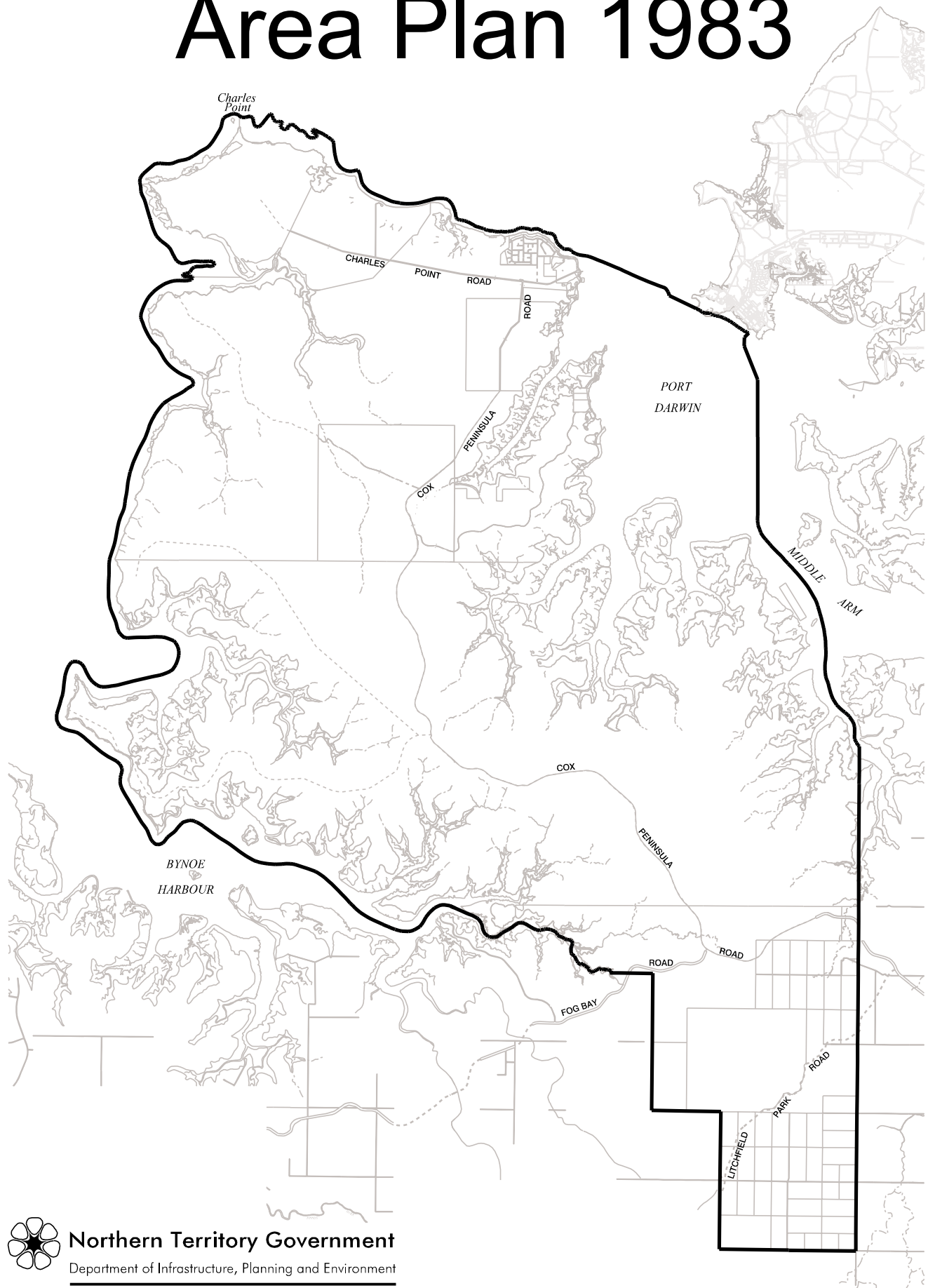


Darwin Rural Area Plan 1983



NORTHERN TERRITORY OF AUSTRALIA

DARWIN RURAL AREA PLAN 1983

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NORTHERN TERRITORY OF AUSTRALIA

Planning Act

DARWIN RURAL AREA PLAN 1983

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 15th day of September 1983.

Administrator

By His Honour's Command

Minister for Lands, Industrial
Development and Tourism

DARWIN RURAL AREA PLAN 1983

PART 1 - PRELIMINARY

1. CITATION

This planning instrument may be cited as the Darwin Rural Area Plan 1983.

2. REPEAL

The Darwin Rural Area Plan 1980 and Darwin Rural Area Plan (Amendment No 1) 1983 are repealed.

3. APPLICATION

This Plan applies to the area of land shown bounded by thick black lines on the map in the Schedule.

4. 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;

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

"amenity" includes such quality or condition in a locality as contributes to its pleasantness and harmony and its better enjoyment;

"ancillary use" means a subordinate use of a site which is a necessary adjunct to the primary use of the site;

"animated sign" means a sign which -

- (a) moves;
- (b) is capable of movement;
- (c) contains moving parts; or
- (d) changes or otherwise alters its image, and includes an illuminated sign, the illumination of which, irrespective of whether it is confined to the border of the sign -
- (e) moves;
- (f) is capable of movement;
- (g) changes or otherwise alters that sign's image;
- (h) flashes on and off; or
- (j) scintillates;

"attached dwellings" means a building containing two 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 dwelling, each dwelling is on a separate storey and has a separate entrance at ground level;

"business sign" means a sign containing not more information than the name and occupation of, and the nature of the services or goods available from, the person occupying the land on which the sign is erected, and includes, where a number of persons are carrying on different businesses in a place, a sign identifying the place;

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

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

"caretaker's residence" means a dwelling 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;

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

"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, but does not include a licensed restaurant;

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

"commercial car parking" means the provision for parking of motor vehicles as a commercial enterprise otherwise than as an ancillary use of land;

"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 licence 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;

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

"drive-in theatre" means an open air cinema that makes provision for the audience or spectators to view the entertainment while seated in motor vehicles;

"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 a child care centre, an institutional establishment, a place of public worship or a place where education is provided as a home occupation;

"extractive industry" means the extraction of sand, gravel, clay, turf, soil, rock, stone, ore, oil, gas, minerals or similar material from the surface or from beneath the surface of land, and includes -

- (a) the crushing or storage of such material on the land from which the material is extracted or on land adjacent to that first-mentioned land; and
- (b) mining and dredging;

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

"floor area" in relation to a building, includes -

- (a) all wall thicknesses of external walls;
- (b) one-half the wall thickness of party walls, if any; and
- (c) all roof areas used as floors,

but does not include -

- (d) verandahs or balconies; or
- (e) areas set aside for car parking or access to car parking;

"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 required 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 with the building;

"general store" means a shop which -

- (a) is in the same building as a dwelling;
- (b) sells a wide range of goods; and
- (c) has a floor area of not more than 100 square metres;

