

Unvalidated References:

Physical Planning Act 1989

Building Act 1971

Building Act 1971

Building Act 1971

Building Act 1971

National Parks Act 1982

National Parks Act 1982

Conservation Areas Act 1978

Conservation Areas Act 1978

Conservation Areas Act 1978

Oil and Gas Act 1998

Land Act 1996

Environmental Planning Act 1978

Mining Act 1992

Mining Act 1992

Building Regulation

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 11 June 2002.

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Legislative Counsel
Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. 6 of 1990.

Physical Planning Regulation 1990

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MADE by the Head of State, acting with, and in accordance with, the advice of the National Executive Council under the *Physical Planning Act 1989*.

Dated 200 .

PART I. – PRELIMINARY.

1. INTERPRETATION.

In this Regulation, unless the contrary intention appears—

“**amusement parlour**” means the use of land and buildings for indoor games and includes the use of slot machines, video and pinball machines, snooker tables and other like equipment;

“**art gallery**” means a public building used for the display and exhibition of works of art and may include the sale of such works to the public, but does not include a commercial shop which is used for the sale of artifacts or handicrafts;

“**battleaxe allotment**” means an allotment which does not have a frontage to a road other than by means of a private drive or path;

“**builder’s yard**” means land and/or buildings used for the storage of materials and tools of trade ordinarily connected with building or civil engineering construction;

“**cafe**” means a shop primarily for the sale of prepared food for consumption on the premises;

“**car park**” means a site or building used primarily for parking private cars or taxis whether as a public or private car park, but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings on or in which motor vehicles are displayed for sale;

“**club**” means a building occupied by a group of persons formed to promote mutual interest in sport or other social activity;

“**fuel depot**” means a depot for the storage or sale in bulk of solid, liquid or gaseous fuels or lubricants, but does not include a petrol filling station;

“home industry” means an activity, whether a business or hobby, carried on within a dwelling house or within the curtilage of a dwelling house and which business—

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury or detriment to amenity due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water or waste products; and
- (b) does not entail the employment of a person who is not a member of the occupier’s family resident in the dwelling; and
- (c) does not occupy an area greater than 20m²; and
- (d) does not require the provision of any essential service main of a greater capacity than is normally required in the zone in which is it located; and
- (e) is not advertised by a sign exceeding 0.2m² in area; and
- (f) does not give rise to any pedestrian or vehicular traffic significantly beyond that which is normal to the neighbourhood in which it is located; and
- (g) will not result in the requirement of a greater number of vehicle parking facilities than is normally required in the zone in which it is located; and
- (h) is so conducted that, with the exception of a sign complying with Paragraph (e), no indication is given that the house is used for other than residential purposes; and
 - (i) does not involve the use of commercial vehicles exceeding 2 gross vehicle weight for the delivery and collection of materials to or from the premises; and
- (j) does not require the outdoor storage of materials or supplies;

“hotel” means land and buildings which may provide accommodation and is the subject of a licence granted under the provisions of liquor licensing legislation, either national or provincial or under the legislative powers of the Government of the National Capital District;

“industry” means the carrying on of any process for or incidental to any of the following purposes:—

- (a) the making of any article;
- (b) the repair of any article;
- (c) the adapting for sale of any article;
- (d) the servicing of any article or premises,

and industry is deemed to include the use of land and/or buildings as—

- (e) a builder's yard; or
- (f) a depot from which any of the above list of purposes are carried out at other locations; or
- (g) a transport depot; or
- (h) a veterinary surgeon's clinic in which overnight accommodation is provided for animals; or
- (i) a salvage yard;

“library” means a place set apart to contain books or other media for reading, study or reference, whether for public or private use, and may include lending facilities, but does not include a business for the rental of video tapes;

“light industry” means industry—

- (a) in which the activities carried on, the machinery used, and the carriage of goods and commodities to and from the premises are such that they could be carried on in any residential area without detriment to the amenity of the locality by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, traffic or otherwise; and
- (b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provisions of water, gas, electricity, sewerage facilities, or any other like service;

“light warehousing” means warehousing—

- (a) in which the activities carried on, the machinery used, and the carriage of goods and commodities to and from the premises are such that they could be carried on in any residential area without detriment to the amenity of the locality by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, traffic or otherwise; and
- (b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like service;

“market” means the use of land and buildings by stall holders and other vendors for the display and sale of food, produce, goods and livestock operating at times as directed by the responsible authority but does not include an auction mart;

“medical clinic” means premises in which facilities are provided for more than one medical practitioner, chiropractor, dentist, physiotherapist or masseur;

- “motel”** means land and a building or buildings, used or intended to be used to accommodate patrons in a manner similar to a hotel but with separate bath and toilet facilities for each suite and in which special provision is made for the accommodation of patrons with motor vehicles;
- “motor repair station”** means land and buildings used for or in connection with mechanical repairs and overhauls to motor vehicles but this does not include tyre recapping or retreading, panelbeating, spray painting and chassis reshaping;
- “motor showroom”** means a building used, or designed for use, for the display or sale of motor vehicles and accessories but does not include a motor repair station;
- “museum”** means a building, structure or land used for storing and exhibiting objects illustrative of antiquities, natural history, art, and similar subjects to which the public have admittance during specified hours;
- “office”** means a building or part of a building used in the conduct of administration, the practice of a profession, the carrying on of agencies, typing and secretarial services and services of a similar nature, and, where not conducted on the site thereof, the administration of, or the accounting in connection with, an industry;
- “petrol filling station”** means land and buildings used for the sale of automotive petroleum products, but does not include a motor repair station;
- “post office”** does not include any building used primarily for the sorting, or preparation for delivery, of mail or for the purposes of postal administration;
- “public recreation”** means the use of land for a public park, public gardens, foreshore reserve, playground or recreation ground which are normally open to the public with or without charge.
- ¹**“public utility”** means any works or undertaking constructed or maintained by any entity for the public supply of water, sewerage, electricity, gas, drainage, communications, or other similar services;
- “place of worship”** means land or a building used primarily for religious activities, but does not include an institution for primary, secondary or higher education, or a residential training institution;
- “restaurant”** means premises used for the preparation and sale of food for consumption primarily on the premises and which may be licensed pursuant to liquor licensing legislation, either national, provincial or under the legislative powers of the Government of the National Capital District;

¹ Section 1 Amended by S.R. 2006, No. 68.

