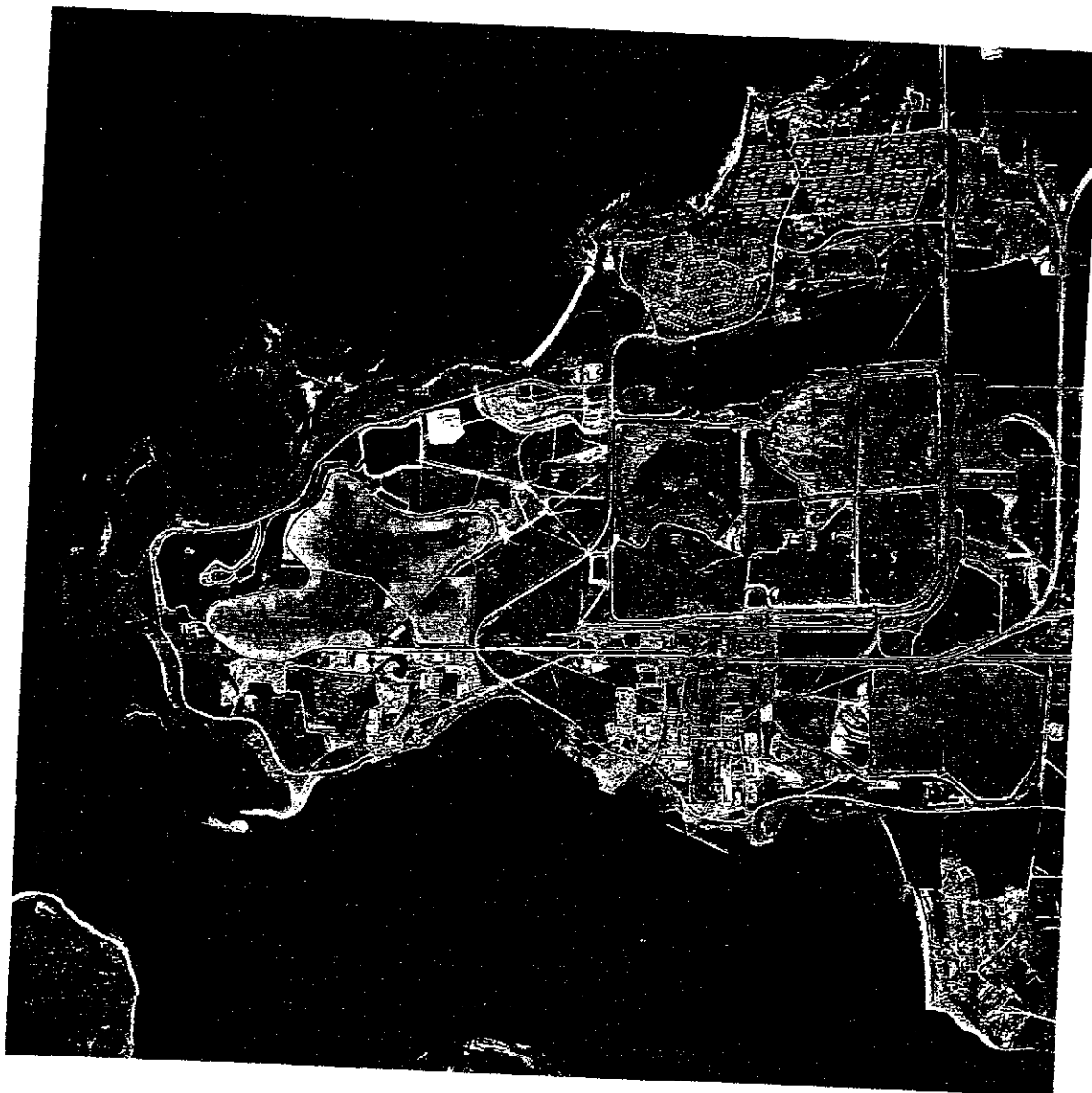


ADVISORY DEVELOPMENT PLAN
FOR
WEIPA LOCAL GOVERNMENT AREA



**THIS ADVISORY DEVELOPMENT PLAN IS PRODUCED UNDER THE AUTHORITY OF THE
INTERIM DEVELOPMENT CONTROL REGULATION FOR THE LOCAL GOVERNMENT AREA
OF WEIPA**

DATE OF ADOPTION - 24th APRIL, 1996

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1. INTRODUCTION

In accordance with the Local Government (Planning and Development) Act, 1990, the Local Government (Interim Development Control - Town of Weipa) Order, 1995 was published in the Government Gazette on 10 February, 1995.

