

**NORTHERN TERRITORY OF AUSTRALIA**

**Planning Act**

**JABIRU TOWN PLAN 1981**

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following planning instrument under the Planning Act.

Dated this 26th day of May, 1981.

Administrator

By His Honour's Command

Acting Chief Minister acting  
for and on behalf of the  
Minister for Lands and Housing

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**JABIRU TOWN PLAN 1981**

**PART I - PRELIMINARY**

**1. CITATION**

This planning instrument may be cited as the Jabiru Town Plan 1981.

**2. INTERPRETATION**

(1) In this planning instrument, unless the contrary intention appears -

"advertising structure" means a structure (not being a business identification sign) which is used for a sign, notice, device or representation in the nature of an advertisement;

"agriculture" means the growing of crops, fruit, vegetables, pasture or the like and includes animal husbandry and dairy or poultry farming, but does not include kennels, nurseries or stables;

"attached dwellings" means any building containing 2 or more dwellings such that -

- (a) where the dwellings are side by side, each dwelling has -
  - (i) one or more walls common with another dwelling; and
  - (ii) a separate entrance at ground level; or
- (b) where one of the dwellings is above another, each dwelling is in a separate storey and has a separate entrance at ground level;

"business identification sign" means a sign containing only the name and occupation of the person and the nature of the services or goods available from the person occupying the land on which it is erected;

"camping purposes" means the parking of caravans or motorhomes or the erection and use of tents, mobile homes or cabins for purposes of providing accommodation, but does not include caravan park purposes;

"car parking space" means a space set aside or designated for the parking of motor vehicles;

"car repairing" means the carrying out of repairs, other than -

- (a) body-building;
- (b) panel-beating which involves dismantling; or
- (c) spray painting, other than of a touching-up character,  
to motor vehicles, boats, caravans or agricultural machinery;

"caravan" means a motor vehicle or trailer designed or adapted for human habitation;

"caravan park purposes" means the parking of caravans or the erection or placement and use of tents, mobile homes or cabins for the purpose of providing accommodation for members of the public as a commercial enterprise;

"caretaker's residence" means a dwelling used by the caretaker of the land on which it is erected;

"catering business" means a cafe, caterer's rooms, snack-bar, take-away food bar, espresso bar, milk bar, tea-garden, kiosk, restaurant, tea-room, workers' dining hall or the like;

"child care centre" means a building or place used for the minding or caring of 5 or more children;

"commercial car parking" means the parking of motor vehicles as a commercial enterprise;

"detached dwelling" means a building containing only one dwelling;

"development code", in relation to a building or the use of land, means such of the provisions of Part III as relate to that building or use;

- "dwelling" means a building designed, constructed or adapted for human habitation as a self-contained unit;
- "educational establishment" means an academy, college, gallery, kindergarten, lecture hall, museum, school, technical college or university, but does not include an institutional establishment, a child care centre or a place of public worship;
- "extractive industry" means the extraction of sand, gravel, clay, turf, soil, rock, stone, oil, gas, minerals or similar material from the surface or from beneath the surface of land and includes -
- (a) the crushing or storage of such material on the land from which the material is extracted or on land adjacent thereto; and
  - (b) mining and dredging;
- "flats" means a building (not being an attached dwelling) containing 3 or more dwellings;
- "floor area", in relation to a building, includes all wall thicknesses of the external walls and one-half the wall thickness of any party walls of that building;
- "flora and fauna sanctuary" means land set aside for the protection of plant and animal life;
- "forestry" means arboriculture, silviculture, forest protection, the cutting, dressing and preparation, other than in a sawmill, of wood or other forest products and the establishment of roads for the removal of wood and forest products or for forestry protection, but does not include the use of land for agriculture or as nurseries;
- "fuel depot" means a depot for the storage or sale of solid, liquid or gaseous fuel, but does not include a service station;
- "funeral parlour" means a building used by an undertaker for the storage or preparation for burial or cremation of bodies, and includes a funeral chapel associated therewith;
- "general store" means a shop which is in the same building as a dwelling and which sells a wide range of goods;
- "guest-house and hostel" includes boarding-houses, lodging-houses and other premises used to provide board or lodgings, but does not include a motel or hotel;
- "home occupation" means an occupation or profession carried on within the curtilage of a dwelling by the residents of the dwelling but does not include the use of land as a child care centre;
- "hospital" includes sanatorium, nursing home and home, whether public or private, for infirm, incurable or convalescent persons, but does not include an institutional establishment, medical clinic or medical consulting rooms;
- "hotel" means premises licensed under the Liquor Act at which accommodation is provided for travellers, whether or not meals are provided to those travellers or to other persons;

