

3.0 ASSESSMENT PROCESSES

3.1 INTRODUCTION TO ASSESSMENT PROCESSES

This chapter outlines the assessment processes for the Rockhampton City Plan, including what land and what development is regulated by this planning scheme; a description of the level of assessment tables and how they work, including how development is categorised; what constitutes development; what type of application is required; how development will be assessed by Council; and lastly, how uses are defined in this planning scheme.

The assessment processes for applications are part of the *Integrated Planning Act 1997*. This planning scheme, the Rockhampton City Plan, regulates development to achieve the Desired Environmental Outcomes as set out in Chapter 2 - The Strategic Framework.

3.2 LAND REGULATED BY CITY PLAN

This planning scheme (City Plan) applies to the whole of the former Rockhampton City's Local Government area.

Roads and waterways are also subject to the provisions of this planning scheme. For the purposes of regulating development, they are to be taken to be included in the same land use Area as the adjoining land. Where land on the opposite side of a road or waterway is included in a different Area/s each Area is to be taken to extend to the mid point of the road or waterway.

In assessing any development proposal in or near roads or waterways in the City, it is intended that the safe and efficient operation of Rockhampton's transport infrastructure and the integrity of Rockhampton's waterways is protected.

3.3 DEVELOPMENT REGULATED BY CITY PLAN

Under the *Integrated Planning Act 1997*, all development is 'exempt' unless it is self assessable or assessable development. Schedules 8 and 9 of the Act identifies development that for the purposes of the Act, is:

- Exempt (and not able to be made assessable under the planning scheme);
- Self assessable (and not able to be made assessable under the planning scheme); or
- Assessable (subject to code assessment or impact assessment).

In addition to the Act, this planning scheme also identifies development that is:

- Exempt;
- Self assessable; or



ROCKHAMPTON CITY PLAN

PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

- Assessable (subject to code assessment or impact assessment).

Development which is self-assessable or exempt under the planning scheme will still be assessable if Schedule 8 of the Act makes it assessable.

Therefore, to determine whether an application must be made to carry out development, both Schedule 8 of the Act and the planning scheme must be considered. Exempt development under this planning scheme is outlined below. Development, which is self assessable or assessable development under this planning scheme, is outlined in the Level of Assessment Tables for each Area or Precinct in Chapter 4.

3.3.1 Exempt Development¹

Development identified as being exempt development, **does not** require an application under this planning scheme and is **not** required to comply with the codes and other standards in this planning scheme. Schedule 9 of the Act identifies exempt development that may not be made assessable or self assessable by the Planning Scheme.

Development may also become exempt development if it is designated as Community Infrastructure in accordance with the Act (to the extent that the development would otherwise be self assessable development or assessable development under this Planning Scheme). Designated Community Infrastructure sites are identified on the maps attached to each Planning Area within Chapter 4.

Other legislation may also make some forms or types of development exempt development. For example, the Commonwealth Telecommunications Act 1997 exempts certain telecommunications facilities from State planning legislation. These facilities are described in the Commonwealth Telecommunications Act 1997, the Telecommunications (Low-Impact Facilities) Determination 1997, and the Telecommunications Code of Practice 1997.

For the purposes of this City Plan, despite anything to the contrary in this document, the following is also exempt development:

- Plumbing and drainage work;
- Building work where not mentioned in a Level of Assessment Table or where not a necessary consideration as a part of a Material Change of Use (and therefore requiring only code assessment against Standard Building Regulation);
- Any development required to be carried out by a lawful order or instruction issued under any Act;
- Temporary buildings associated with a material change of use, building works or operational works;

¹ While certain development may be exempt under this planning scheme, authorisation for the development may still be required from departments of the State Government either as owners of the land or because of separate approvals that may be required. Examples include tree clearing or development within the bed and banks of a watercourse. In most cases, separate approvals are obtained under the IDAS process, but with the relevant State department, rather than the Council, as assessment manager.

ROCKHAMPTON CITY PLAN

PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

- Building work for the restoration to its original condition of any building that has been accidentally damaged or destroyed;
- At a public facility that is an undertaking for the supply of water, hydraulic power, electricity or gas existing at the date that this planning scheme commenced, any development required for the purpose of that undertaking by way of:
 - (i) Development of any description at or below the surface of the ground (not above);
 - (ii) The installation of any plant inside a building or the installation or erection within the premises of a generating station of any plant or other structures required in connection with the station;
 - (iii) The Transmission Grid as defined in the *Electricity Act 1994* (Including the installation or erection in an electrical transmission line of substations, feeder pillars, pole transformers and associated electrical equipment or transformer housing) when located within a transmission entity corridor or on a transmission entity site as shown on Planning Scheme Map 7 – Infrastructure Map;
 - (iv) The Supply Network as defined in the *Electricity Act 1994* when located within a transmission entity corridor or on a transmission entity site as shown on Map Planning Scheme Map 7 – Infrastructure Map;
 - (v) The placing of pipes above the surface of the ground for the supply of water or gas, the installation in a water distribution system of booster stations and meter or switchgear houses;
 - (vi) Power generation plant where burning less than 100kg of fuel an hour; and
- Any other development for a public facility not specifically referred to above, except where it involves:
 - (i) The erection of new buildings or structures or the reconstruction or alteration of an existing building or structure that would materially affect the design or external appearance of the building or structure; or
 - (ii) Any of the following:
 - (1) A waste handling, treatment or disposal facility (except excavation or filling carried out at a premises where it was lawfully established prior to the commencement of this Planning Scheme, and in accordance with any conditions of a development approval); or
 - (2) Sewerage treatment works; or
 - (3) Any form of penal establishment
- Erecting no more than one satellite dish on a premises, where the satellite dish has no dimension greater than:
 - 1.2 metres in a residential Area, a residential consolidation Area, or a residential precinct in a non-residential Area; and
 - 1.8 metres in any other Area
- Reconfiguring a Lot for road widening and truncations required as a condition of development approval;
- Filling of topsoil to a depth of less than 100mm above natural ground level in any location where the Flood Prone Land Code applies;
- The use of land identified in an Area Map as being Public Open Space for the purposes of a Park;
- Any Advertising Sign that is:



ROCKHAMPTON CITY PLAN

PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

- (i) A Temporary Sign; or
 - (ii) A Road Reserve Sign, as defined in Planning Policy No. 9 – Signage, that is an Advertising Sign in road reserve on furniture or infrastructure owned or controlled by the Rockhampton Regional Council and that is Third Party Signage; or
 - (iii) Located within a building or structure (even if it is used as Third Party Signage) that is not visible by any person from any location standing at ground level on public land that is road reserve, a reserve for park purposes, a reserve for drainage purposes or a waterway; or
 - (iv) A Sporting Field Fence Sign even if used as Third Party Signage.
- The construction of, or a material change of use for, a new road as defined in the *Transport Infrastructure Act 1994* by a public sector entity as defined in the *Integrated Planning Act 1997*;
 - The use of premises for the purposes of constructing, maintaining and operating rail transport infrastructure as defined in the *Transport Infrastructure Act 1994* when located on railway corridor land as shown on Railway Noise Code Map 1. To remove any doubt, “other rail infrastructure” that is excluded, for the purposes of this planning scheme, includes freight yards/depots, rolling stock construction/maintenance workshops, employee car parks, parts of a railway station not associated with operating a railway (e.g. coffee shops, newsagencies, travel agencies, tourism offices, car parks, etc.), office buildings (excluding offices directly associated with the operations of a railway at the location of the offices) and the like; and
 - Minor Repair and Maintenance Works carried out on or at a Heritage Place.

3.4 USING THE LEVEL OF ASSESSMENT TABLES

Each Area or Precinct includes a Level of Assessment Table, which outlines what assessment process applies for each particular defined development. There are general categories of definitions as follows:

- Rural Uses;
- Residential Uses;
- Commercial Uses;
- Industrial Uses;
- Community/Recreation Uses; and
- Other Uses.

Within these general categories, there are specific defined uses. Each aspect of development for a use regulated by this planning scheme is described under these specific definitions. Where a specific definition is listed in the table, this identifies what level of assessment applies for that defined development. If no reference is made in the table to the specific definition, then the use is included within the “Any other Material Change of Use” category.

3.5 WHAT CONSTITUTES DEVELOPMENT IN THE CITY PLAN?



ROCKHAMPTON CITY PLAN

PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

Development is defined in the *Integrated Planning Act 1997*. Development includes carrying out:

- Material Change of Use;
- Reconfiguring a Lot; and
- Work (building and operational).

3.5.1 Material Change of Use

A material change of use is new “development” where one use changes to another use; the current use intensifies; or a use that has been abandoned re-establishes. Reference should be made to the Act for the definition of Material Change of Use.

Where a specific use changes to another specific use, even within the same general category, a Material Change of Use is taking place, and if the new use is not exempt or self assessable development, it is assessable development requiring development approval from Council. For example, where premises change from a ‘child care centre’ to an ‘educational establishment’, both uses being within the general category of ‘Community/Recreation Uses’, a material change of use application would still be required.

3.5.2 Building Work

Building work is included in the definition of “development” in the Act. This Planning Scheme regulates building work as defined in the Act, but does not replace the requirements of the *Building Act 1975* or *Building Code*. Generally, applications for approval of building work which is assessable development under the planning scheme will only be granted a Preliminary Approval, because the work will also require separate assessment against the Building Code before a development permit can be issued, authorising the work to be carried out. Where building work relates to an assessable material change of use, it will generally be appropriate for a single application to be made for both a development permit for the change of use and a preliminary approval for the associated building work. This will permit the required assessments against the planning scheme to be undertaken by the Council as a single process.

Building work for, or associated with, any of the defined uses (stated in Section 3.7) is assessable development against this planning scheme. However, there is an exclusion for minor building work, which is also defined in Section 3.7.



3.5.3 Operational Work

Operational work is regulated by this plan, primarily where it is associated with proposals for a *Material Change of Use*, *Reconfiguring a Lot* or *Building Work*. Excavation and Filling as defined in this planning scheme is assessable development and therefore requires an application for a development permit. Advertising signage, that is not a temporary advertising device, is also

ROCKHAMPTON CITY PLAN

PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

assessable operational work that requires an application. Other operational work, where not associated with an assessable Material Change of Use, Reconfiguring a Lot or Building Work, does not trigger an application unless specified as assessable development in a Level of Assessment Table. However, other operational work may be assessed and made the subject of conditions in an application required by this planning scheme to the extent necessary to manage impacts from the proposed development.

In some cases, operational work may be an acceptable solution in a self assessable code. However, if the details of the proposed work in a particular case do not comply with the requirements of the relevant self assessable code, the work is assessable development and an application for a development permit is required.

3.5.4 Reconfiguring a Lot

Reconfiguring a Lot is assessable development under both this planning scheme and the Act. The term is defined in the Act, and includes subdivision, amalgamation, and the creation of easements giving access to a public road.

