

Administration

3.0 Interpretation

3.1 Planning Terms and Definitions

- 3.1.1 Terms¹ in this planning scheme have their ordinary meaning unless they are defined in:
- (a) the Act; or
 - (b) unless the contrary intention appears, are specifically defined in Table 3.1 or in a zone, code or specific area plan.
- 3.1.2 In this planning scheme, a reference to a Use Table is a reference to the Use Table in a zone or specific area plan.
- 3.1.3 The titles of use classes are listed and use classes are described in Table 6.2. Wherever used in this planning scheme, the use class titles are capitalised. Where a capitalised use class title is used, it is to be taken to refer to the use class listed and as described in Table 6.2, unless otherwise qualified or indicated.

Table 3.1 Planning Terms and Definitions

Term	Definition
Act	means the <i>Land Use Planning and Approvals Act 1993</i> .
access strip	means the narrow part of an internal lot to provide access to a road.
activity centre	means a place that provides a focus for retail, commercial, services, employment, and social interaction in cities and towns.
activity centre hierarchy	means the activity centre network or hierarchy referred to in a relevant regional land use strategy.
adjacent	means near to, and includes adjoining.
adjoining	means next to, or having a common boundary with.
adult entertainment venue	means the use of land for the purpose of providing forms of sexually explicit entertainment for adults only, and may include provision of food and drink.

¹ The Tasmanian Planning Scheme separately lists Use Classes in Table 6.2.

Term	Definition
adult sex product shop	means use of land to sell or hire sexually explicit material, including but not limited to: <ul style="list-style-type: none"> (a) publications classified as restricted under the <i>Classification (Publications, Films and Computer Games) Enforcement Act 1995</i>; and (b) materials and devices, other than contraceptives and medical treatments, used in conjunction with sexual behaviour.
agricultural land	means all land that is in agricultural use, or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.
agricultural use	means use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding domestic animals and pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture and plantation forestry.
AHD	means the Australian Height Datum (Tasmania) being the vertical geodetic datum as described in Chapter 8 of the <i>Geocentric Datum of Australia Technical Manual version 2.4</i> .
amenity	means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.
amusement parlour	means use of land for a building that contains one or more of the following: <ul style="list-style-type: none"> (a) 3 or more coin, card, or token operated amusement machines; (b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by 3 or more people simultaneously; (c) 2 or more coin, card, or token operated billiard, snooker, or pool tables; or (d) the conduct of laser games or similar. It does not include gambling machines or premises included in the Hotel Industry Use Class.
animal pound	means use of land for an enclosure for confining stray or homeless animals or animals impounded by a council.
animal saleyard	means use of land to buy and sell farm animals, and hold such animals for purchase or sale.
annual exceedance probability	means the probability of an event with a certain magnitude being exceeded in any one year.

Term	Definition
applicable standard	means as defined in subclause 5.6.2 of this planning scheme.
application	means an application for a permit made under this planning scheme.
aquaculture	means use of land to keep or breed aquatic animals, or cultivate or propagate aquatic plants, and includes the use of tanks or impoundments on land.
art and craft centre	means use of land to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings and sculpture.
arterial road	means a road that predominantly carries through traffic from one region to another, forming principal avenues of travel for traffic movements.
assisted housing	means housing provided by an organisation for higher needs tenants or residents, including those with physical or intellectual disabilities, and may include associated support services.
basement	means a storey either below finished ground level or that projects not more than 1m above finished ground level.
boarding house	means use of land for a dwelling in which lodgers rent one or more rooms, generally for extended periods, and some parts of the dwelling are shared by all lodgers.
boat and caravan storage	means use of land to store boats, caravans, vehicle-towed boat trailers or the like.
building	means as defined in the Act.
building area	means any area shown on a plan to indicate where all buildings will be located on a lot.
building envelope	means the three-dimensional space within which buildings are to occur.
building height	means the vertical distance from existing ground level at any point to the uppermost part of a building directly above that point, excluding protrusions such as aerials, antennae, solar panels, chimneys and vents.
building line	means a line drawn parallel to a frontage along the front facade of a building or through the point of a building closest to the frontage, excluding protrusions.
camping and caravan park	means use of land to allow accommodation in caravans, cabins, motor homes, tents or the like and includes amenities provided for residents and persons away from their normal place of residence.

