

Urban Land Development Authority

**ANDERGROVE
INTERIM LAND USE PLAN 2010**

April 2010

Version 1

Contents

| | |
|--|-----------|
| Preliminary | 1 |
| Introduction | 1 |
| Background | 1 |
| Urban Development Area..... | 1 |
| Purpose of the ILUP | 2 |
| Relationship with local government planning scheme | 2 |
| Relationship with other legislation..... | 2 |
| Development Assessment Procedures | 5 |
| Development Precincts | 5 |
| Levels of assessment..... | 5 |
| Development consistent with the ILUP | 6 |
| Notice of application..... | 6 |
| Purpose of the principles..... | 6 |
| Purpose of the development requirements..... | 6 |
| Principles and development requirements | 7 |
| UDA wide | 7 |
| Housing and community | 7 |
| Urban Design and Placemaking..... | 8 |
| Transport, access and parking..... | 9 |
| Environment and sustainable development..... | 10 |
| Precinct 1 | 11 |
| Balance Area..... | 11 |
| Level of assessment for development..... | 12 |
| Infrastructure Contributions | 13 |
| Schedules | 14 |
| Schedule 1: Exempt Development..... | 14 |
| Schedule 2: Definitions..... | 15 |
| Schedule 3: Information to support development | 23 |

Preliminary

Introduction

The Andergrove Interim Land Use Plan (ILUP) has been prepared pursuant to Section 8 of the *Urban Land Development Authority Act 2007* and applies only to land within the declared Andergrove Urban Development Area (UDA) identified in Figure 1.

This ILUP commences on declaration.

Background

The *Urban Land Development Authority Act 2007* (the Act) provides for particular parts of the State to be declared as areas called urban development areas.

The main purposes of the Act are to facilitate the following in the urban development areas:

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

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

The ULDA is tasked to plan, carry out, promote or coordinate and control, the development of land in declared urban development areas.

Urban Development Area

The Andergrove UDA was declared by a regulation, pursuant to Part 2 Division 1 Section 7 of the *Urban Land Development Authority Act 2007*.

The Andergrove Urban Development Area (UDA) is located approximately 5 kilometres north of the Mackay Central Business District, see figure 2. The site has an area of approximately 22 hectares and is bounded by Bedford Road to the east, established residential dwellings to the north and south and established residential dwellings and Broomdykes Park to the West. The site is relatively well serviced by local amenities.

The south-east corner of the site, approximately 6 hectares, is currently occupied by a Mackay Regional Council depot. The western area of the site contains some significant ecological values.

Mackay has been identified as one of the ten largest growing local government areas in regional Queensland. It is predicted that the population of the region will increase from approximately 110,000 in 2007 to up to 190,000 in 2031.

Household projections to 2031 for the Mackay region indicate that there will be an increase in one and two person households and a decrease in households with couples with children, reinforcing the need for increased compact living, including smaller lots, attached dwellings and multiple dwelling units.

Detached houses are the dominant dwelling type within Mackay City. There is a clear absence of smaller product in the market. Data shows that only 4.5 percent of lot registrations within Mackay are below 450m² compared to other parts of Queensland which are as high as 20 percent.

Mackay Regional Council is currently undertaking a residential densities strategy to investigate opportunities to increase residential densities in certain precincts, corridors and sites throughout the Mackay region and to formulate design guidelines for new high and medium density development.

Development under the Andergrove ILUP will demonstrate efficient residential development, encourage a wider choice in housing style and create affordable product.

Purpose of the ILUP

The purpose of this ILUP is to regulate orderly development and provide direction as to the preferred form of development within the nominated precincts in the UDA.

The ILUP remains in force until such time as the development scheme takes effect.

