

# LORD HOWE ISLAND BOARD

Date Received:

## Development Application

Section 78A, Environmental Planning and Assessment Act 1979

Development Application No.: ..... Date Lodged: .....

Use this form to apply for development consent to:

- Erect, alter or demolish a building or structure;
- Change the use of land or a building;
- Subdivide land;
- Display an advertisement;
- Any other development that requires consent from the Lord Howe Island Board.

To minimise delay in receiving a decision about your application, please ensure you submit all relevant information. To complete the form, please place a cross in the boxes and fill out the sections provided as appropriate. When your application has been assessed, you will receive a Notice of Determination. If you need help please phone or call the Board's office and discuss your queries with a development officer.

### APPLICANT DETAILS

**Mr**     Mrs     Ms    Other: .....

Name: **FLETCHER OWENS**.....

Organisation: **LORHITI APARTMENTS** [REDACTED]

Postal Address: [REDACTED]

Telephone: [REDACTED] [REDACTED]

Email: [REDACTED]

### OWNER CONSENT

Has Owner Consent been issued?     Yes     No    Owner Consent No.: ...submitted with DA

### OWNER CONSENT AND DA SUBMITTED SIMULTANEOUSLY

#### IDENTIFY THE LAND YOU PROPOSE TO DEVELOP

Portion/Lot No: **2**    Deposited Plan No.: **DP1261010**

Lease No **2021.02**

Address: [REDACTED]

### PROPOSED DEVELOPMENT

Describe the proposed development; give a detailed outline of what you are going to do. If it involves a building, indicated what it will be used for.

DECOMMISSION UNIT 2 AT LORHITI APARTMENTS AND CHANGE OF USE TOURIST ACCOMMODATION TO MEETING/ASSEMBLY/CONFERENCE ROOM  
NO STRUCTURAL CHANGE  
TRANSFER 8 EIGHT TOURIST LICENCES FROM DIANE OWENS TO FLETCHER OWENS

Building Material: EXISTING

Roofing Material: EXISTING

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## PAST/PRESENT LAND USES

State the past known uses of the site: COMMERCIAL AND RESIDENTIAL

State the present known uses of the site: COMMERCIAL AND RESIDENTIAL

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## STAGED DEVELOPMENT

You can apply for development consent for only part of your proposal now, and for the remaining part/s at a later time.

Are you applying for development consent in stages?  Yes  No

If yes please attach:

- Information which describes the stages of your development;
- A copy of any development consents you already have which relate to your development.

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## PLANS OF THE LAND AND DEVELOPMENT

You need to provide a number of different plans that show what you intend to do. Step 4 of the Development Application Guide sets out which plans to provide and the details to include. **3 copies** of the plans must be submitted with the application. Please attach:

- A site plan of the land, drawn to scale;
- Plans or drawings of the proposal, drawn to scale and, where relevant;
- An A4 size plan of the proposed building and other structures on the site;
- A plan of any existing buildings (and uses), drawn to scale.

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## ENVIRONMENTAL EFFECTS OF YOUR DEVELOPMENT

To assess your proposal, we need to understand the impacts it will have. Depending upon the nature and scale of your proposal, you need to provide one or more of the statements listed below to explain the environmental effects of your proposal.

Is your proposal likely to cause a major environmental impact (e.g. designated development)?

- Yes Please attach an environmental impact statement.  
 No Please attach a statement of environmental effects (SEE).

Is your proposal likely to cause have significant effect on threatened species, populations, ecological communities or their habitats?

- Yes Please attach a species impact statement.  
 No

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## SUPPORTING INFORMATION

You can support your application with additional material such as photographs (including aerial photographs), slides and models to illustrate your proposal.

Please list what you have attached.

Maps and plans

*NOTE: It will be necessary for you to place pegs showing the location of all building extremities and height of buildings within seven days of lodging your development application. These pegs will allow inspection by Board staff at an early stage of your development assessment.*

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**APPLICATION FEE**

For development that involves a building or other work, the fee for your application is based on the estimated cost of the development. If your development needs to be advertised to the public you may also need to include an advertising fee. Clauses 246 to 263 of the Environmental Planning and Assessment Regulation 2000 provide a schedule of fees.

*NOTE: Fees will be calculated in accordance with Cordell's Building estimates and will form the basis for the fee. To save time and any delays in processing your application, please contact us if you need help to calculate the fee for your application.*

Estimated cost of the development: **NIL**

Total fees lodged: ..... Date: ..... Receipt No.: .....

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**APPLICANT/S OR APPLICANT'S AGENT DECLARATION**

Have you or any associated persons with a financial interest in this application in the last two years made any political donations or given any gifts to any local Board Member or Board employee?  Yes  No

If you ticked yes please fill out a Political Donations and Gift Disclosure Statement.

**IMPORTANT NOTICE:** It is an offence under the EP&A Act 1979 if you fail to disclose reportable donations and gifts.

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**LEASEHOLDER AUTHORISATION – All leaseholder/s of the land must sign this application.**

As the leaseholder/s of the above property, I/we consent to this application.

[Redacted] Signature: .....

Name: **FLETCHER OWENS** Name: .....

Date: **8-2-22** Date: .....

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**APPLICANT AUTHORISATION – The applicant/s or the applicant's agent must sign the application.**

I apply for consent to carry out the development described in this application. I declare that all the information given is true and correct. I also understand that, if incomplete, the application may be delayed or rejected and more information may be requested within 21 days of lodgement.

Signature: [Redacted] Signature: .....

Name: **FLETCHER OWENS** Name: .....

Date: **8-2-21** Date: .....

State the capacity in which you are signing if you are not the applicant: .....  
.....

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**PRIVACY POLICY**

The information you provide in this application will enable us, and any relevant state agency, to assess your application under the Environmental Planning and Assessment Act 1979 and other applicable state legislation. If the information is not provided, your application may not be accepted.

If your application is for designated development or advertised development, it will be available for public inspection and copying during a submission period. Written notification of the application will also be provided to the neighbourhood. You have the right to access and have corrected information provided in your application. Please ensure that the information is accurate and advise us of any changes.

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## LODGEMENT

Before submitting your application, please ensure you have attached all the information the consent authority needs to assess your proposal. You can use the following checklist. Please place a cross in the box  next to any items you have attached:

### Plans

- X** A site plan of the land — **all applications**
- X** Plans or drawings of the proposal showing all dimensions — **all applications**
- X** An A4 size plan of the proposed building and other structures on the site - **all applications**
- X** A plan which is drawn to scale of all existing buildings.

### Environmental effects

- An environmental impact statement for a designated development proposal and an electronic version of the executive summary
- X** A statement of environmental effects — **required for all applications** that are not designated development
- An environmental report — **if required under clause 42 of the LHI LEP 2010**. Contact the Board to see if you need to prepare an environmental report.
- A species impact statement
- A Basix Certificate – The Building Sustainability Index (BASIX) applies to all residential dwelling types and is part of the development application process in NSW. A BASIX certificate **MUST** be obtained for “**BASIX affected development**”. For further information please refer to [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)
- Electrical supply form must be completed (for new / alteration / addition to existing supply).

### Staged development

- Information which describes the stages of the development
- A copy of any consents already granted for part of the development

### Supporting information

- Other material to support your application, such as photos, slides and models. *Please ensure any items listed as an Advisory Note as part of the Owner Consent approval have been addressed.*

### Application fee

- X** Your application fee — **required for all applications**.

### Where to lodge your application

You can lodge your completed application form, together with attachments and fees at the Lord Howe Island Board's office. Contact details below.

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## CONTACT DETAILS FOR YOUR INFORMATION

### Lord Howe Island Board

Bowker Avenue  
(PO Box 5)  
LORD HOWE ISLAND NSW 2898  
Phone: 02 6563 2066  
Fax: 02 6563 2127  
Email: [administration@lhib.nsw.gov.au](mailto:administration@lhib.nsw.gov.au)  
Website: [www.lhib.nsw.gov.au](http://www.lhib.nsw.gov.au)

### Lord Howe Island Marine Park Authority

Phone: 02 6563 2359  
Fax: 02 6563 2367  
Email: [lordhowe.marinepark@npws.nsw.gov.au](mailto:lordhowe.marinepark@npws.nsw.gov.au)  
Website: [www.mpa.nsw.gov.au](http://www.mpa.nsw.gov.au)

### Department of Infrastructure, Planning and Natural Resources – General Enquiries

Internet: [www.dipnr.nsw.gov.au](http://www.dipnr.nsw.gov.au)  
Phone: 02 9228 6111  
Email: [infocentre@dipnr.nsw.gov.au](mailto:infocentre@dipnr.nsw.gov.au)

### Department of Infrastructure, Planning and Natural Resources – North Coast Office

49 Victoria Street  
(PO Box 6)  
GRAFTON NSW 2460  
Phone: 02 6642 0622  
Fax: 02 6642 0640  
Email: [northcoast@dipnr.nsw.gov.au](mailto:northcoast@dipnr.nsw.gov.au)  
Website: [www.dipnr.nsw.gov.au](http://www.dipnr.nsw.gov.au) also for BASIX  
Certificate [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

# LORD HOWE ISLAND BOARD

## Statement of Environmental Effects

A Statement of Environmental Effects must be completed and submitted with your development application, this is a requirement under the *Environmental Planning & Assessment Act 1979*. The Statement of Environmental Effects report explains the likely impacts of the development proposal taking into consideration relevant planning and environmental matters. If you require any clarification about what information needs to be included, please contact the Board's office on (02) 6563 2066.

Failure to submit a completed Statement of Environmental Effects report will result in the development application being rejected or incurring unnecessary delays before the application can be determined. This report must be signed by applicant on last page.

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### APPLICANT DETAILS

Name: **FLETCHER OWENS**

Preferred Contact Phone No. [REDACTED]

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### PROPOSED DEVELOPMENT

Portion/Lot No.: 2

Deposited Plan No.: **DP 1261010**

LeaseNo.: **2021.02**

Address: [REDACTED]

Please tick the type/s of development you are applying for:

- |  |  |
|--|--|
| <input type="checkbox"/> Dwelling House  | <input type="checkbox"/> Shed or Garage                              |
| <input type="checkbox"/> Additions to Dwelling House   | <input type="checkbox"/> Dual Occupancy                              |
| <input type="checkbox"/> Home Business   | <input type="checkbox"/> Additions to Dual Occupancy                 |
| <input type="checkbox"/> Commercial  | <input type="checkbox"/> Subdivision including Boundary Realignments |
| <input type="checkbox"/> Other – please describe: ....CHANGE OF USE TOURIST ACCOMMODATION UNIT 2 TO MEETING/CONFERENCE/ASSEMBLY ROOM AND DECOMMISSION UNIT 2 |  |

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### DEVELOPMENT DESIGN ATTRIBUTES

#### EXISTING BUILDINGS

What buildings and/or structures already exist on the subject site? Existing structures located on the subject site (including their gross floor area where applicable) as well as adjoining properties need to be shown on a site plan. Please show floor space.

