

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

EAST ARM CONTROL PLAN 1998

I, MICHAEL JAMES PALMER, the Minister for Lands, Planning and Environment, in pursuance of section 11(1) of the *Planning Act*, make the following land use control plan.

Dated 17 June 1998.

Minister for Lands, Planning
and Environment

SCHEDULE

EAST ARM CONTROL PLAN 1998

PART 1 - PRELIMINARY

1. CITATION

This control plan may be cited as the East Arm Control Plan 1998.

2. APPLICATION

This Plan applies to the control plan area.

3. EXCEPTIONS

(1) Nothing in this Plan prevents the use of the land as -

(a) a public street; or

(b) a public park.

(2) Nothing in this Plan prevents the construction, alteration, repair or maintenance on the land of -

- (a) facilities for the reticulation of water, sewage, gas or electricity, or the reticulation of or transmission of telephone services;
- (b) stormwater drains; or
- (c) traffic lights or signs.

(3) Nothing in this Plan prevents or applies to the strengthening or restoration to a safe condition of a building or work.

4. **DEFINITIONS**

In this Plan, unless the contrary intention appears -

"control plan area" means the area of land shown bounded by thick black lines on the map in the Schedule;

"zoning map" means the map, known as the East Arm Control Plan Zoning Map, kept in the offices of the Planning Authority.

PART 2 - DEVELOPMENT

5. **CONSENT AUTHORITY**

The Minister is the consent authority.

6. **DEVELOPMENT ONLY PERMITTED WITH CONSENT OF CONSENT AUTHORITY**

(1) A use or development of land in the control plan area is only permitted with the consent of the consent authority.

(2) Where a use or development of land in the control plan area requires more than one consent, an application made in respect of one of those consents is to be taken to be an application in respect of all of those consents.

(3) In considering whether to consent to a proposed use or development of land and the conditions, if any, to be placed on the consent, the consent authority is to have regard to -

- (a) the purpose of the zone in which the land is situated; and
- (b) the merits of the proposal.

PART 3 - ZONES

7. ZONES

Land in the control plan area is divided into the zones shown on the zoning map, which are the zones referred to in this Plan.

8. DEVELOPMENT ZONE – ZONE DV

- (1) The purpose of this zone is to provide for the development of major strategic industries including gas based, road, rail or port related industries.
- (2) This zone provides land for major industrial development that is of strategic importance to the future economic development of the Territory.
- (3) Development will be assessed having regard to, among other things, the environmental impact and the effect on surrounding development by reason of the processes involved, the method of manufacture or the nature of materials used, produced or stored.

9. CONSERVATION ZONE – ZONE CN

- (1) The purpose of this zone is to conserve and protect the flora, fauna and character of natural areas.
- (2) Uses in this zone should be particularly sensitive to the natural features and habitats of the locality and sited so as to minimise the impact on the natural surroundings.

9.1 CLEARING OF MANGROVES IN ZONE CN

The clearing of mangroves in Zone CN is permitted only with the consent of the consent authority.

10. PUBLIC OPEN SPACE ZONE – ZONE PS

- (1) The purpose of this zone is to provide public areas for recreational activity.
- (2) It is expected that development will be limited to that which can be demonstrated to be for public use and enjoyment consistent with the recreational opportunities of the property and the potential impact on adjoining or nearby property.

11. MAIN ROAD ZONE – ZONE M

The purpose of this zone is to identify major roads under the care, control and management of the Territory.

12. PROPOSED MAIN ROAD ZONE – ZONE PM

The purpose of this zone is to identify corridors for future major roads where there is a commitment to their alignment.

13. RAILWAY ZONE – ZONE RW

The purpose of this zone is to identify the alignment of the railway.

14. UTILITY ZONE – ZONE U

The purpose of this zone is to identify the alignment of major corridors and the location of major utility installations.

AMENDMENT NUMBER	GAZETTE NUMBER	DATE GAZETTED	AMENDMENT
1	G42	22/10/03	Amends the plan by omitting clause 9 and substituting a new clause 9 Conservation Zone – Zone CN. Adds a new part clause 9.1 Clearing of mangroves in Zone CN.
2	G42	22/10/03	Amends clause 7 by omitting “map as Zone EA and Zone CD” and substituting “map, which are the zones referred to in this Plan”. Amends the plan by omitting clause 8 and substituting a new clause 8 Development Zone – Zone DV Adds new clauses: 10 Public Open Space Zone – Zone PS. 11 Main Road Zone – Zone M. 12 Proposed Main Road Zone – Zone PM 13 Railway Zone – Zone RW. 14 Utility Zone – Zone U.
3	G21	25/05/05	Rezones sections 5175, 5631, 5632, 5633, 4444 and part section 4443A Hundred of Bagot, reflecting changes to utility corridors, resulting from detailed design work.