"indoor recreation purposes" means the use of a building on private land for recreation purposes as a commercial enterprise;

"industry" means -

- (a) any manufacturing process, whether or not it results in the production of finished articles;
- (b) the breaking up or dismantling of any goods or articles for trade, sale or gain or as ancillary to any business;
- (c) an extractive industry;
- (d) the repairing and servicing of articles, including vehicles, machinery, buildings or other structures;
- (e) the dismantling of motor vehicles, whether the dismantling is carried out by one operation or by a series of operations; and
- (f) any operation connected with the installation of equipment for the extermination of pests,

and includes the storage of goods associated with the use of land for industrial purposes but does not include a service station or car repairing establishment;

"institutional establishment" means any building or place used wholly or principally as -

- (a) a home or other institution for mental defectives;
- (b) a mental hospital; or
- (c) penal or reformatory institution;

"junk yard" means a building or place used for the collection, storage, abandonment or sale of scrap metals, waste paper, rags, bottles or other scrap material or goods or used for the collection, dismantling, storage, salvaging or abandonment of motor vehicles or other vehicles or machinery, whether or not parts thereof are also sold therein;

"kennels" means a building or place used for the keeping of dogs as a commercial enterprise;

"light industry" means an industry which is not hazardous, or the carrying on of which is not obnoxious, to persons in the neighbourhood, by reason of noise, the emission of fumes or odours or by reason of the creation of any other nuisance;

"loading and unloading space" means a space set aside or designated for loading, unloading or fuelling motor vehicles;

"lot feeding" means the feeding of animals in stalls, compounds or stockyards;

"medical clinic" means a building or place used by one or more medical practitioners, physiotherapists, dentists or person ordinarily associated with the practice of medicine, or their employees, in the investigation or treatment of physical or mental injuries and ailments but does not include medical consulting rooms or hospitals;

"medical consulting rooms" means a room or suite or rooms forming part of, attached to or within the curtilage of a dwelling and which is used by not more than one medical practitioner, or one chiropractor or the like, or by not more than one dentist, any one of whom practises therein his profession and who employs not more than 3 employees in connection with the practice, but does not include a hospital or medical clinic;

"motel" means a building or place substantially used for the accommodation of travellers and the vehicles used by them, whether or not the building is also used in the provision of meals to those travellers or to the general public and whether or not the premises are licensed for the sale of liquor;

"nursery" means a building or place used for the growth, production or display of plants, vegetables, flowers or similar flora principally for sale by retail, whether or not seeds, equipment or other associated products are also produced, displayed or sold therein, but does not include the use of land for agriculture or forestry;

"offensive or hazardous industry" means an industry which, by reason of the processes involved, the method of manufacture or the nature of the material used or produced, may endanger, injure or detrimentally affect the life, health or property of any person in the locality (other than a person engaged in the industry);

"office" means the use of a building or part of a building for the conduct of administration, the practise of a profession, the carrying on of agencies, banks, typing, and secretarial services or activities of a similar nature;

"outdoor entertainment purposes" means the provision of entertainment or amusement to members of the public outside a building -

(a) as a commercial enterprise; and

(b) under a sublease from the Jabiru Town Development Authority established under the Jabiru Town Development Act,

whether or not food is provided to members of the public as a part of the enterprise;

"parking area" means an area set aside or designated for the parking of 3 or more motor vehicles;

"passenger terminal" means a building or place used as a bus station, airline passenger terminal or heliport passenger terminal;

"place of public worship" means a building or place used as a church, chapel, mosque, synagogue or place of religious instruction or worship or for the purpose of religious training but does not include an institutional establishment or educational establishment;

"plot ratio", in relation to a building, means the ratio of the floor area of the building to the area of the site;

"public utility purposes" means the purposes of an undertaking carried on under the authority of any Act or Act of the Commonwealth for the supply of water, hydraulic power, electricity or gas or the provision of telecommunication, sewerage or drainage services but does not include the carrying on of administrative or business activities in association with the provision of those services;

"radio and TV installation" means a building or structure principally used or to be used for the transmission or reception of radio or television signals;

"retail agricultural stall" means a building used for the purpose of the display and retail sale of agricultural, market garden, nursery or horticultural produce grown on the land on which the stall is erected but does not include a shop or a general store;