"group home" means a dwelling -

- (a) occupied by handicapped or socially disadvantaged persons who are not necessarily related, and who live together as a single household, with or without paid supervision or care; and
- (b) managed by a community organisation, or a recognised voluntary, charitable or religious association, or a department or instrumentality of the Crown,

but does not include a group home (transitional), an institutional establishment or an institutional residence;

"group home (transitional)" means a group home established for people moving from their homes or an institution and living for a short time in shared, supporting or rehabilitating accommodation, but does not include an institutional establishment or institutional residence;

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

"high sign" means a sign, or its supporting structure, which -

- (a) is exhibited upon or above the roof of a building;
- (b) is exhibited on a wall of a building such that a part of the sign, or its supporting structure, exceeds a height of 7 metres above ground level; or
- (c) is free standing and exceeds 7 metres in height;

"home occupation" means an occupation or profession carried on within a dwelling, or 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 medical treatment or care of resident sick persons, whether or not the building is also used for the medical treatment of non-resident sick persons, but does not include an institutional residence, a medical clinic or medical consulting rooms;

"hotel" means premises licensed under the Liquor Act, whether or not accommodation is provided for travellers and whether or not meals are provided to those travellers or to other persons, but does not include a motel, tavern, licensed club or licensed restaurant;

"indoor recreation establishment" means the use of a building for recreation purposes which involves commercial transactions;

"industry" means -

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

and includes the storage of goods associated with the use of land for industrial purposes, but does not include on-site work on land or buildings, a service station, or premises used for motor repairing;

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

- (a) a home or other institution for mentally ill persons within the meaning of the Mental Health Act;
- (b) a hospital for persons referred to in paragraph (a); or
- (c) a penal or reformatory institution;

but does not include a group home (transitional);

"institutional residence" means premises which are -

- (a) a convalescent or nursing home, an orphanage, a children's home, an institution for poor or disadvantaged persons or a home for the care of aged persons; or
- (b) not being premises referred to in paragraph (a), used for the care of resident persons receiving medical treatment but not full-time medical treatment;

but does not include an institutional establishment, a hospital, a medical clinic, medical consulting rooms, a group home or a group home (transitional);

"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 automobiles or other vehicles or machinery whether or not parts of the automobiles or other vehicles are also sold in the building;

"kennel and cattery" means a building or place used as a commercial enterprise for the keeping, boarding or breeding of not less than 3 dogs or cats;

"licensed club" means premises used as club rooms in respect of which a licence is held under the Liquor Act;

"licensed restaurant" means premises used for the provision of meals and in respect of which a licence is held under the Liquor Act;

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

"lit sign" means a sign which is illuminated -

- (a) by lighting from within the sign;
- (b) by external lighting; or
- (c) by external lighting provided for that purpose;

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

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

"market" means a building or place used by a number of vendors for the sale of goods by retail or wholesale, but does not include a shop or warehouse;

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

"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, physiotherapist, dentist or person ordinarily associated with health care, 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 substantially used for the accommodation of travellers and the vehicles used by them, whether or not the building is also used in the provision of meals to those travellers or to the general public and whether or not the premises are licensed under the Liquor Act;

"motor repairing" means the carrying out of mechanical repairs other than -

- (a) body building;
- (b) panel beating; or
- (c) spray painting;

"motor sports" means the use of land for the racing, rallying or the like of motor vehicles, motor cycles or the like;

"net floor area", in relation to a building, includes all that area between the 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 spaces 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; or
- (f) areas set aside for car parking or access to car parking;

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

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

"office" means a building or part of a building used 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, but does not include a medical clinic, medical consulting rooms or veterinary clinic;

"outdoor entertainment purposes" means the provision of entertainment or amusement as a commercial enterprise to members of the public outdoors or in the open air, 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 not less than 3 motor vehicles;

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

"piggery" means a building or place used exclusively for the keeping or breeding of not less than 4 pigs over the age of 6 months as a commercial enterprise;

"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 on which the building is located;

"pole sign" means a sign which -

- (a) is erected on a pole or pylon, not being a pole or pylon forming part of a building or other structure;
- (b) does not exceed a height of 7 metres above ground level; and
- (c) has a clearance under it of not less than 2.5 metres;

"poultry farming" means a building or place used exclusively for the keeping or breeding of not less than 50 chickens or similar wildfowl 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 and use of tents, mobile homes or cabins for the purpose of providing accommodation principally for the members of an association or organisation owning the land, but does not include a caravan park;

"promotion sign" means a sign which contains information relating to -

- (a) goods, services or products of a class not provided or produced or sold; or
 - (b) occurrences, events or competitions which are not carried on,
- on the land or in the building at or upon which the sign is constructed or erected;

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

"radio or TV installation" means a building, mast, or tower principally used for the transmission or reception of radio or television signals, but does not include a household installation used for that purpose;

"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 land on which the building is erected, but does not include a shop or a general store;

"rural industry" means an industry, not being an offensive or hazardous industry, which involves the handling, treating, processing or packing of primary product produced on the land on which the industry is located, 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 of them) 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 injuriously or detrimentally affected by the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, heavy traffic generation or otherwise;

"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 -

- (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 not including body building, panel beating, spray painting and suspension or chassis restoration;

"set-down area" means an area, not being a public road -

- (a) set aside or designated for picking up and setting down passengers from motor vehicles; and
- (b) which can be entered and left by a motor vehicle in a forward gear;

"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, market, showroom, retail agricultural stall or vehicle sales yard;

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

"sign" means a device whereby a word, letter, image or representation, or any combination of them, is or are exhibited for the purposes of advertising, announcement or display and includes an animated sign, a business sign, high sign, lit sign, pole sign and promotion sign;

"site" means land -

- (a) on which a building or work is or is proposed to be erected; or
- (b) which is used or proposed to be used or developed;

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

"special purposes" means and includes -

- (a) a morgue, cemetery and crematorium;
- (b) a court of justice;
- (c) a railway, heliport or airport;
- (d) an official government residence;
- (e) a radio or TV installation;
- (f) waterfront or maritime industrial activities;
- (g) an ambulance or fire station; and
- (h) refuse tips;

"sports and recreation" means the use of land for recreation purposes, but does not include such a use which involves commercial transactions, motor sports or activities which, by virtue of the generation of noise or disturbance, will detrimentally affect the amenity of adjoining land;

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

"stock and sales yard" means a building or place used for the purpose of offering livestock for sale;

"storey" in relation to a building, means the space, not being a basement, 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 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 three motor vehicles; or
- (b) mezzanine floors;

"strategic industry" means an industry which is essential for the promotion or stabilisation of the growth of the locality in which the industry is situated;

"tavern" means premises (not being a hotel, motel, catering business, licensed restaurant, shop or warehouse) which are licensed under the Liquor Act, but does not include such premises which provide accommodation facilities;

"transport terminal" means a building or place used -

- (a) 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, retail or industrial outlet;
- (b) solely for the garaging and basic maintenance of fleet vehicles engaged in the transport of goods; or
- (c) for the servicing, repair and garaging of buses and other vehicles used for the purposes of a bus transport undertaking;

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

"vehicle sales yard" means a building or place used 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" means a building or place used for the bulk storage of goods or the display and sale of goods by wholesale, but does not include a market;

"zoning map" means the series of maps marked "Darwin Rural Area Plan 1983" signed by the Minister for Lands, Industrial Development and Tourism and copies of which maps are kept in the office of the Authority;

"zoning table" means the table to clause 7.