“salvage yard” means land used primarily or partially for the collection, storage, and/or sale of discarded goods, scrap metal or used building materials;

“shop” means a building used for the carrying on of any retail trade or retail business wherein the primary purpose is the selling of goods by retail, and includes a building used for the purpose of a hairdresser, travel agency, ticket agency, post office, restaurant, snackbar or cafe or for any other purpose appropriate to a shopping area but does not include a building used as a funfair, amusement parlour, motor repair station, petrol filling station, office, bookmaker, hotel, premises for the sale of intoxicating liquor for consumption on the premises, or motor vehicle showroom;

“tavern” means premises used for the running of a business which does not provide meals as a major part of its business, which does not provide accommodation and in respect of which a licence has been granted under liquor licensing legislation either national, provincial or under the legislative powers of the Government of the National Capital District;

“transport depot” means land or buildings designed, used or adapted for use—

- (a) for the parking or garaging of vehicles used or intended for use for the carriage of goods for hire or reward; and/or
- (b) for the transfer of goods from one such vehicle to another such vehicle; and/or
- (c) for the maintenance and repair of such vehicles;

“vehicle sales premises” means land and buildings used for the display, sale and/or hiring of motor vehicles, whether new or second-hand, but does not include a motor repair station;

“warehouse” means any building or enclosed land, or part of a building or enclosed land, used for, designed or adapted for use for the storage of goods whether or not commercial transactions involving the sale of such goods by wholesale are carried out in such building or on such land;

“wholesale warehouse” means a warehouse in which part of the premises are devoted to commercial transactions involving the sale on a wholesale basis of the goods stored in the warehouse.

2. EXISTING RELATED REGULATIONS.

Without limiting the generality of the application of any building, environment or land legislation, it is expressly declared that this Regulation is in addition to and not in substitution for the Building Regulation made under the *Building Act 1971* or for any Regulations made under any act administered by the Minister responsible for

environment and conservation matters, or for any Regulations made under any Act administered by the Minister responsible for land matters.

PART II. – ZONING.**3. ZONES.**

(1) A Board may zone land in accordance with the zones set out in Schedule 1.

(2) A Board may, if it considers it appropriate in the circumstances of the case, restrict the purposes for which a building may be erected or a building or land may be used to a more restricted definition than is given in any of the zones in Schedule 1 and in undertaking this the Board must specify exactly the purposes which are permitted.

(3) A Board may zone land for any combination of zones.

(4) A Board may zone land for a purpose not included in Schedule 1.

(5) Land within a physical planning area which is not zoned shall be left uncoloured and shall be referred to as white land.

4. INCIDENTAL USES.

A use which is ordinarily incidental to and included in any purpose specified in Schedule 1 is not excluded from that purpose as an incident thereto merely by reason of its specification in Schedule 1 as a separate purpose.

5. REDESIGNATION UNDER THE ACT OF EXISTING ZONES (OTHER THAN REDEVELOPMENT ZONES) UNDER THE TOWN PLANNING ACT.

Land zoned under the *Town Planning Act* (Chapter 204) and to which Section 109 of the Act applies shall be deemed to be zoned under this Act in accordance with the following:–

Town Planning Act Zone	Physical Planning Act Zone
Zone 1–Open Spaces	Zone 1–Open Space
Zone 2–Residential	Zone 2–Residential
Zone 3–Commercial	Zone 3–Commercial
Zone 4–Light Industrial	Zone 4–Light Industrial and Warehousing
Zone 5–Heavy Industrial	Zone 5–General Industrial and Warehousing
Zone 6–Isolation Industrial	Zone 6–Isolation Industrial
Special Use Zone	Zone 7–Public Institutional
Road Reserves	Zone 8–Public Utilities

6. PUBLIC UTILITIES ZONE FOR THE PURPOSES OF SECTION 83 OF THE ACT.

(1) Zone 8 is a public utilities zone for the purposes of Section 83(4) of the Act.

(2) Any zone declared by a Board for the purposes of reserving the land for the purposes of any public utility shall be regarded as a public utilities zone for the purposes of Section 83(4) of the Act.

PART III. – ADMINISTRATION.**7. APPLICATIONS FOR PLANNING PERMISSION.**

(1) An application for planning permission shall be made in triplicate.

(2) Where an applicant applies for an outline planning permission the application shall be accompanied by the following information:–

- (a) the name and address of the applicant;
- (b) where the applicant is not the sole owner, a list of the names of all of the owners of the land to which the application relates together with a statement that all of these owners have been notified of the application;
- (c) a location plan at not less than 1:4000 scale with the site boundary clearly marked in red;
- (d) a sketch design of the proposed development;
- (e) a statement of the uses to be accommodated in the development and the specific areas to be occupied by each.

(3) Where an applicant applies for a full planning permission, the applicant shall state the previous decision of the Board if an outline planning application was submitted previously.

(4) An application for full planning permission shall, unless it follows an outline planning permission, be accompanied by all the information required under Subsection (2) and in addition, where the application relates to a building or to engineering works, the following information shall be supplied by the applicant:–

- (a) a site plan with details of the proposals including any proposed alterations to the natural contours of the area, and landscaping;
- (b) in the case of buildings, a building plan at an appropriate scale showing–
 - (i) a plan of each floor; and
 - (ii) an elevation of each side; and
 - (iii) cross sections of the proposed building; and
 - (iv) the levels of the building and land in relation to the levels of any adjoining or adjacent road or building; and
 - (v) sufficient details of the construction and the materials to be used to give a clear idea of the external appearance;
- (c) in the case of engineering works, a plan which shows the extent of the works in sufficient detail to enable the scope of the proposal to be considered.

8. REGISTER OF APPLICATIONS.

(1) A register of all applications for planning permission shall be kept by every Board.

(2) The register under Subsection (1) shall indicate the date upon which an application was received, the location and general nature of the development and, following determination, the decision made in respect of the application and the date of the decision.

9. PRESCRIBED TIMES FOR DETERMINATION AND NOTIFICATION.

(1) The prescribed time for determination of an application shall be three months.

(2) The decision of the Board shall be notified to the applicant in the form set out in Schedule 2 within 14 days of the decision.

10. NOTIFICATION OF GRANT OF PLANNING PERMISSION.

Where a Board grants planning permission, it shall forthwith—

- (a) stamp copies of any plans with the word “approved” or “approved subject to conditions” followed by—
 - (i) the name of the responsible Board; and
 - (ii) the signature of the chairman or acting chairman of the Board; and
 - (iii) the date of the meeting at which the decision was made; and
- (b) forward a copy of one set of plans so stamped to the applicant together with the Board’s decision.

11. NOTIFICATION OF REFUSAL OF PLANNING PERMISSION.

Where a Board refuses planning permission, it shall forthwith—

- (a) stamp copies of any plans with the word “refused” followed by—
 - (i) the name of the responsible Board; and
 - (ii) the signature of the chairman or acting chairman of the Board; and
 - (iii) the date of the meeting at which the decision was made; and
- (b) forward a copy of one set of plans so stamped to the applicant together with the Board’s decision.

12. FEES FOR PLANNING APPLICATIONS.

(1) Fees shall be charged and payable for all applications for planning permission in accordance with Schedule 3.

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(2) Fees shall be paid prior to the registration of an application and are not refundable under any circumstances.