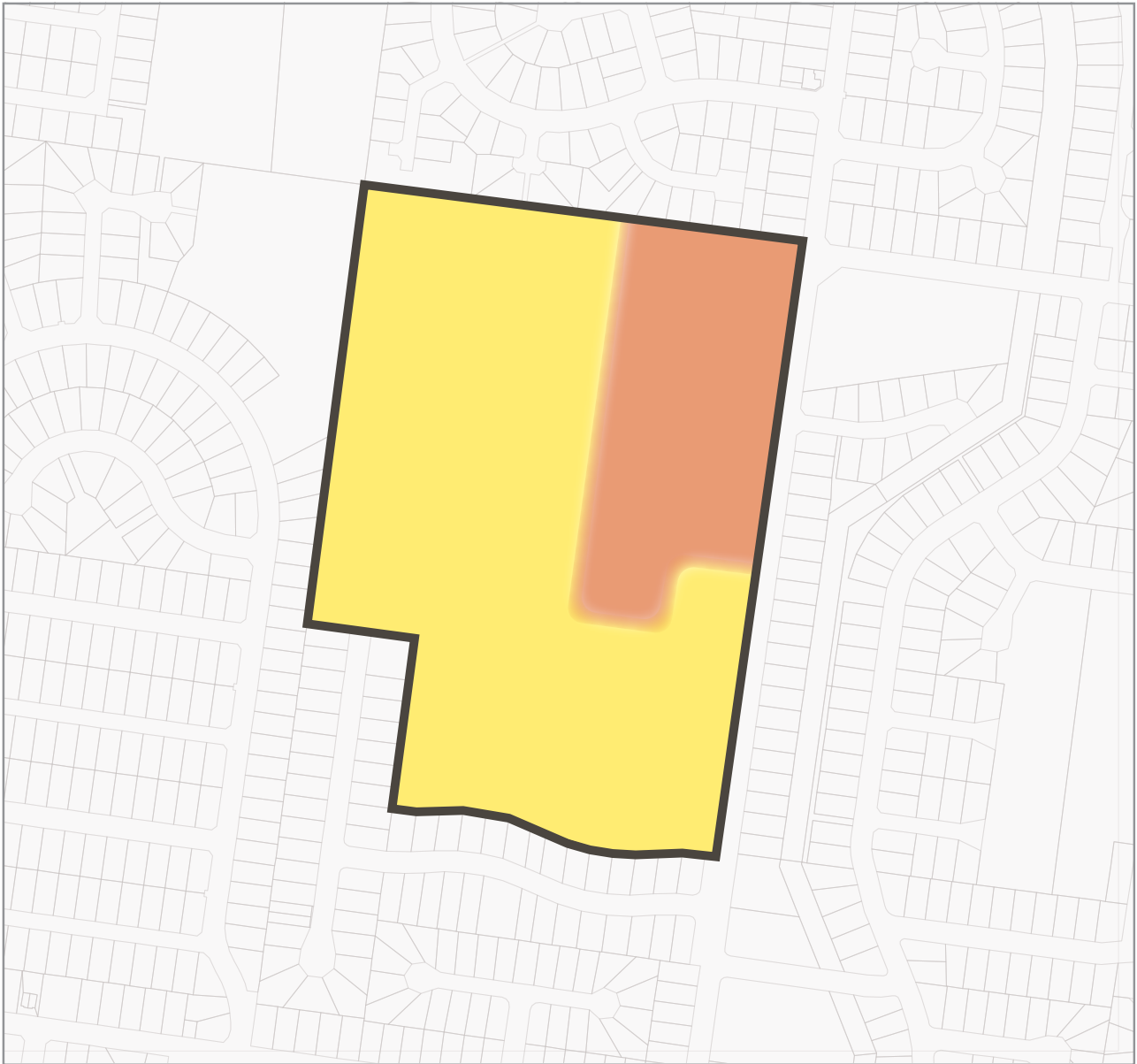
Relationship with local government planning scheme

From the date of declaration of the UDA, the ILUP replaces the local planning scheme.

Relationship with other legislation

In addition to assessment against the ILUP, development may require assessment against other legislation including for example the *Plumbing and Drainage Act 2002* and *Sustainable Planning Act 2009*.