The Interim Development Control (IDC) Regulation provides, amongst other things, that the Town Commission may prepare an Advisory Development Plan (ADP). The purpose of the ADP is to guide development in a manner consistent with the planning objectives of the Town Commission. This plan has been prepared accordingly.

The plan recognises major land use types and applies these, as appropriate, to the whole of the town area. These land use designations are known as Preferred Dominant Land Uses. These designations do not confer rights to use land or buildings. Land use control remains the subject of the IDC regulation approval process, however this plan is an expression of the planning objectives of the Town Commission and considerable weight will be given to it by the Town Commission when determining the outcome of applications..

1.1 BASIS OF PLAN

The ADP has been prepared with reference to the Weipa township Strategic Land Use Plan, Preliminary Planning Report, February 1991, detailed inspections, interviews with Town Office management and application of sound town planning principles.

1.2 INTERPRETATION OF PLAN

Section 2 of the ADP sets out the principal and supplementary aims and the general means by which these will be achieved. Section 3 explains the context of the ADP map. Section 4 of the ADP sets out preferred dominant land use types. These are represented on the ADP map.

The citation to preferred dominant land uses describes in general terms the preferred character of each and use types which may be expected to receive favourable consideration.

Section 5 of the plan draws attention to the need to refer certain development proposals to Aboriginal community elders to ensure that no detrimental impact on cultural values occurs as a result of development.

Section 6 of this plan sets down for reference in simple tabular form the *preferred*, *possible* and *conflicting* use categories expected in each preferred dominant land use type. This should be regarded as a guide to discourage the making of an application for a use inconsistent with the table.

Key use categories are defined in Section 7.

2. AIMS AND IMPLEMENTATION

The advisory development plan and local planning policies adopted by the Town Commission have the objective of directing residents, business investors and developers to those parts of the town which the Town Commission has identified as being appropriate for particular types of land uses and ensuring that those land uses are established in a suitable manner.

2.1 PRINCIPAL AIM OF THE ADVISORY DEVELOPMENT PLAN

The principal aim of the advisory development plan is:

“to encourage and facilitate the proper use and management of the resources of the Town of Weipa and to ensure that development and re-development occurs in a manner which will most effectively promote health, safety and convenience and the economic, cultural, environmental and general welfare of the community and the amenity of every part of the town.”

The Town Commission has a role as a partner in land use decision making and it is therefore proper that it exert influence on the decisions of others so as to encourage co-ordinated development for clear and far-sighted planning.

Emphasis is upon guiding development so that community growth is maximised while at the same time, the community expectation for the preservation and improvement of its amenity and access to community facilities is satisfied.

2.2 SUPPLEMENTARY AIMS OF THE ADVISORY DEVELOPMENT PLAN

A. *To promote a high standard of residential amenity.*

IMPLEMENTATION

- (i) The Town Commission will take into account, when dealing with medium density residential development proposals, the potential adverse effects on the amenity of the locality due to traffic noise and volume, scale and loss of privacy and the effectiveness of measures proposed to reduce those potential adverse effects.
- (ii) The Town Commission will ensure that proposed buildings and landscaping and other aspects of any development are compatible with the character of the area.
- (iii) The relevant local planning policy and the principles of AMCORD 1995 will be applied to ensure provision of a variety of housing styles and density to meet the diverse needs of the population. It is expected that more intensive residential use types be established on larger and easily accessed residential allotments throughout those parts of the town designated as residential.
- (iv) Landscaped buffer strips or other separating features will be required between conflicting land uses or between residential areas and busy roads.
- (v) New residential areas will be fully serviced and free from drainage problems or flooding or site contamination.

B. To secure proper health and sanitary conditions and ensure the safety and security of residents.

IMPLEMENTATION

- (i) The Town Commission will require all new development to connect to water supply and sewerage services and require developers to contribute towards the augmentation of major headworks to ensure continued provision of adequate capacity.

