

# KATHERINE TOWN PLAN 1981





**\*NORTHERN TERRITORY OF AUSTRALIA**

**KATHERINE TOWN PLAN 1981**

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**NORTHERN TERRITORY OF AUSTRALIA**

**Planning Act**

**KATHERINE TOWN PLAN 1981**

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

Dated this 17th day of August 1981.

Administrator

By His Honour's Command

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

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**KATHERINE TOWN PLAN 1981**

**PART I - PRELIMINARY**

**1. CITATION**

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

**2. REPEAL**

Each planning instrument which was, immediately before the date of commencement of this planning instrument, applicable to the planning area known as Planning Area 4 (specified by a notice under the Act and appearing in Gazette No. S11 of 7 August 1979), or to the Municipality of Katherine, whether it subsisted by virtue of Part IX of the Act or was made after the date of commencement of the Act, is repealed.

**2A. APPLICATION**

This planning instrument applies to and in relation to all the land bounded by thick black lines on the **zoning map**.

### 3. INTERPRETATION

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

"**abattoir**" means a **building** or place used for the slaughter and dressing of animals, and includes the processing of meat from such slaughter;

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

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

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

(a) where the **dwellings** are side by side, each **dwelling** has -

(i) one or more walls common with another **dwelling**; and

(ii) a separate entrance at ground level; or

(b) where one of the **dwellings** is above another, each **dwelling** is in a separate **storey** and has a separate entrance at ground level;

"**bed and breakfast accommodation**" means temporary accommodation for travellers provided within a **dwelling** by the resident of that **dwelling**, but does not include a **guest-house and hostel, motel** or **hotel**;

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

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

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

(a) body building;

(b) panel beating which involves dismantling; or

(c) spray painting, other than of a touching-up character,

to motor vehicles, boats, **caravans** or agricultural machinery;

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

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

"**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 as a residence by the caretaker of that land;



**"carport"** means a **building** or part of a **building** which is used or adapted for the purpose of sheltering a motor vehicle and which is open -

- (a) along the full length of at least one side; and
- (b) for not less than two-thirds of the perimeter of that side of the **building** or that part of the **building** which is designed or adapted for the purpose of sheltering a motor vehicle;

**"catering business"** means a cafe, caterers rooms, snack-bar, take-away food bar, espresso bar, milk bar, tea-garden, kiosk, restaurant, tea room or the like;

**"child care centre"** means a **building** or place used for the minding or caring of 17 or more children;

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

**"community centre"** means -

- (a) a club room;
- (b) an assembly hall;
- (c) a games room;
- (d) a reading room;
- (e) a canteen; or
- (f) a meeting room;

or any other **building** designed, or adapted, primarily to provide facilities for **community organisations**, but does not include premises in respect of which a license is held under the Liquor Act;

**"community organisation"** means an organisation formed for social, sporting or cultural purposes;

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

**"dwelling"** means a **building** designed, constructed or adapted for human habitation as a self-contained unit;

**"educational establishment"** means an academy, college, gallery, kindergarden, lecture hall, museum, school, technical college or university, but does not include an **institutional establishment**, **child care centre** or a **place of public worship**;

**"extractive industry"** means the removal of stone, sand, gravel, clay and soil from the surface of the land, and includes the crushing and storage of such material on the land from which material is extracted or on land adjacent thereto, but does not include mining and dredging for coal, oil, uranium, metallic minerals or industrial minerals;

**"flats"** means a **building** (not being an attached **dwelling**) containing 3 or more **dwellings**;

"**floor area**", in relation to a **building**, includes all wall thicknesses of the external walls, and one-half the wall thickness of any party walls of that **building**;

"**flora and fauna sanctuary**" means land set aside for the protection of plant and animal life;

"**forestry**" means arboriculture, silviculture, forest protection, the cutting, dressing and preparation, other than in a **sawmill**, of wood or other forest products and the establishment of roads for the removal of wood and forest products or for **forestry** protection but does not include the use of land for **agriculture** or as nurseries;

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

"**funeral parlour**" means a **building** used by undertakers for the storage or preparation for burial or cremation of bodies, and includes a funeral chapel associated therewith;

"**general industry**" means an **industry** other than a **service industry**, a **light industry**, an **offensive or hazardous industry**, a **rural industry** or an **extractive industry**;

"**general store**" means a **shop** which is in the same **building** as a **dwelling** and which sells a wide range of goods;

"**guest-house and hostel**" includes boarding-houses, lodging-houses or other premises used to provide board or lodgings, but does not include **bed and breakfast accommodation** or a **motel** or **hotel**;

"**home occupation**" means an occupation or profession carried on within the curtilage of a **dwelling** by the residents of the **dwelling** but does not include the use of land as a **child care centre**;

"**hospital**" means a **building** used for the medical treatment or care of sick persons, whether resident or not, but does not include **supporting accommodation**, a **medical clinic** or **medical consulting rooms**;

"**hotel**" means any premises licensed under the Liquor Act which provide accommodation for travellers, whether or not meals are provided to those travellers or to other persons, but does not include **bed and breakfast accommodation**;

"**indoor recreation establishment**" means the use of a **building** for recreation purposes which involves commercial transactions and is carried out on private land;

"**industry**" includes a **general industry**, a **service industry**, a **light industry**, an **offensive or hazardous industry**, a **rural industry** and an **extractive industry**;

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

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

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

**"kennels"** means a **building** or place used for the keeping, boarding or breeding of dogs or cats as a commercial enterprise;

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

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

**"lot feeding"** means the feeding of animals in stalls, compounds or stockyards but does not include a **piggery** or poultry farm;

**"main road"** means any one of the following -

Stuart Highway, Victoria Highway or Giles Street;

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

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

**"motel"** means a **building** or place used substantially for the accommodation of travellers and the vehicles used by them, whether or not the **building** is also used in the provision of meals to those travellers or to the general public and whether or not the premises are licensed under the Liquor Act, but does not include **bed and breakfast accommodation**;

**"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 the 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 or delivery vehicles; and
- (f) areas set aside for car parking or access;

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

"**offensive or hazardous industry**" means an **industry**, including an **abattoir**, which, by reason of the processes involved, the method of manufacture or the nature of the material used, produced or stored is likely to -

- (a) cause or create dust, effluvia, fumes, vapours, smell or gases; or
- (b) discharge foul liquids, blood or other impurities or offensive matters, and thereby -
- (c) constitute a danger to persons (other than persons engaged in the **industry**) or property; or
- (d) produce conditions which are liable to or may become offensive to persons (other than persons engaged in the **industry**);

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

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

- (a) as a commercial enterprise; or
- (b) on land held in fee simple or under a lease from the Territory,

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

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

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

"**piggery**" means the keeping or breeding of more than 4 mature or immature pigs but does not include a killing works;

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

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

"**poultry farming**" is the keeping of more than 50 mature or immature fowls as a commercial enterprise;

"**pound**" means a **pound** within the meaning of the Pounds Act;

"**private camping purposes**" means the parking of **caravans** or the erection or placement and use of tents, mobile homes or cabins for purposes of providing accommodation principally for the members of an association or organization owning the land but does not include **caravan park purposes**;

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

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

"**research centre**" means a **building** or place used primarily for the purpose of conducting scientific research;

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

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

"**rural industry**" means an **industry** (not being an **offensive or hazardous industry**) which involves the handling, treating, processing or packing of primary products produced on the land on which it is situated and includes the servicing, in a workshop, of plant or equipment used for agricultural or **forestry** purposes;

"**sawmill**" means a mill handling, cutting and processing timber from logs or barks;

"**service industry**" means an **industry** -

(a) in the conduct of which -

(i) an article, or part of an article, is manufactured, finished or adapted for the purpose of sale primarily on the land on which the manufacturing, finishing or adaptation takes place; or

(ii) goods (other than vehicles or any part or parts thereof) are serviced, repaired, cleaned or washed; and

(b) which occupies not more than 500 square metres of land,

and the amenity of the adjoining land, or of the surrounding locality, is not likely to be injuriously or detrimentally affected by the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water refuse, waste products, grit, oil or heavy traffic generation;

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

- (a) the sale by retail of spare parts and accessories for motor vehicles;
- (b) the washing and greasing of motor vehicles;
- (c) the installation of accessories in motor vehicles; or
- (d) the repairing and servicing of motor vehicles involving the use of hand tools;

but does not include body building, panel beating, spray painting and suspension or chassis restoration;

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

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

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

**"site"** means -

- (a) unless paragraph (b) or (c) applies – an area of land that is (or, in the case of Crown land, could be) the subject of a single title under the *Land Titles Act*;
- (b) unless paragraph (c) applies – an area of land to which a units plan within the meaning of the *Unit Titles Act* relates;
- (c) if there is a **building** development plan within the meaning of the *Unit Titles Act* in relation to an area of land – all of the land to which the **building** development plan relates; or
- (d) an area of land, whether consisting of one or more allotments, that is the subject of an application to the consent authority.

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

**"special purposes"** means -

- (a) cemetery and crematorium purposes;

- (b) a court of justice;
- (c) railway, airport, heliport or bus depot;
- (d) **radio and TV installations**; and
- (e) ambulance or fire stations;

"**sports and recreation**" means the use of land for recreational purposes, but does not include such a use which involves commercial transactions, or which is carried out on private land;

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

"**stock and sale yard**" means a **building** or place used for the purpose of offering livestock for sale, and includes a public cattle market;

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

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

"**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;
- (b) premises used for the care of persons residing therein who are receiving medical treatment but not full-time medical treatment; or
- (c) premises used by people moving from their homes or an institution and living for a short time in shared, supporting or rehabilitation accommodation,

but does not include an **institutional establishment**, a **hospital**, a **medical clinic** or **medical consulting rooms**;

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

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

"**units for aged persons**" means a **building** erected or proposed to be erected, and used or proposed to be used for the housing of aged or retired persons;

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

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

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

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

"**zoning map**" means the series of maps signed by the Minister for Lands and Housing marked "Katherine Town Plan 1981" and deposited in the **offices** of the Department of Lands, Darwin;

"**Zoning Table**" means the Table to clause 6.

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

#### 4. **CONSENT AUTHORITY**

The Authority is the consent authority.



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

### DIVISION 1 - ZONES

#### 5. ZONING

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

the common boundary between the adjoining allotments after amalgamation becomes the boundary between the zones.