(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) 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.

(4) Where the ancillary use to the use so permitted referred to in subclause (3) would be prohibited if proposed as the primary use of the land, that ancillary use shall not be allowed except with the consent of the consent authority.

(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.

(6) Where a particular use or development of land requires more than one consent from the consent authority, an application made in respect of one of those consents shall be taken to be an application in respect of all of those consents.

5. CONSENT AUTHORITY

The Consent Authority is the Minister.

PART II - RESTRICTIONS ON USE AND DEVELOPMENT OF LAND

Division 1 - Zones

6. 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 the zoning table.

(2) Where -

- (a) a public road which is shown to be within 2 or more different zones on the zoning map is closed; and
- (b) the land comprised in the road is amalgamated with adjoining allotments,

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

7. ZONING TABLE

(1) Subject to this planning instrument, a person may use or develop land within a zone specified in the zoning table for the purposes specified below that zone in Column 1 of that table.

(2) Subject to this planning instrument, a person shall not use or develop land within a zone specified in the zoning table -

- (a) for a purpose specified below that zone in Column 2 of that table; or
- (b) in contravention of the development code,

without the consent of the consent authority.

(3) Subject to this planning instrument, a person shall not use or develop land within a zone specified in the zoning table for a purpose specified below that zone in Column 3 of that table.

(4) Subject to this planning instrument, where a use of land is not specified in Column 1, 2 or 3 of the zoning table below a zone specified in that table, the use shall be dealt with in the zone as though it were a use specified in Column 2 of that table below that zone and this planning instrument applies accordingly.

(5) Where the consent authority grants under subclause (2) a consent -

- (a) a person shall not use or develop the land the subject of the consent other than in accordance with the consent; and

the consent shall not apply to or in relation to a proposed use or development of the land the subject of that consent other than the use or development of that land for which that consent was so granted, irrespective of whether the proposed use or development of that land is for a purpose specified in Column 1 or 2 of the zoning table below the zone specified in that table within which that land is comprised.

ZONING TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Uses permitted without consent	Uses permitted only with consent to development application	Prohibited uses
NAME OF ZONE: RURAL LIVING 1		
MANNER OF INDICATION ON ZONING MAP: BROWN AND LETTERED "RL1"		
agriculture detached dwelling flora and fauna sanctuary forestry nursery retail agricultural stall sports and recreation	attached dwelling caravan park caretaker's residence catering business child care centre commercial car parking community centre drive-in theatre educational establishment flats funeral parlour general store group home group home (transitional) guest-house and hostel home occupation hospital hotel indoor recreation establishment industry institutional establishment junk yard kennel and cattery licensed club licensed restaurant light industry lot feeding market medical clinic medical consulting rooms motel motor repairing motor sports office outdoor entertainment purposes passenger terminal piggery place of public worship poultry farming pound	abattoir extractive industry fuel depot offensive or hazardous industry sawmill

ZONING TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Uses permitted without consent	Uses permitted only with consent to development application	Prohibited uses
NAME OF ZONE: RURAL LIVING 1		
MANNER OF INDICATION ON ZONING MAP: BROWN AND LETTERED "RL1"		
	private camping purposes public utility purposes research centre rural industry service industry service station shop showroom special purposes stable stock and sales yard strategic industry tavern transport terminal units for aged persons vehicle sales yard veterinary clinic warehouse	

ZONING TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Uses permitted without consent	Uses permitted only with consent to development application	Prohibited uses
NAME OF ZONE: RURAL LIVING 2		
MANNER OF INDICATION ON ZONING MAP: GREEN AND LETTERED "RL2"		
agriculture detached dwelling flora and fauna sanctuary forestry lot feeding nursery retail agricultural stall sports and recreation veterinary clinic	attached dwellings caravan park caretaker's residence catering business child care centre commercial car parking community centre drive-in theatre educational establishment extractive industry flats funeral parlour general store group home group home (transitional) guest-house and hostel home occupation hospital hotel indoor recreation establishment industry institutional establishment institutional residence junk yard kennel and cattery licensed club licensed restaurant light industry market medical clinic medical consulting rooms motel motor repairing motor sports office outdoor entertainment purposes passenger terminal piggery place of public worship poultry farming	abattoir fuel depot offensive or hazardous industry sawmill

ZONING TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Uses permitted without consent	Uses permitted only with consent to development application	Prohibited uses
NAME OF ZONE: RURAL LIVING 2		
MANNER OF INDICATION ON ZONING MAP: GREEN AND LETTERED "RL2"		
	<p>pound</p> <p>private camping purposes</p> <p>public utility purposes</p> <p>rural industry</p> <p>service industry</p> <p>service station</p> <p>shop</p> <p>showroom</p> <p>special purposes</p> <p>stable</p> <p>stock and sales yard</p> <p>strategic industry</p> <p>tavern</p> <p>transport terminal</p> <p>units for aged persons</p> <p>vehicle sales yard</p> <p>warehouse</p>	

ZONING TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Uses permitted without consent	Uses permitted only with consent to development application	Prohibited uses
NAME OF ZONE: DISTRICT CENTRE ZONE		
MANNER OF INDICATION ON ZONING MAP: RED AND LETTERED "DC"		
detached dwelling sports and recreation	agriculture attached dwellings caravan park caretaker's residence catering business child care centre commercial car parking community centre drive-in theatre educational establishment flats general store group home group home (transitional) guest-house and hostel home occupation hospital hotel indoor recreation establishment industry institutional establishment institutional residence licensed club licensed restaurant light industry market medical clinic medical consulting rooms motel motor repairing nursery office outdoor entertainment purposes passenger terminal private camping purposes public utility purposes research centre service industry service station shop	abattoir extractive industry flora and fauna sanctuary forestry fuel depot funeral parlour junk yard kennel and cattery lot feeding offensive or hazardous industry piggery poultry farming pound retail agricultural stall rural industry sawmill stable stock and sales yard strategic industry transport terminal

ZONING TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Uses permitted without consent	Uses permitted only with consent to development application	Prohibited uses
NAME OF ZONE: DISTRICT CENTRE ZONE		
MANNER OF INDICATION ON ZONING MAP: RED AND LETTERED "DC"		
	showroom special purposes tavern units for aged persons vehicle sales yard warehouse	

