

NORFOLK ISLAND PLAN 2002

Draft

Recommended Housekeeping Amendments 2025

DRAFT

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PRELIMINARY

P1. What is the Norfolk Island Plan?

- (1) This Plan has been prepared in accordance with the provisions of the *Planning Act 2002* (NI) (the Act). It is intended to be the framework for the future development and land management of Norfolk Island. It is a response to the identified strategic planning issues facing Norfolk Island.
- (2) This Plan consists of two principal components:
 - (a) The Plan Written Statement, which is this document and which contains two Parts:
 - (i) Part A – Strategic Plan; and
 - (ii) Part B – Planning Requirements, which contains four Parts:
 - (i) Part B1 – Zoning Scheme;
 - (ii) Part B2 – Overlay Provisions;
 - (iii) Part B3 – General Provisions; and
 - (iv) Part B4 – Schedules.
 - (b) The Plan Maps, which show the various zones as described in Part B1, and other details of the Planning Area. The Plan Maps contain:
 - (i) the Strategic Plan Map;
 - (ii) the Zoning Map; and
 - (iii) the Overlay Maps.

P2. What area is subject to the Plan?

- (1) This Plan applies to the land and water above mean high water mark and covers the whole of Norfolk Island, as defined in Part B – clause 101 (*The Administrative Definitions*).

P3. What is the intent of the Plan?

- (1) The objectives to be pursued within the Planning Area as defined in Part B – clause 101 (*The Administrative Definitions*) are set out in Part A. These objectives are further integrated and underpinned in the Plan in Part B (in the zone intents and the use and development principles). Where any question arises as to the interpretation of effect of any part of this Plan, the objectives of Part A are foremost and the objectives of the individual zones are secondary.

P4. Are other approvals required in addition to those required under this Plan?

- (1) An approval granted or exemption from approval provided under this Plan must not absolve any person from the need to obtain any licence, permit, approval or other sanction required by the Norfolk Island Regional Council, Commonwealth of Australia, or any other *Public Authority* under any applicable legislation or regulation.

P5. Interpretation of the Plan

- (1) In this Plan Written Statement:
- (a) a reference to a clause, section, part or schedule must be a reference to a clause, section, part or schedule of the Plan; and
 - (b) a reference to any Act or Regulation must be a reference to such Act or Regulation as amended or replaced from time to time.
- (2) In this Plan:
- a) where a word is not defined in either clause 101 (*The Administrative Definitions*) or clause 104 (*The Purpose Definitions*) in Part B, the meaning of the word is taken to be the meaning used in the Macquarie Dictionary.
 - b) where a word or term is defined in either clause 101 (*The Administrative Definitions*) or Clause 104 (*The Purpose Definitions*) in Part B, the word or definition will appear in italics throughout this Plan and the meaning is taken to be the meaning used in those clauses.
- (3) This Plan should be read in accordance with the *Acts Interpretation Act (Cth) 1901* and the *Planning Act 2002 (NI)*.

PART A

STRATEGIC PLAN

SECTION 1 – GENERAL

1.1 What is the Strategic Plan?

- (1) This Part of the Plan Written Statement sets out the intent of the Norfolk Island Regional Council and people of Norfolk Island for the long term preferred future use, development and management of land in the *Planning Area*. It provides the strategic planning framework within which land use and development decision making must occur.

1.2 What is the scope of the Strategic Plan?

- (1) The Strategic Plan covers the whole of the *Planning Area*. It includes:
 - (a) This text, which describes and explains the Norfolk Island Regional Council's intentions for future development within the respective Preferred Dominant Land Use Areas and *Norfolk Island* generally; and
 - (b) The Strategic Plan Map, which shows the Preferred Dominant Land Use Areas on the Island.
- (2) The Strategic Plan does not confer or remove any rights to use land. Such rights are established under Part B (Zoning Scheme, Overlay Provisions and General Provisions) of the Plan.
- (3) The Strategic Plan is intended to perform the following principal functions:
 - (a) To guide decisions on *development applications*;
 - (b) To indicate to land *owners*, those wishing to use or develop land and other interested parties, the intent for use or development of land on Norfolk Island that will be reflected in the way that land use and development proposals are assessed; and
 - (c) To provide a sound strategic planning framework for the coordination of land use and development and infrastructure provision in order to promote the achievement of community aspirations.

1.3 What is the relationship between the Strategic Plan and the Zoning Scheme, Overlays and General Provisions?

- (1) The Strategic Plan has been prepared in conjunction with the Zoning Scheme, Overlay Provisions and General Provisions contained in Part B of this Plan Written Statement.
- (2) The Strategic Plan includes the objectives for future use and development generally on Norfolk Island. The Zoning Scheme and Overlay Provisions implement the general objectives at a local level and include the detailed intentions for future use and development within the zones and overlays.

- (3) It is the purpose of the Strategic Plan Map and the Principal Aim, strategic aims and objectives stated in Sections 2 and 3 respectively of the Strategic Plan to convert the philosophy of the Strategic Plan to practical guidelines to be used in managing land use or development decision making on Norfolk Island. The Strategic Plan, which is underpinned by its aims and objectives, will serve as a basis for amendments to the Zoning Scheme, Overlay Provisions and General Provisions, as well as being a guide to all land use or development decisions, including rezoning, subdivision and *development applications*.
- (4) Zoning, subdivision, and use and development decisions must be consistent with the Strategic Plan.

1.4 Guide to users

- (1) The Principal Aim and objectives in sections 2 and 3 of the Strategic Plan express the conceptual basis of the Plan and provisions for implementation of these objectives. In making decisions about land use or development on Norfolk Island, these sections should be referred to. However, more detailed guidance is intended to be obtained from section 4 of the Strategic Plan which describes each Preferred Dominant Land Use Area shown on the Strategic Plan Map, and the objectives and implementation criteria for these Areas.

SECTION 2 – PRINCIPAL AIM

2.1 What is the Principal Aim?

- (1) The Principal Aim is:
- Whilst recognising that Norfolk Island is first and foremost home to its residents, to provide for development which is consistent with the protection of Norfolk Island's natural environment, the preservation of the unique cultural and built heritage, the preservation of the character and quality of landscape experience, the maintenance of the agricultural industry, the development of a sustainable tourism industry based on Norfolk Island's special characteristics and the development of pleasant and functional places in which to live, work and recreate.*
- (2) This Principal Aim is intended to be achieved by reaching a balance between conservation and development, which permits and encourages appropriate opportunities for viewing and experiencing Norfolk Island's special attractions, but also acknowledges the following principles:
- (a) Norfolk Island's environmental, landscape and heritage qualities are valuable and vulnerable to change;
 - (b) Norfolk Island's infrastructure resources are relatively scarce;
 - (c) some forms of development are not desirable but need to be accommodated on Norfolk Island; and
 - (d) there is a need to limit the extent of development to maintain Norfolk Island's intrinsic, desirable attributes.

- (3) Through pursuit of the Principal Aim and the recognition of these principles, it is intended to promote the evolution of a sustainable environment and economy and provide sustainable ways of accommodating the Island's residents and visitors in living environments that reflect the desires of residents and visitors.

2.2 How will the Principal Aim be achieved?

- (1) The Principal Aim should be achieved by ensuring that the impact, location, extent, scale, configuration and appearance of use or development is in accordance with the detailed intent of this Strategic Plan articulated in the objectives in section 3 -Objectives and section 4 - Preferred Dominant Land Use Areas.
- (2) The provisions contained in the Zoning Scheme, Overlay Provisions and General Provisions in Part B – Planning Requirements provide complementary mechanisms for controlling the impact, nature, scale, density, configuration and appearance of use or development.
- (3) The Strategic Plan sets a maximum level for urban growth, which is not to be exceeded in the life of this Plan. The option to limit growth permanently to this level is to be preserved for the duration of this Plan.

SECTION 3 – OBJECTIVES

3.1 What are the objectives of the Strategic Plan?

- (1) The objectives of the Strategic Plan are to:
 - (a) provide opportunities to foster the development of a diverse and prosperous economic base;
 - (b) provide an appropriate range of land use or development opportunities;
 - (c) provide for the effective and efficient use of facilities, infrastructure and services;
 - (d) encourage orderly and efficient use and management of resources;
 - (e) promote and safeguard the community's safety and welfare, and its social and cultural wellbeing;
 - (f) provide sustainable recreational and open space opportunities;
 - (g) promote high standards of visual amenity and protect significant landscapes; and
 - (h) protect and enhance Norfolk Island's environmental and heritage qualities.

3.2 How will the objectives of the Strategic Plan be achieved?

3.2.1 Objective – Provide opportunities to foster the development of a diverse and prosperous economic base

- (1) The objective will be achieved by:

- (a) recognising that new initiatives will drive economic growth within reasonable environmental and social bounds;
- (b) enabling opportunities to occur that emerge with changing economic conditions while preserving valuable natural environments and viable agricultural land;
- (c) recognising that tourism is vital to economic prosperity and co-exists with other land management and conservation practices and should not degrade the environment;
- (d) providing opportunities for appropriate new and emerging tourism operations to occur, in particular eco-tourism, rurally based tourism, and thematically specialised tourism;
- (e) enabling a wide range of use or development opportunities in the existing commercial area; and
- (f) enabling appropriate rural industries to be developed and/or to continue to operate.

3.2.2 Objective – Provide an appropriate range of land use or development opportunities

- (1) The objective will be achieved by:
 - (a) ensuring that a range of uses and developments can occur and are not unintentionally limited;
 - (b) acknowledging that a range of use or development types that do not occur at present may be required in the future and that provision should be made for these to occur;
 - (c) recognising that because of the Island's relative isolation, some industrial processes are necessary and essential either now or in the future and that provision should be made for these facilities in suitably buffered locations;
 - (d) requiring relatively large minimum lot sizes in rural areas so that viable agricultural land is retained;
 - (e) providing a range of residential use or development opportunities with suitable subdivision and setback controls.

3.2.3 Objective – Provide for the effective and efficient use of facilities, infrastructure and services

- (1) The objective will be achieved by:
 - (a) clustering use or development in the central part of Norfolk Island so that existing infrastructure, services and facilities can be fully utilised and limiting development opportunities outside that area so that expensive infrastructure is not required in places where maximum utilisation is unlikely to be achieved;
 - (b) locating industry and other forms of development which draw heavily on infrastructure in locations such as the Airport or near existing waterside facilities where existing infrastructure is in place or can be cost effectively put in place;
 - (c) locating use or development that draws heavily on community services in areas where such services exist or are readily accessible;
 - (d) ensuring that use or development proposals do not place unreasonable strain on public infrastructure services; and
 - (e) clustering higher intensity residential and commercial development in areas serviced with infrastructure and ensuring that existing sewage and wastewater disposal systems are utilised effectively and efficiently.

3.2.4 Objective – Encourage orderly and efficient use and management of resources

- (1) The objective will be achieved by:
- (a) encouraging sustainable development practices including waste minimisation, efficient and effective waste management, use of alternative energy and energy efficient practices;
 - (b) encouraging use or development that utilise land efficiently and effectively and discourage use and development that degrades resources;
 - (c) clustering use or development types that require expensive infrastructure within the area serviced by the Norfolk Island sewer mains, utilising existing infrastructure;
 - (d) maximising retention of viable agricultural land by minimising land fragmentation;
 - (e) minimising the potential for groundwater contamination by ensuring that size and orientation of lots is adequate for effective and efficient on-site wastewater management systems and minimising clearing of steep slopes;
 - (f) maximising opportunities for rainwater capture and storage and ensuring that water resources are not adversely impacted upon by land use or development decisions; and
 - (g) ensuring that groundwater use is minimised.

3.2.5 Objective – Promote and safeguard the community's safety and welfare, and its social and cultural wellbeing

- (1) The objective will be achieved by:
- (a) continuing to recognise that Norfolk Island is first and foremost the home of its residents;
 - (b) promoting practices that maintain and enhance public health and safety standards;
 - (c) ensuring that incompatible land use or development types are separated; and where separation is not feasible, that such uses or development are appropriately buffered;
 - (d) discouraging use or development that has detrimental impacts on the social and cultural fabric of Norfolk Island and where this cannot be achieved, provide for such activities to occur in locations that will minimise social and cultural impact;
 - (e) recognising the importance of Norfolk Island's unique social and cultural heritage practices and values; and preserving examples and evidence of these practices and values;
 - (f) providing opportunities for use or development which underpins elements of special social and cultural value;
 - (g) facilitating traditional methods of family land custodianship and management without adversely impacting upon other practical land management and ownership principles through the introduction of group and community titling mechanisms; and
 - (h) striking a balance between providing tourism opportunities and not degrading the social and cultural practices and activities that supports tourism.

3.2.6 Objective – Provide sustainable recreational and open space opportunities

- (1) The objective will be achieved by:
- (a) recognising the need for appropriate and useable spaces for passive and active recreation in both urban and non-urban areas;
 - (b) ensuring that appropriate areas with conservation values can appropriately be utilised for low impact recreational and open space purposes without adversely impacting upon those values;
 - (c) ensuring that use or development in the *National Park*, public reserves and other open spaces is appropriately managed and that existing long term low impact uses or developments are able to continue;
 - (d) recognising, respecting and complimenting management objectives for the *National Park* and public reserves;
 - (e) acknowledging that some areas other than public reserves currently used for open space purposes may become areas for future urban and peri-urban expansion and that these areas should be treated accordingly in a strategic planning context; and
 - (f) recognising that open space can be legitimately used to buffer incompatible use or development and that these areas of land can be used appropriately for recreational and open space purposes at the same time.

3.2.7 Objective – Promote high standards of visual amenity and protect significant landscapes

- (1) The objective will be achieved by:
- (a) ensuring that areas with high visual amenity are protected from use or development that would otherwise cause a significant negative visual impact on these areas;
 - (b) encouraging very low impact uses in areas of high scenic or landscape conservation value;
 - (c) ensuring that use or development will not have a detrimental impact on Norfolk Island's landscape character and will not contribute to visual blight;
 - (d) encouraging building form, scale, mass, siting, materials and finishes that complement existing landscapes and do not detract from Norfolk Island's visual amenity; and
 - (e) minimising land subdivision and in so doing retaining larger lots that contribute to the landscape character of Norfolk Island.

3.2.8 Objective – Protect and enhance environmental and heritage qualities

- (1) The objective will be achieved by:
- (a) identifying those areas that demonstrate conservation values, the protection of which contributes to the ecological diversity, cultural and natural heritage values and tourism appeal of Norfolk Island;
 - (b) minimising adverse impacts of use or development on the areas of unique environmental and heritage value including the *National Park*, public reserves that have conservation values, the coastal and cliff environments, remnant vegetation, and *Kingston and Arthur's Vale Historic Area* and its landscape setting;
 - (c) acknowledging that some areas of conservation value have existing use or development that is sympathetic with environmental and heritage qualities and that these should be maintained and protected by using zoning and overlay provisions;

- (d) buffering areas with very high conservation value from use or development that may have a detrimental impact on these conservation values;
- (e) recognising, respecting and complementing management structures and objectives for the *National Park*, public reserves, and *Kingston and Arthur's Vale Historic Area*;
- (f) ensuring that use or development proposals demonstrate that they will not have a detrimental impact on the environmental or heritage qualities of Norfolk Island;
- (g) encouraging use or development that has low environmental impact and where appropriate, clustering use or development that has the potential for detrimental impacts on the environment and heritage;
- (h) protecting and conserving places that have special natural, cultural and built heritage value from use or development that would otherwise cause a significant negative impact on the environmental and/or heritage values of those places; and
- (i) ensuring that where use or development is carried out in a location which has heritage conservation values, that such use or development is sympathetic to the heritage values of the place.

SECTION 4 – PREFERRED DOMINANT LAND USES

4.1 What are Preferred Dominant Land Uses?

- (1) The Strategic Plan identifies the Preferred Dominant Land Uses for Norfolk Island. These are:
 - (a) High Rural/Conservation Value Preferred Dominant Land Use;
 - (b) Semi-Rural Preferred Dominant Land Use;
 - (c) Urban Preferred Dominant Land Use; and
 - (d) Activity Node Preferred Dominant Land Use.
- (2) This section includes specific objectives for the Preferred Dominant Land Use areas as identified on the Strategic Plan Map.

4.2 HIGH RURAL/CONSERVATION VALUE PREFERRED DOMINANT LAND USE

4.2.1 What is the High Rural/Conservation Value Preferred Dominant Land Use?

- (1) The designated High Rural/Conservation Value Preferred Dominant Land Use areas of Norfolk Island are characterised by high environmental values and/or reflect land that is not needed in the short to medium term for other more intense land uses.

- (2) The areas identified as High Rural/Conservation Value Preferred Dominant Land Use are intended to remain largely undeveloped in the long term. These areas are intrinsic to the rural character and natural and cultural heritage environment of Norfolk Island. Permitted uses or developments should not change the fundamental nature and character of the land. Where areas require protection and preservation of conservation values, a very limited range of activities comprising use or development activities that complement the conservation values may be permitted.

4.2.2 What are the objectives of the High Rural/Conservation Value Preferred Dominant Land Use?

- (1) The objectives of the High Rural/Conservation Value Preferred Dominant Land Use are to:
- (a) retain and enhance the open space, natural environment and wildlife habitat that is vital to life systems on the Island;
 - (b) conserve and protect areas that have very high natural and/or cultural heritage conservation values;
 - (c) allow for a very limited range of complimentary low intensity and low impact use or development in areas with very high natural and/or heritage conservation values;
 - (d) maintain and protect the aesthetic backdrop for Norfolk Island;
 - (e) maintain the existing rural character of much of Norfolk Island;
 - (f) provide land that may buffer certain incompatible uses; and
 - (g) protect and preserve land for existing and future public and government use or development.

4.2.3 How will the objectives of the High Rural/Conservation Value Preferred Dominant Land Use be implemented?

- (1) The objectives of the High Rural/Conservation Value Preferred Dominant Land Use will be achieved by ensuring that only land that is within the following zones is located within the High Rural/Conservation Value Preferred Dominant Land Use area:
- (a) Rural;
 - (b) Open Space;
 - (c) Conservation; or
 - (d) Special Use.

4.3 SEMI-RURAL PREFERRED DOMINANT LAND USE

4.3.1 What is the Semi-Rural Preferred Dominant Land Use?

- (1) The designated Semi-Rural Preferred Dominant Land Use areas of Norfolk Island are characterised by rural use and development.

- (2) The areas identified as Semi-Rural Preferred Dominant Land Use are intended to provide a frame around the urban area and in the long term to provide the transition area from the urban areas to the areas with High Rural/Conservation Value. The permitted use or development types in the Semi-Rural Preferred Dominant Land Use area are for rural residential use or development or are urban or semi-rural in nature and require larger amounts of land and are best suited in an area with a rural or semi-rural character.
- (3) The character of the Semi-Rural Preferred Dominant Land Use area should be predominantly rural. The scale and intensity of use or development in the Semi-Rural Preferred Dominant Land Use area are not appropriately part of the principles and objectives of the High Rural/Conservation Value Preferred Dominant Land Use area.

4.3.2 What are the objectives of the Semi-Rural Preferred Dominant Land Use?

- (1) The objectives of the Semi-Rural Preferred Dominant Land Use are to:
 - (a) provide opportunities for rural residential use or development in a rural or natural setting with an acceptance of medium and smaller sized lots;
 - (b) maintain the existing rural character of much of Norfolk Island and to provide opportunities for appropriate non-agricultural use or development;
 - (c) promote small-scale rural and rural support uses or developments;
 - (d) enable use of rural and semi-rural land for low density residential purposes where that land has lost its intrinsic agricultural viability;
 - (e) provide opportunities for a limited range of appropriate low intensity and low impact use or development within areas that have natural, cultural and heritage values;
 - (f) retain and enhance the open space, vegetation communities and wildlife habitat that is vital to life systems on Norfolk Island;
 - (g) provide land that may buffer certain incompatible uses; and
 - (h) protect and preserve land for existing and future public and government use or development.

4.3.3 How will the objectives of the Semi-Rural Preferred Dominant Land Use be implemented?

- (1) The objectives of the Semi-Rural Preferred Dominant Land Use are to be achieved by ensuring that only land that is within the following zones is located within the Semi-Rural Preferred Dominant Land Use area:
 - (a) Rural;
 - (b) Rural Residential;
 - (c) Open Space; or
 - (d) Special Use.

4.4 URBAN PREFERRED DOMINANT LAND USE

4.4.1 What is the Urban Preferred Dominant Land Use?

- (1) The designated Urban Preferred Dominant Land Use areas of Norfolk Island are characterised by urban type use and development.
- (2) The areas identified as Urban Preferred Dominant Land Use are intended to provide the essential urban functions on Norfolk Island in the long term. The use or development types permitted in the Urban Preferred Dominant Land Use area are varied and principally include residential, commercial and industrial use or development.
- (3) Land identified for urban use or development in the longer term may appropriately be used for a range of non-urban purposes in the short to medium term. Such use or development types include rural, rural residential and open space uses. The areas designated for urban use or development should be serviced by appropriate infrastructure or be capable of being serviced by appropriate infrastructure.

