

# NORFOLK ISLAND PLAN 2002 HOUSEKEEPING AMENDMENT 2022

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**Notes**

1. Printed 24 04 23 to correct editorial errors

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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 the Norfolk Island Planning Area, as defined in the Administrative Definitions as Norfolk Island.

### P3. What is the intent of the Plan?

- (1) The objectives to be pursued within the Planning Area 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.



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#### 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 where a word is not defined in either the Administrative or Purpose Definitions in Part B, the meaning of the word is taken to be the meaning used in the Macquarie Dictionary.
- (3) This Plan should be read in accordance with the *Acts Interpretation Act* (Cth) 1901 and the *Planning Act* 2002 (NI).

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## **PART A**

# **STRATEGIC PLAN**

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## 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 of Norfolk Island. 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.
- (4) The Strategic Plan is intended to perform the following principal functions:
  - (a) To guide Norfolk Island Regional Council in decisions on use and 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.

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- (3) It is the purpose of the Strategic Plan Map and the statement of strategic aims and objectives in 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 and General Provisions, as well as being a guide to all land use or development decisions, including rezoning, subdivision, and use 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 strategic aims and objectives of the Norfolk Island Plan found in sections 2 and 3 of the Strategic Plan express the conceptual basis of the Plan. In making decisions about land use or development on Norfolk Island, these sections should be referred to. Section 2 contains aims and section 3 contains objectives that apply throughout Norfolk Island and provisions for implementation of these objectives. However, more detailed guidance is intended to be obtained from section 4 of the Strategic Plan. Section 4 describes the intent for 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.

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- (3) Through pursuit of this 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 of the Plan expressed in clause 2.1 of the Strategic Plan 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 as articulated in the objectives of the Strategic Plan.
- (2) The provisions contained in the zoning scheme, overlay provisions and in the general planning requirements provide complementary mechanisms for controlling the impact, nature, scale, density, configuration and appearance of use or development.
- (3) An important element in promoting the principal aim of the Plan as expressed in this Part of the Plan is the designation of Preferred Dominant Land Use Areas for Norfolk Island. These are indicated on the Strategic Plan Map and in Section 4 - Preferred Dominant Land Use Areas.
- (4) 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:
- provide opportunities to foster the development of a diverse and prosperous economic base;
  - provide an appropriate range of land use or development opportunities;
  - provide for the effective and efficient use of facilities, infrastructure and services;
  - encourage orderly and efficient use and management of resources;
  - promote and safeguard the community's safety and welfare, and its social and cultural wellbeing;
  - provide sustainable recreational and open space opportunities;
  - promote high standards of visual amenity and protect significant landscapes; and
  - 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**

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- (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 more 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

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- (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, and 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 underground 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.

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### **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 development should be 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 used currently 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 Norfolk Island’s 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, reserves that have conservation values, the coastal and



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cliff environments, remnant vegetation, and the 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 areas;
- (e) recognising, respecting and complementing management structures and objectives for all National Parks, public reserves, and the 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 these areas; 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?

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- (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 their conservation values, a very limited range of activities comprising use or development activities that complement the conservation values may be permitted and catered for.

#### 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?

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- (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.

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## 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 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;

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- (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 having a preferred dominant land use of Activity Node 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 area are limited to air and sea transport, infrastructure and industrial uses.
- (3) Land preferred 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 for as many residents, visitors and businesses as possible;
  - (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 opportunities;
  - (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?

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- (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.

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## PART B

### PLANNING REQUIREMENTS

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# 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, Norfolk Island is divided into zones, as shown on the zoning map. The zones comprise those zones specified in the Table of Zones at clause 1(5). Zones organise the Norfolk Island 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 Norfolk Island 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, as shown on the Official Survey of Norfolk Island, must be zoned wholly for the purpose that the section of the lot land ward of the surveyed top of cliff is zoned.
  
- (5)

<p style="text-align: center;"><b>TABLE OF ZONES</b></p> <p style="text-align: center;">Rural</p> <p style="text-align: center;">Rural Residential</p> <p style="text-align: center;">Residential</p> <p style="text-align: center;">Mixed Use</p> <p style="text-align: center;">Business</p> <p style="text-align: center;">Industrial</p> <p style="text-align: center;">Open Space</p> <p style="text-align: center;">Conservation</p> <p style="text-align: center;">Special Use</p> <p style="text-align: center;">Airport</p> <p style="text-align: center;">Roads</p>
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## 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 defined in clauses 101 and/or 104.
- (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 the Purpose Definitions contained in clause 104.

## 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 Part B1 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 the 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 standards and provisions of this Plan including not invoking the provisions of clause 6.
- (3) Notwithstanding the provisions of Part B1 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”?

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- (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 the development approval. Development applications for permissible (with consent) use or development are assessed on merit and required to be made available for public comment.
  - (2) The following uses and developments must be Permissible (With Consent):
    - (a) Uses and developments listed in Column 1 or 2 where a condition or standard specified in this Plan for the use or development is not to be followed; or
    - (b) Uses and developments listed in Column 3 in the applicable Zone’s Table of Use or Development, including situations where a condition or 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 standard.

## 7. What is “prohibited use or development”?

- (1) The following uses and developments must be Prohibited:
  - (a) Uses and developments listed in Column 3 in the applicable Zone’s Table of Use or Development, 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.
  - (b) All Uses and developments 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 use or development, it should be treated as part of that existing use or development and similarly categorised under clauses 101 and/or 104.

### 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 of land , then each use or development must be categorised separately under clauses 101 and/or 104 and shall accord with the relevant development standard or other requirements where applicable under the Plan.

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

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- (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 “approval” and “consent” mean?

- (1) Use or development ordinarily requires the grant of development approval 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 exempt use or development under clause 16 does 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 from the Minister. This approval role can be delegated to officers of the Norfolk Island Regional Council.
- (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 from the Minister. For the purposes of this Plan, such approval must be known as consent. Consent is required for those uses or developments that need a greater level of assessment and decision making by the Minister rather than its delegated officers.
- (4) Applications for both approval and consent are made as development applications.

## 11. What do the terms “development approval” and “development application” mean?

- (1) A use or development that requires the granting of approval or consent is a “development approval”. The application for such approval or consent is a “development application”.