ZONING TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Uses permitted without consent	Uses permitted only with consent to development application	Prohibited uses
NAME OF ZONE: SPECIAL PURPOSES		
MANNER OF INDICATION ON ZONING MAP: YELLOW AND LETTERED "S"		
agriculture caretaker's residence child care centre community centre detached dwelling educational establishment institutional establishment institutional residence office place of public worship research centre special purposes sports and recreation	attached dwelling caravan park catering business commercial car parking drive-in theatre flats flora and fauna sanctuary forestry fuel depot funeral parlour general store group home group home (transitional) guest-house and hostel home occupation indoor recreation establishment kennel and cattery licensed club licensed restaurant medical clinic medical consulting rooms motor repairing motor sports nurseries outdoor entertainment purposes passenger terminal pound private camping purposes public utility purposes rural industry service station shop showroom stable strategic industry tavern transport terminal	abattoir extractive industry hotel industry junk yard light industry lot feeding market motel offensive or hazardous industry piggery poultry farming retail agricultural stall sawmill stock and sales yard service industry vehicle sales yard

ZONING TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Uses permitted without consent	Uses permitted only with consent to development application	Prohibited uses
NAME OF ZONE: SPECIAL PURPOSES		
MANNER OF INDICATION ON ZONING MAP: YELLOW AND LETTERED "S"		
	units for aged persons veterinary clinic warehouse	

ZONING TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Uses permitted without consent	Uses permitted only with consent to development application	Prohibited uses
NAME OF ZONE: EXTRACTIVE INDUSTRY		
MANNER OF INDICATION ON ZONING MAP: PURPLE AND LETTERED "EX"		
caretaker's residence extractive industry detached dwelling fuel depot junk yard kennel and cattery office pound sawmill transport terminal warehouse	abattoir agriculture commercial car parking drive-in theatre flora and fauna sanctuary forestry home occupation industry licensed club light industry lot feeding motor repairing motor sports offensive or hazardous industry piggery poultry farming public utility purposes rural industry service industry service station shop special purposes sports and recreation stable stock and sales yard strategic industry veterinary clinic	attached dwellings caravan park catering business child care centre community centre educational establishment flats funeral parlour general store group home group home (transitional) guest-house and hostel hospital hotel indoor recreation establishment institutional establishment institutional residence licensed restaurant market medical clinic medical consulting room motel nurseries outdoor entertainment purposes passenger terminal place of public worship private camping purposes research centre retail agricultural stall showroom tavern units for aged persons vehicle sales yard

ZONING TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Uses permitted without consent	Uses permitted only with consent to development application	Prohibited uses
NAME OF ZONE: COMMUNITY RECREATION		
MANNER OF INDICATION ON ZONING MAP: DARK GREEN AND LETTERED "CR"		
caretaker's residence catering business (where ancillary to a permitted or consent use) community centre flora and fauna sanctuary private camping purposes (where ancillary to a permitted or consent use) sports and recreation	forestry home occupation indoor recreation establishment licensed club (where ancillary to a permitted or consent use) market outdoor entertainment purposes public utility purposes	abattoir agriculture attached dwellings caravan park catering business (not otherwise described in any other Column of this section of this table) child care centre commercial car parking detached dwelling drive-in theatre educational establishment extractive industry flats fuel depot funeral parlour general store group home group home (transitional) guest-house and hostel hospital hotel industry institutional establishment institutional residence junk yard kennel and cattery licensed club (not otherwise described in any other Column of this section of this table) licensed restaurant light industry lot feeding medical clinic medical consulting room motel motor repairing motor sports nursery offensive or hazardous industry

ZONING TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Uses permitted without consent	Uses permitted only with consent to development application	Prohibited uses
NAME OF ZONE: COMMUNITY RECREATION		
MANNER OF INDICATION ON ZONING MAP: DARK GREEN AND LETTERED "CR"		
		office passenger terminal piggery place of public worship poultry farming pound private camping purposes (not otherwise described in any other Column of this section of this table) radio or TV installation research centre retail agricultural stall rural industry sawmill service industry service station shop showroom special purposes stable stock and sales yard strategic industry tavern transport terminal units for aged persons vehicle sales yard veterinary clinic warehouse

COLUMN 1	COLUMN 2	COLUMN 3
Uses permitted without consent	Uses permitted only with consent to development application	Prohibited uses
NAME OF ZONE: CONSERVATION		
MANNER OF INDICATION ON ZONING MAP: GREEN AND LETTERED "OC"		
flora and fauna sanctuary	catering business detached dwelling educational establishment outdoor entertainment purposes public utility purposes research centre sports and recreation	abattoir agriculture attached dwellings caravan park caretakers residence child care centre commercial car parking community centre drive-in theatre extractive industry flats forestry fuel depot funeral parlour general store group home group home (transitional) guest-house and hostel home occupation hospital hotel indoor recreation establishment industry institutional establishment institutional residence junk yard kennel and cattery licensed club licensed restaurant light industry lot feeding market medical clinic medical consulting rooms motel motor repairing motor sports nursery offensive or hazardous industry office passenger terminal piggery

COLUMN 1	COLUMN 2	COLUMN 3
Uses permitted without consent	Uses permitted only with consent to development application	Prohibited uses
NAME OF ZONE: CONSERVATION		
MANNER OF INDICATION ON ZONING MAP: GREEN AND LETTERED "OC"		
		place of public worship poultry farming pound private camping purposes retail agricultural stall rural industry sawmill service industry service station shop show-room special purposes stables stock and sales yard strategic industry tavern transport terminal units for aged persons vehicle sales yard veterinary clinic warehouse.

8. EXCEPTIONS

- (1) Nothing in this planning instrument prevents the use of land as -
 - (a) a public street; or
 - (b) 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 telephone services;
 - (b) stormwater drains; or
 - (c) traffic lights or signs.
- (3) Nothing in this planning instrument prevents or applies to the strengthening or restoration to a safe condition of a building or work.
- (4) Nothing in this planning instrument prevents the use of land under an extractive mineral permit issued under the Mining Act.

Division 2 - Rural Uses

9. LOT SIZE

A person shall not develop land within Zones RL1 or RL2 so that lots are created which are -

- (a) in Zone RL1 - less than two hectares; and
- (b) in Zone RL2 - less than eight hectares,

without the consent of the consent authority.

10. RESTRICTIONS ON USE OF ZONE RL1

A person shall not use land within Zone RL1 for -

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

as a commercial enterprise.

Division 3 - District Centre Uses

11. CARAVANS, &c

- (1) Subject to subclause (2), a person shall not, on land within Zone DC -
- (a) use land for the purpose of providing accommodation in a caravan or tent;
 - (b) establish on land a caravan or tent for use as a dwelling or for the purpose of habitation; or
 - (c) permit another person to use on land in the possession of the first-named person a caravan or tent as a dwelling or for the purpose of habitation.

