

Planning, Development, Building and Demolition Conditions

Companion document to the Nhulunbuy Corporation Building Application

These conditions apply if your work needs a Building and/or Development Permit from **Nhulunbuy Corporation (NC)**. Read them together with your Building Application - its **Assessment Pathway (Groups 1–4, Section 5)**, **Cyclone Management Plan (Section 9)** and **Submission Checklist (Section 10)**. If your work is exempt under **Building Note 114 (BN114)**, use the Minor Building Works Form instead.

1. General Conditions – Applies to all types of permits

Read these conditions together with the Nhulunbuy Town Development Policies (SPL214 & SPL250), the NT Planning Scheme (2020, as amended), and NC's Building Works Guidelines and standard policies.

Your work must match the details and plans you submitted to NC and that NC approved:

- Development Application DA _____ - except where varied by written correspondence.
- You must obtain building approval from NC before work starts.
- Building Application BA _____ - except where varied by the permit or written correspondence.

If the property belongs to Rio Tinto Alcan Gove (RTAG), your approval is also subject to RTAG's requirements - submit written RTAG approval with your application.

All building work must comply with the current **National Construction Code (NCC) / Building Code of Australia (BCA)**, the **National Plumbing Code of Australia (NPCA)** and relevant **Australian Standards (AS)**. Meeting the Deemed-to-Satisfy Provisions satisfies the BCA's performance requirements.

Where applicable, provide a **Section 40 Design Certificate** confirming your building work meets Region C Terrain Category 2.5 tropical cyclone rating, as described in the BCA.

Your **Development Permit** is valid for two (2) years from issue, unless NC states otherwise. All approved works must follow the conditions in this document.

Your **Building/Demolition Permit** is also valid for two (2) years. You must complete the works and obtain the applicable **Certificate of Compliance or Certificate of Completion** (see Section 5 – Certification) within that time. You can apply in writing for a one (1) year extension before your permit expires; NC will decide whether to grant it. You must complete all work required by the approved plans and permit conditions before NC will issue a **Certificate of Compliance or Certificate of Completion** (see Section 5).

Keep all materials, machinery, sheds, skip bins, temporary toilets and spoil within the property boundary. Do not park or stand vehicles or machines on footpaths.

2. Ablutions

You must provide toilets at or near the worksite - one for every twenty (20) workers or part thereof. Each toilet must:

- Be a standard flushing toilet;
- Be connected to a public sewer or an NC-approved sewerage facility.

3. Carparking

Car parking, driveways and manoeuvring areas must meet the following:

- Constructed, sealed and drained to sound engineering practice and BCA guidelines before occupation, and kept in good condition at all times.
- At least 1 space (min. 3000mm x 6000mm) provided per peak-shift employee, including contractors, during construction or demolition.
- Bays line marked or delineated and kept in good condition.
- Landscaped/grassed areas separated from driveways and parking by a kerb or non-mountable device before occupation, allowing free movement for people with disabilities.
- Wheel stops or bump bars installed in all spaces before use.
- Directional signage provided and kept clear and legible.
- Lighting matching the intensity of adjacent public streets, designed to avoid glare or spill affecting neighbours, public spaces or traffic.
- Loading and unloading carried out within the property; materials and goods not stored in car parking areas.

4. Caretakers Residences – Industrial Estate

Only people with RTAG's written permission may live in the caretaker residence.

A maximum of two (2) residents is allowed, and no children under sixteen (16) may stay there.

The sublease holder must tell RTAG – Communities and Government Relations about any change of caretaker.

5. Certification

Which certification steps apply to you depends on the Group (1–4) allocated to your application — see Section 5 (Assessment Pathway) of the Building Application.

Group 1 & 2 - NCC Class 10a/10b - Self-certification is generally undertaken through Inspection and Test Plans (ITPs), where required, with inspections by Nhulunbuy Corporation as applicable. Projects managed by the NT Department of Infrastructure are subject to additional inspection and certification requirements and must provide all relevant ITP reports to Nhulunbuy Corporation. On completion of the works, the applicant or builder must submit a signed Builder's Declaration to Nhulunbuy Corporation. Following any required final inspection, Nhulunbuy Corporation may issue a Certificate of Compliance.

Group 3 – NCC Class 1a/1b: The applicant must engage a private NT Registered Building Certifier for standard Group 3 building work. The Certifier is responsible for the required certification and inspections during construction, including the relevant inspection and test stages. Following satisfactory completion of the required inspections and certification, the Certifier must issue an Occupancy Certificate and provide a copy to Nhulunbuy Corporation, which will then issue a Certificate of Completion.

Tier 2 – Part Certification Pathway: Eligible NCC Class 1a detached dwellings/single dwellings within Group 3 may use a part-certification pathway. Under this pathway, a Building Permit is still required; however, mandatory certifier inspections and an Occupancy Certificate are not required. A signed Builder's Declaration must be provided to Nhulunbuy Corporation upon completion of the building work. This pathway does not apply to NCC Class 1a(ii) attached dwellings, including duplexes and townhouses, which require full certification. For limited-exemption Group 3 works where an Occupancy Certificate is not required, the applicant or builder must instead provide Nhulunbuy Corporation with a signed Builder's Declaration.

