

PART 1

1.0 PRELIMINARY

1.1 CITATION

This document is the Specific Planning Scheme relating to the Town of Jabiru and may be cited as the *Town Plan*.

1.2 APPLICATION

This Town Plan applies to the Town of Jabiru.

1.3 EXCEPTIONS

1. Unless specified, this Town Plan does not prevent any of the following:
 - (a) the use or development of land:
 - i. as a road; or
 - ii. for **sport and recreation**.
 - (b) the construction, alteration, repair or maintenance of:
 - i. facilities for the reticulation of water, sewerage, gas or electricity or, subject to clause 11.3, transmission of telecommunications services;
 - ii. stormwater drains; or
 - iii. roads and traffic lights.
 - (c) the strengthening to a safe condition of a building or works;
 - (d) the erection or display of a sign which is:
 - i. a traffic control or driver advisory guide, service or similar device;
 - ii. displayed under a statutory obligation;
 - iii. on enclosed land or within a building and not readily visible from land outside the enclosure or building;
 - iv. of a temporary nature used to advertise property that is available for rent, lease, sale, auction or inspection subject to clause 6.5;
 - v. displayed on or inside a vehicle, other than a vehicle which is adapted and exhibited primarily as an advertising sign;
 - vi. an interpretive sign used for describing a place or an item of historical or educational significance; or
 - vii. a public safety advisory sign displayed by a government agency or local authority;

Clause 11.3 refers to the development of telecommunication facilities.

- (e) the erection, placement or use of a construction site office permitted under the *Building Act 1993* (NT);
- (f) the use or development of land for a period not exceeding 28 days in association with a special community event or festival where management of the event is assisted by a community organisation, **education establishment**, or recognised religious or charitable organisation, or a department or institutional establishment of the Crown. Any buildings or structures constructed for the purpose are to be removed within the 28 day period.
- (g) the erection of a shed that:
 - i. is 6m or more from the **primary street** and 2.5m or more from a **secondary street** when measured to the wall of the shed or where there is no wall, the outer face of any column;
 - ii. has a roofed area of 15m² or less;
 - iii. is 2.5m or less in height;
 - iv. has no openings in walls that are less than 1.5m from a lot or unit title boundary; and
 - v. does not discharge rainwater on an adjacent lot or unit title.
- (h) a shade sail of 30m² or less for all non-residential zones.
- (i) The use or development of land in Zone IJ for the purpose of expansion of an existing use that is not a prohibited use and where the proposed use or development:
 - i. complies with the standards of Part 4 and 5 of this Town Plan;
 - ii. is a maximum of 200m² or 15% of the area of the **site**, whichever is the greater;
 - iii. is not located over a registered easement;
 - iv. is not located over a lot boundary, including over a road reserve;
 - v. will not inhibit vehicular access to the lot, parking on the lot, or loading and unloading on or from the lot;
 - vi. will not reduce the area of land or buildings allocated to waste management or service vehicle access thereto;
 - vii. is not a **demountable structure** or a **residential building**; and
 - viii. is not located on a lot that abuts land that is in Zone RJ.

- (j) The use or development of land in Zones CJ, SCJ and TCJ for the purpose of expansion of an existing use that is not a prohibited use and where the use or development:
- i. complies with the standards of Part 4 and 5 of this Town Plan;
 - ii. is a maximum of 100m² or 15% of the **site**, whichever is the greater;
 - iii. is not located over a registered easement;
 - iv. is not located over a lot boundary, including over a road reserve;
 - v. will not inhibit vehicular access to the lot, parking on the lot, or loading and unloading on or from the lot;
 - vi. will not reduce the area of land or buildings allocated to waste management or service vehicle access thereto;
 - vii. is not a **demountable structure** or a **residential building**;
 - viii. will not reduce the area of clear glass or level of transparency of the façade of the existing premises as viewed from the **primary street**;
 - ix. will not reduce the level of accessibility for people with disabilities; and
 - x. will not increase the height of the existing premises.
- (k) Where it is proposed to construct an extension, ancillary outbuilding, carport, **pergola** or a shade sail in association with one or more dwellings in a **multiple dwelling** development in Zone RJ, **consent** is not required if it:
- i. complies with the standards of Part 4 and 5 of this Town Plan;
 - ii. will not allow an increase in the number of dwellings capable of separate occupancy;
 - iii. is contained wholly within the respective unit title and is not on or over a registered easement; and
 - iv. will not result in an additional storey or an increase in the maximum height of the development.

