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## Part 3 Interpretation

### 3.1 Introduction

#### 3.1.1 Definitions

- (1) This Part provides definitions for most of the terms used in the Planning Scheme.
- (2) Some terms that have a specific role in the interpretation of a particular Part of the Planning Scheme (i.e. a Structure Plan) are separately defined within that Part.
- (3) The definitions are divided into:
  - (a) defined uses in section 3.2.1;
  - (b) defined classes of use in section 3.2.2;
  - (c) other development definitions in section 3.3.1; and
  - (d) administrative definitions in section 3.3.2.

#### 3.1.2 Interpretation

- (1) A term used in the Planning Scheme has the meaning assigned to that term by:
  - (a) the Act; or
  - (b) this Part, where that term is not defined in the Act, unless the term is separately defined in another Part of the Planning Scheme where the term is used; or
  - (c) the *Acts Interpretation Act 1954*, where that term is not defined in the Act, this Part or another Part of the Planning Scheme; or
  - (d) the Macquarie Dictionary where that term is not defined in the Act, this Part or another Part of the Planning Scheme or the *Acts Interpretation Act 1954*.
- (2) A reference in the Planning Scheme to any Act includes any regulation or instrument made under it and where amended or replaced means that amended or replaced Act.
- (3) A reference in the Planning Scheme to a specific resource document or standard means the latest version of the resource document or standard.
- (4) A reference to a Part, Section, Table or Schedule is a reference to a Part, Section, Table or Schedule of the Planning Scheme.
- (5) Notes in shaded boxes in the Planning Scheme are declared to be extrinsic material under the *Statutory Instruments Act 1992*, section 15, that assist in the interpretation of the Planning Scheme.

## 3.2 Use Definitions and Classes of Use Definitions

### 3.2.1 Use Definitions

**“accommodation building”** means a use of premises for residential accommodation which does not comprise dwelling units.

*Examples – boarding house, guest house, backpacker hostel, serviced apartments, student accommodation.*

**“adult product shop”** means a use of premises for the sale (including hire) of sexually explicit material or products.

**“agriculture”** means a use of premises on a commercial basis for the growing of crops, pastures, turf, flowers, fruit, vegetables, plants, trees and the like. The term includes:

- (a) plantation forestry<sup>1</sup>;
- (b) a wholesale nursery;
- (c) the preparing, packing or handling of the raw produce for transport from the premises;
- (d) storage sheds, outbuildings and other associated facilities; and
- (e) the servicing or maintenance of machinery associated with the use.

**“animal husbandry – high impact”** means a use of premises for:

- (a) the keeping of:
  - (i) more than 50 standard cattle units in a feedlot; or
  - (ii) more than 20 standard pig units in a piggery; or
  - (iii) more than 20 poultry, emus or ostriches;
- (b) any associated land disposal of effluent; and
- (c) the servicing or maintenance of machinery associated with the use.

**“animal husbandry – low impact”** means a use of premises for the keeping, depasturing or stabling of an animal. The term:

- (a) does not include animal keeping, animal husbandry – high impact, aquaculture or stable; and
- (b) includes the commercial cultivation of fisheries resources which is not aquaculture.

*Examples – dairying, cattle grazing, animal breeding, holding yards and hatcheries.*

**“animal keeping”** means a use of premises on a commercial basis for a boarding kennel, animal pound or cattery.

**“aquaculture”** means a use of premises on a commercial basis for the cultivation of fisheries resources, where the use involves:

- (a) freshwater tanks with a total production area exceeding 2,000m<sup>2</sup> where oxygen injection is not used or exceeding 750m<sup>2</sup> where oxygen injection is used; or
- (b) freshwater ponds with a total surface area exceeding 5,000m<sup>2</sup>; or
- (c) any freshwater tanks or ponds with off-site discharge of wastes to Queensland waters; or
- (d) any salt water tanks or ponds.

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<sup>1</sup> Within the definition of agriculture, plantation forestry means a use of premises for the establishment, silviculture and harvesting of either native or exotic species that have been planted for the primary purpose of producing and extracting timber products. The term:

- (a) includes the primary processing of trees grown upon the premises to produce products such as pulp, poles, posts and sawlogs; and
- (b) does not include secondary processing such as portable sawmilling, kiln drying, chemical treatment or oil extraction techniques.

The term includes the preparing, packaging or handling of raw produce for transport from the premises, and the servicing or maintenance of machinery associated with the use.

**“art and craft centre”** means a use of premises for the display and sale of a work of art or craft, such as handicrafts, pottery, paintings and sculptures. The term includes:

- (a) the manufacture of a work of art or craft on the premises; and
- (b) associated individual or small group instruction on the making of a work of art or craft, not exceeding 10 people receiving instruction at any time.

**“bed and breakfast”** means a use of premises being a detached house for residential accommodation to the travelling public.

**“camping ground”** means a use of premises involving the setting up and use of tents, caravans, campervans and the like for temporary accommodation for holiday and recreational purposes. The term includes any associated manager’s office, caretaker’s residence, kiosk, amenity buildings and recreation and entertainment facilities which cater exclusively for the occupants of the premises on the same site.

**“car park”** means a use of premises for the parking of motor vehicles where the parking is not associated with another activity on the site.

**“car wash”** means a use of premises for any automated cleaning (including high pressure cleaning) of motor vehicles.

**“caravan and relocatable home park”** means a use of premises for residential accommodation in centrally managed caravans or relocatable homes. The term includes any associated manager’s office, caretaker’s residence, kiosk, amenity buildings and recreation and entertainment facilities which cater exclusively for the occupants of the premises on the same site.

**“caretaker’s residence”** means a use of premises for residential accommodation comprising a dwelling unit for caretaker or management purposes in connection with any use conducted on the same site.

**“cemetery”** means a use of premises for the interment of the dead.

**“child care centre”** means a use of premises for the paid minding or care of, but not residence of, children generally under school age. The term does not include family day care conducted from a dwelling unit as regulated by the *Child Care (Family Day Care) Regulation 1991*.

*Examples – daycare, after school-care, occasional care, kindergarten, crèche.*

**“community centre”** means a use of premises for the provision of cultural, social or community services.

*Examples – neighbourhood centre, senior citizens’ centre, youth centre.*

**“community residence”** means any dwelling used for accommodation for a maximum of six persons who require assistance or support with daily living needs, share communal spaces and who may be unrelated. The use may include a resident support worker engaged or employed in the management of the residence.

*Example - hospice*

**“detached house”** means a use of premises for residential accommodation comprising a detached dwelling unit on one site. The term includes:

- (a) an outbuilding which is subordinate to the dwelling unit;

- (b) a home office; and
- (c) a small secondary dwelling unit being an annexed unit.

**“display dwelling”** means a use of premises for:

- (a) displaying a type of dwelling unit that can be built on other premises; or
- (b) displaying a dwelling unit as a prize; or
- (c) the promotion and sale of a lot or dwelling unit within a site.

*Example of Paragraph (a) – builder’s display home.*

*Example of Paragraph (b) – art union prize home.*

*Example of Paragraph (c) – estate sales office.*

**“duplex dwelling”** means a use of premises for residential accommodation comprising two dwelling units on a site. The term includes a home office in one or both of the dwelling units.

**“educational establishment”** means a use of premises for a school, pre-school, college, adult education centre, university and the like. The term includes any associated offices, libraries, bookshops, canteens, sporting fields, tennis courts, swimming pools and the like on the same site.

