



**Andergrove  
Urban Development Area  
Development Scheme**

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## Andergrove Urban Development Area Development Scheme

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## 1.1 The Urban Land Development Authority

The Urban Land Development Authority (ULDA) is a statutory authority under the *Urban Land Development Authority Act 2007* (the Act) and a key element of the Queensland Housing Affordability Strategy.

The role of the ULDA is to facilitate:

- (i) the availability of land for urban purposes
- (ii) the provision of a range of housing options to address diverse community needs
- (iii) the provision of infrastructure for urban purposes
- (iv) planning principles that give effect to ecological sustainability and best practice urban design
- (v) the provision of an ongoing availability of affordable housing options for low to moderate income households.

The ULDA works with local governments, community, local landowners and the development industry to deliver commercially viable developments that include diverse, affordable, sustainable housing and uses best-practice urban design principles.

## 1.2 Urban Development Area

The Andergrove Urban Development Area (UDA) was declared by regulation by the Minister for Infrastructure and Planning on 23 April 2010.

## 1.3 Purpose of the development scheme

The Andergrove UDA Development Scheme (the scheme) has been prepared in accordance with the Act and is applicable to all development on land within the boundaries of the UDA. It is a statutory instrument and has the force of law.

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.

From the date of approval, the scheme replaces the Interim Land Use Plan for the UDA which commenced upon declaration.

## 1.4 Elements of the development scheme

The Andergrove UDA Development Scheme consists of:

- » a land use plan
- » an infrastructure plan
- » an implementation strategy.

The land use plan regulates development and states the preferred form of development in the UDA.

The infrastructure plan details the infrastructure necessary to support the land use plan for the UDA.

The implementation strategy describes other strategies and mechanisms that the ULDA will use to complement the land use plan and infrastructure plan to achieve the planning outcomes for the UDA.

## 2.1 Location

Located approximately five kilometres north of Mackay's central business district, the Andergrove UDA covers 22 hectares of land (refer to Map 1).

The UDA is bounded by Bedford Road to the east, established residential dwellings to the north and south, and established residential dwellings and Broomdykes Drive Park to the West.

The Andergrove UDA is an important infill site. It is in close proximity to open space and schools, is well serviced by local amenities and is bordered by existing residential areas.

## 2.2 Outcomes for the UDA

The Andergrove UDA will become a model residential neighbourhood which is distinguished by:

- » its environmental values and leafy green character
- » connection to nearby schools, shops, community facilities and parks by comfortable, attractive and safe pedestrian and cycle networks
- » a range of housing options for the future.

Development within the UDA will bring the depot site into the urban fabric of the City and create a diverse residential neighbourhood which is affordable, sustainable and interconnected, and demonstrates best practice principles in housing estate design, water sensitive design, landscape design and subtropical architecture.



**Map 1: Andergrove Urban Development Area Boundary**

1. Broomdyke Drive Park
2. Bedford Road
3. Andergrove Primary School
4. Beaconsfield
5. Andergrove
6. Pioneer High School

**Map 2: Andergrove UDA Structure and Zoning Plan**





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:

- » 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.

The UDA will:

*House the future by:*

- » providing a range of housing choices for the changing needs of local communities through a mix of densities, types, designs, house prices and home ownership and rental options that cater to a range of lifestyles, incomes and lifecycle needs
- » promoting subtropical architecture
- » assisting in meeting housing demand.

*Be a connected place by:*

- » making new connections east-west across the site through multi-purpose greenways which accommodate pedestrian and cycle movements

- » opening new vistas which visually and physically connect the new neighbourhood to the surrounding urban fabric
- » using street tree planting and detailing to create a strong landscape character
- » using the treatment of streets to reinforce a clear hierarchy of pedestrian and cycle routes
- » enhancing pedestrian and cycle facilities on Bedford Road to support local trips to nearby schools, shops and open spaces
- » providing access for people with different levels of mobility.

*Manage environmental values by:*

- » retaining significant vegetation in core areas while making the natural values of the site accessible
- » applying best practice water sensitive urban design
- » striking a balance between natural and built elements considering land form, climate and ecology to maximise environmental conservation, amenity and contribute to the desired landscape character.

*Be a liveable community by:*

- » drawing on the site's landform and vegetation to create a distinctive residential environment with a green heart which provides ecological benefits and amenity and recreation benefits for its residents and the surrounding residents

- » creating a strong gateway entrance on Bedford Road
- » exploring new forms of subtropical architecture appropriate for the Mackay context
- » promoting community health and wellbeing through a design that supports a healthy and active lifestyle
- » creating open space which allows for passive and active recreation facilities
- » ensuring development is sensitive to the environment by using, where possible, efficient sources of energy and waste disposal
- » providing necessary infrastructure.

