



Jabiru Town Plan 2019



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USER GUIDE TO THE JABIRU TOWN PLAN 2019

INTRODUCTION

The Jabiru Town Plan 2019 applies to the Town of Jabiru, being the land specified as Jabiru town land under section 3AC of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth) and if no land has been specified, means the land within the boundaries of the Town of Jabiru as gazetted in NTG G18 on 7 May 1982.

HOW THE JABIRU TOWN PLAN 2019 WORKS

Part 2 of the Jabiru Town Plan 2019 lists a number of what are described as “planning principles”. They are broad expressions of the Northern Territory Government’s commitment to outcomes of land use planning and development control.

The Jabiru Town Plan 2019 requires the consent authority to make determinations of development applications in a manner that, if not actively advancing those principles, is consistent with them. The consent authority cannot make a determination that is demonstrably inconsistent with or would frustrate achievement of those principles.

Zoned Land

Zoning maps indicate the type of land use that is preferred in a particular location. The preference is indicated through the zone purpose statement and the zoning table which indicates whether the land use or development is permitted, discretionary or prohibited.

References to a ‘zoning map’ in the Jabiru Town Plan 2019 refer to the Jabiru Zoning Map published as at the date this Town Plan comes into force under the *Planning Act 1999* (NT). References to ‘zones’ in the Jabiru Town Plan 2019 are to zones specified in that map. A copy of the Jabiru Zoning Map is available free of charge on the internet or at the offices of the Department of Infrastructure, Planning and Logistics in Darwin, Katherine and Alice Springs (printing charges may apply). Zoning and other site specific information can also be determined by obtaining (upon application) a Planning Certificate, similarly available from the Department and for which a fee is charged.

Having determined the applicable zoning, the simplest way of finding out what, if any, provisions apply to the use or development of land is by reference to the zoning table. On the page facing the table is a description of the purpose of the zone. The table lists a range of uses that are defined by the Jabiru Town Plan 2019 and appear at clause 3.0 Definitions.

For each defined use the zoning table indicates whether the use is:

- permitted without the consent of the consent authority;
- permissible only with the consent of the consent authority; or
- prohibited in a particular zone.

Where a particular control applies to a use or development, that control is listed by clause number in the table and the clause(s) should be read to obtain full information regarding the manner in which the use or development may be undertaken.

Notes may appear in the margin adjacent to the zone purpose and/or a particular clause. These are to assist in cross-referencing related matters within the Jabiru Town Plan 2019. It is useful to review each of the clauses to which the notes refer to ensure a full understanding of the provisions applying to a use or development.

Subdivision

Development consent is required to subdivide land in Jabiru. The Jabiru Town Plan 2019 establishes certain standards for subdivision including minimum lot sizes, general layout, the provision of open space etc. These provisions should be read in conjunction with the requirements of service authorities and the West Arnhem Regional Council that may also

have particular requirements relating to their areas of responsibility. Note that the lease of land for a period in excess of 12 years also requires subdivision approval.

Defined Uses

To avoid doubt a range of common land uses and activities, and some other frequently used terms, are individually defined by clause 3.0. Throughout the Jabiru Town Plan 2019 these defined terms appear in **bold text**. Other than in Zone RJ a use or development that is not, in the opinion of the consent authority, adequately defined by the Jabiru Town Plan 2019 is automatically considered an unspecified discretionary use. This means that, whatever the circumstances, the consent of the consent authority is necessary. In Zone RJ an unspecified use is automatically prohibited.

Capitalised terms are either proper nouns or have the meanings given to them in the *Planning Act 1999* (NT). All other words have their ordinary meaning.

Throughout the Jabiru Town Plan 2019, there are a number of references to the laws of the Northern Territory and the Commonwealth of Australia. Those references should be taken to refer to the relevant laws as updated or amended from time to time.

Check List of Issues	
Issue	Source of Information
What is the use or development?	See definitions at clause 3.0.
Is the use or development consistent with the planning principles?	See NT planning principles at Part 2.
What is the zone?	See zoning map.
What is the purpose of the zone?	See zone purpose statement opposite the relevant zone table.
What uses are allowed in the zone?	See zone table.
What are the rules for the use or development in a zone?	See clauses specified against the use or development in the zone table. See also any clauses specified in the margin notes.
Are there any restrictions or conditions applying to use or development under Commonwealth environmental law?	See the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth); <i>Environment Protection and Biodiversity Conservation Regulations 2000</i> (Cth) and any management plan for the Kakadu National Park in effect from time to time under that Act.

What Happens Next?

If consent is required for the use or development of land an application is made to the consent authority. Applications can be made on the internet through Development Applications Online. A fee is payable for lodging an application.

The consent authority will:

- Advertise the proposal in the newspaper and invite interested persons to inspect the application. Unless deemed by the consent authority to be impracticable a sign is erected on the site describing the proposed use or development. Any person can lodge a submission, either objecting to or supporting a proposal. An objection can be to the proposal in its entirety or to one or more elements of the proposal; and
- Refer the application to the appropriate service authorities and to the Council for comment.

The consent authority will consider the application in the context of its obligation under the *Planning Act 1999* (NT), the provisions of the Jabiru Town Plan 2019, the comments of the service authorities and Council and any submissions. The consent of the consent authority

should not be presumed. The consent authority will consider all applications on their individual merit, exercising the discretion afforded it under the Planning Act.

The consent authority may issue a Development Permit, which may have conditions attached to it. It may issue a Notice of Refusal that must include reasons for the refusal. Where a right of appeal exists to a person other than the applicant the consent authority will issue a Notice of Determination.

Division 2 of Part 9 of the *Planning Act 1999* (NT) sets out those decisions of a consent authority that may be appealed. An appeal against a determination of the consent authority may be lodged with the NT Civil and Administrative Tribunal within the specified period.

Where authorisation for use or development is required under Commonwealth environmental law, application should be made to the Commonwealth Department of the Environment and Energy or Commonwealth Director of National Parks (according to the nature of the authorisation required). Applications can be made on the internet and fees may be payable on lodgement.

DEFINITIONS

Words are individually defined.

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:

Clause 6.7 refers to landscaping and plant related use and development

- (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 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:

Clause 6.7 refers to landscaping and plant related use and development

- (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);

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**.

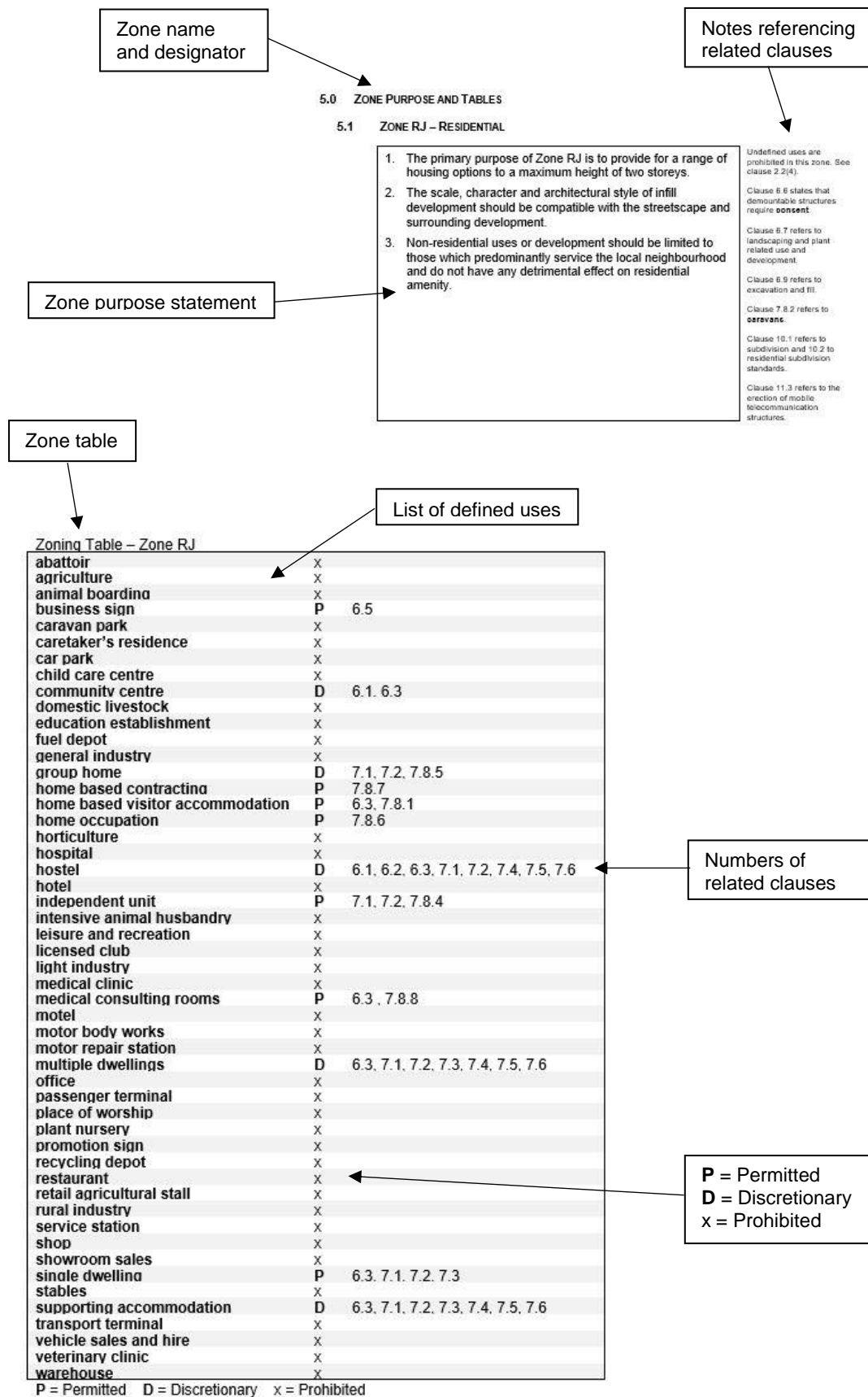
Other words similarly defined appear in **bold** where used.

Notes referencing related clauses and definitions.

"**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.

ZONE PURPOSE STATEMENT AND TABLE



BACKGROUND TO THE JABIRU TOWN PLAN 2019

Commencement of the Jabiru Town Plan 2019

The Jabiru Town Plan 2019 will come into force following the approval of the town plan as a Specific Planning Scheme under section 8 of the *Planning Act 1999* (NT) by the Minister responsible for that Act, and on the day on which that approval is published in a newspaper circulating in the Territory. It is then intended that the Jabiru Town Plan 2019 be adopted as a “town plan” for the purposes of sections 388 and 389 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act), and specifically section 389(3) which allows a town plan to adopt the provisions of any law of the Northern Territory.

The adoption of the Jabiru Town Plan 2019 as a town plan will require the Director of National Parks to approve an instrument pursuant to regulation 11.10 of the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth) and section 8.2.7 of the *Kakadu National Park Management Plan 2016-2026* (Cth) (F2016L00002) that:

- Supersedes the existing town plan for Jabiru, being the *Jabiru Town Plan 1981* (Cth) (F20009B00160); and
- Adopts the Jabiru Town Plan 2019 as the new town plan for Jabiru at the date that the instrument comes into force.

Where the Jabiru Town Plan 2019 is adopted as a town plan pursuant to the process set out above, that town plan will come into force on the day after it is registered on the Federal Register of Legislation in accordance with the *Legislation Act 2003* (Cth).

Context

Kakadu National Park was declared under the *National Parks and Wildlife Conservation Act 1975* (Cth) in three stages between 1979 and 1991. The park continues as a ‘Commonwealth reserve’ under the EPBC Act and is deemed to have been established for the preservation of the area in its natural condition and the encouragement and regulation of the appropriate use, appreciation and enjoyment by the public.

The cultural and environmental values of Kakadu National Park are summarised in a values statement for the park and reflect aspects of the park that are recognised through World Heritage, Commonwealth Heritage and Ramsar listings. The park is managed with regard to those listings and in accordance with the EPBC Act, including the regulations and management plans made under it. Importantly, Kakadu National Park is inscribed on the World Heritage List created under the *Convention Concerning the Protection of the World Cultural and Natural Heritage 1972*. The criteria underpinning that listing can be summarised as follows:

Criterion (i): Masterpiece of human creative genius

The rock art sites of Kakadu National Park represent a unique artistic achievement because of the wide range of styles used, the large number and density of sites and the delicate and detailed depiction of a wide range of human figures and identifiable animal species, including animals long-extinct;

Criterion (vi): Directly associated with events or living traditions

The rock art and archaeological record in Kakadu National Park is an exceptional source of evidence for social and ritual activities associated with hunting and gathering traditions of Aboriginal people from the Pleistocene era until the present day;

Criterion (vii): Contains superlative natural phenomena

Kakadu National Park contains a remarkable contrast between the internationally recognised Ramsar-listed wetlands and the spectacular rocky escarpment and its outliers;

Criterion (ix): Outstanding examples of ongoing evolution

Kakadu National Park incorporates significant elements of four major river systems of tropical Australia. The park's ancient escarpment and stone country span more than two billion years of geological history, whereas the floodplains are recent, dynamic environments, shaped by changing sea levels and big floods every wet season. These floodplains illustrate the ecological and geomorphological effects that have accompanied Holocene climate change and sea level rise; and

Criterion (x): Important habitats for conservation of biological diversity

Kakadu National Park is unique in protecting almost the entire catchment of a large tropical river and has one of the widest ranges of habitats and greatest number of species documented of any comparable area in tropical northern Australia. The park's large size, diversity of habitats and limited impact from European settlement has resulted in the protection and conservation of many significant habitats and species. The park protects an extraordinary number of plant and animal species including over one third of Australia's bird species, one quarter of Australia's land mammals and an exceptionally high number of reptile, frog and fish species. Huge concentrations of waterbirds make seasonal use of the park's extensive coastal floodplains

As part of Kakadu National Park, the use and development of the Town of Jabiru must not be detrimental to the values of the park, particularly those values for which it was inscribed on the World Heritage List. While the Jabiru Town Plan 2019 has been drafted to be complementary to those values, development within the Town of Jabiru must also take place in accordance with the EPBC Act, the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth), and management plans for the Kakadu National Park in force from time to time under the EPBC Act.

Objective

The objective for the Town of Jabiru is for it to be a world leading, ecologically sustainable, economically and socially vibrant community where traditional Aboriginal culture, all people and the natural environment flourishes. The use and development of the town should be consistent with an integrated approach that is directed to the overall town achieving a high standard of innovation and sustainability through a coordinated commitment to the following goals:

1. Recognising Mirarr traditional ownership of the land.
2. Protecting and demonstrating the national park ('Commonwealth reserve') status of the town.
3. Promoting the town as a tourism destination.
4. Managing natural resources and waste efficiently and sustainably.
5. Preserving and celebrating the unique indigenous cultural attributes of the town and surrounding lands.
6. Providing a sound economic base for indigenous employment and enterprise.

7. Providing for a sustainable long term resident population.
8. Fostering a vibrant education and research campus.

Town Purpose

The purpose of the Town of Jabiru is to:

- provide a world leading, ecologically sustainable, economically and socially vibrant indigenous owned township within the Kakadu National Park;
- function and develop as a regional service centre allowing for appropriate sustainable and equitable residential, commercial and community/cultural development, and the provision of appropriate services to residents;
- function as a regional centre for the development of indigenous enterprise and employment and for diversification of the regional economy; and
- offer a world class research and visitation destination showcasing the indigenous culture and heritage, archaeological significance and environmental biodiversity of the surrounding Park landscape.

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**;

“**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;

“**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:

- (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**;

“**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

See also **secondary street**

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

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

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 telecommunication 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.

PART 2

4.0 PLANNING PRINCIPLES AND FRAMEWORK

The interpretation of this Town Plan and the determinations of a consent authority must have regard to the planning principles contained in this Part and ensure that a use or development or proposed use or development is consistent with them.

