2   INTERPRETATION

2.1 DEFINITIONS - THE DICTIONARY

The dictionary in s 7.6, Schedule 6 defines particular uses or terms used in this planning scheme as follows -

1) defined uses and use classes (7.6.1);
2) administrative terms (7.6.2).

In addition to Schedule 6 in s 7.6 the Planning Scheme includes specific definitions and terms to be used in the Harbour Purposes Zone only.

2.2 TERMS DEFINED IN THE IPA

Terms defined in the IPA have the same meaning as in the IPA and included in this planning scheme.

2.3 EXPLANATORY NOTES THAT ASSIST IN INTERPRETATION OF THE PLANNING SCHEME

The Redcliffe City Planning Scheme Explanatory Notes are declared to be extrinsic material under the *Statutory Instruments Act 1992*, section 15, that assist in the interpretation of provisions of this planning scheme. Explanatory Notes are included in the text of the scheme and are indicated through the term "note" and grey shading as illustrated below.

> NOTE:
> This is an Explanatory Note.

2.4 ROADS, WATERCOURSES AND RECLAIMED LAND

1) If a road, watercourse or reclaimed land in the local government area is not shown as being covered by a zone on the zoning plan, the following applies –

   A) if the road, watercourse or reclaimed land is adjoined on both sides by land in the same zone – the road, watercourse or reclaimed land has the same zoning as the adjoining land;

   B) if the road, watercourse or reclaimed land is adjoined on one side by land in a zone and adjoined on the other side by land in another zone – the road, watercourse or reclaimed land has the same zoning as the adjoining land and the centreline of the road or watercourse is the boundary between the two zones;

   C) if the road, watercourse or reclaimed land is adjoined on one side only by land in a zone – the entire road, watercourse or reclaimed land has the same zoning as the adjoining land.

2) If the road, watercourse or reclaimed land is not shown as being covered by a Preferred Use Area on the zone maps, subsection (1) applies as if the Preferred Use Area were a zone.

3) To remove any doubt, it is declared that subsections (1) and (2) also apply to a closed road if the road is closed after the commencement of the planning scheme.

2.5 DETERMINING IF DEVELOPMENT IS ASSESSABLE OR SELF-ASSESSABLE UNDER THE PLANNING SCHEME

1) Assessment tables for the zones and overlays identify development that is assessable, self-assessable or exempt under the planning scheme as follows -

   A)   s 4.1, Tables 4.1.1 and 4.1.2 – Low Density Residential zone;
   B)   s 4.2, Tables 4.2.1 and 4.2.2 – Mixed Residential zone;
   C)   s 4.3, Tables 4.3.1 and 4.3.2 – Medium Density Residential zone;
   D)   s 4.4, Tables 4.4.1 and 4.4.2 – Retail Core zone;
   E)   s 4.5, Tables 4.5.1 and 4.5.2 – Frame Business zone;
   F)   s 4.6, Tables 4.6.1 and 4.6.2 – Industry zone;
   G)   s 4.7, Tables 4.7.1 and 4.7.2 – Health Services zone;
   H)   s 4.8, Tables 4.8.1 and 4.8.2 – Community Purposes zone;
   I)   s 4.9, Tables 4.9.1 and 4.9.2 – Open Space and Recreation zone;
   J)   s 4.10, Tables 4.10.1 and 4.10.2 – Natural Values zone;
   K)   s 4.11, Tables 4.11.1 and 4.11.2 – Harbour Purposes zone;
   L)   s 5.1, Tables 5.1.1 and 5.1.2 – Natural Features or Resources Overlay;
   M)   s 5.2, Tables 5.2.1 and 5.2.2 – Cultural Heritage Features Overlay; and
   N)   s 5.3, Tables 5.3.1 and 5.3.2 – Redcliffe Aerodrome and Brisbane Airport Overlay.

2) The assessment tables also identify assessable development under the planning scheme that requires code assessment or impact assessment.

3) If development is identified as having a different assessment category under a zone than under an overlay, or under different overlays, the higher assessment category applies as follows -

   A)   self-assessable prevails over exempt;
   B)   code assessable prevails over self-assessable or exempt;
   C)   impact assessable prevails over self-assessable, code assessable or exempt.

2.6 TYPES AND NAMES OF CODES

1) There are codes for -

   A) the City (the Citywide Code);
   B) each zone (Zone Code) and type of overlay (Overlay Code); and
   C) development for a stated purpose or development of a stated type (Development Codes).

