



7 June 2012

Hon Jeff Seeney
Deputy Premier
Minister for State Development, Infrastructure and Planning
PO Box 15009
CITY EAST QLD 4002

Dear Deputy Premier

**RE REQUEST FOR MINISTER TO EXERCISE CALL IN POWERS UNDER STATE INTERESTS
DECLARATION**

I thank you for your valuable time to consider this opportunity to raise a very serious intergenerational development concern held by the Isaac Regional Council and the residents of Moranbah, that will affect the long term sustainability and social cohesion of the largest urban community in the Isaac Regional Council area.

Over the last two (2) years Council has experienced the intervention of the Urban Land Development Authority into the delivery of affordable residential development for the rapidly expanding coal and gas resource sectors in the Bowen Basin around Moranbah. In response to this expansion, Council has sought to maximise the potential for sustained regional growth and prosperity for Moranbah and greater Queensland.

Given the lengthy discussions with the Local Government Association prior to the election and your government's long association with this local level of government, we understand that you share many of our concerns about planning and development schemes that are imposed on communities without due consideration of the legitimate concerns of local communities and their Councils and, more generally, respect the legitimate aspirations of regional communities to be self sustaining and have access to a diversity of choice.

The recent decision by the Urban Land Development Authority to approve a non resident worker accommodation camp of 3,258 rooms is completely antisocial and undermines a limited vacant residential land supply of Moranbah eliminating long term sustainability for the community into the future.

The MAC accommodation village application will be the largest non-resident worker accommodation facility on the eastern seaboard of the Australian continent and sets a bench mark of social disruption through population imbalance. This outcome is not acceptable to Council and all existing and future ratepayers within the region.

The decision to approve the 3,258 rooms is not in the highest interests of the State. Part of the approval site has a much higher priority for sustained community use through the development of in excess of 750 residential homes. It is through this alternate type of development, that a sustained economic benefit and improved social cohesion, will be provided.

Fundamental to Council's concern in that the proposed plan of development is inconsistent with the ULDA imposed development scheme, in that the proposal provides for a substantial encroachment into an area allocated for residential development. The 51.6 hectares of this area could deliver some 750 residential dwellings for Moranbah in a very constrained urban footprint. The value of the urban zoned land can not be understated as the area has the only available land for the next 25 years of community development.

To extinguish this opportunity of sustainable community at the expense of a short term camp style accommodation is, in Council's view, reprehensible and tantamount to future planning vandalism.

The Deputy Premier the Honourable Jeff Seeney MP has confirmed the desires of regional communities by seeking to keep mining camps and country towns as separate and distinct entities in his media release dated 31 May 2012.

Council reads with concern the assessment of the Urban Land Development Authority of the eight (8) properly made submissions received. It is not acceptable to propose to change the social balance of a community through this type of application without considering the full extent of local impacts.

The Urban Land Development Authority reports that no evidence exists to support FIFO workforce has any link to negative impacts on the welfare and prosperity of permanent residents. This is clearly not the case. Tangible evidence of social decline is evident in Dysart in the Isaac region through community imbalance. Services have closed; business has not prospered through social demographic decline, despite the population rising in the community and the wider region.

Council clearly does not want to see Moranbah have the same destiny and future. More importantly, Council seeks your support to reverse this trend in a positive way through sound strategic planning outcomes that are community focused.

This is ever more important in times of industry restructure as the local economy is even more fragile through the lack of past decision making resilience. Council is very keen to see the local resources sector grow and prosper in partnership with community but not at the expense of a long term sustainable future for either participant.

I implore you urgent action to call this decision to the state level and protect key state interests of sustainable communities, integrated regional investment and the future residential success of Moranbah as a diverse and flourishing residential community.

Council is aware that the time is expiring for a reasoned and community proactive decision to be made on the future of a very large section of the very valuable remaining urban land in prescient 2 of the ULDA Planning Scheme. The current development assessment approval process of the MAC application for 3,258 rooms has cast the future for the community in completely the wrong direction and your interest is vital to our sustainable future and State interests being served.

Council seeks your urgent call in intervention in this applications assessment given the critical nature of the proposal's impact on the long term future of the Moranbah community and the sustainable future for the Isaac Regional Council.

Council is more than willing to look at alternative sites for this short term use to preserve the long term future for the community and sustain the vital State economy development.

In summary the development approved by the ULDA decision is:-

1. **Too Large** – 3,258 rooms in a camp development concentrates development inappropriately in one area and destroys community confidence and social equity of residents.
2. **Proposes to use prime residential land** that should be used for 750 plus family oriented housing development promoting future community demographic diversity and long term economic and social sustainability.

3. **Ignores the need for integrated economic development** for the surrounding community and the region as a whole to maximise wealth generation for the State and Local economies.
4. **Renders much of the surrounding residential land beside the proposed development undesirable** for families given ongoing concerns about the community safety and sustainability of unproven camp intensities of this scale and magnitude.

