



**Queensland  
Government**

Blackwater East

Priority Development Area

# **Interim Land Use Plan**

June 2013

## Contents

1.0	Preliminary.....	2
1.1	Introduction .....	2
1.2	Economic Development Act.....	2
1.3	The elements of the ILUP.....	2
1.4	Priority Development Area .....	2
1.5	Vision.....	4
1.6	Purpose of the ILUP .....	4
1.7	Relationship with the planning scheme.....	4
1.8	Relationship with other legislation .....	4
2.0	Development Assessment.....	5
2.1	Principles.....	5
2.2	Levels of assessment.....	5
2.3	Schedules .....	5
2.4	Development consistent with the ILUP .....	6
2.5	Development approval .....	7
2.6	Infrastructure agreements.....	7
2.7	Plan of Development .....	7
2.8	Notification requirements .....	7
3.0	Development requirements.....	8
3.1	Neighbourhood planning and design.....	8
3.2	Street and movement network.....	9
3.3	Environment and open space .....	9
3.4	Community safety and development constraints.....	10
3.5	Service infrastructure.....	10
4.0	Infrastructure Contributions .....	11
	Schedule 1: Exempt development .....	12
	Schedule 2: Definitions .....	13

## **1.0 Preliminary**

### **1.1 Introduction**

The Blackwater East PDA Interim Land Use Plan (ILUP) has been prepared pursuant to Section 38 of the *Economic Development Act 2012* (the ED Act) and applies only to land within the declared Blackwater East PDA boundary identified in Map 1.

This ILUP commences on declaration.

### **1.2 Economic Development Act**

The ED Act provides for particular parts of the State to be declared as areas called Priority Development Areas (PDAs).

The main purpose of the ED Act is to establish the Minister for Economic Development Queensland (MEDQ) to plan, carry out, promote or coordinate activities to facilitate economic development and development for community purposes in declared PDAs in Queensland.

Economic Development Queensland (EDQ) is an entity established within the Department of State Development Infrastructure and Planning, to assist the MEDQ to carry out its functions under the ED Act<sup>1</sup>.

### **1.3 The elements of the ILUP**

This ILUP contains:

- a vision for the PDA, and
- development requirements.

The vision identifies the broad planning outcomes for the PDA. The principles contained in the vision seek to achieve for the PDA the purposes of the ED Act, and are the basis for the development requirements.

The development requirements state the requirements for carrying out development to achieve the vision for the PDA. These requirements apply to all Assessable development in the PDA. To the extent a requirement is relevant; it must be taken into account in the preparation of a PDA development application and the assessment of the application.

### **1.4 Priority Development Area**

The Blackwater East PDA was declared by a regulation on 21 June 2013.

