

# NORFOLK ISLAND

## Regional Council

ABN 6010 3855 713

### APPLICATION FOR DEVELOPMENT APPROVAL AND / OR BUILDING APPROVAL

APPLICATION NO.	DABA	17/2024
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<b>1. APPLICANT DETAILS (May be an agent acting on behalf of a landowner)</b>			
Name Applicant 1	MURRAY	DEVANTIER	
	First Name	Last Name	
Name Applicant 2	MARCIA	DEVANTIER	
	First Name	Last Name	
Postal Address	6 WILLOW AVENUE, HANNAHS BAY, ROTORUA, N.Z.		
Phone No.	64 27 5624817	Mob. No.	64 27 562 4817
Email (s)	murrayd@claymark.co.nz		
Signature Applicant 1	<i>Murray Devantier</i>		
Signature Applicant 2	<i>Marcia Devantier</i>		

<b>2. LANDOWNER(S) DETAILS (if not the Applicant)</b>			
Name			
	First Name	Last Name	
Name			
	First Name	Last Name	
Postal Address			
Phone No.		Mob. No.	
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	41 GRASSY ROAD, NORFOLK ISLAND						
Portion No.	35b2	Lot No.	60	Section No.	27	Land Area:	674sqm
Please attach a copy of the Title Search for the subject property:						Yes	
Current Land Use							
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
		Rural Residential		Business		Conservation	Roads
	<input checked="" type="checkbox"/>	Residential		Industrial		Special Use	

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

5. THE ACTIVITIES INVOLVED IN THE PROPOSED USE OR DEVELOPMENT (please tick where relevant)	
<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)

5. 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)
APPLICATION TO BUILD A TWO BEDROOM HOUSE WITH STUDY.
GARAGE OR CARPORT DIMENSION 6M X7.2M.
WATER TANK AS REQUIRED TO SERVICE THE DWELLING.

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	\$ 184,000

3. USE, DEVELOPMENT AND BUILDING DETAILS & MATERIALS (as applicable)			
Gross floor area of all new proposed buildings	163 sqm (HOUSE), SHED 43.2 sqm -Total 206.2 sqm		
Gross floor area of all existing buildings on site			
Total roof area (sqm) of all buildings on the lot	NIL		
Total number of bedrooms	TWO PLUS STUDY		
Maximum height of new building(s) or structure(s) in metres	4.6M House and 3.25m Garage		
Building setbacks – minimum distance to front, rear, and side boundaries in metres.  Note: it will be necessary to peg out the general footprint of proposed structures at the subject land	Boundary	Distance	Orientation
	Front	5.4M (FRONT OF SHED)	144° 41
	Rear	6.35M (WATER TANK)	324° 41
	Side 1.4	1.5M (WATER TANK) HOUSE 2M	219° 04 10"
	Side 2.6	3.395M (HOUSE)	39° 04 10"
Wall construction material (external) & colour	WEATHERBOARD & PLYWOOD PAINT COLOUR GREY House and Garage Colourbond Colour Monument		
Floor construction material	TREATED PLYWOOD FLOORING ON TIMBER PILES JOISTS & BEARERS		
Roof construction material & colour	COLOURSTEEL GREY		

Frame construction material	TIMBER		
Water supply and storage <i>Notes: Please refer to DCP No. 2 - Water Resources for minimum water storage requirements.</i>	Water tank material	COLOURSTEEL	
	Water tank capacity (existing)	NIL	
	Water tank capacity (new)	79,831 LITRES	
	Total combined capacity (new and existing tanks)	79,831 LITRES	
On-site wastewater management system proposed / existing (e.g., sewer connection, AWTS, other – please specify;) and total capacity  <i>Notes: Please refer to DCP No. 2 - Water Resources for minimum waste water management requirements.</i>	Type of system	CONNECTED TO SEWER	
	System tank capacity	N/A	
Advertising Structure or Sign - construction material, size, total number of signs or structures (new and existing)  <i>Notes: 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 <sup>2</sup> and m <sup>3</sup> )  <i>Notes: an Earthworks Plan as described in section 11 will be required to support your Application if in excess of 50 cubic metres</i>	NO SIGNIFICANT EARTHWORKS REQUIRED: ONLY SITE EARTHWORKS TO LEVEL FOR SHED CONCRETE PAD		
Swimming pool - above ground / below ground, dimensions, (length, depth, width) construction materials and dimensions for associated decking / structures/ fences and gates.	N/A		