2.0 ADMINISTRATION

2.1 ZONES

The zones referred to in this Town Plan are those shown on the Zoning Map.

2.2 PERMITTED, DISCRETIONARY AND PROHIBITED DEVELOPMENT

1. Land within a zone may be used or developed only in accordance with the *Planning Act 1999* (NT) and this Town Plan.
2. A use or development of land within a zone is permitted without **consent** if the use or development:
 - (a) is shown on the relevant zoning table as permitted and complies with all the provisions of this Town Plan relating to that use or development in the zone
 - or
 - (b) relates to a lot listed in, and the use or development complies with, Clause 2.6 of this Scheme;
3. A use or development of land within a zone requires **consent** if any of the following apply in relation to the use or development:
 - (a) it is shown on the relevant zoning table as discretionary;
 - (b) subject to sub-clause 4(a), it is not shown on the relevant zoning table;
 - (c) it does not comply with all the provisions of this Town Plan relating to that use or development within the zone; or
 - (d) a provision of this Town Plan expressly requires **consent**.
4. A use or development of land within a zone is prohibited if the use or development is:
 - (a) in Zone RJ and is not shown on the relevant zoning table; or
 - (b) shown on the relevant zoning table as prohibited.

The **Commonwealth environmental law** also regulates the use and development of land in **Kakadu National Park** including the Town of Jabiru.

Specific land tenure arrangements operate in the Town of Jabiru, and additional consent from other authorities may be required prior to commencing a permitted use or development.

Clause 2.6 provides specific circumstances for the use and development of land subject to the **Masterplan**

2.3 EXERCISE OF DISCRETION BY THE CONSENT AUTHORITY

1. In considering an application for **consent** for a proposed use or development, the consent authority must consider:
 - (a) the proposed use or development in its entirety except in relation to an application to alter or vary a development permit pursuant to sections 43A, 46 or 57 of the *Planning Act 1999* (NT); and

The environmental and cultural values of **Kakadu National Park** are specified in, and protected under, the **Commonwealth environmental law**.

(b) the potential impact of the proposed use or development on the environmental and cultural heritage values of the **Kakadu National Park**.

2. Parts 4 and 5 set out the standards that apply to the development of land, subject to sub-clauses 3, 4 and 5.
3. The consent authority may **consent** to the development of land that does not meet the standards set out in Parts 4 or 5 in circumstances set out in a provision of Parts 4 or 5.
4. The consent authority may **consent** to the development of land that does not meet the standard set out in Parts 4 or 5 only if it is satisfied that special circumstances justify the giving of **consent**.
5. The consent authority must not **consent** to the use or development of land that would have a significant negative impact on the environmental or cultural heritage values of the **Kakadu National Park**.
6. The consent authority may impose a condition requiring a higher standard of development than is set out in a provision of Parts 4 or 5 if it considers it necessary to do so.

2.4 SUBDIVISION OF LAND

Land may be subdivided or consolidated only with **consent** and subject to the relevant provisions of Part 5 of this Town Plan.

2.5 REFERENCE TO GUIDELINES

1. Applications for a use or development must demonstrate consideration of, and the consent authority must have regard to, any guidelines applicable to the use or development appearing in the schedule to this clause and ensure that a use or development or proposed use or development is consistent with them.
2. Where there is an inconsistency between any applicable guideline and this Town Plan, the provisions of the Town Plan will prevail.

