

Andergrove, Mackay UDA Development Scheme

Submissions Report

Pursuant to section 29 of the *Urban Land Development Authority Act 2007*

July 2010



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Summary of Key Amendments to Proposed Andergrove UDA Development Scheme

Amendments affecting the Bushland and Open Space Zone
Inclusion of the southwest portion of the site within the Bushland and Open Space Zone.
Amendments affecting the Residential Zone
Removal of southwest portion of the site from the Residential Zone and inclusion within the Bushland and Open zone. Incorporation of measures to protect significant vegetation adjacent to the southern site boundary within the Residential Zone.
Amendments affecting the Level of Assessment Table
Inclusion of additional wording in Columns 1 and 2 to clarify that exempt and self-assessable development can only occur if the land is not on either the Environmental Management Register or Contaminated Land Register.
Mapping related amendments
Amendment of the Zoning Plan to: <ul style="list-style-type: none"> include the southwest corner of the site within the Bushland and Open Space Zone. indicate where significant vegetation along the southern boundary of the Residential Zone will be protected removal of the indicative neighbourhood park from the Residential Zone. Relocation and renaming of the Zoning Plan (to Structure and Zoning Plan) to clarify the connection of the plan to the Outcomes for the UDA located in the Strategic Context component of the development scheme. Cosmetic alterations to the Zoning Plan to enhance readability.
Amendments to Schedules
Deletion of definitions not relevant to this UDA. Amendment of the Affordable Housing definition to clarify how the term is used within the development scheme, which does not include the provision of social housing.
General editorial comments
A range of general editorial amendments to improve readability, correct anomalies and improve clarity.

Brief Summary of Key Issues Raised in the Submissions Received

Key Issue	Response
Concern regarding the congestion on Bedford Road and access to and from the development.	Traffic modelling has been undertaken to support the development scheme and estimated traffic volumes generated by the proposed development will adequately be accommodated by the existing road network. The traffic modelling also demonstrated the need for two new intersections onto Bedford Road to service the development. Mackay Regional Council and the ULDA are satisfied the proposed access points are designed appropriately based on the anticipated traffic generation.
Southern portion of the site is within a wetland protection area. The vegetation should be retained to assist in providing balanced and natural water quality flow into the wetlands.	The development scheme will be amended to include the southwest corner of the site. The total area within the Bushland and Open Space zone will then retain the vast majority of the vegetation on the site and the environmental values associated with the wetland, i.e. ecological and water quality values, will be retained and enhanced.
Object to the southern portion of the development. It is considered the existing significant bushland should be retained and designated Parkland when the Reconfiguration process occurs.	The development scheme will be amended to include the southwest corner of the site within the Bushland and Open Space zone. In addition, protection measures for significant vegetation, such as large lots with building envelopes and covenants, will be applied along the southern boundary of the residential zone.
There is a toxic dump on the site. Need reassurance that houses built on the dump will not cause harm or ill health to future residents.	It is known that within the UDA there are localised areas of contamination which occupy approximately less than 10% of the site. These areas include a disused waste oil disposal pit, an old night soil disposal pit and an underground fuel storage tank. The site is currently being investigated to determine the extent and level of contamination. Mackay Regional Council is overseeing the remediation of the land and the development scheme has been modified to ensure that residential development can not be undertaken on land that has not been remediated.

Summary of Submissions – Andergrove Proposed Development Scheme

Issue #	Issue/Comment	Response	Amendment Y-yes / N-no
GENERAL COMMENTS ON THE DEVELOPMENT SCHEME			
1	Department of Justice and Attorney-General, Queensland Police—no comment.	Noted.	N
2	Applaud the redevelopment of the Council depot works.	Noted.	N
3	Extremely supportive of your plans for Andergrove.	Noted.	N
4	Only support development placed where the existing council buildings are at present and where the workers paved car park is situated.	Noted.	N
5	Object to the development.	Noted.	N
6	Loss of visual amenity. Surely the area could be left as parkland or a reserve for everyone to enjoy. If we are built in, it will affect the value of our property, particularly if it is high density, cheap housing. How will we be compensated?	Over 40% of the UDA will remain as Bushland and Open Space and the vast majority of existing vegetated areas will be retained.	N
7	There is conjecture about the nature of the housing estate. All documentation received states that it is a high density, affordable housing estate, yet we continue to receive mixed feedback about this. What exactly is the nature of the buildings on the site? How will they be environmentally sustainable? Will it be totally fenced (gated community)? Doesn't this cause issues with firebreaks and evacuation?	The development scheme establishes the proposed overall intentions for development of the UDA. For the Residential Zone, intentions are stated for the type and density of residential use (a range of residential types with densities up to 30 dwellings per hectare), building heights (typically 2 storeys with opportunities for 3 storeys in appropriate locations). The community will not be gated.	N

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UDA-WIDE CRITERIA—HOUSING AND COMMUNITY			
8	Support for housing.	Noted.	N
9	The UDA will lead to a lowering of house prices in the area.	The evidence from development in other UDAs is that integration of affordable housing into mainstream housing developments does not have an adverse impact on existing property values.	N
10	Affordable housing will lead to social problems.	The evidence from development in other UDAs is that inclusion of affordable housing stock will not have adverse social impacts.	N
11	Concern regarding the impact on health during construction as a result of dust and noise.	The ULDA will ensure that construction is in accordance with a construction management plan which will specify the hours of operation established for the local area, and practices for managing dust, such as watering and ceasing operation in extreme conditions.	N
12	Will this development place low-income residents far from essential services? Is it the best location for them to access transport and support services?	The UDA is well located in relation to a range of community services and facilities. This includes primary and high schools and childcare. The UDA is also on a bus route and within walking distance of two other bus routes. The Andergrove UDA is one of the best locations for development in Mackay with many other available sites being located on the city fringe.	N
13	How will the development be affordable for low to moderate income residents? What conditions will be in place to ensure the development is kept primarily to provide affordable housing for low to moderate income households.	<p>The Andergrove UDA will have a minimum of 66% of dwellings available to purchase at or below the Mackay median house price. It will also have a minimum of 50% of dwellings that will be affordable to purchase or rent for low to moderate income households in Mackay.</p> <p>This is achieved by producing a diverse range of product that is not currently available in the Mackay housing market. No conditions are placed on the property to ensure it is purchased or rented by low to moderate income households. However, extensive marketing will occur so that low to moderate income households are aware that affordable product is available.</p>	N
14	The proposal states the area will be for "low affordable housing". Given the criteria it does not seem possible unless there is supplemental government support. In Mackay units selling for \$275,000 need to earn \$61,000 a year to pay monthly payments of \$1,540 a month based on 6.8% interest p.a.	The ULDA delivers product that is affordable for incomes from \$40,000 to \$80,000 by delivering a diversity of product at different price points. This means a delivery of dwellings priced up to \$320,000 or rented at a maximum of \$460 per week.	N
15	The aim should be to provide a genuine affordable housing option for families with 2-3 children and	The development scheme sets the following affordable housing targets for the UDA:	N

Issue #	Issue/Comment	Response	Amendment Y-yes / N-no
	also co-habiting groups of younger people sharing houses.	<p>'Deliver a minimum of 66% of all dwellings across the UDA available for purchase at or below the median house price for Mackay City'</p> <p>'Deliver a minimum of 50% of dwellings available to purchase or rent to low to moderate income households for Mackay City'</p>	
16	There is not a shortage of land in Mackay for development, so a more suitable location to build high density housing for low to moderate-income people needs to be found. That ensures "balance" between social, economic and environmental needs and "ecological sustainability" as required under the Urban Land Development Authority Act.	The Andergrove UDA has been identified as being suitable for residential development. The UDA is well located in relation to a range of community services and facilities. This includes primary and high schools and childcare. The UDA is also on a bus route and within walking distance of two other bus routes.	N
17	Is high rise housing part of the high-density development planned to make housing affordable? If so what number of floors are planned, and what is the maximum height of the buildings and distance between them? Is the range of house and lot sizes such that 50% of the development is affordable for low to moderate income individuals or households?	<p>The development scheme establishes the proposed overall intentions for development within the UDA. The Residential Zone makes provision for a range of housing types and lot styles up to 30 dwellings per hectare, building heights of typically 2 storeys with opportunities for 3 storeys in appropriate locations.</p> <p>The diversity of housing on lots of various sizes is a mechanism used by the ULDA to provide housing affordable for low to moderate income households.</p>	N
18	A complex with a lift would be more accessible for aged and disabled people.	<p>The ULDA sets targets for accessible housing. Although reference is made in the development scheme to the ULDA Accessible Housing guidelines, reference to the accessible housing target was omitted.</p> <p>The development scheme has been amended to include a requirement to:</p> <p>'Deliver 10% as accessible housing to meet the changing needs of people and households over time'</p>	Y See amendment 16
19	Any swimming pool area should be accessible by the local community and so can be jointly funded by the body corporate and the council.	This is not an issue for the development scheme.	N
20	Minimise the amount of common areas that are to be maintained by body corporate.	This is not an issue for the development scheme.	N
21	Onsite storage facilities should also be available for rent.	This is not an issue for the development scheme.	N
22	Do not skimp on parking for each unit. Covered secure car parks should align with the number of bedrooms.	The development scheme calls up the ULDA guideline no. 01 Residential 30 which deals with car parking requirements.	N

