

Schedule of proposed amendments for

Mackay Region Planning Scheme 2017 – Qualified state interest amendment 3 – Healthy waters

September 2024

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* Notes:

- In the “Planning scheme page & page no.” column, page numbers mentioned below relate to page numbers in the Track change version of version 5.0
- In the “Proposed amendment” column, *italicised text* is an amendment instruction only – this text does not appear in the planning scheme
- In the “Proposed amendment” column, ~~red strikethrough text~~ is text to be deleted from the planning scheme
- In the “Proposed amendment” column, *blue text* is new text to be included in the planning scheme

Minster’s Guidelines and Rules – Schedule 1

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

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

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

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- v. a redundant or outdated term in the instrument;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

(b) the local government makes to—

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

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

2. For Chapter 2, Part 3 a qualified state interest amendment is an amendment that the Minister is satisfied—

(a) is not a minor amendment or an administrative amendment;

(b) affects no more than three state interests as expressed in the SPP, relevant regional plan or other statutory instrument or that the Minister is satisfied meets the requirements of 3(d)(iii) of Schedule 1;

(c) does not involve the state interest of natural hazards, risk and resilience as set out in the SPP; and

(d) meets at least one of the following—

- (i) is an amendment to make a change or changes to mapping in Appendix 1 of the SPP where the mapping is locally refined by the local government;
- (ii) is an amendment to comply with the relevant matters of state and regional significance in any regional plan including regulatory provisions, or in response to the SPP, that does not adversely impact upon a state interest, and is not a minor change;
- (iii) is an amendment that—
 - a. reflects the guiding principles of the SPP;
 - b. does not adversely affect a state interest in the SPP or regional plan;
 - c. accords with the Act’s purpose; and
 - d. is consistent with the regulated requirements under the Act.

Proposed changes to parts of the planning scheme

The schedule of amendments only documents parts of the scheme subject to amendments under Major Amendment 3, not all parts are included.

GENERAL AMENDMENTS

Amendment number	Planning scheme part & page no.	Proposed amendment	Rationale	Type of amendment
GENERAL				
ADMINISTRATIVE				
QSI3-G-1	Throughout the planning scheme document	<i>Throughout the document, including the footer, amend version number to version 5.0.</i>	Update planning scheme version number	Administrative
QSI3-G-2	Throughout the relevant amended parts of the planning scheme	<i>Correct sequential numbering of PO and AO's following insertion or removal of amendment changes.</i>	Make consequential AO & PO numbering changes as a result of the major amendments	Administrative
QSI3-G-3	Throughout the relevant amended parts of the planning scheme	<i>Administrative changes to:</i> <i>correct grammar and punctuation</i> <i>remove redundant terminology and references</i>	Ensure the document is correct and removes redundant content.	Administrative

Part 5 – Tables of assessment

Amendment number	Planning scheme part & page no.	Proposed amendment	Rationale	Type of amendment
PART 5 - TABLES OF ASSESSMENT				
Qualified State interest				
QSI3-P5-1	Part 5.5 - Categories of development and assessment – Material change of use, Part 5.6 - Categories of development and assessment – Reconfiguring a lot, Part 5.8 - Categories of development and assessment – Operational work Pages 5-6 – 5-99	Remove bracketed text after each instance that the Healthy waters code is listed as an assessment benchmark. e.g.		
		Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
		Centre activities	Code assessment	
			All circumstances	- Community facilities zone code - Childcare centre code - General development requirements code - Healthy waters code (section 9.4.2.1. identifies if the code applies)
			There has been a change to the way in which the Healthy waters code applies which makes this wording redundant. The PSP healthy waters now identifies risk categories and these are referred to in provisions of the Healthy waters code. The whole of the healthy waters code is applicable and the PSP lists compliance approaches for the various risk categories for post-construction stormwater quality devices.	Qualified state interest