4.1 JABIRU

The administration of this Town Plan in relation to Jabiru is to:

- (a) contribute to a built and natural environment supporting the diverse lifestyle and the social, cultural and economic development of Jabiru promoting:
 - i. safe communities;
 - ii. housing choice;
 - iii. public infrastructure including a coordinated, integrated and efficient transport network;
 - iv. a regional service centre allowing for appropriate residential, commercial, community and cultural development in appropriate localities;
 - v. orderly and appropriate development of a town within the **Kakadu National Park** in a manner which is consistent with the **Commonwealth environmental law**; and
 - vi. best practice environmental management which conserves and protects the environmental and cultural heritage values of the **Kakadu National Park**.
- (b) contribute to the sustainable use and development of land and water resources so that the use and development of land is consistent with the principles of sustainable development and avoids contamination and minimises degradation of the environment or over commitment of water resources;
- (c) protect the environmental and cultural heritage values of the **Kakadu National Park** through the provision of and connection to reticulated services for all development, unless otherwise agreed to by the consent authority;
- (d) protect and promote the development and ongoing operation of public utilities, including sewerage ponds, water storage facilities, electricity transmission and substation facilities, solar arrays, gas pipelines and the like, through the implementation of appropriate separation distances or similar;

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

- (e) facilitate the supply of sufficient land for residential, commercial, industrial, recreational, institutional and other public uses so that the subdivision of land is cost effective, equitable and timely and appropriately and sustainably maximises the value of public and private investment in infrastructure;
- (f) promote a more compact urban form in appropriate locations to maximise infrastructure utilisation and enhance urban liveability;
- (g) promote urban/ building design which is climatically appropriate, water and energy efficient and contributes to the existing and future character and appearance of an area;
- (h) ensure development does not unreasonably intrude on or compromise the privacy of adjoining residential uses and ensures its own **amenity** is not compromised in the future;
- (i) assist in the conservation of areas and sites of environmental, cultural or heritage value, particularly the environmental and cultural heritage values of the **Kakadu National Park**;
- (j) facilitate the further development of the tourist industry capitalising on the Territory's and **Kakadu National Park's** aesthetic, natural and cultural heritage and in a manner which provides world class accommodation and experiences to visitors to the **Kakadu National Park**;
- (k) facilitate the development of educational and research facilities capitalising on the Territory's and **Kakadu National Park's** unique aesthetic, natural and cultural heritage attributes;
- (l) consider flood levels associated with floods and cyclones to minimise risk to life and property;
- (m) value land for its inherent ecosystem functions in protecting native flora, fauna, soil and water resources, particularly where those functions are part of the environmental and cultural heritage values of the **Kakadu National Park**; and
- (n) consider the provision of social infrastructure in order to maintain and enhance the quality of community facilities.

PART 3

INDEX OF JABIRU TOWN PLAN 2019 ZONES	
Residential Zone	
RJ	Residential
Commercial Zones	
CJ	Commercial
SCJ	Service Commercial
TCJ	Tourist Commercial
Industrial Zone	
IJ	Industry
Recreational Zones	
PSJ	Public Open Space
ORJ	Organised Recreation
Other Zones	
CPJ	Community Purposes
FDJ	Future Development
SJ	Specific Use
Infrastructure Zones	
MJ	Main Road
UJ	Utilities

A Development Matrix of Jabiru Town Plan 2019 Zones is provided following Clause 5.9.

5.0 ZONE PURPOSE AND TABLES

5.1 ZONE RJ – RESIDENTIAL

1. The primary purpose of Zone RJ is to provide for a range of housing options to a maximum height of two storeys.
2. The scale, character and architectural style of infill development should be compatible with the streetscape and surrounding development.
3. Non-residential uses or development should be limited to those which predominantly service the local neighbourhood and do not have any detrimental effect on residential amenity.

Undefined uses are prohibited in this zone. See clause 2.2(4).

Clause 6.6 states that demountable structures require **consent**.

Clause 6.7 refers to landscaping and plant related use and development.

Clause 6.9 refers to excavation and fill.

Clause 7.8.2 refers to **caravans**.

Clause 10.1 refers to subdivision and 10.2 to residential subdivision standards.

Clause 11.3 refers to the erection of mobile telecommunication structures.

Zoning Table – Zone RJ

abattoir	x	
agriculture	x	
animal boarding	x	
business sign	P	6.5
caravan park	x	
caretaker's residence	x	
car park	x	
child care centre	x	
community centre	D	6.1, 6.3
domestic livestock	x	
education establishment	x	
fuel depot	x	
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home based contracting	P	7.8.7
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leisure and recreation	x	
licensed club	x	
light industry	x	
medical clinic	x	
medical consulting rooms	P	6.3 , 7.8.8
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motor repair station	x	
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office	x	
passenger terminal	x	
place of worship	x	
plant nursery	x	
promotion sign	x	
recycling depot	x	
restaurant	x	
retail agricultural stall	x	
rural industry	x	
service station	x	
shop	x	
showroom sales	x	
single dwelling	P	6.3, 7.1, 7.2, 7.3
stables	x	
supporting accommodation	D	6.3, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6
transport terminal	x	
vehicle sales and hire	x	
veterinary clinic	x	
warehouse	x	

P = Permitted **D** = Discretionary **x** = Prohibited

5.2 ZONE CJ - COMMERCIAL

1. The primary purpose of Zone CJ is to provide for a range of business and community uses.
2. Development should:
 - (a) be of a scale and character appropriate to the service function of the locality;
 - (b) respect the **amenity** of adjacent and nearby uses;
 - (c) promote community safety in building design, having regard to adjacent and nearby uses;
 - (d) give ultimate consideration to the primacy of commercial uses that provide interactions with the public domain;
 - (e) provide high quality retails, commercial and residential development; and
 - (f) seek to improve the vibrancy and viability of business and retail developments serving the surrounding community.

Clause 6.6 states that **dismountable structures** require **consent**.

Clause 6.9 refers to excavation and fill.

Clause 7.8.2 refers to **caravans**.

Clause 8.0 describes standards for commercial 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.

Clause 11.3 refers to the erection of mobile telecommunication structures.

Zoning Table – Zone CJ

abattoir	x	
agriculture	x	
animal boarding	x	
business sign	P	6.5
caravan park	x	
caretaker's residence	P	6.3, 7.1, 7.8.3
car park	D	6.2, 6.3.3
child care centre	D	6.2, 6.3, 8.1.4
community centre	D	6.2, 6.3, 8.2
domestic livestock	x	
education establishment	x	
fuel depot	x	
general industry	x	
group home	x	
home based contracting	x	
home based visitor accommodation	x	
home occupation	P	7.8.6
horticulture	x	
hospital	x	
hostel	D	6.2, 6.3, 7.2, 7.4, 7.5, 7.6, 7.7, 8.2
hotel	D	6.3, 6.4, 8.2, 8.4, 8.6
independent unit	x	
intensive animal husbandry	x	
leisure and recreation	D	6.2, 6.3, 8.2
licensed club	D	6.2, 6.3, 6.4, 8.2
light industry	x	
medical clinic	D	6.2, 6.3, 8.2
medical consulting rooms	P	6.3, 7.8.8
motel	D	6.3, 6.4, 8.2
motor body works	x	
motor repair station	D	6.2, 6.3, 8.1.3
multiple dwellings	D	6.3, 7.1, 7.3, 7.4, 7.5, 7.6, 7.7
office	D	6.2, 6.3, 6.4, 8.1.2, 8.2
passenger terminal	D	6.2, 6.3, 8.2
place of worship	D	6.2, 6.3, 8.2
plant nursery	x	
promotion sign	D	6.5
recycling depot	x	
restaurant	D	6.2, 6.3, 6.4, 8.1.2, 8.2
retail agricultural stall	x	
rural industry	x	
service station	D	6.2, 6.3, 6.4, 8.1.3, 8.2
shop	D	6.2, 6.3, 6.4, 8.1.2, 8.2
showroom sales	D	6.2, 6.3, 6.4, 8.2
single dwelling	x	
stables	x	
supporting accommodation	D	6.3, 7.3, 7.4, 7.5, 7.6, 7.7
transport terminal	x	
vehicle sales and hire	D	6.2, 6.3, 8.1.3, 8.2
veterinary clinic	D	6.2, 6.3, 8.1.5, 8.2
warehouse	x	

P = Permitted **D** = Discretionary **x** = Prohibited

5.3 ZONE SCJ – SERVICE COMMERCIAL

1. The primary purpose of Zone SCJ is to provide for commercial activities which, because of the nature of their business require large sites.

Clause 6.6 states that **demountable structures** require **consent**.

Clause 6.9 refers to excavation and fill.

Clause 7.8.2 refers to **caravans**.

Clause 8.0 describes standards for commercial 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.

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

Clause 11.3 refers to the erection of mobile telecommunication structures.

Zoning Table – Zone SCJ

abattoir	x	
agriculture	x	
animal boarding	x	
business sign	P	6.5
caravan park	x	
caretaker's residence	P	6.3, 7.1, 7.2, 7.8.3
car park	D	6.2, 6.3.3
child care centre	D	6.1, 6.3, 8.1.4, 8.2
community centre	x	
domestic livestock	x	
education establishment	D	6.2, 6.3, 8.2
fuel depot	x	
general industry	x	
group home	x	
home based contracting	P	7.8.7
home based visitor accommodation	x	
home occupation	P	7.8.6
horticulture	x	
hospital	x	
hostel	D	6.2, 6.3, 7.2, 7.4, 7.5, 7.6, 8.2
hotel	D	6.2, 6.3, 6.4, 8.2
independent unit	x	
intensive animal husbandry	x	
leisure and recreation	D	6.2, 6.3, 8.2
licensed club	D	6.2, 6.3, 6.4, 8.2
light industry	D	6.2, 6.3, 6.4, 9.1.2
medical clinic	D	6.2, 6.3, 8.2
medical consulting rooms	x	
motel	D	6.2, 6.3, 6.4, 7.1, 7.2, 8.2
motor body works	D	6.2, 6.3, 8.1.3
motor repair station	D	6.2, 6.3, 8.1.3
multiple dwellings	x	
office	D	6.2, 6.3, 6.4, 8.2
passenger terminal	D	6.2, 6.3, 8.2
place of worship	D	6.2, 6.3, 8.2
plant nursery	x	
promotion sign	D	6.5
recycling depot	x	
restaurant	D	6.2, 6.3, 6.4, 8.2
retail agricultural stall	x	
rural industry	x	
service station	D	6.2, 6.3, 8.1.3
shop	D	6.2, 6.3, 6.4, 8.2
showroom sales	D	6.2, 6.3, 6.4, 8.2
single dwelling	x	
stables	x	
supporting accommodation	D	6.3, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6
transport terminal	D	6.2, 6.3, 6.4, 8.1.3, 8.2
vehicle sales and hire	D	6.2, 6.3, 8.1.3, 8.2
veterinary clinic	D	6.2, 6.3, 8.1.5, 8.2
warehouse	D	6.2, 6.3, 6.4

P = Permitted **D** = Discretionary **x** = Prohibited

5.4 ZONE TCJ – TOURIST COMMERCIAL

1. The primary purpose of Zone TCJ is to provide for uses or development servicing tourism, including commercial and residential activities.
2. Development should be of a scale and character compatible with uses or development nearby.

Clause 6.6 states that **demountable structures** require **consent**.

Clause 6.9 refers to excavation and fill.

Clause 8.0 describes standards for commercial development.

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

Clause 11.3 refers to the erection of mobile telecommunication structures.

Zoning Table – Zone TCJ

abattoir	x	
agriculture	x	
animal boarding	x	
business sign	P	6.5
caravan park	D	6.2, 6.3
caretaker's residence	P	6.3, 7.1, 7.2, 7.8.3
car park	D	6.2, 6.3.3
child care centre	D	6.2, 6.3, 8.1.4, 8.2
community centre	D	6.2, 6.3, 8.2
domestic livestock	x	
education establishment	D	6.2, 6.3, 8.2
fuel depot	x	
general industry	x	
group home	x	
home based contracting	P	7.8.7
home based visitor accommodation	x	
home occupation	P	7.8.6
horticulture	x	
hospital	x	
hostel	D	6.2, 6.3, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 8.2
hotel	D	6.2, 6.3, 6.4, 7.1, 7.2, 8.2
independent unit	x	
intensive animal husbandry	x	
leisure and recreation	D	6.2, 6.3, 8.2
licensed club	D	6.2, 6.3, 6.4, 8.2
light industry	x	
medical clinic	x	
medical consulting rooms	P	6.3, 7.8.8
motel	D	6.3, 6.4, 7.1, 7.3, 8.2
motor body works	x	
motor repair station	x	
multiple dwellings	D	6.3, 7.1, 7.2, 7.3, 7.4, 7.5
office	D	6.2, 6.3, 6.4, 8.2
passenger terminal	D	6.2, 6.3, 8.2
place of worship	D	6.2, 6.3, 8.2
plant nursery	x	
promotion sign	D	6.5
recycling depot	x	
restaurant	D	6.2, 6.3, 6.4, 8.2
retail agricultural stall	x	
rural industry	x	
service station	D	6.2, 6.3, 8.1.3
shop	D	6.2, 6.3, 6.4, 8.2
showroom sales	x	
single dwelling	x	
stables	x	
supporting accommodation	x	
transport terminal	x	
vehicle sales and hire	D	6.2, 6.3, 8.1.3, 8.2
veterinary clinic	x	
warehouse	x	

P = Permitted D = Discretionary x = Prohibited

5.5 ZONE IJ – INDUSTRY

1. The primary purpose of Zone IJ is to provide for industrial uses or development activities that will not by the nature of their operations, detrimentally affect adjoining or nearby land.
2. **Offices** are expected to primarily provide a service to the light industry in the zone and be of a size commensurate with the service provided.
3. **Shops** are expected to be limited to those that either service the needs of the **industry** in the zone or would be inappropriate in a commercial zone.

Clause 6.6 states that **demountable structures** require **consent**.

Clause 6.7 refers to landscaping and plant related use and development.

Clause 6.9 refers to excavation and fill.

Clause 7.7.2 refers to **caravans**.

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.

Clause 9.0 describes standards for industrial developments.

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

Clause 10.1 refers to subdivision and 10.3 to subdivision design.

Clause 11.3 refers to the erection of mobile telecommunication structures.

Zoning Table – Zone IJ

abattoir	x	
agriculture	x	
animal boarding	D	6.1, 6.3, 8.1.5, 9.1.1
business sign	P	6.5
caravan park	x	
caretaker's residence	P	6.1, 6.3, 7.2, 7.8.3
car park	P	6.1, 6.3.3, 9.1.1
child care centre	x	
community centre	D	6.1, 6.3, 9.1.1
domestic livestock	x	
education establishment	D	6.1, 6.3, 9.1.1
fuel depot	D	6.1, 6.3, 9.1.1
general industry	D	6.1, 6.3, 6.4, 9.1.1, 9.1.2
group home	x	
home based contracting	x	
home based visitor accommodation	x	
home occupation	P	7.8.6
horticulture	D	6.7
hospital	x	
hostel	x	
independent unit	x	
hotel	x	
intensive animal husbandry	x	
leisure and recreation	x	
licensed club	x	
light industry	D	6.1, 6.3, 6.4, 9.1.1, 9.1.2
medical clinic	x	
medical consulting rooms	x	
motel	x	
motor body works	D	6.1, 6.3, 8.1.3, 9.1.1
motor repair station	D	6.1, 6.3, 8.1.3, 9.1.1
multiple dwellings	x	
office	D	6.1, 6.3, 6.4, 9.1.1
passenger terminal	D	6.1, 6.3, 9.1.1
place of worship	x	
plant nursery	D	6.1, 6.3, 6.7, 9.1.1
promotion sign	D	6.5
recycling depot	D	6.1, 6.3, 9.1.1
restaurant	D	6.1, 6.3, 6.4, 9.1.1
retail agricultural stall	x	
rural industry	D	6.1, 6.3, 6.7, 9.1.1, 9.1.2
service station	D	6.1, 6.3, 8.1.3, 9.1.1
shop	D	6.1, 6.3, 6.4, 8.1.1, 9.1.1
showroom sales	P	6.1, 6.3, 6.4, 9.1.1
single dwelling	x	
stables	x	
supporting accommodation	x	
transport terminal	P	6.1, 6.3, 6.4, 8.1.3, 9.1.1
vehicle sales and hire	P	6.1, 6.3, 8.1.3, 9.1.1
veterinary clinic	D	6.1, 6.3, 8.1.5, 9.1.1
warehouse	P	6.1, 6.3, 6.4, 9.1.1

P = Permitted **D** = Discretionary **x** = Prohibited

5.6 ZONE PSJ – PUBLIC OPEN SPACE

1. The primary purpose of Zone PSJ is to provide public areas for recreational activity.
2. Development should be limited to that which is for public use and enjoyment consistent with the recreational opportunities of the land and which has minimal adverse impact (if any) on adjoining or nearby property.