<b>9. BUILDER'S DETAILS</b> (if applicable; and if a builder has been selected)			
Name	MIKE JOHNSTON		
Phone No.	50271	Mob No.	50271
Email:	mrj2899@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](mailto:planning@nirc.gov.nf). Alternatively, advice can be provided in the spaces below.*

Contact	Comments
<b>Electricity</b> Team Leader, John Christian Ph: 22078, 23206 Email: <a href="mailto:john.christian@nirc.gov.nf">john.christian@nirc.gov.nf</a> Mitchell Graham Email: <a href="mailto:mitchell.graham@nirc.gov.nf">mitchell.graham@nirc.gov.nf</a>	RESPONSE TO JOHN'S QUERIES: EXISTING UNDERGROUND MAINS POWER ARE 16MM <sup>2</sup> SINGLE PHASE CONSISTENT WITH TODAY'S STANDARDS. THE EXISTING METER BOX REQUIRES ATTENTION - NEW GROUND MOUNT(S) (POST) AND EARTH STAKE. TO BE CONFIRMED BY COUNCIL WHETHER THE METER STILL NEEDS TO BE MOVED TO THE BOUNDARY WITH THE INSTALLATION OF NEW SMART METERS REMOVING THE NEED FOR MANUAL READINGS.
<b>Public Health and Environment</b> Water storage and wastewater management requirements Team Leader, Arthur Travalloni Ph: 22001 Email: <a href="mailto:arthur.travalloni@nirc.gov.nf">arthur.travalloni@nirc.gov.nf</a>	<b>WASTEWATER:</b> PER DCP 2, CL.24 – THIS DEVELOPMENT IS WITHIN 75M OF SEWER MAINS AND <b>MUST</b> BE CONNECTED TO SEWER MAINS.  <b>WATER STORAGE;</b> ASSESSED ON 3 BEDROOMS. WATER STORAGE MINIMUM 70,000L (560L/DAY). WITH THE COMBINED AREA OF ALL THREE ROOF STRUCTURES, IT'S EXPECTED THE PROPOSED WATER STORAGE WILL BE SUFFICIENT AND COMPLIANT WITH THE DCP 2.
<b>Fire Service</b> Team Leader, Shane Wallis Ph: 22049 Email: <a href="mailto:shane.wallis@nirc.gov.nf">shane.wallis@nirc.gov.nf</a>	SMOKE ALARMS REQUIRED IN ALL BEDROOMS + ONE IN HALLWAY LEADING TO BEDROOM 2. SMOKE ALARMS TO BE PHOTOELECTRIC (AS 3786-2014 COMPLIANT) HARDWIRED TO MAINS POWER SUPPLY WITH A SECONDARY POWER SOURCE (10 Y NON-REMOVABLE BATTERY) OR BE POWERED BY 10 YEAR NON-REMOVABLE BATTERY TYPE PHOTOELECTRIC SMOKE ALARM.. BE INTERCONNECTED WITH EVERY OTHER SMOKE ALARM IN THE DWELLING SO ALL ACTIVATE TOGETHER. MUST NOT CONTAIN AND IONISATION SENSOR.
<b>Telecom</b> Team Leader, Simon Peapell Ph: 23905 Email: <a href="mailto:simon.peapell@nirc.gov.nf">simon.peapell@nirc.gov.nf</a>	NO COMMENTS PROVIDED BY TELECOM IN REPLY TO THE INITIAL DA INFORMATION SUPPLIED.
<b>Public Works and Depot</b> Road works, driveways Team Leader, Mal Snell Ph: 22006 Email: <a href="mailto:malcolm.snell@nirc.gov.nf">malcolm.snell@nirc.gov.nf</a>	AS AN ESTABLISHED ENTRANCE / DRIVEWAY FROM GRASSY ROAD ONTO THIS PROPERTY ALREADY EXISTS WORKS HAVE NO ISSUES WITH THIS DA AS PRESENTED.
<b>Biodiversity</b> Protected trees, Argentine ants etc Team Leader, Tara Patel Ph: 22001 Email: <a href="mailto:tara.patel@nirc.gov.nf">tara.patel@nirc.gov.nf</a>	NO COMMENTS PROVIDED BY BIODIVERSITY IN REPLY TO THE INITIAL DA INFORMATION SUPPLIED.