Council looks forward to your timely advice on the exercising of State Planning powers to right a serious community injustice.

Yours faithfully

MARK CRAWLEY
Chief Executive Officer



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4 June 2012

Hon Campbell Newman MP
Member for Ashgrove
Premier of Queensland
PO Box 15185
CITY EAST QLD 4002

Dear Premier

RE: YOUR URGENT INTERVENTION TO PROTECT OUR COMMUNITY FROM THE ULDA

I am appealing for your personal and urgent intervention in the next seven business days to prevent a disastrous development proceeding under the auspices of the State Government's Urban Land Development Authority (ULDA).

The MAC Group proposed what we believe to be the largest permanent residential mine worker's camp in Queensland for an astonishing 3258 people in Moranbah.

The ULDA has arrogantly and disgracefully ignored our community at every turn on this development and its now utterly compromised UDA for Moranbah.

Despite the ULDA being a Labor government disaster as you rightly describe, your government authority has signed off on this development just days ago on 29 May 2012. I note that this is two days before Deputy Premier Seeney during Parliament last Thursday that:

"The ULDA also had a planning role in some regional Queensland mining communities" and then he raised concern about the accommodation crisis in Moranbah, Blackwater and Emerald, saying "country towns had been "smothered" and "taken over as a mining camp". and; "We will get the planning process in hand so that it can't happen again."

After these comments, surely the ULDA doesn't have your imprimatur for their course of action to disempower the council and thrust record breaking mining camp developments on our community.

As a long-time critic of the ULDA, I know you share similar concerns about their approach given your commitments to the LGAQ before the election, and your comments in relation to winding back

the agency, saying about another ULDA matter: *"This is again an example (the ULDA) of the sort of intrusion into local democracy that is unwarranted and unneeded in Queensland."*

This is your chance to rectify a disastrous course of action taken by the ULDA, in our community.

In light of the fact that this is now your state authority, you have the power to act and we believe you must act now to save our community from this enormous breach of faith committed by ULDA bureaucrats in Brisbane.

Deputy Premier and Planning Minister Jeff Seeney, has the power to "call in" this development in the next seven business days under the ULDA Act, and we are respectfully requesting he do so immediately. We will advise of these details in separate correspondence to the Minister.

We are very committed to working with your government constructively to get better outcomes for our communities, particularly after the failures of the last Labor government in relation to community sustainability in this region.

We are also committed to working with the development industry and all levels of government to resolve the housing and accommodation shortages in Moranbah, but removing our say over these developments and steamrolling our council and community is not the answer.

Our council is eager to foster a strong and productive relationship with you and your government, so that we can continue to be one of the primary economic engine rooms for Queensland's economy, at the same time as delivering a sustainable local community.

We certainly welcome your strong election commitments to *"empower Queensland communities with the responsibility for planning and development at the local level, through decision making by local governments that are transparent and ultimately accountable to local people."*

As you would appreciate though, we simply cannot sit back while an agency that you now control (ULDA), an agency you have highlighted significant problems with the approach of – approves a development just days ago, that will challenge the social cohesion of the largest community in the Isaac Regional Council area.

I know that given your extensive experience in local government, and similar battles with the destructive "centralised George Street knows best" attitudes you have mentioned before, your government will do the right thing by our region and preserve the legitimate role of local government in development decision making, particularly when so much is at stake for our community.

Yours sincerely

CR ANNE BAKER
Mayor

CC Hon Jeff Seeney MP
Deputy Premier and Minister for State Development, Infrastructure and Planning

Hon David Crisafulli MP
Minister for Local Government

Cr Paul Bell AM
President
Local Government Association of Queensland

1. This is a submission on behalf of the Isaac Regional Council in respect of the Urban Land Development Authority's ("ULDA") decision to grant a UDA decision notice approving the development of 3,258 non-resident workers accommodation units in Moranbah.
2. **The Isaac Regional Council requests the Deputy Premier, the Honourable Minister for State Development, Infrastructure and Planning, to urgently exercise ministerial call in powers** under section 63 of the *Urban Land Development Authority Act 2007* (the "ULDA Act"), and re-decide the development application.
3. The Minister has the power to call in and re-decide a development application in circumstances where the Minister considers the relevant development involves a State interest.¹ A State interest includes:
 - (a) an interest relating to the purpose of the ULDA Act; or
 - (b) an interest that, in the Minister's opinion, affects an economic or environmental interest of the State or a region.²
4. The ULDA's decision to approve one of the largest non-resident workers accommodation unit developments in Queensland involves matters of State interest because:
 - (a) The approval does not facilitate, but is instead contrary to, the purposes of the ULDA Act.
 - (b) The approval is inconsistent with the ULDA's development scheme for the Moranbah area, and should have been refused.
 - (c) The approval will have significant adverse impacts upon the economy and environment of the township of Moranbah and the Moranbah region.
5. The Minister has 10 business days after an approval is given to call in the approval and re-decide the application.³ **The Isaac Regional Council urgently requests the Minister to issue a call in notice by Tuesday 12 June 2012.**

The Approved Development

6. The decision notice issued by the ULDA on 29 May 2012 grants approval for:
 - (a) a material change of use for 3,258 non-resident workers accommodation units;
 - (b) an approval for an interim use of 360 dwelling units for construction workers for 10 years; and
 - (c) the reconfiguration of a lot from 1 lot into 3;
 - (d) under a plan of development.