#### TOURIST ACCOMMODATION (6 APARTMENTS)

Transit lounge and laundry

DWELLING 1

DWELLING 2

GARAGE

STORAGE

**DEVELOPMENT CONSENTS**

If known, please list previous development and building approvals for the last 10 years which are considered relevant to this application. If necessary please consult Board staff.

DA Number	Development Description	Date of Consent
IB extension approved (CG2018-05) MDC2021-3 DA2021-1	EXTENSION TO INFRASTRUCTURE Garage Storage	9 AUGUST 2016 2021 2021

**OWNERS CONSENT**

Please provide the reference number for the Owners Consent application. Please confirm that all conditions of owners consent have been met for this development application.

OWNER CONSENT AND DA SUBMITTED SIMULTANEOUSLY

**DEVELOPMENT REQUIREMENTS**

**DWELLINGS/RESIDENTIAL**

Does your development comply with the **maximum gross floor area** and the **minimum dwelling area** (under Clause 20 & 23 LHI Local Environmental Plan 2010)? If yes, this must be demonstrated below.

**YES , SEE GFA CALCULATIONS FOR COMMERCIAL BUILDING ON SITE WHICH COMPLY**

Please specify if your development complies with the enlargements or extensions of a dwelling (under clause 27 LHI Local Environmental Plan 2010)? If yes, this must be demonstrated below.

**N/A**

**COMMERCIAL**

Please specify if your development complies with the requirements in Clause 22 for tourist accommodation, staff accommodation and commercial premises? If yes, this must be demonstrated below.

**YES THERE IS ADEQUATE LAND AVAILABLE**

**ALL BUILDINGS – MAXIMUM BUILDING HEIGHT**

Please specify if your development complies with the maximum building height (under clause 29 LHI LEP 2010)? If yes, this must be demonstrated below.

**THE BUILDING EXISTS**

**SUBDIVISION**

Please specify if your development complies with the subdivision requirements under clause 21 of LHI LEP 2010? If yes, this must be demonstrated below.

**N/A**

**ZONING** – Does your development meet the objectives of the zone in which the site is in? Please provide how the development meets these objectives (clause 13-19 LHI LEP 2010).

**YES, ZONE IS SETTLEMENT**

**ENERGY EFFICIENCY**

Does the development achieve the minimum BASIX requirements? To determine whether a BASIX certificate needs to be submitted with your application, please refer to [www.basix.nsw.gov.au/information/index.jsp](http://www.basix.nsw.gov.au/information/index.jsp). Each development application for a residential dwelling and each development application for alterations and additions must have a BASIX certificate.

**YES, THE BUILDING EXISTS AND COMPLIES WITH BASIX- NO STRUCTURAL CHANGE**

**BOUNDARY SETBACKS**

How far is your development setback from the front boundary?

**50 METRES**

How far is your development setback from the side and rear boundaries?

**20 METRES FROM SIDE AND 20 METRES FROM REAR (BUILDING EXISTS)**

Does the development comply with the Board's minimum setback requirements? If no, provide reasons why the development should be supported?

**YES**

**LANDSCAPING** – Please specify if the development complies with the landscaping requirements for Zone 2 land (clause 33 LHI LEP 2010)? If yes, this must be demonstrated below.

**LANDSCAPING EXISTS, THE BUILDING IS SCREENED BY TREES**

**LAND ADJACENT TO ZONE 7 OR 8** – Please specify if your development complies with the requirements for land adjacent to Zone 7 or 8 (under clause 34 LHI LEP 2010)? If yes, this must be demonstrated below.

**N/A**

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**CONSTRAINTS**

**FORESHORE DEVELOPMENT**

Is your land within the foreshore development area? If yes, please how the development complies with foreshore development requirements (Clause 35 LHI LEP 2010).

**N/A**

**AIRCRAFT NOISE**

Is your land subject to the Australian Noise Exposure Forecast? If yes, the development may need to include an Acoustic Report with the application.

**N/A**

**FLOODING**

Is your land flood prone? If yes, what measures will be undertaken to ensure that:

- water is efficiently drained from your property without impacting upon any adjoining neighbours.
- the proposed development will not be adversely affected by flooding.

**N/A**



#### **HERITAGE**

Is the development listed as a heritage item, located in a heritage conservation area or located adjacent to any known heritage item or archaeological site? If yes, a Statement of Heritage Impact and referral to NSW Heritage Branch may be required.

**N/A**

#### **SIGNIFICANT VEGETATION**

Will the development require the removal of any vegetation in areas mapped as 'significant vegetation' in LHI LEP 2010 Sheet 3 as well as the proposed 'significant vegetation' map on exhibition? If yes, the proposed development may be prohibited.

**NO, THE BUILDING EXISTS**

#### **RETENTION OF TREES AND LANDSCAPING**

Will the development require the removal of any native trees and/or shrubs? If yes, please specify how many trees/shrubs need to be removed and indicate their location on the site/landscape plan.

**NO, THE BUILDING EXISTS**

#### **RECOVERY PLANS AND HABITAT AREAS**

Is the development consistent with approved Recovery Plans for the island? Does the development have any impacts on threatened species? If the answer to this question is yes then an Environmental Report, a seven part test or a Species Impact Statement may be required (Clause 42 of LHI Local Environment Plan 2010). It is important to remember that it is illegal to clear, modify, under scrub or remove any vegetation within areas of identified habitat.

**NO, THE BUILDING EXISTS**

Can the development be sited to retain existing vegetation? If no, explain why this is not possible.

**NO, THE BUILDING EXISTS**

Do you intend to provide any landscaping to compensate for the removal of vegetation? If yes, please include a landscape plans specifying the species to be used. If no, please explain why supplementary landscaping is not necessary.

**NO, THE BUILDING EXISTS**

**VISUAL APPEARANCE**

Explain how the external appearance of the development has been designed to take into consideration of the adjoining properties and character of the area.

**THE BUILDING EXISTS AND THESE ISSUES HAVE BEEN ADDRESSED**

**VISUAL AND ACOUSTIC PRIVACY**

Describe how the development has been designed to reduce any possible impact on the visual or acoustic privacy of adjoining properties. Consider the use of screening, landscaping, offsetting windows and balconies.

**THE BUILDING EXISTS AND HAS SCREENING AND SUITABLE WINDOWS AND DOORS FACING**

**SOLAR ACCESS**

Has the development been designed so that the main indoor and outdoor living spaces face north and east to take advantage of solar access? If yes, please specify the parts of the dwelling facing north and east.

**YES, THE BUILDING EXISTS**

Does the development overshadow adjoining properties?

**NO, THE BUILDING EXISTS**

.....  
.....  
.....

**VIEWS**

Does the development obstruct any views from adjoining properties?

**NO, THE BUILDING EXISTS**

Is it possible to site the development to minimise the obstruction of views? If no, explain why this is not possible.

**NO, THE BUILDING EXISTS**

**PARKING AND TRAFFIC**

How many on-site parking spaces are existing and how many will result from the proposed development?

**4 ONSITE PARKING SPACES EXISTING**

Does the development provide adequate manoeuvring areas without impacting on existing access and parking arrangements? If no, please justify why the development should be supported.

**YES, THE BUILDING EXISTS**

**EARTHWORKS AND RETAINING WALLS**

Does the site need to be excavated or filled? If yes, specify the maximum retaining wall heights and type of construction. Retaining wall details need to be shown on the development plans.

**NO, THE BUILDING EXISTS**

**WASTEWATER MANAGEMENT**

Have you completed the Lord Howe Island Board Onsite Wastewater Management System checklist for Applicants and submitted with this application?

**NO, THE BUILDING EXISTS AND USES AN EXISTING ES9000 WASTEWATER SYSTEM**

.....  
.....  
.....

**STORMWATER RUNOFF DISPOSAL**

How will excess stormwater runoff be disposed?

**THE BUILDING EXISTS**

**EROSION AND SEDIMENT CONTROL**

What erosion and sediment control measure will be used to keep the soil on your site? Consider siltation fencing, diversion channels, stockpile protection, stormwater pit protection and gravel vehicle access.

**THE BUILDING EXISTS**

Where will the erosion and sediment control measures be provided on-site? Please identify the location of the erosion and sediment control measures on the site plan.

**N/A**

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**OTHER CONSIDERATIONS**

Are there any other particular measures proposed to mitigate and/or offset any significant impact caused by the development?

**NO**

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**APPLICANT AUTHORISATION**

Name: **FLETCHER OWENS**

Signature: .....  .....

Date: .....

OWNER CONSENT and DEVELOPMENT APPLICATION

Fletcher Owens



08 February 2022

Lot 2 in Deposited Plan 1261010 Lease No: 2021.02

Decommission Unit 2 at Lorhiti Apartments and Change of use Tourist accommodation (BCA Class 3) to Assembly/Conference room (BCA Class 9b) on Lot 2 Deposited Plan 1261010.

1. Contents

1. Statement of Environmental Effects
2. Photos
3. Site plan and building plans
  - ◆ Dwellings x 2
  - ◆ Linen room/storage
  - ◆ Tourist accommodation
  - ◆ Garage
  - ◆ Total site plan and survey
  - ◆ GFA calculations
  - ◆ Adjacent Perpetual Leases
  - ◆ Vegetation plan
  - ◆ Parking
  - ◆ OC/DA/SEE application
  - ◆ Letter of Approval change of Use Unit 1 on 24 December 2021
  - ◆ License to provide tourist accommodation 12 (twelve) to 30 June 2023 in the name of Diane Owens

Address: Lot 2 of DP1261010 Lease No: Lease No: 2021.02, 

Applicant: Fletcher Owens

Zone: Zone 2 settlement.

Biodiversity -Significant native vegetation: No significant native vegetation will be damaged or removed with this application.

Site description Lot 1: The site is 8,447.3 sqm slopes to the Northwest. The site is zone 2 Settlement. The existing buildings on site are outside of mapped SNV.

Site description Lot 2: The tourist (commercial) business is known as Lorhiti Apartments. The tourist apartments are situated on an irregular shaped block with the total site area of 8,446.5 square metres with Anderson Road dividing the site (5,284 sqm plus 3,162sqm).

