




APPLICATION FOR DEVELOPMENT APPROVAL AND / OR BUILDING APPROVAL

APPLICATION NO.	DA.BA	16/2024
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1. APPLICANT DETAILS (May be an agent acting on behalf of a landowner)			
Name Applicant 1	DAVID	LAMMIN	
	First Name	Last Name	
Name Applicant 2	NINA	ROTHE	
	First Name	Last Name	
Postal Address	5 TRILL COURT, URANGAN QLD 4655		
Phone No.		Mob. No.	DAVID 0423 611 428 / NINA 0490 479 983
Email (s)	DAVIDKLAMMIN@GMAIL.COM / ROTHE.NINA@GMAIL.COM		
Signature Applicant 1			
Signature Applicant 2			

2. LANDOWNER(S) DETAILS (if not the Applicant)			
Name	DAVID	LAMMIN	
	First Name	Last Name	
Name			
	First Name	Last Name	
Postal Address	5 TRILL COURT, URANGAN QLD 4655		
Phone No.		Mob. No.	0423 611 428
Email			
Signature(s) of all landowners. This signature provides landowner's permission for the Applicant to make this Development and / or Building Application only.			
Landowner 1			
Landowner 2			

3. PROPERTY DESCRIPTION							
Address	47G1 MARTINS ROAD, NORFOLK ISLAND						
Portion No.	47G1	Lot No.	146	Section No.	2	Land Area:	9510 SQM
Please attach a copy of the Title Search for the subject property:					Yes attached		
Current Land Use	VACANT PORTION						
Land Tenure	<input checked="" type="checkbox"/>	Freehold		Crown Lease		Un-alienated Crown Land	
		Road Reserve		Vacant Crown Land			
Zoning		Rural		Mixed Use		Open Space	Airport
	<input checked="" type="checkbox"/>	Rural Residential		Business		Conservation	Roads
		Residential		Industrial		Special Use	

4. THE TYPE(S) OF USE, DEVELOPMENT AND / OR BUILDING INCLUDED IN THIS APPLICATION <i>(please tick where relevant)</i>		
<input checked="" type="checkbox"/>	Residential	E.g. Dwelling House, Dual Occupancy, Multiple Dwellings
	Tourist Accommodation	E.g. Accommodation Units, Hotel, Resort, Tourist Park
	Commercial	E.g. Business Premises, Food & Drink Premises, Shop, Tourist Attraction, Entertainment Facility, Health Care Service
	Industrial	E.g. General, Light, Rural, Noxious, Hazardous or Offensive, Extractive
	Community	E.g. Educational Establishment, Hospital, Community Facility
	Infrastructure	E.g. Electricity Works, Waste Facilities, Communications Facilities, Transport Facilities, Roadworks
	Public Facilities	E.g. Airport, Car Park, Port Service, Public Building
	Recreation	E.g. Open Space, Outdoor Sport and Recreation Facility, Indoor Sport and Recreation Facility, Park
	Subdivision	E.g. Create additional lots; Boundary adjustment; Amalgamation of lots
	Alterations and Additions	Structural changes to existing structure(s)
	Ancillary structures	Structures integral and subservient to another development e.g. garage, shed, verandah
	Change of Use	Changing the purpose of a premises e.g. from residence to holiday house, from shop to offices.
	Signage	E.g. Advertising structures and signs, Directional and guidance signs.
	Earthworks	Excavation, filling, site works
	Other	

5. THE ACTIVITIES INVOLVED IN THE PROPOSED USE OR DEVELOPMENT <i>(please tick where relevant)</i>	
<input checked="" type="checkbox"/>	Erecting, altering or adding to a building or structure
	A temporary building, structure, or use
	Subdividing land
	Demolition
	Changing the use of land or a building or the classification of a building under the Building Code of Australia (without building, subdividing or demolishing)

6. DESCRIPTION OF PROPOSAL

Please describe details of your proposal here Please include all components of the use, development and / or building activity; such as the number of lots created if subdivision; number of dwellings / units to be developed; number of bedrooms; number of seats if Food & Drink Premises; Hours of operation for commercial or industrial activity; volume of production if processing or manufacturing. (attach additional pages if more space is required)

PROPOSED 40SQM GFA 1 BEDROOM SMALL HOUSE WITH 70SQM WRAP AROUND DECKS AND CARPORT UNDER THE SAME

ROOF LINE AS THE MAIN HOUSE.