Guidelines referenced in Clause 2.5 are as published at the date this Town Plan comes into force under the *Planning Act 1999* (NT), and are available free of charge on the internet, or at the Department of Infrastructure, Planning and Logistics in Darwin, Katherine and Alice Springs (printing charges may apply)

2.6 REFERENCE TO JABIRU MASTERPLAN

1. This clause applies to Lots 932, 942, 944, 945, 947, 948, 949, 956, 960, 959, 2024, part 2025 (that is within Zone SCJ), 2043, 2317, 2328, 2329, 2330, 2304 and part 2353 (that is within Zone CJ), Town of Jabiru, and identified in the **Masterplan** as being within Precincts 1 – 3.
2. The use or development of land must demonstrate consideration of, and the consent authority must have regard to, the **Masterplan** at Schedule 2, and ensure that a use or development or proposed use or development is consistent with the **Masterplan**.
3. The use or development of land must not have a significant detrimental impact on the environmental or cultural values of **Kakadu National Park**.
4. Until midnight 1 April 2029, the requirements of Part 4 of this Town Plan do not apply to the use or development of land described in subclause 1, if the proposed use or development is:
 - (a) consistent with the **Masterplan**; and
 - (b) approved by the Jabiru Town Development Authority, the Executive Director of Township Leasing, or any other statutory authority or body having responsibility to oversee and enforce the application of the **Masterplan**, as the case may be at the time of development; and
 - (c) accompanied by a plan for the provision of trunk infrastructure
5. Notwithstanding subclause 4, all landscaping must only use **approved plant species** and otherwise be consistent with the **Commonwealth environmental law**.
6. Where the use or development or proposed use or development is inconsistent with the **Masterplan**, the provisions of the Town Plan will prevail, including any requirements for **consent**, and the requirements of Part 4 of this Town Plan will apply.

Clause 3.0 provides a definition of the term "**Masterplan**"

The **Commonwealth environmental law** also regulates the use and development of land in **Kakadu National Park** including the Town of Jabiru.

The environmental and cultural values of **Kakadu National Park** are specified in, and protected under, the **Commonwealth environmental law**

The list of plant species maintained by the **Director of National Parks** is available online from the Director's website.

2.7 ANCILLARY USE AND DEVELOPMENT

1. Subject to paragraph 3 of this clause, where a use or development of land is permitted without **consent**, an ancillary use or development which would require **consent** if proposed as the primary use or development, is also permitted without **consent** provided it complies with the provisions of the clauses (if any) specified opposite the use or development in the relevant zoning table.
2. Where the ancillary use or development of land would be prohibited if proposed as the primary use or development, the ancillary use or development is permitted only with **consent**.
3. Where the ancillary use or development of land is a **fuel depot, motor repair station, motor body works, service station, or transport terminal**, or constitutes **general industry, light industry, rural industry, or vehicle sales and hire**, the ancillary use or development is permitted only with **consent**.

3.0 DEFINITIONS

In this Town Plan, unless inconsistent with the context or subject matter:

“**abattoir**” means premises used for the slaughter and dressing of animals, and includes the processing of meat from such slaughter;

Clause 8.1.5 refers to animal related use and development.

“**agriculture**” means, as a commercial enterprise:

- (a) the growing of crops, pasture, timber trees and the like, but does not include a **plant nursery** or **horticulture**; and
- (b) the keeping and breeding of livestock;
- (c) but does not include **intensive animal husbandry** or **stables**;

Clause 6.7 refers to landscaping and plant related use and development

Clause 8.1.5 refers to animal related use and development.

“**amenity**” in relation to a locality or building, means any quality, condition or factor that makes or contributes to making the locality or building harmonious, pleasant or enjoyable;

“**animal boarding**” means premises used as a commercial enterprise for the accommodation of domestic animals other than cats;

Clause 8.1.5 refers to animal related use and development.

“**approved plant species**” means a plant species that is:

- (a) a native species indigenous to **Kakadu National Park**; or
- (b) specified on the list maintained by the **Director of National Parks** as required by the **Commonwealth environmental law** at the date this Town Plan comes into force under the *Planning Act 1999* (NT);

Clause 6.7 refers to landscaping and plant related use and development

The list of plant species maintained by the **Director of National Parks** is available online from the Director’s website.

“**basement**” means a **storey** either below ground level or that projects no more than one metre above ground level;

See also **storey**

“**building setback**” means the distance from any lot boundary to a building and shall be measured from all boundaries to:

- (a) the wall of a residential building;
- (b) the outer surface of the railings of a balcony or a verandah;
- (c) the outer surface of any support column of a ground level verandah; and
- (d) the outer surface of any support column of structures without external walls except that the setback of a shade sail is measured to the outer extremity of the fabric.

In the event of a **site** having frontage to more than one street, the **building setback** through the corner truncation is measured from the intersection point of the **primary street setback** and the **secondary street setback**.

