

NORTHERN TERRITORY OF AUSTRALIA  
LOCAL GOVERNMENT (DARWIN CAR PARKING  
LOCAL RATES) REGULATIONS

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NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1982, No.26 \*

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Regulations under the *Local Government Act*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Local Government Act*.

Dated this 16th day of April, 1982.

E.E. JOHNSTON

Administrator

By His Honour's Command

P.A.E. EVERINGHAM

Chief Minister acting for and  
on behalf of the  
Minister for Community Development

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LOCAL GOVERNMENT (DARWIN CAR PARKING  
LOCAL RATES) REGULATIONS

1. CITATION

These Regulations may be cited as the Local Government (Darwin Car Parking Local Rates) Regulations.

2. DEFINITIONS

In these Regulations, unless the contrary intention appears -

"central business district" means the area of the municipality of Darwin shown within the dotted black line delineated on the plan appearing at Schedule 1;

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\* Notified in the *Northern Territory Government Gazette*  
on 30 April, 1982.

PRICE: \$1.05

*Local Government (Darwin Car Parking Local Rates)*

"fund" means the trading fund referred to in regulation 3(2);

"inspector" means an inspector of local government accounts;

"land" includes buildings, but does not include land owned by the Commonwealth;

"local rates" means local rates payable under these Regulations;

"parcel of land" means a parcel of land comprised in a single lot registered under the *Real Property Act* or, where the owner has developed 2 or more adjacent lots as a single entity, the land comprised in those adjacent lots;

"parking usage Schedule", in relation to a parcel of land, means the parking usage schedule prepared in accordance with regulation 4;

"use", in relation to land, means the purpose for which the land is used, classified in accordance with Column 1 of Schedule 3;

"vehicle" means a conveyance or carriage whether capable of self-propulsion or not and whether capable of registration under the *Motor Vehicles Act* or not.

3. APPLICATION

(1) These Regulations apply to, and in relation to, all land in the central business district.

(2) The proceeds of a local rate levied under these Regulations shall be applied by the council to the trading fund established by the council for the provision, operation and maintenance of land, facilities, services and improvements for and in connection with the parking of vehicles in the central business district.

4. PARKING USAGE SCHEDULE

For the purpose of calculating the local rate payable by the owner or occupier of land, the clerk shall, not later than 31 May 1982 and thereafter in the month of June in each year (including June 1982), prepare a parking usage schedule in the form set out in Schedule 2 in which shall be entered, in respect of each parcel of land within the central business district as at the commencement of these Regulations and thereafter as at 1 June in each year -

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- (a) particulars of the land;
- (b) where the land is ratable land, the name of the person entered in the rate book kept under section 148 of the Act as owner or occupier of the land;
- (c) where the land is not ratable land, the name of the person who, in the opinion of the clerk, would be liable to pay rates if the land were ratable;
- (d) where the land is in use, the use or uses to which it is put, and the area allocated to that use or each of those uses, as the case may be;
- (e) where the land is not in use, the authorized use established by reference to -
  - (i) the certificate issued under Division 2 of Part IV of the *Planning Act* or the instrument of determination under Part VI of the *Planning Act* last issued in respect of that land; or
  - (ii) where no such certificate or instrument has been issued, by reference to the provisions of the planning instrument made under Part III of the *Planning Act* applicable to that land;
- (f) the number of car-parking spaces which should, in accordance with Schedule 3, be provided on the land having regard to the use or uses to which it is put;
- (g) the number of car-parking spaces complying with the requirements of Schedule 4 which are on the land, and which are available for use for the parking of motor cars; and
- (h) where a parking usage schedule has been prepared under regulation 9(2), the date on which it was prepared.

5. RECTIFICATION OF ERRORS

(1) Sections 151 and 152 of the Act shall apply to entries in the parking usage schedule as if they were entries in the rate book, and the council and the clerk shall act accordingly.

(2) An inspector shall bring to the notice of the council an error in the parking usage schedule which comes to his notice.