Figure 1: Andergrove UDA boundary and precincts






Source: Digital Cadastre Database, Department of Environment and Resource Management December 2009

Map generated by Spatial Services branch of the Department of Infrastructure and Planning and Urban Land Development Authority.

While every care is taken to ensure the accuracy of this product the Department of Infrastructure and Planning and the Department of Environment and Resource management make no representations or warranties about the accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs you may incur as a result of the product being inaccurate or incomplete in any way or for any reason.

Key

-  UDA Boundary
-  Precinct 1
-  Balance Area



**Figure 2:
Locality Map**



Development Assessment Procedures

Development Precincts

This ILUP nominates precincts within which particular development may be approved prior to commencement of the Andergrove development scheme.

The development precincts for the declared UDA covered by this ILUP are shown in Figure 1.

Land within the declared UDA and not included in a precinct in Figure 1 falls within the balance area.

Levels of assessment

Within the Balance Area

All development within the balance area (except for development identified in Schedule 1 as Exempt development) is UDA Assessable Development (Prohibited).

UDA Prohibited Development

UDA Assessable Development (Prohibited) is UDA Assessable Development that is inconsistent with the ILUP and may not be carried out in the urban development area.

UDA Exempt Development

Development included in Schedule 1 is UDA Exempt Development meaning that a UDA Development Approval is not necessary prior to carrying out the use or works.

UDA Assessable Development

Table 1 of this ILUP identifies whether development within the nominated precinct is:-

- i. UDA Self-Assessable Development - Column 2
- ii. UDA Assessable Development (Permissible) - Column 3A
- iii. UDA Assessable Development (Prohibited) - Column 3B

Development not mentioned in this ILUP as UDA Self-Assessable Development, UDA Assessable Development (Permissible) and Exempt Development is UDA Assessable Development (Prohibited).

A UDA development application is not necessary for UDA Self-Assessable Development complying with the requirements of this ILUP.

Development consistent with the ILUP

A UDA development approval can not be granted if the development would be inconsistent with this ILUP.

Permissible development is consistent with the ILUP where the development complies with the UDA principles detailed in this ILUP about the carrying out of development.

Otherwise, the permissible development is inconsistent with the ILUP 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.

Prohibited development is inconsistent with the ILUP and may not be carried out in the UDA.

Notice of application

Public notice is required for all UDA development applications lodged under this ILUP.

Purpose of the principles

The vision for the UDA specifies planning outcomes which:

- i. reflect the Government objectives for the UDA
- ii. seek to achieve for the UDA, the purposes of the Act and
- iii. form the basis for the development requirements about the carrying out of development within the UDA.

Purpose of the development requirements

The development requirements apply to all UDA assessable and self-assessable development in the Andergrove UDA. To the extent a requirement is relevant, it is to be taken into account in the preparation of a UDA development application and the assessment of the application.

For a development proposal, all development requirements must be achieved to the greatest extent practical, having regard to the extent of the other requirements.

Principles and development requirements

As indicated, the following principles and development requirements apply to the whole of the UDA, a particular precinct or the balance area.

UDA wide

The UDA wide principles and development requirements relate to:

- i. Housing and community
- ii. Urban design and placemaking
- iii. Transport, access and parking
- iv. Environment and sustainable development

For more detail regarding how to comply with the requirements listed below refer to guidelines issued by the ULDA¹.

Housing and community

Principle

Development delivers housing affordability, accessibility and choice and sustainable communities

Requirements

Residential neighbourhoods:

- » deliver a minimum of 66 percent of all dwellings across the UDA available for purchase at or below the median house price in Mackay
- » deliver a minimum of 50 percent of all dwellings available to purchase or rent to low to moderate income households in Mackay
- » contribute to housing choice to meet a diversity of needs with a range of housing products
- » deliver affordable housing which is designed and located so that it is well integrated into the community
- » deliver 10 percent as accessible housing to meet the changing needs of people and households over time²
- » deliver sustainable communities with a strong community identity and access to community facilities and services

Planning and development processes provide opportunities for community engagement.