- (ii) Proper drainage of all new development will be required to minimise local inundation and the incidence of standing water and the consequent health hazards an inconvenience.
- (iii) Establish a clear road hierarchy, having regard to accepted principles of safety in road design, improve pedestrian and cyclist safety in new development, discourage development which would create excessive traffic in local residential streets and require developer funded road improvements when necessitated by new development.
- (iv) The Town Commission will carefully assess the potential of heavy or noxious or hazardous industry to impact upon residential areas and either restrict development if there is potential impact or impose conditions to minimise impact, or both. An environmental impact assessment may be required if prescribed by the Act or Town Commission local planning policies made pursuant to the Act.

C. To protect existing capital investment and create an environment conducive to further capital investment in the town.

IMPLEMENTATION

- (i) Prevent residential development encroaching within the zone of influence of existing commercial or industrial development.
- (ii) Designation of adequate areas for commercial and industrial expansion in this ADP.
- (iii) Providing infrastructure capacity to service new or expanded commercial and industrial development.

D. *To provide passive open space and recreational opportunities for residents.*

IMPLEMENTATION

- (i) The Town Commission will continue to maintain and progressively upgrade existing parks and recreational facilities under its control.
- (ii) Development of a riverside park at Evans Landing taking up land from other uses as it becomes available and providing barbecues, shade structures and the like.
- (iii) Protect areas of cultural significance from intrusions which diminish the integrity of those areas.
- (iv) Regularly assess community recreational needs and respond effectively to those needs, but within available economic resources.

E. *To promote the tourism potential of the town and environs.*

- (i) The Town Commission will support appropriate extensions to the short term accommodation facilities at the camping ground and hotel.
- (ii) Progressive improvement of a riverside park at Evans Landing and maintaining an option of developing or assisting in the development of a camping ground or caravan park or cabin type accommodation at Evans Landing. Some existing buildings could be recycled for this purpose.
- (iii) Ensure easy access to waterways by providing or supporting the provision of boat ramps, car parks and other support facilities for fishing.
- (iv) Taking an active role in assuring sustainability of the local recreational fishery.

- (v) Taking an active role in promoting better vehicular access to Weipa and throughout the Cape generally.
- (vi) Assisting in the preparation and dissemination of promotional material and heightened recognition of the region by tourism promotion authorities.

F. To establish a clear retail hierarchy and prevent "leakage" of retail and commercial uses into areas not designated for such use.

IMPLEMENTATION

- (i) Reserving designated land stock at Nanum for retail development and rejecting proposals for other use types.
- (ii) Refusing proposals for retail development at Rocky Point but allowing some non-retail/commercial or professional services such as real estate offices or medical or legal services.
- (iii) Recognising the need for larger scale retail outlets of the showroom or "retail warehouse" type specialising in sale of floor coverings, whitegoods, furniture, garden improvement products and the like and considering on merits, establishment of such outlets at Evans Landing so as to reserve Nanum for more intensive retailing.

3. ADVISORY DEVELOPMENT PLAN MAP

The ADP map shows the distribution of preferred dominant land uses throughout the town. The distribution has been determined in the light of existing land uses, projected demand for land use types, the aims of the plan and land character.

A copy of the Advisory Development Plan Map is included after Section 7 of this plan.

4. PREFERRED DOMINANT LAND USES

Details of the preferred dominant land uses are as follows:-

4.1 RESIDENTIAL

Residential areas include existing and future areas of predominately residential land use. As well as various types of residential accommodation these areas may include local parks, small scale medical or child care centres and other services designed to support the local population. Non-residential land uses will only be permitted if it is demonstrated that there will be no significant impact on the amenity enjoyed at adjoining or nearby residential premises.

It is anticipated that multi-unit housing types will be permitted in a mix with detached dwellings throughout the residential preferred dominant land use areas. Duplex and multiple dwelling housing should be designed in accordance with the principles of the relevant local planning policy and the applicable parts of the Australian Model Code of Residential Development, Edition 1995 (Amcord '95).

Multiple dwellings will generally not be favoured in cul-de-sacs or on land which has any form of access or servicing restriction. Multiple dwellings will be preferred on larger allotments and where urban amenities are close at hand.

Home occupation when established and operated in accordance with the relevant local planning policy is a preferred use within this preferred dominant land use type.

It is unlikely that the Town Commission would grant IDC approval for residential land use intended for permanent occupation, on land contained in any other preferred dominant land use type.