“**business sign**” means a device using words, letters or images exhibited for the purpose of advertising, announcement or display restricted to the name of the business carried on and the nature of the services or goods available, on the land on which the sign is erected, and includes, where a number of persons are carrying on different businesses on that land, a sign identifying the place;

Clause 6.5 refers.

See also **promotion sign**.

“**caravan**” includes a vehicle registered or eligible for registration within the meaning of the *Motor Vehicles Act 1999* (NT) which is designed or adapted for human habitation;

“**caravan park**” means land used for the parking of **caravans** or the erection or placement and use of tents or cabins for the purpose of providing accommodation;

“**caretaker’s residence**” means a **dwelling** which is ancillary to the lawful use of the land on which it is erected and which is used by the caretaker of the land;

“**car park**” means the parking of motor vehicles otherwise than as an ancillary use of land;

“**car parking area**” means an area set aside or designated for the parking of three or more motor vehicles;

“**car parking space**” means a space designated for the parking of one motor vehicle;

“**child care centre**” means premises used for the caring for 6 or more children;

“**common building boundary**” means the designated boundary between one lot and an adjoining lot in the same subdivision;

“**Commonwealth environmental law**” means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth), and management plans for the **Kakadu National Park** in force from time to time under that Act;

“**community centre**” means a building or part of a building designed or adapted primarily to provide facilities for social, sporting or cultural purposes but does not include premises licensed under the *Liquor Act 1978* (NT);

“**consent**” means the **consent** of the consent authority within the meaning of the *Planning Act 1999* (NT);

“**Director of National Parks**” means the entity of that name continuing under the **Commonwealth environmental law**;

“**demountable structure**” means a building, including transport containers, which is wholly or substantially prefabricated and which is designed to be transported from site to site, but does not include a **caravan** or transportable module used in conjunction with an **education establishment** or as a **medical clinic** or as a construction site office or a prefabricated **dwelling**;

Clause 7.8.2 limits the use of **caravans** outside **caravan parks**.

Clause 7.8.3 limits the **floor area** of **caretaker’s residences**.

Clause 6.3.3 specifies criteria relating to parking layout.

Clause 6.3.3 specifies criteria relating to parking layout.

NT building legislation may require compliance with the Building Code of Australia for the provision of disabled car parks.

Clause 8.1.4 specifies criteria relating to the use.

Clause 10.1.2 provides for lots of less than 800m².

Clause 6.6 refers to the placement of **demountable structures**.

“**domestic livestock**” means the keeping, exercising or training, other than as a commercial enterprise, of any of the following:

- (a) horses or other equine animals;
- (b) ox, buffalo or other bovine animals;
- (c) camels; or
- (d) pigs;

“**dwelling**” means a building, or part of a building, designed, constructed or adapted as a self-contained residence;

“**education establishment**” means an academy, college, kindergarten, lecture hall, primary or secondary school, technical college or university, but does not include a **place of worship**;

“**floor area**” in relation to a building, includes all wall thicknesses of the external walls and all roof areas used as floors, but does not include verandahs, balconies or areas set aside for car parking or access thereto;

“**fully screened**”, in relation to a verandah or balcony, means a permanently fixed durable external screen, designed and coloured to blend in with the development to at least 1.7m above floor level, which is no more than 25% transparent and consists of perforated panels or trellis with a maximum of 25% openings or solid translucent panels or louvered slats, which are only able to be opened at 45° angle and do not allow direct overlooking into an adjacent **residential building**;

“**fuel depot**” means a depot for the storage or sale of solid, liquid or gaseous fuel, but does not include a **service station**;

“**general industry**” means an **industry** other than a **light industry** or a **rural industry**;

“**ground level**” means the ground surface level that exists on a site prior to the commencement of earth or construction works associated with the development of a building;

“**group home**” means a **dwelling**:

- (a) occupied by persons who are not necessarily related and who live together as a single household, with or without paid supervision or care; and
- (b) where management of the household is assisted by a community organisation, **education establishment**, or recognised religious or charitable organisation, or a department or institutional establishment of the Crown;

but does not include **supporting accommodation**;

“**habitable room**” means any room of a **dwelling** other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room or other space of a specialised nature occupied neither frequently nor for extended periods;

Clause 8.1.5 refers to animal related use and development.

