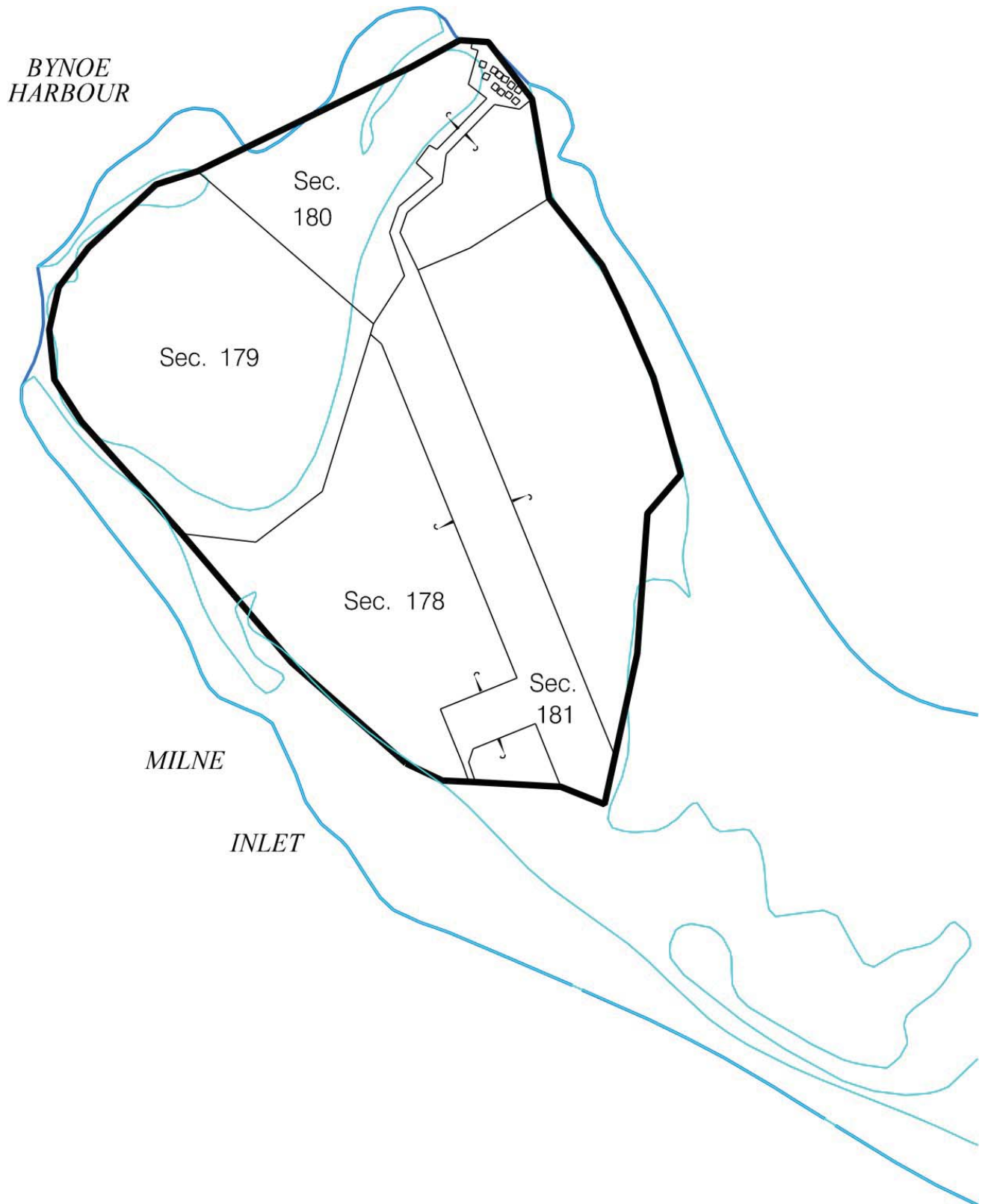


# Crab Claw Island Control Plan 1998





**NORTHERN TERRITORY OF AUSTRALIA**

**CRAB CLAW ISLAND CONTROL PLAN 1998**

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# NORTHERN TERRITORY OF AUSTRALIA

## *Planning Act*

### CRAB CLAW ISLAND CONTROL PLAN 1998

#### PART 1 – PRELIMINARY

##### 1. CITATION

This control plan may be cited as the Crab Claw Island Control Plan 1998.

##### 2. APPLICATION

This Plan applies to the area of land shown bounded by thick black lines on the map in the Schedule.

##### 3. DEFINITIONS

In this Plan –

“detached dwelling” means a building containing not more than one dwelling;

“dwelling” means a building, or a part of a building, that is designed, constructed or adapted for human habitation as a self-contained unit containing toilets, water and cooking facilities;

“land” means the land to which this Plan applies;

“sports and recreation” means the use of land for –

- (a) recreation purposes, other than riding, driving or racing motor vehicles and training, riding or racing animals; and
- (b) public parks, public gardens, foreshore reserves or childrens’ playgrounds and grounds for recreation where spectator participation is minimal.

##### 4. EXCEPTIONS

- (1) Nothing in this Plan prevents the use of the land as a public street.
- (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 telecommunications services;
  - (b) stormwater drains; or
  - (c) traffic signs.
- (3) Nothing in this Plan prevents or applies to the strengthening or restoration to a safe condition of a building or works.

- (4) Nothing in this Plan prevents or applies to the alteration or extension of a building constructed on the land before the commencement of this Plan, if the alteration or extension does not involve –
  - (a) a substantial increase in the intensity of the use of the land; or
  - (b) a change in the use of the land.

## **PART 2 – USE AND DEVELOPMENT**

### **5. OBJECTIVE**

The objective of this Plan is to ensure development is consistent with the existing natural coastal values of Crab Claw Island and the services and infrastructure that are from time to time available on the island.

### **6. CONSENT AUTHORITY**

The Minister is the consent authority.

### **7. PERMITTED USES**

- (1) The land may be used or developed, without the consent of the consent authority, for the purposes of –
  - (a) one detached dwelling on each Section of the land (whether or not there is a certificate of title issued in relation to a unit, within the meaning of the *Unit Titles Act*, on the Section);
  - (b) one storage shed on each Section, where the shed is ancillary to a detached dwelling on the Section; or
  - (c) sports and recreation.
- (2) A use or development that is ancillary to a use or development that is permitted under subclause (1)(a) or (c) on a part of the land is permitted on the part of the land without the consent of the consent authority.

### **8. CONSENT USES**

A use or development of the land, other than a use or development specified in clause 7, is only permitted with the consent of the consent authority.

### **9. FACTORS TO BE CONSIDERED IN DETERMINING WHETHER TO GRANT CONSENT**

In determining whether to consent to a proposal in relation to the land and the conditions (if any) to be placed on the consent, the consent authority is to have regard to the following:

- (a) whether the proposed use or development conforms with accepted community standards for public health, safety and amenity;

- (b) the extent to which the proposed use or development is appropriate to the land, taking into account –
    - (i) the physical characteristics of the land; and
    - (ii) that it is desirable to protect the natural resources of coastal areas and other areas of particular conservation significance;
  - (c) whether services and infrastructure (including but not limited to water, sewerage, gas, electricity and roads) will be adequate to support the intensity of the proposed use or development;
  - (d) the merits of the proposal.
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