

**NORTHERN TERRITORY OF AUSTRALIA**

***Planning Act***

**NOTICE OF AMENDMENT DECISION**

I, DAVID WILLIAM TOLLNER, the Minister for Lands and Planning, under section 30U(1) of the *Planning Act*, give notice that -

**AMENDMENT DECISION**

I have under section 30(R)(2)(a)(i) of the Act, made an amendment decision to approve an altered amendment proposal to rezone part NT Portion 5412 (39 Gillard Crescent, Cossack) from Zone RL (Rural Living) to Zone GI (General Industry) and from Zone GI (General Industry) to Zone RL (Rural Living).

**REASONS FOR DECISION**

Part NT Portion 5412 (39 Gillard Crescent, Cossack) is suitable for rezoning because of the following reasons:

- it is located adjacent to the major transport corridor, ie Stuart Highway and Emungalan Road industrial area;
- the land is suitable and capable to support the proposed transport terminal within a defined flood area; and
- the Katherine Land Use Plan Policy Document identified the future use surrounding part NT Portion 5412 to be developed for industrial purposes.

**The amendment decision does not determine the concurrent application; and**

**The amendment decision will take effect:**

- only** if the consent authority consents to the development proposal under section 30W(1)(a) or (b) and, after the determination of any appeals under Part 9, issues a development permit under section 54 for the proposal; and
- if a development permit is issued – on the date on which it is issued.



Minister for Lands and Planning



**NORTHERN TERRITORY OF AUSTRALIA**

*Planning Act - sections 54 and 55*

**DEVELOPMENT PERMIT**

DP15/0477

**DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT**

N.T. Portion 05412  
NT Portion  
39 GILLARD CRES, COSSACK

**APPROVED PURPOSE**

To use and develop the land for the purpose of a transport terminal within a defined flood area, in accordance with the attached schedule of conditions and the endorsed plans.

**VARIATIONS GRANTED**

Nil.

**BASE PERIOD OF THE PERMIT**

Subject to the provisions of sections 58, 59 and 59A of the Planning Act, this permit will lapse two years from the date of issue.



**STEPHEN WARD**  
Delegate  
Development Consent Authority

14 / 8 / 2015

## **DEVELOPMENT PERMIT**

DP15/0477

### **SCHEDULE OF CONDITIONS**

#### **CONDITIONS PRECEDENT**

1. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP), is to be submitted to and approved by the consent authority on the advice of the Department of Land Resource Management, and an endorsed copy of the Plan will form part of this permit. The plan should detail methods and treatments for minimising erosion and sediment loss from the site during the construction phase. The IECA Best Practice Erosion and Sediment Control Guidelines 2008 may be referenced as a guide to the type of information, detail and data that should be included in an ESCP. Information regarding erosion and sediment control and ESCP content is available at [www.austieca.com.au](http://www.austieca.com.au) and the DLRM website: <http://lrm.nt.gov.au/soil/management>.
2. Prior to the commencement of works, a site specific wastewater design is to be approved by the Department of Health, to the satisfaction of the consent authority.

#### **GENERAL CONDITIONS**

3. The works carried out under this permit shall be in accordance with the drawings numbered 2015/0106/1 through 2015/0106/7 inclusive, endorsed as forming part of this permit.
4. All works relating to this permit are to be undertaken in accordance with the endorsed ESCP to the requirements of the consent authority, upon the advice of the Department of Land Resource Management.
5. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
6. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created.
7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage and electricity facilities, to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
8. The kerb crossovers and driveways to the site approved by this permit are to meet the technical standards of Katherine Town Council to the satisfaction of the consent authority.  
and  
The owner shall:
  - (a) remove disused vehicle and/ or pedestrian crossovers;
  - (b) collect stormwater and discharge it to the drainage network; and
  - (c) undertake reinstatement works;all to the technical requirements of and at no cost to the Katherine Town Council to the satisfaction of the consent authority.
9. All proposed works impacting on the Gillard Crescent road reserve and/or the Stuart Highway road reserve are to be designed, supervised and certified on completion by a practicing and

registered civil engineer, and shall be in accordance with the standards and specifications of the Katherine Town Council or the Department of Transport as the case may be. Drawings must be submitted to the Council or the Senior Director, Road Network Division to the Department of Transport for approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".

10. Before the use of the development starts, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - (a) constructed;
  - (b) properly formed to such levels that they can be used in accordance with the plans;
  - (c) surfaced with an all-weather-seal coat;
  - (d) drained;
  - (e) line marked to indicate each car space and all access lanes; and
  - (f) clearly marked to show the direction of traffic along access lanes and driveways; to the satisfaction of the consent authority.Car spaces, access lanes and driveways must be kept available for these purposes at all times.
11. The car parking shown on the endorsed plans must be available at all times for the exclusive use of the occupants of the development and their clients.
12. Access to and egress from the site for all commercial vehicles (including waste collection vehicles) must only be from Gillard Crescent.
13. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land.
14. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Katherine Town Council to the satisfaction of the consent authority.
15. Where unfenced, the Stuart Highway road frontage is to be appropriately fenced in accordance with the Department of Transport's standards and requirements to the satisfaction to the consent authority.
16. An approved effluent disposal system to the requirements of the Department of Health and to the satisfaction of the consent authority must be installed concurrently with the erection of the transport terminal and all waste must be disposed of within the curtilage of the property.
17. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the consent authority.
18. All waste material not required for further on-site processing must be regularly removed from the site to an approved facility. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created to the satisfaction of the consent authority.
19. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
  - (a) transport of materials, goods or commodities to or from the land;
  - (b) appearance of any building, works or materials;

- (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
- (d) presence of vermin

- 20. The operator of the transport terminal approved by this permit is to have in place at all times a Flood Management Plan for the site and operations, to the satisfaction of the consent authority.
- 21. Before the use of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.
- 22. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the consent authority, including that any dead, diseased or damaged plants are to be replaced.

#### **NOTES:**

- 1. This permit will expire if one of the following circumstances applies:
  - (a) the development is not started within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.The consent authority may extend the periods referred to if a request is made in writing before the permit expires.
- 2. The Power and Water Corporation advises that the Water and Sewer Services Development Section ([landdevelopmentnorth@powerwater.com.au](mailto:landdevelopmentnorth@powerwater.com.au)) and Power Network Engineering Section ([powerconnections@powerwater.com.au](mailto:powerconnections@powerwater.com.au)) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.
- 3. There are statutory obligations under the Weeds Management Act to take all practical measures to manage weeds on the property. For advice on weed management please contact the Department of Land Resource Management.
- 4. Professional advice regarding implementation of soil erosion control and dust control measures to be employed throughout the construction phase of the development are available from Department of Land Resource Management.
- 5. Any floodlighting or security lighting provided on site should be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Stuart Highway traffic.