Term	Definition
clearance and conversion	means as defined in the <i>Forest Practices Act 1985</i> .
cider	means use of land for the manufacture of cider products and if land is so used, includes the display and sale of cider products, and the preparation and sale of food and drink for consumption on the premises.
cinema	means use of land to display films, videos or other moving images to persons for reward.
coastal protection works	means structures or works aimed at protecting land, property and human life from adverse impacts caused by erosion or inundation in the coastal zone.
coastal zone	means as described in section 5 of the <i>State Coastal Policy Validation Act 2003</i> .
collector road	means a non-arterial road that collects and distributes traffic in an area as well as serving abutting property.
communal residence	means use of land for a building to accommodate persons who are unrelated to one another and who share some parts of the building such as a boarding house, residential college and residential care facility.
consulting room	means use of land for services provided by a health or other therapies practitioner, other than services provided by a medical centre.
controlled environment agriculture	means an agricultural use carried out within some form of built structure, whether temporary or permanent, which mitigates the effect of the natural environment and climate. Such agricultural uses include production techniques that may or may not use imported growth medium such as greenhouses, polythene covered structures, and hydroponic facilities.
council	means as defined in the Act.
crop production	means use of land to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, and vegetables.
day respite centre	means use of land for day time respite care for the sick, aged or persons with disabilities.
declared weed	means as defined in the <i>Weed Management Act 1999</i> .
demolition	means the destruction or removal of any building or works in whole or in part other than by accident.
development	means as defined in the Act.

Term	Definition
development area	means the area of land occupied by development including its yard, outbuildings, vehicle parking, driveways, storage areas, landscaping and wastewater disposal areas.
Director of Housing	means the Director as defined in the <i>Homes Act 1935</i> .
dwelling	means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.
effective date	means the date on which the Local Provisions Schedule came into effect in the municipal area.
eligible persons	means as defined in the <i>Homes Act 1935</i> .
employment training centre	means use of land to provide education and training to jobseekers and unemployed persons.
environmental harm	means the same as is described in the <i>Environmental Management and Pollution Control Act 1994</i> .
environmental nuisance	means as defined in the <i>Environmental Management and Pollution Control Act 1994</i> .
existing ground level	when used in respect of a development, means the level of a site at any point existing at the effective date.
finished ground level	when used in respect of a development, means the level of a site at any point after the development has been completed.
forest operations	means as defined in the <i>Forest Management Act 2013</i> .
forest practices	means as defined in the <i>Forest Practices Act 1985</i> .
forest practices plan	means a forest practices plan certified under the <i>Forest Practices Act 1985</i> .
frontage	means a boundary of a lot which abuts a road.
full water supply service	means a potable water supply, from a reticulated network, that meets the minimum flow requirement.
function centre	means use of land, by arrangement, to cater for functions, and in which food and drink may be served. It may include entertainment and dancing.
funeral parlour	means use of land to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.

Term	Definition
gross floor area	means the total floor area of the building measured from the outside of the external walls or the centre of a common wall.
habitable building	means a building of Class 1 – 9 of the <i>Building Code of Australia</i> with the exception of Class 7a buildings.
habitable room	means any room of a habitable building other than a room used, or intended to be used, for a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, hallway, lobby, clothes drying room, service or utility room, or other space of a specialised nature occupied neither frequently nor for extended periods.
hazardous chemical of a manifest quantity	means a hazardous chemical, as defined in the <i>Work Health and Safety Regulations 2012</i> , if the amount of hazardous chemical stored exceeds the manifest quantity as specified under the <i>Work Health and Safety Regulations 2012</i> . ²
home-based business	means use of part of a dwelling by a resident for non-residential purposes if: <ul style="list-style-type: none"> (a) the person conducting the business normally uses the dwelling as their principal place of residence; (b) it does not involve employment of more than 2 workers on-site who do not reside at the dwelling; (c) any load on a utility is no more than for a domestic use; (d) there is no activity that causes electrical interference to use on other land; (e) there is no storage of hazardous material on site; (f) the display of goods for sale are not visible from any road or public open space adjoining the site; (g) there is, on the site, no advertising of the business other than 1 sign (non-illuminated) not exceeding 0.2m² in area; (h) there is, on the site, no refuelling, servicing, detailing or repair of vehicles not owned by a resident; (i) no more than 2 commercial vehicles are on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes; and (j) all vehicles used by the business are parked on the site.
home-based child care	means use of a dwelling to mind or care for children for a day or part of a day, by one or more persons residing in the dwelling.
hostel	means a supervised place of accommodation, usually supplying board and lodging for students or the like.

² It will be necessary to refer to the relevant Safety Datasheet.