## 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 the 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 consent from the owner of the land if not the applicant;

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- (b) the use or development of the land at the date of application;
  - (c) the intended use or development of the land;
  - (d) a plan or plans drawn to a scale available on a standard scale rule 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) proposed buildings, works, and services, and alterations to existing buildings and works – including floor plans, elevations, dimensions, relative site levels, provisions for drainage, and the purpose of rooms, other spaces and structures;
    - (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;
    - (viii) the materials proposed for construction purposes and the colour of such materials on all exterior surfaces;
    - (ix) signs – including details of dimensions, wording, logos, colours, illumination, supporting structures, and positioning on buildings and works and the method of affixing thereto;
    - (x) floodlighting and other exterior lighting including the location and strength of illumination;
    - (xi) a written statement of the likely impact of the proposed development on the environment and heritage; and
    - (xii) 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.

- (2) It is the responsibility of the applicant to demonstrate that each of the matters listed in clause 12(1) 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 the Plan including:
    - (i) the Strategic Plan contained at Part A;
    - (ii) the Use and Development Principles contained in clauses 87 – 95 inclusive;
    - (iii) the intent of the applicable zone(s) contained in Part B1 of the Plan;
    - (iv) objectives and guidelines, subdivision standards, and development standards applicable to the applicable zone(s) contained in Parts B1 of the Plan;
    - (v) applicable requirements of any Overlay Provisions contained in Part B2 of the Plan;

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- (vi) applicable development control plans; and
  - (vii) other relevant requirements of the Plan;
  - (b) any relevant proposals, reports or requirements of any public authorities or statutory bodies;
  - (c) any representations received following public notification where required under the provisions of the Act as amended from time to time;
  - (d) whether any part of the land is subject to:
    - (i) Class H, E or P site classification in accordance with Australian Standard AS2870-1996 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, plans of management;
  - (f) relevant reports and/or studies;
  - (g) general policies and strategies of the Norfolk Island Regional Council; and
  - (h) any Plan variation that has been exhibited publicly.

## 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 or the Table of Use or Development for the applicable zone(s), the following is subject to clause 6:
  - (a) the erection of bridges, piers, jetties, boat sheds, embankment walls, and quay walls or groynes;
  - (b) building work which would be exempt from requiring development approval under clause 16, but that does not meet development standards with respect to set back or height limitations as prescribed in development standards applicable to the relevant zone under this Plan.

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

- (1) A development approval is not required for the following uses or developments:

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- (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 development provided that works does not involve earthworks that exceed 100 cubic metres;
  - (h) land scaping, gardening and minor land management works including but not limited to trellises, seating, lattice, garden arches, pumps and pump housing associated with lawful use or development;
  - (i) maintenance of buildings where it does not involve the alteration of the external 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 public infrastructure 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 approved use or development provided that the aerials or antennae are consistent with Obstacle Limitation Surfaces Overlay;
  - (o) satellite dishes less than 1.2 metres in diameter;
  - (p) extensions, additions, alterations to, or reconstruction of, existing lawful buildings, or new uninhabitable buildings or structures including garages, carports, sheds, glass houses, shade houses, verandahs, uncovered decking, water tanks, non-commercial dog kennels, rubbish receptacles, or other such minor structures, provided the following conditions are satisfied:
    - (i) in the Residential zone, Business zone and Mixed Use zone, the gross floor area would not result in a building with more than 50 square metres of floor space for which development approval has not been previously granted;
    - ~~(ii)~~ in all other zones, the gross floor area would not result in a building with more than 100 square metres of floor space for which development approval has not previously been granted;
    - (iii) no part of the building or structure shall exceed the height of:
      - in the case of agricultural farm buildings, glass houses, shade houses, or extensions to such: 5.5 metres; or
      - in the case of all other buildings or structures or extensions, additions, alterations to or reconstruction of existing buildings: 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 pitch is at least 15 degrees;
    - (iv) setbacks to property boundaries are no less than:
      - in the case of structures with a roof, including but not limited to extensions, additions, alterations to, or reconstruction of existing buildings, or new garages, carports, sheds,

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- glass houses, shade houses or verandahs: the setback requirements specified in the development standards for the appropriate zone; or
- in the case of structures without a roof, including but not limited to uncovered decking, swimming pools, water tanks, non-commercial dog kennels, rubbish receptacles, or other such minor structures for the domestic needs of the occupants: 1.5 metres of any property boundary, or the setback requirements specified in the development standards for the appropriate zone, whichever is the lesser;
- (v) no part of the building or structure encroaches within any service easement or within 1 metre of any underground service;
  - (vi) the development is not subject to the Heritage Overlay, otherwise the development is subject to clause 6;
  - (vii) the development is not subject to the Coastal Environment Overlay, otherwise the development is prohibited;
  - (viii) the development does not result in a net increase in the number of Residences of any class; and
  - (ix) the development is used for the same purpose as the existing lawful use(s) of the associated building (s) and/or land upon which the development is to be situated;
- (q) replacement or reactivation of a lawful conforming or non-conforming use or development 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 and intensity (as relevant) as the previous lawful use or development;
  - (r) the demolition in whole or part of a building or structure, except for demolition on land identified in the Heritage Overlay;
  - (s) temporary sporting, social and/or cultural events including associated equipment and facilities;
  - (t) the construction or putting up for display of a sign:
    - (i) on any land provided it is not visible from outside the land;
    - (ii) displaying a dwelling name or street number;
    - (iii) relating to any building construction or works being carried out on the land provided it is exhibited only for the duration of such building construction or works;
    - (iv) relating to the letting or sale of the land on which it is erected provided it is moved within 28 days following the lease or sale;
    - (v) relating to any local event of an education, cultural, political, religious, social or recreation nature provided it is exhibited for no more than 3 months; or
    - (vi) required by statutory authority for the safety or guidance of people or traffic, or for the protection of goods, structures, or buildings;
  - (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.

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- (2) 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, in accordance with clause 16, may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any 12 month period.
- (2) The temporary use of land must not compromise the future use or development of the land or have adverse impact on the land.
- (3) Development approval exemption, in accordance with clause 16, for a temporary use must not be granted unless the Minister is satisfied that:
- (a) it is a use or development in accordance with the Table of use or development for that zone;
  - (b) the temporary use will not prejudice that subsequent carrying out of development on the land in accordance with this Plan and any other applicable planning instrument;
  - (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 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 in this Plan for the applicable Overlay; and
  - (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 use.