Undeveloped land shown as residential has the capacity to accommodate significant additional population. Remaining developed land at Nanum should be substantially developed for residential purposes before consideration will be given to extending residential land stock in new areas.

Valuable, high amenity land at Duyfken Crescent, approximately opposite the hotel is a suitable location for a concentration of multiple dwelling developments which will be preferred in this area over other areas. Any such developments should be accessed from Duyfken Crescent and with establishment of an open space buffer to properties further to the east along Embley Street. All new development will be required to comply with the relevant local planning policy and AMCORD '95 as appropriate.

Existing residential use at Evans Landing is expected to continue for many years. However, it is the intention of the Town Commission to gradually reduce the amount and permanency of residential use in this area. As an opportunity arises (ie the expiry of leases or agreements), the Town Commission will seek to gain control of land for use as a public recreation area. Consideration may be given to establishment of a camping area and/or caravan park to cater for tourists and short term town accommodation needs. Existing infrastructure, including suitable structures will be used where appropriate.

Riverine land in particular will be sought for return to public use. These areas will be progressively developed for passive recreation by installation of seating, shade structures, barbecues and the like.

Ultimately, most land to the south of Kerr Point Drive and to the east of the "Stubby Hut" will be used for either passive open space or short term recreational accommodation in the form of a camping ground or caravan park, perhaps incorporating cabins. It is expected that all land in proximity to the river will be dedicated to use as public open space.

4.2 INDUSTRY

These areas include existing industrial areas as well as areas considered to be suitable for future industrial use. Provision is made for a substantial industrial estate to the north of Evans Landing with frontage to John Evans Drive. Expansion into this area would not be expected until the bulk of remaining available space at Evans Landing is taken up. Development of new industrial land will include full provision of services including water supply, sewerage and fully constructed industrial standard roads with kerb and channel.

The Town Commission will require that all new industrial development comply with the relevant local planning policy.

The only uses likely to be permitted other than industrial use are minor support activities which can demonstrate a nexus with the prevailing industrial activities in the area. In particular uses such as shops or personal services will be unlikely to be approved although some retail/showroom outlets specialising in a limited range of bulky items will be considered if they cannot be accommodated elsewhere.

It is most probable that any application for industrial use on any land other than land shown as industry on the ADP map, would be refused.

4.3 RETAIL/COMMERCIAL

It is the clear intention of this ADP to secure the Nanum retail precinct as the pre-eminent shopping and commercial focus of Weipa. This intention will be achieved by:-

- (a) ensuring that land nominated as retail/commercial is not alienated by approval of other uses, and

- (b) refusing to approve any substantial proposal for retail or commercial use elsewhere.

The ADP foreshadows eventual extension of the Nanum centre to the area now occupied by the tennis and squash facilities. This land would not be utilised for retail development until at least comparable alternative facilities were available.

It is also expected that retail/commercial development will extend on available land to the south of Kerr Point Drive, opposite the existing centre. Some opportunity exists for commercial (not retail) use at Rocky Point, utilizing existing structures. While Rocky Point will be preferred as a community services area, some services such as real estate, medical and dental services would be expected to gain support.

Some retail and commercial use exists at Evans Landing and that is expected to continue and in some circumstances, expand. While no part of Evans Landing is shown as retail/commercial preferred dominant land use, there is a warrant to allow retailers of hardware, particularly in conjunction with industrial suppliers, timber and landscape suppliers, and retailers of bulky goods (cars, swimming pools) or goods held in large stocks in a "retail warehouse" environment (white goods, cabinets).

Mixed goods retailing or suppliers of professional or personal services will not, except in unforeseen and exceptional circumstances, be permitted.

In considering any application for retail or commercial use at Evans Landing, the Town Commission shall have high regard to the level of local amenity, particularly the impact of adjoining or nearby industrial uses and the amenity offered by the site itself. The issues of public convenience and safety shall be given considerable weight.

Some continuing and expanding local "kiosk" type services will be expected near the boat ramp area to provide services to recreational fishermen in particular. Any additional uses will be expected, as a part of any approval conditions, to assist in the provision of more adequate carparking.

4.4 TOURIST COMMERCIAL AND ENTERTAINMENT

This land use type is limited to the existing facilities of Nanum Camping Ground, the hotel and surrounding grounds and the "Stubby Hut".