Term	Definition
hours of operation	means the hours that a use is open to the public or conducting activities related to the use, not including routine activities normally associated with opening and closing or office and administrative tasks.
housing support provider	means as defined in the <i>Homes Act 1935</i> .
intensive animal husbandry	means use of land to keep or breed farm animals, including birds, within a concentrated and confined animal growing operation by importing most food from outside the animal enclosures and includes a feedlot, poultry farm or piggery.
internal lot	means a lot: (a) lying predominantly behind another lot; and (b) having access to a road by an access strip, private road or right of way.
irrigation district	means an area of land appointed as an irrigation district under Part 9 of the <i>Water Management Act 1999</i> .
junction	means an intersection between two or more roads at a common level, including the intersections of on and off ramps, and grade-separated roads.
land	means as defined in the Act.
land filling	means any change to the existing ground level of land by placement of any fill material, excluding refuse disposal, whether sourced from the land or elsewhere.
landscaping treatment	means an area of a site containing plants, placed to enhance the streetscape and be complementary to the scale of development on the site, including car parking, storage and buildings.
level 2 activity	means as defined in the <i>Environmental Management and Pollution Control Act 1994</i> .
level crossing	means as defined in section 35 of the <i>Rail Infrastructure Act 2007</i> .
limited water supply service	means a water supply service other than a full water supply service.
liquid fuel depot	means use of land for the storage, wholesale and distribution of liquid fuel.
local shop	means the use of land for the sale of grocery or convenience items if the gross floor area is not more than 200m ² .
lot	means a piece or parcel of land where there is only one title other than a lot within the meaning of the <i>Strata Titles Act 1998</i> .

Term	Definition
major sporting facility	means a sporting facility providing for national standard sporting competition with associated spectator facilities.
managing authority	means a managing authority under section 12G of <i>Crown Lands Act 1976</i> or section 29 of the <i>National Parks and Reserves Management Act 2002</i> .
marina	means use of land to moor boats, or store boats above or adjacent to the water. It includes boat recovery facilities, facilities to repair, fuel, and maintain boats and boat accessories, and may include boat sales.
marine farming shore facility	means use of land to provide on shore support infrastructure and facilities for off-shore aquaculture but does not include the processing of fish or other marine organisms.
market	means use of land to sell goods, including but not limited to foodstuffs, from stalls.
medical centre	means use of land to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to out-patients only.
mezzanine	means an intermediate floor within a room.
minimum flow requirement	means the minimum flow rate as defined in a price and service plan that is in effect and made in accordance with the <i>Water and Sewerage Industry Act 2008</i> .
mining lease	means as defined in the <i>Mineral Resources Development Act 1995</i> .
minor utilities	means use of land for utilities for local distribution or reticulation of services and associated infrastructure such as a footpath, cycle path, stormwater channel, water and sewer pipes, retention basin, telecommunication lines, gas pipelines or electricity substations and power lines up to but not exceeding 110kV.
motel	means use of land to provide accommodation in serviced rooms for persons away from their normal place of residence, if provision is made for parking of guests' vehicles near to their rooms.
motor repairs	means use of land for the business of repairing or servicing motor vehicles, motors and includes the fitting of motor accessories.
motor vehicle, boat or caravan sales	means use of land to sell or hire motor vehicles, boats, or caravans. It includes the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories for motor vehicles, boats or caravans.
multiple dwellings	means 2 or more dwellings on a site.
museum	means use of land to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other similar works or artefacts.

Term	Definition
native vegetation	means plants that are indigenous to Tasmania including trees, shrubs, herbs and grasses that have not been planted for domestic or commercial purposes.
neighbourhood centre	means the use of land for a facility providing community and social services for the surrounding area.
office	means use of land for administration, clerical, technical, professional, business or other similar activities.
outbuilding	means a non-habitable detached building of Class 10a of the <i>Building Code of Australia</i> and includes a garage, carport or shed.
outdoor recreation facility	means use of land for outdoor leisure, recreation, or sport.
overnight camping area	means the use of land which is open to public use for holiday and recreational purposes, involving primarily the setting up and use of tents for overnight accommodation.
panel beating	means use of land for the business of repairing or replacing damaged motor vehicle bodies and panels, and carrying out any associated mechanical work or spray painting.
permit	means as defined in the Act.
planning authority	means the council responsible for administering this planning scheme in its municipal area.
plantation forestry	means the use of land for planting, management and harvesting of trees for commercial wood production, but does not include the milling or processing of timber, or the planting or management of areas of a farm for shelter belts, firewood, erosion or salinity control or other environmental management purposes, or other activity directly associated with and subservient to another form of agricultural use.
potable water supply	means a water supply that meets the requirements of the <i>Public Health Act 1997</i> , including any delegated legislation or guidelines.
primary frontage	means: <ul style="list-style-type: none"> (a) if there is only a single frontage, the frontage; or (b) if there are 2 or more frontages, the frontage with the shortest dimensions measured parallel to the road irrespective of minor deviations and corner truncations.