## 18. Existing use or development rights

- (2) Subject to compliance with the *Building Act 2002* (NI), 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 time of this Plan coming into effect; and
  - (b) is of the same or substantially similar character, intensity or scale as that for which it was used immediately prior to the coming into effect of this Plan.
- (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, 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 and/or 104; or



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(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 the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), 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 the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth) made under the Act. 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 plan or Regulations under it.

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## 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 land scape 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 4.0 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 animal husbandry use or development; or

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- (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 industrial class use or development; or
  - (iv) for public infrastructure and works (major or minor), or a residential care establishment; or
  - (v) for public purposes to meet environmental objectives.
- (f) Application for development approval under clause 23(1)(e) must be accompanied by a Plan of Development for the land to which the application applies.
- (g) The 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.
  - (v)

## 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 must not be located within 150 metres of an existing dwelling or Sensitive Land Use, or within 300 metres of land zoned for Residential, Special Use (where that Special Use Zoning is intended for, or used or developed for, the purposes of a hospital, school, or use or development within the residence class);
  - (b) the maximum height of buildings must be 9 metres unless it can be satisfactorily demonstrated that a higher structure 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 and giving consideration to:
    - (i) The particular size, shape, contours or slope of both the land and the adjoining land;
    - (ii) The adjoining land and 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

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- (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.

## 25. Table of Use or Development – Rural Zone

<b>Permitted (As of Right) Use or Development</b>	<b>Permitted Use or Development</b>	<b>Permissible (with Consent) Use or Development</b>	<b>Prohibited Use or Development</b>
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
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	

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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 sub-division 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 dwellings should be encouraged;
  - (c) that each lot created must be sufficient 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 use or 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.

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

- (1) The development standards for the Rural Residential zone are:
- (a) the maximum height of buildings must be 9 metres unless it can be satisfactorily demonstrated that a higher structure 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 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 Home Occupation Open Space Minor Public Infrastructure and Works	Park Residence – Dwelling House Subdivision – Minor Residence – Dual Occupancy	Child Care Centre Club Earthworks 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	

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## 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 residences 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 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, up to two storeys in 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 be sufficient 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.

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

- (1) The development standards for the Residential Zone are:
- (a) the maximum height of buildings must be 9 metres unless it can be satisfactorily demonstrated that a higher structure 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 and giving consideration to:
    - (i) The particular size, shape, contours, or slope of both the land and the adjoining land;
    - (ii) The adjoining 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. Non-habitable buildings or structures which are ancillary to the existing dwelling, are to be sited behind the rear building line of the dwelling(s), and may extend to the side and/or rear boundary where no loss of amenity to adjacent properties would result;
  - (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 the applicable environmental planning and land management codes; and
  - (i) use or development for the purposes of a 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	

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## 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 of 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 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

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- (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 height of buildings must be 9 metres unless it can be satisfactorily demonstrated that a higher structure 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 and giving consideration to:
    - (i) The particular size, shape, contours, or slope of both the land and the adjoining land;
    - (ii) The adjoining 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. Non-habitable buildings or structures which are ancillary to the existing dwelling, are to be sited behind the rear building line of any dwelling(s) and may extend to the side and/or rear boundary where no loss of amenity to adjacent properties would result;
  - (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 upon the approach to Burnt Pine and the Airport;
  - (i) encourage sustainable development practices;
  - (j) all use or development must comply with relevant environmental standards specified in the 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

<b>Permitted (As of Right) Use or Development</b>	<b>Permitted Use or Development</b>	<b>Permissible (with Consent) Use or Development</b>	<b>Prohibited Use or Development</b>
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
Use or development for any of the following purposes: Home Occupation Minor Public Infrastructure and Works	Use or development for any of the following purposes: Business Premises Car Park Child Care Centre Garden Centre Health Care Service Open Space Park Residence – Dwelling House Residence – Residential Care Establishment Residence – Shop Top Shop – Local Shop Subdivision – Minor	Use or development for any of the following purposes: Club Depot Earthworks Educational Establishment Entertainment Facility Food and Drink Premises Home Industry Hotel Indoor Sport and Recreation Facility Industry – Light Licensed Club Outdoor Sport and Recreation Facility 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	Use or development other than use or development specified in Column 1, Column 2, or Column 3

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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 activity and 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 residential development, for multi-units, shop top residences, dual occupancy and accommodation units;
  - (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 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 sustainable development practices.

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

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- (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 height of buildings must be 9 metres unless it can be satisfactorily demonstrated that a higher structure 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 and giving consideration to:
    - (i) The particular size, shape, contours, or slope of both the land and the adjoining land;
    - (ii) The adjoining land and 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) subordinate residential development, for multi-units, shop top residences, dual occupancy and accommodation units must be subordinate to a commercial use or development and demonstrate this by:
    - (i) being located on top of, behind or beside another 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 the approved 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	

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## 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 use or development (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 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) lots must have a minimum frontage of 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 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;

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- (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 (where that Special Use Zoning is intended for, or used or developed for, the purposes of a hospital, school, or use or development within the residence class);
  - (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 the approved applicable environmental planning and land management codes.

## 50. Table of Use or Development – Industrial Zone

<b>Permitted (As of Right) Use or Development</b>	<b>Permitted Use or Development</b>	<b>Permissible (with Consent) Use or Development</b>	<b>Prohibited Use or Development</b>
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
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	

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## 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 Facility facilities;
  - (b) provide opportunities for a variety of exempt use or development types including but not limited to temporary 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) allowance should be made to enable 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 public purpose in accordance with *Planning Act 2002* (NI).

### 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 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;

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- (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 the 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	
		Subdivision – Major	
		Tourist Attraction	
		Wharf	

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## 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 public purpose in accordance with the *Planning Act 2002* (NI).

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

- (1) The development standards for the Conservation Zone are:
  - (a) there are no maximum 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 the 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 Road Subdivision – Major Wharf	

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## 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 preservation and 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 height or minimum setback requirements for development, except to maintain a reasonable level of amenity for neighbouring land 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 the 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’)	

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## 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 Airport's Obstacle Limitation Surfaces as identified by the Australian Civil Aviation Safety Authority.
  - (h) use or development must be consistent with any relevant Development Control Plans.

