

## Amanda Haigh

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**From:** Ingrid Stonhill  
**Sent:** Tuesday, 31 January 2023 3:40 PM  
**To:** Amanda Haigh  
**Subject:** Doc 176151 FW: Question - KTC Ordinary Council Meeting

For correspondence

thanks



**Ingrid Stonhill**  
**Chief Executive Officer**  
Justice of the Peace JP0681

Katherine Town Council, Civic Centre, Lot 1865 Stuart Highway Katherine NT 0850  
P (08) 8972 5500; F (08) 8971 0305 | M (0447 304 607)  
E [ingrid.stonhill@ktc.nt.gov.au](mailto:ingrid.stonhill@ktc.nt.gov.au) | W [www.katherine.nt.gov.au](http://www.katherine.nt.gov.au)

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**From:** Ingrid Stonhill  
**Sent:** Tuesday, January 31, 2023 3:40 PM  
**To:** [jaraynor1@bigpond.com](mailto:jaraynor1@bigpond.com)  
**Subject:** Question - KTC Ordinary Council Meeting

Dear Mr Raynor

In response to the question you raised in relation to the agenda item relating to the Electric Vehicle Charing Station, at the KTC Ordinary Council Meeting on Tuesday 24<sup>th</sup> January 2023, which was taken on notice. I wish to offer you the following response.

1. Site Location

The site proposed as part of the Tourism Towns Improvement Grant Program was chosen to fit in with the guidelines of the grant funding, to maximise the chances of obtaining the grant. It is close to both the Visitor Information Centre and Shopping facilities.

The site was chosen as it best fits in with enhancing the visitor experience and has the potential for further expansion of more public EV infrastructure if warranted at some point in the future.

It was also chosen after consultation with Power and Water to ensure there is sufficient power supply and capacity in the adjacent overhead power network.

2. Impact on current arrangements at the Showgrounds

The Lindsay Street site will have no impact to existing EV charging options in Katherine other than to provide an additional option.

Thank you for your interest in council.

Kind regards  
Ingrid



**KATHERINE**  
TOWN COUNCIL

**Ingrid Stonhill**  
**Chief Executive Officer**  
Justice of the Peace JP0681

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Mr Jason Hillier  
Building Approvals NT  
E:buildingapprovalsnt@bigpond.com

E [bas@nt.gov.au](mailto:bas@nt.gov.au)

T 08 8999 8957

File reference  
2018/1040-0406

Dear Mr Hillier

### **Building Notice and Order – 20 Christie Road Katherine NT**

I refer to your email dated 21 February 2023, which was respectfully entitled 1993 NT Building Act – 20 Christie Road – Building Order, to which you attached a copy of:

- i. 1993 NT Building Act – 20 Christie Road – BUILDING NOTICE
- ii. 1993 NT Building Act – 20 Christie Road – BUILDING ORDER

As a professional courtesy, I bring to your attention the limitations under section 109 of the *Building Act 1993* (the Act), which details the limitations placed on building certifiers.

Section 109 of the Act limits a building certifier's power to issue a Building Notice to a public authority, taking into consideration any such Building Notice issued would appear to be beyond a building certifier's powers to issue, and in fact any invalidly issued Building Notice could adversely affect the parties involved.

Under section 4 of the Act a public authority is defined as:-

*“public authority means the Crown, a local government council, or a public authority established by or under an Act or a statutory body representing the Crown, and includes a person exercising functions on behalf of the Crown or council or the authority or body.”*

It would therefore appear that the Building Notice issued pursuant to section 109 of the Act to a public authority (Katherine Town Council) and any Building Order, which pursuant to section 112 (1) of the Act is reliant on that Building Notice, would be invalid.

Taking into account all valid considerations on this matter you may wish to seek legal advice as to whether you would be obliged to cancel the Building Order pursuant to section 127 of the Act.