The camping grounds have potential for further improvement and some introduction of motel style accommodation or cabins would be appropriate. Similarly, further extension of the hotel by the provision of additional accommodation or function areas will be acceptable provided appropriate arrangements are in place for carparking, landscaping, noise attenuation and the like.

Tourist and entertainment related uses are not limited to land in this designation. "Community entertainment" may, and in fact should occur, in association with schools, churches and developed open space areas.

Uses of this type would not be anticipated on land in residential or industry designations.

4.5 COMMUNITY AND SPECIAL USE

This designation applies to significant community facilities such as schools, churches and the town offices and library.

There is no anticipated need for additional facilities during the life of this ADP and consequently, no additional provision has been made for Community and Special Uses. It should nevertheless be noted that this class of use may establish on land within other preferred dominant land use classifications. Each application will be judged on its merits.

4.6 OPEN SPACE

Land in this designation is used for various purposes. Certain of the land has cultural significance and will be protected from active use or degradation in any way. Some of the land is comprehensively developed for active sporting activity and includes club facilities associated with that use.

Other land of this classification is set aside as buffers, local parks and gardens or is simply unsuitable for alternative use due to physical constraints.

It is not anticipated that any land of this category will be developed for any purpose other than general open space (including all sporting) purposes.

5. APPLICATIONS AND REFERRALS

Nothing in this Advisory Development Plan exempts development proposals, other than those specified by the Interim Development Control Regulation, from the requirement to be approved in accordance with the Local Government (Planning and Environment) Act. Designation of a use as a preferred development in the table in Section 6 does not ensure that a particular proposal will be approved.

Every permit application will be judged on its merits and with reference to this plan and all relevant legislation and policies of the Town Commission.

Any application to use land which has not been the subject of previous subdivision or which is included in the Open Space Preferred Dominant Land Use area and which has not been the subject of modification by clearing, filling, levelling or the like, shall be specifically referred to community elders to advise whether the area is an area of cultural significance or abuts any such area. The Town Commission, in making its decision on any application shall have regard to any submission made by community elders or any Statutory Authority having a legitimate interest or input.

6. DEVELOPMENT TABLE

6.1 DEVELOPMENT TABLE

The table in this part indicates in broad terms, the uses which are categorised as preferred, possible or conflicting for each of the preferred dominant land use categories.

Subject to the provisions contained in clause 6.2.4, the Town Commission will rely on the table as the first step in assessment of applications made pursuant to the Interim Development Control Regulation.

6.2 DEVELOPMENT TYPES

6.2.1 PREFERRED DEVELOPMENT

Preferred development in a particular preferred dominant land use category is development which in the normal course of events, would be expected to gain the approval of the Town Commission. An application for preferred development will still be assessed on its merits and conditions are still likely to apply, however, provided the proposal responds to the requirements of any relevant local planning policy or state planning policy and the ADP and otherwise accords with accepted good town planning practice, then approval will be granted.

6.2.2 POSSIBLE DEVELOPMENT

Possible development is development which is often consistent with the intent of the relevant preferred dominant land use category but which in some circumstances is unlikely to be approved. The ADP recognises that the scope and character of development within some use types may vary dramatically and also that the attributes of particular sites and localities will vary greatly. For example, the use "accommodation building" is generally consistent with the intent of the Residential preferred dominant land use type, but, in many circumstances may not be appropriate to a particular site.

The particular accommodation building could, for instance, be no more than holiday cabin accommodation in which case it may be quite acceptable in some residential areas. Alternatively, the given accommodation building could be a large hostel complex in which case it would not be acceptable in most residential areas.

The Town Commission will critically examine any application for possible development and approve applications only where there is likely to be no or only negligible impact on the amenity of surrounding areas and where all appropriate services are available.

6.2.3 CONFLICTING DEVELOPMENT

Conflicting development is development which is inconsistent with the intent of the relevant preferred dominant land use category in which it is included and would not be likely to be approved by the Town Commission unless special circumstances including the minor significance of the proposal, the previous use of the site or the originality or unusual character of the use warrant approval notwithstanding the conflicting nature of the development.

6.2.4 EXEMPT DEVELOPMENT

The uses agriculture, dwelling-house (when no other dwelling-house is erected on the premises) and public utility are exempted from control by the Interim Development Control Regulation. Accordingly no application under the IDC regulation need be made for these uses and the Town Commission does not have the authority to refuse to approve any of these uses, regardless of the preferred dominant and use category in which the land is located. The development table nevertheless indicates the Town Commission's preferred strategy for land use control in the town and should be relied upon as a guide for all development proposals.