¹ Including the Residential 30, Accessible Housing and Sustainability guidelines.

² Refer to the ULDA Accessible Housing Guidelines for further direction on how this target can be met.

Urban Design and Placemaking

Principle

Development delivers:

- » **maximum connectivity**
- » **a design that is responsive to the local climate & environment**
- » **walkable streets and neighbourhoods**
- » **safety and security**
- » **enhanced character & amenity and**
- » **efficient use of infrastructure.**

Requirements

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 networks and use of streetscape elements
- » delivers appropriate scale
- » incorporates principles for crime prevention through environmental design (CPTED)
- » identifies appropriate areas for multiple residential uses
- » ensures visual and noise privacy
- » provides for 'age in place' through universal design principles
- » promotes healthy and active lifestyles
- » facilitates the siting and design of dwellings to conserve energy and support design for climate through the street and lot orientation and dimensions
- » protects and enhances significant vegetation and habitat areas and incorporates natural and cultural features
- » delivers development that is integrated with the surrounding environment and provide for shared use of public facilities by adjoining communities
- » provides appropriate public open spaces for a range of uses and activities and
- » locates services and utilities to maximise efficiency and ease of maintenance.

Transport, access and parking

Principle

Development delivers:

- » **efficient land use and transit integration**
- » **efficient street networks and**
- » **adequate car parking.**

Requirements

Street network planning and design:

- » connects to existing networks while ensuring acceptable levels of amenity and minimising negative impacts of through traffic
- » provides acceptable levels of safety, adjoining uses and amenity
- » provides movement networks that have a clear structure and provide a high level of internal accessibility and good external connections with the surrounding area for vehicle, pedestrian and cycle movements and maximum 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
- » optimises transport/land use planning outcomes to reduce noise nuisance
- » supports public transport routes and facilities and provides safe, legible and attractive connections from residential areas to public transport nodes or stops and
- » 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.

In relation to vehicular access and car parking:

- » vehicle access and parking is safe and convenient for residents, visitors and service providers and adequate for the use and
- » adequate car parking is provided.

Environment and sustainable development

Principle

Development delivers:

- » minimal emissions to land, water and atmosphere
- » protection from flood and bushfire risk
- » efficient use of land and resources and
- » protection of environmental & resource values.

Requirements

The design, siting and layout of development:

- » maintains the safety of people and property from bushfire risk³ where in or adjoining bushland
- » ensures that all land and groundwater will be fit for purpose⁴
- » minimises adverse impact to the environmental values of the receiving waters and wetlands
- » appropriately manages floodwater and stormwater
- » minimises air quality impacts arising from construction including dust, noise and traffic impacts
- » minimises adverse impacts on natural landforms and the visual amenity of the site
- » minimises adverse impacts on significant vegetation
- » retains vegetation where possible along streets and within parks
- » promotes the efficient use of resources, maximises recycling opportunities and reduces waste generation⁵
- » adopts leading energy efficiency standards and distributed energy systems within the built environment and encourages the generation of renewable energy⁶

3 through compliance with State Planning Policy 1/03 and associated guideline for possible acceptable solutions to mitigate bushfire risk

4 consistent with current best practice contamination requirements in Queensland

5 efficient use of resources and waste minimisation in accordance with section 3.4 of the *Smart and Sustainable Homes Design Objectives*, Department of Public Works, June 2008.

6 Class 1 and Class 2 buildings (as defined in the Building Code of Australia 2009) must comply with the Queensland Development Code MP4.1 Sustainable buildings, which outlines minimum requirement in terms of energy efficiency and energy efficient fixtures for water conservation.

Precinct 1

Precinct 1 identifies the part of the UDA in which a UDA development application may be lodged, assessed and decided prior to the finalisation and commencement of the Development Scheme.

The precinct is not constrained by the environmental values of the site.

