



MACKAY WATERFRONT

PRIORITY DEVELOPMENT AREA
DEVELOPMENT SCHEME

MAY 2019



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Mackay Regional Council

Phone: 1300 MACKAY (1300 622 529)

Email: strategic.planning@mackay.qld.gov.au

Web: www.mackay.qld.gov.au

CONTENTS

1. Introduction	4		
1.1 Economic Development Act 2012	4		
1.2 Priority Development Area description	4		
1.3 Application of the development scheme	4		
1.4 Contents of the development scheme	4		
1.5 Acknowledgements	4		
2. Land use plan	6		
2.1 Components of the land use plan – hierarchy of provisions	6		
2.1.1 Strategic framework	6		
2.1.2 PDA development requirements	6		
2.1.3 Schedules	6		
2.1.4 Guidance material	6		
2.2 Development assessment	6		
2.2.1 Interpretation	6		
2.2.2 Priority Development Area development applications	7		
2.2.3 Categories of development	7		
2.2.4 Development consistent with the land use plan	7		
2.2.5 Development inconsistent with the land use plan	8		
2.2.6 Plans of development	8		
2.2.7 Notice of applications	8		
2.2.8 State interests	8		
2.2.9 Relationship with other legislation	9		
2.2.10 Relationship with the local government planning scheme	9		
2.2.11 Interim uses	10		
2.3 Strategic framework	12		
2.3.1 Strategic intent	12		
2.3.2 Strategic outcomes	12		
2.4 Structural elements	14		
2.5 PDA-wide criteria	16		
2.5.1 Built form and urban design	16		
2.5.2 Diverse urban environment	18		
2.5.3 Movement, access and transport network	18		
2.5.4 Public realm	19		
2.5.5 Community safety and development constraints	20		
2.5.6 Infrastructure	22		
2.5.7 Heritage	22		
2.6 Precinct provisions	26		
2.6.1 Precinct 1 – Mackay city centre	28		
2.6.2 Precinct 2 – Riverside	34		
2.6.3 Precinct 3 – Enterprise	40		
2.6.4 Precinct 4 – Queens Park	46		
2.6.5 Precinct 5 – Beachside	52		
3. Infrastructure plan	60		
3.1 Purpose	60		
3.2 Infrastructure networks	60		
3.3 Infrastructure categories	60		
3.3.1 Trunk infrastructure	60		
3.3.2 Non-trunk infrastructure	61		
3.3.3 Other infrastructure	61		
3.4 Infrastructure charges, funding and conditions	61		
3.5 Infrastructure agreements	61		
3.6 Infrastructure standards	61		
4. Implementation strategy	64		
4.1 Delivering a vibrant, engaging, innovative and diverse public realm	64		
4.2 Positioning the Mackay city centre	66		
4.3 Supporting the regional economy and private sector investment	67		
4.4 Increasing pedestrian and cyclist amenity, movement and experience	69		
4.5 Delivering exemplar design and innovation	70		
4.6 Planning for a safe, accessible, resilient and sustainable urban environment	72		
4.7 Additional strategies, investigations and works	73		
5. Schedules	74		
Schedule 1: PDA exempt development	74		
Schedule 2: PDA prohibited development	75		
Schedule 3: Definitions	76		
Schedule 4: Heritage places	79		
Schedule 5: Self-assessable provisions	82		

1. INTRODUCTION

1.1 ECONOMIC DEVELOPMENT ACT 2012

The *Economic Development Act 2012* (the ED Act)¹ establishes the Minister for Economic Development Queensland (MEDQ) as a corporation sole to exercise the functions and powers of the ED Act.

The main purpose of the ED Act² is to facilitate economic development and development for community purposes, in the state. The ED Act³ seeks to achieve this by establishing the MEDQ and providing for a streamlined planning and development framework for particular parts of the State declared as priority development areas (PDAs).

1.2 PRIORITY DEVELOPMENT AREA DESCRIPTION

The Mackay Waterfront (refer Map 1) was declared a Priority Development Area (PDA) by regulation⁴ on 25 May 2018. The Mackay Waterfront PDA (the PDA) is approximately 172 hectares in size and is located in the Mackay Regional Council local government area.

The PDA includes land and water located on the southern side of the Pioneer River, including the city centre core, and extends east to the adjacent coastal waters along Binnington Esplanade (Town Beach).

The PDA is in close proximity to the Mackay Airport, major road infrastructure (Bruce Highway and Peak Downs Highway), Port of Mackay, and the diverse range of cultural and recreational facilities in the Mackay city centre. The boundaries of the PDA are shown on Map 1.

1.3 APPLICATION OF THE DEVELOPMENT SCHEME

The Mackay Waterfront PDA Development Scheme (the development scheme) is applicable to all development on land and water⁵ within the boundaries of the Mackay Waterfront PDA (refer Map 1).

From the date of approval under a regulation, the development scheme replaces the Mackay Waterfront PDA interim land use plan which commenced upon declaration.

1.4 CONTENTS OF THE DEVELOPMENT SCHEME

The development scheme consists of:

1. a land use plan that regulates development in the PDA (section 2)
2. an infrastructure plan that describes infrastructure required to support achievement of the land use plan and states applicable infrastructure charges (section 3)
3. an implementation strategy that describes objectives and actions that complement the land use plan and infrastructure plan to achieve the main purpose of the ED Act (section 4).

1.5 ACKNOWLEDGEMENTS

The development scheme was prepared under delegation by Mackay Regional Council in collaboration with the Department of State Development, Manufacturing, Infrastructure and Planning and state agencies.

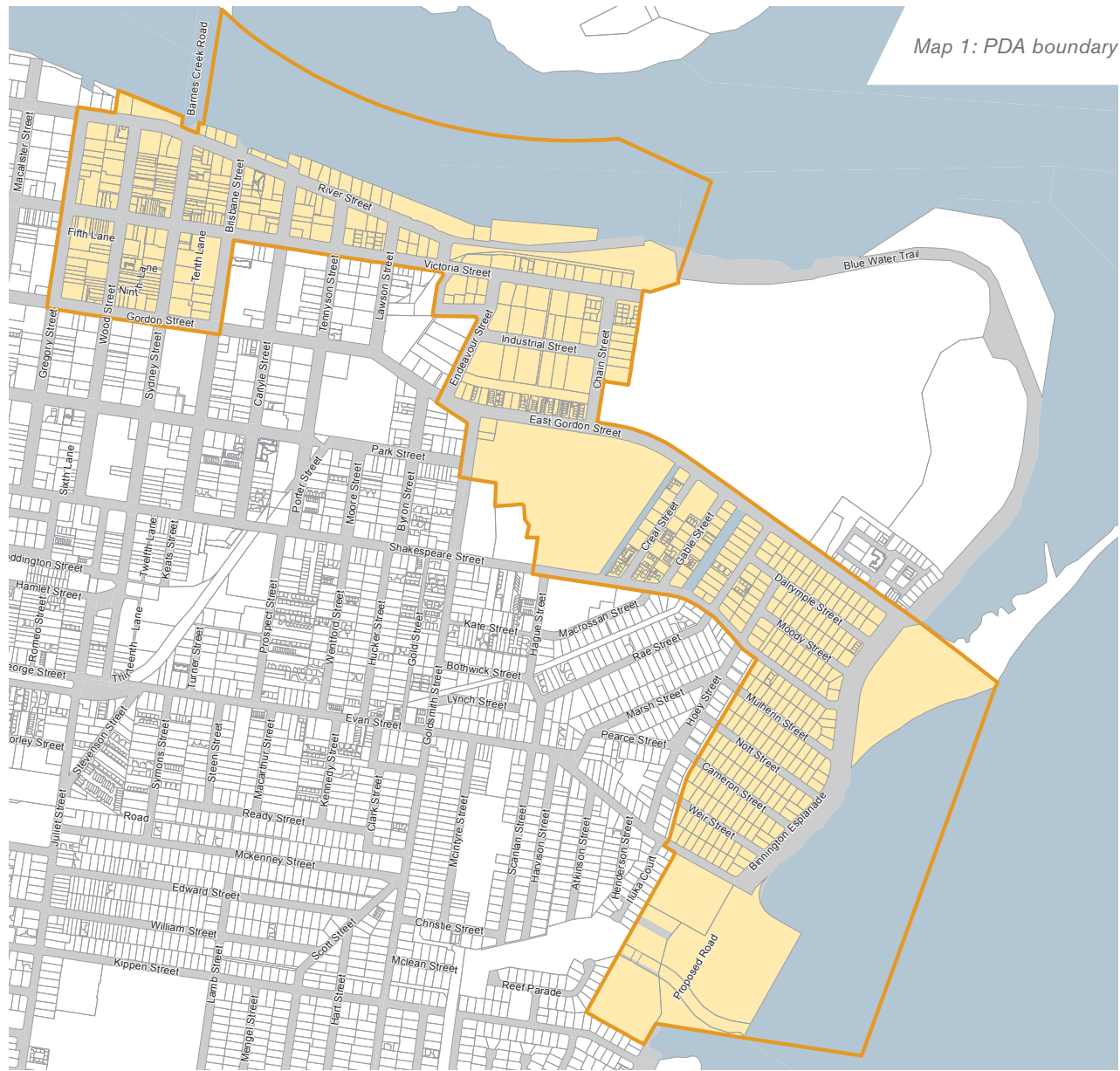
¹ See section 8 of the ED Act.

² See section 3 of the ED Act.

³ See section 4 of the ED Act.

⁴ See section 37 of the ED Act.

⁵ See section 47A of the *Acts Interpretation Act 1954*.



Key

- Mackay Waterfront PDA
- Parcel boundaries (May 2018)
- Road casement

2. LAND USE PLAN

2.1 COMPONENTS OF THE LAND USE PLAN – HIERARCHY OF PROVISIONS

The land use plan establishes the strategic intent for the PDA and the PDA development requirements for achieving the strategic intent (refer to Figure 1). The strategic intent and PDA development requirements are organised in a hierarchy with the structural elements and PDA-wide criteria stating outcomes to achieve the strategic intent and the precinct provisions stating outcomes and quantitative measures, to achieve the structural elements and PDA-wide criteria.

2.1.1 STRATEGIC FRAMEWORK

The strategic framework establishes the overall outcomes to be achieved in the PDA, that:

- seek to achieve the purpose of the ED Act for the PDA; and
- provide the basis for the PDA development requirements.

2.1.2 PDA DEVELOPMENT REQUIREMENTS

The PDA development requirements apply to all PDA assessable development and incorporate:

1. structural elements (section 2.4);
2. PDA-wide criteria (section 2.5); and
3. precinct provisions (section 2.6).

2.1.3 SCHEDULES

Schedule 1 identifies PDA accepted development. Schedule 2 identifies PDA prohibited development. Schedule 3 defines terms used in the development scheme.

Schedule 4 identifies the local and state heritage places in the PDA as identified in the Queensland Heritage Register and within the Mackay Region Planning Scheme 2017.

Schedule 5 identifies requirements for accepted development.

2.1.4 GUIDANCE MATERIAL

Guidance material includes EDQ guidelines and any other document or guideline that is either referenced in the development scheme or as developed through the implementation strategy.

Refer to Figure 1.

2.2 DEVELOPMENT ASSESSMENT

2.2.1 INTERPRETATION

The interpretation of terms and definitions will rely on:

- Section 33 of the ED Act which defines development; and
- Schedule 3 of this development scheme which provides the definitions required to interpret and apply the development scheme with reference to the ED Act and the Mackay Region Planning Scheme 2017.

STRATEGIC FRAMEWORK

- > STRATEGIC INTENT
- > STRATEGIC OBJECTIVES

STRUCTURAL ELEMENTS

PDA-WIDE CRITERIA

PRECINCT PROVISIONS

- > DEVELOPMENT INTENT
- > DEVELOPMENT CRITERIA
- > PRECINCT FRAMEWORK PLANS
- > CATEGORIES OF DEVELOPMENT

SCHEDULES

- > PDA ACCEPTED DEVELOPMENT
- > PDA PROHIBITED DEVELOPMENT
- > DEFINITIONS
- > HERITAGE PLACES
- > REQUIREMENTS FOR ACCEPTED DEVELOPMENT

GUIDANCE MATERIAL

Figure 1: Components of the land use plan

Image 1: Pioneer promenade



2.2.2 PDA DEVELOPMENT APPLICATIONS

To the extent the land use plan (section 2), infrastructure plan (section 3), implementation strategy (section 4) and the guidance material are relevant, they are to be taken into account in the preparation of a PDA development application and the assessment of the application by the MEDQ⁶.

Development proponents are encouraged to hold pre-application discussions with the MEDQ⁶ to obtain feedback and advice on compliance with the development scheme to expedite the development application assessment process and timeframes.

2.2.3 CATEGORIES OF DEVELOPMENT

PDA accepted development

Column 1 in Tables 4, 7, 10, 13, 14, 15, 18, 19 and 20 identify PDA accepted development, and includes Schedule 1 and Schedule 5.

PDA assessable development⁷

Column 2A in Tables 4, 7, 10, 13, 14, 15, 18, 19 and 20 identifies PDA assessable development that is permissible development.

Column 2B in Tables 4, 7, 10, 13, 14, 15, 18, 19 and 20 identifies PDA assessable development that is prohibited development under the development scheme.

2.2.4 DEVELOPMENT CONSISTENT WITH THE LAND USE PLAN

PDA assessable development is consistent with the land use plan if it is consistent with all outcomes of the relevant PDA development requirements, including the relevant outcomes for any quantitative measures.

However, development that is inconsistent with any of the outcomes of the relevant PDA development requirements may still be consistent with the land use plan if:

1. the development is an interim use⁸ that due to its nature, scale, form or intensity does not conflict with the strategic framework (section 2.3); or

⁶ MEDQ may delegate certain functions and powers under s.169 of the *ED Act* to a local government. Development assessment powers have been delegated by the MEDQ to Mackay Regional Council.

⁷ Under section 73 of the *ED Act*, PDA assessable development cannot be carried out without a PDA development permit.

⁸ Refer to section 2.2.11.

2. both of the following apply:

- a. the development does not conflict with the strategic framework for the PDA (section 2.3); and
- b. there are sufficient grounds to justify approval of the development despite the noncompliance with the relevant provisions of the PDA development requirements.

In this section 'grounds' means matters of public interest which include the matters specified as the main purposes of the ED Act, as well as:

- i. superior design outcomes⁹; and
- ii. overwhelming community need.

'Grounds' does not include the personal circumstances of an applicant, owner or interested third party.

2.2.5 DEVELOPMENT INCONSISTENT WITH THE LAND USE PLAN

PDA assessable development identified in Tables 4, 7, 10, 13, 14, 15, 18, 19 and 20 as prohibited development is inconsistent with the development scheme¹⁰.

Development that is inconsistent with the land use plan cannot be granted a PDA development approval¹¹.

2.2.6 PLANS OF DEVELOPMENT

A plan of development (PoD)¹² may:

- accompany a PDA development application for a material change of use or reconfiguring a lot
- consider any proposed use, and any associated building work or operational work¹³
- form part of a PDA development approval.

Schedule 1 identifies development consistent with an approved PoD as PDA accepted development.

2.2.7 NOTICE OF APPLICATIONS

A PDA development application will require public notification if the application is for a material change of use that is not a preferred land use for each precinct identified in:

- a. Table 2: Precinct 1 preferred land uses
- b. Table 5: Precinct 2 preferred land uses
- c. Table 8: Precinct 3 preferred land uses
- d. Table 11: Precinct 4 preferred land uses
- e. Table 16: Precinct 5 preferred land uses.

The MEDQ may require public notification in other circumstances if the development application is for a use or of a size or nature which, in the opinion of the MEDQ, warrants public notification.

2.2.8 STATE INTERESTS

Relevant matters of state interest¹⁴ have been considered in the preparation of this development scheme and will be considered further as part of the assessment of a PDA development application¹⁵.



Image 2: Street festivals in Wood Street



2.2.9 RELATIONSHIP WITH OTHER LEGISLATION

In addition to assessment against the development scheme, development may require assessment against other legislation including, but not limited to, the *Nature Conservation Act 1992*, *Environmental Protection Act 1994*, *Plumbing and Drainage Act 2002*, *Building Act 1975*, *Land Act 1994*¹⁶, *Queensland Heritage Act 1992*, and the *Planning Act 2016* including subordinate legislation.

2.2.10 RELATIONSHIP WITH THE LOCAL GOVERNMENT PLANNING SCHEME

Schedule 6 of the *Planning Regulation 2017* (Planning Regulation) prohibits the Mackay Region

Planning Scheme 2017 from making PDA-related development assessable under the Planning Act. However, Schedule 3 adopts definitions from Mackay Region Planning Scheme 2017 and the development scheme calls up various other parts of the Mackay Region Planning Scheme 2017 as guidance.

Under section 71 of the ED Act, if there is a conflict between the development scheme and a planning instrument, or assessment benchmarks prescribed by regulation under the Planning Act or another Act for the Planning Act, the development scheme prevails to the extent of any inconsistency.

⁹ An Urban design review panel, see Implementation Strategy section 4.5, will provide guidance on the assessment and acceptance of superior design outcomes.

¹⁰ Section 86 of the *ED Act*.

¹¹ Section 86 of the *ED Act*.

¹² For further advice of preparing a PoD refer to the applicable EDQ practice note available at <http://www.statedevelopment.qld.gov.au/resources/guideline/pda/practice-note-10-plans-of-development.pdf>

¹³ For guidance on the requirements for the assessment of operational works, refer to the *General development requirements code*, *Healthy waters code* and relevant *Planning Scheme Policies* in the Mackay Region Planning Scheme 2017.