4.4.2 What are the objectives of the Urban Preferred Dominant Land Use?

- (1) The objectives of the Urban Preferred Dominant Land Use are to:
 - (a) provide opportunities for a range of urban use or development types including residential, commercial and industrial uses or developments;
 - (b) focus urban use or development on the existing commercial area, which is typified by a pattern of relatively higher intensity urban use or development;
 - (c) enable residences, businesses and activities of urban character to be located on small, centralised lots alleviating the need to subdivide valuable agricultural and non-urban land for urban use or development;
 - (d) utilise existing infrastructure to limit potential impacts of urban use or development on the surrounding environment;
 - (e) minimise the potentially adverse effects of higher intensity urban use or development by clustering urban use or development together; and
 - (f) protect and preserve land for existing and future public and government use or development.

4.4.3 How will the objectives of the Urban Preferred Dominant Land Use be implemented?

- (2) The objectives of the Urban Preferred Dominant Land Use are to be achieved by ensuring that only land that is within the following zones is located within the Urban Preferred Dominant Land Use area:
 - (a) Rural Residential;
 - (b) Residential;

- (c) Mixed Use;
- (d) Business;
- (e) Industrial;
- (f) Open Space; or
- (g) Special Use.

4.5 ACTIVITY NODE PREFERRED DOMINANT LAND USE

4.5.1 What is the Activity Node Preferred Dominant Land Use?

- (1) The designated Activity Node Preferred Dominant Land Use areas of Norfolk Island are not currently required in the foreseeable future for any other preferred dominant land uses.
- (2) The areas identified as Activity Node Preferred Dominant Land Use are intended to provide the necessary and essential industrial and infrastructure functions on Norfolk Island in the long term. The uses and development types permitted in the Activity Node Preferred Dominant Land Use areas are limited to air and sea transport, infrastructure and industrial uses.
- (3) Land identified for use as an Activity Node in the longer term may appropriately be used for a range of other purposes in the short to medium term, such as rural and open space use or development.

4.5.2 What are the objectives of the Activity Node Preferred Dominant Land Use?

- (1) The objectives of the Activity Node Preferred Dominant Land Use are to:
 - (a) provide a compact, buffered area for industrial uses;
 - (b) minimise potential adverse effects of higher intensity industrial use or development on the Norfolk Island community and visitors;
 - (c) minimise the impacts on the environment caused by industrial use or development by maximising use of existing and future infrastructure;
 - (d) protect airport and aviation related use or development opportunities, while co-locating appropriate industrial use or development;
 - (e) protect existing sea transport facilities and related future use or development opportunities while co-locating appropriate industrial use or development; and
 - (f) protect and preserve land for existing and future public and government use or development.

4.5.3 How will the objectives of the Activity Node Preferred Dominant Land Use be implemented?

- (1) The objectives of the Activity Node Preferred Dominant Land Use are to be achieved by ensuring that only land that is within the following zones is located within the Activity Node Preferred Dominant Land Use area:
- (a) Rural;
 - (b) Industry;
 - (c) Open Space;
 - (d) Special Use; or
 - (e) Airport.

PART B

PLANNING REQUIREMENTS

PART B1 -ZONING SCHEME

1. Division of Norfolk Island into zones

- (1) Section 7 of the *Act* requires that the Norfolk Island Plan promote the objects of the *Act* by indicating planning objectives and development and environmental standards for Norfolk Island generally and land use zones. The Norfolk Island Plan must specify what use and development is permitted for each land use zone.
- (2) For the purposes of the Plan, the *Planning Area* is divided into zones, as shown on the Zoning Map and specified in the Table of Zones at clause 1(5). *Zone* means a particular area of *land* delineated on the Zoning Map within which *land* may only be used or developed in accordance with the relevant provisions of this Plan. Zones organise the *Planning Area* in a way that facilitates the location of permitted use and development.
- (3) A *zone*, the name of which is specified in the Table of Zones at clause 1(5), comprises all those parts of the *Planning Area* that show in that *zone* in the Zoning Map.
- (4) Notwithstanding the provisions of clause 1(3), any *lot* that extends to *Mean High Water Mark*, as shown on the *Official Survey* of Norfolk Island, must be zoned wholly for the purpose that the section of the *lot* landward of the surveyed Top of Cliff is zoned.
- (5)

TABLE OF ZONES

Rural
Rural Residential
Residential
Mixed Use
Business
Industrial
Open Space
Conservation
Special Use
Airport
Roads

2. Use or development of land in zones

- (1) The *use or development of land*, or the intended *use or development of land*, is categorised into one or more of the categories of *use or development* described in clauses 4 – 7 below.
- (2) The Tables of Use and Development for each *zone* determine what *use or development* may be carried out in that *zone*. The precise meaning of each *use or development* is defined in clause 104 (*The Purpose Definitions*).

3. How is a use or development regulated?

- (1) A *use or development* must comply with the relevant provisions of Part A (Strategic Plan) and Part B (Zoning Scheme, Overlay Provisions and General Provisions) of this Plan.

4. What is “permitted (as of right) use or development”?

- (1) Column 1 of the Table of Use or Development applicable to a *zone* specifies permitted (as of right) use or development. This is *use or development* that may be carried out without development approval in accordance with the *Act*.
- (2) Notwithstanding the provisions of clause 4(1), *buildings or structures* associated with any *use or development* may require *building approval*, unless exempt from requiring *building approval* in accordance with the building regulations made pursuant to the *Building Act 2002* (NI).

5. What is “permitted use or development”?

- (1) Column 2 of the Table of Use or Development applicable to a *zone* specifies permitted use or development. This is *use or development* that requires *development approval* and may be subject to conditions of *development approval* in accordance with the *Act*.
- (2) While *development approval* is required for permitted use or development, approval shall be granted either unconditionally or subject to such conditions or restrictions as may be imposed, provided that the *use or development* complies with all relevant *development standards* and provisions of this Plan including not invoking the provisions of clause 6.
- (3) Notwithstanding the provisions of clauses 5(1) and 5(2), *buildings or structures* associated with any *use or development* may require *building approval*, unless exempt from requiring *building approval* in accordance with the building regulations made pursuant to the *Building Act 2002* (NI).

6. What is “permissible (with consent) use or development”?

- (1) Column 3 of the Table of Use or Development applicable to a *zone* specifies permissible (with consent) use or development. This is *use* or *development* that may only be carried out with *development approval* in accordance with the *Act* and is subject to conditions of *development approval*. *Development applications* for permissible (with consent) use or development are assessed on merit and must be made available for public comment in accordance with the *Act*.
- (2) The following *use* and *development* must be classified as permissible (with consent) use or development:
 - (a) *Use* and *development* listed in Column 1 or 2 of the Table of Use and Development applicable to a *zone* where a condition or *development standard* specified in this Plan for the *use* or *development* is not to be followed, but flexibility is specified in relation to that condition or *development standard*; or
 - (b) *Use* and *development* listed in Column 3 of the Table of Use or Development applicable to a *zone*, including situations where a condition or *development standard* specified in this Plan for the *use* or *development* is not to be followed, but flexibility is specified in relation to that condition or *development standard*.

7. What is “prohibited use or development”?

- (1) The following *use* and *development* must be prohibited use or development:
 - (a) *Use* and *development* listed in Column 3 of the Table of Use or Development applicable to a *zone*, where the *use* or *development* does not comply with a clause specified in this Plan and flexibility in relation to that clause is not specified; and
 - (b) All *use* and *development* listed in Column 4 of the Table of Use or Development applicable to a *zone*.

8. Interpretation of single or multiple use or development

8A. What is single use or development?

- (1) Where *use* or *development* constitutes an integral and subservient part of an existing or proposed *use* or *development*, it should be treated as part of that existing *use* or *development* and similarly categorised under clause 101 (*The Administrative definitions*) and/or clause 104 (*The Purpose definitions*).

8B. What is multiple use or development?

- (1) If any proposed *use* or *development* is not an integral and subservient part of an existing or proposed *use* or *development*, then each *use* or *development* must be categorised separately under clause 101 (*The Administrative definitions*) and/or clause 104 (*The Purpose definitions*) and shall accord with the relevant *development standards* and other requirements where applicable under the Plan.

9. Use or development on other land within the Territory of Norfolk Island

- (1) *Use or development on land* that forms part of Phillip Island, Nepean Island, or any other *land* that is located within the *Planning Area* but is not part of the principal land mass of Norfolk Island itself, is subject to the provisions relating to zoning outlined in this Part of the Plan Written Statement.
- (2) For ease of application, all *land* within the *Planning Area* that is not part of the principal land mass of Norfolk Island itself (as delineated on the Zoning Map) is deemed to be zoned Conservation and is subject to the Plan's provisions relating to the Conservation Zone.

10. What do the terms 'development approval' and 'development application' mean ?

- (1) *Use or development* ordinarily requires the grant of *development approval* under the *Act* from the Minister. Only *use or development* specified in Column 1 of the Table of Use or Development applicable to a *zone* (that is permitted (as of right) use or development) or activities that are exempt from requiring the granting of *development approval* under clause 16 (*What activities are exempt from requiring the grant of development approval ?*) do not require *development approval*.
- (2) *Use or development* specified in Column 2 of the Table of Use or Development applicable to a *zone* (that is permitted use or development) requires *development approval* under the *Act* from the Minister.
- (3) *Use or development* specified in Column 3 of the Table of Use or Development applicable to a *zone* (that is permissible (with consent) use or development) requires *development approval* under the *Act* from the Minister. Permissible (with consent) use or development needs a greater level of assessment and decisions are made based on merit.
- (4) Applications for *development approval* are made as *development applications* under the *Act*.

11.....Repealed

12. When is a development application required and what information must the application contain?

- (1) Where a *use* or *development* requires *development approval* under the provisions of this Plan, a *development application* must be made in accordance with Part 5 of the *Planning Act 2002* (NI). The *development application* must include, where applicable and relevant, the following:

- (a) the name and address of the applicant, the location of the land, a copy of the title to the land, the name and address of the owner, and written permission from the owner of the land to make the application if not the applicant is not the owner;
 - (b) the *use or development* of the *land* at the date of application;
 - (c) the intended *use or development* of the land;
 - (d) a site plan and plans drawn to scale not less than 1:500 which show clearly:
 - i. the relationship of the *land* to *lot* boundaries, levels or contours, title boundaries and roads;
 - ii. rights of way, easements and covenants affecting the land;
 - iii. existing *buildings*, works, trees, and vegetation;
 - iv. site preparation, including details of *buildings* and works to be demolished, areas to be cut and/or filled, existing vegetation and trees to be removed, and other land clearing;
 - v. the positioning of proposed *buildings*, works, services and alterations to existing *buildings* and works, in relation to lot boundaries
 - vi. existing and proposed vehicular access/egress points to roads from the land and the areas set aside and other provisions made for vehicular passage, manoeuvring and parking;
 - vii. existing and proposed landscaping, including details of site beautification, tree planting and screening;
 - (e) construction plans, at a scale of not less than 1:100, including
 - i. floor plans, showing the purpose of rooms and other spaces and structures,
 - ii. elevations, dimensions, relative site levels, provisions for drainage;
 - iii. the materials proposed for construction purposes and the colour of such materials on all exterior surfaces;
 - (f) signs – including details of dimensions, wording, logos, colours, illumination, supporting structures, and positioning on buildings and works and the method of affixing thereto;
 - (g) floodlighting and other exterior lighting including the location and strength of illumination;
 - (h) a written statement of the likely impact of the proposed development on the environment and heritage;
 - (i) written advice from Norfolk Island Regional Council infrastructure and services regarding the infrastructure requirements necessary to enable the proposed *use or development*, and the availability of such infrastructure; and
 - (j) other requirements as may be specified in the *development application* form that is current at the time of the *development application*.
- (2) It is the responsibility of the applicant to demonstrate that each of the matters listed in clause 12(1) that are applicable and relevant to the specific *development application* have been addressed.

13. What must be considered when a development application is assessed?

- (1) When assessing a *development application*, the following matters must be taken into consideration to the extent that they are relevant and applicable for the proposed *use* or *development*:
- (a) relevant provisions of this Plan including:
 - (i) the Strategic Plan contained at Part A of this Plan;
 - (ii) the intent of the applicable *zone(s)* contained in Part B1 of this Plan;
 - (iii) objectives and guidelines, subdivision standards and *development standards* for the applicable *zone(s)* contained in Parts B1 of this Plan;
 - (iv) applicable requirements of any Overlay Provisions contained in Part B2 of this Plan;
 - (v) relevant Use and Development Principles contained in Part B3 of this Plan;
 - (vi) applicable *development control plans*; and
 - (vii) other relevant requirements of this Plan;
 - (b) any relevant requirements of any *Public Authority* or statutory bodies;
 - (c) any representations received following public notification where required under the provisions of the *Act*;
 - (d) whether any part of the land is subject to:
 - (i) Class H, E or P site classification in accordance with Australian Standard AS 2870-2011 – *Residential slabs and footings* in relation to known or likely land slip, soil instability, erosion, or excessive slope;
 - (ii) ponding or flooding;
 - (iii) fire hazard;
 - (iv) pollution;
 - (v) contamination; and
 - (vi) other hazards to safety or health;
 - (e) compliance and consistency with the provisions of, or requirements of, any applicable Norfolk Island and/or Commonwealth legislation, codes, or plans of management;
 - (f) relevant proposals, reports or studies;
 - (g) general policies and strategies of the Norfolk Island Regional Council; and
 - (h) any draft plan for a variation of the Plan that has been made available for public inspection under section 11 of the *Act*.

14. What consultation must be undertaken before determining a development application?

- (1) The Minister must seek the advice of any appropriate authority, organisation, or individual in the Minister's determination of a *development application*.

15. What work may only be carried out with the granting of development approval?

- (1) Despite the provisions of clause 16 (*What activities are exempt from requiring the grant of development approval ?*) or the Table of Use or Development for the applicable zone(s), development approval is required for the following:
- (a) The erection of bridges, piers, jetties, boat sheds, embankment walls, and quay walls or groynes; which must be subject to clause 6 (*What is 'permissible (with consent) use or development' ?*).
 - (b) Building work which would be exempt from requiring *development approval* under clause 16 (*What activities are exempt from requiring the grant of development approval ?*); but does not meet *development standards* with respect to *setback* or *building height* limitations as prescribed for the relevant zone under this Plan. Such building work must be appropriately categorised as *use* or *development* in accordance with the Table of Use or Development applicable to the relevant *zone* and a *development application* submitted as permitted use or development, or permissible (with consent) use or development, as prescribed for the relevant *zone*.
 - (c) An activity identified in clause 16(1) (*What activities are exempt from requiring the grant of development approval ?*) that does not comply with the conditions specified in that clause to be exempt from requiring the grant of *development approval*. Such an activity must be appropriately categorised as *use* or *development* in accordance with the Table of Use and Development applicable to the relevant *zone* and a *development application* submitted as permitted use or development, or permissible (with consent) use or development, as prescribed for the applicable *zone*.

16. What activities are exempt from requiring the grant of development approval?

- (1) A *development approval* is not required for the following *use* or *development*:
- (a) the painting of *buildings* and *structures*;
 - (b) the mowing, slashing or burning of vegetation for fire management practices or to maintain biodiversity, property or public safety;
 - (c) the removal or trimming of trees or any other vegetation for reasons of safety and protection of property, air navigation safety or land surveying;
 - (d) the removal of trees in accordance with a permit issued in accordance with the provisions of the *Trees Act 1997* (NI).
 - (e) the removal of noxious weeds;
 - (f) vegetation planting and pruning;
 - (g) the restoration and rehabilitation of land associated with *existing lawful use* or provided that works does not involve *earthworks* that exceed 100 cubic metres;
 - (h) landscaping, gardening and minor land management works including but not limited to trellises, seating, lattice, garden arches, pumps and pump housing associated with *existing lawful use*;
 - (i) maintenance of *buildings* and *structures* where it does not involve making alterations to the exterior of the *building* or *structure*;

- (j) fences and freestanding walls not exceeding a height of 2.0 metres above *ground level*, and retaining walls not exceeding a height of 1.0 metre above *ground level*;
- (k) works carried out for the maintenance and repair of *Minor Public Infrastructure and Works* including but not limited to roads, tracks, footpaths, drains, sewers, and powerlines;
- (l) works carried out in accordance with the *Telecommunications Act 1992* (NI);
- (m) street furniture, fire hydrants and traffic control devices;
- (n) a maximum of three aerials or antennae incidental to an *existing lawful use* or an *existing lawful non-conforming use* provided that the aerials or antennae are consistent with the Obstacle Limitation Surfaces Overlay;
- (o) satellite dishes less than 1.2 metres in diameter;
- (p) the following types of building work, subject to compliance with all relevant and applicable specified conditions:
 - (p)(i) extensions to, or new:
 - *domestic outbuildings* within the rear *curtilage* of a *Residence Class use* or *development*, including garages, carports, sheds, glass houses, shade houses, verandahs, uncovered decking, above ground water tanks, non-commercial dog kennels; and
 - *nonhabitable buildings and structures*, including above ground water tanks, not associated with a *Residence Class use* or *development* provided the following conditions are satisfied:
 - a. the *gross floor area* of the finished *building* or *structure* does not exceed 20 square metres; and
 - b. no part of the *building* or *structure* exceeds the *building height* of 2.5 metres in the case of a flat or mono pitched roof construction and 3.0 metres in the case of a construction where the roof pitch is at least 15 degrees; and
 - c. the *building* or *structure* is used for the same purpose as the *existing lawful use* of the associated *buildings* and *structures* and land on which the development is situated.
 - (p)(ii) *agricultural farm buildings*, including above ground water tanks, in the Rural zone and Rural Residential zone, provided the following conditions are satisfied:
 - a. the *gross floor area* of the finished *building* or *structure* does not exceed 50 square metres; and
 - b. no part of the *building* or *structure* exceeds a *building height* of 5.5 metres;
 - c. the *building* or *structure* is used for the same purpose as the *existing lawful use* of the associated *buildings* and *structures* and land on which the development is situated.
 - (p)(iii) *buildings* and *structures* associated with a *public purpose* in the Special Use zone or Airport zone, provided the following conditions are satisfied:
 - a. the *gross floor area* of the finished *building* or *structure* does not exceed 20 square metres; and
 - b. no part of the *building* or *structure* exceeds the *building height* of 2.5 metres in the case of a flat or mono pitched roof construction and 3.0 metres in the case of a construction where the roof pitch is at least 15 degrees; and
 - c. the *building* or *structure* is used for the same purpose as the *existing lawful use* of the associated *buildings* and *structures* and land on which the development is situated.

- (pp) For all *buildings* and *structures* that satisfy conditions to potentially be exempt from requiring development approval under subclauses (p)(i), (p)(ii) or (p)(iii), the following conditions (as applicable) must also be met for the *development* to be determined to be exempt:
- a. *Setbacks* to property boundaries are no less than:
 - i. in the case of *buildings* or *structures* with a roof, the setback requirements specified in the *development standards* for the applicable zone; or
 - ii. in the case of *structures* without a roof (including water tanks), the *front boundary setback* requirements specified in the *development standards* for the applicable zone and at least 1.5 metres from the side and rear boundaries; or the setback requirements specified in the *development standards* for the applicable zone, whichever is the lesser;
 - b. no part of the *building* or *structure* encroaches within any service easement or within 1 metre of any underground service;
 - c. the *development* is not subject to the Heritage Overlay or Coastal Environment Overlay and Buffer Area;
 - d. the *development* does not result in a net increase in the number of *dwelling*s of any *Residence Class*.
- (ppp) The provisions of subclauses (p)(i), (p)(ii) and (p)(iii) and (pp) apply to an *existing lawful non-conforming use* under the following conditions only:
- a. The *development* is described as an *existing lawful non-conforming use* only because the *development* does not comply with applicable *development standards* in this Plan for *building height* limitations and *setbacks*; and
 - b. The building work would not result in a greater extent of *building height* exceedance or boundary *setback* encroachment than existed at the *Appointed Day*; and
 - c. The proposed alterations and additions would comply with the relevant conditions specified in sub-clauses (p)(i), (p)(ii) and (p)(iii) and (pp).
- (q) replacement or reactivation of an *existing lawful use* or an *existing lawful non-conforming use* that was damaged, destroyed or ceased to operate no more than 5 years previously, provided that such use or development matches the location, footprint, height, scope, intensity and / or capacity (as relevant) as the previous *lawful use* or *development*;
 - (r) the demolition in whole or part of a *building* or *structure*, except for demolition of any *building* or *structure* at land identified in the Heritage Overlay; in which case the demolition activity is subject to clause 6 (*What is permissible with consent use or development ?*);
 - (s) *temporary activities* as defined in clause 101 (*The Administrative Definitions*) such as sporting, social and/or cultural events including associated equipment and facilities;
 - (t) the construction or putting up for display of a *sign* provided the *sign* complies with criteria to be exempt use or development specified in the development control plan for *signs*;
 - (u) emergency works required to protect public safety, property, or the environment; and
 - (v) *earthworks* comprising either:
 - (i) up to 100 cubic metres of cut or fill with a finished batter / bank of the cut or fill that has a gradient no steeper than 45 degrees and where such *earthworks* are no closer than 0.5 metre to any property boundary; or

- (ii) cut and fill for the purpose of the installation of underground water tank(s) with a capacity of up to 45,000 litres per tank where such *earthworks* are no closer than 0.5 metre to any property boundary.
- (1) Despite the provisions of clause 16(1), *buildings* or *structures* associated with any *use* or *development* may require building approval, unless also exempt from requiring building approval in accordance with the building regulations made pursuant to the *Building Act 2002* (NI).