**“emergency service”** means a use of premises for a police station, ambulance station, fire station, emergency service depot and the like.

**“extractive industry”** means a use of premises for:

- (a) the extraction or quarrying of sand, gravel, rock, soil, stone and the like from the place where it naturally occurs (not being an extractive activity which is subject to the *Mineral Resources Act 1989*); or
- (b) the storage, screening, processing, blending or treatment of material extracted from the premises pursuant to paragraph (a) or from other premises which is used for an extractive industry; or
- (c) any activity undertaken in association with an activity pursuant to paragraphs (a) and (b) to avoid or mitigate impacts on the environment (including approved rehabilitation work) on the premises.

**“function room”** means a use of premises for the conduct of a function, reception, conference or the like.

**“funeral parlour”** means a use of premises to arrange and conduct a funeral, memorial service or the like. The term includes any associated mortuary, funeral chapel or administration area on the same site.

**“garden centre”** means a use of premises for the display and sale of plants for use in gardening and landscaping. The term includes the growing of plants for sale from the premises and any associated sale from the premises of garden and landscape supplies such as seeds, pots, garden tools, garden furniture, garden ornaments and packaged goods for the cultivation and propagation of plants.

**“home-based business”** means a use of premises for an occupation or profession carried out on the same site as a detached house, duplex dwelling or multiple dwelling.

**“hospital”** means a use of premises for medical or psychiatric care, treatment and residence of patients. The term includes any associated administrative offices, canteens, kitchens or the like on the same site.

**“hotel”** means a use of premises for the retail sale of liquor for consumption on the site. The term includes any associated sale of liquor for consumption off-site, short term accommodation, dining and function activities, entertainment facilities and a TAB agency on the same site.

**“indoor sport, recreation and entertainment”** means a use of premises for the playing of a game, recreation, instruction, athletics, sport and entertainment where these activities take place primarily in a building.

Examples – theatre, cinema, amusement centre, licensed and unlicensed club, sport and fitness centre, gym.

“industry – general” means a use of premises for an industrial activity which is not industry – high impact and industry – local service.

“industry – high impact” means a use of a premises for an industrial activity which:

- (a) involves the use, storage, handling or disposal of any radioactive substance or material; or
- (b) involves any of the activities listed in Schedule 3.1; or
- (c) involves the storage of a dangerous good exceeding the quantity set out in Schedule 3.2.

### Schedule 3.1 Industry – High Impact Activities

Activity		Capacity / Design Production Capacity
<b>Chemical, Coal and Petroleum Products Activities</b>		
1.	Alcohol distilling – commercially distilling alcohol in works.	exceeding 2,500 litres per year
2.	Chemical manufacturing, processing or mixing – manufacturing or processing an inorganic chemical, organic chemical or chemical product, or mixing inorganic chemicals, organic chemicals or chemical products (other than mixing non-combustible or non-flammable chemicals or chemical products by dilution with water), in a plant or works.	exceeding 200 tonnes per year
3.	Coke producing – producing, quenching, cutting, crushing or grading coke.	–
4.	Gas producing – commercially producing hydrocarbon gas by any method, including the reforming of hydrocarbon gas.	–
5.	Paint manufacturing (water based and solvent based).	exceeding 10,000 litres per year
6.	Crude oil or petroleum product storing – storing crude oil or a petroleum product in tanks or containers.	exceeding 500,000 litres
7.	Oil refining or processing – refining or processing crude oil or shale oil in works.	–
8.	Fuel gas refining or processing – refining or processing of fuel gas in works.	–
<b>Fabricated Metal Product Activities</b>		
9.	Abrasive blasting – commercially cleaning equipment or structures using a stream of abrasives.	–
10.	Metal surface coating – commercial spray painting (other than spray painting motor vehicles), powder coating, enamelling, electroplating, anodising or galvanising in works.	exceeding 10,000 tonnes throughput of metal products per year
<b>Food Processing</b>		
11.	Beverage production – commercially producing any alcoholic or non-alcoholic beverage in works.	exceeding 200,000 litres (non alcoholic) per year exceeding 400,000 litres (alcoholic) per year
12.	Edible oil processing – commercial vegetable oil or oilseed processing in works.	exceeding 1,000 tonnes per year
13.	Flour milling – commercial processing of grain crops by crushing, grinding, milling, separating or sizing in works.	exceeding 1,000 tonnes per year
14.	Meat processing – slaughtering animals for commercially producing meat or meat products for human consumption, or processing or packaging of meat or meat products for human consumption (other than a butcher shop).	–
15.	Milk processing – separating, evaporating or processing milk (other than on a farm) or manufacturing evaporated or condensed milk, cheese, butter, ice cream or other dairy product in works.	exceeding 200 tonnes per year
16.	Smoking, drying or curing works – smoking, drying or curing meat, fish or other edible products by applying heat, smoke or other dehydration method in works (other than a retail butcher shop or chicken outlet).	–
17.	Sugar milling or refining – crushing sugar cane or manufacturing sugar or sugar cane products from sugar cane (other than on a farm).	–
18.	Bottling or canning – bottling or canning food (other than a type of activity mentioned in items 11 to 17) in works.	exceeding 200 tonnes per year
<b>Metal Products Activities</b>		
19.	Metal foundry – commercially producing metal castings - using ferrous metals, non-permanent moulds and non-ferrous metals, or using permanent moulds and non-ferrous metals in works.	exceeding 20 tonnes per year
20.	Metal works – commercially smelting or processing ores or ore concentrates to produce metal in works.	exceeding 10 tonnes per year
21.	Mineral processing – commercially processing, classification, mixing or concentration of mineral ores to produce mineral concentrates in works.	exceeding 100 tonnes per year
<b>Miscellaneous Activities</b>		
22.	Battery manufacturing – manufacturing batteries of any kind.	–
23.	Crushing, milling or grinding – processing products including, for example,	exceeding 500 tonnes per year