¹ S 63, ULDA Act.

² ULDA Act, Dictionary definition, "state interest".

³ S 63(b)(ii).

7. Copies of the UDA approval documents are **enclosed** with this submission.
8. The development comprises approximately 51.6 hectares southwest of Moranbah. A total of 3,618 non-resident worker and construction worker accommodation units have been approved, equating to an approximate density of 70 dwellings per hectare.
9. The 3,258 non-resident accommodation units and 360 construction worker units comprise a single room with a bed and a television, with a separate recess housing a shower and toilet. There are no cooking facilities.
10. The entire development is comprised of three uniform unit types of similar design. They range in size from approximately 3.34m x 4.8m (16m²) for the economy model, to a luxurious 3.34m x 7.2m (24m²) for the largest size cabin. They are extremely basic units designed for fly in fly out workers, which are not suitable for standard residential occupancy.
11. The applicant, the Mac Services Group Pty Ltd, will own and manage the development, renting the units to non-resident mine workers. As a result, there will be no diversity in the tenure of the accommodation units.
12. The size of the approved development is unprecedented for Moranbah, even though the town is growing. In 2010, Moranbah had an estimated population of approximately 5,519 permanent residents, and 1,248 non-resident workers, a combined total of 8,511 permanent and transient residents. An assessment report commissioned by the ULDA predicts that by 2031 the population of Moranbah will grow to 13,858 permanent residents and 4,712 non-resident workers, a combined population of 18,570 transient and non-transient workers.⁴
13. A works camp approval of this size is, as the applicant's consultants describe it, "*in effect a small town*".⁵ This satellite town is designed in a manner which means it is isolated from the rest of the community in social and economic terms:
 - (a) it is almost entirely surrounded by landscaping, with a single external road connection traversing the southwest corner of the site;
 - (b) it has its own internal private communal space and communal facilities, including medical facilities, and its own recreational areas, facilities, and dining areas.
14. Although the works camp has been designed in an insular way which will provide little benefit to the Moranbah community, the camp does not provide its own infrastructure. Instead, the approval effectively places the burden upon the Council to provide water and sewerage infrastructure to service the development.
15. In substance, the nature of the approved development more closely reflects a commercial operation akin to an extraordinarily large hotel/motel, boarding house or caravan park type use, rather than any ordinary or traditional permanent residential use. The key difference is that

⁴ Moranbah and Blackwater Social, Cultural and Community Infrastructure Analysis May 2011, ULDA, p67.

⁵ Applicant's town planning report, GHD, November 2011, section 3.2.

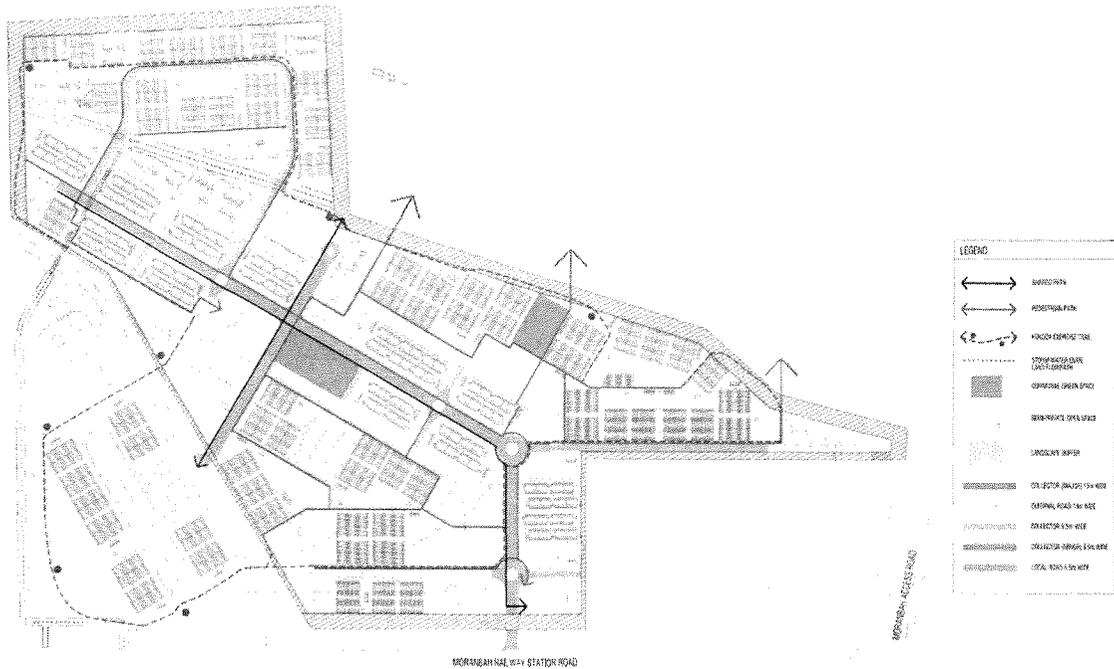
commercial or quasi commercial short term residential uses are generally significantly smaller in scale, and well integrated within the urban area in which they are located.

