

Blackwater UDA Development Scheme

Submissions Report

Under section 29 of the *Urban Land Development Authority Act 2007*

April 2011



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Following is a summary of the key amendments to the Proposed Blackwater UDA Development Scheme which was gazetted on 30 July 2010. The public notification and submission period for the Proposed Development Scheme was held from 7 February to 22 March 2011.

1. Summary of key amendments to Proposed Blackwater UDA Development Scheme arising from submissions

AMENDMENTS TO LAND USE PLAN

Residential Zone intent - The policy regarding the location of larger-scale non-resident worker accommodation has been amended to explicitly state that larger-scale non-resident worker accommodation is only appropriate in the part of the Residential Zone designated for this purpose to the east of Arthur Street.

Level of assessment tables - Amendments have been made to these tables to prohibit brothels in all zones and to impose separation distances between Adult stores and 'sensitive uses', such as schools and child care centres (self-assessable in the Centres and Industry Zones if the separation distances are achieved, and prohibited otherwise and in all other zones).

2. Summary of other key amendments to Proposed Blackwater UDA Development Scheme arising from operational and legal review

AMENDMENTS TO LAND USE PLAN

Components of land use plan - Revision of text to improve clarity of statements and consistency with legislation, legal advice and more recently drafted development schemes.

Level of assessment tables -

1. Clarification in the expression of the 'default' provisions that make development permissible if it is not mentioned elsewhere in the relevant table.
2. Clarification in the expression of provisions that make development consistent with a Plan of Development exempt from further assessment under the Development Scheme.
3. Clarification in the expression of provisions in the Residential zone that make development for a House exempt if it complies with appropriate State-wide siting and amenity provisions (as stated in the Queensland Development Code), unless the House incorporates a secondary dwelling, in which case, it becomes self-assessable development.
4. To assist with clear and consistent interpretation, explicit statement of the types of development that is self-assessable under the development scheme if the development would be self-assessable under the *Duaringa Shire Planning Scheme 2007*.
5. For improved readability, relocation of identified exempt development from Schedule 1 to the Level of assessment tables.
6. Placement of provisions about certain environmentally relevant activities in the exempt rather than self-assessable column, recognising that the development scheme does not impose any additional criteria for self-assessable development.

Design benchmarks – Explicit statement of the self-assessable criteria to support the self-assessable development listed from the *Duaringa Planning Scheme*.

3. Overview of submissions

A total of five hundred and ninety-five (595) submissions were received during the formal submission period.

Six (6) individual submissions were received from members of the local community. Four (4) were received from Queensland state agencies and two (2) from business/industry groups. Four hundred and sixty-eight 'form' letters (five different formats) were also received. One hundred and fifteen (115) of these letters did not include sufficient address information to enable an acknowledgement letter, or a notice under section 30 of the *Urban Land Authority Act 2007* (ULDA Act) to be given after the scheme is submitted to the Minister.

One (1) submission, from Central Highlands Regional Council, was received during the extended submission period.

Submissions were also received from the following key stakeholders:

- Central Highlands Regional Council (CHRC)
- Department of Community Safety (DCS)
- Department of Transport and Main Roads (DTMR)
- Department of Communities (DoC)
- Department of Environment and Resource Management (DERM)
- Queensland Resources Council (QRC)

All submissions have been summarised and considered in this report.

4. Brief summary of key areas of support and concern raised in the submissions

The following key areas of support and concern have been identified.

Key areas of support	
1.	Submitters support the provision of affordable housing, land for residential development and beautification of the town.
2.	CHRC supports the conversion of surplus parklands into development sites to increase the supply of serviced residential land that will assist in the provision of affordable housing options.
3.	CHRC supports the provisions in ULDA Guideline no. 04 <i>Design Benchmarks for Residential Infill Development in the Blackwater UDA</i> which do not facilitate battle axe lots. Also support range of options in the Proposed Development Scheme which provide alternatives to battle axe blocks.
4.	CHRC supports the underlying streetscape strategy and believe it will have a positive and long term affect on the liveability of Blackwater.
5.	DTMR supports the proposed pedestrian and cycle network indicated in the open space townscape strategy.
6.	QRC commend the work of the ULDA and acknowledge that the availability and affordability of housing is a key concern for the resources sector and local communities.

Key areas of concern	Response
<p>1. Submitters are opposed to additional mining camps within the Blackwater town footprint and are seeking a cap on camp accommodation provided.</p>	<p>As the Deputy Premier has stated following representations from the Blackwater Community Progress Association, the ULDA's role is not to make policy decisions on whether camps are appropriate or not in the town, or whether they should be located on mine sites. It is the responsibility of the Co-ordinator General to make decisions on employment arrangements, such as FIFO, for individual mines.</p> <p>The ULDA's role in Blackwater is principally to increase the availability of land for residential development, and specifically to address housing affordability issues.</p> <p>The Development Scheme does not prioritise the provision of non-resident worker accommodation ahead of other uses.</p> <p>With respect to camps, the ULDA's responsibility is to prepare a plan that will integrate any suitable camps that are proposed by ensuring that are appropriately located and by applying development standards that achieve a high level of amenity. The Development Scheme identifies an area within the eastern growth area as suitable for larger-scale, camp-style accommodation, and ULDA Guideline no.3 establishes design benchmarks to achieve high quality development. The extent of vacant land and the opportunity to provide direct access to the highway, provide opportunities for the eastern growth area to achieve a high standard of design solutions that minimise impacts on both existing and future housing areas.</p> <p>However, it is acknowledged that the policy expressed in the Residential Zone intent in the Proposed Development Scheme was not explicit about the appropriateness of larger-scale accommodation outside the identified eastern area. Having regard to concerns raised in submissions about camp-style accommodation within the town, the Development Scheme will be amended to give certainty by stating explicitly that only the eastern area is appropriate for this type of development.</p>
<p>2. Submitters are concerned with the social impacts of mining camps on the community and the pressure camps place on local services and infrastructure. Concern was also raised about the population data used for providing infrastructure.</p>	<p>Assessment of social impacts of mining camps is outside the scope of the ULDA and the matters directly addressed in Development Schemes. However, to assist the local Council, and those agencies and community organisations with the responsibility for providing social, community and cultural services and facilities, a study was commissioned to assess the current provision of those services and facilities in Blackwater, and also expected demand in response to population growth. The ULDA will proceed to facilitate an implementation strategy based on this assessment.</p> <p>The difficulty for the Census to accurately reflect the number of non-resident workers in mining towns such as Blackwater is well recognised. The Office of Economic and Statistical Research (OESR) for the last 5 years has conducted an annual count of non-resident workers in Blackwater (and other towns in the Bowen Basin) to estimate the Full Time Equivalent (FTE) Population. The methodology includes a survey of commercial accommodation providers. Information is also obtained through interviews and surveys of key</p>

Key areas of concern	Response
	employers and stakeholders, and analysis of data from the 2006 Census of Population and Housing. The FTE provides a sound basis for the planning of infrastructure and service provision in Blackwater, and consultation with service providers indicates this information is used.
<p>3. Submitters believe there should be greater emphasis on providing housing for families rather than camps.</p>	<p>The Development Scheme does not prioritise the provision of non-resident worker accommodation ahead of other uses.</p> <p>The ULDA will be helping to increase the availability of housing within Blackwater by:</p> <ul style="list-style-type: none"> • facilitating the development of State land for residential purposes • promoting greater diversity of housing by introducing more flexibility in Development Scheme regulations to encourage smaller forms of housing and lot sizes • undertaking development that demonstrates high quality of more diverse forms of housing • working with CHRC to retain affordable housing stock and ensure that the target market is key workers • committing \$1 million for affordable housing for Blackwater to be delivered in the 2010/2011 year. <p>Within the Development Scheme, the Residential Zone caters for a range of residential types and densities to provide choice and variety in accommodation forms for both permanent residents and non-residents. Only one area is identified in the Development Scheme for larger-scale worker accommodation.</p> <p>The ULDA has also supported the Development Scheme with an Open Space and Townscape Strategy that aims to enhance the attractiveness of the town to all members of the community, as well as new families, investors and visitors.</p>
<p>4. Submitters from the community believe their previously raised concerns have not been taken seriously and incorporated into the Proposed Development Scheme.</p>	<p>A comprehensive consultation process has been used to assist with understanding community views. Many views were expressed during this process, including support for improving the supply of residential land and for a higher standard of camp accommodation. However, the ULDA's role in Blackwater is not to make policy decisions on whether camps are appropriate or not in the town. The ULDA's role is to introduce a plan that will integrate any suitable camps that are proposed by ensuring that are appropriately located and by applying development standards they achieve a high level of amenity. The Development Scheme identifies an area within the eastern growth area as suitable for larger-scale non-resident worker accommodation, and ULDA Guideline no.3 establishes design benchmarks to achieve high quality development.</p>
<p>5. Consistent with their position for the whole local government area, CHRC asks that development for brothels be prohibited in all zones within the UDA. Regulation of adult stores in line with the State Planning Regulatory Provision is also sought.</p>	<p>Amendments have been made to these tables to prohibit brothels in all zones and to impose separation distances between Adult stores and 'sensitive uses', such as schools and child care centres (self-assessable in the Centres and Industry Zones if the separation distances are achieved, and</p>

Key areas of concern	Response
	prohibited otherwise and in all other zones).
<p>6. A submitter considers the Proposed Development Scheme does not address housing need, unjustly restricts the immediate development of available land west of Mackenzie Street, devalues that land, and directs non-resident worker accommodation development to State-owned land.</p>	<p>In the Draft Structure Plan the area west of Mackenzie Street (mostly State-owned) was allocated to residential purposes and identified as 'Proposed non-resident worker accommodation if required', with the added note that the eastern growth area was to be developed before the Mackenzie Street area. The Proposed Development Scheme did not identify the area for non-resident worker accommodation but retained part of the area within the Residential Zone.</p> <p>This change reflected an assessment that adequate land is currently identified elsewhere within the UDA to meet expected growth in the foreseeable future, and also concern that potential development constraints of the larger area have not been investigated.</p> <p>The retention of part of the western area within the Residential Zone is in keeping with the former zoning under the Duaringa Planning Scheme and also acknowledges a development application made for the land to CHRC prior to declaration of the UDA, with CHRC's consent as the land owner.</p> <p>If the current application is approved by the CHRC the development may proceed and the resulting use will be lawful and unaffected by the Development Scheme.</p> <p>Should the development not proceed, the land will continue to have potential for development for residential purposes.</p>

5. Summary of submissions – Blackwater UDA Proposed Development Scheme

Issue #	Issue/Comment	Response	Amendment Yes/No
AREAS OF SUPPORT			
GENERAL			
1.	Submitters support the provision of affordable housing, land for residential development, and enhancement of the town, including improvements to the town centre and beautification of the town through landscaping of streets and parks.	Noted	No
2.	QRC commends the work of the ULDA and acknowledges that the availability and affordability of housing is a key concern for the resources sector and local communities.	Noted	No
3.	Submitter believes the town desperately needs affordable housing and supports the commencement of the ULDA housing project.	Noted	No
COMMENTS ON LEVEL OF ASSESSMENT TABLES			
4.	DoC supports the provisions of the exempt development schedule which allow for all aspects of development undertaken by the state, or statutory body representing the state, for the purposes of public housing to be exempt. .	Noted	No
COMMENTS ON PUBLIC REALM AND COMMUNITY SPACES AND FACILITIES (INCLUDING BLACKWATER UDA OPEN SPACE AND TOWNSCAPE STRATEGY REPORT)			
5.	Submitters support beautification of the town and improvements to the public realm and community including Blain Street improvements.	Noted	No
6.	CHRC supports the conversion of surplus parklands into development sites to increase the supply of serviced residential land that will assist in the provision of affordable housing options.	Noted	No
7.	DTMR supports the proposed pedestrian and cycle network indicated in the Blackwater UDA Open Space and Townscape Strategy Report.	Noted	No
8.	CHRC supports the underlying streetscape strategy which is expected to have a positive long term effect on the liveability of Blackwater.	Noted	No
COMMENTS ON DESIGN BENCHMARKS (INCLUDING BLACKWATER INFILL RESIDENTIAL DEVELOPMENT GUIDELINE)			
9.	CHRC supports the provisions in ULDA Guideline no. 4 <i>Design Benchmarks for Residential Infill Development in the Blackwater UDA</i> which discourages battle axe lots and	Noted	No

Issue #	Issue/Comment	Response	Amendment Yes/No
	offers a range of alternative development options for awkward shaped allotments.		
<i>COMMENTS ON NON-RESIDENT WORKERS ACCOMMODATION (INCLUDING GUIDELINE)</i>			
10.	CHRC supports the creation of a precinct for non-resident worker accommodation with a new access to the Capricorn Highway to enable the expansion of this type of accommodation in a manner that respects the existing fabric of Blackwater.	Noted	No

Issue #	Issue/Comment	Response	Amendment Yes/No
AREAS OF CONCERN			
GENERAL			
11.	<p>A submitter is concerned that the ULDA has altered the provisions of the previously released Draft Structure Plan which identified areas to the west of Mackenzie street as suitable for non-resident worker accommodation.</p> <p>The submitter argues the changes in the Proposed Development Scheme appear to have been made without due consideration of housing need, and do not recognise the development potential of the site:</p> <ul style="list-style-type: none"> • suitable for a mixed use development comprising short (tourist park), medium (non-resident workers accommodation) and long term (multiple residential) accommodation types • meets all the benchmarks of the Non-resident workers accommodation guideline due to its frontage to a major road, substantial land holding area, isolation from incompatible uses, isolation from residential houses, proximity to the Blackwater hospital, accessibility to the town centre • the desire of the developer to construct a high quality design outcome. <p>Submitter notes the land within the eastern growth area is currently owned by the State and it is likely to be a number of years before accommodation is delivered, making existing housing pressures substantially more significant.</p> <p>The Proposed Development Scheme is limiting the release of land and limiting development. The submitter further argues the Proposed Development Scheme promotes anticompetitive behaviour in directing development to land owned by the state and limiting development within privately owned parcels.</p>	<p>In the Draft Structure Plan the area west of Mackenzie Street was allocated to residential purposes and identified as 'Proposed non-resident worker accommodation if required', with the added note that the eastern growth area was to be developed before the Mackenzie Street area. The Proposed Development Scheme did not identify the area for non-resident worker accommodation but retained part of the area within the residential zone.</p> <p>This change reflected an assessment that adequate land is currently identified elsewhere within the UDA to meet expected growth in the foreseeable future, and also concern that potential development constraints of the larger area have not been investigated.</p> <p>The retention of part of the western area within the Residential Zone is in keeping with the former zoning under the Duaringa Planning Scheme and also acknowledges an application for development of the land made to CHRC prior to declaration of the UDA, with CHRC's consent as the owner of the land.</p> <p>If the current application is approved by the CHRC the development may proceed and the resulting use will be lawful and unaffected by the Development Scheme.</p> <p>Should the development not proceed, the land will continue to have potential for development for residential purposes.</p> <p>Rather than limiting the release of land and limiting development, the Proposed Development Scheme zones additional land for residential purposes. Although, the release of this land is subject to a range of processes which are not directly within the control of the ULDA (such as revocation of reserves, addressing Native Title matters), the ULDA is actively working to expedite these processes with the relevant entities.</p>	No
12.	<p>QRC believes there is a need for a short term impact on delivery of housing for the resource sector, as inability to locate suitable accommodation can be problematic for recruitment and retention which affects the resource industry's development. Given the large number of expansions planned for the region, QRC believes the governments must act fast to make land available for development by removing red tape to allow development</p>	<p>The ULDA will be helping to increase the availability of affordable housing within Blackwater by:</p> <ul style="list-style-type: none"> • facilitating the development of State land for residential purposes • promoting greater diversity of housing by introducing more flexibility in regulations to 	No