### 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.

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

- (1) The development standards for the Airport Zone are:
- (a) the provisions of Australian Standard AS 2021-2000 must apply to all use or development in the Airport Zone;
  - (b) the maximum height of buildings must be determined by the Obstacle Limitation Surfaces requirements as specified in clauses 84 -86 inclusive. Buildings must not exceed 9 metres in height unless it can be satisfactorily demonstrated that a higher structure 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 (where that Special Use Zoning is intended for, or used or developed for, the purposes of a hospital, school, or use or development within the residence class);
  - (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 s 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 the applicable environmental planning and land management codes.

## 70. Table of Use or Development – Airport Zone

<b>Permitted (As of Right) Use or Development</b>	<b>Permitted Use or Development</b>	<b>Permissible (with Consent) Use or Development</b>	<b>Prohibited Use or Development</b>
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
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	



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## 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 Road Zone will include existing formed and unformed roads, as defined in this Plan, 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 developments including but not limited to, certain signs, street furniture, fire hydrants and traffic control devices, works carried out for the maintenance and repair of infrastructure including but not limited to roads, tracks, footpaths, drains, sewers, powerlines and telecommunications facilities 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) There must be no further subdivision within the zone except 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 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 the 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	

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## 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 land scape 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;

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- (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) 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 and may only be carried out with development approval.
  - (c) All 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, deposition of fill, 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, listed in the Norfolk Island Heritage Register (established in accordance with the Heritage Act 2002), has been identified as contributing to an appreciation of Norfolk Island's archaeological, historical, aesthetic, architectural, scientific, natural, 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 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.

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## 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 on land identified on the Heritage Overlay are subject to clause 6 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 powerlines; or
    - (x) earthworks related to new road works.
- (2) The uses, developments and activities described in subclause (b) above are not subject to clause 6 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, 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 (including structures) or would not adversely affect the heritage significance of any land (including structures) identified on the Heritage Overlay).
- (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, any of the following to be prepared and submitted with the development application:
  - (a) an archaeological survey;
  - (b) a heritage impact statement;

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- (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, 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 land (and structures) identified on the Heritage Overlay;
  - (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 land (and structures) identified on the Heritage Overlay;
  - (f) the extent to which the carrying out of the proposed development would affect the heritage significance of the land (and structures and curtilages) identified on the Heritage Overlay;
  - (g) the impact upon the heritage values of the place of building, clearing, excavation, access construction, fences, earthworks, or landscaping or planting of trees;
  - (h) whether any special works or practices are required to protect the heritage values of the place;
  - (i) the design, content and location of signage and interpretive displays;
  - (j) any relevant heritage management plans or development control plans prepared for the land identified on the Heritage Overlay;
- (5) Use or development involving any historic building(s) and/or ruin(s), will respect the associated archaeological, aesthetic, historic and social values and adequately respect the design and construction elements of the building(s) and/or ruin(s), including the relationship to space, orientation, form, mass, scale, fenestration, detailing, style, materials and colour.
- (6) Use or development of any item, area, feature, customary activity, or site with conservation value listed in the Norfolk Island Heritage Register will be carried out in accordance with the principles of the Burra Charter.

## 82. How is development considered in the vicinity of land identified on the Heritage Overlay Map?

- (1) When determining an application for approval to carry out development on land in the vicinity of land identified on the Heritage Overlay Map, the Minister must take into consideration the likely effect of the proposed development on the heritage significance of the land identified in the Heritage Overlay.
- (2) Any use or development carried out on or in the vicinity of an item, feature, customary activity or site with heritage value, must adequately respect natural and cultural heritage values and those items, areas, features, customary activities or sites must be protected from uses or development that threatens those

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values. The protection and conservation of items, feature, customary activity or sites of historic and cultural importance applies to those previously identified and included in this Plan, and those which subsequently become known to the Minister.

### 83. Development approvals to ensure conservation of heritage

- (1) Despite any other provision of this Plan, development approval may be given to use or develop a building or land/item identified in the Norfolk Island Heritage Register, for any purpose, even though development approval would normally be prohibited, if:
  - (a) the proposed use or development would not affect adversely the heritage significance of the item; and
  - (b) the granting of the consent contributes to the conservation and interpretation of the building, land and item; and
  - (c) the proposed use or development complies with all provisions of the Heritage Overlay.

## 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

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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 .



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## PART B3 - GENERAL PROVISIONS

### USE AND DEVELOPMENT PRINCIPLES

87. Use or development must be consistent with the following principles:

#### 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.

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## 90. Amenity

- (1) The principles relating to amenity are:
- (a) use or development must accord all existing and/or 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 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 environmentally 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) potentially incompatible uses or developments must be adequately and appropriately located, sited, and designed to avoid conflict and potential harm;
  - (f) 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
  - (g) 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

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- (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 the disabled;
  - (b) road widths and reservations must be appropriate to the road function, expected traffic type and volume, and future subdivision potential of the subject 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 lifestyle requirements of people, 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 telephone, power, 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;

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- (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 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 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.

### 97. Development of specific sites

- (1) Application for permission to use land for a use or development that is prohibited in the Table of Use or Development for the zone that applies to the land is a variation to the Plan.
- (2) Nothing in this Plan prevents land specified in the Table in Schedule 1 from being developed as a permissible (with consent) use or development, for the purpose specified for the land in that Table, subject to any applicable conditions so specified. The other provisions of this Plan apply provided that they are not inconsistent with the conditions of an approved variation of the Plan.

## DEFINITIONS

### 98. What are definitions and why are they used?

- (1) These definitions apply to terms used throughout the Plan and have been arranged in two groups. Clauses 99 – 101 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

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administration of the Plan generally. Clauses 102-104 inclusive contain the definitions of purposes listed in the Table of Use or Development applicable to zones in Part B of the Plan.

- (2) Terms which are italicised are separately defined (with the exception of legislation) and should be referred to accordingly.
- (3) In this Plan, where a word is undefined, the meaning of the word is taken to be the meaning used in the Macquarie Dictionary.

## ADMINISTRATIVE DEFINITIONS

### 99. What are administrative definitions?

- (1) The terms listed in clause 100 are defined to facilitate interpretation of the purpose definitions contained in clauses 103-105 inclusive, and the administration of the Plan generally.