(2) Subclause (1) shall not apply to or in relation to the use of one caravan or tent as a dwelling or rooming unit by the owner or owners of the land, or his or their spouse or spouses, children, or parents, where no other person occupies a dwelling on that land.

12. ADVERTISING

A person shall not, without the consent of the consent authority, construct or exhibit on land within Zone DC a sign other than a business sign or lit sign which does not exceed 1.5 square metres in area and which is located not less than 30 metres from detached and attached dwellings.

13. RESIDENTIAL USES ON LAND BEING USED FOR OTHER PURPOSES

A person shall not, on land within Zone DC, erect or use a building for the purpose of attached dwellings, detached dwellings, flats or guest-houses and hostels unless -

- (a) the land is used exclusively for that purpose; or
- (b) in any other case - the use of the building is for the purpose of accommodating employees or students of an undertaking lawfully being carried out on the land.

Division 4 - Strategic Industry

14. STRATEGIC INDUSTRY - MINISTER'S APPROVAL

A person shall not use or develop land for the purpose of a strategic industry unless -

- (a) he has submitted to the Minister a development proposal and supporting data justifying the use of the land for the strategic industry proposed; and
- (b) the Minister has approved the strategic industry so proposed.

**Division 5 - Community Recreation CR Zone
(Ancillary Development)**

14A. ANCILLARY DEVELOPMENT

A person shall not erect or use a building as a catering business, licensed club, or private camping purposes unless the use of the building or land for that purpose is ancillary to the use of the site for sport and recreation.

Division 6 – Conservation OC Zone

14B CLEARING OF MANGROVES

The clearing of mangroves in Zone OC is permitted only with the consent of the consent authority.

PART III - DEVELOPMENT CODE

Division 1 - Parking

15. DEFINITIONS

In this Division -

"employee", in relation to a site, means a person employed in an undertaking established 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 mobile home, caravan or the like; or
- (b) the erection of a tent or similar structure.

16. SIZE OF PARKING SPACE

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

17. PARKING PROVISION

(1) Subject to this planning instrument, a person shall not use or develop land for a purpose specified in Column 1 of the table to this clause unless provision is made on the site for a number of car parking spaces not less than the number calculated in accordance with Column 2 of that table shown opposite the purpose so specified.

(2) Where a calculation made in pursuance of subclause (1) results in a number which is not a whole number, the number of parking spaces required shall be the next highest whole number.

(3) Where there is a use of land referred to in the zoning table for which no provision is made in respect of car parking spaces in the table to this 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
Purpose	Minimum number of car parking spaces required
1. Abattoir	see “industry”
2. Attached dwellings	see “dwelling unit”
3. Caravan park	for each caravan, mobile home or tent site - 1.1
4. Caretaker’s residence	1
5. Catering business	for each 100 square metres of net floor area - 5
6. Child care centre	for each employee - 1 <u>plus</u> 2 spaces
7. Community centre	for each 100 square metres of net floor area - 5
8. Detached dwelling	1
9. 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 100 square metres of net floor area - 10 whichever standard results in the greater number of spaces
10. For a dwelling unit not otherwise provided for in this table	for each dwelling unit - 1.5
11. Educational establishment	for each primary or secondary school - 2 <u>plus</u> 1 per classroom
12. Flats	see “dwelling unit”
13. Fuel depot	see “industry”
14. Funeral parlour	for each 100 square metres of net floor area used as a chapel - 5
15. General store	4

TABLE - continued

Column 1	Column 2
Purpose	Minimum number of car parking spaces required
16. Group home (transitional)	4
17. Guest-house and hostel	for each guest suite or bedroom - 1
18. Hospital	for each 4 patient beds - 1 <u>plus</u> for each 100 square metres of floor area used for the purposes of administration - 4
19. Hotel	for each 2 guest suites or bedrooms - 1 <u>plus</u> for each 100 square metres of floor area used as a lounge bar or beer garden - 16 <u>plus</u> for each 100 square metres of floor area used as a bar - 50 <u>plus</u> if the hotel has a drive-in bottle shop - 10 for cars being served or awaiting service
20. Indoor recreation establishment	if racquet court games, for each court - 4 if cinema or theatre, for each 4 seats - 1 otherwise than as specified in this item, for each 100 square metres of net floor area - 10 <u>plus</u> if indoor spectator facilities, for each 4 seats - 1
21. Industry (light industry and service industry excepted)	for each 100 square metres of net floor area used for industry - 1 <u>plus</u> for each 100 square metres of net floor area used for offices - 4 <u>plus</u> for the first 500 square metres of the first 2,000 square metres of site used for storage - 1 <u>plus</u> for each 2,000 square metres of site used for storage in addition to the first 2,000 square metres - 1
22. Institutional establishment	for each employee - 1 <u>plus</u> for each 100 square metres of net floor area - 1
23. Institutional residence	for each 4 patient beds - 1 <u>plus</u> for each 100 square metres of floor area used as administration area - 4

TABLE - continued

Column 1	Column 2
Purpose	Minimum number of car parking spaces required
24. Junk yard	for each 100 square metres of net floor area (offices excepted) - 1 <u>plus</u> for each 100 square metres of net floor area used for offices - 4 <u>plus</u> for each 250 square metres of the first 1,000 square metres of the site area used for open storage - 1 <u>plus</u> for each 1,000 square metres of the site area used for open storage in addition to the first 1,000 square metres - 1
25. Kennel and cattery	for each employee - 1 <u>plus</u> 4
26. Licensed club	for each 100 square metres of floor area used as a lounge area or beer garden - 10 <u>plus</u> for each 100 square metres of floor area used as a bar - 20
27. Licensed restaurant	for each 100 square metres of net floor area - 7
28. Light industry	for each 100 square metres of net floor area used for industrial purposes (offices excepted) - 1.5 <u>plus</u> for each 100 square metres of net floor area used for offices - 4 <u>plus</u> for each 500 square metres of the first 2,000 square metres used for storage - 1 <u>plus</u> for each 2,000 square metres used for storage in addition to the first 2,000 square metres - 1
29. Market	for each 100 square metres of net floor area - 4
30. Medical clinic	for each 100 square metres of net floor area - 4
31. Medical consulting rooms	for each 100 square metres of net floor area - 4
32. Motel	for each guest suite or bedroom - 1 <u>plus</u> for each 100 square metres of floor area used as a lounge bar or beer garden - 16
33. Motor repairing	for each 100 square metres of floor area - 6