See also **net floor area**.

Clause 8.1.3 refers to fuel and vehicle repair related use and development.

See also **industry, light industry and rural industry**.

Clause 9.1.2 refers to biosecurity and contamination risks of **industry** use and development

Clause 7.1 refers to the measurement of residential building height

Clause 7.8.5 refers to the operation of the use.

“home based contracting” means the storage on the **site** of a **dwelling** of materials and/ or vehicles associated with a business operated by a person resident in the **dwelling**, but which business does not operate on the **site** of the **dwelling**;

Clause 7.8.7 refers to the operation of the use.

“home based visitor accommodation” means temporary accommodation provided on the premises of a **dwelling** by the resident of that dwelling, as a commercial enterprise for persons away from their normal place of residence but does not include a **hostel**;

Clause 7.8.1 specifies criteria relating to the use

“home occupation” means an occupation or profession which is carried on in a **dwelling** or on the **site** of a **dwelling** by a person resident in the **dwelling** and may include the caring for up to five children including children who reside in the **dwelling**;

Clause 7.8.6 refers to the operation of the use.

“horticulture” means the commercial cultivation of fruit, vegetables, flowers and the like;

See also **agriculture**.
Clause 6.7 refers to landscaping and plant related use and development

“hospital” means a building used to provide health services including preventative care, diagnosis, medical and surgical treatment and counselling to persons admitted as in-patients;

“hostel” includes boarding houses, guest houses, lodging houses and other premises used to provide board or lodging with communal toilet, ablution, dining or cooking facilities but does not include **bed and breakfast accommodation** or a **group home**;

“hotel” means premises which require a licence under the *Liquor Act 1978* (NT) and where, as a principal part of the business, alcoholic beverages are ordinarily sold to the public for consumption on the premises whether or not accommodation is provided for members of the public and whether or not meals are served, but does not include a **licensed club, motel** or **restaurant**;

“independent unit” means an ancillary **dwelling** constructed on the same **site** as a **single dwelling**;

“**industry**” includes the following operations:

- (a) the carrying out of a process of manufacture whether or not to produce a finished article;
- (b) the dismantling of an article, machinery or vehicle;
- (c) the treatment of waste materials;
- (d) the packaging of goods or machinery;
- (e) the process of testing or analysis of an article, goods or materials;
- (f) the storage of goods, equipment or vehicles not in association with any other activity on the **site**, but not including **transport terminal, vehicle sales and hire or warehouse**;

and if on the same land as any of the operations referred to in paragraphs (a) to (f) above:

- (g) the storage of goods used in conjunction with or resulting from any of the above operations;
- (h) the provision of amenities for persons engaged in the operations;
- (i) the sale of goods resulting from the operations;
- (j) any work of administration or accounting in connection with an operation; and
- (k) an **industry** or class of **industry** particularly described in this Town Plan;

but does not include **motor body works, motor repair station or a home occupation**;

“**intensive animal husbandry**” means:

- (a) the keeping and feeding of animals, including poultry and pigs, in sheds, stalls, ponds, compounds or stockyards; or
- (b) aquaculture;

as a commercial enterprise;

“**Kakadu National Park**” means the ‘Commonwealth reserve’ of that name continuing under the **Commonwealth environmental law**;

“**leisure and recreation**” means the provision indoors or outdoors of recreation, leisure or sporting activities and includes cinemas, theatres, sporting facilities and the like as a commercial enterprise but does not include a **licensed club** or **community centre**;

“**licensed club**” means premises used as club rooms which require a licence under the *Liquor Act 1978* (NT);

“**light industry**” means an **industry** in which the process carried on, the machinery used and the goods and commodities carried to and from the premises on which the **industry** is sited are not of such a kind as are likely to adversely affect the **amenity** of the surrounding locality or environment by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, hazardous substance or otherwise;

“**Masterplan**” means the masterplan for the Town of Jabiru attached to this Town Plan at Schedule 2;

See also **general industry, light industry and rural industry**.

Clause 9.1.2 refers to biosecurity and contamination risks of **industry** use and development

Clause 8.1.5 refers to animal related use and development.