QSI3-P5-2	Table 5.8.1 – Operational work	<i>Add new trigger for operational works for a constructed lake.</i> <table><tr><th>Zone</th><th>Categories of development and assessment</th><th>Assessment benchmarks for assessable development and requirements for accepted development</th></tr><tr><td rowspan="4"> • Urban zones; and • Sport and recreation zone; and • Tourism zone; and • Special purpose zone; • Community facilities zone. </td><td colspan="2">Code assessment</td></tr><tr><td>Operational work for a constructed lake 250m2 in area or less</td><td>Healthy waters code</td></tr><tr><td colspan="2">Impact assessment</td></tr><tr><td>Operational work for a constructed lake more than 250m2 in area</td><td>The planning scheme</td></tr></table>	Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development	• Urban zones; and • Sport and recreation zone; and • Tourism zone; and • Special purpose zone; • Community facilities zone.	Code assessment		Operational work for a constructed lake 250m2 in area or less	Healthy waters code	Impact assessment		Operational work for a constructed lake more than 250m2 in area	The planning scheme	New trigger ensures there is a clear trigger for constructed lakes and that larger scale ones are impact assessable allowing the community to make submissions.	Qualified state interest
Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development														
• Urban zones; and • Sport and recreation zone; and • Tourism zone; and • Special purpose zone; • Community facilities zone.	Code assessment															
	Operational work for a constructed lake 250m2 in area or less	Healthy waters code														
	Impact assessment															
	Operational work for a constructed lake more than 250m2 in area	The planning scheme														

Part 9 – Development codes

Amendment number	Planning scheme part & page no.	Proposed amendment	Rationale	Type of amendment
PART 5 - TABLES OF ASSESSMENT				
Qualified State interest				
QSI3-P9-1	9.4.2 Healthy waters code 9.4.2.1 Application Pages 9-150	<p><i>Remove text that describes instances when the code applies and add text to make it applicable in all instances.</i></p> <p>9.4.2.1 Application</p> <p>This code applies to assessing the following types of development:<u>development where the Healthy waters code is identified as applicable in the tables of assessment.</u></p> <p>(1) For stormwater management and management of new or expanded non-tidal artificial waterways, the policy applies to development that is:</p> <p class="margin-left: 40px;">(a) material change of use for urban purposes that involves a land area greater than 2,500m² that:</p> <p class="margin-left: 80px;">(i) will result in an impervious area greater than 25% of the net developable area; or</p> <p class="margin-left: 80px;">(ii) will result in 6 or more dwellings; or</p> <p class="margin-left: 40px;">(b) reconfiguring a lot for urban purposes that involves a land area greater than 2,500m² and will result in 6 or more lots or that provides for 6 or more dwellings; or</p> <p class="margin-left: 40px;">(c) operational work for urban purposes that involve disturbing more than 2,500m² of land.</p> <p>(2) For waste water management (other than contaminated stormwater and sewage), the policy applies to development that is industrial or commercial development that is:</p> <p class="margin-left: 40px;">(a) a material change of use for urban purposes involving waste water discharge; or</p> <p class="margin-left: 40px;">(b) reconfiguring a lot for urban purposes involving waste water discharge; or</p>	The PSP healthy waters now identifies risk categories and these are referred to in provisions of the Healthy waters code. This makes the Healthy waters code applicable. The whole of the healthy waters code is applicable and the PSP lists compliance approaches for the various risk categories for post-construction stormwater quality devices.	Qualified state interest

		(c) — operational works for urban purposes involving waste water discharge. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.		
QSI3-P9-2	9.4.2 Healthy waters code 9.4.2.2 Purpose Pages 9-150	<i>Make amendments to purpose statement.</i> 9.4.2.2 Purpose (1) The purpose of the Healthy waters code is to ensure that development including community infrastructure is planned, designed, constructed and operated to manage stormwater and waste water in ways that help protect the water environmental values specified in the <i>Environmental Protection (Water <u>and Wetland Biodiversity</u>) Policy 20092019</i> (EP water <u>and wetland biodiversity</u> policy). (2) The purpose of the code will be achieved through the following overall outcomes: (a) <u>adverse</u> impacts arising from altered stormwater quality and flow are avoided or minimised by providing <u>stormwater management systems and infrastructure</u> for development and construction activities in accordance with acceptable design objectives; and (b) <u>development stormwater management systems and infrastructure are designed and constructed to enhance biodiversity, landscape and recreational values and to achieve acceptable maintenance, renewal and adaption costs; and</u> (b)(c) <u>adverse</u> impacts of waste water other than contaminated stormwater discharge are avoided or minimised; and (c) — development impacts arising from the creation or expansion of non-tidal constructed lakes are avoided or minimised. (d) <u>constructed lakes are avoided unless they address an overriding public need and can demonstrate significant benefit in terms of aesthetics, recreation, flooding and</u>	These changes: • update references to legislation • clarify and strengthen existing intents • adds new outcome about stormwater management systems being designed to enhance biodiversity landscape and recreational values and to achieve acceptable maintenance, renewal and adaption costs. • These aspects were already covered to some degree by the code and the PSP, but they have been strengthened and elevated here to the overall outcomes.	