Clause 6.6 states that **demountable structures** require **consent**.

Clause 6.7 refers to landscaping and plant related use and development.

Clause 7.8.2 refers to **caravans**.

Clause 11.3 refers to the erection of mobile telecommunication structures.

Zoning Table – Zone PSJ

abattoir	x	
agriculture	x	
animal boarding	x	
business sign	P	6.5
caravan park	x	
caretaker's residence	P	6.1, 6.3, 7.2, 7.8.3
car park	x	
child care centre	x	
community centre	D	6.1, 6.3
domestic livestock	x	
education establishment	x	
fuel depot	x	
general industry	x	
group home	x	
home based contracting	x	
home based visitor accommodation	x	
home occupation	P	7.8.6
horticulture	D	6.7
hospital	x	
hostel	x	
hotel	x	
independent unit	x	
intensive animal husbandry	x	
leisure and recreation	D	6.1, 6.3
licensed club	x	
light industry	x	
medical clinic	x	
medical consulting rooms	x	
motel	x	
motor body works	x	
motor repair station	x	
multiple dwellings	x	
office	x	
passenger terminal	x	
place of worship	x	
plant nursery	x	
promotion sign	D	6.5
recycling depot	x	
restaurant	D	6.1, 6.3, 6.4
retail agricultural stall	x	
rural industry	x	
service station	x	
shop	x	
showroom sales	x	
single dwelling	x	
stables	x	
supporting accommodation	x	
transport terminal	x	
vehicle sales and hire	x	
veterinary clinic	x	
warehouse	x	

P = Permitted D = Discretionary x = Prohibited

5.7 ZONE ORJ – ORGANISED RECREATION

1. The primary purpose of Zone ORJ is to provide areas for organised recreational activities.
2. Development is to be limited to that which is consistent with the recreational opportunities of the land.

Clause 6.6 states that **demountable structures** require **consent**.

Clause 6.7 refers to landscaping and plant related use and development.

Clause 7.8.2 refers to **caravans**.

Clause 11.3 refers to the erection of mobile telecommunication structures.

Zoning Table – Zone ORJ

abattoir	x	
agriculture	x	
animal boarding	x	
business sign	P	6.5
caravan park	x	
caretaker's residence	P	6.1, 6.3, 7.2, 7.8.3
car park	D	6.1, 6.3.3, 8.2
child care centre	D	6.1, 6.3, 8.1.4, 8.2
community centre	D	6.1, 6.3
domestic livestock	x	
education establishment	x	
fuel depot	x	
general industry	x	
group home	x	
home based contracting	x	
home based visitor accommodation	x	
home occupation	P	7.8.6
horticulture	x	
hospital	x	
hostel	x	
hotel	x	
independent unit	x	
intensive animal husbandry	x	
leisure and recreation	D	6.1, 6.3, 8.2
licensed club	D	6.1, 6.3, 6.4, 8.2
light industry	x	
medical clinic	x	
medical consulting rooms	x	
motel	x	
motor body works	x	
motor repair station	x	
multiple dwellings	x	
office	D	6.1, 6.3, 6.4, 8.2
passenger terminal	x	
place of worship	D	6.1, 6.3, 8.2
plant nursery	x	
promotion sign	D	6.5
recycling depot	x	
restaurant	D	6.1, 6.3, 6.4, 8.2
retail agricultural stall	x	
rural industry	x	
service station	x	
shop	D	6.1, 6.3, 6.4, 8.1.1, 8.2
showroom sales	x	
single dwelling	x	
stables	x	
supporting accommodation	x	
transport terminal	x	
vehicle sales and hire	x	
veterinary clinic	x	
warehouse	x	

P = Permitted D = Discretionary x = Prohibited

5.8 ZONE CPJ – COMMUNITY PURPOSES

1. The primary purpose of Zone CPJ is to provide for community services and facilities, whether publicly or privately owned or operated, including facilities for civic and government administration.
2. Design is expected to incorporate landscaping using **approved plant species** that will enhance the visual appearance of the development.
3. The development of residential accommodation is to only be in association with and ancillary to the primary use of the land.

Clause 6.6 states that **demountable structures** require **consent**.

Clause 6.7 refers to landscaping and plant related use and development.

Clause 6.9 refers to excavation and fill.

Clause 7.7.2 refers to **caravans**.

Clause 8.1.5 refers to animal related use and development.

Clause 11.3 refers to the erection of mobile telecommunication structures.

Zoning Table – Zone CPJ

abattoir	x	
agriculture	x	
animal boarding	x	
business sign	P	6.5
caravan park	x	
caretaker's residence	P	6.1, 6.3, 7.2, 7.8.3
car park	x	
child care centre	D	6.1, 6.3, 8.1.4, 8.2
community centre	D	6.1, 6.3, 8.2
domestic livestock	x	
education establishment	D	6.3, 8.2
fuel depot	x	
general industry	x	
group home	x	
home based contracting	x	
home based visitor accommodation	x	
home occupation	P	7.8.6
horticulture	x	
hospital	D	6.3, 6.4, 8.2
hostel	x	
hotel	x	
independent unit	x	
intensive animal husbandry	x	
leisure and recreation	D	6.1, 6.3
licensed club	x	
light industry	x	
medical clinic	D	6.1, 6.3, 8.2
medical consulting rooms	x	
motel	x	
motor body works	x	
motor repair station	x	
multiple dwellings	x	
office	x	
passenger terminal	D	6.1, 6.3, 8.2
place of worship	P	6.1, 6.3, 8.2
plant nursery	x	
promotion sign	D	6.5
recycling depot	D	6.1, 6.3, 8.2
restaurant	x	
retail agricultural stall	x	
rural industry	x	
service station	x	
shop	x	
showroom sales	x	
single dwelling	x	
stables	x	
supporting accommodation	D	6.1, 6.3, 7.2, 7.3, 7.4, 7.5, 7.6
transport terminal	x	
vehicle sales and hire	x	
veterinary clinic	D	6.1, 6.3, 8.1.5, 8.2
warehouse	x	

P = Permitted D = Discretionary x = Prohibited

5.9 ZONE FDJ – FUTURE DEVELOPMENT

1. Zone FDJ is an interim zone identifying an area that is intended for future rezoning and development in accordance with the **Masterplan** and its purpose is to:
 - (a) limit uses and development within the zone to a level that will not prejudice the future development; and
 - (b) provide for development in accordance with the **Masterplan** once services are (or can be) made available to the land.
2. Subdivision is not to prejudice the intended ultimate subdivision and future use or development of the land.

Clause 6.6 states that **demountable structures** require **consent**.

Clause 6.7 refers to landscaping and plant related use and development.

Clause 6.8 refers to restrictions on development in Zone FDJ.

Clause 6.9 refers to excavation and fill.

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.

Clause 10.1 refers to subdivision and 10.1.3 to subdivision in this zone.

Clauses 11.2 and 11.3 describe standards for the subdivision of land for urban residential and industrial use.

Clause 11.3 refers to the erection of mobile telecommunication structures.

Zoning Table – Zone FDJ

abattoir	x	
agriculture	x	
animal boarding	x	
business sign	D	6.5
caravan park	D	6.1, 6.3
caretaker's residence	D	6.1, 6.3, 7.2, 7.8.3
car park	D	6.1, 6.3.3
child care centre	D	6.1, 6.3, 8.1.4, 8.2
community centre	D	6.1, 6.3, 8.2
domestic livestock	x	
education establishment	D	6.1, 6.3, 8.2
fuel depot	x	
general industry	x	
group home	D	6.1, 7.2, 7.8.5
home based contracting	D	7.8.7
home based visitor accommodation	P	6.3, 7.8.1
home occupation	D	7.8.6
horticulture	D	6.7
hospital	D	6.1, 6.3, 6.4, 8.2
hostel	x	
hotel	D	6.1, 6.3, 6.4, 8.2
independent unit	P	7.1, 7.2, 7.8.4
intensive animal husbandry	x	
leisure and recreation	D	6.1, 6.3, 8.2
licensed club	D	6.1, 6.3, 6.4, 8.2
light industry	x	
medical clinic	D	6.1, 6.3, 8.2
medical consulting rooms	D	6.3, 7.8.8
motel	D	6.1, 6.3, 6.4, 7.2, 8.2
motor body works	x	
motor repair station	x	
multiple dwellings	D	6.3, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6
office	D	6.1, 6.3, 6.4, 8.2
passenger terminal	x	
place of worship	D	6.1, 6.3, 8.2
plant nursery	x	
promotion sign	D	6.5
recycling depot	x	
restaurant	D	6.1, 6.3, 6.4, 8.2
retail agricultural stall	x	
rural industry	x	
service station	D	6.1, 6.3, 8.1.3, 8.2
shop	D	6.1, 6.3, 6.4, 8.2
showroom sales	x	
single dwelling	D	6.1, 6.3, 7.2, 7.3
stables	x	
supporting accommodation	D	6.1, 6.3, 7.2, 7.3, 7.4, 7.5, 7.6
transport terminal	x	
vehicle sales and hire	x	
veterinary clinic	D	6.1, 6.3.1, 8.1.5, 8.2
warehouse	x	

P = Permitted D = Discretionary x = Prohibited

DEVELOPMENT MATRIX	RJ	CJ	SCJ	TCJ	IJ	PSJ	ORJ	CPJ	FDJ
abattoir	X	X	X	X	X	X	X	X	X
agriculture	X	X	X	X	X	X	X	X	X
animal boarding	X	X	X	X	D	X	X	X	X
business sign	P	P	P	P	P	P	P	P	D
caravan park	X	X	X	D	X	X	X	X	D
caretaker's residence	X	P	P	P	P	P	P	P	D
car park	X	D	D	D	P	X	D	X	D
child care centre	X	D	D	D	X	X	D	D	D
community centre	D	D	X	D	D	D	D	D	D
domestic livestock	X	X	X	X	X	X	X	X	X
education establishment	X	X	D	D	D	X	X	D	D
fuel depot	X	X	X	X	D	X	X	X	X
general industry	X	X	X	X	D	X	X	X	X
group home	D	X	X	X	X	X	X	X	D
home based contracting	P	X	P	P	X	X	X	X	D
home based visitor accommodation	P	X	X	X	X	X	X	X	P
home occupation	P	P	P	P	P	P	P	P	D
horticulture	X	X	X	X	D	D	X	X	D
hospital	X	X	X	X	X	X	X	D	D
hostel	D	D	D	D	X	X	X	X	X
hotel	X	D	D	D	X	X	X	X	D
independent unit	P	X	X	D	X	X	X	X	P
intensive animal husbandry	X	X	X	X	X	X	X	X	X
leisure and recreation	X	D	D	D	X	D	D	D	D
licensed club	X	D	D	D	X	X	D	X	D
light industry	X	X	D	X	D	X	X	X	X
medical clinic	X	D	D	X	X	X	X	D	D
medical consulting rooms	P	P	X	P	X	X	X	X	D
motel	X	D	D	D	X	X	X	X	D
motor body works	X	X	D	X	D	X	X	X	X
motor repair station	X	D	D	X	P	X	X	X	X
multiple dwellings	D	D	X	D	X	X	X	X	D
office	X	D	D	D	D	X	D	X	D
passenger terminal	X	D	D	D	D	X	X	D	X
place of worship	X	D	D	D	D	X	D	P	D
plant nursery	X	X	X	X	D	X	X	X	X
promotion sign	X	D	D	D	D	D	D	D	D
recycling depot	X	X	X	X	D	X	X	D	X
restaurant	X	D	D	D	D	D	D	X	D
retail agricultural stall	X	X	X	X	X	X	X	X	X
rural industry	X	X	X	X	D	X	X	X	X
service station	X	D	D	D	D	X	X	X	D
shop	X	D	D	D	D	X	D	X	D
showroom sales	X	D	D	X	P	X	X	X	X
single dwelling	P	X	X	D	X	X	X	X	D
stables	X	X	X	X	X	X	X	X	X
supporting accommodation	D	D	D	X	X	X	X	D	D
transport terminal	X	X	D	X	D	X	X	X	X
vehicle sales and hire	X	D	D	D	D	X	X	X	X
veterinary clinic	X	D	D	X	D	X	X	D	D
warehouse	X	X	D	X	P	X	X	X	X

P = Permitted

D = Discretionary

x = Prohibited

PART 4

6.0 GENERAL PERFORMANCE CRITERIA

6.1 GENERAL HEIGHT CONTROL

1. The purpose of this clause is to ensure that the height of buildings in a zone is consistent with development provided for by that zone.
2. This clause does not apply within Zone TCJ or to **education establishments** or **hospitals** within Zone CPJ.
3. The height of any point of a building is to be measured from **ground level** vertically below that point and includes the height of a mound specifically provided or made to elevate the building.
4. Unless expressly provided by this Town Plan, the height of any part of a building is not to exceed 8.5m above the ground, unless it is:
 - (a) a flag pole, aerial or antenna; or
 - (b) for the housing of equipment relating to the operation of a lift.

Clause 7.1 controls the height of **dwelling**s in Zones RJ and CJ.

A topographical survey may be required to accurately determine ground level

6.2 PLOT RATIOS

1. The purpose of this clause is to provide for development that will, in terms of building massing, be compatible with adjacent and nearby development.
2. Development of **sites** within Zones CJ, SCJ or TCJ should not exceed a **plot ratio** of 1.
3. Sub-clause 2 does not apply to a **residential building** development other than a **hostel**.

Clause 7.1 controls the height of **dwelling**s in Zones RJ and CJ.

6.3 VEHICLE PARKING

6.3.1 Parking Requirements

1. The purpose of this clause is to ensure that sufficient off-street car parking, constructed to a standard and conveniently located, is provided to service the proposed use of a **site**.
2. Subject to clause 6.3.2, if a use or development specified in column 1 of the table to this clause is proposed, the number of **car parking spaces** (rounded up to the next whole number) required for that use or development is to be calculated in accordance with the formula specified opposite in column 2.
3. If a proposed use or development which is not listed in the table to this clause requires **consent**, the number of **car parking spaces** required for that use or development is to be determined by the consent authority.
4. A **car parking area** is to be designed in accordance with clause 6.3.3 except where the car parking is required in association with a **single dwelling** and an **independent unit**.