7. APPLICATION FEES

Development and Building Application fees are specified in Council's Annual Operational Plan and are based on the estimated cost of building and works. It is necessary to specify the total estimated cost of building and works (including labour and materials) to determine the fees for the Development and or Building Application. For development that involves building work, Council is currently assessing fees on the basis of \$1200.00 / square metre. This is required prior to acceptance of the Application.

Total estimated cost of building and works
(40SQM HOUSE / 70SQM DECK AND WALKWAY)

\$ 132,000 (BASED ON \$1200.00 / SQM)

8. USE, DEVELOPMENT AND BUILDING DETAILS & MATERIALS (as applicable)

Gross floor area of all new proposed buildings	116.986M2 (INCLUDES HOUSE, DECKS, CARPORT AND WALKWAY)		
Gross floor area of all existing buildings on site	N/A		
Total roof area (sqm) of all buildings on the lot	108.5SQM		
Total number of bedrooms	1 (ONE)		
Maximum height of new building(s) or structure(s) in metres	7.36M		
Building setbacks – minimum distance to front, rear, and side boundaries in metres. <i>Note: it will be necessary to peg out the general footprint of proposed structures at the subject land.</i>	Boundary	Distance	Orientation
	Front	6M	SOUTH
	Rear	>30M	NORTH
	Side	15.505M	WEST
	Side	>30M	EAST
Wall construction material (external) & colour	NORTH AND EAST WALLS - WEATHERTEX WEATHERBOARD (NATURAL) SOUTH AND WEST WALLS - COLOURBOND IRON (MONUMENT)		
Floor construction material	TREATED PINE JOISTS AND CHIPBOARD FLOOR WET AREAS - TREATED PLY		
Roof construction material & colour	TREATED PINE RAFTERS, BEAMS AND BATTERNS COLOURBOND IRON (SHALE GREY)		

Frame construction material	TREATED PINE FRAMING		
Water supply and storage <i>Note: Please refer to DCP No. 2 - Water Resources for minimum water storage requirements.</i>	Water tank material	COLOURBOND	
	Water tank capacity (existing)	N/A	
	Water tank capacity (new)	58,651 LITRES	
	Total combined capacity (new and existing tanks)	58,651 LITRES	
On-site wastewater management system proposed / existing (e.g., sewer connection, AWTS, other – please specify;) and total capacity <i>Note: Please refer to DCP No. 2 - Water Resources for minimum waste water management requirements.</i>	Type of system	HOLDING TANK AND GREYWATER SYSTEM	
	System tank capacity	3,500 LITRES	
Advertising Structure or Sign - construction material, size, total number of signs or structures (new and existing) <i>Note: Please refer to DCP No. 4 – Outdoor Advertising Structures and Signs to determine requirements and standards for the display of signage.</i>	Construction material	N/A	
	Total Display Area	N/A	
	Maximum height of structure	N/A	
	Total number of signs or structures	N/A	
Describe any earthworks required as a component of building work; such as site works to create building pad, construct access and driveways, retaining walls, drainage works. Include total volume of earthworks (m ² and m ³) <i>Note: an Earthworks Plan as described in section 11 will be required to support your Application if in excess of 50 cubic metres</i>	THE CONSTRUCTION OF THE HOUSE / CARPORT IS RAISED ABOVE THE NATURAL GROUND LEVEL AND DESIGNED ON SUPPORT POSTS TO MINIMISE ANY IMPACT ON THE EXISTING SITE.		
	MINIMAL EARTHWORKS INCLUDE; - LEVEL PAD FOR WATER TANK (APPROX. 5M3) - HOLES FOR SUPPORTING POSTS OF DWELLING (APPROX. 5M3) - HOLE FOR HOLDING TANK (APPROX. 5M3)		
Swimming pool - above ground / below ground, dimensions, (length, depth, width) construction materials and dimensions for associated decking / structures/ fences and gates.	N/A		

9. BUILDER'S DETAILS (if applicable; and if a builder has been selected)			
Name	TREVOR GOW		
Phone No.		Mob No.	+6723 50419
Email:	TREVORGOWBUILDING@GMAIL.COM		

10. CONSULTATION WITH COUNCIL INFRASTRUCTURE, SERVICES AND ENVIRONMENT STAFF

In planning and designing your proposed development you should contact relevant Council staff with responsibility for infrastructure and services to ensure infrastructure required for your development is available or can be made available; to determine whether there any specific requirements for infrastructure and services and whether any additional permits, licences or approvals may be required for your proposal.