Issue #	Issue/Comment	Response	Amendment Yes/No
	approvals to be issued quickly and efficiently.	<p>encourage smaller forms of housing and lot sizes</p> <ul style="list-style-type: none"> undertaking development that demonstrates high quality of more diverse forms of housing. 	
13.	DERM is concerned the Proposed Development Scheme does not show stock routes that traverse Blackwater. DERM requests that the Development Scheme reference stock routes to ensure that any possible disruptions to the stock route network are avoided. Where there are any disruptions to the stock route network, DERM requests realignment/replacement of corridors of similar width and suitable country type to allow for the uninterrupted flow of travelling stock.	The Stock Routes are adjacent to the UDA and are not disrupted at any point by the UDA. DERM and CHRC may continue to deal with this matter through current processes.	No
14.	Submitter is concerned that changes (from the ULDA Draft Structure Plan and the Duaringa Shire Planning Scheme) to the definitions and land use intent relevant to a site in Mackenzie Street have limited the development potential of this site and devalued the land.	<p>The subject site was included within the Residential precinct of the Town Zone under the Duaringa Shire Planning Scheme. Outcomes sought for the Residential Precinct are for land to be used predominantly for uses in the Residential Use Class, and for uses in other classes generally not to be located there.</p> <p>In the Draft Structure Plan was identified as 'Proposed Non-resident worker accommodation if required', with the added note that the eastern growth area was to be developed before the Mackenzie Street area. The Proposed Development Scheme reduced the area identified for residential purposes west of Mackenzie Street to only the subject site, and removed its identification as proposed for non-resident worker accommodation.</p> <p>This change reflected an assessment that adequate land is currently identified elsewhere within the UDA to meet expected growth in the foreseeable future, and also concern that potential development constraints of the larger area around the subject site have not been investigated.</p> <p>The site continues to have potential for residential development as it did under the Duaringa Shire Planning Scheme. The Draft Structure Plan was a consultation instrument without any statutory effect. It consisted essentially of a 'vision map' and incorporated no regulatory component such as definitions, assessment criteria or assessment tables.</p>	No
<i>COMMENTS ON DEFINITIONS</i>			
15.	CHRC has identified that the term Dual Occupancy is covered in the definitions of a 'House', where on a single	The Proposed Development Scheme was not clear in this regard. A secondary dwelling may be a	Yes

Issue #	Issue/Comment	Response	Amendment Yes/No
	<p>land title, and a 'Dwelling Unit', where 2 'Dwelling Units' occur on a single land title. In the latter case the 2 'Dwelling Units' would be eligible for a reconfiguration as per the <i>Body Corporate and Community Management Act</i>.</p> <p>CHRC notes there is a relationship between lot size and affordability but this also needs to be tempered with the amenity expectation of residents that can be more readily achieved on larger allotments.</p> <p>CHRC suggests an amendment to place 'Dwelling Unit' in level of assessment table Column 2 'Self Assessable Development' in the Residential zone for allotments 400 m² or greater. Additionally CHRC suggests including a definition for Rear Lot in Schedule 2: Definitions: Administrative Definitions.</p>	<p>component of a House, but a 'Dual Occupancy' (allowing for two primary dwellings, each separately owned) would represent one form of Multiple residential use.</p> <p>The definitions of House and Multiple Residential in the Development Scheme have been amended to make this distinction clear.</p> <p>The design benchmarks for Multiple residential uses in ULDA Guideline no. 4 <i>Residential Infill in the Blackwater UDA</i> will also be amended to specify a minimum lot size 500m² for two dwellings.</p> <p>Further amendment has also been made to the guideline to emphasise the importance of minimising the number of battle axe blocks with adjoining access strips.</p>	No. 16
16.	<p>CHRC notes that 'Fast Food Premises' and 'Food Premises' definitions cover very similar types of land uses that attract very similar development assessment criteria. CHRC believes the inclusion of two definitions adds unnecessary complexity to the Proposed Development Scheme and limits the flexibility of businesses in Blackwater. It is considered that the two definitions could be merged and treated throughout the document in the same manner as the Food Premises definition is currently treated.</p> <p>CHRC suggests amending the 'Food premises' definition to include the additional aspects of the 'Fast food premises' and add fast food premises to the list of included land uses at the end of this definition.</p>	<p>Agree.</p> <p>The definitions and other references in the Development Scheme have been amended to include only one definition for food premises.</p>	Yes No. 11
17.	<p>DERM states the definition of significant vegetation does not specifically include remnant or high value regrowth.</p> <p>DERM questions why the definition is different between the Blackwater and Moranbah Development Schemes.</p> <p>DERM requests the definition be clarified and reference to remnant vegetation and high value regrowth be included in the definition.</p>	<p>The definition of 'significant vegetation' in the Proposed Development Scheme was not updated to align with the Moranbah Development Scheme.</p> <p>The updated definition covers vegetation of State value and has been included in the Development Scheme.</p>	Yes No. 13
COMMENTS ON HOUSING AND COMMUNITY (INCLUDING AFFORDABLE HOUSING, SOCIAL ISSUES, AVAILABILITY OF LAND)			
18.	<p>Submitter is concerned that the once happy, family oriented community of Blackwater is decaying.</p>	<p>A primary objective of the Development Scheme is to facilitate a diverse range of residential development to meet the needs of all households, particularly families and key workers.</p> <p>The ULDA has also supported the Development</p>	No

Issue #	Issue/Comment	Response	Amendment Yes/No
		Scheme with an Open Space and Townscape Strategy that aims to enhance the attractiveness of the town to all members of the community, as well as new families, investors and visitors.	
19.	<p>Submitters are concerned the Proposed Development Scheme focuses too heavily on single person accommodation and would like to see more land available for residential purposes.</p> <p>Submitters would like to see more family housing to attract more permanent residents to town, as well as 1 and 2 bedroom pensioner units.</p>	<p>The ULDA will be helping to increase the availability of housing within Blackwater by:</p> <ul style="list-style-type: none"> • facilitating the development of State land for residential purposes • promoting greater diversity of housing by introducing more flexibility in Development Scheme regulations to encourage smaller forms of housing and lot sizes • undertaking development that demonstrates high quality of more diverse forms of housing • working with CHRC to retain affordable housing stock and ensure that the target market is key workers • committing \$1 million for affordable housing for Blackwater to be delivered in the 2010/2011 year. <p>Within the Development Scheme, the Residential Zone caters for a range of residential types and densities to provide choice and variety in accommodation forms for both permanent residents and non-residents. Only one area is identified in the Development Scheme for larger-scale worker accommodation.</p> <p>It should also be noted that the allocation of land for larger-scale worker accommodation in the eastern growth area does not occupy land that would otherwise be required for family housing.</p> <p>Based on population projections currently available (PIFU medium series based on 2006 Census and 2008 LGIS Small Communities Study), sufficient land has been allocated for residential purposes to accommodate growth to 2031.</p>	No
20.	<p>Submitters are concerned the average person cannot afford to own a home in Blackwater, and believe Blackwater desperately needs affordable housing. Submitters would like to see housing available to the average person, not just the mining companies.</p> <p>One submitter states that a limited number of people in the town have a stranglehold on residential land and will try to force prices up to make a profit.</p> <p>Another submitter questions whether the first affordable housing development will be held in trust and managed by</p>	<p>The ULDA will be providing direct funding for the development of affordable housing options in Blackwater. The ULDA has committed \$1 million to be delivered in the 2011/12 year. Consultation with CHRC has indicated that there is significant demand for affordable rental of smaller dwellings (2 bedroom stock). The ULDA is working with CHRC to leverage other sources of funding to supplement the initial \$1 million.</p> <p>The strategy for who can buy dwellings is still being developed. However, the ULDA is working with</p>	No

Issue #	Issue/Comment	Response	Amendment Yes/No
	a not for profit organisation and is concerned affordable housing development would be auctioned to the highest bidder and exploited.	<p>CHRC on mechanisms to retain this affordable housing stock to ensure it does not end up in the general market.</p> <p>One option being explored is the gifting of dwellings to a local not-for-profit housing provider who could then own and manage the dwellings, ensuring that they are targeted to non-resource key workers. The ULDA is also exploring the option of quarantining a proportion of the housing available to purchase specifically for low to moderate income households who indicate a preference to be permanent residents of Blackwater.</p>	
21.	Submitter would like to see UDA-wide criteria amended to include additional provisions to allow for the appropriate expansion of existing or approved uses.	Any proposal for expansion of an existing or approved use needs to be considered on its merits. The current UDA-wide criteria adequately provide for this.	No
22.	Submitter acknowledges the right of employees to choose where they and their families live. Submitter believes accommodation must incorporate a mixture of units and housing to meet different needs of community members including resource industry employees.	The ULDA's objective for the Development Scheme is to facilitate a diversity of housing to meet the needs of all.	No
23.	Submitters believe more land needs to be made available for housing, including family housing and 1 and 2 bedroom pensioner units, not mining camps This is important to encourage people to want to come to the town.	See response to Issue #20.	No
24.	Submitter states that currently there is not one block of available land for sale and it is unclear when the ULDA will release more land. However a large tract of land has been identified to the east of the town for further non-resident worker accommodation. Questions why it is so easy to do this but not release as an acreage development?	<p>Most large areas of land suitable for residential development throughout Blackwater are State-owned, including land in the eastern area of the town. The ULDA's role is to facilitate the availability of this land for development. The eastern area includes land identified for standard residential purposes as well as larger-scale non-resident worker accommodation.</p> <p>Developing land in Blackwater for 'acreage' development would not achieve an adequate supply of lots to meet demand, and the provision of services would be more costly and less efficient than traditional residential development. This would impact adversely on affordability.</p>	No
<i>COMMENTS ON CENTRE VITALITY AND EMPLOYMENT (INCLUDING DEVELOPMENT OF BLACKWATER TOWN CENTRE IN BLAIN STREET)</i>			
25.	Submitter supports the beautification of the Blain Street precinct but is unsure as to the timeframe due to a difficult economy. Submitter is concerned if it is left to the CHRC, to part or fully fund the development, Blackwater will not	The Development Scheme's Implementation Strategy identifies a number of ways for the ULDA to facilitate implementation of the Open Space and Townscape Strategy, including through pursuing and investigating a variety of funding opportunities.	No

Issue #	Issue/Comment	Response	Amendment Yes/No
	the see the project even commence.	The ULDA will continue to support CHRC in delivering improvements.	
26.	Submitter believes coal rich communities like Blackwater should be maintained and improved as family friendly towns providing genuine options for future generations, that not only work for and support the industry and the community itself, but also provide options for the region to diversify into other employment opportunities in the future to ensure growth.	Agree. The Development Scheme has been drafted to support economic growth within the town, including reinforcing the role of the Blackwater Town Centre as the retail focus, and the centre near the Capricorn Highway as the hub for local business, tourists and community services.	No
<i>COMMENTS ON NEIGHBOURHOOD, INFILL BLOCK AND LOT DESIGN (INCLUDING DENSITY, HEIGHT AND BUILDING DESIGN)</i>			
27.	<p>DTMR would like to see additional wording added to the UDA Wide Criteria under Neighbourhood, infill, block and lot design (dot points 3 and 11) and Infrastructure, street design and parking (dot point 9).</p> <p>DTMR has requested that under point 3, the following additional wording and a footnote reference to Austroads Park 6A be included:</p> <p>"promote and facilitate high quality walking and cycling facilities to local parks, services and key attractors including the provision of cycling parking facilities".</p> <p>DTMR has requested under point 11 (section 3.3.3) and 14 (section 3.3.5), the following additional wording and footnotes be included:</p> <p>"noise sensitive uses located within a transport noise corridor # must comply with best practice acoustic standards*. Landscaped mounding, acoustic barriers or other south attenuation measures should be considered to ameliorate the impacts of road and rail noise.</p> <p>#as defined in Section 246z of the <i>Building Act 1975</i></p> <p>*Refer to <i>Environmental Protection (Noise) Policy 2008</i>; Queensland Development Code: Mandatory Part 4.4 - Buildings in a Transport Noise Corridor and the Department of Transport and Main Road's Road Traffic Noise Management: Code of Practice".</p>	<p>Further reference to the provision of cycling facilities is appropriate in the UDA-wide criteria.</p> <p>An amendment has been made in section 3.3.7 of the criteria addressing the Public realm.</p> <p>Section 3.3.5 in the Proposed Development Scheme cycle connections to key destinations. No amendment has been made in this regard.</p> <p>ULDA Guideline No. 14 <i>Environment and Natural Resources Sustainability</i> supports the Development Scheme's UDA-wide criteria with detailed standards for development. The guideline addresses noise impacts and includes reference to <i>Environmental Protection (Noise) Policy 2008</i> and the Queensland Development Code Part 4.4.</p>	Yes No.1
<i>COMMENTS ON INFRASTRUCTURE, STREET DESIGN AND PARKING (INCLUDING TRAFFIC, ROADS, PED AND CYCLE)</i>			
28.	Submitter is concerned that this proposal is all about single person accommodation and hospitals, schools and utilities do not get a look in.	The Development Scheme makes provision for all forms of residential development, as well as community facilities. Also, although the ULDA is not responsible for providing community facilities, it has supported the planning for such facilities by State and other providers through undertaking an	No