		water quality, can be sustainably funded and maintained, and can demonstrate that they avoid or minimise environmental impacts.		
QSI3-P9-3	Table 9.4.2.3.A – Healthy waters code – assessable development Pages 9-3	See table 9.4.2.3A. below including.	Refer to Rationale column below.	
QSI3-P9-4	Table 9.4.2.3.B – Healthy waters code – Development risk classification	See table 9.4.2.3.B below.	New table added to provide reference for amended AO1.1, AO1.2 and AO5.2.	

Table 9.4.2.3.A – Healthy waters code – assessable development

Performance outcomes	Acceptable outcomes	Rationale
For assessable development		
Urban stormwater quality management		
PO1 The development is compatible with the land use constraints of the site for achieving Development appropriately manages stormwater design quality to: (a) meet the water quality objectives, and avoid or minimise impacts on environmental values for Queensland waters in accordance with the <i>Environmental Protection (Water and Wetland Biodiversity) Policy 2019</i> and/or local classifications; and	AO1.1 The nature, design, and Development identified as medium risk in Planning scheme policy – healthy waters Table 9.4.2.3.B implements alternative management measures for stormwater management of the development is in accordance as defined in the with Planning scheme policy – healthy waters, or otherwise meet applicable post-construction phase stormwater management design objectives stated in Planning scheme policy – healthy waters.	PO1 is strengthened to clarify what water quality objectives are to be achieved and that the entry of contaminants into water is to be avoided or minimized. AO1.1 refers to the medium risk category and treatment measures identified in new Table 9.4.2.3.B (which reflects the PSP risk classifications).

Performance outcomes	Acceptable outcomes	Rationale
<u>(b) ensure the entry of contaminants into, and transport of contaminants, in stormwater is avoided or minimised.</u>	AO1.2 ADevelopment identified as high risk in Planning scheme policy – healthy waters Table 9.4.2.3.B provides a site stormwater quality management plan (SQMP) is provided and demonstratesthat details stormwater management measures which demonstrate the following: _____ (a) consistencyAchievement of the applicable post-construction phase stormwater quality management design objectives as detailed in the Planning scheme policy – healthy waters; and (a)(b)Consistency with any local area stormwater wateror <u>catchment</u> management planning; and (b) — achievableCompatibility of the development layout and stormwater quality treatment measures reflectingmanagement system with land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil¹, and rainfall erosivity. (c) _____	AO1.2 refers to the high risk category identified in new Table 9.4.2.3.B (which reflects the PSP risk classifications) and the requirement to provide a site stormwater quality management plan. Some key requirements of this are also elaborated including referring to the PSP for the design objectives.
PO2 The entry of contaminants into, and transport of contaminants, in stormwater is avoided or minimised. <u>Treatment systems for stormwater quality management are to be designed to:</u> (a) <u>be vegetated and use natural materials to the greatest extent practicable; and</u> (b) <u>integrate into the development, form part of the vegetated landscape, enhance biodiversity and landscape benefits and minimise health and, safety hazards.</u>	AO2.1 The following is demonstrated: (a) — Vegetated stormwater management measures to achieve relevant design objectives outlinedsystems are designed in accordance with the Planning scheme policy – healthy waters; and (iv) — management of nutrients of concern following the guidance provided by the technical design guideline published by <i>Healthy Land and acid sulfate soils</i> <i>Water, Water by Design</i> for the system type.	PO2 is a new PO that aims to encourage vegetated stormwater quality assets and encourage their integration and biodiversity benefits whilst minimizing health and safety hazards. AO2.1 requires vegetated stormwaters systems to be designed in accordance with the PSP and follow Healthy Land and Water and Water by Design advice.

¹ Measures should be consistent with the Queensland Acid Sulfate Soil Technical Manual.