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

TABLE TO CLAUSE 6.3.1	
COLUMN 1	COLUMN 2
Use or Development	Minimum Number of Car Parking Spaces Required
caravan park	1.1 for every caravan , cabin, mobile home or tent site
caretaker's residence	1
child care centre	1 for every employee <u>plus</u> 1 for every 20 children
community centre	5 for every 100m ² of net floor area
education establishment	For a primary or secondary school: 1 for every classroom <u>plus</u> 2 additional spaces <u>plus</u> an area for setting down and picking up passengers For a tertiary education establishment : 1 for every classroom <u>plus</u> 1 for every 6 students <u>plus</u> 2 additional spaces For a kindergarten: see child care centre For other education establishments : 2 for every 100m ² of net floor area
home based visitor accommodation	1 for every guest room <u>plus</u> 2 for the dwelling
hospital	1 for every 4 patient beds <u>plus</u> 4 for every 100m ² of floor area used for administrative purposes <u>plus</u> for a medical clinic 4 for every consulting room
hostel	1 for every 5 persons <u>plus</u> 1 for every staff member <u>plus</u> 1
hotel	16 for every 100m ² of floor area used as a lounge bar or beer garden <u>plus</u> 50 for every 100m ² of floor area used as a bar <u>plus</u> 10 for a drive-in bottle shop (if any) for cars being served or awaiting service <u>plus</u> 1 for every guest suite or bedroom <u>plus</u> 3 for every 100m ² used for dining
independent unit	1 per bedroom to a maximum of 2

TABLE TO CLAUSE 6.3.1	
COLUMN 1	COLUMN 2
Use or Development	Minimum Number of Car Parking Spaces Required
leisure and recreation	Indoor spectator facilities including cinema or theatre 1 for every 4 seats Racquet court games 4 for every court <u>plus</u> For indoor spectator facilities (if any) 1 for every 4 seats Lawn bowls 20 spaces per green Golf course 4 per hole <u>plus</u> 5 for every 100m ² of floor area used as a club house otherwise than specified above, 10 for every 100m of floor area <u>plus</u> requirement for indoor spectator facilities (if any) 1 for every 4 seats
licensed club	10 for every 100m ² of floor area used as a lounge area or beer garden <u>plus</u> 20 for every 100m ² of floor area used as a bar <u>plus</u> 3 for every 100m ² of floor area used for dining
light industry	2 for every 100m ² of floor area other than offices <u>plus</u> 4 for every 100m ² of floor area of office <u>plus</u> 1 for every 250m ² used as outdoor storage
medical clinic	4 for every consulting room
medical consulting rooms	3 for every consulting room <u>plus</u> 1 additional space (in addition to the 2 spaces required for the dwelling)
motel	1 for every guest suite or bedroom <u>plus</u> 16 for every 100m ² of floor area used as a lounge bar or beer garden <u>plus</u> 3 for every 100m ² of floor area used for dining
motor body works	6 for every 100m ² of floor area
motor repair station	6 for every 100m ² of floor area
multiple dwellings	2 per dwelling
office (not elsewhere referred to in this table)	2.5 for every 100m ² of net floor area
passenger terminal	5 for every 100m ² of net floor area or as many car spaces as can be provided on 25% of the site area whichever results in the greater number of spaces (calculated exclusive of areas used for taxi stands or bus loading purposes)
place of worship	5 for every 100m ² of net floor area
recycling depot	1 for every 100m ² of net floor area other than offices <u>plus</u> 4 for every 100m ² of net floor area of office <u>plus</u> 1 for every 250m ² used as outdoor storage

TABLE TO CLAUSE 6.3.1	
COLUMN 1	COLUMN 2
Use or Development	Minimum Number of Car Parking Spaces Required
restaurant	6 for every 100m ² of net floor area and any alfresco dining areas <u>plus</u> 10 for drive-through (if any) for cars being served or awaiting service
service station	2 for every 100m ² of net floor area or 5 whichever is the greater (not including parking serving bowlers)
serviced apartments	1 for every dwelling <u>plus</u> 3 for every 100m ² of net floor area not within a dwelling
shop	6 for every 100m ² of net floor area
showroom sales	4 for every 100m ² of net floor area <u>plus</u> 1 for every 250m ² used as outdoor storage
single dwelling	2
supporting accommodation	1 for every 4 beds <u>plus</u> 4 for every 100m ² of net floor area used for administrative purposes
transport terminal	1 for every 100m ² of net floor area other than offices <u>plus</u> 4 for every 100m ² of net floor area of office <u>plus</u> 1 for every 200m ² used as outdoor storage
vehicle sales and hire	4 for every 100m ² of net floor area of office <u>plus</u> 1 for every 200m ² used for vehicle display
veterinary clinic	4 for every 100m ² of net floor area
warehouse	1 for every 100m ² of net floor area other than offices <u>plus</u> 4 for every 100m ² of net floor area of office <u>plus</u> 1 for every 250m ² used as outdoor storage

6.3.2 Reduction in Parking Requirements

1. The purpose of this clause is to provide for a use or development with fewer **car parking spaces** than required by clause 6.3.1.
2. The consent authority may approve a use or development with fewer **car parking spaces** than required by clause 6.3.1 if it is satisfied that a reduction is appropriate for the use or development, having considered all the following matters:
 - (a) the zoning of the land, the use or development or proposed use or development of the land and the possible future use or development of the land; or
 - (b) the provision of **car parking spaces** in the vicinity of the land.

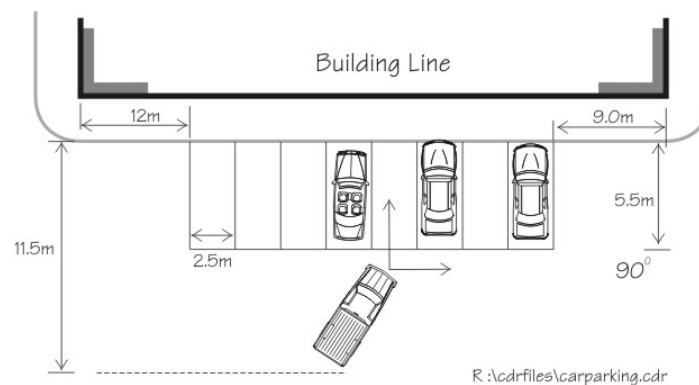
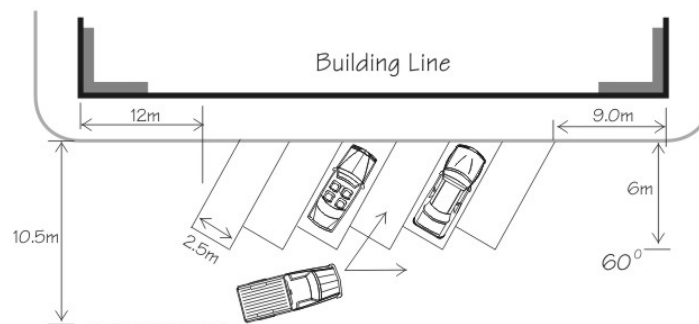
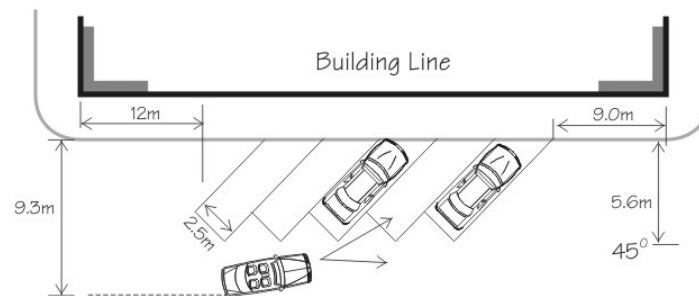
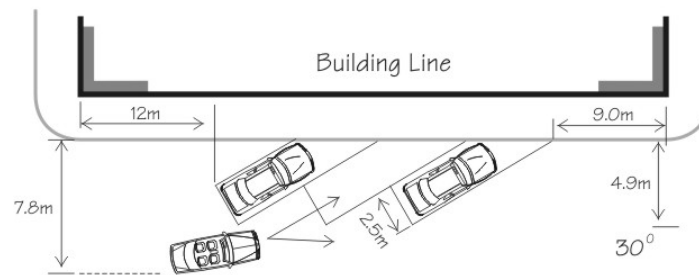
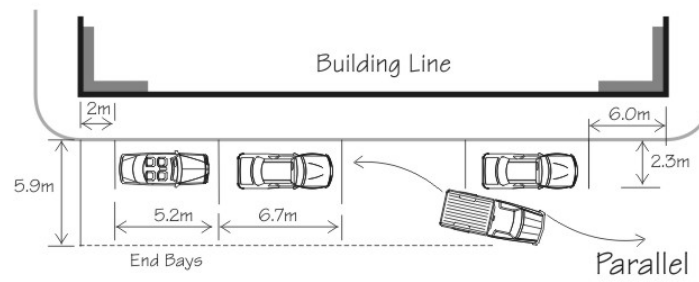
6.3.3 Parking Layout

1. The purpose of this clause is to ensure that a **car parking area** is appropriately designed, constructed and maintained for its intended purpose.
2. A **car parking area** is to be established, used and maintained for the purpose of vehicle parking only.
3. A **car parking area** is to:
 - (a) be of a suitable gradient for safe and convenient parking;
 - (b) be sealed and well drained;
 - (c) be functional and provide separate access to every **car parking space**;
 - (d) limit the number of access points to the road;
 - (e) allow a vehicle to enter from and exit to a road in a forward gear;
 - (f) maximise sight lines for drivers entering or exiting the **car parking area**;
 - (g) be not less than 3m from a road, and the area between the **car parking area** and the road is to be landscaped with **approved plant species** designed to lessen the visual impact of the **car parking area**;
 - (h) be in accordance with the dimensions set out in the diagram to this clause;
 - (i) have driveways with a minimum width of 6m for two-way traffic flow or 3.5m for one way traffic flow;
 - (j) be designed so that parking spaces at the end of and perpendicular to a driveway be either 3.5m wide or so that the driveway projects 1m beyond the last parking space; and
 - (k) incorporate oil/ water separator units where the **car parking area** has a designed capacity of 50 or more vehicles.

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

Clause 6.7 refers to landscaping and plant related use and development.

Carparking



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6.3.4 Vehicle Access and On-site Parking for Single Dwellings on Lots less than 600m² but not less than 300m²

1. The purpose of this clause is to ensure that vehicle access driveways and on-site parking spaces for **single dwellings** on lots less than 600m² and not less than 300m² do not unduly reduce the amenity of a public road or the availability of kerbside vehicle parking in the public road.
2. The on-site parking and its vehicle access from the public road shall be located to ensure that the lot's street frontage has a minimum continuous length of 6.5 metres without on-site parking or vehicle access within that length.
3. Vehicle access shall be via a single driveway, no wider than 3.5 metres, where required by the table to this clause.

Clause 7.2.3 allows a reduced setback for **single dwellings** on lots less than 600m²

TABLE TO CLAUSE 6.3.4

Range of Lot Size	Vehicle Access Driveways
300m² to less than 450m²	Vehicle access shall be via a single driveway where the boundary to the public road is less than 13m.
450m² to less than 600m²	Vehicle access shall be via a single driveway where the boundary to the public road is less than 15m.

Clause 10.2.4 refers to subdivision applications and frontage widths for lots less than 600m².

6.4 LOADING BAYS

1. The purpose of this clause is to provide for the loading and unloading of vehicles associated with the use of land.
2. A **general industry, hospital, hotel, licensed club, light industry, motel, office, restaurant, shop, showroom sales, transport terminal or warehouse** use or development on a **site** must provide areas wholly within the **site** for loading and unloading of vehicles at the ratio of:
 - (a) if for a **general industry, hospital, hotel, licensed club, light industry, motel, showroom sales, transport terminal or warehouse** use or development:
 - i. 1 loading bay for a single occupation of a **net floor area** of 10 000m² or less; and
 - ii. 1 loading bay for every 5 000m² of **net floor area** or part thereof in excess of 10 000m²; or
 - (b) if for an **office, restaurant or shop** use or development, 1 loading bay for every 2 000m² of the total **net floor area**.
3. A loading bay is to:
 - (a) be at least 7.5m by 3.5m;
 - (b) have a clearance of at least 4m; and
 - (c) have access that is adequate for its purpose.

6.5 SIGNS

1. The purpose of this clause is to ensure that **business signs** and **promotion signs** on zoned land are of a size and location that minimises detriment to the **amenity** of the area.
2. For the purposes of this clause, **business signs** and **promotion signs** include but are not limited to:
 - (a) signs on a wall or façade;
 - (b) signs erected on poles or pylons that are not part of a building or other structure;
 - (c) illuminated signs; and
 - (d) signs attached to and protruding from a building.
3. The total area of **business signs** or **promotion signs** on a **site** in a zone specified in column 1 of the table to this clause is not to exceed the areas specified opposite in column 2 or if the sign is illuminated, column 3.
4. Illuminated signs are to be no closer than 30m to any residential zone.
5. Signs attached to and protruding from a building are to be at least 2.7m above the ground and are not to extend past the edge of any awning adjacent to a road.

Clause 1.3 1(d) exempts some signs from control under the Town Plan.

TABLE TO CLAUSE 6.5

Column 1	Column 2	Column 3
Zone	Maximum area of signs on a site	Maximum area of illuminated signs on a site
RJ	1m ²	Prohibited
CJ, SCJ, TCJ	The lesser of 25% of any one façade or 20m ²	3m ²
IJ	The lesser of 25% of any one façade or 30m ²	5m ²
PSJ, ORJ, CPJ	5m ²	Prohibited
FDJ	3m ²	Prohibited

6.6 DEMOUNTABLE STRUCTURES

1. The purpose of this clause is to ensure that **demountable structures** do not detract from the visual **amenity** of an area.
2. Placement of a **demountable structure** on:
 - (a) zoned land requires **consent**; and
 - (b) land in Zone SCJ, IJ, PSJ, ORJ and CPJ does not require **consent** if there are no more than two **demountable structures** on the land.
3. **Demountable structures** in:
 - (a) zones other than Zone IJ are to be set back from lot boundaries in accordance with the table to this clause; and
 - (b) Zone IJ are to be set back from lot boundaries in accordance with the table to clause 9.1.1 (Industrial Setbacks).
4. Subject to sub-clause 5, the consent authority may only **consent** to the placement of a **demountable structure** on land if it is satisfied that:
 - (a) there will be landscaping with **approved plant species** or architectural embellishments to the **demountable structure** that will enhance the appearance of the structure; and
 - (b) the **demountable structure** will be visually consistent with adjoining or nearby development.
5. If the consent authority is satisfied that, because of the proposed use and location of a **demountable structure**, it is not necessary that sub-clause 3(a) and (b) apply to the **demountable structure** the consent authority may **consent** to the placement of it on land without being satisfied as to the matters set out in those paragraphs.

Clause 6.7 refers to landscaping and plant related use and development.

TABLE TO CLAUSE 6.6 MINIMUM BUILDING SETBACKS FOR DEMOUNTABLE STRUCTURES

Lot Boundary	In zones other than IJ
Primary street frontage	6m
Secondary street frontage	2.5m
Side and rear lot boundaries	1.5m

6.7 LANDSCAPING AND PLANT RELATED USE AND DEVELOPMENT

1. The purpose of this clause is to ensure that landscaping on a **site** complements and enhances the streetscape, is attractive, water efficient and contributes to a safe environment.
2. Landscaping may include provision of paved areas and areas for entertainment and recreational activities.
3. Landscaping should be designed so that:
 - (a) planting is focussed on the area within the street frontage setbacks and communal open space areas and uncovered **car parking areas**;
 - (b) it maximises efficient use of water and is appropriate to the local climate;
 - (c) species used are, wherever possible, native species of local provenance, and in all instances, **approved plant species**;
 - (d) it takes into account the existing streetscape, or any landscape strategy in relation to the area;
 - (e) significant trees and vegetation that contribute to the character and **amenity** of the **site** and the streetscape are retained;
 - (f) energy conservation of a building is assisted having regard to the need for shade and sunlight at varying times of the year;
 - (g) the layout and choice of plants permits surveillance of public and communal areas; and
 - (h) it facilitates on-**site** infiltration of stormwater run-off.
4. The quality and extent of the landscaping **consented** to should be maintained for the life of the development.
5. All landscaping must only use **approved plant species** and otherwise be consistent with the **Commonwealth environmental law**.
6. All use or development on a **site** for a purpose involving the use or cultivation of a plant, including **plant nursery** and **horticulture**, must only use **approved plant species** and otherwise be consistent with the **Commonwealth environmental law**.

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

An authorisation may be required under the **Commonwealth environmental law** for the bringing of rock, soil, sand, mulch, potting-mix or similar material into **Kakadu National Park**.

The **Commonwealth environmental law** restricts the taking of plants and firewood into, and cultivation of plants within, **Kakadu National Park**.

6.8 RESTRICTIONS ON DEVELOPMENT OF LAND ZONED FDJ

1. The purpose of this clause is to provide for the development and use of land in Zone FDJ (which would typically be urban development) consistent with the intended future use or development of the land pursuant to the approved **Masterplan**.
2. Despite anything to the contrary in this Town Plan, where a development permit has been issued for subdivision of land in Zone FDJ, the consent authority may permit development of that land only if:
 - (a) the development is consistent with the intended ultimate zoning; and
 - (b) services (in particular reticulated services including water and sewerage) are, or can be, made available to that land.