Existing improvements Lot 2:

- 2 dwellings
- Garage
- Workshop/storage
- 6 tourist accommodation units (license- 12 beds) with guest transit lounge and guest laundry attached to the southern end of the building
- Landscaping design
- Driveway access and parking

**Portion 174 (adjacent) includes a right of way of variable width from 4.350m at its' narrowest point located in the southwestern corner of the allotment and provides access to the applicant's s lease. The southern part of the site is not developed and is heavily vegetated. The site is zoned 2 Settlement. The existing buildings on site are outside of mapped SNV.**

Compliance:

EPA Act

**EPA Reg's**

LHI LEP2010

Contamination: None

Bushfire risk: None

Services: Existing water, electricity, telecommunications, and wastewater disposal

Stormwater: Existing surface water flows southwest

Landscaping: No additional landscaping proposed

Tourist license allocations: Existing tourist facility on Lot 2 is licensed for 12 people held in the name of Diane Owens (previous Owner/leaseholder). Application has been made to transfer 8 licenses from Diane Owens to Fletcher Owens and Diane Owens to retain 4 licenses.

Consent has been approved for decommissioning 2 tourist licenses (Unit 1) from Class 3 to Class 9b. A further 2 (two) licenses from Unit 2 are to be retained by Diane Owens (total of 4 licenses). Unit 2 must be decommissioned from Class 3 to Class 9b (tourist accommodation change of use to Assembly/conference room).

Supporting documentation:

Survey plan by Scott Ritter. DP1261010 Lots 1 and 2 P/L Lease No: 2021.02, registered 9 March 2020

Tourist accommodation Units 1 and 2 decommission plan

Zone and Permissibility: The land is in Zone 2 Settlement. The proposal complies with Clause 22 LEP2010

Heritage: No heritage listing of the subject site

Sewer: Existing approved wastewater system on Lot 2 supports waste from dwellings and tourist accommodation ES9000

Access: Existing from Anderson Road is sealed.

Surrounding development: Typical dispersed settlement pattern

Impacts and mitigation: The proposal will not impact on the environment or SNV or impact on World Heritage values

Design principles comply with LEP2010.

Demonstrated business need:

1. The proposal to decommission Unit 2 allows 4 tourist licenses to be retained by Diane Owens, who currently holds 12 tourist licenses operating from Lorhiti Apartments.
2. Unit 1 decommission and change of use has been approved
3. Decommissioning unit 2 at Lorhiti Apartments and change of use from tourist accommodation (BCA Class 3) to Assembly/meeting and conference room (BCA Class 9b) will allow Lorhiti guests to have a meeting room and not be disturbed by in transit guests.
4. There is not insufficient space in the existing transit lounge with Covid social distance requirements for an assembly meeting room for guests in conjunction with a transit lounge.
5. The transit lounge contains the guest public telephone, tourist information and internet as well as seating and facilities for guests in transit. This is not conducive with a guest meeting/assembly/conference room as it is not a private space.

There are no additional tourist licenses being sought by this application

There will be no increase in tourist license numbers (Clause 22(4))

Justification:

1. Decommissioning and change of use of unit 2 will utilise an existing commercial area for the use of Lorhiti guests to meet without being disturbed by in transit guests or guests using the internet
2. Unit 1 was approved to decommission and change of use on 24 December 2021
3. Transfer of 2 tourist licenses registered to Diane Owens (Unit 1) Lot 2 of DP1202580 (Fletcher Owens) has been approved by the LHI Board change of Use BCA Class 3 to BCA Class 9b
4. Fletcher Owens will be transferred 8 (eight) tourist licenses from Diane Owens to operate from 4 (four) tourist apartments. Unit 1= extension of transit lounge and Unit 2= assembly/meeting/conference room
5. All buildings have been identified on the lease, including dwellings

6. There is adequate land available for the proposal
7. The proposal is permissible with development consent in Zone 2 settlement and satisfies Clause 9,11,14,22,27,29,32 and 33 of the LEP2010.
  - Clause 11 –Matters that must be satisfied before development consent is granted
    - (a) The site falls within Zone 2 Settlement and is consistent with zone objectives
    - (b) There is adequate area for treatment of effluent. No new effluent will be produced. The existing wastewater system has been approved by the Lord Howe Island Board
    - (c) The proposal will not result in any SNV to be damaged or removed.
    - (d) The proposal does not involve any change in access on the site.
    - (e) The proposal does not involve landscaping
    - (f) The site is not located in a flood hazard area
    - (g) No additional infrastructure services are required
    - (h) The proposal will have no adverse impact on locality
    - (i) No overshadowing will result
    - (j) No privacy issues will result.
    - (k) Complies with Clause 22 (1) (a) and Clause 22 (1)(b)
8. Clause 22- Tourist accommodation, staff accommodation and commercial premises- the proposal complies with the minimum 15% of the balance of the area of the allotment occupied after the minimum dwelling area is deducted from the total area of the allotment (see GFA provided in this document)
9. Clause 29 – Maximum height of buildings. Existing building does not exceed 7.5m in height
10. Clause 32-Setback of buildings. The proposal complies with setbacks, as there is no structural change
11. Clause 33- Landscaped character. The proposed development will not adversely impact on the existing landscaped character and dispersed pattern of housing in the zone
12. The site is suitable and can accommodate the proposal
13. There is no cut and fill
14. The existing buildings are screened from the main road and the entrance driveway with a thick band of vegetation.
15. The proposed development has been designed in consideration of existing adjacent setbacks, building mass and landscaped character.
16. There is no significant environmental, social, or economic impact.
  - No native vegetation will be removed
    - a. Soil suitability, stability, slope, natural drainage patterns and erosion control are not affected
    - b. There is no effect on plants or animals that are native to the island
    - c. There will be no change to air, noise or water pollution arising from the proposed subdivision
    - d. There is no impact on the health of people in the neighborhood
    - e. There are no hazards arising from the proposed development.
    - f. There will be no impact on traffic in the neighborhood
    - g. There is no impact on the local climate
    - h. There is no change to visual impact
    - i. There is no impact on soil erosion
    - j. There is no impact on heritage significance
    - k. There is no visual exposure.
    - l. The existing access is landscaped and established. There is no requirement for cut and fill.
    - m. There is no impact on fauna habitats on the site or existing native vegetation.
17. There will be no impact on the environment
  - The area is landscaped using an approved Environmental plan.
  - Visual and climatic screening exists.
  - No impact on visual exposure,
  - No negative impacts on significant native vegetation
  - Main Access Road exists and is landscaped and screened.
  - Adequate distance from boundaries
  - World Heritage values will not be compromised.

- The Island's unique flora and fauna will be conserved and enhanced through the implementation of the existing Re-vegetation and Rehabilitation Plan.

Lot 2 EXISTING GFA CALCULATIONS (Total site area = 8,446.5sqm (Leaseholder Fletcher Owens))

Existing Residential

Dwelling 1	= 87 sqm	=5,000 sqm
Dwelling 2	= 91 sqm	
Residential storage	= 25.84 sqm	

**Existing Commercial GFA**

Tourist Units (27,630 m x 10.38 m)	=286.79 sqm
Transit lounge and laundry (3.4m x 8.16 m)	= 27.74 sqm
Garage	= 46.15 sqm

**Total GFA commercial floor area = 360.68 sqm**

Land Area required for commercial = 2,400.5 sqm

To calculate area required to comply LEP 2010: 360.68 sqm divided by 15 x 100

**TOTAL AREA REQUIRED**

**= 7,400.5 SQM**

**TOTAL AREA AVAILABLE**

**= 8,446.5 SQM**

**Proposed Residential GFA**

Lot 2 EXISTING GFA CALCULATIONS (Total site area = 8,446.5sqm)

Existing Residential

Dwelling 1	= 87 sqm	=5,000 sqm
Dwelling 2	= 91 sqm	
Residential storage	= 25.84 sqm	

**Existing Commercial GFA**

Tourist Units (27,630 m x 10.38 m)	=286.79 sqm
Transit lounge and laundry (3.4m x 8.16 m)	= 27.74 sqm
Garage	= 46.15 sqm

**Total GFA commercial floor area = 360.68 sqm**

Land Area required for commercial = 2,400.5 sqm

To calculate area required to comply LEP 2010: 360.68 sqm divided by 15 x 100

**TOTAL AREA REQUIRED**

**= 7,400.5 SQM**

**TOTAL AREA AVAILABLE**

**= 8,446.5 SQM**

**The proposal Complies with Clause 23 and Clause 24 of LHI LEP2010**

Proposed Development objectives and analysis:

2 and 3 (a)

The proposal is to:

1. Decommission a tourist unit- Unit 2 (2 tourist licenses) and change the use from Tourist accommodation Class 3 to Class 9b Assembly/meeting/conference room on Lot 2.
2. Keep the existing buildings screened from the main road and entrance driveway by an area of native and exotic vegetation.



3. Comply with the general objectives of the LEP2010, which are. ***"To ensure that any further development on the Island does not destroy the natural environment and does not adversely affect the lifestyle of the residents"***.
4. Satisfy the objectives of Zone 2 (settlement) LEP 2010
5. Comply with the Environmental protection and Biodiversity Conservation Act 1999, NSW Threatened Species Conservation Act 1995, NSW Heritage Act 1977, LHILEP2010, Lord Howe Island Act 1953, LHI DCP2010 and the NSW Environmental Planning and Assessment Act 1979.

Electrical: No change to existing load due use of existing buildings

Environmental: No impact on any threatened species, populations or ecological communities or their habitats.

Effluent: The proposal will continue to use the existing approved ES9000 wastewater system. There will be no additional load. The proposal will lessen the load.

(b) Details of any existing development that may be superseded by the proposal.

None

(c) A general description of the environment that, in the opinion of the consent authority, is likely to be affected by the proposed development

There will be no impact on the environment.

(d) A detailed description of any aspects of the environment that, in the opinion of the consent authority, are likely to be significantly adversely affected by the proposed development, including an assessment of whether there is any significant native vegetation that is likely to be significantly adversely affected by the proposed development.

The proposal satisfies the pre-requisites because it is using existing buildings on site which has an approved wastewater disposal system and approved ecological assessments and Rehabilitation plans.

- The area is landscaped using an approved Environmental plan.
- Visual and climatic screening exists.
- No impact on visual exposure,
- No negative impacts on significant native vegetation
- Adequate distance from boundaries

(e) The likely impacts of the proposed development on the environment, having regard to the following

(i) The nature and extent of the proposed development.

No impact

(ii) The nature and extent of any building work associated with the development

No impact.

(iii) The nature and extent of any building or work.

No Impact

Any rehabilitation measures to be undertaken in relation to the proposed development.

Continued implementation of the Ecological Restoration and Rehabilitation plan approved by the Board on 31 October 2014.

(f) A full description of the measures proposed to mitigate any adverse impacts of the proposed development on the environment.

- Soil suitability, stability, slope, natural drainage patterns and erosion control are not affected
- There is no effect on plants or animals that are native to the island
- There will be no change to air, noise, or water pollution
- There is no impact on the health of people in the neighborhood
- There are no hazards arising from the proposal.
- There will be no impact on traffic in the neighborhood
- There is no impact on the local climate
- There is no change to visual impact
- There is no impact on soil erosion
- There is no impact on heritage significance

- There is no visual exposure.
- The existing access is landscaped and established. There is no requirement for cut and fill.
- There is no impact on fauna habitats on the site.
- The proposal will not impact on existing native vegetation.  
There will be no adverse effects on the environment.