Term	Definition
primary produce sales	means use of land to sell unprocessed primary produce grown on the land or adjacent land.
prime agricultural land	means agricultural land classified as class 1, 2 or 3 land using the class definitions and methodology from the <i>Land Capability Handbook, Guidelines for Classification of Agricultural Land in Tasmania, 2nd edition, 1999</i> .
private garden	means land adjacent to a dwelling that has been modified with landscaping or vegetation, including ornamental or edible plants, or the like.
private open space	means an outdoor area of the land or dwelling for the exclusive use of the occupants of the land or dwelling, excluding areas proposed or approved for vehicle access or vehicle parking.
proclaimed wharf area	means as defined in the Act.
protrusion	means a protrusion from a building such as awnings, steps, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services.
public art gallery	means use of land to display works of art including ceramics, furniture, glass, paintings, sculptures and textiles, which land is maintained at the public expense, under public control and open to the public generally.
public holiday	means a statutory holiday as defined in the <i>Statutory Holidays Act 2000</i> .
public land	means land owned or managed by the Crown, a State authority or a council.
public open space	means land for public recreation or public gardens or for similar purposes.
public stormwater system	means as defined in the <i>Urban Drainage Act 2013</i> .
rail authority	means the agency, authority or business enterprise which has responsibility for rail infrastructure in Tasmania.
railway	means as defined in the <i>Rail Infrastructure Act 2007</i> .
refuse disposal	means use of land to dispose of refuse.
regional land use strategy	means as defined in the Act.
regulated entity	means as defined in the <i>Water and Sewerage Industry Act 2008</i> .

Term	Definition
remand centre	means use of land for an institution to which accused persons are sent for detention while awaiting appearance before a court.
reserve management plan	means a management plan prepared under the <i>National Parks and Reserves Management Act 2002</i> , the <i>Wellington Park Act 1993</i> or the <i>Living Marine Resources Act 1995</i> , or any management plan approved under the <i>Crown Lands Act 1976</i> .
residential care facility	means use of land for accommodation and personal or nursing care. It includes recreational, health or laundry facilities and services for residents of the facility.
residential support service	means a centre, where services are provided by government or other community organisations, in the provision of residential accommodation.
respite centre	means use of land for respite care for the sick, aged or persons with disabilities.
retirement village	means use of land to provide permanent accommodation for retired people or the aged and includes communal recreational or medical facilities for residents of the village.
road	means land over which the general public has permanent right of passage, including the whole width between abutting property boundaries, all footpaths and the like, and all bridges over which such a road passes.
road authority	means for State highways or subsidiary roads, within the meaning of the <i>Roads and Jetties Act 1935</i> , and bridges declared under section 23 of the <i>Local Government (Highways) Act 1982</i> , the Minister administering those Acts and in relation to all other roads, the council having the control of such roads pursuant to the <i>Local Government (Highways) Act 1982</i> .
scrap yard	means use of land where disused vehicles, materials and machinery or parts are collected and either sold or prepared for being used again, and includes the use or onselling of scrap materials.
sealed plan	means as defined in the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> .
secondary residence	means an additional residence which is self-contained and: <ul style="list-style-type: none"> (a) has a gross floor area not more than 60m²; (b) is appurtenant to a single dwelling; (c) shares with the single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters; and (d) may include laundry facilities.
self storage	means use of land to store goods in individual enclosed compartments.