17. Temporary use of land

- (1) Despite any other provisions of this Plan, *development approval* exemption may be granted for a *use* of land in any zone for a temporary use for a maximum period of 28 days (whether or not consecutive days) in any 12 month period, provided that the Minister is satisfied that:
 - (a) the temporary use is not prohibited *use* or *development* in the Table of Use or Development for the applicable *zone* and complies with the intent, objectives and *development standards* for the applicable *zone*;
 - (b) the temporary use will not compromise or prejudice the subsequent carrying out of development on the land in accordance with this Plan;
 - (c) the temporary use will not adversely impact on any adjoining land or the *amenity* of the surrounding lands;
 - (d) the temporary use and location of any temporary *structures* related to the temporary use will not adversely impact on environmental attributes of the land or increase the risk of hazards that may affect the land;
 - (e) if at land within an area delineated on the series of Overlay Maps, the temporary use will not adversely impact on the significant values or sensitivities identified in Part B2 of this Plan for the applicable Overlay;
 - (e) at the end of the temporary use period that land will be restored to the condition in which it was before the commencement of the temporary use; and
 - (f) a *Plan of Development* is submitted by the proponent to demonstrate the matters listed in subclauses (a) – (e) can be achieved.

18. Existing use or development rights

- (1) Any *existing lawful use* or development may continue in a manner which does not conform with the provisions of this Plan if the *use* or *development*:
 - (a) was lawfully established at the *Appointed Day*; and
 - (b) is of the same or substantially similar character, intensity or scale as that for which it was used immediately prior to the *Appointed Day*; and
 - (c) If applicable, complies with the *Building Act 2002* (NI).
- (2) In the case of *existing lawful non-conforming use* or development, where it is proposed to extend, add, alter or reconstruct the development beyond the scope permitted under clause 16, (*What activities are exempt*

from requiring the grant of development approval ?) the proposal shall be considered as a use or development that is prohibited.

19. Land deemed to be within the Road Zone

- (1) Land that:
- (a) is a *Road* as defined in clause 101 (*The Administrative Definitions*) and/or clause 104 (*The Purpose Definitions*) ; or
 - (b) will become a *Road* upon the registration of a plan of subdivision;
- is deemed to be within a Road Zone and is subject to the provisions applicable to the Roads Zone.

20. Use or development within the Norfolk Island National Park and Norfolk Island Botanic Garden

- (1) Use or development within the Norfolk Island National Park and Norfolk Island Botanic Garden must be in accordance with
- a. the *Environment Protection and Biodiversity Conservation Act 1999* (Cth),
 - b. management plans in operation for the Norfolk Island National Park and Norfolk Island Botanic Garden under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), and
 - c. the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth) made under the Act.
- (2) The provisions of this Plan will not apply where they are not consistent with the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) or management plans or Regulations that apply to the Norfolk Island National Park and Norfolk Island Botanic Garden made under that Act.

ZONES

RURAL ZONE

21. What is the intent of the Rural Zone?

- (1) The intent of the Rural Zone is to:
 - (a) maintain the existing rural character of much of Norfolk Island and to provide opportunities for both agricultural and appropriate non-agricultural use or development; and
 - (b) retain the existing pattern of rural land use or development and retain the large lots that predominate in the area covered by the zone.

22. What are the objectives and guidelines for the Rural Zone?

- (2) The objectives and guidelines for the Rural Zone are:
 - (a) preserve larger *lots* so that viable agriculture can be maintained;
 - (b) encourage *use* or *development* within the zone so that the existing landscape quality and visual amenity is maintained and preserved;
 - (c) preserve large *lots* that contribute to the maintenance and protection of biodiversity by preserving remnant native vegetation and habitat;
 - (d) avoid fragmentation of the land in the zone. Retention of large *lots* will contribute to maintenance of water quality by retaining vegetation and minimising erosion;
 - (e) encourage *use* or *development* of land within the zone for low intensity, predominantly rural *use* or *development* to buffer sensitive conservation areas and provide valuable open space; and
 - (f) encourage *ecologically sustainable development* practices that contribute to biodiversity maintenance and preservation.

23. What are the subdivision standards for the Rural Zone?

- (1) The subdivision standards for the Rural Zone are:
 - (a) the minimum *lot* size is 4 hectares;
 - (b) the minimum *lot frontage* is 4 metres;
 - (c) each *lot* must be capable of containing a minimum rectangle of 15 x 20 metres, not including spaces within standard *building setback* requirements; and
 - (d) regular shaped *lots* are encouraged and the overall shape and dimensions must be suitable for the intended *use* and consistent with the intent of the Rural zone.
 - (e) *Subdivision* and *use* of a *lot* less than 4 hectares may be given *development approval* as a permissible (with consent) use or development for the following purposes:

- (i) for an *Intensive Livestock Agriculture* use or development; or
 - (ii) for a use or development other than *Agriculture*, that is consistent with the zone intent, and the zone objectives and guidelines; or
 - (iii) for an *Industry (class)* use or development; or
 - (iv) for *Major Public Infrastructure and Works* or *Minor Public Infrastructure and Works* or a *Residential Care Establishment*; or
 - (v) for *Public Purposes* to meet environmental objectives.
- (f) A *development application* for *development approval* for a subdivision proposal under clause 23(1)(e) must be accompanied by a *Plan of Development* for the land to which the application applies.
- (g) The *development application* and *Plan of Development* must demonstrate that:
- (i) subdivision will not fragment or diminish the agricultural potential of the land;
 - (ii) subdivision will not result in ribbon development along roads and/or coastlines;
 - (iii) *use or development* will not cause adverse impact on the natural environment, flora and fauna, cliff environment, coastal waters, watercourses or skylines; and
 - (iv) *use or development* will not result in land use or development conflict with existing land uses or developments in the vicinity.

24. What are the development standards for the Rural Zone?

- (1) The *development standards* for the Rural Zone are:
- (a) use or development for the purposes of an *Industry-Extractive* or a *Dangerous Goods Store* must not be located within 150 metres of an existing *dwelling* or an existing *Sensitive Land Use*, or within 300 metres of land zoned Residential or Special Use.
 - (b) the maximum *building height* must be 9 metres unless it can be satisfactorily demonstrated that a greater *building height* is required for operational, topographical or other justified purposes;
 - (c) habitable buildings should be sited, designed and oriented to achieve energy efficiency;
 - (d) *buildings* must be *setback* a minimum distance of 10 metres from the front boundary and 3.6 metres from all other boundaries. *Buildings* must not project above a 45 degree line (from horizontal) as measured from any property boundary into the property upon which the building is situated;
 - (e) setback requirements of clause 24(1)(d) may be varied pursuant to the provisions of clause 6 (*What is permissible with consent use or development ?*) and giving consideration to:
 - (i) The particular size, shape, contours or slope of both the land and the adjoining land;
 - (ii) The adjoining land uses and zone(s);
 - (iii) The position of existing buildings and setbacks in the immediate area; and
 - (iv) Any representations received as a result of notification under section 43 of the Act;
 - (f) the roof areas of *buildings* must be finished with non-reflective materials and/or colours that harmonise with the natural landscape;
 - (g) the external walls, paving, and other large surface areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape or must be substantially and permanently screened by *landscaping*;

- (h) all *use or development* must comply with relevant environmental standards specified in applicable environmental planning and land management codes; and
- (i) *use or development* for the purposes of a *Residence - Dual Occupancy* or *Residence – Accommodation Units* must comply with the relevant provisions of the development control plan for multi-unit use or development.

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25. Table of Use or Development – Rural Zone

Permitted (As of Right) Use or Development	Permitted Use or Development	Permissible (with Consent) Use or Development	Prohibited Use or Development
Column 1	Column 2	Column 3	Column 4
Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development other than use or development specified in Column 1, Column 2, or Column 3
Agriculture	Forestry	Child-care Centre	
Home Occupation	Home Industry	Club	
Open Space	Park	Community Facility	
Minor Public Infrastructure and Works	Residence – Dwelling House	Dangerous Goods Store	
	Subdivision – Minor	Earthworks	
		Educational Establishment	
		Food and Drink Premises	
		Garden Centre	
		Indoor Sport and Recreation Facility	
		Industry – Extractive	
		Industry – General	
		Industry – Light	
		Industry – Rural	
		Intensive Livestock Agriculture	
		Licensed Club	
		Outdoor Sport and Recreation Facility	
		Place of Assembly	
		Place of Public Worship	
		Public Building	
		Major Public Infrastructures and Works	
		Residence – Accommodation Units	
		Residence – Dual Occupancy	

Residence – Residential
Care Establishment
Subdivision – Major
Tourist Attraction
Veterinary Establishment
Wharf

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RURAL RESIDENTIAL ZONE

26. What is the intent of the Rural Residential Zone?

- (1) The intent of the Rural Residential Zone is to:
 - (a) provide opportunities for primarily rural residential *use or development* in a rural or natural setting, where that *use or development* is located on *lots* that are large enough to support small scale rural uses but which are unlikely to provide economically viable rural use or development; and
 - (b) retain the pattern of low-density semi-rural land use and retain the subdivision pattern that has resulted in a predominance of medium and smaller sized *lots*.

27. What are the objectives and guidelines for the Rural Residential Zone?

- (1) The objectives and guidelines for the Rural Residential Zone are:
 - (a) provide opportunities for rural residential development in a rural or natural setting;
 - (b) design subdivision in a manner that enables the maintenance of an informal rural character. Formation of a pattern of regular sized *lots* that front roads in a ribbon development will be discouraged. Variations in the size of *lots* and the use of variations in setbacks between *dwelling* should be encouraged;
 - (c) each *lot* created must have sufficient area to contain appropriate on-site waste water management systems and water storage facilities that comply with the development control plan for the management of water resources;
 - (d) encourage *use or development* within the *zone* so that the existing landscape quality and visual *amenity* is maintained and enhanced; and
 - (e) encourage *ecologically sustainable development* that is low in intensity to maintain and protect biodiversity by preserving remnant vegetation and habitat.

28. What are the subdivision standards for the Rural Residential Zone?

- (1) The subdivision standards for the Rural Residential zone are:
 - (a) the minimum *lot* size is 8,000 square metres;
 - (b) each *lot* is capable of containing a minimum rectangle of 15 x 20 metres, not including spaces within standard building setback requirements; and
 - (c) the minimum *lot frontage* is 4.0 metres.

29. What are the development standards for the Rural Residential Zone?

- (1) The *development standards* for the Rural Residential zone are:
- (a) the maximum *building height* must be 9 metres unless it can be satisfactorily demonstrated that a greater *building height* is required for operational, topographical or other justified purposes;
 - (b) habitable *buildings* should be sited and designed and oriented to achieve energy efficiency;
 - (c) *buildings* must be *setback* a minimum distance of 10 metres from the front boundary and 3.6 metres from all other boundaries. *Buildings* must not project above a 45 degree line (from horizontal) as measured from any property boundary into the property upon which the building is situated;
 - (d) the setback requirements of clause 29(1)(c) may be varied pursuant to the provisions of clause 6 (*What is permissible with consent use or development ?*) and giving consideration to:
 - (i) the particular size, shape, contours, or slope of both the land and the adjoining land ;
 - (ii) the adjoining land *uses* and *zone(s)*;
 - (iii) the position of existing *buildings* and *setbacks* in the immediate area; and
 - (iv) any representations received as a result of notification under section 43 of the Act;
 - (e) the roof areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape;
 - (f) the external walls, paving, and other large surface areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape or must be substantially and permanently screened by *landscaping*;
 - (g) all *use* or *development* must comply with relevant environmental standards specified in applicable environmental planning and land management codes; and
 - (h) *use* or *development* for the purposes of a *Residence – Dual Occupancy* or *Residence – Accommodation Units* must comply with the relevant provisions of the development control plan for multi-unit use or development.

30. Table of Use or Development – Rural Residential Zone

Permitted (As of Right) Use or Development	Permitted Use or Development	Permissible (with Consent) Use or Development	Prohibited Use or Development
Column 1	Column 2	Column 3	Column 4
Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development other than use or development specified in Column 1, Column 2, or Column 3
Agriculture	Park	Child Care Centre	
Home Occupation	Residence – Dwelling House	Club	
Open Space	Subdivision – Minor	Earthworks	
Minor Public Infrastructure and Works	Residence – Dual Occupancy	Educational Establishment	
		Food and Drink Premises	
		Garden Centre	
		Forestry	
		Home Industry	
		Licensed Club	
		Outdoor Sport and Recreation Facility	
		Place of Assembly	
		Place of Public Worship	
		Residence – Accommodation Units	
		Residence – Residential Care Establishment	
		Shop – Local	
		Subdivision – Major	
		Tourist Attraction	

RESIDENTIAL ZONE

31. What is the intent of the Residential Zone?

- (1) The intent of the Residential Zone is to:
 - (a) provide opportunities for a range of residential *uses or developments*;
 - (b) enable *dwellings* to be located on small *lots* alleviating the need to subdivide valuable rural land for residential *use or development*;
 - (c) locate the *zone* within or adjacent to the area covered by the Norfolk Island Gravity Sewer Mains utilising existing services and minimising impacts on the environment of residential *use or development*;
 - (d) cluster higher intensity residential *use or development* to minimise the potential adverse effects of higher intensity residential *use or development* on the remainder of Norfolk Island; and
 - (e) provide opportunities for urban consolidation within the Residential Zone so that existing *lots* and services are fully utilised.

32. What are the objectives and guidelines for the Residential Zone?

- (1) The objectives and guidelines for the Residential Zone are:
 - (a) provide opportunities for a range of residential *use or development* on *lots* of varying sizes and residential character;
 - (b) cluster higher intensity residential *use or development* where possible to enable maximum use to be made of existing infrastructure and services. Offering opportunities for urban consolidation minimises the need to provide services and infrastructure outside the Residential Zone limiting potential impacts of residential *use or development* on the *environment* and economy;
 - (c) *use or development* should reflect the traditional character of the surrounding residential area by comprising a low to moderate scale, generally up to two storeys in *building* height. *Landscaping* and *setbacks* of *dwellings* should also reflect the *streetscape* and landscape of the area around the *dwelling*; and
 - (d) encourage *ecologically sustainable development* practices that contribute to biodiversity maintenance and preservation.

33. What are the subdivision standards for the Residential Zone?

- (1) The subdivision standards for the Residential Zone are:
 - (a) the minimum *lot* size is 2,000 square metres (excluding the area of any entrance strip servicing a rear *lot*);
 - (b) each *lot* created must have sufficient area to contain appropriate on-site waste water management systems and water storage facilities that comply with the development control plan for the management of water resources;

- (c) each *lot* is capable of containing a minimum rectangle of 10 x 15 metres, not including spaces within standard building *setback* requirements; and
- (d) the minimum *lot frontage* is 4.0 metres.

34. What are the development standards for the Residential Zone?

(1) The *development standards* for the Residential Zone are:

- (a) the maximum *building height* must be 9 metres unless it can be satisfactorily demonstrated that a greater *building height* is required for operational, topographical or other justified purposes;
- (b) *buildings* must be *setback* a minimum distance of 3.6 metres from all boundaries;
- (c) *setback* requirements of clause 34(1)(b) may be varied pursuant to the provisions of clause 6 (*What is permissible with consent use or development ?*) and giving consideration to:
 - (i) The particular size, shape, contours, or slope of both the land and the adjoining land;
 - (ii) The adjoining land uses and *zone(s)*;
 - (iii) The position of existing *buildings* and *setbacks* in the immediate area; and
 - (iv) Any representations received as a result of notification under section 43 of the Act;
- ~~(d)~~ *buildings* must be sited so as not to unduly interfere with the *amenity* of adjacent property by any significant degree of overlooking or overshadowing. *Domestic outbuildings and Non-habitable buildings or structures* which are *ancillary use* to the existing *dwelling(s)*, should be sited behind the rear *building line of the dwelling(s)*.
- (e) habitable *buildings* should be sited and designed and oriented to achieve energy efficiency;
- (f) the roof areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape;
- (g) the external walls, paving, and other large surface areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape or must be substantially and permanently screened by *landscaping*;
- (h) all *use or development* must comply with relevant environmental standards specified in applicable environmental planning and land management codes; and
- (i) *use or development* for the purposes of *Residence – Accommodation Units, Residence – Dual Occupancy, Residence – Relocatable Home Park, Residence – Multiple Dwelling, Residence – Retirement Village* and *Tourist Park* must comply with the development control plan for multi-units.

35. Table of Use or Development – Residential Zone

Permitted (As of Right) Use or Development	Permitted Use or Development	Permissible (with Consent) Use or Development	Prohibited Use or Development
Column 1	Column 2	Column 3	Column 4
Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development other than use or development specified in Column 1, Column 2, or Column 3
Home Occupation	Home Industry	Child Care Centre	
Open Space	Park	Earthworks	
Minor Public Infrastructure and Works	Residence – Dwelling House	Educational Establishment	
	Residence – Dual Occupancy	Outdoor Sport and Recreation Facility	
	Subdivision – Minor	Place of Assembly	
		Place of Public Worship	
		Residence – Accommodation Units	
		Residence – Multiple Dwelling	
		Residence – Relocatable Home Park	
		Residence – Residential Care Establishment	
		Residence – Retirement Village	
		Shop – Local	
		Subdivision – Major	
		Tourist Park	

MIXED USE ZONE

36. What is the intent of the Mixed Use Zone?

- (1) The intent of the Mixed Use zone is to:
 - (a) provide a compact, centralised, and accessible area offering a range of retail, commercial, business, residential, light industrial and resort style *use or development* opportunities;
 - (b) focus the area covered by the *zone* on Burnt Pine, characterised by a pattern of higher intensity mixed *use or development* that demonstrates equity, efficiency, and high standards of *amenity* and environmental quality;
 - (c) cluster higher intensity mixed *use or development* in a centralised area to minimise the potentially adverse effects of higher intensity *use or development* on the remainder of Norfolk Island; and
 - (d) concentrate mixed *use or development* in the area covered by the Norfolk Island sewer mains, maximising the availability of existing and future infrastructure, and minimising the potential adverse impacts on the *environment* caused by higher intensity mixed *use or development*.

37. What are the objectives and guidelines for the Mixed Use Zone?

- (1) The objectives and guidelines for the Mixed Use Zone are:
 - (a) provide opportunities for a wide range of retail, commercial, business, residential, tourist and light industrial *uses or development* on *lots* of varying sizes;
 - (b) create an active and vibrant retail and business centre;
 - (c) cluster mixed use development, such as commercial, business, residential, tourist and light industrial *use or development* to allow maximum use to be made of existing infrastructure, facilities and services. Minimising the need to provide infrastructure outside the Mixed Use zone will limit impacts on the *environment* and economy;
 - (d) car-parking serving *use or developments* within the Mixed Use zone should also be sited within the *zone* allowing for centralised parking and traffic control systems;
 - (e) co-locate government functions where possible in the Mixed Use zone enabling economies of scale to be achieved and minimising vehicular movements made by people needing to access these functions; and
 - (f) encourage *ecologically sustainable development* practices.

38. What are the subdivision standards for the Mixed Use Zone?

- (1) The subdivision standards for the Mixed Use Zone are:
 - (a) the minimum *lot* size is 800 square metres (excluding the area of any entrance strip servicing a rear *lot*);
 - (b) each *lot* is capable of containing a minimum rectangle of 10 x 15 metres, not including spaces within standard building *setback* requirements;

- (c) the minimum *lot frontage* is 4.0 metres; and
- (d) there is adequate area for any intended or future use of the site including car parking, *landscaping* and other *ancillary use or development* purposes.

39. What are the development standards for the Mixed Use Zone?

(1) The *development standards* for the Mixed Use Zone are:

- (a) the maximum *building height* must be 9 metres unless it can be satisfactorily demonstrated that a greater *building height* is required for operational, topographical or other justified purposes;
- (b) *buildings* must be *setback* a minimum distance of 3.6 metres from all boundaries;
- (c) *setback* requirements of clause 39(1)(b) may be varied pursuant to the provisions of clause 6 (*What is permissible with consent use or development ?*) and giving consideration to:
 - (i) The particular size, shape, contours, or slope of both the land and the adjoining land;
 - (ii) The adjoining land uses and *zone(s)*;
 - (iii) The position of existing *buildings* and *setbacks* in the immediate area; and
 - (iv) Any representations received as a result of notification under section 43 of the Act;
- (d) *buildings* must be sited so as not to unduly interfere with the *amenity* of adjacent property by any significant degree of overlooking or overshadowing. *Domestic outbuildings* and *Non-habitable buildings or structures* which are *ancillary use* to the existing *dwelling(s)* should be sited behind the rear *building line* of the *dwelling(s)*.
- (e) all *buildings* should be sited and designed and oriented to achieve energy efficiency;
- (f) the roof areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape;
- (g) the external walls, paving, and other large surface areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape or shall be substantially and permanently screened by *landscaping*;
- (h) adequate *landscaping* must be provided to enhance the *streetscape* and visual setting of Burnt Pine and the approach to and from Burnt Pine and the Airport;
- (i) encourage *sustainable development* practices;
- (j) all *use or development* must comply with relevant environmental standards specified in applicable environmental planning and land management codes; and
- (k) use or development for the purposes of a *Residence – Accommodation Units*, *Residence – Dual Occupancy*, *Residence – Multiple Dwelling*, or *Residence – Retirement Village* and *Tourist Park* must comply with the development control plan for multi-units.

