sports facility south of Marian Town Centre and pedestrian / cycle connections from the subject site to the north and east. These proposed elements are considered reasonable and relevant.</p> <p>The draft Development Framework Plan (DFP) has not been subject to full development assessment. It is considered premature that the Strategic Framework reflect the draft DFP.</p> <p>Given the above, the proposed planning scheme will not be amended to reflect the draft DFP.</p>
	OV-BD-01	Lot 350 on K12416, Lot 348 on C124547, and Lots 1-22 on RP704773	East Mackay	Urban Expansion (MCC)	Schedule 2 Mapping	Biodiversity (Wildlife habitat) overlay map	Remove the Wildlife habitat mapping from the subject sites	Sites have been cleared of vegetation and filled.	Noted - scheme change not necessary / possible	<p>The existing site conditions are noted, however the mapping for the Biodiversity overlay reflects State Planning Policy mapping. Existing site conditions would be considered in any future development application over the site.</p> <p>Given the above, wildlife habitat will continue to apply to the subject land under the proposed Biodiversity overlay code.</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	OV-BD-02	Lot 501 on SP165723	Marian	Rural (Mirani)	Schedule 2 Mapping	Biodiversity (Waterways buffer) overlay map	Delete the Waterways buffer mapping over the subject site	There is no drainage feature on the subject site.	Not supported - scheme not changed	Waterways and waterway buffers have been identified using a consistent methodology. One-off changes that differ from the standard methodology are not considered to be appropriate. It is not considered necessary to review the standard methodology and re-apply the overlay over the region at this stage. The waterway identified on the subject site is part of broader regional drainage pattern where water drains towards the south. It is not considered that the waterway will form a major impediment to development of the subject site, above and beyond standard requirements for environmentally sensitive stormwater solutions. The matter can be considered in detail as part of any development application. Given the above, wildlife habitat will continue to apply to Lot 501 on SP165723 under the proposed Biodiversity overlay code.
	ZC-EC-02	N/A	Shoal Point	Urban Expansion (MCC)	Part 6 - Zones	Emerging community zone code purpose and provisions	a) Delete provision 6.2.4.2(3)(d)(vii)(c) from the Emerging community zone code b) AO27.6 - delete (b) and (c) c) Delete AO28.1 and AO28.2	1. The purpose of the code is overly prescriptive and unrealistic in the quantity of medium density development required along Shoal Point Road 2. Any views from the Local centre to hills will be incidental to development 3. AO28.1 and AO28.2 do not reflect current masterplanned approval DA-2012-136 or current stage approvals and are overly prescriptive	Supported in part - scheme change prompted by submission in part	The proposed planning scheme does not specify the quantity of medium density residential development required along Shoal Point Road or near Shoal Point Beach. Rather, it requires a non-specified amount at these locations. Requiring medium density residential development along Shoal Point Road is considered appropriate given that a local centre is proposed in this area, Shoal Point Road is a public transport corridor and medium density residential development is provided for on the eastern side of Shoal Point Road. Requiring medium density residential development near Shoal Point Beach is considered appropriate given the high value amenity of this location. Requirements for 12 dwellings per hectare and 15% of dwellings provided at a higher density apply to the overall development, not particular locations. Performance Outcome PO27 and Acceptable Outcome AO27.6 will be amended to reduce their prescriptiveness. The provisions essentially seek to achieve a strong sense of identity and place for the centre which is considered reasonable.
	ZC-EC-03	N/A	N/A	N/A	Part 6 - Zones	Emerging community zone code purpose and provisions	Amend AO9.2(a) and introduce new AO9.2(c)	1. The acceptable solutions density strategy discourages affordability and market choice 2. As per MIW regional plan, densities were not intended to be a fixed target for individual developments 3. concern that As will be overly prescribed by planning officers for all development in the Emerging community zone without consideration for topography constraints or the amount of parkland 4. The density requirements in rural townships should not match Mackay requirements and should stay with the open rural nature of these areas	Not supported - scheme not changed	Requirements for 12 dwellings per hectare and 15% of dwellings provided at a higher density are considered to be reasonable, will assist in achieving housing diversity and has been achieved (and exceeded) in a number of developments in the region. Potential performance solutions based on site specific issues such as location context and topography can be considered in detail in the assessment of any development application. Given the above, the proposed Emerging community zone code will remain unchanged.
	OV-LC-02	Lots 601 and 602 on SP165719, Lot 7 on SP133106	Shoal Point	N/A	Schedule 2 Mapping	Landscape character overlay mapping	Remove landscape character overlay mapping from the subject sites or remove the landscape character overlay mapping from urban zoned land	1. Land has been cleared of all natural vegetation 2. Mackay Water have plans to replace the existing reservoir 3. Removal of the Landscape character overlay mapping from urban zoned land avoids continual, problematic and unnecessary assessment against the overlay code	Not supported - scheme not changed	The Landscape character overlay applies to elevated land as well as vegetated areas. The hills on the subject land, as well as hills and vegetated areas in other parts of the region's urban areas contribute to the landscape character of the region. The Landscape character overlay does not apply to dwelling houses and other minor development. It is not considered unreasonable to require consideration of Landscape character issues for other types of development as part of a development assessment. As with other parts of the proposed planning scheme, the Landscape character overlay code is performance based. Given the above, the proposed Landscape character overlay mapping will remain unchanged.
	OV-LC-03	Lot 903 on SP185586, Lot 909 on SP 237961 and Lot 1 on RP714389	Richmond	N/A	Schedule 2 Mapping	Landscape character overlay mapping	Remove landscape character overlay mapping from the subject sites or remove the landscape character overlay mapping from urban zoned land	1. Land has been cleared of all natural vegetation 2. Removal of the Landscape character overlay mapping from urban zoned land avoids continual, problematic and unnecessary assessment against the overlay code 3. The large dominant feature at the top of the hill is a large residence	Not supported - scheme not changed	The Landscape character overlay applies to elevated land as well as vegetated areas. The hills on the subject land, as well as hills and vegetated areas in other parts of the region's urban areas contribute to the landscape character of the region. The Landscape character overlay does not apply to dwelling houses and other minor development. It is not considered unreasonable to require consideration of Landscape character issues for other types of development as part of a development assessment. As with other parts of the proposed planning scheme, the Landscape character overlay code is performance based. Given the above, the proposed Landscape character overlay mapping will remain unchanged.