Refer Clause 2.6

Clause 5.9 specifies the FDJ zone purpose and table.

Clauses 6.1 and 7.1 refer to building heights and **dwelling** densities.

Clause 10.1.1 refers to minimum lot sizes in various zones.

Clause 10.1.3 refers to subdivision within Zone FDJ.

6.9 EXCAVATION AND FILL

1. The purpose of this clause is to ensure that the excavation or filling of land:
 - (a) does not adversely affect adjacent land or waters, or the quality of adjacent waterways, and associated riparian areas; and
 - (b) is suited to the intended future use of the **site**.
2. The excavation or filling of land, other than that normally required in association with the construction of a building, domestic swimming pool, ornamental pond or the like, requires **consent**.
3. An application for **consent** to excavate or fill land should:
 - (a) demonstrate the suitability of the **site** for the proposed future use;
 - (b) include a hydrological assessment of potential upstream and downstream impacts of the excavation or filling;
 - (c) specify a plan of management to control erosion and sedimentation, particularly of creeks and riparian areas;
 - (d) specify measures to prevent the creation of mosquito breeding areas; and
 - (e) any fill material from outside of **Kakadu National Park** must be consistent with the **Commonwealth environmental law**.

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

An authorisation may be required under the **Commonwealth environmental law** for the bringing of rock, soil, sand, mulch, potting-mix or similar material into **Kakadu National Park**.

7.0 RESIDENTIAL DEVELOPMENT PERFORMANCE CRITERIA

7.1 RESIDENTIAL DENSITY AND HEIGHT LIMITATIONS

7.1.1 Residential Density Limitations

1. The purpose of this clause is to ensure that residential development is:
 - (a) of a density compatible with the existing and planned provision of reticulated services and community facilities which will service the area; and
 - (b) consistent with land capability having regard to relevant characteristics including but not limited to the drainage, slope, seasonal inundation, landforms or soil characteristics, heritage constraints or noise from aircraft operations.
2. The maximum number of **dwelling**s that may be constructed on a **site** is to be determined in accordance with the tables to this clause.
3. The consent authority may consent to a development that is not in accordance with sub-clause 2 if it is satisfied that compliance with other aspects of this Town Plan indicates that the density of development is appropriate having regard to the purpose of this clause as set out in sub-clause 1.

Independent units are not to form part of the density calculation for the purposes of Table to Clause 7.1. For clarification on independent units, refer to clause 7.8.4 (Independent Units)

TABLE A TO CLAUSE 7.1 – DWELLING DENSITY IN ZONES RJ AND FDJ

Zone	Dwelling Density
RJ & FDJ	<p>1 single dwelling per lot and may include an independent unit</p> <p>1 multiple dwelling per 300m²</p>

Clause 10.1.2 allows for provision of higher densities of single dwellings within Zone RDJ in green field areas.

Clause 10.1 refers to minimum lot sizes and other associated requirements.

TABLE B TO CLAUSE 7.1 – DWELLING DENSITY IN ZONES CJ & TCJ

Number of Storeys above Ground Level	Dwelling Density
1	1 per 400m ²
2	1 per 200m ²
3 (maximum)	1 per 133m ²

Clause 7.7 limits residential development at the ground floor level in Zone CJ

7.1.2 Residential Height Limitations

1. The purpose of this clause is to ensure that residential development is of a height that:
 - (a) is compatible with adjoining or nearby existing development or development reasonably anticipated; and
 - (b) does not unduly overlook adjoining properties.
2. The height of any point of a **residential building** is to be measured from **ground level** vertically below that point and includes the height of a mound specifically provided or made to elevate the building.
3. The height of a **residential building** that may be constructed on a **site** within zones RJ, TCJ, FDJ and CJ is to be determined in accordance with the table to this clause.

Clause 6.1 limits the height of buildings generally.

A topographical survey may be required to accurately determine ground level.

TABLE TO CLAUSE 7.1.2 – DWELLING HEIGHT AND MAXIMUM NUMBER OF STOREYS IN CERTAIN ZONES

Zone	Maximum Number of Storeys and Maximum Dwelling Height above Ground Level for Residential Buildings
RJ & FDJ	2 – to a maximum height of 8.5m
CJ & TCJ	3 maximum

Clause 7.7 limits residential development on the ground floor in Zone CJ.

7.2 BUILDING SETBACKS OF RESIDENTIAL BUILDINGS AND ANCILLARY STRUCTURES

7.2.1 Building Setbacks of Residential Buildings and Ancillary Structures

1. The purpose of this clause is to ensure **residential buildings** and ancillary structures are located so:
 - they are compatible with the streetscape and surrounding development including **residential buildings** on the same **site**;
 - as to minimise any adverse effects of building massing when viewed from adjoining land and the street;
 - as to avoid undue overlooking of adjoining properties; and
 - as to encourage breeze penetration through and between buildings.
2. In this clause, an ancillary structure includes a carport, garage, **pergola**, portico, shed and shade sail, and may or may not include external walls.
3. Buildings in Zone IJ are to be sited in accordance with table to clause 9.1.1 (Industrial Setbacks).
4. **Residential buildings** and ancillary structures are to be set back from lot boundaries in accordance with the relevant table to this clause, and:
 - (a) No part of the roof structure, including gutters and eaves, is to encroach more than 0.9m into the minimum **building setbacks** from the lot boundaries; and
 - (b) Where a lot has a boundary with a public street from which vehicular access to the lot is prohibited, this boundary shall be considered a side or rear lot boundary for the purpose of calculation of the **building setback**.

Residential buildings include caretaker's residence, dependant unit, group home, hostel, hotel, motel, multiple dwellings, single dwelling and supporting accommodation.

Clause 10.1.2 relates to common building boundaries in integrated residential developments.

NT building legislation may require compliance with the Building Code of Australia for **building setbacks**.

TABLE A TO CLAUSE 7.2 – MINIMUM BUILDING SETBACKS FOR ONE AND TWO STOREY RESIDENTIAL BUILDINGS AND ASSOCIATED STRUCTURES IN ZONES OTHER THAN ZONE CJ

Lot Boundary	Minimum Setback
Primary street frontage for 1 and 2 storey buildings	6m for residential buildings <u>and</u> 4.5m for verandahs, balconies and structures without external walls <u>or</u> 3m for shade sails, to a maximum height of 2.5m at the minimum setback.
Secondary street frontage for 1 and 2 storey buildings	2.5m for residential buildings <u>and</u> 1.5m for verandahs, balconies and structures without external walls <u>or</u> 0.9m for shade sails, to a maximum height of 2.5m at the minimum setback
Side and rear lot boundaries for 1 and 2 storey buildings	1.5m, including ancillary structures <u>or</u> 1m, provided that the subject wall: <ul style="list-style-type: none"> • Only includes openings that are either glazed in an opaque material and cannot be opened, or have a sill height of 1.6m or greater; • Does not extend beyond a maximum height of 3.5m; and • Does not extend beyond a maximum length of 9m. and 0.9m for shade sails, to a maximum height of 2.5m at the minimum setback.

Clause 2.3 describes the circumstances when the setback requirements of clause 7.2 apply to specific use zones.

Setbacks relate to lot boundaries and not unit title boundaries.

A structure without external walls includes a carport, **pergola**, portico and shade sail.

TABLE B TO CLAUSE 7.2 MINIMUM BUILDING SETBACKS FOR RESIDENTIAL BUILDINGS OVER TWO STOREYS IN HEIGHT AND ASSOCIATED STRUCTURES IN ZONE TCJ

Lot Boundary	Minimum Setback
Primary street frontage for 1 and 2 storey buildings	7.5m for residential buildings including verandahs, balconies and ancillary structures with external walls <u>and</u> 4.5m for structures without external walls
Secondary street frontage for 1 and 2 storey buildings	2.5m for residential buildings including verandahs, balconies and ancillary structures with external walls <u>and</u> 1.5m for ancillary structures without external walls
Side and rear lot boundaries for 3 storey buildings	<p>1.5m for:</p> <ul style="list-style-type: none"> • Non-habitable rooms; • Habitable rooms <u>without</u> windows and/ or doors facing the subject boundary; • Verandahs and/ or balconies where the side of the verandah or balcony is fully screened to the subject boundary; • Residential buildings that share a boundary with land in Zone PSJ (Public Open Space); and • Ancillary structures, whether with or without external walls, including shade sails. <p>3m for:</p> <ul style="list-style-type: none"> • Habitable rooms <u>with</u> windows and/ or doors facing the subject boundary; and • Verandahs and/ or balconies facing the subject boundary.

Clause 2.3 describes the circumstances when the setback requirements of clause 7.2 apply to specific use zones.

Setbacks relate to lot boundaries and not unit title boundaries.

A structure without external walls includes a carport, **pergola**, portico and shade sail.

7.2.2 Additional Setback Requirements for Residential Buildings longer than 18m

<ol style="list-style-type: none"> 1. The purpose of this clause is to ensure residential buildings respond to the potential adverse effects of building massing and visual bulk when viewed from adjoining land and the 2. For residential buildings other than single dwellings, that are longer than 18m, there are setback requirements additional to those outlined in the tables to Clause 7.2 as follows: For each additional 3m or part thereof in building length over 18m, an additional building setback to the affected boundary of 0.5m. 3. The length of the building excludes verandahs, balconies, carports and porticos that are integrated in to the residential building design and are fully open to affected boundaries.
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Setbacks relate to lot boundaries and not unit title boundaries.

4. No part of a **residential building** is required to exceed a **building setback** of 10.5m from any boundary.
5. The consent authority may consent to a development that is not in accordance with sub-clause 2 if it is satisfied that the design of the development adequately mitigates the adverse effects of building massing and visual bulk that may arise from non-conformity with sub-clause 2.

7.2.3 Distance Between Residential Buildings on One Site

1. The purpose of this clause is to ensure **residential buildings** are located:
 - (a) So they are compatible with the streetscape and surrounding development including **residential buildings** on the same **site**;
 - (b) To minimise any adverse effects of building massing when viewed from adjoining **residential buildings**, associated private open space and the street; and
 - (c) To avoid undue overlooking of adjoining **residential buildings** and associated private open space.
2. Where more than one building comprising one or two **storey** residential buildings is located on a **site** the distance between buildings is to be calculated in accordance with Table A to Clause 7.2 as if there was a boundary between the buildings;
3. Where more than one building comprising residential buildings that exceeds two **storeys** in height is located on a **site** the distance between buildings is to be a minimum of:
 - (a) 3m for walls to non-habitable rooms and **habitable** rooms without windows or doors; and
 - (b) 4.5m for walls with windows or doors to **habitable** rooms or to a verandah or balcony.

7.2.4 Reduced Setbacks for Single Dwellings on Lots less than 600m² but not less than 300m²

1. The purpose of this clause is to allow **single dwellings** on lots less than 600m² but not less than 300m² to maximise design opportunities without unduly impacting on adjacent development.
2. Despite the Table to Clause 7.2, a **single dwelling** subject to this clause may, in accordance with the table to this clause, have a zero building setback to a side boundary, providing:
 - (a) That boundary is internal to the subdivision that created the lot; and
 - (b) That lot was created after the inclusion of this clause to the Town Plan.
3. Any part of a dwelling utilising a zero building setback shall have its external wall erected to the boundary with no gap.
4. Despite the Table to Clause 7.2, a **single dwelling** on a lot subject to this clause may, in accordance with the table to this clause, have a reduced front setback to **habitable rooms** only, providing:
 - (a) The area of the reduction is to allow an equal increase to the minimum provision of compliant private open space in accordance with clause 7.3;
 - (b) That any non-habitable structure, such as a garage or carport, shall have a front setback no less than 6m; and
 - (c) A landscaped area using **approved plant species** is included along the front boundary that will provide visual amenity to the public road.

Clause 6.3.4 refers to on-site parking and vehicular access for lots less than 600m² in some circumstances.

Clause 6.7 refers to landscaping and plant related use and development

TABLE TO CLAUSE 7.2.3

Lot Size	Building Setbacks
300m ² to less than 450m ²	<p>A zero building setback is permitted to no more than one side boundary of the lot.</p> <p>The front building setback may be reduced to no less than 3m subject to the provisions of sub-clause 4.</p>
450m ² to less than 600m ²	<p>A zero building setback is permitted to one side boundary of the lot where a 3m setback is provided to the other side boundary.</p> <p>The front building setback may be reduced to no less than 3m subject to the provisions of sub-clause 4.</p>

Clause 6.3.4 refers to on-site parking and vehicular access for lots less than 600m²

7.2.5 Reduced Setbacks for Single Dwellings on lots of 600m² or Greater

1. The purpose of this clause is to allow **single dwellings** on lots of 600m² or greater in a residential zone to respond to site constraints and to provide an articulated built form when viewed from the street.
2. Despite Table A to Clause 7.2, a **single dwelling** subject to this clause may have **habitable rooms** with a **primary street** setback reduced to no less than 4.5m providing:
 - (a) The area of reduced setback is offset by an equal area with an increased setback;
 - (b) The setback increase is equal in dimension to the setback reduction; and
 - (c) The area of increased setback is at least 3m from the nearest side or **secondary street** boundary.

7.3 PRIVATE OPEN SPACE

1. The purpose of this clause is to extend the function of a **dwelling** and enhance the residential environment by ensuring that each **dwelling** has private open space that is:
 - (a) of an adequate size to provide for domestic purposes;
 - (b) appropriately sited, permeable and open to the sky; and
 - (c) inclusive of areas of deep soil for shade street planting.
2. Private open space areas should:
 - (a) satisfy the minimum area, dimensions and open to the sky requirements contained in the table to this clause;
 - (b) be directly accessible from the **dwelling** and enable an extension of the function of the **dwelling**;
 - (c) be permeable and open to the sky.
3. Private open space on lots that are 600m² should:
 - (a) be sufficiently permeable to allow stormwater infiltration and lessen stormwater runoff from the site;
 - (b) include at least one area of approximately 5m² for the deep soil planting of shade trees comprising **approved plant species**; and
 - (c) allow for landscaping using **approved plant species** at the property frontage to complement the visual amenity of the streetscape.
4. Where the private open space is at ground level and other than for a **single dwelling**, or a **single dwelling** and associated **independent unit**, it should be:
 - (a) screen fenced to a height of at least 1.8m, providing a visual barrier to adjoining residences and public areas; or

Clause 6.7 refers to landscaping and plant related use and development

Clause 7.4 refers to communal open space.

- (b) fenced to a height of at least 1.8m and planted with dense vegetation comprising **approved plant species** which will provide a visual barrier within two years of planting.
5. The location of private open space should take in to account views from the site, the natural features of the site and the location of any private open space or habitable room associated with neighbouring dwellings.
 6. If a **dwelling** within a **multiple dwelling** development has no direct access at ground level to private open space, compliance with sub-clauses 2(c) and 3 is not required providing the **multiple dwelling** development incorporates communal open space.
 7. The consent authority may approve an application for a **multiple dwelling** development comprising **serviced apartments** in Zone TCJ that is not in accordance with sub-clauses 2 and 3 only if it is satisfied that the communal open space and communal facilities will adequately meet the activity needs of residents.