40. Table of Use or Development – Mixed Use Zone

Permitted (As of Right) Use or Development	Permitted Use or Development	Permissible (with Consent) Use or Development	Prohibited Use or Development
Column 1	Column 2	Column 3	Column 4
Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development other than use or development specified in Column 1, Column 2, or Column 3
Home Occupation	Business Premises	Club	
Minor Public Infrastructure and Works	Car Park	Depot	
	Child Care Centre	Earthworks	
	Garden Centre	Educational Establishment	
	Health Care Service	Entertainment Facility	
	Open Space	Food and Drink Premises	
	Park	Home Industry	
	Residence – Dwelling House	Hotel	
	Residence – Residential Care Establishment	Indoor Sport and Recreation Facility	
	Residence – Shop Top	Industry – Light	
	Shop – Local	Licensed Club	
	Shop	Outdoor Sport and Recreation Facility	
	Subdivision – Minor	Place of Assembly	
		Place of Public Worship	
		Public Building	
		Residence – Accommodation Units	
		Residence – Dual Occupancy	
		Residence – Multiple Dwelling	
		Residence – Retirement Village	
		Resort	
		Service Station	
		Subdivision – Major	
		Tourist Attraction	

Tourist Park

Vehicle Sales or Hire Yard

Veterinary Establishment

Warehouse Premises

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BUSINESS ZONE

41. What is the intent of the Business Zone?

- (1) The intent of the Business Zone is to:
 - (a) provide an active, compact, centralised, and accessible area offering a range of retail, commercial, financial services, education, office and subordinate residential *use or development* opportunities;
 - (b) focus the area covered by the zone on Burnt Pine, characterised by a pattern of higher intensity *use or development* that demonstrates equity, efficiency, and high standards of *amenity* and environmental quality;
 - (c) cluster higher intensity *use or development* in a centralised area to minimise the deleterious effects of higher intensity *use or development* on the remainder of Norfolk Island; and
 - (d) concentrate mixed *use or development* in the area covered by the Norfolk Island sewer mains, maximising the availability of existing and future infrastructure, and minimising the potential adverse impacts on the *environment* caused by higher intensity mixed *use or development*.

42. What are the objectives and guidelines for the Business Zone?

- (1) The objectives and guidelines for the Business Zone are:
 - (a) create an active and vibrant retail and business core;
 - (b) provide opportunities for a wide range of retail, commercial, financial services, and office *uses or development* to be provided on *lots* of varying sizes, including small *lots*;
 - ~~(c)~~ provide opportunities for complementary and subordinate *Residence* (class) development permitted in the zone;
 - (d) cluster higher intensity business *use or development* to allow maximum use to be made of existing infrastructure, facilities and services. Minimising the need to provide infrastructure outside the Business Zone will limit impacts on the *environment* and economy;
 - (e) cluster higher intensity *use or development* so that impacts on surrounding *use or development* are minimised. It is preferable that a range of higher intensity *use or development* types be clustered rather than spread in a random manner across Norfolk Island;
 - (f) car-parking serving *use or developments* within the Business Zone should also be sited within or immediately adjacent to the *zone*. Clustering of businesses in the one location minimises the need to provide numerous small parking sites and allows use to be made of centralised parking and traffic control systems;
 - (g) cluster higher intensity *use or development* so that an active retail and commercial frontage that is attractive to pedestrians can be utilised. Encouraging pedestrians to walk from business to business in one compact location minimises vehicular movements, which has a positive impact on the *environment*; and
 - (h) encourage *ecologically sustainable development* practices.

43. What are the subdivision standards for the Business Zone?

- (1) The subdivision standards for the Business Zone are:
- (a) the minimum *lot* size is 300 square metres (excluding the area of any entrance strip servicing a rear *lot*);
 - (b) each *lot* is capable of containing a minimum rectangle of 10 x 15 metres, not including spaces within standard building setback requirements; and
 - (c) the minimum *lot frontage* is 4.0 metres.

44. What are the development standards for the Business Zone?

- (1) The *development standards* for the Business Zone are:
- (a) the maximum *building height* must be 9 metres unless it can be satisfactorily demonstrated that a greater *building height* is required for operational, topographical or other justified purposes;
 - (b) *buildings* must be *setback* a minimum distance of 3.6 metres from the front boundary and may be erected up to side and rear boundaries;
 - (c) *setback* requirements of clause 44(1)(b) may be varied pursuant to the provisions of clause 6 (*What is permissible with consent use or development ?*) and giving consideration to:
 - (i) The particular size, shape, contours, or slope of both the land and the adjoining land;
 - (ii) The adjoining land uses and zone(s);
 - (iii) The position of existing *buildings* and *setbacks* in the immediate area; and
 - (iv) Any representations received as a result of notification under section 43 of the Act;
 - (d) the roof areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape;
 - (e) the external walls, paving, and other large surface areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape or must be substantially and permanently screened by *landscaping*;
 - (f) *Residence (class) use* and *development* must be subordinate to a commercial use or development and demonstrate this by:
 - (i) being located on top of, behind or beside a commercial *use* or *development*; and
 - (ii) does not dominate the site; and
 - (iii) is not a *Residence - Dwelling House*.
 - (g) all use or development must comply with relevant environmental standards specified in applicable environmental planning and land management codes.
 - (h) *use* or *development* for the purposes of a *Residence – Accommodation Units*, *Residence – Dual Occupancy*, or *Residence – Multiple Dwelling* must comply with the development control plan for multi-units.

45. Table of Use or Development – Business Zone

Permitted (As of Right) Use or Development	Permitted Use or Development	Permissible (with Consent) Use or Development	Prohibited Use or Development
Column 1	Column 2	Column 3	Column 4
Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development other than use or development specified in Column 1, Column 2, or Column 3
Home Occupation	Business Premises	Club	
Minor Public Infrastructure and Works	Food and Drink Premises	Earthworks	
	Health Care Service	Educational Establishment	
	Park	Hotel	
	Shop – Local	Indoor Sport and Recreation	
	Shop	Licensed Club	
	Subdivision – Minor	Residence – Multiple Dwelling	
		Residence – Dual occupancy	
		Residence – Accommodation units	
		Residence – Shop Top	
		Subdivision – Major	

INDUSTRIAL ZONE

46. What is the intent of the Industrial Zone?

- (1) The intent of the Industrial Zone is to:
 - (a) provide a compact, buffered area offering a limited range of *use or development* opportunities;
 - (b) cluster industrial *use or development* in compact areas located primarily away from residential and rural residential areas and minimise deleterious effects of industrial *use or development* for as many residents, visitors and businesses as possible; and
 - (c) locate industrial zoned land (wherever possible) within the area covered by the Norfolk Island gravity sewer mains and minimise the impacts on the environment caused by industrial use or development by maximising use of existing and future infrastructure.

47. What are the objectives and guidelines for the Industrial Zone?

- (1) The objectives and guidelines for the Industrial Zone are:
 - (a) provide opportunities for commercial and industrial *use or development*;
 - (b) cluster general industrial *use or development* to allow maximum use to be made of existing infrastructure and services and to minimise impacts on other parts of the Island. Minimising the need to provide new infrastructure outside the Industrial zone will limit impacts on the *environment* and economy;
 - (c) utilise rural and other low intensity *use or development* where possible to provide buffers around existing and future industrial use or development; and
 - (d) encourage *ecologically sustainable development* practices that contribute to biodiversity maintenance and preservation.

48. What are the subdivision standards for the Industrial Zone?

- (1) The subdivision standards for the Industrial Zone are:
 - (a) subdivision must ensure that there is adequate area for any intended or future use of the site including other *ancillary use* or development purposes;
 - (b) each *lot* must be capable of containing a minimum rectangle of 15 x 20 metres; and
 - (c) the minimum *lot frontage* is 6.0 metres.

49. What are the development standards for the Industrial Zone?

- (1) The *development standards* for the Industrial Zone are:

- (a) there are no minimum *building height* or *setback* requirements except those necessary to meet the zone intent, protect the character of the surrounding area, protect the *amenity* of neighbouring properties, and provide *access* for essential and emergency services;
- (b) *use or development* for the purposes of an *Industry – Noxious, Offensive and Hazardous*, or a *Dangerous Goods Store* must not be located within 300 metres of land zoned Residential or Special Use.
- (c) the roof areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape;
- (d) the external walls, paving, and other large surface areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape or must be substantially and permanently screened by *landscaping*; and
- (e) all *use or development* must comply with relevant environmental standards specified in applicable environmental planning and land management codes.

50. Table of Use or Development – Industrial Zone

Permitted (As of Right) Use or Development	Permitted Use or Development	Permissible (with Consent) Use or Development	Prohibited Use or Development
Column 1	Column 2	Column 3	Column 4
Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development other than use or development specified in Column 1, Column 2, or Column 3
Minor Public Infrastructure and Works	Agriculture Industry - Light Open Space Subdivision – Minor	Concrete Batching Plant Dangerous Goods Store Depot Earthworks Industry – Extractive Industry – General Industry – Noxious, Hazardous, or Offensive Industry – Rural Port Service Major Public Infrastructures and Works Salvage Yard Service Station Subdivision – Major Warehouse Premises Wharf	

OPEN SPACE ZONE

51. What is the intent of the Open Space Zone?

- (1) The intent of the Open Space Zone is to:
 - (a) provide a limited range of low intensity and low impact *use or development* opportunities within areas that have natural, cultural and heritage values that should be maintained;
 - (b) provide the open space and wilderness habitat that is vital to life systems on Norfolk Island ; and
 - (c) provide land that may buffer certain incompatible uses.

52. What are the objectives and guidelines for the Open Space Zone?

- (1) The objectives and guidelines for the Open Space Zone are:
 - (a) provide opportunities for a limited range of low impact *use or development* types including *Outdoor Sport and Recreation Facilities*;
 - (b) provide opportunities for a variety of exempt *use or development* types including but not limited to *temporary activities* for sporting and cultural activities;
 - (c) where possible, to buffer incompatible *use or development* types from one another, while maintaining the opportunities derived from the other objectives of the zone;
 - (d) encourage *ecologically sustainable development* practices that contribute to biodiversity maintenance and preservation;
 - (e) encourage management goals and practices that promote the conservation and protection of open space areas; and
 - (f) allow for the continuation of practices that have important cultural significance to Norfolk Island's residents.

53. What are the subdivision standards for the Open Space Zone?

- (1) No further subdivision is intended within the Open Space zone, except for a Public Purpose.

54. What are the development standards for the Open Space Zone?

- (1) The development standards for the Open Space zone are:
 - (a) there are no maximum *building height* or minimum *setback* requirements except those necessary to meet the zone intent;
 - (b) the roof areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape;

- (c) the external walls, paving, and other large surface areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape or must be substantially and permanently screened by *landscaping*; and
- (d) all *use* or *development* must comply with relevant environmental standards specified in applicable environmental planning and land management codes.

55. Table of Use or Development – Open Space Zone

Permitted (As of Right) Use or Development	Permitted Use or Development	Permissible (with Consent) Use or Development	Prohibited Use or Development
Column 1	Column 2	Column 3	Column 4
Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development other than use or development specified in Column 1, Column 2, or Column 3
Open Space	Agriculture	Car Park	
Minor Public Infrastructure and Works	Forestry	Club	
	National Park	Community Facility	
	Park	Earthworks	
	Subdivision – Minor	Food and Drink Premises	
		Outdoor Sport and Recreation Facility	
		Major Public Infrastructure and Works	
		Road	
		Port Service	
		Subdivision – Major	
		Tourist Attraction	
		Wharf	

CONSERVATION ZONE

56. What is the intent of the Conservation Zone?

- (1) The intent of the Conservation Zone is to:
 - (a) provide a very limited range of low intensity and low impact *use or development* opportunities in areas that are considered to have very high natural and/or heritage conservation values; and
 - (b) ensure that the areas within the Conservation Zone continue to provide the aesthetic backdrop for Norfolk Island and provide open space and wilderness habitat that is vital to life systems on the Island.

57. What are the objectives and guidelines for the Conservation Zone?

- (1) The objectives and guidelines for the Conservation Zone are:
 - (a) provide opportunities for a very limited range of *use or developments*;
 - (b) give highest priority to *ecologically sustainable development* practices that contribute to biodiversity maintenance and preservation;
 - (c) encourage management goals and practices that promote the conservation and protection of areas with very high natural and/or heritage conservation values;
 - (d) enable the continuation of practices that have important cultural significance to Norfolk Island's residents; and
 - (e) encourage management goals and practices that promote cliff and foreshore stability in the coastal portion of the zone.

58. What are the subdivision standards for the Conservation Zone?

- (1) No further subdivision is intended within the Conservation Zone, except for a *Public Purpose*.

59. What are the development standards for the Conservation Zone?

- (1) The *development standards* for the Conservation Zone are:
 - (a) there are no maximum *building height* or minimum *setback* requirements except those necessary to meet the zone intent;
 - (b) the roof areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape;
 - (c) the external walls, paving, and other large surface areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape or must be substantially and permanently screened by *landscaping*; and

- (d) all *use or development* must comply with relevant environmental standards specified in applicable environmental planning and land management codes.

60. Table of Use or Development – Conservation Zone

Permitted (As of Right) Use or Development	Permitted Use or Development	Permissible (with Consent) Use or Development	Prohibited Use or Development
Column 1	Column 2	Column 3	Column 4
Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development other than use or development specified in Column 1, Column 2, or Column 3
National Park Open Space	Minor Public Infrastructure and Works Subdivision – Minor	Earthworks Food and Drink Premises Forestry Park Port Service Road Subdivision – Major Wharf	

SPECIAL USE ZONE

61. What is the intent of the Special Use Zone?

- (1) The Special Use Zone is intended to protect and preserve land for existing and future public, government, and community *use or development*.

62. What are the objectives and guidelines for the Special Use Zone?

- (1) The objectives and guidelines for the Special Use Zone are:
 - (a) provide opportunities for a range of existing and future public, government, and community *use or development*;
 - (b) encourage *ecologically sustainable development* practices that contribute to biodiversity maintenance and preservation; and
 - (c) encourage development practices that are compatible with conservation of heritage values.

63. What are the subdivision standards for the Special Use Zone?

- (1) The intended function, *use or development* of the site should determine *lot* sizes and dimensions.

64. What are the development standards for the Special Use Zone?

- (1) The *development standards* for the Special Use Zone are:
 - (a) there are no maximum *building height* or minimum *setback* requirements for development, except to maintain a reasonable level of *amenity* for neighbouring land use and development;
 - (b) the roof areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape;
 - (c) the external walls, paving, and other large surface areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape or shall be substantially and permanently screened by *landscaping*;
 - (d) all *use or development* must comply with relevant environmental standards specified in applicable environmental planning and land management codes; and
 - (e) where a specific *use or development* is identified on the Zoning Map for land zoned Special Use, the land may only be used for that purpose and all other use or development is prohibited.

65. Table of Use or Development – Special Use Zone

Permitted (As of Right) Use or Development	Permitted Use or Development	Permissible (with Consent) Use or Development	Prohibited Use or Development
Column 1	Column 2	Column 3	Column 4
Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development other than use or development specified in Column 1, Column 2, or Column 3
Minor Public Infrastructure and Works	Subdivision – Minor	Car Park Child Care Centre Community Facility Earthworks Educational Establishment Hospital Indoor Sport and Recreation Outdoor Sport and Recreation Park Place of Assembly Public Building Major Public Infrastructure and Works Port Service Residence – Residential Care Establishment Subdivision – Major Wharf Government House (on Lot 12 Section 4, identified as ‘Government House Grounds Reserve’) Cemetery (on Lot 15 Section 4, identified as ‘Cemetery Reserve’)	

AIRPORT ZONE

66. What is the intent of the Airport Zone?

- (1) The Airport Zone has been identified in recognition of the important contribution that the Airport makes to Norfolk Island's transportation, freight and tourism development. The Airport Zone is intended to primarily provide a range of airport and aviation related *use or development* opportunities, while also providing opportunities for a limited range of industrial, public and government *use or development* opportunities.

67. What are the objectives and guidelines for the Airport Zone?

- (1) The objectives and guidelines for the Airport Zone are:
 - (a) provide opportunities for a range of airport and aviation related *use or development* types;
 - (b) provide opportunities for general, noxious, hazardous or offensive industrial *use or development* types generally associated with airport and aviation activities that require isolation from residential *use or development*;
 - (c) co-locate airport, aviation and related higher intensity industrial *use or development* to enable maximum *use* to be made of existing infrastructure and services. Minimising the need to provide infrastructure outside the Airport Zone will limit impacts on the *environment* and economy;
 - (d) cluster airport, aviation and related higher intensity industrial *use or development* to minimise potential impacts on surrounding *use or development* and to avoid the spread of such *use or development* in a random manner across Norfolk Island;
 - (e) allow for the *use and development* of land for commercial activities that are related airport operations and appropriately co-located with the associated airport activity.
 - (f) encourage *ecologically sustainable development* practices that contribute to biodiversity maintenance and preservation;
 - ~~(g)~~ *use or development* should not compromise the operational requirements of the Obstacle Limitation Surfaces as identified by the Australian Civil Aviation Safety Authority and shown on the Obstacle Limitations Surfaces Overlay.

68. What are the subdivision standards for the Airport Zone?

- (1) The intended function, *use and development* of the site should determine *lot* sizes and dimensions.

69. What are the development standards for the Airport Zone?

(1) The *development standards* for the Airport Zone are:

- (a) the provisions of *AS 2021:2015 Acoustics- Aircraft noise intrusion* must apply to all *use or development* in the Airport Zone;
- (b) the maximum *building height* must be determined by the Obstacle Limitation Surfaces requirements as specified in clauses 84 -86 inclusive (*Obstacle Limitations Surfaces Overlay*). *Buildings* must not exceed 9 metres in *building height* unless it can be satisfactorily demonstrated that a greater *building height* is required for operational, topographical or other justified purposes and Obstacle Limitation Surfaces are not compromised;
- ~~(c)~~ *use or development* for the purposes of an *Industry – Noxious, Offensive and Hazardous* or a *Dangerous Goods Store* must not be located within 300 metres of land zoned Residential or Special Use.
- (d) there are no minimum *setback* requirements except those necessary to meet the zone intent, protect the character of the surrounding area, protect the *amenity* of neighbouring properties, and provide *access* for essential and emergency services;
- (e) the roof areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape;
- (f) the external walls, paving, and other large surface areas of *buildings* must be finished with non-reflective materials and colours that harmonise with the natural landscape or must be substantially and permanently screened by *landscaping*; and
- (g) all *use or development* must be consistent with the development control plan for the Airport and comply with relevant environmental standards specified in applicable environmental planning and land management codes.

70. Table of Use or Development – Airport Zone

Permitted (As of Right) Use or Development	Permitted Use or Development	Permissible (with Consent) Use or Development	Prohibited Use or Development
Column 1	Column 2	Column 3	Column 4
Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development other than use or development specified in Column 1, Column 2, or Column 3
Minor Public Infrastructure and Works	Airport Open Space Subdivision – Minor	Business Premises Car Park Club Concrete Batching Plant Dangerous Goods Store Depot Earthworks Food and Drink Premises Industry – Light Industry – General Industry – Noxious, Hazardous, or Offensive Public Building Major Public Infrastructures and Works Shop Subdivision – Major Tourist Attraction Warehouse Premises	

ROAD ZONE

71. What is the intent of the Road Zone?

- (1) The intent of the Road Zone is to:
 - (a) provide a very limited range of *use or development* opportunities within areas that are set aside for transport and public access purposes;
 - (b) preserve and protect land for existing and future road requirements. The areas within the Roads Zone will include existing formed and unformed *Roads*, and may include provision to be made for future *Road* requirements; and
 - (c) identify the extent of the existing and future road network.

72. What are the objectives and guidelines for the Road Zone?

- (1) The objectives and guidelines for the Road Zone are:
 - (a) provide opportunities for a very limited range of *use or development* types;
 - (b) provide opportunities for a variety of *exempt use and developments* including but not limited to, certain signs, street furniture, fire hydrants and traffic control devices; and works carried out for the maintenance and repair of *Minor Public Works and Infrastructure* including but not limited to roads, tracks, footpaths, drains, sewers, and electricity and telecommunications infrastructure, within road reservations; and
 - (c) provide opportunities to ensure that existing and future operational road requirements are met.