	OV-HI-03	Lot 903 on SP185586, Lot 909 on SP 237961	Richmond	N/A	Schedule 2 Mapping	Extractive resources and high impact activities overlay mapping - Cedars KRA buffer	Remove the Cedars KRA buffer mapping from the subject sites	1. The estate has achieved the purposes of the overlay code 2. There estate will not impact existing or future quarry expansion as demonstrated by DA-2007-545, a the letter from Boral (dated May 2012) and independent experts providing detailed assessment of the blast, noise and vibration impacts	Noted - scheme change not necessary / possible	The letter of support from Boral (the operator of the Cedars KRA Quarry) and independent experts in relation to DA-2007-545 is noted. However, council cannot amend the KRA buffer mapping as this is a State Planning Policy mapping layer, which the State has ownership and the ability for potential amendment. The overlay mapping will have no material effect on the current approved subdivision or future dwelling houses. Dwelling houses within the separation area would only trigger a Material change of use development application against the overlay if on a site with an area greater than 5,000m ² . If the subdivision approval lapses, the separation area issue would need to be considered again as part of any new development application. Therefore, the Cedars KRA buffer in the proposed Extractive resource and high impact activities overlay mapping will remain unchanged.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	ZC-MD-01	Lot 350 on K12416, Lot 348 on C124547, and Lots 1-22 on RP704773	East Mackay	Urban Expansion (MCC)	Schedule 2 Mapping	Medium density residential zone code - maximum building height within precinct MD3 is 17m (5 storeys)	Delete height restrictions for all sites over 1ha	<ol style="list-style-type: none"> Deleting height restrictions will enable architects to develop commercially viable and aesthetically interesting designs Zone code maximum building height conflicts with the building height under the preliminary approval Development should only be restricted by plot ratio and density 	Not supported - scheme not changed	<p>It is noted that the current approval, including high-rise buildings, was issued despite the much lower building heights set by the current <i>Mackay City Planning Scheme 2006</i> (the current planning scheme).</p> <p>In comparison to the current planning scheme, the proposed planning scheme:</p> <ul style="list-style-type: none"> applies a more 'mature' zone to the subject site (Medium density residential, Multi-storey medium density precinct instead of Urban expansion) substantially increases the maximum building height over the subject site (to 5 storeys). <p>The proposed zone and associated provisions do not affect current development approvals. Any future re-application or new development applications involving building heights over 5 storeys would be assessed on its merits.</p> <p>Removing height limits over the subject site and other large sites is considered inappropriate. Although the proposed planning scheme is based on a performance assessment system, it is considered important to provide clear guidance regarding building height so that stakeholders can reasonably anticipate potential development outcomes and design considering the surrounding areas. Removing height limits does not give a clear indication of anticipated development outcomes.</p> <p>Given the above, the proposed height limit relevant to the subject land will remain unchanged.</p>
	ZC-MX-02	Lot 9 on SP 252784	Mackay (central area)	Mixed Use (MCC)	Part 6 - Zones	Mixed use, Convenience and amenity precinct (MX1)	<ol style="list-style-type: none"> Amend AO2.1, AO 2.2 and AO7 Delete AO2.3 Delete height restrictions or reflect existing approved heights 	<ol style="list-style-type: none"> The maximum GFA's for uses such as office and centre activities other than office are overly restrictive and are at odds with current DA 2008-218 The restriction of other uses (department stores, discount department stores, showrooms and full-sized supermarkets) inhibit the ability to develop this important CBD location Council should not attempt to foresee future economic and retail requirements, particularly with regard to the subject site Shop sizes and types must be at the discretion, and risk, of the developer and/or landlord. Council should not attempt to pre-empt the economic future Existing preliminary approval allows 8 storeys. Height should be set by aesthetically and commercial means determined by the architect and developer 	Not supported - scheme change made for separate reasons	<p>The predominant land use intent of the Amenity and convenience precinct (MX1) under the Mixed use zone is residential with complimenting small to medium scale commercial uses that support / enhance the location.</p> <p>It is not the intent of the Mixed use zone and MX1 precinct to allow department store, discount department store, showroom and full-sized supermarket land uses. These higher order commercial land uses are more appropriately provided for within the Principal centre zone. Allowing these land uses on the subject site may compromise the primacy, role and function of the Mackay City Centre (Principal centre zone). Notwithstanding this, the need and desirability of increased commercial activities at this site can be considered as part of a detailed assessment.</p> <p>In relation to the maximum building height for the subject site, AO17(a) states that the maximum building height allowable on the subject site is in accordance with the Mackay City Centre local plan. The local plan code prescribes a maximum building height of 32m (10 storeys) over the subject site.</p> <p>AO7 and AO17 will be amended to clarify that the provisions apply to land between Gordon and Alfred / Park Streets. Apart from minor corrections, the proposed Mixed use zone code will remain unchanged.</p>
	GN-IA-03	Lot 1 on RP886915	Richmond	Rural (MCC)	Various	Rural zone, Investigation area precinct. The Richmond investigation area is not sequenced for development before 2031	Amend provisions supporting urban development within the Richmond investigation area to allow limited growth where spare infrastructure capacity is available and no trunk infrastructure is required	<ol style="list-style-type: none"> Limited growth should be allowed within the Richmond Investigation Area within the life of the planning scheme to the extent that such development can be undertaken without incurring significant infrastructure costs for Council. Utilising spare infrastructure capacity provides the cheapest growth option for the ratepayer. The draft scheme does not efficiently provide for growth because it does not encourage the take-up of spare infrastructure capacity over the life of the scheme. Trunk infrastructure has already been provided through Northview Gardens to service part of the Richmond Development Area. 	Not supported - scheme not changed	<p>The proposed planning scheme identifies significant areas zoned Emerging community (zoned Urban expansion under the current Mackay City Planning Scheme 2006), particularly in the Northern Beaches area. The next areas for development will be in Ooralea and then Richmond. The Strategic Framework advises that the development of the Ooralea investigation area is not sequenced for urban purposes prior to 2026 and the development of the Richmond investigation area is not sequenced for urban purposes before 2031. Thus, consideration of any further investigation areas are well beyond the life of the proposed planning scheme.</p> <p>The submission's comments regarding infrastructure have been noted, however infrastructure capacity issues and opportunities would need to be considered in detail during the assessment of any development application. The provision of infrastructure services at multiple growth fronts in various locations, is not sustainable. New urban growth fronts, in addition to those already provided for in the proposed planning scheme, are not supported.</p> <p>Given the above, the relevant provisions in the proposed planning scheme will remain unchanged.</p>
16-87	ZN-FD-01	Lot 22 on SP220927; Lot 4.8 and 14 on P855617; Lot 1 to 7 on RP713291 ; and Lot 1 on RP719466	Foulden	Rural (MCC)	Schedule 2 Mapping	Rural	Request subject sites be zoned Emerging Community	<ol style="list-style-type: none"> The land is strategically located with access to major roads and adjoins the aesthetic Pioneer River. Walking and cycling facilities are available to the site via the trails on the southern side of the river and infrastructure provided when the bypass bridge was constructed. The site is also proximate to health care facilities, the botanical gardens, retail precincts, recreational areas, clubs and industrial employment areas. 	Not supported - scheme not changed	<p>The proposed planning scheme provides adequate capacity to accommodate projected urban growth on land zoned for this purpose in the life of the planning scheme. In addition, the proposed planning scheme identifies land in investigation areas for development beyond the life of the planning scheme.</p> <p>If there was a need to identify more land for urban development, locations with no or a limited number of manageable constraints would be considered. The subject land is significantly constrained by flooding issues and multiple other overlays.</p> <p>The subject site is not serviced by urban infrastructure and there are no future plans to service the area. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence is not sustainable.</p> <p>Given the above, the proposed zone of the subject land will remain Rural.</p>
16-88 NOT USED	NA	NA	NA	NA	NA	NA	NA	NA	NA	
16-89	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	<ol style="list-style-type: none"> Would enable the removal of an iconic facility built purposely to support community based water sporting clubs Impact on existing views, vistas & amenity from Impact on property value 	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-90	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-91	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-92	GN-RF-01	N/A	N/A	N/A	Part 2 - Citations and Commencement	No delegated agency referral agency jurisdictions for the planning scheme	Need for Council to refer Development Applications which contain Matters of National Environmental Significance (MNES) under the Environmental Protection and Biodiversity Conservation Act (EPBC) to EPBC referrals	1. Mackay Regional Council is a Great Barrier Reef Regional Council with important wetlands along its coast, migratory shorebirds and marine life and threatened and endemic species of national significance. 2. The Bluewater Trail for example received federal funding yet MRC did not make an EPBC Referral for migratory shorebirds that were adversely affected when the trail was built next to the highest high tide wader roost in the MRC region.	Not supported - scheme not changed	The proposed planning scheme considers Matters of Environmental Significance (MNES) through the Biodiversity overlay and through appropriate zoning. The Biodiversity overlay mapping for environmentally significant vegetation, wildlife habitat and wetlands has been directly derived from the State Government Mapping for Matters of State Environmental Significance, in accordance with the State Planning Policy. Furthermore, land zoned as Conservation in the proposed planning scheme reflects areas of National and State importance, such as National Parks, State Forests, Conservation parks and nature/environmental reserves, land gazetted as protected estate under the <i>Nature Conservation Act 1992</i> and land acquired by Council under the "Natural Environmental Levy". All Matters of National environmental significance identified by the <i>Environment Protection and Biodiversity Conservation Act 1999</i> are governed by the Australian Government, with state and local governments having responsibility for matters of State and Local significance. Development proposing to encroach into and/or impact on areas of National environmental significance will be assessed against the relevant legislation and process.