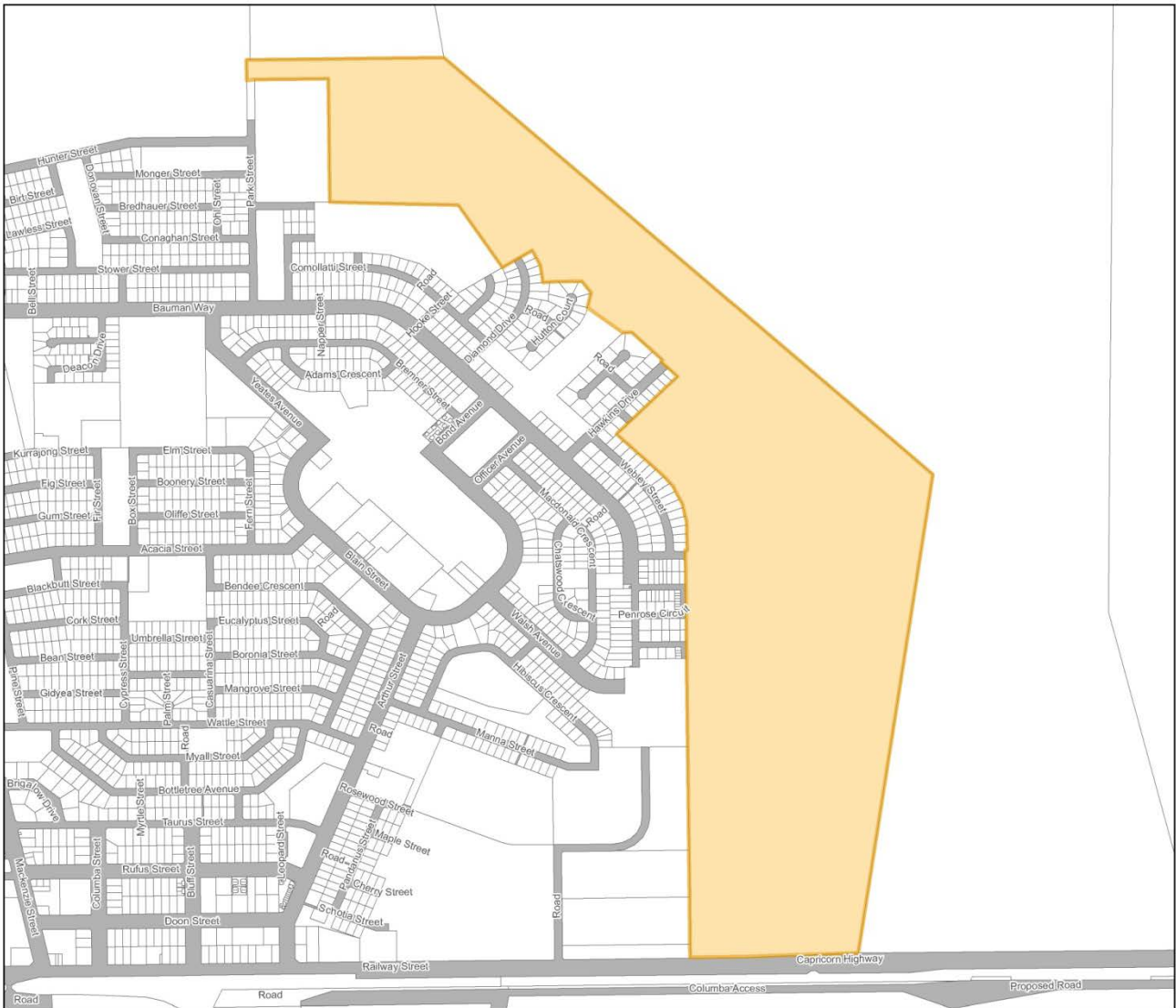
The Blackwater East PDA is located to the east of Blackwater, north of the Capricorn Highway in the Central Highlands Regional Council area. It adjoins the existing Blackwater PDA. Owned by State Government and zoned Rural in the Duaringa Planning Scheme, the Blackwater East PDA has been declared to enable the preparation of a development scheme that facilitates development in response to the resource boom in the Bowen Basin.

The PDA has an area of approximately 130 hectares. Map 1 shows the PDA boundary and location.

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<sup>1</sup> The MEDQ has delegated the responsibility for Development Assessment (DA) in the Blackwater East PDA to Economic Development Queensland.

# Map 1: Blackwater East PDA



**Key**

- Blackwater East PDA
- Cadastre



## **1.5 Vision**

The Blackwater East PDA will provide for the delivery of residential development in Blackwater, extending the existing Blackwater PDA Development Scheme vision which includes:

- delivering a sustainable community that offers housing affordability, diversity, accessibility and choice;
- providing for a range of community facilities and services;
- delivering vibrant business centres;
- maximising local employment opportunities;
- maximising connectivity;
- responding to the local climate and landscape features;
- walkable streets and neighbourhoods;
- providing for personal safety and security;
- enhancing character and amenity;
- using infrastructure efficiently;
- demonstrating high quality urban design; and
- promoting land use and transport integration.

## **1.6 Purpose of the ILUP**

The purpose of the ILUP is to guide development of the PDA while protecting the future development opportunities which will be determined during the preparation of the development scheme. The ILUP remains in force for 12 months from the date of declaration, or until the development scheme takes effect, whichever is sooner.

## **1.7 Relationship with the planning scheme**

This ILUP prevails to the extent of an inconsistency with any of the following instruments:

- a planning instrument
- a plan, policy or code made under the *Sustainable Planning Act 2009* (SPA) or another Act.