2) The codes are the following -

   A) City Code
      i)   the Citywide Code (s 3.2)

   B) Zone Codes
      i)   the Low Density Residential Zone Code (s 4.1);
      ii)   the Mixed Residential Zone Code (s 4.2);
      iii) the Medium Density Residential Zone Code (s 4.3);
      iv)   the Retail Core Zone Code (s 4.4);
      v)   the Frame Business Zone Code (s 4.5);
      vi)   the Industry Zone Code (s 4.6);
      vii) the Health Services Zone Code (s 4.7);
      viii) the Community Purposes Zone Code (s 4.8);
      ix)   the Open Space and Recreation Zone Code (s 4.9);
      x)   the Natural Values Zone Code (s 4.10); and
      xi)   the Harbour Purposes Zone Code (s 4.11).

   C) Overlay Codes
      i)   Natural Features and Resources Overlay Code (s 5.1);
      ii)   Cultural heritage features Overlay Code (s 5.2); and
      iii) Redcliffe Aerodrome and Brisbane Airport Overlay Code (s 5.3).

   D) Development Codes
      i)   Building and Works code (s 6.1);
      ii)   Business and Commercial Uses Code (s 6.2);
      iii) Canal Code (s 6.3);
      iv)   Community Uses Code (s 6.4);
      v)   Earthworks Code (s 6.5);
      vi)   Industrial Uses Code (s 6.6);
      vii) Parks and Recreation Code (s 6.7);
      viii) Reconfiguring a Lot Code (s 6.8);
      ix)   Residential Uses Code (s 6.9);
      x)   Signage Code (s 6.10); and
      xi)   Harbour Development Code (s.4.11.8).

2.6.1 CODES FOR AN UNDEFINED USE

Where a use is an undefined use, Council will nominate the applicable codes for that development.

2.6.2 CODES APPLICABLE TO ONGOING USE

A code that is applicable to a material change of use is also applicable to the ongoing use that results from that change.

2.7   PLANNING SCHEME SEEKS TO ACHIEVE OUTCOMES

The planning scheme seeks to achieve outcomes that are identified according to the following levels -

1)   desired environmental outcomes;
2)   overall outcomes (the purpose) of a code;
3)   specific outcomes for a code;
4)   probable solutions for a specific outcome, or acceptable solutions for complying with a self-assessable code.

2.8   PROBABLE SOLUTIONS FOR ASSESSABLE DEVELOPMENT

A probable solution for a specific outcome provides a guide for achieving that outcome in whole or in part, and does not limit the assessment manager's discretion under the IPA to impose conditions on a development approval.

> **NOTE:**
> This explanatory note reflects the Council's intention to provide certainty to users of this Planning Scheme as to how the "Probable Solutions" column of the various tables of Assessment Criteria for Assessable Development contained in Sections 3, 4, 5 and 6 hereto shall be interpreted / implemented.
>
> The objectives of this explanatory note are to ensure that applications are considered on their individual merits and that solutions, either listed or proposed as alternatives to those listed, demonstrate compliance with, or achievement of, the Specific Outcomes sought by this planning scheme such that applications incorporate;
>
> either the 'Probable Solution(s)' listed for the relevant Specific Outcome sought, or
> alternative solutions to 'Probable Solutions', where such alternative solutions demonstrate compliance with or achievement of, the Specific Outcomes sought in the relevant Table of Assessment Criteria for Assessable Development, or
> any combination, including part combination of 1 and 2 above.
>
> The Council will consider how alternative solutions meet the Specific Outcomes in the relevant Table of Assessment Criteria for Assessable Development.
>
> Alternative solutions which do not satisfy the Specific Outcome are unlikely to be supported by the Council.

2.9   HEIGHT OF DEVELOPMENT

The height of development in the City is identified on the Building Heights Plan.

NOTE:
As an example to provide clarification, a building in a 3 storey area may be configured in, but is not limited to, any of the following ways up to a maximum height of 12m:
a) 1st, 2nd and 3rd storeys with no mezzanine levels; or
b) 1st, 2nd and 3rd storeys with a mezzanine level in one of the storeys; or
c) 1st and 2nd with a mezzanine level in each storey.
This is not an exhaustive list of possible configurations but serves as an example only.

The height of development in the City is reliant upon achieving the minimum lot area and road frontage as stated in the relevant Zone Code, and Use Code.