5. The reasons justifying the carrying out of the proposal having regard to the biophysical, economic, and social considerations and the principles of ecologically sustainable development.

(a) Biophysical

The site satisfies Zone 2 (settlement) objectives LEP 2010. The proposal is justified as the land is capable of urban development.

1. The proposal does not involve any negative impacts on significant native vegetation. The land will continue to be re vegetated and weeded.
2. The proposal will not impact on the ecology.
3. Endangered or protected species or habitats will not be disturbed.
4. Landscape Unit: DP1261010 lies within the East Coast Unit
5. A description of the existing environment:
  - ◆ Terrain: The site Part 2 is gently sloping to the West.
  - ◆ The RES (RES1984, Land Resources, p.8.) classifies the soil on the proposed site as weakly structured sandy soil.

The soil profile is deep. The Great Soil Group is Calcareous Litho sol.

- ◆ Slope: There is a minor slope of 5-10% to the Northwest
- ◆ Surface drainage: The site drains generally to the Northwest. There are no discernible drainage lines on the site.
- ◆ **Surface Geology: is described as Ned's Beach Calcaranite.** This is cross-bedded calcareous sandstone composed of fragments of coralling algae, pulverised coral, foraminifera, and fragmented mollusk shells.

**The depth at which Ned's beach Calcareanite is encountered on the proposed subdivision site is variable** and can range from 20cm to 2 metres.

- ◆ Urban Capacity: Sub-Class: B-sec. This category covers the entire proposed subdivision site. The negligible constraints identified are slope, erodibility, and permeability.
- ◆ Degree of Physical Constraint: Low
- ◆ Capabilities: Residential, Zone 2 Settlement
- ◆ Rural Capabilities: The land is classified (IV), which is suitable for grazing and gardens due to the sandy soil.
- ◆ Fire Hazard: is low. The RES (1984, Bushfire Hazard) indicates that the threat posed by bushfires on Lord Howe Island is insufficient to warrant special planning controls or management programs.
- ◆ Vegetation: Approximately 60 % of the Lease is native vegetation. 3,162 sqm across Anderson Road is SNV. The remainder is grassed lawns and exotic gardens. Exotic weeds are regularly removed. The native occurring species include Sallywood *Lagunaria patersonis*, Greybark *Drypetes australasica*, Blackbutt *Crypocarya triplinervis* and Thatch Palm *Howea forsteriana*.
- ◆ Fauna: In the forested areas the native birds present include The Lord Howe Island Silvereye *Zosterops tephroleura*, Green winged pigeon *Chalcophaps indica*, Golden Whistler *Pachycephala pectoralis*, Woodhen *Tricholimnas sylvestris* and Fleshy-footed Shearwaters *Puffinus carneipes*
- ◆ Soil stability: gentle slope, natural drainage, and no erosion.
- ◆ Visual exposure: Trees provide privacy. The tree canopy protects the area from strong winds. There is potential for additional visual and climatic screening by additional planting.

(b) Economic.

The proposal is justified as it will benefit the business on Lot 2 by providing Lorhiti guests with a common assembly/meeting and conference room which is separate from the Transit lounge.

Comply with Covid19 regulations and social distancing

Transferring 8 (eight) tourist licenses from Diane Owens to Fletcher Owens (the new owner of Lorhiti Apartments) will allow to operate his tourist licenses from his lease.

The proposal will utilize a commercial space for the business.

(a) Social

The proposal is justified as it will not affect the neighborhood in terms of traffic, privacy, overshadowing of adjoining land, noise, or visual impact. It is following Covid19 regulations

6. A list of approvals that may be obtained under any other Act or Law before the development may be lawfully carried out.

None.

7. An assessment of the compatibility of the proposal with the objectives which underlies the **Island's inclusion as a World Heritage Site.**

This proposal is compatible with the objectives for the following reasons.

World Heritage values will not be compromised.

**The Island's unique flora and fauna will be conserved and enhanced by the implementation of the existing Re-vegetation Plan.**

Conserve of World heritage values

Protect significant vegetation

Protect existing habitat of threatened species

Protect potential habitat of threatened species

Re-vegetate existing disturbed areas with native plants suited to the area approved by the Lord Howe Island Board.

8. A detailed evaluation of the visual impact of the proposed development and measures to be taken to reduce any detrimental visual impact, including the extent to which vegetation may be used to restore a natural landscape character.

This has been addressed in Biophysical (5)

9. A detailed evaluation of any effect of the proposed development upon a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific, or social significance or other special value for present or future generations.

Locality

No effect.

Aesthetic

No effect.

Anthropological

No effect.

Archaeological

No effect.

Architectural

No effect.

Scientific

No effect.

Cultural

No effect.

Historical

No effect.

10. Justification of the proposal in terms of

(a) The aims of the Lord Howe Island Local Environmental Plan 2010:

The proposal satisfies the pre-requisites of Zone 2 (settlement) and the LEP2010. There is no damage to the environment. There is adequate suitable land area.

(b) Any objectives of the zone in which the proposed development is proposed to be carried out as set out in this plan:

The proposal is in sympathy with existing development on site and complies with Zone 2 Settlement (1) (a).

(c) Any relevant development controls that are set out in this plan:

There is adequate land area for further commercial development on Lot 2 and the proposal complies with BCA and Lord Howe Island Board regulations within Zone 2 Settlement (1) (b)

(d) The applicant will ensure that no part of the proposed development:

(i) will result in any damage to, or the removal of, significant native vegetation, or

(ii) will have a significantly adverse impact on the habitat of any plants, or animals, that are native to the Island,

(e) Access exists and will not:

(i) Result in any damage to, or the removal of, significant native vegetation.

(ii) have a significantly adverse impact on the habitat of any plants, or animals, that are native to the Island,

(f) any proposed landscaping will use species of plants that are native to the Island and common in the locality to enhance any significant native vegetation in compliance with the approved Revegetation plan 2009,

(g) the proposal will not be adversely affected by any landform limitations, including flooding, landslip, unstable soils, and steep slopes,

(h) adequate services exist with no cost to the Board or the community

(i) the appearance of the proposal (when considered by itself or in conjunction with existing buildings and works) will not have any significantly adverse impact on the locality

(j) the proposal will not cause any significant overshadowing of adjoining land,

(k) The proposal will not cause any significant reduction in the privacy of occupiers of adjoining land. There are thick privacy plant screens existing between the driveway and the proposed building

11. An Assessment of whether there are any feasible alternatives to carrying out the proposed development including:

(a) The consequences of not carrying out the proposed development.

The applicant wishes to utilise commercial space at Lorhiti apartments to operate 8 (eight) tourist licenses from the Lot 2 DP1261010 and provide an area where guests can assemble to meet and have conferences without disturbance. Currently the tourist licenses are in Diane Owens name, they need to be in Fletcher Owens name so he can operate his tourist apartments

(a) The reasons justifying the carrying out of the development.

- The proposal satisfies the pre-requisites of design principles in the LEP 2010
- The proposal will have no negative environmental impact because no changes will be made to the environment.
- The proposal uses existing commercial areas

12. Ecologically sustainable development

- The consideration of the environment has been set out above
- There will be no pollution generated.
- The present generation is currently preserving the environment and social wellbeing for future generations.
- There are no threats to the environment
- 

• FIRE SAFETY MEASURES

- The existing building satisfies the BCA New South Wales Fire safety conditions
- All materials used for the alterations and additions are new
- All walls have fire rated insulation in the roof cavity and walls
- The kitchens have a fire blanket and insulated exhaust fan
- All rooms in buildings have fire smoke alarms fitted
- There are fire extinguishers in all building
- BCA Class 9b is exempt from Fire wall installation

## Conclusion.

This environmental impact report is intended to justify the applicant's proposal to.

- ◆ Utilise a commercial area in existing buildings on site
- ◆ Comply with the LHI LEP 2010 and DCP
- ◆ Allow for decommissioning of Unit 2 change of use Class 3 to Class 9b
- ◆ Justify and provide evidence that the proposal will have no negative impact on the environment and is following all related Acts and Legislations.
- ◆ It is considered that this application is a reasonable proposal which seeks consent to
  1. transfer 8 (Eight) tourist licenses from Diane Owens to Fletcher Owens on Lot 2 DP1261010
  2. decommission 1 tourist unit (Unit 2) to allow for 4 tourist licenses to be retained by Diane Owens

## References:

Atkinson, G Land Resources and Study of the Lord Howe Island Settlement Area. Soil Conservation Service NSW: Sydney

E.P & A Act (1979). Environmental Planning and Assessment Act. D West, Government Printer: Sydney

**Hutton, I (1986). Discovering Australia's World Heritage**-Lord Howe Island  
Conservation Press: Canberra

LEP (2010). Lord Howe Island-Regional Environmental Plan  
Lord Howe Island Board: Sydney

Ref: MDC2021.3.2  
Enquiries: Justin Sauvage

24 December 2021

Mrs Diane Owens



ADMINISTRATION OFFICE  
R23, Box 1  
Lord Howe Island NSW 2898

Phone: 02 4543 2066  
Facsimile: 02 4543 2127  
Email: [admin@lhi.gov.au](mailto:admin@lhi.gov.au)

Dear Mrs Diane Owens

**RE: NOTICE OF DETERMINATION OF APPLICATION TO MODIFY DEVELOPMENT CONSENT UNDER ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

I am writing in reference to your application to modify development consent for MDC2021.3.2.

Pursuant to section 4.55 of the Environmental Planning & Assessment Act, notice is hereby given of the determination by the consent authority. Your application has been conditionally approved.

<b>Proposed Development</b>	MDC2021.3.2
<b>Property Description</b>	Lot: 2 DP: 1261010
<b>Description of Proposed Development</b>	Modification of unit 1 approved change of use from staff room, office, storage and utilities room to additional transit room. Proposed Change of use Unit 1 at Lorhiti Apartments to additional transit room for Lorhiti guests is required due to Covid19 regulations. The capacity of the current Transit room is only 4 people. There will be no increase in the total bed license count using Unit 1 as an alternative transit room
<b>Date from which Consent Applies</b>	16 December 2021
<b>Date in which Consent will Lapse</b>	16 December 2026

The application has been determined by granting consent subject to the following conditions of consent:

**CONDITIONS OF CONSENT**

That MDC2021.03.02 for minor amendments to approved Development Application No.2021.03 (dated: 06 July 2021) for *A Change of Use Unit 1 at Lorhiti Apartments From Tourist Accommodation to Additional Guest Transit Room. Decommission Unit 1*, at Lorhiti Lodge, Lot 2 DP 1261010, No. 78 Anderson Road, Lord Howe Island, be approved subject to the existing conditions of approval as amended by the following modified or new conditions:



**Delete condition 3 and replace with the following:**

**3. BCA Compliance**

The proposed change of use for Tourist Unit 1 will change the (BCA) Building Classification from the existing tourist unit - Class 3, to the proposed transit room being a Class 9b Assembly Building.