	GN-PD-01	N/A	N/A	N/A	N/A	Not applicable - the Priority Development Area is not relevant to the proposed planning scheme at this stage of the plan making process	Include a mention that MRC can apply to the State Government to over-ride the planning scheme through declaration of a Priority Development Area (PDA), despite adverse environmental, social and economical impacts	1. A PDA is an example where politics can over-rule science and responsible planning requirements without liability and accountability. 2. A PDA is a measure to get around sound planning requirements, with the result of long-term economic, social and environmental costs. 3. The existing PDA "The Woodlands" off Bedford Road meant a significant loss of wildlife habitat on land that was willed to MRC for environmental protection; more pressure on the McCreedy Creek wetland catchment and more human impact pressures on the endangered regional ecosystem between this development and Domino Court. 4. The Pioneer Estuary and Binnington Esplanade waterfront areas contain significant migratory shorebird habitat as well as habitat for other wildlife. They are also in areas at high risk of storm surge and flooding recognised by the state government. The natural hazard rating of these areas will only grow as climate change proceeds. They are not places for more intensive development.	Noted - scheme change not necessary / possible	The Priority Development Area (PDA) process, prepared under the <i>Economic Development Act 2012</i> , is a separate process to making planning schemes which are prepared under the <i>Sustainable Planning Act 2009</i> . A declared PDA must have consideration for environmental elements and constraints. The Woodlands PDA (formerly known as a ULDA project), has preserved 9.7 ha of vegetated area. The majority of the developed site was occupied by the former Bedford Road Council depot and according to past aerial imagery was sparsely vegetated. The national and international significance of the Sandfly Creek environmental reserve is noted in relation to migratory birds. Although the reserve is proposed to be zoned Conservation, and is covered by several elements of the Biodiversity Overlay under the proposed planning scheme, the ongoing management of the reserve is beyond the scope of the proposed planning scheme and will be achieved through separate management plans. The northern end of Binnington Esplanade is protected from storm tide events (including climate change) by an existing rock wall. According to flood modelling undertaken by Council, Riverine flooding does not directly impact Binnington Esplanade.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	GN-CC-01	N/A	N/A	N/A	Various	1. Part 3 Strategic Framework - 3.10 Sustainability, Climate Change and Natural Hazards 2. Part 8 Overlays - 8.2.7 Flood and coastal hazards overlay code 3. Schedule 2 Mapping - SC2.5 Overlay Maps - Flood and coastal hazards overlay map	The planning scheme does not appropriately address and monitor climate change	1. The Precautionary Principle should apply. 2. Local government authorities that are more vulnerable to climate change, as MRC is, need to consider if that is sufficient e.g. the 2008 flood in Mackay that was deemed a 1/500 year event caused \$400 million in damages. 3. Only a matter of time before development close to the coast will be inundated and cause environmental issues (industry, cattle feedlots, port hubs, etc.). 4. In fill development is not usually appropriate in coastal region facing rising natural hazard impacts. 5. Should be monitoring sea level rise along the coastal length of the MRC region - cannot plan if climate change is not monitored. 6. Costs for solar power is declining and MRC must plan to become a solar city and require solar infrastructure in its cities and towns. This should be done in conjunction with requiring new and retro-fitted housing to be more energy efficient.	Not supported - scheme not changed	The proposed planning scheme appropriately reflects climate change. Statements in the Strategic Framework, the planned settlement pattern, various overlays and design requirements and various other provisions throughout the proposed planning scheme are based on consideration of either adapting to climate change scenarios or reducing the region's contribution to climate change. Sea level rise monitoring and implementing solar city initiatives is beyond the scope of the proposed planning scheme. Given the above, it is not considered necessary to add further provisions to address and monitor climate change.
	TA-CN-01	N/A	N/A	N/A	Part 5 - Tables of assessment	Conservation Zone & Biodiversity Overlay - Code Assessable accommodation land uses 1. Natural Based Tourism 2. Tourist Park	Accommodation facilities in Environmentally significant areas is unsustainable and Amend proposed development on Lindeman Island to remove from Protected areas	1. It increases human pressures on places meant to be appreciated for their natural values now and into the future. 2. Eventually degrades such natural assets. 3. The existing Tourism lease on Lindeman island has ample space within that perpetual lease to provide such a camping experience.	Not supported - scheme not changed	The Lindeman Great Barrier Reef Resort is a 'coordinated project' with the State Government. The project includes a comprehensive Environmental Impact Statement, which addresses matters such as tourism development in areas with environmental significance. A development application has not yet been lodged with council to consider any impacts on areas of state and local environmental significance. The Conservation zone and Biodiversity overlay code support low impact tourism activities that assists with the conservation, interpretation and appreciation of areas of environmental, cultural or heritage value. Development is required to be designed at a scale that reflects, and respects the natural environment. Given the above, proposed provisions guiding development on Lindeman Island will not be amended.
	OV-EI-03	N/A	N/A	N/A	Part 8 - Overlays	Part 8 - Overlays - 8.2.6 Extractive resources and high impact activities overlay 1. Port of Mackay and Port of Hay Point: ~ 1,500 metres from the extent of strategic port land; and	The Plan should be changed to include the buffer zones but also require that industries that produce toxic substances institute measures to prevent the escape of dust from their operations. Otherwise they should be located in areas far from where they present a health risk to people and the environment. The Plan should also include continuous air quality monitoring for >PM2.5	1. NQBP data shows that within 2 km from the source PM10 coal dust particulates decrease by half. 2. Health authorities such as the World Health Organisation and Doctors for the Environment advise that smaller invisible >PM2.5 particulates are more harmful than PM10 particulates. In fact there is no known safe level for exposure to PM2.5 dust. 3. It would also allow people with respiratory and heart diseases to avoid heavy traffic areas. 4. It would provide local government planning departments with data on high pollution areas so they could avoid siting development where it would adversely affect sensitive receptors e.g. schools and hospitals and nursing homes. 5. More stringent air quality legislation regulations based on scientific findings of pollution effects on human health have been introduced in the U.S. and Europe and it is only a matter of time before mounting public pressure on the Australian government and state governments produces updated changes to Australian legislation. 6. Save local government costs in the long-term and make communities more attractive and safer to live in.	Noted - scheme change not necessary / possible	Air quality monitoring is managed by the State Government (Department of Environment and Heritage Protection). This is beyond the scope of the proposed planning scheme. The proposed planning scheme appropriately addresses air quality monitoring and management in accordance with the State Planning Policy through buffers from ports and major industry areas, separation distances and other measures. The proposed planning scheme will not be amended in response to these issues raised.