Unless this ILUP specifically applies a provision of a planning scheme, or a plan, policy or code made under SPA or another Act, the ILUP is inconsistent with the provisions of the planning scheme, plan, policy or code.

## **1.8 Relationship with other legislation**

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

## **2.0 Development Assessment**

### **2.1 Principles**

The principles of this ILUP are to achieve:

1. for the PDA, the purposes of the ED Act
2. the PDA Vision
3. the Government objectives for the PDA.

### **2.2 Levels of assessment**

Table 1 of this ILUP identifies whether development within the PDA is:

- PDA Exempt development - Column 1
- PDA Self-assessable development - Column 2
- PDA Assessable development (Permissible) - Column 3A (Permissible development)
- PDA Assessable development (Prohibited) - Column 3B (Prohibited development).

#### *PDA Exempt Development*

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

#### *PDA Self-Assessable Development*

A PDA development application is not necessary for PDA Self-assessable development complying with the development requirements specified in this ILUP.

#### *PDA Assessable Development (Permissible)*

Permissible development requires a PDA development application to be lodged with the MEDQ for assessment and decision. Approval is required for permissible development to be undertaken. Identification of development as permissible development does not mean that a PDA development approval (with or without conditions) will be granted.

#### *PDA Assessable Development (Prohibited)*

Development mentioned in Table 1 Column 3B is PDA Assessable development (Prohibited) and may not be carried out in the PDA.

### **2.3 Schedules**

Schedule 1 identifies development that is exempt from assessment for the whole of the PDA.

Schedule 2 provides the use and administrative definitions required to interpret and apply the ILUP.

**Table 1: Levels of assessment**

Column 1 Exempt development	Column 2 PDA self assessable development	Column 3 – PDA assessable development	
		Column 3A Permissible development	Column 3B Prohibited development
<p>1. An environmentally relevant activity if:</p> <p>(i) a code of environmental compliance has been made for that activity under the Environmental Protection Regulation 2008, and</p> <p>(ii) the activity complies with that code.</p> <p>2. If the land is not on the Environmental Management Register:</p> <p>(i) development specified in Schedule 1</p> <p>(ii) material change of use if in accordance with an approved Plan of Development (PoD)</p> <p>(iii) development for a House if all of the following apply:</p> <p>a. on a lot 450m<sup>2</sup> or more</p> <p>b. a frontage of 12.5m or more</p> <p>c. the House does not include a secondary dwelling</p> <p>d. the development complies with the acceptable solutions in Element 1 of the Queensland Development Code (QDC), MP 1.2 – Design and siting standard for single detached housing – on lots 450m<sup>2</sup> and over<sup>2</sup>.</p> <p>(iv) operational work or building work in accordance with an approved PoD.</p>	<p>Nil.</p>	<p>All development, including development not defined in Schedule 2, other than development mentioned in Schedule 1 or Column 1, 2 or 3B.</p>	<p>Development for:</p> <p>1. Extractive industry</p> <p>2. High impact industry</p> <p>3. Medium impact industry</p> <p>4. Non-resident worker accommodation</p> <p>5. Noxious and hazardous industry.</p>

## 2.4 Development consistent with the ILUP

A PDA development approval cannot be granted if the development would be inconsistent with this ILUP.

PDA Self-Assessable Development which complies with the applicable development requirements is consistent with this ILUP.

PDA Assessable Development (Permissible) development is consistent with this ILUP where:

1. the development complies with the vision and applicable development requirements or
2. the development does not comply with the applicable development requirements but there are sufficient grounds to justify the approval of the development despite the non-compliance with the applicable development requirements.

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2 The ILUP identifies compliance with certain provisions of the QDC as a criterion for development for a House to be exempt development despite the statement in QDC MP1.2 that it does not apply to development in a priority development area.

Otherwise, the permissible development is inconsistent with this ILUP and must be refused.

PDA Assessable development (Prohibited) is PDA Assessable development that is inconsistent with the ILUP.

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

- superior design outcomes
- overwhelming community need.

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

## **2.5 Development approval**

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

PDA assessable development requires a PDA development application to be lodged with MEDQ for assessment and decision.

Approval is required before PDA assessable development is undertaken.