TABLE TO CLAUSE 7.3 MINIMUM AREAS OF PRIVATE OPEN SPACE

Type of Dwelling	Private Open Space Areas (exclusive of driveways and parking areas)
Single dwellings on a lot of less than 600m ²	50m ² (exclusive of driveways and parking areas) but inclusive of an area with minimum dimensions of 6m x 6m
independent unit	For the single dwelling 50m ² (exclusive of driveways and parking areas) but inclusive of an area with minimum dimensions of 6m x 6m; And For the independent unit 45m ² (exclusive of driveways and parking areas) but inclusive of an area with minimum dimensions of 5m x 5m;
multiple dwellings (for each dwelling <u>with</u> direct ground level access)	45m ² (exclusive of driveways and car parking areas) but inclusive of an area with minimum dimensions of 5m x 5m
multiple dwellings (for each dwelling <u>without</u> direct ground level access)	12m ² inclusive of an area with minimum dimensions of 2.8m x 4m

7.4 COMMUNAL OPEN SPACE

1. The purpose of this clause is to ensure that suitable areas for communal open space are provided for **hostels, multiple dwellings** and **supporting accommodation**.
2. This clause does not apply to **multiple dwelling** developments in which each **dwelling** has direct and independent access to private open space at ground level.
3. A minimum of 15% of the **site**, being not less than 6m wide at any point, is to be communal open space.
4. The design of the communal open space should consider:
 - (a) the overall **dwelling** density proposed for the **site**;
 - (b) the proximity and quality of alternative private or public open space;
 - (c) the need to clearly distinguish communal open space from private and public open space and the need to maintain the reasonable privacy of nearby **dwellings**;
 - (d) the type of activities provided for;
 - (e) the projected needs of children for outdoor play;
 - (f) the provision of landscaping using **approved plant species** and shade;
 - (g) safety issues including lighting and informal surveillance;
 - (h) on-**site** traffic circulation; and
 - (i) future maintenance and management requirements.
5. The consent authority may approve an application for a **multiple dwelling** development comprising **serviced apartments** in Zone TCJ that is not in accordance with sub-clause 3 only if it is satisfied that the private open space associated with each dwelling provides appropriate opportunities for outdoor activities.

Clause 7.5 refers to landscaping for **multiple dwellings, hostels and supporting accommodation**.

Clause 6.7 refers to landscaping and plant related use and development.

7.5 LANDSCAPING FOR MULTIPLE DWELLINGS, HOSTELS AND SUPPORTING ACCOMMODATION

1. The purpose of this clause is to ensure that landscaping for **hostels, multiple dwellings, and supporting accommodation** complements and enhances the streetscape, is attractive and pleasant and contributes to a safe environment.
2. Other than in Zones CJ and TCJ, not less than 30% (which may include communal open space) of a **site** that is used for **hostels, multiple dwellings and supporting accommodation** is to be landscaped using **approved plant species**.

Clause 6.7 refers to landscaping and plant related use and development.

Clause 7.4 refers to communal open space.

7.6 BUILDING DESIGN FOR MULTIPLE DWELLINGS, HOSTELS AND SUPPORTING ACCOMMODATION

1. The purpose of this clause is to promote **site**-responsive designs for **hostels, multiple dwellings and supporting accommodation** which are pleasant for the occupants and do not unreasonably affect the use and enjoyment of adjacent land.
2. Building design should:
 - (a) locate development on the **site** for correct solar orientation;
 - (b) minimise expanses of walls by varying building heights, **building setbacks** and façades;
 - (c) locate air conditioners where they are accessible for servicing;
 - (d) conceal service ducts, pipes, air conditioners, air conditioning plants etc.;
 - (e) avoid overlooking of private open spaces and **habitable rooms** of adjacent residences on the same and adjacent **sites**;
 - (f) locate bedrooms and private open spaces away from noise sources;
 - (g) control its own noise sources and minimise the transmission of noise between **dwellings**;
 - (h) where close to high noise sources (such as busy roads and airport flight paths), be of appropriate acoustic design and construction;
 - (i) balance the achievement of visual and acoustic privacy with passive climate control features;
 - (j) allow breeze penetration and circulation;
 - (k) minimise use of reflective surfaces; and
 - (l) provide internal drainage of balconies and coving on the edge of balconies.

7.7 RESIDENTIAL DEVELOPMENT IN ZONE CJ

1. The purpose of this clause is to ensure residential development on a **site** in Zone CJ does not prejudice the use or development of the **site** for commercial or retail activity in accordance with the purpose of the zone.
2. A **site** in Zone CJ is only to be used or developed for a **residential building** where the development includes, on the ground floor, occupancies for commercial activity of a **floor area** that is consistent with the service function of the **site**.
3. The consent authority must not **consent** to development that is not in accordance with this clause.

7.8 ASSOCIATED RESIDENTIAL USES

7.8.1 Home Based Visitor Accommodation

1. The purpose of this clause is to ensure that **home based visitor accommodation** does not detract from the **amenity** of the locality and primary purpose of the zone in which the use is established.
2. **Home based visitor accommodation:**
 - (a) Is provided on the premises of a **dwelling**;
 - (b) May not operate if the **dwelling** is a **multiple dwelling**;
 - (c) May only operate on a lot with an area of at least 600m²;
 - (d) May not accommodate more than six guests at a time on the premises;
 - (e) May only occur if the person or persons operating the use reside on the premises;
 - (f) May only display a **business sign** that is not more than 0.5m² in area;
 - (g) Must provide all car parking spaces on-site; and
 - (h) Must provide one **car parking space** for every guest room and two car parking spaces for the residents of the **dwelling**.
3. Despite anything to the contrary in this Town Plan, a **car parking area** provided for **home based visitor accommodation** should be designed to:
 - (a) Be of a suitable gradient for safe and convenient parking;
 - (b) Be sealed and well drained; and
 - (c) Be functional in design to allow for safe traffic movement and may include tandem parking where one car parks behind another.
4. The consent authority may approve an application for **home based visitor accommodation** that accommodates more than six guests only if it is satisfied the use is appropriate to the **site** having regard to the potential impact of the use on the residential **amenity** of adjoining and nearby property and where the combined total number of residents and guests is no more than twelve.
5. The consent authority may approve an application for **home based visitor accommodation** that is not in accordance with sub-clauses 3(e), 3(f), 3(g), 3(h) and 4, only if it is satisfied the proposed **home based visitor accommodation** is appropriate to the **site** having regard to the **amenity** and character of the street and the potential impact of the use on the residential **amenity** of adjoining and nearby property.

NT building legislation may require compliance under the Building Code of Australia for the types of suitable buildings for **home based visitor accommodation**.

7.8.2 Caravans

1. The purpose of this clause is to restrict the use of **caravans** on land other than land zoned TCJ or FDJ.
2. Other than in Zones TCJ or FDJ land may be used to provide accommodation in a **caravan** where the **caravan** is the only **caravan** used as a residence on the **site** and is used:
 - (a) as a temporary residence by the owner of the **site**;
 - (b) by a dependent of a person occupying a **single dwelling** on the **site**;
 - (c) temporarily by a bona fide visitor; or
 - (d) by a bona fide caretaker of the land.
3. In this clause, "**caravan**" includes a tent.
4. The consent authority may approve an application for a **caravan** that is not in accordance with sub-clause 2 only if it is satisfied the proposed **caravan** is appropriate to the **site** having regard to the potential impact of the **caravan** on the residential **amenity** of adjoining and nearby property.

7.8.3 Caretaker's Residence

1. The purpose of this clause is to ensure that:
 - (a) a **caretaker's residence** is not the primary use of the land; and
 - (b) the caretaker's residential use does not prejudice the use of the **site** or adjoining land in accordance with its zoning.
2. A building or part of a building may be used, constructed or modified for use as a **caretaker's residence** where:
 - (a) the **floor area** of the **caretaker's residence** does not or will not exceed 50m²; and
 - (b) there is or will be only one **caretaker's residence** on the **site**.
3. The consent authority may approve an application for a **caretaker's residence** that is not in accordance with sub-clause 2 only if it is satisfied the proposed **caretaker's residence** is appropriate to the **site** having regard to the potential impact of the **caretaker's residence** on adjoining and nearby property.

7.8.4 Independent Units

1. The purpose of this clause is to ensure than an **independent unit** does not detrimentally impact on the **amenity** of adjoining and nearby property and remains ancillary to the **single dwelling** on a **site**.
2. An **independent unit** may be developed on a **site** provided:
 - (a) There will be no more than two **dwellings** on the **site**;
 - (b) The maximum **floor area** of the **independent unit** does not exceed 50m²;
 - (c) There is only one vehicle access point to the road, unless the relevant authority has approved a second access;
 - (d) Both **dwellings** will be connected to reticulated sewerage;
 - (e) Both **dwellings** will be connected to a reticulated water supply; and
 - (f) Both **dwellings** will be serviced by a single connection to a reticulated power supply.
3. The consent authority must not **consent** to an **independent unit** that is not in accordance with sub-clauses 2(a), 2(d), 2(e) and 2(f).
4. The consent authority may approve an application for an **independent unit** that is not in accordance with sub-clause 2(b) only if it is satisfied the proposed **independent unit** is appropriate to the **site** having regard to the potential impact of the **independent unit** on the **amenity** of adjoining and nearby properties.

7.8.5 Group Homes

1. The purpose of this clause is to ensure **group homes** are appropriately located and the number of occupants is unlikely to cause detriment to the residential **amenity** of the locality.
2. A **group home** may be established where:
 - (a) the **dwelling** is suitable for the use;
 - (b) no greater demand or load is imposed on the services provided by a public utility organisation than that which is ordinarily required in the locality; and
 - (c) there are no more than 12 persons resident in the **group home**.
3. The consent authority may approve an application for a **group home** that is not in accordance with sub-clause 2 only if it is satisfied the proposed **group home** is appropriate to the **site** having regard to the potential impact of the **group home** on the residential **amenity** of adjoining and nearby property.

7.8.6 Home Occupation

1. The purpose of this clause is to ensure that **home occupations** are established and operated in a manner that does not detract from the residential **amenity** of the locality.
2. A **dwelling** may be used for the purpose of a **home occupation** where:
 - (a) the occupation or profession is carried out only by persons residing in the **dwelling**;
 - (b) the total of the **floor area** of the **dwelling** plus the other areas of the **site** that are used for the **home occupation** (including areas used temporarily) does not exceed 30m²;
 - (c) no greater demand or load is imposed on the services provided by a public utility organisation than that which is ordinarily required in the locality;
 - (d) no sign is displayed, other than a **business sign** that is not more than 0.5m² in area;
 - (e) no goods or equipment are visible from outside the **site**; and
 - (f) not more than one vehicle kept on the **site** is used for the purpose of the **home occupation**.
3. The consent authority may approve an application for a **home occupation** that is not in accordance with sub-clause 2 only if it is satisfied the proposed **home occupation** is appropriate to the **site** having regard to the potential impact of the **home occupation** on the residential **amenity** of adjoining and nearby property.

7.8.7 Home Based Contracting

1. The purpose of this clause is to ensure that **home based contracting** is established and operated in a manner that does not detract from the **amenity** of the locality.
2. A **site** of a **dwelling** may be used for the purpose of **home based contracting**:
 - (a) in Zone FDJ where:
 - i. the total area of the **site** that is used for the **home based contracting** (including areas used temporarily) does not exceed 200m²;
 - ii. no greater demand or load is imposed on the services provided by a public utility organisation than that which is ordinarily required in the locality;
 - iii. no sign is displayed, other than a **business sign** that is not more than 0.5m² in area;
 - iv. no goods or equipment are visible from outside the **site**; and
 - v. not more than three vehicles kept on the **site** are used for the purpose of the **home based contracting**; or
 - (b) in any other zone:
 - i. the total area of the **site** that is used for the **home based contracting** (including areas used temporarily) does not exceed 30m²;
 - ii. no greater demand or load is imposed on the services provided by a public utility organisation than that which is ordinarily required in the locality;
 - iii. no sign is displayed, other than a **business sign** that is not more than 0.5m² in area;
 - iv. no goods or equipment are visible from outside the **site**; and
 - v. not more than one vehicle kept on the **site** is used for the purpose of the **home based contracting**.
3. The consent authority may approve an application for a **home based contracting** that is not in accordance with sub-clause 2 only if it is satisfied the proposed **home based contracting** is appropriate to the **site** having regard to the potential impact of the **home based contracting** on the residential **amenity** of adjoining and nearby property.

7.8.8 Medical Consulting Rooms

1. The purpose of this clause is to ensure that **medical consulting rooms** are established and operated in a manner that does not detract from the **amenity** of the locality.
2. **Medical consulting rooms** may be established and operated where:
 - (a) the service is carried out only by persons residing in the **dwelling** and not more than one person who does not reside in the **dwelling**;
 - (b) the total area used for the **medical consulting rooms** (including areas used temporarily) does not exceed 30m²;
 - (c) no greater demand or load is imposed on the services provided by a public utility organisation than that which is ordinarily required in the locality; and
 - (d) no sign is displayed, other than a **business sign** that is not more than 0.5m² in area.
3. The consent authority may approve an application for **medical consulting rooms** that is not in accordance with sub-clause 2 only if it is satisfied the proposed **medical consulting rooms** is appropriate to the **site** having regard to the potential impact of the **medical consulting rooms** on the residential **amenity** of adjoining and nearby property.

8.0 COMMERCIAL USE AND DEVELOPMENT PERFORMANCE CRITERIA

8.1 COMMERCIAL USES

8.1.1 Shops in Zones IJ and ORJ

1. The purpose of this clause is to facilitate retailing of a nature and intensity servicing only the needs of the zones in which the **shop** is located.
2. In Zones IJ and ORJ, the **net floor area** of a **shop** is not to exceed 200m².

8.1.2 Interchangeable Use Rights in Zone CJ

1. The purpose of this clause is to permit the change between the nominated uses of premises within Zone CJ without **consent**.
2. Where land is zoned CJ, premises that are lawfully used for the purposes of a **restaurant** or **shop**, may shift between any of these uses:
 - (a) **leisure and recreation**;
 - (b) **licensed club**;
 - (c) an **office**;
 - (d) **restaurant**; or
 - (e) **shop**without further consent provided that the parking requirement under Clause 6.3 does not increase, or sufficient additional on-site car parking is provided in accordance with Clause 6.3.1 and Clause 6.3.3 to meet any increased requirement.

8.1.3 Fuel and Vehicle Repair Related Use and Development

1. The purpose of this clause is to ensure that fuel and vehicle repair related use and development does not unreasonably affect the use and enjoyment of adjacent land, or the environment, because of appearance, the emission of fumes or noise, or the leakage of hazardous substances.
2. This clause applies to the use and development of land for:
 - (a) **fuel depot**;
 - (b) **motor repair station**;
 - (c) **motor body works**;
 - (d) **service station**;
 - (e) **transport terminal**; and
 - (f) **vehicle sales and hire**.
3. The use or development of land subject to this clause must demonstrate the suitability of the **site** for the proposed future use, including:
 - (a) identification of potential impacts on watercourses and riparian areas;

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

NT building legislation may require compliance with specific Australian Standards for the storage and handling of flammable and combustible liquids,

- (b) an assessment of the degree of groundwater vulnerability to contamination by hazardous substances, including the soil permeability, groundwater level and direction of ground and surface water flow at the **site**;
- (c) appropriate management of hazardous substances; and
- (d) that the use or development will not cause contamination or any other detrimental impact upon human health or the environmental values of **Kakadu National Park**.

4. A **site** may be developed for a **service station** or **fuel depot** only where:

- (a) fuel bowzers and any **motor repair station** associated with the **service station** or **fuel depot**, are located at least 20m from any residential or commercial development and visually screened from that development;
- (b) fuel bowzers are not closer than 3m to the edge of a road reserve;
- (c) the design of the **site** is such that:
 - i. vehicular access and egress does not create a traffic hazard on adjacent roads;
 - ii. vehicular crossings of the footpath are not more than 9m wide, nor closer than 6m to another vehicular crossing and not closer than 15m to a road intersection; and
 - iii. inlets to bulk fuel storage tanks are situated so that tankers discharging fuel stand wholly within the **site**.

LP Gas, gasses and cylinders, and response guidelines and procedures, for the use and development of **service station, fuel depot, motor repair station, motor body works, transport terminal and/or vehicle sales and hire**

8.1.4 Child Care Centres

1. The purpose of this clause is to ensure that **child care centres** are appropriately and conveniently located, appropriately designed and do not detract from the **amenity** of the area.
2. A **child care centre** should:
 - (a) be capable of accommodating:
 - i. 7m² of outdoor play space for each child and 3.25m² of indoor play space for each child;
 - ii. associated vehicle access, parking and manoeuvring; and
 - iii. landscaping using **approved plant species** and any necessary screening;
 - (b) be located:
 - i. adjacent to or within other community facilities such as shopping centres, schools and health services;
 - ii. at or near the entrance to a residential suburb; or
 - iii. in or near employment areas; and
 - (c) have vehicular access from a road other than from an arterial road.
3. If a **child care centre** is located adjacent to residential land:
 - (a) the development is to be set back and screened in accordance with the requirements of Clause 8.3; and
 - (b) the design of the centre is to take account of the noise impact on an adjacent **dwelling** by either locating outdoor play space away from the common boundary or by including appropriate screening.