*Be a good neighbour by:*

- » considering interfaces between existing residences and open spaces and integrating the new urban fabric at these edges
- » coordinating construction with remediation works and the phasing out of the works depot to minimise any adverse impacts on new residents.

*Be a safe place to live by:*

- » minimising bushfire risk through the location of public roads between natural areas and housing to create fire breaks
- » ensuring land is rehabilitated and removed from the Environmental Management Register or Contaminated Land Register prior to works or sensitive uses commencing

- » locating higher order roads adjacent to natural areas to improve surveillance and personal safety.

*Promote planning and design excellence by:*

- » becoming a modern, resilient and adaptable urban area that promotes connectivity, safety and accessibility whilst recognising what is important to the local community
- » embracing a Queensland style that is in keeping with a subtropical context.

### 3.1 Purpose of the land use plan

The purpose of the land use plan is to regulate development and state the preferred form of development within the Urban Development Area (UDA).

Figure 1 details the components of the land use plan and explains their relationship to each other.

### 3.2 Development assessment procedures

#### 3.2.1 Land use plan

The land use plan:

- (i) identifies broad planning outcomes for the Andergrove UDA and
- (ii) states the requirements for carrying out development to achieve the planning outcomes for the UDA.

#### 3.2.2 UDA outcomes

The outcomes:

- (i) seek to achieve for the UDA the purposes of the Act and
- (ii) are the basis for the UDA development requirements.

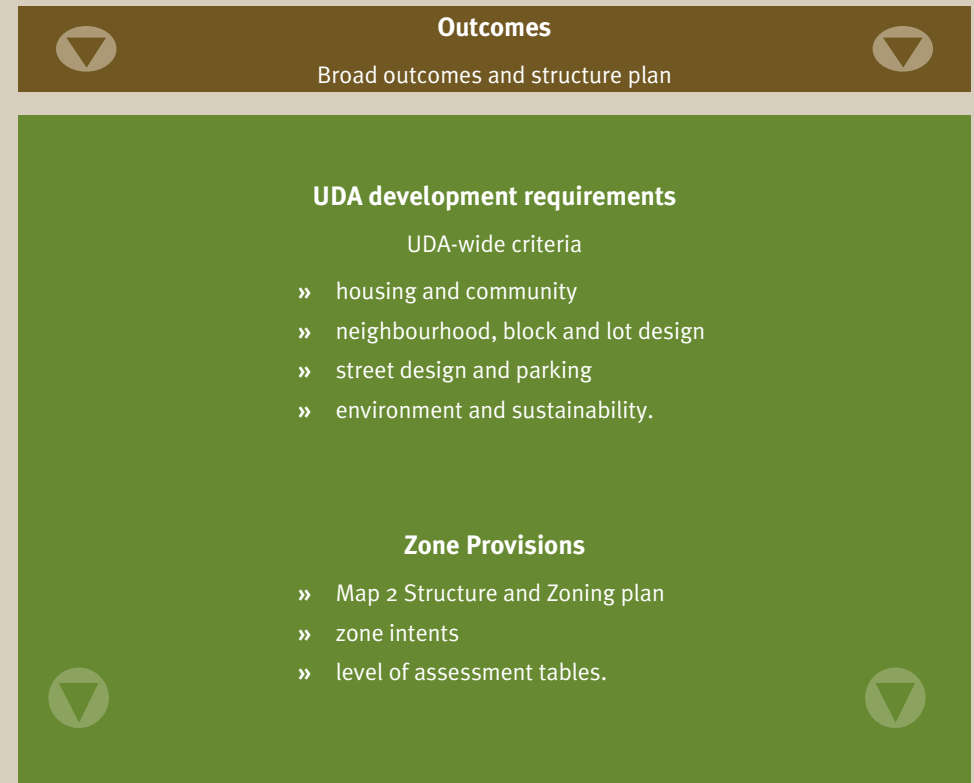
The UDA outcomes are spatially represented in Map 2 Andergrove UDA Structure and Zoning Plan.

#### 3.2.3 UDA development requirements

The UDA development requirements are expressed through:

- (i) development criteria for the whole UDA (UDA-wide criteria)
- (ii) Andergrove UDA Structure and Zoning Plan (zoning plan)
- (iii) development provisions for a specific zone (zone intent)
- (iv) tables specifying the level of assessment for development for each zone (level of assessment table).

Figure 1: Components of the land use plan and their relationship



### 3.2.4 Levels of assessment

The levels of assessment for the carrying out of development in the UDA are in the level of assessment table which states in:

- (i) column 1, UDA exempt development
- (ii) column 2, UDA self assessable development (self assessable development)
- (iii) column 3, UDA assessable development (permissible development).

