

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

NOTIFICATION OF PLANNING INSTRUMENT

I, DARYL WILLIAM MANZIE, the Minister for Lands and Housing, in pursuance of section 61(2) of the Planning Act -

- (a) notify the making of Alice Springs, South West Districts, Rural Areas Plan 1988 under the Planning Act; and
- (b) specify 28 May 1988 as the date on which the Alice Springs, South West Districts, Rural Areas Plan 1988 shall come into operation.

Copies of the planning instrument are available at the A.F.T. Building, 21 Gregory Terrace, Alice Springs, N.T. 0870.

Dated 25th May 1988.

Daryl W. Manzie
Minister for Lands and Housing

NORTHERN TERRITORY OF AUSTRALIA

**ALICE SPRINGS, SOUTH WEST DISTRICTS,
RURAL AREAS PLAN 1988**

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NORTHERN TERRITORY OF AUSTRALIA

Planning Act

**ALICE SPRINGS, SOUTH WEST DISTRICTS,
RURAL AREAS PLAN 1988**

I, DARYL WILLIAM MANZIE, the Minister for Lands and Housing, in pursuance of section 61(1A) of the Planning Act, hereby make the following planning instrument.

Dated 25th May 1988

Daryl W. Manzie
Minister for Lands and Housing

**ALICE SPRINGS, SOUTH WEST DISTRICTS,
RURAL AREAS PLAN 1988**

1. CITATION

This planning instrument may be cited as the Alice Springs, South West Districts, Rural Areas Plan 1988.

2. APPLICATION

This planning instrument applies to and in relation to all that piece or parcel of land in the Northern Territory bounded by lines as follows:

- A. Commencing at the south-eastern corner of Northern Territory Portion 1474; thence westerly by the southern boundary of said Portion to the south-western corner of said Portion; thence 270° for a distance of 103.43 metres; thence $345^{\circ} 12' 50''$ for a distance of 2069.1 metres; thence westerly across Central Australia Railway Corridor to the south-eastern corner of Northern Territory Portion 538; thence 270° for a distance of 3163.145 metres; thence north-easterly by a southern boundary of the Stuart Highway to a north-western corner of Northern Territory Portion 1767; thence north-easterly and easterly by the northern boundaries of Northern Territory Portions 1767 and 995; thence $75^{\circ} 23'$ for a distance of 60.345 metres to a point on the western boundary of Northern Territory Portion 428; thence $165^{\circ} 23'$ for a distance of 198.82 metres; thence $145^{\circ} 45''$ for a distance of 122.15 metres; thence $123^{\circ} 6' 50''$ for a distance of 95.8 metres; thence $108^{\circ} 50' 40''$ for a distance of 77.07 metres; thence $100^{\circ} 42' 40''$ for a distance of 805.34 metres; thence $105^{\circ} 3' 40''$ for a distance of 118.03 metres; thence $115^{\circ} 23' 50''$ for a distance of 19.96 metres; thence $170^{\circ} 17'$ for a distance of 529.92 metres; thence across road, to a south western corner of Northern Territory Portion 1768; thence $120^{\circ} 20'$ for a distance of 3227.16 metres to the most southerly south-western corner of Northern Territory Portion 1768; thence 90° for a distance of 1496.24 metres to the south-eastern corner of Northern Territory Portion 1768; thence southerly to the point of commencement; and

- B. Commencing at the north-eastern corner of Northern Territory Portion 461; thence southerly by the eastern boundary of said Portion to the south eastern corner of said Portion; thence 180° for a distance of 36.55 metres; thence westerly across the Todd River to the south-eastern corner of Northern Territory Portion 568; thence westerly by the southerly boundary of said Portion to the south western corner of said Portion; thence northerly by the western boundary of said Portion to the north-western corner of said Portion; thence northerly across the Todd River to the south-western corner of Northern Territory Portion 461; thence north-easterly and northerly by the western boundaries of the said Portion to the north-western corner of said Portion; thence easterly by the northern boundary of said Portion to the point of commencement.

3. INTERPRETATION

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

"caretaker's residence" means a dwelling used as such by the caretaker of the land on which it is erected;

"catering business" includes a cafe, snack-bar, takeaway food outlet, milk bar, tea room, coffee shop and any enclosed open-air variant of those facilities, but does not include a restaurant;

"child care centre" means a building or place used for the minding or caring of 16 or more children;

"commercial car parking" means the parking of motor vehicles as a commercial enterprise;

"community centre" means -

- (a) a club room;
- (b) an assembly hall
- (c) a games room;
- (d) a reading room;
- (e) a canteen; or
- (f) a meeting room,

or any other building designed or adapted primarily to provide facilities for community organisations, but does not include any premises in respect of which a licence is held under the Liquor Act;

"educational establishment" means an academy, college, gallery, kindergarten, lecture hall, museum, school, technical college or university, but does not include an institutional establishment, child care centre or a place of public worship;

"forestry" means arboriculture, silviculture, forest protection, the cutting, dressing and preparation, other than in a sawmill, of wood or other forest products and the establishment of roads for the removal of wood and forest products or for forestry protection, but does not include the use of land for agriculture or as a nursery;

"funeral parlour" means a building used by undertakers for the storage or preparation for burial or cremation of bodies, and includes a funeral chapel associated therewith;

"group home (transitional)" means a group home established for people moving from their homes or an institution and living for a short time in shared, supporting or rehabilitating accommodation, but does not include an institutional establishment;