¹⁴ Relevant matters of state interest include coastal environment; cultural heritage; natural hazards, risk and resilience; transport infrastructure; and strategic airports and aviation facilities.

¹⁵ Section 87 of the *ED Act* states that any relevant state interest must be considered and decided in a PDA development application. For the purposes of addressing State interests in development assessment, the *State Planning Policy (SPP)* and *State Development Assessment Provisions (SDAP)*, provide guidance in identifying if a state interest is relevant to the assessment of a PDA development application. For further advice on the consideration of state interests refer to the *EDQ Practice Note 14: State interests in development assessment in priority development areas*, available at <http://www.statedevelopment.qld.gov.au/edq/pdas-guidelines-and-practice-notes.html>

¹⁶ Proposed development on State land will require consideration under the *Land Act 1994*.

2.2.11 INTERIM USES

An interim use is a land use that, because of its nature, scale, form or intensity, is not an appropriate long-term use of the land, but may be appropriate or a short or medium-term period as the PDA develops.

A PDA development application for an interim use must demonstrate that the use will not prejudice or delay:

- an appropriate long-term use(s)
- an appropriate intensity of development, or
- infrastructure delivery envisaged by the vision for the PDA.

Relevant PDA development requirements also apply to PDA assessable development that is an interim use.

The MEDQ¹⁷ may impose conditions of approval related to the interim use including, for example, limiting the duration of an interim use.

Information to support a PDA development application for an interim use may include:

1. a suitability assessment; and
2. plans showing how the development could transition from the proposed interim use to an appropriate longer-term use.

Image 3: Riverside dining at the Bluewater Quay



¹⁷ MEDQ may delegate certain functions and powers under s.169 of the *ED Act* to a local government. Development assessment powers have been delegated by the MEDQ to Mackay Regional Council.



Image 4: Public art

2.3 STRATEGIC FRAMEWORK

2.3.1 STRATEGIC INTENT

Development in the Mackay Waterfront PDA will revitalise land and infrastructure within the Mackay city centre, along the Pioneer River waterfront, through Queens Park and along the Binnington Esplanade waterfront, creating social, liveability and economic benefits for the whole community.

New development and infrastructure delivers a diverse mix of activities and attractions, which builds on Mackay's exceptional natural, cultural and heritage assets; increases the appeal of inner city living; diversifies the economy and boosts investment confidence; positively contributes to Mackay's identity and community connections; and provides new attractive recreational spaces for the community.

Development will utilise the opportunities provided by the:

- redevelopment of the Pioneer River and Binnington Esplanade waterfronts to deliver vibrant, active and engaging river and ocean waterfront destinations for Mackay and its visitors to visually and physically connect people and places with the water
- growth and advancement of the Mackay city centre as the primary business and innovation centre servicing ongoing population and economic development of Mackay and the Greater Whitsunday

Region, which can accommodate new business investment opportunities

- establishment of an innovation and knowledge hub within the Enterprise precinct, which can accommodate new business investment and create employment opportunities that diversify Mackay's economic profile
- rejuvenation of Queens Park as a high amenity lifestyle and leisure destination.

2.3.2 STRATEGIC OUTCOMES

Land uses, place design and development

The PDA provides for a range of development and investment opportunities for high density uses such as residential, accommodation, commercial and tourism activities, supported by quality recreation and community activities.

Development in the PDA will:

- promote high-quality built form, landscape, urban design and climate-responsive outcomes, respectful of the site's location and environmental characteristics
- enhance the unique Mackay character, landscape and identity qualities of streetscapes and places
- support and positively contribute to inviting, accessible and engaging streets, places and attractions that improves the city's liveability, walkability, tourism appeal and investment attraction.



Image 5: Bluewater Trail



Public realm area

Queens Park, Iluka Park, Cod Hole open space, and the public realm areas along the Pioneer River and Binnington Esplanade are the most significant recreational and amenity spaces in the PDA. Their active and passive recreation functions are enhanced with high quality facilities and landscape features as well as development of complementary uses and activities supporting the community's leisure and lifestyle.

Development in the PDA will support and utilise opportunities provided by the:

- attractive, high quality, accessible, well-connected and multi-functional public realm, which creates a strong sense of place, character, identity and amenity
- generous multi-functional public waterfront promenades; plazas and activity nodes; event spaces; placemaking opportunities; cultural, recreation and tourist facilities and attractions; and large open recreational areas at the water's edge and across the urban environment
- Bluewater Trail and Cross City Link, which are the primary walking and cycling routes traversing the PDA and providing connectivity between precincts, places, destinations, attractions and facilities.

Movement and connectivity

Development in the PDA will:

- support connectivity between precincts, activity nodes, public realm areas, employment areas, destinations, facilities and attractions through a high quality street and movement network that prioritises the safe and convenient movement of passenger transport, pedestrians and cyclists, and promotes a healthier lifestyle through active modes of transport
- promote and encourage convenient and safe active travel via the street and pedestrian/cycle movement network.

2.4 STRUCTURAL ELEMENTS

The structural elements as identified in Map 2 – PDA Structural elements plan apply to all PDA assessable (permissible) development in the PDA.

To the extent that the structural elements are relevant, they are to be taken into account in the preparation and assessment of PDA assessable development applications.

The structural elements support the delivery of the strategic framework (section 2.3), the PDA-wide criteria (section 2.5), and precinct provisions (section 2.6) and should be read in conjunction with these sections.

The structural elements plan establishes and illustrates the following four overarching categories:

- development areas, where the majority of development within the PDA may occur,
- investigation areas, which require further investigation and consideration prior to realising opportunities at these locations,
- public realm areas, where park, recreation, tourism and small-scale complementary commercial development will occur, and
- movement and connectivity network.

The plan also identifies key connectivity and movement infrastructure referred to in the infrastructure plan (section 3) and their preferred or indicative locations.

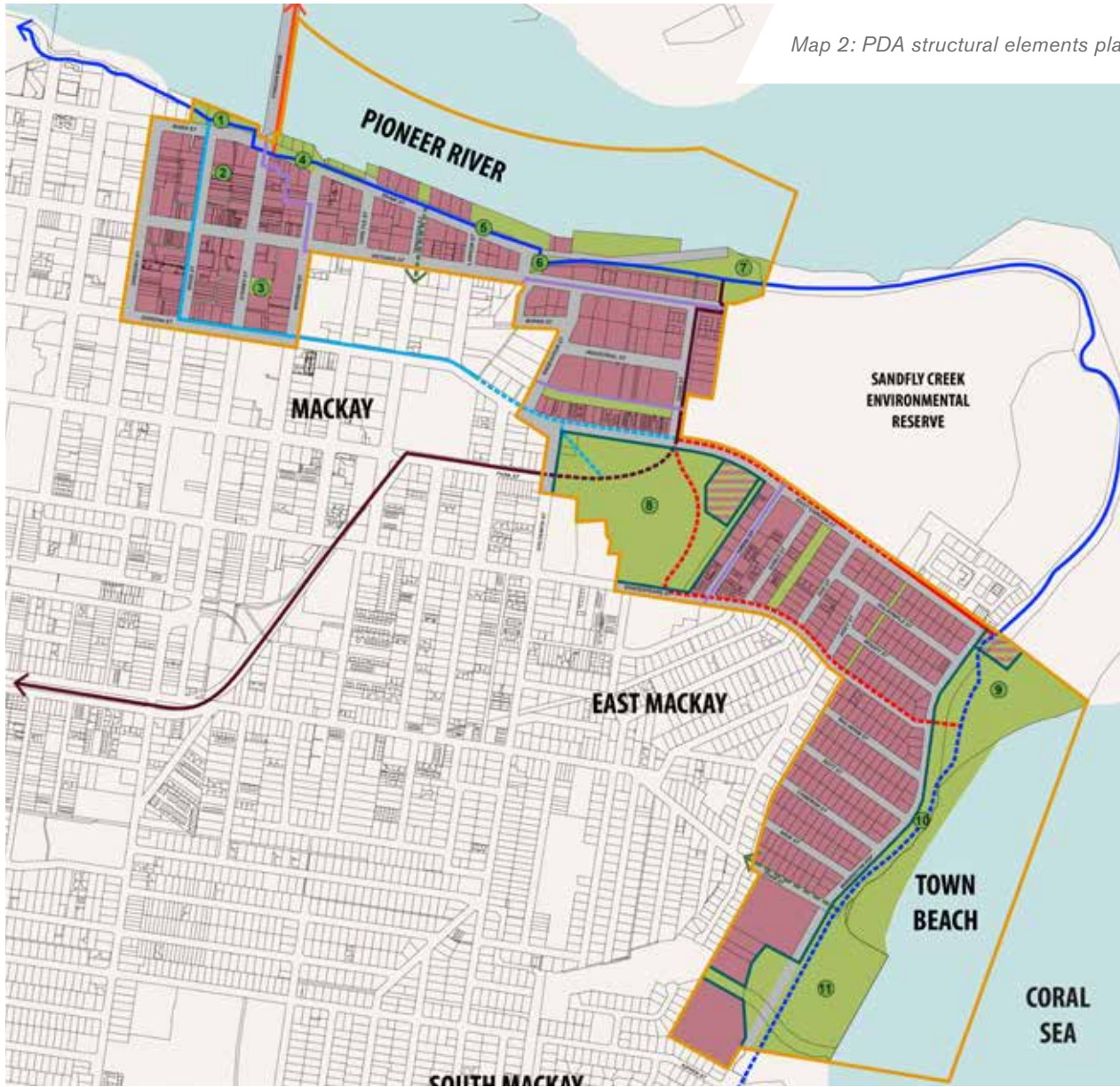
The key structural components of the PDA Structural elements plan include roads, Bluewater Trail and Cross City Link, and parks (local and regional).

These structural components are shown in the context of the entire PDA demonstrating how each component will relate and connect to existing infrastructure in the area.

Image 6: Iluka Park at Town Beach



Map 2: PDA structural elements plan



Mackay Waterfront PDA structural elements

- Public realm area
 - Development area
 - Road
 - PDA boundary
 - Precinct boundary
 - Sub-precinct boundary
 - 1 Post Office Park (local)
 - 2 Wood Street Park (local)
 - 3 Town Hall Park (local)
 - 4 Bluewater Quay (local)
 - 5 Pioneer River public realm area
 - 6 Burns Street Park (local)
 - 7 Sandfly Creek Park (local)
 - 8 Queens Park (regional)
 - 9 Iluka Park (district)
 - 10 Binnington Esplanade public realm area
 - 11 Cod Hole open space
 - Bluewater Trail
 - Cross City Link
 - Link to Goosepond Trail
 - City to Queens Park link
 - Pedestrian / cycle link
- Indicative elements**
- Investigation area
 - Potential Bluewater Trail
 - Potential Cross City Link
 - Potential City to Queens Park link
 - Potential Beachside link
 - Potential pedestrian / cycle link

2.5 PDA-WIDE CRITERIA

2.5.1 BUILT FORM AND URBAN DESIGN

Development delivers high quality built form and urban design outcomes¹⁸ by:

1. positively contributing to and reinforcing the human scale, vibrancy, accessibility, and pedestrian amenity of the public realm by:
 - a. providing articulated and engaging buildings, which are high quality, well designed, and provide visual interest through tropical design and a range of climatically responsive and durable design features and articulation measures;
 - b. including pedestrian-friendly features, such as articulated entrances and windows / glazing, shade and shelter, and landscaping along the street frontage;
 - c. ensuring ground floor tenancy frontages are at a human scale, with large single occupant tenancies and car parking for the development sleeved with smaller tenancies on primary frontages or articulation / activation measures on non-primary frontages;
 - d. providing adequate access to winter sunlight in the public realm; and
 - e. orientating buildings toward street frontages to have a physical presence on the street.
2. promoting diversity of built form and contributing to achieving a cohesive cityscape and streetscape rhythm.
3. promoting high-quality building, landscape and urban design outcomes that are respectful of the site's location, character and history.
4. creating usable communal and private open spaces¹⁹ within residential and accommodation developments that allow for equitable access, and are safe, adaptable and functional to meet the requirements of occupants / users.
5. promoting pedestrian activity at street level by locating publicly accessible uses (indoor and outdoor) on primary frontages, along waterfront edges, and where adjacent to public spaces.
6. providing building height²⁰ (including podium height), scale, mass, and length that:
 - a. is compatible with the development intent of the precinct and building height identified in Map 3 – PDA building heights plan; and
 - b. makes efficient use of land, ensures building form is varied and delivers appropriate massing forms.
7. providing a transition in height and intensity to adjoining lower density development outside of the PDA in East Mackay and South Mackay, including appropriate building setback, bulk and massing to minimise the impacts on residential amenity.
8. providing appropriate building separation from property boundaries and adjoining buildings that:
 - a. allows light penetration, air circulation and access to breezes;
 - b. minimises overshadowing, overlooking and maintains a high level of amenity and privacy for building occupants and adjoining residential uses; and
 - c. accommodates landscaping and recreation areas on the site.
9. ensuring sensitive land uses are orientated, designed and constructed to reduce exposure to amenity impacts²¹ generated from:
 - a. vehicular traffic on streets and service / refuse collection vehicles;
 - b. commercial, tourism and recreational activities; and festival, entertainment, and community events located at ground level, on streets, and/or in public spaces; and
 - c. designated transport noise corridors²² by providing acoustic amelioration measures in accordance with the relevant building standards to achieve recommended sound levels for building interiors²³.
10. minimising the impacts of reflective glass or surfaces that cause nuisance, discomfort or hazard to the public realm and adjoining properties.
11. ensuring rooftops allow for unique opportunities such as recreation experiences / facilities such as open space, gardens and vegetation; and where appropriate, publicly accessible uses such as bar, food and drink outlet, and / or observation facilities.

Image 7: Aerial photo of River Street and the Pioneer River



12. concealing onsite vehicular parking and service bays by locating these elements beneath, behind, or within a building.
13. orientating buildings to take advantage of views, vistas and outlooks to natural features such as the Pioneer River, coastline and offshore islands; open spaces, such as Queens Park and the Sandfly Creek environmental area; and heritage places.
14. applying best practice sustainable²⁴ and climatically responsive tropical design including appropriate solar orientation, shading and shelter,
15. providing and facilitating innovative design, smart city elements / initiatives, and technology driven improvements throughout the built form, public realm and infrastructure.
16. ensuring lot design, size and dimensions are suited for the intended use of the site having regard to the ability to accommodate buildings, structures, access, parking, on-site services and open space.

¹⁸ For guidance on how to achieve the built form outcomes, refer to the Development intensity and built form parameters table for each precinct in section 2.6.

¹⁹ For guidance on communal and private open spaces, refer to the Mackay Region Planning Scheme 2017 *Multiple dwelling activities code* for residential developments and *Short-term accommodation code* for accommodation developments.

²⁰ In areas affected by flooding, building height above ground level is the building height identified in Map 3 – PDA building heights plan plus the highest of either the defined flood event (DFE) or defined stormtide event (DSTE) relevant to the subject site.

²¹ For guidance, refer to the Mackay Region Planning Scheme 2017 *General development requirements code*.

²² Refer to the Mackay Region Planning Scheme 2017 *Transport Noise Corridor overlay map*.

²³ Development conforms with the requirements, standards and guidance identified in the SPP, as well as the Transport and Main Roads Traffic Noise Management: Code of Practice with respect to external road traffic noise levels, and the Queensland Development Code, Mandatory Part 4.4 'Buildings in a Transport Noise Corridors', each as amended or replaced from time to time.

²⁴ For guidance, refer to the QDC.

2.5.2 DIVERSE URBAN ENVIRONMENT

Development will deliver diverse and mixed-use neighbourhoods within the PDA that:

1. provide for a diverse range and mix of housing options and types with a mix of densities, designs and levels of affordability that caters for different forms of households and life-cycle changes.
2. provide for a diverse range and mix of commercial tenancy options, types and sizes that:
 - a. considers the adaptable building design of commercial tenancy spaces to allow interchangeable uses and formal / informal shared working spaces that promotes tenancy flexibility and diversity; and
 - b. promotes the longevity and mixed-use nature of buildings and maximises high value and publicly accessible spaces in lower levels.

2.5.3 MOVEMENT, ACCESS AND TRANSPORT NETWORK

Development supports the high-quality street and movement network by:

1. providing onsite vehicle and bicycle parking that meets the functional requirements of development in accordance with Table 1: Car and bicycle parking rates.

2. encouraging the use of active and public transport to reduce the need for car-based travel and demand for public parking in the PDA.

3. providing safe, easily accessible and clearly defined end-of-trip facilities for pedestrians and cyclists that promotes active transport²⁵.

4. ensuring the location and design of vehicular access, parking, manoeuvring areas, refuse collection, and service vehicle access:

- a. is safe, legible, logical and located as far as practical from intersections;
- b. minimises fragmentation and the safe movement of pedestrian pathways and road traffic;
- c. caters for vehicles accessing the development, and allows for safe onsite vehicle queuing, parking and manoeuvring;
- d. co-locates servicing and parking access points to minimise impacts on the streetscape; and
- e. avoids the need for service and refuse collection vehicles to park, stop or queue on the existing public road network and internal vehicular network.

5. maintaining the function, navigability and efficiency of the established road hierarchy²⁶.

6. establishing a permeable, highly connected and legible urban environment that supports the creation of open spaces and cross block links.