The *Education and Care Services (National Uniform Legislation) Act 2011* (NT) regulates the operation of **child care centres**.

Clause 6.7 refers to landscaping and plant related use and development.

8.1.5 Animal Related Use and Development

1. The purpose of this clause is to minimise the adverse effect of animal related activities on the environment and to ensure that those activities do not detract from the **amenity** of the locality.
2. Premises for the keeping of animals for the purposes of **animal boarding** and **veterinary clinic** should be designed and operated so as not to cause or allow any of the following:
 - (a) the creation of a risk of contamination of ground and surface waters;
 - (b) contribution to the erosion of the **site** or other land;
 - (c) detriment to the **amenity** of the locality by reason of excessive noise, offensive odours, excessive dust or the attraction of flies, vermin or otherwise;
 - (d) the creation of a risk of the spread of infectious disease or other health risk; or
 - (e) interference with, or disturbance of, wildlife within **Kakadu National Park**, including by animals that may have escaped from the **site**.
3. All use or development on a **site** involving animals must be consistent with the requirements of the **Commonwealth environmental law**.

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

The **Commonwealth environmental law** regulates the number and species of animals within the Town of Jabiru.

8.2 COMMERCIAL AND OTHER DEVELOPMENT IN ZONES CJ, SCJ, TCJ, ORJ, CPJ, AND FDJ

1. The purpose of this clause is to promote **site**-responsive designs of commercial, civic, community, recreational, tourist and mixed-use developments which are attractive and pleasant and contribute to a safe environment.
2. The design of buildings subject to this clause should:
 - (a) preserve vistas along streets to buildings and places of architectural, landscape or cultural significance;
 - (b) be sympathetic to the character of buildings in the immediate vicinity;
 - (c) minimise expanses of blank walls;
 - (d) add variety and interest at street level and allow passive surveillance of public spaces;
 - (e) maximise energy efficiency through passive climate control measures;
 - (f) control on-**site** noise sources and minimise noise intrusion;
 - (g) conceal service ducts, pipes, air conditioners, air conditioning plants etc.;
 - (h) minimise use of reflective surfaces;
 - (i) provide safe and convenient movement of vehicles and pedestrians to and from the **site**;
 - (j) provide convenient pedestrian links (incorporating access for the disabled) to other buildings and public spaces;
 - (k) provide protection for pedestrians from sun and rain;
 - (l) provide for loading and unloading of delivery vehicles and for refuse collection;
 - (m) provide landscaping using **approved plant species** to reduce the visual impact and provide shade and screening of open expanses of pavement and car parking;
 - (n) provide facilities, including public toilets, child minding facilities, parenting rooms and the like where the size of the development warrants such facilities; and
 - (o) provide bicycle access, storage facilities and shower facilities.
3. A development application must, in addition to the matters described in sub-clause 2, demonstrate consideration of, and the consent authority is to have regard to, the *Community Safety Design Guide* published as at the date this Town Plan comes into force. .

See clause 2.5

8.3 SETBACKS FOR COMMERCIAL USES ADJACENT TO LAND IN ZONE RJ

1. The purpose of this clause is to protect the visual and acoustic **amenity of residential buildings** where they are adjacent to non-residential uses.
2. A use or development or proposed use or development that is:
 - (a) not a **residential building**;
 - (b) on land that is in a zone other than Zone RJ; and
 - (c) abuts land in Zone RJ;must provide a setback to the boundary that abuts any of those zones of not less than 5m.
3. The setback described in sub-clause 2 is to be landscaped using **approved plant species** to provide a visual screen to the adjacent land Zoned RJ for a minimum depth of 3m.
4. The development should provide a solid screen fence of a minimum height of 1.8m at the boundary with land in Zone RJ.
5. The consent authority must not **consent** to a development that is not in accordance with sub-clause 3, except where the development is for the purpose of a **child care centre**.

The setbacks of **residential buildings** are described in clause 7.2

Clause 6.7 refers to landscaping and plant related use and development

9.0 INDUSTRIAL USE AND DEVELOPMENT PERFORMANCE CRITERIA

9.1 INDUSTRIAL USE

9.1.1 Industrial Setbacks

1. The purpose of this clause is to ensure that buildings are sited to provide an adequate level of visual **amenity** in industrial zones.
2. Buildings in Zone IJ are to be sited in accordance with the table to this clause.
3. All street frontages, except access driveways or footpaths, are to be landscaped to a minimum depth of 3m.
4. The quality and extent of landscaping is to be maintained for the life of the development and use only **approved plant species**.

Clause 6.7 refers to landscaping and plant related use and development.

TABLE TO CLAUSE 9.1.1

Location/ Boundary	Minimum Building Setback
Minimum setback to streets	3m
Minimum setback to at least one side boundary and to the rear boundary	5m

9.1.2 Biosecurity and Contamination Risks of Industrial Use and Development

1. The purpose of this clause is to ensure that **general industry, light industry** and **rural industry** use and development do not cause contamination, create a biosecurity threat, or contribute to any other detrimental impact on the environment.
2. The use or development of land for **general industry, light industry** or **rural industry** must demonstrate the suitability of the **site** for the proposed future use, including:
 - (a) identification of potential impacts on watercourses and riparian areas;
 - (b) an assessment of the degree of groundwater vulnerability to contamination by hazardous substances, including the soil permeability, groundwater level and direction of ground and surface water flow at the **site**;
 - (c) appropriate management of hazardous substances, machinery and plant material; and
 - (d) that the use or development will not cause contamination or any other detrimental impact upon human health or the environmental values of **Kakadu National Park**.

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

NT building legislation may require compliance with specific Australian Standards for the storage and handling of flammable and combustible liquids, LP Gas, gasses and cylinders, and response guidelines and procedures, for the use and development of **general industry, light industry** and/or **rural industry**

The **Commonwealth environmental law** restricts the taking of plants and firewood into, and cultivation of plants within, **Kakadu National Park**.

An authorisation may be required under the **Commonwealth environmental law** for the bringing of rock, soil, sand, mulch, potting-mix or similar material into **Kakadu National Park**.

PART 5

10.0 SUBDIVISION

10.1 SUBDIVISION GENERAL

10.1.1 Minimum Lot Sizes and Requirements

1. The purpose of this clause is to ensure that lots in Zones RJ, IJ, and FDJ will be of a size capable of accommodating potential future uses.
2. Land to which this clause applies should be subdivided in accordance with the minimum lot size and requirements specified in the table to this clause.
3. The consent authority must not **consent** to a subdivision in Zone RJ that reduces a lot size by an area greater than 5% of the minimum specified in the table to this clause.

TABLE TO CLAUSE 10.1.1

Zone	Minimum Lot Size and Requirements
RJ	300m ²
IJ	1225m ²
FDJ	50ha

Clause 10.1.2 allows for provision of small lots on for Zone RJ in greenfield areas.

Clause 10.2 refers to residential subdivision requirements.

Clause 10.3 refers to industrial subdivision requirements.

Clause 10.1.3 allows the subdivision of land in Zone FDJ

10.1.2 Lots intended for Zone RJ in Greenfield areas

1. The purpose of this clause is to provide for a range of lot sizes no less than 450m² for **single dwellings** intended for Zone RJ in greenfield areas.
2. Lots created by subdivision in accordance with this clause must be within greenfield areas identified for compact urban growth by a map, plan, design or diagram and associated principles forming part of the Town Plan.
3. Lots created by subdivision in accordance with this clause shall have an area of no less than 450m².
4. Lots created by subdivision in accordance with this clause must have a minimum average lot size of 600m².

NT building legislation may require compliance under the Building Code of Australia for enclosed structures located on boundary properties to be fire rated.

Clause 7.2 relates to the setbacks applicable to **residential buildings** in some zones.

Clause 6.3.4 refers to on-site parking and vehicular access for lots less than 600m².

Clause 7.2.3 allows a reduced setback for single dwellings on lots less than 600m².

10.1.3 Subdivision of Land Zoned FDJ

1. The purpose of this clause is to provide for the subdivision of land in Zone FDJ in a manner that will not prejudice the intended ultimate subdivision and future use or development of the land.
2. Land in Zone FDJ may be subdivided for urban (typically residential or mixed use) development once services are, or can be, made available to that land.
3. Despite anything to the contrary in this Town Plan, the consent authority may permit subdivision into lots of a size and configuration consistent with the intended ultimate zoning of the land.

Clause 6.8 refers to the development of land Zoned FDJ.

Clause 10.1.1 refers to minimum lot sizes in various zones.

Clause 10.1.2 refers to subdivision in Zone RJ for in greenfield areas.

Clause 10.2 refers to residential subdivision.

10.1.4 Subdivision for the Purposes of a Unit Title Scheme

1. The purpose of this clause is to ensure that:
 - (a) the new ownership arrangements resulting from a subdivision to create a unit title scheme allow each element of the development to continue to be available to the occupants of the development and where appropriate to visitors;
 - (b) older developments are upgraded; and
 - (c) development will not have a detrimental environmental effect on the land or result in a loss of **amenity** within the locality.
2. Subject to sub-clauses 3, 4, 5 and 8 a subdivision to create a unit title scheme should meet the requirements of Part 4 of the Town Plan and in particular:
 - (a) all **car parking** provided as a requirement of a development must be available at all times for the use of the occupants of the development and their visitors or clients and be included:
 - i. in common property; or
 - ii. as part of the area under the title for the individual units;
 - (b) any loading bays provided for:
 - i. common use must be in common property; and
 - ii. the sole use of an individual unit must be in the entitlement of that unit;
 - (c) any areas set aside for the communal storage and collection of garbage and other solid waste must be included in common property;
 - (d) any private open space associated with a **dwelling** must be included in the unit entitlement of that **dwelling**; and
 - (e) any communal facilities and amenities or open space provided for **hostels, multiple dwellings** and **supporting accommodation** must be included in common property.

The *Land Title Act 2000* (NT) describes a "lot" as a separate, distinct parcel of land that may be a unit or common property. For the avoidance of confusion, the NT Surveyor General uses the term "unit" for a parcel of land or building unit or common property created under the *Unit Title Schemes Act 2009* (NT) and described on a UTS plan and "lot" for a parcel of land created under the *Land Title Act 2000* (NT) and described on an LTO plan as a "lot".

In a unit title scheme, common property will be identified as a separate unit.

3. A lawfully established use or development on a lot may be subdivided to create a unit title scheme only if the use or development has been upgraded to meet the performance criteria within Part 4 of the Town Plan that apply to the use or development of the land.

If it is not possible to meet the criteria the consent authority must be satisfied that the proposed upgrading is the only practicable design solution.

4. The consent authority must not **consent** to a subdivision that results in a separate unit title for:

- (a) an **independent unit**; or
- (b) a business associated with a **home occupation, home based contracting or medical consulting rooms**.

5. If there is a requirement for a firebreak along the perimeter boundary of the unit title scheme, the consent authority must not **consent** to a subdivision unless the firebreak is within common property.

6. If there is a requirement for common infrastructure including internal roads, water supply, effluent disposal, waste disposal or power generation, the consent authority must not consent to a subdivision unless that infrastructure is within common property or vested in the relevant service authority.

7. Where a subdivision to create a unit title scheme proposes that the land will be vacant at the time titles issue, the land area of individual units should be consistent with clauses 10.1.1 Minimum Lot Sizes and Requirements and 10.1.2 Integrated Residential Development.

For the purpose of sub-clause 7, "land area" does not include:

- (a) common property;
- (b) land that will be permanently inundated; or
- (c) a marina berth.

If the *Bushfires Management Act 2016* (NT) applies to the land that Act may require provision of a firebreak along the property boundary.

10.2 RESIDENTIAL SUBDIVISION

10.2.1 Site Characteristics in Residential Subdivision

1. The purpose of this clause is to ensure residential subdivisions respond to the physical characteristics of the land.
2. Residential subdivision design should:
 - (a) avoid the development of land of excessive slope, unstable or otherwise unsuitable soils (e.g. seasonally waterlogged) and natural drainage lines;
 - (b) ensure, by site selection or site grading, that areas intended for lots less than 600m² do not slope in excess of 2%, such that the need for on-site stormwater structures, retaining walls and the like is minimised;
 - (c) retain and protect significant natural and cultural features;
 - (d) avoid development of land affected by a 1% AEP flood or storm surge event; and
 - (e) retain and protect natural drainage lines and any distinctive landform features or stands of natural vegetation and incorporate them in public open space.

Clause 6.3.4 refers to on-site parking and vehicular access for lots less than 600m².

10.2.2 Infrastructure and Community Facilities in Residential Subdivisions

1. The purpose of this clause is to ensure that residential subdivisions are integrated with infrastructure, community services and facilities.
2. Residential subdivision design should:
 - (a) provide a high level of internal accessibility and external connections for pedestrian, cycle and vehicle movements;
 - (b) provide links to schools and commercial facilities;
 - (c) provide traffic management to restrain vehicle speed, deter through traffic and create safe conditions for all road users;
 - (d) provide for connection to reticulated services;
 - (e) provide a minimum of 10% of the subdivision area as public open space which:
 - i. ensures the majority of **dwellings** are within 400m walking distance of a neighbourhood park;
 - ii. incorporates recreational open space in larger units available for active leisure pursuits;
 - iii. is unencumbered by drains and has sufficient flat area for informal recreation; and
 - iv. is designed to provide a safe environment for users by allowing clear views of the open space from surrounding **dwellings** or passing vehicles.

10.2.3 Lot Size and Configuration in Residential Subdivisions

1. The purpose of this clause is to ensure residential subdivisions contain lots of a size, configuration and orientation suitable for residential purposes.
2. Residential subdivision design should provide that:
 - (a) lots have sufficient area and appropriate dimensions to provide for the proposed density of developments including **dwelling**s, vehicle access, parking and ancillary buildings;
 - (b) lots conform with the building envelope requirements in the table to this clause;
 - (c) there are no battle-axe lots;
 - (d) lots are oriented to allow **dwelling**s to take advantage of environmental conditions such as prevailing breezes and sunlight;
 - (e) lots are connected to reticulated services;
 - (f) potential land use conflicts are minimised by taking account of the visual and acoustic privacy of residents; and
 - (g) where there are lots for medium and higher density residential development, those lots are:
 - i. distributed in small groups serviced by public transport;
 - ii. in close proximity to public open space and with adequate access to community facilities and services; and
 - iii. not located in a cul-de-sac.

TABLE TO CLAUSE 10.2.3

Lot Size	Minimum Building Envelope Requirement
300m ² to less than 450m ²	7m x 15m (exclusive of any boundary setbacks or service authority easements)
450m ² to less than 600m ²	18m x 15m (exclusive of any boundary setbacks or service authority easements)
600m ² and greater	17m x 17m (exclusive of any boundary setbacks or service authority easements)

Clause 7.2.3 allows a reduced setback for single dwellings on lots less than 600m².

Clause 6.3.4 refers to on-site parking and vehicular access for lots less than 600m².

10.2.4 Lots less than 600m² for Single Dwellings

1. The purpose of this clause is to provide for the subdivision of land to accommodate **single dwellings** on lots of less than 600m² in a manner that has regard for vehicle access, on-site parking and street infrastructure.
2. An application to subdivide land to provide lots subject to this clause must include plans and diagrams to demonstrate that proposed lots, building envelopes, private open space, vehicle access, on-site parking and **habitable rooms** facing the street will be provided to meet performance criteria and respond to parking and infrastructure in the adjacent public road.
3. Lots subject to this clause shall not have a boundary to any public road less than specified in the table to this clause.
4. The consent authority must not consent to a subdivision that is not in accordance with subclause 3.