Term	Definition
sensitive use	means a residential use or a use involving the presence of people for extended periods except in the course of their employment such as a caravan park, childcare centre, dwelling, hospital or school.
service station	means use of land to sell motor vehicle fuel from bowzers, and vehicle lubricants and if such use is made of the land, includes: <ul style="list-style-type: none"> (a) selling or installing motor vehicle accessories or parts; (b) selling of food, drinks and other convenience items; (c) hiring of trailers; and (d) servicing or washing motor vehicles.
setback	means the distance from any lot boundary to a building on the lot.
shipping container storage	means use of land to store shipping containers and if such use is made of the land, includes the cleaning, repair, servicing, painting or fumigation of the shipping containers.
sign	means a device, structure, depiction, or the like, that is intended to give information, advertise or attract attention to a place, product, service or event.
single dwelling	means a dwelling on a lot on which no other dwelling, other than a secondary residence, is situated.
site	means the lot or lots on which a use or development is located or proposed to be located.
site area per dwelling	means the area of a site, excluding any access strip, divided by the number of dwellings on that site.
site coverage	means the proportion of a site, excluding any access strip, covered by roofed buildings.
skyline	means a line along the top of a hill or mountain that forms an outline against the sky.
solar energy installation	means a solar panel, evacuated tube solar collectors, or the like.
solid fuel depot	means use of land to sell solid fuel, such as briquettes, coal, and firewood.
standard	means, in any zone, code or specific area plan, the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or performance criterion presented as the tests to meet the objective.

Term	Definition
State authority	means as defined in the Act.
State-reserved land	means: (a) land owned by the Crown or a State authority and reserved for any purpose under the <i>Nature Conservation Act 2002</i> , or the <i>Crown Lands Act 1976</i> ; or (b) fee simple land reserved for any purpose under the <i>Nature Conservation Act 2002</i> where the Director of Parks and Wildlife is the managing authority.
State waters	means as defined in section 5 of the <i>Living Marine Resources Management Act 1995</i> .
storey	means that part of a building between floor levels, excluding a mezzanine level. If there is no floor above, it is the part between the floor level and the ceiling.
strata lot	means a lot as defined in the <i>Strata Titles Act 1998</i> .
strata scheme	means as defined in the <i>Strata Titles Act 1998</i> .
streetscape	means the visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setback of buildings and structures from the property boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve. For the purposes of determining streetscape for a particular site, the above matters are relevant when viewed from either side of the same street within 100m of each side boundary of the site, unless for a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule, where the extent of the streetscape may be determined by the relevant precinct provisions.
subdivide	means to divide the surface of a lot by creating estates or interests giving separate rights of occupation otherwise than by: (a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building; (b) a lease of airspace around or above a building; (c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years; (d) the creation of a lot on a strata scheme or a staged development scheme under the <i>Strata Titles Act 1998</i> ; or (e) an order adhering existing parcels of land.
subdivision	means the act of subdividing or the lot subject to an act of subdividing.
suitably qualified person	means a person who can adequately demonstrate relevant tertiary qualifications (or equivalent) and experience in a recognised field of knowledge, expertise or practice with direct relevance to the matter under consideration.

Term	Definition
take away food premises	means use of land to prepare and sell food and drink primarily for immediate consumption off the premises.
temporary housing	means residential use or development for a period of not more than 12 months commencing from the date on which an occupancy permit or temporary occupancy permit is issued in accordance with Part 17 of the <i>Building Act 2016</i> .
threatened native vegetation community	means as defined under the <i>Nature Conservation Act 2002</i> .
tolerable risk	means the lowest level of likely risk from the relevant hazard: (a) to secure the benefits of a use or development in a relevant hazard area; and (b) which can be managed through: (i) routine regulatory measures; or (ii) by specific hazard management measures for the intended life of each use or development.
turf growing	means use of land for growing grass which is cut into sods or rolls containing the roots and some soil for direct transplanting.
use	means as defined in the Act.
vehicle crossing	means a driveway for vehicular traffic to enter or leave a road carriageway from land adjoining a road.
vehicular access	means land over which a vehicle enters or leaves a road from land adjoining a road.
veterinary centre	means land used to: (a) diagnose animal diseases or disorders; (b) surgically or medically treat animals; or (c) prevent animal diseases or disorders, and includes keeping animals on the premises for those purposes.
visitor centre	means land used for the principal purpose of providing information to tourists and may include incidental retail sales and supplementary services to tourism.
wall height	means the vertical distance from existing ground level immediately below the wall to the uppermost part of the wall excluding any roof element.
waste transfer station	means use of land to receive and temporarily store waste before it is removed elsewhere.
watercourse	means a defined channel with a natural or modified bed and banks that carries surface water flows.

Term	Definition
wetland	means a depression in the land, or an area of poor drainage, that holds water derived from ground water and surface water runoff and supports plants adapted to partial or full inundation and includes an artificial wetland.
winery	means use of land for the manufacture of vineyard products and if land is so used, includes the display and sale of vineyard products, and the preparation and sale of food and drink for consumption on the premises.
works	means as defined in the Act.