You should also consult with Council's environment staff to determine any specific environmental matters to consider in developing your proposal, such as identifying protected trees or potential impacts on threatened species; and requirements for additional permits and approvals.

It is strongly suggested that you present a description of your proposal and preliminary building plans for your development to enable the relevant Council staff to provide advice on requirements.

Please request the relevant staff member(s) to email their advice to you as the Applicant and to also email direct to planning@nirc.gov.nf. Alternatively, advice can be provided in the spaces below.

Contact	Comments
Electricity Team Leader, John Christian Ph: 22078, 23206 Email: john.christian@nirc.gov.nf Mitchell Graham Email: mitchell.graham@nirc.gov.nf	CONTACTED JOHN CHRISTIAN ON 1 APRIL 2024. JOHN REPLIED, COMMENTING THAT POWER IS AVAILABLE ON MARTINS ROAD AND OUR METER BOX MUST BE LOCATED IN OUR BOUNDARY FENCE FRONTING MARTINS ROAD. THE COST OF INSTALL FROM NIRC INFRASTRUCTURE TO OUR METER BOX WOULD BE OUR EXPENSE AND AN 'APPLICATION FOR SUPPLY' MUST BE SUBMITTED BEFORE ANY WORK COMMENCES. WE HAVE TAKEN THIS INFORMATION INTO CONSIDERATION BUT WILL BE OPTING FOR AN OFF-GRID SYSTEM.
Public Health and Environment Water storage and wastewater management requirements Team Leader, Arthur Travalloni Ph: 22001 Email: arthur.travalloni@nirc.gov.nf	CONTACTED ARTHUR TRAVALLONI ON 7 APRIL 2024. RECEIVED A REPLY FROM DOUG DONALDSON CONFIRMING OUR WATER STORAGE AND CATCHMENT COMPLIANCE. DOUG REQUESTED ACCESS TO THE PROPERTY TO DETERMINE SUITABILITY / BEST LOCATION FOR THE WASTEWATER TREATMENT AREA. FOLLOWING THE SITE VISIT, DOUG PROPOSED AN ESD ZONE APPROX. 3M NORTH OF THE DWELLING. DOUG ALSO ADVISED THAT EITHER AN AWTS OR HOLDING TANK (3,000 LITRES) SUITABLE AND SUB-SURFACE IRRIGATION.
Fire Service Team Leader, Shane Wallis Ph: 22049 Email: shane.wallis@nirc.gov.nf	CONTACTED SHANE WALLIS ON 7 APRIL 2024. RECEIVED A REPLY FROM SHANE WHO RECOMMENDED THAT ALL ENQUIRIES REGARDING DEVELOPMENT APPROVALS BE DIRECTED TO NIRC, DUE TO CURRENT INDUSTRIAL ACTION.
Telecom Team Leader, Simon Peapell Ph: 23905 Email: simon.peapell@nirc.gov.nf	CONTACTED SIMON PEPELL ON 8 APRIL 2024. RECEIVED A REPLY FROM MALCOLM DOURAN CONFIRMING THAT TELECOM HAS NO ISSUES WITH THE PROPOSED DEVELOPMENT AND TO CONTACT THEM IF WE WISH TO HAVE A TELEPHONE LINE PUT INTO THE DWELLING WITH POWER.
Public Works and Depot Road works, driveways Team Leader, Mal Snell Ph: 22006 Email: malcolm.snell@nirc.gov.nf	CONTACTED MAL SNELL ON 10 APRIL 2024. MAL REPLIED RECOMMENDING WE COMPLETE AND SUBMIT AN NIRC 'APPLICATION TO CONSTRUCT DRIVEWAY / ACCESS / ENTRANCE FROM A PUBLIC ROADWAY'. TREVOR GOW, OUR NOMINATED BUILDER HAS SUBMITTED THE ABOVE MENTIONED APPLICATION ON OUR BEHALF.
Biodiversity Protected trees, Argentine ants etc Team Leader, Tara Patel Ph: 22001 Email: tara.patel@nirc.gov.nf	CONTACTED TARA PATEL ON 5 MARCH 2024 TO IDENTIFY ALL NATIVE TREES ON PORTION. ONCE TARA CONFIRMED THE POSITION THE LOCATION OF ALL NATIVES, WE WERE REQUESTED THAT THE ARCHITECT RE-POSITION THE PROPOSED SITE FOR THE DWELLING TO ENSURE THERE WOULD BE NO IMPACT ON ANY OF THE NATIVE TREES IDENTIFIED.