### 3.2.5 Development consistent with the land use plan

Self-assessable development which complies with any applicable development requirements is consistent with the land use plan.

Permissible development is consistent with the land use plan if:

- (i) the development complies with the requirements for carrying out development in the UDA, or
- (ii) the development does not comply with the UDA development requirements but:
  - a. the development does not conflict with the outcomes for the UDA
  - b. there are sufficient grounds to approve the development despite the non compliance with the UDA development requirements.

Otherwise, the permissible development is inconsistent with the land use plan and must be refused.

Identification of development as permissible development does not mean that a UDA development approval (with or without conditions) will be granted.

Permissible development requires a UDA development application to be lodged with the Urban Land Development Authority (ULDA) for assessment and decision. Approval is required for permissible development to be undertaken.

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

- » superior design outcomes
- » overwhelming community need.

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

### 3.2.6 Consideration in principle

The ULDA may accept, for consideration in principle, a proposed UDA development application (application for consideration in principle).

The ULDA will consider the application for consideration in principle and may decide the following:

- (i) it supports the application, with or without qualifications that may amend the application
- (ii) it opposes the application

- (iii) it cannot accept the proposal until a detailed assessment is made through a UDA development application, or
- (iv) it has no established view on the proposal and no indication of support, or opposition.

The ULDA when considering a UDA development application:

- (i) is not bound by any decision made regarding an application for consideration in principle
- (ii) may give such weight as it considers appropriate to the decision in respect of the application for consideration in principle.

### 3.2.7 Land not included in a zone

This section applies to land which is not shown in the land use plan as being included in a zone (unallocated land).

Where the unallocated land is adjoined by land in a zone, the unallocated land is deemed to be included in that zone.

Where the unallocated land is adjoined by land included in different zones, the unallocated land is deemed to be included in those zones with the centreline of the unallocated land being the boundary between the zones.

### 3.2.8 Notification requirements

A UDA development application will require public notification if the development application is for a use, or of a size or nature which, in the opinion of the ULDA, warrants public notification.

Residential development in the Residential Zone that complies with the zone intent will not require public notification.

### 3.2.9 Relationship with local government planning scheme and SPA

This development scheme replaces the Andergrove Interim Land Use Plan (ILUP).

Unless this development scheme specifically applies a provision of a planning instrument or a plan, policy or code made under the *Sustainable Planning Act 2009* (SPA) or another Act, the development scheme prevails to the extent of an inconsistency with those instruments.

### 3.3 UDA-wide criteria

The following criteria apply to all UDA assessable and self assessable development in the Andergove UDA. To the extent that they are relevant, they are to be taken into account in the preparation of UDA development applications and the assessment of those applications by the ULDA.

The UDA-wide criteria should be read with the relevant statement of zone intent.

The infrastructure plan and implementation strategy may include further information, which should be taken into account in consideration of the design and feasibility of development proposals.

The Andergove UDA-wide development criteria cover the following topics:

- » housing and community
- » neighbourhood, block and lot design
- » street design and parking
- » environment and sustainability.

For more detail on how to comply with the requirements listed below refer to guidelines issued by the ULDA<sup>1</sup>.

<sup>1</sup> Including ULDA Guideline no. 01 Residential, Affordable Housing Strategy and the Accessible Housing and Environment and Sustainable Development guideline.

#### 3.3.1 Housing and community

The UDA delivers housing affordability and choice.

Residential neighbourhoods:

- » deliver a minimum of 66 percent of all dwellings across the UDA available for purchase at or below the median house price for Mackay City
- » deliver a minimum of 50 percent of all dwellings available to purchase or rent to low to moderate income households for Mackay City
- » deliver 10% of all dwellings as accessible housing to meet the changing needs of people and households over time
- » contribute to housing choice by providing a range of housing types
- » deliver housing which integrates into existing residential areas

#### 3.3.2 Neighbourhood, block and lot design

The UDA delivers development designed to:

- » maximise connectivity
- » be responsive to the local climate and site features
- » include walkable streets and neighbourhoods
- » provide personal safety and security
- » enhance character and amenity
- » use infrastructure efficiently.