(3) Where a fee relates to an application which is of—

- (a) national interest—it shall be paid to the National Government; and
- (b) provincial interest—it shall be paid to the Provincial Government concerned.

PART IV. – APPEALS.

13. PRESCRIBED TIME LIMIT FOR APPEAL.

An appeal shall be lodged with the Tribunal within three months from the date of the decision or order appealed against.

14. APPEALS TO BE IN WRITING.

- (1) An appeal shall be in writing and shall be lodged with the Tribunal.
- (2) The appeal shall state the grounds upon which the appeal is based.

15. NOTIFICATION BY THE APPEALS TRIBUNAL.

(1) The Tribunal shall notify the appellant in writing whether representations by the appellant are to be made in writing or at a hearing.

(2) Where a hearing is to be held the Tribunal shall advise the appellant and the Board concerned in writing of the date, place and time of the hearing giving not less than 14 days notice or such time as may be prescribed.

16. TIME LIMITS FOR CONSIDERATION OF APPEALS BY THE TRIBUNAL.

The following time limits shall apply to consideration of appeals by the Tribunal:–

- (a) where an appeal is dealt with by written representations, the appeal shall be determined within three months from receipt by the Tribunal;
- (b) where an appeal is dealt with by a hearing, the appeal shall be determined within six months from receipt by the Tribunal; and
- (c) where an appeal is dealt with by a full hearing, the appeal shall be determined within 12 months from receipt by the Tribunal.

PART V. – DEVELOPMENT PLANS.**17. DEVELOPMENT PLANS BY ORDER OF THE MINISTER OR A PROVINCIAL MINISTER.**

Where the Minister under Section 50 of the Act, or a provincial minister under Section 51 of the Act or the National Capital District Commission under Section 52 of the Act orders a development plan to be prepared, such plan shall be prepared in the form prescribed in Schedule 2.

18. MATTERS TO BE INCLUDED IN DEVELOPMENT PLANS.

(1) A development plan shall comprise a set of maps and a written document.

(2) Unless otherwise instructed by the Minister or a provincial minister or Board a base map shall be prepared of the development plan area and such map shall be used in the preparation of an existing land use map and of any other information maps required to be prepared in connection with the development plan.

(3) A base map under Subsection (2) shall be drawn to a scale appropriate to the size and character of the development plan area and, except in the case of a provincial development plan it shall, so far as is reasonably practicable, show–

- (a) the boundaries and identification of all portions, sections and allotments; and
- (b) the position of roads and the names thereof; and
- (c) the contours of the land.

(4) Unless otherwise instructed by a Minister or a provincial minister or a Board the set of maps mentioned in Subsection (1) shall include as a minimum–

- (a) a land use map showing the existing uses of land and buildings for any purpose, which map shall, in general, be coloured in accordance with the colours set out in Schedule 1 and shall be certified by a senior physical planner or by the Chief Physical Planner as having been prepared within a period of one year prior to the date of the development plan being lodged with the appropriate Board; and
- (b) a development plan which shall show–
 - (i) the proposed zoning; and
 - (ii) all portions, sections and allotments, reserves and roads proposed to be established; and
 - (iii) any other matter that the Board with approving authority may require.

(5) The appropriate physical planning office shall prepare not less than three copies of the development plan for submission to a Board.

(6) The development plan shall include an analysis of the investigations and surveys made during the preparation of the development plan, and an explanation of the proposals.

19. PUBLICITY FOR A DRAFT DEVELOPMENT PLAN.

(1) The publicity required under Section 59 of the Act shall be effected by publication by the responsible Board once in the National Gazette and at least once a week for three consecutive weeks in a newspaper and/or by a radio announcement at least once a week for three consecutive weeks.

(2) The Board shall in the notice advertised or given under Subsection (1) describe the purpose of the development plan, state the times and places where the draft development plan may be inspected, and specify a date before which comments and objections in respect of the development plan must be made.

20. SUBMISSION OF A DEVELOPMENT PLAN TO A BOARD.

Within three months after the period for comments and objections has expired, the appropriate physical planning office shall submit to the Board concerned the recommendations for a final development plan together with the comments and objections received.

21. MODIFICATIONS TO A DEVELOPMENT PLAN AS REQUIRED BY A BOARD.

Where a Board has approved a draft development plan subject to modifications, the appropriate physical planning office shall prepare three copies of the development plan as amended and submit these to the Board.

PART VI. – URBAN SUBDIVISION AND ROAD DESIGN STANDARDS.**22. INTERPRETATION OF BOUNDARIES.**

For the purposes of this Regulation, unless the contrary intention appears–

- (a) where a corner of an allotment at the junction or intersection of roads has been rounded or truncated–
 - (i) the width of the frontage shall be measured from a point at the intersection of the prolonged side and front boundaries of that allotment; and
 - (ii) the area shall be calculated to the prolonged lines of side and front boundaries disregarding the rounded line or truncation; and
- (b) where a minimum distance from a boundary is set in this Regulation, the distance shall be measured horizontally from the boundary line to the outermost projection from the external wall of the building, except that the extent of eaves projection shall be deemed to be the horizontal distance by which the projection exceeds 450mm.

23. ROADS.

(1) The design of a road system in a subdivision shall give attention to–

- (a) the road layout of the community as it relates to the subdivision; and
- (b) the terrain.

(2) Within any subdivision there shall be an appropriate hierarchy of roads designed to fulfil different purposes–

- (a) Arterial Roads, which shall be–
 - (i) highways–which form the primary road network for the town as a whole; or
 - (ii) distributors–which distribute traffic within the main residential, industrial and commercial areas of the town; and
- (b) Minor Roads and Footpaths, which shall be–
 - (i) collectors–which form links between local access roads and arterial roads; or
 - (ii) access roads–local access, cul-de-sac and service roads; or
 - (iii) footpaths for pedestrians.

(3) A road shall follow the topography in such a way as to permit sewerage and stormwater drainage which operate for the most part on a gravity flow system and can be located within road reserves.

(4) A road gradient shall not be more than 20% and curves, both horizontal and vertical, shall be gradual enough that motorists will have adequate unobstructed sight lines.

(5) All roads shall intersect as nearly as possible at right angles and the corners shall be truncated to a minimum distance of 5m each way in the case of an intersection with an arterial road or national highway and 2m in any other case.

(6) The maximum length of a cul-de-sac shall be 250m with a requirement for sufficient space for a turn around at the end with a minimum diameter of 15m.

(7) Road reserves shall have the following minimum widths:-

- (a) highways: 20m;
- (b) distributors: 15m;
- (c) collectors: 12m;
- (d) access roads: 8m;
- (e) footpaths: 2m.

24. RESIDENTIAL ALLOTMENTS.

(1) A residential allotment shall have a minimum area of 150m².