Before occupation of the building under the proposed new use, the applicant shall obtain and submit to the LHIB a copy of an Occupancy Certificate issued by a Private Certifying Authority (PCA) certifying that the building is suitable for occupancy as a Class 9b Assembly Building.

**Delete Condition 5 and replace with the following:**

**4. Tourist Unit Decommissioning**

The subject Unit 1 that is to be decommissioned from tourist accommodation use, shall only be used for the approved guest transit room and not any other use without the consent of the LHIB.

An inspection of the decommissioned tourist unit by appropriate LHIB Officer/s will be required to ensure the decommissioning of the tourist unit is done to the satisfaction of the Lord Howe Island Board prior to the issue of the occupation certificate/ commencement of the new use.

Reason: To ensure that the development is completed in accordance with the approval.

**Delete Condition 8 - Fire Safety**

**Delete Condition 13 and replace with the following:**

**13. Inspections**

During development works all inspections deemed required/ specified by the Principal Certifying Authority (PCA) shall be undertaken to the satisfaction of the PCA.

Reason: This condition is prescribed under the Environmental Planning and Assessment Regulation 2000.

If you are dissatisfied with this determination you may have rights of appeal under the Environmental Planning and Assessment Act. These rights are set out below:

1. Section 8.9 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with the Lord Howe Island Board for a review of such determination. Any such review must however be lodged within 28 days from this determination. Should a review be contemplated sufficient time should be allowed for Lord Howe Island Board to undertake public notification and other processes involved in the review of the determination. See Section 8.9 (7) for details of determinations not subject to review under Section 8.9.

2. Part 8 (Appeals and Related Matters) of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court. 4. This Section 4.55 modification does not extend the lapsing date of the original development consent.

Should you require further clarification of this matter please contact Justin Sauvage on (02) 6563 2066 at your convenience.

Yours sincerely



Suzie Christensen  
**CHIEF EXECUTIVE OFFICER**

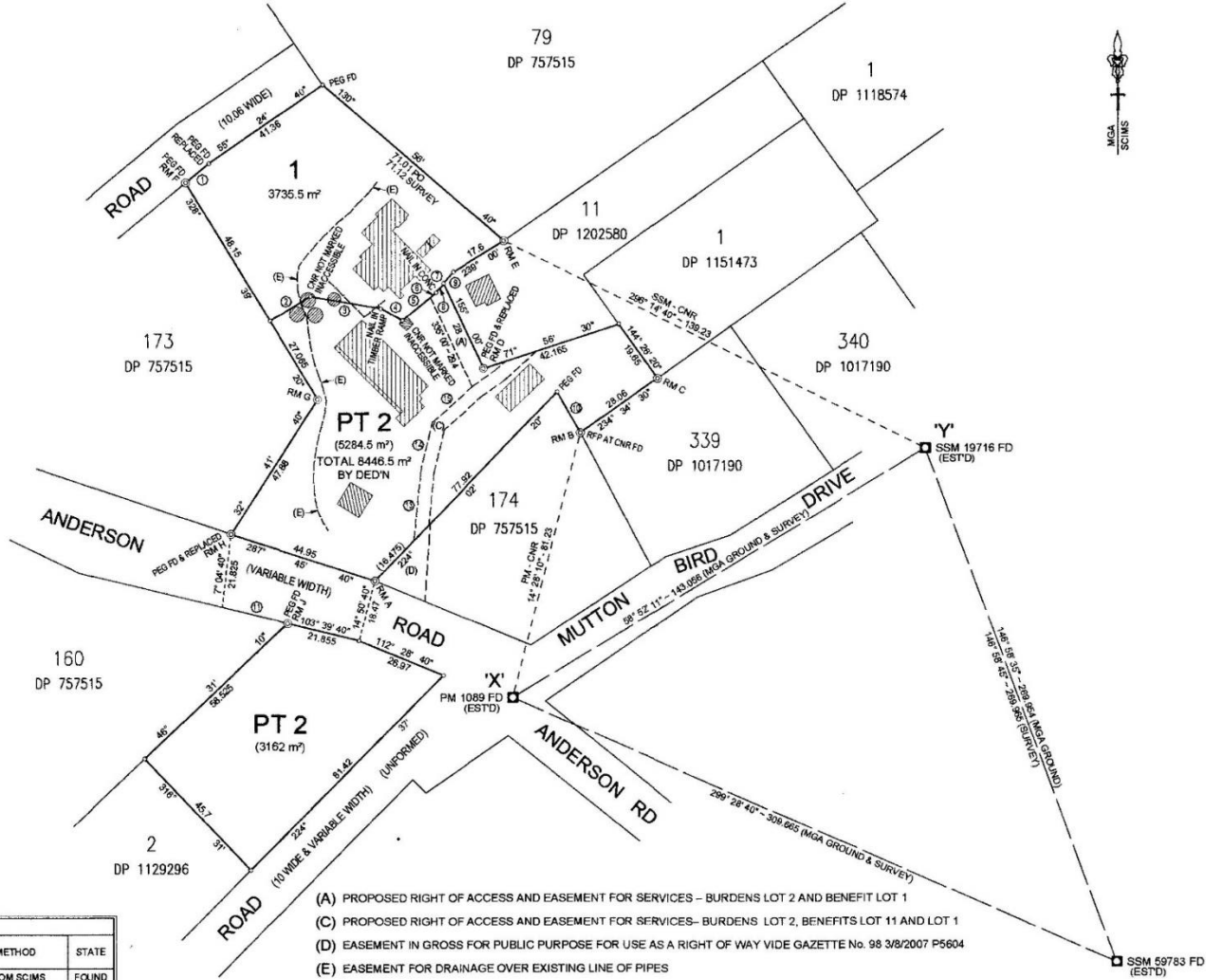


SCHEDULE OF REFERENCE MARKS				
RM	DESCRIPTION	BEARING	DISTANCE	ORIGIN
A	RM GIP FD	44° 01' 40"	0.76	LHI 128 - 2808
B	RM GIP FD	88° 48' 30"	0.48	LHI 128 - 2808
C	RM GIP FD	144° 28' 00"	1	DP 1151473
D	RM GIP SONE	58° 28' 40"	0.335	DP 1302580
E	RM GIP	21° 32' 40"	0.285	PLACED
F	RM GIP FD	233° 31' 00"	1	DP 1118574
F	RM TREE FD	338° 40' 40"	7.31	LHI 127 - 2808
G	RM STAR PICKET	329° 27' 45"	15.01	PLACED
G	RM STAR PICKET	178° 19' 20"	7.835	PLACED
H	RM TREE FD	162° 00' 40"	3.385	LHI 127 - 2808
H	RM GIP	138° 08' 20"	1.82	PLACED
J	RM GIP FD	228° 30' 40"	1.205	LHI 120 - 2808

SCHEDULE OF SHORT BOUNDARIES			
No.	BEARING	DISTANCE	COMMENTS
①	50° 25' 40"	8.88	BOUNDARY
②	238° 39' 20"	14.135	BOUNDARY
③	280° 00' 00"	21.125	BOUNDARY
④	298° 00' 00"	7.2	BOUNDARY
⑤	230° 30' 00"	13	BOUNDARY
⑥	(230° 30' 00")	(2.21)	EASEMENT
⑦	220° 00' 00"	8.1	BOUNDARY
⑧	220° 00' 00"	3.6	BOUNDARY
⑨	220° 00' 00"	4.5	BOUNDARY
⑩	330° 52' 30"	14	BOUNDARY
⑪	103° 39' 40"	20.095	BOUNDARY
⑫	284° 16' 40"	18.235	EASEMENT
⑬	188° 37' 45"	20.74	EASEMENT
⑭	193° 34' 05"	14.88	EASEMENT
⑮	(228° 34' 15")	(15.875)	EASEMENT

COORDINATE SCHEDULE						
MARK	MGA COORDINATES		CLASS	ORDER	METHOD	STATE
	EASTING	NORTHING				
PM 1089	506 416 757	6 512 809 083	C	4	FROM SCIMS	FOUND
SSM 19718	506 538 183	6 512 883 021	C	4	FROM SCIMS	FOUND
SSM 58783	506 886 225	6 512 456 770	A	1	FROM SCIMS	FOUND