16-93	GN-GB-01	N/A	N/A	N/A	Various	Natural environment water quality addressed in Biodiversity Overlay Code and Development Codes (run off, erosion sediment control, etc.).	Support Action Plan for the Great Barrier Reef and Catchment	Nil	Supported - scheme change not necessary / possible	The proposed planning scheme is not required to, does not and will not be amended to refer to the Great Barrier Reef and Catchment Action Plan. However, environmentally focused provisions, consistent with principles of maintaining Great Barrier Reef health, are set out throughout the proposed planning scheme.
	OV-FH-01	N/A	N/A	N/A	Part 8 - Overlays	Minimum flood levels identified in Flood and coastal hazard overlay code	Future housing sub-division should be encouraged to move to higher ground rather than flood plain and agricultural land	Nil	Supported - scheme change not necessary / possible	The proposed planning scheme has strong provisions to prevent new subdivision development in high flood hazard areas, unless it can be demonstrated that the land will be modified to avoid impacts on the development and surrounding sites. Council has avoided high risk areas when identifying areas to accommodate new urban growth. The proposed planning scheme has various provisions limiting or preventing urban development in rural areas, except in the Ooralea, Richmond, Sarina east and Rosella investigation areas identified in the proposed planning scheme for investigating potential long term development. The proposed planning scheme will no be amended in response to these issues raised.
	GN-GN-01	N/A	N/A	N/A	N/A	N/A	Support for distribution of locally grown, nutrient dense food to make region the "Good Health Centre of Queensland"	Nil	Supported - scheme change not necessary / possible	Although not addressing this issue specifically, the proposed planning scheme has strong provisions protecting Agricultural land and encouraging diversification of agricultural activity in the region. The proposed planning scheme does not need to be amended in response to this issue.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-94	ZN-ER-04	Lot 3 on RP702672 Lot 1 on RP702672 Lot 1 on RP731455 Lot 2 on RP731455 Lot 4 on RP702672 Lot 6 on RP855619 Lot 2 on RP702669 Lot 3 on RP185584	Erakala	Rural (MCC)	Schedule 2 Mapping	Rural	Request subject sites be zoned Industry Investigation	Changed circumstances. 1. In addition to the planning grounds outlined in #47 of 2013, the Ring Road has been funded and construction has commenced. In addition: 2. The land is suited to industrial; 3. There are no grounds to maintain as agricultural land; 4. The realignment in the area justifies a change in land use; and 5. The land is proximate to existing industrial purposes.	Not supported - scheme not changed	The changed circumstances and grounds are noted. However, the proposed planning scheme, through zoning and the Strategic Framework, identify various other areas that can adequately accommodate projected industrial growth in the life of the planning scheme and beyond. The proposed planning scheme identifies significant areas zoned Industry investigation throughout the region, including land in Glenella near the subject land. The next areas for development will be at Rosella. The Strategic Framework advises that the development of Rosella will not be in the life of the planning scheme. Thus, consideration of any further industrial investigation areas are well beyond the life of the proposed planning scheme. The subject site is not serviced by urban infrastructure and there are no future plans to service the area. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence is not sustainable. It is also noted that the Agricultural land overlay is identified over the entire subject land. Further, access is uncertain as it is constrained by railway lines and advice from the Department of Transport and Main Roads indicates that access in general to the Mackay Ring Road will not be provided. Given the above, the proposed zone of the subject land will remain Rural.
16-95	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-96	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-97	ZN-GL-04	Lot 11 on SP254859 Lot 12 on SP254859 Lot 13 on SP254859	Glenella	Rural (MCC)	Schedule 2 Mapping	Rural	Change the proposed zoning of the subject properties from Rural to Emerging community, or at least an Investigation area.	1. Property has been long constrained for urban development by the proposed Ring Road and notice to intent to resume land 2. A previous DA was lodged in 2008 over the sites, which was opposed by DTMR due to the uncertainty of the Ring Road - the application lapsed 3. Council has not previously considered the subject properties for inclusion in the Emerging community zone / investigation area due to issues with the Ring Road 4. Locked in Ring Road corridor creates a new logical western barrier to the Mackay urban area 5. The Ring Road will isolate the subject properties from the greater rural area and agricultural production 6. Infill development with good access to services 7. the overhead high voltage line will be decommissioned 8. proposed development is able to be connected to existing infrastructure networks servicing Peppermint Grove estate.	Not supported - scheme not changed	The proposed planning scheme, through zoning and the Strategic Framework, identify various other areas that can adequately accommodate projected growth in the life of the planning scheme and beyond. The proposed planning scheme identifies significant areas zoned Emerging community (zoned Urban expansion under the current Mackay City Planning Scheme 2006), particularly in the Northern Beaches area. The next areas for development will be in Ooralea and then Richmond. The Strategic Framework advises that the development of the Ooralea investigation area is not sequenced for urban purposes prior to 2026 and the development of the Richmond investigation area is not sequenced for urban purposes before 2031. Thus, consideration of any further investigation areas are well beyond the life of the proposed planning scheme. The subject site is not serviced by urban infrastructure and there are no future plans to service the area. The uncoordinated provision and maintenance of infrastructure services at multiple growth fronts in various locations, and developed out of sequence is not sustainable. Please note, the proposed planning scheme will be amended to identify Emerging community zone over part of the site east of Cinnamon Drive (the entire subject site is currently zoned Urban expansion under the Mackay City Planning Scheme 2006). It is also noted that the Agricultural land overlay is identified over almost the entire subject land. It is noted that some of the constraints relevant to the previous Development Application may now have a resolution but all matters would still be subject to detailed assessment as part of any future development application. Given the above, the proposed zone of the subject land will remain Rural.
	GN-RR-02	Lot 11 on SP254859 Lot 12 on SP254859 Lot 13 on SP254859	Glenella	Rural (MCC)	Schedule 2 Mapping	Rural	Accurately map the resumed location of the Mackay Ring Road on the Strategic Framework, Road Hierarchy and Priority Infrastructure Plan maps.	It would be logical to include the resumed land within the Special purpose zone to reflect the proposed road infrastructure.	Supported in part - scheme change prompted by submission in part	The proposed Strategic Framework mapping will be amended to reflect the gazetted Future State-controlled road alignment for the Mackay Ring Road as 'future state and major road network'. Other mapping changes are not supported.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-98	ZN-WK-04	Lot 11 on SP215402	Walkerston	Rural Residential (MCC)	Schedule 2 Mapping	Rural Residential	Request subject sites be zoned Low Density residential, and included in urban area designation in strategic framework and PIA.	1. The site has an existing permit for subdivision (DA-2008-152) 2. It is already filled at a level over 1m above adjoining land 3. It is not affected by the flood overlay 4. It can be readily connected to services and does not require upgrades from council 5. It is located in the urban area under the strategic framework; and 6. It has excellent proximity to the Walkerston Town centre, schools and other community facilities.	Not supported - scheme not changed	A zoning change is not applied as an automatic outcome once a development permit is granted, especially where site-specific or proposed specific considerations informed the development permit. Once the permit has been executed and the use commenced, the zoning may be reviewed. Given the above, the proposed zone of Lot 11 on SP215402 remains Rural residential and there is no change to the proposed Strategic Framework or Priority Infrastructure Area.
16-99	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-100	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-101	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-102	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-103	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue. It is noted that a covenant was previously entered into between the State of Queensland and Port Binnli Pty Ltd in December 2001, which included various requirements about the use of the site and included a height limit of 17.8m above port datum for 30 years. However, this covenant was released by the State of Queensland in July 2012, which means that it no longer exists on the property title. The restrictions on the use of the site that were provided for through the previous covenant were private interests between the State of Queensland and Port Binnli Pty Ltd and their successors in title, being the Mackay Yacht Club Incorporated. Council was never party to the covenant and the restrictions in place through the covenant were never incorporated into the Deed of Agreement between Council and Port Binnli Pty Ltd. Given the above, the proposed 17 metre / 5 storey height limit over the subject site will remain.