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23	<p>Suggest some 1 bedroom/small study units for independent older or disabled persons.</p> <p>There should be a mix of 3 and 4 bedroom units and substantial community playground facilities to encourage families to the unit lifestyle.</p>	<p>The ULDA sets targets for accessible housing. Although reference is made in the development scheme to the ULDA Accessible housing guidelines, reference to the accessible housing target was omitted.</p> <p>The development scheme has been amended to include a requirement to:</p> <p>'Deliver 10% as accessible housing to meet the changing needs of people and households over time'.</p> <p>The development scheme requires development contribute to a range of housing types, some of which will be suitable for families.</p>	N

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UDA-WIDE CRITERIA—STREET DESIGN AND PARKING			
24	<p>Concern regarding the congestion on Bedford Road and access to and from the development.</p> <p>Two main entry points within a few hundred metres will not ease traffic congestion.</p>	<p>Traffic modelling has been undertaken to support the development scheme and estimated traffic volumes generated by the proposed development will adequately be accommodated by the existing road network. The traffic modelling also demonstrated the need for two new intersections onto Bedford Road to service the development. Mackay Regional Council and the ULDA are satisfied the proposed access points are designed appropriately based on the anticipated traffic generation.</p>	N
25	<p>Has any thought been given to making another entry point through Park Lands onto Broomsdykes Drive or Newton Street?</p>	<p>Consideration was given to having other entry points for the development site; however these would have adversely impacted upon large areas of significant vegetation.</p>	N
26	<p>Traffic congestion – will the bridge over the train line on Glen Park Street and Gooseponds Bridge be upgraded?</p> <p>This should be paid for by the State government.</p>	<p>Traffic modelling has been undertaken to support the development scheme. The bridge over the train line on Glen Park Street and Gooseponds Bridge were not identified as requiring upgrading as part of this development proposal.</p> <p>No in accordance with advice from Mackay Regional Council the traffic report did not extend to Glen Park St and Gooseponds Bridge</p> <p>Upgrading of the bridge over Glen Park street and Gooseponds Bridge has not been considered as the study area did not include them in accordance with advice from MRC</p>	N
27	<p>Department of Community Safety—street widths within the urban development areas need to be designed to allow for the clear passage of fire service vehicles, taking into account private vehicles parked on kerbs.</p>	<p>This matter is addressed through the street and lane design elements of ULDA Guideline No. 01 Residential 30. This guideline operates in conjunction with Queensland Streets and AusRoads. This guideline is called up by the development scheme to be used in the development assessment process.</p> <p>The development application process will ensure development is undertaken in accordance with relevant standards.</p>	N
28	<p>Department of Community Safety—the projects will require mitigation strategies around the provision of egress to the road networks within the project areas for emergency service responses.</p>	<p>The development application process will ensure development is undertaken in accordance with relevant standards.</p>	N
29	<p>Are you proposing to construct a footpath on the side of the development?</p>	<p>A footpath will be constructed along the length of the Bedford Road frontage.</p>	N

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30	Department of Transport and Main Roads—would be pleased to see planning of the UDA ensures the provision of travel routes (pedestrian / cycling) to safely connect too and provide continuation of existing travel routes to and from schools in the area.	The development will include the provision of walking and cycling tracks to facilitate links with nearby schools and adjoining residential areas.	N
31	Department of Transport and Main Roads— in the planning and design of the street network ensure 90% of the residential zone is within 400m walking distance of a public transport stop.	This is not considered necessary as 90% of the development is already within 400m walking distance of a public transport stop.	N
32	There is a Council bikeway north of the site along the northern border of Lot 2 RP711645. We are told it is part of a buffer zone for the landfill. Will housing be built in this buffer zone right to the back of the adjoining houses in the neighbouring housing estate, thus replacing the bikeway?	The existing bikeway will be relocated as part of this development to provide better connections between Broomsdykes Drive Park and Jaycee Andergrove Park.	N

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UDA-WIDE CRITERIA—ENVIRONMENT AND SUSTAINABILITY			
33	The height of the land on the site is higher than our land. Previously when there has been flooding the run off has caused problems for dwellings to the south. This will be worse when the land is built higher for development.	In accordance with the Environment and sustainability provisions of the development scheme's UDA-wide criteria, the site will be designed so that the majority of the drainage from the site will be directed internally for treatment and detention. This will achieve the desired water quality objectives and stormwater management. outcomes	N
34	Will the development impact on flood levels in surrounding areas in the wetlands?	In accordance with the Environment and sustainability provisions of the development scheme's UDA-wide criteria, the development will be designed to maintain the existing volume of stormwater running over the site and down stream. This is to protect the wetland values of the area.	N
35	<p>There is a toxic dump on the site. Need reassurance that houses built on the dump will not cause harm or ill health to future residents.</p> <p>Will a bioassay and toxicology report on soils and underground water be completed before allowing residential or parkland?</p> <p>Will testing be undertaken by an independent body and be fully transparent and available to the public?</p> <p>Will the site be cleaned up, how and when and by what methods?</p> <p>Where will the wastes be moved to and will they be decontaminated beforehand?</p> <p>There has been a failure to identify previously contaminated land left by the council/former council. Examples of such contaminated land are oil dumps, chemical dumps and old cattle dips on the old council pound site and depot site.</p> <p>What records exist of wastes buried there?</p>	<p>It is known that within the UDA there are localised areas of contamination which occupy approximately less than 10% of the site. These areas include a disused waste oil disposal pit, an old night soil disposal pit and an underground fuel storage tank.</p> <p>The site is currently being investigated to determine the extent and level of contamination. Mackay Regional Council is overseeing the remediation of the land and the development scheme has been modified to ensure that residential development can not be undertaken on land that has not been remediated.</p> <p>Release of associated documents would be subject to the <i>Right to Information Act 2009</i> provisions.</p>	N
36	Why was the landfill included in the Residential zoning?	It is expected that the contaminated land will be able to be remediated to enable it to be used for residential purposes. However, the land will need to be rehabilitated and removed from the Environmental Management Register before residential development can occur.	N

Issue #	Issue/Comment	Response	Amendment Y-yes / N-no
37	Has there been leakage of hazardous contaminants into the surrounding area?	The site is currently being investigated to determine the extent and level of contamination. Mackay Regional Council is overseeing the remediation of the land and the development scheme has been modified to ensure that residential development can not be undertaken on land that has not been remediated.	N
38	Will housing be sold within Lot 2 RP711645 before the landfill site is cleaned up?	No land will be sold to the public before the site is fully remediated or removed from the register in line with Government processes.	N
39	Will there be an open and transparent process for reporting on any clean-up or changes in this site?	Mackay Regional Council is overseeing the remediation of the land prior to development. Release of associated documents would be subject to the <i>Right to Information Act 2009</i> provisions.	N
40	If the pits are dug out and left to dry will this create Acid Sulfate Soils?	The development scheme has been changed to address the investigation and management of acid sulfate soils during development. The likely instance of acid sulfate soils is considered to be minimal given DERM's existing mapping of the area.	Y See amendment 26
41	Department of Community Safety—the scheme does not address the requirements of State Planning Policy (SPP) 1/03 – Mitigating the Adverse Impacts of Flood Bushfire and Landslide. At an appropriate time in the planning process, DCS requires information regarding mitigation of natural hazards.	The development scheme addresses the State Planning Policy 1/03 to the extent required by the Policy. Landslide is not an issue and the development will be above the 100 year ARI. Andergrove has a small area of medium bushfire risk. This is recognised by the development scheme which requires that development maintains the safety of people and property from bushfire risk. The Residential Zone provisions also refer to development adjoining the Bushland and Open Space Zone incorporating roads or shared pathways which are also suitable for bushfire or other emergency vehicle access. The development scheme also calls up the ULDA Environment and Sustainable Development guidelines (soon to be available) which will specifically reference SPP 1/03 as the relevant document for these issues.	N