See also **general industry, industry and rural industry**.
Clause 9.1.2 refers to biosecurity and contamination risks of **industry** use and development

“**medical clinic**” means a building or place used by one or more medical practitioners, physiotherapists, dentists or persons ordinarily associated with health care, or their employees, but does not include a **hospital**;

“**medical consulting rooms**” means a room or suite of rooms on the **site** of a **single dwelling** used by a resident of that **dwelling** for the purposes of his or her work as a medical practitioner, dentist or person ordinarily associated with health care;

“**mezzanine**” means an intermediate floor within a room;

“**motel**” means premises wholly or principally used for the accommodation of travellers and the vehicles used by them, whether or not the building is also used to provide meals to the travellers or to members of the general public and whether or not the premises are licensed under the *Liquor Act 1978* (NT), but does not include **bed and breakfast accommodation**;

“**motor body works**” means premises for repairing the body work of motor vehicles and includes body building, panel beating or spray painting of motor vehicles;

“**motor repair station**” means premises used for carrying out repairs to motor vehicles but does not include a **motor body works** or a **transport terminal**;

“**multiple dwellings**” means a building or group of buildings on a **site** which individually or collectively contain more than one **dwelling** (including serviced apartments) but does not include a **dependant unit**;

“**NT building legislation**” means Northern Territory legislation that controls how structures are planned, built and valued in the Northern Territory, such as but not limited to the *Building Act 1993* (NT) and the *Building Regulations 1993* (NT);

“**net floor area**” in relation to a building, includes all the area between internal surfaces of external walls but does not include:

- (a) stairs, cleaners cupboards, ablution facilities, lift shafts, escalators or tea rooms where tea rooms are provided as a standard facility in the building;
- (b) lobbies between lifts facing other lifts servicing the same floor;
- (c) areas set aside as public space or thoroughfares and not used exclusively by the occupiers of the building;
- (d) areas set aside as plant and lift motor rooms;
- (e) areas set aside for use of service delivery vehicles; and
- (f) areas set aside for car parking or access;

“**office**” means a building or part of a building used for the conduct of administration whether public or otherwise, the practice of a profession, or the carrying on of mercantile, banking, insurance, legal, clerical or similar services, but does not include a **home occupation**;

“**passenger terminal**” means premises used as a railway or bus station, airline **passenger terminal**, hoverport or heliport;

Clause 7.8.8 refers to the operation of the use.

See also **storey**

Clause 8.1.3 refers to fuel and vehicle repair related use and development.

Clause 8.1.3 refers to fuel and vehicle repair related use and development.

Serviced apartments attract a different requirement for car parking. See clause 6.3.1

See also **floor area**.

“**pergola**” is an unroofed open structure constructed at ground level without external walls but may be covered with permeable shade cloth;

“**place of worship**” means premises used as a church, chapel, mosque, temple, synagogue or place of religious instruction or worship or for the purpose of religious training;

“**plant nursery**” means premises principally used for the growing and/ or display of plants for sale, whether or not seeds, equipment, soil, sand, rocks, railway sleepers or other associated products are displayed or sold, but does not include the use of land for **agriculture** or **horticulture**;

Clause 6.7 refers to landscaping and plant related use and development

“**primary street**” means the street or where there is more than one street, the street with the wider carriageway or that which carries the greater volume of traffic but does not include any street where access is prohibited by the controlling Agency;

See also **secondary street**

“**plot ratio**” means the **floor area** divided by the area of the **site**;

“**promotion sign**” means a device using words, letters or images exhibited for the purpose of advertising, announcement or display which contains information relating to:

Clause 6.5 refers.
See also **business sign**.

- (a) goods, services or products not provided, produced or sold; or
- (b) events or activities which are not carried out;

on the land or in the building on which the sign is constructed or erected;

“**recycling depot**” means premises used for the collection, storage or sale of scrap metals, waste paper, rags, bottles or other scrap material or goods, or used for dismantling, storage or salvaging of machinery whether or not parts of them are for sale;

“**residential building**” means a building or part of a building used or developed or proposed to be used or developed for a **caretaker’s residence, group home, hostel, hotel** (where the **hotel** includes accommodation available to members of the public), **independent unit, motel, multiple dwellings, single dwelling** or **supporting accommodation**;

Clause 7.1 refers to building heights and clause 7.2 to setback requirements.