Issue #	Issue/Comment	Response	Amendment Yes/No
		audit of community services facilities in Blackwater. The Implementation Strategy also states that the ULDA will prepare a Blackwater UDA Social, Cultural and Community Infrastructure Strategy, and work with relevant organisations to facilitate the provision of facilities and services identified in the strategy.	
29.	Submitter would like to see car parking problems in the streets around existing high density mining accommodation addressed.	The ULDA is not able to address existing parking problems through its planning and development assessment roles. However, the provision of adequate parking is an important matter addressed in ULDA Guideline no.3 <i>Non-resident worker accommodation</i> which will be applied in assessing developments applications for this type of development under the Development Scheme.	No
30.	DTMR would like to see a precinct plan addressing the integration of land use and transport planning provisions, particularly staging of development to provide access to the Capricorn Highway. DTMR is concerned that if reliance is placed only on plans of development, planning will be piecemeal and will not achieve the big picture of an integrated transport system.	It is agreed that staging is an important matter for the appropriate development of the eastern growth area, particularly in relation to the provision of roads. The reference to consultation with DTMR in the Implementation Plan has been amended to make this clear. A precinct plan is not necessary.	Yes No.8
<i>COMMENTS ON ENVIRONMENT AND SUSTAINABLE DEVELOPMENT (INCLUDING FLOODING, STORMWATER, NOISE, AIR, WATER, CONTAMINATION, SEWERAGE)</i>			
31.	<p>DERM has stated that the <i>Nature Conservation Act 1992</i> (NCA) and its subordinate regulatory instruments have not been addressed in the Proposed Development Scheme. In this regard, DERM states there are not clear criteria for assessment of development applications within the Proposed Development Scheme.</p> <p>DERM suggests the Proposed Development Scheme be amended to include guidelines and/or criteria for assessment to ensure development applications comply with the provisions of the NCA as follows:</p> <p>1. Where there is a requirement for clearing of plants protected under the NCA:</p> <p>(a) clearing of protected plants must only occur in accordance with a clearing permit or an exemption under the NCA</p> <p>(b) offsets must be provided for the permanent loss (take) of near threatened rare, vulnerable and endangered plants to achieve an equivalent or better overall outcome at a regional scale in accordance with the Queensland Government Environmental Offsets Policy 2008 and generally in accordance with the</p>	<p>It is acknowledged that the NCA is applicable to development within the UDA. A clearing permit or exemption under the NCA must be obtained if significant species defined under the Act are present.</p> <p>In this regard, ULDA Guideline No. 14 <i>Environment and Natural Resources Sustainability</i> supports the Development Scheme's UDA-wide criteria with detailed standards for development.</p> <p>However, it is noted that preliminary mapping and database searches indicate significant species under the NCA are not present in the UDA. Should it become relevant, this matter can be managed at the time a development application is made.</p>	No

Issue #	Issue/Comment	Response	Amendment Yes/No
	<p>Queensland Government Policy for Biodiversity Offsets (consultation draft).</p> <p>2. Where the activities of the proponent may cause disturbance to animal breeding places the prior approval from DERM or a Species Management Plan must be obtained</p> <p>3. Where there is a need to take fauna, the prior approval of DERM must be obtained.</p>		
32.	<p>DERM states section 3.3.8 Environment and Sustainability of the Proposed Development Scheme does not address the impacts, management and mitigation of fragmentation, which in some cases provides critical means of connectivity for wildlife.</p> <p>DERM recommends amending the Proposed Development Scheme to include guidelines and/or criteria for wildlife monitoring to be carried out by a development proponent to determine which species are utilising habitat as a wildlife corridor. Measures should then be implemented to allow for wildlife movement without fragmentation. This will ensure wildlife populations are not impacted negatively at a broader scale.</p> <p>DERM advises a species management plan that addresses the management of wildlife during and after the construction phase should be submitted to DERM for approval, prior to the development being undertaken.</p>	<p>Considering the highly modified environment within the UDA, including the large parcels identified for residential purposes near the outer boundaries, it is unlikely that development will significantly impact upon important habitats, cause fragmentation of habitat or impede critical means of connectivity for wildlife.</p> <p>However, to the extent these matters may be relevant in any UDA, ULDA Guideline No. 14 <i>Environment and Natural Resources Sustainability</i> supports the Development Scheme's UDA-wide criteria with detailed standards for development.</p>	No
33.	<p>DERM is concerned the Proposed Development Scheme does not identify requirements under the NCA regarding impacts to native wildlife during and after construction.</p> <p>DERM suggests amending the Proposed Development Scheme to incorporate mechanisms that describe potential impacts to existing native fauna species (including changes to suites of species and ecological processes) which may be affected by the proposal, including the management of fauna species during and after construction phases. DERM suggests this should address animal safety and welfare during construction phase.</p> <p>Additionally, DERM suggests the Development Scheme should specify requirements regarding records and notification of death or injury of wildlife caused by operations to DERM as well as describe mitigation or offset options that may be required as result of the proposal (i.e. artificial boxes); mitigation and offsets should be consistent with the Queensland Environmental Offsets Policy and</p>	See response to issue # 32 above.	No

Issue #	Issue/Comment	Response	Amendment Yes/No
	Draft Biodiversity Offsets Strategy.		
34.	<p>DERM has stated any land listed on the Environmental Management Register (EMR) or Contaminated Land Register (CLR) should be excluded from development until the land is remediated. Additionally DERM believe there is no consideration given to the costs associated with the remediation of contaminated land.</p> <p>DERM suggest amending the Proposed Development Scheme to require land to be remediated and removed from the EMR/CLR prior to works (other than for decontamination) or a sensitive use commencing.</p>	<p>All land registered on the EMR or CLR will be managed in accordance with the <i>Environmental Protection Act 1994</i> and the Draft Guidelines for the Assessment and Management of Contaminated Land in Queensland. All land will be required to be fit for its intended purpose.</p> <p>This matter is addressed in ULDA Guideline No. 14 <i>Environment and Natural Resources Sustainability</i>.</p> <p>The ULDA is responsible for assessment of development applications involving land included on the EMR or CLR. The ULDA's practice is to seek advice from DERM on such applications before making a decision. Normal processes managed by DERM will still apply to remove land from a register.</p>	No
35.	<p>DERM has identified that further detailed site investigations for the "long term development area" in the western section of the UDA, north of the Country Club Golf Course, will need to consider State Planning Policy 5/10 Air Noise and Hazardous Materials 2010 and the effect that this will have on the location of specific industrial activities, including nearby residential development.</p> <p>DERM suggests this site be used for industrial uses rather than residential, given that industrial uses already bound the north and south of the site.</p> <p>Alternatively DERM suggests the Development Scheme demonstrates how industrial activities will be effectively separated / buffered from incompatible or sensitive uses.</p>	<p>The future use of the long term development area identified on the vision map is not yet determined. It may be used for residential purposes, but also one or more other uses, such as industry or community. It is also likely that some parts may be retained in the Open Space zone. The provisions of the current Open Space zone include requirements for further investigation to be undertaken before development proceeds (e.g. investigation of land use need, buffering to industrial areas, flooding and land contamination)</p>	No
36.	<p>In relation to development being exempt if the land is not on the EMR/CLR, DERM considers there is a lack of information contained in the Proposed Development Scheme with regard to accessing an application if a site is found to be listed on the EMR/CLR.</p> <p>DERM recommends the following information should be included in the Development Scheme:</p> <p>Where development is to occur on land listed on the EMR/CLR the following information is required:</p> <ol style="list-style-type: none"> 1) sufficient information provided in accordance with the <i>Environmental Protection Act 1994</i> and the Draft Guidelines for the Assessment and Management of Contaminated Land in Queensland (DEH, 1998) specifying that the land 	<p>All land registered on the EMR / CLR will be managed in accordance with the <i>Environmental Protection Act 1994</i> and the Draft Guidelines for the Assessment and Management of Contaminated Land in Queensland. All land will be fit for its intended purpose.</p> <p>This is addressed in ULDA Guideline No. 14 <i>Environment and Natural Resources Sustainability</i>.</p> <p>The ULDA is responsible for assessment of development applications involving land included on the EMR or CLR. The ULDA's practice is to seek advice from DERM on such applications before making a decision. Normal processes managed by DERM will still apply to remove land from a register.</p>	No

Issue #	Issue/Comment	Response	Amendment Yes/No
	<p>is suitable for the intended use or enabling a statement of suitability with a site management plan.</p> <p>2) the information requested under clause 1 above must be reviewed and consented to by the Third Party Reviewer (TPR) before submitting to DERM.</p> <p>3) A TPR must be appointed under DERM Terms of Reference (TOR) – Use of a Third Party Reviewer for Assessment and Management of Site Contamination dated 15 Feb 2008.</p> <p>4) TPR acceptable to DERM must be engaged at all times until draft SMPs acceptable to DERM area submitted or the subject land has been removed from the EMR.</p>		
<i>COMMENTS ON RESIDENTIAL ZONE</i>			
37.	<p>Submitter has requested the intent of the Residential Zone be amended to allow for the construction of large scale non-resident workers accommodation in areas other than the eastern growth site, if a proposal exhibits a high level of architectural design, meets economic need, is within a suitable located parcel and part of a mixed use development.</p> <p>Submitter believes the Proposed Development Scheme is strongly worded to direct large scale non-resident workers accommodation to only occur on the identified eastern growth area, and this has limited the development potential to the west of Mackenzie Street. It is further argued that the basis for this has not been substantiated.</p> <p>The submitter refers to advice from the ULDA that the western area was not appropriate for large scale non-resident worker accommodation because there was insufficient need for such development and the land was constrained. The submitter contests this advice and argues there is a significant immediate need for non-resident workers accommodation, one part is known to be unconstrained, and changes made from the structure plan were not supported by an economic needs analysis.</p>	<p>The policy expressed in the Residential Zone intent in the Proposed Development Scheme was not explicit about the appropriateness of larger scale accommodation outside the identified eastern area. Having regard to the concerns raised by community submitters about camp-style accommodation within the town, the Development Scheme will be amended to give certainty and state explicitly that only the eastern area is appropriate. (See response to issue 47)</p> <p>This will impact on the potential for worker accommodation in the area west of Mackenzie Street, as raised in this submission. However, one part has been retained within the Residential Zone and the development potential for all other forms of residential development continues on this part.</p> <p>With respect to comments on the land being constrained, these applied to the State-owned land area to the north and west of the area retained in the Residential Zone, which had also been shown as proposed larger-scale worker accommodation in the Draft Structure Plan (if required and after development of the eastern area).</p> <p>In terms of whether sufficient land has been identified for additional larger-scale worker accommodation in the eastern growth area, assessment of current demand has been based on information provided by mining companies, potential developers and their consultants, as well as consideration of current development approvals (from CHRC). The allocated area is adequate to meet this estimated demand. OESR Bowen Basin Reports for 2009 and 2010 have been used to understand current numbers of non-resident</p>	No

Issue #	Issue/Comment	Response	Amendment Yes/No
		workers and trends over the last 5 years during which annual surveys have been undertaken.	
COMMENTS ON OPEN SPACE ZONE			
38.	<p>DCS has suggested that development in the area west of Mackenzie Street comply with State Planning Policy 1/03 (SPP 1/03): <i>Mitigating the Adverse Impacts of Flooding, Bushfire and Landslide</i>, specifically with regard to flooding. DCS recognise the commitment to undertake further work to identify the flood hazard in the area covered by the Proposed Development Scheme.</p> <p>Appendix 5, Table A of the SPP 1/03 Guideline requires that development maintains the safety of people on the development site from all floods up to and including the DFE as recommended in the SPP 1/03 as the 1% Annual Exceedence Probability (AEP). The SPP 1/03 also contains guidance on flood immunity levels for community infrastructure.</p>	SPP 1/03 is addressed in ULDA Guideline No. 15 <i>Flood Protection</i> which supports the Development Scheme's UDA-wide criteria with detailed standards for development.	No
39.	<p>DERM has requested clarification on the timeframes involved with the long term development of the area west of Mackenzie Street, identified as a long term development area.</p> <p>DERM has asked when further investigations will be undertaken and completed. Will further consultation be undertaken following the results of further investigations being completed? DERM has said it is difficult to determine impacts, if any, without a clear understanding of the final proposal.</p>	<p>It is expected that the time frame for development will respond to demand that may arise for additional land within the UDA. For a town where growth is largely dependent on mining activity within the region, this time frame is difficult to predict. However, based on population projections currently available (PIFU medium series based on 2006 Census and 2008 LGIS Small Communities Study), sufficient land has been allocated for residential purposes to accommodate growth to 2031.</p> <p>As the land in question is included in the Open Space zone, it is likely that any significant development will involve an amendment to the Development Scheme. This will provide the opportunity for further input from DERM and others.</p>	No
40.	DERM has highlighted that the Proposed Development Scheme does not differentiate between Green space (for environmental protection) and Open space (more for recreational uses). It is not always appropriate to have recreational activities conducted in areas of ecological significance or sensitivity. DERM suggests the Proposed Development Scheme be amended to differentiate between areas intended for open space and areas intended for green space.	All green spaces within the Blackwater UDA are appropriately allocated to Open space. There are no identified areas of ecological significance or sensitivity. However, should future investigation of the long term development area between Blackwater Creek and Mackenzie Street identify any areas of significance or sensitivity, the Development Scheme provides for suitable measures to be imposed to protect those areas.	No
COMMENTS ON LEVEL OF ASSESSMENT TABLES			
41.	Regarding projects being exempt if the land is not on the EMR / CLR, DoC asks who the assessment manager is and what the level of assessment will be for projects if a	The ULDA is responsible for assessment of development applications involving land included on the EMR or CLR. The ULDA's practice is to	No

Issue #	Issue/Comment	Response	Amendment Yes/No
	site is identified on the EMR / CLR, particularly for public housing developments.	seek advice from DERM on such applications before making a decision. Normal processes managed by DERM will still apply to remove land from a register.	
42.	<p>CHRC has resolved not to support Brothels in the Council area, including the town of Blackwater.</p> <p>CHRC suggests the following amendment:</p> <p>Include the definition for Brothel in Schedule 2: Definitions and included in Column 3B "Prohibited Development" for level of assessment table for all zones.</p>	<p>Agree.</p> <p>The provisions under the <i>Sustainable Planning Act 2009</i> providing for a local government to prohibit development for a brothel within a town (if the population is less than 25,000), requires that the Minister agree to the prohibition.</p> <p>At this stage the Minister's agreement has not been given. Therefore the Development Scheme has been amended but includes a proviso in a footnote that the prohibition is subject to agreement from the Minister.</p>	Yes No. 4
43.	<p>CHRC has identified that Adult stores are currently regulated by a State Planning Regulatory Provision (SPRP) with a view that they be progressively incorporated into new Planning Schemes. Currently the Proposed Development Scheme would consider an Adult Store to be a Shop.</p> <p>CHRC suggests the following amendment:</p> <p>Include the definition for Adult Store in Schedule 2: Definitions: Industrial Uses and place it in level of assessment table Column 3B "Prohibited Development" for all zones except Table 4 Industry Zone where it could be placed in the Self Assessable Development column with reference to the SPRP code and compliance with the applicable planning scheme codes for a Shop in the Duaranga Shire Planning Scheme 2007, except if involving building work other than minor building work.</p> <p>CHRC note that there is already a definition for Sensitive Use in Schedule 2: Definitions: Administrative Definitions.</p>	<p>It is agreed to provide for Adult stores consistent with the SPRP.</p> <p>However, rather than prohibit Adult stores in all but the Industrial zone (which is not available to local governments under planning schemes), the Development Scheme has been amended to impose the same standards specified in the SPRP requiring minimum separation distances from sensitive uses. .</p>	Yes No.5 and No. 14 - 15
44.	<p>DERM has highlighted that reference is made to Column 2 UDA self-assessable development – footnote 7. There is not associated footnote attached to footnote 7 at the bottom of page 14. Furthermore, reference is make to page 31, which has included a footnote 7 (associated with Significant Vegetation definition).</p> <p>DERM note footnote 7 has been used twice in the document.</p>	Appropriate corrections to the typographical errors have been made.	No