3.6 WHAT TYPE OF APPLICATION IS REQUIRED?

3.6.1 Self Assessable Development

Some self assessable development is identified in Schedule 8, Part 2 of the Act. Other self assessable development is identified in the Level of Assessment Table for each Area or Precinct in this planning scheme. Where development is identified as self assessable development in the planning scheme:

- There is no application required; and
- It must comply with the Acceptable Solutions in the nominated code that is listed in the Level of Assessment tables.

Where the proposal does not comply with the 'acceptable solutions' in the nominated code the development is assessable. A code assessment application will be required to be submitted to the Council for approval, unless the Area's Level of Assessment Table specifies that the matter is impact assessable.

3.6.2 Assessable Development

Development that is listed as code or impact assessable in the Level of Assessment Tables for each Area or Precinct in this planning scheme requires an application to be made to Council. The development cannot commence until a development permit is granted by the Council.

The Act sets out what the assessment manager must consider when assessing a development application, which are summarised below.

3.6.2.1 Code Assessment

The Act states that **code assessable** development must only be assessed against:

- (a) The common material; and
- (b) Applicable codes.

Common material includes:

- All the material about the application the assessment manager has received in the first three stages of IDAS (e.g. any planning report and associated reports, site plans and other plans), including any concurrence agency requirements, advice agency recommendations and contents of submissions that have been accepted by the assessment manager; and
- If a (previous) development approval for the development has not lapsed - the approval.

The applicable codes that the application will be assessed against are contained in Table 1, Section 5.1 in Chapter 5. However, only selected codes will be relevant depending on the type of use proposed. Reference to the particular use in the relevant Area or Precinct 'Level of Assessment Table' (in Chapter 4) will identify the applicable primary code. The primary code will also list any applicable secondary codes. Consequently, the 'applicable codes' may consist of both primary and secondary codes. Although public advertising of the proposal is not required by the Act, Council may undertake consultation as part of the assessment process in accordance with Planning Policy No. 15 – Development Application Requirements.

3.6.2.2 Impact Assessment

Part A – The assessment of an application under the Integrated Planning Act 1997.

The Act states **Impact Assessable** development must be assessed against:

- a) Common material, the planning scheme and local instruments (local laws, regulations and policies);
- b) Any state planning policies not identified in the planning scheme; and
- c) Any development approval for or lawful use of the premises and adjacent premises.

Therefore, *impact assessment* requires assessment against the whole planning scheme, including any relevant Area Intents and the Supporting Strategies contained within the Strategic Framework. Development that is subject to impact assessment is not to compromise the achievement of the Desired Environmental Outcomes (DEO'S) listed in the Strategic Framework, or conflict with other provisions in the planning scheme, unless there are sufficient planning grounds to justify the approval, despite the conflict.

Impact assessment also involves a mandatory period of public notification of the development proposal, allowing the public to make submissions regarding the development.



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

Part B – Additional requirements for assessment under this Planning Scheme

Council will also assess any development application requiring impact assessment against the following planning grounds, in addition to any other relevant provisions of this planning scheme:

- (a) The nature of the proposed development including:
- Whether the development would create a traffic problem, increase an existing traffic problem or decrease the efficiency of the existing road network;
 - Whether the development detrimentally affects the amenity and character of the neighbourhood as a result of noise, lighting, odour, traffic generation or other reason;
 - Whether the development would create a need for increased facilities;
 - The need for the development;
 - The environmental impacts of the development; and
 - The social impacts of the development.
- (b) The suitability of the site for the proposed development having regard to:
- Its size, location and physical characteristics;
 - Whether the development is subject to flood inundation; and
 - Whether the development is of a nature or scale that would be more appropriately located in another planning area.

However, while these matters are generally relevant to all impact assessments, they are not matters which are intended to outweigh or counter-balance any more specific provision in Chapter 2 or Chapter 4. If approval of a development proposal would conflict with specific provisions in Chapter 2 or Chapter 4, it is an incorrect interpretation of this planning scheme to treat any of these general matters as “cancelling out” that conflict, or otherwise indicating that the conflict is lessened, or is not clear or plain, merely because consideration of the general matter might be asserted to favour the proposal.

These general matters may be taken into account to the extent relevant in considering whether there are sufficient planning grounds to approve a proposal despite its conflict with specific provisions in Chapter 2 or Chapter 4, but it is not intended that they be in themselves decisive of that question.



3.7 INTRODUCTION TO DEFINITIONS

The definitions are divided into two different types of definitions – ‘Administrative’ and ‘Development’ definitions. The ‘Administrative’ definitions explain the terms used in the City Plan, to provide clarification and interpretation of those terms. The Development Definitions separate development into various categories, as outlined in 3.4 *Using the Level of Assessment Tables*.

In determining any question as to whether a use is contained within a definition, consideration will be given to:

- The predominant activity, function or purpose of the particular use;
- The regularity and commercial characteristics of the use;
- The nature of and circumstances about the use;
- Whether a particular use is ancillary to the function, purpose or activity of a predominant use; and
- Whether a particular use is temporary and does not require connection to services or the installation of permanent infrastructure.

Development Definitions

The uses defined by the Rockhampton City Plan are as follows:

GENERAL CATEGORIES OF USES	USE DEFINITIONS
Rural Use refer to pages 3-10 to 3-11	<ul style="list-style-type: none"> ▪ Animal Keeping ▪ Farming ▪ Forestry ▪ Intensive Animal Husbandry
Residential Use refer to pages 3-12 to 3-13	<ul style="list-style-type: none"> ▪ Accommodation Building ▪ Aged Care Accommodation ▪ Bed and Breakfast ▪ Caravan/Cabin Park ▪ Caretakers Residence ▪ Construction Camp ▪ Display Home/Office ▪ Duplex ▪ Home Based Business ▪ Home Occupation ▪ House ▪ Multi Unit Dwelling ▪ Small Lot House ▪ Special Needs Accommodation
Commercial Use refer to pages 3-14 to 3-17	<ul style="list-style-type: none"> ▪ Car Park ▪ Car Wash ▪ Cinema ▪ Club



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON



	<ul style="list-style-type: none"> ▪ Commercial Premises ▪ Hotel ▪ Major Shopping Outlet ▪ Market ▪ Nightclub ▪ Nursery/Garden Centre ▪ Restaurant ▪ Restricted Premises ▪ Service Station ▪ Shop ▪ Showroom ▪ Take-away Food Store ▪ Veterinary Clinic
Industry Use refer to pages 3-18 to 3-22	<ul style="list-style-type: none"> ▪ Brothel ▪ Bulk Store ▪ Extractive Industry ▪ High Impact Industry ▪ Landscape Supplies ▪ Low Impact Industry ▪ Medium Impact Industry ▪ Transport Terminal ▪ Vehicle Depot ▪ Warehouse
Community / Recreation Use refer to pages 3-23 to 3-24	<ul style="list-style-type: none"> ▪ Cemetery ▪ Child Care Centre ▪ Community Facilities ▪ Crematorium ▪ Educational Establishment ▪ Emergency Services ▪ Health Care ▪ Indoor Sport and Recreation ▪ Outdoor Sport and Recreation ▪ Park ▪ Place of Worship
Other Use refer to page 3-25	<ul style="list-style-type: none"> ▪ Public Facility ▪ Stable ▪ Telecommunication Facility/Tower ▪ Tourist Facility ▪ Veterinary Hospital

In addition to these categories above, separate definitions apply for other aspects of development, including:

NON USE DEVELOPMENT	NON USE DEFINITIONS
Building Work	<ul style="list-style-type: none"> ▪ Swimming Pool

ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

Operational Work	<ul style="list-style-type: none">▪ Advertising Sign▪ Excavation or Filling
Reconfiguring a Lot	<ul style="list-style-type: none">▪ Reconfiguring a Lot



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

RURAL USE DEFINITIONS	
USE	DEFINITION
Animal Keeping	<p>Premises involving:</p> <ul style="list-style-type: none"> (a) a hobby or commercially operated boarding and/or breeding and training kennel or cattery; or (b) a pound; or (c) a stock sales yard or holding yard not ancillary to: <ul style="list-style-type: none"> (i) a rural purpose on the same premises; or (ii) a High Impact Industry (d) the keeping of a greater number of animals (excluding horses in a Stable) than constitutes domestic pets under the Council Local Law and where not associated with Farming, Intensive animal husbandry or a Stable (for horses) as separately defined, on the premises.
Farming	<p>Premises used:</p> <ul style="list-style-type: none"> (a) for the growing of crops, pastures, turf, flowers, fruit, vegetables and the like on a commercial basis; or (b) for the keeping, feeding, breeding, depasturing or stabling of any animal, except horses at a stable as separately defined, for breeding or pastoral purposes on a commercial basis. The term includes animal breeding establishments, holding yards ancillary to a rural purpose on the same premises, hatcheries, the keeping of farm animals and aquaculture activities when not elsewhere defined, but does not include Intensive Animal Husbandry, Animal Keeping or a Stable (for horses) as separately defined. To remove any doubt, Farming does not include holding yards ancillary to a High Impact Industry; or (c) for the processing and packaging of rural produce grown on site; or (d) for the display and sale of any rural produce grown or produced on the site or on adjoining land in a roadside stall; or (e) for a wholesale nursery for the propagation and growing of potted plants and/or plants to be sold by retail through a nursery/garden centre located on another site. The term does not include the sale by retail of any plants or garden/landscape material on the site, other than by way of a roadside stall. <p>The purpose includes earthwork associated with bona fide rural activities on a rural property such as the construction of a dam requiring approval under the Water Act 2000.</p>
Forestry	<p>Premises used for a "forest practice" as defined in Schedule 10 of the <i>Integrated Planning Act 1997</i>. The term includes milling of cut timber on the same site by portable machinery and the manufacture and packaging of timber goods resulting from the cutting and ancillary milling of the timber.</p>



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

RURAL USE DEFINITIONS	
USE	DEFINITION
Intensive Animal Husbandry	<p>Premises used for:</p> <ul style="list-style-type: none"> (a) aquaculture (where for fish, crustaceans and the like) where the total area of tanks is 200m² or more, or the total area of ponds is 50,000m² or more; or (b) a feedlot involving the keeping, for a commercial purpose, of beef or dairy cattle, sheep, goats or other animals where such animals are held in pens or enclosures and sustained on prepared or manufactured fodder (whether produced on site or imported) other than for drought or emergency feeding. The term includes "cattle feedlots" within the meaning of the Stock Act; or (c) a piggery involving the keeping, pasturing, feeding or watering of 10 or more "standard pig unit" as defined in the Environmental Protection Regulation 1998; or (d) a poultry farm involving the keeping of poultry where 30 or more birds are kept. For the purposes of this definition, poultry includes fowls, roosters, geese, ducks, quails, squad pigeon (not domestic pigeons), emus, ostrich and any other birds bred for human consumption; or (e) the keeping of animals not otherwise described, such as deer, alpaca, etc where 20 or more animals are kept, but not in a feedlot arrangement; or (f) beekeeping involving the keeping of 10 or more hives; or (g) a zoo.