Issue #	Issue/Comment	Response	Amendment Y-yes / N-no
42	<p>Could you please advise if any studies have been undertaken regarding surface and groundwater hydrology and the impacts the development and clearing will have on the wetlands? What will happen to groundwater dependent ecosystems?</p>	<p>Preliminary stormwater studies have been undertaken and confirmed the capacity for stormwater to be managed on site. Independent testing is currently being done on sections of the site to identify the extent of contamination.</p> <p>Environment and sustainability UDA-wide criteria in the development scheme require development to be designed to appropriately manage stormwater and to ensure all land and groundwater will be fit for its intended use in accordance with accepted standards and practices.</p> <p>The development scheme also calls up the ULDA Environment and Sustainable Development guidelines (soon to be available) which refer to both contamination and stormwater management issues.</p>	N
43	<p>There appears to be faint regard to the EPBC Act.</p>	<p>The Commonwealth <i>Environmental Protection and Biodiversity Conservation Act 1999</i> has been considered as part of the site's ecological assessment report and the potential impact on listed species is considered minimal.</p> <p>Referral of the development scheme under the EPBC Act is not required as the EPBC Act apply to actions rather than plans. The Federal Government would be unable to review the document under the Act. The ULDA has undertaken an assessment of the possible consequences associated with development permitted in accordance with the development scheme and believe that there are no issues that would require future development to be referred under the EPBC Act</p>	N
44	<p>The flora and fauna surveys are not conclusive.</p> <p>The field survey on 6 & 7 April occurred 18 days after Cyclone Ului hit Mackay - this means is it is not a true representation and fauna is likely to have fled the area and flora was in as state of devastation. Much more extensive surveys must be undertaken.</p>	<p>The flora and fauna surveys were conducted in both wet season and dry seasons. Given that the development footprint is largely outside of the endangered and of concern regional ecosystems, the level of investigation is considered sufficient.</p> <p>40% of the site is being preserved in the Bushland and Open Space zone.</p>	N
45	<p>Redevelopment will significantly decrease the numbers of the strongly protected Red-Tail Black Cockatoos. We have taken into consideration your objectives to not displace the cockatoos although the 'significant vegetation' you propose to leave (600mm wide at 1 m from ground level) is unquestionably a joke as this applies to a limited number of trees.</p>	<p>The significant vegetation referred to in the submission applies to trees within the development footprint. No vegetation other than pest species will be disturbed in the Bushland and Open Space Zone.</p> <p>Forty percent of the site is being preserved in the Bushland and Open Space zone.</p>	N

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46	Loss of wildlife - common for us to see and hear 100+ wildlife species within this proposed development area.	Forty percent of the site is being preserved in the Bushland and Open Space zone. Further, the development footprint preserves the vast majority of the vegetation and habitat present on the site. Minimal disturbance is expected.	N
47	The remnant vegetation is an important remnant area for Mackay and should be expanded rather than reduced.	Forty percent of the site is being preserved in the Bushland and Open Space zone. Further, the development footprint preserves the vast majority of the vegetation and habitat present on the site.	N
48	It has been stated that the south-west corner will not be developed under the current project. Will it be developed in the future, the ULDA and MRC need to clarify this. The ULDA has provision for veg bylaws relating to vegetation removal. It is appropriate that these be written into the zoning plan so the area cannot be cleared now or in the future.	During the period of development while the area is a UDA under the management of the ULDA, the identified bushland area will not be developed. Once the UDA is developed Council will resume responsibility for future management of the area under the planning scheme.	N
49	Department of Environment and Resource Management (DERM)—concerned that once the proposed development scheme takes effect, development will be exempt or self-assessable despite the potential for any residual contamination. The development scheme requires amendment to ensure this very significant issue is properly addressed prior to development.	Changes have been made to the development scheme Level of Assessment Table, the UDA planning outcomes and the UDA-wide criteria. These amendments will ensure that development cannot be approved or undertaken on land if it still on the Environmental Management Register or Contaminated Land Register.	Y See amendments 39 and 40
50	Department of Environment and Resource Management—in order to be consistent with government policy it is recommended to locate all of the development outside of the wetland.	The development scheme will be amended to include the wetland area in the southwest corner of the site within the Bushland and Open Space zone. In addition, other significant vegetation adjacent to the southern boundary will be included within a protection area and the allotments along this boundary will be required to have building envelope plans to ensure significant vegetation is retained.	Y See amendment 29, 30 and 35
51	Department of Environment and Resource Management—it is recommended that the ULDA undertake further assessment of the site to determine how the project can meet the policy objectives of the wetlands State Planning Policy prior to declaration. This can be achieved by demonstrating that there are no impacts or changes to the existing hydrological regime of the wetland as a result of the proposed development. The Department does not however support the location of stormwater management or water sensitive urban design features in the wetland.	The development scheme provides for development to be consistent with the Temporary State Planning Policy 1/10 Protecting Wetlands of Significance in the Great Barrier Reef Catchment.	N
52	The 19 page development scheme document you have furnished me with does not adequately or correctly identify protected wetland areas, as defined by the Department of Environment and Resource Management.	The area identified as the Bushland and Open Space Zone includes the protected wetland area as defined by the Department of Environment and Resource Management.	N

Issue #	Issue/Comment	Response	Amendment Y-yes / N-no
53	Department of Environment and Resource Management—the issue of acid sulfate soils (ASS) has not been addressed by the ULDA and it is recommended the ULDA undertake preliminary investigation on the site before declaration and the ILUP is submitted to Cabinet.	The development scheme has been changed to address the investigation and management of acid sulfate soils during development. The likely instance of ASS is considered to be minimal given DERM's existing mapping of the area.	Y See amendment 26
54	Department of Environment and Resource Management—ensure any new lots or buildings which require a fire break are restricted from being built within the appropriate firebreak.	The proposed layout of the development incorporating a road between the Residential and Bushland and Open Space Zones (providing both a fire break and access for fire fighting purposes) manages bushfire risk in accordance with the State Planning Policy /03 – Mitigating the Adverse Impacts of Flood Bushfire and Landslide.	N
55	There are several species of amphibian including the green tree frog, striped marsh frog, miniature green frog and the ornate burrowing frog to name a few. As the site is a wetland of high ecological significance, further studies on amphibian life should be undertaken	As the wetland vegetation and the hydrological regime will not be altered, there is no need for additional investigation of amphibian life.	N
56	Wildlife species that have recognised conservation significance pursuant to the <i>Nature Conservation Act 1992</i> , have been recorded in the site locality. I would therefore argue that, the habitat is significant for Endangered, Vulnerable and Rare species. Has this been considered?	Investigations undertaken have not identified species under the Nature Conservation Act.	N
57	A colony of Agile Wallabies resides on the site and grazes throughout the entire vegetation corridor, relying on the forest areas for protection. Further reduction of the habitat will impact on their survival. Are the Wallabies going to be compensated?	The development footprint preserves the vast majority of the vegetation and habitat present on the site.	N
58	The ULDA should protect Regional Ecosystems 8.2.13a (dominant and subdominant) VMA: Endangered & Biodiversity Endangered; and Regional Ecosystem 8.2.7a VMA: Of Concern and Biodiversity Endangered and surrounding buffer zones from clearing and adverse impacts that would affect water quality, habitat, connectivity and biodiversity values.	These ecosystem classifications have been recognised and the development scheme will be amended to include the wetland area in the southwest corner of the site within the Bushland and Open Space zone.	Y See amendment 29
59	The tree hollows are there for wildlife and all that needs to be done is to revegetate the understorey. Include retention of <i>Melaleuca viridiflora</i> wetland, which although not mapped as a regional ecosystem, provides nesting habitat for magpie geese (listed as Marine under the EPBC Act) i.e. 9 Magpie geese - Apr 2010 feeding 3-5 chicks disturbed <i>M. viridiflora</i> wetland*	The development scheme preserves the vast majority of the vegetation and habitat on the site. Removing the existing grazing and depot uses will assist with rehabilitation of the site as a wildlife habitat.	N

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60	More wildlife surveys need to be conducted, preferably monthly and during early morning, dusk and evening, to list all species using these wetlands, and identify species using the wetlands as essential habitat.	Given the development scheme preserves the vast majority of the vegetation and habitat on the site further investigations are not required.	N
61	The presence of listed Queensland <i>Nature Conservation Act 1992</i> (NCA) and federal <i>Environmental Protection & Biodiversity Conservation Act 1999</i> (EPBC Act) listed species means the development proposal will have to be referred to relevant agencies for review that will ensure the protection of wildlife values and habitats. The presence of EPBC-listed species means the development proposal will need to be referred to EPBC Compliance under the federal <i>Environmental Protection & Biodiversity Conservation Act 1999</i> .	Given the retention of the vast majority of the vegetation and habitat on the site, the species mentioned are not likely to be threatened by development. Referral of the development scheme under the EPBC Act is not required as the EPBC Act apply to actions rather than plans. The Federal Government would be unable to review the document under the Act. The ULDA has undertaken an assessment of the possible consequences associated with development permitted in accordance with the development scheme and believe that there are no issues that would require future development to be referred under the EPBC Act	N
62	Essential habitat for species is not mapped in the R.E.s in the Andergrove ULDA. However two species: the vulnerable (EPBC Act) plant, Minute orchid, a.k.a. Ribbon-root orchid and the rare (NCA) bird species (mating) radjah shelduck have been recently recorded in the R.E.s onsite and whether or not the area provides essential habitat for these any other species needs to be investigated further.	Given the development scheme preserves the vast majority of the vegetation and habitat on the site further investigations are not required.	N
63	The Andergrove UDA does not explain how drainage will be handled to avoid adverse impacts on the site's wetland ecosystems and on flooding impacts for the residents of Dominos Crescent (street along southern western boundary of the development lot) or possibly along Newton Street. Flood studies need to be done to report on impacts and how they might be managed so there is no net increase in flooding rates or flood levels, or decrease in water quality in the site's wetlands.	Flood studies indicate that the land is not subject to coastal or riverine flooding. Local stormwater will be managed so that no increase in water levels will be experienced offsite as a result of the development. Through improved stormwater management the development is expected to improve water quality in the wetlands.	N
64	Water budget and other hydrological research and modelling at the local and catchment scales is needed to ensure the project is economically, socially and environmentally sustainable. Current research predicts a sea level of rise on one metre over the next one hundred years, and this should be taken into account for coastal developments such as this.	The development area is considered to be well above the area likely to be affected by predicted sea level rise.	N