Precinct 1 will contain a mix of houses and small scale multi-unit dwellings (Multiple residential)⁷ on traditional and smaller lots.

A Plan of Development will demonstrate how the UDA principles and development requirements will be met. The community will have an opportunity to comment on the Plan of Development when it is publicly notified.

Balance Area

The balance area comprises the part of the UDA which requires the further investigation of a number of issues including, for example vegetation, contamination, stormwater. These investigations will be undertaken as part of the preparation of the development scheme. In the interim, all development in the balance area (unless identified in Schedule 1) is prohibited.

The existing Mackay Regional Council depot will continue to operate within the Balance area. It is planned to be relocated to a new site by early 2012.

⁷ Buildings and structures not exceeding 9.5 metres in height.

Level of assessment for development

Table 1

| Column 1 | Column 2 | Column 3 UDA Assessable Development | |
|--------------|---|---|---|
| Precincts | UDA Self Assessable Development | Column 3A | Column 3B |
| | | Permissible Development | Prohibited Development |
| Balance Area | Nil | Nil | All development including development (not defined) except development mentioned in Schedule 1. |
| Precinct 1 | <p>Making a material change of use for a House on a lot greater than 450m²</p> <p>Where consistent with an approved Plan of Development:</p> <p>1. Making a material change of use for:</p> <ul style="list-style-type: none"> a. Home based business b. House on a lot less than 450m² c. Multiple residential d. Sales office and display home <p>2. Carrying out operational work for:</p> <ul style="list-style-type: none"> a. Filling or excavation b. Reconfiguring a lot <p>Environmentally relevant activities for which a code of environmental compliance has been made under the Environmental Protection Regulation 1998.</p> | <p>Carrying out operational work for:</p> <ul style="list-style-type: none"> a. Filling or excavation b. Reconfiguring a lot <p>Reconfiguring a lot:</p> <ul style="list-style-type: none"> a. resulting in lots greater than 450m², or b. resulting in lots less than 450m² where accompanied by a Plan of Development <p>Where not accompanied by a Plan of Development or where not consistent with an approved Plan of Development making a material change of use for:</p> <ul style="list-style-type: none"> a. Home based business b. House on a lot less than 450m² c. Multiple residential d. Sales office and display home <p>Where consistent with an approved Plan of Development, all aspects of development for:</p> <ul style="list-style-type: none"> a. Child care centre b. Community facility c. Emergency facility d. Environmentally relevant activities (except for those listed in Column 2) e. Other residential f. Place of assembly g. Utility Installation | <p>All other development including other development (not defined) except development mentioned in Column 2, Column 3A and Schedule 1.</p> |

Infrastructure Contributions

Under Section 58 of the *Urban Land Development Authority Act 2007*, the ULDA may impose conditions relating to infrastructure, and the payment of contributions or the surrender of land for infrastructure for any development area.

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

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

Schedules

Schedule 1: Exempt Development

Development exempt from assessment against this ILUP

Building work

- i. Minor building and demolition work.

Reconfiguring a lot

- i. Subdividing lots to create a lot of a size and in a location generally in accordance with the area shown as Precinct 1.
- ii. Subdivision involving road widening and truncations required as a condition of development approval.
- iii. Amalgamating two or more lots.
- iv. Reconfiguration for a building format plan of subdivision that does not subdivide land on or below the surface of the land.
- v. Reconfiguring a lot for the incorporation, under the Body Corporate and Community Management Act 1997, section 41, of a lot with common property for a community titles scheme.
- vi. Reconfiguring a lot for the conversion, under the Body Corporate and Community Management Act 1997, section 43, of lease common property within the meaning of that Act to a lot in a community titles scheme.
- vii. Reconfiguring a lot in relation to the acquisition, including by agreement, under the Acquisition of Land Act 1967 or otherwise, of land by
 - a constructing authority, as defined under that Act, for a purpose set out in 1-13 (other than part 10, second dot point) of the schedule to that Act
 - an authorised electricity entity.
- viii. Reconfiguring a lot 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 Acquisition of Land Act 1967, schedule, parts 1 to 13 (other than part 10, second dot point) whether or not the land relates to an acquisition.
- ix. Reconfiguring a lot for the Transport Infrastructure Act 1994, section 240.
- x. Reconfiguring a lot in relation to the acquisition of land for a water infrastructure facility.