"guest-house and hostel" includes boarding-houses, lodging houses or other premises which are designed to provide board or lodgings but with rooms which do not contain toilet, ablution or cooking facilities, but does not include motels or hotels;

"home occupation" means an occupation or profession carried on within the curtilage of a dwelling by the residents of the dwelling but does not include the use of land as a child care centre;

"hospital" includes a sanatorium, nursing home or home for infirm, incurable or convalescent persons, whether public or private, but does not include an institutional establishment, medical clinic or medical consulting rooms;

"indoor recreation establishment" means the use of a building for recreation purposes which involves commercial transactions and which is carried out on private land;

"institutional establishment" means a building or place used wholly or principally as -

- (a) a home or other institution for mental defectives;
- (b) a mental hospital; or
- (c) a penal or reformatory institution;

"medical clinic" means a building or place used by one or more medical practitioners, physiotherapists, dentists or persons ordinarily associated with the practice of medicine or their employees in the investigation or treatment of physical or mental injuries and ailments, but does not include medical consulting rooms or hospitals;

"office" means the use of a building or part of a building for the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typing and secretarial services or activities of a similar nature;

"outdoor entertainment purposes" means the provision of entertainment or amusement to members of the public outside a building -

- (a) as a commercial enterprise; or
- (b) on land held in fee simple or under a lease from the Territory,

whether or not food is provided to members of the public as a part of the enterprise;

"passenger terminal" means a building or place used as a bus station, airline passenger terminal or heliport passenger terminal;

"place of public worship" means a building or place used as a church, chapel, mosque, synagogue or place of religious instruction or worship or for the purpose of religious training, but does not include an institutional establishment or an educational establishment;

"public utility purposes" means the purposes of an undertaking carried on by or under the authority of an Act or an Act of the Commonwealth for the supply of water, hydraulic power, electricity or gas or the provision of telecommunication, sewerage or drainage services, but does not include the carrying on of administrative or business activities in association with the provision of those services;

"radio and TV installation" means a building or structure principally used or to be used for the transmission or reception of radio or television signals;

"research centre" means a building or place used primarily for the purpose of conducting scientific research;

"restaurant" means premises which are licensed under the Liquor Act and the principal purpose of which is the provision of food but does not include a catering business, hotel, motel or tavern;

"special purposes" means -

- (a) cemetery and crematorium purposes;
- (b) a court of justice;
- (c) railway, airport, heliport or bus depot;
- (d) official residence;
- (e) radio or TV installations; and
- (f) ambulance or fire station;

"sports and recreation" means the use of land for recreational purposes, but does not include such a use which involves commercial transactions or which is carried out on private land;

"veterinary clinic" means a building or place used for the treatment of sick or injured animals whether or not the animals so treated are boarded there as part of the treatment;

"youth group purposes" means the use of a building for recreation purposes which does not involve commercial transactions and is carried out on private land.

- (2) A reference in this planning instrument to a building or place used for a particular purpose includes a reference to a building or place intended for that use.
- (3) Subject to clause (4), where in this planning instrument a use of land is permitted (whether upon consent or otherwise), a use ancillary to the use so permitted is also permitted.
- (4) Where an ancillary use referred to in subclause (3) would be prohibited if proposed as the primary use of the land, that ancillary use shall not be allowed except with the consent of the consent authority.

- (5) 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.
- (6) 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.

4. CONSENT AUTHORITY

The Minister is the consent authority.

5. USES PERMITTED WITHOUT CONSENT

A person may use any of the land to which this planning instrument applies (without the consent of the consent authority) for the following uses -

- caretakers' residences
- child care centres
- community centres
- educational establishments
- funeral parlours
- hospitals
- institutional establishments
- places of public worship
- radio and TV installations
- research centres
- special purposes
- youth group purposes.

6. USES PERMITTED ONLY WITH CONSENT

A person shall not use or develop any of the land to which this planning instrument applies for any of the following uses without obtaining the prior consent of the consent authority -

- catering businesses
- commercial car parking
- forestry
- group homes (transitional)
- guest houses and hostels
- home occupations
- indoor recreation establishments
- medical clinics
- offices
- outdoor entertainment purposes
- passenger terminals
- public utility purposes
- restaurants
- sports and recreation
- veterinary clinics

7. EXCEPTIONS

- (1) Nothing in this planning instrument prevents the use of land -
 - (a) as a public street;
 - (b) as a public park; or
 - (c) for railway purposes.
- (2) Nothing in this planning instrument prevents the construction, alteration, repair or maintenance on land of -
 - (a) facilities for -
 - (i) the reticulation of water, sewage, gas or electricity, or the reticulation or transmission of telephone services;
 - (ii) the extraction, treatment or storage of water;
 - (iii) the treatment or disposal of effluent; or
 - (iv) the generation of electricity;
 - (b) stormwater drains; or
 - (c) traffic lights or signs.
- (3) Nothing in this planning instrument prevents or applies to the strengthening or restoration to a safe condition of a building or work.

ALICE SPRINGS (SOUTH WEST DISTRICTS) RURAL AREA PLAN 1988

TABLE OF AMENDMENTS

AMENDMENT NUMBER	GAZETTE NUMBER	GAZETTE DATE	CHANGE
1.	G12	28.03.90	Amendment to clause 7 “Exceptions” by amending subclause (2) - ‘Introduction of Gas’