TABLE - continued

Column 1	Column 2
Purpose	Minimum number of car parking spaces required
34. Nursery	for each 100 square metres of net floor area of any building - 2 <u>plus</u> for each 250 square metres of the first 1,000 square metres used for open nursery area - 1 <u>plus</u> for each 2,000 square metres used for open nursery storage in addition to the first 1,000 square metres - 1
35. Office (except where elsewhere referred to in this table)	for each 100 square metres of net floor area - 2.5
36. Passenger terminal	for each 100 square metres of net floor area - 5 <u>or</u> as many car spaces as can be provided on 25% of the site area whichever standard results in the greater number of spaces (to be calculated exclusive of any area used for taxi stands or bus loading purposes)
37. Piggery	for each employee - 1
38. Place of public worship	for each 100 square metres of net floor area - 5
39. Poultry	for each employee - 1 <u>plus</u> 4
40. Pound	for each 100 square metres of developed area - 2
41. Private camping purposes	for each site - 1.1
42. Sawmill	see "industry"
43. Service industry	for each 100 square metres of net floor area used for industrial purposes - 2 <u>plus</u> for each 100 square metres of net floor area used for offices - 4
44. Service station	for each 100 square metres of net floor area - 2 <u>or</u> 10 whichever standard results in the greater number of spaces
45. Shop	for each 100 square metres of net floor area - 6

TABLE - continued

Column 1	Column 2
Purpose	Minimum number of car parking spaces required
46. Show-room	for each 100 square metres of net floor area used as a show-room - 4 <u>plus</u> for each 100 square metres of net floor area used for offices - 4 <u>plus</u> for each 200 square metres used for open air display and sale purposes - 1
47. Special purposes -	
(a) if cemetery or crematorium	for each 100 square metres of net floor area used as a chapel - 5
(b) if court of justice or radio or TV installation	for each 100 square metres of net floor area - 2.5
(c) if ambulance or fire station	for each 100 square metres of net floor area (excluding operating vehicle parking areas) - 2.5
(d) if waterfront or maritime industry	for each 100 square metres of net floor area used for industry - 1 <u>plus</u> for each 100 square metres of net floor area used for offices - 4 <u>plus</u> for each 500 square metres of the first 2,000 square metres of site area used for open storage - 1 <u>plus</u> for each 2,000 square metres of site area used for open storage in addition to the first 2,000 square metres of the site area so used - 1
48. Stables	for each stall - 1
49. Stock and sales yard	for each 100 square metres of developed area - 2
50. Tavern	for each 100 square metres of floor area used as a lounge bar - 10 <u>plus</u> for each 100 square metres of floor area used as a bar - 20

TABLE - continued

Column 1	Column 2
Purpose	Minimum number of car parking spaces required
51. 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 area whichever standard results in the greater number of spaces
52. Units for aged persons	for each 2 dwellings - 1
53. Vehicle sales yard	for each 100 square metres of net floor area - 4 <u>plus</u> for each 100 square metres of net floor area used for offices - 4 <u>plus</u> for each 200 square metres of site used for open air display - 1 <u>or</u> if vehicles are for hire - 1 per vehicle whichever standard results in the greater number of spaces
54. Veterinary clinic	for each 100 square metres of net floor area - 4
55. Warehouse	for each 100 square metres of net floor area (excluding offices) - 1 <u>plus</u> for each 100 square metres of net floor area used for offices - 4

18. ACCESS DRIVEWAYS

(1) A driveway providing entry to, or exit from, a parking area shall be not less than 6 metres wide for two-way traffic flow or 3.5 metres wide for one-way traffic flow.

(2) A driveway located on a street corner or junction shall have a kerb radius of not less than 5 metres.

19. PARKING AREA

(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) designed to allow a vehicle to enter from and exit to a public road in forward gear;
- (d) if situated between a building and a frontage to a road, located not less than 3 metres from that frontage;
- (e) in RL1 and DC zones, well-drained and sealed; and
- (f) in zones other than RL1 and DC, well-drained, and either sealed or dust suppressed.

(2) A parking area shall not be established, used or maintained for a purpose other than the parking of vehicles.

20. SCREENING OF PARKING AREAS

(1) Where a parking area is provided on land used for attached dwellings, flats, guest-houses and hostels, or group homes (transitional), the parking area shall not be located between a building on the land and a road boundary of the site unless it is adequately screened from public view.

(2) For the purposes of subclause (1), a parking area is adequately screened from public view where, at the boundary between the parking area and each public road -

- (a) there is erected a screen fence or wall not less than 1.5 metres high; or
- (b) there is planted suitable vegetation which will provide a screen not less than 2 metres in height within 2 years after planting,

along the whole of that boundary (driveways and necessary corner truncations excepted).

Division 2 - Loading and Unloading Spaces and Set-down Areas

21. LOADING, &c., SPACES

Subject to clause 22(2), a loading or unloading space required under this Division shall be -

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

22. LOADING, &c., SPACES TO BE PROVIDED

(1) A person shall not use or develop land for industry (service industries excepted), hospitals, passenger terminals, shops, show-rooms, transport terminals, warehouses or wholesale markets unless there are 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

plus

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

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

23. SET-DOWN AREAS

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

(2) A set-down area referred to in subclause (1) shall permit vehicles to draw off and return to the public road in forward gear and provide adequate standing space appropriate to the use of the site.

Division 3 - Residential Development

24. LOT SIZE - RESIDENTIAL USE

Subject to this planning instrument, a person shall not erect or use a detached dwelling on land within Zone DC unless the land has an area of not less than 800 square metres.

25. HEIGHT OF RESIDENTIAL BUILDINGS

(1) A person shall not erect or use a building for the purposes of attached dwellings or flats if the building contains more than 2 storeys.

(2) For the purposes of subclause (1), the ground floor of a building shall be deemed to be a storey.

26. DENSITY CONTROL REQUIREMENTS

A person shall not erect or use a building for a purpose specified in Column 1 of the table to this clause and containing the number of storeys specified opposite thereto in Column 2 of that table unless the area of the site is not less than the area specified in Column 3 of that table opposite that purpose and number so specified.

DENSITY CONTROL TABLE

Column 1	Column 2	Column 3
Purpose	Number of storeys in building	Site area required in respect of each dwelling containing - (a) 1 or 2 bedroom(s); (b) 3 bedrooms; or (c) 4 bedrooms, expressed in square metres
Attached dwellings or flats	1	(a) 300 (b) 350 (c) 380
	2	(a) 260 (b) 300 (c) 350

27. ATTACHED DWELLINGS - GARDEN AREAS

(1) A person shall not erect or use a building as attached dwellings on land unless there is provided in respect of each attached dwelling a contiguous unobstructed, private, open area at ground level and which open area is not less than -

- (a) 35 square metres in area; and
- (b) 4 metres in length and 4 metres in width.

(2) Subject to subclause (3), an open area provided in pursuance of subclause (1) shall be screened from public view to the satisfaction of the consent authority.

(3) For the purposes of subclause (2), an open area referred to in subclause (1) is adequately screened from public view to the satisfaction of the consent authority where, at the boundaries of the open area -

- (a) there is erected a wall or fence not less than 1.5 metres high; or
- (b) there is planted suitable vegetation which will provide a screen not less than 2 metres in height within 2 years after planting,

along the whole of that boundary (driveways and necessary corner truncations excepted).