Group 4 – NCC Class 2–9 - The applicant must engage a private NT Registered Building Certifier to undertake all required inspections and certification of the works. The Certifier is responsible for inspecting the required construction stages and confirming compliance with the approved plans, the NCC and applicable requirements. Following satisfactory completion of all required inspections and certification, the Certifier must issue an Out of Area Certificate of Compliance for the completed works and provide it to Nhulunbuy Corporation. Nhulunbuy Corporation will then issue a Certificate of Completion to the applicant.

6. Communications – Impacted Stakeholders & Residents

Your contractor is responsible for managing communications about the project. NC may require you to submit a detailed Communication Plan for approval.

7. Cyclones

Every building and demolition application must include a completed Cyclone Management Plan. Please see **Section 9** of the Building Application for guidance on what to cover.

8. Demolition of Structures

You must carry out demolition strictly in accordance with **AS 2601**.

Before work starts, notify NC of any existing damage to nearby public areas with a dilapidation report and photos. You (as sublessee) are responsible for repairing any other damage caused.

Your demolition contractor must hold current public risk insurance of at least \$10 million — submit a copy of the policy to NC before demolition starts. You must also comply with NT Worksafe requirements and ensure:

- Precautions are taken to protect people on adjoining premises or public places; please contact NC to discuss your proposal prior to commencing any works.
- Temporary fencing and safety controls prevent public access throughout demolition.
- Dust controls protect public health and amenity throughout the works.
- A traffic management plan is approved by NC before works start, and stays in place throughout.
- Site safety signage, showing officer/contractor contact details, is displayed at the site entrance.

- Power is isolated and decommissioned before demolition; contact Brenden Marchesi, Rio Tinto Electrical Network (0409 966 380, brenden.marchesi@riotinto.com).
- Asbestos removal and disposal follows NT Worksafe requirements (1800 019 115, www.worksafe.nt.gov.au) — identify and handle any asbestos found accordingly.
- A site-specific erosion and sediment control plan (for noise/air/water pollution, per EPA rules) is approved by NC before works start.
- On completion, the site is rehabilitated and kept in good condition until it's redeveloped.
- Damage to kerbs, drains, footpaths or roads caused by demolition machinery is your responsibility to fix. Provide a dilapidation report on surrounding infrastructure before NC will issue the applicable Certificate of Compliance or Certificate of Completion (Section 5) — otherwise NC will carry out repairs and deduct the cost from your Performance Bond.
- Partial demolition requires a separate Building Approval to ensure the remaining structure complies with the NCC.

If asbestos is discovered on-site, submit an Asbestos Management Plan that meets NT Worksafe requirements.

9. Driveways

Your vehicle crossover must be at least 150mm thick concrete, reinforced with F82 mesh, and at least 3500mm wide.

Provide a layback from the base of the kerb's front face, reaching a minimum height of 100mm above the gutter invert at 500mm from the kerb.

10. Electrical

All electrical work must comply with **AS 3000**.

If you need a new connection to the RTAG power network, or an electrical load requiring NC approval, submit a New Power Connection form to RTAG. Please ask the form from Nhulunbuy Corporation Compliance team.

For new electrical loads (air conditioners, fans, lights, GPOs etc.), get a **Proposed Maximum Demand Power Calculation** form from an electrician (per AS 3000) and RTAG authorisation before work begins.

11. Environment

You must manage the site's environmental impact as follows:

- Limit land disturbance during excavation to what's shown on the approved plans and required for building or access.
- Cover exposed excavations and fill with topsoil and native ground cover within six (6) months, to screen the changed landform and prevent erosion.
- Only clear vegetation once building works are imminent and only within the area NC/RTAG approved.
- Remove vegetation strictly per the approved plans.
- Maintain erosion control measures throughout the works.

12. Excavations

You need an Excavation Permit before groundwork begins — lodge the Excavation Permit Application with your Building Application.

NC only issues permits for water and sewer services. You must also complete the RTAG excavation permit application (NC forwards it to RTAG) to check for other services — electrical, communications etc. — before starting work and NC may ask you to survey and map the work area. Guard excavations properly to prevent danger to life or property.

13. Existing Trees

Protect and retain existing trees that aren't directly affected by the works.

Design footings with regard to retained trees and any supplementary tree planting shown in the approved plans, allowing for their likely growth.

14. Retaining Walls

Retaining walls that need a Building Permit must be designed and constructed to the National Construction Code and where required, supported by structural engineering documentation. They must not block access to any registered easement or water/sewer main or affect the stability of adjoining land.

15. Fencing

Your fencing must comply with NC's Fencing Policy (WT05):

- Front fencing: max. 1200mm.
- Front fences setback min. 3m from the road/lot boundary.
- Add 0.5m setback where a footpath or infrastructure (e.g. power pole) is present.
- Side/rear fencing: max. 1800mm.

If your fence is on a common boundary, it must also follow the Fencing Act (NT) — see also NC's Verge Policy (WT07).