#### 6. ZONING TABLE

- (1) Subject to this planning instrument, a person may use or develop land within a zone specified in Column 1 of the **Zoning Table** for the purposes specified opposite that zone in Column 2 of that Table.
- (2) Subject to this planning instrument, a person shall not use or develop land within a zone specified in Column 1 of the **Zoning Table** -
  - (a) for a purpose specified opposite that zone in Column 3 of that Table; or
  - (b) in contravention of the development code,

without the consent of the consent authority.

- (2A) Where the consent authority grants a consent under subclause (2), a person shall not use or develop the land the subject of the consent other than in accordance with that consent.
- (3) Subject to this planning instrument, a person shall not use or develop land within a zone specified in Column 1 of the **Zoning Table** for a purpose not specified opposite that zone in Column 2 or 3 of that Table.

## ZONING TABLE

Column 1	Column 2	Column 3
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted without consent</b>	<b>Uses permitted only with consent</b>
<b><u>RESIDENTIAL ZONES</u></b>		
<b><u>Zone R1</u></b>		
Light brown and lettered "R1"	carports detached dwellings sports and recreation	attached dwellings bed and breakfast accommodation caretakers' residences home occupations medical consulting public utility purposes supporting accommodation units for aged persons
<b><u>Zone R2</u></b>		
Light brown and lettered "R2"	carports detached dwellings sports and recreation	attached dwellings bed and breakfast accommodation flats home occupations medical consulting rooms nurseries public utility purposes supporting accommodation units for aged persons
<b><u>Zone R3</u></b>		
Light brown and lettered "R3"	carports detached dwellings sports and recreation	attached dwellings flats guest-houses and hostels home occupations indoor recreation establishments medical clinics medical consulting rooms places of public worship public utility purposes supporting accommodation units for aged persons

## ZONING TABLE

Column 1	Column 2	Column 3
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted without consent</b>	<b>Uses permitted only with consent</b>
<u>Zone R4</u>		
Light brown and lettered "R4"	carports detached dwellings general stores shops taverns	attached dwellings catering businesses child care centres commercial car parking flats guest-houses and hostels home occupations hotels indoor recreation establishments medical clinics medical consulting rooms motels offices places of public worship public utility purposes special purposes sports and recreation supporting accommodation units for aged persons veterinary clinics
<u>Zone R5</u>		
Light brown and lettered "R5"	caravan park purposes carports detached dwellings flora and fauna sanctuaries sports and recreation	attached dwellings catering businesses child care centres flats general stores home occupations indoor recreation establishments medical consulting rooms motels offices outdoor entertainment purposes places of public worship public utility purposes shops taverns

## ZONING TABLE

Column 1	Column 2	Column 3
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted without consent</b>	<b>Uses permitted only with consent</b>
<b><u>BUSINESS ZONE</u></b>		
<b><u>Zone B1</u></b>		
Blue and lettered "B1"	business identification signs caretakers' residences carports catering businesses child care centres home occupations hotels indoor recreation establishments medical clinics offices shops show-rooms taverns	advertising structures bed and breakfast accommodation attached dwellings car repairing commercial car parking flats funeral parlours guest-houses and hostels motels outdoor entertainment purposes passenger terminals places of public worship public utility purposes radio and TV installations service industries service stations special purposes sports and recreation vehicle sales yards veterinary clinics warehouse purposes
<b><u>Zone B2</u></b>		
Light blue and lettered "B2"	business identification signs caretakers' residences carports catering businesses child care centres indoor recreation establishments medical clinics offices shops taverns	advertising structures bed and breakfast accommodation car repairing flats guest house and hostel home occupations hotels outdoor entertainment purposes passenger terminals places of public worship public utility purposes service stations show-rooms sports and recreation supporting accommodation vehicle sales yards veterinary clinics

## ZONING TABLE

Column 1	Column 2	Column 3
Name of zone and manner of indication on zoning map	Uses permitted without consent	Uses permitted only with consent
<u>Zone B3</u>		
Light blue and lettered "B3"	business identification signs caretakers' residences carports catering businesses indoor recreation establishments medical clinics passenger terminals service stations show-rooms vehicle sales yards	bed and breakfast accommodation child care centres commercial car parking funeral parlours home occupations hotels nurseries offices outdoor entertainment purposes places of public worship public utility purposes radio and TV installations service industries shops special purposes sports and recreation transport terminals veterinary clinics warehouse purposes wholesale markets

## ZONING TABLE

Column 1	Column 2	Column 3
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted without consent</b>	<b>Uses permitted only with consent</b>
<u>Zone B4</u>		
Light blue and lettered "B4"	business identification signs caretakers' residences carports catering businesses child care centres funeral parlours indoor recreation establishments medical clinics motels places of public worship service industries show-rooms taverns warehouse purposes wholesale markets	advertising structures attached dwellings bed and breakfast accommodation car repairing commercial car parking detached dwellings educational establishments flats guest-houses and hostels home occupations hostels medical consulting rooms nurseries offices outdoor entertainment purposes passenger terminals public utility purposes radio and TV installations research centres service stations shops special purposes sports and recreation supporting accommodation units for aged persons vehicle sales yards veterinary clinics

## ZONING TABLE

Column 1	Column 2	Column 3
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted without consent</b>	<b>Uses permitted only with consent</b>
<u>Zone B5</u>		
Light blue and lettered "B5"	business identification signs caretakers' residences carports catering businesses detached dwellings general stores hotels motels shops taverns	advertising structures attached dwellings bed and breakfast accommodation child care centres flats guest-houses and hostels home occupations indoor recreation establishments medical consulting rooms offices outdoor entertainment purposes passenger terminals public utility purposes special purposes sports and recreation units for aged persons
<u>INDUSTRIAL ZONE</u>		
<u>Zone I1</u>		
(Light and Service Industry) Purple and lettered "I1"	car repairing caretakers' residences light industries service industries veterinary clinics warehouse purposes wholesale markets	advertising structures catering businesses child care centres commercial car parking funeral parlours guest-houses and hostels hotels indoor recreation establishments medical clinics nurseries offices outdoor entertainment purposes passenger terminals public utility purposes research centres shops show-rooms special purposes sports and recreation taverns transport terminals vehicle sales yards

## ZONING TABLE

Column 1	Column 2	Column 3
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted without consent</b>	<b>Uses permitted only with consent</b>
<b><u>Zone I2</u></b>		
(General Industry) Purple and lettered "I2"	car repairing caretakers' residences general industries light industries service industries service stations transport terminals vehicle sales yards warehouse purposes	advertising structures catering businesses child care centres commercial car parking fuel depots funeral parlours indoor recreation establishments junk yards lot feeding medical clinics offices outdoor entertainment purposes passenger terminals public utility purposes research centres saw mills shops show-rooms special purposes sports and recreation stock and sales yards taverns veterinary clinics wholesale markets
<b><u>Zone I3</u></b>		
(Offensive or Hazardous Industry) Purple and lettered "I3"	agriculture caretakers' residences forestry fuel depots	advertising structures flora and fauna sanctuaries heliport and helicopter workshop offensive or hazardous industries public utility purposes research centres sports and recreation stock and sales yards transport terminals warehouse purposes



## ZONING TABLE

Column 1	Column 2	Column 3
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted without consent</b>	<b>Uses permitted only with consent</b>
<u>Zone I4</u>		
(Extractive Industry) Purple and lettered "I4"	agriculture caretakers' residences forestry	advertising structures catering businesses extractive industries flora and fauna sanctuaries fuel depots junk yards lot feeding public utility purposes sawmills sports and recreation transport terminals
<u>OPEN SPACE ZONES</u>		
<u>Zone O1</u>		
Green and lettered "O1"	flora and fauna sanctuaries sports and recreation	caretakers' residences catering businesses forestry home occupations indoor recreation establishments outdoor entertainment purposes
<u>Zone O2</u>		
Green and lettered "O2"	advertising structures carports catering businesses flora and fauna sanctuaries indoor recreation establishments outdoor entertainment purposes sports and recreation	caretakers' residences child care centres commercial car parking home occupations public utility purposes radio and TV installations shops special purposes stables taverns
<u>Zone O3</u>		
Green and lettered "O3"	flora and fauna sanctuaries	caretakers' residences home occupations radio and TV installations sports and recreation

## ZONING TABLE

Column 1	Column 2	Column 3
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted without consent</b>	<b>Uses permitted only with consent</b>
<b><u>SPECIAL PURPOSES ZONES</u></b>		
<b><u>Zone S1</u></b>		
Yellow and lettered "S1"	caretakers' residences carports child care centres community centres educational establishments funeral parlours hospitals institutional establishments places of public worship radio and TV installations research centres special purposes	catering businesses commercial car parking forestry guest-houses and hostels home occupations indoor recreation establishments medical clinics outdoor entertainment purposes passenger terminals public utility purposes sports and recreation supporting accommodation units for aged persons veterinary clinics
<b><u>Zone S2</u></b>		
Yellow and lettered "S2"	caretakers' residences child care centres detached dwellings flora and fauna sanctuaries medical consulting rooms private camping purposes shops sports and recreation	agriculture attached dwellings car repairing catering businesses educational establishments flats forestry guest-houses and hostels home occupations indoor recreation establishments medical clinics motels nurseries offices outdoor entertainment purposes places of public worship pounds rural industries services industries special purposes supporting accommodation taverns units for aged persons veterinary clinics

## ZONING TABLE

Column 1	Column 2	Column 3
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted without consent</b>	<b>Uses permitted only with consent</b>
<b><u>FUTURE USES ZONE</u></b>		
<b><u>Zone FU</u></b>		
Orange and lettered "FU"		agriculture caretakers' residences detached dwellings flora and fauna sanctuaries forestry home occupations sports and recreation
<b><u>RURAL ZONES</u></b>		
<b><u>Zone RA</u></b>		
Olive and lettered "RA"	agriculture detached dwellings flora and fauna sanctuaries lot feeding sports and recreation	bed and breakfast accommodation caretakers' residences home occupations kennels medical consulting rooms nurseries piggeries poultry farming pounds public utility purposes radio and TV installations retail agricultural stalls rural industries stables stock and sale yards supporting accommodation veterinary clinics

## ZONING TABLE

Column 1	Column 2	Column 3
<b>Name of zone and manner of indication on zoning map</b>	<b>Uses permitted without consent</b>	<b>Uses permitted only with consent</b>
<u>Zone RB</u>		
Olive and lettered "RB"	agriculture detached dwellings flora and fauna sanctuaries sports and recreation	bed and breakfast accommodation caretakers' residences forestry home occupations kennels lot feeding medical consulting rooms nurseries piggeries poultry farming pounds public utility purposes radio and TV installations retail agricultural stalls rural industries stables supporting accommodation veterinary clinics
<u>SPECIFIC PLANNING INSTRUMENT ZONE</u>		
<u>Zone Sp.PI</u>		
Red and lettered "Sp.PI"	As determined by the specific planning instrument	As determined by the specific planning instrument

## 7. EXCEPTIONS

- (1) Nothing in this planning instrument prevents the use of any land -
  - (a) as a public street; or
  - (b) as a public park.
- (2) Nothing in this planning instrument prevents the construction, alteration, repair or maintenance of -
  - (a) facilities for the reticulation of water, sewage, gas or electricity or the reticulation or transmission of telecommunication services other than, subject to clause 7A, towers, aerials or masts for mobile telephone telecommunications;
  - (b) installations for the measuring of flood or water levels;
  - (c) stormwater drains;
  - (d) roads and traffic lights; or
  - (e) works for road or bridge construction.
- (3) Nothing in this planning instrument prevents or applies to the strengthening or restoration to a safe condition of any **building** or work.