(2) A residential allotment shall require a minimum frontage of 3m, which includes a 3m access strip in the case of a battleaxe allotment, except where the frontage is on to a pedestrian footpath.

(3) In any subdivision there shall be no more battleaxe allotments in any section than 30% of the total number of allotments.

(4) Access shall be provided to all allotments and such access may be by a road or footpath as appropriate to the circumstances.

25. COMMERCIAL AND INDUSTRIAL ALLOTMENTS.

(1) A commercial allotment shall have a minimum area of 300m² and a minimum frontage of 10m.

(2) An industrial allotment shall have a minimum area of 300m² and a minimum frontage of 10m.

(3) In shopping centre developments rear vehicular access must be provided.

26. RECREATION FACILITIES.

For every 1,000 people proposed to be resident within any subdivision or within the area of any urban development plan or local plan, 4ha. of public open space shall be provided, and this shall generally be in the following proportions:-

- (a) children's playgrounds -0.5 ha. per 1,000 people resident;

- (b) formal community sports grounds -2.0 ha. per 1,000 people resident;
- (c) town centre parks -0.1 ha. per 1,000 people resident;
- (d) informal parkland -1.4 ha. per 1,000 people resident.

27. EDUCATIONAL AND SCHOOL REQUIREMENTS.

An educational institution shall have the following minimum site areas:—

- (a) Primary school/community school 2 ha.;
- (b) Day high school/technical school 8 ha.;
- (c) Boarding high school 30 ha.;
- (d) Agricultural vocational school 20 ha.

28. SITE COVERAGE.

Site coverage shall comply with the requirements specified in a development plan or, in the absence of such a plan, shall be as determined by the appropriate Board, and any requirement under this Regulation shall be in addition to any requirement under the *Building Act 1971*.

29. MINIMUM DISTANCE FROM BOUNDARIES.

Minimum distance from boundaries shall comply with the requirements specified in a development plan or, in the absence of such a plan, shall be as determined by the appropriate Board and any requirement under the Regulation shall be in addition to any requirement under the *Building Act 1971*.

30. HEIGHT OF BUILDINGS.

Height of buildings shall comply with the requirements specified in a development plan or, in the absence of such a plan, shall be as determined by the appropriate Board and any requirement under this Regulation shall be in addition to any requirement under the *Building Act 1971*.

31. DENSITY OF DEVELOPMENT.

The density of development shall be as zoned or, in the absence of a density zoning, shall be as determined by the appropriate Board.

32. SERVICE AND UTILITY RESERVES.

Service and utility lines serving more than five properties shall, unless they are within road or footpath reserves, be constructed within service and utility reserves of minimum width 2m.

33. VARIATION OF URBAN SUBDIVISION AND ROAD DESIGN STANDARDS.

A Board has the power to vary any of the standards relating to urban subdivision or road design to suit the circumstances of a particular development, but any variations below the minimum standards set must be notified to the Chief Physical Planner together with an explanation of the reasons for allowing the variation.

PART VII. – VEHICLE OFF-STREET PARKING.

34. VEHICLE OFF-STREET PARKING PROVISION.

Within a redevelopment zone a development shall make provision for vehicle off-street parking facilities to be provided within the boundaries of the area on which the development is to take place in accordance with the requirements set out in Schedule 4.

35. VARIATION OF VEHICLE OFF-STREET PARKING PROVISION.

Within a redevelopment zone any variation in the provision of vehicle off-street parking shall be at the discretion of the appropriate Board which may require provision of vehicle parking at a higher or lower level than is required in Schedule 4 and, where a development is proposed for which no standard is specified in the schedule, may set such standards as it considers appropriate.

**PART VIII. – CONTROL OF MEANS OF VEHICULAR ACCESS TO
ARTERIAL ROADS AND NATIONAL HIGHWAYS.**

36. FORMATION AND LAYING OUT OF VEHICULAR ACCESSES.

Within a redevelopment zone planning permission is required for the formation or laying out–

- (a) of any vehicular access between any parcel of land and any arterial road or any national highway; and
- (b) of any vehicular access between any parcel of land and any road where that access would be within 25m. of an arterial road or national highway.

37. ALTERATION OF VEHICULAR ACCESSES.

Within a redevelopment area planning permission is required for the alteration–

- (a) of any vehicular access between any parcel of land and any arterial road or any national highway; and
- (b) of any vehicular access between any parcel of land and any road where that access would be within 25m. of any arterial road or national highway.

38. DEFINITION OF FORMATION OF A VEHICULAR ACCESS.

For the purposes of this Regulation a vehicular access is considered to be formed–

- (a) if it is capable of use by vehicles and is so used; and
- (b) if gates have been erected which are capable of use by vehicles.

**PART IX. – DEEMED PLANNING PERMISSION BY REGULATION UNDER
SECTION 84 OF THE ACT.**

39. DEVELOPMENT WITHIN A REDEVELOPMENT ZONE.

The following development within a redevelopment zone is hereby granted deemed planning permission under this Regulation subject to the limitations and conditions stated:–

- (a) Class 1–Development for residential purposes within a lot (or on customary land within a residential curtilage) in a residential zone.
 - (i) The building, rebuilding, enlargement, improvement or other alteration of a single dwelling so long as–
 - (A) the height of the resulting dwelling house is not more than 7m or the height of the original dwelling, whichever is the greater; and
 - (B) the development complies with the *Building Regulations 1994*; and
 - (C) the area covered by buildings within the lot (or residential curtilage) does not exceed 50%; and
 - (D) the development complies with any Regulations to the Act.
 - (ii) the erection of a separate building required for a purpose incidental to the enjoyment of the dwelling so long as–
 - (A) the height does not exceed 4m; and
 - (B) the area covered by buildings within the lot does not thereby exceed 50% of the total area; and
 - (C) the development complies with the *Building Regulations 1994*.
- (b) Class 2–Sundry minor operations.
 - (i) the erection, construction or maintenance of gates, fences, walls or other means of enclosure not exceeding 1.2m in height when abutting a highway or 2.4m in height in any other case; and
 - (ii) the formation, laying out and construction of a means of access to a highway, not being a national highway or an arterial road or within 25m of a national highway or arterial road, provided that any such access shall be not less than 10m from the corner of any road junction; and
 - (iii) the painting of the exterior of any building subject to compliance with any regulation relating to the display of sign boards and hoardings;
- (c) Class 3–Temporary buildings and uses.