"rooming unit" means any building or portion thereof used for the provision of lodgings, with or without board, for hire or reward;

"service industry" means a light industry for the carrying on of which the floor area occupied does not exceed 250 metres;

"service station" means a building or place used for the fuelling of motor vehicles involving the sale by retail or petrol, oils and other products for use in connection with the operation of motor vehicles, whether or not the building or place is also used for any one or more of the following purposes:

- (a) the sale by retail of spare parts and accessories for motor vehicles;
- (b) the washing and greasing of motor vehicles;
- (c) the installation of accessories in motor vehicles; or
- (d) the repairing and servicing of motor vehicles involving the use of hand tools but does not include body-building, panel-beating, spray painting and suspension or chassis restoration;

"set-down area" means an area (not being a public road) set aside or designated for picking up and setting down passengers from motor vehicles;

"shop" means a building or place used for the purpose of selling, exposing or offering for sale by retail of goods, merchandise or material but does not include a show-room, a retail agricultural stall, a vehicle sales yard or a wholesale market;

"show-room" means a building or place (other than a shop or vehicle sales yard) used or designated or adapted for use for the display or sale by retail or rental of goods of a bulky character;

"site coverage", in relation to a site, means the percentage of the area of a site covered by buildings (fences excepted);

"special purposes" means -

- (a) cemetery or crematorium purposes;
- (b) court or justice purposes;
- (c) radio or TV installations;
- (d) ambulance, police or fire stations;
- (e) school purposes;
- (f) hospital purposes; and
- (g) private camping purposes;

"sports and recreation" means the use of land or buildings for recreational purposes, but does not include such a use which involves commercial transactions;

"stables" means any building or place used for the stabling, keeping, exercising or training of horses and other beasts of burden, but does not include buildings or places used for agriculture or lot feeding;

"storey", in relation to a building, means the space between one floor level and the floor level next above or, if there is no floor above, the roof, and includes a roof-garden, but does not include -

- (a) space designed, constructed or adapted only for -
  - (i) lift shafts, stairways or meter rooms;
  - (ii) bathrooms, shower-rooms, laundries, toilets or other sanitary conveniences;
  - (iii) in detached dwellings - store-rooms; and
  - (iv) car parking spaces for not more than 3 motor vehicles; and
- (b) mezzanine floors which have a total floor area of not more than 180 square metres;

"tavern" means any premises (not being a hotel, motel or catering business) which is licensed under the Liquor Act;

"transport terminal" means a building or place used for the loading, discharge or storage of goods in the course of the transport of those goods by air, road or rail to a wholesale or retail outlet;

"units for aged persons" means a building erected and used for the housing of aged or retired persons;

"vehicle sales yard" means a building or place used or intended for use principally for the display for sale by retail or for rental of motor vehicles, caravans, trailers or boats but does not include a shop or show-room;

"veterinary clinic" means a building or place used for the treatment of sick or injured animals, whether or not the animals so treated are boarded there as part of the treatment;

"warehouse purposes" means the bulk storage of goods, or the display of goods for sale by wholesale, but does not include a wholesale market;

"wholesale market" means a building or place used principally for the bulk storage and sale of fruit, vegetables or other products of agriculture;

"zoning map" means the map signed by the Minister for Lands and Housing marked "Jabiru Town Plan 1981" and deposited in the offices of the Department of Lands, Darwin and the Jabiru Town Development Authority;

"Zoning Table" means the Table to clause 5.

- (2) A reference in this clause to a building or place used for a particular purpose includes a reference to a building or place intended for that use.
- (3) A requirement of this planning instrument as to the area or frontage of a site does not apply to a site which was in existence at the date of the commencement of this instrument.
- (4) Where, in this planning instrument, a use of land is permitted (whether upon consent or otherwise) a use ancillary to the use so permitted is also permitted.
- (5) Where, in this planning instrument, an act is forbidden except with the consent of the consent authority that consent shall be sought by way of a development application.

### 3. **CONSENT AUTHORITY**

The Minister is the consent authority.

## **PART II - RESTRICTIONS ON USE OF LAND AND DEVELOPMENT OF LAND**

### **Division 1 - Zones**

### 4. **ZONING**

- (1) The land to which this instrument applies is divided into the zones shown on the zoning map, which zones are referred to in this instrument in the manner specified in Column 1 of the Zoning Table.
- (2) Where -
  - (a) a public road which is shown to be within 2 or more different zones on the zoning map is closed; and
  - (b) the land comprised in the road is amalgamated with adjoining allotments,

the common boundary between the adjoining allotments after amalgamation shall be deemed to be the boundary between the zones.