Performance outcomes	Acceptable outcomes	Rationale
	AO2.2 Stormwater treatments systems, apart from primary treatment devices, which are located on public land must be vegetated and use natural non-proprietary materials which can be readily sourced or created locally to meet industry standard specifications (e.g. <i>Healthy Land and Water, Water by Design</i> guidelines).	Requires systems on public land to be vegetated and use non-proprietary materials that can be sourced locally.
	AO2.3 Proprietary devices or products for the treatment of nutrients in stormwater runoff are: (a) not accepted on public land; and (b) only considered for use as private infrastructure <u>where:</u> i) <u>the device is approved and certified through the <i>Stormwater Quality Improvement Device Evaluation Protocol (SQIDEP)</i> of Stormwater Australia; and</u> ii) <u>used in developments for Multiple dwellings (>60 dwellings/ha), Centre activities or Industry activities; and</u> iii) <u>the site is constrained in such a way that at-source and end-of-line bioretention is not practicable based on the <i>Concept Design Guidelines for Water Sensitive Urban Design (Healthy Waterways, 2009)</i>.</u> (b) (c) for specific development types in accordance with Planning scheme policy – healthy waters.	Proprietary devices are not accepted on public land and only accepted for private development in the specific circumstances listed (and as detailed in the PSP).
PO3 Vegetated stormwater management systems to be dedicated as public assets are designed to minimise maintenance, renewal and adaption costs and the requirement for specialised equipment, material or maintenance techniques.	AO3.1 Treatment systems are designed for maintenance in accordance with the Planning scheme policy – healthy waters	New PO/AO to ensure devices are designed with ongoing maintenance in mind

Performance outcomes	Acceptable outcomes	Rationale
PO4 Vegetated stormwater management systems to be dedicated as public assets are established and maintained during the maintenance period to ensure optimal vegetated growth and that the functional elements of the system achieve the design function at the end of the maintenance period.	AO4.1 Establishment, maintenance and bonding of stormwater management systems is undertaken in accordance with the Planning scheme policy – healthy waters	New PO/AOs about ensuring the establishment and maintenance of devices provides for optimal vegetation growth and functionality. AO4.1 refers to the PSP for establishment, maintenance, bonding requirements.
	AO4.2 Construction timing is co-ordinated with civil and other landscape works to minimise risks to stormwater infrastructure and the environment	AO4.2 addresses the need to consider timing of construction to avoid excessive sedimentation and damage from building works in the area surrounding the basin
Hydrology and Waterway Stability		
PO5 Waterways, watercourses, wetlands and drainage lines ² which either pass through or are located downstream of development are protected and enhanced through the adoption of water sensitive urban design principles which achieve: a) Protection and enhancement of existing drainage and landscape features and ecologically important areas of terrestrial and aquatic habitat; b) Protection of bed and bank stability of existing unlined, non-tidal drainage lines; c) Passive recreation values and landscape amenity; and d) Adoption of natural channel design principles within new or modified drainage features. ² Including any mapped waterway or wetland in the overlay mapping, any waterway under the Fisheries Act 1994, watercourse under the Water Act 2000, or Wetland as defined in the Environmental Protection Regulation 2019 and any drainage lines not captured under the above.	AO2.2 The site SQMP: accounts for development type, construction phase, local AO5.1 (a) Existing waterways and wetlands are protected and enhanced using landscape, climatic conditions and design objectives in accordance with features, plant species and habitat types complementary to the guideline; and • is local context, and buffers are provided consistent with the Queensland Acid Sulfate Soil Technical Manual. Biodiversity Overlay Code	New PO and AOs associated with waterway stability, protecting existing waterways, wetlands drainage and landscape features. AO5.1 requires landscaping buffers to be put in place around waterways and wetlands in accordance with the biodiversity overlay code.
	AO5.2 Development classified as high risk in accordance with Table 9.4.2.3.B prevents increased channel bed and bank erosion in	Waterway stability AO – in accordance with new table 9.4.2.3.B (which reflects the risk classifications in the PSP healthy waters).