Activity		Capacity / Design Production Capacity
	uncured rubber and chemicals, by crushing or grinding or milling in works (other than an extractive industry).	
24.	Pet, stock or aquaculture food manufacturing – commercially manufacturing or processing pet, stock or aquaculture food.	–
25.	Plaster manufacturing – manufacturing or processing plaster in works.	exceeding 200 tonnes per year
26.	Pulp or paper manufacturing - manufacturing pulp or paper in works.	exceeding 100 tonnes per year
27.	Rendering operation – commercially processing or extracting substances, including, for example, fat, tallow, derivatives of fat or tallow or proteinaceous matter, from animal wastes or by-products in works.	–
28.	Soil conditioner manufacturing – commercially manufacturing soil conditioners (other than spent mushroom growing substrate by a mushroom grower) by receiving and blending, storing, processing, drying or composting organic material or organic waste, including, for example, animal manures, sewage, septic sludges and domestic waste, in works.	exceeding 200 tonnes per year
29.	Tanning - commercially operating a tannery or works for curing animal skins or hides, or commercially finishing leather.	–
30.	Textile manufacturing – commercial carpet manufacturing, wool scouring or carbonising, cotton milling, or textile bleaching, dyeing or finishing.	–
31.	Tobacco processing – processing tobacco (other than drying tobacco on a tobacco farm) or manufacturing products from tobacco or a tobacco derivative.	–
32.	Tyre manufacturing or retreading.	–
<b>Non-Metallic Product Manufacture</b>		
33.	Asbestos products manufacturing – manufacturing an asbestos product.	–
34.	Asphalt manufacturing – manufacturing asphalt.	–
35.	Cement manufacturing –manufacturing cement.	–
36.	Clay or ceramic products manufacturing – manufacturing a clay or ceramic product, including bricks, tiles, pipes, pottery goods and refractories, in works.	exceeding 200 tonnes per year
37.	Concrete batching – producing concrete or a concrete product by mixing cement, sand, rock, aggregate or other similar materials in works.	exceeding 10 tonnes per year
38.	Glass or glass fibre manufacturing – manufacturing glass or glass fibre in works.	exceeding 100 tonnes per year
39.	Mineral wool or ceramic fibre manufacturing – manufacturing mineral wool or ceramic fibre.	–
<b>Sawmilling, Woodchipping and Treating Timber</b>		
40.	Sawmilling or woodchipping – sawing, cutting, chipping, compressing, milling or machining logs, drying logs in a kiln or manufacturing secondary wooden products, in a mill or works.	exceeding 500 tonnes per year
41.	Chemically treating timber – commercially treating timber for preservation using chemicals, including, for example, copper, chromium, arsenic, borax and creosote.	–
<b>Waste Management</b>		
42.	Battery recycling – operating a facility for receiving and recycling or reprocessing any kind of battery.	–
43.	Chemical or oil recycling – operating a facility for receiving and commercially recycling or reprocessing used chemicals, oils or solvents to produce saleable products.	–
44.	Drum reconditioning – operating a facility for receiving and commercially reconditioning metal or plastic drums.	–
45.	Tyre recycling – operating a facility for receiving and commercially recycling or reprocessing tyres (other than retreading tyres).	–

### Schedule 3.2 Dangerous Goods and Combustible Liquids

Type	Class	Quantity
Explosives	Class 1	25 kg/litres
Flammable Gases	Class 2.1	2,000 litres
Non-flammable/Non-toxic Gases	Class 2.2	20,000 litres
Oxidising Gases	Class 2.2 (Sub-risk 5)	2,000 litres
Poisonous Gases	Class 2.3	100 litres
Flammable Liquids (aboveground)	Class 3	
	Packaging Group I	20,000 litres
	Packaging Group II	50,000 litres
Combustible Liquids (aboveground)	Packaging Group III	100,000 litres
	CI/CII	500,000 litres

Type	Class	Quantity
Flammable Solids	Class 4.1 Packaging Group I Packaging Group II Packaging Group III	250 kg/litres 2,000 kg/litres 5,000 kg/litres
Substances Liable to Spontaneous Combustion	Class 4.2 Packaging Group I Packaging Group II Packaging Group III	125 kg/litres 1,000 kg/litres 2,500 kg/litres
Substances Which in Contact with Water Emit Flammable Gases	Class 4.3 Packaging Group I Packaging Group II Packaging Group III	250 kg/litres 2,000 kg/litres 5,000 kg/litres
Oxidising Agents	Class 5.1 Packaging Group I Packaging Group II Packaging Group III	1,250 kg/litres 10,000 kg/litres 25,000 kg/litres
Organic Peroxides	Class 5.2 Packaging Group I Packaging Group II Packaging Group III	125 kg/litres 1,000 kg/litres 2,500 kg/litres
Poisonous (Toxic) Substances	Class 6.1 Packaging Group I Packaging Group II Packaging Group III	250 kg/litres 2,000 kg/litres 5,000 kg/litres
Infectious Substances Corrosive Substances	Class 6.2 Class 8 Packaging Group I Packaging Group II Packaging Group III	1,000 kg/litres 1,250 kg/litres 10,000 kg/litres 25,000 kg/litres
Miscellaneous Dangerous Substances	Class 9	25,000 kg/litres

(Note: Schedule 3.2 adapted from Australian Code for the Transport of Dangerous Goods by Road and Rail).

“industry – local service” means a use of premises for an industrial activity which involves:

- the making of an item in Column 1 of Schedule 3.3; or
- the assembling (from components manufactured elsewhere) of an item in Column 2 of Schedule 3.3; or
- the repairing or servicing of an item in Columns 1,2 or 3 of Schedule 3.3; or
- the providing of a service in Column 4 of Schedule 3.3.

### Schedule 3.3 Industry – Local Service Activities

Column 1	Column 2	Column 3	Column 4
<ol style="list-style-type: none"> <li>Dental goods.</li> <li>Fashion accessories (including clothing, garments and footwear).</li> <li>Flags, pennants and trophies.</li> <li>Jewellery.</li> <li>Millinery.</li> <li>Optical goods (spectacles or the like).</li> <li>Rubber stamps.</li> <li>Soft furnishings.</li> <li>Toys.</li> </ol>	<ol style="list-style-type: none"> <li>Aids and appliances for the disabled.</li> <li>Audio-visual equipment (including televisions and video equipment).</li> <li>Bicycles (non motorised)</li> <li>Blinds.</li> <li>Cameras and other portable photographic equipment.</li> <li>Domestic lighting, fittings and accessories (where portable).</li> <li>Electrical appliances (portable domestic).</li> <li>Jewellery, watches and clocks.</li> <li>Locks.</li> <li>Musical instruments.</li> <li>Optical goods (spectacles and the like).</li> <li>Office machinery and equipment (where</li> </ol>	<ol style="list-style-type: none"> <li>Canvas goods, tents and camping soft goods.</li> <li>Drawing and writing instruments.</li> <li>Leather goods.</li> <li>Power tools and other tools.</li> </ol>	<ol style="list-style-type: none"> <li>Document duplicating/ copying and plan printing (including photocopying).</li> <li>Dry cleaning.</li> <li>Engraving (by hand).</li> <li>Laboratory facilities.</li> <li>Laundromat.</li> <li>Locksmith services.</li> <li>Photographic film processing and plate-making, etching and like processes.</li> <li>Sign writing.</li> <li>Picture framing.</li> <li>Restoration of works of art and small articles of a personal or domestic nature other than furniture.</li> </ol>

Column 1	Column 2	Column 3	Column 4
	portable). 13. Power tools. 14. Scientific instruments. 15. Sewing machines. 16. Sports equipment (other than ammunition, vehicles and water craft). 17. Toys. 18. Umbrellas.		

**“landscape supplies”** means a use of premises for the sale or distribution of gardening and landscaping materials such as sand, soil, screenings and the like where such material is stored on the site for sale or distribution in quantities exceeding 1m<sup>3</sup>. The term includes any associated display and sale of garden and landscape supplies such as seeds, plants, pots, garden tools and equipment, garden furniture and ornaments, and goods for the cultivation and propagation of plants, or the like, on the same site.

**“local utility”** means a use of premises for:

- (a) any undertaking by the Council or other public sector entity for:
  - (i) the reticulation or conveyance of water, sewerage and stormwater drainage; or
  - (ii) the provision of civic services such as libraries, tourist information facilities, Council controlled emergency services and the like; or
  - (iii) the provision or maintenance of roads and traffic controls; or
  - (iv) a public purpose carried out by the Council pursuant to the *Local Government Act 1993*; or
- (b) the reticulation of power (including electricity or gas); or
- (c) activities and associated facilities that support the effective functioning of public transport services including railway, road and water transport; or
- (d) activities and associated facilities that support the effective management of a State Forest, National Park or Conservation Park; or
- (e) the provision of postal or telecommunication services, but does not include a telecommunication tower.