Neighbourhood planning and design:

- » gives the neighbourhood a strong and positive identity by responding to site characteristics, setting, landmarks and views, and through clearly legible street networks, open space and use of streetscape elements
- » delivers appropriate scale of development
- » incorporates principles for crime prevention through environmental design (CPTED)
- » identifies appropriate areas for multiple residential uses
- » ensures adequate visual and noise amenity
- » achieves a balanced mix of lot sizes to provide housing choice and streetscape variety
- » responds to natural features, including topography and natural drainage features
- » promotes healthy and active lifestyles by prioritising walking and cycling within the UDA and connecting to facilities and services outside the UDA
- » incorporates orientation for solar access and natural ventilation
- » integrates development with the surrounding environment and provides for shared use of public facilities by adjoining communities
- » provides open space that caters for a variety of functions and experiences and that is safe for users

- » locates services and utilities to maximise efficiency and ease of maintenance
- » retains significant vegetation within the streets and parks in the residential zone where practicable
- » incorporates natural and cultural features.

#### 3.3.3 Street design and parking

The UDA delivers:

- » efficient and safe street networks for all users
- » adequate car parking
- » access to public transport networks.

Street network planning and design:

- » connects to existing networks while ensuring acceptable levels of amenity and minimising negative impacts of through traffic
- » provides a safe and pleasant environment through lighting, pavement treatment and materials, clear sight lines and landscaping
- » provides movement networks for vehicles, pedestrians and bicycles that have a clear structure, provide a high level of internal accessibility and good external connections with the surrounding area, and maximise public transport effectiveness



- » provides for pedestrian and cycle connections within the site which connect to existing facilities and support movement to key local and district destinations such as shops, schools, parks and community facilities
- » minimises the impact of traffic noise on residential development
- » supports public transport routes and facilities and provides safe, legible and attractive connections from residential areas to public transport nodes or stop
- » does not unreasonably constrain future provision of public transport infrastructure and does not adversely impact on the function or operation of existing or future public transport corridors.

Planning and design of vehicle access and parking ensures:

- » safety and convenience for residents, visitors and service providers and is adequate for the use
- » adequate provision for the number and nature of vehicles expected.

## 3.3.4 Environment and sustainability

The UDA delivers:

- » minimal emissions to land, water and atmosphere
- » efficient use of land and resources
- » protection of amenity, ecological values and natural systems.

The design, siting and layout of development:

- » minimises adverse impacts on natural landforms and visual amenity of the site
- » appropriately manages stormwater
- » minimises adverse impacts on natural landforms and the visual amenity of the site
- » incorporates leading energy efficiency<sup>2</sup> and water efficiency practices, maximises recycling opportunities and reduces waste generation
- » promotes the adoption of decentralised energy generation systems and natural ventilation to reduce energy use
- » maintains the safety of people and property from bushfire risk
- » ensures that all land and groundwater will be fit for its intended use in accordance with accepted standards and practices

- » minimises adverse impacts on significant vegetation
- » does not adversely affect the environmental values of the bushland and open space zone
- » incorporates landscaping that contributes to the bushland character, flora and fauna habitat, and fauna movement, with street trees selected from species native and/or endemic to the Andergrove UDA
- » demonstrates consistency with current best practice for the identification and management of acid sulfate soils
- » appropriately manages mosquito breeding areas.

During construction adverse impacts on amenity are minimised.

<sup>2</sup> For Class 1 and Class 2 buildings (as defined in the Building Code of Australia 2009) the Queensland Development Code MP 4.1 Sustainable buildings outlines minimum requirements in terms of energy efficiency and efficient fixtures for water conservation.

### 3.4 Zone provisions

The Andergrove UDA is divided into 2 zones.

The location and boundaries of the zones are shown on Map 2: Andergrove UDA Structure and Zoning Plan.

#### 3.4.1 Residential Zone intent

The Residential Zone caters for a range of residential types including houses, multiple residential and other residential reflecting local housing needs. Other uses are not anticipated in the zone.

The zone provides for densities of up to 30 dwellings per hectare. To achieve this density, lot sizes will range from 250m<sup>2</sup> to 800m<sup>2</sup> and may incorporate some built-to-boundary buildings.

Houses are typically two storeys in height. Opportunities for three storey multiple residential will be considered in appropriate locations.

Home based businesses are permitted in the Residential Zone.

The zone may incorporate neighbourhood and pocket parks which provide recreational opportunities and which can also contribute to environmental and civil engineering functions.

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.

Development adjoining the Bushland and Open Space Zone is to incorporate a publicly accessible edge consisting of roads or pedestrian/cycle ways which are also suitable for bushfire or other emergency vehicle access.

Clearing of significant vegetation will require development to contribute to a net increase vegetation, habitat and trail development in accordance with the Andergrove Bushland Management Plan.

#### 3.4.2 Bushland and Open Space Zone intent

The Bushland and Open Space Zone fulfills a multi-functional role including the maintaining of the area's significant environmental values, passive community recreation and stormwater management.