73. What are the subdivision standards for the Road Zone?

- (1) No further subdivision is intended within Road Zone, except for a *Public Purpose*, or to allow a *lot* of which the purpose is to give effect to the intended *use or development* of the land in accordance with a development approval.

74. What are the development standards for the Road Zone?

- (1) The *development standards* for the Road Zone are:
 - (a) there are no maximum *building height* or minimum *setback* requirements except those necessary to meet the zone intent;
 - (b) all *use or development* must comply with relevant environmental standards specified in applicable environmental planning and land management codes.

75. Table of Use or Development – Road Zone

Permitted (As of Right) Use or Development	Permitted Use or Development	Permissible (with Consent) Use or Development	Prohibited Use or Development
Column 1	Column 2	Column 3	Column 4
Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development for any of the following purposes:	Use or development other than use or development specified in Column 1, Column 2, or Column 3
Earthworks Minor Public Infrastructure and Works Road	Open Space Subdivision – Minor	Subdivision – Major Major Public Infrastructure and Works	

PART B2 - OVERLAY PROVISIONS

76. What are the Overlays and how are they applied?

- (1) Areas of special significance, value, or sensitivity are delineated on the series of Overlay Maps that comprise part of the Plan Maps. Within the areas shown on the relevant Overlay Maps, the provisions of the following Overlay Clauses apply in addition to any other relevant provisions of this Plan.

COASTAL ENVIRONMENT OVERLAY AND BUFFER AREA

77. What is the Coastal Environment Overlay and why is it important?

- (1) The Coastal Environment Overlay refers to the strip(s) of land zoned Rural and Rural Residential and also situated within 50 metres inland from the surveyed Top of Cliff on the Official Survey of Norfolk Island, or where there is no surveyed Top of Cliff, survey must be undertaken to determine Top of Cliff. Any subsequent amendments to the surveyed Top of Cliff on the Official Survey of Norfolk Island constitute the point from which the Coastal Environment Overlay must be measured.
- (2) The Coastal Environment Buffer Area refers to the strip(s) of land zoned Rural and Rural Residential and also situated between 50 and 100 metres inland from the surveyed Top of Cliff on the Official Survey of Norfolk Island, or where there is no surveyed Top of Cliff, survey must be undertaken to determine Top of Cliff. Any subsequent amendments to the surveyed Top of Cliff on the Official Survey of Norfolk Island constitute the point from which the Coastal Environment Buffer Area must be measured.
- (3) The Coastal Environment Overlay and Coastal Environment Buffer Area are extremely sensitive and require special management and protection. These areas are particularly important as they provide vital habitat. The landscape value of the Coastal Environment Overlay and the Coastal Environment Buffer Area is very high and must be preserved. The Coastal Environment Overlay and the Coastal Environment Buffer Area are also subject to considerable erosion pressures that are exacerbated by the loss of mature trees and pressures to use or develop land up to the cliff edges and along the cliff faces. The land immediately adjacent to the cliff tops and breaks in slope is also of undetermined stability. Coastal Environment Overlay restrictions are appropriate and necessary to protect coastal ecology and prevent erosion.

78. What are the objectives of the Coastal Environment Overlay?

- (1) The objectives of the Coastal Environment Overlay are to:
 - (a) ensure that use or development of land adjacent to the cliffs surrounding Norfolk Island is restricted;

- (b) prohibit use or development that would adversely affect, or be adversely affected, in both the short and long term, by coastal processes;
- (c) maintain and preserve the coastal and cliff habitat significance;
- (d) promote the natural, cultural, and landscape heritage significance of Norfolk Island; and
- (e) protect the visual amenity and maintain the landscape character of the coastal region and cliff formations by avoiding placement of buildings and/or structures in locations that would make them conspicuous when viewed from a public vantage point.

79. How will the objectives of the Coastal Environment Overlay and Buffer Area be achieved?

- (1) The objectives of the Coastal Environment Overlay and Buffer Area must be achieved by:
 - (a) At land within the Coastal Environment Overlay, all *buildings* and *structures* (except those specified in clauses 16(1)(a) – (o) inclusive and 16(1)(q) – (v) inclusive (*What activities are exempt from requiring the grant of development approval ?*) are prohibited.
 - (b) At land within the Coastal Environment Buffer Area, despite any other provision in this Plan, all *use* or *development* (as shown in the Table of Use or Development, other than that which is permitted (as of right) or prohibited within a zone) is subject to Clause 6 (*What is permissible with consent use or development ?*) and may only be carried out with *development approval*.
 - (c) All *use and development* within the Coastal Environment Buffer Area must comply with the following:
 - (i) *buildings* and *structures* must utilise designs, colours, materials and external finishes that blend with the forms and colours of the landscape;
 - (ii) the siting, orientation, setback, bulk, form, height, and scale of *buildings* and *structures* must not lead to visually intrusive *development*;
 - (iii) the impact upon the natural and heritage values of the land of building, clearing, excavation, access construction, fences, *Earthworks* or *landscaping* must be considered.

HERITAGE OVERLAY

80. What is the Heritage Overlay and why is it important?

- (1) Land identified on the Heritage Overlay Map and listed in the *Norfolk Island Heritage Register*, has been identified as contributing to an appreciation of Norfolk Island's archaeological, historical, aesthetic, architectural, scientific, natural, cultural or social heritage. Decisions relating to the conservation and management of this land must be guided by the principles and recommended practices of the *Burra Charter*.
- (2) The aims of this Plan in relation to the Heritage Overlay are:
 - (a) to conserve the environmental and cultural heritage of Norfolk Island;

- (b) to integrate heritage conservation into the planning and development control processes;
- (c) to provide for public involvement in the conservation of environmental heritage; and
- (d) to ensure that any *use* or *development* does not adversely affect the heritage significance of land subject to the Heritage Overlay.

81. How is land identified on the Heritage Overlay Map protected?

- (1) Despite any other provision in this Plan, the following *uses, developments* and activities at *heritage items* identified on the Heritage Overlay Map are subject to clause 6 (*What is permissible with consent use or development ?*) and may only be carried out with *development approval*:
- (a) All *use* or *development* (as shown in the Table of Use or Development, other than that which is prohibited within a zone); and
 - (b) The following activities:
 - (i) the painting of any exterior masonry surface of any existing *building* or work (including ruins);
 - (ii) the painting or otherwise permanent blacking out of any glass or similar external window or surface of any existing *building* or work (including ruins);
 - (iii) the sandblasting of any exterior masonry surface, of any existing *building* or work (including ruins), or the removal by whatever method of any applied coating to an exterior masonry surface;
 - (iv) the cladding of any exterior surface of any existing *building* or work (including ruins);
 - (v) altering a *building*, work or relic by making structural changes to its exterior;
 - (vi) moving a relic, or excavating land for the purpose of discovering, exposing or moving a relic;
 - (vii) demolishing, defacing, damaging or moving a *building*, work, relic, tree or place within the curtilage of a *building*, work or relic of heritage significance;
 - (viii) erecting a *structure* (not being a *building*);
 - (ix) works carried out for the maintenance and repair of public infrastructure including but not limited to roads, tracks, footpaths, drains, sewers, and electrical infrastructure or
 - (x) *Earthworks* related to new road works.
- (2) The *uses, developments* and activities described in subclause 81(1)(b) are not subject to clause 6 (*What is permissible with consent use or development ?*) and do not require a *development approval* in the following circumstances:
- (i) the *use, development* or activity is undertaken in accordance with the *Telecommunications Act 1992* (NI), or
 - (ii) the *use, development* or activity is consistent with and is undertaken in accordance with an approved *heritage management plan* or an approved Public Reserves plan of management prepared under the Public Reserves Act 1997 (NI), or an approved National Park and Botanic Garden Management Plan, or
 - (iii) the Minister is satisfied that the *use, development* or activity would contribute to the conservation and interpretation of the ~~land~~ *heritage item* (including land, *buildings* and

structures) or would not adversely affect the heritage significance of any *heritage item* ~~land~~ (including land, *buildings* and *structures*) identified on the Heritage Overlay Map.

- (3) Before determining a *development application* pursuant to clause 81(1), the Minister may require, in addition to the information required pursuant to clause 12, (*When is a development application required and what information must the application contain ?*) any of the following to be prepared and submitted with the *development application*:
- (a) an archaeological survey;
 - (b) a *heritage impact statement*;
 - (c) a heritage management plan; or
 - (d) any other relevant supporting documentation as deemed necessary and reasonable.
- (4) In addition to the matters listed in clause 13 (*What must be considered when a development application is assessed?*), the Minister must consider the following matters when determining a *development application* made pursuant to clause 81(1):
- (a) the cultural significance and physical integrity of the *heritage item* (including land, *buildings* and *structures*) identified on the Heritage Overlay Map;
 - (b) any advice received from the Norfolk Island Regional Council and any other relevant authority or organisation consulted;
 - (c) in the case of a *development application* within the *Kingston and Arthur's Vale Historic Area* (KAVHA), compliance with the development control plan for KAVHA and any advice received from the KAVHA Advisory Committee or its successor bodies;
 - (d) the siting, orientation, setback, bulk, form, height, scale, materials, and external finishes of *buildings* and *structures*;
 - ~~(e)~~ whether the design, colours, materials and external finishes are compatible with the forms and colours of the landscape setting of the specific *heritage item*;
 - (f) the extent to which the carrying out of the proposed development would affect the heritage significance of the land, *building*, ~~{and ;structures and curtilages}~~ associated with the specific *heritage item*;
 - ~~(g)~~ the impact of building, clearing, excavation, access construction, fences, *Earthworks*, or *landscaping* or planting of trees upon the heritage values of the specific *heritage item*;
 - (h) whether any special works or practices are required to protect the heritage values of the specific *heritage item*;
 - (i) the design, content and location of signage and interpretive displays; and
 - (j) any relevant heritage management plans or *development control plans* prepared for the *heritage item*.
- (5) Use or development of any *heritage item*, area, feature, customary activity, or site with conservation value listed in the *Norfolk Island Heritage Register* must be carried out in accordance with the principles of the *Burra Charter*.

82. How is development considered in the vicinity of a *heritage item* identified on the Heritage Overlay Map?

- (1) When determining a *development application* to carry out *use* or *development* on land in the vicinity of a *heritage item* -identified on the Heritage Overlay Map, the Minister must take into consideration the likely effect of the proposed *use* or *development* on the heritage significance of the land, *buildings* and *structures* identified in the Statement of Significance for the *heritage item* in the *Norfolk Island Heritage Register*.

83. Development approvals to ensure conservation of heritage

- (1) Despite any other provision of this Plan, *development approval* may be given for the *use* or *development* of a *building* or *land* that is a *heritage item* identified in the *Norfolk Island Heritage Register*, for any purpose, even though the *use* or *development* would normally be prohibited, if:
 - (a) the proposed *use* or *development* would not affect adversely the heritage significance of the *heritage item*; and
 - (b) the granting of *development approval* contributes to the conservation and interpretation of the *heritage item*; and
 - (c) the proposed *use* or *development* complies with the natural and cultural heritage values identified in the Statement of Significance for the *heritage item* and the provisions of the Heritage Overlay; and
 - (d) the proposed *use* or *development* complies with the Zone Intent, Zone Objectives and *relevant development standards* that apply to the subject land; and applicable Use and Development Principles.
- (2) A *development application* for *use* and *development* made in accordance with the provisions of clause 83(1) must be classified as permissible (with consent) *use* or *development* and subject to clause 6 (*What is permissible with consent use or development ?*).

OBSTACLE LIMITATION SURFACES OVERLAY

84. What are Obstacle Limitation Surfaces and why are they important?

- (1) The area identified on the Obstacle Limitation Surfaces Overlay Map has been identified in recognition of the important contribution that the Airport makes to Norfolk Island's transportation and tourism development. The land and airspace at the Airport and in its surrounds require special management and protection to ensure that obligations in relation to Obstacle Limitation Surfaces required under national and international aviation regulations are met.

85. What are the objectives of the Obstacle Limitation Surfaces Overlay?

- (1) The objectives of the Obstacle Limitation Surfaces Overlay are to:
 - (a) prohibit development that would adversely affect Airport operations, or be adversely affected by Airport operations; and
 - (b) protect valuable airspace required for Obstacle Limitation Surfaces from use or development that would pose a hazard to aircraft movements.

86. What must be considered when a development application within the Obstacle Limitation Surfaces Overlay is assessed?

- (1) Any development application that relates to land identified on the Obstacle Limitation Surfaces Overlay Map must be referred to the Norfolk Island Airport Management for assessment against the Obstacle Limitation Surfaces. Any representations received from that referral must be considered by the Minister prior to determining the development application.
- (2) Matters to be considered when determining an application for land within the Obstacle Limitation Surfaces include:
 - (a) any advice submitted within 28 days after the notice is sent from any authority consulted, including the Norfolk Island Airport Management; and
 - (b) whether any special works or practices are required to protect the values of the land.

PART B3 - GENERAL PROVISIONS

USE AND DEVELOPMENT PRINCIPLES

87. Consistency with use and development principles

- (1) *Use or development* must be consistent with the principles specified in clauses 88- 95, to the extent that the principles are relevant to the proposed *use or development*:

88. Use

- (1) The principles relating to use are:
- (a) use or development must not unreasonably impact on any existing or intended future use or development of neighbouring land;
 - (c) all land must be protected from encroachment by incompatible use or development; and
 - (d) industries must be appropriately located, sited, and designed to limit any detrimental effects on neighbouring land use or development, particularly in respect of atmospheric emissions, solid waste disposal and water pollution, soil erosion, noise, dust, or visual quality.

89. Character

- (1) The principles relating to character are:
- (a) *use or development* must adequately respect the character of, and future intentions for, the area in which it is to be located;

- (b) *use or development* (including public facilities, utilities and services) must adequately respect the surrounding *streetscape* and neighbouring *use or development*, particularly in relation to scale, *setbacks*, form (including roof shape and pitch), *landscaping*, materials, colours and fencing;
- (c) *landscaping* of *use or development* must be of a type, form, variety(s) and character which is suited to the intention of the zone, the area and the nature of the *use or development*;
- (d) where trees are an important element in the landscape or *streetscape* character of an area they should be retained;
- (e) *signs* must be consistent in type, scale and location, and be in keeping with the intention of the zone, the *streetscape*, and the *building* or *structure* on which they are positioned or to which they otherwise relate; and
- (f) forestry *use or development*, particularly plantations, must be appropriately sited and planned to protect the visual quality and character of the surrounding landscape and to protect important viewing locations and viewsheds in particular.

90. Amenity

- (1) The principles relating to amenity are:
 - (a) *use or development* must accord all existing and future occupiers with adequate and reasonable levels of *amenity*, especially in relation to privacy, sunlight, aspect, views and noise disturbance; and
 - (b) *dwellings* must provide an adequate amount and appropriate type of private open space, to meet the expected lifestyle requirements of occupants. Such private open space must provide adequate privacy, be exposed to reasonable levels of sunshine and be directly accessible from the *dwelling* to which it belongs.

91. Environment

- (1) The principles relating to environment are:
 - (a) proposals for *use or development* must demonstrate how that *use or development* will not harm and/or degrade the ecology and *environment* of Norfolk Island;
 - (b) *use or development* must minimise the potential detrimental effect on the *environment*. All areas, and sensitive ecological and/or visual areas in particular, must be developed in a manner and to an extent that is consistent with the protection of the values of the area;
 - (c) *use or development* and land management practices must be directed towards achieving sustainable biodiversity and ecological balance, and avoiding environmental harm such as soil erosion, cliff erosion, coastal and dune erosion or degradation, loss of endemic plant and animal species, and increases in vermin populations;
 - (d) *use or development* must not be located in areas of unacceptable risk, particularly due to land slippage, or cliff collapse. In situations where foreseeable reasonable risk may exist, use and development must be appropriately designed and sited to provide an acceptable level of protection and safety for that *use or development* and for future users of that land and surrounding land in particular;
 - (e) activities involving extensive site works, such as quarrying, must be sited, screened, and rehabilitated where appropriate, to protect the ecological and visual qualities of the area; and
 - (f) *use or development* must be of a suitable form and siting to avoid any adverse impact on any watercourse and to avoid potential impacts of flooding.

92. Subdivision

- (1) The principles relating to subdivision are:
- (a) subdivision of land must be carried out in accordance with the subdivision provisions for the *zone* within which the land is located; or where that is not appropriate in accordance with:
 - (i) the requirements of the intended *use or development*;
 - (ii) the *zone* intent; and
 - (iii) where prepared, an approved *development control plan*.
 - (b) subdivision layout, particularly *roads*, must take adequate account of land contours and the need to limit visual scarring of the land;
 - (c) adequate public open space must be provided in areas of new subdivision, to meet the recreational and open space requirements of the community generally, and particularly, the new owners of the *lots* created by the subdivision;
 - (d) all new *lots* must be provided with satisfactory pedestrian and vehicular access via each *lot's frontage* to a publicly accessible and publicly owned *road*;
 - (e) *lot* size and *lot* configuration must be adequate and appropriate to ensure an acceptable level of servicing for water and wastewater management; and
 - (f) each new *lot* created in accordance with a *development approval* must be wholly contained within a single *zone*.

93. Access and parking

- (1) The principles relating to *access* and parking are:
- (a) *buildings* and spaces intended for public access must provide for satisfactory use and access by people with a disability;
 - (b) road widths and reservations must be appropriate to the road function, expected traffic type and volume, and future subdivision potential of the subject land and surrounding land;
 - (c) road intersections must be kept to a minimum with the use of existing *roads*;
 - (d) intersections of road carriageways, footpaths, and pedestrian crossings and driveways must provide adequate safety for all users;
 - (e) new *use or development* must provide adequate car parking on-site to provide for the demand it generates and must be capable of being safely accessed;
 - (f) on site turning must be provided for *development* involving significant traffic volumes, heavy vehicle types and/or at sites on roads which carry significant amounts of traffic; and
 - (g) all *use and development* must provide satisfactory pedestrian and vehicular access, which is suited to the volume and needs of future users.

94. Infrastructure and services

- (1) The principles relating to infrastructure and services are:

- (a) *use or development* must be provided with adequate and appropriate infrastructure and services that are suited to the nature of the location and the ability of the community to provide such infrastructure and services;
- (b) *use or development* must comply with the requirements of the current *development control plan* for management of water resources;
- (c) *use or development* must be appropriately sited, designed and constructed to avoid conflict with service mains (including communications, electricity, sewerage, water, and other pipelines or service conduits). *Buildings* should not be erected over any service main or within any easement providing for same, whether utilised or not, unless authorised by the Norfolk Island Regional Council;
- (d) infrastructure systems must use adequate and appropriate design methods and materials to ensure an acceptable life span and allow for adequate maintenance requirements; and
- (e) *use or development* must optimise efficiency in the use of energy and resources. In particular, land must be subdivided on a generally sequential basis (that is, one area is substantially developed before the next is subdivided), common trenching should be used for different infrastructure and services where appropriate, and solar access for energy generation maximised,

95. Community Infrastructure

- (1) The principles relating to Community Infrastructure are:
 - (a) *use or development* may be required to demonstrate how it suits the community interest;
 - (b) *use or development* should have adequate and appropriate types and levels of access to social facilities and services;
 - (c) *use or development* must not compromise or create an unreasonable demand for existing or future social service provision; and
 - (d) *use or development* proposals should only be approved where the cost to the public of providing and maintaining social services does not exceed the economic benefit of the use or development to the community.

PLAN VARIATIONS

96. Rezoning of land and Zoning Map amendment

- (1) A rezoning of land within the *Planning Area* is a variation to the Plan made under Part 2 of the *Planning Act 2002* (NI).

97. Development of specific sites

- (1) In accordance with Part 2 of the *Planning Act 2002* (NI), application can be made to the Minister for variation of this Plan to accommodate a specific proposed *use or development* of land that is prohibited *use or development* in the Table of Use or Development for the *zone* that applies to the land.
- (2) Nothing in this Plan prevents land specified in Schedule 1 - *Development of Specific Sites* from being developed as a permissible (with consent) use or development, for the purpose specified for the land in Column 2 of that Schedule, subject to any applicable conditions specified in Column 3 of that Schedule. The other provisions of this Plan apply provided that they are not inconsistent with the applicable conditions.

DEFINITIONS

98. What are definitions and why are they used?

- (1) Definitions apply to terms used throughout the Plan and have been arranged in two groups. Clauses 99 – 101 (*The Administrative Definitions*) inclusive contain the definitions of terms that are not purposes in the context of the zoning provisions. Such terms are included to facilitate interpretation of the purpose definitions and the administration of the Plan generally. Clauses 102-104 (*The Purpose Definitions*) inclusive contain the definitions of purposes listed in the Table of Use or Development applicable to zones in Part B1 of the Plan.

ADMINISTRATIVE DEFINITIONS

99. What are Administrative Definitions?

- (1) The terms listed in clause 100 are defined in clause 101 (*The Administrative Definitions*) to facilitate interpretation of the *Purpose Definitions* contained in clauses 103-104 inclusive, and the administration of the Plan generally.