## **2.6 Infrastructure agreements**

A PDA development condition may require the land owner to enter into an infrastructure agreement, to address the provision of infrastructure.

## **2.7 Plan of Development**

A Plan of Development (PoD) may accompany an application for a material change of use or reconfiguring a lot.

A PoD may include maps, graphics and text that collectively demonstrate how proposed uses, works and lots will contribute towards the achievement of the vision and will be consistent with the relevant PDA development requirements.

The PoD can not include land beyond the boundary of the land which is the subject of the application, but may cover only part of the land the subject of the application.

Under Table 1: Levels of assessment, development approved in accordance with a PoD is exempt development and requires no further development approval under the scheme.

For further advice on preparing a PoD refer to the applicable practice note available on the DSDIP website.

## **2.8 Notification requirements**

A PDA development application must require public notification if the application required public notification under the Duaringa Planning Scheme.



### **3.0 Development requirements**

The PDA development requirements relate to:

- neighbourhood planning and design
- street and movement network
- environment and open space
- community safety and development constraints
- service infrastructure.

For more detail regarding how to comply with the specific development requirements listed below refer to relevant guidelines available on the DSDIP website [www.dsdiq.gov.au](http://www.dsdiq.gov.au)<sup>3</sup>.

#### **3.1 Neighbourhood planning and design**

The form, type and arrangement of houses, streets and open space achieve good neighbourhood planning and design outcomes and:

- achieves a balanced mix of lot sizes to provide housing choice and streetscape variety
- delivers an appropriate scale of development and integrates with the surrounding environment
- achieves an appropriate interface with existing residential development adjoining the PDA boundary by:
  - considering densities through minimum lot sizes and the location of property boundaries
  - access arrangements
  - uses
  - height
- provides a safe environment through the application of Crime Prevention Through Environmental Design (CPTED) principles such as passive surveillance through residential neighbourhoods and open spaces
- provides parks that cater for a variety of uses and are safe and accessible for users
- creates an attractive and appealing place for residents which promotes walking and cycling and is permeable, legible and connected to surrounding areas
- utilises energy efficient, climatically responsive design including appropriate solar orientation, shading, cross ventilation, natural lighting and passive cooling techniques
- ensures adequate visual and noise amenity.

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3 A draft single State Planning Policy has been prepared and will supersede all State Planning Policies (SPPs) mentioned in this document when it is brought into effect.

### 3.2 Street and movement network

Development delivers a well designed movement network which:

- provides a safe and pleasant movement network for pedestrians, cyclists and vehicles that has a clear structure, good external connections with the surrounding area, minimises traffic impacts on residential areas and maximises walking, cycling and public transport effectiveness<sup>4</sup>
- supports the delivery of the primary street and movement network for the PDA connecting to the Capricorn Highway
- does not unreasonably constrain future provision of public transport infrastructure and does not adversely impact on the function or operation of existing or future public transport corridors and ensures potential public transport routes are constructed to a standard appropriate to accommodate these services, including footpaths and pavements.

### 3.3 Environment and open space

The design, siting and layout of development:

- protects significant environmental and ecological values and retains where possible existing mature trees, remnant vegetation and habitat for fauna
- provides opportunities to connect to open space areas within and adjoining the PDA and creates parks and open spaces that are accessible for users
- retains and enhances existing waterway corridors and overland flow paths, ensuring appropriate buffers are established
- incorporates landscaping with endemic species with a preference towards retaining existing vegetation where possible
- maintains and improves the functioning and characteristics of the existing hydrological network (including surface and groundwater interactions) and incorporates total water cycle management and water sensitive urban design principles<sup>5</sup>
- incorporates appropriate erosion and sediment control techniques
- promotes innovative and efficient use of energy and water
- maximises recycling opportunities and reduces waste generation.

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4 Where active transport enters the on-road environment, treatment should be consistent with Austroads: "Cycling Aspects of Austroads Guides (March 2011)".

5 Refer to the water discharge requirements specified in State Planning Policy 4/10 Guideline - Healthy Waters and its supporting document Urban Stormwater Quality Planning Guidelines 2010.