Works within the Bushland and Open Space Zone:

- » retain important landscape and visual quality values through sensitive design of tracks and edge treatments
- » stormwater management activities are limited primarily to existing cleared areas and are to improve water quality of the receiving environment
- » provide opportunities for increasing public accessibility while addressing issues of security and surveillance as well as maintenance of environmental values.
- » are limited to enhancement and rehabilitation of environmental values and construction of water sensitive urban design features, stormwater management features, maintenance of drainage lines and pedestrian/cycleways and other park facilities if such development has minimal impact on the environmental values
- » protect the UDA's significant flora, fauna, wetland and habitat values
- » provide an important transition corridor to other ecological areas outside of the UDA

## 3.4.3 Level of assessment table

Column 1 Exempt development	Column 2 UDA self assessable development	Column 3 – UDA assessable development
Column 3A Permissible development		
In the Residential Zone		
Development specified in Schedule 1 except if the land is on the Environmental Management Register or Contaminated Land Register.	<p>Making a material change of use for a House on a lot greater then 450m² except if the land is on the Environmental Management Register or Contaminated Land Register.</p> <p>If consistent with an approved Plan of Development and the land is not on the Environmental Management Register or Contaminated Land Register:</p> <p>1. Making a material change of use for:</p> <p>    a. House</p> <p>    b. Multiple residential.</p> <p>2. Carrying out operational work, other than that specified in Schedule 1, for:</p> <p>    a. Filling or excavation</p> <p>    b. Reconfiguring a lot.</p> <p>Environmentally relevant activities for which a code of environmental compliance has been made under the <i>Environmental Protection Regulation 2008</i> except if the land is on the Environmental Management Register or Contaminated Land Register.</p>	All development, including development not defined in Schedule 2, other than development mentioned in Column 1 or Column 2.
In the Bushland and Open Space Zone		
Development specified in Schedule 1 except if the land is on the Environmental Management Register or Contaminated Land Register.	Nil.	All development, including development not defined in Schedule 2, other than development mentioned in Column 1 or Column 2.

## Infrastructure

Infrastructure requirements to achieve the planning outcomes will be determined through the development assessment process, imposed as conditions of a UDA development approval for residential development and delivered as part of the building and operational works on the site.

Infrastructure will include:

- » parks
- » roads
- » pedestrian/cycle networks
- » water supply and sewerage
- » stormwater management
- » telecommunications
- » power.

Infrastructure charges will be based on Mackay Regional Council's applicable infrastructure charging document for the area.

Infrastructure delivered as part of the development may be credited against the monetary contribution that would otherwise apply.

State infrastructure funding will be sought under the normal budgetary processes and will be part of an approved State agency capital program.

Listed below is infrastructure currently identified for the Andergrove UDA.

Infrastructure	Description of works
Parks	New neighbourhood parks.
Walking tracks	New walking tracks through the Bushland and Open Space Zone linking existing community facilities
	Bushland improvement works.
Roads	Upgrading of Bedford Road to accommodate road widening and bikeway upgrades
	Creation of intersections to and from the development to Bedford Road
	New primary collector road through the development site
	Footpath upgrades to external facilities.
Water supply and sewerage	Water and sewerage services for the residential development that connect to existing networks.
Stormwater management	New works linking with external stormwater management works.

## Implementation

The implementation strategy describes other strategies and mechanisms that the ULDA will use to complement the land use plan and infrastructure plan to achieve the planning outcomes for the UDA.

The strategy identifies each of the implementation mechanisms and the purpose of the *Urban Land Development Act 2007* (the Act) that each is seeking to achieve.