<b>1. OTHER APPROVALS</b>	
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.	
<input type="checkbox"/>	<i>Environmental Protection and Biodiversity Protection Act 1999 (Cth)</i> . Please refer to <a href="http://www.environment.gov.au/protection/environment-assessments">http://www.environment.gov.au/protection/environment-assessments</a>
<input type="checkbox"/>	<i>Crown Lands Act 1996 (NI)</i> – applies to Crown land.
<input type="checkbox"/>	<i>Local Government Act 1993 (NSW)(NI)</i> – approvals may be required for specified activities.
<input type="checkbox"/>	<i>Trees Act 1997 (NI)</i> – permit required to remove protected trees. Please refer to the <i>Trees Regulations 1999</i> - Schedule of Protected Trees.
<input type="checkbox"/>	<i>Public Reserves Act 1997 (NI)</i> – permit required for an activity in a Public Reserve.
<input type="checkbox"/>	<i>Subdivision Act 2002 (NI)</i> – registration of plan of subdivision.
<input type="checkbox"/>	<i>Tourist Accommodation Act 1984 (NI)</i> – registration of tourist accommodation.
<input type="checkbox"/>	<i>Sale of Food Act 1950 (NI)</i> – licence required for production and / or sale of food.
<input type="checkbox"/>	<i>Liquor Act 2005 (NI)</i> – licence required to supply liquor.
<input type="checkbox"/>	<i>Heritage Act 2002 (NI)</i> – Proposals for use or development that affect listed heritage items .
<input type="checkbox"/>	<i>Roads Act 2002 (NI)</i> – opening and closing public roads.
<input type="checkbox"/>	Other Approvals

<b>2. ENVIRONMENTAL IMPACTS OF YOUR DEVELOPMENT</b>	
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 <b>either</b> :	
<ol style="list-style-type: none"> <li>1. Provide a Description of Potential Environmental and Heritage Impacts in your Development Application; or</li> <li>2. Submit a Statement of Environmental Effects with your Development Application; or</li> <li>3. Submit an Environmental Impact Statement prepared in accordance with the Planning Act 2002 (NI) &amp; Planning Regulations 2004 (NI) with your Development Application.</li> </ol>	
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.	
<b>Environmental Impact Statement attached:</b>	<input type="checkbox"/>
<b>Statement of Environmental Effects attached:</b>	<input type="checkbox"/>
<b>Description of Potential Environmental and Heritage Impacts:</b>	<input type="checkbox"/>
<b>Description of Potential Environmental and Heritage Impacts:</b> Please describe the potential impact of your proposed use or development on the environment and heritage of the development site and surrounding area.	
THE PROPERTY IS A SMALL BLOCK IN GRASSY RD. THE DEVELOPMENT IS A TYPICAL	
RESIDENTIAL BUILD FOR SUCH A ZONING. IT WILL BE CONNECTED TO THE SEWER MAINS.	
ALL THE STRUCTURES PLANNED WILL HARVEST RAINFALL, AND THEREFORE THERE IS NO	
EXPECTED WATER RUN-OFF.	

<b>13. PLANS AND MAPS</b>	
<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>	
✓	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 <b>to a scale of not less than 1:100.</b>
✓	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.
✓	Site Plan - Drawings to a scale of <b>not less than 1:500 showing:</b> <ul style="list-style-type: none"> <li>- The boundaries and dimensions of the allotment, relevant easements and adjacent streets.</li> <li>- 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.</li> <li>- The levels of the site and of the floors of the building in relation to an adjoining street channel, if any.</li> <li>- 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.</li> </ul>
N/A	Earthworks Plan- Drawings (Site Plan) at a scale of <b>not less than 1:100</b> showing at least: <ul style="list-style-type: none"> <li>- Existing natural contour levels and proposed finished contour levels.</li> <li>- Cross section plans showing the nature, extent and depth of excavation and /or land filling and associated works, batter slopes and any retaining structures.</li> </ul>
N/A	Subdivision - Preliminary Plan of Subdivision
✓	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.