- (i) the erection or construction on land in, on, over or under which operations other than mining operations are being or are about to be carried out (being operations for which planning permission has been granted or is deemed to have been granted, or for which planning permission is not required), or on land adjoining such land, of buildings, works, plant or machinery needed temporarily in connection with the said operations, for the period of such operations, provided that – such building, works, plant or machinery shall be removed at the expiration of the period of such operations and where they were sited on any such adjoining land, that land shall be forthwith reinstated; and
 - (ii) the use of land (other than a building or the curtilage of a building) for any purpose or purposes on not more than 14 days in total in any calendar year, and the erection or placing of movable structures on the land for the purposes of that use. Provided that no part of the land falls within a conservation zone;
- (d) Class 4—Development for industrial purposes within a lot in an industrial zone. Development of the following descriptions, carried out by an industrial undertaker on land used (otherwise than in contravention of previous planning control or without planning permission granted or deemed to be granted) for the carrying out of any industrial process, and for the purposes of such process, or on land used (otherwise than as aforesaid) as a dock, harbour or quay for the purposes of an industrial undertaking:—
- (i) the provision, rearrangement or replacement of private ways or conveyors; or
 - (ii) the provision or rearrangement of sewers, mains, pipes, cables or other apparatus; or
 - (iii) the installation or erection, by way of addition or replacement, of plant or machinery, or structures or erections of the nature of plant or machinery, not exceeding 15m in height or the height of the plant, machinery, structure or erection so replaced, whichever is the greater; or
 - (iv) the extension or alteration of buildings within an allotment so long as the height of the original building is not exceeded and the cubic content of the building (as ascertained by external measurement) is not exceeded by more than one third, so long as, in the case of operations carried out under Subparagraphs (iii) or (iv), the external appearance of the premises of the undertaking is not materially affected;
- (e) Class 5—Agricultural and forestry buildings, works and uses.
- (i) the carrying out on agricultural or forestry land, having an area of more than one hectare and comprised in an agricultural or

forestry unit, of building or engineering operations requisite for the use of that land for the purposes of agriculture or forestry (other than the placing on land of structures not designed for those purposes or the provision and alteration of dwellings), so long as—

- (A) the ground area covered by a building erected pursuant to this permission does not, either by itself or after the addition thereto of the ground area covered by any existing building or buildings (other than a dwelling house) within the same unit, exceed 1000m²; and
 - (B) the height of any buildings or works does not exceed 15m; and
 - (C) no part of any buildings (other than movable structures) or works is within 25m of the metalled portion of a national highway or arterial road; and
- (ii) the winning and working, on land held or occupied with land used for the purposes of agriculture or forestry, of any minerals reasonably required for the purposes of that use, including—
- (A) the fertilisation of the land so used; and
 - (B) the maintenance, improvement or alteration of buildings or works thereon which are occupied or used for the purposes aforesaid, so long as no excavation is made within 25m of the metalled portion of a national highway or arterial road;
- (f) Class 6—Development within a national park. Any development within an area which has been committed to the care, control and management of the Director of National Parks under the *National Parks Act 1982* provided that—
- (i) the development has been approved by the Director of National Parks and the development falls within one of the categories set out in Section 9(2) of the *National Parks Act 1982*; and
 - (ii) the development does not involve the erection of a building in excess of 15m in height from the existing ground level;
- (g) Class 7—Development within a conservation area. Any development within an area which has been designed as a conservation area under the *Conservation Areas Act 1978* provided that—
- (i) the approval of the Minister for environment and conservation matters has been given under Part VI of the *Conservation Areas Act 1978* or the development is in accordance with a management plan approved by the Minister for environment and conservation matters under Part V of the *Conservation Areas Act 1978*; and

- (ii) the development does not involve the erection of a building in excess of 15m in height from the existing ground level;
- (h) Class 8–Development of a pipeline. The construction of any pipeline or ancillary works for which a Pipeline Licence has been granted under Section 74 of the *Oil and Gas Act 1998* subject to compliance with any conditions of that licence;
- (i) Class 9–Development within a declared port. Any development within a declared port provided that–
 - (i)² it is carried out with the authority of the Harbours Board or the Departmental Head of the Department responsible for transport matters in the exercise of his functions and powers under the Harbours Act (Chapter 240); and
 - (ii) the development does not involve the erection of a building in excess of 15m in height from the existing ground level or the existing quay level, whichever is the greater; and
 - (iii)³ the development falls within one of the categories set out in Section 17(2) of the Harbours Act (Chapter 240);
- (j) Class 10–Development within a declared aerodrome. Any development within an aerodrome declared under Section 54 of the *Land Act 1996* provided that–
 - (i) the Director of Civil Aviation has approved the development; and
 - (ii) the development does not involve the erection of a building in excess of 15m in height from the existing ground level; and
 - (iii) the development is required for the operation of the aerodrome or for any purpose which is ancillary to the operation of the aerodrome;
- (k) Class 11–Development required to comply with the provisions of an environmental plan. Any development which is specifically required to comply with the provisions of an Environmental Plan which has been approved by the Minister for environment and conservation matters under the *Environmental Planning Act 1978*;
- (l) Class 12–Development by the Waterboard and by other water supply and/or sewerage authorities.
 - (i) Any development by the Waterboard or any other authority authorized to supply water and/or to provide sewerage or sewage disposal being– development not above ground level required in connection with the provision, improvement, or maintenance of sewers; or

² Section 39 Amended by No. 83 of 2006, Sched. 1.

³ Section 39 Amended by No. 83 of 2006, Sched. 1.

- (ii) the laying underground of mains, pipes, or other apparatus for the supply of water; or
 - (iii) the extension or alteration of buildings on operational land as long as the height of the original building is not exceeded and the cubic content of the original building (as ascertained by external measurement) is not exceeded by more than one third; or
 - (iv) the sinking of any boreholes for the purpose of ascertaining the nature of the sub-soil, and the installation of any plant or machinery, or structures or erections of the nature of plant or machinery, as may be necessary in connection therewith; on completion of the development or at the expiration of six months from the commencement of the development the subject of this permission, whichever is the sooner, such plant or machinery or structures or erections shall be removed and the land shall be restored to its condition before the development took place; or
 - (v) the erection on operational land of the undertaking, solely for the protection of plant or machinery, or structures or erections, of the nature of plant or machinery, of buildings not exceeding 15m in height; or
 - (vi) any other development carried out on, in or under the operational and of the undertaking except—
 - (A) the erection, or the reconstruction so as materially to affect the design or external appearance thereof, of buildings; or
 - (B) the installation or erections, by way of addition or replacement, of any plant or machinery, or structures or erections, by way of addition or replacement, of any plant or machinery, or structures or erections of the nature of plant or machinery, exceeding 15m in height or the height of the plant, machinery, structure or erection so replaced, whichever is the greater;
- (m) Class 13—Development by local government bodies including the National Capital District Commission, Lae Interim Commission, Local-level Governments and community councils. The erection or construction and the maintenance, improvement or other alteration by a local government body of—
- (i) such small ancillary buildings, works and equipment as are required on land belonging to or maintained by them, for the purposes of any functions exercised by them on that land otherwise than as statutory undertakers; or
 - (ii) lamp standards, information kiosks, passenger shelters, public shelters and seats, telephone boxes, fire alarms, public drinking fountains, public water taps, refuse bins or baskets, barriers for the control of persons waiting to enter public vehicles, and such

similar structures or works as may be required in connection with the operation of any public service administered by them;