Image 8: Bicycles in Wood Street



Table 1: Car and bicycle parking rates

Car parking rates	For residential activities	<ul style="list-style-type: none"> ▪ 1 space per unit containing up to 2 bedrooms; or ▪ 1.5 spaces per unit containing 3 or more bedrooms
	For: <ul style="list-style-type: none"> ▪ commercial activities ▪ community activities ▪ industrial activities 	1 space per 50m ² of gross floor area
	For accommodation activities	Where located in Precincts 1 and 2: <ul style="list-style-type: none"> ▪ room only unit – 0.5 spaces per unit; or ▪ serviced apartment – refer to car parking rates for residential activities
		Where located in Precincts 4 and 5: <ul style="list-style-type: none"> ▪ refer to car parking rates for residential activities
For all other uses	For guidance, refer to car parking rates contained within the General development requirements code within the Mackay Region Planning Scheme 2017.	
Bicycle parking rates	For all uses	For guidance, refer to bicycle parking rates contained within the General development requirements code within the Mackay Region Planning Scheme 2017.

²⁵ For guidance, refer to *Queensland Development Code Mandatory Part 4.1 – Sustainable buildings 2013*

²⁶ Refer to the Mackay Region Planning Scheme 2017 *Road hierarchy overlay map*.

²⁷ For guidance, refer to Mackay Regional Council's Public Art Strategy.

2.5.4 PUBLIC REALM

Development supports and enhances an attractive, high quality, accessible, well-connected, multi-functional public realm with a strong sense of place, character, identity and amenity by:

1. creating a high level of amenity and identity by providing landscaping, street furniture and footpath treatments to the public realm where adjoining a site frontage.
2. appropriately integrating public art that is suitable for the origins, history and character of Mackay²⁷.
3. having regard to the relationship and interface with the adjoining public realm.
4. having regard to the relationship between, and safety of pedestrians, cyclists and vehicles to minimise conflicts to, from and within the site.
5. reflecting and reinforcing the tropical image and coastal character of Mackay by extending the character and amenity of the adjoining public realm from the street into the building foyers, onto podiums, balconies or external walls, communal spaces surrounding buildings, and including elements such as arbours and green walls.
6. accommodating opportunities for temporary placemaking activities within streets, laneways, parks, and other public spaces.

2.5.5 COMMUNITY SAFETY AND DEVELOPMENT CONSTRAINTS

The siting, design, construction and operation of development supports community safety and minimises adverse impacts on people, property and the environment from development constraints by:

Community safety and wellbeing

1. incorporating Crime Prevention through Environmental Design (CPTED) principles²⁸ in the design of all development and public realm spaces within the PDA to create safe, secure and inviting buildings, places and spaces for people both day and night.
2. incorporating appropriate safety features in line with current standards, best practice guidance, including fire safety, emergency vehicle access and flood immunity.
3. promoting community health and well-being through a design that supports a healthy and active lifestyle.
4. ensuring all buildings, as well as private spaces, publicly accessible areas and pedestrian entrances, are designed to be inclusive, accessible and welcoming for all users, including people with disabilities.
5. minimising adverse impacts on people, property and the environment from contaminated land.

Acid sulfate soils

6. avoiding the disturbance of acid sulfate soils to the greatest extent practical, then managing impacts to reduce risks posed to the natural and built environments from the release of acid and metal contaminants²⁹.
7. ensuring acid sulfate soils are treated in accordance with current best practice in Queensland³⁰.

Airport environs

8. maintaining the safety and efficiency of the operational airspace for the Mackay Airport including the obstacle limitation surface, lighting restriction zones and wildlife hazard buffers³¹.

Environment

9. protecting the environmental values and ecological functions and connections of the Pioneer River and Sandfly Creek by:
 - a. ensuring development avoids, minimises or manages adverse impacts on fisheries resources including fish habitats, marine plants³² and fish passage to ensure long-term fisheries productivity and accessibility in accordance with the Queensland Environmental Offsets Policy³³;
 - b. maintaining and enhancing water quality through the use of best practice total water cycle management and water sensitive urban design principles; and

- c. meeting water quality objectives³⁴ for receiving waters and wetlands, including groundwater, at all times.

10. avoiding, minimising or managing impacts on water and ecological processes and connections that support and interact with the Great Barrier Reef, including estuarine and coastal habitats and landforms.
11. not interfering with either coastal processes or enables these processes to continue as closely as possible to their natural way³⁵.
12. avoiding, minimising and managing adverse impacts on the adjoining Sandfly Creek environmental area³⁶ and other areas of environmental value that may be present in, or adjacent to, the PDA.

Natural hazards

13. either appropriately designing, locating and constructing development to avoid or minimise susceptibility to and impact of flood and coastal hazards³⁷ including the potential impacts of climate change, or mitigating the risks to people and property to an acceptable or tolerable level.
14. ensuring development is designed and located to be compatible with the nature of the flood or storm tide hazard by providing a floor level³⁸ for all habitable rooms that is:

Image 9: Public use of roofspace
(Riviera apartments)



- a. 300mm above the defined flood event (DFE) or defined storm tide event (DSTE); or
 - b. 600mm above the DSTE if located 100 metres of the foreshore area³⁹.
15. providing no worsening for surrounding sites upstream, downstream or in the general vicinity of the development site, and maintaining overland flowpaths.
 16. ensuring underground car parks are designed to prevent the intrusion of flood or storm tide waters by the incorporation of a bund or similar barrier with a minimum height of 300mm above the DFE or 600mm above DSTE, whichever is higher.
 17. ensuring utilities associated with a development, including substation equipment and switchboards, are located above the DFE or DSTE.

²⁸ For guidance, refer to the *Queensland Police Service Crime Prevention Through Environmental Design: Guidelines for Queensland 2007*.

²⁹ For guidance, refer to the Mackay Region Planning Scheme 2017 *Acid sulfate soils overlay code*.

³⁰ Refer to *Queensland Acid Sulfate Soils Technical Manual*. Note, the Interim DA for acid sulfate soils has been removed from the SPP July 2017.

³¹ For guidance, refer to the Mackay Region Planning Scheme 2017 *Airport environs overlay code*.

³² Refer to action 6 in section 4.6 of the implementation strategy.

³³ Refer to *Fisheries Guidelines* including Fisheries guidelines for fish habitat buffer zones and Queensland wetland buffer planning guideline and *State Development Assessment Provisions* for guidance on appropriate buffer widths to marine plants. The guidelines are available at www.daf.qld.gov.au.

³⁴ Refer to the SPP 2017 Appendix 2 – Stormwater management design objectives, and Mackay Region Planning Scheme 2017 *Healthy waters code* and the *Engineering design guideline – healthy waters planning scheme policy*.

³⁵ Action 4 of section 4.6 will investigate the requirements and impacts of future coastal-dependent development in relation to coastal protection works along the coast and within the Pioneer River with respect to coastal processes and resources.

³⁶ Refer to SPP mapping to identify the environmental values and constraints for the Sandfly Creek environmental area.

³⁷ For guidance, refer to the Mackay Region Planning Scheme 2017 *Flood and coastal hazards overlay code* and associated mapping.

³⁸ Visit Mackay Regional Council's website to make an enquiry to identify the DFE or DSTE level - <https://onlineservices.mackay.qld.gov.au/ePathway/ePathProd/Web/Mobility/CityWatch/index.html?Action=CREATE&Module=ECRREQT&Class=ONLINE&Type=OLQ100>.

³⁹ The foreshore area shall be taken as extending inland for a minimum of 100 metres from the higher of the toe of the frontal dune or Highest astronomical tide.

- 18. complying with the SPP provisions for erosion prone areas within a coastal management district⁴⁰.
- 19. locating and designing community infrastructure to maintain the required level of functionality during and immediately after a natural hazard event.
- 20. supporting, and not hindering disaster management capacity and capabilities, and safe evacuation routes.
- 21. maintaining and / or minimising impacts on the protective function of infrastructure, natural landforms and vegetation that can mitigate risks associated with natural hazards.
- 22. ensuring the design of public realm areas in flood and coastal hazard areas is resilient.

Tidal works

- 23. appropriately undertaking tidal works⁴¹, where required.
- 24. ensuring marine infrastructure avoids adverse impacts on coastal resources and processes.
- 25. reflecting the natural tidal processes into the design of buildings, infrastructure and the public realm.

2.5.6 INFRASTRUCTURE

The design and operation of development, including during construction, will support the efficient and

effective delivery and operation of infrastructure⁴² by:

- 1. having regard to impacts on the safety and efficiency of the broader transport and traffic network in the surrounding area.
- 2. ensuring the delivery of planned trunk infrastructure is not adversely impacted.
- 3. providing infrastructure and services in a timely, orderly, integrated and coordinated manner to support urban uses and works.
- 4. ensuring infrastructure and services are available or capable of being made available including roads, public and active transport, water supply, sewerage, stormwater, park network, community facilities, energy and telecommunications.
- 5. ensuring infrastructure and services maximise efficiency and ease of maintenance allowing for public events and interim uses to have access to essential services.
- 6. maximising the infrastructure investment by providing opportunities to deliver best practice development outcomes and higher residential densities on both waterfronts, around Queens Park and in the city centre.

2.5.7 HERITAGE

Development retains the historic identity within the Mackay Waterfront PDA by protecting, maintaining



Image 10: Town Hall



and enhancing the region's distinctive cultural and heritage places and sensitively managing any development opportunities⁴³ by:

1. avoiding and minimising adverse impacts on the heritage significance, particularly the unique art deco heritage character of buildings (including internal elements), facades, and streetscapes which gives the precinct its unique sense of place and identity, by the protection or adaptive reuse of the heritage place⁴⁴ in a way that is compatible, respectful and sympathetic to its heritage significance⁴⁵.
2. respecting heritage values by minimising impacts from built form, bulk and proximity to adjoining heritage places.
3. maintaining the visual prominence and views of heritage places and heritage value elements from streets and public places.
4. ensuring advertising devices do not detract from character, visual amenity and heritage values.
5. avoiding adverse impacts on areas or objects with cultural heritage significance to Aboriginal and Torres Strait Islander groups where these areas or objects are discovered⁴⁶.

⁴⁰ Refer to the SPP 2017 and the *State interest guidance material for natural hazards, risks and resilience – coastal hazards*.

⁴¹ For guidance, refer to *SDAP State Code 8: Coastal development and tidal works*.

⁴² For guidance on the requirements for the assessment of operational works, refer to the *General development requirements code, Healthy waters code* and relevant Planning Scheme Policies in the Mackay Region Planning Scheme 2017.

⁴³ For guidance, refer to the Mackay Region Planning Scheme 2017 *Heritage and neighbourhood character overlay code*.

⁴⁴ Refer to the heritage register listed in Schedule 4, the relevant Queensland Heritage Register statement of significance or Mackay Regional Council Heritage Register citation.

⁴⁵ To understand how to fulfil these requirements, development applicants should refer to:

- Developing Heritage Places: Using the development criteria document, a guideline prepared by Department of Environment and Science, and available at <https://www.qld.gov.au/environment/land/heritage/publications/>.
- The Burra Charter: The Australia ICOMOS Charter for Places of Cultural heritage significance 2013, available at <http://australia.icomos.org/publications/charters/> along with a number of useful Practice Notes.

⁴⁶ Development that may impact upon matters of Aboriginal cultural heritage and Torres Strait Islander cultural heritage supports the requirements of the *Aboriginal Cultural Heritage Act 2013* and the *Torres Strait Islander Cultural Heritage Act 2003*.

Map 3: PDA building heights plan

PDA building heights plan

 Up to 10 storeys	 Road
 Up to 8 storeys	 PDA boundary
 Up to 5 storeys	 Precinct boundary
 Up to 3 storeys	 Sub-precinct boundary

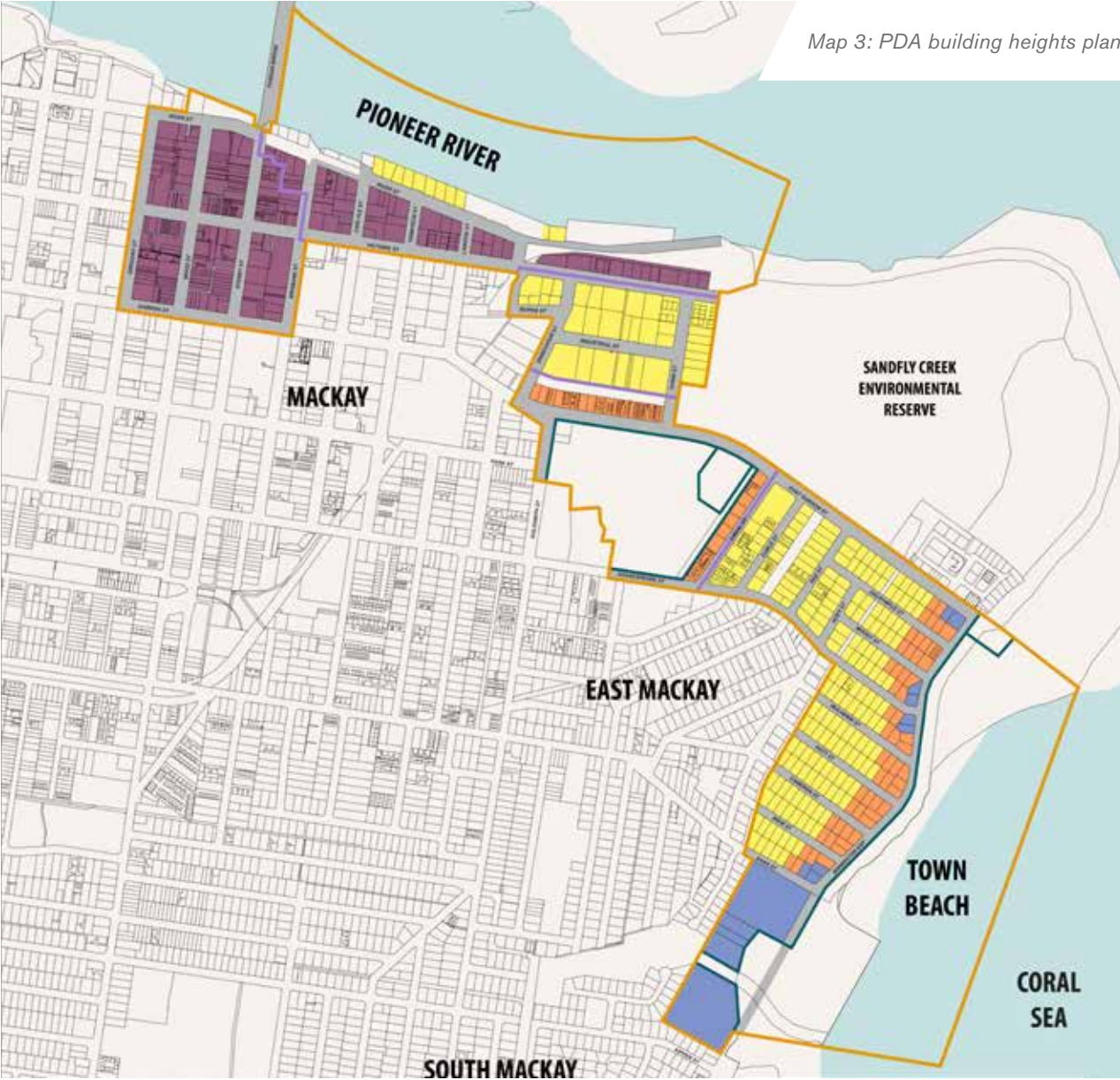


Image 11: Town beach



2.6 PRECINCT PROVISIONS

The PDA is made up of five precincts (Map 4: PDA precincts and sub-precincts), each with unique attributes and redevelopment opportunities specific to their location. Each precinct contains a precinct development intent, preferred uses, development provisions, precinct framework plan, and the levels of assessment table/s. Precincts 4 and 5 each contain three sub-precincts.

The five precincts within the PDA are:

- Precinct 1 – **Mackay city centre**
- Precinct 2 – **Riverside**
- Precinct 3 – **Enterprise**
- Precinct 4 – **Queens Park**, including:
 - Sub-precinct 4A: Parkland
 - Sub-precinct 4B: Parkside living
 - Sub-precinct 4C: Parkside investigation area, and
- Precinct 5 – **Beachside**, including:
 - Sub-precinct 5A: Beachside living
 - Sub-precinct 5B: Beachside public space, and
 - Sub-precinct 5C: Beachside investigation area.