Clause 10.1.1 prescribes the minimum lot size in residential zones.

Clause 6.3.4 refers to vehicle access for **single dwellings** on lots less than 600m².

Clause 7.1 refers to density limitations.

Clause 7.2 refers to **residential building** setbacks.

Clause 7.2.3 allows reduced setbacks for **single dwellings** on lots less than 600m².

Clause 7.3 refers to private open space.

This clause does not apply to subdivision for the purpose of whole-of-town leases in accordance with clause 1.3 sub-clause 3.

TABLE TO CLAUSE 10.2.4

Range of Lot Size	Minimum Length of any Boundary to a Public Road
300m ² to less than 450m ²	10m
450m ² to less than 600m ²	13m

10.3 INDUSTRIAL SUBDIVISION

10.3.1 Site Characteristics in Industrial Subdivisions

1. The purpose of this clause is to ensure that industrial lots respond to the physical characteristics of the land.
2. Industrial subdivision design should:
 - (a) avoid the development of land of excessive slope, unstable or otherwise unsuitable soils (e.g. seasonally waterlogged) and natural drainage lines;
 - (b) retain and protect significant natural and cultural features; and
 - (c) avoid development of land affected by a 1% AEP flood or storm surge event.

10.3.2 Infrastructure in Industrial Subdivisions

1. The purpose of this clause is to ensure industrial lots are integrated with required infrastructure.
2. Industrial subdivision design should:
 - (a) incorporate safe connection to the existing road network with particular consideration given to the needs of heavy vehicles;
 - (b) provide a simple layout with a clear hierarchy of roads, avoiding culs-de-sac, battle-axe lots and sharp curves and discouraging unrelated through traffic;
 - (c) minimise access from individual lots to major roads by using minor roads for such access;
 - (d) provide for road reserve and carriageway widths appropriate to the circumstances;
 - (e) provide for connection to reticulated services; and
 - (f) protect service infrastructure by providing/ preserving easements.

The subdivision of land may attract a monetary contribution toward the cost of infrastructure in accordance with a contributions plan under the *Planning Act 1999* (NT).

10.3.3 Lot Size and Configuration in Industrial Subdivisions

1. The purpose of this clause is to ensure lots are of an appropriate size and configuration.
2. Industrial subdivision should:
 - (a) provide for a variety of lot sizes to accommodate a range of activities; and
 - (b) ensure the utility of each lot in terms of:
 - i. building space and accessibility;
 - ii. compatibility with adjacent commercial and residential areas with appropriate buffers (for example roads, landscaping or parks);
 - iii. sufficient space to accommodate the industrial operations and buildings envisaged and make allowance for possible future expansion; and
 - iv. safe vehicle entry and exit.

Clause 10.1.1 refers to minimum industrial lot sizes.

Clause 6.7 refers to landscaping and plant related use and development.

PART 6

11.0 TRANSPORT AND INFRASTRUCTURE

11.1 LAND ADJACENT TO MAIN ROADS

1. The purpose of this clause is to ensure that access to **main roads** from adjacent land does not prejudice traffic safety.
2. Despite anything to the contrary in this Town Plan, access to a use or development or proposed use or development from a **main road** is to be only with **consent** and in accordance with the requirements of the Agency responsible for the care, control and maintenance of the **main road**.

11.2 MAIN ROADS

1. The purpose of this clause is to ensure the use or development of land in Zone MJ does not prejudice traffic safety or the **amenity** of the **main road**.
2. Despite anything to the contrary in this Town Plan, land in Zone MJ, may be used or developed other than for a public road only with **consent** and in accordance with the requirements of the Agency responsible for the care, control and maintenance of the **main road**.

11.3 MOBILE TELEPHONE COMMUNICATIONS TOWERS ETC.

1. The purpose of this clause is to ensure the development of a **telecommunications facility** does not unreasonably detract from the **amenity** of the locality.
2. The development of a **telecommunications facility** that is classified as low-impact within the *Telecommunications Act 1997* (Cth) and the *Telecommunications (Low-impact Facilities) Determination 2018* (Cth) does not require **consent**.
3. In all other circumstances, the development of a **telecommunication facility** on zoned land requires consent.
4. The inspection and maintenance of a **telecommunications facility** is exempt from the requirements of sub-clause 3.
5. An application for development under sub-clause 3 is to demonstrate:
 - (a) that the facility cannot be co-located with existing **telecommunications facilities** or existing structures;
 - (b) that a detailed feasibility assessment of at least three sites for the establishment of the facility has been undertaken and the rationale for the preferred site;
 - (c) that the location and design of a **telecommunications facility** minimises **amenity** impacts through sensitive siting, use of non-reflective finishes and appropriate landscaping using **approved plant species**; and
 - (d) how the **amenity** impacts of a proposal have been minimised using visual communication methods such as photographic images etc.

Commonwealth telecommunications legislation may impose a requirement for low impact facilities to comply with the community consultation requirements contained within the *Communications Alliance Industry Code for Mobile Phone Base Station Deployment* (C564:2011)

Clause 6.7 refers to landscaping and plant related use and development

11.4 UTILITIES

1. The purpose of this clause is to ensure the use or development of land in Zone UJ does not prejudice the future development of the utility.
2. Land in Zone UJ may be used or developed for a utility in accordance with the requirements of the Government Agency or service authority responsible for the utility on the land without **consent**.
3. Land in Zone UJ may be used or developed other than for a utility only with **consent** and in accordance with the requirements of the Government Agency or service authority responsible for the utility on the land.
4. In sub-clauses 2 and 3 a utility may include trunk sewers, sewerage ponds, trunk water mains, water storage facilities, electricity transmission and substation facilities, gas pipelines, low impact solar arrays, and the like.

"service authority" is defined in the *Planning Act 1999* (NT).

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

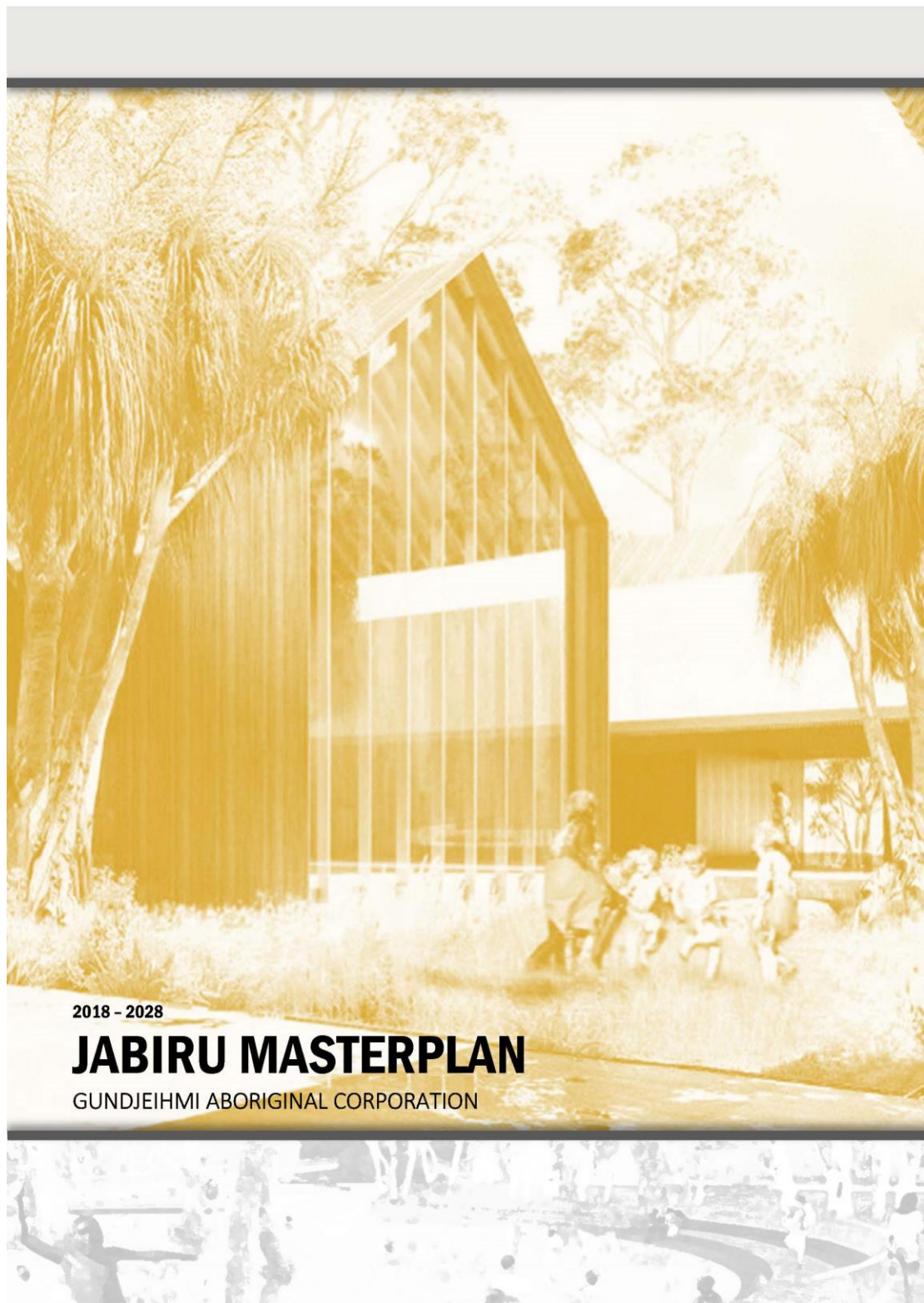
SCHEDULES

Schedule 1

SCHEDULE 1	
SCHEDULE TO CLAUSE 2.5 -REFERENCE TO GUIDELINES	
Community Safety Design Guide	Department of Infrastructure, Planning and Logistics

Schedule 2

TOWN OF JABIRU MASTERPLAN



THE MIRARR VISION



The Mirarr people have a vision for Jabiru as:

“A world leading ecologically sustainable, economically and socially vibrant community where traditional Aboriginal culture, all people and the natural environment flourishes.”

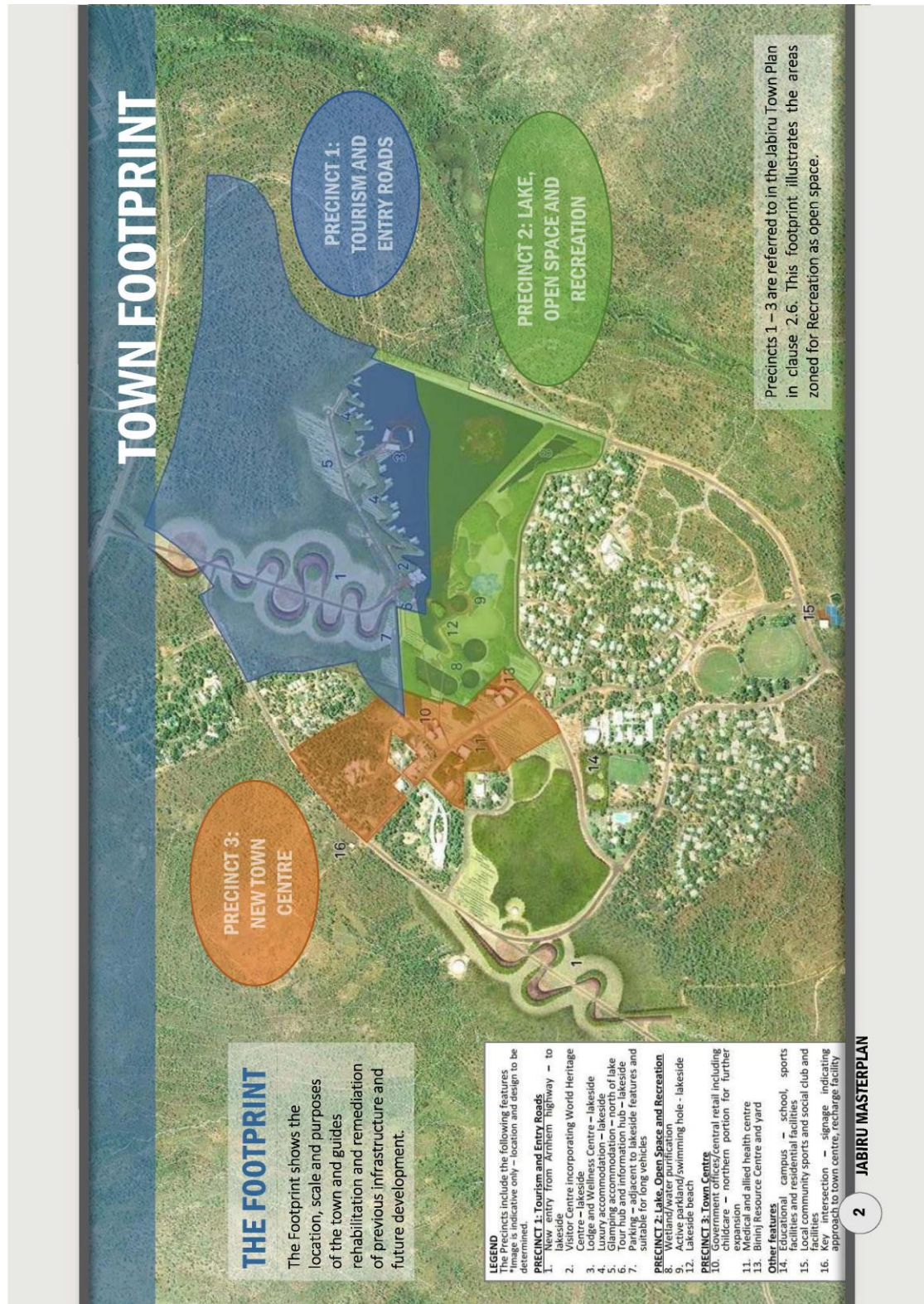


Mirarr people continue to live on our country as our ancestors have done since time immemorial. Jabiru is built on Mirarr country and we have a responsibility to look after the town and the people who live here. This is the Mirarr Vision for Jabiru. It comes from the traditional people of the land. We ask everyone who comes to Jabiru to follow this Vision as the guiding document for all future development and activity in Jabiru. Implementation of this Masterplan and adherence to our Mirarr Vision is a tangible act of respect for our culture and for our traditional ownership and custody of the land.



1

JABIRU MASTERPLAN



GOALS

GOAL 1: MIRARR OWNERSHIP

'The town celebrates the traditional ownership of the Mirarr people and is founded on an agreement with the traditional owners for the current and future use of the land for the benefit of the local community, the region and the interests and values of Kakadu National Park.'

GOAL 3: TOURISM TOWN

'The town is a key North Australian location for ecofriendly tourism, active outdoor tourism and Indigenous cultural tourism.'

GOAL 5: ICONIC CULTURAL HERITAGE DESTINATION

'The town celebrates the unique Indigenous cultural heritage significance of the region and provides a gateway for the Australian community to engage with Indigenous culture.'

GOAL 7: SUSTAINABLE RESIDENTIAL POPULATION

'The town attracts and retains long term residents to achieve a sustainable population commensurate with the town's goals and compatible with Kakadu National Park.'

GOAL 2: NATIONAL PARK TOWN

'The town celebrates its unique location through consistent building design, landscaping and civil works reflecting the World Heritage and national reserve status of Kakadu National Park with a theme and design utilising natural materials, textures and appearance.'

GOAL 4: SUSTAINABLE AND RESOURCE EFFICIENT TOWN

'The town showcases carbon neutral technologies for a wet tropical environment'

GOAL 6: INDIGENOUS EMPLOYMENT AND ENTERPRISE CENTRE

'The town is a key location nationally for excellence and best practice in Indigenous land management knowledge and employment and supports bininj living on country in the northern section of Kakadu National Park.'

GOAL 8: EDUCATION AND RESEARCH HUB

'The town is a key location for research in North Australian biodiversity, ecology, education, indigenous language, cultural heritage, and archaeology and is a gateway for education based tourism.'



For more information on The Jabiru Masterplan contact Gundjeihmi Aboriginal Corporation

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