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65	How does the clearing of the wetland support objective 2, p.15 and management target, p.17 of the Reef Water Quality Protection Plan 2009?	No significant clearing of the wetland will occur. The development scheme will be amended to include the southwest corner of the site within the Bushland and Open Space zone. In addition, other significant vegetation adjacent to the southern boundary will be included within a protection area and the allotments along this boundary will be required to have building envelope plans to ensure significant vegetation is retained.	Y See amendments 29, 30 and 35
66	ULDA states it will ensure 'preservation of the areas significant environmental values'; 'retain significant vegetation' and 'reflect its leafy green character' and 'green heart'. How will this happen when you propose clearing 15% of the remaining vegetation.	No significant clearing of the wetland will occur. The development scheme will be amended to include the southwest corner of the site within the Bushland and Open Space zone. In addition, other significant vegetation adjacent to the southern boundary will be included within a protection area and the allotments along this boundary will be required to have building envelope plans to ensure significant vegetation is retained.	Y See amendments 29, 30 and 35
67	It would seem practical to cover the existing drain, pipe the stormwater and then use this area as an access for pedestrians' vehicles and emergency vehicles. This drain could act as a buffer between existing and proposed residential areas. Vegetation behind Newton St and Domino Crescent could remain, but still be admired and used by the community. The cleared area on the eastern side of the drain at its southern extend could be used for housing instead. Need for additional parkland on the site is minimal as there are two existing parks and potential for a third park at the end of Domino Crescent.	Piping of the existing drain is contrary to the principles of Water Sensitive Urban Design and would result in the loss of environmental values on the site due to adverse effects on the surface and ground water. It is proposed that existing stormwater be treated on-site to improve water quality.	N
68	The storm water drain which contains contaminated water should be cleaned up before the water enters McReadys Creek. A gross pollutant trap and reeds and sedges planted in the drain would assist this process. This should be done as a matter of urgency.	All water resulting from the development and entering the land from the south will be treated in accordance with current best practice.	N
69	Further clearing and development adjacent to the forested area would increase the edge effects on the forest area. This is already evident now with some weed species, but would increase and the impacts be greater because it would be on a smaller remaining parcel. The edge effects from the development will significantly increase the adverse impacts within the bushland. Development should be limited to within 200m of the wetland.	The proposed layout of the development incorporating a road between the Residential and Bushland and Open Space Zones will assist in managing the edge effects of development on the forest area.	N

Issue #	Issue/Comment	Response	Amendment Y=yes / N=no
RESIDENTIAL ZONE			
70	<p>Object to the southern portion of the development. It is considered the existing significant bushland should be retained and designated Parkland when the Reconfiguration process occurs. It is essential to retain and preserve this significant ecosystem to maintain biodiversity.</p> <p>Plan does not elaborate on the age and amount of space involved or the biodiversity, nor does it indicate where bushland will be retained.</p>	<p>The development scheme will be amended to include the southwest corner of the site within the Bushland and Open Space zone. In addition, protection measures for Significant vegetation, such as large lots with building envelopes and covenants, will be applied along the southern boundary of the residential zone.</p>	<p>Y</p> <p>See amendments 29, 30 and 35</p>
71	<p>The melaleuca forest along the southern boundary of the site should not be developed.</p>	<p>The development scheme will be amended to include significant vegetation adjacent to the southern boundary within a protection area and the allotments along this boundary will be required to have building envelope plans to ensure significant vegetation is retained.</p>	<p>Y</p> <p>See amendments 30 and 35</p>
72	<p>Boundary of the proposed development takes out access to my back yard and shed. I have just paid for a new fence and now all the battens will have to be turned round.</p>	<p>Existing residents adjoining the UDA have no legal rights to access the rear of their properties via land within the UDA. If necessary illegal access across land within the UDA will be prevented in the future.</p> <p>Residents will be encouraged to access the forest through new formal pedestrian pathways.</p>	<p>N</p>
73	<p>Mackay Airport has reviewed the development proposal with respect to our aviation related surface and has concluded that there is minimal risk of development as described, impacting on the operations of Mackay Airport.</p> <p>Mackay Airport requests that the ULDA submits the final design of the proposal for final review by Mackay Airport to determine that built structures and proposed uses will not interfere with operational surfaces.</p>	<p>The Land Use Plan contained within the development scheme allows for heights of up to 3 storeys. Such height limits fall well below the restricted areas identified for the Mackay Airport.</p>	<p>N</p>
74	<p>I was always led to believe that there was a 50m nature strip between residential blocks and the works department. Please check this out I believe that there will be some reference in old Pioneer Shire records. I have no objection to the low cost housing development, as such, on occupied or cleared land to the north of this 50m nature strip.</p>	<p>Mackay Regional Council has advised the ULDA there is no '50m nature strip' at the rear of any adjacent properties, and confirmed there are no records of this area being 'reserved' for any purpose.</p>	<p>N</p>

Issue #	Issue/Comment	Response	Amendment Y-yes / N-no
75	<p>There should be a buffer between the subdivision and the natural habitat.</p>	<p>Andergrove has a small area of medium bushfire risk. This is recognised by the development scheme which requires that development maintain the safety of people and property from bushfire risk.</p> <p>The Residential Zone provisions also refer to development adjoining the Bushland and Open Space Zone incorporating roads or pedestrian/cycle ways which are also suitable for bushfire or other emergency vehicle access.</p> <p>The development scheme also calls up the ULDA Environment and Sustainable Development guidelines (soon to be available) which will specifically mention SPP 1/03 as the relevant document for these issues.</p>	N
76	<p>Lot 2 RP711645 is currently zoned for Public Purposes. How does the development meet the criteria for 'Public Purpose'? Is a rezoning application for the land currently in the pipeline?</p> <p>Please clarify how the proposed development meets the criteria for 'Public Purpose' when:</p> <ul style="list-style-type: none"> the project is to be privatised it does not contribute any community infrastructure only 50% of the dwellings are earmarked to be so-called affordable housing 	<p>Within Urban Development Areas, the ULDA assumes the planning powers of local government and some state agencies.</p> <p>The ULDA must within 12 months of declaration produce a development scheme which establishes the overall intentions for the UDA, including zoning.</p> <p>The development scheme replaces the planning controls of the planning scheme.</p>	N
77	<p>Department of Environment and Resource Management—it is recommended that the footprint of the residential area be altered by removing proposed residential over remnant regional ecosystems. If this is not possible the ULDA would be expected to provide an offset which significantly exceeds the requirements of the vegetation management offsets policy.</p>	<p>The development scheme will be amended to include the southwest corner of the site within the Bushland and Open Space zone. In addition, other significant vegetation adjacent to the southern boundary will be included within a protection area and the allotments along this boundary will be required to have building envelope plans to ensure significant vegetation is retained.</p> <p>The redesign of the development footprint has removed the residential designation over all remnant endangered ecosystems resulting in over 40% of the UDA site being preserved in the Bushland and Open Space zone.</p>	Y See amendments 29, 30 and 35
78	<p>To encourage home based businesses I suggest some ground floor mixed residential/commercial offerings with street frontage parking and town planning approval for home based businesses.</p>	<p>The development scheme allows for Home based business as exempt development.</p>	N
79	<p>A high rise development could occur on the area where the council depot therefore clearing would not be needed.</p>	<p>It is not considered appropriate for development to extend beyond 3 storeys having regard to the surrounding character of the area.</p>	N

Issue #	Issue/Comment	Response	Amendment Y-yes / N-no
80	Parkland can be placed on the top of high rise buildings, which would provide open space and more space for housing, and keep buildings cooler.	At proposed densities of up to 30 dwellings persons per hectare, and opportunities for 3 storey multiple residential, the density proposed for the UDA is higher than the surrounding Andergrove area. Anything greater than those densities and building heights is not considered appropriate.	N
81	You should look at increased density, 4-6 storeys and more commercial and retail.	<p>At proposed densities of up to 30 dwellings persons per hectare, and opportunities for 3 storey multiple residential, the density proposed for the UDA is higher than the surrounding Andergrove area. Anything greater than those densities and building heights is not considered appropriate.</p> <p>The ULDA is satisfied there are adequate retail services available to the local community.</p>	N

Issue #	Issue/Comment	Response	Amendment Y-yes / N-no
BUSHLAND AND OPEN SPACE ZONE			
82	The retention of the bushland in the western portion of the site is fully supported.	Noted.	N
83	Support for the parkland.	Noted.	N
84	Residents of Newton St and Domino Cres have direct access to the forest area in question, It is a privilege that is well respected and utilised by residents for recreation.	Residents will be encouraged to access the forest through new formal pedestrian pathways.	N
85	UDA planning zone map has the legend Bushland and Open Space. Bushland can't be open space. Please clarify what is proposed here. No 'bushland' should be cleared for open space.	The open space component will be utilised in existing cleared areas.	N
86	When reconfiguring the lot the forest bushland should be split off from the cleared area and have the tenure changed to reserve.	The development of the land will include subdividing the land to create a new lot that will contain the bushland that will remain in the ownership of Mackay Regional Council. Any decision to change the tenure will be made by the Council.	N
87	It would appear that the uses allowed in the Bushland and Open Space Zone are not too different to those of the Residential Zone.	The Level of assessment table must be read in conjunction with 3.4.2 Bushland and Open Space Zone which states the intent for the zone. There are no residential uses intended in the zone. Rather a multi-functional role is identified which is the maintenance of the area's significant environmental values, passive community recreation and stormwater management.	N
88	Department of Environment and Resource Management—concerned the Land Use Plan exempts all development specified in Schedule 1 in the Bushland and Open Space Zone. It is requested that this exemption be changed to nil.	In practical terms, the nature of development that is exempt in the Bushland and Open Space Zone and likely to occur, is very limited due to the ownership of the land (Mackay Regional Council) and numerous qualifying factors that do or will not apply, such as existing approvals and association with exempt material changes of use, heritage places or residential uses. The only works expected are those associated with weed control, stormwater management, track creation and fencing.	N