6. NOTIFICATION OF PARKING USAGE SCHEDULE

(1) The clerk shall, not later than 1 June 1982, and thereafter not later than 1 July in each year, publish a notice in the *Gazette* and in at least one newspaper circulating in Darwin, stating -

- (a) that a parking usage schedule has been prepared;
- (b) the place and times at which the parking usage schedule may be inspected; and
- (c) the date, being not less than 28 days after the date of publication of the notice, by which an appeal may be lodged against the parking usage schedule.

(2) No charge shall be made for inspection of the parking usage schedule.

7. APPEALS

(1) A person named in the parking usage schedule as the owner or occupier of a parcel of land or a person who is liable for the payment of local rates in respect of a parcel of land may, before the date specified in the notice published under regulation 6(1), by notice in writing served on an inspector appeal against an entry in the parking usage schedule on one of the following grounds:

- (a) that he is not the person liable to pay local rates in respect of the parcel of land;
- (b) that, in relation to land in respect of which he is liable to pay local rates, the parking usage schedule contains an error or omission which affects the calculation of the car-parking space which should be provided on the land; and
- (c) that the number of parking spaces on the land is greater than that stated in the parking usage schedule.

(2) On completion of his investigation relating to an appeal under sub-section (1), the inspector shall report his findings in writing to the council and forward a copy to the appellant and the council shall forthwith cause to be made in the parking usage schedule such alteration as may be necessary.

(3) An inspector may require the council to refrain from levying or recovering local rates affected by the appeal until such time as he disposes of the appeal, and the council shall accordingly refrain from levying or recovering the local rates affected by the appeal.

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(4) Subject to any requirement made under sub-regulation (3), the obligation to pay and the right to recover local rates is not suspended by an appeal under this regulation, but where an amount has been paid to the council by an appellant, which an inspector determines not to have been properly payable by him, the council shall refund that amount to him.

8. CALCULATION OF LOCAL RATES

(1) The figures set out in the parking usage schedule shall be used as the basis for the calculations made under this regulation.

(2) The payment made by each person liable to pay local rates in respect of a parcel of land shall be calculated to the nearest whole number in accordance with the formula -

$$A = B \times (C1 - C2)$$

where -

"A" represents the amount payable;

"B" represents the local rate declared under section 160(2) of the Act, expressed as an amount in respect of a car parking space;

"C1" represents the number listed in respect of that parcel under regulation 4(f); and

"C2" represents the total of the numbers listed in respect of that parcel under regulation 4(g).

(3) Subject to regulation 9, the fact that part of any land is not occupied for all or any part of a year shall not affect the liability of the owner of that land to pay local rates.

(4) Where a calculation of the local rates payable by a person in respect of a parcel of land shows that the total of the numbers listed in respect of that parcel under regulation 4(g) exceeds the number listed under regulation 4(f) in respect of that parcel -

(a) no local rates shall be payable;

(b) the council shall not be liable to make any payment to that person; and

(c) the operation of regulation 10 shall not be affected in relation to the local rates payable by that person in respect of any other parcel of land.

9. PAYMENT OF LOCAL RATES WHERE USE OF LAND CHANGED DURING YEAR

(1) The owner of a parcel of land in the central business district shall forthwith notify the clerk in writing of -

- (a) a change in the use of;
- (b) the demolition of a building on; or
- (c) the occupation, whether in part or in full, of, or the issue of a certificate of occupancy under regulation 7 of the Building Regulations, whichever first occurs, in respect of a building constructed on,

the parcel, which -

- (d) has occurred since the last notice under regulation 6 was published; and
- (e) affects or is likely to affect the parking usage schedule as it relates to that parcel of land.

Penalty: \$200.

(2) If the clerk considers that an event of a type referred to in clause (1) necessitates the preparation of a parking usage schedule for the parcel of land to which the notification relates, he shall, within 28 days of receipt thereof, prepare a parking usage schedule in accordance with regulation 4 and, upon doing so, shall give notice in accordance with regulation 6.

(3) Regulations 5 and 6 shall apply to a parking usage schedule prepared under this regulation.