28. MOTELS

A person shall not erect or use a building as a motel on land within Zone DC unless the area of the site is not less than 2,000 square metres.

29. MOTELS AND GUEST-HOUSES AND HOSTELS

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

30. UNSEWERED AREAS

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

Division 4 - Business Development

31. HOTELS

A person shall not erect or use a building on land within Zone DC as a hotel unless the site has an area of not less than 6,000 square metres.

32. TAVERNS

A person shall not erect or use a building as a tavern where the net floor area of the building and the area of the land used as a tavern exceeds 250 square metres.

33. PLOT RATIOS

(1) Subject to subclause (2), a person shall not, on land within Zone DC, erect or use a building where the plot ratio of the building exceeds 1.

(2) Subclause (1) shall not apply to or in relation to land within Zone DC used for the purpose of fuel depots, industry, light industry, service industry or warehouses.

Division 5 - Industry

34. APPLICATION

This Division applies to land within Zone DC used for the purpose of fuel depots, industry, light industry, service industry or warehouses, but not otherwise.

35. INDUSTRIAL USES - SITE REQUIREMENTS

A person shall not use or develop land unless the site has -

- (a) an area of not less than 1000 square metres;
- (b) a frontage of not less than 35 metres to a public road; and
- (c) is not less than 35 metres deep.

36. SITE COVERAGE

Site coverage for buildings on land shall not exceed 60%.

37. SETBACKS

A person shall not erect or use a building on land unless the distance between the building and the nearest alignment of a road is not less than 6 metres.

38. FLOOR AREA REQUIREMENTS

(1) Subject to this planning instrument, a person shall not use or develop land for a purpose ancillary to industry unless the amount of floor area so used does not exceed 40% of the floor area of the building on the site.

(2) Where land is used for open storage or industry not within a building, the floor area used for a purpose ancillary to the open storage or industry shall not exceed 10% of the area of that land.

39. PLOT RATIOS

A person shall not use or develop land unless the plot ratio of the buildings on the site does not exceed 1.25.

40. LIGHT AND SERVICE INDUSTRY USES

A person shall not use or develop land for a light industry or a service industry unless the use of the land for that purpose does not -

- (a) require a special rail siding;
- (b) cause 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; and
- (c) require the provision of a public utility service of a greater capacity than that available in the locality of the light or service industry.

41. OFFICES IN INDUSTRIAL DEVELOPMENTS

A person shall not erect or use a building as an office unless the floor area so used does not exceed -

- (a) 10% of the floor area of the building; or
- (b) where the site is used for open storage - 10% of the area of the site.

42. SHOW-ROOMS AND VEHICLE SALES YARDS

A person shall not erect or use a building on land as a show-room or vehicle sales yard unless -

- (a) the use of the building or land is ancillary and subsidiary to the use of the building or land for another purpose; or
- (b) the total area so used does not exceed the sum of 20% of the floor area of the building and 20% of the area of the site not covered by buildings.

Division 6 - Specific Uses

43. CARAVAN PARKS WITHIN ZONE DC

A person shall not develop or use land within Zone DC for the purpose of a caravan park unless the site has -

- (a) an area of not less than 1.5 hectares; and
- (b) a frontage of not less than 120 metres to a public road.

44. **DRIVE-IN TAKE-AWAY FOOD OUTLETS**

A person shall not erect or use a building or land as a drive-in take-away food outlet on land within Zone DC unless -

- (a) the area of the site is not less than 1,000 square metres;
- (b) where the site has a frontage to a main road - the frontage to that road is not less than 30 metres;
- (c) where the site does not have a frontage to a main road - the frontage to the road is not less than 25 metres;
- (d) a vehicular crossing over a footpath for such purpose is not -
 - (i) less than 6 metres wide;
 - (ii) closer than 9 metres to another vehicular crossing; and
 - (iii) closer than 15 metres to a road intersection;
- (e) the number of advertisements displayed for such purpose on the site outside the shop does not exceed 2; and
- (f) each car parking space is not less than 7.5 metres distant from each road boundary.

45. **DRIVE-IN THEATRES**

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

- (a) that part of the land which affords access from a public road to the ticket office is not less than 100 metres long and 12 metres wide; and
- (b) the screen of the drive-in theatre is so located or protected that no image projected on it is visible and identifiable from a public road.

46. HOME OCCUPATIONS

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

- (a) the only persons employed by him in the carrying on of the home occupation are his spouse, children or parents;
- (b) the floor area so used does not exceed 30 square metres;
- (c) the carrying on of the home occupation does not -
 - (i) cause interference with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise; or
 - (ii) require the provision of a public utility service of a greater capacity than that available in the locality of the home occupation;
- (d) in respect of a sign displayed on or within the curtilage of a dwelling, the sign does not display more than the name and occupation of the resident of the dwelling and is not more than 1.0 square metre in area; and
- (e) goods are not publicly displayed for sale or hire in such a manner as to be identifiable from a public road.

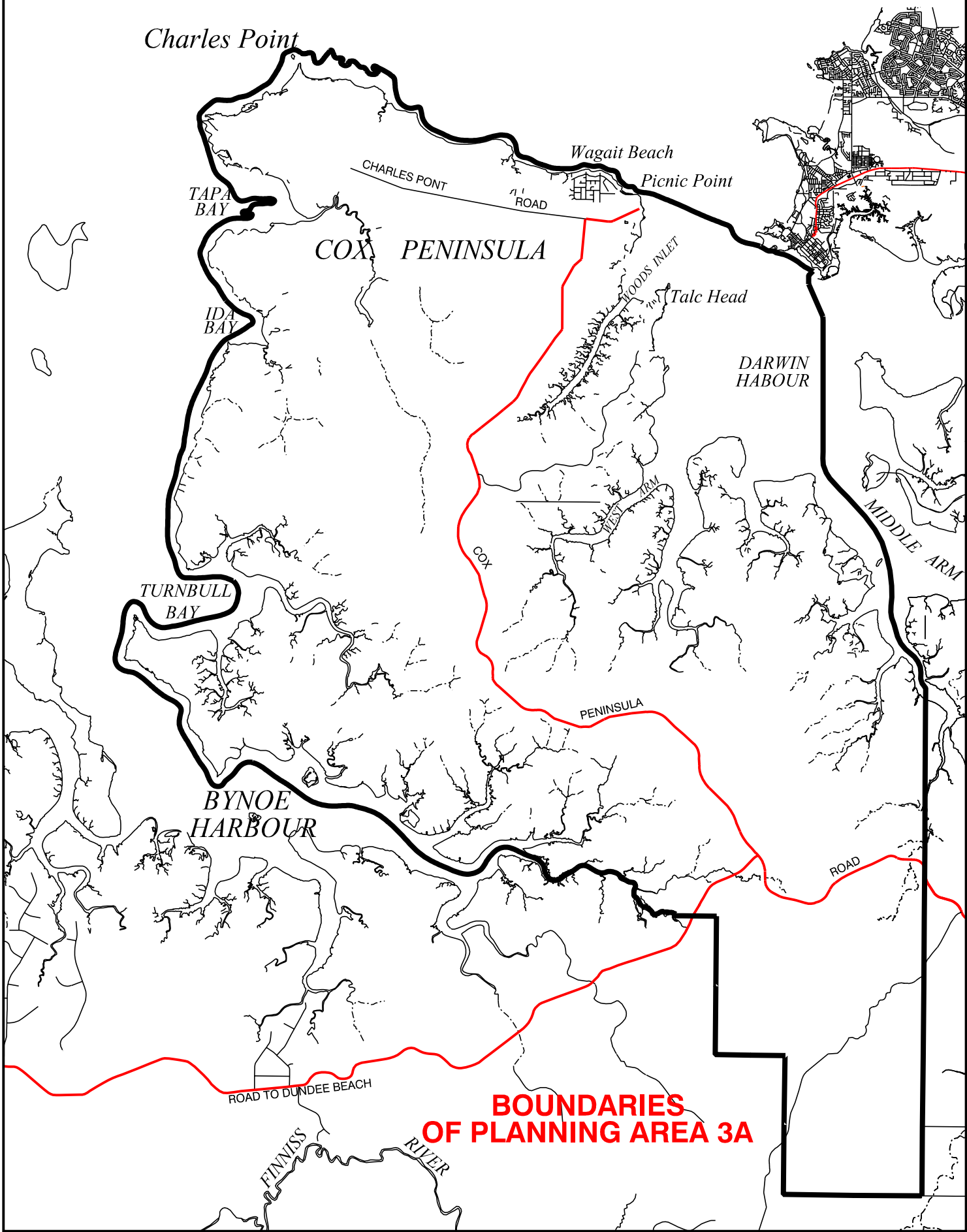
47. SERVICE STATIONS AND MOTOR REPAIRING