Issue #	Issue/Comment	Response	Amendment Y-yes / N-no
89	<p>Department of Environment and Resource Management (and others)—consideration should be given to wildlife protection from domestic animals during and post construction. Access through wetlands via low impact activities should be controlled, i.e. no dogs and continuous monitoring by Council. Covenants on domestic animals should be implemented to achieve environmental outcomes.</p>	<p>Given the UDAs location in an established urban environment covenants are not supported. The ULDA in conjunction with Mackay Regional Council, the Department of Environment and Resource Management and others, will investigate options to manage the impact of domestic animals in the environment such as internal sanctuaries, bird nesting boxes.</p> <p>The Implementation Strategy in the development scheme has been amended to refer to preparation of a bushland management plan.</p>	<p>Y</p> <p>See amendments 44, 45 and 46</p>

Issue #	Issue/Comment	Response	Amendment Y=yes / N=no
INFRASTRUCTURE			
90	Department of Employment, Economic Development and innovation—ensure that the relevant electricity entities (Powerlink QLD and Ergon Energy Corporation Ltd) are consulted regarding any network plans they may have for these areas.	Agreed. Both these entities were sent copies of the proposed development scheme.	N
91	Powerlink Queensland—the proposed developments will not impact Powerlink Queensland's assets negatively as they are not near any Powerlink easements and don't conflict with any known future corridor alignment.	Noted.	N
92	Department of Community Safety—access to reticulated water supplies or alternative/recycled water supplies is made available for emergency use through the provision of in-ground spring hydrants.	This is not a matter for the development scheme. The development application process will ensure development is undertaken in accordance with relevant standards.	N
93	Car wash bays should be provided with recycled or rainwater access.	The type of housing proposed does not require communal car washing bays.	N
94	The harvesting of storm and rainwater via the use of individual and/or communal tanks is strongly encouraged. Grey water use is also supported.	These aspects are supported by provisions in 3.3.4 Environmental and sustainability which refer to the design, siting and layout of development incorporating water efficiency practices. This matter is addressed more specifically at the time a development application is made.	N
95	On site sewerage processing should also be considered.	Given the significance of the adjoining wetland this was not considered practical.	N
96	Consider the installation of solar hot water from a common boiler and a ring based reticulation system. This should be solar and heat pump, then metered hot water to each unit rather than having separate hot water systems.	These aspects are supported by provisions in 3.3.4 Environmental and sustainability which refer to the design, siting and layout of development incorporating energy efficiency practices. This matter is addressed more specifically at the time a development application is made.	N
97	You should be taking advantage of NBNCo to run fibre to every unit.	This is not a matter for the development scheme. A condition of any development approval for subdivision requires the applicant to enter into an agreement with a telecommunications provider and construct the services in accordance with the agreement.	N

98	Department of Education and Training—the department has a number of schools in the vicinity of the area proposed for the Andergrove UDA and is satisfied these facilities can meet any increased capacity arising from the development.	Noted.	N
99	Department of Communities—although not specifically stated in the Proposed Development Scheme, it is understood that if the State or statutory body representing the State proposes or starts development, the State or body is not required to pay for infrastructure provision in the way of infrastructure charges or contributions to headworks charges. If the exemption for infrastructure charges is not currently envisaged for development by the State in this area, it is requested that this provision be incorporated in the final document.	<p>As for other urban development areas, development for public housing, as defined under the <i>Sustainable Planning Act 2009</i> (SPA), is made exempt under the Andergrove development scheme.</p> <p>Such exempt housing will not trigger infrastructure charges.</p>	N

Issue #	Issue/Comment	Response	Amendment Y-yes / N-no
COMMUNITY CONSULTATION			
100	Department of Community Safety—the Queensland Ambulance Service needs to be advised of any construction, upgrading or relocation of infrastructure, including roads, rail, level crossings, bridges, tracks, parks and pathways for review of impact upon the delivery of ambulance operations from the ambulance stations to road network locations within the project area.	This is not a matter for the development scheme. This will be dealt with as part of the standard development assessment and approval process.	N
101	Department of Community Safety —Queensland Ambulance Service needs to be advised of any impact on existing telecommunications infrastructure that may impact on access to communications between the Ambulance Communications Centre and ambulance facilities and/or vehicles.	This is not a matter for the development scheme. A condition of any development approval for subdivision requires the applicant to enter into an agreement with a telecommunications provider and construct the services in accordance with the agreement..	N
102	Beaconsfield State School conducts revegetation and weed removal activities on the site. It would be good if someone from the ULDA would consult with Beaconsfield School on the development.	Agreed. The ULDA will contact Beaconsfield School.	N
103	What other options for development have been considered and why have they not been shared with the community? The constraints report recommended option 1. What has been proposed in the UDA zone plan was not even investigated in the report.	The development scheme has been informed by consultation with Mackay Regional Council, State Government agencies and independent experts. Public consultation on the proposed development scheme provides the opportunity for comment on an integrated policy framework for managing development. It is not intended to provide different options for the community to review. All comments received during the public notification period are considered and any appropriate amendments incorporated into the final development scheme submitted to the Minister.	N

104	What consultation has happened with Council and other government departments that has led the ULDA to come to the conclusion that clearing Endangered Regional Ecosystem is a good idea?	<p>The ULDA has undertaken significant consultation with the Council and State Government agencies, in particular, the Department of Environment and Resource Management.</p> <p>Subsequent to this consultation, and responses received during the consultation period, the development scheme will be amended so that the southwest corner of the site incorporating part of the Endangered Regional Ecosystem will not be developed for residential purposes but included within the Bushland and Open Space Zone.</p> <p>Accordingly, no clearing of an Endangered Regional Ecosystem will occur.</p>	N
105	No thought has been given to existing owners.	<p>The ULDA recognises that the proposed development of the UDA represents a change in use which may impact on residents adjoining the area. However, this site represents an important opportunity for the ULDA and Mackay Regional Council to deliver a range of housing options to meet the changing needs of the Mackay community, including housing affordable for people on low to moderate incomes.</p> <p>The community, including existing owners, was given the opportunity to provide comment on what is planned for the site during the public notification of the proposed development scheme</p>	N
106	Work with the community and local green designers and environmental groups and planners, e.g. part of a community reference group, to produce sustainable and affordable housing design options.	The ULDA will work closely with local builder partners to ensure future dwelling stock is appropriately designed at an affordable price point. The ULDA intends to work with local environmental groups to facilitate the rehabilitation of areas included in the Bushland and Open Space zone.	N

Issue #	Issue/Comment	Response	Amendment Y-yes / N-no
MISCELLANEOUS			
107	Department of Community Safety —the projects need to be included into the Gladstone and Mackay local government disaster management plans and planning policies.	In accordance with section 59(1)(b) of the <i>Urban Land Development Authority Act 2007</i> the ULDA will notify Mackay Regional Council of all development application decisions. It is the responsibility of the Council to include the projects in their plans and policies.	N
108	The ULDA Act states the 'ecological sustainability' means a balance of ecological processes and natural systems, economic development and maintenance of cultural economic physical and social well-being. It appears from the development, only the second and third are being dealt with and ecological processes have been forgotten.	This balance is being achieved through allowing development only on the cleared areas of the site resulting in the existing environmental values being retained and a contaminated site being rehabilitated.	N
109	Jarrod McCracken was recently fined \$200,000 for illegal clearing of vegetation. Could you please explain how this proposal can be justified, when no one else is likely to be allowed to do this?	In response to consultation, the development scheme will be amended so that the southwest corner of the site will not be developed for residential purposes but included within the Bushland and Open Space Zone. In addition, protection measures for Significant vegetation, such as large lots with building envelopes and covenants, will be applied along the southern boundary of the residential zone.	Y See amendments 29, 30 and 35
110	It is imperative that Mackay Regional Council, together with the ULDA, takes the initiative to ensure this land stays as it was granted to Pioneer Shire Council back in 1948 when bequeathed as parkland.	Mackay Regional Council have advised the ULDA it is not aware of the land being bequeathed to Council with conditions requiring the land to used as parkland. It was acquired by Council for operational purposes.	N
111	What commercial development is proposed in conjunction with this UDA to ensure access to community and commercial facilities for those without the means to readily access existing elsewhere in Mackay?	There is no commercial development planned in the UDA. The UDA is well located to access a range of community services and facilities. This includes primary and high schools and childcare. The UDA is also on a bus route and within walking distance of two other bus routes.	N
112	Department of Environment and Resource Management—the developer must be aware of the duty of care as outlined in the Act. This applies to the undeveloped areas of the sit. No mention of Duty of Care associated with Aboriginal Cultural Heritage has been found in the proposal.	Noted. Nothing in the development scheme limits developers from having to abide by their duty of care.	N