	Residential	Industry	Retail/ Commercial	Tourist Commercial & Entertainment	Community & Special Use	Open Space
Agriculture						
Accommodation Building						
Commercial Premises						
Community and Special Use						
Duplex and Multiple Dwelling						
Dwelling House						
Home Occupation						
Industry						
Public Utility						
Recreation and Open Space						
Shop						
Showroom						

KEY



PREFERRED DEVELOPMENT



POSSIBLE DEVELOPMENT



CONFLICTING DEVELOPMENT

7. DEFINITIONS

7.1 USE DEFINITIONS

Accommodation Building means premises used as a boarding house, guest house, hostel, serviced rooms, hotel rooms, motel, caravan park, a motel and similar forms of accommodation generally providing short term accommodation which is not self contained.

Agriculture means:-

- (a) horticulture;
- (b) the growing of fruit, vegetables, timber and the like;

and includes the erection and use of buildings associated with any such activity but does not include aquaculture, kennels, lot feeding, a piggery or poultry farm.

Commercial Premises means premises used primarily for providing a service as opposed to selling goods to the public. The term includes:

- (a) the carrying on of the business of a bank, building society or the like;
- (b) the carrying on of the business of insurance companies, insurance agents, financial advisers and the like;
- (c) agencies, including airline agencies, advertising agencies, buying agents, customs agents, employment agencies, real estate agents, travel agents, and the like;
- (d) an office for providing professional services or the giving of professional advice by a person practising or carrying on a profession;
- (e) a surgery, medical centre or health clinic; and
- (f) the provision of personal services such as hairdressing, beauty therapy or shoe repairing.

The use may include incidental sale of goods, for example, in the case of a hairdresser, hair care products but does not include a business or commercial purpose which has the character of a shop, showroom or industry. The term does not include shop or showroom as defined herein.

Community and Special Use means:-

- (a) the activities of any level of government;
- (b) a hospital or institution;
- (c) a school, preschool or day care centre;
- (d) a church or other place of worship and any associated hall or residential premises;
- (e) a cemetery; or
- (f) other special activities determined from time to time by the Town Commission to be a Community or Special Use.

Duplex Dwelling means two dwellings comprising self contained accommodation, each for the exclusive use of one household, where the buildings are erected on one allotment and have the appearance of two dwelling houses or the appearance of one dwelling house when erected so as to abut at a common wall or when one is constructed wholly or partially above the other.

The term includes such outbuildings as are incidental to an necessarily associated with a duplex dwelling and includes hobby gardening and the keeping of domestic pets.

Dwelling-House means any premises used or intended for use as a self contained accommodation for the exclusive use of one household and includes outbuildings which are incidental to and necessarily associated with such premises and the keeping of domestic pets.

Home Occupation means, when conducted in or under a dwelling house or duplex dwelling by a person resident therein, an occupation or profession wherein:-

- (a) the floor area used (whether temporarily or permanently) does not exceed 30 square metres, except with and in accordance with the conditions of an express permission of the Town Commission;
- (b) only one sign of maximum size 0.25 square metres is displayed and bears only the name of the of the occupier with or without an indication of the occupation;

- (c) no goods are displayed on the premises in such a manner as to be visible from any other dwelling, property, public road, street or lane;
- (d) goods displayed for sale are limited to those made on the premises or those which are directly associated with the primary occupation or profession;
- (e) no more than one light commercial vehicle (two tonnes maximum) associated with the occupation is at any time present and no fuelling, maintenance or repairing of motor vehicles is carried out on the site;
- (f) there is no operation of the home occupation outside the hours of 8.30 am to 5.00 pm Monday to Friday and 8.30 am to 12 noon on Saturday, unless otherwise approved by the Town Commission;
- (g) the occupation or profession is not, in the opinion of the Town Commission, likely to cause nuisance or annoyance to persons not associated with the occupation or profession by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste liquids, waste products, grit or oil;
- (h) no load is imposed on any public utility undertaking which is significantly greater than that which is normally required by the use of the premises for dwelling purposes only; and
- (i) the occupation or professional does not give rise to any pedestrian or vehicular traffic substantially greater than that which is normal to the neighbourhood in which the home occupation is located.