### 3.4 Community safety and development constraints

Development will:

- be sited, designed and constructed to avoid, minimise or withstand the incidence of a development constraint
- ensure that people and property are safe from potential hazards including acid sulfate soils<sup>6</sup>, flooding<sup>7</sup>, bushfire and landslide<sup>8</sup>
- take into consideration the predicted impacts of climate change
- manage and minimise noise from transport corridors in the south of the PDA<sup>9</sup>
- ensure stormwater runoff at the PDA's boundaries does not exceed that which presently exists, and there is no net worsening of flood conditions at the PDA's boundaries.

### 3.5 Service infrastructure

Development will protect existing or planned trunk infrastructure and ensure infrastructure and services are:

- provided in a timely, orderly, integrated and coordinated manner to support urban uses and works
- available or capable of being made available (including key infrastructure such as roads, public and active transport, water supply, sewerage, drainage, park network, community facilities, energy and telecommunications)
- designed to allow for future developments in information technology
- located and designed to maximise efficiency and ease of maintenance.

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6 For information on how to address potential acid sulfate soils, refer to State Planning Policy 2/02 Planning and management of development involving acid sulfate soils and the associated guideline.

7 The Queensland Reconstruction Authority notes that the Interim Floodplain Assessment Overlay (IFAO) suggests that parts of the PDA are located in a floodplain. Development in these areas must ensure it does not increase the inherent risk of people and property to the potential impacts of flooding. Development should be able to remain functional during and after a natural hazard event.

8 Refer to:

- State Planning Policy 1/03 Mitigating the adverse impacts of flood, bushfire and landslide and associated guideline for siting requirements for key elements of community infrastructure
- relevant DSDIP guidelines.

9 Refer to the Department of Transport and Main Roads Traffic Noise Management: Code of Practice with respect to external road traffic noise levels and the Queensland Development Code and Section MP4.4 'Buildings in a Transport Noise Corridor.'

#### **4.0 Infrastructure Contributions**

Under Section 88 of the ED Act, the assessment manager may impose conditions relating to infrastructure, and the payment of contributions or the surrender of land for infrastructure for any development area.

Infrastructure charges will be based on Central Highlands Regional Council's infrastructure charges or as agreed in an infrastructure agreement.

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

## Schedule 1: Exempt development

Development prescribed in Schedule 4 of the *Sustainable Planning Regulation 2009*, other than Table 2, item 2 and Table 5, item 14.

<b>Building work</b>
Minor building and demolition work.
Carrying out building work associated with a material change of use that is PDA exempt or self assessable development.
Carrying out building work associated with an approved material change of use.
<b>Material change of use of premises</b>
Making a material change of use of premises for a Park.
<b>Reconfiguring a lot</b>
Subdivision involving road widening and truncations required as a condition of development approval.
<b>Operational work</b>
Erecting no more than one (1) satellite dish on premises, where the satellite dish has no dimension greater than 1.8 metres.
Filling or excavation where: not exceeding 50m <sup>3</sup> in volume, or top dressing to a depth of less than 100 vertical millimetres from ground level
Carrying out operational work if consistent with an approved Plan of Development.
Carrying out operational work associated with a material change of use that is PDA exempt development.
Carrying out operational work associated with an approved material change of use.
Carrying out operational work associated with the decontamination of land.
Carrying out operational work for the purposes of constructing a road in association with development.
Carrying out operational work that is clearing of vegetation: <ul style="list-style-type: none"><li>• other than Significant vegetation, or</li><li>• Significant Vegetation where<ul style="list-style-type: none"><li>• the clearing is consistent with an approved Plan of Development</li><li>• carried out by or on behalf of Central Highlands Regional Council or a public sector entity, where the works being undertaken are authorised under a state law</li><li>• in accordance with the conditions of a PDA development approval for a material change of use or reconfiguring a lot.</li></ul></li></ul>
Carrying out operational work that is the placing of advertising devices that: <ul style="list-style-type: none"><li>• do not exceed 5m<sup>2</sup> for commercial, industrial, recreational or entertainment use;</li><li>• are attached to front fence or facade of main building;</li><li>• do not project more than 150mm from front facade or front fence;</li><li>• are not illuminated;</li><li>• contain name of business or operator, use on premises, contact details or name and address of building; and</li><li>• comprise no more than two signs.</li></ul>
<b>Plumbing or drainage work</b>
Carrying out plumbing or drainage work.
<b>All aspects of development</b>
Development consistent with an approved Plan of Development.