Performance outcomes	Acceptable outcomes	Rationale
	<u>unlined, non-tidal channels and waterways by incorporating stormwater management measures to mitigate discharges to achieve the waterway stability design objectives specified in Planning scheme policy – healthy waters</u>	
	AO5.3 <u>All stormwater outlets to waterways, creeks and drainage paths are aligned at a maximum of 45° to the downstream direction of flow and energy dissipation measures installed to minimise scour.</u>	Specific outcome listed to prevent scour.
	AO5.4 <u>The design and construction of new drainage channels or the rehabilitation of existing drainage lines are in accordance with the Natural Channel Design principles specified in Planning scheme policy – healthy waters, having regard to local topography, geology and geomorphology.</u>	AO encouraging natural channel design for new or existing drainage lines.
	AO5.5 <u>The design and construction of new stormwater outfalls and drainage channels must not compromise the recreation function of open space. Design is to occur in accordance with Planning scheme policy – healthy waters, with careful consideration of how stormwater outfall and drainage channels are located to integrate with and not encumber recreation areas.</u>	AO about integration of stormwater elements with recreational function of open space.
<u>Erosion and Sediment Control</u>		New section heading created for ESC.
PO3 Construction activities PO6 <u>Erosion and sediment control measures are provided for the construction phase of the development</u> avoid or <u>which</u> minimise adverse impacts on stormwater quality.	AO3 AO6.1 An erosion and sediment control plan (ESCP) is provided and demonstrates the following: (a) — consistency with <u>that the works can achieve the construction-phase stormwater management design objectives in Planning scheme policy – healthy waters; and</u>	Terminology of PO adjusted. AO6.1 simplified to refer to construction-phase stormwater management design objectives in the PSP – healthy waters.

Performance outcomes	Acceptable outcomes	Rationale
	(b) — the release of sediment laden stormwater is avoided in a DFE²; and the release of sediment laden stormwater is minimised when the DFE is exceeded by addressing design objectives³ in Planning scheme policy — healthy waters, for: (i) drainage control; and (ii) erosion control; and (iii) sediment control; and (iv) water quality outcomes. <u>(iv)</u>	
	AO3AO6.2 Either of the following is demonstrated: (a) — Erosion and sediment control practices (ESCP) including any proprietary erosion and sediment control products⁴ controls are designed, installed, constructed, operated, monitored and implemented, maintained, and any other erosion and sediment control practices are carried out and <u>adapted throughout construction and until all site surfaces have been stabilised, in accordance order to achieve compliance with local conditions and appropriate recommendations from a suitably qualified person; or</u> ESCP demonstrate how the construction-phase stormwater quality will be managed in accordance with an acceptable regional or local guideline so that target contaminants are treated to a management design objective at least equivalent to AO3.1 objectives in Planning scheme policy — healthy waters	AO6.2 simplifies wording of provision and clearly points to PSP.
<u>Development involving the discharge of waste water⁵</u>		Re-words heading for clarity. Previous heading

² — ~~“DFE” defined flood event — is the 1% AEP flood event plus climate change factor.~~

³ — ~~Addressing the design objectives may include enhancing the achievement of some objectives if achievement of other objectives is impractical.~~

⁴ — ~~Such as SQID (stormwater quality intervention device) and flocculation products.~~

⁵ The discharge of wastewater includes any activity involving the discharge of wastewater to any location other than a reticulated sewerage system. Wastewater being released to a reticulated sewerage system must be appropriately treated to meet the service provider’s requirements for the release to the

Performance outcomes	Acceptable outcomes	Rationale
		was: <i>Point source waste water management (other than contaminated stormwater and sewage).</i>
PQ4 Construction and operation activities for the development avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow. PO7 <u>Development does not discharge wastewater to receiving waters or areas external to the site unless demonstrated to be the best-practice environmental management for that site and takes into consideration:</u> (a) <u>the applicable water quality objectives for the receiving waters; and</u> (b) <u>the potential adverse impact on ecosystem health of receiving waters.</u>	AO4AO7.1 Development incorporates stormwater flow control measures to achieve at least the design objectives set out in Planning scheme policy—healthy waters. <u>Wastewater (non-sewage) generated from the development is collected and contained on-site, and is:</u> <u>a) lawfully disposed to sewer; or</u> <u>b) transferred off-site for treatment/disposal to an appropriately licenced facility; or</u> <u>c) reused on-site in a closed-cycle irrigation scheme, industrial processes, washing or cleaning or other purpose; or</u> <u>d) treated to meet the water quality objectives which correspond to the environmental values of the receiving water, prior to release.</u>	Replaces three separate POs about waste-water to cover the same aspects more simply.
	AO4AO7.2 Both the construction and operational phases for the development comply with advice and the design objectives in Planning scheme policy—healthy waters including management of frequent flows, peak flows, and construction phase hydrological impacts. <u>An onsite effluent system and disposal area is:</u> <u>a) not located on a slope greater than 1 in 10 (10%); and</u> <u>b) not located at or below the 1% annual exceedance probability (AEP flood event); and</u> <u>c) not located within a riparian buffer area mapped on a Biodiversity Overlay Map.</u>	
Point source waste water management (other than contaminated stormwater and sewage)		

sewerage system. Development involving wastewater discharge should follow the management hierarchy for surface or groundwater as outlined in the Environmental Protection (Water and Wetland Biodiversity) Policy 2019.