The term does not include any occupation or profession which is likely to cause injury to or have prejudicial effect on the amenity of the locality.

Industry means premises used or intended for use for:

- (a) an activity such as:
 - (i) a manufacturing process, whether or not such process results in the production of a finished article;
 - (ii) the breaking up or dismantling of any goods or article for trade, sale, or gain, or ancillary to any business;
 - (iii) the extraction of sand, gravel, clay, turf, soil, rock, stone or similar substances from premises;

- (iv) repairing, servicing and cleaning of articles, including vehicles, boats, machinery, buildings or other structures, but not including on-site work on buildings or other structures;
- (v) an operation connected with the installation of equipment and services but not including on-site work on premises;
- (vi) the storage for wholesale or retail distribution of flammable fuels, oils and greases, but excluding a service station or sale of minor quantities of fuels as in connection with a shop;
- (vii) the processing, or packaging and storage of foodstuffs and beverages, including meats and seafoods;
- (viii) an operation connected with a mining activity; and
- (b) the following activities when carried out in connection with an industrial activity;
 - (i) the storage of goods used in connection with or resulting from an industrial activity;
 - (ii) the provision of amenities for persons engaged in an industrial activity;
 - (iii) the sale of goods resulting from but ancillary to an industrial activity; and
 - (iv) any work of administration or accounting.

Multiple Dwelling means premises used wholly or in part for residential purposes by three or more households living separately in self contained dwelling units. The term includes buildings commonly known as flats, home units, apartments, terrace houses, town houses, villa units, holiday units (when self contained) and the like but does not include a hotel, motel, caravan park or other accommodation which is not self contained.

Public Utility means:-

- (a) a railway, tramway, road or any transport, wharf, harbour or river undertaking; or
- (b) an undertaking for:
 - (i) the supply of water, hydraulic power, electricity or gas; or
 - (ii) the provision of sewerage or drainage services.

Recreation and Open Space means use of premises for sport or any other activity which affords interest or amusement. The term includes clubhouses and storage areas associated

with a principal activity and the preparation and sale of food and beverages to persons attending the premises in connection with a primary activity.

Without limiting the generality of the foregoing, recreation and open space includes but is not limited to the following:-

Archery and shooting ranges	Golf courses
Bowling greens	Sports ovals
Courts	Swimming pools (public)
Cycle and motorcycle tracks	Theatres

Shop means premises used for the purpose of displaying or offering goods for sale to the public.

The use includes the following:-

- (a) premises commonly known as snack bars, fish shops, cafes and the like where food is prepared for immediate consumption; and
- (b) hire services, hiring video cassettes, domestic appliances, health equipment and the like to the general public.

The term does not include Commercial Premises or Showrooms as defined herein.

Showroom means premises used or intended for use for the sale or hire to members of the public goods being any one or more of the following or other goods determined by the Town Commission to be of a like nature:-

- (a) floor coverings and wall tiles;
- (b) furniture;
- (c) domestic white goods, hot water systems, airconditioners;
- (d) hardware and plumbing supplies;
- (e) building and construction materials;
- (f) motor vehicles, boats, caravans, tools, swimming pools and accessories for any of these items.
- (g) agricultural, pastoral and veterinary supplies including stock feed;
- (h) plants and landscaping supplies; and

- (i) equipment hire, such as hire of trestles, tables, chairs, building equipment, trailers and the like.

The use is often characterised by the holding of large stocks of goods on hand, the occupancy of larger floor areas or sites and associated warehousing of goods to be sold from the premises.

The use does not include a Shop or Commercial Premises as defined herein.

7.2 EXPLANATORY DEFINITIONS

Premises means any land, building or other structure or part thereof.

The Act means the Local Government (Planning and Environment) Act 1990.

Total Use Area means the gross floor area of a building excluding areas used exclusively as a lift or stairwell, plant room or toilets. Total use area also includes the curtilage of the building used or intended for use as part of a particular development in a manner which is likely to generate carparking demand. The term does not include any area used or intended for use for the access, parking and associated manoeuvring of motor vehicles.

Town Commission means the Town Commission established in accordance with the provisions of the Comalco Aluminium Pty Ltd. Agreement Act of 1957 or in the absence of a Town Commission for the time being, Comalco Aluminium Limited or its delegated authority, acting in accordance with the provisions of the aforesaid Act.