## **Schedule 2: Definitions**

### **Business uses**

#### **Adult store**

Means the use of premises for the display, sale or hire of goods to the public where the primary purpose of the business is the display or sale of sexually explicit material, or materials and devices with or used in a sexual practice or activity.

The term does not include the business of a newsagent, registered pharmacist, video hire or a shop where the primary use is concerned with the display, sale or hire of printed or recorded matter (not of a sexually explicit nature), the sale of underwear or lingerie, or the sale or display of an article or thing primarily concerned with or used in association with a medically recognised purpose.

#### **Brothel**

As defined in the *Prostitution Act 1999*, schedule 4.

#### **Business**

Means the use of premises used for administration, clerical, technical, professional, medical or veterinarian services or other business activities where the making, selling or hiring of goods on the premises is incidental.

#### **Food premises**

Means the use of premises for the preparation and sale of food and drink to the public for consumption on or off the site. The term includes a cafe, restaurant, coffee shop, bistro, tea room, milk bar, snack bar, kiosk, take-away. The use may include drive through facilities.

#### **Garden centre**

Premises used for the display and retail sale of gardening and landscape products and supplies. The term includes the propagation and sale of plants and the sale of seeds, pots, gardening tools, pre-packaged landscaping products (such as fertilisers, potting mix, mulch and stones) outdoor furniture and lighting, letterboxes, garden ornamentation, and literature on gardening. The use may include an ancillary coffee shop or cafe.

#### **Hardware and trade supplies**

Premises used for the display, sale, and hire of hardware and trade supplies, household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like.

#### **Home based business**

Means the use of a House or Multiple residential dwelling unit for an occupation or business activity as a secondary use where:

- i. the floor area used specifically for the home business does not exceed 50m<sup>2</sup>
- ii. any visitor accommodation does not exceed 4 visitors
- iii. there is no hiring out of materials, goods, appliances or vehicles
- iv. there is no repairing, servicing, cleaning or loading of vehicles not normally associated with a residential use
- v. the maximum height of a new building, structure or object does not exceed the height of the House or Multiple residential and the setback is the same as, or greater than, buildings on adjoining properties.

**Hotel**

Means the use of premises for the sale of liquor for consumption on or off site, and may include short-term accommodation, dining and entertainment facilities. The term does not include Non-resident worker accommodation or Short-term accommodation.

**Market**

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

**Outdoor sales or hire yard**

Premises used for the display, sale, hire or lease of any construction or industrial plant and equipment, agricultural machinery, motor vehicles, boats, trailers, other demountable or transportable structures and the like, to the public, where the use is conducted wholly or predominantly outdoors. The term includes the ancillary maintenance and repair of any of the items to be sold, hired or leased and the ancillary sale or hire of portable tools, machinery or equipment.

**Produce store**

Premises used for display and sale of goods which are normally used in carrying out agricultural uses, including animal fodder, chemical fertilisers for primary production, seeds, bulk veterinary supplies, saddlery, other stock and pet supplies, small scale farm and garden equipment, and the like.

**Sales office and display home**

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

**Shop**

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

**Short-term accommodation**

Means the use of premises comprising primarily accommodation units for short-term accommodation, generally for travellers and visitors, such as a motel or backpackers hostel. The use may include dining, laundry and recreational facilities which cater exclusively for the occupants of the premises, a manager's office and residence. The term does not include Non-resident worker accommodation, Other residential, Hotel, or Tourist park.

**Shopping centre**

Means the use of premises for display, sale or hire of goods comprising two or more individual tenancies, comprising primarily shops and which function as an integrated complex.

**Showroom**

Means the use of premises for the display and sale of goods primarily of a bulky nature and of a similar or related product line. The term also includes storage.

**Service station**

Means the use of premises for the retail sale of fuel including petrol, liquid petroleum and automotive distillate to refuel motor vehicles.

**Tourist attraction**

Means the use of premises for providing on-site entertainment, recreation or similar facilities for the touring or holidaying public.