Performance outcomes	Acceptable outcomes	Rationale
PO5 Development does not discharge waste water to a waterway or external to the site unless demonstrated to be best practice environmental management for that site.	AO5.1 A waste water management plan (WWMP) prepared by a suitably qualified person is provided and accounts for the following: (a) — waste water type; and (b) — climatic conditions; and (c) — water quality objectives; and (d) — best practice environmental management.	Replaced by PO7/AO7
	AO5.2 The WWMP demonstrates that waste water will be managed in accordance with a waste management hierarchy that: (a) — avoids waste water discharge to waterways; or (b) — if waste water discharge to waterways cannot practicably be avoided, minimises waste water discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater.	Replaced by PO7/AO7
PO6 Any treatment and disposal of waste water to a waterway maintains the water quality of receiving waters and ecological values of the area.	AO6 The WWMP accounts for the following: (a) — the applicable water quality objectives for the receiving waters; and (b) — adverse impact on ecosystem health or receiving waters; and (c) — in waters mapped as being of high ecological value, the adverse impacts of such releases and their offset⁶.	Replaced by PO7/AO7
PO7 Waste water discharge to a waterway from nutrient hazardous areas or acid sulfate soil areas is managed in a way that maintains ecological processes, riparian vegetation, waterway integrity, and downstream ecosystem health.	AO7.1 Waste water discharge to waterways is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of coastal algal blooms.	Replaced by PO7/AO7
	AO7.2 Development in coastal catchments avoids, or minimises and appropriately manages soil	Replaced by PO7/AO7

⁶ — ~~Consistent with the principles of the Queensland Government's Environmental Offsets Policy and agency advice in Waste water discharge to aquatic environments. See section 5 of the guideline.~~

Performance outcomes	Acceptable outcomes	Rationale
	disturbance or altering natural hydrology in nutrient hazardous areas and acid sulfate soil areas by complying with the management advice in the Implementing Policies and Plans for Managing Nutrients of Concern for Coastal Algal Blooms in Queensland and associated technical guideline.	
Constructed lakes		
PO8 The constructed lake is not designed only for stormwater flow management or stormwater quality management.	AO8.1 The constructed lake is designed in accordance with Planning scheme policy—constructed lakes.	Unclear PO removed.
	AO8.2 The constructed lake has an end use purpose that is: one or a combination of the following <u>No acceptable outcome is prescribed.</u> (3): • amenity including aesthetics, landscaping, and recreation; and (i) flood management; and (ii) stormwater harvesting as part of an integrated water cycle management plan; and (iii) aquatic habitat; and (a) designed and operated in a way that protects water environmental values.	PO clearly states council's position that constructed lakes are to be avoided except where there is an overriding need in the public interest and it can add significant value and avoid adverse environmental outcomes.
PO9 The constructed lake is located in a way that is compatible with the land use constraints of the site for protecting water environmental values in existing natural waterways. <u>Constructed lakes (proposed as either public or private assets) are designed to:</u> <u>a) meet the water quality objectives and avoid or minimise impacts on</u>	AO9.1 Constructed lakes are located: (a) outside natural wetlands and any associated buffer areas; and (b) to avoid disturbing soils or sediments; and (c) — <u>The constructed lake is designed in accordance with the Planning scheme policy – constructed lakes, to avoid altering the natural hydrologic</u>	PO establishes requirements that a constructed lake must achieve in terms of water quality, maintenance and decommissioning costs, supporting landscape passive recreation and ecological values and health & safety risks and that they can't be used as stormwater quality treatment devices. AO9.1 refers to designing in accordance with the PSP – constructed lakes.