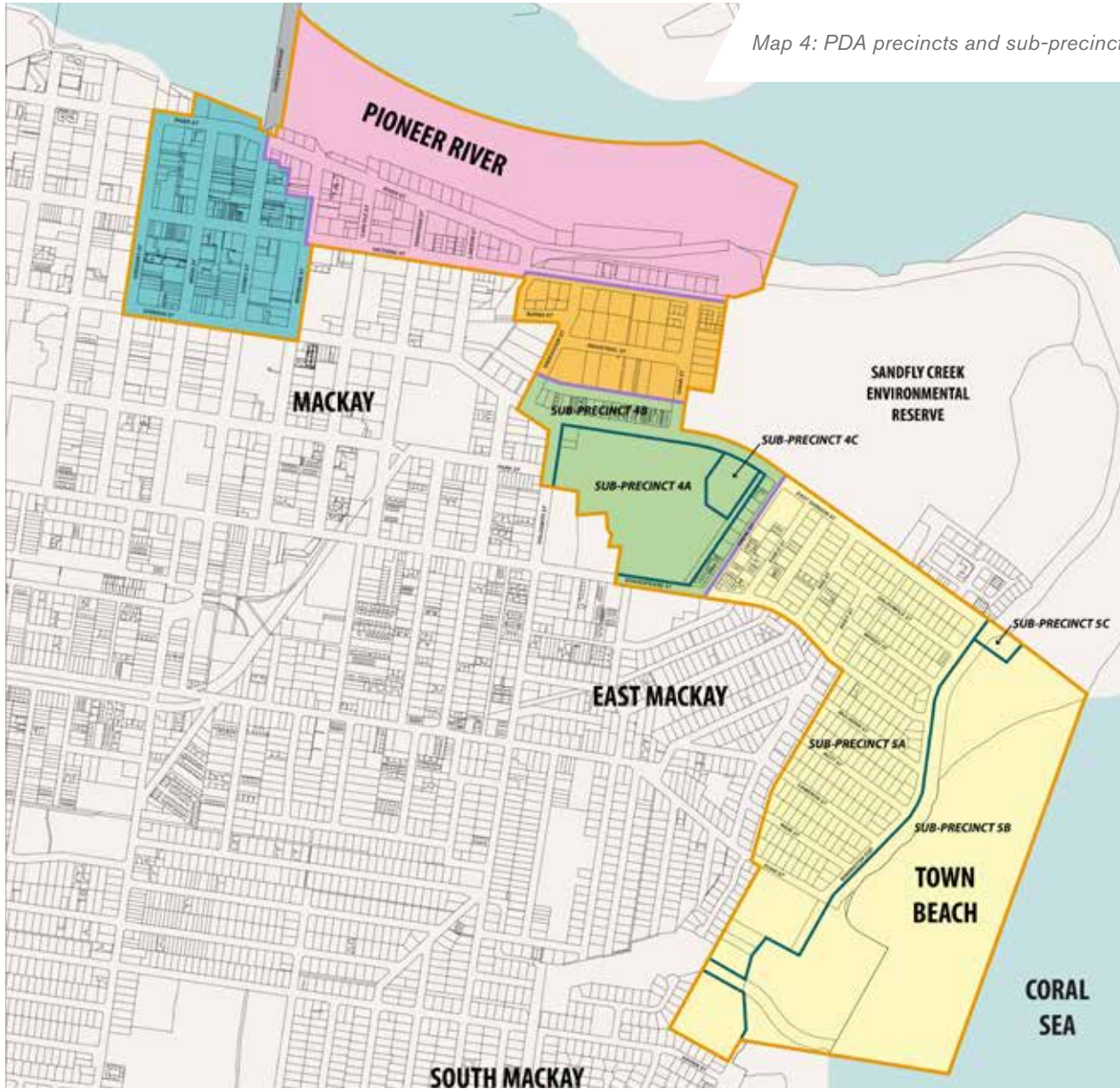
Map 4: PDA precincts and sub-precincts shows the location and boundaries of each precinct and sub-precinct.

Precinct provisions provide guidance on where activities and development within the PDA is preferred and development provisions to support the achievement of the strategic intent and strategic outcomes for the PDA.

Image 12: Boat ramp



Map 4: PDA precincts and sub-precincts



Mackay Waterfront PDA precincts

- Precinct 1: Mackay city centre
- Precinct 2: Riverside
- Precinct 3: Enterprise
- Precinct 4: Queens Park
- Precinct 5: Beachside
- PDA boundary
- Precinct boundary
- Sub-precinct boundary

2.6.1 PRECINCT 1 – MACKAY CITY CENTRE

Precinct development intent

The Mackay city centre precinct will develop as a vibrant, accessible and engaging place for people to live, learn, work and play, and is the primary business, administration and employment centre for the region.

The Mackay city centre will be a high-density mixed-use precinct that will accommodate a range of commercial, residential, accommodation, recreation, entertainment and community activities, as identified in Table 2:

Table 2: Precinct 1 - Preferred land uses

Preferred land uses		
<ul style="list-style-type: none">▪ accommodation activities▪ childcare centre▪ commercial activities▪ community activities	<ul style="list-style-type: none">▪ dwelling unit▪ indoor sport and recreation▪ market▪ nightclub entertainment facility	<ul style="list-style-type: none">▪ park▪ residential activities▪ sales office

Precinct 1 – Preferred land uses. Development in the precinct supports the population and economic growth and development of Mackay and the Greater Whitsunday Region by:

- developing a critical mass of residents and workforce to support business, administration and professional service providers; and
- providing a diverse mix of tenancy types and sizes to support a range of commercial activities and opportunities for informal / formal shared working spaces.

Image 13: Example of an active street frontage on Wood Street (outdoor dining)



Table 3: Precinct 1 - Development intensity and built form parameters

Building height	As identified on Map 3 –PDA building heights plan ⁴⁷	Up to 10 storeys (inclusive of podium)
	Podium	Up to 2 storeys (inclusive of ground floor)
	State heritage place	Up to 4 storeys
Minimum setback to a street	Podium (up to 2 storeys)	0 metres, unless setback further from the street boundary to accommodate civic or outdoor trading spaces
	3 or more storeys	5 metres (outermost projection) to 8 metres (wall)
Minimum setback to a laneway	Podium (up to 2 storeys)	0 metres
	3 or more storeys	3 metres
Minimum setback to side and rear boundaries	Podium (up to 2 storeys)	0 metres
	3 or more storeys	3 metres
Maximum building bulk	Tower elements	1,500 m ² floorplate per storey
Maximum building length	Tower elements	60 metres in any horizontal direction
Building interface with street at ground floor	Doors and openings / full length glazing	Minimum 75 per cent of total frontage
Pedestrian amenity	Footpath awning	Required on a primary frontage for the full length of the site frontage ⁴⁸

⁴⁷ In areas affected by flooding, building height above ground level is the building height identified in Map 3 – PDA building heights plan plus the highest of either the defined flood event (DFE) or defined stormtide event (DSTE) relevant to the subject site.

⁴⁸ Excludes development on a State heritage place.

Built form and urban design

Development in the Mackay city centre precinct will:

1. deliver a built form that:
 - a. reflects and reinforces the character and identity of the Mackay city centre as the primary business activity centre of Mackay and the Greater Whitsunday Region, and
 - b. is generally in accordance with Table 3: Precinct 1 - Development intensity and built form parameters.

2. emphasise the prominence of intersections by providing corner truncations (identified on Map 5: Precinct framework plan 1 – Mackay city centre) in accordance with Figure 2 – Corner truncation that forms part of the public footpath and is reflected in the design of the building.

3. strengthen the relationship and interface with the Pioneer River by:
 - a. orientating buildings on River Street to face north towards to the river and Post Office Park, and
 - b. deliver active uses at ground level within podium levels to activate River Street and take advantage of views to the river on levels above the ground floor.

Public realm

Development in the Mackay city centre precinct will:

4. have regard to the relationship and interface with the local parklands of Wood Street Park, Post Office Park and Town Hall Park.

Movement, access and transport network

Development in the Mackay city centre precinct will:

5. retain the existing network of laneways providing for rear servicing and vehicular access to sites and for safe pedestrian and cyclist access across city blocks.
6. ensure that extensions to laneways or a new laneway (in public or private ownership) can provide adequate access and opportunities for ancillary temporary activation and placemaking activities.
7. improve pedestrian and cyclist access and permeability across city blocks.
8. avoid new vehicular access points for sites with frontage to designated state-controlled roads Sydney Street (north from Gordon Street) and Gordon Street (west from Sydney Street).
9. maintain the function, efficiency, safety and visual

amenity of the public transport interchange facility on Gregory Street (between Victoria Street and Gordon Street) by creating an appropriate interface and orientation to avoid conflicts.

Heritage

Development in the Mackay city centre precinct:

10. appropriately design and locate buildings with a height of 5 or more storeys to avoid and minimise adverse impacts on the heritage significance and character values of buildings (including internal elements), facades, and streetscapes⁴⁹.
11. where on a State heritage place, does not result in the loss of any significant façade, roof, structure, interior or other significant fabric of the State heritage place.
12. avoid the full or partial demolition or modification of iconic building facades on a heritage place where located on the:
 - a. northern side Victoria Street between Wood and Sydney Streets;
 - b. eastern side of Wood Street between Gordon and River Streets and;
 - c. western side of Sydney Street between Victoria and River Streets.

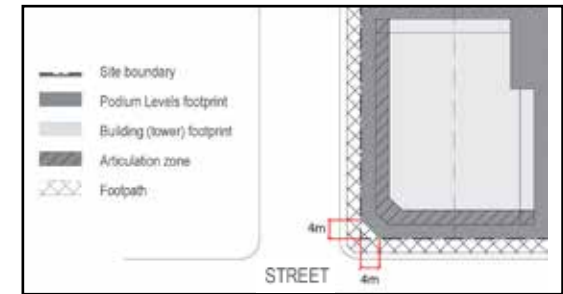


Figure 2: Corner truncation

⁴⁹ Refer to the requirements, standards and guidance identified in the *Developing Heritage Places: Using the development criteria* document, prepared by Department of Environment and Heritage Protection, 2013, as amended or replaced from time to time.

Map 5: Precinct framework plan 1 - Mackay city centre



**Precinct framework plan 1
Mackay city centre**

- | | |
|---|---|
|  Development area |  Road |
|  Public realm area |  Laneway |
|  Public transport interchange |  Bluewater Trail |
|  Post Office Park / riverfront |  City to Queens Park pedestrian/
cycle link |
|  Wood Street Park |  Goosepond Trail |
|  Town Hall Park | Indicative elements |
|  PDA boundary |  Primary frontage |
|  Precinct boundary |  Corner truncation |

Table 4: Precinct 1 - Categories of development

COLUMN 1: PDA accepted development	COLUMN 2: PDA assessable development	
	2A: Permissible development	2B: Prohibited development
<p>1. Development specified in Schedule 1.</p> <p>2. Material change of use for any of the following uses where located within an existing building that has been previously occupied by any of these uses:</p> <ul style="list-style-type: none"> a. commercial activities, excluding bar b. community activities c. indoor sport and recreation d. market <p>3. Material change of use for any of the following use if located within the podium levels of an existing building and complying with the requirements for accepted development in Schedule 5:</p> <ul style="list-style-type: none"> a. bar b. hotel (involving a pub) c. nightclub entertainment facility. 	<p>1. All development other than development mentioned in columns 1 and 2B.</p>	<p>1. Development specified in Schedule 2.</p>



Image 14: Artist's impression of potential development in the Mackay city centre

2.6.2 PRECINCT 2 – RIVERSIDE

Precinct development intent

Development in the Riverside precinct will support a new and distinctive waterfront destination on the southern bank of the Pioneer River, extending between Sydney Street and the River Street boat ramp.

The central feature of the precinct is a vibrant, engaging and publicly accessible riverside promenade with associated public spaces and community infrastructure. The riverside promenade maintains and enhances safe and convenient pedestrian access and linkages along the riverfront; provides physical and visual connectivity with the water; and forms part of the Bluewater Trail. The precinct will be supported by a range of cultural, festive and placemaking activities that activate the

riverfront day and night, and establishes a sense of place, character, and identity for the precinct.

The precinct will accommodate a diverse mix of commercial, high density residential, accommodation, tourism, recreation and community activities, as identified in Table 5: Precinct 2 – Preferred land uses, in varied built forms that are setback from the Pioneer River to maximise the community's access to the promenade and visual relationship with the water. The experience of the streets and public spaces along the riverfront will be enhanced through a range of public realm improvements. The eastern end of the precinct is enhanced as a boating and fishing quarter that retains and improves the boat ramp and associated infrastructure, and provides for a range of water-based activities and associated placemaking opportunities.

Table 5: Precinct 2 - Preferred land uses

Preferred land uses		
<ul style="list-style-type: none"> ▪ accommodation activities ▪ bar ▪ childcare centre ▪ club ▪ community care centre ▪ community residence ▪ community use ▪ dwelling unit ▪ education establishment 	<ul style="list-style-type: none"> ▪ food and drink outlet ▪ function facility ▪ health care services ▪ hotel ▪ indoor sport and recreation ▪ landing ▪ market ▪ office 	<ul style="list-style-type: none"> ▪ park ▪ residential activities ▪ service industry ▪ shop ▪ shopping centre ▪ theatre ▪ tourist attraction ▪ veterinary service

Image 15: Pioneer River looking towards the Mackay city centre



Table 6: Precinct 2 - Development intensity and built form parameters

Building height	As identified on Map 3 – PDA building heights plan ⁵⁰	<ul style="list-style-type: none"> ▪ South of River Street - up to 10 storeys (inclusive of podium) ▪ North of River Street - up to 3 storeys (inclusive of podium)
	Podium	Up to 2 storeys (inclusive of ground floor)
	State heritage place	Up to 3 storeys
Minimum setback to a street	Podium (up to 2 storeys)	0 metres, unless setback further from the street boundary to accommodate civic or outdoor trading spaces
	3 or more storeys	0 metres (outermost projection) to 3 metres (wall)
Minimum setback to a laneway	Podium (up to 2 storeys)	0 metres
	3 or more storeys	3 metres
Minimum setback to side and rear boundaries	Podium (up to 2 storeys)	0 metres
	3 or more storeys	3 metres (outermost projection) to 6 metres (wall)
Maximum building bulk	Tower elements	1,500 m ² floorplate per storey
Maximum building length	Tower elements	60 metres in any horizontal direction
Building interface with street at ground floor	Doors and openings / full length glazing	Minimum 75 per cent of total frontage
Pedestrian amenity	Footpath awning	Required on streets identified as a primary frontage and Victoria Street for the full length of the site frontage
	Shade and shelter	Combination of shade (trees and landscaping) and shelter on streets not <ul style="list-style-type: none"> ▪ identified as a primary frontage; or ▪ on Victoria Street
	Footpath	For the full frontage of the site on all streets

⁵⁰ In areas affected by flooding, building height above ground level is the building height identified in Map 3 – PDA building heights plan plus the highest of either the defined flood event (DFE) or defined stormtide event (DSTE) relevant to the subject site.

Built form and urban design

Development in the Riverside precinct will:

1. deliver a built form that:
 - a. responds to, reflects and reinforces the Pioneer River location and historic river port character, and
 - b. is generally in accordance with Table 6: Precinct 2 – Development intensity and built form parameters.
2. engage with, overlook and take advantage of views and amenity provided by the Pioneer River.
3. maintain a human scale along River Street and the riverfront and avoid being visually dominant when viewed from the river.
4. emphasise the prominence of intersections by providing corner truncations (identified on Map 6: Precinct framework plan 2 - Riverside) at intersections on Victoria Street in accordance with Figure 2 - Corner truncation that forms part of the public footpath and is reflected in the design of the building.
5. integrate with and provide opportunities for public access to the Pioneer River, located north of River Street.
6. integrate with and provide opportunities for public access to the Bluewater Trail, where located north of Victoria Street and east of Burns Street.

Public realm

Development in the Riverside precinct will:

7. where located north of River Street, provide an accessible boardwalk along the river side of buildings that is wide enough to accommodate outdoor activation activities, pedestrian movement, furniture and shade structures, viewing areas, and physical access points to the river.
8. have regard to the relationship and interface with the local parklands of Bluewater Quay, Burns Street Park and Sandfly Creek Park.

Movement, access and transport network

Development in the Riverside precinct will:

9. retain and enhance Eleventh Lane and Nineteenth Lane that provides for rear servicing and vehicular access to adjacent sites and for safe pedestrian access.
10. provide a north-south pedestrian connection from the Victoria Street end of Chain Street to the Bluewater Trail.
11. ensure that extensions to laneways or a new laneway (in public or private ownership) can provide adequate access and opportunities for ancillary temporary activation and placemaking activities.

12. improve pedestrian and cyclist access and permeability across city blocks.
13. maintain, and does not obstruct, the designated navigation corridor in the Pioneer River.
14. maintain and enhance safe and convenient pedestrian and cyclist access and linkages along the Pioneer riverfront and to the river.
15. on sites with frontage to the southern side of River Street, co-locate vehicle access or provide vehicle access on north-south side streets to enable safe pedestrian movement and maximise opportunities for outdoor activation activities along River Street.

Heritage

Development in the Riverside precinct will:

16. preserve and incorporate the Leichhardt tree into the redeveloped waterfront as a historic and culturally significant place for the community.

Infrastructure

Development in the Riverside precinct will:

17. retain the river levee system and maintain its function to provide protection to the adjacent urban area from river flooding.

18. not compromise, and where necessary provide, bed and bank stability appropriate to the intensity of development adjacent to, on or above the river bank having regard for large tidal variations, flood events, wave action and debris loading.
19. where located north of River Street, provide publicly accessible jetties and floating pontoons in strategic locations along the riverfront that allow access to the water, accommodates a range of water-based activities, and supplement the River Street boat ramp facilities.