### 7A. MOBILE TELEPHONE TELECOMMUNICATIONS TOWERS, &c.

Notwithstanding anything to the contrary in this planning instrument, towers, aerials or masts for the purpose of mobile telephone telecommunications may be developed only with the consent of the Authority.

## DIVISION 2 - RESIDENTIAL USES

### 8. ANCILLARY DEVELOPMENT - ZONE R5

A person shall not erect or use a **building** as a **catering business, child care centre** or **motel** on land within Zone R5 unless the use of the **building** for that purpose is ancillary and subsidiary to the lawful use of the land for another purpose.

### 9. ATTACHED DWELLINGS - GARDEN AREA

A person shall not erect or use a **building** as **attached dwellings** unless there is provided in respect of each **dwelling** an unobstructed private open area.

### 10. ATTACHED DWELLINGS - ZONE R1

A person shall not erect or use a **building** as an attached **dwelling** on land within Zone R1 if the **building** contains more than 2 **dwellings** or if the **building** contains more than 2 **storeys** above ground level.

### 11. DETACHED DWELLINGS - ZONES FU, RA AND RB

A person shall not erect or use a **building** as a **detached dwelling** on any land within Zone FU, RA or RB the area of which is not less than 4 hectares if the number of **detached dwellings** on that land exceeds 2.

### 12. CELLARS, &c.

A person shall not use the basement or cellar of a **building** as a **dwelling** or **rooming unit**.

### 13. CARAVANS, &c.

(1) Subject to subclause (2), a person shall not use a **caravan** or tent as a **dwelling** or **rooming unit** except on land which may, under this planning instrument, be used for **caravan park purposes**.

(2) Subclause (1) does not prevent the use of one **caravan** or tent as a **dwelling** or **rooming unit** by the owner of a **site** and his immediate family.

### 14. RESIDENTIAL USES - ZONE R5

(1) A person shall not erect or use a **building** for residential purposes on land within Zone R5 unless the use of the **building** is -

(a) for **caravan park purposes**; or

(b) for the purpose of accommodating persons who are employed in connection with **caravan park purposes** carried out on the land.

### DIVISION 3 - INDUSTRIAL AND BUSINESS USES

#### 15. SHOW-ROOMS - ZONE I1

A person shall not erect or use a **building** as a **show-room** on land within Zone I1 if that land is less than 400 metres distant from any land within Zone B4.

#### 16. WAREHOUSES - ZONE B3

A person shall not erect or use a **building** for **warehouse purposes** on land within Zone B3 -

- (a) if the **floor area** so used exceeds 40% of the **floor area** of the **building**; and
- (b) unless the use of the **building** for that purpose is ancillary and subsidiary to the lawful use of the **site** for some other purpose.

#### 17. OFFICES

A person shall not erect or use a **building** as an **office** on land -

- (a) within Zones R4, R5, I3 or I4 - unless the use of the **building** as an **office** is ancillary and subsidiary to the lawful use of the **site** for some other purpose; or
- (b) within Zone B5 -
  - (i) unless the use of the **building** as an **office** is ancillary and subsidiary to the lawful use of the **building** for the purpose of accommodating guests in a **hotel** or **motel**; and
  - (ii) if the **floor area** so used exceeds 20% of the **floor area** of the **building**.

#### 18. GENERAL STORES - FLOOR AREA

A person shall not erect or use a **building** as a **general store** if the **floor area** of that part of the **building** so used exceeds 100 square metres.

#### 19. GENERAL STORES - RESIDENTIAL ZONES

A person shall not erect or use a **building** as a **general store** on land within Zone R1, R2 or R3 if that land is less than 400 metres distant from any land within Zone B1 or B2.

#### 20. SHOPS

A person shall not erect or use a **building** as a **shop** on land -

- (a) within Zone R3 - unless the **shop** is situated only on the ground floor level of the **building**;
- (b) within Zone R4 - if the **floor area** so used exceeds 40% of the **floor area** of the **building**;
- (c) within Zone R5 - unless the use of the **building** as a **shop** is ancillary and subsidiary to the lawful use of the **site** for another purpose;

- (d) within Zone B5 -
  - (i) unless the use of the **building** as a **shop** is ancillary and subsidiary to the lawful use of the **site** for another purpose; and
  - (ii) if the **floor area** so used exceeds 20% of the **floor area** of the **building**;
- (e) within Zone I2 -
  - (i) if the **floor area** of the **shop** exceeds 300 square metres; or
  - (ii) if the **site** is less than 400 metres distant from any land within Zone B1 or B2; and
- (f) within Zone O2 -
  - (i) if the **floor area** of the **shop** exceeds 500 square metres;
  - (ii) if the **site** is less than 400 metres distant from any land within Zones B1, B2 or B3; or
  - (iii) unless the use of the **building** is ancillary and subsidiary to the use of the **site** for the provision of tourist facilities.



## DIVISION 4 - VARIOUS USES

### 21. SHORT TERM CONSENTS

- (1) Subject to this clause, a person may use or develop land within -
  - (a) Zone 01 - for **outdoor entertainment purposes** or as **indoor recreation establishments**; or
  - (b) any zone - for a purpose specified opposite that zone in Column 3 of the **Zoning Table**,

with the consent of the consent authority.

- (2) The consent authority may impose on a consent granted under subclause (1) such conditions as it thinks fit.
- (3) A consent granted under subclause (1) lapses at the expiration of 4 weeks from the date of the consent or such other date as is specified in the instrument granting consent.

### 22. LANDSCAPING

- (1) A person shall not develop or use land for a **parking area**, a **caravan** park in Zone R5, an **industry** or **junk yard** unless -
  - (a) he has submitted a landscaping plan in respect of that **parking area**, **caravan** park in Zone R5, **industry** or **junk yard** to the consent authority; and
  - (b) the consent authority has approved that plan.
- (2) A person shall not use land for a **parking area**, a **caravan** park in Zone R5, an **industry** or **junk yard** unless the land is landscaped, and that landscaping is maintained in accordance with a plan approved under subclause (1).

### 23. LOADING AND UNLOADING AREAS

- (1) A person shall not develop or use land for a loading or unloading area or a **set-down area** unless -
  - (a) he has submitted a plan of that area to the consent authority; and
  - (b) the consent authority has approved that plan.
- (2) A person shall not use land for a loading, unloading or **set-down area** unless the area is constructed and used in accordance with a plan approved under subclause (1).

### 24. PARKING AREAS

A **parking area** shall not be located more than 100 metres distant from the **site** in respect of which it is provided.

## 25. LAND SUBJECT TO INUNDATION

- (1) Subject to subclause (2), a person shall not use or develop any land to which this planning instrument applies if that land is subject to inundation at the calculated flood level for a one in 100 year flood, except with the consent of the consent authority.
- (2) A person is not required to obtain consent to use or develop land referred to in subclause (1) if –
  - the use or development is for the use or erection of a Class 10 building or structure (including an extension to an existing **detached dwelling**);
  - the use or erection of the Class 10 building or structure does not change the use of the land or increase the intensity of that use; and
  - consent to the use or erection of the Class 10 building or structure is not required by any other provision of this planning instrument.
- (3) A reference in subclause (2) to a Class 10 building or structure is a reference to a Class 10 building or structure within the meaning of the Building Code of Australia (including a non-habitable **building** such as a private garage, **carport** or shed and a structure such as a fence, antenna or retaining wall)

## 26. BUILDINGS MORE THAN 2 STOREYS HIGH

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

### 26A. BED AND BREAKFAST ACCOMMODATION

With the consent of the Authority, a **dwelling** in Zone B1, B2, B3, B4, B5, R1, R2, RA or RB may be used for **bed and breakfast accommodation** if -

- (a) the use does not detract from the amenity of the locality in which the use is established;
- (b) not more than 5 travellers are accommodated in the **dwelling** at any one time;
- (c) **car parking spaces** are provided on **site**; and
- (d) no sign is displayed, other than a **business identification sign** that is not more than 0.3 square metres in area and that displays the name of the resident and that **bed and breakfast accommodation** is available.

## DIVISION 5 - ROADS

### 27. USE, &c., OF ROADS

Subject to this Division, land proposed to be used as a road shall not be used or developed for a purpose other than a road.

### 28. CONSENT TO USE OF ROADS

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

as it thinks fit.

## DIVISION 6 - RESTRICTIONS ON USE OF ZONE RB

### 28A. RESTRICTIONS ON USE OF ZONE RB

A person shall not use land within zone RB for -

- (a) **agriculture**, where there is grazing of buffaloes, camels, goats, horses, sheep or pigs; or
- (b) **stables**,

as a commercial enterprise.

## PART III - DEVELOPMENT CODES

### DIVISION 1 - WATERFRONT DEVELOPMENT

#### 29. APPLICATION

This Division applies to and in relation to land which -

- (a) has a frontage to; or
- (b) contains,

the bank of any river, lagoon, lake or creek.

#### 30. BUILDING LINE

Subject to clause 31, a person shall not erect or use any **building** or structure within 30 metres of the bank of any river, lagoon, lake or creek.