Implementation mechanisms	Relevant purpose of the Act
<b>Preparing a UDA development application</b>	
<ul style="list-style-type: none"> <li>» ULDA Guideline no. 01 Residential 30</li> <li>» ULDA Accessible Housing Guideline</li> <li>» ULDA Environment and Sustainable Development Guideline.</li> </ul>	<ul style="list-style-type: none"> <li>» Provision of a range of housing options to address diverse community need</li> <li>» Provision of an ongoing availability of affordable housing options for low to moderate income households</li> <li>» Planning principles that give effect to ecological sustainability and best practice urban design.</li> </ul>
<b>Development assessment process</b>	
<ul style="list-style-type: none"> <li>» Development Assessment Supplementary Guide</li> <li>» Development Assessment Certification Procedures Manual.</li> </ul>	<ul style="list-style-type: none"> <li>» Availability of land for urban purposes.</li> </ul>
<b>Provision of infrastructure</b>	
<ul style="list-style-type: none"> <li>» Identifying third party funding opportunities.</li> </ul>	<ul style="list-style-type: none"> <li>» Provision of infrastructure for urban purposes.</li> </ul>
<b>Management Plan</b>	
<ul style="list-style-type: none"> <li>» Preparing and implementing the Andergrove Bushland Management Plan.</li> </ul>	<ul style="list-style-type: none"> <li>» Planning principles that give effect to ecological sustainability and best practice urban design.</li> </ul>
<b>Community engagement</b>	
<ul style="list-style-type: none"> <li>» Factsheets, newsletters, letterbox drops, newspapers</li> <li>» Identifying training and education opportunities within the development industry</li> <li>» Engaging the community in preparing and implementing the Andergrove Bushland Management Plan.</li> </ul>	<ul style="list-style-type: none"> <li>» Planning principles that give effect to ecological sustainability and best practice urban design</li> <li>» Provision of a range of housing options to address diverse community need.</li> </ul>
<b>Key stakeholder consultation</b>	
<ul style="list-style-type: none"> <li>» Working with Mackay Regional Council and State agencies to identify and resolve issues</li> <li>» Working with Mackay Regional Council and State agencies to prepare and implement the Andergrove Bushland Management Plan</li> <li>» Working with the development industry to identify opportunities for collaboration and innovation to achieve superior planning and design outcomes.</li> </ul>	<ul style="list-style-type: none"> <li>» Availability of land for urban purposes</li> <li>» The provision of a range of housing options to address diverse community need</li> <li>» Provision of infrastructure for urban purposes</li> <li>» Planning principles that give effect to ecological sustainability and best practice urban design</li> <li>» Provision of an ongoing availability of affordable housing options for low to moderate income households.</li> </ul>



## Schedule 1: Exempt development

<b>Building work</b>
Carrying out building work associated with a material change of use that is UDA exempt development
Carrying out building work associated with an approved material change of use
Minor building work or demolition work except where the building is identified as a heritage registered place.
<b>Material change of use of premises</b>
Making a material change of use of premises implied by building work, plumbing work, drainage work or operational work if the work was substantially commenced by the state, or an entity acting for the state, before 31 March 2000
Making a material change of use of premises for a class 1 or 2 building under the Building Code of Australia (BCA) part A3, if the use is for providing support services and short term accommodation for persons escaping domestic violence.
<b>Reconfiguring a lot</b>
Reconfiguring a lot under the <i>Land Title Act 1994</i> , if the plan of subdivision necessary for the reconfiguration is: <ul style="list-style-type: none"> <li>(a) a building format plan of subdivision that does not subdivide land on or below the surface of the land</li> <li>(b) for the amalgamation of two or more lots</li> <li>(c) for the incorporation, under the <i>Body Corporate and Community Management Act 1997</i>, section 41, of a lot with common property for a community titles scheme</li> <li>(d) for the conversion, under the <i>Body Corporate and Community Management Act 1997</i>, section 43, of lessee common property within the meaning of that Act to a lot in a community titles scheme</li> <li>(e) in relation to the acquisition, including by agreement, under the <i>Acquisition of Land Act 1967</i> or otherwise, or land by: <ul style="list-style-type: none"> <li>(i) a constructing authority, as defined under that Act, for a purpose set out in parts 1-13 (other than part 10, second dot point) of the Schedule to that Act or</li> <li>(ii) an authorised electricity entity</li> </ul> </li> <li>(f) for land held by the State, or a statutory body representing the State and the land is being subdivided for a purpose set out in the <i>Acquisition of Land Act 1967</i>, parts 1-13 (other than part 10, second dot point) whether or not the land relates to an acquisition</li> <li>(h) for the <i>Transport Infrastructure Act 1994</i>, section 240</li> <li>(i) in relation to the acquisition of land for a water infrastructure facility</li> </ul>
Subdivision involving road widening and truncations required as a condition of development approval.
<b>Operational work</b>
Carrying out operational work associated with a material change of use that is UDA exempt development
Carrying out operational work associated with an approved material change of use
Carrying out operational work, in the Residential Zone, associated for the decontamination of the land.