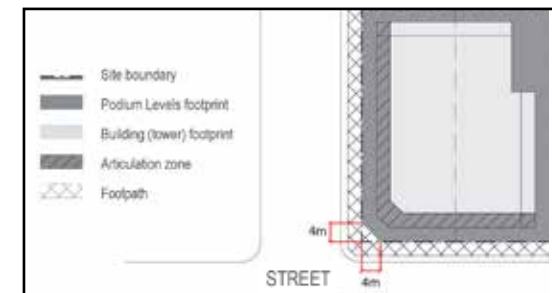
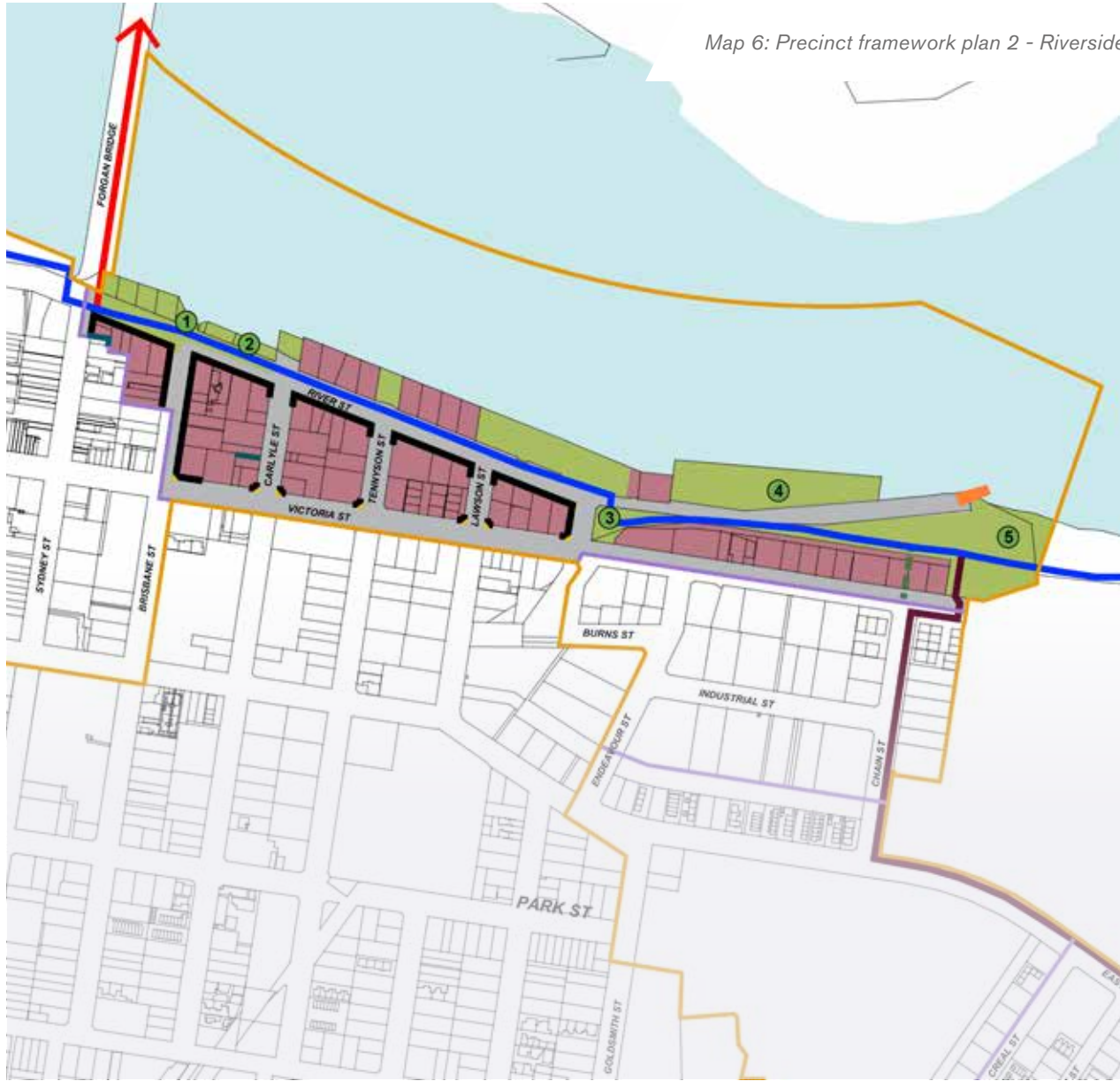


Figure 2: Corner truncation

Map 6: Precinct framework plan 2 - Riverside



Precinct framework plan 2 - Riverside

- | | | | |
|---|-----------------------------|---|--|
|  | Development area |  | Laneway |
|  | Public realm area |  | Boat ramp |
|  | Bluewater Quay |  | Riverfront promenade / Bluewater Trail |
|  | Leichhardt Tree |  | Cross City Link |
|  | Burns Street Park |  | Pedestrian/cycle link to Goosepond Trail |
|  | Boating and fishing quarter | Indicative elements | |
|  | Sandfly Creek Park |  | Primary frontage |
|  | PDA boundary |  | Corner truncation |
|  | Precinct boundary |  | Potential pedestrian connection |
|  | Road | | |

Table 7: Precinct 2 - Categories of development

COLUMN 1: PDA accepted development	COLUMN 2: PDA assessable development	
	2A: Permissible development	2B: Prohibited development
<p>1. Development specified in Schedule 1.</p> <p>2. Material change of use for any of the following uses where located within an existing building that has been previously occupied by any of these uses:</p> <ul style="list-style-type: none"> a. commercial activities b. community activities c. indoor sport and recreation d. market <p>3. Material change of use for home-based business (other than what is specified in Schedule 1) if compliant with the requirements for accepted development in the Home-based business code in the Mackay Region Planning Scheme 2017.</p>	<p>1. All development other than development mentioned in columns 1, 2 and 2B.</p>	<p>1. Development specified in Schedule 2.</p>



Image 16: Artist's impression of potential development on the Pioneer River

2.6.3 PRECINCT 3 – ENTERPRISE

Precinct development intent

The Enterprise precinct will develop as the innovation and knowledge hub, providing opportunities for shared working spaces, labour skills training, technology and products, with links to tertiary education and other institutions.

The precinct will accommodate a range of mixed light industry, innovation, research and technology activities, as identified in Table 8: Precinct 3 – Preferred land uses, that supports significant business, health, education, technology, and research activities seeking to establish in the region.

Employment-generating development within the precinct is supported by a range of high-density living options and high value amenity areas located in the adjacent precincts. Development on the northern and southern frontages of the precinct act as a buffer to minimise amenity impacts on sensitive land uses in adjoining precincts.

Built form and design

Development in the Enterprise precinct will:

1. deliver a built form that:
 - a. reflects a modern industrial character that contributes to a distinctive and cohesive streetscape character, precinct identity and

- a. maintains a human scale; and
 - b. is generally in accordance with Table 9: Precinct 3-Development intensity and built form parameters.

2. be designed to mitigate the impacts of noise, odour, dust, air emission, light or vibration impacts⁵¹ that affect adjoining and nearby sensitive land uses located on the northern (Victoria Street) and southern (drainage corridor north of East Gordon Street) frontages of the precinct.
3. provide onsite landscaping to:
 - a. visually screen any outdoor utility areas, storage and service areas that can be viewed from the street; and
 - b. soften the appearance of the development where located on a non-primary frontage street.
4. provide bar, food and drink outlet and shop uses orientated towards the street, where these uses are small-scale and subordinate to the predominant industrial use of the site.
5. provide offices where the use is small-scale and an ancillary component to the predominant industrial use of the site.

Public realm

Development in the Enterprise precinct will:

6. maintain and not obstruct the view corridor on Chain Street south to Queens Park.



Image 17: Aerial photo of the Enterprise precinct



Table 8: Precinct 3 - Preferred land uses

Preferred land uses		
<ul style="list-style-type: none"> ▪ bar ▪ caretaker's accommodation ▪ dwelling unit ▪ education establishment 	<ul style="list-style-type: none"> ▪ food and drink outlet ▪ emergency services ▪ indoor sport and recreation ▪ low impact industry 	<ul style="list-style-type: none"> ▪ park ▪ research and technology ▪ service industry ▪ shop

Table 9: Precinct 3 - Development intensity and built form parameters

Building height	As identified on Map 3 –PDA building heights plan ⁵²	Up to 3 storeys (inclusive of podium)
Minimum setback to a street	Chain Street and Victoria Street	0 metres
	All other streets	6 metres
Minimum setback to side and rear boundaries	All building storeys	0 metres
Site cover	Total site area	60 per cent
Maximum building length	Whole building	30 metres in any horizontal direction
Building interface with street at ground floor	Doors and openings / windows	Minimum 40 per cent of total frontage
Pedestrian amenity	Footpath awning	Required on Chain Street and Victoria Street

⁵¹ Refer to the Mackay Region Planning Scheme 2017 General development requirements code and relevant standards such as ANZECC guideline standards, Australian Standard AS4282 – Control and effects of outdoor lighting, or Australian Standard AS/NZS2107 Acoustics – Recommended design sound levels and reverberation times for building interiors.

⁵² In areas affected by flooding, building height above ground level is the building height identified in Map 3 – PDA building heights plan plus the highest of either the defined flood event (DFE) or defined stormtide event (DSTE) relevant to the subject site.

Movement, access and transport network

Development in the Enterprise precinct will:

7. encourage pedestrian and cycling connectivity by providing connections to the Cross City Link on Chain Street.
8. locate vehicle access points as far away as practical from road intersections and vehicle access points on adjoining sites.
9. provide a sealed surface treatment for external vehicle manoeuvring, parking, and loading / unloading areas associated with industrial uses to prevent impacts from dust, sediment run off, inadequate drainage and cater for expected vehicle sizes and movements.

Community safety and development constraints

Development in the Enterprise precinct will:

10. ensure areas used for the manufacture, storage, use or disposal of hazardous materials and chemicals, dangerous goods and flammable or combustible substances are located and designed to:
 - a. maintain public safety and the environment;
 - b. prevent spills from leaving the site; and
 - c. be above the defined flood event or otherwise avoid flood impacts.

Image 18: Chain Street



Map 7: Precinct framework plan 3 - Enterprise



Precinct framework plan 3 - Enterprise








- | | | | |
|---|----------------------------------|---|---------------------------------|
|  | Development area |  | Road |
|  | Pioneer riverfront |  | Bluewater Trail |
|  | Queens Park |  | Cross City Link |
|  | Sandfly Creek environmental area |  | Potential pedestrian connection |
|  | PDA boundary |  | Primary frontage |
|  | Precinct boundary | | |

Table 10: Precinct 3 - Categories of development

COLUMN 1: PDA accepted development	COLUMN 2: PDA assessable development	
	2A: Permissible development	2B: Prohibited development
<ol style="list-style-type: none"> 1. Development specified in Schedule 1. 2. Material change of use for the following uses where located within an existing building that has been previously occupied by any of these uses: <ol style="list-style-type: none"> a. emergency services b. service industry 3. Material change of use for low impact industry where located within an existing building that has been previously occupied by this use and complying with the requirements of accepted development in Schedule 5. 	<ol style="list-style-type: none"> 1. All development other than development mentioned in columns 1 and 2B. 	<ol style="list-style-type: none"> 1. Development specified in Schedule 2.



Image 19: Enterprise precinct

2.6.4 PRECINCT 4 – QUEENS PARK

Precinct development intent

The Queens Park precinct will develop as a regional activity and amenity node, supported by a diverse range of high-density living options. The precinct consists of sub-precinct 4A: Parkland, sub-precinct 4B: Parkside living and sub-precinct 4C: Investigation area, as identified in precinct framework plan 4 - Queens Park.

Sub-precinct 4A: Parkland contains Queens Park, which is a recreation and events space capable of hosting outdoor community festivals and events, and range of recreational activities. The park will become a modern, permeable and distinct regionally significant tropical garden and parklands. Queens Park will

retain and enhance existing features including the open ovals, orchid house, bandstand, historic monuments, planted avenues, and the park circuit.

Sub-precinct 4B: Parkside living will accommodate a range of residential and accommodation activities, as identified in Table 11: Precinct 4 – Preferred land uses, that support nearby employment and businesses, and the activities and attractions within Queens Park.

Sub-precinct 4C: Parkside investigation area⁵³, located on the eastern edge of the Queens Park, is an investigation area (identified on Map 2: Structural elements plan) for opportunities that activate, enhance, and integrate with Queens Park; and complement the precinct⁵⁴.

Table 11: Precinct 4 - Preferred land uses

Preferred land uses			
Sub-precinct 4A: Parkland	Sub-precinct 4B: Parkside living		Sub-precinct 4C: Parkside investigation area
<ul style="list-style-type: none"> ▪ community use ▪ park 	<ul style="list-style-type: none"> ▪ community care centre ▪ community residence ▪ community use ▪ dual occupancy ▪ dwelling house ▪ food and drink outlet 	<ul style="list-style-type: none"> ▪ home based business ▪ multiple dwelling ▪ park ▪ shop ▪ short-term accommodation 	<ul style="list-style-type: none"> ▪ community use ▪ park

Image 20: Queens Park - Royal Palm Avenue



Table 12: Precinct 4 – Development intensity and built form parameters

Building height	As identified on Map 3 - PDA building heights plan ⁵⁵	Within sub-precinct 4B – up to 5 storeys (inclusive of podium)
	Podium	Up to 1 storey (inclusive of ground floor)
Minimum setback to a street	Podium (up to 1 storey)	3 metres, unless setback further from the street boundary to accommodate civic or outdoor trading spaces
	2 or more storeys	3 metres (outermost projection) to 6 metres (wall)
Minimum setback to side and rear boundaries	Up to 3 storeys	3 metres (outermost projection) to 6 metres (wall)
	4 or more storeys	6 metres (outermost projection) to 9 metres (wall)
Minimum boundary setbacks for a dwelling house	All property boundaries	For guidance, refer to the Dwelling house code in the Mackay Region Planning Scheme.
Site cover	For: <ul style="list-style-type: none"> ▪ residential activities ▪ accommodation activities 	Where building height is: <ul style="list-style-type: none"> ▪ up to 3 storeys – 70 per cent of site area ▪ 4 to 5 storeys – 60 per cent of site area
Maximum building length	Tower elements	30 metres in any horizontal direction
Building interface with street at ground floor	Doors and openings / glazing	On a primary frontage, minimum 75 per cent of total frontage
Pedestrian amenity	Shade and shelter	Combination of shade (trees and landscaping) and shelter on all streets
	Footpath	For the full frontage of the site on: <ul style="list-style-type: none"> ▪ the northern side East Gordon Street (west of Chain Street) ▪ the southern side of East Gordon Street (east of Chain Street)

⁵³ Within the Investigation area, uses other than those listed in Table 11, will be subject to further community consultation.

⁵⁴ Refer to actions 7 and 9 in section 4.1 of the implementation strategy.

⁵⁵ In areas affected by flooding, building height above ground level is the building height identified in Map 3 – PDA building heights plan plus the highest of either the defined flood event (DFE) or defined stormtide event (DSTE) relevant to the subject site.

Built form and urban design

Development in the Queens Park precinct, sub-precinct 4A: Parkland will:

1. preserve the views across the park's open spaces and to key features including the bandstand and the 'avenue of royal palms'.
2. ensure building height is compatible with the character and amenity of Queens Park.

Development in the Queens Park precinct, sub-precinct 4B: Parkside living will:

3. deliver a built form that:
 - a. supports the Queens Park setting, and the park's tropical, verdant and open space character; and
 - b. is generally in accordance with Table 12: Precinct 4 – Development intensity and built form parameters.

Development in the Queens Park precinct, sub-precinct 4C: Parkside investigation area will:

4. ensure development on the eastern edge of Queens Park:
 - a. maintains a human scale and avoid being visually dominant when viewed from the park; and
 - b. overlooks and addresses the ovals.

Public realm

Development in the Queens Park precinct, sub-precinct 4A: Parkland will:

5. provide regional recreation parkland, facilities and activities consisting of passive and active recreation, tourism and community uses at Queens Park.

Development in the Queens Park precinct, sub-precinct 4B: Parkside living and sub-precinct 4C: Parkside investigation area will:

6. have regard to the relationship and interface with Queens Park and its associated activities.
7. extend and reflect the verdant character of Queens Park into the onsite landscaping for sites located on East Gordon Street and Creal Street.

Movement, access and transport network

Development in the Queens Park precinct,

sub-precinct 4A: Parkland will:

8. enable safe and convenient pedestrian and cyclist access and connectivity:
 - a. through Queens Park, via the Cross City Link between Chain Street and Goldsmith Street / Park Street, and a link from Chain Street to Shakespeare Street; and
 - b. from the Cross City Link northwest to, and along East Gordon Street (linking west to the city centre).

Development in the Queens Park precinct, sub-precinct 4B: Parkside living and sub-precinct 4C: Parkside investigation area will:

9. support safe and convenient pedestrian and cyclist access and connectivity to Chain Street (link to Riverside precinct), and east along East Gordon Street and Shakespeare Street (links to Beachside precinct).

Image 21: Orchid house orchids



Map 8: Precinct framework plan 4 – Queens Park



Precinct framework plan 4 - Queens Park















- | | | | |
|---|------------------------------------|---|---|
|  | Development area |  | Investigation area |
|  | Public realm area |  | Primary frontage |
|  | Queens Park |  | Potential pedestrian/cycle link - Cross City Link |
|  | Sandfly Creek environmental area |  | Potential pedestrian/cycle link - City to Queens Park |
|  | PDA boundary |  | Potential pedestrian/cycle link to Beachside precinct |
|  | Precinct boundary | | |
|  | Sub-precinct boundary | | |
|  | Road | | |
|  | Pedestrian/cycle link - Cross City | | |

Table 13: Precinct 4, sub-precinct 4A – Categories of development

COLUMN 1: PDA accepted development	COLUMN 2: PDA assessable development	
	Permissible development	Prohibited development
<ol style="list-style-type: none"> 1. Development specified in Schedule 1. 2. Material change of use for community use where located within an existing building that has been previously occupied by this use. 	<ol style="list-style-type: none"> 1. All development other than development mentioned in columns 1 and 2B. 	<ol style="list-style-type: none"> 1. Development specified in Schedule 2.