#### 31. CERTAIN USES ALLOWABLE

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

## DIVISION 2 - PARKING

### 32. DEFINITIONS

In this Division -

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

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

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

### 33. SIZE OF PARKING SPACE

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

### 34. PARKING PROVISION

- (1) Except with the consent of the consent authority, a person shall not use or develop land for a use or development specified in Column 1 of the Table to this clause unless provision is made on the land for **car parking spaces**, being no fewer in number than the number calculated in accordance with the formula specified opposite the use or development in Column 2.
- (2) Where the consent authority is satisfied that fewer **car parking spaces** are required than the number otherwise calculated in accordance with subclause (1), after having regard to -
  - (a) the provision of **car parking spaces** in the vicinity of the land;
  - (b) the availability of public transport in the vicinity of the land; and
  - (c) the zoning of the land, the use or development or proposed use or development of the land and possible future use or development of the land,

the consent authority may grant consent to the use or development or proposed use or development of the land after making provision for such number of **car parking spaces** (or for no **car parking spaces**) as may be specified by the consent authority.

- (3) The consent authority may grant consent under subclause (2) subject to a condition requiring the payment of a monetary contribution to the municipality within which the land is situated, in accordance with section 65A of the Planning Act and the Regulations, in lieu of the provision of **car parking spaces**.
- (4) Where a calculation made pursuant to subclause (1) results in a number which is not a whole number, the number of **car parking spaces** required shall be the next highest whole number.

- (5) Where there is a use of land referred to in the **Zoning Table** in clause 6 for which no provision is made in respect of **car parking spaces** in the Table to the clause, the **car parking spaces** required for that use of land shall be as determined by the consent authority.

TABLE  
PARKING REQUIREMENTS

Column 1	Column 2
<b>Manner of use or development</b>	<b>Minimum number of car parking spaces required</b>
1. For attached dwellings	for each dwelling - (a) in a cul-de-sac - 2 (b) which is adjacent to a carriageway which has a width of less than 8 metres - 2 <u>or</u> (c) in any other case - 1.5 <u>plus</u> for each development of - (a) 10, but not more than 19 dwellings - 1 additional space (b) 20, but not more than 29 dwellings - 2 additional spaces
2. For car repairing purposes	for each 25 square metres of floor area used as a work-shop - 1
3. For caravan park purposes	for each site, cabin or accommodation unit - 1.1
4. For a caretaker's residence	1 space
5. For a catering business	for each 10 square metres of floor area - 1
6. For a child care centre	for each employee - 1 <u>plus</u> 2 spaces
7. For a detached dwelling	1 space

Column 1	Column 2
<b>Manner of use or development</b>	<b>Minimum number of car parking spaces required</b>
8. For a drive-in take-away food outlet	if the site has a frontage to a main road - 30 <u>or</u> in any other case - 15 <u>or</u> for each 10 square metres of floor area - 1  whichever standard results in the greater number of spaces
9. For an educational establishment	
(a) primary or secondary school	for each 2 employees - 1
(b) tertiary educational establishment	for each 2 employees - 1 <u>plus</u> for each 6 students - 1
10. For an extractive industry	see "general industry"
11. For flats	for each 1 or 2 bedroom dwelling - 1.25 <u>plus</u> for each 3 bedroom dwelling - 1.5
12. For a general industry	for each 100 square metres of floor area used for industry - 1 <u>plus</u> for each 25 square metres of floor area used for office purposes - 1 <u>plus</u> where the area of site used as open storage area -  (a) does not exceed 500 square metres - 1  (b) exceeds 500 square metres but does not exceed 1,000 square metres - 2  (c) exceeds 1,000 square metres but does not exceed 1,500 square metres - 3  (d) exceeds 1,500 square metres but does not exceed 2,000 square metres - 4  (e) exceeds 2,000 square metres - 4 plus 1 space for each 2,000 square metres of site so used in excess of 2,000 square metres
13. For a general store	4 spaces



Column 1	Column 2
Manner of use or development	Minimum number of car parking spaces required
14. <b>Repealed by amendment No. 139</b>	
15. For guest-houses and hostels	for each rooming unit - 1
16. For a hospital	for each 4 patient beds - 1 <u>plus</u> for each 4 employees - 1
17. For a hotel	for each 2 guest suites or bedrooms - 1 <u>plus</u> for each 6 square metres of floor area used as a lounge bar or beer garden - 1 <u>plus</u> for each 2 square metres of floor area used as a bar - 1
18. For an indoor recreation establishment	for each 10 square metres of floor area - 1
19. For an institutional establishment	for each employee - 1 <u>plus</u> for each 100 square metres of floor area - 1
20. For a junk yard	for each 100 square metres of floor area (floor area used as an office excepted) - 1 <u>plus</u> for each 25 square metres of floor area used as an office - 1 <u>plus</u> in respect of the first 1,000 square metres of the site used as open storage - 1 for each 25 square metres of the site so used <u>plus</u> in respect of any other part of the site so used - 1 for each 1,000 square metres of the site so used
21. For kennels	for each employee - 1 <u>plus</u> 4 spaces

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

Column 1	Column 2
<b>Manner of use or development</b>	<b>Minimum number of car parking spaces required</b>
26. For a nursery	for each 50 square metres of floor area of any building - 1 <u>plus</u> where the area of site used as open area -  (a) does not exceed 250 square metres - 1  (b) exceeds 250 square metres but does not exceed 500 square metres - 2  (c) exceeds 500 square metres but does not exceed 750 square metres - 3  (d) exceeds 750 square metres but does not exceed 1,000 square metres - 4  (e) exceeds 1,000 square metres - 4 plus 1 for each 2,000 square metres or part thereof so used in excess of 1,000 square metres
27. For an offensive or hazardous industry	see "general industry"
28. For an office (except where elsewhere referred to in this Table)	on land within Zone B1 - for each 100 square metres of floor area -3 <u>or</u> in any other zone - for each 100 square metres of floor area - 4
29. For a passenger terminal	for each 20 square metres floor area - 1
30. For a place of public worship	for each 20 square metres floor area - 1
31. For private camping purposes	for each site - 1.1.
32. For a service industry	for each 50 square metres of floor area used for industrial purposes - 1 <u>plus</u> for each 25 square metres of floor area used as an office - 1
33. For a service station	10 spaces <u>or</u> for each 50 square metres of floor area - 1  whichever standard results in the greater number of spaces
34. For a shop	for each 20 square metres of floor area - 1

Column 1	Column 2
<b>Manner of use or development</b>	<b>Minimum number of car parking spaces required</b>
35. For a show-room	for each 25 square metres of floor area used as a show-room - 1 <u>plus</u> for each 25 square metres of floor area used as an office - 1 <u>plus</u> for each 200 square metres of floor area used for open display and sale purposes - 1
36. For special purposes	for each 20 square metres of floor area used as a chapel - 5  for each 100 square metres used for court of justice purposes or radio and TV installations - 2.5  for each 100 square metres of floor area used for an ambulance or fire station - 2.5
37. For a stable	10 spaces <u>plus</u> for each employee - 1
38. For stock and sale yards	20 spaces
38A. For supporting accommodation	4
39. For a tavern	for each 10 square metres of floor area used as a lounge bar - 1 <u>plus</u> for each 5 square metres of floor area used as a bar - 1
40. For a transport terminal	for each 100 square metres of floor area used as a transport terminal - 1 <u>or</u> so many car parking spaces as can be accommodated on 25% of the site  whichever standard results in the greater number of spaces
41. For units for aged persons	for each 2 units - 1 <u>plus</u> for each 10 units - 1
42. For a vehicle sales yards	10 spaces
43. For a veterinary clinic	for each practice - 3 <u>plus</u> for each 2 employees - 1

Column 1	Column 2
Manner of use or development	Minimum number of car parking spaces required
44. For warehouse purposes	<p>for each 100 square metres of floor area used as a warehouse - 1  <u>plus</u>  for each 25 square metres of floor area used as an office - 1  <u>plus</u>  where the area of site used as open storage area -</p> <p>(a) does not exceed 500 square metres - 1</p> <p>(b) exceeds 500 square metres but does not exceed 1,000 square metres - 2</p> <p>(c) exceeds 1,000 square metres but does not exceed 1,500 square metres - 3</p> <p>(d) exceeds 1,500 square metres but does not exceed 2,000 square metres - 4</p> <p>(e) exceeds 2,000 square metres - 4 plus 1 space for each 2,000 square metres of site so used in excess of 2,000 square metres</p>
45. For a wholesale market	<p>for each 100 square metres of floor area used as a wholesale market - 1  <u>plus</u>  for each 25 square metres of floor area used as an office – 1  <u>plus</u>  where the area of site used as open storage area -</p> <p>(a) does not exceed 500 square metres - 1</p> <p>(b) exceeds 500 square metres but does not exceed 1,000 square metres - 2</p> <p>(c) exceeds 1,000 square metres but does not exceed 1,500 square metres - 3</p> <p>(d) exceeds 1,500 square metres but does not exceed 2,000 square metres -4</p> <p>(e) exceeds 2,000 square metres - 4 plus 1 space for each 2,000 square metres of site so used in excess of 2,000 square metres</p>

### 35. **PARKING AREAS**

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

### 36. **SCREENING OF PARKING AREAS**

- (1) Where a **parking area** is provided on land within Zones R1, R2, R3, R4 or R5 which is used for **attached dwellings, flats**, guest-houses and hostels or **supporting accommodation**, the **parking area** shall not be located between the **building** and the road boundary unless it is adequately screened from public view.
- (2) For the purposes of subclause (1), a **parking area** is adequately screened from public view if, at the boundary between the **parking area** and each public road -
  - (a) there is erected a wall not less than 1.5 metres high; or
  - (b) there is planted suitable vegetation which -
    - (i) when planted is not less than one metre high; and
    - (ii) will, after 4 years, be not less than 2 metres high,along the whole of that boundary (driveways excepted).

### DIVISION 3 - LOADING AND UNLOADING SPACES AND SET-DOWN AREAS

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

Subject to clause 38(2), a loading or unloading space required under this Division shall be -

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

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

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

for each 2,000 square metres of **floor area** of the **building** up to a **floor area** of 10,000 square metres - 1 space

plus

for each 5,000 square metres of **floor area** in excess of 10,000 square metres - 1 space.