Issue #	Issue/Comment	Response	Amendment Yes/No
COMMENTS ON DESIGN BENCHMARKS (INCLUDING BLACKWATER INFILL RESIDENTIAL GUIDELINE)			
45.	<p>CHRC is concerned that given the small minimum lot size (320 m² with 8 m frontage) and design parameters that a 'Dwelling Unit' (2 units) should be restricted to only those lots with a street frontage of 12 m and 450 m² so that the car parking / access does not take up greater than 50 % of the street frontage.</p> <p>Alternatively, CHRC suggests an extra provision could be placed into ULDA Guideline no. 4 <i>Design benchmarks for residential infill development in the Blackwater UDA</i>: Table 3 Section Streetscape and Character: "Car parking and Access" – minimum of 50% of the site frontage can be utilised for driveways and or carports and or garages.</p>	<p>Agree.</p> <p>An amendment will be made to ULDA Guideline no. 4 <i>Design benchmarks for residential infill in the Blackwater UDA</i> indicating that a maximum of 50% of the site frontage may be utilised for driveways and/or carports.</p>	No
46.	<p>CHRC agrees that the 3.0 m front setback to the verandah will deliver better shaded recreational areas and add diversity to the street. However there has been a practice over time for such verandahs to become enclosed.</p> <p>CHRC suggests the following amendment: Front setback - to structurally unenclosed verandah</p>	<p>Agree.</p> <p>The design benchmark for verandahs has been amended in the Development Scheme to specify that they are not screened or enclosed.</p>	Yes No. 6
COMMENTS ON NON RESIDENT WORKER ACCOMMODATION (INCLUDING ULDA GUIDELINE No. 3)			
LOCATION OF CAMP-STYLE WORKER ACCOMMODATION			
47.	Submitters believe mining companies should provide camps on the mine sites.	<p>As the Deputy Premier has stated following representations from the Blackwater Community Progress Association the ULDA's role in Blackwater is not to make policy decisions on whether camps are appropriate or not in the town, or whether they should be located on mine sites. It is the responsibility of the Co-ordinator General to make decisions on employment arrangements, such as FIFO, for individual mines.</p> <p>With respect to camps, the ULDA's role is to introduce a plan that will integrate any suitable camps that are proposed, by ensuring that are appropriately located and by applying development standards that achieve a high level of amenity. The Development Scheme identifies an area within the eastern growth area as suitable for larger-scale non-resident worker accommodation, and ULDA Guideline no.3 establishes design benchmarks to achieve high quality development.</p> <p>However, the policy expressed in the Residential Zone intent in the Proposed Development Scheme was not explicit about the appropriateness of larger</p>	Yes
48.	Submitters believe there are enough camps in Blackwater already. They do not want to see any additional camps or extensions to camps within the Blackwater town footprint and consider there is adequate land elsewhere to accommodate camps and camps should be provided outside of the family environment of the town.		No. 3 and No. 16-17
49.	Submitter unhappy that when the ULDA was asked what would happen when proposed development site for large scale non-resident worker accommodation, was filled, the response was that other sites within the footprint would be made available.		
50.	Submitters do not want to see Blackwater become just a camp town that transient residents exist in while at work and travel home on days off.		

Issue #	Issue/Comment	Response	Amendment Yes/No
		<p>scale accommodation outside the identified eastern area, and provided potentially for this outcome to occur.</p> <p>Having regard to concerns raised in submissions about camp-style accommodation within the town, the Development Scheme has been amended to give certainty and state explicitly that only the eastern area is appropriate for larger scale worker accommodation.</p> <p>A long term development area is identified to the west of Mackenzie Street. The nature of future development will be subject to an assessment of land use needs and investigation of a number of site constraints.</p>	
<i>ECONOMIC IMPACT</i>			
51.	<p>Submitters believe there has been a rapid demise in the community spirit due to the increase in camp accommodation in town, and more and more permanent residents leaving because of these camps. Submitters argue this reduces the number of kids at schools, parents to volunteer at sports and other activities around town, wives and children to work at local businesses. Local businesses are struggling and some are closing due to reducing customers as more families leave town because of the expanding camps.</p>	<p>The overall population trend for Blackwater from 2006 to 2010 is for a small steady growth in the estimated resident population averaging 40 persons per year.</p> <p>A primary objective of the Development Scheme is to facilitate a diverse range of residential development to meet the needs of all households, particularly families and key workers.</p> <p>The ULDA has also supported the Development Scheme with an Open Space and Townscape Strategy that aims to enhance the attractiveness of the town to all members of the community, as well as new families, investors and visitors.</p> <p>It should also be noted that the allocation of land for larger-scale camp-style worker accommodation in the eastern growth area does not occupy land that would otherwise be required for family housing.</p> <p>Based on population projections currently available (PIFU medium series based on 2006 Census and 2008 LGIS Small Communities Study), sufficient land has been allocated for residential purposes to accommodate growth to 2031.</p>	No
52.	<p>Submitter concerned that non-resident workers do not put money back into the community and this has caused many local businesses to close down in recent years, putting pressure on remaining businesses. Submitter highlights that if they have to go to another town to get something (e.g. school uniforms) it is likely they will do other shopping there as well resulting in less money back into the Blackwater community. The submitter believes workers finish shifts, eat, sleep and drive out of town with their</p>	<p>The contributions of the resource industry and shopping patterns of Blackwater non-resident workers are outside the scope of the Development Scheme.</p> <p>A primary objective of the Development Scheme is to facilitate a diverse range of residential development to meet the needs of all households, particularly families and key workers. This objective</p>	

Issue #	Issue/Comment	Response	Amendment Yes/No
	money to spend elsewhere.	is facilitated through the regulatory provisions of the Development Scheme's Land Use Plan and also through the Implementation Strategy.	
53.	Submitter believes resource industry and government are ignoring the devastation being wreaked on their community from drive in / fly in arrangements. Also concerned that coal companies are profiting more than ever from this region and not contributing in proportion to their impact as they have in the past.	In addition, the Development Scheme has been drafted to support economic growth within the town, including reinforcing the role of the Blackwater Town Centre as the retail focus, and the centre near the Capricorn Highway as the hub for local business, tourists and community services.	
54.	Submitters believe supporting a transient workforce through the approval of more camps in Blackwater does nothing to ensure the growth of the local community.	The ULDA has also supported the Development Scheme with an Open Space and Townscape Strategy that aims to enhance the attractiveness of the town to all members of the community, as well as new families, investors and visitors.	
55.	A submitter has invested in a local business, a family home and a house for staff (due to the housing crisis) and now feels as if they are being driven out of town as everything closes and more camps take their place.	See also response to issue #51 above.	
SOCIAL / SAFETY CONCERNS			
56.	Submitters concerned that no social impact studies have been carried out to gauge negative or positive effects on the social fabric of the community or highlight benefits of local families, businesses, schools or local sporting clubs.	Assessment of social impacts of mining camps is outside the scope of the ULDA and the matters directly addressed in Development Schemes. However, to assist the local Council, and those agencies and community organisations with the responsibility for providing social, community and cultural services and facilities, a study was commissioned to assess the current provision of those services and facilities in Blackwater, and also expected demand in response to population growth.	No
57.	Submitters are concerned the Proposed Development Scheme does not outline any benefits to the town or more importantly any negative impacts on the social fabric of Blackwater, its residents, families, schools, child and day care centres, sporting clubs or businesses.	The ULDA will proceed to facilitate an implementation strategy for social, community and cultural services and facilities based on this assessment.	No
58.	Submitter is concerned camps are run the same as prisons and that drive in /drive out workers have a general conscience of "it's not my place. I'll do what I want".		
59.	Submitters concerned for children's safety on the roads during shift changes when many extra vehicles on the road and drivers are tired and want to eat and go to bed, will not care about watching out for children. Additionally unhappy with disturbance of vehicle noise and car reverse alarms during shift changes at times when young children are sleeping. One submitter stated their quiet street is now full of trucks carrying rubble and concrete.	The issue of road safety is important. The designation of the eastern growth for larger-scale worker accommodation ensures that most traffic will access the area directly via the Capricorn Highway rather than through existing or new residential areas. ULDA Guideline no.3 <i>Non-resident Worker Accommodation</i> includes standards to limit vehicle noise. The issue of construction traffic is temporary and subject to management through the <i>Environmental</i>	No

Issue #	Issue/Comment	Response	Amendment Yes/No
		<i>Protection (Noise) Policy 2008.</i>	
60.	Submitter believes that directing non-resident worker accommodation to only one part of town (eastern site) will bring about social issues and continue the historic trend of segregating accommodation from the town. The submission argues the Proposed Development Scheme and directing of non-resident worker accommodation to one area is contrary to the principles of the non-resident worker accommodation guideline.	Having regard to the current distribution of worker accommodation in a number of locations in Blackwater there is no historic trend for segregation. The eastern location provides the opportunity for the detailed planning and design of the larger camp-style accommodation to maximise amenity, manage traffic impacts and integrate with other adjoining residential uses also provided for in the locality.	No
BALANCE /CAP ON RELATIVE NUMBERS OF NON-RESIDENT WORKERS			
61.	Submitters would like to see a cap or ceiling identified for the amount of single person / large scale non-resident worker accommodation within the town.	As the Deputy Premier has stated following representations from the Blackwater Community Progress Association, the ULDA's role is not to make policy decisions on whether camps are appropriate in towns or on mine sites, or whether there should be a cap on the number of non-resident workers, or a certain ratio to permanent residents. It is the responsibility of the Co-ordinator General to make decisions on employment arrangements, such as FIFO, for individual mines. The ULDA's role in Blackwater is principally to increase the availability of land for residential development, and specifically to address housing affordability issues.	No
62.	Submitters believe there is an imbalance in the ratio of permanent residents to non-resident workers within the town, with 1850 homes to 2200 single person accommodation rooms.		
DEMAND ON INFRASTRUCTURE			
63.	<p>Submitter states they have spoken with a number of people living in camps who stated they lived elsewhere when completing the last Census. The submitter believes that the funding figures for the area are therefore, highly misleading.</p> <p>Submitter believes there are not enough permanent residents to get infrastructure even though temporary residents use the town's water and roads, etc</p> <p>Submitter believes resource areas are the backbone of Australia's wealth and yet the area gets nothing.</p>	<p>The difficulty for the Census to accurately reflect the number of non-resident workers in mining towns such as Blackwater is well recognised.</p> <p>The Office of Economic and Statistical Research (OESR) for the last 5 years has conducted an annual count of non-resident workers in Blackwater (and other towns in the Bowen Basin) to estimate the Full Time Equivalent (FTE) Population.</p> <p>The methodology includes survey of commercial accommodation providers. Information is also obtained through interviews and surveys of key employers and stakeholders, and analysis of data from the 2006 Census of population and Housing.</p>	No
64.	Submitters believe the extra people who will come to the town as non-resident workers will place extra pressure on infrastructure (such as emergency services / health care) and will reduce the liveability of the town and not contribute back to the community.	The FTE provides a sound basis for the planning of infrastructure and service provision in Blackwater, and consultation with service providers indicates this information is used.	No

Issue #	Issue/Comment	Response	Amendment Yes/No
<i>PLANNING AND DESIGN OF WORKER ACCOMMODATION (ULDA GUIDELINE No. 3)</i>			
65.	Submitters believe single person accommodation should be built to higher standards for the residents and be fully self sufficient with own sewerage and water treatment plants and catering for all the residents needs including onsite dining rooms, swimming pools and gyms, not relying heavily on the town's infrastructure.	ULDA Guideline no.3 <i>Non-resident Worker Accommodation</i> supports the Development Scheme with design benchmarks for this type of development to achieve facilities offering a high level of amenity for occupants. With respect to the provision of recreational and dining facilities, the relative benefits of on-site facilities need to be weighed against the potential economic benefits that occupants can bring to local businesses. The guideline addresses this matter.	No
66.	DTMR state pedestrian and cycleway path widths outlined within the non-resident worker accommodation guideline do not meet desirable min widths as set out in Austroads Park 6A. This document recommends a desirable min width of 2.5m for local access shared paths, and 3.0m for major shared paths. Austroads part 6A states that lesser widths should only be adopted where cyclist volumes and operation speeds will remain low. It is also desirable that cycling and walking paths are separated from vehicle access paths.	ULDA Guideline no.3 <i>Non-resident Worker Accommodation</i> will be amended as recommended. (No amendment is required to the Development Scheme).	No
67.	<p>CHRC state that this land use represents a significant resource allocation in terms of both the built form and infrastructure of the town. It is the nature of the resource communities to go through economic cycles and it is anticipated that at a point in the future these accommodation complexes will no longer be needed. Such complexes have the potential to be a positive legacy of the mining boom for Blackwater.</p> <p>CHRC suggest the following amendment:</p> <p>In ULDA Guideline number 3 - Non-resident worker accommodation Principle 1.2 "Designing to connect to services, facilities and networks in surrounding areas" a third dot point should be added to the design benchmarks.</p> <ul style="list-style-type: none"> Ability of the proposal's building construction and complex design to be suitable to either relocate or adapt to another purpose at the end of its life cycle as a non-residential workers accommodation complex. 	<p>Agree.</p> <p>ULDA Guideline no.3 <i>Non-resident Worker Accommodation</i> will be amended along the lines recommended. (No amendment required to the Development Scheme).</p>	No
<i>COMMENTS ON INFRASTRUCTURE PLAN</i>			
68.	<p>DTMR suggests the following additional words be added to the Infrastructure Plan.</p> <p>Third paragraph "Infrastructure charges will be based..."</p>	It is agreed that reference to other funding mechanisms should be in the Infrastructure Plan. The Development Scheme has been amended to	Yes No.7

Issue #	Issue/Comment	Response	Amendment Yes/No
	<p>should recognise that another infrastructure funding mechanism may potentially be available, the following wording is suggested:</p> <p>"as part of implementing this Development Scheme, the ULDA under section 97 (2), Part 6 of the <i>Urban Land Development Authority Act 2007</i>, will also work with CHRC, infrastructure provider agencies and state agencies regarding an appropriate infrastructure charging schedule".</p> <p>Fifth paragraph should be amended to reflect the importance of obtaining state infrastructure funding to enable developments to proceed. It is suggested that the sentence be reworded as follows:</p> <p>"State infrastructure funding to enable the development to proceed will be sought under the normal budgetary processes and will be part of an approved state agency capital program".</p> <p>DTMR notes there do not seem to be specific provisions that require proponents of developments to contribute to the cost of construction of cycling facilities. More detailed provisions regarding infrastructure contributions are considered necessary to ensure proponents are aware of the exact extent, location and cost of infrastructure provision.</p>	<p>do this.</p> <p>In addition, a further amendment will be made to the Implementation Strategy to note the liaison with DTMR and CHRC in preparing an infrastructure charging schedule in relation to new/upgraded intersections on the Capricorn Highway.</p> <p>Such an infrastructure charging schedule will provide the types of details mentioned in the submission.</p>	<p>and No. 10</p>
COMMENTS ON IMPLEMENTATION STRATEGY			
69.	<p>DTMR has undertaken a Traffic Analysis of the Proposed Development Scheme to determine the suitability of the existing and proposed intersections to the state controlled road Capricorn Highway. The study assessed the intersections of Mackenzie Street, Arthur Street, Littlefield Street and proposed new intersection (east of the township) to the Capricorn Highway taking into consideration the UDA proposal for a left in / left out configuration of Columba street and Bluff street. The outcomes of the study provided a number of options (signalised, roundabout, and un-signalised) to treat each intersection depending on its function and ability to meet minimum performance levels. The department will commence detailed analysis in parallel with an infrastructure charging schedule and will continue to work closely with the ULDA on these additional assessments.</p> <p>An infrastructure charging schedule is proposed to determine appropriate infrastructure costs for each intersection to be delivered through the Development Scheme. These additional transport studies should be appropriately reflected within the Implementation Strategy</p>	<p>It is agreed to provide further details in the Implementation Strategy regarding the highway intersections and contributions.</p>	<p>Yes No. 8</p>