**“major utility”** means a use of premises for:

- (a) the generation of power (including electricity or gas); or
- (b) the storage or treatment of water, sewerage or refuse; or
- (c) any other Council, State or Federal Government purpose which is not a defined use.

**“marina”** means a use of premises for the launching, landing, berthing and storage of boats on or adjacent to the water. The term includes any associated facilities for the fuelling, servicing and maintenance of boats and marine accessories, the parking of motor vehicles and trailers, facilities for recreation and amenity, offices, chandlery, provision shop and caretaker’s residence on the same site.

**“market”** means a use of premises comprising a series of individual stalls, booths or the like for the sale of goods, including works of art or craft, artefacts, secondhand or new general merchandise, and home or farm produced products. The term includes any associated dining and other amenities on the same site.

**“medical centre”** means a use of premises for the medical care or treatment of a person not resident on the site.

*Examples – medical and dental surgery, pathology lab, physiotherapy clinic, naturopath or alternative therapies clinic, chiropractic clinic, psychological counselling room.*

**“motel”** means a use of premises for residential accommodation in serviced rooms which are primarily for the travelling public. The term includes any associated function room, restaurant and caretaker’s residence on the site.

**“multiple dwelling”** means a use of premises for residential accommodation comprising an integrated development of more than two dwelling units on a site. The term includes a home office in one or more of the dwelling units.

**“native forest harvesting”** means the use of premises for the sustainable management, silviculture and selective harvesting of trees and other forest products (such as flowers, foliage, seeds, fallen branches and bushfoods) in an existing native forest or naturally occurring regrowth, for the purposes of producing and extracting timber products. This term:

- (a) includes the initial processing of trees growing upon the premises to produce products such as pulp, poles, posts and sawlogs;
- (b) includes the servicing or maintenance of machinery associated with the use; and
- (c) does not include:
  - (i) secondary processing such as portable sawmilling, kiln drying, chemical treatment or oil extraction techniques; and
  - (ii) the sustainable management, silviculture and selective harvesting of naturally occurring regrowth on premises which have previously been harvested as part of plantation forestry.

**“nightclub”** means a use of premises for listening or dancing to live or recorded music by the public, predominantly during night hours. The term includes the sale of alcohol and food for consumption on the premises.

**“office”** means a use of premises for an administrative, clerical, technical, professional or other business purpose where the principal activity provides:

- (a) business or professional advice and services; or
- (b) services or goods that are not physically on the premises; or
- (c) the office based administrative functions of an organisation.

**“outdoor sales or hire yard”** means a use of premises primarily outdoors, for the display and sale (including hire) of goods such as motor vehicles, machinery, boats, trailers, caravans, builders’ equipment and the like. The term includes:

- (a) any associated routine servicing of any of the goods sold or hired on the same site; and
- (b) any associated sale or hire of portable tools, machinery or equipment on the same site.

**“outdoor sport, recreation and entertainment”** means a use of premises on a commercial basis for the playing of a game, recreation, instruction, athletics, sport and entertainment where these activities take place primarily outdoors. The term also includes the provision of a clubhouse and other associated facilities on the same site.

*Examples – sporting field, athletics track, race track, public swimming pool, golf course and driving range.*

**“park”** means a use of premises for free recreation and enjoyment by the public which is used infrequently for events. The term includes the provision of facilities for park users such as kiosks, shelters, play equipment, car parking areas, public conveniences and the like on the same site.

*Examples – playing field, playground or ornamental garden.*

**“place of worship”** means a use of premises for religious activities of a religious organisation, community or association.

*Examples – church, chapel, synagogue, temple.*

**“restaurant”** means a use of premises for providing meals or refreshments on a regular basis to the public for consumption on or off the site. The term includes outdoor dining which may or may not be located on an adjacent footpath within the road reserve.

*Examples – restaurant, café, milk bar, coffee shop, tea room, take away shop, drive through food outlet and fast food outlet.*

**“retirement community”** means a use of premises for residential accommodation comprising dwelling units or nursing home facilities which is:

- (a) of an integrated design and layout;
- (b) primarily for elderly or retired persons; and
- (c) centrally managed.

The term includes a caretaker’s residence, administration facility and maintenance facilities.

**“rural holiday accommodation”** means a use of premises for temporary holiday accommodation in a rural setting. The term includes any associated administration office or caretaker’s residence on the same site.

*Examples – farm stays, host farms and holiday cabins.*

**“rural produce stall”** means a use of premises for the display and sale of produce from a rural use carried out on the same site where the maximum floor area of the premises does not exceed 25m<sup>2</sup>.

**“rural service industry”** means a use of premises for the treating and processing of primary products from a rural use other than as an associated activity with another rural use on the same site. The term includes the preparing, packaging and handling of the primary products for transport from the premises.

**“salvage yard”** means a use of premises for the collection, storage, salvaging, abandonment, dismantling or sale of scrap metal, scrap timber, other scrap material, scrap goods, motor vehicles, machinery and the like.

**“service station”** means a use of premises primarily for refuelling motor vehicles. The term includes any associated:

- (a) retail sale to the public of motoring requirements such as fuels, lubricants, oils, greases, batteries, tyres, spare parts, auto accessories, convenience shopping items and fast food on the same site;
- (b) maintenance, service and repair of motor vehicles on the same site;
- (c) hire of a limited range of motor vehicles and trailers on the same site; and
- (d) cleaning of motor vehicles, including facilities provided to the public to clean their own vehicles on the same site.

**“shop”** means a use of premises for the display and sale (including hire) of goods to the public. The term includes:

- (a) a hairdressing salon, barber shop, video library, bottle shop, TAB agency, real estate agency, bank, credit union, retail bakery and hot bread shop and internet café; and
- (b) premises having a gross floor area not exceeding 300m<sup>2</sup> that would otherwise be defined as a showroom.

**“shopping complex”** means a use of premises, comprising one or more buildings in the form of an integrated development, having a gross floor area exceeding 1,000m<sup>2</sup>, primarily for a shop and any one or more of the following:

- (a) art and craft centre;
- (b) garden centre;

- (c) hotel;
- (d) indoor sport, recreation and entertainment;
- (e) industry – local service;
- (f) medical centre or veterinary surgery;
- (g) office;
- (h) restaurant;
- (i) service station; and
- (j) vehicle repair centre (where not involving panel beating or spray painting).

**“showroom”** means a use of premises primarily indoors, having a gross floor area exceeding 300m<sup>2</sup>, for the display and sale (including hire) of goods (other than food and general clothing items) that are primarily of a bulky nature, such as agricultural equipment, boats, hardware, electrical appliances, bulk stationery supplies, computer goods, caravans, furniture, floor coverings, sporting equipment and apparel, motor vehicles, motor accessories and the like. The term includes any associated sale of spare parts for goods and the carrying out of repairs, servicing and detailing of goods on the same site.

**“stable”** means a use of premises for the housing of horses for racing or other commercial purpose.

**“storage yard”** means a use of premises for:

- (a) a builder’s yard, a construction or earthmoving contractor’s yard or the like;
- (b) a container depot; or
- (c) the storage of goods (other than storage which is associated with a defined use) primarily in the open or in a structure not being a building.

**“telecommunication tower”** means a use of premises for:

- (a) freestanding poles, towers and associated antennae; or
- (b) telecommunication equipment cabinets having a base area exceeding 5m<sup>2</sup> or otherwise exceeding 2.5 metres in height.