11. OTHER APPROVALS	
<i>You may need approvals, licences or permits under other legislation in force on Norfolk Island such as those listed below. Please tick the relevant legislation. If in doubt, please contact the Planning Office.</i>	
	<i>Environmental Protection and Biodiversity Protection Act 1999 (Cth). Please refer to http://www.environment.gov.au/protection/environment-assessments</i>
X	<i>Crown Lands Act 1996 (NI) – applies to Crown land.</i>
	<i>Local Government Act 1993 (NSW)(NI) – approvals may be required for specified activities.</i>
	<i>Trees Act 1997 (NI) – permit required to remove protected trees. Please refer to the <i>Trees Regulations 1999</i> - Schedule of Protected Trees.</i>
	<i>Public Reserves Act 1997 (NI) – permit required for an activity in a Public Reserve.</i>
	<i>Subdivision Act 2002 (NI) – registration of plan of subdivision.</i>
	<i>Tourist Accommodation Act 1984 (NI) – registration of tourist accommodation.</i>
	<i>Sale of Food Act 1950 (NI) – licence required for production and / or sale of food.</i>
	<i>Liquor Act 2005 (NI) – licence required to supply liquor.</i>
	<i>Heritage Act 2002 (NI) – Proposals for use or development that affect listed heritage items .</i>
	<i>Roads Act 2002 (NI) – opening and closing public roads.</i>
	<i>Other Approvals</i>

12. ENVIRONMENTAL IMPACTS OF YOUR DEVELOPMENT	
<i>To assess your proposal, we need to understand any potential impacts it may have on the environment. Depending on the nature and scale of your proposal, you may need to either:</i>	
<ol style="list-style-type: none"> <i>1. Provide a Description of Potential Environmental and Heritage Impacts in your Development Application; or</i> <i>2. Submit a Statement of Environmental Effects with your Development Application; or</i> <i>3. Submit an Environmental Impact Statement prepared in accordance with the Planning Act 2002 (NI) & Planning Regulations 2004 (NI) with your Development Application.</i> 	
<i>Please consult Council's Planning Office to determine which environmental impact assessment documentation is required for your proposal. Please tick below the information provided with this application.</i>	
Environmental Impact Statement attached:	
Statement of Environmental Effects attached:	
Description of Potential Environmental and Heritage Impacts:	X
Description of Potential Environmental and Heritage Impacts:	
<i>Please describe the potential impact of your proposed use or development on the environment and heritage of the development site and surrounding area.</i>	
THERE WILL BE NO ENVIRONMENTAL OR HERITAGE IMPACT ON THE SITE WITH THE PROPOSED DEVELOPMENT. THE CONSTRUCTION OF THE NEW	
SMALL HOUSE WILL BE RAISED OFF THE NATURAL GROUND USING SUPPORT POSTS. THIS NEGATES THE NEED TO CUT THE SITE	
AND CREATE RETAINING WALLS. A LIGHT WEIGHT TIMBER STRUCTURE WILL BE BUILT USING TIMBER FRAMING AND LIGHT WEIGHT CLADDING. THE	
HOUSE WILL BE OPEN BELOW TO ALLOW FOR NATURAL AIRFLOW AND ANY OVERLAND RUNOFF. NO NATIVE TREES WILL BE AFFECTED.	