- (2) A person shall not use or develop land for the purpose of a stock and sales yard unless there is provided on the land a **loading and unloading space** not less than 50 metres wide and not less than 100 metres long.

#### 39. **SET-DOWN AREAS**

A person shall not erect or use a **building** or land for **catering businesses, child care centres, educational establishments, hospitals, hotels, indoor recreation establishments, institutional establishments, medical clinics, outdoor entertainment purposes, passenger terminals**, places of public worship, **units for aged persons** or **veterinary clinics** unless a **set-down area**, designed and adapted for the picking up and setting down of passengers, is provided on the land or on land not being a public road adjoining that land.

## DIVISION 4 - RESIDENTIAL DEVELOPMENT

### 40. LOT SIZE - RESIDENTIAL ZONES

Subject to this instrument, a person shall not use or develop land so that a lot is created which is smaller in area than, in respect of land within -

- (a) Zone RA, 8 hectares;
- (b) Zone RB, 2 hectares;
- (c) Zone R1, 800 square metres; and
- (d) Zone R2, R3 or R4, 600 square metres.

### 41. MOTELS

A person shall not erect or use a **building** as a **motel** on land within Zones R4, B1, B4 or B5 if -

- (a) the area of the land is less than 2,000 square metres; or
- (b) the land has a frontage of less than 55 metres to a road.

### 42. GUEST-HOUSES, &c.

A person shall not erect or use a **building** as a **guest-house and hostels** or a **motel** if the number of **rooming units** contained therein exceeds the number calculated by dividing the area of the **site** (expressed in square metres) by 100.

### 43. UNSEWERED AREAS

A person shall not erect or use a **building** as an attached **dwelling**, guest-house, hostel, **flats** or **motel** on land which is unsewered if the roofed area of the **building** exceeds 25% of the area of the land.



## DIVISION 5 - BUSINESS ZONES

### 44. DETACHED DWELLINGS IN ZONE B4

- (1) A person shall not erect or use a **building** as a **detached dwelling** on land in Zone B4 unless the land -
- (a) has an area of not less than 600 square metres;
  - (b) is not less than 15 metres wide at the front alignment of the **building**; and
  - (c) if it is a hatchet-shaped allotment and has an access corridor - that corridor is not less than 3.5 metres wide at any point.
- (2) For the purposes of subclause (1)(a), the area of the access corridor to a hatchet-shaped **site** shall be disregarded.

### 45. HOTELS IN CERTAIN ZONES

A person shall not erect or use a **building** as a **hotel** on land within Zones R4, B1, B2, B3, B4 or B5 unless the **site** has -

- (a) an area of not less than 6,000 square metres; and
- (b) a frontage of not less than 55 metres to a public road.

### 46. TAVERNS

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

### 47. OFFICES

A person shall not erect or use a **building** as an **office** on land within Zones B2, B3 or B4 if the **floor area** used or to be used as an **office** exceeds 300 square metres.

### 48. PLOT RATIOS

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

TABLE  
PLOT RATIOS - BUSINESS ZONES

Column 1	Column 2
Zone	Plot ratio
B1	2
B2 or B3	1
B4	1.5
B5	2

### DIVISION 6 - SPECIFIC USES

#### 49. CARAVAN PARKS IN ZONE R5

A person shall not develop or use land within Zone R5 for **caravan park purposes** if the **site** has -

- (a) an area of less than 1.5 hectares; or
- (b) a frontage of less than 120 metres to a public road.

#### 49A. CARAVAN SITES

- (1) For the purposes of this clause '**caravan site**' means a space set aside or designated for -
  - (a) the parking or standing of a mobile home or **caravan**; or
  - (b) the erection of a tent or similar structure.
- (2) A **caravan site** in a **caravan** park in Zone R5 shall not be -
  - (a) smaller than 90 square metres;
  - (b) closer than 7.5 metres to a road or closer than 5 metres to any other boundary;
  - (c) closer than 12 metres to a kitchen, fireplace or incinerator; or
  - (d) further than 65 metres from ablution facilities.

- (3) Washing and ablution facilities shall be provided in accordance with the following table -

TABLE  
WASHING AND ABLUTION FACILITIES

Column 1	Column 2	Column 3	Column 4	Column 5
No. of sites	No. of male water closets	No. of female water closets	No. of showers for each sex	No. of hand basins for each sex
Less than 6	1	1	1	1
7 - 12	2	2	2	2
13 - 20	3	3	3	3
for each additional 10 or part thereof	1	1	1	1

#### 49B. DEMOUNTABLE STRUCTURES

- (1) For the purpose of this clause 'demountable structure' means a **building** which is -
- (a) wholly or substantially prefabricated; and
  - (b) designed to be transported to and from a **site**,

but does not include a **caravan**.

- (2) Notwithstanding any other provision of this planning instrument but subject to subclause 3, a person shall not, except with the consent of the consent authority, place or permit to be placed a demountable structure upon land within any zone.
- (3) Subclause (1) is not applicable to the use of demountable structures situated on school grounds and used for educational and ancillary purposes by the Northern Territory Department of Education.

#### 50. DRIVE-IN TAKE-AWAY FOOD OUTLETS

A person shall not erect or use a **building** as a drive-in take-away food outlet on any land within a zone other than Zone B1 unless -

- (a) the area of the **site** is not less than 1,000 square metres;
- (b) if the **site** has a frontage to a **main road** - the frontage to that road is not less than 30 metres;

- (c) if the **site** does not have a frontage to a **main road** - the frontage to the road is not less than 25 metres;
- (d) any vehicular crossing over a footpath is not -
  - (i) less than 6 metres wide;
  - (ii) closer than 9 metres to another vehicular crossing; or
  - (iii) closer than 15 metres to a road intersection;
- (e) the number of advertisements displayed on the **site** (but outside the **shop**) does not exceed 2; and
- (f) each **car parking space** is not less than 7.5 metres distant from the road boundary.

#### 51. **DRIVE-IN THEATRES**

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

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

#### 52. **HOME OCCUPATIONS**

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

- (a) unless the only persons employed by him in the carrying on of the **home occupation** are members of his immediate family;
- (b) if the **floor area** so used exceeds 30 square metres or, in the case of land zoned RA and RB, 150 square metres;
- (c) if the carrying on of the **home occupation** -
  - (i) causes interference with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
  - (ii) requires the provision of any public utility service of a greater capacity than that available in the locality;
- (d) if any advertisement or **business identification sign** displaying more than the name and occupation of the resident of the **dwelling** or more than 0.3 square metres in area is displayed on the **dwelling** or, in the case of land zoned RA and RB, 1.0 square metre; or
- (e) if goods are displayed for sale in such a manner as to be identifiable from a public road.

### 53. SERVICE STATIONS AND CAR REPAIRING

- (1) A person shall not use land as a **service station** or for **car repairing** unless -
  - (a) the **site** is more than 90 metres from the junction or intersection of a **main road** with another **main road**;
  - (b) the **site** has a frontage of not less than 40 metres to a public road;
  - (c) any vehicular crossing over a footpath is not -
    - (i) more than 9 metres wide;
    - (ii) closer than 6 metres to another vehicular crossing; and
    - (iii) closer than 15 metres to a road intersection;
  - (d) separate entrances to and exits from the **site** are provided and those entrances and exits are separated by physical barriers constructed on the road alignment and so identified by suitable signs readily visible to persons using the adjoining road or entering or leaving the **site**; and
  - (e) vehicles being temporarily stored pending repairs are screened from view from any road or from land used for residential purposes.
- (2) A person shall not use land, or erect or use a **building**, for a **service station** or for **car repairing** unless -
  - (a) inlets to bulk fuel storage tanks are so situated as to ensure that tankers, while discharging fuel into those tanks, shall stand wholly within the **site**; and
  - (b) fuel pumps are within the **site** and not closer than 3 metres to the road alignment.

### 54. SHOPS IN ZONE S2

A person shall not erect or use a **shop** on land within Zone S2 if the **floor area** of the **shop** exceeds 300 square metres.

## DIVISION 7 - INDUSTRY

### 55. APPLICATION

This Division applies to land within Zones I1, I2, I3 or I4.

### 56. INDUSTRIAL ZONES - SITE REQUIREMENTS

A person shall not use or develop land to which this Division applies unless the **site** -

- (a) has an area of not less than 1,250 square metres;
- (b) has a frontage of not less than 35 metres to a public road; and
- (c) is not less than 35 metres deep.

### 57. SITE COVERAGE

**Site coverage** for **buildings** on land to which this Division applies shall not exceed 60%.

### 58. SETBACKS

A person shall not erect or use a **building** on land to which this Division applies if the distance between the **building** and the nearest alignment of a road is less than 6 metres.

### 59. FLOOR AREA REQUIREMENTS

- (1) Subject to this instrument, a person shall not use or develop land to which this Division applies for a purpose ancillary to **industry** if the amount of **floor area** so used exceeds 40% of the **floor area** of the **building**.
- (2) Where the land to which this Division applies is used for open storage or industrial purposes not within a **building**, the **floor area** used for a purpose ancillary to the open storage or **industry** shall not exceed 10% of the land area.

### 60. PLOT RATIOS

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

TABLE  
PLOT RATIOS - INDUSTRIAL ZONES

Column 1	Column 2
Zone	Plot ratio
I1 I2, I3 or I4	1.25 1

**61. LIGHT INDUSTRIAL AND SERVICE INDUSTRIES USES**

A person shall not use or develop land for a **light industry, service industry** or **general industry** purpose if the use of the land for that purpose -

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

**62. OFFICES IN INDUSTRIAL ZONES**

A person shall not erect or use a **building** as an **office** on land within Zones I1 or I2 if the **floor area** so used exceeds -

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

**63. SHOW-ROOMS - ANCILLARY**

A person shall not erect or use a **building** or use a place as a **show-room** -

- (a) unless that use of the **building** or place is ancillary and subsidiary to the lawful use of the **building** or place for another purpose; or
- (b) if the total area so used exceeds the sum of 20% of the **floor area** of the **building** and 20% of the area of the **site** not covered by **buildings**.

## DIVISION 8 - RURAL LIVING

### 64. APPLICATION - ZONES RA AND RB

This Division applies to land within Zones RA and RB which has a **site** area of less than 40 hectares.