16. The following figures are taken from the town planning report lodged in support of the application. They identify the location and layout of the approved development.

Figure 8 from GHD Town Planning Report dated November 2011 – Aerial view of Moranbah with the approved development superimposed



Figure 9 from GHD Town Planning Report dated November 2011 – Connectivity Layout

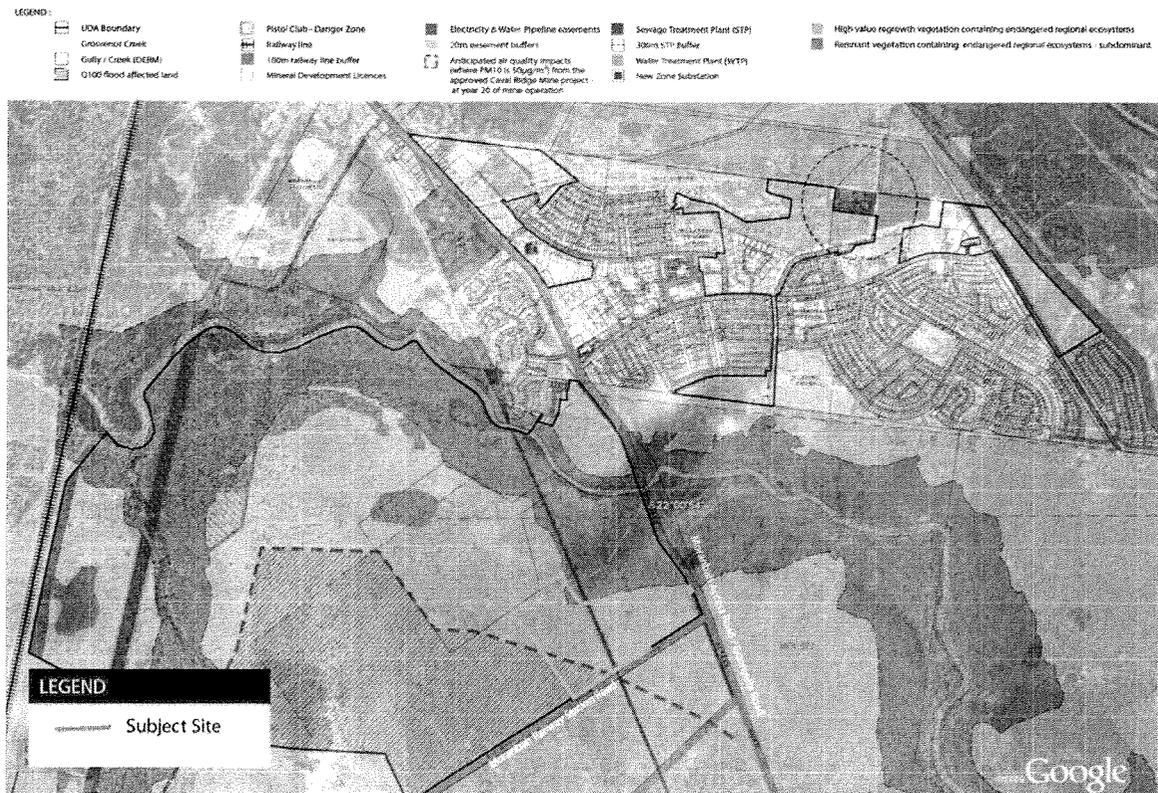


17. The scale of the approved development is such that it covers a significant portion of residential land. Residential land is in very limited supply in Moranbah.

18. Moranbah is a mining town. Its location allows it to provide an important role in supporting mining developments in the surrounding Bowen Basin area. However, the town's proximity to existing and planned mining developments means that the supply of suitable residential land for the town is severely constrained. Flooding issues and areas of significant or endangered vegetation further constrain the development of residential land. The combined effect of these constraints means that there is a very limited area of land which is suitable for residential development to service the town.