- (n)⁴ Class 14—Development by any undertaking for the public supply of electricity. Development required for the purpose of the undertaking of any of the following descriptions, that is to say:—
- (i) the laying underground of pipes, cables or any other apparatus, and the construction of such shafts and tunnels as may be necessary in connection therewith;
 - (ii) the installation in an electric line of feeder or service pillars, or transforming or switching stations or chambers not exceeding (except when constructed underground elsewhere than under a highway) 29m³ in capacity;
 - (iii) the construction of electric lines not 11kv and the installation of service lines to individual consumers from an electric line;
 - (iv) the extension or alteration of buildings on operational land as long as the height of the original building is not exceeded and the cubic content of the original building (as ascertained by external measurement) is not exceeded by more than one third;
 - (v) the sinking of any boreholes for the purpose of ascertaining the nature of the sub-soil, and the installation of any plant or machinery, or structures or erections of the nature of plant or machinery, as may be necessary in connection therewith; on completion of the development or at the expiration of six months from the commencement of the development the subject of this permission, whichever is the sooner, such plant or machinery or structures or erections shall be removed and the land shall be restored to its condition before the development took place;
 - (vi) the erection on operational land of the undertaking, solely for the protection of plant or machinery, or structures or erections, of the nature of plant or machinery, of buildings not exceeding 15m in height;
 - (vii) any other development carried out on, in or under the operational land of the undertaking except—
 - (A) the erection, or the reconstruction so as materially to affect the design or external appearance thereof, of buildings; or
 - (B) the installation or erection, by way of addition or replacement, of any plant or machinery, or structures or erections of the nature of plant or machinery, exceeding 15m in height or the height of the plant, machinery, structure or erection so replaced, whichever is the greater;

⁴ Section 39 Amended by S.R. 2006, No. 68.

- (o) Class 15–Development by Telikom PNG Limited. Development required for the purposes of the undertaking of any of the following descriptions, that is to say:–
- (i) the installation of public call offices (telephone kiosks), posting boxes or self-service postal machines;
 - (ii) the placing of any telegraphic line;
 - (iii) the use of land in case of emergency for the stationing and operation of movable apparatus required for the replacement of telephone exchanges, telephone repeater stations and radio stations and generators which have become unserviceable, for a period not exceeding six months; at the expiration of the period of use all such apparatus shall be removed and the land shall be restored to its condition before the development took place;
 - (iv) any other development carried out in, on, over or under the operational land of the undertaking except–
 - (A) the erection, or the reconstruction or alteration so as materially to affect the design or external appearance thereof, of buildings; or
 - (B) the installation or erection, by way of addition or replacement, of any plant or machinery, or structures or erections of the nature of plant or machinery, not exceeding 15m in height or the height of the plant, machinery, structure or erection so replaced, whichever is the greater;
- (p) Class 16–Development by mineral undertakers.
- (i) the erection, alteration or extension by mineral undertakers on land in or adjacent to and belonging to a quarry or mine comprised in their undertaking of any building, plant or machinery, or structure or erection of the nature of plant or machinery, which is required in connection with the winning or working of minerals, or which is required in connection with the treatment or disposal of such minerals provided that–
 - (A) where the development consists of or includes the erection, alteration or extension of a building, this permission shall be exercisable in respect of such building only if the prior approval of the appropriate Board is obtained for the detailed plans and specifications of the building; but that authority shall not refuse to grant approval, or impose conditions on the grant thereof, unless they are satisfied that it is expedient so to do on the ground that–
 - (1) the erection, alteration or extension of such building would injure the amenity of the neighbourhood and modifications can reasonably be made or conditions

- can reasonably be imposed in order to avoid or reduce the injury; or
- (2) the proposed building or extension ought to be, and can reasonably be, sited elsewhere; and
- (B) any development does not exceed 15m in height; and
- (C) the land is zoned, for the winning or working of minerals or the use has been approved by the appropriate board or the land has existing use rights for the winning and working of minerals; and
- (ii) The deposit of refuse or waste materials by, or by licence of, a mineral undertaker in excavations made by such undertaker and already lawfully used for that purpose so long as the height of such deposit does not exceed the level of the land adjoining any such excavation.
- (q) Class 17–Mining development carried out under a special mining lease or a mining lease granted under the *Mining Act 1992*. Development which is required in connection with the winning or working of minerals, or which is required in connection with the treatment or disposal of such minerals, under a special mining lease or a mining lease granted under the *Mining Act 1992* provided that–
 - (i) the development complies with any conditions set out in the lease concerned; and
 - (ii) any development does not exceed 15m in height.

Note The *Building Regulation* (Chapter 301) was repealed and replaced by the *Building Regulations 1994*.

SCHEDULE 1 – ZONES (OTHER THAN REDEVELOPMENT ZONES).

ZONE NUMBER	DESIGNATION OF ZONE	PURPOSES FOR WHICH A BUILDING MAY BE ERECTED	COLOUR AND NOTATION
1.	Open Space	<ul style="list-style-type: none"> (a) Public open spaces; and (b) public parks and recreation areas; and (c) other public reserves. 	Green.
2.	Residential	<ul style="list-style-type: none"> (a) Dwelling houses; and (b) boarding houses; and (c) flats; and (d) professional rooms for the use of a single practitioner; and (e) home industries not requiring the use of separate buildings; and (f) market gardens. 	Brown with densities indicated as required.
3.	Commercial	<ul style="list-style-type: none"> (a) Shops; and 	Blue.

ZONE NUMBER	DESIGNATION OF ZONE	PURPOSES FOR WHICH A BUILDING MAY BE ERECTED	COLOUR AND NOTATION
		<p>(b) offices, but not including—</p> <p>(i) cinemas; or</p> <p>(ii) clubs; or</p> <p>(iii) hotels or motels; or</p> <p>(iv) taverns; or</p> <p>(v) petrol filling stations; or</p> <p>(vi) vehicle sales premises; or</p> <p>(vii) tyre depots; or</p> <p>(viii) motor repair stations.</p>	
4.	Light Industrial	<p>(a) Light industry; and</p> <p>(b) Light warehousing.</p>	Purple

ZONE NUMBER	DESIGNATION OF ZONE	PURPOSES FOR WHICH A BUILDING MAY BE ERECTED	COLOUR AND NOTATION
5.	General Industrial	<p>(a) Industry; and</p> <p>(b) warehousing,</p> <p>but not including any industry or warehousing which falls into a purpose listed under Zone 6—Isolation Industrial.</p>	Purple with red line around it.
6.	Isolation Industrial	<p>(a) Abattoirs; and</p> <p>(b) bacon factories; and</p> <p>(c) slaughter houses; and</p> <p>(d) knackeries; and</p> <p>(e) fish and oyster preserving works; and</p> <p>(f) meat preserving works; and</p> <p>(g) works for boiling down meat, bone, blood or offal; and</p>	Purple with I marked on it and red lines around it.

