

# BUILDING ORDINANCE 1972

1065

No. 14 of 1972

## An Ordinance to amend the *Building Ordinance* 1955 as amended

[Assented to 1 June, 1972]

**B**E it ordained by the Legislative Council for the Northern Territory of Australia as follows:—

1.—(1.) This Ordinance may be cited as the *Building Ordinance* 1972. Short title and citation

(2.) The *Building Ordinance* 1955 as amended is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance as amended by this Ordinance may be cited as the *Building Ordinance* 1955-1972.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice published in the *Gazette*.\* Commencement

3. Section 9 of the Principal Ordinance is amended by omitting paragraph (c) and inserting in its stead the following paragraph:— Powers of the Board

“(c) subject to the next succeeding section, to issue licences or permits to build;”.

4. After section 9 of the Principal Ordinance the following section is inserted:—

“9A.—(1.) A person shall not build—

(a) except in accordance with a licence or permit issued for the purpose by the Board;

(b) except in accordance with such plans and specifications for the building as are approved by the Board;

(c) if the land on which it is proposed to build is land held under lease from the Commonwealth under the *Crown Lands Ordinance* 1931-1972 or the

Restrictions on building

\* The date fixed was 28 June, 1972 (see *Northern Territory Government Gazette* No. 26 of 28 June, 1972, page 228).

*Building*

*Darwin Town Area Leases Ordinance 1947-1971*—contrary to a covenant, condition or other provision of the lease; and

- (d) if there is in existence at the date of issue of the licence or permit an approved town planning scheme within the meaning of the *Town Planning Ordinance 1964-1971* affecting the land on which it is proposed to build—except in conformity with that town planning scheme.

Penalty: Four hundred dollars.

“(2.) An application for a licence or permit to build or for approval of plans and specifications for a building shall be made as prescribed.

“(3.) The Board shall not issue a licence or permit to build—

- (a) except in accordance with plans and specifications approved by the Board;
- (b) if the land on which it is proposed to build is land held under lease from the Commonwealth under the *Crown Lands Ordinance 1931-1972* or the *Darwin Town Area Leases Ordinance 1947-1971*—unless the person who is for the time being holding or performing the duties of the office of the Director of Lands, Department of the Interior, in the Northern Territory certifies by instrument in writing that the building, when completed in accordance with the proposal to build, will not be contrary to a covenant, condition or other provision of the lease; and
- (c) if there is a town planning scheme under the *Town Planning Ordinance 1964-1971* in respect of the land on which it is proposed to build—unless the Chairman of the Town Planning Board under that Ordinance certifies by instrument in writing that the proposal to build in accordance with those plans and specifications will be in conformity with the town planning scheme.

“(4.) A licence or permit to build may be made subject to such conditions as are provided by or under the regulations.”.

**Regulations**

5. Section 12 of the Principal Ordinance is amended by inserting in paragraph (b), after the word “licences”, the words “or permits”.

**6.** The amendments of the Principal Ordinance made by this Ordinance do not apply in relation to the erection, alteration or addition to a building in accordance with a licence or permit to build issued under the Principal Ordinance before the commencement of this Ordinance.

Application