Carrying out operational work that is clearing of vegetation:
(a) other than Significant vegetation and Significant Vegetation where the clearing is consistent with an approved Plan of Development
(b) carried out by or on behalf of Mackay Regional Council or a public sector entity, where the works being undertaken are authorised under a state law
(c) in accordance with the conditions of a UDA development approval for a material change of use or reconfiguring a lot
Carrying out operational work for a satellite dish on a premises, where the satellite dish has no dimension greater than 1.8 metres
Filling or excavation:
(a) to a depth of one vertical metre or less from ground level
(b) where top dressing to a depth of less than 100 vertical millimetres from ground level
Placing an advertising device on premises
Operational work (including maintenance and repair work) if the work is carried out by or on behalf of a public sector entity authorised under a state law to carry out the work.
<b>Plumbing or drainage work</b>
Carrying out plumbing or drainage work.
<b>All aspects of development</b>
All aspects of development a person is directed to carry out under a notice, order or direction made under a state law
All aspects of development for Park
All aspects of development undertaken by the state, or a statutory body representing the state, for the purposes of public housing.
All aspects of development for Home based business
All aspects of development for Sales office and display home
All aspects of development for a Utility installation, being an undertaking for the supply of water, hydraulic power, electricity or gas, of any development required for the purpose of that undertaking by way of:
(a) development of any description at or below the surface of the ground
(b) the installation of any plant inside a building or the installation or erection within the premises of a generating station of any plant or other structures or erections required in connection with the station
(c) the installation or erection of an electricity distribution or supply network (and any components of such a network) which operates at voltages up to and including 33 kilovolts, excluding new substations.

## Schedule 2: Definitions

### Use definitions

### Commercial uses

#### Sales office and display home

Use of premises, including a caravan or relocatable home structure, used for the promotion and/or sale of land and/or buildings within an estate, where such premises are located within the estate which is proposed to be promoted or sold.

### Residential uses/residential

#### Home based business

Use of house or multiple residential unit for an occupation or business activity as a secondary use where:

- the floor area used specifically for the home business does not exceed 50m<sup>2</sup>
- any visitor accommodation does not exceed four visitors
- there is no hiring out of materials, goods, appliances or vehicles
- there is no repairing, servicing, cleaning or loading of vehicles not normally associated with a house
- the maximum height of a new building, structure or object does not exceed the height of the house and the setback is the same as, or greater than, buildings on adjoining properties.

#### House

Use of premises for residential purposes where on its own lot, used as one self contained dwelling.

#### Multiple residential

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.

#### Other residential

Use of premises for the accommodation and care of aged and retired people, small groups of disadvantaged persons or persons who are being nursed, require ongoing supervision/support, or are convalescing. This use may include but is not limited to ancillary dining and recreation facilities, administration offices, laundries, kitchens, ancillary medical facilities and residential accommodation for management and staff.

#### Relocatable home and caravan park

Use of premises for the parking or location of relocatable homes, caravans, self-contained cabins, tents and similar structures for the purpose of providing residential accommodation.

The use includes ancillary facilities such as amenities, laundries, kitchens, a kiosk and recreation facility and residential accommodation for persons associated with the development. It also includes a manager's office and residence.

### Service, community and other uses

#### Caretaker's accommodation

The residential use of part of a premises where in connection with a non residential use on the same premises.

#### Car park

Means the use of premises for the parking of motor vehicles where such parking is not ancillary to some other development on the same site.

#### Child care centre

Means the use of premises for the minding or care, but not residence of children generally under school age. The use includes but is not limited to a kindergarten, creche or early childhood centre.

#### Community facility

Means the use of premises for social or community purposes, such as a community centre, library, public building or the like.

#### Educational establishment

Means the use of premises for systematic training and instruction, including any other ancillary facility. This definition includes prep facilities, primary school, secondary school, college, university, technical institute, academy or other educational centre.

The use may include residential accommodation and other ancillary uses provided for the employees and the students of such premises.

#### Environmentally relevant activities

As defined in the *Environmental Protection Act 1994*.

#### Utility installation

Use of premises for the purpose of providing utility or telecommunication services, which does not fall within the Schedule of Facilities and Areas under the *Telecommunications Act 1997*. The use may include but is not limited to:

- » a telecommunications tower more than 5m in height
- » an equipment shelter of more than 7.5m<sup>2</sup> in area and 3m in height.

### Sport, recreation and entertainment uses

#### Club

Means the use of premises by persons associated (whether incorporated or not) for social, literary, political, sporting, athletic or other similar purposes to which the general public may also resort and which is, or intends to be, subject to a club licence under the Liquor Act 1992. The premises may also include the provision of food and beverages, limited live or recorded entertainment and gaming machines.

### Indoor sport, entertainment and recreation

Means the use of premises for leisure, sport or recreation conducted wholly or mainly indoors such as indoor sports and fitness centres, gyms, bowling alleys, squash courts and the like.

### Outdoor sport and recreation

Means the use of premises used for any sporting or recreational activity, or other leisure pastime, which is conducted wholly or mainly outside of a building.

The use includes such typical premises as outdoor public swimming pools, golf courses and driving ranges, outdoor courts and sportsground, and the like. The term also includes the provision of a clubhouse and other ancillary facilities.

### Park

Use of premises by the public for free recreation and enjoyment, but used infrequently for events.