**“vehicle depot”** means a use of premises for a commercial or public purpose, for the overnight or longer storage, of more than one motor vehicle including taxis, buses, trucks and the like. The term includes the servicing or maintenance of vehicles that are stored on the site.

**“vehicle repair centre”** means a use of premises for the commercial purpose of servicing, repairing or maintaining motor vehicles, motor vehicle equipment, agricultural machinery, inboard and outboard marine engines and the like. The term includes any associated engine tuning and reconditioning, radiator repairs, tyre fitting, panel beating and spray painting on the same site.

**“veterinary surgery”** means a use of premises for the veterinary care, surgery and treatment of sick or injured animals.

**“warehouse”** means a use of premises for the storage of goods, merchandise or materials in a building (other than storage which is associated with a defined use on the same site). The term includes a self storage facility.

### 3.1.1 Classes of Use Definitions

- (1) The classes of use definitions specified in Figures 3.1 to 3.5 include the uses specified in the respective use class.

Figure 3.1 Residential Use Class

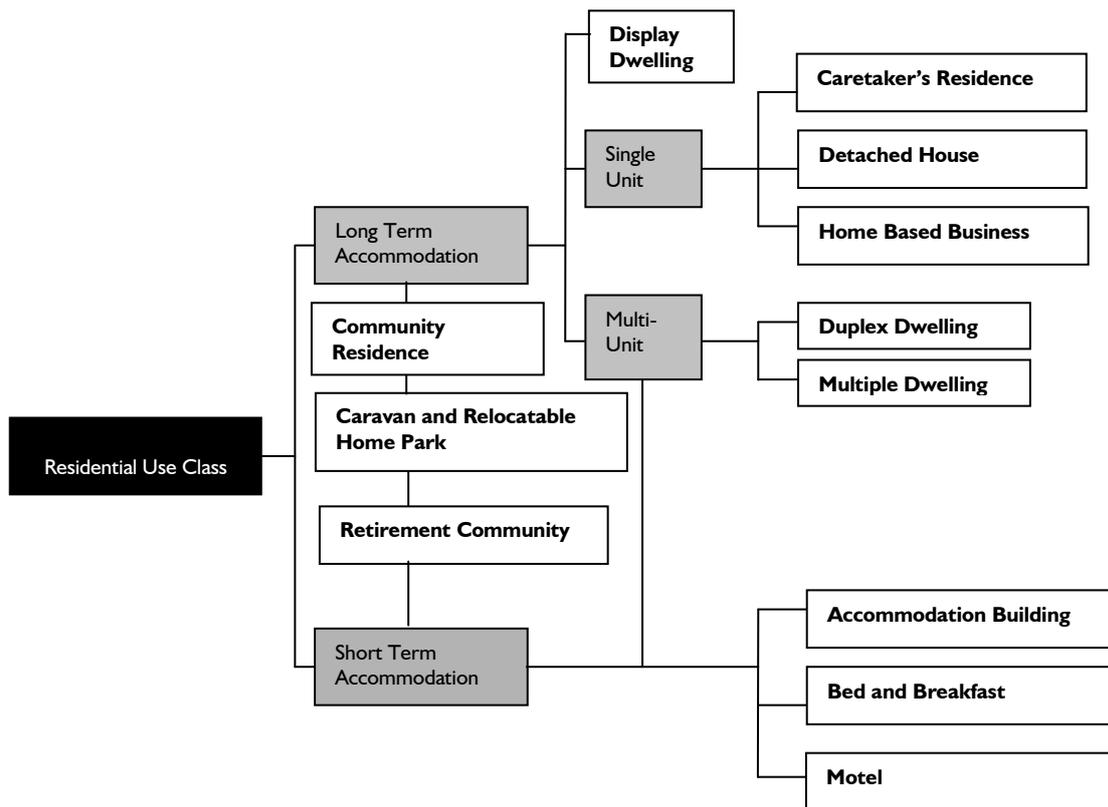


Figure 3.2 Business and Commercial Use Class

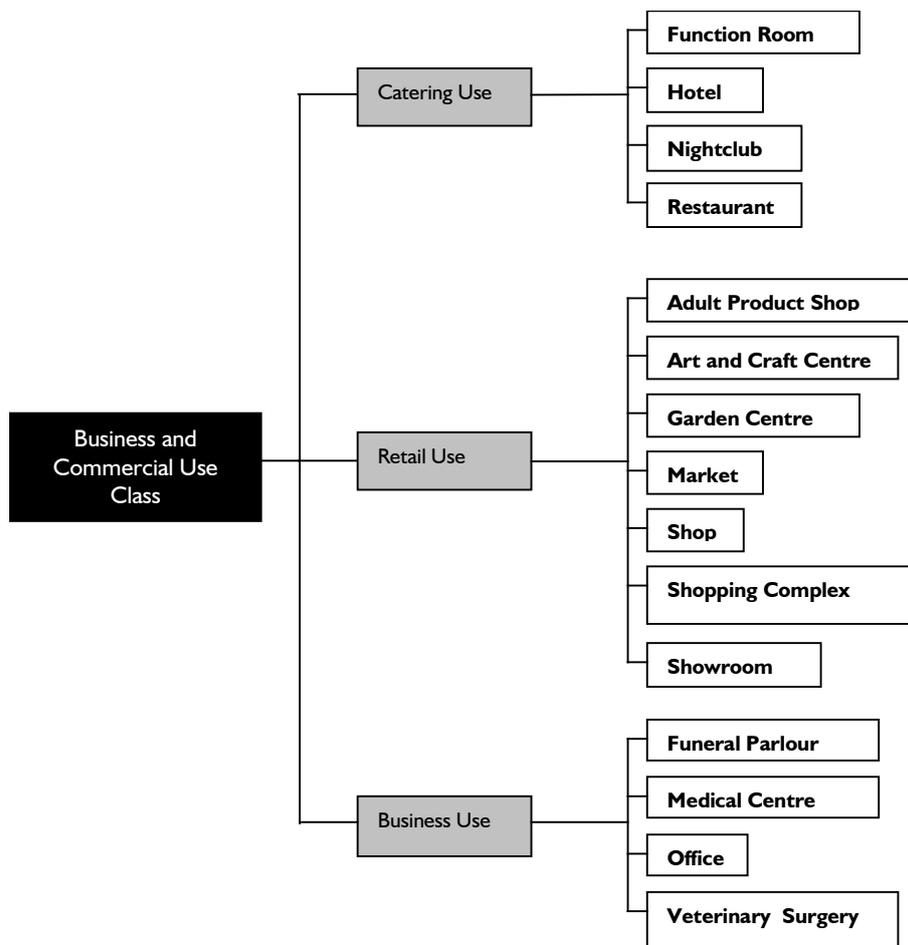
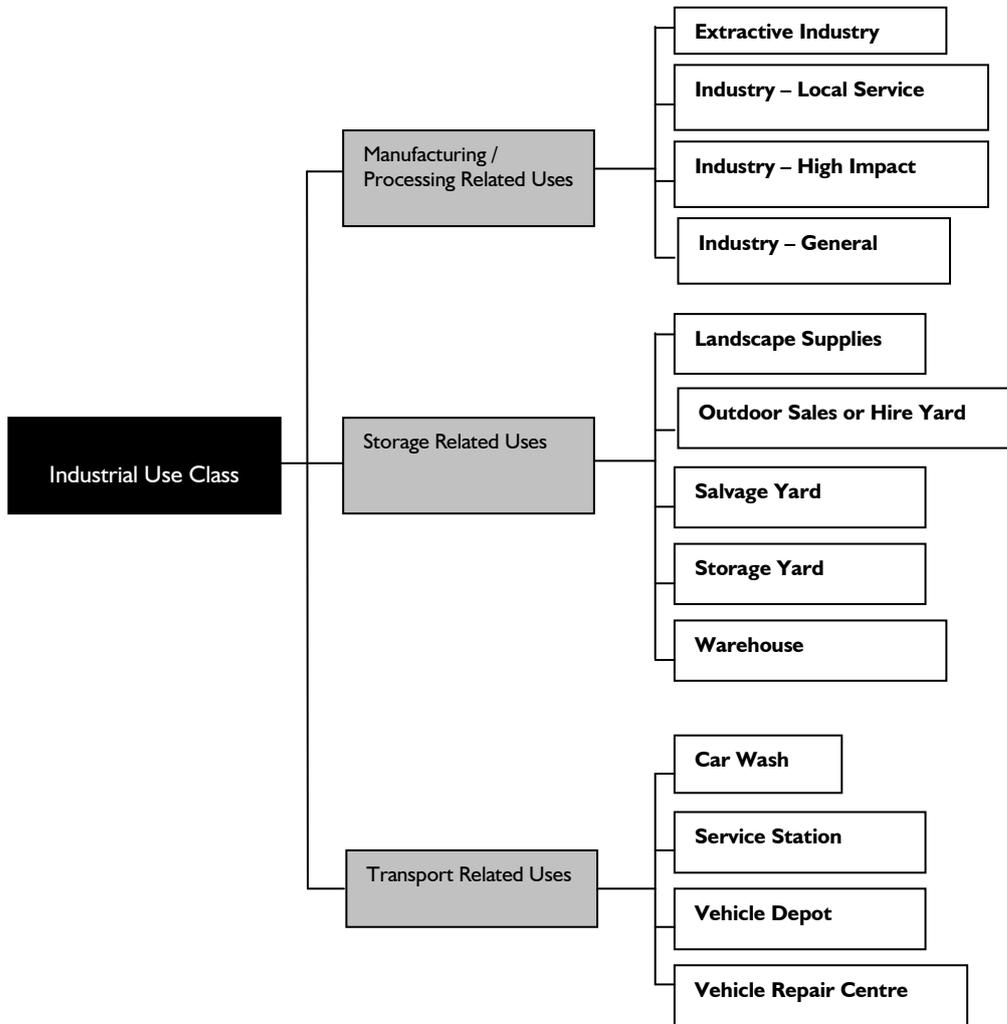