(4) Where a parking usage schedule has been prepared under sub-regulation (2) and the year to which a local rate applies has not expired, the council shall adjust the amount of the local rates payable by a person in respect of a parcel of land and require that person to pay an additional sum or, as the case may require, refund to that person a proportion of the local rates paid by him or reduce the amount of the local rates payable by him.

10. REBATES AND EXEMPTIONS

(1) The council may, with the approval of the Minister, exempt a person or class of persons from the payment of local rates in respect of specified land or a specified class of land.

(2) The council may by resolution reduce the local rates payable by a person in respect of a parcel of land where that person has provided on another parcel of land

in the immediate vicinity of the first-mentioned parcel of land a number of car parking spaces that exceeds the number listed in accordance with regulation 4(f) on the parking usage schedule for that other parcel.

11. CAR-PARKING SPACES TO BE USED AS SUCH

(1) A person being the owner of land situate in the central business district shall not, without the prior written consent of the council, use or cause or permit a car-parking space included in the parking usage schedule to be used for a purpose other than the parking of a vehicle.

Penalty: \$100 for each day during which the offence continues.

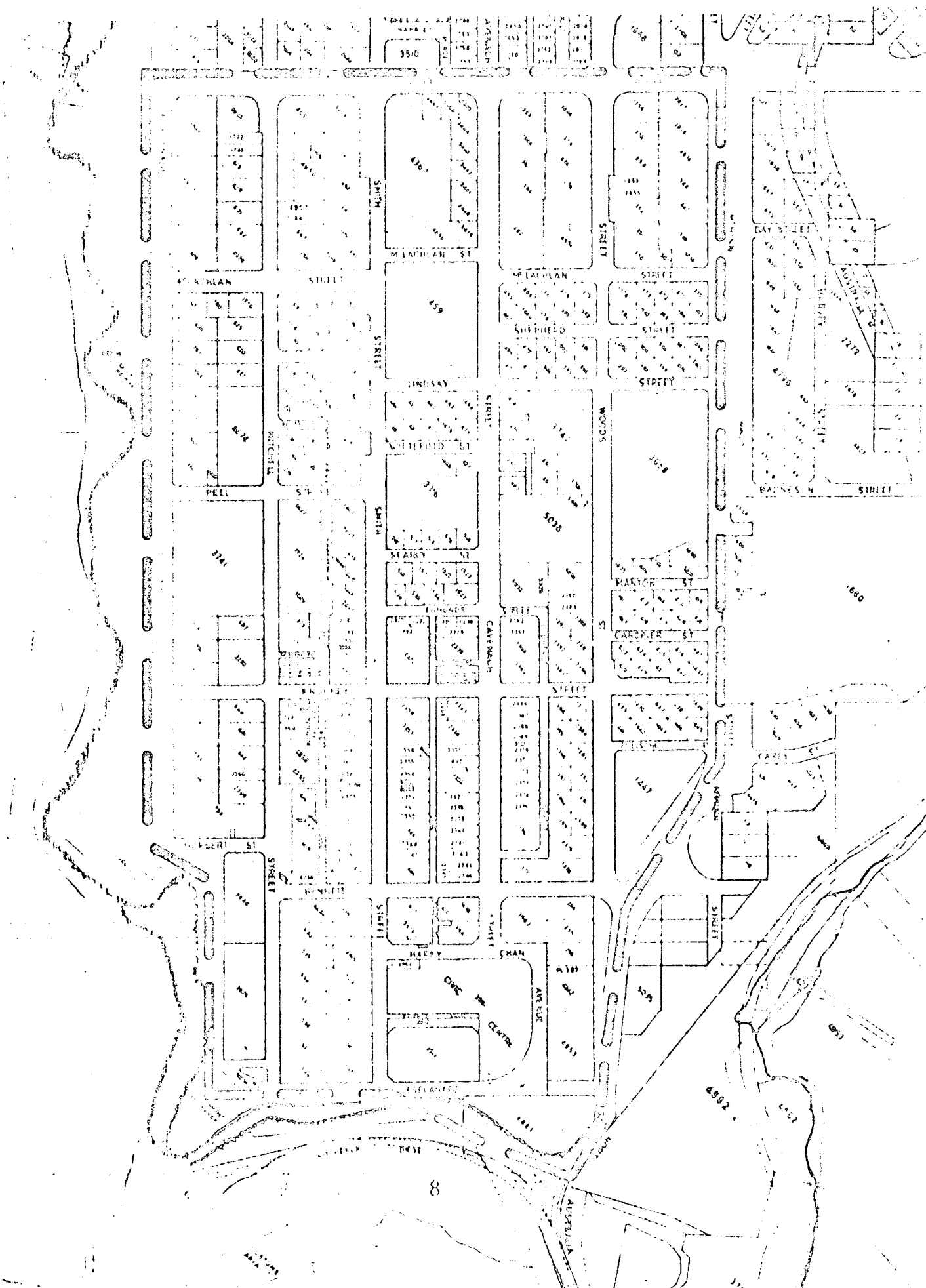
(2) It shall be a defence to a prosecution for an offence against sub-section (1) for a person to show that the unauthorized use of a car-parking space -