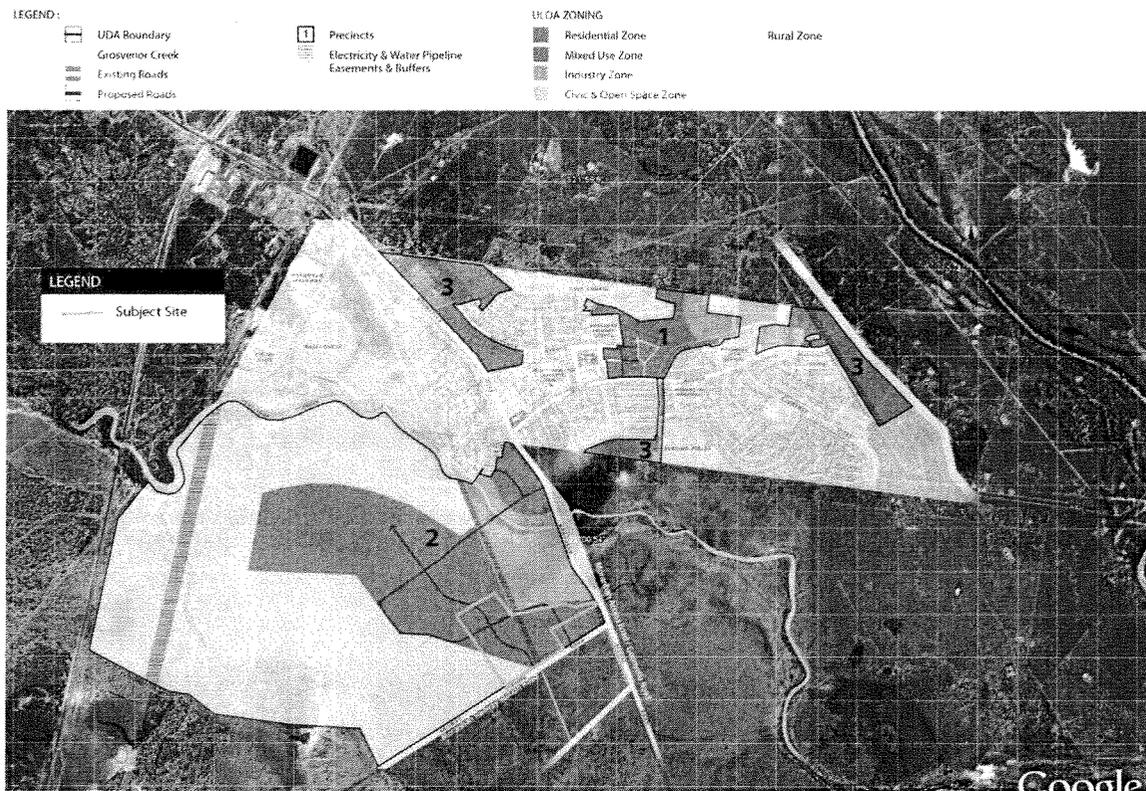
19. The following figure identifies the constraints applying to Moranbah:

Figure 26 from GHD Town Planning Report dated November 2011 – Constraints Map – Moranbah



20. The following figure depicts the extent of the approved development in the context of the available residential land in the Moranbah area:

Figure 24 from GHD Town Planning Report dated November 2011 – UDA Zoning Map



21. The approved development covers a large portion of the limited amount of available residential land. UDA development approvals attach to the land and bind successors in title.⁶ When the UDA development scheme ceases, the UDA development approval will be converted to an approval under the *Sustainable Planning Act 2007*.⁷ As a result, the UDA approval will effectively sterilise the use of the subject land for ordinary or permanent residential use, further constraining the already limited residential land supply for Moranbah.

22. *The effect of the ULDA's decision is to approve:*

- (a) *A large, isolated and generally self-contained satellite town for non-resident workers. The town has limited interactions or connections to Moranbah, and provides little in the way of social or economic benefit to the town. However, it places a significant burden upon Moranbah, because it relies upon the provision of essential infrastructure by the Isaac Regional Council.*
- (b) *The satellite town will be composed of three types of uniform buildings suitable only for habitation by non-resident fly in, fly out workers. As such, the "residential" component of the satellite town will be comprised exclusively of single room, non-self contained units not suitable for ordinary residential use.*
- (c) *The scale and uniformity of the development is such that it will significantly undermine and detract from the future development and integration of other small to large scale non-*

⁶ S 72.

⁷ S 16.

resident workers accommodation, and hence the diversity of accommodation available to non-resident workers.

- (d) *The development, which in substance is more akin to a commercial accommodation use, comprises a significant portion of the limited land supply available for permanent housing. As a result, the development effectively sterilises a significant portion of the already limited land stock available for Moranbah's permanent residential purposes.*

Conflict with the purpose of the ULDA Act

23. The UDA approval conflicts with the purpose of the ULDA Act. It therefore involves a matter of State interest.⁸
24. The main purposes of the ULDA Act are to facilitate the following in declared urban areas:
- (a) the availability of land for urban purposes;
 - (b) the provision of a range of housing options to address diverse community needs, including, for example, housing of different size, type, price, built form, density, cost, adaptability and tenure;⁹
 - (c) the provision of infrastructure for urban purposes;
 - (d) planning principles that give effect to ecological sustainability, (which involves a balance which integrates protection of ecological process, economic development, and the maintenance of the cultural, economic, physical and social wellbeing of people and communities¹⁰), and best practice urban design; and
 - (e) the provision of an ongoing availability of affordable housing options for low to moderate income households.¹¹
25. To achieve the purpose, the Act provides for areas to be declared as urban development areas, and establishes the ULDA to plan and manage development in those areas.¹² In making a declaration of an urban development area, regard must be had to the purposes of the Act.¹³
26. The ULDA must prepare a development scheme for declared urban development areas¹⁴, which may provide for any matter the ULDA considers will promote the proper and orderly planning, development and management of the area.¹⁵
27. The development scheme for the Moranbah area is the Moranbah Urban Development Area Development Scheme, July 2011 ("the Scheme"). A copy of the Scheme is **enclosed** with this submission.