100. Table of Administrative Definitions

Access	Environment	Plan
Act	Existing Lawful Non-Conforming Use	Plan of Development
Agricultural Farm Buildings	Existing Lawful Use	Planning Area
Amenity	Frontage	Public Authority
Ancillary Use	Front Boundary	Public Purpose
Appointed Day	Gazette	Rear Lot
Australian Dangerous Goods Code	Ground Level	Road
Australian Standard AS 2021	Gross Floor Area	Secondary Dwelling
Australian Standard AS 2870	Heritage Item	Sensitive Land Use
Building	Heritage Impact Statement	Schedule
Building Appearance	Heritage Register	Setback
Building Code of Australia	Household	Sign
Building Height	Kingston and Arthurs Vale Historic Area	Site
Building Line	Land	Storey
Burra Charter	Landscaping	Streetscape
Curtilage		Structure
		Subdivision

Demolition	Lot	Temporary Activity
Development	Mean High Water Mark	Use
Development Application	Minor Protrusion	Works
Development Approval	Multi-Unit Code	Yard
Development Control Plan	Non-habitable Building or Structure	Zone
Development Standard	Norfolk Island	
Domestic Outbuilding	Nuisance	
Dwelling	Occupier	
Ecologically Sustainable Development	Office	
Egress	Official Survey	
Entrance Strip	Owner	

101. The Administrative Definitions

(1) In this Plan, unless inconsistent with context or subject matter:

ACCESS means any place where vehicles enter and/or leave a *Road* to or from a *Lot* and includes private entrances, driveways, and farm gates.

ACT means the *Planning Act 2002*.

AGRICULTURAL FARM BUILDING means a *structure* which is ancillary to an agricultural *use* of the *lot* on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank or *non-habitable buildings or structures*, but does not include a *dwelling*.

AMENITY means in relation to a particular area, such qualities or values as contribute to the feeling of pleasantness, harmony and enjoyment.

ANCILLARY USE means any *Use* or *Development* that is integral and subservient to another *Use* or *Development* of the same *lot*.

APPOINTED DAY means the day upon which the notification that the Minister has approved this *Plan* is published in the *Gazette*, or where the context otherwise indicates or requires, the day upon which the notification of approval of any variation to the *Plan* is published in the *Gazette*.

AUSTRALIAN DANGEROUS GOODS CODE means the document titled Australian Dangerous Goods Code as published from time to time by the -National Transport Commission.

AUSTRALIAN STANDARD AS 2021 means the document titled Australian Standard AS 2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction (or as amended) published by Standards Australia.

AUSTRALIAN STANDARD AS 2870 means the document titled Australian Standard AS 2870 – 2011 Residential slabs and footings (or as amended) published by Standards Australia.

BUILDING means any fixed *Structure* which may be wholly or partly enclosed by walls. The term includes any part of a *Building*.

BUILDING APPEARANCE means the combination of finishes, colours and window patterns on the exterior of the *Building* that contribute to its appearance.

BUILDING CODE OF AUSTRALIA (BCA) is Volumes One and Two of the National Construction Code (NCC) and the Plumbing Code of Australia (PCA) is Volume Three of the NCC.

BUILDING HEIGHT means the vertical distance, measured in metres, between the *ground level* and the highest point on the roof of the building, other than a point that is part of an aerial, chimney, flagpole or load-bearing antenna.

BUILDING LINE means a line drawn parallel to any front boundary along the front face of the building or through the point on a building closest to the front boundary.

BURRA CHARTER means the document titled the Australia ICOMOS Charter for Places of Cultural Significance 2013, published by Australia ICOMOS Inc.

CURTILAGE means the area of *Land* appurtenant to a *Building* or other *Structure*.

DEMOLITION means the removal or destruction of all or part of an existing *Building* or *Structure*.

DEVELOPMENT means the *Use* of any *Land* or the erection or *Use* of any *Building* or other *Structure* or the carrying out of building, engineering, mining, or other operations in on, or under the *Land*, or the making of any material change to the *Use* of any premises on the *Land* and includes any one or more of the following

- (a) The construction, exterior alteration or exterior decoration of a *Building* or *Structure*; or
- (b) The *Demolition* or removal of a *Building*, *Structure* or *Works*; or
- (c) The construction or carrying out of *Works*; or
- (d) The *subdivision* or consolidation of *Land* including *buildings* or airspace; or
- (e) The placing or relocation of a *Building*, *Structure* or *Works* on *Land*; or
- (f) The construction or putting up for display of a *Sign(s)* or hoarding(s).

DEVELOPMENT APPLICATION means an application made for *Development Approval* to *Use* or *Develop* land for a purpose which requires the granting of *Development Approval*.

DEVELOPMENT APPROVAL has the same meaning as defined in the *Act*.

DEVELOPMENT CONTROL PLAN has the same meaning as defined in the *Act* and shows in greater detail than shown in this *Plan*:

- (a) a preferred layout and staging for integrated *Use* and *Development* of *Land*; or
- (b) specific use or development, or design and siting requirements, or specific planning requirements not contained in this Plan Written Statement.

DEVELOPMENT STANDARD means provisions in this *Plan* in relation to the carrying out of *Use* or *Development*, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that *Use* or *Development*.

DOMESTIC OUTBUILDING means a Class 10a building, as defined in the Building Code of Australia, that is *ancillary* use to a residential use at the same *lot* and is limited to *non-habitable buildings or structures* for the purpose of a shed, garage and carport.

DWELLING means any habitable rooms and other spaces used or intended for *Use* as a self-contained unit to accommodate one *household* together with such *Land* and *non-habitable buildings or structures* in the *Curtilage* used for purposes *ancillary* to the *Use* of the *Building* for human habitation.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT means *Development* which uses, conserves and enhances the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be improved.

EGRESS has the same meaning as *Access*.

ENTRANCE STRIP means all that part of a *Lot* having a width of less than 10 metres and which extends from the *Road Frontage*, and which has as its principal purpose, the provision of access to the remainder of a rear *Lot*.

ENVIRONMENT includes all aspects of humankind's surroundings whether affecting them as individuals or in their social groupings.

EXISTING LAWFUL NON-CONFORMING USE means an existing lawful *Use* or *Development* of *land* which, had it not been in existence prior to the *Appointed Day*, would constitute a purpose for which any *Building* or other *Structure* may not be erected or used or for which *Land* may not be used.

EXISTING LAWFUL USE means the *Use* or *Development* of any premises for the purpose for which it was lawfully used before the *Appointed Day* or for which a *Development Approval* was granted before the *Appointed day* if the *Development Approval* has not expired.

FRONTAGE means a boundary of a *Lot* that abuts a *Road*.

FRONT BOUNDARY means any boundary line or part thereof, of a *Lot* that abuts a *Road*. Where the *Lot* is a *Rear Lot*, the *Front Boundary* is the boundary (not being the *Frontage* of the access strip) that is parallel and nearest to the road with which the access strip has a *Frontage*. Where the *Lot* is a corner *Lot* and has *Frontage* on more than one side, the front boundary is considered to be the boundary to which the *building* or proposed *building* faces.

GAZETTE means the Norfolk Island Government *Gazette*.

GROSS FLOOR AREA means the total floor area of the *building* measured from the outside of the external walls or the centre of a common wall.

GROUND LEVEL means:

- (a) the level of the natural ground, or
- (b) if the level of the natural ground has changed, the level as lawfully changed.

HERITAGE IMPACT STATEMENT means a heritage impact statement prepared under Part 4 of the *Heritage Act 2002* (NI).

HERITAGE ITEM has the same meaning as defined in the *Heritage Act 2002* (NI) and means an object or place listed in the Heritage Register.

HERITAGE REGISTER has the same meaning as defined in the *Heritage Act 2002* (NI) and means the Norfolk Island Heritage Register established in accordance with the *Heritage Act 2002* (NI), as varied from time to time;

HOUSEHOLD means one or more individuals who—

- (a) live in a *dwelling* with the intent of living together on a long-term basis; and
- (b) make common provision for food and other essentials for living.

KINGSTON AND ARTHURS VALE HISTORIC AREA means the site as identified by the World Heritage Listing boundary as shown generally in the Heritage Overlay Map and described in the Norfolk Island Heritage Register.

LAND has the same meaning as defined in the *Act*.—The term includes any *Land* on *Norfolk Island* and includes Phillip and Nepean Islands, and the offshore stacks, where that *Land* is above the *Mean High Water Mark*. The term also includes water covering *Land* where situated above the *Mean High Water Mark*.

LANDSCAPING means the treatment of *Land* for the purpose of enhancing or protecting the amenities of a site and the locality in which it is situated by:

- (a) screening by fences, walls or other means;
- (b) planting of trees, hedges, shrubs and grass;
- (c) formation of banks, terraces or other alterations to the land form;
- (d) laying out of gardens or courts; or
- (e) other amenity features.

The term does not include any form of paving for driveways, parking areas, access lanes, access strips.

LOT means a piece of *Land* or space described in a land title.

MEAN HIGH WATER MARK means the line defined by sea level at Mean High water. An interpretation of this line is shown on the Zoning Map and the *Official Survey* of Norfolk Island.

MINOR PROTRUSION means a *Structure* that projects above the roofline or beyond the external walls of a *Building* or *Structure*. The term includes but is not limited to lift motors, air conditioning equipment, firefighting equipment, aerials, antennae, water tanks, solar panels, finials, chimneys, smoke stacks, telecommunications structures, vents. The term does not include a *Structure* erected for the purpose of supporting *Signs*.

NON-HABITABLE BUILDING OR STRUCTURE means a *building* or *structure* classified as a Class 10a or Class 10b *building* or *structure* under the *Building Code of Australia*.

NORFOLK ISLAND means all *Land* above *Mean High Water Mark* in the Territory of *Norfolk Island* as described in Schedule 1 of the *Norfolk Island Act 1979 (Cth)*.

NUISANCE means nuisance which:

- (a) causes or is likely to cause danger or harm to the health, safety or welfare of any persons; or
- (b) relates to unreasonable or excessive levels of noise, dust or pollution.

OCCUPIER includes a tenant or other lawful occupant of premises, not being the owner.

OFFICE means the use of premises for administrative, clerical, technical, professional or similar business services and activities but does not include the use of premises for making, selling or hiring goods.

OFFICIAL SURVEY means the Official Survey of Norfolk Island as amended from time to time, made in accordance with the *Official Survey Act 1978 (NI)* .

OWNER (in relation to any *Land*) has the same meaning as defined in the *Act*.

PLAN has the same meaning as defined in the *Act*.

PLAN OF DEVELOPMENT means a document prepared by an applicant and should include maps, graphics and text that demonstrate how proposed uses and works would comply with the relevant provisions of the Plan that apply to the subject land. The Plan of Development should show the location and function of temporary and permanent uses and structures and how these uses and structures will relate to each other. It should also address connections to land adjoining the subject land. A Plan of Development must be consistent with the relevant provisions of this **Plan**.

PLANNING AREA means the whole of the area of *Norfolk Island*.

PUBLIC AUTHORITY means any Corporation, Board, Commission, Trust, Authority, or other body corporate or unincorporated that is established or constituted by or under any statute for any public purpose.

PUBLIC PURPOSE means a purpose that serves the interests of the public or a section of the public, including activities such as constructing infrastructure, providing public services, or creating public spaces.

REAR LOT means a *Lot* which lies behind a parcel fronting a *Road* and has access only to that *Road* either by a right of way or access strip.

ROAD means the *Use or Development of Land* for use as a public right of way or thoroughfare. The term includes formed and unformed roadways, road reservations, bridges, fords, and footpaths (where not part of a road reservation). The term also includes any easements or other forms of access over private property where:

- (a) such easements are shown on the *Official Survey* of Norfolk Island as being a separate lot, whether or not that *Land* is vested in an estate, private individual ownership, or in public ownership; or
- (b) the easement is registered under the *Land Titles Act 1996* (NI) as an access easement and is shown as a separate lot in a registered subdivision survey plan.

SECONDARY DWELLING means a *dwelling* that is used in conjunction with, and subordinate to, another *dwelling* (the principal dwelling) on the same *lot*; and

- (a) is located within, or is attached to, or is detached or separate from the principal dwelling; and
- (b) the *gross floor area* of the *secondary dwelling* must not exceed whichever of the following is the greater:
 - i. 70 square metres;
 - ii. 33% of the total floor area of the principal dwelling.

SENSITIVE LAND USE means any of the following *use* and *development* types as defined in the Purpose Definitions:

- (a) Child Care Centre; or
- (b) Community Facility; or

- (c) Educational Establishment; or
- (d) Hospital; or
- (e) Health Care Service; or
- (f) Hotel; or
- (g) Residence (Class); or
- (h) Resort; or
- (i) Tourist Park.

SCHEDULE means a *Schedule* contained in Part B4 of this *Plan*.

SETBACK means the shortest distance, measured horizontally, between the outermost projection of the *building* to any boundary of the *lot* where the *building* is *sited*.

SIGN means any notice, banner, pole, panel, hoarding, board, bunting, decorative flag, light, portion of *Building* or other *Structure* used for advertising purposes, including:

- (a) Regulatory *Signs* and devices which relate to the safe and effective use of the road system by motorists and pedestrians;
- (b) Directional *Signs* which assist people to navigate their way to a desired destination; and
- (c) Other *Signs* including service, information and commercial advertising *Signs*.

SITE means any *Land* on which *Use* or *Development* is being carried out or is proposed to be carried out, regardless of whether such *Land* forms all or part of a single *Lot*, or a number of contiguous *Lots*.

STOREY means

- (a) a space within a building between two (2) floor levels, or a floor level and a ceiling or roof, other than -
 - (i) a space containing only a lift shaft, stairway or meter room; or
 - (ii) a space containing only a bathroom, shower room, laundry, toilet or other sanitary compartment; or
 - (iii) a space containing only a combination of the things stated in subparagraphs (i) or (ii); or
 - (iv) a basement with a ceiling that is not more than 1.0 metre above ground level; and
- (b) includes -
 - i. a mezzanine; and
 - ii. a roofed structure that is on, or part of, a rooftop, if the structure does not only accommodate building plant and equipment.

STREETSCAPE means the aggregation of those things, which together, make up the view for an observer of the street.

STRUCTURE means any *Structure* that is not a *Building*. The term includes but is not limited to a *Sign*, tower, aerial, tank, bridge, pole, dam wall, street furniture, wall, fence or other *Structure* or any part thereof, or anything affixed to or projecting from any *Building*, wall, fence or other *Structure* or any part thereof.

SUBDIVISION has the same meaning as defined in the *Subdivision Act 2002* (NI) and means to:

- (a) the subdivision under the *Land Titles Act 1996*, of a single *lot* of *land* into two (2) or more separate *lots*; or
- (b) the amalgamation ~~e~~, under the provisions of the *Land Titles Act 1996*, of two (2) or more adjacent *lots* into a single *lot*, other than an amalgamation of *land* under section 40 of the *Land Titles Act 1996*; or
- (c) the adjustment of a boundary between two (2) or more adjacent *lots* so as neither to amalgamate nor subdivide the *Lots*.

The definition includes the undertaking of any combination of the above.

TEMPORARY ACTIVITY means an activity operating for a maximum period of 14 continuous days and the activity -

- (a) is impermanent and may be irregular or infrequent; and
- (b) does not require the construction of a permanent building or the installation of permanent infrastructure or ~~services~~; and
- (c) is not a Temporary Use as described in clause 17 (*Temporary use of land*)

USE (in relation to *Land*) has the same meaning as defined in the *Planning Act 2002* (NI) and means the manner of utilising *Land* but does not include the undertaking of *Development*.

WORKS means any change to the natural or existing topography of *Land* including the removal, destruction or lopping of trees and the removal of vegetation or topsoil.

YARD means a part of a *site* which, except as otherwise provided by the Plan, is to be unoccupied and unobstructed by buildings from that ground upwards.

ZONE means a particular area of *Land* delineated on the Zoning Map within which *Land* may only be used or developed in accordance with any relevant provisions of this Plan.

PURPOSE DEFINITIONS

102. What are the Purpose Definitions?

- (1) The *Use or Development of Land* must be categorised in accordance with the definitions contained in clause 104 (*The Purpose Definitions*) of the Plan.
- (2) The terms listed in clause 103 are defined as purposes for which *Use or Development* may be carried out.

103. Table of purpose definitions

Agriculture	Industry Class	Residence (Class)
Airport	Industry – Extractive	Residence – Accommodation Units
Business Premises	Industry – General	Residence – Dual Occupancy
Car Park	Industry – Light	Residence – Dwelling House
Cemetery	Industry – Noxious, Hazardous or Offensive	Residence – Multiple Dwelling
Child-Care Centre	Industry – Rural	Residence – Relocatable Home Park
Community Facility	Intensive Livestock Agriculture	Residence – Residential Care Establishment
Club	Licensed Club	Residence – Retirement Village
Concrete Batching Plant	National Park	Residence – Shop Top
Dangerous Goods Store	Open Space	Resort
Depot	Outdoor Sport and Recreation Facility	Road
Earthworks	Park	Salvage Yard
Educational Establishment	Place of Assembly	Service Station
Entertainment Facility	Place of Public Worship	
Food and Drink Premises	Port Service	
Forestry		

Garden Centre	Public Building	Shop – Local
Government House and Domain	Major Public Infrastructure and Works	Shop
Home Industry	Minor Public Infrastructure and Works	Subdivision – Major
Home Occupation		Subdivision – Minor
Hospital		Tourist Attraction
Health Care Service		Tourist Park
Hotel		Vehicle Sales or Hire Yard
Indoor Sport and Recreation Facility		Veterinary Service
		Warehouse Premises
		Wharf

104.The Purpose Definitions

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
Agriculture	Means the <i>Use or Development of Land</i> for general farming and includes: (a) husbandry, including grazing and the keeping and breeding of livestock and bees; or (b) horticulture other than for the domestic needs and/or personal enjoyment of the occupants of that place. The term includes the storage on that <i>Land</i> of any produce resulting from that <i>Agriculture</i> , and it includes the <i>Use or Development</i> of Land for the purposes of a stable (where that <i>Use</i> is not <i>Intensive Livestock Agriculture</i>)	Husbandry, Animal keeping, Horticulture	Intensive Livestock Agriculture, Forestry, Garden Centre
Airport	Means the <i>Use or Development of Land</i> for the landing or departure of aircraft whether or not that <i>Land</i> includes facilities for the housing, servicing, maintenance or repair of aircraft, or for the assembly and/or dispersal of passengers or goods onto or from an aircraft.	Airstrip, Helipad, Public or private airfield	
Business Premises	Means the <i>Use or Development of Land</i>	Bank, Office,	Shop Shop-Local

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	as a building or place or office—in connection with- (i) an occupation, professional services or professional advice provided directly to the members of the public on a regular basis by a person practicing or carrying on a profession; or (ii) a business or commercial purpose; or (iii) otherwise for business or commercial purposes, but does not include any <i>Land</i> used for a <i>Shop</i> or other purpose elsewhere specifically defined in this section.	Data processing, Professional consulting rooms	
Car Park	Means the <i>Use or Development of Land</i> for the parking of motor vehicles as a private or public car park, where that parking is not merely incidental to or associated with the <i>Use of Land</i> for some other purpose. The term does not include part of any <i>Road</i> used for parking.	Private and public car park, 'Park and ride', Bicycle parking	Road, On-street car parking
Cemetery	Means <i>Use or Development of Land</i> for interment of bodies or ashes after death.	Burial ground, Crypt, Columbarium, Lawn cemetery, Pet cemetery, Mausoleum	Crematorium, Funeral parlour
Child Care Centre	Means the <i>Use or Development of Land</i> for a kindergarten, crèche or pre-school centre, or any other place used or intended for the care, education and minding, but not residence, of children for fee or reward.	Kindergarten, Pre-school centre, Creche, Early childhood centre, Before or after school care, Vacation care.	Home-based child-care, Family day care, Educational Establishment, Community Facility
Club	Means the <i>Use or Development of Land</i> for a club, lodge, friendly society or like organisation, whether incorporated or not, and includes <i>Use of the Land</i> , in part, as an office for the administration of the affairs of the club, lodge, friendly society or like organisation.	Lodge, Sports club house, Men's Shed, Scout or Guide Hall	Bar, Licensed Club, Residence (class)
Community Facility	Means the <i>Use and Development of Land</i> for a building or place	Art gallery, Museum, Library,	Educational Establishment, Child Care Centre,