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	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-110	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-111	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-112	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-113	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. impact on existing views, vistas & amenity from 'Captains Corner' 3. impact on property value for 'Captains Corner'	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity from 'Captains Corner' 2. Future development may have impact on property value for 'Captains Corner' 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-114	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. impact on existing views, vistas & amenity from 'Captains Corner' 3. impact on property value for 'Captains Corner'	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity from 'Captains Corner' 2. Future development may have impact on property value for 'Captains Corner' 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-115	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.

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	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-122	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-123	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-124	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-125	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-126	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Parking requirements related to any future development application for redevelopment of the site would be considered at that time to ensure suitable parking is provided on-site. Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-127	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.

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	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-128	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-129	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property height	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-130	ZN-MH-02	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Schedule 2 Mapping	Mixed Use Zone (MX1)	Change zone of subject site to a zone more compatible with Deed of Agreement	1. Impacts on establish quality of life at Regatta 2. Proposed rezoning to mixed density is not compatible and is not in the spirit with the agreement undertaken between Port Binnli and former Mackay City Council 3. Decision to purchase Regatta was not taken lightly, but knowing covenants were in place for the foreseeable future and lifestyle protected for the entire area was very reassuring 4. 19 of the 21 units were purchased based on Deed of Agreement and covenant 5. Marina Complex already had a commercial centre, short term and long term accommodation, business facilities, entertainment and numerous food outlets 6. Introducing major changes to historic successful zoning of the Marina Complex is anti-productive and could have significant impact on long term future investment 7. Proposed zoning would comprise access and availability of Regatta Beach 8. Increased development will put pressure on existing traffic situation 9. Does not fit with the philosophy and intent of the proposed planning scheme	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the original height restrictions (17.8m above Port Datum).	1. Impacts on establish quality of life at Regatta 2. Proposed increased height is not compatible and is not in the spirit with the agreement undertaken between Port Binnli and former Mackay City Council 3. Decision to purchase Regatta was not taken lightly, but knowing covenants were in place for the foreseeable future and lifestyle protected for the entire area was very reassuring 4. 19 of the 21 units were purchased based on Deed of Agreement and covenant 5. Does not fit with the philosophy and intent of the proposed planning scheme	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-131	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.

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	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-132	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-133	DC-RC-01	Lot 22 on SP190268	Eimeo	Rural Residential (MCC)	Part 9 - Development codes	9.4.3 Reconfiguration of Lot Code - Table 9.4.3.3.B - Lot Size & Frontage Requirements - Minimum Lot Size in the Rural residential zone is 1Ha & 60m frontage	Support for subdivision of subject site (Rural residential zone) into two 0.9Ha properties	1. Property was originally large enough to be made into several parkland lots, however two events outside of owners control saw the land reduced to just below 2Ha. 2. 1987 2248m ² of land was removed from the property by DTMR to realign Eimeo/Blacks Beach Road 3. 2006 an easement from Alan Naish Court to Lot 1 on RP729821 saw 720m ² of land removed from Lot 22 and reassigned to Lot 1 as Access B 4. Surrounding housing density increase in the locality, it seems impractical to remain rural residential when the amenity of the area has progressed to park residential/residential occupation	Noted - scheme change not necessary / possible	The proposed planning scheme cannot consider all possible performance outcomes relevant to proposed development. Rather, it sets clear policy positions on aspects of development. High level elements of the proposed planning scheme (such as a strategic framework and overall outcomes) articulate the strategic intent, while performance and acceptable outcomes identify clear intended outcomes in a measurable way. Instances where proposed lots are slightly less than the prescribed minimum are considered on their merits in the development application process. If development does not comply with performance and acceptable solutions, the applicant must demonstrate how the proposal still complies with the high-level elements of the proposed planning scheme. Given the above, provisions enabling the subdivision of Lot 22 on SP190268 will not be incorporated into the proposed planning scheme. Noting that this rural residential site is in an established urban area with nearby rural residential lots, the proposed subdivision may have merit subject to detailed assessment including access arrangements, availability of infrastructure and addressing any other relevant issues as part of a development application.
16-134	GN-DA-01	Lot 1 on RP731366 and Lot 2 on RP719070	Koumala	N/A	N/A	N/A	Disapproval of proposed Cattle Feedlot	1. Position of the feedlot near water in heavy rain events 2. Runoff will damage the mangrove on the coastal salt pans, impact on dugong seas grass, devastating to the Prawn, Crab and Fish population 3. Odour from bogged up cattle waste 4. Inneston Road is not designed for the heavy transport that will be involved 5. Concern regarding repairs on Marklands levy banks and fish ladders	Not relevant	The submission is not relevant to the proposed planning scheme public consultation. The submission has been referred to the Development Assessment program in council for consideration as part of the public consultation undertaken on DA-2016-11. (Note: Public consultation on this proposed development closed on 15 December 2016. An Acknowledgement letter regarding this properly made submission was issued by the Development Assessment team on 21 December 2016. Please contact Council's Development Assessment program for any questions with regards to the public consultation process for DA-2016-11).
16-135	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-136	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-137	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-138	GN-MM-01	Various	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	The overall intent of Mackay Marina Village is discussed in the Strategic Framework and relevant zone codes	Amend the proposed planning scheme to more strongly reflect the overall role and function of the Mackay Marina Village (MMV) set out by the Deed	1. Enable Council to properly consider MMV when assess and deciding on future applications 2. Concern the loss of 'tourism; emphasis will change community expectations for the future development of the MMV 3. Lead to greater resistance to and objects against the type of tourist development and activities originally intended and sought under the Deed.	Supported in part - scheme change prompted by submission in part	Extra references to the tourism function of the Mackay Marina Village will be added to the Strategic Framework, Local centre zone code and High density zone code. Specifically, changes have been made to: • Strategic Framework mapping - apply Tourism symbology to Mackay Marina Village area • Strategic Framework - references added regarding Mackay Marina Village being a key tourism area and the marina itself continuing it's important leisure and tourism port function • Local centre zone code - reference added regarding the centre's regional leisure / tourism function • High density zone code - reference added regarding the application of the zone to tourism / recreation nodes. It is noted that the proposed Local centre zone code already acknowledged the Mackay Marina Village as serving tourism, leisure and port related functions. These provisions will remain in the code.
	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. A 5 storey development will block the significant views and reduce the amenity of residents of the neighbouring multi-storey apartment buildings 2. Many adjoining units were sold to purchasers subject to a special condition of sale that no building exceeding a height of RL14.9 AHD could be developed on the Yacht Club site for 30 years 3. The building height proposed for the Yacht Club site under the draft planning scheme is contrary to agreements reached with Council and Port Authority	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	Adjoining unit owners should have the opportunity to comment, object or appeal on a proposed development of 17m (5 storeys) that may impact on their views or property value.	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	ZC-HD-01	Lot 27 on SP175677 Lot 29 on SP175677	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	6.2.5 High Density residential zone code - purpose of zone - "The purpose of the High density residential zone code is to provide for higher density multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents."	Amend the High Density Residential Code to include words "an area for tourist and those residents who prefer a more diverse urban environment"	To better reflect the role and function of the Mackay Marina Village Deed of Agreement.	Supported in part - scheme change prompted by submission in part	A reference will be added in the Local Government purpose of the zone in the zone code regarding the application of the zone to tourism / recreation nodes. It is not considered necessary to undertake further changes as the intent of the zone is clear and appropriate.