⁸ ULDA Act, Dictionary definition, "state interest".

⁹ S 3(3).

¹⁰ S 3(3).

¹¹ S 3(2).

¹² S 3(1).

¹³ S 7(2).

¹⁴ S 22(1).

¹⁵ S 23(1).

28. The main function of the ULDA is to give effect to the purpose of the Act.¹⁶ This function is to be performed mainly by the ULDA planning, developing and managing land in urban development areas for urban purposes, deciding UDA development applications, and coordinating the provision of infrastructure for urban development areas.¹⁷
29. The effect of the above is that the way in which the ULDA administers the Scheme for Moranbah and decides UDA approvals must be consistent with, and give effect to, the purposes of the Act.
30. The granting of the UDA approval by the ULDA was inconsistent with the purposes of the Act:
- (a) The approval does not facilitate the use of land for urban purposes. The Act defines “urban purposes” to mean purposes for which land is used in cities or towns, including residential, industrial, sporting, recreation and commercial purposes. Land in cities and towns is not generally used for the quasi commercial purpose of establishing insular work camps *on this extraordinary scale* for non-resident workers.
 - (b) The approval does not facilitate the provision of a range of housing options. The sheer magnitude of the development, and the uniform tenure and design of the single room, non-self contained, non-resident workers accommodation does nothing to provide a “range of housing options to address diverse community needs”, or to provide diversity in non-resident workers accommodation. In addition, the development effectively sterilises a significant portion of very limited residential land stock which could be developed to address Moranbah’s diverse community and housing needs.
 - (c) There remains uncertainty as to how the development will ultimately be serviced by infrastructure for water and sewerage and the extent to which this will impact upon the Council’s current and future planning for these services.
 - (d) The approval does not facilitate or employ planning principles that give effect to ecological sustainability. The approval is for an extraordinarily large, insular works camp with uniform non-resident accommodation, without any mix of permanent residential housing. The development sterilises existing residential land from permanent residential use, and seriously detracts from the cultural, economic, physical and social wellbeing of the Moranbah township and community.
 - (e) The approval does not facilitate the provision of an ongoing availability of affordable housing options for low to moderate income households, either in terms of permanent residents, or non-resident workers. The scale and design of the development achieves the opposite effect, limiting the range of housing options available. In the process, it sterilises a significant portion of very limited residential land stock in favour of providing temporary, uniform, non-self contained accommodation for non-resident workers.
31. *In summary, the magnitude of the development; its purpose of providing non-resident accommodation; and its uniform and insular nature; are such that the UDA approval is inconsistent with, and undermines, the purpose of the Act.*

¹⁶ S 96(1).

¹⁷ S 96(2).

The Approval is fundamentally inconsistent with the Moranbah Urban Development Area Development Scheme

32. The main function of the ULDA is to give effect to the purpose of the Act.¹⁸ Relevantly, this function is to be performed mainly by the ULDA planning, developing and managing land in urban development areas for urban purposes and deciding UDA development applications.¹⁹
33. The UDA approval granted by the ULDA seriously conflicts with the Scheme for the Moranbah urban development area. The magnitude of the development and the gravity of the conflicts with the Scheme are such that the purpose of the Act is undermined by the granting of the approval.
34. The Scheme for Moranbah contains a vision, a land use plan, an infrastructure plan, and an implementation strategy. The vision seeks to achieve the purposes of the Act, and provides the basis for the land use plan.²⁰ The land use plan identifies the Scheme development requirements which regulate development to achieve the vision of the Scheme.²¹
35. Assessable development in the Scheme area is consistent with the land use plan if:
- (a) it complies with the Scheme development requirements in the form of the land use plan; or
 - (b) if it does not comply with the land use plan, it does not conflict with the vision for the Scheme, *and* there are sufficient grounds to approve the development despite the non-compliance with the UDA development requirements. “Grounds” means matters of public interest, which includes matters specified as the main purpose of the Act, as well as overwhelming community need.²²
36. If neither (a) nor (b) above apply, the development is inconsistent with the land use plan and must be refused.
37. The UDA approval granted by the ULDA was for assessable development under the Scheme. The approval was inconsistent with the Scheme for the reasons outlined below. It should have been refused.
38. The approved development is inconsistent with the Scheme in the following respects:
- (a) it is inconsistent with the vision of the Scheme;
 - (b) it is inconsistent with the Scheme wide criteria; and
 - (c) it is inconsistent with the provisions of zone, precinct and sub-precincts in which it is located.