113	Council has been interfering with the site by clearing the undergrowth. A simple firebreak buffer is all that should be cleared around the vegetation. Did council have an ulterior motive? Is this why they've been selectively clearing the land? Did they put in sewer mains for the last four houses in the street (to be connected at the cost of residents, two thousand \$ plus increased rates) because they were concerned with leaching into the wetland by old septic pit tanks (I think not) or was this action taken purely to hook up new homes they intended to build there, to mains sewer?	Mackay Regional Council has advised the ULDA that the installation of sewerage was required to connect a number of unsewered properties to the reticulated sewerage system.	N
114	Looking at the Ecological Landuse Constraints and Opportunities Report, three options were proposed. By far, option one would have had the least impact on the Endangered Ecosystem and existing residents. In fact, the area ULDA has proposed to clear for residential purposes was not touched in any of the three ELCO Report options. Why did the ULDA suddenly change their minds and take our Endangered Ecosystem and Wetland of High Ecological Significance?	The original provisions of the development scheme were proposed to achieve urban design outcomes and to maximise the State Government Objectives for the site. However, in response to consultation, the development scheme will be amended so that the southwest corner of the site will not be developed for residential purposes but included within the Bushland and Open Space Zone.	Y See amendment 29
115	Department of Transport and Main Roads—the annotation 'Indicative Pedestrian Linkages' should be relabelled as 'Indicative Pedestrian and Cyclist Linkages or 'Indicative Shared Pathways'.	Agreed. The Zoning Plan will be amended to refer to 'Indicative Shared Pathways'.	Y See amendment 28
116	Ensure that development in Precinct One protects R.E. 8.2.13 (sub-dominant) and the parts of R.E. 8.2.7a and 8.2.13a in Precinct One's southwest corner from development and include a protective buffer zone around these areas. This will mean re-design of the housing and road options within Precinct One. Multi-storey housing with adequate parking may provide a solution option.	The development scheme will be amended so that the southwest corner of the site will not be developed for residential purposes but included within the Bushland and Open Space Zone	Y See amendment 29

List of amendments

Amendment		
	Nature of amendment	Reason
1 INTRODUCTION		
1	<p>Page 1, 1.3 Purpose of the development scheme</p> <p>Insert new paragraph after paragraph 1—</p> <p>The purpose of the development scheme is to establish the overall intentions for development of the UDA as well as identify a broad range of requirements applicable to proposed development.</p>	To explicitly state the purpose of the development scheme.
2 STRATEGIC CONTEXT		
2	<p>Page 3, 2.2 Planning Outcomes for the UDA, title</p> <p>Replace title—</p> <p>2.2 Planning Outcomes for the UDA</p> <p>with</p> <p>2.2 Outcomes for the UDA</p>	To clarify the applicability of the outcomes for the UDA to the Infrastructure Plan and Implementation Strategy, as well as the Land Use Plan.
3	<p>Page 2, 2.2 Planning Outcomes for the UDA</p> <p>Insert Map 2: Andergrove UDA Zoning Plan (move from Zone Provisions, page 8)</p> <p>Amend title of Map 2 to—</p> <p>Map 2: Andergrove UDA Structure and Zoning Plan.</p>	As the zoning plan also includes strategic elements, it has been renamed and relocated to the Strategic Context component of the development scheme to improve clarity and readability.
4	<p>Page 3, 2.2 Planning Outcomes for the UDA, paragraph 1</p> <p>Replace dot point 1—</p> <ul style="list-style-type: none"> • 'its natural core and leafy green character' <p>with</p> <ul style="list-style-type: none"> • 'its environmental values and leafy green character' 	To improve the clarity of the outcome.
5	<p>Page 3, 2.2 Planning Outcomes for the UDA,</p> <p>Insert new paragraph—</p> <p>'The outcomes for the UDA are broadly illustrated in Map 2: Andergrove UDA Structure and Zoning Plan. Map 2 shows the zones for regulating land uses and the key structural elements to be developed within the UDA including:'</p>	These provisions support the Zoning Plan that has been relocated from the Zoning Provisions to the Strategic Context.
6	<p>Page 3, 2.2 Planning Outcomes for the UDA,</p> <p>Insert text related to map 2 (move from 3.4 Zone provisions, page 8)—</p>	These strategic provisions have been relocated from the Zone Provisions to the Strategic Context component of the development scheme to improve clarity and readability.

Amendment †		
	Nature of amendment	Reason
	<ul style="list-style-type: none"> • 'new residential areas • retention of bushland • neighbourhood/pocket parks that allow for active and passive recreation activities • pedestrian linkages through the UDA to existing open space networks and Bedford Road <p>a primary connector road linking the residential development to Bedford Road.'</p>	
7	<p>Page 3, 2.2 Planning Outcomes for the UDA, planning outcome 3 (<i>Create a green heart by:</i>)</p> <p>Replace outcome title—</p> <p>'Create a green heart by:'</p> <p>with</p> <p>'Manage environmental values by:'</p>	To improve the clarity of the outcome.
8	<p>Page 3, 2.2 Planning Outcomes for the UDA, planning outcome 4 (<i>Be a liveable community by:</i>)</p> <p>Replace</p> <p>'drawing on the site's landform and vegetation to create a distinctive residential environment with a green heart ...'</p> <p>with</p> <p>'drawing on the site's landform and vegetation to create a distinctive residential environment with distinctive ecological benefits ...'</p>	To improve the clarity of the outcome.
9	<p>Page 3, 2.2 Planning Outcomes for the UDA, planning outcome 4 (<i>Be a liveable community by:</i>)</p> <p>Replace</p> <p>'creating a neighbourhood park which allows for passive and active recreation facilities'</p> <p>with</p> <p>'creating open space which allows for passive and active recreation facilities'</p>	The text has been amended to clearly distinguish between parks and open space. The area is well served with existing neighbourhoods parks providing local playground facilities and passive and active recreational opportunities. It is the intention that within the UDA existing cleared areas will be retained as open space fulfilling the dual role of community recreation and stormwater management. Such areas are likely to be used for walking paths connecting the residential areas to the bushland and casual active recreation areas.
10	<p>Page 3, 2.2 Planning Outcomes for the UDA, planning outcome 6 (<i>Be a safe place to live by:</i>)</p> <p>Insert new dot point after dot point 1—</p> <p>'ensuring land is rehabilitated and removed from the Environmental Management Register or Contaminated Land Register prior to works or sensitive uses commencing'.</p>	To ensure that works and uses are not undertaken while land is still on the Environmental Management Register or Contaminated Land Register.

3 LAND USE PLAN

Amendment †		
	Nature of amendment	Reason
11	<p>Pages 4 - 10, Land Use Plan</p> <p>Replace—</p> <p>‘planning outcomes’</p> <p>with</p> <p>‘outcomes’—</p>	To clarify the applicability of the outcomes for the UDA to the Infrastructure Plan and Implementation Strategy, as well as the Land Use Plan.
12	<p>Page 4 Figure 1: Components of land use plan and their relationship</p> <p>Amend the listed UDA-wide criteria to reflect the headings in 3.3 UDA-wide criteria.</p> <p>Remove ‘Zone Provisions’ as an item under the UDA wide criteria.</p>	<p>To improve clarity of the UDA-wide criteria.</p> <p>The UDA-wide criteria incorrectly included ‘Zone Provisions’.</p>
13	<p>Page 5 Section 3.2.7 Land not included in a zone, paragraph 2</p> <p>Replace</p> <p>‘Where the unallocated land is adjoined by land included in the same precinct, the unallocated land is deemed to be included in that zone’</p> <p>with</p> <p>‘Where the unallocated land is adjoined by land in a zone, the unallocated land is deemed to be included in that zone’</p>	To improve the clarity of the intent.
14	<p>Pages 6 - 7, 3.3 UDA-wide criteria</p> <p>Omit the headings ‘Principle’ and ‘Requirements’ within each of the topics contained in UDA-wide criteria.</p>	‘Principle’ and ‘Requirements’ are additional headings which are not referred to elsewhere and may be confused with the other terms of ‘outcomes’ and ‘UDA-wide development requirements.’
15	<p>Page 6, 3.3 UDA-wide criteria</p> <p>Replace footnote—</p> <p>‘Including ULDA guideline no. 01 Residential 30, Affordable housing strategy and the Accessible housing and Sustainability guideline.’</p> <p>with</p> <p>‘Including ULDA guideline no. 01 Residential 30, Affordable housing strategy and the Accessible housing and Environment and sustainable development guideline.’</p>	To reflect the change in name of the proposed guideline about sustainability.
16	<p>Page 6, 3.3.1 Housing and community</p> <p>Insert after dot point 2—</p> <p>‘deliver 10% as accessible housing to meet the changing needs of people and households over time’</p>	<p>Responds to issue 18</p> <p>The ULDA sets targets for accessible housing; this was an omission in the development scheme.</p>
17	<p>Page 6, 3.3.2 Neighbourhood, block and lot design</p> <p>Replace dot point 11 in second set of dot points—</p>	The text has been amended to clearly distinguish between parks and open space. The area is well served with existing neighbourhood parks providing local playground