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	<p>(a) owned or controlled by a <i>Public Authority</i>; or a non-profit community organisation, and</p> <p>(b) used for the physical, social, cultural or intellectual development or welfare of the community.</p>	Youth Centre, Seniors Centre , Community Hall	Hospital, Place of Assembly, Place of Public Worship, Residence (class)
Concrete Batching Plant	Means the <i>Use or Development of Land</i> for the mixing of concrete for use elsewhere.	Concrete Plant	Home Industry, Industry (Class)
Dangerous Goods Store	Means the <i>Use or Development of Land</i> for the storage, either above ground or below ground, of goods listed in the <i>Australian Dangerous Goods Code</i> (as amended from time to time). The term includes use or intended use of premises for the storage of: <p>(a) liquefied petroleum gas where the total storage at the facility exceeds 4000 litres;</p> <p>(b) petrol, or petroleum where the total storage at the facility exceeds 10500 litres.</p>	Fuel Depot storage at Airport, Gas and fuel storage tanks at Ball Bay	Home Industry, Industry (Class), Service Station Warehouse Premises
Depot	Means the <i>Use or Development of Land</i> for the storage of any equipment, vehicles and/or materials or other goods used in the transport, building, construction or related industries and includes the lease or hiring of such equipment, whether or not routine servicing of any of those items is carried out at that premises.	Transport depot, Storage station, Contractor's heavy machinery storage and maintenance depot	Home Industry, Industry (Class), Warehouse Premises, Salvage Yard
Educational Establishment	Means the <i>Use or Development of Land</i> for the purposes of a school, or any other place used or intended for Use for the training or teaching of people. The term includes school, which means the <i>Use or Development of Land</i> as an institution at which primary education, secondary education, tertiary education, vocational education, or any combination thereof, is provided.	University, Primary school, Secondary school, Vocational education facility, Trade college	Child Care Centre, Home based child-care, Family day care, Place of Assembly, Community Facility

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
Entertainment Facility	Means the <i>Use or Development of Land</i> for events and activities for the purposes of entertainment.	Theatre, Concert Hall, Cinema, Drive-in or Open-air theatre, Convention Centre, Exhibition Centre	Club, Bar, Food and Drink Premises, Indoor and Outdoor Sport and Recreation Facility, Licensed Club, Place of Assembly, Tourist Attraction
Food and Drink Premises	Means the <i>Use or Development of Land</i> for the preparation and/or sale of food and drink to the public.	Café, Fast food shop, Milk bar, Takeaway food shop, Restaurant, Snack bar, Kiosk, Tea room, Tea Garden, Mobile kiosk	Resort, Shop, Pub, Small bar, Home Occupation, Tourist Attraction
Forestry	Means the <i>Use or Development of Land</i> for the planting or tending in a plantation or forest of trees intended for felling, and includes any associated nursery used for the propagation of plants necessary to the forestry operation. The term includes any storage and maintenance facility for vehicles and machinery necessary to the forestry operation.	Plantation, Nursery (associated with forestry purpose)	Garden Centre, Agriculture
Garden Centre	Means the <i>Use or Development of Land</i> as a place primarily used or intended for use for the retail sale of plants and landscaping and gardening supplies and equipment whether or not those plants are propagated at that place.	Retail plant nursery, Landscape supplies,	Forestry, Nursery (associated with forestry purpose)
Government House and Domain	Means the <i>Use or Development of Land</i> for the purposes of an official residence of the Administrator including a workplace for the Administrator and household staff, a venue for official functions and other ancillary purposes.	Residence for the Administrator and family, Workplace for Administrator and household staff, venue for official functions, and other necessary functions associated with the use of the place.	Residence (class)
Home Industry	Means the <i>Use or Development of Land</i> for any industry, trade, business, occupation or profession carried on in	Commercial activities operated from a <i>dwelling</i> that	Business Premises Home Occupation, Industry (class),

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	<p>a <i>dwelling</i> or in a <i>building ancillary</i> to and within the <i>curtilage</i> of a <i>dwelling</i> where such industry, trade, business, occupation or profession:</p> <p>(a) in addition to the residents not more than one full time equivalent employee is engaged in the business;</p> <p>(b) does not impose a load on any public utility undertaking greater than that which is reasonably required for the predominant use, existing or likely, in the immediate locality; and</p> <p>(c) does not interfere with the amenity of the neighborhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, wastewater, waste products, radio or electrical interference or otherwise; and</p> <p>(d) the conduct of which does not comply with the provisions of a <i>Home Occupation</i> as separately defined in this section.</p>	<p>is subservient to the primary use of premises as a <i>dwelling</i> and compiles with the conditions in Column 2, such as:</p> <ul style="list-style-type: none"> - Progressive dinners, fish fries, BBQ's and morning and afternoon teas and the like; predominantly to entertain tourists and occurring no more than 3 (three) days per week. - Instruction or tuition in activity with no more than 10 (ten) students and no more than three times per week. 	<p>Shop</p>
Home Occupation	<p>Means the <i>Use</i> or <i>Development</i> of <i>Land</i> for any industry, trade, business, occupation or profession carried on in a <i>dwelling</i>, or within a <i>building ancillary</i> to and within the <i>curtilage</i> of a <i>dwelling</i>, where such industry, trade, business, occupation or profession:</p> <p>(a) does not involve the employment of persons other than the residents of the <i>dwelling</i>; and</p> <p>(b) does not involve the use, whether temporarily or otherwise, of more than one-third of the total <i>gross floor area</i> of the <i>dwelling</i> or 30 square metres of the <i>gross floor area</i> of the <i>dwelling</i> whichever is the lesser; and</p> <p>(c) does not impose a load on any public utility undertaking greater than that which is reasonably required for the predominant <i>Use</i>, existing or likely, in the immediate locality; and</p>	<p>Home office, Home based child-care,</p>	<p>Home Industry, Depot, Educational Establishment</p>

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	<p>(d) does not interfere with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, wastewater, waste products, radio or electrical interference or otherwise; and</p> <p>(e) does not involve the exhibition of any notice, advertisement or sign other than a <i>Sign</i> exhibited on the <i>dwelling</i> or on some other part of the premises used for or in connection with that occupation to indicate the name of the persons carrying on the occupation or the name under which the occupation is being carried on, with or without an indication of the occupation; and</p> <p>(f) does not involve or result in vehicles traversing any <i>Road</i> in the locality or a number of vehicle movements on any such <i>Road</i> in excess of that which is or could be reasonably expected to be generated by other <i>Residence Class</i> development in that locality during any particular period of time; and</p> <p>(g) is not a <i>Home Industry</i>.</p>		
Hospital	<p>Means the <i>Use or Development of Land</i> for—</p> <p>(a) the medical or surgical care or treatment of patients, whether or not the care or treatment requires overnight accommodation; or</p> <p>(b) providing accommodation for patients; or</p> <p>(c) providing accommodation for employees, or any other use, if the use is <i>ancillary</i> to the use in paragraph (a) or (b).</p> <p>The term includes treatment of outpatient care, associated with the hospital use.</p>	Private or public hospital	Residence – Residential Care Establishment, Health Care Services
Health Care Service	Means the <i>Use or Development of Land</i> for medical purposes, paramedical purposes, alternative health therapies or general health care, if overnight	Dental clinic, Medical centre, Physiotherapy clinic	Private or public hospital, Residence – Residential Care Establishment

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	accommodation is not provided on the premises.		
Hotel	Means the <i>Use or Development of Land</i> where the principal purpose is the retail sale of liquor for consumption on the premises whether or not the alcohol has been manufactured on the site and whether or not food is sold, or entertainment is provided at the premises.	Pub, Bar, Tavern	Licensed Club, Food and Drink Premises, Resort, Residence - Accommodation Unit
Indoor Sport and Recreation Facility	Means the <i>Use or Development of Land</i> at which members of the public participate in sport, athletics or other recreation activities indoors. The term includes, but is not limited to, use of premises as an indoor fitness centre, gymnasium, dance studio, skating rink, where those premises are not a <i>Resort</i> .	Indoor fitness centre, Gymnasium, Skating rink, Dance studio	Entertainment Facility, Outdoor Sport and Recreation Facility Tourist Attraction Resort
Industry (class)	means the <i>Use or Development of Land</i> for the purpose of an <i>Industry – Rural, Industry – Light Industry, Industry – General, Industry – Noxious, Offensive or Hazardous, or Industry – Extractive</i> , as separately defined.	Industry – Rural, Industry – Light, Industry – General, Industry – Noxious, Offensive or Hazardous, Industry – Extractive	Home Industry
Industry - General	Means the <i>Use or Development of Land</i> for the purpose of carrying on an Industry which is not otherwise defined or described.		
Industry - Light	Means the <i>Use or Development of Land</i> which: (a) Does not, in the opinion of the Council, impose a load on any existing or proposed public utility undertaking greater than that which is required for development in the locality in which the industry is carried on; (b) Does not, in the opinion of the Council, by reason of the carriage of goods or materials used or produced thereby create traffic upon public <i>Roads</i> in the locality in which the industry is carried on, which causes congestion or danger to users of such <i>Roads</i> or requires	Bottling works, Builders and trades workshops and yards, Cabinet making, Carpentry, Cold stores, Delivery depots, Fishmongering, Gas appliance workshops, Glazing, Joineries, Commercial Laundry, Panel Beating,	Industry – General, Industry – Noxious, Hazardous or Offensive, Industry – Extractive, Industry – Rural Home Industry

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	<p>Roads of a higher standard of construction than those required for development in the locality in which the industry is carried on; and</p> <p>(c) Does not, in the opinion of the Council, have a detrimental effect on the amenity of the environs by causing environmental harm or be likely to cause undue disturbance and/or annoyance to persons or affect property not connected with the industry by reason of smoke, fumes, noise, waste products, the presence of vermin, the creation of electrical interference, or other hazards.</p>	<p>Repairing motor vehicles, Fitting and turning workshop</p> <p>Spray Painting,</p>	
Industry – Noxious, Hazardous or Offensive	Means the <i>Use or Development of Land</i> for an industrial activity which by reasons of the processes or materials involved or the method of manufacture or the nature of the processes or materials used or produced, requires isolation from other buildings or areas of human activity or occupation because of the detrimental effect which such processes or materials might have on the <i>amenity</i> of such areas or the health of its occupants.	<p>Abattoir, slaughterhouse or slaughter yard (livestock including poultry),</p> <p>Cement and lime works,</p> <p>Crushing mill,</p> <p>Distillery,</p> <p>Explosives manufacturing or storage,</p> <p>Garbage and refuse disposers,</p> <p>Meat, poultry or seafood processing or preserving (other than as part of a butcher),</p> <p>Metal screening plants,</p> <p>Sanitary depot,</p> <p>Sewage treatment works,</p> <p>Stone crusher and screen</p>	<p>Industry – General,</p> <p>Industry – Light,</p> <p>Industry – Extractive,</p> <p>Industry – Rural,</p> <p>Home Industry</p>
Industry - Extractive	Means any industry involving the <i>Use or Development of Land</i> for the winning or removal or extraction of extractive materials such as sand, clay, gravel, turf, soil, rock, stone or similar materials from <i>land</i> . The definition includes, when carried out on the <i>land</i> from which any substances are extracted or on <i>land</i> adjacent thereto, the treatment, processing and	Quarry	<p>Industry – General,</p> <p>Industry – Light,</p> <p>Industry – Noxious,</p> <p>Hazardous or Offensive,</p> <p>Industry – Rural,</p> <p>Home Industry,</p> <p>Earthworks</p>

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	stockpiling of such materials and the manufacture of products from such materials.		
Industry – Rural	Means the <i>Use or Development of Land</i> for the purposes of handling, treating, processing, storage or packing of animal or plant primary agricultural products for commercial purposes. The term includes the servicing in a workshop of plant and/or equipment used for agricultural purposes on the premises. The term does not include the use of premises used for a purpose separately defined elsewhere in this section.	Agricultural supplies, Processing and packaging coffee, palm seed, farm produce, Vineyard, sawmill or log processing works	Industry – General, Industry – Light, Industry – Noxious, Hazardous or Offensive Industry - Extractive
Intensive Livestock Agriculture	Means the <i>Use or Development of Land</i> for the intensive production of animals or animal products in an enclosure. The term includes keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses or other livestock that are fed wholly or substantially on externally sourced feed.	Dairies, Feedlots, Piggeries, Poultry farms	Agriculture, Industry - Rural
Licensed Club	Means the <i>Use or Development of Land</i> for the purposes of a club, lodge, friendly society or like organisation, whether incorporated or not, whether or not those premises are also used or intended for Use in part as an office for the administration of the affairs of the club, lodge, friendly society or like organisation; and where retail sale of liquor for consumption on the premises is appropriately licensed. A use of premises for the purpose of a <i>Licensed Club</i> does not include any residential use and does not include use of the premises elsewhere defined in this section.	Bowls Club, Golf Club, Tennis Club, RSL Club, Leagues Club,	Club, Hotel, Pub, Community Facilities
Major Public Infrastructure and Works	Means the <i>Use or Development of Land</i> for installation of infrastructure and utilities to supply or provide the public with services such as the following: <ul style="list-style-type: none"> (a) supply or treatment of water; (b) electricity generating works and installations; (c) sewerage, drainage or stormwater services; 	Waste management and disposal facilities, Pumping station, Telecommunication s network, Radio tower, Electrical sub-station or transformer,	Minor Public Infrastructure and Works, Public Building, Port Service, Wharf

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	<p>(d) waste water treatment and disposal facilities;</p> <p>(e) waste management facilities;</p> <p>(f) network and broadcasting infrastructure.</p> <p>The term includes maintenance and storage depots and other facilities necessary for the operation of the <i>Development</i>.</p>	Renewable energy facility	
Minor Public Infrastructure and Work	Means the <i>Use or Development</i> of <i>Land</i> for the supply and-installation of minor infrastructure such as lines and pipes required to supply or provide the public with services such as reticulated water, electricity, gas, sewerage or drainage services, or communications infrastructure.	Public gas, electricity, sewerage, and water connections, lines and pipes, Telecommunication lines	Major Public Infrastructure and Works
National Park	Means the <i>Use or Development</i> of <i>Land</i> for the purposes of the Norfolk Island National Park and Norfolk Island Botanic Garden established under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth). The term includes premises used for the administration of <i>Land</i> declared to be the Norfolk Island National Park and Norfolk Island Botanic Garden, and Land used in connection with the Norfolk Island National Park and Norfolk Island Botanic Garden.	Botanical gardens, Norfolk Island National Park	Open Space, Park, Outdoor Sport and Recreation Facility
Open Space	<p>Means the <i>Use or Development</i> of <i>Land</i> that has its surface area open to the sky and is totally or predominantly undeveloped which is an essential component of our urban and rural environments as it serves a number of basic human and ecological needs including:</p> <p>(a) Providing outdoor recreation opportunities;</p> <p>(b) Maintaining natural processes and protection of environmentally sensitive areas, cultural heritage and valuable natural resources; and</p> <p>Providing a visually pleasant landscape which contributes to scenic quality and environmental amenity as well as facilitating cultural enhancement.</p>		Park

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
Outdoor Sport and Recreation Facility	Means the <i>Use or Development</i> of <i>Land</i> whether for commercial benefit or not, at which members of the public participate in sport, athletics or other recreation outdoors.	Tennis courts, Cricket oval, Golf course and driving range, Football field, Swimming pool, Archery range	Indoor Sport and Recreation Facility, Park, Open Space, Entertainment Facility, National Park
Park	Means the <i>Use or Development</i> of <i>Land</i> to which the public has rights of access, for open-air recreation, and which is maintained.	Playground, Lookout, Boardwalk, Picnic and barbecue facilities	Outdoor Sport and Recreation Facility, National Park, Open Space
Place of Assembly	Means the <i>Use or Development</i> of <i>Land</i> that is used by community members as a place to gather and meet.	Public/community hall, Function room, Conference centre	Place of Public Worship, Indoor or Outdoor Sport and Recreation Facility, Park, Open Space, Community Facility, Educational Establishment, Hotel
Place of Public Worship	Means the <i>Use and Development</i> of <i>Land</i> for a <i>building</i> or place—for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.	Church, Temple, Synagogue, Mosque, Chapel	Place of Assembly, Community Facility
Port Service	Means the <i>Use or Development of Land</i> for - (a) the arrival and departure of vessels; or (b) the movement of passengers or goods or freight on or off vessels; or (c) storing, servicing, maintaining or repairing vessels; or (d) <i>ancillary uses</i> that directly service the needs of passengers of the vessels or freight management. (e)	Marina, Cruise terminal, Ferry terminal, Freight Terminal, Passenger Transport Vessel and Cargo Transport Vessel storage areas	Business Premises, Tourist Attraction, Depot, Warehouse, Wharf
Public Building	Means the <i>Use or Development of Land</i> as offices or for administration, professional services delivery, business, commercial or community services delivery or other-purposes by the Crown, a Commonwealth government agency, the Council, or by some statutory authority or corporation of a public character or	Fire station, Emergency Services Centre, Works Depot, Ambulance Depot, Police station, Correctional Facility, Government offices	Community Facility, Place of Assembly, Place of Public Worship, Hospital

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	<i>Public Authority</i> exercising public functions and includes <i>Use or Development of Land</i> for any individual or combined emergency service providers.	and services buildings	
Residence (Class)	Is a generic term which means the <i>Use or Development of Land</i> as <i>Residence – Accommodation Units, Residence – Dual Occupancy, Residence – Dwelling House, Residence – Multiple Dwelling, Residence – Residential Care Establishment, Residence – Relocatable Home Park, Residence – Retirement Village or Residence – Shop Top</i> . The term <i>Residence (Class)</i> is used throughout this <i>Plan</i> . Where the generic term is used in this <i>Plan</i> , any of the uses included in this definition is accepted.	Residence – Accommodation Units, Residence – Dual Occupancy, Residence – Dwelling House, Residence – Multiple Dwelling, Residence – Relocatable Home Park, Residence – Residential Care Establishment Residence – Retirement Village Residence – Shop Top.	
Residence – Accommodation Units	Means the <i>Use or Development of Land</i> for premises for— (a) providing accommodation of not more than twenty one (21) days to tourists or travelers; or (b) a manager's residence, office, or recreation facilities for the exclusive use of guests, if the use is <i>ancillary use</i> to the use in subparagraph (a).	Guesthouse, Bed and breakfast, Farm stay, Holiday house, Airbnb Tourist accommodation unit	Residence – Dual Occupancy, Residence – Dwelling House, Residence – Multiple Dwelling, Residence – Residential Care Establishment, Residence – Shop Top, Resort, Tourist Park, Hotel, Resort
Residence – Dual Occupancy	Means the <i>Use or Development of Land</i> for two <i>households</i> involving two <i>dwellings</i> , whether attached or detached, which are sited on one <i>lot</i> . The term includes any <i>domestic outbuildings</i> associated with the <i>dwellings</i> but does not include a <i>secondary dwelling</i> as defined in clause 101 – <i>The Administrative definitions</i> .	Duplex	Residence – Accommodation Units, Residence – Dwelling House, Residence – Multiple Dwelling, Residence – Residential Care Establishment, Resort, Residence – Shop Top
Residence – Dwelling House	Means the <i>Use or Development of Land</i> for		Residence – Accommodation Units, Residence – Dual Occupancy,

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	<p>(a) One <i>dwelling</i> for a single <i>household</i> and any <i>domestic outbuildings</i> associated with the <i>dwelling</i>; or</p> <p>(b) One <i>dwelling</i> for a single <i>household</i> (the 'principal dwelling'), a <i>secondary dwelling</i>; and any <i>domestic outbuildings</i> associated with either <i>dwelling</i>.</p>		Residence – Multiple Dwelling, Residence – Residential Care Establishment, Residence – Shop Top, Home Occupation, Home Industry
Residence – Multiple Dwelling	Means the <i>Use or Development of Land</i> for three (3) or more <i>dwellings</i> , whether attached or detached, for separate <i>households</i> .	Apartments, Units, Townhouses	Residence – Accommodation Units, Residence – Dual Occupancy, Residence – Dwelling House, Residence – Residential Care Establishment, Residence – Shop Top
Residence – Relocatable Home Park	Means the <i>Use or Development of Land</i> for - <p>(a) relocatable <i>dwellings</i> for long-term residential accommodation; or</p> <p>(b) amenity facilities, food and drink outlets, a manager's residence, or recreation facilities for the exclusive use of residents, if the use is <i>ancillary</i> to the <i>Use</i> in paragraph (a).</p>		Residence – Dwelling House, Residence - Accommodation Units, Residence – Shop Top, Residence – Multiple Dwelling
Residence - Residential Care Establishment	Means the <i>Use or Development of Land</i> for supervised accommodation, and medical and other support services, for persons who— <p>(a) cannot live independently; and</p> <p>(b) require regular nursing or personal care.</p>	Convalescent or Nursing Home, Group Home for supported living	Residence – Accommodation Units, Residence – Dual Occupancy, Residence – Multiple Dwelling, Resort, Residence – Retirement Village
Residence – Retirement Village	Means <i>Use or Development of Land</i> for <p>(a) accommodation for older members of the community, or retired persons, in independent living units or serviced units; or</p> <p>(b) amenity and community facilities, a manager's residence, health care and support services, facilities for preparing and serving food and drink or staff</p>		Residence – Accommodation Units, Residence – Dual Occupancy, Residence – Multiple Dwelling, Resort, Residence – Residence – Residential Care Establishment