DATE OF SCIMS COORDINATES : 30-6-2017 MGA ZONE 58 MGA DATUM : GDA 84  
COMBINED SCALE FACTOR : 0.98859



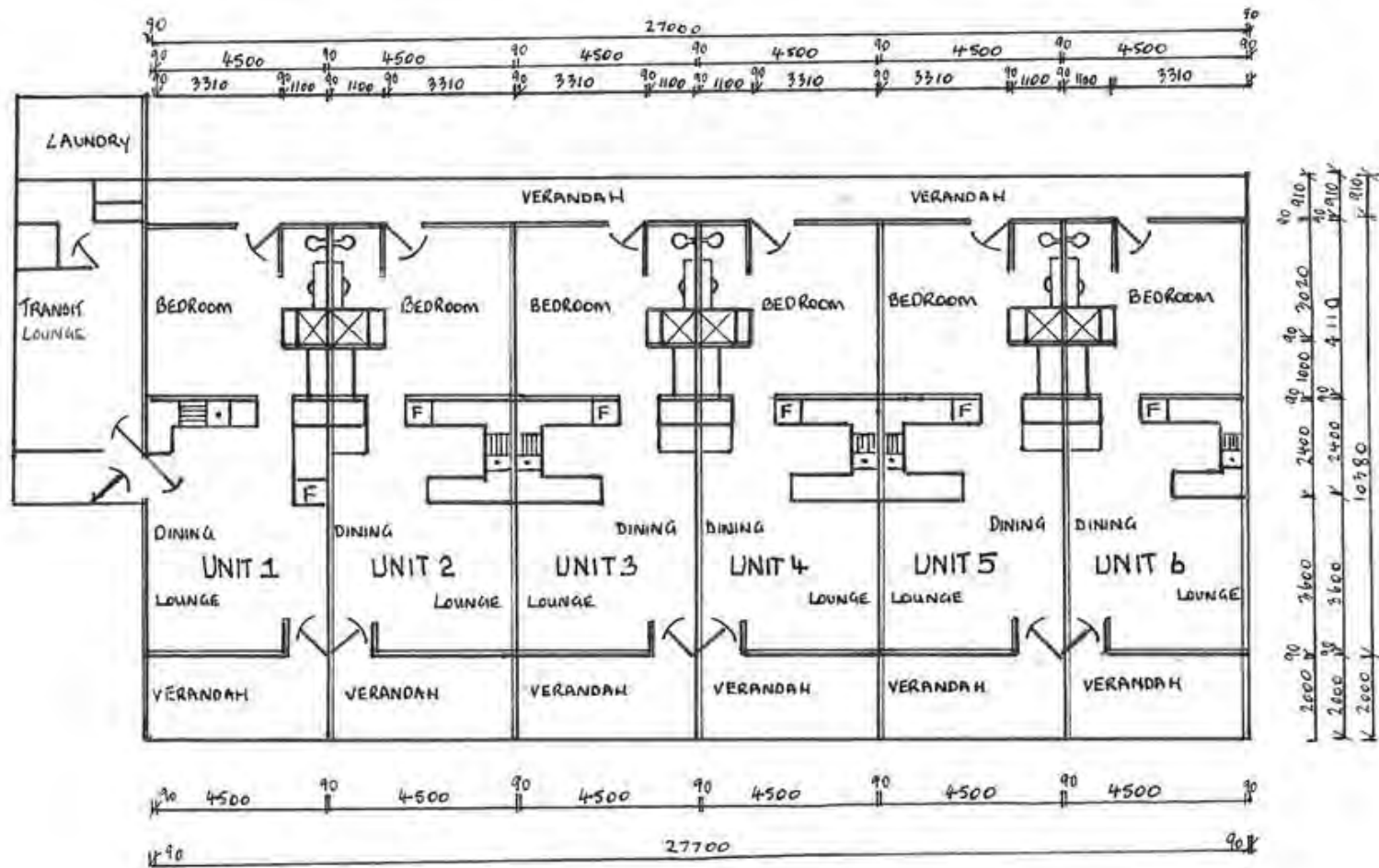
- (A) PROPOSED RIGHT OF ACCESS AND EASEMENT FOR SERVICES - BURDENS LOT 2 AND BENEFIT LOT 1
- (C) PROPOSED RIGHT OF ACCESS AND EASEMENT FOR SERVICES- BURDENS LOT 2, BENEFITS LOT 11 AND LOT 1
- (D) EASEMENT IN GROSS FOR PUBLIC PURPOSE FOR USE AS A RIGHT OF WAY WIDE GAZETTE No. 98 3/8/2007 P5604
- (E) EASEMENT FOR DRAINAGE OVER EXISTING LINE OF PIPES

SURVEYOR Name: DALLAS BRIAN LAUNDRY Date: 30-6-2017 Reference: 5842 LHI ST3	PLAN HEADING <b>SUBDIVISION OF                  LOT 10 IN DP 1202580</b>	LGA: UNINCORPORATED Locality: LORD HOWE ISLAND Reduction Ratio: 1:800 Lengths are in metres	REGISTERED	<b>DP</b>

Subdivision showing Lot 1 = 3,735.5sqm (Leaseholder Diane Owens) and Lot 2 = 8,446.5sqm (leaseholder Fletcher Owens)

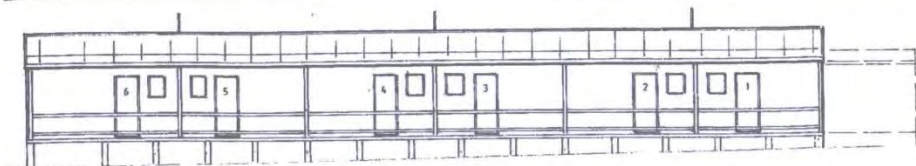
FLOOR PLAN LORHITI APARTMENTS LORD HOWE ISLAND NSW 2898

Mrs DIANE OWENS 1993  
APPROVED

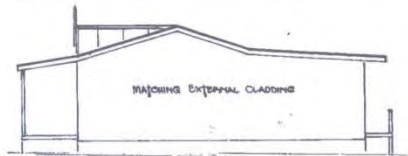


Tourist units on Lot 2 showing Unit 2 proposed to be decommissioned and change of use tourist accommodation to assembly room

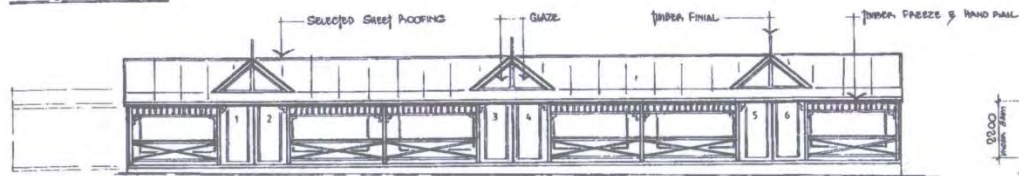
Decommissioned units 1+2 (red shading)



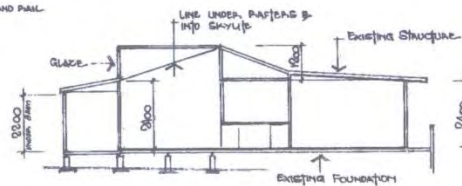
WESTERN ELEVATION



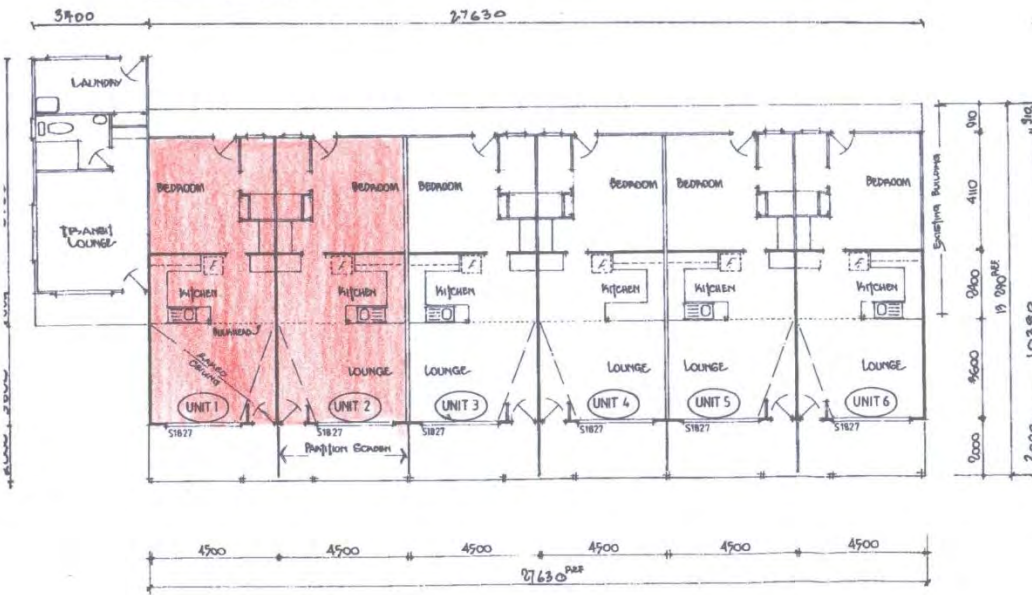
NORTHERN ELEVATION



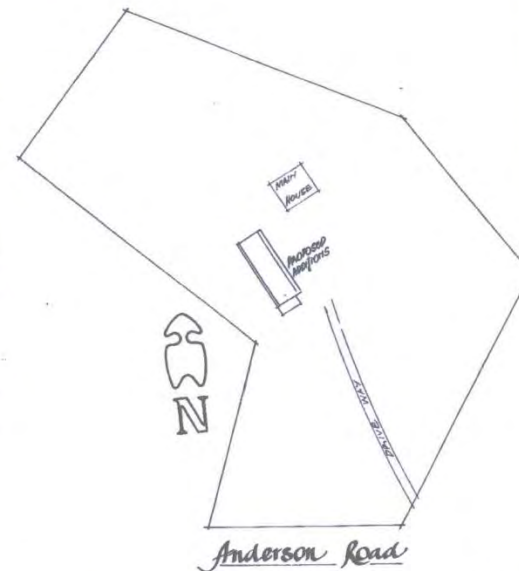
EASTERN ELEVATION



SECTION



FLOOR PLAN



PROPOSED ALTERATIONS TO EXISTING UNITS (G)  
 AT 'LOPHITI LODGE' ANDERSON ROAD, LORD HOWE ISLAND  
 FOR: MR. & MRS. G. & D. OWENS  
 SCALE: 1:100

Unit 1 (decommission approved) and Unit 2 (proposed decommission and change of use to assembly room).  
 Class 9b of BCA shaded in red

Record Number: ED20/6070  
Enquiries: John van Gaalen

03/07/2020

Mrs D Owens  
[REDACTED]

Dear Diane

**RE: LICENCE TO PROVIDE TOURIST ACCOMMODATION**

I am pleased to enclose your licence to provide tourist accommodation for the period  
1 July 2020 to 30 June 2023.

Please note the conditions attached.

Yours sincerely

[REDACTED]

John van Gaalen  
**Manager Business and Corporate Services**



Administrative Office  
P.O. Box 5  
Lord Howe Island 2898  
Phone: 02 6563 2066  
Facsimile: 02 6563 2127  
Email: administration@lhib.nsw.gov.au