Operational work

- i. Clearing vegetation other than Significant vegetation and Significant vegetation where the clearing is consistent with an approved Plan of Development.
- ii. Operational work, including filling and excavation, for stormwater management.
- iii. Operational work, or plumbing or drainage 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.
- iv. Erecting no more than one (1) satellite dish on premises, where the satellite dish has no dimension greater than one metre.
- v. Filling or excavation where:
 - a. to a depth of one vertical metre or less from ground level on land subject to an approved Plan of Development or
 - b. top dressing to a depth of less than 100 vertical millimetres from ground level on land subject to an approved Plan of Development.

All aspects of development

- i. directed to be carried out under a notice, order or direction made under a State law
- ii. associated with the decontamination of land
- iii. associated with the establishment or maintenance of a park
- iv. associated with the establishment of a Sales office and Display home
- v. undertaken by the State, or a statutory body representing the State, for the purposes of public housing.

Schedule 2: Definitions

Use Definitions

Commercial Uses

Business

Premises used for administration, clerical, technical, professional, medical or veterinarian services or other business activities where no goods or materials are made, sold or hired on the premises.

Home based business

House or multiple residential unit used for an occupation or business activity as a secondary use where:

- a. the floor area used specifically for the home business does not exceed 50m²
- b. any visitor accommodation does not exceed 4 visitors
- c. there is no hiring out of materials, goods, appliances or vehicles
- d. there is no repairing, servicing, cleaning or loading of vehicles not normally associated with a house
- e. 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.

Sales office and display home

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.

Industrial Uses

Extractive industry

Premises used for extraction of sand, gravel, soil, rock, stone or similar substance from land. The use includes ancillary storage, loading or cartage and any crushing, screening, washing, blending or other treatment processes of material extracted from the site.

General industry

Premises used for making, assembling, dismantling, breaking up, servicing, storing, repairing goods, or treating waste where potential impacts exist.

Warehouse

Premises used for the storage of goods whether or not in a building, including self storage facilities or storage yards.

Residential Uses/Residential

House

Premises used for residential purposes where on its own lot, used as one self contained dwelling and not subject to community title.

Multiple residential

Premises used 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.

Other residential

Premises used 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

Premises used 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.

Retail Uses/Retail

Fast food premises

Premises used for the preparation and sale of food to the public generally for immediate consumption on or off the premises. The use may include drive through facilities and ancillary facilities for the consumption of food on the premises.

Market

Premises used for the display and sale of goods to the public on a regular but infrequent basis, where goods are primarily sold from temporary structures such as stalls, booths or trestle tables. The use includes ancillary food and beverage sales and ancillary entertainment provided for the enjoyment of customers.

Service station

Premises used for the retail sale of fuel including petrol, liquid petroleum and automotive distillate to refuel motor vehicles.

Shop

Premises used for the display, sale or hire of goods to the public. The use includes the incidental storage of goods on the premises and the ancillary or incidental preparation of food. It also includes hairdressing, minor appliance repairs, alterations, retail dry cleaning, liquor store, department store, discount department store, discount variety stores and betting agencies.

Shopping centre

Premises used for display, sale or hire of goods comprising two or more individual tenancies, comprising primarily shops and which function as an integrated complex.

Rural Uses

Agriculture

Premises used for commercial purposes for the:

- » growing and harvesting of trees, crops, pastures, flowers, fruit, turf, vegetables and the like for commercial or business purposes. The use includes the storage and packing of produce grown on the subject site and the repair and servicing of machinery and other ancillary activities, or
- » breeding, keeping, rearing, training, boarding or stabling of animals.

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

Premises used for the parking of motor vehicles where such parking is not ancillary to some other development on the same site.