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	accommodation, if the <i>Use</i> is <i>ancillary</i> to the <i>Use</i> in paragraph (a).		
Residence - Shop Top	Means the <i>Use</i> or <i>Development</i> of <i>Land</i> for one or more <i>dwellings</i> located above the ground floor of a <i>building</i> , where at least the ground floor is used for commercial premises or health services facilities.		Residence – Accommodation Units, Residence – Dwelling House, Residence – Dual Occupancy Residence – Multiple Dwelling, Residence – Residential Care Establishment
Resort	means the <i>Use</i> or <i>Development</i> of <i>Land</i> for— (a) tourist and visitor accommodation of not more than twenty one (21) days that includes integrated leisure facilities; (b) staff accommodation that is <i>ancillary use</i> to the <i>Use</i> in paragraph (a). <i>Note: Examples of integrated leisure facilities— bars, meeting and function facilities, restaurants and fitness facilities</i>		Residence – Accommodation Units, Residence – Multiple Dwelling Residence – Relocatable Home Park, Tourist Park, Resort
Road	Means the <i>Use</i> or <i>Development</i> of <i>Land</i> as a public right of way or thoroughfare. The term includes formed and unformed roadways, road reservations, bridges, fords and footpaths (where not part of a road reservation). The term also includes any easements or other forms of access over private property where: (a) such easements are shown on the <i>Official Survey</i> of Norfolk Island as being a separate <i>lot</i> , whether or not that <i>Land</i> is vested in an estate, private individual ownership, or public ownership; or (b) the easement is registered under the <i>Land Titles Act 1996</i> (NI) as an access easement and is shown as a separate <i>lot</i> in a registered subdivision survey plan.	Road reserve, Bridge, Street, Footpath (where not part of road reserve)	Car Park
Service Station	Means the <i>Use</i> or <i>Development</i> of <i>Land</i> for—	Petrol Station,	Industry (class), Dangerous Goods Store,

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	<p>(a) selling fuel, including, for example, petrol, liquid petroleum gas, automotive distillate or alternative fuels; or</p> <p>(b) a food and drink outlet, shop, trailer hire, or maintaining, repairing, servicing or washing vehicles, if the <i>Use</i> is <i>ancillary</i> to the <i>Use</i> in paragraph (a).</p>	Electric Vehicle Charging Station	Shop
Shop- Local	Means the <i>Use</i> or <i>Development</i> of <i>Land</i> for a <i>building</i> , the <i>gross floor area</i> of which does not exceed 100 square metres, for displaying or selling goods for the day to day needs of the surrounding neighbourhood.	Corner store, Mini mart,	Business Premises, Shop, Food and Drink Premises
Shop	Means the <i>Use</i> or <i>Development</i> of <i>Land</i> for displaying or selling or hiring goods or providing personal services to the public.	Hairdresser, Boutique, Department store, News agency, Hardware, Home Maker Store	Shop – Local, Food and Drink Premises, Industry (class)
Subdivision – Major	<p>Means to the <i>subdivision</i> of <i>Land</i> where:</p> <p>(a) the <i>subdivision</i> is not a <i>Subdivision – Minor</i>; and</p> <p>(b) <i>lot</i> sizes may be smaller than the relevant minimum <i>lot</i> size specified in this <i>Plan</i> provided that the <i>subdivision</i> does not result in a net increase in the number of privately-owned <i>lots</i>, except in accordance with subclause 23(1)(e).</p> <p>All proposals for <i>Subdivision – Major</i> must satisfy all other relevant Subdivision Standards.</p>		Subdivision- Minor
Subdivision – Minor	<p>Means the <i>subdivision</i> of <i>Land</i> where:</p> <p>(a) there is no net increase in the number of privately-owned <i>lots</i>; and</p> <p>(b) the areas of the <i>lots</i> created are not less than the relevant minimum <i>lot</i> size specified in this <i>Plan</i>; and</p>	Boundary adjustments Amalgamation	Subdivision – Major

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	(c) the reorganisation or amalgamation of <i>lots</i> is primarily to enable better management of the land for the purpose consistent with the intent and objectives of the zone(s), or to provide for public services, utilities, access or open space, and where the new boundaries give consideration to topography, perennial and other bodies of water, access and <i>frontage</i> requirements to each <i>lot</i> , and the location of other natural and artificial features.		
Tourist Attraction	Means the <i>Use or Development of Land</i> for— (a) providing entertainment to, or a recreation facility for, the general public; or (b) preparing and selling food and drink for consumption on the premises, if the <i>Use</i> is <i>ancillary</i> to the <i>Use</i> in paragraph (a).	Theme Park, Zoo, Aquarium	Resort, Entertainment Facility, Home Industry, Home Occupation
Tourist Park	means the <i>Use or Development of Land</i> for— (a) holiday accommodation of not more than 21 days to tourists or travelers in self-contained cabins, tents or other similar structures; or (b) amenity facilities, a food and drink outlet, a manager's residence, offices, recreation facilities for the use of occupants and their visitors, or staff accommodation, if the <i>Use</i> is <i>ancillary use</i> to the <i>Use</i> in paragraph (a).	Cabins, Youth/holiday hostel, Backpackers accommodation	Residence – Accommodation Units, Residence – Dual Occupancy, Residence – Dwelling House, Residence – Multiple Dwelling, Residence – Residential Care Establishment, Residence – Shop Top, Resort, Hotel, Residence – Relocatable Home Park
Vehicle Hire and Sales Yard	Means the <i>Use or Development of Land</i> for the display for sale, hire or leasing of motor vehicles, motorcycles, boats, trailers and the like or any combination of these. The term includes sale, hire or leasing of accessories. The term also includes use of the <i>Land</i> for an office and/or servicing facility where that <i>Use</i> is		Industry (class), Service Station, Shop, Home Industry, Home Occupation,

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
	<i>ancillary</i> to the use of the land as a <i>Vehicle Sales or Hire Yard</i> .		
Veterinary Service	Means the <i>Use or Development of Land</i> for— (a) the medical or surgical treatment of animals; or (b) the short-term stay of animals, if the <i>Use</i> is ancillary to the <i>Use</i> in paragraph (a).	Vet clinic, Wildlife hospital	Hospital
Warehouse Premises	Means the <i>Use or Development of Land</i> for— (a) storing or distributing goods, whether or not carried out in a building; or (b) the wholesale of goods, if the <i>Use</i> is <i>ancillary use</i> to the <i>Use</i> in paragraph (a).	Self-storage facility, Storage yard	Shop, Industry (class)
Wharf	Means the <i>Use or Development of Land</i> for - (a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, (b) facilities for the loading or unloading of freight and goods onto or from vessels. The <i>Use</i> includes an <i>office</i> , fencing, lighting, <i>Car Park</i> or the temporary storage of goods or freight, if the use is <i>ancillary use</i> to the use described in paragraph (a) and (b) and used in connection with the <i>Wharf</i> .	Boat ramp, Pier, Jetty	Port Service Warehouse

PART B4
SCHEDULES

DRAFT

SCHEDULE 1- DEVELOPMENT OF SPECIFIC SITES

The following table lists sites that are subject to the provisions of clause 97.

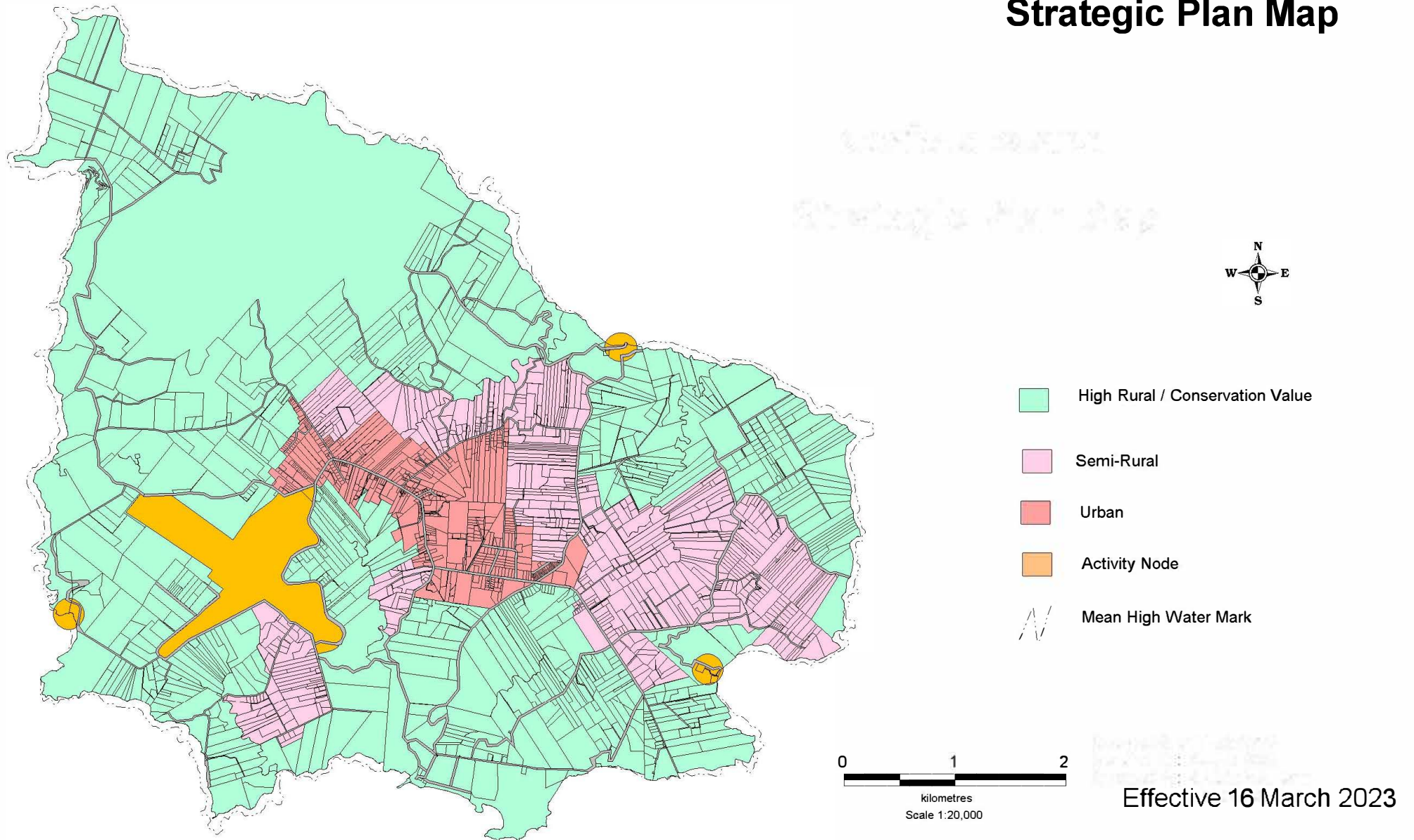
Additional <i>Use or Development</i> that may occur as permissible (with consent) <i>Use or Development</i>		
Lot	Purpose	Conditions
Portion 57d2 Collins Head Road	Addition of three Residence – Accommodation units and one transit lounge to “Endeavour Lodge”	As detailed in the Instrument of Approval for Development Application DA 0021/08.
Portion 34j1 Martins Road	Subdivision into a total of 2 portions	As detailed in the Instrument of Approval for Development Application DA 0019/11.
Portion 85 New Farm Road	<i>Use and Development</i> of land for an “Industry – Noxious, Hazardous or Offensive”	As detailed in the Instrument of Approval for Development Application DA 0041/11
Portions 54c5, 54c6, 54c7 & 54c8 Middlegate Road	<i>Use and Development</i> of the land for the purpose of “Educational Establishment” and “Shop”.	As detailed in the Instrument of Approval for Development Application DA 0027/12.
Portion 47c1 Martins Road	Subdivision into a total of 2 portions	As detailed in the Instrument of Approval for Development Application DA 0023/13.
Portion 21b2 Selwyn Pine Road	Subdivision into a total of 2 portions	As detailed in the Instrument of Approval for Development Application DA 0041/14.
Part Portion 162, part RD 46 and part Cascade Reserve as shown on the Drawing attached to Plan Variation No. 16/01	Temporary Construction Site for works and activities associated with the Cascade Jetty Upgrade as described in DA 0050/15 as approved: including the following <i>Use and Development</i> : “Wharf”; “Concrete Batching Plant”; “Dangerous Goods Store”; “Industry - General”; and “Public Works Major”.	1. As detailed in the Notice of Decision for Development Application DA 0050/15; and 2. The approved plan to vary the Plan as described in this schedule expires five years after the date of the approval of the draft plan by the Minister.
Part of Lot 28, Youngs Road, being part of Cascade Reserve as shown on the Site Plan attached to Plan Variation 16/03	Temporary <i>Use and Development</i> of the land for “Industry – General”, to allow storage of precast concrete units and materials associated with the Cascade Jetty Upgrade only.	1. As detailed in the Notice of Decision for Development Application 0038/16; and 2. The approved plan to vary the Plan as described in this schedule expires five (5) years after the date of the approval of the draft Plan by the Minister

Additional <i>Use or Development</i> that may occur as permissible (with consent) <i>Use or Development</i>		
Lot	Purpose	Conditions
Portion 25s Taylors Road	Use and Development of the land for the purposes of 'Industry Light – Parcel Delivery Depot'	As detailed in the Notice of Decision for Development Application No. DA.BA 30/2019
Portion 35n5 Douglas Drive	Use and Development of the land for the purposes of 'Residence – Dwelling House'.	As detailed in the Notice of Decision for Development Application DA.BA 01/2021

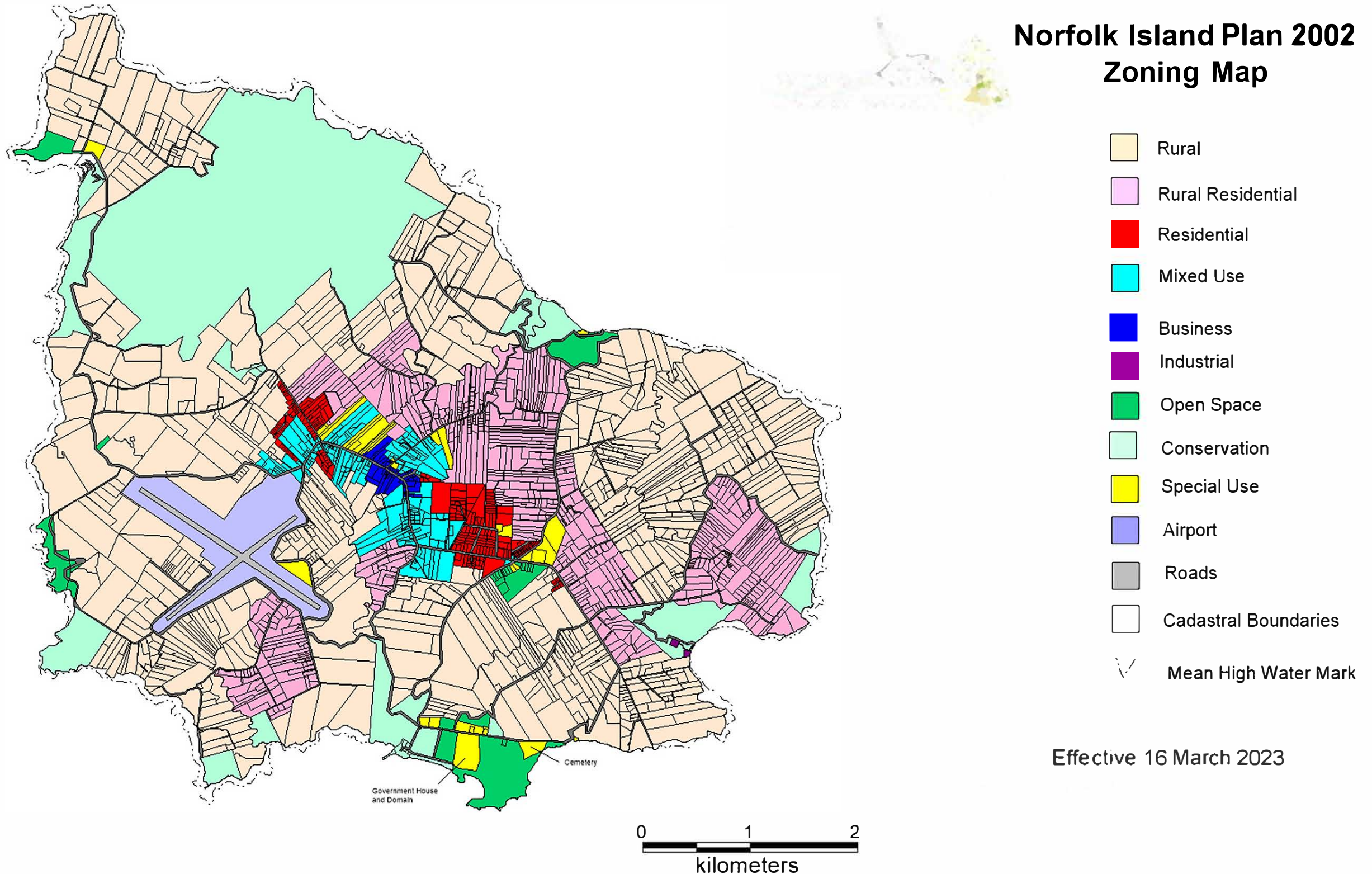
THE PLAN MAPS

Norfolk Island Plan 2002

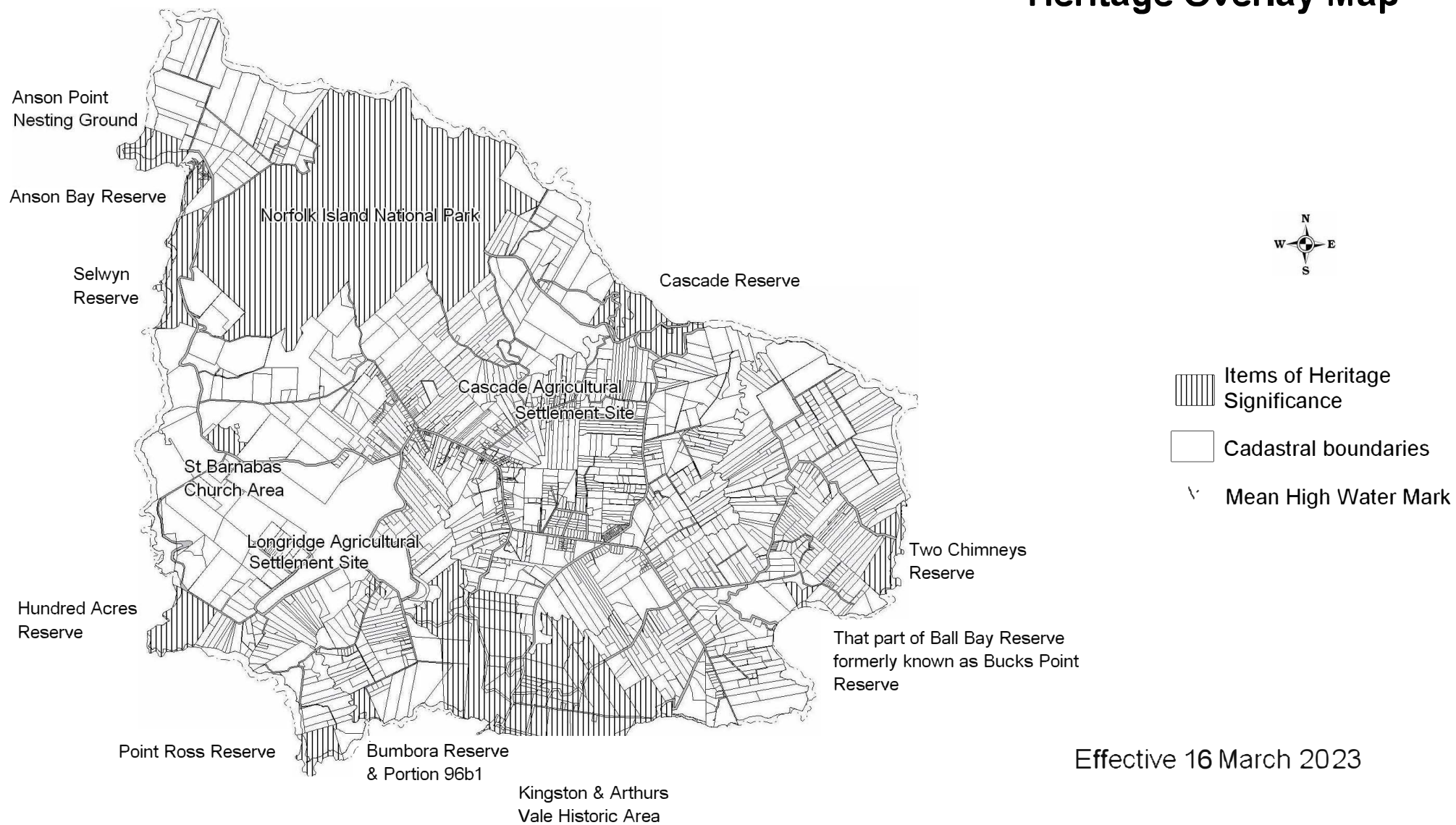
Strategic Plan Map



Norfolk Island Plan 2002 Zoning Map



Norfolk Island Plan 2002 Heritage Overlay Map



Effective 16 March 2023

Norfolk Island Plan 2002 Obstacle Limitation Surfaces Overlay Map



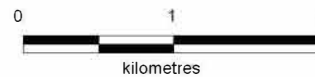
Obstacle Limitation
Surface



Cadastral Boundaries



Mean High Water Mark



Effective 16 March 2023