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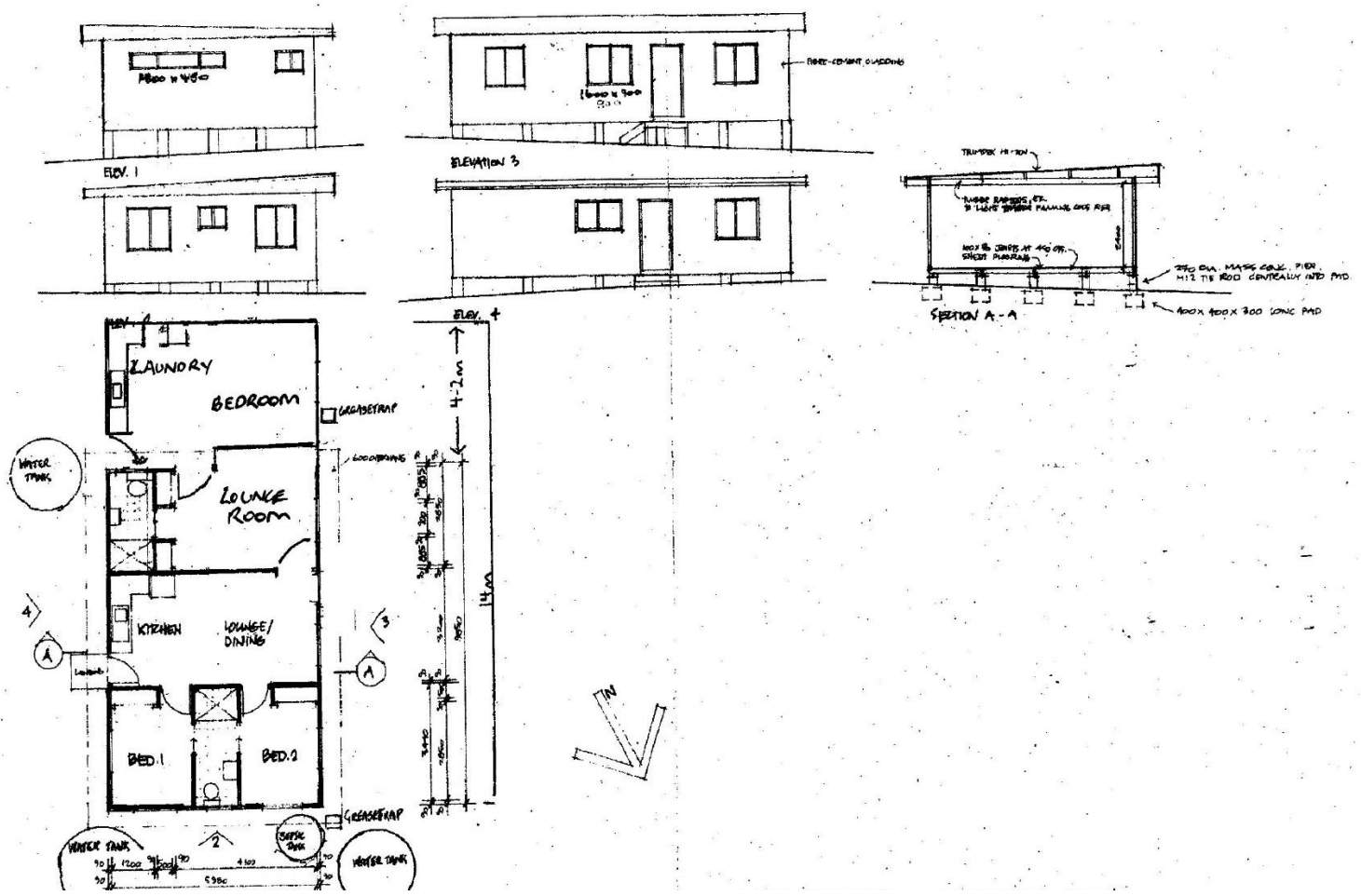
Lorhiti Apartments Business License in the name of Diane Owens = 12 licenses

Site Plan showing all buildings on site

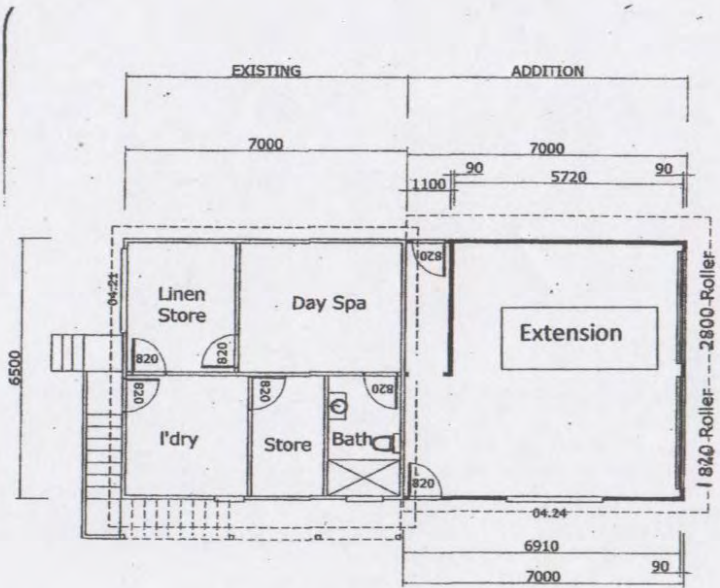


Settlement Area LEP2010 Showing Portion 78 Excerpt from Land Zone Map (pink denotes Zone 2 settlement)

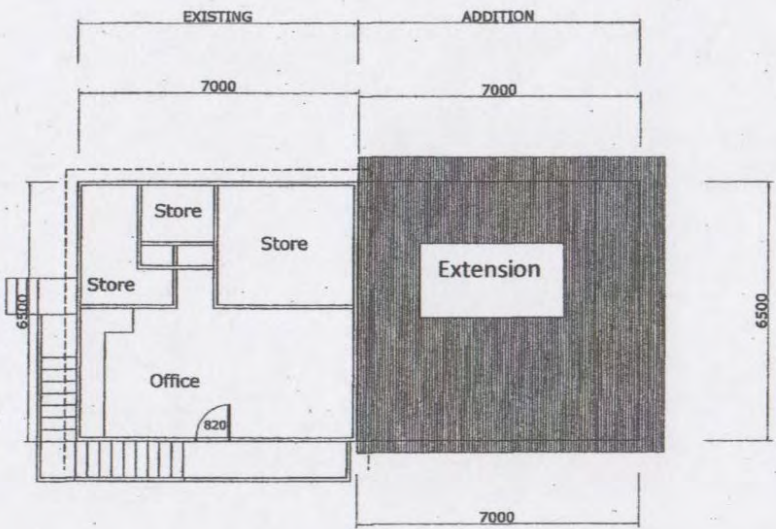




Dwelling 1 Lot 2-DP1261010



GROUND FLOOR PLAN 1:100



FIRST FLOOR PLAN 1:100

ADDITION

External Cladding Rusticated weatherboard  
 Internal cladding James Hardy Villaboard  
 Colour same as existing building Dulux "Wild Rice"  
 Roof Colourbond zincaloum Colour the same as existing "Sea Mist"

1. REFER TO GENERAL NOTES FOR SITE PREPARATION & CONSTRUCTION PROCEDURE.
2. CONCRETE COMPRESSIVE STRENGTH - 25MPa
3. CURE SLAB FOR MIN 5 DAYS.
4. DESIGN TO AS 1170 LIVE LOAD 2KPa, CONCENTRATED LOAD 2.5KN
5. SUBGRADE OR FILL UNDER SLAB IS TO BE COMPACTED TO 98% STANDARD COMPACTION BY MECHANICAL IMPLIMENT - NOT BY SATURATION.
6. SUB BASE TO SLAB IS TO BE 100mm COMPACTED QUARRY DUST
7. DESIGN CRITERIA SITE SOIL CLASS 'M' WIND CATEGORY N1

IF IN DOUBT....ASK!!!!!!!

DO NOT SCALE PLAN

 Beukers & Ritter Consulting <small>Surveying • Civil &amp; Structural Engineering • Planning</small> A 64 Lord St, Port Macquarie P (02) 6583 2733 F (02) 6583 7808 E office@brconsulting.net.au	<b>FLOOR PLAN</b> Client: OWENS Job Address: INFRASTRUCTURE BUILDING LORHITI APARTMENTS LORD HOWE ISLAND	Dwg No: 5775-3 Date: 30/03/2012 Scale: 1:100 (@A3) Checked:
	Sh 3 of 6	

Adjoining leases to Lot 2-DP1261010

qt:R755565 /Doc:DP 1261010 P /Rev:10-Mar-2020 /NEW LRS /Pgs:ALL /Prt:10-Mar-2020 10:28 /Seq:1 of 3  
 Office of the Registrar-General /Src:UPB:SPRO /Ref:Reukers & Ritter Consulting Pty Ltd

PLAN FORM 2 (A2)

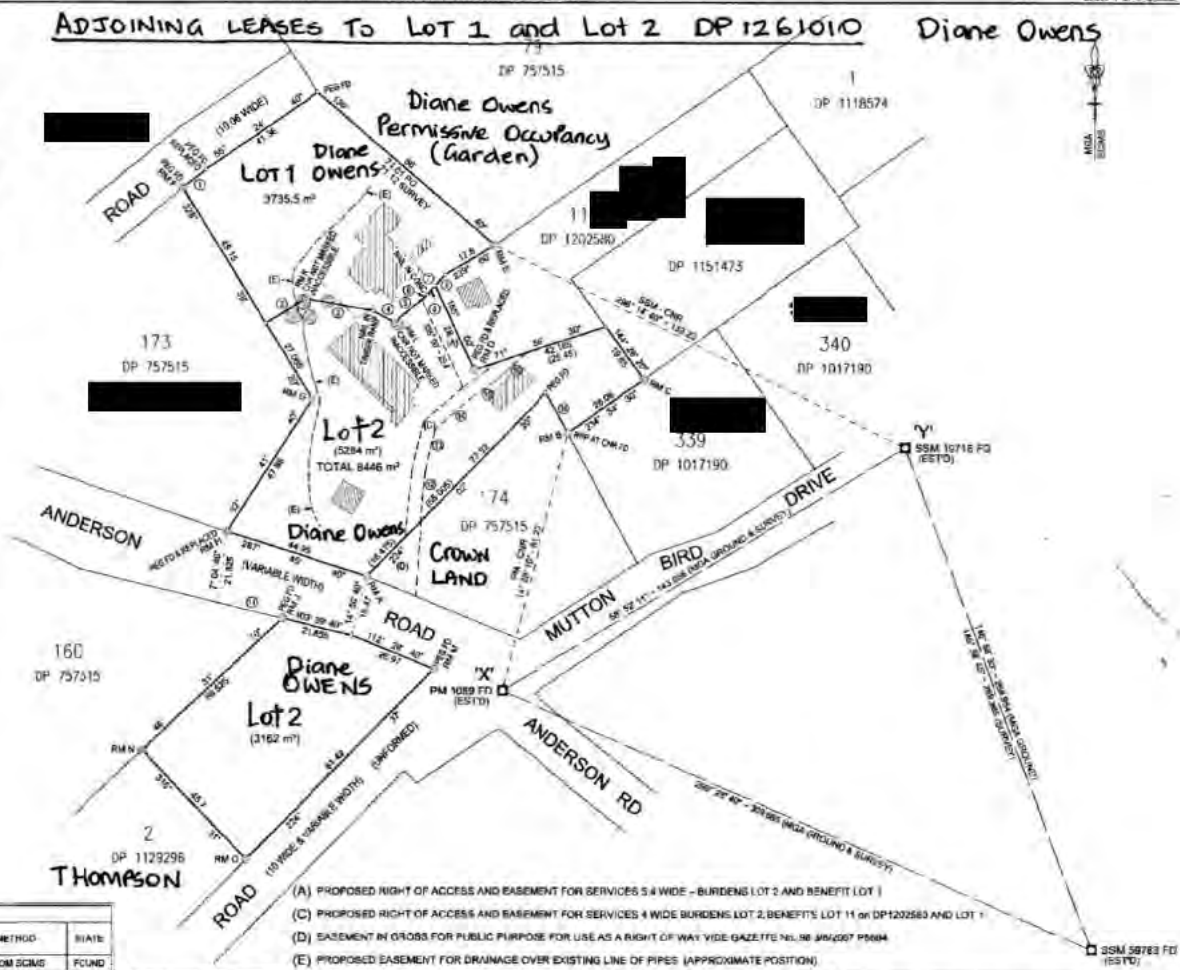
WARNING: CREAMING OR FOLDING WILL LEAD TO REJECTION

Sheet 1 of 1

RM	DESCRIPTION	BEARING	DISTANCE	ORIGIN
A	RM GP FD	44° 01' 40"	0.78	L-18 126-2583
B	RM GP FD	90° 40' 37"	0.49	L-18 126-2599
C	RM GP FD	144° 26' 00"	1	DP 1151473
D	RM GP CONC	58° 28' 40"	3.33	DP 1262580
E	RM GP	21° 52' 40"	3.29	PLACED
F	RM GP FD	233° 01' 00"	1	DP 1116574
G	RM TREE FD	330° 46' 40"	7.31	L-18 127-2589
H	RM STAR PICKET	029° 27' 45"	13.21	PLACED
I	RM STAR PICKET	179° 16' 20"	7.85	PLACED
J	RM TREE FD	162° 00' 40"	3.30	L-18 127-2589
K	RM GP	135° 05' 20"	1.82	PLACED
L	RM GP FD	226° 30' 40"	1.20	L-18 126-2599
M	RM STAR PICKET	335° 00' 30"	22.71	PLACED
N	RM NAIL IN CONC	330° 30' 50"	13	PLACED
O	RM GP FD	292° 28' 40"	0.54	L-18 126-2599
P	RM CONCRETE FD	222° 11' 00"	2.46	DP 1132098
Q	RM CONCRETE FD	40° 07' 20"	2.80	DP 1258236