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

RESIDENTIAL USE DEFINITIONS	
USE	DEFINITION
Accommodation Building	<p>Premises comprised of accommodation units, used for the purposes of residential living and includes outbuildings necessarily associated with the accommodation units. The term includes any or all of the following:</p> <ul style="list-style-type: none"> (a) a building, buildings or any parts thereof used for the provision of meals to residents (whether or not such facilities are open to public use); (b) common/meeting/conference room facilities and the like; (c) a manager's residence/office; (d) a restaurant; (e) common recreational or entertainment areas; (f) shared facilities (e.g. kitchen, bathroom, etc). <p>The term reflects accommodation unit uses commonly referred to as Motels, Boarding Houses, Guest Houses, Itinerant Workers' Accommodation, Hostels, Serviced Rooms / Apartments, a Residential Hotel or the like, but does not include a Bed and Breakfast, Caravan/Cabin Park, Multi Unit Dwelling, Aged Care Accommodation, Special Needs Accommodation, a Construction Camp or any other separately defined use. The term includes a Convent/Monastery or Student Accommodation when not part of a Place of Worship or Education Establishment respectively on the same site.</p>
Aged Care Accommodation	Premises used for the residential accommodation of the aged or infirm that provides personal and/or nursing care to its residents. The term includes facilities or services for the use or support of residents, including ancillary communal facilities, the provision of meals, recreation areas, and the like. The term includes facilities that are regulated by the Commonwealth Aged Care Act or as otherwise amended. The term does not include an Accommodation Building or Multi Unit Dwelling or any other separately defined residential use.
Bed and Breakfast	House used for the provision of overnight accommodation, including meals, provided to tourists and travellers by the permanent occupiers of the house on the site.
Caravan / Cabin Park	Any premises used for the parking and/or siting of caravans (with or without fixed annexes), relocatable homes, onsite cabins or tents for the purpose of providing residential accommodation for fee or reward. The term also includes any manager's office and residence, any amenity buildings and any recreation, entertainment, kiosk or other facilities that cater exclusively for the occupants of the Caravan/Cabin Park.
Caretaker's Residence	Any premises comprising a dwelling unit used only for care-taking or managing purposes in association with a



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

RESIDENTIAL USE DEFINITIONS

USE	DEFINITION
	non-residential purpose conducted lawfully on the same site and includes the enjoyment of domestic pets and domestic horticulture.
Construction Camp	Any premises used for the purpose of providing temporary accommodation for workers associated with major construction projects not necessarily located on the same site. It includes as ancillary uses any kitchen facility, amenity building, recreation area and parking facilities that cater exclusively for the occupants of the construction camp. The term does not include an Accommodation Building, Caravan/Cabin Park or any other separately defined residential use.
Display Home/Office	The temporary use of premises for: <ul style="list-style-type: none"> (a) display to the general public as a type of residential premises that can be built; or (b) the display of a residential premises to the general public for some other business or commercial purpose including the promotion of a contest for which the premises are offered as a prize; or (c) the promotion and sale of land within a residential estate or other residential premises within which it is located.
Duplex	Any premises comprising two (2) dwelling units proposed for separate occupation and capable of being individually titled in a Community Title Scheme to provide separate ownership, whether or not attached.
Home Based Business	Occupation, profession or business carried out on the same site as a House or Small Lot House but with some or all of the areas where the use is carried out being in the curtilage of the house or in any shed, garage or non habitable rooms.
Home Occupation	Occupation, profession or business carried out in any habitable rooms in a building primarily intended and used for permanent residential living such as a House, Small Lot House, Multi-unit Building, Accommodation Building or the like.
House	A single dwelling unit on a site that is not a small lot used principally for residential occupation by a family or individuals in a domestic manner, including outbuildings ancillary to the occupation of the dwelling unit, and includes: <ul style="list-style-type: none"> (a) the keeping of domestic pets; (b) domestic horticulture; (c) the caring of children in accordance with Family Day Care or Independent Home-Based Care as defined in the Child Care Act 2002; and (d) a Relatives Apartment as defined in the House Code but excludes any premises, which, by the characteristics of the use is another form of residential use.
Multi Unit Dwelling	Premises used for 3 or more dwelling units on a site used for the purposes of residential living and includes outbuildings necessarily associated with the dwelling



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

RESIDENTIAL USE DEFINITIONS

USE	DEFINITION
	units. The term includes any manager's residence/office and common recreational or entertainment areas and reflects dwelling unit uses commonly known as townhouses, units and flats, whether or not attached. The purpose includes a Retirement Village in accordance with the <i>Retirement Villages Act</i> .
Small Lot House	House on a Small Lot.
Special Accommodation	Premises used for the residential accommodation of people with particular or special needs and includes: (a) an orphanage for children; or (b) a home for people with physical or mental disabilities that is not Health Care as defined in the planning scheme; or (c) a home for social welfare or emergency accommodation including associated counselling and advisory services, such as a refuge that may include facilities or services for the use or support of residents, including on-site medical services, meals, recreation areas, communal facilities and the like.



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

COMMERCIAL USE DEFINITIONS	
USE	DEFINITION
Car Park	The use of off-street premises for the purposes of parking motor vehicles, on publicly or privately owned land, where the parking is not ancillary to some other use on the same site.
Car Wash	The use of a premises for the commercial washing and/or detailing of motor vehicles for fee or reward by hand or mechanical, hydraulic, pneumatic means, except when: (a) carried out as an ancillary use to the primary use of the site, such as a service station or showroom (for vehicles); (b) carried out on an infrequent basis by a school, community group, charity or the like for the purposes of raising money for a cause. The premises may or may not be manned and may include self- serve motor vehicle washing facilities.
Cinema	The use of premises for the public to view picture films and includes ancillary light refreshments and/or amusement games.
Club	The use of premises by a club, lodge or friendly society as a place for its members and guests to gather for social interaction, meetings or entertainment. The term may include a licensed area or gaming machine area but does not include a Restaurant as separately defined.
Commercial Premises	The primary use of premises for: (a) <u>office activities</u> that are orientated towards the provision of administration, clerical, technical and/or professional services as a business or commercial operation. It also includes offices for companies, businesses, government or community organisations. This includes: <ul style="list-style-type: none"> • Employment Placement, Contract Staff, Secretarial Services, Photocopying Services or the like; • Services such as Architecture, Surveying, Engineering, Town Planning, Building Certification or Design, Property Valuation or the like; • Computer Consultancy, Computer Maintenance, Data Processing Services; Call Centres or the like; • Services such as Legal, Accounting, Taxation Consulting, Advertising, Marketing, Business Administration, Financial Advice, Insurance or the like; • Security and Investigation Services (not police); • Offices for local, state or federal government administrative functions when not ancillary to the primary use of the premises and includes Council Chambers, a Court House and the like; • Company headquarters or regional offices for mining, pastoral, property development companies or the like (when separated from the premises where the actual business occurs, e.g.



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

COMMERCIAL USE DEFINITIONS

USE	DEFINITION
	<p>the mine);</p> <ul style="list-style-type: none"> • Offices for organisations such as the Guide Dogs Association, Salvation Army or the like; • Offices and broadcasting facilities for television, radio or the like <p>To remove any doubt this includes a bank, post office, undertaker's establishment (without a crematorium or facilities for a funeral/memorial service), real estate office, travel agency, a stand alone conference centre not part of another use² and the like; or</p> <p>(b) a <u>personal service</u> where there is direct contact with a customer, such as a hairdresser, beautician, masseuse, tattooist, dry cleaner (where not a Notifiable Activity under the Environment Protection Act), laundromat, tailor, shoe repairer and the like, but not a Brothel; or</p> <p>(c) a <u>tourism service</u> such as an information office, ticket office, etc; or</p> <p>(d) a <u>health or medical service</u> (with no overnight accommodation) that may include a medical centre and may include such typical premises as:</p> <ul style="list-style-type: none"> • medical and dental surgeries; • clinics for specialists as well as physiotherapy, massage and naturopathy; • a pathology laboratory; • counselling rooms; • nursing services; and • the dispensing of pharmaceuticals associated and integrated with the medical centre <p>where the sale of any goods on site only occurs when the goods are ancillary to and used with the primary use³.</p>
Hotel	The use of premises for the sale of liquor for consumption on site and may also include the sale of liquor for consumption off-site including a drive-through facility and/or ancillary activities such as dining facilities, accommodation units, a mini-brewery and entertainment facilities. A Hotel may also have ancillary gambling facilities such as a betting agency or gaming machines but does not include a separately defined Nightclub.
Major Shopping Outlet	<p>Any premises with a Gross Floor Area of 2000m² or more, used, or intended to be used, for the purposes of:</p> <p>(a) an integrated development that will be used primarily for the purposes of shops and that may include within the development:</p> <ul style="list-style-type: none"> • restaurant(s) or take-away food store(s) (maximum 1500m² GLA); • personal services as described in the

² For example, not a restaurant, accommodation building, community facility, club, etc.

³ For example a hairdresser selling shampoo, conditioner, etc.



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

COMMERCIAL USE DEFINITIONS

USE	DEFINITION
	<p>Commercial Premises definition;</p> <ul style="list-style-type: none"> • health or medical services as described in the Commercial Premises definition; • a veterinary clinic; • indoor sport and recreation; • a child care centre; • a community facility (maximum 5000m² GFA); and • no more than 10% of the total Gross Floor Area of the Major Shopping Outlet limited to a maximum of 1000m² for the purposes of office activities as described in the Commercial Premises definition; and <p>(b) any one shop, with or without other shops or defined uses on the same premises, where the Gross Floor Area of the shop is equal to or greater than 2000m². The use does not include a Cinema as separately defined.</p>
Market	Premises (whether held indoors or outdoors) for the sale of home or farm produced products, artefacts and/or general merchandise, where the premises comprise a series of individual stalls, booths or the like. The term includes any eating and amenity facilities or entertainment provided for the enjoyment of customers.
Nightclub	The use of premises (that may be located within a separately defined use such as a Hotel) for the primary purpose of listening and/or dancing to live or recorded music by the general public, predominantly at night.
Nursery/Garden Centre	Premises for the display and sale, by retail, of plants suitable for gardening or landscaping whether or not such plants are grown on the site. The term includes ancillary activities including the display and sale of items such as seeds, pots, packaged fertilisers and potting mixes, gardening tools, and the like. The term may include an ancillary restaurant in the form of a tearoom, café or kiosk that has a maximum floor area (which includes indoor or outdoor seating areas) of 75m ² .
Restaurant	Premises used predominantly for the preparation and sale of substantial meals and foods/beverages to the public primarily for immediate consumption on the premises (such as restaurants, cafes, coffee shops, fast food franchise restaurants, bistro's and tea rooms) and may include ancillary entertainment. The term includes a drive-through facility. The term also includes function rooms that may cater for wedding receptions and the like. The term does not include Take-away food stores as separately defined nor refreshment areas ancillary to a Cinema or Indoor Sport and Recreation use. The term includes any area of public land used with the Restaurant for the purposes of outdoor dining and also includes a theatre or comedy restaurant.
Restricted Premises	Any premises used for the provision of entertainment