### 100. Table of administrative definitions

Access	Environment	Permitted Use or Development
Act	Existing Lawful Non-Conforming Use	Permissible (with Consent) Use or Development
Agricultural Farm Buildings	Existing Lawful Use	Plan
Amenity	Frontage	Plan of Development
Ancillary Use	Front Boundary	Planning Area
Appointed Day	Gazette	Prohibited Use or Development
Australian Dangerous Goods Code	Ground Level	Public Authority
Australian Standard AS 2021	Gross Floor Area	Rear Lot
Australian Standard AS 2870	Heritage Register	Road
Building	Land	Secondary Dwelling
Building Appearance	Landscaping	Sensitive Land Use
Building Code of Australia	Lot	Schedule
Building Height	Mean High Water Mark	Setback
Building Line	Minor Protrusion	Sign
Burra Charter	Multi-Unit Code	Site
Curtilage	Non-habitable Building or Structure	Streetscape
Demolition	Norfolk Island	Structure
Development	Nuisance	Subdivide
Development Application		Use

Development Approval	Occupier	Works
Development Control Plan	Office	Yard
Development Standard	Official Survey	Zone
Dwelling Unit	Owner	
Ecologically Sustainable Development	Permitted (As of Right) Use or Development	
Egress		
Entrance Strip		

## 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 landholding 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 *Land*.

**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 Australian Government Publishing Service.

**AUSTRALIAN STANDARD AS 2021** means the document titled Australian Standard AS 2021-2000 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction, (or as amended) published by Standards Australia.

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**AUSTRALIAN STANDARD AS 2870** means the document titled Australian Standard AS 2870-1996 Residential slabs and footings – Construction and its supplement titled AS 2870 Supplement 1 –1996 – Residential slabs and footings – Construction – Commentary, (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 natural 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.

**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*

The term includes:

- (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 *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*.

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**DEVELOPMENT CONTROL PLAN** means a plan:

- (a) Indicating a preferred layout and staging for the integrated *Use and Development of Land*; or
- (b) Detailing specific use or development, or design and siting requirements for a particular area, 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*.

**DWELLING UNIT** 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* 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* 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 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*.



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**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) the finished level of a *Site*, if lawfully changed.

**HERITAGE ITEM** means an item listed in the Heritage Register.

**HERITAGE REGISTER** means the Norfolk Island Heritage Register established in accordance with the *Heritage Act 2002* (NI).

**LAND** means any *Land on Norfolk Island*. The term 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* those 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 built as a BCA Class 10a or Class 10b building under the Building Code of Australia.

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**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 any premises used for the purpose of administration and clerical, technical, professional or like business activities but does not include retailing.

**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/s prepared by the applicant and should include maps, graphics and text that collectively demonstrate how proposed uses and works will contribute towards the achievement of the Norfolk Island Plan vision. A Plan of Development is required to be consistent with the relevant Norfolk Island Plan clauses and indicates the location and function of temporary and permanent uses and structures and how these uses and structures will relate to each other. It also demonstrates impacts and connections to areas adjoining the subject land.

**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.

**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

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(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, whether attached or detached, that is used in conjunction with, and subordinate to, a dwelling house on the same lot.

**SENSITIVE LAND USE** means:

- (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 minimum distance from any boundary to any part of a building.

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

- (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 space within a building between two (2) floor levels, or a floor level and a ceiling or roof, other than -

- (a) a space containing only a lift shaft, stairway or meter room; or
- (b) a space containing only a bathroom, shower room, laundry, toilet or other sanitary compartment; or
- (c) a space containing only a combination of the things stated in subparagraphs (a) or (b); or
- (d) a basement with a ceiling that is not more than 1.0 metre above ground level; and
- (e) includes -

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- 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.

**SUBDIVIDE** means to:

- (a) *Subdivide*, under the provisions of the *Land Titles Act 1996*, a single lot into two (2) or more separate *Lots*; or
- (b) amalgamate, under the provisions of the *Land Titles Act 1996*, 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) adjust the boundary(s) between two (2) or more *Lots* so as neither to amalgamate nor *Subdivide* the *Lots*; or
- (d) undertake any combination of the above.

**TEMPORARY ACTIVITY** means an activity operating for a maximum period of 14 continuous days.

**USE** (in relation to *Land*) 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.

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## PURPOSE DEFINITIONS

### 102. What are purpose definitions?

- (1) The *Use or Development of Land* must be categorised in accordance with the definitions contained in clause 104 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	Shop – Local
Food and Drink Premises	Port Service	Shop
Forestry	Public Building	Subdivision – Major
Garden Centre	Major Public Infrastructure and Works	Subdivision – Minor
Government House and Domain	Minor Public Infrastructure and Works	Tourist Attraction
Home Industry		Tourist Park
Home Occupation		
Hospital		

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Health Care Service

Hotel

Indoor Sport and Recreation  
Facility

Vehicle Sales or Hire Yard

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
<b>Agriculture</b>	Means the Use or Development of Land 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 Land of any produce resulting from that Agriculture, and it includes the Use or Development of Land for the purposes of a stable (where that Use is not Intensive Livestock Agriculture)	Husbandry, Animal keeping, Horticulture	Intensive Livestock Agriculture, Forestry, Garden Centre
<b>Airport</b>	Means the Use or Development of Land for the landing or departure of aircraft whether or not that Land 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	
<b>Business Premises</b>	Means the Use or Development of Land: (a) for the carrying on of the business of a bank or building society; (b) for the carrying out of a business based on electronic data processing; (c) as an office in or in connection with- (i) the provision of professional services or the giving of professional advice 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 Land used for a Shop or other purpose elsewhere specifically defined in this section.	Bank, Office, Building Society, Electronic data processing, Professional consulting rooms	Shop Shop-Local
<b>Car Park</b>	Means the Use or Development of Land 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 Use of Land for some other purpose. The term does not include part of any Road used for parking.	Private and public car park, 'Park and ride', Bicycle parking	Road, On-street car parking
<b>Cemetery</b>	Premises used for interment of bodies or ashes after death.	Burial ground, Crypt, Columbarium, Lawn cemetery, Pet cemetery, Mausoleum	Crematorium, Funeral parlour