Figure 3.3 Industrial Use Class



**Figure 3.4 Rural Use Class**

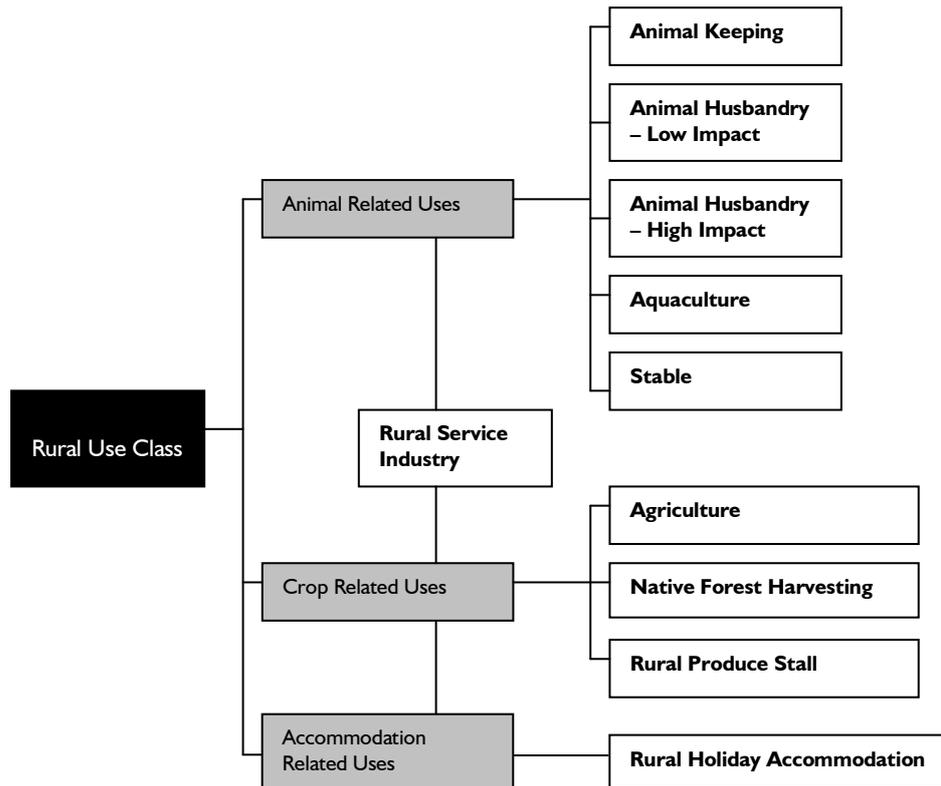
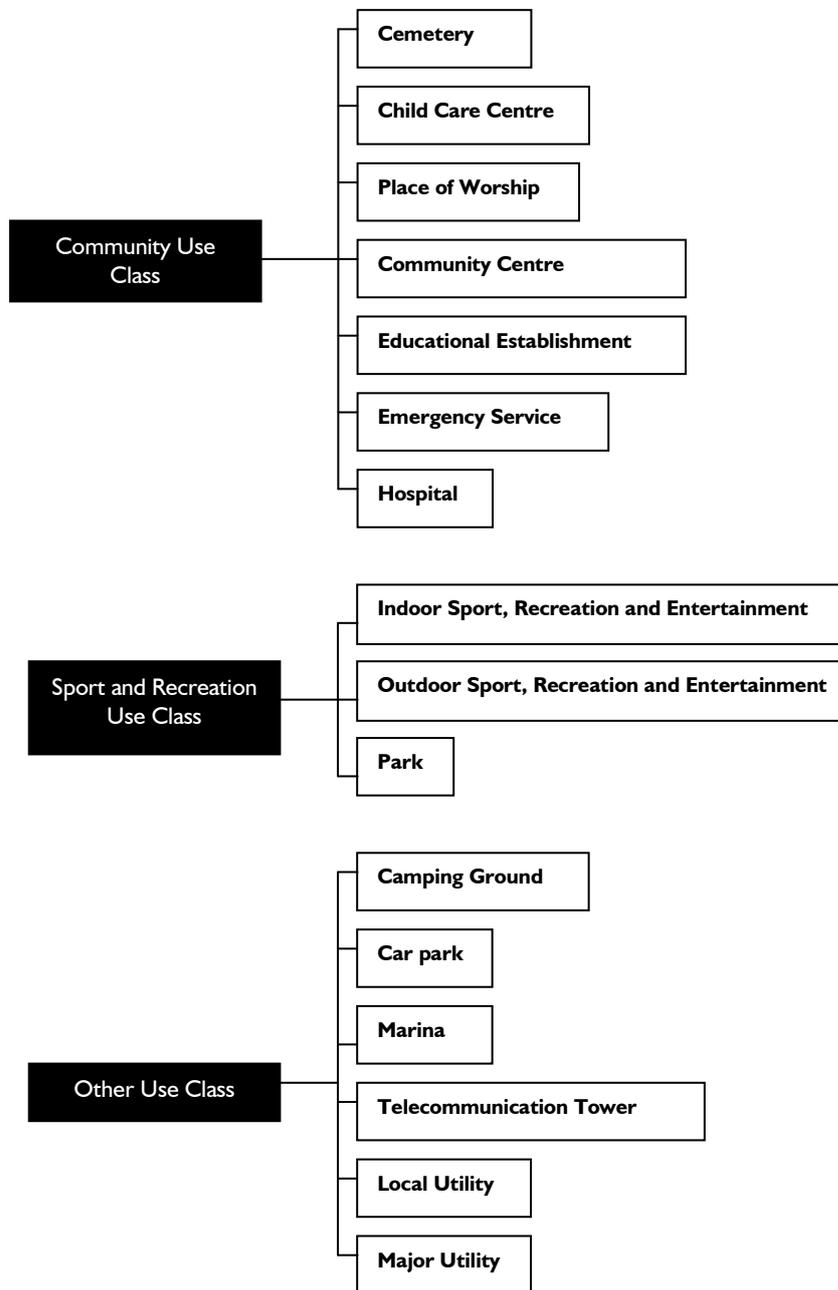