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

COMMERCIAL USE DEFINITIONS

USE	DEFINITION
	performances, or services, which involve adult or sexually explicit themes that requires an Adult Entertainment permit under the Liquor Act 1992. To remove any doubt this does not include a Nightclub, and therefore, a premises may for example be both a Nightclub and a Restricted Premises.
Service Station	<p>Premises used for:</p> <p>(a) the sale by retail of petrol and automotive distillate or any derivatives there from, and for all or any of the following ancillary purposes, namely:</p> <ul style="list-style-type: none"> (i) the sale by retail of lubricants and greases, batteries, tyres, motor vehicle accessories and spare parts, power or lighting kerosene, food and goods for the comfort and convenience of travellers where such does not constitute a Restaurant or a Shop as defined in this planning scheme; (ii) the carrying out of all or any of the following operations: <ul style="list-style-type: none"> • fitting, removal and exchange of tyres and receipt of tyres for retreading or the like; • repairing of tubes; • supply of compressed air; • charging of batteries; • lubrication and greasing of motor vehicles; • cleaning and adjustment and replacement of spark plugs; • running repairs of a minor nature and of a type which do not normally immobilise a vehicle for a period longer than a day; and/or • washing of motor vehicles (iii) the rendering of minor services incidental to any of the foregoing; <p>OR</p> <p>(b) the carrying out of all or any of the following operations:</p> <ul style="list-style-type: none"> • fitting, removal and exchange of tyres and receipt of tyres for retreading or the like; • repairing of tubes; • supply of compressed air; and • charging of batteries.
Shop	<p>The use of premises for:</p> <p>(a) displaying and/or the retail selling or hiring of goods to the public;</p> <p>(b) an auction or tender room/establishment; and</p> <p>(c) gambling when not ancillary to a primary use of the premises.</p> <p>The term includes a commercial art gallery, major or anchor tenancies such as a supermarket, discount department store or department store and the like, video cassette/DVD hire library, photography laboratory</p>



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

COMMERCIAL USE DEFINITIONS

USE	DEFINITION
	ancillary to a shop, a bakery operating in conjunction with a shop and a free standing TAB but does not include any use that is otherwise separately defined. To avoid doubt, the term includes a "warehouse" type discount variety store or discount department store of the type considered in <i>Woolworths Ltd v Caboolture Shire Council & The Warehouse Group (Australia) [2004] QPEC 026</i> .
Showroom	The use of premises for the display, sale or hire of goods which: (a) because of the primarily bulky nature of the goods on display, and/or (b) the floor area of any single or multiple tenancies; and/or (c) the quantity and range of goods on display, differentiate that use from a shop herein defined. The goods may include, but are not limited to agricultural equipment or machines, motor vehicles, boats, electrical goods, furniture, furnishings, household appliances, hardware and building supplies, sporting equipment, computer hardware and software, liquor, camping equipment, barbeques or the like. The term includes: (a) the storage and sale of goods required for farming and other rural activities without significant production or packaging occurring on-site; or (b) repair, servicing and detailing where it is ancillary to the showroom. To avoid doubt, the term does not include a "warehouse" type discount variety store or discount department store of the type considered in <i>Woolworths Ltd v Caboolture Shire Council & The Warehouse Group (Australia) [2004] QPEC 026</i> . Development of that type is a "Shop".
Take-away Food Store	Premises used for the preparation and sale of take-away meals and foods/beverages to the public, whether or not facilities are also provided for eating on the premises. The term includes fish and chip shops, milk bars, snack bars, kiosks and the like, but does not include Restaurants as separately defined or the inclusion of any drive-through facility. The term also includes any area of public land used with the Take-away food store for the purposes of outdoor dining.
Veterinary Clinic	Premises used for the provision of advice or treatment for the care and well being of animals, but not involving overnight accommodation of animals ⁴ .



⁴ Refer to Veterinary Hospital.

ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON



INDUSTRIAL USE DEFINITIONS																										
USE	DEFINITION																									
Brothel	A premise defined as a "brothel" in the <i>Prostitution Act</i> .																									
Bulk Store	Any premises used for the bulk storage of goods, where the goods stored or to be stored, are not required to be used for another use located on the same site or to be sold from the site and does not include a warehouse. The term includes storage sheds not ancillary to a primary use of any premises.																									
Extractive Industry	<p>The use of premises for the extraction¹ and processing² of extractive resources to produce extractive materials and includes ancillary activities such as storage, loading, transport, administration and maintenance facilities. The term includes the importation onto the premises of other materials to be used as additives for blending with the extractive materials to modify products to achieve material specifications or to bind, stabilise or correct products and works undertaken to avoid or mitigate significant environmental impacts during operations as well as approved rehabilitation works. The term does not include a concrete batching plant or an asphalt manufacturing plant.</p> <p>1 Extraction includes blasting, excavating, rock-breaking, quarrying, dredging, sluicing and other similar methods. 2 Processing includes fragmenting, crushing, screening, grading, classifying, washing, blending, and pugging or similar treatment.</p> <p>The purpose does not include:</p> <ul style="list-style-type: none"> (a) the removal of materials authorised by the <i>Local Government Act 1993</i>; or (b) mining within the meaning of the <i>Mineral Resources Act 1989</i>, or (c) earthworks associated with a bona fide rural use on a rural property such as the construction of a dam. 																									
High Impact Industry	<p>The use of any premises for the purposes of:</p> <ul style="list-style-type: none"> (a) any of the industrial activities listed below that correspond to the group and class listed within the <i>Australian and New Zealand Standard Industrial Classification system</i> and <ul style="list-style-type: none"> (i) for Groups 217, 221, 222, 226, 262 and 274 only, are an Environmentally Relevant Activity; <table border="1" style="margin-top: 10px;"> <thead> <tr> <th>Group</th> <th>Class</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>211</td> <td></td> <td>Meat and Meat Product Manufacturing</td> </tr> <tr> <td>214</td> <td></td> <td>Oil and Fat Manufacturing</td> </tr> <tr> <td>217</td> <td></td> <td>Other Food Manufacturing</td> </tr> <tr> <td>218</td> <td></td> <td>Beverage and Malt Manufacturing</td> </tr> <tr> <td>219</td> <td></td> <td>Tobacco Product Manufacturing</td> </tr> <tr> <td>221</td> <td></td> <td>Textile Fibre, Yarn and Woven Fabric Manufacturing</td> </tr> <tr> <td>222</td> <td></td> <td>Textile Product Manufacturing</td> </tr> </tbody> </table>		Group	Class	Description	211		Meat and Meat Product Manufacturing	214		Oil and Fat Manufacturing	217		Other Food Manufacturing	218		Beverage and Malt Manufacturing	219		Tobacco Product Manufacturing	221		Textile Fibre, Yarn and Woven Fabric Manufacturing	222		Textile Product Manufacturing
Group	Class	Description																								
211		Meat and Meat Product Manufacturing																								
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ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

INDUSTRIAL USE DEFINITIONS					
USE	DEFINITION				
	226		Leather and Leather Product Manufacturing		
	251		Petroleum Refining		
	252		Petroleum and Coal Product Manufacturing		
	253		Basic Chemical Manufacturing		
	254		Other Chemical Product Manufacturing		
	255		Rubber Product Manufacturing		
	262		Ceramic Product Manufacturing		
	263		Cement, Lime, Plaster and Concrete Product Manufacturing		
	264		Non-Metallic Mineral Product Manufacturing		
	271		Iron and Steel Manufacturing		
	272		Basic Non-Ferrous Metal Manufacturing		
	273		Non-Ferrous Basic Metal Product Manufacturing		
	274		Structural Metal Product Manufacturing		
	2821		Shipbuilding		
or					
	(b)	is a 'Major Hazard Facility' or 'Possible Major Hazard Facility' as defined under the <i>Dangerous Goods Safety Management Act 2001</i> that may or may not also be a 'Dangerous Goods Location' or a 'Large Dangerous Goods Location' as defined under the same Act ⁵ ; or			
	(c)	(i) Number 7 – Chemical Storage (ii) Number 53 – Soil Conditioner Manufacturing; (iii) Number 78 – Chemical or Oil recycling.			
Landscape Supplies	<p>Premises used for the storage and/or sale of sand, soil, screenings and other such garden and landscaping materials where such material is stored on site for sale or distribution in quantities greater than one (1) cubic metre. The purpose includes the ancillary use of such premises for the sale, or displaying or offering for sale (in any quantity) of such items as:</p> <ul style="list-style-type: none"> (i) seeds, plants or other propagative plant material; (ii) goods associated with the cultivation of plants; (iii) garden ornamentation, furniture or structures; or (iv) garden tools or equipment <p>that if not ancillary would otherwise be defined as a Nursery/Garden Centre. The purpose does not include Farming or Extractive industry as separately defined.</p>				
Low Impact Industry	<p>The use of any premises for the purposes of:</p> <p>(a) any of the industrial activities listed below that correspond to the group or class listed within the <i>Australian and New Zealand Standard Industrial</i></p>				

⁵ Refer to Parts 4 and 5 of the Act.



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

INDUSTRIAL USE DEFINITIONS

USE	DEFINITION
	<p>Classification system and</p> <ul style="list-style-type: none"> (i) for Groups 226, 231, 232, 233 and 274 only, are not an Environmentally Relevant Activity; and (ii) for Groups 411, 412, 421, 422, 423, 424 and 425 only, are limited to the use of the premises for the purposes of a yard or depot only; and (iii) for Groups 281, 285 and 286 only, are limited to a maximum Gross Floor Area of 100m² except in the Parkhurst Industrial Area where a site is not within 100 metres of a Residential Area boundary, there is no maximum Gross Floor Area; and (iv) the use operates only between the hours of 6am to 6pm, Monday to Saturday.