Child care centre

Premises used 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

Premises used for social or community purposes, such as a community centre, library, public building or the like.

Educational establishment

Premises used 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.

Emergency service

Premises used for services which respond to community need in an emergency.

Environmentally relevant activities

As defined in the *Environmental Protection Act 1994*.

Place of assembly

Premises used for worship and activities of a religious organisation, community or association.

Utility installation

Premises used 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 7.5m² in area and 3m in height.

Sport, recreation and entertainment uses

Club

Premises used 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

Premises used 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

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

Premises used 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 25m² for roofs over existing decks or paved areas, sun hoods, carports and the like
- » Building work up to 10percent of approved GFA or lawfully existing GFA at the time of commencement of this ILUP
- » Raising a house where the resultant height does not exceed 9.5m, or
- » External demolition of post 1946 additions, alterations, extensions or outbuildings or pre-1946 free standing outbuildings at the rear of the building

Reconfiguring a lot

As defined in the *Sustainable Planning Act 2009*.

Administrative definitions

Affordable housing

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 30percent of its combined annual gross household income on rent or 35percent of its combined annual gross household income on home ownership.

Affordable housing encompasses:

- » Private rental housing and home purchase options (including housing aimed at the first home owners market)
- » Social housing (including public and community housing).

Basement

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

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.

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.

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.

High water mark

Refers to the ordinary high water mark at spring tides.

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.

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

Vegetation, whether living or dead, including their root zone⁸ that:

- » maintains biodiversity
- » preserves natural landforms
- » contributes to the character of the landscape
- » has cultural or historical value
- » has amenity value.

Significant vegetation in the UDA includes:

- » vegetation included in the regional ecosystems 8.2.13a and 8.2.7⁹ (Mackay)
- » all trees with a diameter of equal to or greater than 60cm when measured at 1metre above ground level

Note: 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. The term does not include areas of covered private open space.

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 3 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.

8 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.

9 The extent of vegetation considered significant is shown in the report Mackay Council Depot, Bedford Road, Andergrove, Ecological Landuses Constraints and Opportunities Report, Cardno, October 2009.

Schedule 3: Information to support development

The following information may be required in support of development. If the relevant information does not accompany the UDA development application it may be sought through an information request or a condition of approval.

Plan of Development

As identified in Table 1: Level of assessment for development, certain UDA development applications are required to be accompanied by a Plan of Development (PoD).

A PoD may contain site plans, graphics and text and once approved becomes the primary document for the ongoing regulation of certain subsequent UDA self assessable and assessable development (permissible).

For further details on how to prepare a PoD refer to Residential 30 ULDA Guideline 01.

A PoD must detail:

- i. the street pattern, including street pavement widths, the location of footpaths and any provision for car parking
- ii. the public open space areas
- iii. the subdivision pattern including lot areas and dimensions
- iv. building setbacks on each lot, including built-to-boundary wall locations, setbacks and building heights
- v. lots on which more than one dwelling may be built, including the maximum number of dwellings on the site
- vi. staging of development
- vii. typical house plans (for lots between 250m² and 450m² in area) and
- viii. detailed concept house plans (for lots less than 250m² in area).

Note -

On lots between 250m² and 450m² in area, the subsequent House or Multiple residential will be conditioned to comply with both the PoD and the Building design provisions of the Design Checklist contained in Residential 30, ULDA guideline no. 01.

Depending on the development density and complexity of the design, a PoD may also need to detail:

- i. street cross-sections, planting and landscaping areas
- ii. service infrastructure connection points to each lot
- iii. any access restriction arrangements
- iv. private open space areas
- v. pavement and verge widths
- vi. kerb types
- vii. tree retention requirements
- viii. neighbourhood signage
- ix. slope controls (e.g. elevated construction, slab on ground requirements) and
- x. driveway locations
- xi. primary and secondary frontages.