### 5. **ZONING TABLE**

- (1) Subject to this planning instrument, a person shall not use or develop land within a zone specified in Column 1 of the Table to this clause -
  - (a) for a purpose specified opposite that zone in Column 2 of that Table; or
  - (b) in contravention of a development code,

without the consent of the consent authority.

- (2) Subject to this planning instrument, a person shall not use or develop land within a zone specified in Column 1 of the Table to this clause for a purpose not specified opposite that zone in Column 2 of that Table.



**ZONING TABLE**

Column 1	Column 2
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted only with consent</b>
<b><u>RESIDENTIAL ZONE</u></b>	
Brown	attached dwellings caretakers' residences catering businesses detached dwellings flats guest-houses and hostels home occupations public utility purposes special purposes sports and recreation
<b><u>FUTURE DEVELOPMENT ZONE</u></b>	
Orange	attached dwellings caravan park purposes catering businesses child care centres detached dwellings flats guest-houses and hostels home occupations indoor recreation purposes places of public worship public utility purposes special purposes sports and recreation
<b><u>TOWN CENTRE ZONE</u></b>	
Dark blue	advertising structures car repairing child care centres caretakers' residences catering businesses commercial car parking flats funeral parlours guest-houses and hostels home occupations hotels indoor recreation purposes medical clinics motels offices outdoor entertainment purposes

Column 1	Column 2
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted only with consent</b>
	passenger terminals places of public worship public utility purposes radio or TV installations service industries shops show-rooms special purposes sports and recreation taverns vehicle sales yards veterinary clinics
<hr/>	
<b><u>SERVICE FACILITIES ZONE</u></b>	
Light blue	advertising structures car repairing caretakers' residences catering businesses commercial car parking flats funeral parlours guest-houses and hostels hotels indoor recreation purposes medical consulting rooms motels nurseries offices outdoor entertainment purposes places of public worship public utility purposes radio or TV installations service industries service stations shops show-rooms special purposes sports and recreation vehicle sales yards veterinary clinics warehouse purposes wholesale markets
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<b><u>LIGHT INDUSTRY ZONE</u></b>	
Purple	advertising structures car repairing caretakers' residences catering businesses

Column 1	Column 2
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted only with consent</b>
	child care centres commercial car parking fuel depots home occupations indoor recreation purposes junk yards light industries offices outdoor entertainment purposes passenger terminals places of public worship public utility purposes service stations shops show-rooms special purposes sports and recreation transport terminals vehicle sales yards veterinary clinics warehouse purposes
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<b><u>OPEN SPACE ZONE</u></b>	
Light green	caretakers' residences extractive industries flora and fauna sanctuaries forestry home occupations radio or TV installations special purposes sports and recreation
<hr/>	
<b><u>RECREATION ZONE</u></b>	
Dark green	caretakers' residences catering businesses child care centres commercial car parking flora and fauna sanctuaries home occupations indoor recreation establishments kennels outdoor entertainment purposes public utility purposes radio or TV installations special purposes sports and recreation stables taverns

Column 1	Column 2
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted only with consent</b>
<b><u>SPECIAL PURPOSES ZONE</u></b>	
Yellow	caretakers' residences catering businesses educational establishments funeral parlours home occupations indoor recreation purposes institutional establishments medical clinics outdoor entertainment purposes places of public worship public utility purposes radio or TV installations special purposes sports and recreation

**6. EXCEPTIONS**

- (1) Nothing in this planning instrument prevents the use of land -
  - (a) as a public street; or
  - (b) as a public park.
- (2) Nothing in this planning instrument prevents or applies to the strengthening or restoration to a safe condition of any building or work.

**Division 2 - Restrictions on Use and Development**

**7. BUILDINGS MORE THAN 2 STOREYS**

A person shall not erect or use a building which contains more than 2 storeys on any land except with the consent of the consent authority.