Swimming Pool Fencing: refer to Australian Standard Swimming Safety (AS-1926.1-2012). Build all fences with appropriate cyclone-rated material.

16. Floodlighting

Use floodlighting only for security purposes and shield it to avoid light spilling onto residential properties.

17. Permitted Hour of Works

You may carry out works between the following hours:

- Monday to Friday – 7:00 am to 6:00 pm Sundays and Public Holidays – No work permitted
 - Saturdays – 8:00 am to 1:00 pm
- If you need to work outside these hours, request this in writing to NC as each request is assessed on its merits.

18. Landscaping

The landscaping must meet the following:

- Established per the approved plans before occupation, maintained in good order and replaced if it dies or becomes diseased.
- Surrounding trees and shrubs that screen the building at maturity and enhance amenity without increasing fire danger, kept healthy thereafter.
- Existing trees retained under approved landscaping plans not damaged or removed, including root damage.
- Removed trees replaced at a 2:1 ratio with indigenous, locally sourced species.
- A re-vegetation management plan prepared and submitted to NC within three (3) months of the work taking place.

19. Land Use

Land use on **Nhulunbuy Town Lease (SPL214)** and **Nhulunbuy Industrial Estate Lease (SPL250)** will be used in only accordance with permitted use as approved by the Nhulunbuy Corporation governed by the **Nhulunbuy Land Development Policy 2011** and **Northern Territory Planning Scheme 2020**. All rubbish, ruinous or dilapidated materials shall be removed from the land.

20. Minimum Setbacks – All Works

Nhulunbuy Township:

- Side and rear boundaries – 1500mm
- Front setback for open structure – 4000mm
- Front setback for an enclosed structure – 7500mm

Industrial Estate:

- Side and rear boundaries – 3000mm
- Front setback from the kerb on John Flynn Drive – 6000mm
- Front setback from all other thoroughfares – 3000mm

- From the rear of front adjoining lot (if applicable) – 4000mm

21. Materials and Finish

Materials and finishes must meet the following:

- External appearance, materials, colours and finishes match or blend with the principal building, are non-reflective, and are painted to complement its paintwork.
- Cladding is pre-painted or painted with a non-reflective finish; freestanding sides of the structure remain open.
- Roof sheeting and wall cladding are sound, undamaged and of uniform colour and appearance.

22. NTG Requirements

If your works fall within the scope of the Construction Industry Long Service Leave and Benefits Act, notify NT Build using the Project Notification Form:

http://www.ntbuild.com.au/ntbuild/publications_forms/sitealert_changes-to-NTBuild_201404.pdf

23. Plumbing and Sewer Works

If you need a water or sewer connection, lodge an Application for Water Supply/Sewer Connection with your Building Application.

All plumbing and drainage work must comply with **AS 3500**.

When the work is finished, your licenced plumber must provide a Sewerage Service Diagram (new and existing work, black ink, scale 1:100 or 1:200) showing:

- As-completed drainage (internal and external)
- Correct fixture abbreviations
- Septic tank details, if applicable
- Street number, street name and town
- Licensee details
- North point and date of drainage completion

24. Temporary Structures (e.g. Shade Sails)

Remove temporary structures — shade sails, vehicle shades, trampolines, play equipment etc. — during high winds or when a cyclone warning is issued for Nhulunbuy.

25. Shipping Containers

You may have only one shipping container per residential allotment for storage only. The shipping container is to be used for the purpose of storage only. Any other proposed use must be nominated on the application upon submission to NC for consideration. A commercially modified container may be used as a caretaker residence on Industrial Estate lots only, subject to NC's Building Application process. Paint containers a dark recessive colour and ensure they're in good condition before placing them.

Screen containers from public view with established landscaping before NC issues a Certificate of Compliance.

Fix containers to ground screws or suitable concrete footings, using:

- 12mm shackle
- 16mm diameter wire rope or 10mm steel chain; and
- 12mm turnbuckle to tension ties

The doors of the shipping container are to be fitted with a device for holding them in an open position for safety in the event of strong winds during periods when the doors may be open and so people are not trapped inside due to the doors slamming shut.

26. Signage

Signage and its support structure must comply with **AS 1742** – Manual of Uniform Traffic Control Devices.

The main structural frame must be painted to complement or blend with the main colour scheme adopted for the sign and be always kept in good repair.

27. Swimming Pools

Pool/spa fencing and safety barriers must comply with **AS 1926.1** and the **NT Swimming Pool Safety Act 2004** (see Section 5 – Assessment Pathway, Group 2, of the Building Application).

Connect pool filter backwash to the stormwater system - not the sewerage system.

Supply a pool/spa compliance certificate to NC or apply through NC to obtain one.

28. Windows

Upper storey windows (other than street elevation) must have fixed translucent glazing or fixed shutters up to at least 1700mm above finished floor level.



Declaration of Understanding

Nhulunbuy Corporation Planning, Development, Building and Demolition Conditions

Contractor Declaration

Declaration: I have read the enclosed conditions and agree to comply herewith for the duration of the works.

Contractor Name

Company Name

Application Number

Signature

Date