

## Appendix A - Glossary of Terms

Terms used in this Plan have the following meanings:

**“ABS”** means the Australian Bureau of Statistics.

**“Act”** means the *Environmental Planning and Assessment Act 1979*.

**“applicant”** means the person(s) or organisation(s) submitting a development application.

**“apportionment”** means the adjustment of a contribution (usually a percentage) to ensure the contributing population only pays for its share of the total demand for the facility.

**“backpackers’ accommodation”** means a building or place that:

- (a) provides temporary or short-term accommodation on a commercial basis, and
- (b) has shared facilities, such as a communal bathroom, kitchen or laundry, and
- (c) provides accommodation on a bed or dormitory-style basis (rather than by room);

**“bed and breakfast accommodation”** means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests’ rooms, and
- (c) dormitory-style accommodation is not provided;

**“boarding house”<sup>2</sup>** means a building that:

- (a) is wholly or partly let in lodgings, and
- (b) provides lodgers with a principal place of residence for 3 months or more, and
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers’ accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment;

**“bulky goods premises”** means a building or place the principal purpose of which is the sale, hire or display of bulky goods, being goods that are of such size or weight as to require:

- (a) a large area for handling, display or storage, and
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

and including goods such as floor and window supplies, furniture, household electrical goods, equestrian supplies and swimming pools, but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods;

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<sup>2</sup> NB: Clause 30(1)(c) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* limits the occupancy of each boarding house room to no more than 2 adult lodgers.

**“business premises”** means a building or place at or on which:

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
  - (b) a service is provided directly to members of the public on a regular basis,
- and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital;

**“Consumer Price Index (CPI)”** is a standard measure of price movements published by the Australian Bureau of Statistics.

**“contribution”** means the same as **“development contribution”**;

**“Contributions Catchment”** means the Glendale Contributions Catchment as depicted in Figure 1 of this Plan.

**“contributions plan”** means a contributions plan referred to in the Act.

**“community infrastructure”** means public amenities and public services, but does not include water supply or sewerage services.

**“Council”** means Lake Macquarie City Council.

**“DCP”** means a Development Control Plan adopted by Council under the Act.

**“depot”** means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building.

**“development”** has the meaning under Section 4 of the Act which in relation to land means:

- (a) the use of land; and
- (b) the subdivision of land; and
- (c) the erection of a building; and
- (d) the carrying out of a work; and
- (e) the demolition of a building or work; and
- (f) any other act, matter or thing referred to in section 26 that is controlled by an environmental planning instrument.

**“development consent”** means consent under Part 4 of the Act to carry out development and includes, unless expressly excluded, a complying development certificate.

**“development contribution”** means the making of a monetary contribution, dedication of land or the providing of a material public benefit (including a work-in-kind), or any combination of these as referred to in the Act for the provision of community infrastructure;

**“dwelling”** means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile;

**“dwelling house”** means a building containing only one dwelling;

**“educational establishment”** means a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act;

**“exhibition home”** means a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays.

**“farm stay accommodation”** means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

**“GFA”** means the same as gross floor area.

**“GLFA”** means the same as gross leasable floor area.

**“general industry”** means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.

**“gross floor area”** means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes:

- (d) any area for common vertical circulation, such as lifts and stairs, and
- (e) any basement:
  - (i) storage, and
  - (ii) vehicular access, loading areas, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and
- (i) terraces and balconies with outer walls less than 1.4 metres high, and
- (j) voids above a floor at the level of a storey or storey above.

**“gross leasable floor area”** means the sum of the area of each floor of a building where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts corridors and other public areas but including stock storage area.

**“group home”** means a permanent group home or a transitional group home;

**“group home (permanent)”** or **“permanent group home”** means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which [State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#) applies;

**“group home (transitional)”** or **“transitional group home”** means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons formerly living in institutions or temporary accommodation comprising refuges for men, women or young people,

but does not include development to which [State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#) applies;

**“heavy industry”** means a building or place used to carry out an industrial activity that requires separation from other development because of the nature of the processes involved, or the materials used, stored or produced, and includes:

- (a) hazardous industry, or
- (b) offensive industry.

It may also involve the use of a hazardous storage establishment or offensive storage establishment.

**“hospital”** means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,
- (c) accommodation for persons receiving health care or for their visitors,
- (d) shops, kiosks, restaurants or cafes or take-away food and drink premises,
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries;

**“hostel”** means premises that are generally staffed by social workers or support providers and at which:

- (a) residential accommodation is provided in dormitories, or on a single or shared basis, or by a combination of them, and
- (b) cooking, dining, laundering, cleaning and other facilities are provided on a shared basis;

**“hotel or motel accommodation”** means a building or place (whether or not licensed premises under the [Liquor Act 2007](#)) that provides temporary or short-term accommodation on a commercial basis and that:

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests’ vehicles,

but does not include backpackers’ accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation;

**“industrial activity”** means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

**“industry”** means any of the following:

- (a) general industry,
- (b) heavy industry,
- (c) light industry,

but does not include:

- (d) rural industry, or
- (e) extractive industry, or
- (f) mining;

(NB: refer to [Table E3](#) for specific levies for ‘industry (large scale)’ and ‘industry (small scale)’).