Performance outcomes	Acceptable outcomes	Rationale
<u>environmental values for Queensland waters, both within the lake and in downstream waterways in accordance with the <i>Environmental Protection (Water and Wetland Biodiversity) Policy 2019</i> and/or local classifications; and</u> <u>b) minimise maintenance and decommissioning costs and the requirement for specialised maintenance equipment and techniques; and</u> <u>c) not be used as stormwater quality treatment devices; and</u> <u>d) support landscape, passive recreation and ecological values; and</u> <u>e) not pose a health, safety or aesthetic risk.</u>	regime in acid sulfate soil and nutrient hazardous areas.	
	AO9.2 Where relevant: (a) environmental values in downstream waterways are protected; and (b) any groundwater recharge areas are not affected; and (c) the location of the constructed lake incorporates low lying areas of a catchment connected to an existing waterway; and (d) any existing areas of ponded water are included. AO9.2 <u>A detailed maintenance plan is prepared for the constructed lake which identifies how typical lake management issues will be addressed, including maintenance schedules, specifications and costs</u>	AO9.2 requires a maintenance plan to be prepared.
	AO10 Where the constructed lake is located adjacent to, or connected to, a tidal waterway by means of a weir, lock, pumping system or similar: (a) there is sufficient flushing or a tidal range of >0.3 metres; and (b) any tidal flow alteration does not adversely impact on the tidal waterway; and (c) there is no introduction of salt water into freshwater environments. AO9.3	AO9.3 requires the provision of a costing of project life and financial assurances PO10 is covered by PO8's general requirements about protecting aquatic habitats and biodiversity areas. Furthermore it was considered that by definition constructed lakes should not be directly connected to tidal waterways and therefore this provision is redundant.

Performance outcomes	Acceptable outcomes	Rationale
	<u>A detailed maintenance and decommissioning costing is prepared for the project life and financial assurances are provided by the proponent (through an established sinking fund) to provide for maintenance for the project life and, if required, decommissioning.</u>	
PO11 The construction phase for the constructed lake is compatible with protecting water environmental values in existing natural waterways.	AO11 Erosion and sediment control measures are incorporated during construction to achieve design objectives set out in Planning scheme policy — healthy waters. AO9.4 <u>Stormwater discharges achieve the stormwater quality design objectives specified in Planning Scheme Policy Healthy waters, prior to entering the constructed lake</u>	AO9.4 requires water entering the constructed lake to be pre-treated. PO11 is covered by above sections of the Healthy waters code.
PO12 Stormwater overflows from the waterway provide for the achievement of water quality objectives in existing natural waterways.	AO12 Stormwater run-off that may enter the constructed lake is pre-treated in accordance with the guideline design objectives, water quality objectives of local waterways, and any relevant local area stormwater management plan.	Covered by PO9/AO9.4
PO13 The constructed lake is designed, managed and operated by suitably qualified persons.	AO13.1 The design of a constructed lake complies with Planning scheme policy — constructed lakes.	Covered by PO9/AO9.1
	AO13.2 In order to achieve water quality objectives in and downstream of the waterway, the constructed lake is designed, constructed and managed under the responsibility of a suitably qualified Registered Professional Engineer of Queensland (RPEQ) with	Covered by PO9/AO9.1

Performance outcomes	Acceptable outcomes	Rationale
	specific experience in establishing and managing constructed lakes.	
PO14 The constructed lake is managed and operated in ways that demonstrate achievement of water quality objectives in natural waterways.	AO14.1 Monitoring and maintenance programs adaptively manage water quality in the waterway to achieve relevant water quality objectives downstream of the waterway.	Covered by PO9/AO9.2
	AO14.2 Aquatic weeds are managed in ways that achieve a low percentage of coverage of the water surface area (less than 10%). Pests and vectors (such as mosquitoes) are managed such as by avoiding stagnant water areas, providing for native fish predators, and, if necessary, other best practices for monitoring and treating pests.	Covered by PO9/AO9.2

Performance outcomes	Acceptable outcomes	Rationale
	AO14.3 The constructed lake is managed and operated by a responsible entity⁷ under agreement for the life of the lake. The responsible entity is to implement a deed of agreement for the management and operation of the waterway that: (a) identifies the waterway; and (b) states a period of responsibility for the entity for the management and operation of the waterway; and (c) states a process for any transfer of responsibility for the waterway; and (d) states required actions under the agreement for monitoring of the water quality of the waterway and receiving waters; and (e) states required actions under the agreement for maintaining the waterway to achieve the outcomes of this code and any relevant approval conditions of the development; and (f) identifies funding sources for the above including bonds, headworks charges or levies.	Covered by PO9/AO9.3