**8. ATTACHED DWELLINGS, &c. - LANDSCAPING**

- (1) A person shall not erect or use a building as attached dwellings unless there is provided, in respect of each dwelling, an unobstructed private open area.
- (2) A person shall not use or develop land for the purposes of attached dwellings, flats, guest-houses and hostels, or units for aged persons unless -
  - (a) he has submitted a plan of the proposed development to the consent authority;

- (b) the plan specifies that 40% of the land the subject of that plan is to be landscaped; and
- (c) the consent authority has approved that plan.
- (3) A person shall not use or develop land for the purposes referred to in subclause (2) unless the land is landscaped and that landscaping is maintained, in accordance with the plan approved under that subclause.

**9. CARAVANS**

- (1) Subject to subclause (2), a person shall not use a caravan or tent as a dwelling or rooming unit except on land which may, under this planning instrument, be used for caravan park purposes.
- (2) Subclause (1) does not prevent the use of one caravan as a dwelling or rooming unit by the sublessee of a site or his immediate family.

**10. NURSERIES**

A person shall not use land as a nursery or a pet shop unless all the species of plants or breeds of pets to be kept at the nursery or pet shop have been approved by the Jabiru Town Development Authority established under the Jabiru Town Development Act.

**Division 3 - Roads**

**11. USE, &c, OF ROADS**

Subject to this Division, land shown on the zoning map as a road shall not be used or developed for a purpose other than a road.

**12. CONSENT TO USE OF ROADS**

- (1) Subject to this clause, the consent authority may grant consent to the use or development for any purpose of any land proposed to be used for a road.
- (2) The consent authority shall not grant consent under subclause (1) unless it is satisfied that the land will not be required to be used or developed as a road within a reasonable time after the date of granting of the consent.
- (3) The consent authority shall impose, as conditions of any consent granted under subclause (1), such requirements for or with respect to -
  - (a) the removal of any building or structure erected in pursuance of the consent;
  - (b) the reinstatement, at the expiration of any specified time, of the land in such manner as is specified; and
  - (c) the removal of waste material and refuse,

as it thinks fit.

## **PART III - DEVELOPMENT CODES**

### **Division 1 - Waterfront Development**

#### **13. FORESHORE PROTECTION**

Subject to clause 14, a person shall not erect or use a building on land shown enclosed by the Foreshore Building Line on the zoning map.

#### **14. CERTAIN USES ALLOWABLE**

A person may, with the consent of the consent authority, erect and use a boat ramp, marina, jetty or walkway on land to which clause 13 applies.

### **Division 2 - Parking**

#### **15. DEFINITIONS**

In this Division -

"employee", in relation to a site, means a person employed in a commercial enterprise carried on the site;

"site", in relation to land used for caravan park purposes, means a space set aside or designated for -

- (a) the parking or standing of a motor-home, mobile home, caravan or the like;  
or
- (b) the erection of a tent or similar structure.

#### **16. SIZE OF PARKING SPACE**

A car parking space required under this Division shall be not less than 5.5 metres long or 2.5 metres wide.

#### **17. PARKING PROVISION**

- (1) Subject to this instrument, a person shall not use or develop land in the manner specified in Column 1 of the Table to this clause unless provision is made on the site for a number of car parking spaces not less than the number calculated in accordance with Column 2 of that Table shown opposite that purpose.
- (2) Where a calculation made in pursuance of subclause (1) results in a number which is not a whole number, the number of parking spaces required shall be the next highest whole number.

**TABLE**  
**PARKING REQUIREMENTS**

Column 1	Column 2
<b>Manner of use or development</b>	<b>Minimum number of car parking spaces required</b>
1. For attached dwelling	for each 1 or 2 bedroom dwelling - 1.25 <u>plus</u> for each 3 bedroom dwelling - 1.5
2. For car repairing purposes	for each 25 square metres of floor area used as a workshop - 1
3. For caravan park purposes	for each site - 1.1
4. For a caretaker's residence	1 space
5. For a catering business	for each 10 square metres of floor area - 1
6. For a child care centre	for each employee - 1 <u>plus</u> 2 spaces
7. For a detached dwelling	1 space
8. For a drive-in take-away food outlet	if the site has a frontage to a main road - 30 <u>or</u> in any other case - 15 <u>or</u> for each 10 square metres of floor area - 1  whichever standard results in the greater number of spaces
9. For an educational establishment	
(a) primary or secondary school	for each 2 employees - 1
(b) tertiary educational establishment	for each 2 employees - 1 <u>plus</u> for each 6 students - 1
10. For flats	for each 1 or 2 bedroom dwelling - 1.25 <u>plus</u> for each 3 bedroom dwelling - 1.5
11. For a general store	4 spaces
12. For guest-houses and hostels	for each rooming unit - 1
13. For a hospital	for each 4 patient beds - 1 <u>plus</u> for each 4 employees - 1