	TA-HD-01	Lot 27 on SP175677 Lot 29 on SP175678	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Table 5.5.5 High density residential zone - Impact Assessable - Function Facility - Port services - Parking Station	Add the following uses to code assessable: - Function facility - Port Services / Parking Station	1. To better reflect the role and function of the Mackay Marina Village Deed of Agreement 2. Apparent move away from considering 'Function Facilities' as ancillary to a range of different uses such as a hotel, motel or restaurant 3. To support Marina access and car parking sites	Supported in part - scheme change not necessary / possible	The High density residential zone level of assessment table and zone code will be amended to provide for Port Services as code assessment. Given the intent of the zone to primarily accommodate sensitive land uses (high density residential development), it is considered appropriate that Function facility remains impact assessment. This will enable nearby residents to lodge submissions on amenity and other issues during the assessment on any development application. It is not considered that Parking station (i.e. a stand alone facility not ancillary to Port Services) is necessary or appropriate in this zone.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	ZC-HD-02	Lot 27 on SP175677 Lot 29 on SP175679	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	6.2.5 High Density residential zone code - purpose of zone <i>"(i) the predominant form of development within the zone is high density residential development; (ii) the zone also accommodates short-term accommodation on sites... (iii) a limited range of small-scale and low intensity non-residential uses may be appropriate if these uses.."</i>	Amend the High Density Residential Code 'use' provisions	To provide greater support tourism related development on the extended 'Clarion hotel site' and 'Port services' sites.	Supported in part - scheme change not necessary / possible	The High density residential zone already identifies that Short-term accommodation is code assessable in all circumstances. Centre activities and community activities are self-assessable or code assessable in certain circumstances. A reference will be added to the High density residential zone code regarding the application of the zone to tourism / recreation nodes. In the Strategic Framework, there are already mapped and written references to Mackay Marina Village being a tourism node. The above is considered adequate and no further amendments are considered necessary.
	ZC-HD-03	Lot 27 on SP175677 Lot 29 on SP175680	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	6.2.5 High Density residential zone code - purpose of zone <i>(i) development does not adversely affect the amenity of adjacent areas and uses, particularly residential uses and other sensitive land uses;</i>	Amend the High Density Residential Code 'amenity' provisions	To recognise the amenity expectations for the zone are based on a mix of uses and different and not purely residential.	Not supported - scheme not changed	The intent of the zone is to primarily accommodate sensitive land uses (High density residential development). The amenity provisions set out in the code are consistent with this intent and are considered to be reasonable and relevant. Given the above, the proposed planning scheme will not be amended in response to this issue.
	ZC-HD-04	N/A	Mackay Harbour	N/A	Part 6 - Zones	6.2.5 High Density residential zone code generally	High density residential zone code performance outcomes could alternatively be achieved by meeting the design criteria under the Deed	Design guidelines in the Deed are more detailed about the intended appearance of the development.	Not supported - scheme not changed	The design criteria in the proposed planning scheme are considered to be adequate. The Deed of Agreement is a separate document which is considered in the assessment of development applications. This situation would not be changed with a planning scheme provision. A provision regarding the Deed of Agreement would unnecessarily complicate the proposed planning scheme. Given the above, the proposed planning scheme will not be amended in response to this issue.
	TA-LC-01	N/A	Mackay Harbour	N/A	Part 6 - Zones	Table 5.5.8 Local centre zone - Impact Assessable - Function Facility - Outdoor sales - Port Services/Marina Industry - Short term accommodation	Add the following uses to code assessable: - Function Facility - Outdoor sales - Port Services/Marina Industry - Short term accommodation	To achieve greater consistency with the Deed (8.2.1 Commercial precinct).	Supported in part - scheme change prompted by submission in part	Table SC1.1.1.2 - Defined activity groups already identify that Function facility is part of the "Centre activities" activity group. The level of assessment table for the Local centre zone (Table 5.5.8) identifies that Centre activities are Self-assessable in certain circumstances and Code assessment if not Self-assessable. As such, the Local centre zone code already provides for Function facility. The level of assessment table and zone code for the Local Centre Zone code will be amended to provide for Outdoor sales (where involving vehicle hire premises), Port Services and Short Term Accommodation. It is considered appropriate that Marine industry is Impact assessable given the high quality amenity sought and tourism focus of the local centre, and that this use is provided for in the almost 1.5ha Low impact industry zoned site north of the boat ramp car park.
	ZC-LC-01	N/A	Mackay Harbour	N/A	Part 6 - Zones	Local centre zone code - Table 6.2.8.3.A - AO1.1 <i>"AO1.1 Centre activities do not exceed a total gross floor area of: ..(c) 0.45 times the area of the site in the Mackay Marina local centre;.."</i>	Amend the draft planning scheme to removed GFA limitations	1. The Deed of Agreement does not test a limit on the GFA of the commercial centre 2. Deed relies on the design guidelines (building heights and car parking) to limit GFA	Not supported - scheme not changed	The Gross Floor Area (GFA) provisions seek to achieve / maintain the preferred Centres Network as identified by the Centres Strategy and it's extensive supporting studies. Removing GFA requirements may compromise the preferred Centres Network. Should proposed development at Mackay Marina local centre seek to exceed the GFA requirements, then a potential performance outcome can be considered. Relevant considerations may be the centre's unique tourism and leisure function (as specified in the purpose and overall outcomes of the zone code) among other matters. Given the above, the proposed planning scheme has not been amended to address this issue.
	ZC-LC-02	N/A	Mackay Harbour	N/A	Part 6 - Zones	Local centre zone code - building heights <i>"AO6 Building height does not exceed a maximum building height of: (a) 11 metres above ground level (3 storeys) in the Mackay Marina local centre; "</i>	Local centre zone code performance outcomes could alternatively be achieved by meeting the design criteria under the Deed (in particular building heights)	To achieve greater consistency with the Deed of Agreement.	Not supported - scheme not changed	Building height provisions are based on the distance from natural ground level to the apex of the roof and this is a consistent approach throughout the proposed planning scheme. This approach clearly conveys Council's nominated maximum building height to adjoining property owners and other stakeholders. Basing height limits on height to the eaves, and effectively not regulating roof height, does not give clarity on intended outcomes for stakeholders. Given the above, the proposed planning scheme has not been amended to address this issue.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
	ZC-OS-02	N/A	Mackay Harbour	N/A	Part 6 - Zones	Open space zone code - <i>The purpose of the Open space zone code is to provide for informal recreation where the built form is not essential to the enjoyment of the space. It may provide for local, district and regional scale parks that serve the recreational needs of a wide range of residents and visitors. Where required to meet community needs, development may include shelters, amenity facilities, picnic tables, and playgrounds and infrastructure to support safe access and essential management.</i>	Review the Open space zone for the Harbour Walk to include specific provisions which support footpath dining and the improvement of port services	Nil	Noted - scheme change not necessary / possible	The Harbour Walk is identified as Strategic Port Land and, as such, is within the jurisdiction of the Port of Mackay Land Use Plan. The proposed planning scheme's identification of Open space zone over this site reflects a community expectation that the site remains publicly accessible and used for recreation purposes. Identifying additional provisions is unnecessary and would have no effect as the proposed planning scheme does not have jurisdiction over this land. Given the above, the proposed zone of the subject land will remain Open space.
	TA-OS-01	N/A	Mackay Harbour	N/A	Part 5 - Tables of assessment	Table 5.5.15 - Open space zone - Food and Drink Outlet (Code Assessable) - Port Services (Impact Assessable)	Reduce the level of assessment for footpath dining and port services	Nil	Noted - scheme change not necessary / possible	The Harbour Walk is identified as Strategic Port Land and, as such, is within the jurisdiction of the Port of Mackay Land Use Plan. The proposed planning scheme's identification of open space zone over this site reflects a community expectation that the site remains publicly accessible and used for recreation purposes. Identifying additional provisions is unnecessary and would have no effect as the planning scheme does not have jurisdiction over this land. Given the above, the proposed zone of the subject land will remain Open space.
