

nhulunbuy corporation



SHIPPING CONTAINER POLICY

POLICY – RC08

Title	Shipping Container Policy
Policy number	RC08
Type	Community
Owner	Chief Executive Officer
Responsible Officer	Compliance Officer
Approval date	February 2024
Review date	February 2027

1. Purpose

This policy is intended to:

- Ensure that the use of shipping containers is not unsightly and does not detract significantly from the amenity of the locality in which they are situated within lots in Nhulunbuy, and the Industrial Estate.
- Ensure that the design and siting of shipping containers does not create safety hazards or undue risks.
- Establish guidelines for the assessment of applications for a permit to temporarily or permanently place shipping containers within residentially zoned lots in Nhulunbuy.
- Set acceptable standards for an application to obtain Nhulunbuy Corporation permission to temporarily or permanently place a shipping container on a particular residential property in Nhulunbuy.

2. Scope

This policy provides guidance to Nhulunbuy Corporation employees and the public regarding the temporary or permanent placement of shipping containers on residentially-zoned lots throughout Nhulunbuy (Special Purposes Lease 214) and all lots within the Industrial Estate (Special Purposes Lease 250).

3. Definitions

CO means **Compliance Officer** or as this role may be named from time to time, or a person performing the duties of this role, employed by the Nhulunbuy Corporation.

CEO means Chief Executive Officer of the Nhulunbuy Corporation

NC means the Nhulunbuy Corporation Limited (ABN 57 009 596 598).

Shipping Container means a standardised, large, reusable steel box ordinarily used for the storage and/or transportation of goods. The definition includes any container measuring 14m² or more in floor area and exceeding a maximum height of 2m. Shipping containers that have been modified to be used as a workshop, office, ablution block or for any other purpose are also included in this definition.

4. Policy

Road reserves and open space areas

Permanent shipping containers are not permitted to be placed on road reserves, open spaces or any public areas throughout Nhulunbuy including the Industrial Estate.

Fees

A fee applies to the permanent installation of a shipping container on residential lots and in the Industrial Estate. The relevant fees are set out in the NC Schedule of Fees and Charges

The Industrial Estate

Permission must be sought from the Nhulunbuy Corporation to place shipping containers in the Industrial Estate. If the container is placed for longer than 4 weeks, a Building Application is to be submitted to the NC prior to the installation of the shipping container on the site.

A shipping container that has been commercially modified to provide an accommodation unit will be permitted, as a caretaker residence on lots in the Industrial Estate only.

The siting of shipping containers must ensure that they do not detract from the amenity of the area and that they do not present an obstruction or danger to persons or property.

If requested by NC, sublease holders and/or occupants must submit a Cyclone Management Plan which clearly defines the actions to be taken to secure any shipping container/s in the event of a cyclone or severe weather conditions. This will be required for all shipping container permits between 1 December and 30 April in any given year. Temporary shipping container permits will be required for containers in the industrial estate for less than 30 days between these dates.

The cyclone Management Plan must comply with all National and Northern Territory Cyclone Building and/or structural requirements via the building application submission.

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Whether temporary or permanent, there is a limit of one shipping container per residential lot at any one time.

i. Temporary placement

If a resident wishes to utilise a shipping container for the temporary storage and/or delivery or uplift of goods and chattels from a property within Nhulunbuy, approval must be sought from the NC prior to its placement on the property.

Permission can be obtained by completing the Shipping Container Permit Application form, and paying the relevant fee. Approval can be granted for a period of up to 14 days. Extensions may be sought by submitting a written request to the Compliance Officer.

The NC reserves the right to withdraw approval if a shipping container is not sited as stipulated in the permit.

ii. Permanent placement

If a resident wishes to install a shipping container on a permanent basis, approval must be sought from the NC prior to its placement on the property.

Permission can be obtained by completing an Application for Building Plumbing and Drainage and Minor Works and paying the relevant fee.

The location of a shipping container will be determined by the minimum boundary setback for each relevant lot. All shipping containers must be secured in a manner which complies with the NC's requirements as set out in the NC's response to the application.

5. Enforcement

Enforcement of this policy will be by way of the Unapproved Shipping Container Enforcement Procedure attached as Appendix A.

6. Cyclone preparation

In preparation for each cyclone season, any approved temporary shipping containers will be inspected by the NC to ensure that all are appropriately secured. Guidance from the Northern Territory Government on how to properly secure your property in case of cyclone activity can be found at: <http://www.pfes.nt.gov.au/>.

7. Review process

This policy will be reviewed three years from the date of adoption.

Date 12 April 2024	Director (Name) Andres Hoffman	Signature <i>Andres Hoffman</i>
Chief Executive Officer (Name) Shane Whitten		Signature <i>Shane Whitten</i>

Appendix A

Unapproved Shipping Container Enforcement Procedure

These procedures have been drafted to assist with the Nhulunbuy Corporation's response to shipping containers located in residential lots in Nhulunbuy and throughout the Industrial Estate which are unapproved or deemed a safety issue or impact on the amenity of the area.

Enforcement action

- If the Nhulunbuy Corporation becomes aware of an unapproved shipping container in Nhulunbuy (SPL214) and the Industrial Estate (SPL250) which may contravene provisions of this Policy, the Compliance Officer may inspect the site and wherever possible advise the occupant of their obligations.
- An Initial Notice will be sent to the property's tenant/landlord. The Notice provides the occupant with 14 days to take remedial action, i.e., to either complete a Building Application, apply for a temporary permit or remove the unapproved container.
- If no action has been taken by the tenant/landlord at the expiration of 14 days, the Nhulunbuy Corporation may issue a Follow Up Notice. This will provide the tenant/landlord with a further 14 days in which to take the requested remedial action. This Follow Up Notice will contain advice of the potential consequences of non-compliance.
- In the case of managed property's (e.g Sodexo, DEAL, Territory Housing) property, the Follow Up Notice will also be forwarded to the property manager advising them of the lack of response from the tenant.
- A Final Notice will be issued by the Nhulunbuy Corporation if, after the expiration of the allotted time, the tenant/landlord has failed to take any action. Copies of all notices will subsequently be sent to Rio Tinto for further action.