¹⁸ S 96(1).

¹⁹ S 96(2).

²⁰ The Scheme, s 1.4.

²¹ S 3.1.1

²² S 3.2.2.

Inconsistency with the Vision of the Scheme

39. Section 2.2 sets out the vision of the Scheme. The vision of the Scheme relevantly includes the following:
- (a) Housing the future by providing high quality non-resident worker accommodation which will be *integrated and managed within the town*.²³
 - (b) The Scheme will house the future by *providing a variety of housing types*, and by offering a range of densities, types, designs, prices, home ownership and rental options to deliver a range of housing choices to a range of people and households.
 - (c) Providing for good neighbours by *addressing interfaces* between new uses, existing developed areas and expected future uses, especially between residential and non-residential uses and between *suburban residential uses and non-residential accommodation*.²⁴
40. The approved development is too large in scale, too uniform in design, and too insular. It creates a satellite town which fails to allow the integration and management of non-worker accommodation within Moranbah; fails to provide a variety of housing types and tenure, and significantly reduces the amount of land available to provide that diversity; and fails to provide any real connectivity or otherwise address the interface between the non-residential accommodation camp and existing and future suburban residential uses.
41. The scale and design of the approved development are such that the development gives rise to significant conflicts and inconsistencies with the vision of the Scheme.

Inconsistency with Scheme wide criteria

42. The scale of the approved development, its uniform buildings and tenure, and its insular design are such that it creates significant conflicts and inconsistencies with the Scheme wide criteria. The approved development does not:
- (a) deliver housing choice and diversity;
 - (b) deliver affordable housing which is designed and located so that it is well integrated into the community;
 - (c) deliver sustainable communities with strong community identity and access to community facilities and services that meet diverse needs;
 - (d) provide non-resident worker accommodation which is integrated within or on the edge of town;²⁵
 - (e) deliver an appropriate scale of buildings and density of use;

²³ S 2.2, p2.

²⁴ S 2.2, p3.

²⁵ S 3.3.1.

- (f) integrate within the surrounding area²⁶; or
- (g) identify how water and sewerage infrastructure will be provided in a timely, orderly and integrated manner²⁷.

Inconsistencies with the zone, precinct and sub-precinct provisions of the Scheme

43. The approved development is predominantly located in the residential zone, but the construction workers use encroaches into the rural zone.
44. The approved development is inconsistent with the provisions of the residential zone, which include selected provisions of the Belyando Shire Planning Scheme which are picked up and applied by the Scheme as development assessment criteria²⁸:
- (a) The scale and design of the development is inconsistent with the intent of the residential zone in that it does not cater for a range of residential types and densities, or integrate non-resident worker accommodation within or on the edge of the town.²⁹
 - (b) The street and building design of the development is inconsistent with performance criterion PC13 of the Belyando Shire Planning scheme, because the development will not create a residential environment with clear character and identity.
 - (c) The development is inconsistent with performance criterion PC21 of the Belyando Shire Planning Scheme, which requires that development contributes to a sense of permanence in the community and provides for a predominance of self contained “dwelling units” over other forms of housing. The development does not satisfy acceptable solution AS21.2 of the performance criterion, because it is for a single facility for 3,258 accommodation units³⁰, and the acceptable solution contemplates a maximum of 200 accommodation units in any single facility.
45. The approved development is located in precinct 2 of the Scheme. It is predominantly located in sub-precinct 2c of the residential zone, but also encroaches into a significant portion of sub-precinct 2a. The construction workers component of the use encroaches into the rural zone.
46. The following figure identifies the precincts and sub-precincts in which the approved development is located.

²⁶ S 3.3.3.