Issue #	Issue/Comment	Response	Amendment Yes/No
	<p>with the following wording:</p> <p>"following the outcomes of the traffic analysis for the Blackwater master plan, ongoing discussion are to be held with the DTMR to undertake a detailed intersection analysis to determine the preferred options for each intersection to the Capricorn Highway. Furthermore, an infrastructure charging schedule is to be developed that will determine the appropriate contributions for these intersection works".</p>		
70.	<p>DTMR is undertaking work to develop regional cycling strategies and will continue to work closely with the ULDA and CHRC to develop principal cycling routes throughout Blackwater. A map showing a proposed cycle network was provided. Following wording is suggested:</p> <p>"ongoing discussion are to be held with DTMR on the principal cycle network links throughout Blackwater to achieve agreement and determination of implementation priorities".</p>	<p>It is agreed to amend the Implementation Strategy to include a statement about a principal cycling network in Blackwater and ongoing discussions with DTMR. Reference will also be made to including CHRC in those discussions.</p>	Yes No. 9
71.	<p>DERM has requested clarification on access to state land and lease arrangements for non-resident workers accommodation.</p> <p>The following amendments are requested in references to state land:</p> <p>"The ULDA should liaise with DERM about the rights of the permittees where it is proposed to cancel the permits or change the land use over the permit areas"</p> <p>"The ULDA will need to provide evidence of community support regarding the changes to community purpose reserves (park, recreation and open space).</p>	<p>The matters mentioned are normal aspects of processes involving changes to reserves and leased areas.</p> <p>No amendment to the Development Scheme is proposed.</p>	No
72.	<p>DERM notes that the ULDA has been liaising about requirements for addressing Native Title matters to enable the release of land for urban development and discussions are ongoing. It is noted a developer or applicant must be aware of their duty of care as outlined in the <i>Aboriginal Cultural Heritage Act 2003</i>.</p> <p>Under section 23 of the <i>Aboriginal Cultural Heritage Act 2003</i> a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). There is no mention of this Duty of Care reference in the Proposed Development Scheme.</p>	<p>Discussions are underway with DERM regarding appropriate referencing of these duty of care requirements in the ULDA Guideline no. 14 <i>Environment and Natural Resources Sustainability</i></p>	No

Issue #	Issue/Comment	Response	Amendment Yes/No
73.	DERM has stated the Proposed Development Scheme does not reference the importance of Mining Resources in the vicinity of Blackwater. DERM suggest the Development Scheme should ensure that any proposed development that has the potential to impact on Petroleum Lease, Mining lease and / or Mineral Development Licences (generally within 1000m) is referenced in the document and assessment criteria applied, where applicable, in order to assess potential impacts.	The Blackwater UDA is located within the Town Reserve. Any constraints on urban development within the UDA due to mining activities should not be necessary.	No
<i>COMMENTS ON BLACKWATER UDA OPEN SPACE AND TOWNSCAPE STRATEGY REPORT</i>			
74.	DTMR suggests that a mesh grid pattern of 500m spacing is adopted to encourage and increase cycling opportunities within the town.	Inclusion of the 500m mesh grid pattern in the <i>Blackwater UDA Open Space and Townscape Strategy Report</i> will be discussed further with DTMR before finalisation of the report. (No amendment required to the Development Scheme).	No
75.	DTMR notes that a cycle link is proposed along the State-controlled road. DTMR applies a cycling on state controlled roads policy for all state controlled roads in Queensland, which should be referred to as part of cycle planning for the town.	This policy will be noted in the <i>Blackwater UDA Open Space and Townscape Strategy Report</i> . (No amendment required to the Development Scheme).	No
76.	<p>DERM has stated regarding an existing open space proposed to be retained and utilised as a wildlife corridor, that it is difficult to envisage how a wildlife corridor will function for its intended purpose when the proposed plan indicates that a dog off-leash area will be located within the wildlife corridor. The corridor also traverses three roads.</p> <p>DERM suggests if it is intended to have this corridor functioning as a wildlife corridor the Proposed Development Scheme and Townscape Strategy may need amendment to remove references to a dog off-leash area. Traversing of the corridors by the roads may also not be appropriate.</p> <p>DERM also notes that the provision of Open Space in Figure 9 (on page 17 of the Open Space and Townscape Strategy) does not match Map 2 (UDA Vision Map on page 4 of the Proposed Development Scheme). Figure 9 should be amended to match Map 2.</p>	<p>The function of the existing open space to the east of the Blackwater Town Centre as a wildlife corridor is noted in the <i>Blackwater UDA Open Space and Townscape Strategy Report</i>. The report also includes an illustration of potential improvements of the space incorporating an off-leash dog area. The off-leash dog area will be removed from the illustration. There is no scope to amend the existing road pattern to improve function of the wildlife corridor.</p> <p>The suggested amendments to Figure 9 in the strategy report will also be made.</p> <p>(No amendment required to the Development Scheme).</p>	No
<i>COMMENTS ON COMMUNITY CONSULTATION</i>			
77.	Submitters believe the ULDA has failed to understand the community or its needs, or recognise any negative effect or concerns that camps are having on local residents, families and businesses.	A comprehensive consultation process has been used to assist with understanding community views. All members of the community and other stakeholders were given opportunities to have an input in preparing the Proposed Development	No

Issue #	Issue/Comment	Response	Amendment Yes/No
78.	Submitters believe previously raised concerns, including resistance to more non-resident worker accommodation, have been ignored, not been taken seriously or incorporated in the Proposed Development Scheme.	Scheme. Many views were expressed during this process, including support for improving the supply of residential land and for higher standard of camp accommodation.	No
79.	Submitters believe the ULDA, CHRC and state government have shown contempt and neglected the wishes of the Blackwater residents. The submitters state that they have previously objected to camp accommodation within the town's gazetted residential areas. They are also unhappy that they have not received an answer to their objection.	This submissions report has been prepared so that all submitters are aware of all issues that have been raised and how they have been addressed within the Development Scheme As the Deputy Premier has stated following representations from the Blackwater Community Progress Association, the ULDA's role in Blackwater is not to make policy decisions on whether camps are appropriate or not in the town. It is the responsibility of the Co-ordinator General to make decisions on employment arrangements, such as FIFO, for individual mines.	
80.	Submitter argues that what the ULDA has proposed for Blackwater is far from what was discussed at earlier meetings. Submitter believes the ULDA is in bed with mining companies and the Central Highlands Regional Council.	The ULDA's role is to introduce a plan that will integrate any suitable camps that are proposed, by ensuring that are appropriately located and by applying development standards that achieve a high level of amenity.	
81.	Submitters believe decisions should be made locally and not by consultants advising bureaucrats in local or state governments. Submitters believe they should have a say in the direction they want their community to grow and prosper in the future.	The Development Scheme identifies an area within the eastern growth area as suitable for larger-scale non-resident worker accommodation, and ULDA Guideline no.3 establishes design benchmarks to achieve high quality development	

6. List of amendments arising from submissions

Following is a list of proposed changes to the Blackwater UDA Proposed Development Scheme as notified. Amendments are generally shown with new text in italics, and in some case deletions are shown struck out.

Amendment	Nature of Amendment	Reason
3.0 Land use plan : Zone Provisions		
1.	<p>3.3 UDA-wide criteria</p> <p>Inclusion of references to cycle parking and facilities:</p> <p>3.2.2 Centre and vitality -</p> <ul style="list-style-type: none"> ○ Town centre, dot point 4: insertion of '<i>and vehicle and cycle parking facilities</i>' after 'Blain Street' ○ Planning and design, dot point 4: insertion of '<i>cycle parking</i>' after 'car parking' <ul style="list-style-type: none"> ● 3.3.6 Community spaces and facilities – Planning and design, dot point 2: insertion of '<i>and cycle</i>' after 'e.g. car' ● 3.3.7 Public realm, after dot point 8: insertion of '<i>adequate parking for vehicles and cycles</i>' 	<p>Recognition of cycle facilities as a matter for consideration in the assessment of proposed development.</p> <p>Issue #27</p>
2.	<p>3.4.2 Zone intents</p> <p>Reference to Fast food premises removed in Table 1 Preferred uses in centres</p> <p>Insertion of a qualifier for a use for Food premises in the centre described as 'Near the intersection of Arthur and Rosewood Streets':</p> <p><i>'If there is no drive-in facility.</i></p>	<p>A consequence of inclusion of Fast food premises within the definition of Food premises.</p> <p>See amendment 11.</p> <p>Issue #16</p>
3.	<p>Residential Zone, paragraph 3 – insertion of an additional word to read:</p> <p>Larger-scale Non-resident worker accommodation is <i>only</i> appropriate in the part of the Residential Zone designated for this purpose to the east of Arthur Street.</p>	<p>The policy expressed in the Residential Zone intent in the Proposed Development Scheme was not explicit about the appropriateness of larger scale accommodation outside the identified eastern area, and provided potentially for this outcome to occur.</p> <p>The amendment makes it explicit that only the eastern area is appropriate for larger scale worker accommodation.</p> <p>Issue # 47-50</p>
4.	<p>3.4.3 Level of assessment table</p>	<p>To be consistent with prohibition of brothels by the Central Highlands</p>

Amendment	Nature of Amendment	Reason
	All zones: Insertion of 'Brothel' in list of uses in Column 3B Prohibited development	Regional Council throughout the local government area. Issue #42
5.	<p>3.4.3 Level of assessment table</p> <p>Centres zone and Industry zone</p> <p>Column 2 UDA Self-assessable development: inclusion of a material change of use for an Adult store if located outside the specified distance from a sensitive use.</p> <p>All other zones</p> <p>Column 3B UDA Prohibited development: inclusion of a material change of use for an Adult store if located within the specified distance from a sensitive use.</p>	To be consistent with the State Planning Regulatory Provision (Adult Stores) Issue #43
6.	<p>3.5 Design benchmarks</p> <p>Table 7: Design benchmarks for a self-assessable house:</p> <p>for the Element 'verandah' insertion of the words '<i>not screened or enclosed</i>' after 'minimum 50% building frontage'.</p>	For the purpose of protecting streetscape and character, by ensuring it is clear verandahs are not intended to be screened or enclosed. Issue #46
4.0 Infrastructure Plan		
7.	<p>Insertion of new text after mention of infrastructure charges being based on Central Highlands Regional Council's applicable infrastructure charging document:</p> <p><i>'unless the ULDA has prepared a replacement infrastructure charges schedule under section 97 of the ULDA Act'.</i></p>	Recognition that another potential mechanism for determining infrastructure contributions is available under the ULDA Act. Issue #68
5.0 Implementation strategy		
8.	<p>Insertion of replacement text under subheading 'Provision of infrastructure' about intersections on the Capricorn Highway:</p> <p><i>Liaising with Central Highlands Regional Council and the Department of Transport and Main Roads on the outcomes of the traffic analysis for the eastern growth area to consider:</i></p> <ul style="list-style-type: none"> • <i>staging of future development accessing the proposed new intersection on the Capricorn Highway</i> • <i>preferred options for the new and existing highway intersections following further detailed intersection analysis</i> • <i>required works for each intersection and a charging schedule for contributions for the works</i> 	Recognition of the different aspects involved in liaison with CHRC and DTMR about the intersections on the Capricorn Highway, including staging of future development accessing the proposed new highway intersection and any charging schedule for contributions for the works. Issue # 30 and 69

Amendment	Nature of Amendment	Reason
9.	<p>Insertion of new item under subheading 'Provision of infrastructure' about cycle networks:</p> <p><i>Liaising with Central Highlands Regional Council and the Department of Transport and Main Roads on principle cycle network links in Blackwater to agree on proposed works and determine implementation priorities.</i></p>	<p>Recognition of cycle networks as a specific type of transport infrastructure that needs to be addressed in implementation of the Development Scheme.</p> <p>Issue # 70</p>
10.	<p>Insertion of new subheading: <i>Facilitation of funding of infrastructure and townscape enhancement strategy</i></p> <p>Insertion of new text:</p> <p><i>Investigating the establishment of an infrastructure charges schedule, and/or a special rate or charge, to contribute to implementation of the Blackwater UDA Open Space and Townscape Strategy, and provision of infrastructure, including implementation of the Blackwater UDA Social, Cultural and Community Infrastructure Strategy.</i></p>	<p>Complementary amendment to support amendment 7.</p> <p>Issue #68</p>
Schedule 2: Definitions		
11.	<p>Use definitions: Business Uses</p> <p>Definition of 'Fast food premises' deleted so that the use is included in the definition of Food premises.</p> <p>Corresponding amendment to the definition of Food premises to remove existing statement of exclusion of fast food premises from the definition, and replace with a statement that the use may include drive-through facilities.</p> <p>Food premises</p> <p>Means the use of premises for the preparation and sale of food and drink to the public for consumption on or off the site. The term includes a cafe, restaurant, coffee shop bistro, tea room, milk bar, snack bar, kiosk, take-away. <i>The use may include drive-through facilities.</i></p>	<p>The two separate definitions introduced unnecessary complexity and limited flexibility of businesses in different parts of Blackwater.</p> <p>Issue #16</p>
12.	<p>Definition of 'Brothel' inserted.</p> <p>Brothel</p> <p><i>As defined in the Prostitution Act 1999, schedule 4.</i></p>	<p>See amendment 4.</p> <p>Issue #42</p>
13.	<p>Administrative definitions:</p> <p>Replacement of definition of 'Significant vegetation'</p> <p>New replacement definition:</p> <p>Significant vegetation</p>	<p>The existing definition did not cover remnant or high value regrowth and was different from the definition in the Moranbah UDA Proposed Development Scheme.</p>

Amendment	Nature of Amendment	Reason
	<p><i>Means all vegetation, except those listed as pest vegetation by the State government or the Central Highlands Regional Council, that is significant in its:</i></p> <ul style="list-style-type: none"> <i>(i) ecological value at local, state or national levels</i> <i>(ii) contribution to the preservation of natural landforms</i> <i>(iii) contribution to the character of the landscape</i> <i>(iv) cultural or historical value, or</i> <i>(v) amenity value to the general public.</i> <p><i>Note: vegetation may be living or dead and the terms includes their root zone.³⁶</i></p> <p>³⁶ <i>The root zone is described by the vertical projection of the foliage to a depth of 1m below the surface and including roots on and above the soil surface.</i></p>	Issue #17
14.	<p>Insertion of definition of 'specified distance from a sensitive use' mentioned with Adult Store in the Level of assessment tables.</p> <p>New definition:</p> <p><i>Specified separation distance (for an Adult store)</i> <i>Means the distance between the boundary of the land occupied by a sensitive use and the entrance of a proposed Adult store is the greater of the following:</i></p> <ul style="list-style-type: none"> <i>(i) more than 200 metre according to the shortest route a person may lawfully take, by vehicle or on foot, or</i> <i>(ii) more than 100 metres measured in a straight line.</i> 	See amendment 5. Issue #43
15.	<p>Insertion of definition of 'sensitive use' mentioned with Adult Store in the Level of assessment tables.</p> <p>New definition:</p> <p><i>Sensitive use (for Adult store)</i> <i>Means any of the following uses: Child care centre, Place of assembly, Educational establishment catering for primary or secondary aged children or younger.</i></p>	See amendments 5 and 14. Issue #43.
16.	<p>Replacement of the definitions of House and Multiple residential, including deletion of separate definition of 'secondary dwelling'.</p> <p><i>House</i> <i>Means a residential use of premises for a one household which containing one primary single dwelling on a lot. The use includes out-buildings and works normally associated with a dwelling and may include a secondary dwelling. The secondary dwelling is subordinate to the primary dwelling, capable of being used as a self-contained residence, and may be constructed under the primary dwelling,</i></p>	To improve clarity and distinction between the respective uses. Issue #15.