<b>14. SUPPORTING INFORMATION</b>	
<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>	
1.	<b>CERTIFICATE OF TITLE</b>
2.	<b>PLANS &amp; ELEVATIONS</b>
3.	<b>GRANT OF EASEMENT</b>
4.	<b>PLUMBING &amp; DRAINAGE</b>
	<b>Submission to support proposal to vary setback requirements (attached)</b>

<b>15. DEVELOPMENT APPLICATION AND / OR BUILDING APPLICATION - CHECKLIST OF REQUIREMENTS</b>			
<p><i>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.</i></p>			
<b>Requirement</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
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;			N/A
(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;			N/A
(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;			N/A
(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](mailto: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: 4 June 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: 15 June 2024

## **Submission for 41 Grassy Road**

The reasons we are wanting to build house and garage/shed closer to the fenceline of 39 Grassy Road and 41B Grassy Road are:

- Section is very narrow (only 13.255 wide)... so if we build 3.6 metre from the boundaries to 39 and 41b we would need to build a house 5.655 m wide and this is very impractical. We have looked at a huge number of house plans and it is virtually impossible to get a house that narrow. ( $13.255 - 3.6$  from boundary -  $3.6$  from boundary =  $5.655$ )
- The house would be far too long. We require a large catchment roof area to meet council water requirements. A 2 bedroom house with study needs to have a catchment area of 150 sq metres...and in order to achieve this we would need a house 26.53, m long ( $150 / 5.655$  ). If the house was this long there would be no room for the easement, the water tank or a garage/shed which we feel is essential to keep any materials we buy safe from weather etc.
- Other properties on the same street are closer to the boundary than 3.6 m
- a long narrow house is not very functional and probably not suitable for us or other people as rooms get too far away from one another.
- the easement at the rear of the property takes a chunk off the back of the section meaning we cannot build closer than 7.2 m from Eileen's place. ... so even a long narrow house becomes almost impossible by the time we add a storage shed for materials and a tank.

We hope that you will allow us to build as shown on the section.

We certainly tried to find a possible site plan 5.655 m or narrower but they either don't exist or have a roof catchment that is a long way from satisfying council requirements.

Y

ou will notice that we tried to be considerate to neighbours... in that we positioned it nearer to Martin's boundary at 39 than to the 41b boundary. This is because Martin Hayme's house is built across the middle of a double section and has a drive on "our side" so we are less likely to inconvenience him.

Also we positioned the house 3 m from 41b so that we would not overshadow the house to be built on 41b.. We are hopeful they will build nearer to 43 as that house is a long way back on its section.

Best Wishes

Murray & Marcia Devantier.

## NORFOLK ISLAND



## CERTIFICATE OF TITLE

The particulars in this certificate relate to an estate in fee simple granted on 14 September 1859 and are certified to be the registered particulars in respect of the parcel/s at the time of issue of this certificate.

Registered on 29 April 2022 by

Registrar of Titles



## Registered Proprietor and Tenancy

MURRAY GLEN DEVANTIER, MARCIA RUTH DEVANTIER

Joint Tenants

## Land

Lot	Section	Portion	Area	Sheet Number
60	27	35b2	674m2	72

## Notations

Instrument No	Description	Comments
7355	Registrar's Minute	This substituted Certificate of Title is issued on 19 November 2008 to replace the original lost or destroyed Certificate of Title.

## Related Titles

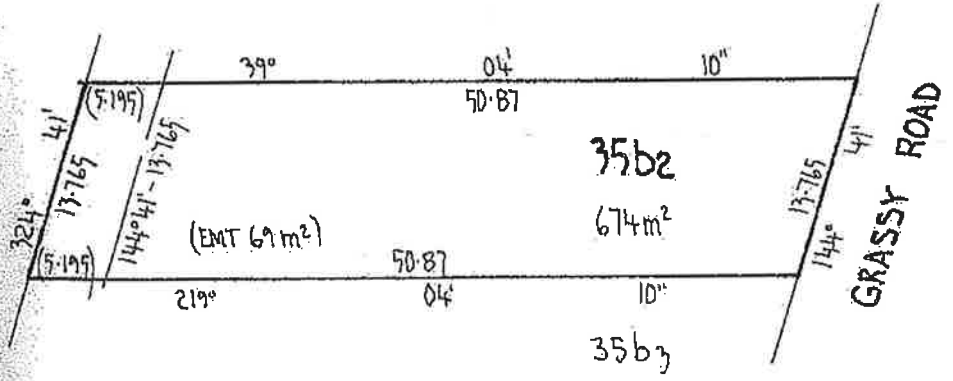
## Encumbrances

Instrument No	Description	Registered
2882	Easement	30/05/2000 4:10:16 PM

Delivered to: Murray G.Devantier, Marcia R. Devantier  
C/- PO Box 188, NORFOLK ISLAND

*Diagram is attached on the next page*

Scale: 1:100



*[Handwritten signature]*