Column 1	Column 2
<b>Manner of use or development</b>	<b>Minimum number of car parking spaces required</b>
14. For a hotel	for each 2 guest suites or bedrooms - 1 <u>plus</u> for each 6 square metres of floor area used as a lounge bar or beer garden - 1 <u>plus</u> for each 2 square metres of floor area used as a bar - 1
15. For indoor recreation purposes	for each 10 square metres of floor area - 1
16. For an industry (a light industry and service industry excepted)	for each 100 square metres of floor area used for industrial purposes - 1 <u>plus</u> where the area of site used as open storage area -  (a) does not exceed 500 square metres - 1  (b) exceeds 500 square metres but does not exceed 1,000 square metres - 2  (c) exceeds 1,000 square metres but does not exceed 1,500 square metres - 3  (d) exceeds 1,500 square metres but does not exceed 2,000 square metres - 4  (e) exceeds 2,000 square metres - 4 plus 1 space for each 2,000 square metres of site so used in excess of 2,000 square metres
17. For an institutional establishment	for each employee - 1 <u>plus</u> for each 100 square metres of floor area - 1
18. For a junk yard	for each 100 square metres of floor area (floor area used as an office excepted) - 1 <u>plus</u> for each 25 square metres of floor area used as an office - 1 <u>plus</u> in respect of the first 1,000 square metres of the site used as open storage - 1 for each 25 square metres of the site so used <u>plus</u> in respect of any other part of the site so used - 1 for each 1,000 square metres of the site so used
19. For kennels	for each employee - 1 <u>plus</u> 4 spaces



Column 1	Column 2
<b>Manner of use or development</b>	<b>Minimum number of car parking spaces required</b>
20. For light industry	for each 100 square metres of floor area used for industrial purposes (offices excepted) - 1 <u>plus</u> for each 25 square metres of floor area used for an office - 1 <u>plus</u> where the area of site used as open storage area - (a) does not exceed 250 square metres - 1 (b) exceeds 250 square metres but does not exceed 500 square metres - 2 (c) exceeds 500 square metres but does not exceed 750 square metres - 3 (d) exceeds 750 square metres but does not exceed 1,000 square metres - 4 (e) exceeds 1,000 square metres but does not exceed 1,250 square metres - 5 (f) exceeds 1,250 square metres but does not exceed 1,500 square metres - 6 (g) exceeds 1,500 square metres but does not exceed 1,750 square metres - 7 (h) exceeds 1,750 square metres but does not exceed 2,000 square metres - 8 (j) exceeds 2,000 square metres - 8 plus 1 space for each 2,000 square metres of site so used in excess of 2,000 square metres
21. For a medical clinic	for each 6 employees - 1 <u>or</u> for each 25 square metres of floor area - 1 whichever standard results in the greater number of spaces
22. For medical consulting rooms	for each practice - 3
23. For a motel	for each 2 suites - 1

Column 1	Column 2
<b>Manner of use or development</b>	<b>Minimum number of car parking spaces required</b>
24. For a nursery	for each 50 square metres of floor area of any building - 1 <u>plus</u> where the area of site used as an open area - (a) does not exceed 250 square metres - 1 (b) exceeds 250 square metres but does not exceed 500 square metres - 2 (c) exceeds 500 square metres but does not exceed 750 square metres - 3 (d) exceeds 750 square metres but does not exceed 1,000 square metres - 4 (e) exceeds 1,000 square metres - 4 plus 1 for each 2,000 square metres or part thereof so used in excess of 1,000 square metres
25. For offices (except where elsewhere referred to in this Table)	for each 25 square metres of floor area - 1
26. For a passenger terminal	for each 20 square metres of floor area - 1
27. For a place of public worship	for each 20 square metres of floor area - 1
28. For a service industry	for each 50 square metres of floor area used for industrial purposes - 1 <u>plus</u> for each 25 square metres of floor area used as an office - 1
29. For a service station	10 spaces <u>or</u> for each 50 square metres of floor area - 1  whichever standard results in the greater number of spaces
30. For a shop	for each 20 square metres of floor area - 1
31. For a show-room	for each 25 square metres of floor area used as a show-room - 1 <u>plus</u> for each 25 square metres of floor area used as an office - 1 <u>plus</u> for each 200 square metres of floor area used for open display and sale purposes - 1