<b>Column 1 Purpose</b>	<b>Column 2 Definition</b>	<b>Column 3 Examples include</b>	<b>Column 4 Does not include the following examples</b>
<b>Child Care Centre</b>	Means the Use or Development of Land for a kindergarten, crèche or pre-school centre, or any other place used or intended for Use for the minding or care, 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
<b>Club</b>	Means the Use or Development of Land for a club, lodge, friendly society or like organisation, whether incorporated or not, and includes Use of the Land, 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)
<b>Community Facility</b>	Means a building or place (a) owned or controlled by a public authority or a non-profit community organisation, and (b) used for the physical, social, cultural or intellectual development or welfare of the community	Art gallery, Museum, Library, Youth Centre, Seniors Centre	Educational Establishment, Child Care Centre, Hospital, Place of Assembly, Place of Public Worship, Residence (class)
<b>Concrete Batching Plant</b>	Means the Use or Development of Land for the mixing of concrete for Use elsewhere.	Concrete Plant	Home Industry, Industry (Class)
<b>Dangerous Goods Store</b>	Means the Use or Development of Land for the storage, either above ground or below ground, of goods listed in the Australian Dangerous Goods Code (as amended from time to time). The term includes the Use of premises used or intended for use for the storage of: (a) liquefied petroleum gas where the total storage at the facility exceeds 4000 litres; (b) petrol, or petroleum where the total storage at the facility exceeds 10500 litres.	Fuel Depot storage at Airport, Gas and fuel storage tanks at Ball Bay	Home Industry, Industry (Class), Service Station Warehouse Premises



Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Depot</b>	Means the Use or Development of Land as a depot for the storage of any equipment, vehicles and/or materials 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 premise.	Transport depot, Storage station, Contractor's heavy machinery storage and maintenance depot	Home Industry, Industry (Class), Warehouse Premises, Salvage Yard
<b>Earthworks</b>	Means the Use or Development of Land for the cutting of natural ground ('cut') and/or the depositing of any material or substance ('fill') on Land, or the letting remain on Land of any material or substance deposited thereon.	Cut and Fill	
<b>Educational Establishment</b>	Means the Use or Development of Land 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 Use or Development of Land 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
<b>Entertainment Facility</b>	Means a premises used 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

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Food and Drinks Premises</b>	Means the Use or Development of Land or 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
<b>Forestry</b>	Means the Use or Development of Land 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
<b>Garden Centre</b>	Means the Use or Development of Land as a place primarily used or intended for use for the sale, or displaying or offering for sale, by retail of plants and other materials suitable for use in gardening or Land scaping whether or not those plants are propagated at that place.	Retail plant nursery, Landscape supplies	Forestry, Nursery (associated with forestry purpose)
<b>Government House and Domain</b>	Means the Use or Development of Land 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)

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Home Industry</b>	<p>Means the Use or Development of Land for any Industry, trade, business, occupation or profession carried on, in or under a residence or within the curtilage of a residence, where such industry, trade, business, occupation or profession:</p> <ul style="list-style-type: none"> <li>(a) in addition to the residents not more than one full time equivalent employee is engaged in the business;</li> <li>(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</li> <li>(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</li> <li>(d) the conduct of which does not comply with the provisions of a Home Occupation as separately defined in this section.</li> </ul>	<p>Commercial activities operated from a residence that is subservient to the primary use of premises as a residence and complies with the conditions in Column 2, such as</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• Instruction or tuition in activity with no more than 10 (ten) students and no more than three times per week</li> </ul>	<p>Business Premises Home Occupation, Industry (class), Shop</p>
<b>Home Occupation</b>	<p>Means the Use or Development of Land for any Industry, trade, business, occupation or profession carried on, in or under a residence, or within the curtilage of a residence, where such industry, trade, business, occupation or profession:</p> <ul style="list-style-type: none"> <li>(a) does not involve the employment of persons other than the residents of the dwelling; and</li> <li>(b) does not involve the use, whether temporarily or otherwise, of more than one-third of the total Gross Floor Area of the residence or 30 square metres of the Gross Floor Area of the residence, whichever is the lesser; and</li> <li>(c) in the particular case in the ordinary course 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</li> <li>(d) in the ordinary course 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</li> </ul>	<p>Home office, Home based child-care</p>	<p>Home Industry, Depot, Educational Establishment</p>

	<p>(e) does not involve the exhibition of any notice, advertisement or sign other than a notice or Sign exhibited on the residence 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 Road in the locality or a number of vehicle movements on any such Road in excess of that which is or could be reasonably expected to be generated by other residential development in that locality during any particular period of time; and</p> <p>(g) is not a Home Industry.</p>		
<b>Hospital</b>	<p>Hospital means the use of premises 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 ancillary 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
<b>Health Care Service</b>	Means the use of premises for medical purposes, paramedical purposes, alternative health therapies or general health care, if overnight accommodation is not provided on the premises.	Dental clinic, Medical centre, Physiotherapy clinic	Private or public hospital, Residence – Residential Care Establishment
<b>Hotel</b>	Means the use of premises 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
<b>Indoor Sport and Recreation Facility</b>	Means the Use or Development of Land at which members of the public participate in sport, athletics or other recreation 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 Resort.	Indoor fitness centre, Gymnasium, Skating rink, Dance studio	Entertainment Facility, Outdoor Sport and Recreation Facility