To ensure an appropriate level of integration, the PoD should be prepared having due regard to the 'first cut' design of civil works and detail how:

- i. gully pits, water meters, power pillars and communications pits do not interfere with driveways of narrow frontage lots
- ii. sewers and stormwater do not clash with walls that are built to the boundary (sometimes referred to as the zero lot line)
- iii. overland stormwater flows are not concentrated through narrow lots
- iv. slopes of small lots are not excessive
- v. infrastructure items do not detract from the urban amenity and
- vi. any filling does not adversely impact on tree protection and driveway slope.

Acid sulfate soils (ASS)

An ASS investigation will be required on soil and sediment at or below 5m Australian Height Datum (AHD) where the natural ground level is less than 20m AHD where development involves any of the following activities at or below 5m AHD:

- i. excavating or otherwise removing 100m³ of soil or sediment; or
- ii. filling of land involving 500m³ or more of material with an average depth of 0.5m or greater.

Where an ASS investigation is required, it must be in compliance with State Planning Policy 2/02, the Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils (ASS) in Queensland 1998 and General Information Required to Assist Assessment of Development Proposals Involving Acid Sulfate Soils (V 4, June 2004). Different levels of investigation may be appropriate for different proposals or types of disturbance.

An ASS management plan must be prepared if the ASS investigation report concludes that ASS are present and could be disturbed by the proposed development. This management plan is required to be submitted with any relevant application.

Contaminated land

Land recorded on either the Environmental Management Register, the Contaminated Land Register or with a potential for Unexploded Ordnance will be required to be investigated and assessed when an application is made for a material change of use, reconfiguration of a lot or operational works.

Site remediation or an approved site management plan must meet the Department of Environment and Resource Management processes and guidelines for the assessment and management of contaminated land in Queensland.

Erosion and sediment control

To minimize the risk of environmental harm to environmental values of receiving waters the preparation of an erosion and sediment control plan will be required prior to the commencement of works. The plan is to be in accordance with current best practice and implemented during the construction phase of development. The construction phase of development includes:

- i. civil works such as cutting and filling, vegetation clearing, road construction, stormwater works etc and
- ii. built form phase works involving construction of buildings on specific lots

Water quality

Details should be provided to demonstrate how the development protects the environmental values of receiving waters by:

- i. implementing best practice environmental management for urban stormwater by incorporating current best practice water sensitive urban design (WSUD) strategies and mechanisms into the development
- ii. demonstrating, to the greatest extent possible, Integrated Water Cycle Management (IWCM) principles for Australia including water harvesting and reuse.

Development is to demonstrate that existing waterways can continue as a stormwater corridor. A set back of 7 metres from the high bank of existing waterways may be appropriate. The setback area is to contribute to the open space network.

Filling and excavation

Information should be provided to demonstrate:

- i. the level of consistency with the requirements of the Mackay City Planning Scheme 2009
- ii. the visual character and amenity of the site and surrounding area is not adversely affected
- iii. the extent of filling and excavation is minimized and
- iv. filling does not adversely affect the flooding upstream, downstream and on adjoining land.

Landscaping

A plan may be required demonstrating that:

- i. the development will retain existing trees within the development to the extent practicable
- ii. waterway corridor, drainage lines and associated ecological values will be maintained
- iii. planted areas will include at least 50 percent locally occurring native plants or species. These species should provide habitat and food resources for local fauna and be drought tolerant where possible
- iv. any plants that are non locally occurring are non invasive and non dispersive and
- v. plantings and associated treatments will provide an attractive and safe quality streetscape that provides on-site recreation opportunities. For non-residential development, plantings and associated treatments should provide a positive visual and amenity contribution to the public realm.

Flooding and stormwater

A report may be required to demonstrate that:

- i. there is no worsening and where possible, improvement to flooding and stormwater problems on surrounding land
- ii. building pads, essential services and at least one access road on the development site will be 300mm above all floods up to and including the 100 year Average Recurrence Interval (100y ARI) and
- iii. habitable floor levels will be 500mm above 100y ARI.