Sta	BEARING	DISTANCE	COMMENTS
(1)	52° 28' 40"	8.89	BOUNDARY
(2)	230° 32' 20"	14.13	BOUNDARY
(3)	287° 07' 00"	21.12	BOUNDARY
(4)	210° 00' 00"	7.2	BOUNDARY
(5)	220° 20' 00"	13	BOUNDARY
(6)	(230° 30' 00")	(2.21)	EASEMENT
(7)	752° 00' 00"	8.1	BOUNDARY
(8)	220° 00' 00"	3.6	BOUNDARY
(9)	230° 00' 00"	4.6	BOUNDARY
(10)	330° 32' 30"	12	BOUNDARY
(11)	110° 50' 40"	20.96	BOUNDARY
(12)	7° 37' 40"	15.42	EASEMENT
(13)	1° 34' 30"	13.62	EASEMENT
(14)	16° 21' 30"	14.47	EASEMENT
(15)	50° 00' 30"	8.84	EASEMENT
(16)	47° 52' 10"	12.86	EASEMENT

MARK	MGA COORDINATES		CLASS	ORIGIN	METHOD	STATE
	EASTING	NORTHING				
PM 1260	506 416.757	6 512 626.093	C	4	FROM SCMS	FOUND
ISM 19718	506 538.153	6 512 643.621	C	8	FROM SCMS	FOUND
ISM 19743	506 586.225	6 512 488.778	A	1	FROM SCMS	FOUND
DATE OF SCMS COORDINATES - 30-6-2017 MGA ZONE 57 MGA DATUM - GDA 94 COMBINED SCALE FACTOR - 0.9999						



- (A) PROPOSED RIGHT OF ACCESS AND EASEMENT FOR SERVICES 5.4 WIDE - BURDENS LOT 2 AND BENEFIT LOT 1
- (C) PROPOSED RIGHT OF ACCESS AND EASEMENT FOR SERVICES 4 WIDE BURDENS LOT 2, BENEFITS LOT 11 ON DP1202580 AND LOT 1
- (D) EASEMENT IN GROSS FOR PUBLIC PURPOSE FOR USE AS A RIGHT OF WAY WIDE GAZETTE NO. 98/2007 PAGE 8
- (E) PROPOSED EASEMENT FOR DRAINAGE OVER EXISTING LINE OF PIPES (APPROXIMATE POSITION)

SURVEYOR Name: DALLAS BRIAN LAUNDRY Date: 30-6-2017 Reference: 3040 L-8 373	PLAN HEADING SUBDIVISION OF LOT 10 IN DP 1202580	LGA: UNINCORPORATED Locality: LORD HOWE ISLAND Reduction: 1:500 Lengths are in metres	REGISTERED 9.3.2020	DP1261010

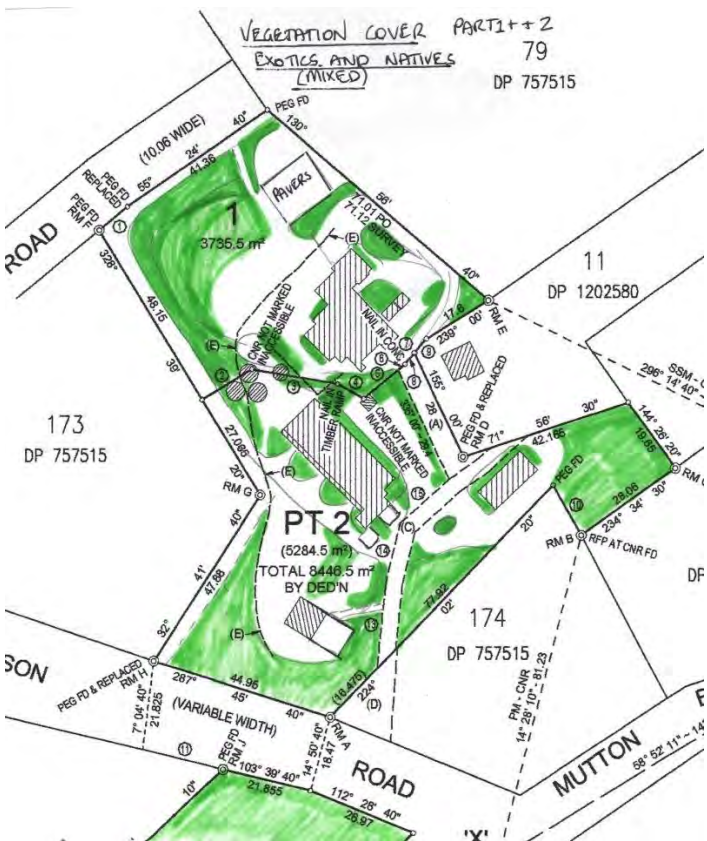
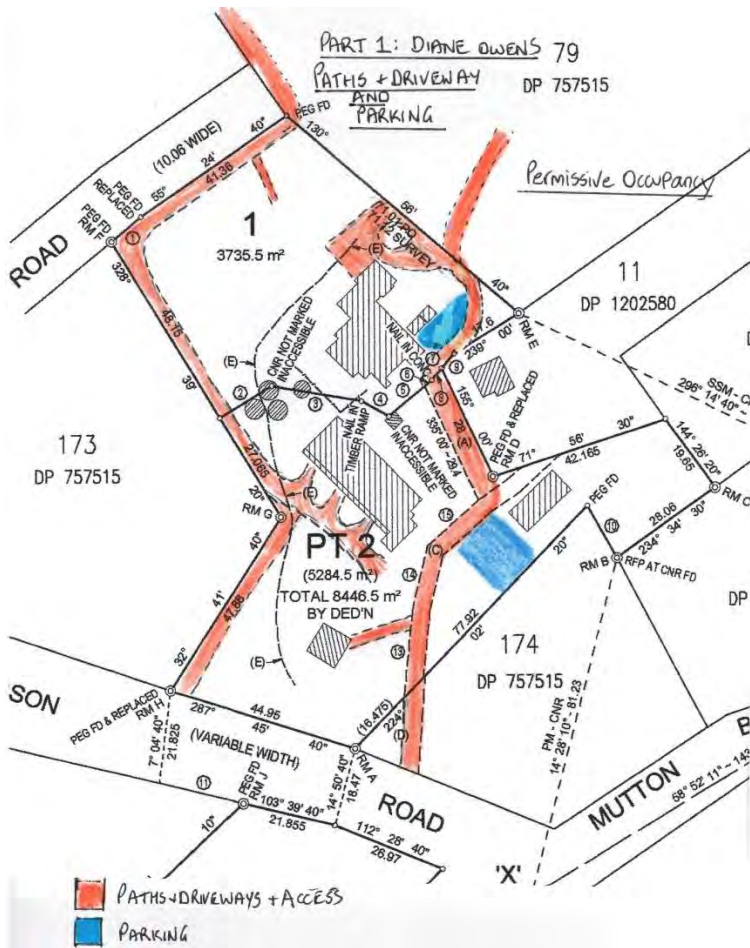


# Wastewater ES9000 on Lot 2-DP1261010



Daily Hydraulic Load and Irrigation required:

No.	Type	EP	Rate (lt)	Load (lt)	Area for Irrigation (m <sup>2</sup> )
6	1 x bedroom tourist units	12	150	1,800	1,415
30	Seat Restaurant, 1 sitting/day (dinner)	30	25	750	589
3	Bedroom Dwelling	4	120	480	377
1	Bedroom 'Shearwater Cottage'	2	120	240	189
2	Bedroom 'Cyclone Alley'	3	120	360	283
<b>TOTALS</b>				<b>3,630 lt</b>	<b>2,853 m<sup>2</sup></b>



## JUSTIFICATION FOR CHANGE OF USE UNIT 2 FROM TOURIST ACCOMMODATION (Class 3) TO MEETING/CONFERENCE ROOM (Class 9b)

Diane Owens and Fletcher Owens

15-2-22

### JUSTIFICATION

1. Currently the guest transit room and Unit 1 are approved as a guest transit lounge area (Class 9b Assembly building) which can seat 8 people due to Covid19 distancing regulations.
2. The transit room is used for arriving and departing guests and their luggage.
3. If 8 guests arrive on the early flight and 8 guests are departing on the afternoon flight potentially there will be 16 people requiring the transit room and storing their luggage. There is not enough space for social distancing or for other guests to use the area as a meeting-assembly room/conference and recreation area. This is the area guests use for internet connection.
4. If it is raining, there is not enough room indoors for the guests to wait for their flight, store their luggage and meet up as a group.
5. It is proposed to use Unit 2 as a meeting/conference room to comply with Covid19 regulations.
6. It is proposed to remove the bed from unit 2 and replace it with seating for 4 people in each room suitable for meetings and conferences.
7. There is no increase in Lohiti guest numbers and total tourist licences will not be affected.
8. The current pandemic has altered the way we operate tourist accommodation and procedures. If we are not following the social distancing rule, it is a criminal offence which attracts heavy penalties
9. Providing additional guest assembly area allows Lohiti to comply with NSW Government regulation
10. BCA Class 9b does not require disabled access.
11. It is proposed that this usage is a temporary provision pending a future proposal to consolidate 4 units into 2 large units using the existing eight (8) tourist licences. There will be no additional tourist licenses.