**“Industry (large scale)”** means an industry carried out within a singular building tenancy with a gross floor area equal to or greater than 400m<sup>2</sup>;

**“Industry (small scale)”** means an industry carried out within a singular building tenancy with a gross floor area equal to or less than 399m<sup>2</sup>;

**“leasable room”** means a room or a suite of rooms that can be individually leased for the purposes of tourist and visitor accommodation.

**“LEP”** means a Local Environmental Plan made by the Minister under the Act.

**“LGA”** means Local Government Area.

**“light industry”** means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:

- (a) high technology industry,
- (b) home industry.

**“material public benefit”** means a facility or work which is offered by a developer as a finished entity either in return for a reduction in the amount of monetary contributions required for the same category of contribution or as an additional or partial additional benefit under a Planning Agreement;

**“Minister”** means the Minister administering the *Environmental Planning and Assessment Act 1979*.

**“mixed use development”** means a building or place comprising 2 or more different land uses.

**“moveable dwelling”** means:

- (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- (b) a manufactured home, or
- (c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the [Local Government Act 1993](#)) for the purposes of this definition.

**“moveable dwelling (long-term site)”** means a dwelling site on which a moveable dwelling is installed and that is specified in an approval granted under the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005* as being a long-term site.

**“moveable dwelling (short-term site)”** means a dwelling site on which a moveable dwelling that is ordinarily used for holiday purposes may be installed and that is specified in an approval granted under the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005* as being a short-term site.

**“office premises”** means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used

**“PA”** means planning agreement

**“planning agreement”** means a planning agreement referred to in the Act.

**“public infrastructure”** means:

- (a) public amenities and public services, and
  - (b) affordable housing, and
  - (c) transport infrastructure,
- but does not include water supply or sewerage services.

**“Regulation”** means the *Environmental Planning and Assessment Regulation 2000*.

**“Residential accommodation”** means a building or place used predominantly as a place of residence, and includes any of the following:

- attached dwellings;
- boarding houses;
- dual occupancies;
- dwelling houses;
- group homes;
- hostels;
- multi dwelling housing;
- residential flat buildings;
- rural worker’s dwellings;
- secondary dwellings;
- senior housing;
- semi-detached dwellings;
- shop top housing;

but does not include tourist and visitor accommodation or caravan parks.

**“residential care facility”** means accommodation for seniors or people with a disability that includes:

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

but does not include a dwelling, hostel, hospital or psychiatric facility;

**“retail premises”** means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following;

- (a) bulky goods premises (*NB: refer to [Table E3](#) for specific levies for this form of retail premises*),
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops (*NB: refer to [Table E3](#) for specific levies for supermarkets*),
- (m) timber yards,
- (n) vehicle sales or hire premises,

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

**“seniors housing”** means a building or place that is:

- (a) a residential care facility, or
- (b) a hostel within the meaning of clause 12 of [State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#), or
- (c) a group of self-contained dwellings, or
- (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),

and that is, or is intended to be, used permanently for:

- (e) seniors or people who have a disability, or
- (f) people who live in the same household with seniors or people who have a disability, or
- (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital.

**“serviced apartment”** means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner’s or manager’s agents.

**“shop”** means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises (*NB: refer to [Table E3](#) for specific levies for supermarkets*);

**“social housing provider”** means a social housing provider as defined by *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* which, at the date of adoption of this Plan included:

- (a) the New South Wales Land and Housing Corporation,
- (b) the Department of Housing,
- (c) a community housing organisation registered with the Office of Community Housing of the Department of Housing,
- (d) the Aboriginal Housing Office,
- (e) a registered Aboriginal housing organisation within the meaning of the [Aboriginal Housing Act 1998](#),
- (f) the Department of Ageing, Disability and Home Care,
- (g) a local government authority that provides affordable housing,
- (h) a not-for-profit organisation that is a direct provider of rental housing to tenants.

**“storage premises”** means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment or a warehouse or distribution centre.

**“supermarket”** means a premises that sells at the one location, a variety of merchandise that is not limited to or exclusive of:

- Baby and toddler products,
- Bread and bakery,
- Dairy, eggs and meals,
- Fresh and frozen food,
- Liquor,
- Meat, seafood and delicatessen,
- Pantry items (for example: breakfast items, snacks),
- Drinks,
- Household items (for example: bathroom items, cleaning products),
- Oils and vinegars,
- Pasta, rice and grains
- Health and beauty products,
- Pet products,
- Stationery, and
- clothing

Examples of supermarkets include IGA, Foodworks, Aldi, Coles, and Woolworths.

**“tourist and visitor accommodation”** means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

- (a) backpackers accommodation,
- (b) bed and breakfast accommodation,
- (c) eco-tourist facilities;
- (d) farm stay accommodation,
- (e) hotel or motel accommodation,
- (f) services apartments,

but does not include:

- (g) camping grounds, or
- (h) caravan parks.

**“tourist and visitor accommodation (large scale)”** means tourist and visitor accommodation with six or more leasable rooms.

**“tourist and visitor accommodation (small scale)”** means tourist and visitor accommodation with five or less leasable rooms.

**“UDP”** means Urban Development Programme

**“URA”** means Urban Release Area

**“Urban Release Area”** means a greenfield area intended to developed for residential purposes but which has not previously been used for intense urban development.

**“warehouse or distribution centre”** means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

**“work-in-kind”** means the carrying out of work which is identified in the costed works schedule which form part of this Plan in return for a reduction in the amount of monetary contributions (but not a reduction in the total quantum of contributions) required for the same category of contribution.