**Tourist park**

Means the use of premises to provide short-term accommodation, generally for travellers and visitors, in caravans, self-contained cabins, tents and similar vehicles or structures. The use may include amenity buildings, a kiosk, laundry and recreational facilities which cater exclusively for the occupants of the premises, a manager's office and residence. The term does not include Non-resident worker accommodation, Relocatable home park or Short-term accommodation.

**Industrial uses****Extractive industry**

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

**High impact industry**

Means the use of premises for industrial activities which have significant off-site impacts such as air and noise emissions. Examples include asphalt manufacturing, boiler making, brewery, engineering works, glass or glass fibre making and timer mills.

**Low impact industry**

Means the use of premises for industrial activities which have minimal impacts on non-industrial uses and where impacts such as noise and air emissions are able to be readily mitigated. Examples include small engine repair shop, vehicle workshop, sign writing, cabinet making, tyre depot.

**Noxious and hazardous industry**

Means the use of premises for industrial activities that have extreme adverse impacts on other land uses. These impacts include air, noise and water emissions, the potential for fire, explosions and toxic releases.

**Research and technology facility**

Means the use of premises for innovative and emerging technological industries involved in research, design, manufacture, assembly, testing, maintenance and storage of machinery, equipment and components. Examples include aeronautical engineering, computer component manufacturing, medical laboratories.

**Service industry**

Means the use of premises for industrial activities where manufactured goods are sold or repaired or commercial services are provided.

**Warehouse**

Means the use of premises for the storage of goods, whether or not in a building, including self storage facilities or storage yards.



## **Residential uses**

### **Caretaker's accommodation**

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

### **Community residence**

Any dwelling used for residential purposes where people share communal spaces, who may require assistance or support with daily living needs and who may be unrelated. The use may include a resident support worker engaged or employed in the management of the residence.

### **House**

Means a residential use of premises for a one household which containing one primary single dwelling on a lot. The use includes out-buildings and works normally associated with a dwelling and may include a secondary dwelling. The secondary dwelling is subordinate to the primary dwelling, capable of being used as a self-contained residence, and may be constructed under the primary dwelling, attached to it or free standing.

### **Multiple residential**

Means a residential use of premises which contains two or more dwellings, other than a House incorporating a secondary dwelling. Each dwelling may be contained on one lot, or may be contained on its own lot included in a community titles scheme.

### **Non-resident worker accommodation**

Means the use of premises for accommodating non-resident workers. The use may include provision of dining facilities, kiosk, amenities and recreation facilities for the exclusive use of occupants and their visitors. The term does not include Short-term accommodation or Tourist park.

### **Other residential**

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

### **Relocatable home park**

Means the use of premises for long-term residential purposes in relocatable dwellings (whether they are permanently located or not). The use may include amenity buildings, a kiosk, laundry and recreational facilities which cater exclusively for the residents of the premises, a manager's office and residence. The term does not include Non-resident worker accommodation, Tourist park or Short-term accommodation.

## **Service, community and other uses**

### **Car park**

Means the use of premises for the parking of motor vehicles where such parking is not ancillary to some other development on the same site. The term includes a travellers' rest area.

### **Cemetery**

Means the use of premises for the interment of the dead. The term does not include a crematorium or funeral parlour.

### **Child care centre**

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

### **Crematorium**

Means the use of premises for cremating human corpses after death. The term does not include a funeral parlour or cemetery.

### **Community facility**

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

### **Educational establishment**

Means the use of premises for systematic training and instruction, including any other ancillary facility. This definition includes prep facilities, primary school, secondary school, college, university, technical institute, academy or other educational centre. This term may include residential accommodation and other ancillary uses provided for the employees and the students of such premises.

### **Emergency service**

Means the use of premises for services which respond to community need in an emergency.

### **Environmentally relevant activities**

As defined in the Environmental Protection Act 1994.

### **Place of assembly**

Means the use of premises for worship and activities of a religious organisation, community or association.

### **Utility installation**

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

- i. A telecommunications tower more than 5m in height
- ii. An equipment shelter of more than 7.5m<sup>2</sup> in area and 3m in height.