ZONE NUMBE R	DESIGNAT ION OF ZONE	PURPOSES FOR WHICH A BUILDING MAY BE ERECTED	COLOUR ANDNOTATIO N
		(h) fat rendering, gut cleaning, gut scraping, gut drying, and gut spinning works except works of this description which are carried out in conjunction with butcher's shops; and	
		(i) tripe boiling establishe ments; and	
		(j) bone mills, bone manure depots, and fertilizer works; and	
		(k) superp hosphate works and manure works; and	
		(l) chemical and dye manufacturin g works; and	
		(m) fellmongeries and tanneries; and	
		(n) flock factories; and	

ZONE NUMBE R	DESIGNAT ION OF ZONE	PURPOSES FOR WHICH A BUILDING MAY BE ERECTED	COLOUR ANDNOTATIO N
		(o) glue factories; and	
		(p) places for storing, drying or processing bones, hides, hooves or skins; and	
		(q) soap and candle works or factories;and	
		(r) oil refineries including those for palm oil, coconut oil, groundnut oil and crude oil; and	
		(s) oilcloth and linoleum factories;and	
		(t) varnish factories; and	
		(u) explosives factories and stores; and	
		(v) sugar refining and cane processing factories; and	
		(w) acetylene gas plants; and	
		(x) celluloid factories; and	

ZONE NUMBE R	DESIGNAT ION OF ZONE	PURPOSES FOR WHICH A BUILDING MAY BE ERECTED	COLOUR ANDNOTATIO N
		<p>(y) fuel depots; and</p> <p>(z) any other noxious trade or industry that is declared by notice in the National Gazette by the Minister to be an offensive trade for the purposes of this Regulation.</p>	
7.	Public Institutiona l	<p>(a) Schools; and</p> <p>(b) tertiary educational establishe ments; and</p> <p>(c) corrective institutions; and</p> <p>(d) social welfare and cultural institutions; and</p> <p>(e) theatres, and</p> <p>(f) community halls; and</p> <p>(g) museums; and</p>	Red.

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ZONE NUMBER	DESIGNATION OF ZONE	PURPOSES FOR WHICH A BUILDING MAY BE ERECTED	COLOUR ANDNOTATION
		<ul style="list-style-type: none"> (h) art galleries; and (i) hospitals, health centres, medical clinics and health aid posts; and (j) libraries; and (k) places of worship; and (l) defence reserves; and (m) police stations; and (n) publicly operated indoor sports facilities; and (o) public buildings; and (p) charitable or religious institutions standing within their own grounds; and (q) public markets. 	
8.	Public Utilities	<ul style="list-style-type: none"> (a) Drainage reserves for surface; and 	Yellow.

ZONE NUMBER	DESIGNATION OF ZONE	PURPOSES FOR WHICH A BUILDING MAY BE ERECTED	COLOUR AND NOTATION
		(b) electricity power line reserves; and	
		(c) road and footpath reserves; and	
		(d) sewerage works; and	
		(e) cemeteries or crematoria; and	
		(f) rubbish disposal sites; and	
		(g) aerial farms for telecommunications; and	
		(h) broadcasting equipment reserves; and	
		(i) pumping stations; and	
		(j) sewer reserves; and	
		(k) public transport reserves; and	
		(l) aerodromes and airports; and	
		(m) bus terminals, depots and stations; and	
		(n) public car parks; and	

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ZONE NUMBER	DESIGNATION OF ZONE	PURPOSES FOR WHICH A BUILDING MAY BE ERECTED	COLOUR AND NOTATION
		(o) fire stations; and (p) reserves for other utility services.	
9.	Mineral working	The winning and working of minerals and the treatment and disposal of such minerals.	Purple with M marked on it and red line around it.

SCHEDULE 2 – FORMS.

PAPUA NEW GUINEA.

Physical Planning Act 1989.

***Form 1 – NOTIFICATION OF DETERMINATION OF AN APPLICATION
FOR PLANNING PERMISSION.***

TO:

APPLICATION No. PP

Dear Sir/Madam,

SUBJECT:

Your application for planning permission, numbered as above, was received on

The determination of the application on Lot Section ...

Portion ..., situated in the town of was considered by the

Physical Planning Board. The Board determined that the application be:

* APPROVED, subject to the following conditions:—

* REFUSED for the following reasons:—

Date:

Meeting No:

* Delete whatever is not applicable.

Signed:

Chairman:

Physical Planning Board

Note: Under Section 94 of the *Physical Planning Act*, a person who is aggrieved by this decision may appeal within three months from the date of the said decision to the National Physical Planning Appeals Tribunal.

Sch. 2

Physical Planning Regulation 1990

PAPUA NEW GUINEA.

Physical Planning Act 1989.

***Form 2 – ORDER FOR THE PREPARATION OF A DEVELOPMENT
PLAN.***

The ... Physical Planning Office in pursuance of Section 50/51/52 of the *Physical Planning Act 1989*, is hereby ordered to prepare, within a period of ... months, from the date of this notice, a ... development plan in respect of the following area situated within the province/town of ... and defined on the plan No ... as marked and certified by the ... Physical Planner, and submit it to the ... Physical Planning Board for consideration.
Dated at ... this ... day of ... 20...

Signed:
Minister/Provincial Minister
Responsible for Physical Planning

**SCHEDULE 3 – FEES TO BE CHARGED FOR APPLICATIONS FOR
PLANNING PERMISSION.**

Applicants shall pay fees for applications for planning permission in accordance with the following—

- (a) for all applications a basic fee of K10.00; and
- (b) for applications for the subdivision or consolidation of land, a fee of K20.00 for each subdivided or consolidated allotment created as a result; and
- (c) for applications for planning permission for development in a Redevelopment Zone a fee in accordance with the following list—
 - (i) for one residential unit –K10.00
 - (ii) for each additional residential unit –K15.00
 - (iii) for a commercial single storey building—K20.00
 - (iv) for each additional floor in a commercial building –K50.00
 - (v) for an industrial building with less than 1,000m² gross floor space –K20.00
 - (vi) for each 1,000m² gross floor space or part thereof in an industrial building with more than 1,000m² gross floor space –K50.00
 - (vii) for an institutional building and—K20.00;
- (d) for applications for a non-conforming use in an existing zone, a fee of; and —K100.00
- (e) for an application for rezoning, a fee of—K50.00.