Facilities for park users may include children's playground equipment, informal sports fields, vehicle parking and other public conveniences.

## Other

### Filling or excavation

Operational work for filling or excavating that materially affects premises or their use.

### Minor building or demolition work

Means:

- » internal building or demolition work
- » external building work up to 25m<sup>2</sup> for roofs over existing decks or paved areas, sun hoods, carports and the like
- » building work up to 10% of approved GFA or lawfully existing GFA at the time of commencement of this development scheme
- » raising a house where the resultant height does not exceed 9m.

### Reconfiguring a lot

As defined in the *Sustainable Planning Act 2009*.

## Administrative definitions

### Affordable housing

Affordable housing<sup>3</sup> means private rental housing and home purchase options (including housing aimed at the first home owners market) for low to moderate income households.

### Basement

A storey below ground level or where the underside of the ceiling projects no more than one metre above ground level.

<sup>3</sup> Refer to the ULDA Affordable Housing Strategy

### Building envelope

Means an area of land within a lot marked on a development or subdivision plan outside of which building works are not permitted.

### Building height

The maximum vertical distance between the natural ground level and the roof or parapet at any point but not including an antenna, aerial, chimney, flagpole or the like.

### Contaminated Land Register

As defined in the *Environmental Protection Act 1994*.

### Covenant

Means an agreement between land owners and the Council which may restrict the way land may be used and developed.

### Development scheme

As defined in the *Urban Land Development Authority Act 2007*.

### Dwelling unit

Means a building or part of a building used or capable of being used as a self contained residence which must include:

- » food preparation facilities
- » a bath or shower
- » a toilet and wash basin.

The term includes works ancillary to a dwelling.

### Environmental Management Register

As defined in the *Environmental Protection Act 1994*.

### Ground level

The level on a site which precedes development excluding any site works that are subject to a related development approval, unless approved by the ULDA or established as part of a reconfiguration of the land preceding development.

### Gross floor area

The total floor area of all storeys of a building, including mezzanines, measured from the external walls or the centre of a common wall, excluding area used for:

- » building services
- » ground floor public lobby
- » a public mall in a shopping complex
- » the parking, loading and manoeuvring of motor vehicles
- » private balconies whether roofed or not.

### Mezzanine

An intermediate floor within a room.

### Noise sensitive use

Means any of the following:

- » House, Multiple residential, Other residential
- » Childcare centre, Community facility, Hospital or Place of assembly
- » Park.

**Plan of development**

A detailed plan, including graphics, text and tables that collectively accompanies a development application. A Plan of Development details lot layout, the form and density of development, landscape intent and building control requirements.

**Plot ratio**

The ratio between the gross floor area of a building and the total area of the site.

**Private open space**

An outdoor area for the exclusive use of occupants.

**Public benefit**

Refers to an outcome that benefits the wider community rather than local, site specific or land ownership desires.

**Public housing**

As defined in the *Sustainable Planning Act 2009*.

**Public realm**

Refers to spaces that are used by the general public, including streets, squares, parks and environmental areas.

**Sensitive uses**

Means any of the following Home based business, House, Multiple residential, Other residential, Relocatable home or caravan park, Caretakers accommodation, Car park, Child care centre, Community facility, Educational establishment, Club, Indoor sport entertainment and recreation, Outdoor sport and recreation, Park.

**Setback**

The shortest distance measured horizontally from the outermost projection of the building or structure to the vertical projection of the boundary lot.

**Significant vegetation**

Refers to vegetation whether living or dead, including the root zone<sup>4</sup> that:

- » is vegetation within the Bushland and Open Space Zone comprising the 8.2.7 or 8.2.13 regional ecosystems<sup>5</sup>
- » other vegetation with a diameter of equal to or greater than 60cm when measured at one metre above ground level.

Note: Significant vegetation does not include species listed as pest vegetation by the State or local government.

**Site cover**

The proportion of the site covered by buildings, including roof overhangs.

**Storey**

Means a space within a building which is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above. This does not mean:

- (i) a space that contains only:
  - » a lift shaft, stairway or meter room
  - » a bathroom, shower room, laundry, toilet or other sanitary compartment
  - » accommodation intended for not more than three vehicles
  - » a combination of the above, or
- (ii) a mezzanine.

**Urban Design**

Refers to the holistic design of urban environments, including the overall townscape, individual buildings, street networks, streetscapes, parks and other public spaces.

<sup>4</sup> The root zone is the area of ground to a depth of one metre below the surface which is covered by the vertical projection of the canopy and includes roots on and above the soil surface

<sup>5</sup> The regional ecosystems are defined by the Department of Environment and Natural Resources (<http://www.derm.qld.gov.au>).



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