### 65. CONSENT USES

A person shall not, on land to which this Division applies -

- (a) alter the levels of the land; or
- (b) erect more than one **detached dwelling**,

except with the consent of the consent authority.



## DIVISION 9 - SETBACKS

### 66. INTERPRETATION

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

"**building**" means **attached dwellings** or **flats**;

"**main street**", in relation to a **site** which is located -

(a) at the intersection of 2 or more streets; or

(b) between 2 streets,

means the street which has the largest flow of traffic;

"**minor street**", in relation to a **site** which is located -

(a) at the intersection of 2 or more streets; or

(b) between 2 streets,

means a street other than the **main street**;

"**site boundary**", in relation to a **site**, means a boundary of the **site** which does not adjoin a street;

"**site**" means -

(a) in the case of land other than land in respect of which there is title under the Unit Titles Act, subject to subclause (2) - a piece or parcel of land that is or, in the case of Crown land, could be the subject of a single title under the Real Property Act; and

(b) in the case of land in respect of which there is title under the Unit Titles Act, subject to subclause (2) - all of the land contained in the relevant units title plan;

"**street**" means a public **street** within the meaning of the Traffic Act, and includes a footpath within the meaning of that Act;

"**window**" includes a roof light, glass panel, glass louvre, glazed sash and other device capable of transmitting natural light directly from the exterior of a **building** to a habitable room.

(2) Where more than one **building** is located on a **site**, the **site** shall, for the purposes of this Division, be deemed to consist of such number of **sites** as there are **buildings** on that **site**, and the boundaries of such a deemed **site** shall be the lines which are half the average of the distance between the **building** on the deemed **site** and the **buildings** closest to it on all sides.

### 67. BUILDING SETBACKS FROM STREETS

(1) Subject to this clause, a person shall not erect a **building** on a **site** having frontage to a **street** unless the **building** is located not less than 7.5 metres from the street.

- (2) Where a **site** is located at the intersection of 2 or more streets, a person shall not erect a **building** on the **site** unless the **building** is located not less than -
  - (a) 7.5 metres from the **main street**; and
  - (b) 2.5 metres from any **minor street**.
- (3) Where a **site** is located between 2 streets, a person shall not erect a **building** on the **site** unless the **building** is located not less than -
  - (a) 7.5 metres from the **main street**; and
  - (b) 5 metres from the **minor street**.

#### 68. **SETBACKS FROM ADJOINING ALLOTMENTS**

- (1) Subject to this clause, a person shall not erect a **building** on a **site** except where -
    - (a) in the case of a wall of the **building** which has a window or door facing a side boundary of the **site** - the wall is located not less than 3 metres from the side boundary; and
    - (b) in the case of a wall of the **building** which has no windows or doors facing a side boundary of the **site** - the wall is located not less than 1.5 metres from the side boundary.
  - (2) Subject to subclause (3), a person shall not erect on a **site** a **building** which is more than 3 **storeys** in height or more than 18 metres in length unless, in addition to complying with the requirements of subclause (1), the **building** is located -
    - (a) in the case of a **building** which is more than 3 **storeys** in height - an additional 1.5 metres from all boundaries of the **site** for each **storey** or part of a **storey** by which the **building** exceeds 3 **storeys** in height; and
    - (b) in the case of a **building** which is more than 18 metres in length - an additional 0.6 metre from all boundaries of the **site** for each 3 metres or part of 3 metres by which any side of the **building** is more than 18 metres in length.
  - (3) The application of subclause (2) to a **building** on a **site** does not require the **building** to be located more than 10.5 metres from any boundary of the **site**.
-

**TABLE OF AMENDMENTS**  
**KATHERINE TOWN PLAN 1981**

Amendment Number	Date	Gazette Number	Change
1	26.03.82	G12	<p><b>Clause 3 inserts definition of “pound”.</b></p> <p><b>Clause 6 inserts “pound” in Column 3 of zoning table in Zones S2, RA and RB.</b></p> <p>Rezones part Lot 1134 Murphy Street to S1.</p>
2	11.06.82	G23	Rezones Lot 470 Gwendoline Drive from RA to Sp.PI.
3	11.06.82	G23	Rezones part Katherine East from R1 to S1 and B2.
4	13.08.82	G32	Rezones 1.477 hectares of Lot 1141 Giles Street from O1 to R3.
5	17.09.82	G37	Rezones approximately 3.5 hectares of vacant Crown land, Gorge Road from FU to S1
6	25.03.82	G12	<b>Clause 6(2) inserts subclause 2a Restrictions on Use and Development</b>
7	05.11.82	G44	Rezones NT Portion 1784 Zimin Drive from RB to Sp.PI.
8	WITHDRAWN	PA81/534	
9	25.03.83	G12	<b>Omits para (c) from Industry in clause 3.</b>
10	08.04.83	G14	Rezones approximately 2,200 square metres of vacant Crown land adjacent to Lot 1344 from RA to I2.
11	29.07.83	G30	Rezones approximately 64 hectares of vacant Crown land, Chardon Street from I2 to Sp.PI.
12	26.08.83	G34	Rezones part NT Portion 2044 Zimin Drive from RA to I3.
13	26.08.83	G34	Rezones NT Portion 1784 Zimin Drive from Sp.PI to RB.
14	28.10.83	G43	Rezones Lot 530 Victoria Highway from R3 to R2.
15	18.04.84	G15	Rezones part Lot 552 Pearce Street from B2 to R2.
16	18.04.84	G15	Rezones approximately 158 hectares of vacant Crown land on Lot 578 from R1, B2, S1 and O1 to Sp.PI.

## TABLE OF AMENDMENTS

### KATHERINE TOWN PLAN 1981

Amendment Number	Date	Gazette Number	Change
17	11.07.84	G27	Rezones part NT Portion 919 from RA to RB.
18	30.05.84	G21	Rezones approximately 6.8 hectares of vacant Crown land adjoining the west of the Katherine East Industrial Area from RA to I2.
<b>19</b>	<b>25.07.84</b>	<b>G29</b>	<b>Inserts Division 9 "Setbacks".</b>
20	15.08.84		Rezones Lots 448 to 453 (inclusive), Mannion Street from B4 to R2.
21	11.07.84	G39	Allows Research Centre as a use in certain zones.
22	15.08.84	G32	Rezones NT Portions 550, 647, 1531, 1538 and 2139 to 2145 (inclusive) and part NT Portion 2044 from RA to S1.
23	22.08.84	G33	Rezones Lot 145 Victoria Highway from B2 to R2.
24	WITHDRAWN		
25	21.11.84	G46	Rezones Lots 1229 and 1230 Auster Street from B2 to R1.
<b>26</b>	<b>09.10.85</b>	<b>G40</b>	<b>Amends by omission of I5, changes to permitted and consent uses of zones I1, I2, I3 and I4 and changes to various provisions which refer to I5.</b>  Rezones Portions 1833 to 1835 from I1 to I2, Lots 501 and 1474 from I5 to I2, Lots 1125 to 1131 from I1 to I2 and Lots 445, 493 and 494 and part Lot 461 from I3 to S1.
27	03.04.85	G13	Rezones Lots 1940 to 1982 (inclusive) and Lots 1986 to 2003 (inclusive), Frangipanni Court and Acacia Drive and Lots 2006 to 2008 Maluka Road from Sp.PI to R1.  Rezones Lots 1984, 1985, 2004 and 2005 Acacia Drive from Sp.PI to R2.
28	27.03.85	G12	Rezones Lot 2139 from R1 to R5.
29	27.03.85	G12	Rezones part Lot 503 Gorge Road from FU to S1.
30	20.03.85	G11	Rezones NT Portion 2090 bounded by Gorge, Morris and McGann Roads from RA to R5.

## TABLE OF AMENDMENTS

### KATHERINE TOWN PLAN 1981

Amendment Number	Date	Gazette Number	Change
31	24.04.85	G16	Rezones NT Portion 1830 Gorge Road from RA to RB.
<b>32</b>	<b>01.05.85</b>	<b>G17</b>	<b>Amends by including “Community Centres” as a permitted use and “Units for Aged Persons” as a consent use in S1 zone. Defines “Community Centres” and “Community Organisations”.</b>
33	29.05.85	G21	Rezones part Lot 1227 Bicentennial Road from O1 to S2.
34	29.05.85	G21	Rezones approximately 167 hectares of vacant Crown land, Stuart Highway from R1 to Sp.PI.
35	15.05.85	G19	Rezones Lot 1292 Cox Crescent from R1 to R2.
36	25.09.85	G38	Rezones part Lots 1170 and 506 and part of vacant Crown land, Zimin Road from RA to RB.
37	10.07.85	G27	Rezones Lot 1139 Harrod Street from O2 and FU to R3.
38	10.07.85	G27	Rezones part Lot 440 Victoria Highway from R5 to B3.
39	10.07.85	G27	Rezones NT Portion 2306 Emungalan Road from RA to I1.
40	10.07.85	G27	Rezones Lot 362 Mott Street from R1 to R2.
<b>41</b>	<b>18.12.85</b>	<b>g50</b>	<b>Amends clause 34 by increasing car parking for attached dwellings.</b>
42	07.08.85	G31	Rezones Lots 1924 and 2018 Giles Street from O3 to O1.
43	07.08.85	G31	Rezones Lots 2026 to 2034 (inclusive), 2100 to 2102 (inclusive) and 2113 to 2134 (inclusive), Acacia Drive from Sp.PI to R1.
44	14.08.85	G32	Rezones Lot 1983 Acacia Drive from Sp.PI to S1.
<b>45</b>	<b>07.08.85</b>	<b>G31</b>	<b>Amends clause 7(2) by extending the exceptions.</b>
46	07.08.85	G31	Rezones vacant Crown land adjacent to Lot 1418 Giles Street from O3 to S1.
47	07.08.85	G31	Rezones approximately 30 hectares of NT Portion 2671 Morris Road from RA to RB.