Table 14: Precinct 4, sub-precinct 4B – Categories of development

COLUMN 1: PDA accepted development	COLUMN 2: PDA assessable development	
	2A: Permissible development	2B: Prohibited development
<ol style="list-style-type: none"> 1. Development specified in Schedule 1. 2. Material change of use for any of the following uses where located within an existing building that has been previously occupied by any of these uses: <ol style="list-style-type: none"> a. commercial activities b. community activities c. indoor sport and recreation d. market. 3. Material change of use for dwelling house if complying with the requirements for accepted development in the Dwelling house code in the Mackay Region Planning Scheme 2017 and, if in the flood hazard area, results in a habitable floor level that achieves the finished floor level relevant to the defined flood event or defined storm tide event, whichever is the higher level⁵⁶. 4. Material change of use for home-based business (other than what is specified in Schedule 1) if complying with the requirements of accepted development in the Home-based business code in the Mackay Region Planning Scheme 2017. 	<ol style="list-style-type: none"> 1. All development other than development mentioned in columns 1 and 2B. 	<ol style="list-style-type: none"> 1. Development specified in Schedule 2.

Table 15: Precinct 4, sub-precinct 4C – Categories of development

COLUMN 1: PDA accepted development	COLUMN 2: PDA assessable development	
	2A: Permissible development	2B: Prohibited development
1. Development specified in Schedule 1.	1. All development other than development mentioned in columns 1 and 2B.	1. Development specified in Schedule 2.

⁵⁶ Visit Mackay Regional Council's website to make an enquiry to identify the DFE or DSTE level - <https://onlineservices.mackay.qld.gov.au/ePathway/ePathProd/Web/Mobility/CityWatch/index.html?Action=CREATE&Module=ECRREQT&Class=ONLINE&Type=OLQ100>.

2.6.5 PRECINCT 5 – BEACHSIDE

Precinct development intent

Development in the Beachside precinct will support a new and vibrant beachside destination along Binnington Esplanade, extending between East Gordon Street and Kippen Street. The precinct consists of sub-precinct 5A: Beachside living, sub-precinct 5B: Beachside public space, and sub-precinct 5C: Beachside investigation area, as identified in the precinct framework plan 5 – Beachside.

Sub-precinct 5A: Beachside living will accommodate a diverse mix of uses including high density residential, accommodation, commercial, tourism and recreational activities, as identified in Table 16: Precinct 5 – Preferred land uses, along the western frontage of Binnington Esplanade to activate and take advantage of the waterfront locality. Low-medium density residential land uses are intended in the remainder of the sub-precinct. Development on large vacant sites within the sub-precinct is designed to maximise land use mix, infrastructure, and investment opportunities.

Sub-precinct 5B: Beachside public space, features an extensive vibrant, engaging and accessible public realm overlooking Town Beach, the ocean and offshore islands. The public realm along Binnington Esplanade will be characterised by a safe, generous and comfortable multi-functional public promenade, associated public spaces and community infrastructure. The beachside promenade maintains and enhances safe and convenient pedestrian access and linkages along the foreshore and to the beach. The beachside promenade, which forms part of the Bluewater Trail, accommodates placemaking activities that activate Binnington Esplanade day and night, and establishes a sense of place, character, and identity for the precinct.

Sub-precinct 5C: Beachside investigation area⁵⁷, located at the northern edge of Iluka Park, is an investigation area (identified on Map 2: Structural elements plan) for potential opportunities that activate, enhance, and integrate with Iluka Park and the esplanade's public realm spaces; and complement the precinct⁵⁸.



⁵⁷ Within the Investigation area, uses other than those listed in Table 16, will be subject to further community consultation.

⁵⁸ Refer to actions 7 and 9 in section 4.1 of the implementation strategy.

Image 22: Binnington Esplanade - Town Beach Iluka



Table 16: Precinct 5 - Preferred land uses

Preferred land uses		
Sub-precinct 5A: Beachside living	Sub-precinct 5B: Beachside public space	Sub-precinct 5C: Beachside investigation area
<ul style="list-style-type: none"> ▪ accommodation activities ▪ childcare centre ▪ community care centre ▪ community residence ▪ community use ▪ dual occupancy ▪ dwelling house ▪ home based business ▪ park ▪ residential activities ▪ sales office ▪ where located in the 'up to 5 storeys' and 'up to 8 storeys' areas as identified on Map 3: PDA building heights plan: <ul style="list-style-type: none"> - bar - club - food and drink outlet - function facility - health care services - hotel - market - service industry - shop - tourist attraction 	<ul style="list-style-type: none"> ▪ community use ▪ park 	<ul style="list-style-type: none"> ▪ community use ▪ park

Built form and design

Development in the Beachside precinct, sub-precinct 5A: Beachside living will:

1. deliver a built form that:
 - a. responds to, reflects and supports the tropical coastal character of Town Beach; and
 - b. is generally in accordance with Table 17: Precinct 5 – Development intensity and built form parameters.
2. provide a transition in building height intensity from Binnington Esplanade by decreasing height westward of the esplanade, as identified on Map 3 – PDA building heights plan.
3. focus commercial activities on primary frontages (identified on Map 9: Precinct framework plan 5 – Beachside).
4. preserve the views to the ocean at the eastern end of each street that intersects with Binnington Esplanade.
5. engage with, overlook and take advantage of views and amenity provided by the Coral Sea and offshore islands.
6. avoid the creation of battle-axe lots on sites with a building height of 'up to 5 storeys' or 'up to 8 storeys', as identified on Map 3: PDA building heights plan.

Table 17: Precinct 5 – Development intensity and built form parameters

Building height	As identified on Map 3 – PDA building heights plan ⁵⁹	Within sub-precinct 5A: <ul style="list-style-type: none"> ▪ Binnington Esplanade western frontage – up to 5 storeys (inclusive of podium height) ▪ where East Gordon Street, Shakespeare Street and Evan Street intersect with Binnington Esplanade, and south of Evan Street – up to 8 storeys (inclusive of podium height) ▪ all other sites – up to 3 storeys (inclusive of podium height)
	Podium	Up to 1 storey (inclusive of ground floor)
Minimum setback to a street	Podium (up to 1 storey)	3 metres, unless setback further from the street boundary to accommodate civic or outdoor trading spaces
	2 or more storeys	3 metres (outermost projection) to 6 metres (wall)
Minimum setback to side and rear boundaries	Up to 3 storeys	3 metres (outermost projection) to 6 metres (wall)
	4 or more storeys	6 metres (outermost projection) to 9 metres (wall)
Site cover	For: <ul style="list-style-type: none"> ▪ residential activities ▪ accommodation activities 	Where building height is: <ul style="list-style-type: none"> ▪ up to 3 storeys – 70 per cent of site area ▪ 4 to 6 storeys – 60 per cent of site area ▪ 7 or more storeys – 50 per cent of site area
Minimum boundary setbacks for a dwelling house	All property boundaries	For guidance, refer to the Dwelling house code in the Mackay Region Planning Scheme.
Maximum building length	Tower elements	30 metres in any horizontal direction
Building interface with street at ground floor	Doors and openings / glazing	On a primary frontage, minimum 75 per cent of total frontage
Pedestrian amenity	Shade and shelter	Combination of shade (trees and landscaping) and shelter on all streets
	Footpath	For the entire length the following streets: <ul style="list-style-type: none"> ▪ East Gordon Street (southern side) ▪ Binnington Esplanade (western side) ▪ Shakespeare Street (northern side) ▪ Evan Street (southern side)

Image 23: Binnington Esplanade



Public realm

Development in the Beachside precinct, sub-precinct 5A: Beachside living will:

7. have regard to the relationship and interface with regional recreation parkland, facilities and activities consisting of passive and active recreational, tourism and community uses at Iluka Park and along the Binnington Esplanade frontage.
8. extend the coastal character of Binnington Esplanade west along East Gordon Street that contributes to the character transition between the Beachside precinct and Queens Park precinct.

Movement, access and transport network

Development in the Beachside precinct, sub-precinct 5A: Beachside living will:

9. deliver a future extension of Binnington Esplanade south of Evan Street to improve road, pedestrian and cycle connectivity to urban areas south and southwest of the PDA, and between the PDA and the Mackay Airport.
10. on sites with frontage to the western side of Binnington Esplanade, co-locate vehicle access or provide vehicle access on east-west side

streets to enable safe pedestrian movement and maximise opportunities for outdoor activation activities along the Binnington Esplanade frontage.

Community safety and development constraints

Development in the Beachside precinct, sub-precinct 5A: Beachside living and sub-precinct 5C: Beachside investigation area will:

11. minimise impacts to coastal processes, landforms and habitats and significant vegetation in the vicinity of Iluka Park and the Cod Hole open space area (south of Evan Street).
12. minimise the impacts of, and improve resilience to, natural hazard events for sites south of Evan Street by providing appropriate flood and coastal hazard mitigation measures and infrastructure.
13. on development sites with frontage to the western side of Binnington Esplanade (north of Mulherin Street), discharge site and roofwater runoff east to Binnington Esplanade through either:
 - a. providing on-site detention to ensure no worsening; or
 - b. connecting 1% AEP roofwater runoff to the kerb and channel making allowance for connection into future stormwater infrastructure in Binnington Esplanade.

⁵⁹ In areas affected by flooding, building height above ground level is the building height identified in Map 3 – PDA building heights plan plus the highest of either the defined flood event (DFE) or defined stormtide event (DSTE) relevant to the subject site.

Precinct framework plan 5 - Beachside

- Development area
 - Public realm area
 - 1 Iluka Park
 - 2 Town Beach open space
 - 3 Sandfly Creek environmental area
 - PDA boundary
 - Precinct boundary
 - Sub-precinct boundary
 - Road
 - Pedestrian/cycle link - Bluewater Trail
 - Pedestrian/cycle link to Queens Park precinct
- Indicative elements**
- Investigation area
 - Potential future road
 - Primary frontage
 - Potential pedestrian/cycle link - Bluewater Trail
 - Potential pedestrian/cycle link to Queens Park



Table 18: Precinct 5, sub-precinct 5A: Beachside living - Categories of development

COLUMN 1: PDA accepted development	COLUMN 2: PDA assessable development	
	2A: Permissible development	2B: Prohibited development
<p>1. Development specified in Schedule 1.</p> <p>2. Material change of use for any of the following uses where located within an existing building that has been previously occupied by any of these uses:</p> <ul style="list-style-type: none"> a. commercial activities b. community activities c. indoor sport and recreation d. market. <p>3. Material change of use for dwelling house if complying with the requirements of accepted development in the Dwelling house code in the Mackay Region Planning Scheme 2017 and, if in the flood hazard area, results in a habitable floor level that achieves the finished floor level relevant to the defined flood event or defined storm tide event, whichever is the higher level⁶⁰.</p> <p>4. Material change of use for home-based business (other than what is specified in Schedule 1) if complying with requirements of accepted development in the Home-based business code in the Mackay Region Planning Scheme 2017.</p>	<p>1. All development other than development mentioned in columns 1 and 2B.</p>	<p>1. Development specified in Schedule 2.</p>

⁶⁰ Visit Mackay Regional Council's website to make an enquiry to identify the DFE or DSTE level - <https://onlineservices.mackay.qld.gov.au/ePathway/ePathProd/Web/Mobility/CityWatch/index.html?Action=CREATE&Module=ECRREQT&Class=ONLINE&Type=OLQ100>.

Table 19: Precinct 5, sub-precinct 5B: Beachside public space – Categories of development

COLUMN 1: PDA accepted development	COLUMN 2: PDA assessable development	
	2A: Permissible development	2B: Prohibited development
1. Development specified in Schedule 1.	1. All development other than development mentioned in columns 1 and 2B.	1. Development specified in Schedule 2.

Table 20: Precinct 5, sub-precinct 5C: Beachside investigation areas – Categories of development

COLUMN 1: PDA accepted development	COLUMN 2: PDA assessable development	
	2A: Permissible development	2B: Prohibited development
1. Development specified in Schedule 1.	1. All development other than development mentioned in columns 1 and 2B.	1. Development specified in Schedule 2.



Image 24: Artist's impression of Binnington Esplanade

THREE

3. INFRASTRUCTURE PLAN

3.1 PURPOSE

The purpose of this infrastructure plan is to ensure that the strategic intent and strategic outcomes for the PDA are achieved through:

- integrating infrastructure planning with land use planning identified in this Development Scheme;
- identifying the infrastructure requirements to be delivered by the local government, state government, water supply and sewer provider and / or developers; and
- providing a basis for imposing conditions on development approvals responding to the increased demand on the relevant infrastructure networks.

3.2 INFRASTRUCTURE NETWORKS

Table 21 identifies the infrastructure networks and the key infrastructure that will be provided or upgraded to enable the strategic intent and strategic outcomes of the PDA to be delivered.

3.3 INFRASTRUCTURE CATEGORIES

The infrastructure planned to be delivered within the PDA will fall into one of the following categories:

- trunk infrastructure
- non-trunk infrastructure
- other infrastructure.

The inclusion of infrastructure in Table 21 does not necessarily make the infrastructure eligible for a development charges offset. Non-trunk infrastructure is not eligible for offsets. To determine if infrastructure is eligible for an offset, refer to the Development Charges and Offset Plan⁶¹ (DCOP).

3.3.1 TRUNK INFRASTRUCTURE

Trunk infrastructure is the high-order shared infrastructure that is planned to service wider catchments in the PDA, rather than individual development sites. Trunk infrastructure may be delivered by the relevant infrastructure provider, such as Council, or by developers if required by a condition of a PDA development approval.

Image 25: River Street looking west



⁶¹ DCOP is currently under preparation. Until the DCOP is effective, infrastructure charges will be based on the applicable local government infrastructure charges instrument in force at the time the development application is approved.

⁶² Where the value of trunk infrastructure delivered by a developer (in accordance with the processes in the DCOP) is equal to or greater than the applicable charges for a development, the charge will be offset and therefore no charges will be payable.

3.3.2 NON-TRUNK INFRASTRUCTURE

Non-trunk infrastructure is the lower order infrastructure, which generally services a single development site, is internal to a development site, or connects the development site to trunk infrastructure. Non-trunk infrastructure will be provided by the developer, in accordance with the relevant responsible entity's requirements and as specified in a condition of a PDA development approval. Non-trunk infrastructure will not be eligible for offsets.

3.3.3 OTHER INFRASTRUCTURE

Other infrastructure includes infrastructure, which is not part of Mackay Regional Council's infrastructure networks. Other infrastructure may include necessary development infrastructure or provision for upgrades to the electricity, gas, telecommunications and / or state-controlled road networks.

Other infrastructure may be delivered by the local or State Government, other infrastructure providers or by developers who may be required to deliver or provide for this infrastructure by a condition of a PDA development approval.

3.4 INFRASTRUCTURE CHARGES, FUNDING AND CONDITIONS

Trunk infrastructure identified as necessary to service the PDA is set out in a Development Charges and Offset Plan (DCOP). The DCOP sets out whether infrastructure is eligible for an offset.

The Mackay Waterfront PDA DCOP sets out the following:

- development charges for the provision of local trunk infrastructure (Mackay Regional Council)
- trunk infrastructure plans and schedules of works identifying trunk infrastructure for which an offset against development charges shall be available
- matters relevant to calculating an offset, credit or refund for the provision of trunk infrastructure⁶².

The requirement to pay development charges set out in the DCOP, or to deliver the trunk infrastructure identified in the DCOP, will be through a condition of a PDA development approval. Infrastructure may be required to be delivered in accordance with a detailed Infrastructure Master Plan (IMP) that is prepared to support a development application or required by condition.

The infrastructure identified in Table 21 will be funded from a combination of development charges and other revenue sources. State infrastructure funding may be provided through Federal Government grants. State expenditure on trunk infrastructure will be subject to consideration through normal State budgetary processes and will be part of an approved State agency capital works program.

Not all the works identified in Table 21 will be delivered through conditions of approval. Some infrastructure may be delivered by other entities such as local government, state government or other infrastructure providers.

The infrastructure elements in Table 21 reflect current understanding at the time of publication. However, further detailed infrastructure investigations will occur as the development continues and the infrastructure requirements and delivery responsibilities will be reviewed and may be amended over time to reflect the outcomes of these investigations and changing circumstances.

Infrastructure required within any application area will be required to be delivered at the time of development occurring in that area unless otherwise agreed through conditions of a PDA development approval.

3.5 INFRASTRUCTURE AGREEMENTS

An infrastructure agreement may be negotiated and entered into with MEDQ and other relevant infrastructure providers to address the provisions and requirements of the Infrastructure plan.

Under section 120 of the ED Act, to the extent an infrastructure agreement is inconsistent with a PDA development approval, the infrastructure agreement prevails.

3.6 INFRASTRUCTURE STANDARDS

Infrastructure will be delivered in accordance with the standards identified in the Mackay Waterfront PDA DCOP.