Figure 3.5 Community, Sport and Recreation, and Other Use Classes



## 3.3 Other Development and Administrative Definitions

### 3.3.1 Other Development Definitions

**“advertising device”** means any device, structure or sign:

- (a) identified in the Advertising Devices Code; or
- (b) intended for advertising purposes which is visible from a road (including any framework or supporting structure which is provided exclusively or mainly as part of the advertising device).

**“department store”** means a single self contained retailing outlet offering a wide variety of goods and associated services generally of a non-food nature (as distinguished from fast service checkout facilities normally associated with a discount department store [*Examples – Big W, Target, KMart*] or supermarket [*Examples – Woolworths, Coles, Action, Bi-Lo, Aldi*]).

*Examples – David Jones, Grace Brothers, Myer.*

**“minor building work”** means either:

*for a community residence or detached house –*

- (a) building work to which the provisions of the *Building Act 1975* do not apply, or
- (b) building work which results in an increase in gross floor area of an existing premises by no more than 50m<sup>2</sup>.

*for any other use –*

- (a) building work to which the provisions of the *Standard Building Regulation 1993* do not apply, or
- (b) building work which results in an increase in gross floor area of an existing premises by no more than the lesser of 50m<sup>2</sup> or 10% of the existing gross floor area.

**“minor operational work”** means operational work:

- (a) associated with a community residence or detached house, including any driveway, kerb crossover, internal path or outbuildings; or
- (b) involving filling or excavation of no more than 20m<sup>3</sup> of material.

### 3.3.2 Administrative Definitions

**“acceptable solution”** means the criterion specified as an acceptable solution in a code.

**“access”** means the practical means of ingress or egress for persons and vehicles onto a lot from a constructed road which abuts the lot.

**“Act”** means the *Integrated Planning Act 1997*.

**“active street frontage”** means that part of a building which:

- (a) fronts a road;
- (b) has windows and door openings to that road or public place; and
- (c) is used for an art and craft centre, garden centre, hotel, restaurant, shop or shopping complex.

**“applicable infrastructure charging instrument”** means a planning instrument or Council resolution specifying a charge for the supply of trunk infrastructure.

**“associated”** means an activity which is:

- (a) allied to the main activity on the same site;
- (b) compatible with the main activity on the same site; and

(c) subordinate to the main activity on the same site.

“**BCA**” means the *Building Code of Australia 1996*.

“**biodiversity**” means biological diversity including the “variety of all life forms” – the different plants, animals, fungi, seaweed and all micro-organisms, the genes they contain and the ecosystem they form.

“**building height**” means the height above ground level measured vertically to the top of the building at all points on the site over which the building is to be erected. The measurement shall include rooftop structures and projections such as architectural features, lift shafts and motor rooms, air conditioning and other mechanical plant, satellite dishes and advertising devices other than any non-load bearing aerial or antenna attached to a building and plumbing ventilation pipes.

“**business and commercial use class**” means a defined use being adult product shop, art and craft centre, function room, funeral parlour, garden centre, hotel, market, medical centre, nightclub, office, restaurant, shop, shopping complex, showroom and veterinary surgery (refer [Figure 3.2 – Business and Commercial Use Class](#)).

“**business centre precinct class**” means a precinct being the Regional Business Centre Precinct, District Business Centre Precinct, Specialist Retail Area Precinct or Local Business Centre Precinct.

“**Caloundra City’s Habitat Network**” means land included in one or more of the following categories on [Map 7.7 \(Habitat Areas\)](#) or [Map 7.8 \(Habitat Corridors and Links\)](#) of Section 7.10 (Habitat and Biodiversity Code):

- (a) vegetation; or
- (b) core habitat areas; or
- (c) broad mosaic areas; or
- (d) major corridors; or
- (e) environmental link; or
- (f) special remnant vegetation.

“**commencement day**” means the day notified in the Gazette as the commencement day for the Planning Scheme.

“**community precinct class**” means the Community Purpose Precinct.

“**community use class**” means a defined use being cemetery, child care centre, place of worship, community centre, educational establishment, emergency service and hospital (refer [Figure 3.5 – Community, Sport and Recreation and Other Use Classes](#)).

“**contaminant**” has the meaning given in the *Environmental Protection Act 1994*.

“**Council**” means the Council of the City of Caloundra.

“**dwelling unit**” means any building or part of a building comprising a self contained unit designed, adapted or used for the exclusive use of one household.

“**emerging community precinct class**” means the Emerging Community Precinct.

“**environmental flow objective**” has the meaning given in the *Water Act 2000*.

“**environmental harm**” has the meaning given in the *Environmental Protection Act 1994*.

“**environmental nuisance**” has the meaning given in the *Environmental Protection Act 1994*.

**"frontage"** means any boundary line, or part thereof, of a lot which coincides with the alignment of a road.

**"gross floor area (GFA)"** means the sum of floor areas (inclusive of all walls, columns and balconies, whether roofed or not) of all storeys of all buildings located on a site, excluding the area:

- (a) used for building services (including lift shafts, fire isolated stairs, refuse chutes and mechanical or emergency plant rooms);
- (b) used for a ground floor public lobby;
- (c) used for a public mall in a shopping complex;
- (d) at or below ground level, or below a constructed roof level not greater than one metre above ground level (measured to the underside of the slab), associated with the parking, loading and manoeuvring of motor vehicles;
- (e) used for a private unenclosed balcony;
- (f) used for an accessible open deck;
- (g) used for an unenclosed area not greater than 2.5 metres in width over which the building cantilevers; and
- (h) used for a public toilet.

**"ground level"** means in the case of a site where:

- (a) the level of the site has not been altered, the level of the site; or
- (b) the level of the site has been lawfully altered, the as-constructed finished surface level of the site; or
- (c) the level of the site has been unlawfully altered, the level of the site as if the site had not been unlawfully altered.

**"ground storey"** means the storey which has its floor level closest to the ground level at the time when construction of the building was completed (measured at the middle of the front wall of the building).

**"habitable room"** has the meaning given in the *Building Code of Australia 1996*.

**"habitat"** means the natural home or environment of a biological species. A habitat may be general, i.e. air, water, land, vegetation, the Regional Landscape or rocks or soil, or specific, i.e. a Regional Ecosystem type or a waterway or wetland, or krasnozem soil.