- (a) was for a period of less than 48 hours and that no similar use had taken place during the previous 6 months; or
  - (b) resulted from the carrying out of emergency repairs to a service to the land.
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Schedule 1

Regulation 2



Schedule 2

Regulation 4

PARKING USAGE SCHEDULE

Block number		Owner	
Lot number(s)			
Postal number			
Street			
Business name		Rate assessment number	

Land use or authorised use	Area	Carparking assessment	Required car spaces

Actual carparking spaces on site  Total required carparking spaces

Shortfall (if any)

Floor area and carparking site diagram



Scale :

Legend

- Ground floor
- < > Internal dimensions
- Non-assessed building
- Vehicular access
- Carparking spaces

Date	
Surveyor	
Interviewed	

SCHEDULE 3

Regulation 4(f)

PARKING REQUIREMENTS

1. In this Schedule -

"dwelling unit" means a building or part of a building designed, constructed or adapted for human habitation as a self-contained unit;

"net floor area", in relation to a building, includes all that area between the internal surfaces of external walls other than -

- (a) stairs, lift shafts, escalators, cleaners cupboards and tea rooms (where provided as standard facilities in a building);
- (b) lobbies between lifts facing other lifts serving the same floor;
- (c) areas set aside as public spaces or thoroughfares and not used exclusively by occupiers of the building;
- (d) areas set aside as plant lift motor rooms;
- (e) areas set aside for use of service or delivery vehicles; and
- (f) areas set aside for car-parking or access thereto.

2. Where a calculation made in accordance with the figures set out in the Table in paragraph 3 results in a number which is not a whole number, the number of car-parking spaces required shall be the next higher whole number.

3. The number of car-parking spaces referred to in regulation 4(g) shall be calculated by reference to the following Table:

Local Government (Darwin Car Parking Local Rates)

TABLE

Column 1	Column 2
Purpose	Minimum number of car-parking spaces required
1. Catering business	3 per 100m <sup>2</sup> net floor area.
2. Child care centre	2 per 100m <sup>2</sup> net floor area.
3. Community centre	2 per 100m <sup>2</sup> net floor area.
4. Detached dwelling	0.6 per dwelling.
5. Drive-in take-away food outlet	3 per 100m <sup>2</sup> net floor area.
6. Dwelling unit	0.6 per unit.
7. Education establishment (primary, secondary & tertiary)	2 per 100m <sup>2</sup> net floor area.
8. Funeral parlour	2 per 100m <sup>2</sup> of net floor area used as chapel.
9. General Store	3 per 100m <sup>2</sup> net floor area.
10. Guest-houses and hostels	0.6 per guest suite or bedroom.
11. Group home (transitional)	2 per 100m <sup>2</sup> net floor area.
12. Hotel	0.6 per guest suite or bedroom plus 3 per 100m <sup>2</sup> net floor area of all other areas of hotel.
13. Indoor recreation establishments (including cinemas and theatres)	3 per 100m <sup>2</sup> net floor area.
14. Institutional establishments	2 per 100m <sup>2</sup> net floor area.