[Table 9.4.2.3.B – Healthy waters code – Development risk classification](#)

⁷ ~~Responsible entity means that there is a clear chain of management responsibility.~~

Risk classification	Criteria	Rationale
<u>High</u>	<u>Either:</u> <u>(a) a material change of use for urban purposes that involves a land area equal to or greater than 2,500m² that will result in the development of:</u> <u>(i) an impervious area greater than 25% of the net developable area; or</u> <u>(ii) 6 or more dwellings or 6 or more lots; or</u> <u>(b) reconfiguring a lot for urban purposes that involves a land area equal to or greater than 2,500m² and will result in 6 or more lots or that provides 6 or more dwellings.</u>	New table added to provide reference for amended AO1.1, AO1.2 and AO5.2.
<u>Medium</u>	<u>A material change of use for urban purposes that involves a land area between 1,000m² and 2,500m² that will result in an impervious area greater than 25% of the net developable area; involving:</u> <u>(i) a centre activity; or</u> <u>(ii) an industry activity; or</u> <u>(iii) a multiple dwelling.</u>	
<u>Low</u>	<u>Low-risk development is all development that falls below high and medium-risk development thresholds.</u>	

Schedule 1 – Definitions

Amendment number	Planning scheme part & page no.	Proposed amendment		Rationale	Type of amendment
PART 5 - TABLES OF ASSESSMENT					
Qualified State interest					
QSI3-SC1-1	SC1.2 Administrative terms	Insert new administrative definition directly below the definition for Community infrastructure for essential services.		Clarification added to definition to clearly distinguish between constructed wetlands and sediment ponds.	Qualified state interest
	Pages SC1-34	Column 1 Term	Column 2 Definition		
		<u>Constructed lake</u>	<u>Constructed lake</u> means an artificial body of permanent open water that is generally land locked without a direct connection to tidal waterways with either an edge that may be fringed with emergent macrophytes or a hard edge. While submerged macrophytes may occur throughout the water column, the dominant feature is open water. A constructed lake is one type of non-tidal artificial waterway. There are other forms of non-tidal artificial waterways that are not constructed lakes. The definition of a constructed lake specifically excludes stormwater treatment measures including constructed wetlands and sediment ponds.		
QSI3-SC1-2	SC1.2 Administrative terms Pages SC1-59	Insert new administrative definition directly below the definition for Watercourse. <u>Waterway -</u> <u>Waterway means any element of a river, creek, stream, gully or drainage channel, including the bed and banks, including:</u> a) <u>A waterway identified on the Waterways and wetlands overlay map; or</u> b) <u>A waterway as defined under the Fisheries Act 1994; or</u> c) <u>A watercourse as defined under the Water Act 2000.</u>		Definition added to clarify what is meant by waterway. Further amendment made to ensure consistency with Waterway definition in PSP – Constructed lakes v1.1.	Qualified state interest

QSI3-SC1-3	SC1.2 Administrative terms Pages SC1-59	<i>Insert new administrative definition directly below the definition for Water quality objectives (WQOs).</i> Wetland - Wetland means: a) A wetland identified on the Waterways and wetlands overlay map; or A wetland as defined in the Environmental Protection Regulation 2019.	Definition added to clarify what is meant by wetland.	Qualified state interest
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Proposed changes to Planning scheme policy – Constructed lakes v1.1

The schedule of amendments only documents parts of the Planning scheme policy being amended in response to state feedback.

Section 1.6 - Terminology

Amendment number	Planning scheme policy section & page no.	Proposed amendment		Rationale	Type of amendment
PSP amendment 6					
PSP1	Section 1.6 Table 1.6	<i>Insert amended definition directly above the definition for Constructed wetland.</i>		Second paragraph added to definition to be consistent with MRPS – Schedule 1.	Planning scheme policy
	Page 5	Term	Definition		
		Constructed lake	Constructed lake means an artificial body of permanent open water that is generally land locked without a direct connection to tidal waterways with either an edge that may be fringed with emergent macrophytes or a hard edge. While submerged macrophytes may occur throughout the water column, the dominant feature is open water. A constructed lake is one type of non-tidal artificial waterway. There are other forms of non-tidal artificial waterways that are not constructed lakes. The definition of a constructed lake specifically excludes stormwater treatment measures including constructed wetlands and sediment ponds.		