13. PLANS AND MAPS	
<i>Applications must be supported by relevant plans and maps that clearly shows what is being proposed. A full list of the information that may be required is provided at Clause 12 of the Norfolk Island Plan 2002. Please tick below the information provided with this application.</i>	
X	Drawings showing the plan and proposed usage at each floor level, elevations, sections and dimensions of the building, the sizes and locations of structural members to a scale of not less than 1:100.
X <small>REFER TO BUILDER</small>	Drawings containing sufficient detail and at a scale appropriate to the work proposed to be carried out, to show the plumbing and drainage work to be carried out.
X	Site Plan - Drawings to a scale of not less than 1:500 showing: <ul style="list-style-type: none"> - The boundaries and dimensions of the allotment, relevant easements and adjacent streets. - The position and dimension of the building to the boundaries of the allotment, existing buildings on the allotment and adjoining allotments together with details of the purposes for which the buildings are to be used. - The levels of the site and of the floors of the building in relation to an adjoining street channel, if any. - The location of protected trees, identifying or specifying the species of the trees, where the distance of the protected tree from the proposed building is less than or equal to the height of the tree plus 5 metres.
X <small>REFER TO BUILDER</small>	Earthworks Plan- Drawings (Site Plan) at a scale of not less than 1:100 showing at least: <ul style="list-style-type: none"> - Existing natural contour levels and proposed finished contour levels. - Cross section plans showing the nature, extent and depth of excavation and /or land filling and associated works, batter slopes and any retaining structures.
N/A	Subdivision - Preliminary Plan of Subdivision
N/A	In the case of an alteration or modification of a building, a statement that describes the purposes for which the building has been used and is to be used.

14. SUPPORTING INFORMATION	
<i>You can support your application with additional material, such as photographs, to illustrate your proposal. Please list what you have attached. (Attach additional pages if more space is required)</i>	
COPY OF LAND TITLE (47G1 MARTINS ROAD)	
ARCHITECT PLANS	
APPLICATION TO REDUCE SETBACK FROM MARTINS ROAD	
IMAGE OF HOUSE (NORTH FACING)	
IMAGE OF HOUSE (WEST FACING)	

APPLICANTS: DAVID LAMMIN & NINA ROTHE
ADDRESS: 47G1 MARTINS ROAD
PORTION NO: 47G1
LOT NO: 146
SECTION NO: 2
LAND AREA: 9510 M2

RE - APPLICATION TO REDUCE SETBACK FROM MARTINS ROAD

As the applicants, we would like to apply for a dispensation on the zone setback from Martins Road, from 10 metres to 6 metres, for the following reasons:

Due to the natural topography of the site and the location of native trees, the proposed building site is best suited considering the land starts to drop steeply into the valley below. Sitting the house 10 metres off the Martins Road boundary would require the house to be significantly higher off the ground than if it were positioned closer to the road (requested 6 metre setback), where the land is less steep and somewhat flatter. Set at 10 metres off the road, the structural integrity of the building could potentially be compromised, requiring major engineering solutions or more earthworks to allow for stable footings. To have as little impact as possible on the natural environment, we would like to avoid this and are therefore applying for the dispensation of the zone setback to 6 metres. Additionally, construction work on the steeper part of the block would likely present to be more difficult and result in increased disturbance to the environment and/or risk of damage to native vegetation (for example due to access of heavy machinery to the steeper parts of the site).

We also believe that a setback of 6 metres instead of 10 metres represents a more visually pleasing picture when viewed from the northern side of the valley, considering the house would be required to be higher off the ground at a 10-metre setback from Martins Road. Furthermore, due to the steep drop-off from the roadside, the house, especially given its low roof pitch, at 6 metres setback would not intrude on roadside users' views of land and seascapes.

The proposed building site is entirely in keeping with neighbouring properties that similarly encroach on setback requirements, but retain a rural feel through landscaping options.

The proposed building site considers the existing native vegetation and allows the house to harmoniously sit amongst native trees without endangering root systems or endangering safety within the house in the event of storm damage. No trees native or otherwise require removal at the proposed location.