“**restaurant**” means premises (other than a **shop**, or part of a **hotel** or a **motel**) in which meals are served to the public whether or not the premises provides a drive-through service or requires a licence under the *Liquor Act 1978* (NT);

“**retail agricultural stall**” means a building used for the display and retail sale of agricultural, market garden or horticultural produce grown on the land on which the building is erected;

Clause 6.7 refers to landscaping and plant related use and development

“**rural industry**” means an **industry** which involves the treatment, processing or packing of primary products transported to the **site** where the goods and commodities carried to and from the premises on which the **industry** is sited are not of such a kind as are likely to adversely affect the **amenity** of the surrounding locality;

See also **general industry, industry and light industry.**

Clause 6.7 refers to landscaping and plant related use and development
Clause 9.1.2 refers to biosecurity and contamination risks of **industry** use and development

“**secondary street**” means – in the case of a site that has access to more than one public street – the street or streets that are not the primary street;

See also **primary street.**

“**serviced apartment**” means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and which is regularly serviced or cleaned by an owner or manager of the building or by an agent of an owner or manager of the building;

“**service station**” means premises used for the sale by retail of fuels, oils and other products for use in connection with the operation of motor vehicles, whether or not it includes convenience shopping, but does not include a **fuel depot, motor repair station or motor body works**;

Clause 8.1.3 refers to fuel and vehicle repair related use and development.

“**shop**” means premises used for the display and sale by retail or for hire of goods or services but does not include a **restaurant, retail agricultural stall, service station, showroom sales or vehicle sales and hire**;

“**showroom sales**” means the sale or hire in premises of goods of a bulky nature including:

- (a) furniture, floor coverings, furnishings, household appliances or camping gear; or
- (b) materials, tools, equipment or machinery for use in **industry**, commerce, the trades, primary production, medical purposes or party hire;

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

“**site**” means an area of land, whether consisting of one lot or more, which is the subject of an application to the consent authority;

“**sport and recreation**” means the use of land for recreation purposes, but does not include such a use which involves commercial transactions, motor sports or activities which, by virtue of the generation of noise or disturbance, will adversely affect the **amenity** of adjoining land nor does it include **leisure and recreation**;

Clause 1.3.1(a)(ii) refers.

“**stables**” means premises used for the keeping, exercising or training of horses or other animals of burden but does not include **domestic livestock or intensive animal husbandry**;

Clause 8.1.5 refers to animal related use and development.

“**storey**” means that part of a building between floor levels. If there is no floor above, it is the part between the floor level and the ceiling. It may comprise an attic, **basement** or built over area for car parking;

“**supporting accommodation**” means:

- (a) a convalescent or nursing home, an orphanage, a children’s home, an institution for poor or disadvantaged persons, or a home for the care of aged persons; or
- (b) premises used by people moving from their homes or an institution and living for a short time in shared, supporting or rehabilitating accommodation where day-to-day management and operation of the premises is provided by a community organisations or recognised religious or charitable organisation or a department or institutional establishment of the Crown;

“**telecommunications facility**” means land used to accommodate:

- (a) any part of the infrastructure of a telecommunications network; or
- (b) any line, equipment, apparatus, tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used, or for use, in or in connection with a telecommunications network;

“**transport terminal**” means premises used for the:

- (a) loading, discharge or storage of goods in the course of the transport of those goods by air, road, rail or ship;
- (b) garaging and basic maintenance of fleet vehicles; or
- (c) servicing, repair and garaging of buses;

“**vehicle sales and hire**” means premises used wholly or principally for the display for sale by retail or for rental of motor vehicles, **caravans**, trailers, farm machinery or boats but does not include **motor body works**, **motor repair station**, a **shop** or **showroom sales**;

“**veterinary clinic**” means premises used for the medical treatment of animals, whether or not the animals are boarded there as part of the treatment;

“**warehouse**” means premises used for the bulk storage of goods, or the display and sale of goods by wholesale.

Clause 11.3 refers to the development of telecommunications facilities

Clause 8.1.3 refers to fuel and vehicle repair related use and development.

Clause 8.1.3 refers to fuel and vehicle repair related use and development.

Clause 8.1.5 refers to animal related use and development.