Amendment	Nature of Amendment	Reason
	<p><i>attached to it or free standing.</i></p> <p>Multiple residential</p> <p><i>Means a residential use of premises which contains two or more dwellings, other than a House incorporating a secondary dwelling. Each dwelling may be contained on one lot, or may be contained on its own lot included in a community titles scheme.</i></p>	
Map 2: Blackwater UDA Vision Map		
17.	Legend: term 'preferred' in 'Area preferred for Larger-scale Non-resident worker accommodation' replaced with 'designated'	See amendment 3. Issue # 47-50
Map 3: Blackwater UDA Zoning Plan		
18.	Legend: term 'appropriate in 'Appropriate for Larger-scale Non-resident worker accommodation' replaced with ' Area designated'	See amendment 3. Issue # 47-50

7. List of amendments arising from operational and legal review

Amendment	Nature of Amendment	Reason
1.0 Introduction		
A.	<p>Minor wording changes and replacement of dot points with roman numerals.</p> <p>1.2 Urban Development Area</p> <p>Relocation of 'location' statements from Strategic Context</p> <p><i>The Blackwater UDA is located within the Bowen Basin coal belt, approximately 200 kilometres west of Rockhampton in Central Queensland, and is part of the local government area administered by Central Highlands Regional Council.</i></p> <p><i>The UDA encompasses the full extent of the town on the northern side of the Capricorn Highway, including existing dwellings, worker accommodation, commercial and industrial uses, and associated physical and community infrastructure (refer to Map 1).</i></p>	To improve readability and clarity.

Amendment	Nature of Amendment	
2.0 Vision (previously Strategic Context)		
B.	<p>Change of title from 'Strategic context' to 'Vision'.</p> <p>Replacement of dot points with roman numerals.</p> <p>Deletion of section 2.1 Location (moved to Introduction, 1.2 Urban Development Area)</p> <p>2.1 Vision Statement:</p> <p>Paragraph 1, insertion of words: '<i>with a strong identity</i>' after 'a thriving town'</p> <p>2.2 Vision Map:</p> <p>Dot point 1, insertion of the word '<i>infill</i>' after 'proposed residential'</p> <p>Map 2: Blackwater UDA Vision Map</p> <p>Inclusion of existing north-south pedestrian and cycle links in the central area of the town.</p>	To improve readability and clarity.
3.0 Land use plan		
C.	<p>3.1 Components of the land use plan</p> <p>Replacement of dot points with roman numerals.</p> <p>Insertion of replacement text:</p> <p><i>3.1.1 Components of the land use plan</i></p> <p><i>The land use plan identifies the UDA development requirements which regulate development to achieve the vision for the UDA.</i></p> <p>Relocation of text from section 3.2 and revision or replacement of text (shown in italics):</p> <p>3.1.2 UDA development requirements</p> <p>The UDA development requirements are expressed as (<i>refer to figure 1</i>):</p> <p>(i) UDA-wide criteria (<i>see section 3.3</i>)</p> <p>(ii) zone provisions (<i>see section 3.4</i>)</p> <p>(iii) design benchmarks (<i>see section 3.5</i>).</p> <p><i>The UDA-wide criteria apply to all UDA assessable development in the</i></p>	To improve readability, clarity and consistency with the law.

Amendment	Nature of Amendment	
	<p><i>Blackwater UDA and do not apply to exempt</i></p> <p><i>The zone provisions for each zone apply to:</i></p> <p><i>(i) land in that zone (zoning plan and zone intent), and</i></p> <p><i>(ii) all development in that zone (level of assessment table).</i></p> <p><i>Design benchmarks:</i></p> <p><i>(i) do not apply to exempt development and</i></p> <p><i>(ii) apply to UDA self-assessable development and UDA assessable development as stated in section 3.5¹</i></p> <p>¹ <i>See section 3.2.1 and ULDA Act, section 56 about UDA self-assessable development, requirements for self-assessable development and compliance with those requirements.</i></p> <p><i>The levels of assessment for development in the UDA are stated in the level of assessment table for the relevant zone.</i></p> <p><i>The levels of assessment table for each zone (see section 3.4.3) prescribes for that zone:</i></p> <p><i>(i) UDA exempt development (column 1)</i></p> <p><i>(ii) UDA self-assessable development (column 2)</i></p> <p><i>(iii) UDA assessable development which is not prohibited (permissible development) (column 3A)</i></p> <p><i>(iv) UDA assessable development which is prohibited (prohibited development) (column 3B).</i></p>	
D.	<p>3.2 Development assessment</p> <p>Change of title from 'Development assessment procedures'</p> <p>Replacement of dot points with roman numerals.</p> <p>Insertion of replacement text (shown in italics):</p> <p><i>3.2.1 Interpretation</i></p> <p><i>Under ULDA Act, section 6 development is development defined under the Sustainable Planning Act 2009, section 7.</i></p> <p><i>Schedule 2 defines particular words used in this scheme, including uses and administrative terms.</i></p> <p><i>3.2.2 Requirements for self-assessable development</i></p> <p><i>UDA self-assessable development complies with the requirements under the development scheme if it complies with applicable design benchmarks for the development identified in section 3.51.</i></p> <p><i>Under ULDA Act, section 43, UDA self-assessable development must comply with the requirements under the development scheme for carrying out the UDA self-assessable development.</i></p>	To improve readability, clarity and consistency with the law.

Amendment	Nature of Amendment	
E.	<p>3.2 Development assessment (continued)</p> <p>Insertion of replacement text (shown in italics):</p> <p>3.2.3 Development consistent with the land use plan</p> <p><i>UDA assessable development is consistent with the land use plan if:</i></p> <p>(i) the development complies with <i>all relevant</i> UDA-wide criteria and <i>the relevant</i> zone intent, or</p> <p>(ii) the development does not comply with one or more of the UDA-wide criteria or</p> <p style="padding-left: 40px;">(a) the development does not conflict with the UDA vision, and</p> <p style="padding-left: 40px;">(b) there are sufficient grounds to <i>justify approval</i> the development despite the non-compliance with the UDA-wide criteria and zone intents.</p> <p><i>UDA prohibited</i> development is inconsistent with the land use plan.</p> <p><i>Under ULDA Act, section 56 UDA assessable development that is inconsistent with the land use plan cannot be granted approval.</i></p> <p>In this section 'grounds' means matters of public interest, which include the matters specified as the main purposes of the <i>ULDA Act</i>, as well as:</p> <p style="padding-left: 40px;">(i) superior design outcomes, and</p> <p style="padding-left: 40px;">(ii) overwhelming community need.</p> <p>'Grounds' does not include the personal circumstances of an applicant, owner or interested third party.</p>	To improve clarity and consistency with the law.
F.	<p>3.2 Development assessment (continued)</p> <p>Insertion of new section:</p> <p>3.2.5 Infrastructure agreements</p> <p><i>A UDA development condition may require the land owner to enter into an infrastructure agreement, under section 97 of the ULDA Act, to address the provisions and requirements of the infrastructure plan and implementation strategy.</i></p>	To improve clarity and consistency with the law.
G.	<p>3.2 Development assessment (continued)</p> <p>Insertion of replacement text (shown in italics):</p> <p>3.2.6 Consideration in principle</p> <p><i>A request may be made to the ULDA for consideration in principle for proposed development.</i></p> <p>In considering the request the ULDA may decide to do one of the following:</p>	To improve clarity and consistency with the law.

Amendment	Nature of Amendment	
	<p>(i) support <i>all or part</i> the proposed development, with or without qualifications that may amend the proposed development</p> <p>(ii) oppose <i>all or part of</i> the proposed development,</p> <p>(iii) give no indication of either support or opposition <i>to all or part of the proposed development</i>.</p> <p>The ULDA when considering a UDA development application:</p> <p>(i) is not bound by any decision made regarding a request for consideration in principle, and</p> <p>(ii) may give such weight as it considers appropriate to the decision on the request for consideration in principle.</p>	
H.	<p>3.2 Development assessment (continued)</p> <p>3.2.8 Notification requirements</p> <p>Deletion of text: a residential use having a density greater than the applicable benchmark.</p>	Not applicable to current design benchmarks.
I.	<p>3.2 Development assessment (continued)</p> <p>Insertion of replacement text (shown in italics):</p> <p>3.2.9 Plan of Development</p> <p><i>A Plan of Development (PoD) may accompany an application for a material change of use or reconfiguring a lot and may deal with residential or non-residential uses as well as operational work</i></p> <p><i>A PoD is prepared by an applicant and may include maps, graphics and text that collectively demonstrate how proposed uses, works and lots will contribute towards the achievement of the vision and will be consistent with the relevant UDA development requirements.</i></p> <p><i>The PoD can not 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. Under Tables 2 to 6 Level of assessment, development approved in accordance with a PoD is exempt development and requires no further development approval under the scheme.</i></p> <p><i>For further advice on preparing a PoD refer to the applicable ULDA Practice Note available on the ULDA website.</i></p>	To improve clarity and consistency with the law.
J.	<p>3.2 Development assessment (continued)</p> <p>Deletion of text (shown in strikethrough text) and insertion of new text (shown in italics):</p> <p>3.2.10 Relationship with the Duaringa Shire Planning Scheme</p> <p>The Blackwater Development Scheme adopts the assessment criteria <i>Part 6 of the Duaringa Shire Planning Scheme 2007 and, to the extent relevant stated, it applies the criteria</i> to development in the UDA, other</p>	To improve clarity and to recognise that the planning scheme does in fact continue to apply and complement the Development Scheme, although the Development Scheme prevails if it is different.

Amendment	Nature of Amendment	
	<p>than development for the following:</p> <ul style="list-style-type: none"> ● House ● Multiple residential ● Non residential accommodation ● Reconfiguration of a lot for residential purposes <p>However, to the extent of any inconsistency, the development scheme prevails over the planning scheme.</p>	
K.	<p>3.3 UDA-wide criteria</p> <p>Replacement of dot points with roman numerals.</p>	For improved readability and referencing.
L.	<p>3.3 UDA-wide criteria (continued)</p> <p>3.3.2 Centre vitality and employment, Planning and design, dot 5: deletion of: '(e.g. residential uses, schools)' after 'sensitive uses'.</p> <p>3.3.6 Community spaces and facilities, Planning and design, dot 3: deletion of: '(e.g. residential uses, schools)' after 'sensitive uses'.</p>	For clarity and to avoid with the term used in relation to Adult stores, a definition for sensitive uses in the context of the UDA-wide criteria has been included in the Administrative definitions (schedule 2).
M.	<p>3.3 UDA-wide criteria (continued)</p> <p>3.3.6 Community spaces and facilities : inclusion of '<i>and within centres</i>' after 'compatible nature'</p>	To clarify that consolidation of new community uses within centres is sought, as well consolidation of new community uses around existing compatible community uses.
N.	<p>3.3 UDA-wide criteria (continued)</p> <p>3.3.8 Environment and sustainability, the design, siting and layout of uses, works and lots, dot point 8: insertion of footnote.</p> <p><i>5 The Queensland Floods Commission of Inquiry is investigating the January 2011 flood disaster, including a review of existing provisions relating to flooding and flood risk mitigation. Consequently the provisions of this development scheme with respect to the management of flooding and flood risk mitigation may be subject to change at the direction of the Queensland Government in the near future. This should be taken into account by applicants and assessment managers when considering development in this UDA. Applicants are advised to make relevant enquiries regarding the status of the provisions relating to flooding to the time of lodgement.</i></p>	To address this matter and for consistency with Development Schemes for other UDAs.
O.	<p>3.4 Zoning provisions</p> <p>3.4.1 Replacement of section heading from 'Zone map' to '<i>Zoning plan</i>'.</p>	For consistency of terminology.