Column 1	Column 2
<b>Manner of use or development</b>	<b>Minimum number of car parking spaces required</b>
32. For special purposes	for each 25 square metres of the site - 1
33. For a tavern	for each 10 square metres of floor area used as a lounge bar - 1 <u>plus</u> for each 5 square metres of floor area used as a bar - 1
34. For a transport terminal	for each 100 square metres of floor area used as a transport terminal - 1 <u>or</u> so many car parking spaces as can be accommodated on 25% of the site  whichever standard results in the greater number of spaces
35. For units for aged persons	for each 2 units - 1 <u>plus</u> for each 10 units - 1
36. For a vehicle sales yard	10 spaces
37. For a veterinary clinic	for each practice - 3 <u>plus</u> for each 2 employees - 1
38. For warehouse purposes	for each 100 square metres of floor area used as a warehouse - 1 <u>plus</u> for each 25 square metres of floor area used as an office - 1 <u>plus</u> where the area of site used as open storage area -  (a) does not exceed 500 square metres - 1  (b) exceeds 500 square metres but does not exceed 1,000 square metres - 2  (c) exceeds 1,000 square metres but does not exceed 1,500 square metres - 3  (d) exceeds 1,500 square metres but does not exceed 2,000 square metres - 4  (e) exceeds 2,000 square metres - 4 plus 1 space for each 2,000 square metres of site so used in excess of 2,000 square metres

Column 1	Column 2
<b>Manner of use or development</b>	<b>Minimum number of car parking spaces required</b>
39. For a wholesale market	for each 100 square metres of floor area used as a wholesale market - 1 <u>plus</u> for each 25 square metres of floor area used as an office - 1 <u>plus</u> where the area of site used as open storage area - <ul style="list-style-type: none"> <li>(a) does not exceed 500 square metres - 1</li> <li>(b) exceeds 500 square metres but does not exceed 1,000 square metres - 2</li> <li>(c) exceeds 1,000 square metres but does not exceed 1,500 square metres - 3</li> <li>(d) exceeds 1,500 square metres but does not exceed 2,000 square metres - 4</li> <li>(e) exceeds 2,000 square metres - 4 plus 1 space for each 2,000 square metres of site so used in excess of 2,000 square metres</li> </ul>

**18. PARKING AREAS**

- (1) A parking area shall be -
  - (a) of such gradient as is suitable for vehicular parking;
  - (b) laid out so as to provide adequate access to each parking space;
  - (c) so laid out or designed that vehicles can enter and leave it in a forward gear; and
  - (d) if situated between a building and a frontage to a road, at least 3 metres from that frontage.
- (2) A parking area shall be used and maintained for parking only.

**19. SCREENING OF CERTAIN PARKING AREAS**

- (1) A parking area provided on land which is used for attached dwellings, flats, guest-houses or hostels within the Residential zone shall not be located between the building and the street boundary unless it is adequately screened from public view.
- (2) For the purposes of this clause, a parking area is adequately screened from public view if, at the boundary between the parking area and each public street -
  - (a) there is erected a wall not less than 1.2 metres high; or

- (b) there is planted suitable vegetation which -
  - (i) when planted is not less than 1 metre high; and
  - (ii) will, after 4 years, be not less than 2 metres high,

along the whole of that boundary (driveways excepted).

### **Division 3 - Loading and Unloading Spaces and Set-down Areas**

#### **20. LOADING, &c., SPACES**

A loading or unloading space required under this Division shall be -

- (a) not less than 10 metres long, 5 metres wide and 4 metres high; and
- (b) so located that vehicles may manoeuvre wholly within the space.

#### **21. LOADING, &c., SPACES TO BE PROVIDED**

A person shall not use or develop land for industries (service industries excepted), passenger terminals, shops, show-rooms, transport terminals, warehouse purposes or wholesale markets unless there is provided on the land -

- (a) if the area of the site does not exceed 2,000 square metres - one loading and unloading space;
- (b) if the area of the site exceeds 2,000 square metres but does not exceed 4,000 square metres - 2 loading and unloading spaces;
- (c) if the area of the site exceeds 4,000 square metres but does not exceed 6,000 square metres - 3 loading and unloading spaces;
- (d) if the area of the site exceeds 6,000 square metres but does not exceed 8,000 square metres - 4 loading and unloading spaces;
- (e) if the area of the site exceeds 8,000 square metres but does not exceed 10,000 square metres - 5 loading and unloading spaces; or
- (f) if the area of the site exceeds 10,000 square metres - 5 loading and unloading spaces plus one space for each 5,000 square metres of the site in excess of 10,000 square metres.