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Industry (class)</b>	means the Use or Development of Land for the purpose of an Industry – Rural, Industry – Light Industry, Industry – General, Industry – Noxious, Offensive or Hazardous, or Industry – Extractive, as separately defined.	Industry – Rural, Industry – Light, Industry – General, Industry – Noxious, Offensive or Hazardous, Industry – Extractive	Home Industry
<b>Industry - General</b>	Means the Use or Development of Land for the purpose of carrying on an Industry which is not otherwise defined or described.		
<b>Industry - Light</b>	Means the Use or Development of Land which: <ul style="list-style-type: none"> <li>(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 the normal development of the locality in which the industry is carried on;</li> <li>(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 Roads in the locality in which the industry is carried on, which causes congestion or danger to users of such Roads or requires Roads of a higher standard of construction than those required for the normal development of the locality in which the industry is carried on; and</li> <li>(c) Does not, in the opinion of the Administration, 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.</li> </ul>	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, Repairing motor vehicles, Fitting and turning workshop, Spray Painting	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
<b>Industry – Noxious, Hazardous or Offensive</b>	Means the Use or Development of Land 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 amenity of such areas or the health of its occupants.	Abattoir, slaughterhouse or slaughter yard (livestock including poultry), Cement and lime works, Crushing mill, Distillery, Explosives manufacturing or storage, Garbage and refuse disposers, Meat, poultry or seafood processing or preserving (other than as part of a butcher), Metal screening plants, Sanitary depot, Sewage treatment works, Stone crusher and screen	Industry – General, Industry – Light, Industry – Extractive, Industry – Rural, Home Industry
<b>Industry - Extractive</b>	Means any industry involving the extraction of sand, clay gravel, turf, soil, rock, stone or similar materials from Land including, when carried out on the Land from which any substances are extracted or on Land adjacent thereto, the treatment of such materials and the manufacture of products from such materials.	Quarry	Industry – General, Industry – Light, Industry – Noxious, Hazardous or Offensive, Industry – Rural, Home Industry, Earthworks
<b>Industry – Rural</b>	Means the Use or Development of Land for the purposes of handling, treating, processing or packing of primary agricultural products and 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	Industry – General, Industry – Light, Industry – Noxious, Hazardous or Offensive Industry - Extractive

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Intensive Livestock Agriculture</b>	Means the 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
<b>Licensed Club</b>	Means the Use or Development of Land 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 permitted / appropriately licensed. A Use of premises for the purpose of a Licensed Club 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
<b>National Park</b>	Means the Use or Development of Land for the purposes of the Norfolk Island National Park and Norfolk Island Botanic Garden established under the Environment Protection and Biodiversity Conservation Act 1999 (Cth). The term includes premises used for the administration of Land 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
<b>Open Space</b>	Means the Use or Development of Land 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: <ul style="list-style-type: none"> <li>(a) Providing outdoor recreation opportunities;</li> <li>(b) Maintaining natural processes and protection of environmentally sensitive areas, cultural heritage and valuable natural resources; and</li> <li>(c) Providing a visually pleasant land scape which contributes to scenic quality and environmental amenity as well as facilitating cultural enhancement.</li> </ul>		Park

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Outdoor Sport and Recreation Facility</b>	Means the Use or Development of Land 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
<b>Park</b>	Means the Use or Development of Land 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
<b>Place of Assembly</b>	Means the Use or Development of Land 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
<b>Place of Public Worship</b>	Means a building or place used 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



Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Port Service</b>	Port service means the use of premises for - (a) the arrival and departure of vessels; or (b) the movement of passengers or goods on or off vessels; or (c) storing, servicing, maintaining or repairing vessels; or (d) ancillary uses that directly service the needs of passengers of the vessels.	Marina, Cruise terminal, Ferry terminal, Passenger Transport Vessel and Cargo Transport Vessel storage areas	Wharf
<b>Public Building</b>	Means the Use or Development of Land 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 exercising public functions and includes Use or Development of Land for any individual or combined emergency service providers.	Fire station, Emergency Services Centre, Works Depot, Ambulance Depot, Police station, Correctional Facility, Government offices and services buildings	Community Facility, Place of Assembly, Place of Public Worship
<b>Major Public Infrastructure and Works</b>	Means the Use or Development of Land for installation of infrastructure and utilities to supply or provide the public with services such as the following: (a) supply or treatment of water; (b) electricity generating works and installations; (c) sewerage, drainage or stormwater services; (d) waste water treatment and disposal facilities; (e) waste management facilities; (f) network and broadcasting infrastructure. The use includes maintenance and storage depots and other facilities for the operation of the development.	Waste management and disposal facility, Pumping station, Telecommunications network, Radio tower, Electrical sub-station or transformer, Renewable energy facility	Minor Public Infrastructure and Works, Public Building, Port Service, Wharf
<b>Minor Public Infrastructure and Works</b>	Means the Use or Development of Land for the supply or provision of an installation such as lines and pipes required to reticulate 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

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Residence (Class)</b>	Is a generic term which means the Use or Development of Land as 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. The term “residence” is used in a number of definitions in this section. Where the generic term is used, any of the uses included in the definition of residence is accepted.	Residence – Accommodation Units, Residence – Dual Occupancy, Residence – Dwelling House, Residence – Multiple Dwelling, Residence – Relocatable Home Park, Residence – Residential Care Facility, Residence – Retirement Village Residence – Shop Top.	
<b>Residence – Accommodation Units</b>	means the use of premises for— (a) providing accommodation of not more than 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 ancillary to the use in subparagraph (a).	Boarding house, Guesthouse, Bed and breakfast, Farm stay, Holiday house, Airbnb	Residence – Dual Occupancy, Residence – Dwelling House, Residence – Multiple Dwelling, Residence – Residential Care Establishment, Residence – Shop Top, Resort, Tourist Park, Hotel, Resort

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Residence – Dual Occupancy</b>	Means the Use or Development of Land as two Dwelling Units either attached or detached which are sited on one lot.	Duplex	Residence – Accommodation Units, Residence – Dwelling House, Residence – Multiple Dwelling, Residence – Residential Care Establishment, Resort, Residence – Shop Top
<b>Residence – Dwelling House</b>	means a residential use of premises involving— (a) One dwelling for a single household and any domestic non-habitable buildings or structures associated with the dwelling; or (b) One dwelling for a single household, a secondary dwelling and any domestic non-habitable buildings or structures associated with either dwelling.		Residence – Accommodation Units, Residence – Dual Occupancy, Residence – Multiple Dwelling, Residence – Residential Care Establishment, Residence – Shop Top, Home Occupation, Home Industry
<b>Residence – Multiple Dwelling</b>	Means the Use or Development of Land in accordance with the provisions of the development control plan for multi-units for premises that comprise more than two Dwelling Units, whether or not the development is prepared in accordance with the provisions of applicable strata or community titling legislation.	Apartments, Units, Townhouses	Residence – Accommodation Units, Residence – Dual Occupancy, Residence – Dwelling House, Residence – Residential Care Establishment, Residence – Shop Top