**TABLE OF AMENDMENTS**  
**KATHERINE TOWN PLAN 1981**

Amendment Number	Date	Gazette Number	Change
48	07.08.85	G31	Rezones part Lot 1224 Victoria Highway from FU to I3.
49	28.08.85	G34	Rezones NT Portion 2028 Zimin Drive from RA to RB.
50	25.09.85	G38	Rezones approximately 3922m <sup>2</sup> of Lot 1936, off Maluka Road from existing Sp.PI to allow for building of shops and other commercial facilities on the land.
51	09.10.85	G40	Rezones Lots 2147 to 2151 (inclusive), Acacia Drive from Sp.PI to R1.  Rezones Lots 2152 to 2155 Acacia Drive from Sp.PI to R2.
52			
53	30.10.85	G43	Rezones Lots 2303 to 2356 (inclusive), off Acacia Drive from Sp.PI to R1.
54	06.11.85	G44	Rezones Lot 2301, Katherine East from Sp.PI to S1.
55	30.10.85	G43	Rezones part Lot 1932 Victoria Highway from R1 to R3.
56	04.12.85	G48	Rezones Lot 171 Lucy Street from S1 to R1.
57	04.12.85	G48	Rezones Lots 2065 to 2080, 2092 to 2099 (inclusive) and 2103 to 2107 (inclusive) from Sp.PI to R1.
58	05.12.85	S75	Rezones vacant Crown land, Stuart Highway from R1 to Sp.PI.
59	08.01.86	G1	Rezones part of vacant Crown land adjacent to Lot 1798 Zimin Drive from RA to S1.
60	08.01.86	G1	Rezones part Lot 1935 Victoria Highway from I5 to I2.
<b>61</b>	<b>16.04.86</b>	<b>G15</b>	<b>Amends clause 3 “caravan park purposes”, clause 22 “landscaping” and introduces clause 49A “caravan sites”.</b>
62	15.01.86	G2	Rezones approximately 12.2 hectares of vacant Crown land, Uralla Road from RA to Sp.PI.

**TABLE OF AMENDMENTS**  
**KATHERINE TOWN PLAN 1981**

Amendment Number	Date	Gazette Number	Change
63	05.02.86	G5	Rezones Lots 2199, 2200, 2222, 2223, 2156 to 2160 (inclusive) and 2162 to 2167 (inclusive) from Sp.PI to R1.  Rezones Lots 2170 and 2171, Katherine East from Sp.PI to R2.  Rezones Lot 2161, Katherine East from Sp.PI to O1.
64	16.04.86	G15	Rezones Lots 2388 to 2396 (inclusive) from Sp.PI to R1, R2 and O1.
65	19.03.86	G11	Rezones Lots 20 to 24 (inclusive), 27 to 30 (inclusive), 33 to 37 (inclusive), 45 to 53 (inclusive) and 56 to 74 (inclusive), First and Second Streets from B4 to B1.
66	18.06.86	G24	Rezones Lots 2201 to 2209 (inclusive), 2212 to 2221 (inclusive) and 2232 to 2299 (inclusive) from Sp.PI to R1.  Rezones Lot 2187, Katherine East from Sp.PI to O1.
67	18.06.86	G24	Rezones Lots 2227 to 2230 (inclusive), Callistemon Drive from Sp.PI to R1.  Rezones Lot 2231 Callistemon Drive from Sp.PI to R1.
68	18.06.86	G24	Rezones Lots 2172 to 2186 (inclusive) and 2188 to 2198 (inclusive) from Sp.PI to R1.
69	18.06.86	G24	Rezones Lot 503 Giles Street from FU to S1.
70	16.07.86	G28	Rezones Lot 2146 Acacia Drive from Sp.PI to R2.
71	16.07.86	G28	Rezones Lot 2169 Maluka and Grevillea Roads and Neal and Forscutt Places from Sp.PI to O1.
72	24.09.86	G38	Rezones NT Portions 2048, 2968 and 2969 from RA and RB to S1.
<b>73</b>	<b>05.11.86</b>	<b>G44</b>	<b>Introduces concepts of Group Homes and Group Homes (transitional).</b>
74	10.09.86	S63	Rezones part NT Portion 2670 Gorge Road from RB to Sp.PI.
75	08.10.86	G40	Rezones Lot 1889 from O1 to R3.

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Amendment Number	Date	Gazette Number	Change
76	01.10.86	G39	Rezones Lots 2422 to 2424 (inclusive), 2426 to 2463 (inclusive), and 2465 to 2505 (inclusive), from Sp.PI to R1.  Rezones Lots 2435, 2464 and 2506 from Sp.PI to R2.
77	01.10.86	G39	Rezones Lots 2081 to 2091 (inclusive) from Sp.PI to R1.
78	05.11.86	G44	Rezones NT Portions 1786 to 1787 from RB to R5.
<b>79</b>	<b>08.10.86</b>	<b>G40</b>	<b>Moves in R5 certain purposes from permitted uses to uses only with consent.</b>
80	12.11.86	G45	Rezones vacant Crown land proposed as Lot 2526 from Sp.PI and O1 to S1 and O1.
<b>81</b>	<b>14.01.87</b>	<b>G2</b>	<b>Removes from R3 certain uses permitted with consent.</b>
<b>82</b>	<b>14.01.87</b>	<b>G2</b>	<b>Removes from R1 and R2 certain uses permitted with consent.</b>
<b>83</b>	<b>04.02.87</b>	<b>G5</b>	<b>Prevents placement of demountable structures except with consent.</b>
84	04.02.87	G5	Rezones Lots 2571 to 2576 (inclusive) from Sp.PI to R1 and R2.
85	18.02.87	G7	Rezones Lots 2803 to 2808 (inclusive), 2811 to 2816 (inclusive), 2834 to 2838 (inclusive), 2578 to 2588 (inclusive), 2590 to 2594 (inclusive), 2597 to 2614 (inclusive), Town of Katherine from Sp.PI to R1.  Rezones Lots 2809, 2595 and 2596, Town of Katherine from Sp.PI to R2.  Rezones Lot 2589, Town of Katherine from Sp.PI to S1.
86	18.02.87	G7	Rezones part NT Portion 3234 Stuart Highway from RA to I4.
87	18.02.87	G7	Rezones NT Portion 1608 Shadforth Road from RA to RB.
88	25.02.87	G8	Rezones Lot 2516, Town of Katherine from S1 to R1, R2 and B5.



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Amendment Number	Date	Gazette Number	Change
89	25.03.87	G12	Rezones Portions 1799 to 1809 (inclusive), Town of Katherine from RA to RB.
<b>90</b>	<b>25.03.87</b>	<b>G12</b>	<b>Changes definition of “agriculture”, “lot feeding”, inserting definition of “piggery” and “poultry farming”.</b>  <b>Inserts Division 6 “Restrictions on use and development of land”.</b>
91	22.04.87	G16	Rezones Lot 363 Mott Crescent from S1 to R2.
92	22.04.87	G16	Rezones Lots 2529 to 2570 (inclusive), unnamed and Callistemon Drive from Sp.PI to R1.
93	22.04.87	G16	Rezones Lots 2615 to 2634 (inclusive), 2637, 2726 to 2730 (inclusive), 2758 to 2764 (inclusive), 2839 and 2840 from Sp.PI to R1.
94	22.04.87	G16	Rezones Lot 623, an area of vacant Crown land, Stuart Highway from S1 and O1 to B5 and O1.
95	17.06.87	G24	Rezones approximately 11 hectares of vacant Crown land adjacent to Lot 1586 Stuart Highway from O1 to R5.
96	08.07.87	G27	Rezones 560 square metres of vacant Crown land Gorge Road from FU to S1.
97	01.07.87	G26	Rezones 2052 square metres, being part Lot 2516, Town of Katherine from R1 to R2.
<b>98</b>	<b>01.07.87</b>	<b>G26</b>	<b>Makes a “caretaker’s residence” a permitted use in I1 to I4 zones.</b>
99	01.07.87	G26	Rezones Lots 2797 and 2798, Town of Katherine from Sp.PI to R2.  Rezones Lots 2799 to 2802 (inclusive) and 2893 to 2916 (inclusive), Town of Katherine from Sp.PI to R1.
100	19.08.87	g33	Rezones NT Portion 2921, Katherine Locality from RA to RB.
101	02.09.87	G35	Rezones Lot 171, Town of Katherine from R1 to R2.
102	09.09.87	G36	Rezones NT Portions 1847 to 1849 and 2412 to 2418 Zimin Drive from RA to RB.

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Amendment Number	Date	Gazette Number	Change
103	23.09.87	G38	Rezones parts of NT Portions 3127 to 3140 from RA to RD.  Rezones parts of NT Portions 1339, 3134, 2968 and 2671 from RB to RA.  Rezones parts of NT Portions 1339, 2048, 2671 and 2968 to S1.
104	23.09.87	G38	Rezones NT Portion 2866 Florina Road from RA to RB.
105	23.09.87	G38	Rezones Lots 2640 to 2649, 2641 to 2673, 2675, 2676, 2725, 2739, 2741 to 2743, 2747 to 2749, 2751, 2754 and 2766 to 2770, Town of Katherine from Sp.PI to R1.  Rezones Lot 2674, Town of Katherine from Sp.PI to R2.
106	21.10.87	G42	Rezones Lot 1863, Town of Katherine from R1 to R2.
107	28.10.87	G43	Rezones Lots 2108 to 2112 and 2035 to 2064, Town of Katherine from Sp.PI to R1.
108	28.10.87	G43	Rezones Lots 2677, 2678, 2731 to 2738, 2740, 2750, 2752, 2753, 2755, 2756 and 2775 to 2784, Town of Katherine from Sp.PI to R1.
109	02.12.87	G48	Rezones NT Portion 2306 from I1 to I2.
110	01.03.88	S10	Rezones Lot 2139 Stuart Highway from R5 to Sp.PI.
111	29.06.88	G26	Rezones vacant Crown land opposite NT Portion 2511 Zimin Drive from RA to S1.
<b>112</b>	<b>13.07.88</b>	<b>G28</b>	<b>Amends clause 35 to make it a requirement that parking areas be sealed and well drained.</b>
113	29.06.88	G26	Rezones NT Portion 1828 Gorge Road from RA to Sp.PI.
<b>114</b>	<b>03.08.88</b>	<b>G31</b>	<b>Makes “funeral parlour” consent use in I1 and I2.</b>
<b>115</b>	<b>03.08.88</b>	<b>G31</b>	<b>Defines more precisely the area to which the Katherine Town Plan relates.</b>

