

PART 7

13.0 TRANSPORT AND INFRASTRUCTURE

13.1 RAILWAY CORRIDOR

1. The purpose of this clause is to ensure that the use and development of the corridor and additional land in Zone RW does not constrain the safe and efficient operation of the railway.
2. The use and development of the corridor and additional land is to be in accordance with section 8 of the *AustralAsia Railway (Special Provisions) Act*.
3. In this clause, “corridor” and “additional land” have the meaning they have in the *AustralAsia Railway (Special Provisions) Act*.

The development provisions contained in this clause are as provided by section 8 of the *AustralAsia Railway (Special Provisions) Act*. Section 8(9) specifies that these development provisions prevail over any other provisions of this Planning Scheme or of the *Planning Act*.

As provided by the *AustralAsia Railway (Special Provisions) Act*, the Minister for Lands, Planning and the Environment is the consent authority for the corridor and additional land.

As provided by the *AustralAsia Railway (Special Provisions) Act*, Division 2 of Part 5 of the *Planning Act* (exhibition of proposals) does not apply in relation to a development in respect of the corridor or additional land unless the Minister determines that, in the circumstances of a particular application, it is appropriate for the proposal to be exhibited.

A provision of or under the Act or *Building Act* that relates to the siting of buildings, plot ratios or to buildings constructed across lot boundaries does not apply to the corridor or to additional land.

13.2 LAND ADJACENT TO MAIN ROADS

1. The purpose of this clause is to ensure that access to **main roads** from adjacent land does not prejudice traffic safety.
2. Despite anything to the contrary in this Planning Scheme, access to a use or development or proposed use or development from a **main road** is to be only with **consent** and in accordance with the requirements of the Agency responsible for the care, control and maintenance of the **main road**.

13.3 MAIN ROADS AND PROPOSED MAIN ROADS

1. The purpose of this clause is to ensure the use or development of land in Zone M or Zone PM does not prejudice traffic safety or the **amenity** of the **main road** or the future development of a **proposed main road**, as applicable.
2. Despite anything to the contrary in this Planning Scheme, land in Zone M or Zone PM, may be used or developed other than for a public road only with **consent** and in accordance with the requirements of the Agency responsible for the care, control and maintenance of the **main road** or **proposed main road**, as applicable.

13.4 OMITTED

Amendment No. 413 published in the NT News on 04.09.2015 omits clause 13.4

13.5 TELECOMMUNICATION FACILITIES

Amendment No. 225 gazetted 15.08.2012 introduces provisions for all telecommunications facilities that are not low impact.

1. The purpose of this clause is to ensure the development of a **telecommunications facility** does not unreasonably detract from the **amenity** of a locality.
2. The development of a **telecommunications facility** that is classified as low-impact within the *Telecommunication Act* (Cwth.) and the *Telecommunications (Low-impact Facilities) Determination* (Cwth.) does not require **consent**.
3. In all other circumstances, the development of a **telecommunications facility** on zoned land requires **consent**.
4. The inspection and maintenance of a **telecommunications facility** is exempt from the requirements of sub-clause 3.
5. An application for development under sub-clause 3 is to demonstrate:
 - (a) that the facility cannot be co-located with existing **telecommunications facilities** or existing structures;
 - (b) that a detailed feasibility assessment of at least three sites for the establishment of the facility has been undertaken and the rationale for the preferred site;
 - (c) that the location and design of a **telecommunications facility** minimises **amenity** impacts through sensitive siting, use of non-reflective finishes and appropriate landscaping; and
 - (d) how the **amenity** impacts of a proposal have been minimised using visual communication methods such as photographic images etc.

A low impact facility must comply with the community consultation requirements contained within the Communications Alliance Industry Code for Mobile Phone Base Station Deployment (C564:2011).

Amendment No. 255 gazetted 19 December 2012 represents minor amendments to Clause 13.5, sub-clause 5(c)

Amendment No. 286 gazetted 29.05.2013 omits sub-clause 5(c), which required an applicant to demonstrate that a community consultation plan has been prepared consistent with the Communications Alliance Industry Code for Mobile Phone Base Station Deployment

13.6 UTILITIES

1. The purpose of this clause is to ensure the use or development of land in Zone U does not prejudice the future development of the utility.
2. Land in Zone U may be used or developed for a utility in accordance with the requirements of the Agency or service authority responsible for the utility on the land without **consent**.
3. Land in Zone U may be used or developed other than for a utility only with **consent** and in accordance with the requirements of the Agency or service authority responsible for the utility on the land.
4. In sub-clauses 2 and 3 a utility may include trunk sewers, sewerage ponds, trunk water mains, water storage facilities, electricity transmission and substation facilities, gas pipelines and the like.

"service authority" is defined in the *Planning Act*.