Amendment †		
	Nature of amendment	Reason
	<p>'provides parks that cater for a variety of functions and experiences and that are safe for users'</p> <p>with</p> <p>'provides open space that caters for a variety of functions and experiences and is safe for users'</p>	<p>facilities and passive and active recreational opportunities.</p> <p>It is the intention that within the UDA existing cleared areas will be retained as open space fulfilling the dual role of community recreation and stormwater management.</p> <p>Such areas are likely to be used for walking paths connecting the residential areas to the bushland and casual active recreation areas.</p>
18	<p>Page 6, 3.3.2 Neighbourhood, block and lot design</p> <p>Replace dot point 9 in second set of dot points—</p> <p>'provides opportunities to benefit from solar access and prevailing breezes'</p> <p>with</p> <p>'incorporates orientation for solar access and natural ventilation.'</p>	To improve clarity of intent.
19	<p>Page 6, 3.3.2 Neighbourhood, block and lot design</p> <p>Replace dot point 13 in second set of dot points—</p> <p>'protects and enhances significant vegetation and habitat areas and incorporates natural and cultural features.'</p> <p>with</p> <p>'retains significant vegetation within the streets and parks in the Residential Zone where practicable.'</p> <p>and</p> <p>'incorporates natural and cultural features'</p>	Rewording clarifies the intent.
20	<p>Page 7, 3.3.4 Environment and sustainable development</p> <p>Rename heading to —</p> <p>'Environment and sustainability'</p>	To improve clarity.
21	<p>Page 7, 3.3.4 Environment and sustainable development</p> <p>For dot point 4 in second set of dot points—</p> <p>Omit 'retains vegetation where possible along streets and parks'</p>	<p>This statement is already included in 3.3.2 Neighbourhood, block and lot design.</p> <p>Repetition to be deleted.</p>

Amendment †		
	Nature of amendment	Reason
22	<p>Page 7, 3.3.4 Environment and sustainable development</p> <p>Replace dot point 5 in second set of dot points—</p> <p>‘promotes the efficient use of resources, maximises recycling opportunities and reduces waste generation’</p> <p>with</p> <p>‘incorporates leading energy efficiency and water efficiency practices, maximises recycling opportunities and reduces waste generation’</p>	Provides consistency with proposed Environment and Sustainable Development guideline.
23	<p>Page 7, 3.3.4 Environment and sustainable development</p> <p>Replace dot point 6 in second set of dot points -</p> <p>‘adopts leading energy efficiency standards and distributed energy systems within the built environment and encourages the generation of renewable energy’</p> <p>with</p> <p>‘promotes the adoption of decentralized energy generation systems and natural ventilation to reduce energy use’.</p>	Provides consistency with proposed Environment and Sustainable Development guideline.
24	<p>Page 7, 3.3.4 Environment and sustainable development</p> <p>For dot point 7 in second set of dot points —</p> <p>Omit ‘where in or adjoining bushland’</p>	The text is superfluous in the context.
25	<p>Page 7, 3.3.4 Environment and sustainable development</p> <p>Replace dot point 8 in second set of dot points —</p> <p>‘ensures that all land and groundwater will be fit for purpose’</p> <p>with</p> <p>‘ensures that all land and groundwater will be fit for its intended use in accordance with accepted standards and practices’</p>	The additional wording clarifies the intent.
26	<p>Page 7, 3.3.4 Environment and sustainable development</p> <p>Insert new dot point (second last) in second set of dot points—</p> <p>‘demonstrates consistency with current best practice for the identification and management of acid sulfate soils.</p>	<p>Responds to issues 40 and 53</p> <p>Initially the decontamination program was considered unlikely to disturb acid sulfate soils; however, more recent work indicates there is potential for disturbance.</p>

Amendment †		
	Nature of amendment	Reason
27	<p>Page 8, 3.4 Zone Provisions</p> <p>Omit the following dot points</p> <ul style="list-style-type: none"> • new residential areas • retention of bushland • neighbourhood/pocket parks that allow for active and passive recreation activities • pedestrian linkages through the UDA to existing open space networks and Bedford Road • a primary connector road linking the residential development to Bedford Road. 	These provisions support the Zoning Plan that has been relocated from the Zoning Provisions to the Strategic Context.
28	<p>Page 8, Map 2: Andergrove UDA Zoning Plan, Legend</p> <p>Replace text in Other Elements—</p> <p>‘Indicative Pedestrian Linkages’</p> <p>with</p> <p>‘Indicative Shared Pathways.’</p>	<p>Responds to issue 115</p> <p>To more clearly describe the use and purpose of the indicative pathways.</p>
29	<p>Page 8, Map 2: Andergrove UDA Zoning Plan</p> <p>Reconfigure the boundary of the Bushland and Open Space Zone to include the south west corner of the site.</p>	Responds to issues 50, 58, 65, 66, 70, 77, 109, 114, 116
30	<p>Page 8, Map 2: Andergrove UDA Zoning Plan</p> <p>Insert an indicative location of Significant vegetation to be protected along the southern boundary of the Residential Zone.</p>	Responds to issues 50, 65, 66, 70, 71, 77, 109
31	<p>Page 8, Map 2: Andergrove UDA Zoning Plan</p> <p>Insert Indicative Shared Pathways through the Bushland and Open Space Zone</p>	To indicate that pedestrian access from the new collector road into the Bushland and Open Space will be managed as part of the pathway network.
32	<p>Page 8, Map 2: Andergrove UDA Zoning Plan</p> <p>Delete Indicative Neighbourhood Park from the Residential Zone.</p>	<p>The map has been amended to clearly distinguish between parks and open space. The area is well served with existing neighbourhood parks providing local playground facilities and passive and active recreational opportunities.</p> <p>It is the intention that within the UDA existing cleared areas will be retained as open space fulfilling the dual role of community recreation and stormwater management.</p> <p>Such areas are likely to be used for walking paths connecting the residential areas to the bushland and casual active recreation areas.</p>

Amendment †		
	Nature of amendment	Reason
33	<p>Page 9, 3.4.1 Residential Zone</p> <p>Omit</p> <p>'The street pattern connects the community and prioritises walking and cycling'</p> <p>'A collector road provides the main thoroughfare through the residential area and allows for two access points to Bedford Road.'</p>	<p>These are criteria already covered in the Outcomes for the UDA and/or the UDA-wide criteria.</p>
34	<p>Page 9, 3.4.1 Residential Zone</p> <p>Replace last paragraph—</p> <p>'Impacts on significant vegetation are offset by contributing to bushland management including rehabilitation activities, access control and stormwater management. In particular if significant vegetation is cleared development will be required to contribute to bushland rehabilitation, construction of walking tracks and wetland rehabilitation within the Bushland and Open Space Zone.'</p> <p>with</p> <p>'Clearing of significant vegetation will require development to contribute to a net increase in vegetation, habitat and trail development in accordance with the Andergrove Bushland Management Plan.'</p>	<p>To improve clarity of intent.</p> <p>The Andergrove Bushland Management Plan will provide specific details on the management of Bushland and Open Space offsets required for the disturbance of Significant vegetation and the track network.</p>
35	<p>Page 9, 3.4.1 Residential Zone</p> <p>Insert paragraph –</p> <p>'Protection measures for Significant vegetation, such as large lots with building envelopes and covenants, will be applied along the southern boundary of the residential zone.'</p>	<p>In response to issues 50, 65, 66, 70, 71, 77, 109</p>
36	<p>Page 9, 3.4.2 Bushland and Open Space Zone</p> <p>Omit</p> <p>'Walking tracks provide recreational opportunities, access to the bushland and link existing residential areas and community facilities.'</p>	<p>This matter is already covered in the Outcomes for the UDA and/or the UDA-wide criteria.</p>
37	<p>Page 9, 3.4.2 Bushland and Open Space Zone</p> <p>Omit dot points 5 and 6—</p> <p>'provide opportunities for improvement of existing ecological values arising from development in other parts of the UDA'</p> <p>and</p> <p>'provide opportunities for appropriate sustainable nature-based recreation'</p>	<p>These issues are covered elsewhere in the zone provisions within section 3.4.2.</p>