Group	Class	Description
213		Fruit and Vegetable Processing
216		Bakery Product Manufacturing
223		Knitting Mills
224		Clothing Manufacturing
225		Footwear Manufacturing
226		Leather and Leather Product Manufacturing
231		Log Sawmilling and Timber Dressing
232		Other Wood Product Manufacturing
233		Paper and Paper Product Manufacturing
241		Printing and Services to Printing
242		Publishing
243		Recorded Media Manufacturing and Publishing
274		Structural Metal Product Manufacturing
281		Motor Vehicle and Part Manufacturing
283		Photographic and Scientific Equipment Manufacturing
284		Electronic Equipment Manufacturing
285		Electrical Equipment and Appliance Manufacturing
286		Industrial Machinery and Equipment Manufacturing
292		Furniture Manufacturing
294		Other Manufacturing
411		Building Construction
412		Non-Building Construction*
421		Site Preparation Services



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

INDUSTRIAL USE DEFINITIONS

USE	DEFINITION																	
	422		Building Structure Services															
	423		Installation Trade Services															
	424		Building Completion Services															
	425		Other Construction Services															
	526		Household Equipment Repair Services															
	5322		Automotive Electrical Services*															
	5329		Automotive Repair and Services*															
	7829		Technical Services															
	7865		Pest Control Services															
	7866		Cleaning Services															
	and unless stated elsewhere as being a different use, includes the servicing or repair of an item that would be produced, manufactured or created from the above list, or																	
(b)	dry cleaning that is a notifiable activity under the <i>Environmental Protection Act 1994</i> or a laundry not ancillary to the primary use of the premises; or																	
(c)	any other use not separately defined ⁶ that is a 'Dangerous Goods Location' as defined under the <i>Dangerous Goods Safety Management Act 2001</i> that is not also a 'Major Hazard Facility' or 'Possible Major Hazard Facility' as defined under the same Act ⁷ or ancillary to another use on the same site;.																	
	The term includes any:																	
	<ul style="list-style-type: none"> • display area on site, and/or • office on site, and/or • storage and/or use on site of any flammable and combustible liquids that Australian Standard AS1940 applies to 																	
	ancillary to the Low Impact Industry.																	
	* Excluding any use separately defined as a Public Utility																	
Medium Impact Industry	The use of any premises for the purposes of:																	
	(a) any of the industrial activities listed below that correspond to the group or class listed within the <i>Australian and New Zealand Standard Industrial Classification system</i> and																	
	<ul style="list-style-type: none"> (i) for Groups 217, 221, 222 and 262 only; are not an Environmentally Relevant Activity; and (ii) for Groups 231, 232 and 233 only, are an Environmentally Relevant Activity; and (iii) for Groups 281, 285 and 286 only, has a Gross Floor Area greater than 100m². 																	
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Group	Class	Description																
212		Diary Product Manufacturing																
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⁶ For example a Service Station



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

INDUSTRIAL USE DEFINITIONS

USE	DEFINITION	
	222	Textile Product Manufacturing
	231	Log Sawmilling and Timber Dressing
	232	Other Wood Products Manufacturing
	233	Paper and Paper Product Manufacturing
	256	Plastic Product Manufacturing
	261	Glass and Glass Product Manufacturing
	262	Ceramic Pot Manufacturing
	275	Sheet Metal Product Manufacturing
	276	Fabricated Metal Product Manufacturing
	281	Motor Vehicle and Part Manufacturing
	2822	Boat building
	2823	Railway Equipment Manufacturing
	2824	Aircraft Manufacturing
	2829	Transport Equipment Manufacturing
	285	Electrical Equipment and Appliance Manufacturing
	286	Industrial Machinery and Equipment Manufacturing
	291	Prefabricated Building Manufacturing
	5323	Smash Repairing
Or		
(b)	a junk yard, wrecking yard or salvage yard; or	
(c)	the following Environmentally Relevant Activities;	
	(i)	Number 23 – Abrasive blasting
	(ii)	Number 27 – Metal Recovery
	(iii)	Number 77 – Battery recycling
	(iv)	Number 79 – Drum reconditioning
	(v)	Number 80 – Tyre recycling, or
(d)	any Low Impact Industry operating outside of the specified hours for a Low Impact Industry; or	
(e)	any other use not separately defined ⁸ that is a 'Large Dangerous Goods Location' as defined under the Dangerous Goods Safety Management Act 2001 that is not also a 'Major Hazard Facility' or 'Possible Major Hazard Facility' as defined under the same Act ⁹ or ancillary to another use on the same site; or	
(f)	any other use not separately defined, that involves the use of a premises for an industrial activity including:	
	(I)	(i) the making of any article or part of any article;
	(ii)	the altering, repairing, servicing, finishing, cleaning, washing freezing, packing or canning of any article;

⁷ Refer to Parts 4 and 5 of the Act.



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

INDUSTRIAL USE DEFINITIONS	
USE	DEFINITION
	<ul style="list-style-type: none"> (iii) the storage of any solid, liquid or gaseous fuel not ancillary to the primary use of a site; (iv) the bulk storage of goods, vehicles, equipment and materials; and (v) any process of scientific or technological research other than for educational activities or as a minor activity ancillary to the use of premises for a non industrial purpose that has not been separately defined in the Planning Scheme; and <p>(2) any of the following ancillary activities when conducted on the same site as any of the activities listed in (1) above:</p> <ul style="list-style-type: none"> (i) the storage of goods or materials used in connection with or resulting from any of the activities; or (ii) the sale of goods, resulting from such activities; or (iii) any work of administration or accounting in connection with such activities; or (iv) amenities for the comfort and enjoyment of persons working on the site.
Transport Terminal	Premises used for a road transport, rail transport or air transport (including heliport) passenger and/or goods terminal (including freight services), a bus or coach station. The term does not include Vehicle Depots as separately defined.
Vehicle Depot	Premises used for the overnight or longer storage (either in the open or covered) of any one or more buses, trucks, taxis, other motor vehicles, trailers, caravans and/or boats for commercial or public purposes and/or premises used as an operational base or depot for any such vehicles. The purpose includes the repair and maintenance of any such vehicles on the premises. The term does not include facilities ancillary to another purpose on the same site, such as a Showroom, Car Park or Transport Terminal as

CHAPTER 3
INDUSTRIAL USE DEFINITIONS



⁸ For example a Service Station

⁹ Refer to Parts 4 and 5 of the Act.

ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

INDUSTRIAL USE DEFINITIONS

USE	DEFINITION
	separately defined.
Warehouse	<p>Any premises used for the storage of goods, items, merchandise or materials in large quantities pending their:</p> <p class="list-item-l1">(i) distribution¹⁰, or</p> <p class="list-item-l1">(ii) sale to persons at the site who in most instances (minimum of 90% of persons) purchase for the purposes of resale only.</p> <p>The term includes any office ancillary to the warehouse as well as a display area ancillary to the warehouse of up to 75m² in Gross Floor Area.</p>



¹⁰ Either to separate shops, showrooms, etc located elsewhere on other land or for distribution directly to the customer.

ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

COMMUNITY / RECREATION USE DEFINITIONS	
USE	DEFINITION
Cemetery	The use of premises for the interment of non-cremated human or animal remains. The purpose also includes a funeral chapel, parlour and/or tomb on the same site that supports the primary use.
Child Care Centre	Premises operated on a commercial basis for the minding or care, but not residence, of children. The term includes a crèche, nursery school or kindergarten, but does not include Family Day Care or Independent Home-Based Care as defined in the <i>Child Care Act 2002</i> .
Community Facilities	Premises used for the purposes of providing cultural, social or community services not otherwise defined and not ancillary to another use on the same premises, and includes uses such as a community centre, community hall, youth club, library, scout hall, senior citizens centre, community art gallery, community museum or theatre. The purpose does not include a Club, Cinema or Nightclub as separately defined.
Crematorium	The use of premises for reducing human or animal remains to ashes after death. The purpose also includes a chapel and/or parlour on the same premises that supports the primary use as well as a columbarium for the placing of ashes. To remove any doubt, the use also includes the burial of ashes in garden beds or the like, but does not include a cemetery.
Educational Establishment	The use of premises for systematic teaching, training and/or instruction designed and conducted to impart knowledge and develop skill(s). The term includes a preschool, primary school, secondary school, college, university, TAFE or technical and/or further education institution. The term includes ancillary uses such as a library, sporting facilities, eating facilities, research facilities, bookstore/news agency, bus terminal or the like. The term also includes office and administration uses ancillary to the educational establishment such as student union offices, past student associations or the like as well as facilities for before and after school care, including vacation care. The purpose also includes accommodation on the premises for persons working at or attending the educational establishment as well as ancillary facilities to the accommodation.
Emergency Services	The use of premises as an office, station, depot or the like for services responding to community needs such as preserving law and order, or community needs in an emergency caused by accidents, fire, flood, storms, toxic fumes or similar events. The purpose includes uses commonly referred to as an ambulance station, fire station, first aid station, police station or state emergency service depot.
Health Care	The use of premises for the purposes of providing medical and nursing care or treatment to persons with injuries or disorders as well as providing health care and community support services. The purpose includes uses commonly



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

COMMUNITY / RECREATION USE DEFINITIONS

USE	DEFINITION
	referred to as a Maternal and Child Welfare centre, hospital, community health centre or respite care centre.
Indoor Sport and Recreation	<p>The use of premises for any sporting activity, recreational activity or leisure past time that is conducted wholly or mainly indoors for:</p> <ul style="list-style-type: none"> (i) playing a game; (ii) recreation; (iii) instruction; (iv) athletics; (v) sport; or (vi) entertainment, <p>and includes typical premises such as a sports centre, fitness centre, bowling, gymnasium, squash court, skating rink, billiard centre, dance hall, amusement machine centre or the like. The purpose includes ancillary facilities for the associated treatment (including a maximum of two (2) qualified practitioners in a related discipline such as physiotherapy operating at any one time), enjoyment and convenience of participants and spectators and does not include a kiosk or clubhouse associated with or ancillary to a Park or Outdoor Sport and Recreation use respectively.</p>
Outdoor Sport and Recreation	<p>The use of premises for any organised sporting activity, recreational activity or leisure past time that is conducted wholly or mainly outdoors for:</p> <ul style="list-style-type: none"> (i) playing a game; (ii) recreation; (iii) instruction; (iv) athletics; (v) sport; or (vi) entertainment, <p>and includes typical premises such as an exhibition, public or commercially operated swimming pool/aquatic centre, race track, golf course, mock-combat outdoor activities, outdoor courts and sportsgrounds, or the like, or places where activities are based on the appreciation or enjoyment of the natural features of a locality. The purpose includes ancillary facilities for the associated enjoyment and convenience of participants and spectators and includes a clubhouse, amenities buildings and the like associated with or ancillary to the use.</p>
Park	<p>The use of premises for free outdoor public recreation and enjoyment, and possibly also for any or all of the following:</p> <ul style="list-style-type: none"> (i) provision of a visually pleasant landscape; (ii) maintenance of natural processes and protection of environmentally sensitive areas, including significant vegetation or culturally significant places, or (iii) educational opportunities associated with the recreation or conservation values of the park or area (e.g. an information hut in a National Park). <p>The term includes such ancillary facilities for non-organised park users as sporting and playground</p>



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

COMMUNITY / RECREATION USE DEFINITIONS

USE	DEFINITION
	equipment, shelters, carparking areas, educational facilities, barbecue and picnic facilities, seating, toilets, safety lighting, kiosks or the like.
Place of Worship	The use of premises for the purposes of worship, religious instruction, religious training, religious ceremony or religious celebration when not ancillary to the primary use of the premises, such as a cemetery or crematorium. The purpose includes any hall on the same premises as the Place of Worship as well as any rectory, manse, presbytery, convent, monastery or the like. The purpose includes uses commonly referred to as a church, chapel, synagogue, temple or the like.