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Amendment Number	Date	Gazette Number	Change
116	31.08.88	G35	Rezones Lots 2362, 2364 to 2384 (inclusive) and 2420 and Bogart and Wilson Drives, Bergman Circuit and Raine, Greenstreet and Lorre Courts from R3 to Sp.PI.
117	26.10.88	G43	Rezones Lots 210 and 232 Victoria Highway, corner of Walter Young and Stutterd Streets from R1 and S1 to R2.
<b>118</b>	<b>26.10.88</b>	<b>G43</b>	<b>Amends clause 49B to exempt Northern Territory Department of Education from controls on demountable structures.</b>
<b>119</b>	<b>07.11.88</b>	<b>G49</b>	<b>Repeals and replaces clause 40 specifying minimum lot sizes in rural and residential zones.</b>
120	22.03.89	G11	Rezones part NT Portion 2848 and 9.4 hectares of NT Portion 550 Stuart Highway from S1 to Sp.PI.
121	29.03.89	G12	Rezones Lot 2721 Martin Terrace and Lot 2680 Casuarina Street from Sp.PI to R2.
122	29.03.89	G12	Rezones Lots 2688, 2689 and 2690 Casuarina Street and Lots 2842, 2843 and 2844 Martin Terrace from Sp.PI to R2.
<b>123</b>	<b>17.01.89</b>	<b>G2</b>	<b>Changes the provisions for home occupations in clauses 52(b) and (d).</b>
124	28.03.90	G12	Rezones Lot 545 Victoria Highway from R2 to Sp.PI.
125	31.10.90	G43	Rezones part Lot 2386 (being proposed Lot 2967) Needham Terrace from Sp.PI to S1.
126	20.02.91	G7	Rezones NT Portion 1455 Shadforth Road to O3.
<b>127</b>	<b>04.04.90</b>	<b>G13</b>	<b>Makes “business identification sign” permitted use in Zones B1, B2, B3, B4 and B5.</b>
<b>128</b>	<b>06.06.90</b>	<b>G22</b>	<b>Amends clause 34 Parking Provisions - introduces parking levy.</b>
129			
<b>130</b>	<b>29.08.90</b>	<b>G34</b>	<b>Amends clause 22 “Landscaping” by substituting “R5” for “5” in 3 places.</b>

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Amendment Number	Date	Gazette Number	Change
<b>131</b>	<b>29.08.90</b>	<b>G34</b>	<b>Amends clause 6 by inserting the words “educational establishment” in column 3, heading “Uses permitted only with consent” of the zoning table opposite the heading “Zone B4” (Business Zone) in column 1.</b>
<b>132</b>	<b>29.08.90</b>	<b>G34</b>	<b>Amends clause 3 “Interpretation” to provide a definition of “net floor area”.</b>
133			
134	19.12.90	G50	Rezones vacant Crown land Stuart Highway, Town of Katherine from Sp.PI to O1.
135	24.10.90	G42	Rezones part Lot 1889 Giles Street from R3 to Sp.PI.
136	19.12.90	G50	Rezones Lot 495 Giles Street from R2 to S1.
137			
138	19.12.90	G50	Rezones Lot 264 Victoria Highway from R2 to B3.
<b>139</b>	<b>16.10.91</b>	<b>G41</b>	<b>Amends the Katherine Town Plan by substituting a definition of “supporting accommodation” for the definitions of “group homes” and “group homes (transitional)” and by substituting reference to “supporting accommodation” wherever reference to “group homes” or “group homes (transitional)” occur.</b>
140	21.08.91	G33	Rezones vacant Crown land adjacent Lot 2301 Grevillea Road, Town of Katherine from Sp.PI to O1.
141	16.01.91	G2	Rezones part Lot 2386 Needham Terrace from Sp.PI to O1.
<b>142</b>	<b>16.01.91</b>	<b>G2</b>	<b>Amends clause 34 “Parking Provisions” by substituting in the Table to that clause, a new item 28 in relation to office parking requirements.</b>
143	07.08.91	G31	Rezones Lots 2722, 2723 and 2724 Martin Terrace, Lots 2638, 2639 and 2650 Providence Court, Lot 2765 Needham Terrace and proposed Lot 2757 Davis Court, Town of Katherine from Sp.PI to R1.
<b>144</b>	<b>04.12.91</b>	<b>G48</b>	<b>Amends Katherine Town Plan by inserting a new definition of “hospital” into clause 3 of the Plan.</b>

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Amendment Number	Date	Gazette Number	Change
145	04.12.91	G48	Rezones Lot 196 Lucy Street, Town of Katherine from R1 to R2.
146	01.04.92	G13	Rezones Lot 2444 Ronan Court and Lot 2487 Wallace Court, Town of Katherine from R1 to O1.
147	20.01.93	G3	Rezones Lot 3034 Bernhard Street, Town of Katherine from B3 to R2.
148	11.11.92	G45	Rezones Lot 551 Victoria Highway, Town of Katherine from R2 to B2.
149	05.04.93	G18	Rezones Lot 364 Condon Street, Town of Katherine from S1 to R2.
150	28.07.93	G30	Rezones Lot 2362, Lots 2364-2384 (inclusive) and Lot 2420 Victoria Highway, Town of Katherine from Sp.PI to R3.
151	13.10.93	G41	Rezones Lot 546 Victoria Highway, Town of Katherine from R2 to Sp.PI to permit the land to be used, with the consent of the Authority, for the purposes of an office, swimming pool or caretaker's residence, or any combination of those purposes, ancillary to the hostel on Lot 545 Victoria Highway, Town of Katherine.
152	02.03.94	G9	Rezones part Lots 2362, 2364 and 2365, Lots 2366 and 2367, part Lots 2368 to 2370 (inclusive), Lots 2371 to 2374 (inclusive), part Lot 2375, Lot 2380 and Lots 2382 to 2384 (inclusive), Victoria Highway, Town of Katherine from R3 to R1.
153	02.03.94	G9	Rezones Lot 2921 Third Street, Town of Katherine from B5 to S1.
154	02.03.94	G9	Rezones Lots 2166 and 2167 Grevillea Road, Town of Katherine from R1 to R2.
<b>155</b>	<b>07.06.95</b>	<b>G23</b>	<b>Amends Amendment No 135.</b>
<b>156</b>	<b>07.06.095</b>	<b>G23</b>	<b>Inserts "attached dwellings" in column 3 of the Zoning Table for Zone B1.</b>
<b>157</b>	<b>08.05.96</b>	<b>G19</b>	<b>Inserts "heliport and helicopter workshop" in column 3 of Zoning Table for Zone I3.</b>
158	19.06.96	G25	Rezones part Lot 478 Arndt Road, Town of Katherine from RA to R5.

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Amendment Number	Date	Gazette Number	Change
<b>159</b>	<b>07.08.96</b>	<b>G32</b>	<b>Inserts “attached dwellings” in column 3 of zoning Table for Zone B5.</b>
160	Rejected		
161	02.07.97	G26	Rezones part of Lot 3108 and part of Lot 2362, Town of Katherine from R1 and R3 to R3.
<b>162</b>	<b>27.05.98</b>	<b>G20</b>	<b>Amends clause 7, subclause (2). Inserts new clause 7A.</b>
163	21.01.98	G2	Rezones part Lot 3148(A) Chambers Drive, Town of Katherine from O1 to Sp.PI.  <b>Sp.PI - A person may not use or develop the area of land referred to in clause 3 except with the consent of the Authority and for the purposes of a bus depot and interchange.</b>
164	09.09.98	G35	Rezones Lot 3137 Riverbank Drive, Town of Katherine from O1 to S1.
<b>165</b>	<b>20.01.99</b>	<b>G2</b>	<b>Clause 3 is amended by inserting “bed and breakfast accommodation”, amends “guest-house and hostel”, amends “hotel”, amends “motel”.</b>  <b>Amends zoning table in clause 6.</b>  <b>Inserts after clause 26, clause 26A. Bed and Breakfast Accommodation</b>
166	13.01.99	G1	Rezones part Lot 2386, Lot 2387, Lots 2702 to 2720 (inclusive), Lots 2744, 2745 and 2746, Lots 2772, 2773 and 2774, Lots 2817 to 2833 (inclusive), Lot 2841 and Lots 2845 to 2892 (inclusive), Town of Katherine from Sp.PI to O1, R1, R2 or S1.
167	07.04.99	G13	Rezones part Lot 2996 (proposed Lots 3153 and 3160), Victoria Highway, Town of Katherine from FU and I2 to O2.
168	12.01.00	G1	Rezones Lot 582 Bicentennial Road, Town of Katherine from S1 to I2.
169	29.03.00	G12	Rezones Lots 1348 and 1349 Chardon Street, Town of Katherine from Sp.PI to I2.
170	05.04.00	G13	Rezones Lot 3173 Casuarina Street, Town of Katherine from Sp.PI to S1.

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Amendment Number	Date	Gazette Number	Change
171	18.07.01	G28	Rezones Lots 3100, 3101 and 3102 Lorre Court and Harrod Street, Town of Katherine from R1 to R2.
172	18.07.01	G28	Rezones Lots 257, 258 and 259 Shepherd Street, Town of Katherine from O1 to R1.
<b>173</b>	<b>22.05.02</b>	<b>G20</b>	<b>Amends clause 3(1) by substituting a new definition for “site”.</b>
<b>174</b>	<b>04.06.03</b>	<b>G22</b>	<b>Amends clause 25, by omitting “A person” and substituting “(1) Subject to subclause (2), a person” and inserting new subclauses (2) and (3).</b>
<b>175</b>	<b>21.08.02</b>	<b>G35</b>	<b>Amends the table to clause 6 by inserting “guest house and hostel” beneath “flats” in the item relating to Zone B2.</b>
176	04.06.03	G22	<p>Rezones Lot 1889 Giles Street, Katherine from R3 and SP.PI to SP.PI.</p> <p><b>SP.PI - A person must not use or develop the area of land referred to in clause 3 except –</b></p> <p><b>with the consent of the consent authority; and</b></p> <p><b>for any of the following:</b></p> <ul style="list-style-type: none"> <li><b>caravan park purposes;</b></li> <li><b>catering business;</b></li> <li><b>guest-house and hostel;</b></li> <li><b>indoor recreation establishment;</b></li> <li><b>motel;</b></li> <li><b>shop.</b></li> </ul>
177	02.07.03	G26	Rezones NT Portion 3471 Morris Road, Town of Katherine from MZ to RB.
178	02.02.05	G5	Rezones part of Lot 3006 (proposed Lot 3185) Giles Street, Town of Katherine from FU (Future Uses) to O1 (Open Space).