Amendment †		
	Nature of amendment	Reason
38	<p>Page 9, 3.4.2 Bushland and Open Space Zone</p> <p>Replace last dot point—</p> <p>‘provide opportunities for increasing public accessibility while addressing issues of security and surveillance.’</p> <p>with</p> <p>‘provide opportunities for increasing public accessibility while addressing issues of security and surveillance, as well as maintenance of environmental values’</p>	To include consideration of how public access to the bushland may affect the area’s environmental values.
39	<p>Page 10, 3.4.3 Level of assessment table, Column 1 Exempt development</p> <p>Replace</p> <p>‘Development specified in Schedule 1’</p> <p>with</p> <p>‘Development specified in Schedule 1 except if the land is on the Environmental Management Register or Contaminated Land Register.’</p>	<p>In response to issue 49</p> <p>To ensure that works and uses are not undertaken if land has not been rehabilitated and is still on the Environmental Management Register or Contaminated Land Register.</p>
40	<p>Page 10, 3.4.3 Level of assessment table, Column 2 UDA self assessable development, In the Residential Zone</p> <p>Insert</p> <p>For item 1 (a material change of use for a House) after ‘450m²— ‘except if the land is on the Environmental Management Register or Contaminated Land Register.’</p> <p>For item 2 (development if consistent with an approved Plan of Development), after ‘Development’— ‘and if the land is not on the Environmental Management Register or Contaminated Land Register’</p> <p>For item 3 (environmentally relevant activities)— ‘except if the land is on the Environmental Management Register or Contaminated Land Register.’</p>	<p>In response to issue 49</p> <p>To ensure that works and uses are not undertaken until land has been rehabilitated and removed from the Environmental Management Register or Contaminated Land Register.</p>
41	<p>Page 10, 3.4.3 Level of assessment table, Column 2 UDA self assessable development, In the Residential Zone</p> <p>Omit</p> <p>‘ Home based business’</p> <p>‘Sales office and display home’</p>	This was an error. Development associated with ‘Home based business’ and ‘Sales office and display home’ is already included as exempt development within schedule 1.
4 INFRASTRUCTURE PLAN		

Amendment †		
	Nature of amendment	Reason
42	<p>Page 9, Infrastructure, Description of works</p> <p>Replace</p> <p>'Intersection upgrades to Bedford Road'</p> <p>With</p> <p>'Creation of intersections to and from the development to Bedford Road.'</p>	To provide clarity of intent.
5 IMPLEMENTATION STRATEGY		
43	<p>Page 12, Implementation mechanisms, Preparing a UDA development application</p> <p>Replace dot point 3—</p> <p>'ULDA Sustainability Policy'</p> <p>with</p> <p>'ULDA Environment and sustainable development guideline'</p>	The inclusion of the Sustainability Policy was an error. Applicants will need to refer to the proposed ULDA Environment and sustainable development guideline.
44	<p>Page 12, Implementation mechanisms and relevant purpose of the Act</p> <p>Insert new section after Provision of Infrastructure –</p> <p>Heading—Management Plan</p> <p>Column 1—Preparing and implementing the Andergrove Bushland Management Plan</p> <p>Column 2—Planning principles that give effect to ecological sustainability</p>	<p>In response to issue 89</p> <p>The Andergrove Bushland Management Plan is included to demonstrate the ongoing commitment to the bushland rehabilitation.</p>
45	<p>Page 12, Implementation mechanisms and relevant purpose of the Act, Community engagement</p> <p>Insert in column 1—</p> <p>'Engaging the community in preparing and implementing the Andergrove Bushland Management Plan'</p>	<p>In response to issue 89</p> <p>The Andergrove Bushland Management Plan is included to demonstrate the ongoing commitment to the bushland rehabilitation.</p>
46	<p>Page 12, Implementation mechanisms and relevant purpose of the Act, Key stakeholder consultation, Implementation mechanisms</p> <p>Replace text in dot points 1 and 2—</p> <p>'local governments'</p> <p>with</p> <p>'Mackay Regional Council'</p> <p>Insert in new dot point under dot point 2—</p> <p>'Working with Mackay Regional Council and State agencies to prepare and implement the Andergrove Bushland Management Plan'</p>	<p>To refer specifically to the relevant local government.</p> <p>In response to issue 89</p> <p>The Andergrove Bushland Management Plan is included to demonstrate the ongoing commitment to the bushland rehabilitation.</p>

6 SCHEDULES

47	<p>Page 15, Schedule 2: Definitions, Use definitions</p> <p>Omit the following definitions</p> <p>Commercial Uses - Business,</p> <p>Industrial Uses - Extractive industry, General industry, Warehouse</p> <p>Retail Uses/Retail - Fast food premises, Market, Service station, Shop, Shopping centre</p> <p>Rural Uses – Agriculture</p> <p>Service, community and other uses – Car park, Emergency service, Place of assembly</p>	<p>As these uses are all regulated in the same way and are not otherwise referred to in the development scheme, there is no need to include definitions.</p>
48	<p>Page 15, Schedule 2: Definitions, Use definitions, House</p> <p>Replace—</p> <p>‘Use of premises for residential purposes where on its own lot, used as one self contained dwelling and not subject to community title.’</p> <p>with</p> <p>‘Use of premises for residential purposes where on its own lot, used as one self contained dwelling.’</p>	<p>A house can be on a lot subject to a community title.</p>
49	<p>Page 15, Schedule 2: Definitions, Use definitions, Multiple Residential</p> <p>Replace—</p> <p>‘Use of premises for residential purposes if there are two or more dwelling units on any one lot or on its own lot and subject to a community titles scheme. Multiple Residential does not include a house, as defined herein.’</p> <p>with</p> <p>‘Use of premises for residential purposes if there are two or more dwelling units on any one lot or on its own lot and may be subject to a community titles scheme. Multiple Residential does not include a house, as defined herein.’</p>	<p>Multiple residential does not have to be subject to a community title scheme.</p>

50	<p>Page 17, Schedule 2: Definitions, Administrative definitions</p> <p>Replace</p> <p>'Affordable housing</p> <p>Affordable housing is housing which can be reasonably afforded by low to moderate income households. Housing can reasonably be afforded by low income households, if the household spends no more than 30% of its combined annual gross household income on rent or 35% of its combined annual gross household income on home ownership.</p> <p>Affordable housing encompasses:</p> <p>Private rental housing and home purchase options (including housing aimed at the first home owners market)</p> <p>Social housing (including public and community housing).'</p> <p>with</p> <p>'Affordable housing</p> <p>Affordable housing³ means private rental housing and home purchase options (including housing aimed at the first home owners market) for low to moderate income households.'</p> <p>³Refer to the ULDA Affordable Housing Strategy.</p>	<p>To clarify how the term is used within the development scheme, which does not include the provision of social housing.</p>
51	<p>Page 17, Schedule 2: Definitions, Administrative definitions</p> <p>Delete - High water mark</p>	<p>The term is not used in the development scheme.</p>
52	<p>Page 17, Schedule 2: Definitions, Administrative definitions</p> <p>Insert new definition after 'Building height'—</p> <p>'Contaminated Land Register</p> <p>As defined in the <i>Environmental Protection Act 1994</i>.'</p>	<p>Reference to the Contaminated Land Register is now made in the Level of assessment table.</p>
53	<p>Page 17, schedule 2 Definitions, Administrative definitions</p> <p>Insert new definition after 'Basement' –</p> <p>'Building envelope</p> <p>Means an area of land within a lot marked on a development or subdivision plan outside of which building works are not permitted.'</p>	<p>Reference to a building envelope is made in Section 3.4.1 Residential Zone</p>
54	<p>Page 17, schedule 2 Definitions, Administrative definitions</p> <p>Insert new definition after 'Dwelling unit'—</p> <p>'Environmental Management Register</p> <p>As defined in the <i>Environmental Protection Act 1994</i>.'</p>	<p>References to the Environmental Management Register are made in the Level of assessment table.</p>

55	<p>Page 17, schedule 2 Definitions, Administrative definitions</p> <p>Insert new definition after 'Public realm'—</p> <p>'Sensitive uses</p> <p>Means any of the following: Home based business, House, Multiple residential, Other residential, Relocatable home or caravan park, Caretaker's accommodation, Child care centre, Community facility, Educational establishment, Club, Indoor sport, entertainment and recreation, Outdoor sport and recreation, Park.'</p>	<p>Reference is made to 'sensitive uses' in a new dot point included in 2.2 Planning Outcomes for the UDA, planning outcome 6 (<i>Be a safe place to live by:</i>)</p>
56	<p>Page 17, schedule 2 Definitions, Administrative definitions</p> <p>Replace definition of 'Significant vegetation'—</p> <p>'Vegetation, whether living or dead, including their root zone¹ that:</p> <ul style="list-style-type: none"> • maintains biodiversity • preserves natural landforms • contributes to the character of the landscape • has cultural or historical value • has amenity value. <p>Significant vegetation in the UDA includes:</p> <ul style="list-style-type: none"> • all trees with a diameter of equal to or greater than 60cm when measured at 1 metre above ground level <p>Note: does not include species listed as pest vegetation by the State or local government.</p> <p>¹ The root zone is described by the vertical projection of the foliage to a depth of 1 metre below the surface and including buttress roots on and above the soil surface'</p> <p>with</p> <p>'Refers to vegetation whether living or dead, including the root zone³ that:</p> <ul style="list-style-type: none"> • is vegetation within the Bushland and Open Space Zone comprising the 8.2.7 or 8.2.13 regional ecosystems⁴; or • other vegetation with a diameter of equal to or greater than 60cm when measured at 1 metre above ground level. <p>Note: Significant vegetation does not include species listed as pest vegetation by the State or local government.</p> <p>³ The regional ecosystems are defined by the Department of Environment and Natural Resources (http://www.derm.qld.gov.au/)</p> <p>⁴ The root zone is the area of ground to a depth of 1 metre below the surface which is covered by the vertical projection of the canopy and includes roots on and above the soil surface.</p>	<p>The new definition is considered simpler and more tailored to the Andergrove UDA.</p>