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON



OTHER USE DEFINITIONS	
USE	DEFINITION
Public Facility	<p>The use of any premises for the purposes of any installation or undertaking for:</p> <ul style="list-style-type: none"> (i) the supply of water, hydraulic power, electricity or gas but excluding power generation plants burning 100kg or more of fuel per hour; or (ii) the provision of sewerage or drainage services, including a sewerage treatment works; or (iii) the storage and/or treatment of garbage; or (iv) a gaol; reformatory or similar penal establishment; or (v) a wharf, water transport or a river undertaking; (vi) any Local, State or Federal government infrastructure/utility purpose not otherwise defined; or (vii) a depot operated by or for the Council or a public sector entity.
Stable	<p>Any building, structure or area used, or purposely built to be used, for the purposes of stabling, keeping, feeding, watering, grooming, shoeing, exercising, training or veterinary treatment of a horse except when part of a Veterinary Hospital, Veterinary Clinic or an Outdoor Sport and Recreation use. The term does not include a House or Caretaker's Residence on the same site as a stable or an area used only to graze a horse or horses but does include a Day Yard, Stall, Sand Roll or Training Track.</p>
Telecommunication Facility/Tower	<p>The use of any premises for:</p> <ul style="list-style-type: none"> (i) freestanding poles, towers and associated antennae used for a telecommunications purpose; or (ii) telecommunications equipment cabinets in excess of 5m² base area or in excess of 2.5 metres in height above ground level; or (iii) the full range of telecommunication infrastructure if on or adjacent to a premises that is listed under the Queensland Heritage Act 1992 or Planning Scheme Policy No. 4; or (iv) the full range of telecommunication infrastructure if within an Environmental Protection Area identified within the Planning Scheme.
Tourist Facility	<p>Premises providing for the entertainment or recreation of primarily the touring or holidaying public such as an icon attraction or theme park. The purpose includes refreshment and accommodation elements where integrated as ancillary aspects to the facility.</p>
Veterinary Hospital	<p>Premises used for the provision of advice or treatment for the care and well being of animals that has facilities that provide for the accommodation of animals overnight for one (1) or more nights.</p>

ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

Acceptable Solution	In the planning scheme, the codes present one means by which the applicable performance criteria can be met. The measures are mandatory for self-assessable development, and preferred by Council for assessable development.
Accommodation Units	Any part of a building used or intended to be used to accommodate one (1) household, which is not self-contained. In all instances it is expected that the household be accommodated on a short-term basis only such as in a motel.
Act	The <i>Integrated Planning Act 1997</i> , including amendments, or subsequent equivalent Act.
Active Frontage	Are those frontages that are comprised of shopfronts and other ground floor uses that foster social and business activity on streets and in public places.
Active Use	Are those uses such as shops, commercial premises, restaurants (fast food), takeaway food stores, hotels, the living area of residential uses and the like that generate a high degree of pedestrian movement or visitation.
Advertising Sign	<p>Excluding a Temporary Sign or Sign Maintenance as otherwise defined, means any words, letters, numerals, logos, messages, pictorial displays, inscription, notices, devices, representation or signs of any kind, which are visible from any public place or the air, having the effect of directing attention to a commodity, service, activity, product, trade, profession, place or person. The term includes, but is not limited to:</p> <ul style="list-style-type: none"> (a) Any framework, board or other structure, which is used for the purpose of affixing or supporting the advertising sign. Accordingly, the framework or structure includes the facade, walls, awning, roof, or canopy of a building and the columns, pylons, or poles of a freestanding device or fence; (b) Any cloth, textile, plastic or flexible membrane material; <ul style="list-style-type: none"> (i) onto which the sign is affixed or painted (e.g. flags, banners, balloons, blimps, kites, cold air inflatables, blinds and canopies); or (ii) that is shaped or formed to attract attention (e.g. bunting/streamers, etc); (c) Murals and three dimensional objects and shapes; and (d) Any devices or objects which are illuminated or which have movement in any form. This does not include lighting for the sole purpose of security or safety. <p>To remove any doubt, an Advertising Sign does not include:</p> <ul style="list-style-type: none"> (a) a sign regulated by or through the <i>Transport Operation (Road Use Management) Act 1995</i> or as amended; or (b) any sign required to be displayed to satisfy the obligations of any person, company or contractor

CHAPTER 3
NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

	<p>under the Workplace Health and Safety Act 1995 or as amended; or</p> <p>(c) a sign that identifies the name of a place gazetted under the Place Names Act 1994 or as amended; or.</p> <p>(d) a sign that identifies the name of an area of Public Open Space as identified on any Area Map in this planning scheme, that name being the name approved by a resolution of the Council.</p>
Allotment	<p>A piece or parcel of land, which has boundaries that are separately defined by metes and bounds on a plan of survey registered with the Land Registry¹¹. Where land under the Land Title Act 1994 has been subdivided, the term includes any and every subdivision of such land where the boundaries of the land are separately defined by metes and bounds on the relevant plan of the land registered with the Land Registry under and in accordance with the Land Title Act 1994.</p> <p>For the purpose of creating allotments of less than 600m² in a Reconfiguring a Lot application, the area of the allotment for the purpose of determining the minimum allotment size shall not include the area of any access handle, access lane, access easement or right of way.</p>
Amenity	Are those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.
Aquaculture	The cultivation of live fisheries resources (which includes fish and marine plants as defined in the Fisheries Act 1994) for sale.
Articulate	To compose in segments, particularly in relation to building facades or elevations, to relieve long or unbroken planes.
Average Allotment Width	Is the average of the following two (2) measurements:
	<ul style="list-style-type: none"> (i) the width of the allotment along a 6 metre setback line from the primary road frontage; and (ii) the width of the allotment along a 15 metre setback line from the primary road frontage.
B85 vehicle	Is as defined in Australian Standard AS 2890.1 1993 <i>Parking Facilities Part 1: Off-street carparking</i> or as otherwise amended in the future which states at the time that this planning scheme commenced that it is the design motor car whose physical dimensions represent the 85 th percentile class of all cars and light vans on the road.
B99 vehicle	Is as defined in Australian Standard AS 2890.1 1993 <i>Parking Facilities Part 1: Off-street carparking</i> or as otherwise amended in the future which states at the time that this planning scheme commenced that it is the design motor car whose physical dimensions represent the 99.8 th percentile class of all cars and light vans on the road.

¹¹

As defined in the Land Title Act 1994.



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

Balcony	Is (unless clearly stated differently in the context of where the term is used in this planning scheme) any balustraded platform, 0.3 metres or more above adjacent finished ground level, either cantilevered or supported over open space, with access from the building via a door or window and with a minimum width of 1 metre.
Buffer	Refers to an area, structure or physical feature separating a source of environmental impact from an area or use sensitive to such impact. A buffer area may include public parkland where the buffer function is incidental to and compatible with the use of that park for other purposes.
Building Height	The distance between the natural ground level and the highest point of a building or structure.
Building Location Envelope	Identifying the part of the site where building work can occur for a house, garage, outdoor recreation, gazebos, sheds, etc., but not including the driveway or septic trenches.
Building work	As defined in the <i>Integrated Planning Act 1997</i> , but excluding minor building work.
Bushfire	An uncontrolled fire burning in forest, scrub or grassland vegetation sometimes also referred to as wildfire.
Bushfire Prone Land	Land identified as being subject to some risk of bush fire and is defined as being all land located in the: (a) Berserker Range Environmental Protection Area; (b) Yeppoon Road Corridor Environmental Protection Area; (c) Norbank Estate Rural Residential Precinct in the Norbank Estate Special Use Area, and (d) The enclosed valley in the Norman Road Residential Area, which is also taken to be a "designated bush fire prone area" in accordance with section 55(1) of the Standard Building Regulation 1993 in instances as set out in the Bushfire Risk Minimisation Code and is shown on Bushfire Risk Minimisation Code Map 1.
Capricorn Municipal Development Guidelines (CMDG)	The most recent edition of the Capricorn Municipal Development Guidelines (CMDG) produced by Rockhampton Regional Council.
Casual Surveillance	Refers to the ability to informally observe an area to enhance the level of security.
Character House	Is a residential building built prior to or in December 1939 including a House, Small Lot House, Duplex, Accommodation building, Special Needs Accommodation Building or Multi Unit Dwelling.
Code Assessable	Is 'assessable development requiring code assessment' as defined in the <i>Integrated Planning Act 1997</i> .
Commencement Day	The day that, having adopted this planning scheme in accordance with the <i>Integrated Planning Act 1997</i> , the Council decided that this planning scheme would commence.
Contaminant	As defined in the <i>Environmental Protection Act 1994</i> .
Council	The Rockhampton Regional Council.



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

Cultural Heritage Significance	A place or object that has aesthetic, architectural, historical, spiritual, scientific, social or technological significance to the present, past or future generations of the entire Rockhampton community.
Defined Flood Event (DFE)	The flood event adopted by Rockhampton Regional Council for the management of development. The DFE is not the full extent of flood-prone land and for the purposes of this planning scheme is Q100. However, in some instances and circumstances and where stated in the Flood Prone Land Code, a different ARI may be used as the DFE.
Demolition Work	The demolition or relocation of a building or part of a building that is not defined as Minor Demolition Work.
Domestic Horticulture	The growing of flowers, fruit, vegetables and the like for the use of the household on the same premises only and not for a commercial purpose.
Domestic Pets	The keeping of animals within the curtilage of a dwelling unit in accordance with Council's relevant Local Law.
Drainage Reserve	Land subject to flooding in a 1 in 10 year flood event.
Drive-Through	That part of a premise that provides a capacity by way of: <ul style="list-style-type: none"> • a purposely built mechanism; or • a window; or • an attendant, normally on a driveway, for customers to be served without the need for the customer to exit their vehicle.
Dwelling Unit	A building or part of a building used as a self contained residence for one household which includes: <ol style="list-style-type: none"> (a) food preparation facilities including a wall oven and cook top; (b) bath or shower; and (c) water closet and washbasin. It includes out buildings and works normal to a dwelling.
Ecological Sustainability	Has the meaning stated in the <i>Integrated Planning Act 1997</i> .
Electric Line Shadow	The area directly below a group of electric lines when the electric lines are at rest as shown diagrammatically below; <div style="text-align: center; margin-top: 20px;"> <div style="margin-top: 10px;"> Ground Level </div> <div style="margin-top: 20px;"> Electric Line Shadow The space directly under the electric lines when the lines are at rest. </div> </div>
Electricity Works	Has the same meaning as Works as defined in the <i>Electricity Act 1994</i> .
Environment	Has the meaning stated in the <i>Integrated Planning Act 1997</i> .
Environmental Harm	Is any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

	magnitude, duration or frequency) on environmental value, as defined in the <i>Environmental Protection Act 1994</i> .
Environmental Management Plan (EMP)	A plan that specifies outcomes for management of a site to minimise impacts of use and development. An Environmental Management Plan (EMP) is a document which may be required to be prepared to support a development application, or as a condition of development approval. The EMP will be required to address management of site impacts during the design, construction and operation phases of the development and for emergency situations.
Environmentally Relevant Activity (ERA)	An Environmentally Relevant Activity is defined in Schedule 1 of the <i>Environmental Protection Regulation 1998</i> or as otherwise amended.
Environmentally Sensitive Area	Environmentally Sensitive Areas are those areas within: (a) Environmental Protection Areas; (b) any area of significant vegetation; (c) any area of critical habitat as defined in the <i>Nature Conservation Act 1992</i> ; (d) any area subject to, or an area containing species subject to, an interim conservation order under the <i>Nature Conservation Act 1992</i> ; (e) any area that is part of a linkage/corridor which is important at the local, district or regional level for native fauna; and (f) any ridgelines, gullies and other topographically significant natural features.
Environmentally Sensitive Location	Locations which identify remnant vegetation or wetlands as identified on Planning Scheme Map 4.
Established Area	An existing neighbourhood where the vast majority of land is developed.
ERA	Refer to the definition of an Environmentally Relevant Activity.
Excavation or Filling	Operational work for excavating or filling that materially affects premises or the use of premises.
Exempt Development	Refer to the <i>Integrated Planning Act 1997</i> and section 3.3.1 of Chapter 3 in this Planning Scheme.
Facade	The portion of a building within 5 metres of each road frontage (including laneways) for the full width of the building.
Flashing Sign	A Flashing Sign is any Advertising Sign provided with artificial light, which is wholly or partially capable of flashing on and off at intervals.
Flood Fringe	The remaining area of land affected by flooding, after floodway and flood storage areas have been identified. Development in flood fringe areas would not have a significant effect on the pattern of flood flows and levels, unless filling or other changes occur to the natural surface levels to a degree that flood levels, flow paths or velocity are significantly affected. Flood fringe is characterised by lower velocity flows, shallow depth typically below 0.5 metres and flood free/trafficable access.