(1) A person shall not develop or use land as a service station or for motor repairing unless -

- (a) the site is not less than 90 metres distant 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) a 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 all roads and from land used for residential purposes.

(2) A person shall not erect or use a building or land for motor repairing or a service station 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 edge of the road reserve.



DARWIN RURAL AREA PLAN 1983 (AMENDMENT No. 20)



DEPARTMENT OF
LANDS, PLANNING AND ENVIRONMENT

MINISTER FOR LANDS, PLANNING AND ENVIRONMENT

File No. : PA 98/157

Scale 1 : 90 000

DCPA No. : DR38

Date : 22/04/98

NT GG :

Drawing Number

Checked :

LIT_CTRL

Date

TABLE OF AMENDMENTS
DARWIN RURAL AREA PLAN 1983

Amendment Number	Gazette Date	Gazette Number	Amendment
1.			Rezones Lots 6-19, LTO 70/02, Section 73 and Portion 1848 Stuart Highway, Hundred of Bagot to RL1.
2.	14.08.85	G32	Amend zoning table by omitting Column 3.
3.	06.03.85	G9	Rezones part Portion 1625 including Sections 455 and 456, Pioneer Drive, Hundred of Strangways from RL2 to RL1.
4.	Rejected 13 March 1988.		
NOTE: Amendment No 5 was revoked by Notice of Revocation which was gazetted in NTGG G10 on 12.03.86			
6.	01.10.86	G39	Rezones Sections 368 and 369, Hundred of Strangways from RL1 to S.
7.	25.03.87	G12	<p>Rezones Section 1725, Hundred of Strangways and part Section 200, Hundred of Bagot from RL1 to S, part Section 1578, Hundred of Ayers from RL2 to S, Portion 1916, Hundred of Bagot and Section 2211 from RL1 to CR, Section 1789, Hundred of Ayers and Section 229, Hundred of Cavenagh from RL2 to DC, Portion 1799, Hundred of Strangways from DC to CR and part Sections 1566, 1567 and 1578, Hundred of Ayers from RL2 to DC.</p> <p>Amends clause 4, adding (h) refuse tips.</p> <p>Amends clause 7 by adding Community Recreation zone.</p> <p>Adds Division 5 - Community Recreation CR zone.</p>
8.	14.01.87	G2	<p>Rezones part Lot 2300, near Wallaby Holtze Road and Palmerston By Pass, Hundred of Bagot from RL1 to S.</p> <p>Makes “agriculture” a consent use in Zone DC.</p>
9.	30.09.87	G39	Rezones Sections 368, 369 and 1725, Hundred of Strangways to DC.

TABLE OF AMENDMENTS
DARWIN RURAL AREA PLAN 1983

Amendment Number	Gazette Date	Gazette Number	Amendment
10.	09.12.87	G49	Rezones Section 4210, Hundred of Bagot and Lots 40 and 42-44, LTO 79/28, Hundred of Bagot from RL1 to DC.
11.	20.04.88	G16	Requires that all parking areas designed for 3 or more vehicles in Zones RL1 and DC be now sealed.
12.	21.06.89	G24	Rezones Sections 94, 101, 106 and 125, part of Section 111, Portion 1678, several closed roads and an area of vacant Crown land (Campbell and Thorngate Roads locality), Hundred of Bagot from RL1 to S.
13.	21.06.89	G24	Amends clause 46(d) of the Darwin Rural Area Plan to increase the permissible size of a sign permitted to be displayed under the clause from 0.3 square metres to 1 square metre in area.
14.	21.03.90	G11	Amends clause 8 “Exceptions” by amending subclause (2) - ‘Introduction of Gas’.
15.	08.08.90	G31	Rezones a part of Portion 1916 Whitewood Road, Hundred of Bagot from CR to S to enable the site to be used by the Howard Springs Volunteer Fire Brigade for a fire station.
16.			
17.	21.02.91	S12	Rezones Section 1726 and adjoining vacant Crown land and Section 1727 Stuart Highway, Hundred of Strangways from DC and RL1 to CR.
18.	06.06.91	S29	Rezones approximately 77 hectares of NT Portion 2627 Channel Island, Darwin Harbour from RL1 to S to provide a more appropriate zone for the Channel Island Power Station.
19.	03.11.92	S57	Alters the area of land to which the Plan applies and makes the Minister the consent authority in respect of the Plan.
20.	29.07.98	G29	Amends clause 3. Adds new schedule.

TABLE OF AMENDMENTS
DARWIN RURAL AREA PLAN 1983

Amendment Number	Gazette Date	Gazette Number	Amendment
21	22.10.03	G42	<p>Rezones mangroves in Darwin Harbour to Conservation OC. The seaward boundary of the zone follows the Mean Low Water Mark and the landward boundary of the zone generally follows the 4.0m AHD.</p> <p>Adds new clause 14B.</p> <p>Amends clause 7 by inserting after the zoning table for Community Recreation CR zone, a new zoning table Conservation OC.</p>