

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

PINE CREEK HIGHWAY MANAGEMENT PLAN 1991

I, MAXWELL HENRY ORTMANN, the Minister for Lands and Housing, in pursuance of section 61(1A) of the *Planning Act*, make the following planning instrument.

Dated 1991.

Minister for Lands and Housing

PINE CREEK HIGHWAY MANAGEMENT PLAN 1991

1. CITATION

This planning instrument may be cited as the Pine Creek Highway Management Plan 1991.

2. APPLICATION

(1) This planning instrument applies to the land –

- (a) within the area coloured blue on the map marked “PIC 147” signed by the Minister and annexed to this planning instrument; and
- (b) within 500 metres of –
 - (i) each side of the road reserve; or
 - (ii) where there are no road reserve – the centreline,

of those sections of the Stuart Highway and Kakadu Highway that are within the Pine Creek Community Government Area outside the area shown on the map referred to in paragraph (a).

3. OBJECTIVE

The objective of this planning instrument is to maintain the cohesive and compact form of Pine Creek by controlling land use along the Stuart Highway and Kakadu Highway.

4. INTERPRETATION

(1) In this planning instrument, unless the contrary intention appears -

"extractive industry" means the extraction, mining or dredging of sand, gravel, clay, turf, soil, rock, stone, ore, oil, gas, minerals or similar material from the surface or from beneath the surface of land and includes the crushing or storage of such material;

"road" means a road within the meaning of the *Control of Roads Act*.

(2) Where, in this planning instrument, an act is forbidden except with the consent of the consent authority, that consent shall be sought by way of a development application.

(3) Where a particular use or development of land requires more than one consent from the consent authority, an application made in respect of one of those consents shall be taken to be an application in respect of all of those consents.

5. CONSENT AUTHORITY

The Minister is the consent authority.

6. USE OR DEVELOPMENT OF LAND

(1) Subject to this planning instrument, a person shall not use or develop the land to which this planning instrument applies for any purpose without the consent of the consent authority.

(2) Where the consent to use or development of land is given under subclause (1), a person shall not use or develop that land other than in accordance with that consent.

7. ACCESS POINTS

On the land to which this planning instrument applies –

(a) outside the Pine Creek town boundary, the distance between 2 consecutive ingress points to the Stuart Highway or the Kakadu Highway shall not, except with the consent of the consent authority, be less than one kilometre; or

(b) within the Pine Creek town boundary, no ingress or egress points to the Stuart Highway or Kakadu Highway shall be established without the consent of the consent authority.

8. EXCEPTIONS

(1) Nothing in this planning instrument prevents the use of land to which this planning instrument applies as -

(a) a road; or

(b) a public park.

- (2) Nothing in this planning instrument prevents the erection or use on land to which this planning instrument applies of –
- (a) facilities for -
 - (i) the reticulation of gaseous fuel, water, sewage, electricity or telephone line services;
 - (ii) the transmission, reception or amplification of telecommunications;
 - (b) installations for the measuring of flood or water levels;
 - (c) stormwater drains;
 - (d) traffic lights or signs or other traffic regulating facilities; or
 - (e) any works for road or bridge construction,

by a statutory corporation or an authority of the Territory or Commonwealth.

- (3) Nothing in this planning instrument prevents or applies to the strengthening or restoration to a safe condition of a building or work.
- (4) Nothing in this planning instrument prevents the use of land to which this planning instrument applies for the purposes of an extractive industry.