*Local Government (Darwin Car Parking Local Rates)*

Column 1	Column 2
Purpose	Minimum number of car-parking spaces required
15. Institutional residence	2 per 100m <sup>2</sup> net floor area.
16. Licensed club	3 per 100m <sup>2</sup> net floor area.
17. Licensed restaurant	3 per 100m <sup>2</sup> net floor area.
18. Medical clinic	3 per 100m <sup>2</sup> net floor area.
19. Medical consulting room	3 per 100m <sup>2</sup> net floor area.
20. Motel	0.6 per suite plus 3 per 100m <sup>2</sup> net floor area of all other areas of motel.
21. Motor repairing	3 per 100m <sup>2</sup> net floor area.
22. Nurseries	3 per 100m <sup>2</sup> net floor area.
23. Offices (except where elsewhere referred to in this Table)	3 per 100m <sup>2</sup> net floor area.
24. Outdoor entertainment	as determined by the Town Planning Authority.
25. Passenger terminal	3 per 100m <sup>2</sup> net floor area.
26. Places of public workshop	2 per 100m <sup>2</sup> net floor area.
27. Service industries	3 per 100m <sup>2</sup> net floor area.
28. Service station	3 per 100m <sup>2</sup> net floor area.
29. Shop	3 per 100m <sup>2</sup> net floor area.

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Column 1	Column 2
Purpose	Minimum number of car-parking spaces required
30. Showroom	3 per 100m <sup>2</sup> of net floor area.
31. Special purposes	
(a) court of justice	(
(b) radio or T.V. installations	( 2 per 100m <sup>2</sup> net floor area.
(c) ambulance or fire station	(
32. Tavern	3 per 100m <sup>2</sup> net floor area.
33. Transport terminal	3 per 100m <sup>2</sup> of net floor area.
34. Units for aged persons	0.6 per dwelling unit.
35. Vehicle sales yard	3.0 per 100m <sup>2</sup> of net floor area.
36. Veterinary clinic	3 per 100m <sup>2</sup> net floor area.
37. Warehouse	3 per 100m <sup>2</sup> net floor area.

SCHEDULE 4

Regulation 4(g)

PROVISION OF CAR-PARKING SPACES

1. GENERAL REQUIREMENT

The car-parking spaces required to be provided in respect of a parcel of land shall be -

- (a) provided in a car-parking area;
- (b) provided with access;
- (c) in a position in the car-parking area; and
- (d) of a size,

set out below.

2. PARKING AREAS

A parking area shall be -

- (a) of such gradient as is suitable for vehicular parking;
- (b) laid out so as to provide access to each parking space as shown in the diagram in paragraph 4;
- (c) so laid out or designed that vehicles can enter and leave it in a forward gear; and
- (d) if situated between a building and a frontage to a road, at least 3 metres from that frontage.

3. DRIVEWAYS

Where a vehicle driveway provides access to or egress from a parking area, it shall measure 6 metres wide for two way traffic flows and 3.5 metres wide for one way traffic flows and any corner or junction shall have a minimum radius of 5 metres.

4. SIZE AND LAYOUT OF CAR-PARKING SPACES

(1) In calculating the area required to provide a car-parking space, subject to the suggested layouts included in the Table set out in sub-paragraph (2), an area of 5.5 metres by 2.5 metres plus manoeuvring space shall be allowed.

(2) Car-parking spaces shall, where the car-parking area permits, be set out in accordance with the Table and diagram below:

Local Government (Darwin Car Parking Local Rates)

TABLE  
Bay Sizes

Angle of parking (degrees)	Bay width (m)	Bay length* (m)	Length of kerb per car (m)	Width used for parking manoeuvre (m)
0 (parallel)	2.3	6.7+	6.7	6.0
30	2.6	4.7	5.2	7.0
45	2.6	5.3	3.7	8.8
60	2.6	5.5	3.0	10.4
90	2.6	4.9	2.6	11.3

\* Bay length for angle parking is measured at right angles to the kerb; for parallel parking it is measured along the kerb.

+ End bays for parallel parking may be reduced to 5.2 m if necessary. Where the parking turnover is high bays could be up to 7.3 m long to minimise manoeuvring delays.



### CAR PARKING - BAY SIZES