Amendment	Nature of Amendment	
P.	<p>3.4 Zoning provisions (continued)</p> <p>Centres Zone intent –</p> <ul style="list-style-type: none"> • Insertion of the word '<i>community</i>' before 'services' 	To improve clarity of the zone intent.
Q.	<p>3.4 Zoning provisions (continued)</p> <p>Centres Zone intent –</p> <ul style="list-style-type: none"> • insertion of new paragraph before last paragraph: '<i>Also, at the eastern end of the Capricorn Highway centre, Multiple residential and short-term accommodation are appropriate uses close to the Residential Zone near the intersection with Doon Street and fronting Schonta Street</i>' 	To assist in maintaining the amenity of the residential areas adjacent to the Centres zone in this locality.
R.	<p>3.4 Zoning provisions (continued)</p> <p>Community Zone intent –</p> <ul style="list-style-type: none"> • insertion of text: '<i>schools, child care centres</i>' in place of 'education facilities' • insertion of text: '<i>Child care centre, Educational facility.....Place of assembly..)</i> • insertion of new text: '<i>Shared use of community facilities is encouraged.</i>' 	To clarify the policy and correct the list of relevant defined uses.
S.	<p>3.4 Zoning provisions (continued)</p> <p>Open Space Zone intent –</p> <ul style="list-style-type: none"> • insertion of additional text: '<i>However, subject to appropriate investigations, a Tourist Park may be appropriate in this area in the shorter term.</i>' 	To clarify that a Tourist park in the Open Space Zone west of Mackenzie Street is suitable in the shorter term but only if investigation of site constraints have been completed.
T.	<p>3.4 Zoning provisions (continued)</p> <p>3.4.3 Level of assessment tables, tables 2 to 6</p> <p>New replacement text in column 1 UDA exempt development and deletion from column 2 UDA self-assessable development</p> <p>1. <i>An environmentally relevant activity if:</i></p> <p>(i) <i>a code of environmental compliance has been made for that activity under the Environmental Protection Regulation 2008, and</i></p> <p>(ii) <i>the activity complies with that code.</i></p>	To recognise that the Development Scheme does not impose any additional self-assessable criteria for this type of development.
U.	<p>3.4 Zoning provisions (continued)</p> <p>3.4.3 Level of assessment tables, tables 2 to 6</p>	To clarify the provisions that make development consistent with a Plan of Development exempt from further assessment under the

Amendment	Nature of Amendment	
	<p>New replacement text in column 1 UDA exempt development:</p> <p><i>'(iii) making a material change of use of premises if in accordance with an approved Plan of Development, or</i></p> <p><i>(iv) carrying out operational work or building if in accordance with a Plan of Development'</i></p>	Development Scheme.
V.	<p>3.4 Zoning provisions (continued)</p> <p>3.4.3 Level of assessment tables, tables 2 to 6</p> <p>New replacement text in column 3A UDA Permissible development:</p> <ol style="list-style-type: none"> 1. <i>Reconfiguring a lot that is not mentioned in schedule 1.</i> 2. <i>Making a material change of use of premises if:</i> <ol style="list-style-type: none"> (i) <i>the use is not defined in schedule 2, or</i> (ii) <i>the change of use is not mentioned in columns 1, 2 or 3B.</i> 3. <i>Carrying out operational work or building work if the work is not mentioned in columns 1, 2 or 3B.</i> 	To clarify the 'default' provisions that make development permissible if it is not mentioned in the other tables.
W.	<p>3.4 Zoning provisions (continued)</p> <p>3.4.3 Level of assessment tables, Tables 2 : Residential Zone</p> <p>New replacement text in column 1 UDA Exempt development:</p> <p><i>(v) development for a House if all of the following apply:</i></p> <ol style="list-style-type: none"> (a) <i>on a lot 450m² or more</i> (b) <i>a frontage of 12.5m or more</i> (c) <i>the House does not include a secondary dwelling</i> (d) <i>the development complies with the acceptable solutions in Element 1 of the Queensland Development Code (QDC), MP 1.2 - Design and siting standard for single detached housing-on lots 450 m² and over</i> <p>New replacement text in column 2 UDA self-assessable development:</p> <ol style="list-style-type: none"> (i) <i>development for a House if the following apply:</i> <ol style="list-style-type: none"> (a) <i>the lot is 450m² or more</i> (b) <i>the lot frontage is 12.5m or more</i> (c) <i>the House includes a secondary dwelling, or</i> (ii) <i>development for a House if:</i> <ol style="list-style-type: none"> (a) <i>the lot is less than 450m² but more than 400m² and</i> (b) <i>the lot frontage is 10m or more</i> 	To clarify the provisions in the Residential zone that make development for a House exempt if it complies with appropriate State-wide siting and amenity provisions (as stated in the Queensland Development Code), unless the House incorporates a secondary dwelling, in which case, it becomes self-assessable development.
X.	<p>3.4 Zoning provisions (continued)</p> <p>3.4.3 Level of assessment tables, Table 2 : Residential Zone</p> <p>Column 2 UDA self-assessable development: deletion of:</p> <p>Other development identified as self assessable in the</p>	To provide for clear and consistent interpretation of the provisions.

Amendment	Nature of Amendment	
	<p>relevant zone of the Duaringa Shire Planning Scheme 2007 and complies with the applicable planning scheme codes.</p> <p>New replacement text</p> <p><i>(iii) making a material change of use of premises that is the expansion of the following uses, if for an existing lawful use and the expansion is less than the 10% of the existing total floor area:</i></p> <ul style="list-style-type: none"> <i>(a) Cemetery</i> <i>(b) Crematorium</i> <i>(c) Child care centre</i> <i>(d) Community facility</i> <i>(e) Educational establishment</i> <i>(f) Emergency service,</i> <i>(g) Other residential if caring for children, or</i> <i>(h) Place of assembly.</i> 	
Y.	<p>3.4 Zoning provisions (continued)</p> <p>3.4.3 Level of assessment tables, Table 3 : Centres Zone</p> <p>Column 2 UDA self-assessable development: deletion of:</p> <p>Other development identified as self assessable in the relevant zone of the Duaringa Shire Planning Scheme 2007 and complies with the applicable planning scheme codes.</p> <p>New replacement text:</p> <p><i>(i) making a material change of use for the following, except if mentioned in column 1 or column 3B:</i></p> <ul style="list-style-type: none"> <i>(a)</i> <i>(b) Business if the total use area is less than 500m²</i> <i>(c) Food premises if the total use area is less than 200m² and there is no drive through facility, or</i> <i>(d) Shop if the total use area is less than 500m², or</i> <p><i>(ii) a material change of use of premises that is the expansion of the following uses, if for an existing lawful use and the expansion is less than the 10% of the existing total floor area:</i></p> <ul style="list-style-type: none"> <i>(a) Cemetery</i> <i>(b) Child care centre</i> <i>(c) Crematorium</i> <i>(d) Community facility</i> <i>(e) Educational establishment</i> <i>(f) Emergency service</i> <i>(g) Other residential if caring for children, or</i> <i>(h) Place of assembly.</i> 	To provide for clear and consistent interpretation of the provisions.
Z.	<p>3.4 Zoning provisions (continued)</p> <p>3.4.3 Level of assessment tables, Table 4 : Industry Zone</p> <p>Column 2 UDA self-assessable development: deletion of:</p>	To provide for clear and consistent interpretation of the provisions.

Amendment	Nature of Amendment	
	<p>Other developmentidentified as self assessable in the relevant zone of the <i>Duaringa Shire Planning Scheme 2007</i> and complies with the applicable planning scheme codes.</p> <p>New replacement text:</p> <p><i>(iii) making a material change of use of premises that is the expansion of the following uses, if for an existing lawful use and the expansion is less than the 10% of the existing total floor area:</i></p> <ul style="list-style-type: none"> <i>(a) Cemetery</i> <i>(b) Child care centre</i> <i>(c) Community facility</i> <i>(d) Crematorium</i> <i>(e) Educational establishment</i> <i>(f) Emergency service</i> <i>(g) Other residential if caring for children, or</i> <i>(h) Place of assembly.</i> 	
AA.	<p>3.4 Zoning provisions (continued)</p> <p>3.4.3 Level of assessment tables, Table 5 : Community Zone</p> <p>Column 2 UDA self-assessable development: deletion of:</p> <p>Other developmentidentified as self assessable in the relevant zone of the <i>Duaringa Shire Planning Scheme 2007</i> and complies with the applicable planning scheme codes.</p> <p>New replacement text:</p> <p><i>(i) making a material change of use for the following, except if mentioned in column 1 or column 3B:</i></p> <ul style="list-style-type: none"> <i>(a) Community facility</i> <i>(b) Emergency service, or</i> <i>(c) Place of assembly, or</i> <p><i>(ii) a material change of use of premises that is the expansion of the following uses, if for an existing lawful use and the expansion is less than the 10% of the existing total floor area:</i></p> <ul style="list-style-type: none"> <i>(a) Cemetery</i> <i>(b) Child care centre</i> <i>(c) Crematorium</i> <i>(d) Educational establishment</i> <i>(e) Other residential if caring for children.</i> 	To provide for clear and consistent interpretation of the provisions.
BB.	<p>3.4 Zoning provisions (continued)</p> <p>3.4.3 Level of assessment tables, Table 6 : Open Space Zone</p> <p>Column 2 UDA self-assessable development: deletion of:</p> <p>Other developmentidentified as self assessable in the relevant zone of the <i>Duaringa Shire Planning Scheme 2007</i> and complies with the applicable planning scheme codes.</p>	To provide for clear and consistent interpretation of the provisions.

Amendment	Nature of Amendment	
	<p>New replacement text:</p> <p><i>(i) making a material change of use of premises that is the expansion of the following uses, if for an existing lawful use and the expansion is less than the 10% of the existing total floor area:</i></p> <p><i>(a) Cemetery</i> <i>(b) Child care centre</i> <i>(c) Community facility</i> <i>(d) Crematorium</i> <i>(e) Educational establishment</i> <i>(f) Emergency service</i> <i>(g) Other residential if caring for children, or</i> <i>(h) Place of assembly.</i></p>	
CC.	<p>3.4 Zoning provisions (continued)</p> <p>3.4.3 Level of assessment tables, table 2</p> <p>New replacement text in column 1 UDA Exempt development:</p> <p><i>(ii) development for the following:</i></p> <p><i>(ii) development for the following:</i></p> <p><i>(a) Home based business</i> <i>(b)</i> <i>(c) Park</i> <i>(d) Sales office and display home</i></p> <p>3.4.3 Level of assessment tables, tables 3 to 6</p> <p>New replacement text in column 1 UDA Exempt development:</p> <p><i>(ii) development for the following:</i></p> <p><i>(a) Home based business</i> <i>(b) Park</i></p>	To improve readability - relocation of identified exempt development from Schedule 1 to the Level of assessment tables.
DD.	<p>3.4 Zoning provisions (continued)</p> <p>3.4.3 Level of assessment tables, table 2</p> <p>New replacement text in column 1 UDA Exempt development:</p> <p><i>(ii) development for the following:</i></p> <p><i>(a)</i> <i>(b) Other residential if not involving building work (other than minor building work)</i></p>	To avoid unnecessary regulation of this type of use and for consistency with development schemes for other UDAs.
EE.	<p>3.5 Design benchmarks (continued)</p> <p>3.5.1 Design benchmarks for self-assessable development for a House</p>	To support the amendments to the Residential zone level of assessment table. See amendment W.

Amendment	Nature of Amendment	
	<p>New text:</p> <p>3.5.1 Design benchmarks for self-assessable development for a House</p> <p><i>The applicable design benchmarks for self-assessable development identified in Table 2: Residential Zone (3.2.3 Level of assessment table) are stated in:</i></p> <p>(i) Table 7 for development for a House if the following apply:</p> <ul style="list-style-type: none"> (a) the lot is 450 m² or more (b) the lot frontage is 12.5m or more (c) the House includes a secondary dwelling, and <p>(ii) Table 7 for development for a House if:</p> <ul style="list-style-type: none"> (a) the lot is less than 450 m² but more than 400m² and (b) the lot frontage is 10m or more 	
FF.	<p>3.5 Design benchmarks (continued)</p> <p>3.5.2 Design benchmarks for other self-assessable development</p> <p>New text:</p> <p>3.5.2 Design benchmarks for other self-assessable development</p> <p><i>The acceptable solutions in the Town Zone Code, the Development Standards Code and the Commercial Development Code are the applicable design benchmarks for a material change of use for the following, identified as self-assessable development in Table 3: Centres Zone (3.2.3 Level of assessment table):</i></p> <ul style="list-style-type: none"> (i) Business (ii) Cemetery (iii) Child care centre (iv) Crematorium (v) Community facility (vi) Educational establishment (vii) Emergency service (viii) Fast Food Premises (ix) Food Premises (x) Other residential (xi) Place of Assembly (xii) Shop. <p><i>The applicable design benchmarks for a material change of use for Low impact industry, identified as self-assessable development in Table 4 Industry Zone (3.2.3 Level of assessment table), are the following:</i></p> <ul style="list-style-type: none"> (i) the applicable solutions in the Town Zone Code and the Development Standards Code (ii) the use operates only Monday to Saturday between the hours of 6am and 6pm (iii) the industry is one of the following: 	<p>To support the amendments to the Level of assessment tables that relate to identification of each type of self-assessable development under the <i>Duaringa Shire Planning Scheme 2007</i>.</p> <p>See amendment X to BB.</p>

Amendment	Nature of Amendment	
	<p>(a) dry cleaning (b) laundry (c) self storage shed, or (d) a use listed in Table 8</p> <p>(iv) for Groups 226, 231, 232, 233 and 274 in Table 8, the use is not an environmentally under the Environmental Protection Act 1994</p> <p>(v) for Groups 411, 412, 421, 422, 423, 424 and 425 in Table 9, the use of the premises is for the purposes of a yard or depot</p> <p>(vi) for Groups 281, 285 and 286 in Table 8, the total use area is not more than 100m².</p> <p>The acceptable solutions in the Town Zone Code and the Development Standards Code are the applicable design benchmarks for a material change of use for the following, identified as self-assessable development in Table 4 Industry Zone (3.2.3 Level of assessment table) are the following:</p> <p>(i) Cemetery (ii) Child care centre , or (iii) Community facility (iv) Crematorium (v) Educational establishment. (vi) Emergency service (vii) Other residential (viii) Place of assembly.</p> <p>The acceptable solutions in the Town Zone Code and the Development Standards Code are the applicable design benchmarks for a material change of use for the following, identified as self-assessable development in Table 5: Community Zone (3.2.3 Level of assessment table):</p> <p>(i) Cemetery (ii) Child care centre (iii) Community facility (iv) Crematorium (v) Educational establishment. (vi) Emergency service (vii) Other residential (viii) Place of assembly.</p> <p>The acceptable solutions in the Town Zone Code and the Development Standards Code are the applicable design benchmarks for a material change of use for the following, identified as self-assessable development in Table 6: Open space Zone (3.2.3 Level of assessment table):</p> <p>(i) Cemetery (ii) Child care centre (iii) Crematorium (iv) Community facility (v) Educational establishment (vi) Emergency services</p>	