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

Flood Prone Land	For the purposes of this Planning Scheme only, land which is below the Q100 flood level of the Fitzroy River. This is defined based on current information shown on the Planning Area Map for each Area in this Planning Scheme. To remove any doubt, while land may not be subject to flooding in a Q100 flood event it may be subject to flooding in a larger flood event.
Flood Storage Areas	Those parts of the flood plain that are important for the temporary storage of flood waters during the passage of a flood. If the capacity of a flood storage area is substantially reduced by the construction of levees or land fill, flood levels in the nearby areas may rise, and peak discharge downstream may be increased. Substantial reduction in flood storage area capacity may also cause a significant redistribution of flood flows and these effects are generally adverse. Flood storage areas normally have lower velocity flows and a depth of inundation greater than 0.5 metres.
Floodway	Those areas where during floods, a significant volume of water flows. They are areas, which even if only partially blocked, would cause a significant redistribution of flood flow, which may result in adverse affects on other areas. They are often areas with deeper flow or areas where higher velocities occur. Floodways are characterised by: (a) normally deeper flows than 0.5 metres; and/or (b) normally higher velocities of flow greater than 1.2 metres per second; and/or (c) the potential that if blocked or partially obstructed, significant effects on flood flows can occur, including impacts on other areas. Floodways are generally determined as being those areas where the product of depth (metres) and flow velocity (m/s) is greater than 1m ² /s.
Freestanding Sign	A Freestanding Sign is any Advertising Sign which is self supporting and independent of any building.
Frontage	Any boundary line or part thereof of a site or allotment, which coincides with the alignment of the road.
Good Quality Agricultural Land	Good Quality Agricultural Land (GQAL) has the meaning assigned to it under the State Planning Policy 1/92 and its associated planning guidelines.
Gross Floor Area (GFA)	The sum of the floor area (inclusive of all walls, columns and balconies) of all stories of every building located on a site excluding areas used for building services, a ground floor public lobby, a public mall in a Major Shopping Outlet and areas associated with the parking, loading and maneuvering of motor vehicles.
Gross Lettable Area (GLA)	The same as Gross Floor Area excluding areas not leased to a person, company, association or the like (other than management leasing) such as public amenities, centre security offices, a reception or centre management office, information desk, etc.
Ground Level	Is: (a) the ground level of the lot on the day the first plan of survey showing the lot was registered; or



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

	(b) if the ground level on the day mentioned in paragraph (a) is not known, the natural ground surface or probable natural ground surface decided by Rockhampton Regional Council.
Habitable Room	As defined in the <i>Building Code of Australia</i> .
Habitat	The terrestrial and/or aquatic environment where an organism or group of organisms live through time, including breeding, growing, feeding, nesting or roosting.
Hatchet Allotment	An allotment that has access to a road by means only of an access strip or easement (refer to Diagram A below), and the allotment is not created under a Community Title Scheme ¹² .

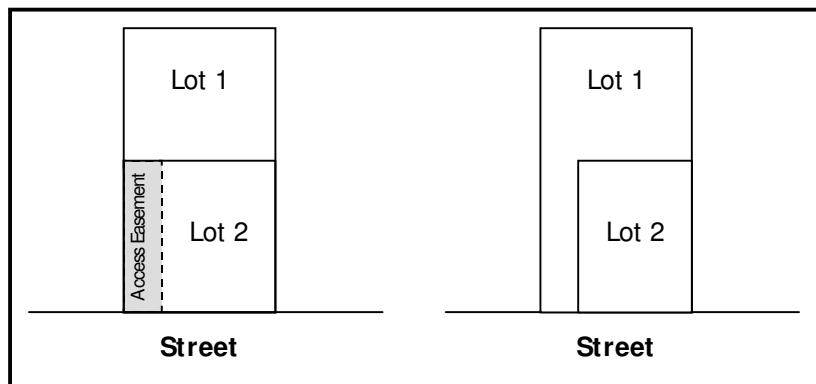


Diagram A

Height	The same as Building Height, unless the context of where the term is used states differently.
Heritage Place	Those premises as identified in the <i>Queensland Heritage Act 1992</i> or as identified in the Heritage Register of Planning Scheme Policy No. 4.
High Hazard	Areas of flooding where the floodwaters are deep and/or the flow is swift. There is a possible danger to life, which could result in loss of life or injury, and evacuation by trucks is difficult to impossible. There is the real potential for structural damage to buildings and structures, and social disruption and financial losses within the community could be high. Appendix 1 attached to the Flood Prone Land Code identifies high hazard areas in relation to depth and velocity of flow. High Flood Hazard land includes flood prone land where: (a) pedestrian wading is dangerous; and (b) evacuation by heavy truck is dangerous; and (c) depth of floodwater is greater than 0.8 metres; and (d) velocity of flood flow is greater than 1.2 metres per second; and (e) Depth x velocity is greater than 0.5 m ² per second.
Household	An individual or group of individuals whether related or unrelated living together.
Illuminated Sign	An Advertising Sign illuminated by means of either

¹² In a Community Title Scheme, any access strip or access easement is to be incorporated as common property within the scheme. Therefore in a Community Title Scheme it is not possible to create a hatchet allotment as all allotments will be conventionally shaped allotments.



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

	internal or external artificial light.
Impact Assessable	Impact assessable development means 'assessable development requiring impact assessment' as referred to in the <i>Integrated Planning Act 1997</i> .
Intrusive Noise	Noise that is intrusive because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration that is clearly audible to, or can be felt by, an individual.
Landscaping	The treatment of premises for the purposes of protecting and/or enhancing the appearance and comfort and use of public or communal land by way of any one or more of the following: (a) the planting of trees, shrubs, ground covers, grass, rocks or mounding together with the provision of any irrigation works; (b) open space areas and recreation areas (both passive and active), such as lunch areas for staff or 'play areas' in multi unit dwellings; (c) the provision of pathways, paving or edging for decorative or aesthetic purposes; (d) the erection of screen or decorative fences or walls, pergolas, gazebos, trellises or similar outdoor structures; (e) the installation of lighting, interpretive signage, fountains, pools or outdoor furniture; and (f) the placement of statues, sculpture, public art or other art for decorative purposes, and may include the incorporation of existing vegetation, water-bodies, landforms and decorative structures.
Laneway	Road reserve that is normally a secondary road frontage to a site that is typically narrow with most development on sites backing or orientated away from the laneway, with the laneway used primarily for servicing/delivery functions or as an exit to a site.
Low Hazard	Areas towards the edge of the flooded area where depths are generally shallow and velocities are low. Able bodied adults would have little difficulty in wading and if necessary, people and their possessions could be evacuated by trucks. Appendix 1 attached to the Flood Prone Land Code identifies low hazard areas in relation to depth and velocity of flow. Low Flood Hazard land includes flood prone land where: (a) pedestrian wading is easy; and (b) evacuation by truck is possible; and (c) depth of floodwater is equal to or less than 0.8 metres; and (d) velocity of flood flow equal to or less than 1.2 metres per second; and (e) depth x velocity is equal to or less than 0.5 m ² per second.
Major Street	A Major Urban Collector, designated in Planning Scheme Policy No. 13 – Road Hierarchy, or a higher order road being a class 1, 2, 3 or 6.
Material Change of Use	Has the meaning stated in the <i>Integrated Planning Act</i>



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

	1997.
Minor Building Work	<p>Minor Building Work means building work:</p> <p>(a) to which the provisions of the Building Code of Australia apply; and</p> <p>(b) which in a single construction results in an increase in gross floor area of an existing premises by no more than 30m² provided that the required number of carparking spaces for the use under the planning scheme (or any relaxation granted) still exist on the site; and</p> <p>(c) which cumulatively in a number of constructions, over time, is not otherwise defined in this Planning Scheme.</p> <p>Except:</p> <p>(1) for a Character House, does not include (a), (b) and (c) above where it involves the enclosure of verandahs for a habitable room at the front of the house, visible from the street; and</p> <p>(2) for a Heritage Place, does not include (a), (b) and (c) above where it involves:</p> <p>Demolition – total or partial demolition and removal of existing structures;</p> <p>Alterations – internal alterations over 20m², or alterations to the external fabric of the building;</p> <p>Additions – new structures over 10m², such as extension to existing structure or separate structures.</p>
Minor Demolition Work	As defined in the Demolition Code.
Minor Demolition Work for Facades	As defined in the Demolition Code.
Minor Repair and Maintenance Works	Works associated with the general care of the materials and setting of a Heritage Place and includes emergency work (excluding demolition), maintenance and repair including repainting of previously painted surfaces, replacement of small items and fences, gardens and grounds, also roads, pathways and roof and drainage systems.
Minor Street	A Minor Urban Collector, designated in Planning Scheme Policy No. 13 – Road Hierarchy, or a lower order road being a class 9.
Non-Residential Character Building	As defined in the Demolition Code.
Notifiable Activity	As defined in the <i>Environmental Protection Act 1994</i> .
Operational Work	Has the meaning stated in the <i>Integrated Planning Act 1997</i> .
Outermost Projection:	As defined in the <i>Standard Building Regulation 1993</i> but applies to both buildings and structures.
Overland flow path	An overland flow path is:
	<ul style="list-style-type: none"> • where a piped drainage system exists, the path where flood water exceeding the capacity of the underground drainage system would flow; and • where no piped drainage system or other form of defined watercourse exists, the path taken by

ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

	surface run-off from higher parts of the catchment. This does not include a watercourse or gully with well-defined banks.
Performance Criteria	Performance Criteria in the planning scheme codes, are prescribed standards which development and use is required to achieve to Council's satisfaction.
Plan of Development ¹³	Plan of development means a plan which is referred to in the conditions of a development approval as having been approved by Council and which shows the development approved on the site. The term includes any map, diagram, section, detail, schedule or drawing shown or endorsed on, or attached to the plan which may limit, condition or otherwise describe the development.
Planning Scheme	Has the meaning stated in the <i>Integrated Planning Act 1997</i> .
Plot ratio	The ratio of the gross floor area of the building/s on the site to the area of the site.
Premises	Has the meaning stated in the <i>Integrated Planning Act 1997</i> .
Primary Code	The code that is the first point of reference for the assessment of a development application.
Private Open Space	An open area of land or building attached to a dwelling unit or accommodation unit (e.g. balcony or roof garden) intended for the exclusive use of the occupants of the dwelling unit or accommodation unit, and located and designed so as to offer visual privacy to the occupants.
Public Open Space	Includes both land dedicated as parkland and land dedicated as drainage reserve. Within Public Open Space, drainage reserve includes all land located at or below the Q10 flood event for any localised gully or stormwater event as well as river or creek flooding.
Public Sector Entity	As defined in the <i>Integrated Planning Act 1997</i> .
Q100	The Defined Flood Event for this Planning Scheme (unless specifically stated otherwise in certain instances) and the 1 in 100 year Average Recurrence Interval (ARI) flood which is also known as the 1% Annual Exceedance Probability (AEP) flood, where AEP is as defined in the State Planning Policy Guideline 1/03.
Queensland Residential Design Guidelines (QRDG)	The Queensland Residential Design Guidelines produced by the Queensland Department of Local Government and Planning.
Queensland Streets	The most recent edition of <i>Queensland Streets – Design Guideline for Subdivisional Streetworks</i> produced by The Institute of Municipal Engineering Australia, Queensland Division.
Railway Noise Affected Corridor	Is the land identified on Railway Noise Code Map 1 attached to the Railway Noise Code as part of the Railway Noise Affected Corridor.
Reconfiguring a Lot	Has the meaning stated in the <i>Integrated Planning Act</i>

¹³ This is included to provide a definition of the term that is used in conditions for some development approvals. In general, it is a term not used in this planning scheme, but is in at least one location.



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

	1997.
Relocatable Home	A self-contained dwelling complying with the requirements of the <i>Building Act 1975</i> for the appropriate class of residential building, and being a dwelling that:
	(a) comprises one or more major sections that are each constructed and assembled away from the relocatable home park; and
	(b) is not capable of being registered for road use; and
	(c) includes any associated structures (such as a rigid annexe) that forms part of the dwelling; and
	(d) may be fitted with wheels for movement around the relocatable home park but not for the purpose of road use.
Riparian Corridors	Riparian corridors refer to the vegetation along a waterway, which has species and a character dependent on a close location to and interaction with the waterway system.
Road	Road is defined in the <i>Integrated Planning Act 1997</i> .
Roadside Stall	Premises not exceeding 25m ² in gross floor area used or intended to be used mostly on an irregular or casual basis primarily for the sale by retail of primary produce grown on the land on which the premises are located. Such produce is sold mostly in small quantities to the travelling public. This term does not include a shop or commercial premises as separately defined in this Planning Scheme.
Self Assessable	Self assessable development means 'assessable development requiring self assessment' as referred to in the <i>Integrated Planning Act 1997</i> .
Setback	The distance between a site boundary and the outermost wall of a building.
Sign Maintenance	Any Maintenance carried out on an Advertising Sign of any sign type that existed and was being lawfully displayed on the commencement day of this planning scheme and still remains in the same location it did on the commencement day. Maintenance includes:
	(a) fixing or repairing a sign that has been damaged on site or taking the sign away for a period of no more than 30 days for fixing or repair before it is re-displayed; or
	(b) changing the content of any advertising sign so long as the content change does not:
	(i) alter the Sign Type, (e.g. trade sign does not become a fence sign), or
	(ii) make the sign a Third Party Sign; or
	(c) reducing the sign face area of an advertising sign but does not include increasing the size of an advertising sign.
Significant Vegetation	Significant vegetation means vegetation, which:
	(a) includes, or is likely to include, ecosystems which are 'endangered' or 'of concern' in the Conservation Status of Queensland's Regional Ecosystems; or
	(b) contains or is likely to contain rare or threatened



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

	<p>species listed under the Nature Conservation (Wildlife) Regulation 1994; or</p> <p>(c) contains or is likely to contain species otherwise noteworthy in terms of geographical distribution and vegetation with historic or cultural association, recreational, scientific or educational value, habitat importance, land protection functions or structural and visual buffer qualities; or</p> <p>(d) includes, a single specimen, a group or collection of specimens or an area (representing a vegetation community) identified in Appendix F of Planning Scheme Policy No. 6 – Planting Species; or</p> <p>(e) is identified as being significant vegetation in any approval for a Material Change of Use or Reconfiguring a Lot.</p>
Site	<p>Any land on which development is carried out or is proposed to be carried out whether such land comprises:</p> <p>(a) the whole of any one allotment, or parcel of land; or</p> <p>(b) only part of any one allotment or parcel of land; or</p> <p>(c) more than one allotment or parcel of land where each allotment/parcel is contiguous with another that forms part of, or all, of the site; or</p> <p>(d) conjointly used land that is not adjoining land and which, in rural areas, may be a farm holding operated by the land holder comprising one or more allotments (whether or not contiguous) which is for Council's rating purposes treated as a single property.</p>
Site Cover	<p>The proportion of a site covered by a building, fixed structure, or outdoor storage area, but does not include un-roofed parking areas.</p>
Slope	<p>Is,</p> <p>(a) for the purpose of Reconfiguring a Lot and where a proposed lot is contained;</p> <ul style="list-style-type: none"> (i) wholly within a single slope category shown on a slope analysis, the slope of that category; or (ii) within more than one slope category shown on a slope analysis, the predominant slope of the building location envelope, as follows: <ul style="list-style-type: none"> • where the building location envelope is contained within one slope category shown on a slope analysis, the slope is the slope of that category, • where the building location envelope is contained within more than one slope category shown on a slope analysis, the slope is the average of all predominant slopes of the building location envelope; and <p>(b) for the purposes of building works or a material change of use, the slope of the building location envelope which is determined as follows:</p> <ul style="list-style-type: none"> (i) where the building location envelope has one



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

	<p>predominant slope, that slope,</p> <p>(ii) where the building location envelope has more than one predominant slope, the average of all predominant slopes, provided that:</p> <ul style="list-style-type: none"> • the slope shall be determined to the nearest whole number, and • where there is any question about the determination of slope, the slope shall be as determined by the Assessment Manager, and • the predominant slope shall be measured perpendicular to the contours of the building location envelope and calculated as follows: <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>Predominant Slope (%) = $(x \div y)$ multiplied by 100 where: 'x' is the change in elevation, in metres, (highest point - lowest point) of the building location envelope, 'y' is the horizontal distance, in metres, in a straight line between the highest point and the lowest point of the building area.</p> </div> <p>Refer to the 'Instructions for determining slope' in Appendix 1 of the Steep or Unstable Lands code for an explanation of the process.</p>
Slope Analysis	A diagram prepared by a licensed surveyor representing the slope of the site based on one metre contour intervals and indicating the slope of the site in the following slope categories: <ul style="list-style-type: none"> • less than 15% slope • equal to or greater than 15% but less than 20% slope • equal to or greater than 20% but less than 25% slope • equal to or greater than 25% slope.
Small Lot	An allotment that has: <ul style="list-style-type: none"> (a) an area of 600m² or less; or (b) an average allotment width of 15 metres or less; or (c) an area of 600m² or less (exclusive of any access handle) if the allotment is a Hatchet Allotment.
Storey	The space within a building which is situated between one floor level and the next floor level above, including a mezzanine level, or if there is not a floor above, the ceiling or roof above, but not a space that contains only: <ul style="list-style-type: none"> (a) a lift shaft, stairway or meter room; or (b) a lift motor, air conditioning or other mechanical or electrical plant at roof top level; or (c) a basement car park where any part of the ceiling is not higher than 1.0 metre above ground level; or (d) a combination of the above.
Stormwater Management Plan	A Stormwater Management Plan is a plan for the management of stormwater quantity and quality that is prepared for a creek or tributary, or for a site development.
Street	Unless stated otherwise in a Code, Policy, footnote or the

ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

	like, means the same as Road.
Swimming Pool	Any swimming pool as defined in the Building Act 1975, used for display, public, semi-public or swimming instruction use (as defined in the Swimming Pool Code), however, does not include a swimming pool used for a domestic purpose.
Temporary Sign	A Temporary Sign is any Advertising Sign: (a) that does not require approval under the Building Code of Australia; and (b) is displayed at a general location for a maximum period of 14 days (for part of the day or the whole day), consecutively or not, within a 3 month period.
Tenancy	Part of a building that is separated from other parts by solid internal walls (without connecting doors, windows or the like) that is capable of being occupied and used as business premises separately from other parts of the same building (including, but not limited to, other tenancies).
Third Party Sign	Any Sign Type that advertises goods and/or services that are not sold, conducted, available or the like on the site/premises on which the advertising sign is located or the advertising sign is located in road reserve and immediately in front of a site/premises where the goods and/or service are available.
Through Roads	A road than can be entered or exited from either end and extends at both ends into the local road network.
Total Use Area	Includes Gross Floor Area and any other areas within the site that are used for the carrying out of the use (e.g. open to the sky plant display area or market stalls) but does not include pedestrian or vehicle areas (for example walkways around an open to the sky nursery or market).
Use	Has the meaning stated in the <i>Integrated Planning Act 1997</i> .
Waterway	Any element of a river, creek, stream, gully or drainage channel, including the bed and banks. This term is to have the same meaning as in the <i>Fisheries Act 1994</i> .
Waterway Corridors	Land adjacent to a waterway, for open space, ecological or drainage purposes measured 30 metres perpendicular to the: (a) centre line of a waterway subject to periodic storage or flow of water; or (b) high water mark of a waterway; or (c) waterline of a lagoon or creek, which is mapped as being a Waterway Corridor on Planning Scheme Map 5.
Waterway Management Plan	An integrated plan addressing management of waterways in a catchment including stormwater drainage, water quality, ecological health, flooding and waterways usage.
Wetlands	Areas of permanent or periodic/intermittent inundation, whether natural or artificial, static or flowing, fresh, brackish or saline and include: <ul style="list-style-type: none"> • waterlogged soils;



ROCKHAMPTON CITY PLAN
PLANNING SCHEME FOR THE CITY OF ROCKHAMPTON

NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

- ponds;
 - billabongs;
 - lakes;
 - forest swamps;
 - marsh swamps;
 - salt marshes; and
 - estuaries
- and as mapped as wetlands on Planning Scheme Map 4.

CHAPTER 3
NON MATERIAL CHANGE OF USE AND ADMINISTRATIVE DEFINITIONS