Table 21: Infrastructure plan

Infrastructure category	Item	Details
Transport	Roads and intersections	<ul style="list-style-type: none"> ▪ New road connection between East Gordon Street and Kippen Street ▪ Binnington Esplanade upgrade
	Bridges and culverts	<ul style="list-style-type: none"> ▪ As required to service the PDA
	Active transport	<ul style="list-style-type: none"> ▪ Bluewater Trail connection between Evan Street and Kippen Street ▪ Pedestrian footpath connection east of Chain Street along the northern side of East Gordon Street
	Public transport	<ul style="list-style-type: none"> ▪ New bus facility on Binnington Esplanade
Public parks and open space	Parkland	Parks as required to service the PDA including: <ul style="list-style-type: none"> ▪ Regional recreation parkland in Queens Park ▪ Local/district/recreational parkland in the Beachside precinct
	Public realm	Public realm as required to service the PDA including: <ul style="list-style-type: none"> ▪ Riverside precinct ▪ Beachside precinct
Stormwater	Collection and conveyance	<ul style="list-style-type: none"> ▪ As required to service the PDA
	Treatment	<ul style="list-style-type: none"> ▪ As required to manage the impacts of the PDA
Water supply and sewerage	Potable water	<ul style="list-style-type: none"> ▪ As required to service the PDA
	Sewer	<ul style="list-style-type: none"> ▪ As required to service the PDA
Electricity	Electrical network	<ul style="list-style-type: none"> ▪ As required to service the PDA
Telecommunications	Telecommunications network	<ul style="list-style-type: none"> ▪ As required to service the PDA

Image 26: Pioneer River frontage



Image 27: Pioneer River looking east



FOUR

4. IMPLEMENTATION STRATEGY

The ED Act requires a development scheme to include an implementation strategy to achieve the main purposes of the ED Act for the PDA, to the extent that they are not achieved by the land use plan (section 2) or infrastructure plan (section 3).

The implementation strategy for the development scheme fulfills this requirement by identifying a number of key objectives and a suite of actions that support the achievement of the strategic intent and strategic outcomes for the PDA and support the delivery of economic development and development for community purposes within the PDA.

The key focus areas of this strategy are:

- delivering a vibrant, engaging, innovative and diverse public realm
- positioning the Mackay city centre
- supporting the regional economy and private sector investment
- increasing pedestrian amenity, movement and experience
- delivering exemplar design and innovation
- planning for a safe, accessible, resilient and sustainable urban environment
- additional strategies, investigations and works.

Mackay Regional Council will actively seek to attract investment and drive economic development through

various projects and actions as outlined below.

Investment facilitating the delivery of various projects and actions may be subject to coordinated decisions across private interests and various levels of government. The prioritisation and feasibility of these projects and actions will be determined on a case-by-case basis at the time they are proposed for commencement.

4.1 DELIVERING A VIBRANT, ENGAGING, INNOVATIVE AND DIVERSE PUBLIC REALM

Objective

Maximise the strategic advantage of the PDA's inner city, river, and coastal locations to deliver vibrant, engaging, innovative and diverse destinations, places and attractions.

Actions

1. Develop a master plan for the PDA that identifies:
 - a. public and private development opportunities and benefits
 - b. attractions and facilities
 - c. public realm works and embellishments
 - d. infrastructure works and requirements
 - e. a strategy for delivery.

The development of the master plan will include the preparation of concept plans and further detailed



Image 28: Potential public realm opportunities



planning for each precinct, and further investigation of identified elements, works or opportunities.

2. Council to work collaboratively with land owners of significant sites, key streets, waterfronts and other strategic locations in the PDA to:
 - a. ensure integrated design outcomes are achieved
 - b. facilitate and maximise economic and catalytic development outcomes
 - c. facilitate the consolidation of smaller lots for increased development potential
 - d. investigate local road closures in strategic locations to facilitate optimum redesign and realise the development aspirations of the waterfronts.
3. Where involving a permanent road closure, the land that is no longer designated as road is either:
 - a. amalgamated with the adjoining development site, where the land is to be used for a use other than park; or
 - b. becomes a separate freehold allotment where involving a public use such as park.
4. Prepare a specific plant species list and planting regime for the PDA for use in landscaping and public realm treatments that:
 - a. is easily and readily maintained and / or replaceable if required
 - b. includes local native and tropical species that

- contribute to and celebrate the established or intended character for each precinct
 - c. do not cause a nuisance to users, structures and infrastructure
 - d. achieves the objective of providing shade, amenity and comfort in the public realm.
- 5. Provide for the recognition and appropriate interpretation of important historical places, people and groups relevant to the area's historical and cultural background.
- 6. Work with Ergon Energy around the undergrounding of electricity lines in key streets, waterfronts and other strategic locations, where specific public realm outcomes are to be achieved in these areas.
- 7. Work with the State Government to investigate tenure, and appropriate future use and potential opportunities on key sites currently owned by the State government and identified as investigation areas on Map 2: PDA structural elements plan.
- 8. Prepare a Land Management Plan (LMP) under the *Land Act 1994* on key areas of Trust Land in the PDA where secondary uses are proposed. To ensure the benefit of the people of Queensland, the LMP will consider the requirements of the *Land Act 1994* including the principles of sustainability, protection, consultation and community purpose. The LMP will identify sustainable use, development and management of reserves relating to social and economic values, and future intentions for reserves

in accordance with the PDA development scheme.

- 9. Support the Department of Natural Resources, Mines and Energy in their determination under the *Land Act 1994* of the future use and tenure of State land sites identified as potentially available for development under action 7 in section 4.1. The determination will include consideration of community needs and whether Native Title can be addressed.

4.2 POSITIONING THE MACKAY CITY CENTRE

Objective

Increase the competitiveness and investment appeal of the Mackay city centre as a significant regional business / administrative hub and employment centre attracting regional office headquarters, government agencies, and professional and service businesses.

Actions

- 1. Develop a targeted investment and business attraction strategy to secure significant business investment, employment generation, and high quality commercial buildings in the city centre.
- 2. Investigate public realm improvements that will strengthen the character, amenity and investment appeal of the city centre to increase pedestrian activity, support surrounding development, and provide opportunities for placemaking activities.

Image 29: Leichhardt Tree

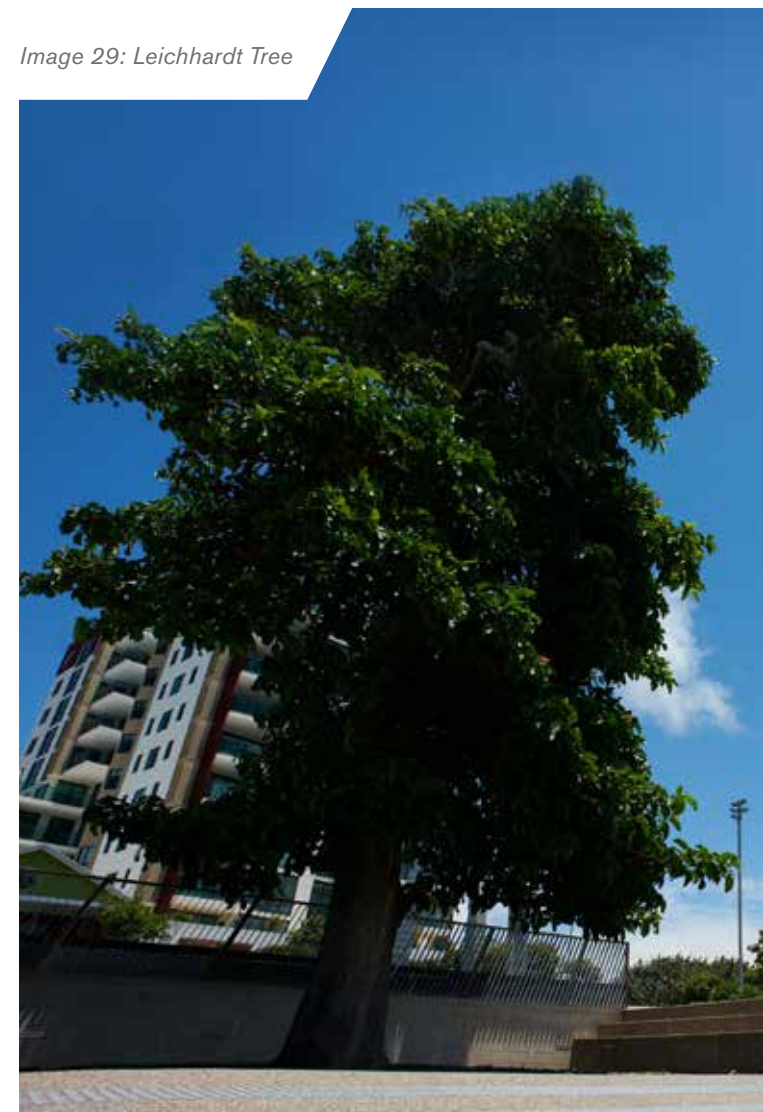


Image 30: Festival in Queens Park



3. Prepare a strategy to encourage the adaptive reuse of buildings, including heritage places, to activate the Mackay city centre precinct, increase tenancy diversity and choice of services, and contribute to the vibrancy of the Mackay city centre precinct.
4. Consider the extension and promotion of council's Façade improvement policy in the short to medium term applying to buildings within the Mackay city centre.
5. Work collaboratively with Department of Transport and Main Roads (DTMR) to improve the amenity, aesthetics and character of Sydney Street, whilst maintaining the through access function of the street.

4.3 SUPPORTING THE REGIONAL ECONOMY AND PRIVATE SECTOR INVESTMENT

Objective

Create an 'open for business' and 'investment ready' environment that attracts and facilitates development and investment in the PDA.

Actions

1. Prepare a specific economic development strategy for the PDA that:
 - a. includes a targeted investment and business attraction program that identifies key investment

opportunities and promotes the unique points of difference of the PDA including the delivery of vibrant waterfront destinations, city centre investment, and establishment of the Enterprise precinct, and encourage high quality development

- b. increases the market appetite for townhouse and apartment living.
2. Prepare a marketing strategy, which utilises fly-throughs, investment prospectus and commercial proposals to incentivise development both financially and operationally in the PDA.
 3. Support enhanced tourism opportunities in the PDA through:
 - a. developing a program to drive the development and delivery of tourism related projects and initiatives for the PDA
 - b. investigating future tourism trends, initiatives and strategies.
 4. Create and foster an 'open for business' and 'investment ready' environment by facilitating development outcomes, providing incentives, and minimising costs.
 5. Work with the development industry and other key stakeholders to monitor and evaluate market take-up of property in the PDA to inform future demographic analysis, land use planning and project marketing.

Image 31: Offshore islands at Town Beach



6. Investigate development investment opportunities on key sites currently owned by council located at:

- a. River Street car park (Mackay city centre precinct)
- b. Gordon Street car park (Mackay city centre precinct)
- c. Wood Street car park (Mackay city centre precinct)
- d. Brisbane Street car park (Riverside precinct).

7. Incorporate the PDA in the Mackay Regional Council Economic Development Strategy, Mackay tourism strategy and other relevant regional strategies with links to the PDA.

8. Investigate development incentive opportunities.

9. Promote private sector investment in innovation and knowledge industries within the Enterprise precinct by:

- a. preparing a strategy to attract and facilitate the establishment of innovation and knowledge industries, understanding the jobs of the future, and investigating the establishment of an initial innovation hub
- b. establishing synergies with tertiary education and other institutions
- c. promoting job creation, regional services, skills, technology and products that are offered and produced by innovation and knowledge industries.

10. Establish mechanisms to build partnerships with business, investors and the community to:

- a. foster and develop existing businesses in the region while proactively targeting business and investment attraction to Mackay
- b. enable and enhance business within the community
- c. facilitate interaction between investment groups and industry
- d. work with local business to increase productivity.

11. Support the establishment of temporary and interim uses as a method to attract visitors and activity to various areas in the PDA during the initial stages of development.

12. Investigate telecommunications infrastructure demand and requirements to support growth and development of commercial, innovation, research and knowledge activities in the PDA.

4.4 INCREASING PEDESTRIAN AND CYCLIST AMENITY, MOVEMENT AND EXPERIENCE

Objective

Increase the pedestrian amenity and experience across the PDA to encourage active modes of transport and create safe, vibrant, engaging and memorable places by promoting day and night activity.

Actions

1. Engage with DTMR and other relevant stakeholders to prioritise pedestrian movement and convenience through a range of measures at the following locations:

- a. investigating and implementing pedestrian responsive signals at the River Street and Sydney Street intersection
- b. investigating and implementing pedestrian responsive signals and / or a scramble crossing at the Victoria Street and Sydney Street intersection
- c. provide pedestrian crossings of Binnington Esplanade at regular intervals
- d. slow speed shared street environments adjacent to waterfront areas.

2. Develop and implement a range of direct (e.g. signage), and indirect (e.g. featured landscaping and footpath treatments) wayfinding measures that incorporate smart city technologies at strategic locations across the PDA.

3. Develop a strategy for placemaking activities and activation within streets, laneways, parks, waterfronts, and other public spaces, such as:

- a. permanent or temporary cultural and art installations that are suitable for the origins, history and character of Mackay
- b. a range of festivals, events, outdoor entertainment, sport and recreation, and markets

- c. temporary commercial uses like food trucks, carts and kiosks; or
- d. holiday / seasonal attractions and events such as a summer carnival or outdoor cinemas.

4. Reinforce the sense and identity of place and pedestrian orientation through:

- a. the inclusion of signature landscape planting, accent lighting, and landmark building architecture
- b. emphasising sightlines and views to natural features and buildings where these occur.

5. Maintain and enhance the Bluewater Trail and Cross City Link pedestrian / cycle network connections to, from and through the PDA.

4.5 DELIVERING EXEMPLAR DESIGN AND INNOVATION

Objective

Encourage and support the delivery of developments of exemplar design and innovation that positively contributes to the character and identity of places within the PDA.

Actions

1. Emphasise the importance of pre-application meetings to provide early feedback and advice in a collaborative and facilitative way to encourage high quality and innovative outcomes.

2. Investigate establishing a panel of experts that can be called upon to undertake design reviews of significant development proposals within the PDA to:

- a. ensure high-quality building and urban design outcomes in prominent locations
- b. promote design excellence
- c. advocate exemplary design.

3. Investigate tools to support the assessment of development proposals, such as a 3D model of the development area that a proposal can be inputted to assess design, context and potential impacts.

4. Explore opportunities to facilitate innovative sustainable solutions in the design, construction and operation of development across the PDA to create a substantial point of difference.

5. Develop a tropical Mackay building design and materials manual to guide and support the development of well-designed and climatically responsive buildings and spaces.

6. Promote a human-centred approach and the delivery of 'infrastructure as a service' and 'smart city' concepts and technologies to improve urban sustainability and drive innovation throughout the PDA to:

- meet the needs of people and end users
- increase community engagement, employee productivity, competitive advantage, community satisfaction, and liveability

- generate investment and jobs growth
- improve reliability and resilience
- reduce costs and promote affordability.

For example, explore the following smart city initiatives and opportunities:

- a. smart buildings and consolidated control systems
- b. use of recycled water
- c. renewable energy and low-emission technologies
- d. adaptive places, spaces and tenancies to promote a range of activities or shared working and living arrangements
- e. multi-modal transport
- f. smart lighting
- g. digital city services: high-speed fibre optic, wireless and mobile networks, integrated Wi-Fi, and connecting people through internet, smart phones / devices, and other mobile device connectivity
- h. connected sensors and CCTV
- i. power systems integration
- j. parking and transport real time tracking and assessment
- k. integrated signage / display panels
- l. inclusion of smart infrastructure within the streetscape and digital wayfinding.

Image 32: Bluewater Quay



4.6 PLANNING FOR A SAFE, ACCESSIBLE, RESILIENT AND SUSTAINABLE URBAN ENVIRONMENT

Objective

Create a safe, accessible, resilient and sustainable urban environment that has regard to environmental values and community safety.

Actions

1. Develop a public realm and streetscape manual to deliver cohesive and legible public spaces, improve safety and wayfinding, create a walkable, comfortable and inviting environment, and increase public and active transport use.
2. Investigate opportunities to promote sustainability and innovation in the public realm and built form through the design, construction and operation of development in the PDA.
3. Develop stormwater drainage guidance for development sites with frontage to the western side of Binnington Esplanade.
4. Investigate the requirements and impacts of future coastal-dependent development in relation to coastal protection works along the coast and within the Pioneer River with respect to coastal processes and resources.
5. Undertake a survey of areas without tenure, specifically connecting the Cod Hole open space area (identified on Map 2: Structural elements plan) and Binnington Esplanade (south of Kippen Street), to determine areas that are water and land, and the type of tenure to facilitate connectivity between north and south Binnington Esplanade.
6. Develop a Marine Plant Management Strategy for coastal and riverine areas within the PDA.
7. Identify short, medium and long-term access and parking objectives in the PDA that achieves a highly accessible and appealing urban environment.
8. Investigate the extent of the State marine park and potential impacts in consideration to future planning and design of the identified investigation area and potential future public realm works located in Precinct 5.
9. Identify and investigate works intended as coastal protection works with regard to coastal hazards.
10. Undertake a geotechnical investigation of Precinct 2 to determine the stability of the existing embankment to ensure extents of the investigation meet the intended development requirements.
11. Prepare a Flood Emergency Management Plan (FEMP) that fully considers passive and active flood measures including monitoring, evacuation trigger levels, roles and responsibilities, training and post flood response measures.





Image 33: High-rise apartments

4.7 ADDITIONAL STRATEGIES, INVESTIGATIONS AND WORKS

Actions

1. Identify and pursue external funding opportunities and grants where available to obtain capital funding to deliver identified initiatives, opportunities, public realm and infrastructure projects.
2. Develop additional guidance material as needed to assist in communicating the criteria within the development scheme (for example street profiles, cross sections and built form character).