15. DEVELOPMENT APPLICATION AND / OR BUILDING APPLICATION - CHECKLIST OF REQUIREMENTS

Applications shall contain information as is necessary to determine compliance with the Norfolk Island Plan, Planning Act 2002 (NI), and Building Act 2002 (NI). Clause 12 of the Norfolk Island Plan 2002 specifies matters (listed below) that must be included in a Development Application, where applicable and relevant. It is the responsibility of the Applicant to demonstrate that each of the matters listed has been addressed by placing a tick in the relevant box. Failure to provide all the relevant information may result in the Application not being accepted by Council or delays in the processing of the application.

Requirement	Yes	No	N/A
a) The name and address of the applicant, the location of the land, a copy of the title to the land, the name and address of the owner, and written consent from the owner of the land if not the applicant.	×		
b) The use or development of the land at the date of application.	×		
c) The intended use or development of the land.	×		
d) A plan or plans drawn to a scale available on a standard scale rule which show clearly:	×		
(i) the relationship of the land to lot boundaries, levels or contours, title boundaries and roads;	×		
(ii) rights of way, easements and covenants affecting the land;	×		
(iii) existing buildings, works, trees, and vegetation;	×		
(iv) site preparation – including details of buildings and works to be demolished, areas to be cut and/or filled, existing vegetation and trees to be removed, and other land clearing;	×		
(v) proposed buildings, works, and services, and alterations to existing buildings and works – including floor plans, elevations, dimensions, relative site levels, provisions for drainage, and the purpose of rooms, other spaces and structures;	×		
(vi) existing and proposed vehicular access/egress points to roads from the land, and the areas set aside and other provisions made for vehicular passage, manoeuvring and parking;	×		
(vii) existing and proposed landscaping – including details of site beautification, tree planting, and screening;	×		
(viii) the materials proposed for construction purposes and the colour of such materials on all exterior surfaces;	×		
(ix) signs – including details of dimensions, wording, logos, colours, illumination, supporting structures, and positioning on buildings and works and the method of affixing thereto;	N/A		
(x) floodlighting and other exterior lighting including the location and strength of illumination.	N/A		
(xi) A written statement by or on behalf of the Applicant of the likely impact of the proposed use or development on the environment and heritage; and	×		
(xii) A written statement from relevant infrastructure managers regarding the infrastructure requirements necessary to enable the proposed use or development, and the availability of such infrastructure; and / or the need to upgrade any infrastructure to support the proposed use or development.	×		

LODGEMENT DETAILS

You can lodge the completed Application by:

Email: planning@nirc.gov.nf

Deliver: Council Bicentennial Complex
39 Taylors Road
Burnt Pine
NORFOLK ISLAND 2899

Mail: Norfolk Island Regional Council
P.O. Box 95
NORFOLK ISLAND 2899

What now: Once your application is received a Council Officer will respond within 10 working days to advise whether your application has all the information that is required for the application to be accepted for assessment.

OFFICIAL USE ONLY

Receiving Officer: G Sanders

Date: 30 May 2024

CONSIDERATION OF ADEQUACY FOR ACCEPTANCE – TO BE COMPLETED BY COUNCIL

Application satisfactory to lodge and accept

Yes

No

Additional information required before the application will be accepted:

Planning Act 2002 (NI):

Development Approval Required:

Yes

Tick category:

Category of Development

Permitted Use or Development

Permissible (with consent) Use or Development

Declared significant development

Building Act 2002 (NI):

Building Approval Required:

Yes

No

APPLICATION ACCEPTANCE – TO BE COMPLETED BY COUNCIL

Officer: J Brown

Date: 31 May 2024

NORFOLK ISLAND



CERTIFICATE OF TITLE

The particulars in this certificate relate to an estate in fee simple granted on 23 April 1884 and are certified to be the registered particulars in respect of the parcel/s at the time of issue of this certificate.

Registered on 20 February 2024 by



Registered Proprietor and Tenancy

DAVID KINGSTON LAMMIN

Sole Proprietor

Land

Lot	Section	Portion	Area	Sheet Number
146	2	47g1	9510m2	6

Notations

Instrument No	Description	Comments

Related Titles

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Encumbrances

Instrument No	Description	Registered
6057	Easement	5/05/2006 3:37:44 PM

Delivered to: McIntryes Lawyers

By hand

INASMUCH

Diagram is attached on the next page