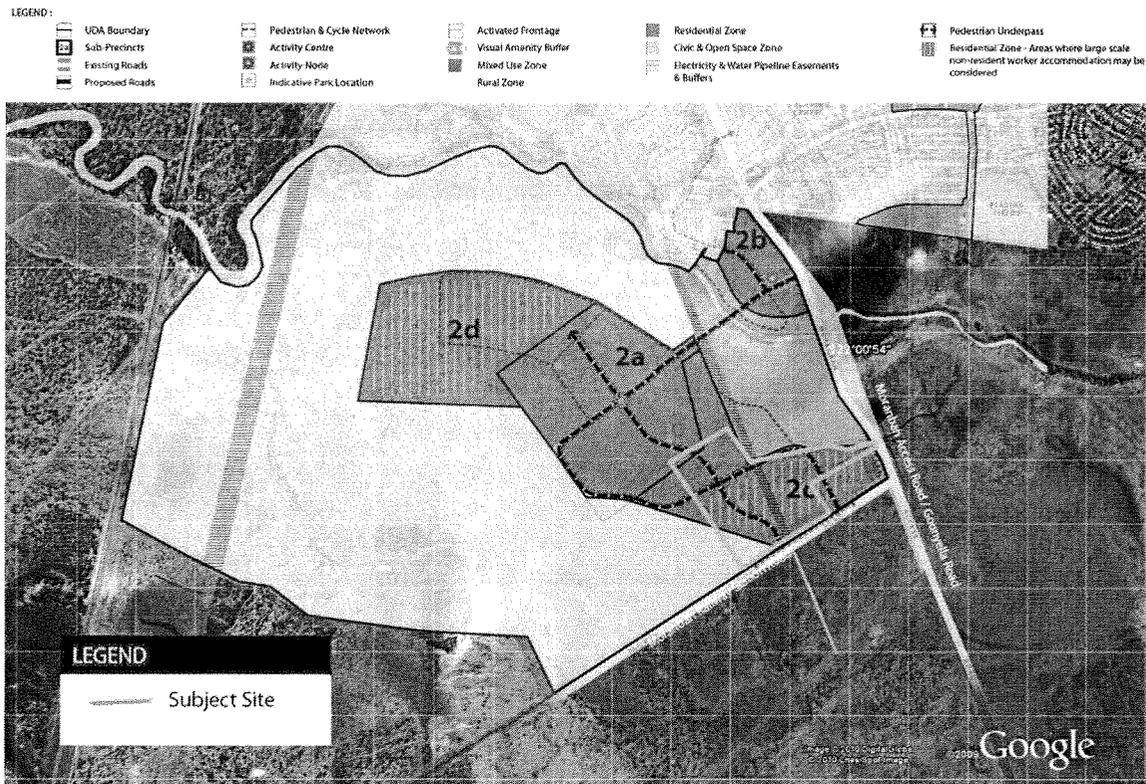
²⁷ S 3.3.5.

²⁸ S 3.2.10, read in conjunction with Table 1, p7.

²⁹ S 3.4.2.

³⁰ For the purposes of the Belyando Shire Planning Scheme, “accommodation units” defined to mean any separate residential use area that is not self contained.

Figure 24 from GHD Town Planning Report dated November 2011 – Precinct 2 Map



47. The approved development is inconsistent with the provisions of precinct 2:

- (a) The encroachment of the approved development into sub-precinct 2a is not generally in accordance with Map 5: Precinct 2.³¹
- (b) The provisions in respect of sub-precinct 2a provide that larger scale non-resident worker accommodation uses (of 100 rooms or more) are not appropriate within the sub-precinct, and lower (residential) development densities in the range of up to 15 dwellings per hectare are appropriate in the outer areas of the sub-precinct.³² That part of the approved development which encroaches into sub-precinct 2a is directly inconsistent with the scale and density provisions applicable to the sub-precinct.
- (c) The provisions in respect of sub-precinct 2c provide that larger scale non-residential worker accommodation (of 100 units or more) *may* be located within the sub-precinct where an attractive visual buffer and a key visual town entry statement is provided at Moranbah Access Road/Railway Station Road. The approved development converts the entire sub-precinct to a single, uniform non-residential worker's accommodation use in a manner not contemplated by the Scheme. It does not provide a key visual town entry statement, leaving the land at Moranbah Access Road and Railway Station Roads vacant.

³¹ Precinct 2 – Precinct outcomes, p23.

³² Precinct 2 – Sub-Precinct Outcomes – Sub-precinct 2a, p 24.

48. Having regard to the land the Scheme designates to fulfil the need for current and future residential development (including non-resident accommodation), the applicant has:
- (a) failed to identify sufficient grounds to justify the scale of the development;
 - (b) failed to identify sufficient grounds to justify the insular and uniform design of the development;
 - (c) failed to identify sufficient grounds to justify the encroachment of non-resident workers accommodation uses into precinct 2a, where such uses are not appropriate; and
 - (d) generally failed to identify any significant contributions the development would make to the town of Moranbah and its community.

49. *In summary:*

- (a) *The scale and design of the approved development means that it is inconsistent with the land use plan, and sufficient grounds have not been advanced to justify approval notwithstanding the conflict. The approved development also conflicts with the vision of the Scheme.*
- (b) *As a result, the terms of the Scheme required the UDLA to refuse the application, but the UDLA failed to do so.*
- (c) *Approval of the development was therefore inconsistent with the purpose of the Act, as reflected in the Scheme.*

Conclusion

50. The UDLA's approval of 3,258 non-resident worker accommodation units was inconsistent with the development scheme for the Moranbah area, and the purpose of the UDLA Act.
51. The Minister has the power to call in and re-decide the application under the UDLA Act. The UDLA's approval of a large development that is inconsistent with the Moranbah development scheme and the purpose of the UDLA Act involves matters of State interest.
52. The approval will have serious, long term adverse impacts upon the Moranbah township and community. Further letters are **enclosed** from the Mayor and the Council's Chief Executive Officer in this respect.
53. The Isaac Regional Council urgently requests the Minister to issue a call in notice in respect of the approval by **Tuesday 12 June 2012**, so that the Minister can re-decide the application.