**"home office"** means any part of a dwelling unit used for office activities conducted in association with a Detached House, Duplex Dwelling or Multiple Dwellings. The term does not include a Home-based Business as defined in section 3.2.1 (Use Definitions).

**"industrial use class"** means a defined use being car wash, extractive industry, industry – general, industry – high impact, industry – local service, landscape supplies, outdoor sales or hire yard, salvage yard, service station, storage yard, vehicle depot, vehicle repair centre and warehouse (refer [Figure 3.3 – Industrial Use Class](#)).

**"industry precinct class"** means a precinct being the Core Industry Precinct or Low Impact Industry Precinct.

**"landscaping"** means the treatment of premises for the purpose of protecting or enhancing the environmental values, appearance, comfort and use of public or communal land including:

- (a) the planting of trees, shrubs or grass, together with the provision of any irrigation works;
- (b) the laying out of lawns, gardens, hedges, courtyards and similar open or semi-open spaces;
- (c) the formation of banks, terraces, lakes and gardens;
- (d) the provision of paving or edging for decorative or aesthetic purposes;
- (e) the erection of screen or decorative fences and walls, pergolas, trellises and similar outdoor structures;
- (f) the installation of lighting, interpretive signage, fountains, pools and outdoor furniture;

- (g) the placement of statues, sculptures and other art for decorative purposes; and
- (h) the use of existing vegetation, water-bodies, landforms and decorative structures.

**“local government road”** means:

Amended 23 December 2009

- (a) a road under the *Local Government Act 1993*; and
- (b) a mall, square, court or other public place under the Council’s control which is specified in a planning scheme policy to be a local government road.

**“not-for-profit organisation”** means a bona fide non-profit, volunteer, charitable, community, sporting or religious organisation which is registered with the Australian Tax Office (ATO) as a charitable/non-profit organisation or with the Office of Fair Trading under either the *Associations Incorporation Act* or *Collections Act*.

**“open space precinct class”** means a precinct being the Open Space – Conservation and Waterways Precinct, Open Space – Park and Reserve Precinct or Open Space – Sport and Recreation Precinct.

**“other use class”** means a defined use being camping ground, car park, local utility, major utility, marina and telecommunication tower (refer [Figure 3.5 – Community, Sport and Recreation and Other Use Classes](#)).

**“plan of development”** means:

- (a) any plan (including any map, diagram, section, detail, schedule and drawing shown, endorsed on or attached to the plan which may limit, condition or otherwise describe the development) referred to in a development approval, which shows the development approved on the site; and
- (b) any plan approved by the Governor in Council or the Council as part of the amendment of the Superseded Planning Scheme or other Planning Scheme that was in force in the local government area of the Council and its predecessors.

**“planning scheme map”** means a map forming part of the Planning Scheme including any map contained in a Structure Plan that may otherwise be referred to as a structure plan map.

**“plot ratio”** means the ratio of the gross floor area of all buildings on a site to the total area of the site.

**“principal street”** means the street that serves as the principal thoroughfare for traffic.

**“Priority Infrastructure Plan”** or **“PIP”** means the *Priority Infrastructure Plan* contained in Part 10 of the Planning Scheme.

**“probable solution”** means a criterion that provides a guide for achieving a specific outcome in whole or in part, but does not establish compliance with a code.

**“QRDG”** means the document titled *Queensland Residential Design Guidelines*.

**“QUDM”** means the document titled *Queensland Urban Drainage Manual*.

**“Queensland Streets”** means the document titled *Queensland Streets: Design Guidelines for Subdivisional Streets*.

**“residential precinct class”** means a precinct being the Mixed Use Residential Precinct, Multi Unit Residential Precinct, Low Density Residential Precinct or Township Residential Precinct.

**“residential use class”** means a defined use being accommodation building, bed and breakfast, caravan and relocatable home park, caretaker’s residence, community residence, detached house,

display dwelling, duplex dwelling, home based business, motel, multiple dwelling and retirement community (refer [Figure 3.1 – Residential Use Class](#)).

**“road”** means a local government road or a State-controlled road.

**“rural planning area”** means a planning area being the Maleny Plateau Planning Area, Mary River – Conondale Planning Area, Mooloolah Valley Planning Area, Pumicestone Planning Area or Stanley River – Peachester Planning Area.

**“rural precinct class”** means a precinct being the Rural Precinct or Rural Residential Settlement Precinct.

**“rural use class”** means a defined use being agriculture, animal husbandry – high impact, animal husbandry – low impact, animal keeping, aquaculture, native forest harvesting, rural holiday accommodation, rural produce stall, rural service industry and stable (refer [Figure 3.4 – Rural Use Class](#)).

**“SBR alternative provision”** means a provision identified or stated in this Planning Scheme to be an alternative to a provision of Part 11 or Part 12 of the Queensland Development Code.

**“setback”** means the distance between the boundary of a lot and the outermost projection (excluding any roof overhang or sunhood) of a building or other structure.

**“significant vegetation”** means vegetation supporting an ecosystem of local, regional or state significance as defined by application of the Common Conservation Classification System. The term includes vegetation identified on a Planning Area Overlay Map as being subject to the Habitat and Biodiversity Overlay.

**“site”** means land over which development is to be carried out (including the whole or part of one lot or more than one lot where each of those lots is contiguous with the other or another).

**“site cover”** means the proportion of the area of the site covered by buildings compared to the total area of the site. The proportion shall be determined by projecting onto a horizontal plane the outer limits of the building, other than:

- (a) any gazebo or similar structure included in a landscaped open space area;
- (b) any roof overhang or sunhood; and
- (c) that part of a private, unenclosed balcony to a depth of 3 metres which has transparent or open vertical balustrading.

**“site density”** means the number of dwelling units per square metre or per hectare of the site.

**“specific outcome”** means a statement specified as a specific outcome in a code.

**“sport and recreation use class”** means a defined use being indoor sport, recreation and entertainment, outdoor sport, recreation and entertainment and park (refer [Figure 3.5 – Community, Sport and Recreation and Other Use Classes](#)).

**“standard cattle unit”** has the meaning given in the *Environmental Protection Regulation 1998*.

**“standard pig unit”** has the meaning given in the *Environmental Protection Regulation 1998*.

**“State-controlled road”** means a State-controlled road under the *Transport Infrastructure Act 1994*.

**“storey”** means a vertical dimension within a building which is situated between one floor level and the floor level next above it, or if there is no floor above it, the ceiling or roof above. The term includes a space for the storage of goods or for the accommodation of vehicles.

**“total use area”** means the area comprising the total gross floor area of all buildings on the site and any other part of the site which is to be developed.

**“waste”** has the meaning given in the *Environmental Protection Act 1994* and includes those matters specified in a planning scheme policy.

**“watercourse”** has the meaning given in the *Water Act 2000*.

**“waterway”** means any element of a watercourse (including the bed and banks). The term includes waterways identified on a Planning Area Overlay Map as being subject to the Natural Waterways and Wetlands Overlay.

**“wetland”** means an area of permanent, periodic or intermittent inundation whether natural or artificial, static or slow flowing and fresh, brackish or saline (including areas of marine water the depth of which at low tide does not exceed 6 metres). The term includes:

- (a) a wetland identified on a Planning Area Overlay Map as being subject to the Natural Waterways and Wetlands Overlay; and
- (b) artificial wetlands created by human endeavour, whether directly or indirectly, such as stormwater quality improvement devices, old sand extraction devices and detention basins.