#### **22. SET-DOWN AREAS**

A person shall not erect or use a building on land as a catering business, child care centre, educational establishment, hospital, hotel, institutional establishment, medical clinic, passenger terminal, place of public worship, units for aged persons, veterinary clinic or for indoor recreation purposes or outdoor entertainment purposes unless a set-down area, designed and adapted for the picking up and setting down of passengers, is provided on the land or on land not being a public road adjoining the land.

**Division 4 - Residential Development**

**23. LOT SIZE - RESIDENTIAL ZONE OR FUTURE DEVELOPMENT ZONE**

A person shall not erect or use a detached dwelling on land within the Residential Zone or the Future Development Zone unless the land has a frontage of not less than 25 metres to a road and an area of not less than 825 square metres.

**24. GUEST-HOUSES, &c.**

A person shall not erect or use a building as a guest-house and hostel or a motel on land if the number of rooming units contained therein exceeds the number calculated by dividing the area of the site (expressed in square metres) by 150.

**Division 5 - Various Uses**

**25. TAVERNS**

A person shall not erect or use a building as a tavern in the Town Centre Zone if the sum of the area used as a garden lounge and the floor area of the building exceeds 250 square metres.

**26. PLOT RATIOS**

A person shall not erect or use a building on land within a zone specified in Column 1 of the Table to this clause if the plot ratio of that building exceeds the plot ratio specified opposite that zone in Column 2 of that Table.

**TABLE  
PLOT RATIOS**

Column 1	Column 2
<b>Zone</b>	<b>Plot ratio</b>
Town Centre	2:1
Service Facilities or Light Industry	1:1

**27. DRIVE-IN THEATRES**

A person shall not develop or use land as a drive-in theatre -

- (a) if that part of the land which affords access from a public road to the ticket box is less than 100 metres long or 12 metres wide; and
- (b) unless the screen of the drive-in theatre is so located or protected that no image projected thereon is visible and identifiable from any public road.

**28. HOME OCCUPATIONS**

A person shall not use land for the purpose of a home occupation -

- (a) if the floor area so used exceeds 30 square metres;
- (b) if the carrying on of the home occupation -
  - (i) causes interference with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise; or
  - (ii) requires the provision of any public utility of a greater capacity than that available in the locality;
- (c) if an advertisement or business identification sign displaying more than the name and occupation of the resident of the dwelling or more than 0.3 square metres in area is displayed on the dwelling; or
- (d) if goods are displayed for sale in such a manner as to be identifiable from a public road.

**Division 6 - Industry**

**29. APPLICATION OF DIVISION**

This Division applies to land within the Light Industry Zone.

**30. SITE REQUIREMENTS**

- (1) A person shall not use or develop land unless the site -
  - (a) has an area of not less than 1,250 square metres;
  - (b) has a frontage of not less than 35 metres to a public road; and
  - (c) is not less than 35 metres deep.
- (2) Site coverage for buildings shall not exceed 60%.

**31. SETBACKS**

A person shall not erect or use a building on land if the distance between the building and the nearest alignment of a road is less than 10 metres.

**32. ANCILLARY USES**

- (1) A person shall not use or develop land for a purpose ancillary to industry if the amount of floor area so used exceeds 40% of the floor area of all buildings on the land.
- (2) Where a part or the whole of land is used for open storage or industrial purposes, the floor area used within a building for a purpose ancillary to the open storage or industry shall not exceed 10% of the land area.

**33. LIMIT ON INDUSTRIAL USES**

A person shall not use or develop land for light industrial or service industrial purposes if the use of the land for that purpose -

- (a) requires a special rail siding;
- (b) causes interference with telecommunication services or with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise; or
- (c) requires the provision of any public utility of a greater capacity than that available in the locality.

**34. OFFICES**

A person shall not erect or use a building as an office if the floor area so used exceeds -

- (a) 10% of the floor area of the building; or
- (b) where there is no building used for industrial purposes - 10% of the area of the site.

**35. LANDSCAPING**

A person shall not establish a light industry unless -

- (a) he has submitted a landscaping plan in respect of that light industry to the consent authority;
- (b) the consent authority approves that plan; and

the light industry is landscaped, and that landscaping is maintained, in accordance with that plan.

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