## **Sport, recreation and entertainment uses**

### **Club**

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

### **Indoor sport, entertainment and recreation**

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

### **Outdoor sport and recreation**

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

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

### **Park**

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

Facilities for park users may include children's playground equipment, informal sports fields, incidental vehicle parking and other public conveniences. The term does not include a Car park or Tourist attraction.

## **Administrative definitions**

### **Affordable housing**

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

### **Building height**

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

### **Contaminated and Register**

As defined in the *Environmental Protection Act 1994*.

### **Development scheme**

As defined in the *Economic Development Act 2012*.

### **Dwelling unit**

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

- i. food preparation facilities
- ii. a bath or shower
- iii. a toilet and wash basin.
- iv. The term includes works ancillary to a dwelling.

**Ecological sustainability**

As defined in the *Sustainable Planning Act 2009*.

**Environmental Management Register**

As defined in the *Environmental Protection Act 1994*.

**Filling or excavation**

Means removal or importation of material to or from a lot that will change the ground level of the land.

**Ground level**

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

**Gross floor area**

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

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

**Larger-scale non-resident worker accommodation**

Means Non-resident worker accommodation providing more than 100 rooms, or if located on a particular lot, would contribute to a cumulative total of more than 100 rooms on that and adjoining or opposing lots.

**Local heritage register**

As defined in the *Queensland Heritage Act 1992*.

**Material change of use**

As defined in the *Sustainable Planning Act 2009*.

**Mezzanine**

An intermediate floor within a room.

**Minor building or demolition work**

Means:

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

**Non-resident worker**

Means a worker who resides in areas for extended periods when employed on projects directly associated with mining, major industry or major infrastructure, but has a permanent place of residence in another area. This includes a worker engaged in fly-in/fly-out or drive-in/drive-out arrangements.

**Operational work**

As defined in the *Sustainable Planning Act 2009*.

**Plan of Development**

See section 3.7.

**Plot ratio**

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

**Private open space**

An outdoor area for the exclusive use of occupants.

**Public benefit**

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

**Public housing**

As defined in the *Sustainable Planning Act 2009*.

**Public realm**

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

**Queensland heritage register**

As defined in the *Queensland Heritage Act 1992*.

**Reconfiguring a lot**

As defined in the *Sustainable Planning Act 2009*.

**Residential infill**

Residential infill means:

Reconfiguring a lot less than 2,000m<sup>2</sup> for residential purposes Development for a House that is UDA assessable development, or Development or Multiple residential on a lot less than 2,000m<sup>2</sup>.

**Sensitive use (for Adult store)**

Means any of the following uses: Child care centre, Place of assembly, Educational establishment catering for primary or secondary aged children or younger.

**Sensitive use (for UDA-wide criteria)**

Means any of the following uses: House, Multiple Residential, Other residential, Non-resident worker accommodation, Child care centre, Educational establishment, Community facility, Place of assembly.

**Setback**

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

### **Significant vegetation**

Means all vegetation, except those listed as pest vegetation by the State government or the Central Highlands Regional Council, that is significant in its:

- i. ecological value at local, state or national levels
- ii. contribution to the preservation of natural landforms
- iii. contribution to the character of the landscape
- iv. cultural or historical value, or amenity value to the general public.
- v. Note: vegetation may be living or dead and the terms includes their root zone<sup>10</sup>.

### **Site cover**

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

### **Specified separation distance (for an Adult store)**

Means the distance between the boundary of the land occupied by a sensitive use and the entrance of a proposed Adult store is the greater of the following:

- i. more than 200 metres according to the shortest route a person may lawfully take, by vehicle or on foot, or
- ii. more than 100 metres measured in a straight line.

### **Storey**

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

- i. a space that contains only:
  - a) a lift shaft, stairway or meter room
  - b) a bathroom, shower room, laundry, toilet or other sanitary compartment
  - c) accommodation intended for not more than 3 vehicles
  - d) a combination of the above, or
- ii. a mezzanine.

### **Total use area**

Means the total area in square metres used for a purpose and includes all area for each storey, display areas, storage, outdoor dining areas and entrances, but excludes car parking areas, access driveways and landscaped areas.

### **Urban design**

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

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<sup>10</sup> The root zone is described by the vertical projection of the foliage to a depth of 1m below the surface and including buttress roots on and above the soil surface.



**Queensland  
Government**

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