If you have any questions regarding this matter please do not hesitate to contact the Acting Manager Audits and Investigation Ms Michelle Altaras on 8999 8974 or by email at [bas.compliance@nt.gov.au](mailto:bas.compliance@nt.gov.au).

Yours sincerely



MARK MELDRUM  
DIRECTOR OF BUILDING CONTROL

21 / 02 / 2023

## Amanda Haigh

**From:** Ingrid Stonhill  
**Sent:** Tuesday, 21 February 2023 4:51 PM  
**To:** Amanda Haigh  
**Subject:** Doc 176753 Doc 176752 FW: TRM: 1993 NT Building Act - 20 Christie Road - BUILDING ORDER  
**Attachments:** Director response to Jason Hillier - 20 Christie Road .pdf

Hi  
I think we should include this in our council correspondence.

Cheers



**Ingrid Stonhill**  
**Chief Executive Officer**  
**Justice of the Peace JP0681**

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**From:** Michelle Altaras <[Michelle.Altaras@nt.gov.au](mailto:Michelle.Altaras@nt.gov.au)> **On Behalf Of** Bas Compliance  
**Sent:** Tuesday, February 21, 2023 4:39 PM  
**To:** 'buildingapprovalsnt@bigpond.com' <[buildingapprovalsnt@bigpond.com](mailto:buildingapprovalsnt@bigpond.com)>; Ingrid Stonhill <[ingrid.stonhill@ktc.nt.gov.au](mailto:ingrid.stonhill@ktc.nt.gov.au)>; Brendan Pearce <[brendan.pearce@ktc.nt.gov.au](mailto:brendan.pearce@ktc.nt.gov.au)>; Records (KTC) <[records@ktc.nt.gov.au](mailto:records@ktc.nt.gov.au)>  
**Cc:** Bas Compliance <[Bas.Compliance@nt.gov.au](mailto:Bas.Compliance@nt.gov.au)>  
**Subject:** RE: TRM: 1993 NT Building Act - 20 Christie Road - BUILDING ORDER

Dear Jason

Please find attached response from the Director of Building Control.

Regards

**Michelle Altaras**  
Acting Manager Audits and Investigations  
Building Advisory Services  
Department of Infrastructure, Planning and Logistics

Floor 1, Energy House, 18-20 Cavenagh Street, Darwin  
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**From:** Jason Hillier <[buildingapprovalsnt@bigpond.com](mailto:buildingapprovalsnt@bigpond.com)>

**Sent:** Tuesday, 21 February 2023 4:00 AM

**To:** [Ingrid.Stonhill@ktc.nt.gov.au](mailto:Ingrid.Stonhill@ktc.nt.gov.au); [Brendan.Pearce@ktc.nt.gov.au](mailto:Brendan.Pearce@ktc.nt.gov.au); [records@ktc.nt.gov.au](mailto:records@ktc.nt.gov.au)

**Cc:** Bas Compliance <[Bas.Compliance@nt.gov.au](mailto:Bas.Compliance@nt.gov.au)>; 'BuildingApprovalsNT' <[buildingapprovalsnt@bigpond.com](mailto:buildingapprovalsnt@bigpond.com)>

**Subject:** TRM: 1993 NT Building Act - 20 Christie Road - BUILDING ORDER

**Att:** CEO Katherine Town Council

**Cc:** NTG Building Compliance

1993 NT Building Act - 20 Christie Road

## **BUILDING ORDER**

Specified Place – Museum Aircraft Hangar Building

Katherine Town Council is ordered to;

- (i) evacuate the specified place;
- (ii) immediately cease to conduct or promote a public assembly on or in the specified place;
- (iii) operate or carry out building work or other work on or in the specified place;
- (iv) Comply with directions specified in the order to the Building Certifier or the Director Building Control.

**Régards**

**Jason Hillier**

BBldgSurvInsp BBldgDes Cert4NatHERS

**BUILDING CERTIFIER** Unrestricted NT WA QLD AIBS Accredited

Building Designer Design Draftsman Energy Consultant

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