SCHEDULES

SCHEDULE 1: PDA ACCEPTED DEVELOPMENT

Schedule 1 identifies development that is accepted development in accordance with column 1 of Tables 4, 7, 10, 13, 14, 15, 18, 19 and 20.

Building work	Operational work
Minor building work where not on a heritage place.	Filling or excavation where not on a heritage place and where: <ol style="list-style-type: none"> a. not exceeding 50m³ in volume; or b. top dressing to a depth of less than 100 vertical millimetres from ground level.
Building work for demolishing a building or other structure where: <ol style="list-style-type: none"> a. not on a heritage place; or b. not within 10m of a building on a heritage place. 	Carrying out operational work associated with the decontamination of land.
Minor building work where on a heritage place and where consistent with a <i>General Exemption Certificate</i> or an <i>Exemption Certificate</i> issued under the <i>Queensland Heritage Act 1992</i> .	Carrying out operational work that is clearing of vegetation, other than Significant vegetation unless the clearing of Significant vegetation is: <ol style="list-style-type: none"> a. carried out by or on behalf of Mackay Regional Council or a public-sector entity, where the works being undertaken are authorised under a State law; or b. carried out in accordance with the conditions of a PDA development approval for a material change of use or reconfiguring a lot.
Carrying out building work, where not on a heritage place, associated with: <ol style="list-style-type: none"> a. a material change of use that is PDA exempt development; or b. an approved material change of use. 	Carrying out operational work that is the placing of advertising devices where on a heritage place and where consistent with a <i>General Exemption Certificate</i> issued under the <i>Queensland Heritage Act 1992</i> .
Reconfiguring a lot	Carrying out operational work ⁶³ that is the placing of advertising devices where not on a heritage place.
Reconfiguring a lot involving road widening and truncations required as a condition of development approval.	Plumbing or drainage work
Material change of use	Carrying out plumbing or drainage work.
Making a material change of use of premises for: <ol style="list-style-type: none"> a. home-based business if: <ol style="list-style-type: none"> i. occupying a floor area of 30m² or less and the activity does not involve: <ul style="list-style-type: none"> ▪ employees on the site that do not also reside in the dwelling; and ▪ customers or clients visiting the site; or ii. involving home-based childcare. b. sales office and display home; c. outdoor sport and recreation, park or utility installation – if provided by a public-sector entity; d. telecommunications facility – if underground cabling for broadband purposes. 	All aspects of development
	Development prescribed in Schedule 6 of the Planning Regulation 2017, other than: <ol style="list-style-type: none"> a. Part 3 Section 18; and b. Part 5 Section 28.
	Development consistent with an approved Plan of Development.

SCHEDULE 2: PDA PROHIBITED DEVELOPMENT

Material change of use				
<p>For the whole of the PDA – Material change of use of premises for:</p> <ul style="list-style-type: none"> a. animal husbandry b. brothel c. cemetery d. crematorium e. cropping f. detention facility g. extractive industry h. high impact industry i. intensive animal husbandry j. motor sport facility k. non-resident workforce accommodation l. outstation m. permanent plantation n. relocatable home park o. rural industry p. rural workers' accommodation 	<p>In addition -</p> <ul style="list-style-type: none"> ▪ for the whole of Precinct 1: <ul style="list-style-type: none"> a. bulk landscape supplies b. dual occupancy c. dwelling house d. intensive horticulture e. special industry, if not distilling alcohol f. transport depot g. wholesale nursery ▪ for the whole of Precinct 2: <ul style="list-style-type: none"> a. agricultural supplies store b. bulk landscape supplies c. intensive horticulture d. special industry, if not distilling alcohol e. transport depot f. wholesale nursery ▪ for the whole of Precinct 3: <ul style="list-style-type: none"> a. accommodation activities b. dual occupancy c. dwelling house d. residential activities 	<ul style="list-style-type: none"> ▪ for the whole of Precinct 4: <ul style="list-style-type: none"> a. agricultural supplies store b. aquaculture c. high impact industry d. low impact industry e. marine industry f. medium impact industry g. nightclub entertainment facility h. outdoor sales i. special industry j. transport depot <p>In addition -</p> <ul style="list-style-type: none"> ▪ within Sub-precinct 4A: <ul style="list-style-type: none"> a. accommodation activities b. dual occupancy c. dwelling house d. residential activities e. shopping centre f. showroom 	<ul style="list-style-type: none"> ▪ within Sub-precinct 4B: <ul style="list-style-type: none"> a. bulk landscape supplies b. intensive horticulture ▪ within Sub-precinct 4C: <ul style="list-style-type: none"> a. bulk landscape supplies b. dual occupancy c. dwelling house d. intensive horticulture ▪ for the whole of Precinct 5: <ul style="list-style-type: none"> a. agriculture supplies store b. bulk landscape supplies c. garden centre d. high impact industry e. intensive horticulture f. nightclub entertainment facility g. special industry h. transport depot i. wholesale nursery 	<p>In addition -</p> <ul style="list-style-type: none"> ▪ within Sub-precinct 5B: <ul style="list-style-type: none"> a. accommodation activities b. dual occupancy c. dwelling house d. industry activities e. residential activities f. shopping centre g. showroom ▪ within Sub-precinct 5C: <ul style="list-style-type: none"> a. dual occupancy b. dwelling house c. low impact industry d. shopping centre e. showroom

⁶³ Refer to Subordinate Local Law No. 1.4 (Installation of advertising Devices) 2011 ([https://services.dsdip.qld.gov.au/locallaws/data/postamalgamation/RCMACK/SLL1.4%20\(Installation%20of%20Advertising%20Devices\)%202011.pdf](https://services.dsdip.qld.gov.au/locallaws/data/postamalgamation/RCMACK/SLL1.4%20(Installation%20of%20Advertising%20Devices)%202011.pdf)) for requirements and assessment of advertising devices within the Mackay Regional Council area.

SCHEDULE 3: DEFINITIONS

Definitions: Unless defined below, the definitions under the ED Act and the Mackay Region Planning Scheme 2017 apply to all development within the PDA.

Term	Definition
Activation measures	Means building elements such as pedestrian entrances / doors, windows and balconies.
Articulation measures	Means building elements such as building line projections / recessions, awnings, articulated roof profile, alternating materials and colours.
Bluewater Trail	Is a 16 km walking and cycling trail on the southern side of the city, traverses through the PDA and connects the Mackay city centre to southern urban areas via the riverfront, coast and Mackay Regional Botanic Gardens.
Cross City Link	Is a 5km walking and cycling trail that traverses through the PDA and connects the Mackay city centre to the industrial employment hub at Paget.
Greater Whitsunday Region	Includes the local government areas of Mackay Regional Council, Isaac Regional Council and Whitsunday Regional Council.
Ground level	Means: <ul style="list-style-type: none"> a. the level of the natural ground; or b. if the level of the natural ground has changed, the level as lawfully changed; or c. the ground floor of a building.
Heritage place	Means a place listed on either or both the Queensland Heritage Register or the Mackay Region Planning Scheme 2017, as amended from time to time.
Mackay Region Planning Scheme 2017	Means the Mackay Region Planning Scheme 2017, as amended and replaced from time to time.
Non-trunk infrastructure	Means the lower order infrastructure which generally services a single development site, is internal to a development site, or connects the development site to trunk infrastructure.
Other infrastructure	Means infrastructure which is not part of council's infrastructure networks, and may include necessary development infrastructure or provision for upgrades to the electricity, gas, telecommunications and/or state-controlled road networks.
Placemaking	Means the process of activating public spaces by transforming them in ways people relate best to; so being more appealing, surprising, activating and engaging. Typically includes public art, landscaping, lighting, seating, play features, pedestrian pathways, tactical urbanism and public events.
Plan of development	<p>A plan of development (PoD) may:</p> <ul style="list-style-type: none"> ▪ accompany an application for a material change of use or reconfiguring a lot; ▪ deal with any proposed use and any associated building work or operational work; and ▪ form part of the development approval. <p>A PoD is prepared by an applicant and may include maps, graphics and text. A PoD should indicate the location and function of uses and structure and how these uses and structures will relate to each other. The PoD cannot include land beyond the boundary of the land the subject of the application, but may cover only part of the land the subject of the application. An applicant may also be required to demonstrate impacts and connections to areas adjoining the subject land in a separate plan to the PoD.</p>

Term	Definition
Podium	Means a section of a building at its base, which is clearly differentiated from the spaces above it by its physical form or by the type of space inside it. Podiums can also be used to define the lower floors of a building without setbacks, when these floors hold common areas in contrast to the private floors above them. A podium includes the ground floor level.
Preserve / preservation	For the purpose of heritage values, means maintaining the fabric of a place in its existing state and retarding deterioration ⁶⁴ .
Primary frontage	Means primary streets and public realm frontages, where it is considered important that new development maintains / creates a street-orientated built form character and high-quality pedestrian environment. Primary frontages within the PDA are identified on Precinct framework plans.
Private open space	Means an outdoor space for the exclusive use of occupants of a building.
Public realm	Means the spaces that are used by the general public, including streets, laneways, squares, plazas and parks.
Public space	Means the spaces between and within buildings that are publicly accessible, including streets, squares, forecourts, parks and open spaces and may be in public or private ownership.
Rooming unit	Means an accommodation unit that is a room only and does not contain kitchen or laundry facilities.
Significant vegetation	Means all vegetation, except those listed as pest vegetation by state or local government, that is significant in its: <ul style="list-style-type: none"> a. ecological value at local, state or national levels including remnant vegetation, non-juvenile koala habitat trees in bushland habitat and marine plants; b. contribution to the preservation of natural landforms; c. contribution to the character of the landscape; d. cultural or historical value; or e. amenity value to the general public <p>Note: vegetation may be living or dead and the term includes their root stock.</p>
Serviced apartment	Means a self-contained accommodation unit that contains kitchen or laundry facilities.
Trunk infrastructure	Means the high-order shared infrastructure that is planned to service wider catchments, rather than individual development sites.
Urban design	Means the holistic design of urban environments, including the overall townscape, individual buildings, street networks, streetscapes, parks and other public spaces.

⁶⁴ The source of this definition is the Australia ICOMOS Charter for Places of Cultural Significance.

Defined activity groups: The following defined activity groups are referenced in precinct provisions and the level of assessment table in each precinct.

Defined activity group	Land uses
Accommodation activities	<ul style="list-style-type: none"> ▪ rooming accommodation ▪ short term accommodation
Commercial activities	<ul style="list-style-type: none"> ▪ bar ▪ food and drink outlet ▪ function facility ▪ health care services ▪ hotel ▪ office ▪ service industry ▪ shop ▪ shopping centre ▪ showroom ▪ theatre ▪ veterinary service
Community activities	<ul style="list-style-type: none"> ▪ club ▪ community care centre ▪ community use ▪ educational establishment ▪ emergency services ▪ place of worship
Industry activities	<ul style="list-style-type: none"> ▪ low impact industry ▪ research and technology industry ▪ warehouse
Residential activities	<ul style="list-style-type: none"> ▪ multiple dwelling ▪ residential care facility ▪ retirement facility

SCHEDULE 4: HERITAGE PLACES



Key

- Mackay Waterfront PDA
- Parcel boundaries (May 2018)
- Road casement
- State Heritage Place
- Local Heritage Place

Heritage place name	Address	State listed heritage	Local listed heritage
Customs House	31 River Street, Mackay	X	X
Police Station	57 Brisbane Street, Mackay	X	X
Mackay Court House	57 Brisbane Street, Mackay	X	X
National Bank and residence	79 Wood Street and 29 Wood Street, Mackay	X	X
Commonwealth Bank Building	63 Victoria Street, Mackay	X	X
Town Hall	63 Sydney Street, Mackay	X	X
Pioneer Shire Building	1 Wood Street, Mackay	X	X
Masonic Hall	57 Wood Street, Mackay	X	X
Paxtons Warehouse	10 River Street, Mackay	X	X
Wilkinson Hotel	140 Victoria Street, Mackay		X
ACB Building	99 Victoria Street, Mackay		X
Tilse Building	97 Victoria Street, Mackay		X
Shops	91, 93 and 95 Victoria Street, Mackay		X
Lamberts Building	89 Victoria Street, Mackay		X
Australian Hotel	83 Victoria Street, Mackay		X
William's Building	31 Wood Street, Mackay		X
Cross Printery	41 Wood Street, Mackay		X
Coleman's Building	47 Wood Street, Mackay		X
Shop	49 Wood Street, Mackay		X
Croker's Building	51 Wood Street, Mackay		X
Shop	80 Wood Street, Mackay		X
Aroney's Building	84 Wood Street, Mackay		X
Shop	86 Wood Street, Mackay		X
Shop	98 Wood Street, Mackay		X
Daily Mercury Building	36 Wood Street, Mackay		X
McGuires Hotel	15 Wood Street, Mackay		X
Andrews Building	11 Wood Street, Mackay		X
Cominos Building	7 Wood Street, Mackay		X
Mackay Post Office	35 River Street, Mackay		X
T & G Building	116 Victoria Street, Mackay		X

Heritage place name	Address	State listed heritage	Local listed heritage
Hamilton's Building	114 Victoria Street, Mackay		X
Armati's Building	110 Victoria Street, Mackay		X
Dalrymple Building	84, 88, 90, 94, 96, 98, 100 and 104 Victoria Street, Mackay		X
John Mackay memorial town clock	Victoria Street, Mackay		X
Black's Building	75 Victoria Street, Mackay		X
Imperial Hotel	73 Victoria Street, Mackay		X
RSL	70 Sydney Street, Mackay		X
Shop	68 Sydney Street, Mackay		X
Shop	66 Sydney Street, Mackay		X
Shop	62 Sydney Street, Mackay		X
Shop	53 Sydney Street, Mackay		X
Shop	49 Sydney Street, Mackay		X
Palace Hotel	38 Sydney Street, Mackay		X
Shop	36 Sydney Street, Mackay		X
JM Ramsamy Memorial Building	33 Sydney Street, Mackay		X
Shop	29 and 31 Sydney Street, Mackay		X
Sharps Building	26 and 28 Sydney Street, Mackay		X
Mackay Spare Parts	21 Sydney Street, Mackay		X
McKeever's Building	22 and 24 Sydney Street, Mackay		X
Cominos Store	14 and 18 Sydney Street, Mackay		X
AMP Building	10 Sydney Street, Mackay		X
Shop	8 Sydney Street, Mackay		X
Ambassador Hotel	2 Sydney Street, Mackay		X
Chaseley House	7 Sydney Street, Mackay		X
Friendly Societies Dispensary	5 Sydney Street, Mackay		X
Shop	74 Victoria Street, Mackay		X
Croker and Sons Building	60 Victoria Street, Mackay		X
Leichhardt Tree	10A River Street, Mackay		X
Butter Factory	14A Victoria Street, Mackay		X

SCHEDULE 5: REQUIREMENTS FOR ACCEPTED DEVELOPMENT

Precinct 1 – Mackay city centre

Development involving bar, hotel (involving a pub) and nightclub entertainment facility within the Mackay city centre precinct will:

1. co-locate to maintain a vibrant entertainment node on the following streets:
 - a. Victoria Street (between Sydney Street and Gregory Street);
 - b. Sydney Street (between Victoria Street and River Street); and
 - c. Wood Street (between Gordon Street and River Street).
2. locate within podium levels of an existing building.
3. ensure external noise levels, when measured from adjoining properties and the street, do not exceed:
 - a. background (L90) + 3dB(A) for variable noise between the hours of 10:00 pm and 7:00 am; and
 - b. maximum limit L_{Amax} 45dB(A)⁶⁵.
4. ensure gaming lounges and poker machines are

not visible or audible from the street.

5. avoid nightclub entertainment facility as the active frontage of a building.
6. ensure the location of the entry / exit point is:
 - a. clearly visible and accessible to patrons from the footpath;
 - b. setback no more than 2 metres from the property boundary; and
 - c. kept and maintained at all times in a clean, sanitary and tidy condition, including the adjoining pedestrian footpath area.
7. provide for the safe and orderly queuing of patrons on the footpath and maintain through pedestrian movement along the footpath by:
 - a. providing a minimum 10 metre separation distance between bar or nightclub entertainment facility entrances; and
 - b. ensuring the queuing area does not exceed 1.5 metres in width when measured from the property boundary.
8. provide an active frontage to streets by retaining or providing openings (doors and windows) to streets and laneways.





Image 34: Bar on Wood Street

Precinct 3 – Enterprise precinct

Development involving low impact industry within the Enterprise precinct will:

1. maintain onsite parking, vehicle access and landscaping.
2. occupy the same or less gross floor area within the existing building, and external extensions constitute minor building work.
3. not generate external air, noise, light, vibration or odour emissions.

⁶⁵ For guidance refer to the acoustic quality objectives (internal noise criterion) for the particular use identified in the Environmental Protection (Noise) Policy 2008 or, if not listed, the internal sound level design criterion contained in Australian Standard AS/NZS2107 Acoustics - Recommended design sound levels and reverberation times for building interiors.

GET IN TOUCH

mackay.qld.gov.au/mackaywaterfront

Write to MRC:

Mackay Regional Council

PO Box 41

MACKAY QLD 4740

Phone: 1300 MACKAY (1300 622 529)

Email: strategic.planning@mackay.qld.gov.au



MAY 2019

 MACKAY
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