Note:

- (a) Where more than one of the above fees are applicable, the fees shall be added together. (e.g. an application for a two storey commercial building in a Redevelopment Zone and in an existing residential zone will pay:—
 - (i) a basic fee of— K10.00
 - (ii) a Redevelopment Zone fee of — K70.00
 - (iii) a rezoning fee of — K100.00

to give a total of K180.00).
- (b) Notwithstanding note (a) the maximum fee to be charged shall not exceed K1,000.00.

SCHEDULE 4 – VEHICLE OFF-STREET PARKING STANDARDS.

Unless otherwise specified, floor space is defined as the gross floor space including external walls.

Sch. 4.1. RESIDENTIAL.**(a) HIGH COVENANT DWELLINGS.**

- (i) Where car parking is provided within the driveway to an individual dwelling or in any other case where specified car parking spaces are assigned to particular dwellings. 2 spaces per dwelling plus 1 additional space where the number of bedrooms is more than 4.
- (ii) Where car parking is provided in communal area and spaces are not assigned to particular dwellings. 3 spaces for every 2 dwellings except for single dwellings for which 4 spaces for every 3 dwellings is acceptable.

(b) LOW COVENANT DWELLINGS.

1 space per dwelling.

(c) NO COVENANT DWELLINGS.

As determined by the appropriate Board.

(d) HOSTELS.

1 space for every 3 bedrooms.

Sch. 4.2.COMMERCIAL.**(a) RETAIL AND/OR WHOLESALE SHOPS.**

Land Use	Operational Requirement	Non-Operational Requirement
Shops (up to 200m ²)	Space for 1 commercial vehicle to unload and manoeuvre.	1 car space per 60m ² of floor space.

Shops (201-1000m²) Space for 2 commercial 1 car space per 40m² of vehicles to unload and manoeuvre. floor space.

Shops (1001m² and over) and 1 commercial vehicle space for every 400m² of floor space or part thereof. 1 car space per 40m² of floor space.

For the purposes of calculating vehicle parking provision shops include:—

- (i) premises of the type often found on industrial estates which sell direct to both retail and wholesale customers and operate largely on a cash and carry basis although large wholesale customers may have accounts and receive a delivery service; and
- (ii) betting shops.

(b) **OFFICES.**

Land Use	Operational Requirement	Non-Operational Requirement
Offices (up to 5000m ²)	1 car space per 80m ² of floor space covers both requirements.	
Offices (5001m ² and over)	Space for 1 commercial vehicle to unload and manoeuvre.	1 car space per 80m ² of floor space.

Offices include banks.

(c) **PLACES OF ENTERTAINMENT.**

Land Use	Operational Requirement	Non-Operational Requirement
Private members clubs, restaurants and bars	Minimum of 1 commercial vehicle space.	1 car space per 6m ² of bar, dining room and function room floor space.
Cinemas and theatres	Minimum of 1 commercial vehicle space.	1 car space for every 15 seats or 30m ² of floor space whichever is the higher.

Public bars	Minimum of 1 commercial vehicle space.	1 1 car space for every 50m ² of ground covered.
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(d) **HOTELS.**

Land Use	Operational Requirement	Non-Operational Requirement
Hotels	Minimum of 1 commercial vehicle space.	1 car space for every 5 guest bedrooms plus 1 car space for every 6m ² of bar, dining room, and function room floor space.

Sch. 4.3. INSTITUTIONAL AND COMMUNITY FACILITIES.

(a) **EDUCATIONAL.**

Land Use	Operational Requirement	Non-Operational Requirement
Primary and secondary schools	Minimum of 1 commercial vehicle space.	1 car space per 2 classrooms plus a minimum of 3 spaces for visitors plus a pick up/set down point for school children.
Tertiary education colleges	Minimum of 1 commercial vehicle space.	1 car space per member of the teaching staff plus 1 car space per 5 ancillary employees plus 1 car space per 15 students plus a minimum of 5 car spaces for visitors.

(b) **OTHER FACILITIES.**

Land Use	Operational Requirement	Non-Operational Requirement
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Hospitals and health centres	Requirement to be determined by the appropriate board in conjunction with developer.	Resident staff to be based on hostel requirements. Non-resident staff—1 space per consultant plus 1 space per 5 ancillary staff. Visitors—1 space per 5 hospital beds.
Medical clinics	1 car space per practitioner.	1 car space per 5 ancillary staff plus 1 car space per practitioner.
Places of worship		1 car space per 15 seats.
Sports facilities		1 car space per 2 players plus 1 car space per 15 spectators.
Libraries		1 car space per 60m ² of floor space with a minimum of 3 spaces.
Places of assembly and public		1 car space per 15 seats halls or 1 space per 30m ² of floor space whichever is the higher.

Sch. 4.4.INDUSTRIAL PREMISES INCLUDING STORAGE WAREHOUSES.

:

Land Use	Operational Requirement	Non-Operational Requirement
Industrial premises up to 1000m ²	15m ² per 100m ² of gross floor space subject to a minimum of 1 commercial vehicel space	1 car space per 5 employees subject to a minimum of 1 space per 200m ² of gross floor space.

Industrial premises over 1001m ²	10m ² per 100m ² of gross floor space.	1 car space per 5 employees subject to a minimum of 1 space per 200m ² of floor space.
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Sch. 4.5.MOTOR VEHICLE SALES AND GARAGE DEVELOPMENTS.

Land Use	Operational Requirement	Non-Operational Requirement
Repair garages and service	3 car spaces per service bay subject to a minimum of 3.	1 car space per 5 employees subject to a minimum of 1 space per 200m ² of floor space.
Motor showrooms and car sales yards	No specific requirement due to the nature of the use.	1 car space per 3 employees plus 1 car space per 50m ² of show room space plus 1 per 100m ² of outside display area.

SCHEDULE 5 – DIMENSIONS AND LAYOUT OF VEHICLE PARKING SPACES.

1. A vehicle parking space shall be a clear rectangular area not less than 5m by 2.5m. The car parking spaces shall be laid out in such a manner that they are readily accessible. In grouped parking areas the average requirement for manoeuvring space to achieve this is 20m² per space. Minimum aisle widths for vehicle parking shall be in accordance with the following:–

- (a) Where no measures are adopted to ensure one-way traffic along the aisles–

Angle of Parking	Minimum Aisle Width
90 degree	6 metres
60 degree	5 metres
45 degree	4.5 metres

- (b) Where positive controls, such as arrows and separate entrances, are used to ensure one-way traffic along the aisles–

Angle of Parking	Minimum Aisle Width
90 degree	6 metres
60 degree	4.2 metres
45 degree	3.6 metres

2. Where commercial vehicle parking is required to be provided the spaces shall be in accordance with the following requirements–

- (a) not less than 12m by 3.6m in size; and
- (b) all spaces shall be provided with sufficient turning space to enable the vehicle to enter and leave the site in forward gear—for example, an 11m x 2.5m rigid vehicle requires an absolute minimum of 75m² to achieve this.