	ZC-LI-01	N/A	Mackay Harbour	N/A	Part 6 - Zones	Low impact industry zone code - Table 6.2.10.3.A - "AO6.1 Buildings have a maximum height of 8.5 metres above ground level."	Amend building height to reflect Deed of Agreement over the Marine Hardstand Area	Nil	Not supported - scheme not changed	The proposed 8.5m height limit is considered appropriate, given that this area is a key tourism and regional leisure node. It is not considered desirable to provide for 15m high industrial buildings 'as-of-right' adjoining the boat ramp car park. Proposed buildings exceeding 8.5 metres in height can be assessed as potential performance outcomes. Relevant considerations could be setback from public land (e.g. the boat ramp car park), screening by existing buildings / landscaping and building design.
	TA-LC-01	N/A	Mackay Harbour	N/A	Part 8 - Overlays	The table of assessment for the Landscape character and image corridor overlay identifies several uses as triggering code assessment, whether or not the uses are in an existing building	Uses in existing buildings that are otherwise self-assessable should not be triggered for assessment by the code	Nil	Supported - scheme change prompted by submission	The table of assessment for the Landscape character and image corridor overlay will be amended to add "new uses within an existing building" to the list of uses not triggering code assessment against the overlay.
	OV-LC-01	N/A	Mackay Harbour	N/A	Part 8 - Overlays	8.2.9 Landscape Character and image corridor overlay code. E.g. - Minimum 5m wide landscaping strip for full frontage of image corridor - Chain wire fencing - Car parking between building and image corridor / within or under building	Amend overlay code to note performance outcomes sought could alternatively be achieved by meeting the design criteria of the Deed (in particular, setbacks, landscaping, car parking, etc.)	1. Deed supports no setbacks in the Commercial Precinct 2. Deed landscaping provisions vary to planning scheme 3. Issues regarding car parking area location / access	Not supported - scheme not changed	The requirements of the Landscape character code are considered reasonable given that this area is a key tourism and regional leisure node. Any proposed departures from the Acceptable Outcomes can be considered as potential Performance Outcomes where site-specific and proposal-specific circumstances support this. The Deed of Agreement is a separate document which is considered in the assessment of development applications. This situation would not be changed with a planning scheme provision. A provision regarding the Deed of Agreement would unnecessarily complicate the proposed planning scheme.
	OV-EI-04	N/A	Mackay Harbour	N/A	Part 8 - Overlays	High impact area overlay buffer area - code assessable for re-use existing buildings	Amend the draft planning scheme to ensure the overlay does not apply for an MCU re-using existing buildings	Nil	Supported in part - scheme change prompted by submission in part	The table of assessment for the Extractive resources and high impact activities overlay will be amended to remove "office" from the list of uses triggering code assessment. The remaining uses are sensitive land uses (as defined in SC1.2 - Administrative definitions). It is considered reasonable that a new sensitive land use triggers assessment against the overlay, whether or not it is within an existing building. In saying this, it is noted that dwelling houses on properties less than 5,000m ² do not trigger assessment against the overlay.
	OV-EI-05	N/A	Mackay Harbour	N/A	Schedule 2 Mapping	High impact area overlay is identified over Mackay Marina Village	Remove MMV from High impact area overlay	1. Proximity of the MMV to the port was a matter addressed at the time the concept plan was originally agreed by all parties.	Not supported - scheme not changed	The Extractive resources and high impact activities overlay remains regardless of agreements / approvals. This approach has been applied on other sites throughout the region.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-139	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-140	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-141 NOT USED	NA	NA	NA	NA	NA	NA	NA	NA	NA	
16-142	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-143	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-144	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-145	ZN-AN-02	Lot 4 on SP233826	Andergrove	Public Purposes (MCC)	Schedule 2 Mapping	Community Facilities	Change zone to a commercial zone under the proposed planning scheme	<p>1. Proposed zone Community Facilities does not suite the current intended use of the site;</p> <p>2. Property has change ownership recently (no longer owned by the church);</p> <p>3. Subject site has development potential for commercial land uses (e.g. Service station, fast food, commercial sporting activities, entertainment activities, and warehouse uses);</p> <p>4. The subject site is located within the urban footprint;</p> <p>5. Development of the subject site would stimulate jobs in the Mackay Region;</p> <p>6. Current zone restricts redevelopment opportunities.</p>	Not supported - scheme not changed	<p>Commercial centre provisions in the proposed planning scheme are based on the Centres Strategy which includes a Centres network. The Centres Strategy is based on extensive supporting studies. In the vicinity of the subject site, the proposed planning scheme designates centres at:</p> <ul style="list-style-type: none"> • Andergrove Lakes (strategic local centre - maximum gross floor area 5,000m²) • Celeber Drive, Andergrove (the Village)(existing local centre - maximum gross floor area 2,500m²) • Oak Street, Andergrove (district centre - maximum gross floor area 15,000m²) • Evans Avenue, North Mackay (district centre - maximum gross floor area 20,000m²) • Mount Pleasant (major centre - maximum gross floor area 130,000m²) <p>The above designated centres, as well as other small existing commercial development (such as the Bedford Road Shops), adequately meet the needs of their relevant catchments. Commercial development on the subject site is not required.</p> <p>Land ownership is not a planning ground.</p> <p>The use of the site for community facilities purposes in accordance with the current <i>Mackay City Planning Scheme 2006</i> and the proposed planning scheme remains an important strategic intent for this area, to increase the community and sport and recreation uses as a cluster for servicing the surrounding area and larger regional catchment. Land proposed to be zoned Community facilities is limited and therefore intended to be protected to ensure appropriate community facility outcomes.</p> <p>Any development application over the site would be considered on its merits.</p> <p>Given the above, the proposed zone of Lot 4 on SP233826 remains Community facilities.</p>
16-146 (not properly made)	DC-AD-01	N/A	N/A	N/A	Part 9 - Development codes	Former Advertising devices code in Part 9	Acknowledge the removal of the Advertising devices code and supportive of amendments to the Subordinate Local Law No. 1.4 (Installation of advertising devices)	<p>1. Noted that the subordinate local law will become out of date as clauses 2 and 3 reference the planning scheme</p> <p>2. Supportive of the local law revision to include digital signage - digital signage across Australia has grown significantly in recent years and provides flexibility in advertisement</p> <p>3. OMA is preparing model codes for each state as best practice guidelines.</p>	Support noted	<p>Support for a review of Subordinate Local Law No. 1.4 is noted. Upon review of Clause 2 of Schedule 1 of the Subordinate Local Law, this clause makes reference to activities not requiring approval under the local law if the prescribed activity is identified as being Self, Code or Impact accessible development by a planning scheme. This clause is still relevant and applicable, as none of the prescribed advertising devices activities will have a nominated level of assessment under the planning scheme.</p>