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Residence – Relocatable Home Park</b>	Means the use of premises for - (a) relocatable dwellings (whether they are permanently located or not) for long-term residential accommodation; or (b) amenity facilities, food and drink outlets, a manager’s residence, or recreation facilities for the exclusive use of residents, if the use is ancillary to the use in paragraph (a).		Residence – Dwelling House, Residence - Accommodation Units, Residence – Shop Top, Residence – Multiple Dwelling
<b>Residence – Residential Care Establishment</b>	Means the use of premises for supervised accommodation, and medical and other support services, for persons who— (a) cannot live independently; and (b) require regular nursing or personal care.	Convalescent or Nursing Home, Group Home for supported living	Residence – Accommodation Units, Residence – Dual Occupancy, Residence – Multiple Dwelling, Resort, Residence – Retirement Village
<b>Residence – Retirement Village</b>	means a residential use of premises for— (a) accommodation for older members of the community, or retired persons, in independent living units or serviced units; or (b) amenity and community facilities, a manager’s residence, health care and support services, preparing food and drink or staff accommodation, if the use is ancillary to the use in paragraph (a).		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
<b>Residence – Shop Top</b>	means the use of retail premises containing a non-residential use for a single dwelling.		Residence – Accommodation Units, Residence – Dwelling House, Residence – Dual Occupancy Residence – Multiple Dwelling, Residence – Residential Care Establishment, Resort
<b>Resort</b>	means the use of premises for— (a) tourist and visitor accommodation that includes integrated leisure facilities; or fitness facilities (b) staff accommodation that is ancillary to the use 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
<b>Road</b>	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 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 lot in a registered subdivision survey plan.	Road reserve, Bridge, Street, Footpath (where not part of road reserve)	Car Park
<b>Service Station</b>	means the use of premises for— (a) selling fuel, including, for example, petrol, liquid petroleum gas, automotive distillate or alternative fuels; or (b) a food and drink outlet, shop, trailer hire, or maintaining, repairing, servicing or washing vehicles, if the use is ancillary to the use in paragraph (a).	Petrol Station, Electric Vehicle Charging Station	Industry (class), Dangerous Goods Store, Shop

<b>Column 1 Purpose</b>	<b>Column 2 Definition</b>	<b>Column 3 Examples include</b>	<b>Column 4 Does not include the following examples</b>
<b>Shop – Local</b>	Means the Use or Development of Land for a building, the Gross Floor Area of which does not exceed 100 square metres, for the sale, or displaying or offering for sale, by retail of goods for the day to day needs of the surrounding neighbourhood.	Corner store, Mini mart,	Business Premises, Shop, Food and Drink Premises
<b>Shop</b>	Means the Use or Development of Land for the purpose of displaying or offering goods or services for sale by retail or for hire, or the provision of personal services.	Hairdresser, Boutique, Department store, News agency, Hardware, Home maker store	Shop – Local, Food and Drink Premises, Industry (class)
<b>Subdivision – Major</b>	Means to Subdivide Land where: (a) the subdivision is not a Subdivision – Minor; and (b) lot sizes may be smaller than the relevant minimum lot size specified in this Plan provided that the subdivision does not result in a net increase in the number of privately-owned lots, except in accordance with subclause 23(1)(e). All proposals for Subdivision – Major must satisfy all other relevant Subdivision Standards.		Subdivision- Minor
<b>Subdivision – Minor</b>	Means to Subdivide Land where: (a) there is no net increase in the number of privately-owned lots; and (b) the areas of the lots created are not less than the relevant minimum lot size specified in this Plan; and (c) the reorganisation or amalgamation of lots 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 frontage requirements to each lot, and the location of other natural and artificial features.	Boundary adjustments Amalgamation	Subdivision – Major
<b>Tourist Attraction</b>	Means the use of premises 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 use is ancillary to the use in paragraph (a).	Theme Park, Zoo, Aquarium	Resort, Entertainment Facility, Home Industry, Home Occupation

Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Tourist Park</b>	means the use of premises for— (a) holiday accommodation 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 use is ancillary to the use 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
<b>Vehicle Sales or Hire Yard</b>	Means the Use or Development of Land for the display for sale, hire or leasing of motor vehicles and motorcycles, boats, trailers or any combination of these. The term includes sale, hire or leasing or accessories. The term also includes use of the Land for an office and/or servicing facility where that use is ancillary to the use of the Land as a Vehicle Sales or Hire Yard.		Industry (class), Service Station, Shop, Home Industry, Home Occupation,
<b>Veterinary Service</b>	means the use of premises for— (a) the medical or surgical treatment of animals; or (b) the short-term stay of animals, if the use is ancillary to the use in paragraph (a).	Vet clinic, Wildlife hospital	Hospital
<b>Warehouse Premises</b>	Means the use of premises for— (a) storing or distributing goods, whether or not carried out in a building; or (b) the wholesale of goods, if the use is ancillary to the use in paragraph (a).	Self-storage facility, Storage yard	Shop, Industry (class)

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Column 1 Purpose	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Wharf</b>	Means the Use or Development of Land in connection with water transport as a place from or at which goods are taken on or land ed from vessels whether or not passengers are taken on or land ed from vessels thereat. The Use includes the Ancillary Use of an office used in connection with the wharf or the temporary storage of goods, which are to be taken on vessels thereat, or which have been land ed thereat, from vessels.	Boat ramp, Pier, Jetty	Port Service



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**PART B4**  
**SCHEDULES**

## SCHEDULE 1- DEVELOPMENT OF SPECIFIC SITES

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

<b>Additional use or development that may occur as permissible (with consent) use or development</b>		
<b>Lot</b>	<b>Purpose</b>	<b>Conditions</b>
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	Use and development 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	Use and Development 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 use and development:  “Wharf”;  “Concrete Batching Plant”;  “Dangerous Goods Store”;  “Industry - General”; and  “Public Works Major”.	<ol style="list-style-type: none"> <li>1. As detailed in the Notice of Decision for Development Application DA 0050/15; and</li> <li>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.</li> </ol>

<b>Additional use or development that may occur as permissible (with consent) use or development</b>		
<b>Lot</b>	<b>Purpose</b>	<b>Conditions</b>
Part of Lot 28, Youngs Road, being part of Cascade Reserve as shown on the Site Plan attached to Plan Variation 16/03	Temporary use and development of the land for "Industry – General", to allow storage of precast concrete units and materials associated with the Cascade Jetty Upgrade only.	<ol style="list-style-type: none"> <li>1. As detailed in the Notice of Decision for Development Application 0038/16; and</li> <li>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</li> </ol>
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

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## THE PLAN MAPS