Amendment	Nature of Amendment																											
	<p>(vii) Other residential (viii) Place of assembly.</p>																											
GG.	<p>3.5 Design benchmarks (continued)</p> <p>3.5.3 Design benchmarks for assessable development</p> <p>New text:</p> <p>3.5.3 Design benchmarks for assessable development</p> <p><i>The applicable design benchmarks for development are the relevant ULDA guidelines that provide guidance on how to achieve the UDA-wide criteria.</i></p>	<p>For improved readability, statements about design benchmarks for assessable development are located with the provisions about benchmarks for self-assessable development</p>																										
HH.	<p>3.5 Design benchmarks (continued)</p> <p><i>Table 7: Design benchmark for a self-assessable House</i></p> <p><i>New title and replacement table</i></p> <table border="1" data-bbox="304 943 991 2029"> <thead> <tr> <th data-bbox="304 943 512 987"><i>Element</i></th> <th data-bbox="512 943 991 987"><i>Design Benchmark</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="304 987 512 1055"><i>For the single dwelling on the lot, or for the primary dwelling if House includes a secondary dwelling</i></td> <td data-bbox="512 987 991 1055"></td> </tr> <tr> <td data-bbox="304 1055 512 1211"><i>Design and siting of buildings and structures</i></td> <td data-bbox="512 1055 991 1211"><i>If a lot less than 450m² - acceptable solutions in Element 1 of the Queensland Development Code (QDC), MP 1.1 - Design and siting standard for single detached housing - on lots under 450m²</i></td> </tr> <tr> <td data-bbox="304 1211 512 1391"></td> <td data-bbox="512 1211 991 1391"><i>If a lot 450m² or more- acceptable solutions in Element 1 of the Queensland Development Code (QDC), MP 1.2 - Design and siting standard for single detached housing - on lots 450m² or more</i></td> </tr> <tr> <td data-bbox="304 1391 512 1480"><i>Outdoor living space</i></td> <td data-bbox="512 1391 991 1480"><i>minimum 16m² with a minimum dimension of 4m and directly accessible from a main living area</i></td> </tr> <tr> <td data-bbox="304 1480 512 1525"><i>Car parking</i></td> <td data-bbox="512 1480 991 1525"><i>minimum one covered space 5m x 3m</i></td> </tr> <tr> <td data-bbox="304 1525 512 1570"><i>Driveway</i></td> <td data-bbox="512 1525 991 1570"><i>minimum 3.0m wide</i></td> </tr> <tr> <td data-bbox="304 1570 512 1637"><i>Front entry</i></td> <td data-bbox="512 1570 991 1637"><i>dedicated pedestrian entry and door visible from and addressing the street, not screened</i></td> </tr> <tr> <td data-bbox="304 1637 512 1749"><i>Street surveillance</i></td> <td data-bbox="512 1637 991 1749"><i>minimum of 1 habitable room fronting the street with large windows or balconies facing the street</i></td> </tr> <tr> <td data-bbox="304 1749 512 1816"><i>Fencing (street front)</i></td> <td data-bbox="512 1749 991 1816"><i>maximum 1.2m high</i></td> </tr> <tr> <td data-bbox="304 1816 512 1906"><i>Fencing (other)</i></td> <td data-bbox="512 1816 991 1906"><i>up to 1.8m high. Minimum 50% transparency over 1.2m in height</i></td> </tr> <tr> <td data-bbox="304 1906 512 1973"><i>Verandahs</i></td> <td data-bbox="512 1906 991 1973"><i>minimum 50% building frontage, not screened or enclosed</i></td> </tr> <tr> <td data-bbox="304 1973 512 2029"><i>Planting</i></td> <td data-bbox="512 1973 991 2029"><i>minimum 1m x 2m planted area between front</i></td> </tr> </tbody> </table>	<i>Element</i>	<i>Design Benchmark</i>	<i>For the single dwelling on the lot, or for the primary dwelling if House includes a secondary dwelling</i>		<i>Design and siting of buildings and structures</i>	<i>If a lot less than 450m² - acceptable solutions in Element 1 of the Queensland Development Code (QDC), MP 1.1 - Design and siting standard for single detached housing - on lots under 450m²</i>		<i>If a lot 450m² or more- acceptable solutions in Element 1 of the Queensland Development Code (QDC), MP 1.2 - Design and siting standard for single detached housing - on lots 450m² or more</i>	<i>Outdoor living space</i>	<i>minimum 16m² with a minimum dimension of 4m and directly accessible from a main living area</i>	<i>Car parking</i>	<i>minimum one covered space 5m x 3m</i>	<i>Driveway</i>	<i>minimum 3.0m wide</i>	<i>Front entry</i>	<i>dedicated pedestrian entry and door visible from and addressing the street, not screened</i>	<i>Street surveillance</i>	<i>minimum of 1 habitable room fronting the street with large windows or balconies facing the street</i>	<i>Fencing (street front)</i>	<i>maximum 1.2m high</i>	<i>Fencing (other)</i>	<i>up to 1.8m high. Minimum 50% transparency over 1.2m in height</i>	<i>Verandahs</i>	<i>minimum 50% building frontage, not screened or enclosed</i>	<i>Planting</i>	<i>minimum 1m x 2m planted area between front</i>	<p>To include standards for self-assessable development that specifically relate to a House that includes a secondary dwelling.</p>
<i>Element</i>	<i>Design Benchmark</i>																											
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Amendment	Nature of Amendment																						
	<p><i>Building articulation</i></p>	<p><i>boundary and dwelling minimum 0.5m wall articulation every 10m plus roof overhangs (eaves) and at least one of the following: a verandah, window hoods / screens, or awnings and shade structures.</i></p>																					
<p>II.</p>	<p>3.5 Design benchmarks (continued)</p> <p>Table 7: Design benchmark for a self-assessable House and any secondary dwelling on a lot less than 450m²</p> <p>New title and replacement table (continued)</p> <table border="1" data-bbox="304 768 991 2024"> <thead> <tr> <th data-bbox="304 768 512 808"><i>Element</i></th> <th data-bbox="512 768 991 808"><i>Design Benchmark</i></th> </tr> </thead> <tbody> <tr> <td colspan="2" data-bbox="304 808 991 891"><i>For the secondary dwelling if the House includes a secondary dwelling</i></td> </tr> <tr> <td data-bbox="304 931 512 994"><i>Minimum site area</i></td> <td data-bbox="512 931 991 994"><i>400m²</i></td> </tr> <tr> <td data-bbox="304 1005 512 1099"><i>Floor area of secondary dwelling</i></td> <td data-bbox="512 1005 991 1099"><i>minimum 60m² to maximum 75 m²</i></td> </tr> <tr> <td data-bbox="304 1111 512 1205"><i>Design and siting of buildings and structures</i></td> <td data-bbox="512 1111 991 1429"> <p><i>If a lot less than 450m² - acceptable solutions in Element 1 of the Queensland Development Code (QDC), MP 1.1 - Design and siting standard for single detached housing - on lots under 450m²</i></p> <p><i>If a lot 450m² or more- acceptable solutions in Element 1 of the Queensland Development Code (QDC), MP 1.2 - Design and siting standard for single detached housing - on lots 450m² or more</i></p> <p><i>except if on a corner lot, in which case the setback from the secondary road is the same as the setback of the primary dwelling from that road</i></p> </td> </tr> <tr> <td data-bbox="304 1581 512 1644"><i>Outdoor living space</i></td> <td data-bbox="512 1581 991 1706"><i>minimum 16m² with a minimum dimension of 4m and directly accessible from a main living area if the lot is on a corner - not located within the setback from the side boundary</i></td> </tr> <tr> <td data-bbox="304 1718 512 1749"><i>Car parking</i></td> <td data-bbox="512 1718 991 1749"><i>minimum one covered space 5m x 3m</i></td> </tr> <tr> <td data-bbox="304 1760 512 1792"><i>Driveway</i></td> <td data-bbox="512 1760 991 1886"><i>shared minimum 3.0m wide driveway with the primary house. However, if the lot is on a corner a separate driveway may be provided with a minimum 3.0m width.</i></td> </tr> <tr> <td data-bbox="304 1897 512 1928"><i>Front entry</i></td> <td data-bbox="512 1897 991 1991"><i>if the lot is on a corner - dedicated pedestrian entry and door visible from and addressing the secondary street</i></td> </tr> <tr> <td data-bbox="304 2002 512 2033"><i>Street</i></td> <td data-bbox="512 2002 991 2033"><i>if the lot is on a corner - minimum of 1</i></td> </tr> </tbody> </table>		<i>Element</i>	<i>Design Benchmark</i>	<i>For the secondary dwelling if the House includes a secondary dwelling</i>		<i>Minimum site area</i>	<i>400m²</i>	<i>Floor area of secondary dwelling</i>	<i>minimum 60m² to maximum 75 m²</i>	<i>Design and siting of buildings and structures</i>	<p><i>If a lot less than 450m² - acceptable solutions in Element 1 of the Queensland Development Code (QDC), MP 1.1 - Design and siting standard for single detached housing - on lots under 450m²</i></p> <p><i>If a lot 450m² or more- acceptable solutions in Element 1 of the Queensland Development Code (QDC), MP 1.2 - Design and siting standard for single detached housing - on lots 450m² or more</i></p> <p><i>except if on a corner lot, in which case the setback from the secondary road is the same as the setback of the primary dwelling from that road</i></p>	<i>Outdoor living space</i>	<i>minimum 16m² with a minimum dimension of 4m and directly accessible from a main living area if the lot is on a corner - not located within the setback from the side boundary</i>	<i>Car parking</i>	<i>minimum one covered space 5m x 3m</i>	<i>Driveway</i>	<i>shared minimum 3.0m wide driveway with the primary house. However, if the lot is on a corner a separate driveway may be provided with a minimum 3.0m width.</i>	<i>Front entry</i>	<i>if the lot is on a corner - dedicated pedestrian entry and door visible from and addressing the secondary street</i>	<i>Street</i>	<i>if the lot is on a corner - minimum of 1</i>	<p>To include standards for self-assessable development that specifically relate to a House that includes a secondary dwelling.</p>
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	<p><i>surveillance</i> <i>habitable room fronting the secondary street</i></p> <p><i>Fencing (street front)</i> <i>if the lot is on a corner - maximum 1.2m high on secondary street frontage</i></p> <p><i>Fencing (other)</i> <i>up to 1.8m high. Minimum 50% transparency over 1.2m in height</i></p> <p><i>Verandahs</i> <i>if the lot is on a corner - minimum 50% of building frontage not screened or enclosed</i></p> <p><i>Planting</i> <i>if the lot is on a corner - minimum 1m x 2m planted area between the secondary street boundary and dwelling</i></p> <p><i>Building articulation</i> <i>minimum 0.5m wall articulation every 10m plus roof overhangs (eaves) and at least one of the following: a verandah, window hoods / screens, or awnings and shade structures.</i></p>																																	
JJ.	<p>3.5 Design benchmarks (continued)</p> <p>Table 8: Low impact industries from the Australian and New Zealand Standard Industrial Classification</p> <p>New title and replacement table (continued)</p> <table border="1" data-bbox="304 1099 938 2004"> <thead> <tr> <th>Group</th> <th>Description</th> </tr> </thead> <tbody> <tr><td>213</td><td>Fruit and Vegetable Processing</td></tr> <tr><td>216</td><td>Bakery Product Manufacturing</td></tr> <tr><td>223</td><td>Knitting Mills</td></tr> <tr><td>224</td><td>Clothing Manufacturing</td></tr> <tr><td>225</td><td>Footwear Manufacturing</td></tr> <tr><td>226</td><td>Leather and Leather Product Manufacturing</td></tr> <tr><td>231</td><td>Log Sawmilling and Timber Dressing</td></tr> <tr><td>232</td><td>Other Wood Product Manufacturing</td></tr> <tr><td>233</td><td>Paper and Paper Product Manufacturing</td></tr> <tr><td>241</td><td>Printing and Services to Printing</td></tr> <tr><td>242</td><td>Publishing</td></tr> <tr><td>243</td><td>Recorded Media Manufacturing and Publishing</td></tr> <tr><td>274</td><td>Structural Metal Product Manufacturing</td></tr> <tr><td>281</td><td>Motor Vehicle and Part Manufacturing</td></tr> <tr><td>283</td><td>Photographic and Scientific Equipment Manufacturing</td></tr> </tbody> </table>	Group	Description	213	Fruit and Vegetable Processing	216	Bakery Product Manufacturing	223	Knitting Mills	224	Clothing Manufacturing	225	Footwear Manufacturing	226	Leather and Leather Product Manufacturing	231	Log Sawmilling and Timber Dressing	232	Other Wood Product Manufacturing	233	Paper and Paper Product Manufacturing	241	Printing and Services to Printing	242	Publishing	243	Recorded Media Manufacturing and Publishing	274	Structural Metal Product Manufacturing	281	Motor Vehicle and Part Manufacturing	283	Photographic and Scientific Equipment Manufacturing	<p>To support the amendment to the Level of assessment table for the Industry Zone that relates to identification of each type of self-assessable development under the <i>Duaringa Shire Planning Scheme 2007</i>.</p> <p>See amendment Z.</p>
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Amendment	Nature of Amendment	
	284	Electronic Equipment Manufacturing
	285	Electrical Equipment and Appliance Manufacturing
	286	Industrial Machinery and Equipment Manufacturing
	292	Furniture Manufacturing
	294	Other Manufacturing
	411	Building Construction
	412	Non-Building Construction
	421	Site Preparation Services
	422	Building Structure Services
	423	Installation Trade Services
	424	Building Completion Services
	425	Other Construction Services
	526	Household Equipment Repair Services
	Class Description	
	5322	Automotive Electrical Services
	5329	Automotive Repair and Services
4.0 Infrastructure Plan		
KK.	<p>Insertion of new text in paragraph 4 after: 'infrastructure charges'</p> <p><i>or a special rate or charge under section 101 of the ULDA Act,...the Blackwater UDA Social, Cultural and Community Infrastructure Strategy.</i></p>	To recognise the other provisions in the ULDA Act under which infrastructure may potentially be funded, and also the potential to impose those charges also for the Social, Cultural and Community Infrastructure Strategy.
LL.	<p>Insertion of new text after paragraph 1:</p> <p><i>A UDA development condition may require the land owner to enter into an infrastructure agreement, under section 97 of the ULDA Act, to address the provisions and requirements of the infrastructure plan and implementation strategy.</i></p>	To improve clarity about infrastructure agreements and conditions of development approval and for consistency with Development Schemes for other UDAs.
MM.	<p>Change to text in table for Community facilities:</p> <p><i>Works meeting the requirements of the relevant provider, and generally in accordance with the Blackwater UDA Social, Cultural</i></p>	To recognise that the analysis has been completed and will be followed by a strategy for

Amendment	Nature of Amendment	
	Community Infrastructure <i>Strategy</i> .	implementation.
Schedule 1: Exempt development		
NN.	<p>Inclusion of a reference to development that is exempt under SPA, and consequential deletion of references covered under that exemption.</p> <p>Deletion of exempt material changes of uses (Park, Home based Business, Sales office and display home) and relocation to the respective Level of assessment tables.</p> <p>Deletion of references to development that is exempt if in accordance with an approved Plan of Development and relocation to the respective Level of assessment tables.</p> <p>For filling or extraction, deletion of a reference to depth (1 m) and inclusion of a quantity for volume (50m³).</p>	For consistency with SPA and to improve readability.
Schedule 2: Definitions		
OO.	Rationalisation of numbering.	For improved readability.
PP.	<p>Insertion of definitions for Local heritage register and Queensland heritage register</p> <p><i>Local heritage register</i> <i>As defined in the Queensland Heritage Act 1992</i></p> <p><i>Queensland heritage register</i> <i>As defined in the Queensland Heritage Act 1992</i></p>	These terms are mentioned in schedule 1.
QQ.	<p>Deletion of definitions for 'noise sensitive use' and 'sensitive uses' and replacement with a single definition of 'sensitive use (for UDA wide-criteria)'</p> <p><i>Sensitive use (for UDA-wide criteria)</i> <i>Means any of the following uses: House, Multiple Residential, Other residential, Non-resident worker accommodation, Childcare centre, Educational establishment, Community facility, Place of assembly.</i></p>	To clearly distinguish this type of sensitive use from the similar term defined for Adult stores.
RR.	<p>Deletion of the following definitions:</p> <ul style="list-style-type: none"> • Basement • Dwellings per hectare • High water mark 	These terms are not used in the Development Scheme.