16-147 (Not Properly Made)	ZC-MD-02	Lot 3 on BUP71117	North Mackay	Higher Density Residential (MCC)	Part 6 - Zones	Building Heights - 2 Storeys - Medium Density Residential (Precinct MD2)	Increase building height to 3 storeys (per current Higher Density Residential zone)	<p>1. The reduction decrease the value of future development considerably</p> <p>2. Two storeys does not allow enough scope to place sleeping areas above flood level</p>	Not supported - scheme not changed	<p>The zone of the subject site in the proposed planning scheme will remain Medium density residential zone, General medium density precinct (MD2).</p> <p>Redevelopment opportunities under the MD2 precinct are similar to the opportunities possible under the Higher density residential zone of the current <i>Mackay City Planning Scheme 2006</i> given that:</p> <ul style="list-style-type: none"> • multiple dwellings are code assessable, dual occupancies are compliance / code assessable, dwelling houses are exempt; • maximum plot ratio for development remains 0.8:1; • site cover and maximum number of dwellings per site area provisions have been removed. <p>It is further noted that the subject site is located within the Flood and coastal hazards overlay in the proposed planning scheme. Sites located in the Flood and coastal hazard overlay are not disadvantaged in terms of building height, as the following provision applies:</p> <p><i>AO5.1 Building heights above ground level in flood hazard and storm tide inundation areas do not exceed the maximum building height set by the relevant zone code (8.5m / 2 storeys) plus the highest of the following:</i></p> <ul style="list-style-type: none"> • <i>Defined Flood Event; or</i> • <i>Defined Storm Tide Event relevant to the subject site; or</i> • <i>within the Mackay Urban Area – RL 5.0m AHD.</i> <p>Notwithstanding the above provisions, performance solutions based on site specific characteristics will considered in detail in the assessment of any development application proposed on the site. Which, would include, but not limited to, assessment against the relevant zone code, use code and notably the Flood and coastal hazards overlay.</p> <p>Given the above, the proposed height provisions in the Medium density residential zone code remain unchanged.</p>
16-148 (Not Properly Made)	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	<p>1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs</p> <p>2. Impact on existing views, vistas & amenity from</p> <p>3. Impact on property value</p>	Not supported - scheme not changed	<p>Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.</p>
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	<p>1. Proposed development may impact on existing views, vistas & amenity</p> <p>2. Future development may have impact on property value</p> <p>3. Historic building height restrictions over property</p>	Not supported - scheme not changed	<p>Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.</p>
16-149 (Not Properly Made)	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	<p>1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs</p> <p>2. Impact on existing views, vistas & amenity from</p> <p>3. Impact on property value</p>	Not supported - scheme not changed	<p>Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.</p>

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-156 (Not Properly Made)	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-157 (Not Properly Made)	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-158 (Not Properly Made)	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-159 NOT USED	NA	NA	NA	NA	NA	NA	NA	NA	NA	
16-160 (Not Properly Made)	ZC-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 6 - Zones	Mixed Use Zone (MX1) - 17 metres above ground level (5 storeys)	Maximum building height be changed to a reflect the height of the existing Yacht Club building	1. Would enable the removal of an iconic facility built purposely to support community based water sporting clubs 2. Impact on existing views, vistas & amenity from 3. Impact on property value	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
	TA-MX-01	Lot 12 on SP124858	Mackay Harbour	Special Activities Tourism (MCC)	Part 5 - Tables of assessment	Mixed Use Zone (MX1) - Code Assessment land uses (Centre Activity, Hotel, Multiple dwelling & Short-term accommodation)	Require public notification for mixed use land uses seeking building height in excess of existing Yacht Club building height	1. Proposed development may impact on existing views, vistas & amenity 2. Future development may have impact on property value 3. Historic building height restrictions over property	Not supported - scheme not changed	Council received several submissions raising this issue. See response to Submissions 16-79, 16-103 for response details on this issue.
16-161 (Not Properly Made)	DC-RC-01	Lot 8 on RP748958	Greenmount	Rural (MCC)	Part 9 - Development codes	9.4.3 Reconfiguration of Lot Code - Table 9.4.3.3.B - Lot Size & Frontage Requirements - Minimum Lot Size in the Rural zone is 100Ha	Support for rural subdivision of subject property to create an additional 2 or 3 lots	1. No value to rural farming 2. Steep land prevents property being cultivated 3. Views and vistas of property would support demand for new lots	Not supported - scheme not changed	Under the current <i>Mackay City Planning Scheme 2006</i> and current <i>Mirani Shire Plan 2007</i> , the minimum lot size for new lots in the Rural zone is 100ha. Under the current <i>Sarina Shire Planning Scheme 2005</i> , the minimum lot size for new lots in the Rural zone is 80Ha. The proposed planning scheme identifies a minimum lot size of 100ha across the entire region for consistency and is based on reasons set out below: <ul style="list-style-type: none"> The State Government's State Planning Policy (SPP) requires council to protect Agricultural land as a resource for current and future generations and maintain it's productive capacity by avoiding fragmentation and encroachment of incompatible uses (such as residential uses not associated with agriculture). The 100ha minimum also acknowledges that cane farming is the predominant form of agriculture in the region currently and for the foreseeable future. Studies have found that the minimum area required for a viable cane farm is 100ha. In addition, providing public services (e.g. road maintenance, rubbish collection, emergency services) to additional residential uses in the rural area in general is inefficient. The Rural and Rural Residential Review 2014 considered all relevant legislation and issues and confirmed that the proposed 100ha minimum lot size in Rural areas is appropriate. The review also found that high numbers of small rural lots already exist throughout the region, and the importance of avoiding further fragmentation was reinforced. The proposed planning scheme adds an additional 80ha of new Rural residential zoned land in the region (established rural residential node including the area of Finato Road). Council has prepared a factsheet explaining Rural and Rural residential issues in the region. Given the above, provisions enabling the subdivision of Lot 8 on RP748958 will not be incorporated into the proposed planning scheme.

Sub Ref.	Issues Code	RPD	Locality	Current Zone	Scheme Part	Proposed Planning Scheme Designation	Specific Request	Grounds	Response	Response Details
16-162 (Not Properly Made)	DC-RC-01	Lot 7 on RP739473	Sandiford	Rural (MCC)	Part 9 - Development codes	9.4.3 Reconfiguration of Lot Code - Table 9.4.3.3.B - Lot Size & Frontage Requirements - Minimum Lot Size in the Rural zone is 100Ha	Support for rural subdivision of subject property to create another allotment	1. Change in personal circumstances 2. Smaller land area to maintain 3. No roads would be required as part of subdivision	Not supported - scheme not changed	<p>Under the current Mackay City Planning Scheme 2006 and current Mirani Shire Plan 2007, the minimum lot size for new lots in the Rural zone is 100ha. Under the current Sarina Shire Planning Scheme 2005, the minimum lot size for new lots in the Rural zone is 80Ha.</p> <p>The proposed planning scheme identifies a minimum lot size of 100ha across the entire region for consistency and is based on reasons set out below:</p> <ul style="list-style-type: none"> • The State Government's State Planning Policy (SPP) requires council to protect Agricultural land as a resource for current and future generations and maintain it's productive capacity by avoiding fragmentation and encroachment of incompatible uses (such as residential uses not associated with agriculture). • The 100ha minimum also acknowledges that cane farming is the predominant form of agriculture in the region currently and for the foreseeable future. Studies have found that the minimum area required for a viable cane farm is 100ha. • In addition, providing public services (e.g. road maintenance, rubbish collection, emergency services) to additional residential uses in the rural area in general is inefficient. • The Rural and Rural Residential Review 2014 considered all relevant legislation and issues and confirmed that the proposed 100ha minimum lot size in Rural areas is appropriate. The review also found that high numbers of small rural lots already exist throughout the region, and the importance of avoiding further fragmentation was reinforced. The proposed planning scheme adds an additional 80ha of new Rural residential zoned land in the region (established rural residential node including the area of Finato Road). Council has prepared a factsheet explaining Rural and Rural residential issues in the region. <p>Given the above, provisions enabling the subdivision of Lot 7 on RP739473 will not be incorporated into the proposed planning scheme.</p>