

LORD HOWE ISLAND BOARD

Application to Modify Development Consent

Date Received: MDC No:

If there is insufficient room on this form to describe the proposed modification, please support your application with additional information. Where modifications of the consent involve alterations to the approved plans, one copy of the amended plans must be provided.

APPLICANT DETAILS

Mr Mrs Ms Other:

Name: **Diane Owens**

Organisation: **Lorhiti Apartments** ABN: **75531384041**

Postal Address: [REDACTED]

Telephone: [REDACTED] Fax: [REDACTED]

Email: [REDACTED]

PROPERTY DETAILS

Portion/Lot No.: **Lot 2 DP 1261010** Lease No.: **.2020-02**

APPROVED DEVELOPMENT

Pursuant to Section 4.55 of the EPA Act 1979 application is hereby made to modify the following development consent.

Development Consent No.: **OC/DA2021.3**. Date Approved: **07 July 2021**

Description:

Approved Change of use Unit 1 at Lorhiti Apartments from tourist accommodation to staff room, office, storage and utilities room. Decommission unit 1

TYPE OF MODIFICATION

This application is made under Section 4.55 of the EPA Act 1979 as follows:

Minor S4.55 (1) – Indicate minor error, misdescription or miscalculation:

Minimal S4.55 (1A) – Give details of the proposed modification involving minimal environmental impact and the expected impacts:

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

.Other S4.55 (2) – Give details of the proposed modification, the expected impacts and the reasons for seeking these modifications. Provide evidence that the development (as to be modified) will remain substantially the same as the approved development. Please refer to relevant conditions of consent where appropriate:

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.....
.....

APPLICATION FEE

Estimated cost of the original development: **NIL**

Total fees lodged: **\$110.00** Date: **22-2-21** Receipt No.: **18199**

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.

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.

Signature: 

Name: **FLETCHER OWENS**

Date: **17-9-21**

Signature:

Name:

Date:

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: 

Name: **FLETCHER OWENS**

Date: **17-9-21**

Signature:

Name:

Date:

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

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. Your application, and any attached plans will be published on the Lord Howe Island Board website. 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.

Documentation provided with an application may also be accessed in accordance with the requirements of the Government Information Access (GIPA) Act 2009.

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 **X** 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
- 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
- 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**.

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.

APPLICANT DETAILS

Name: Fletcher Owens.

Preferred Contact Phone No.: [REDACTED]

PROPOSED DEVELOPMENT

Portion/Lot No.: Lot 2 Deposited Plan No.: .1261010

Lease No.: 2020-02

Address:

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 Realignment |

Other – please describe:

Proposed Change of use Unit 1 at Lorhiti Apartments to alternative transit room for Lorhiti guests.

Currently the designated transit room is also a quarantine room. In a case where guests are required to quarantine this room will become unavailable for guests for arrival and departure, telephone, internet, and resources.

There will be no increase in the total bed license count using Unit 1 as an alternative transit room

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)	286.79sqm
Transit lounge and Laundry	27.74 sqm
Dwelling 1	87sqm
Dwelling 2	91sqm

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
Cc2018-05	Extension IB	9-8-16
FOC 2019-08 and CC2019-08	Cyclone Alley and Shearwater dwellings	2-3-19
DA2016-06	Day Spa	27-11-15
DA2017-22	Subdivision	23-5-17
DA2021-1	Workshop and storage	2-2-21

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.

DA/OC2021-3

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.

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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.

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.....

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. THE BUILDING EXISTS, THE PROPOSAL COMPLIES WITH BCA REGULATIONS

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.

N/A.

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 2 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. Each development application for a residential dwelling and each development application for alterations and additions must have a BASIX certificate.

.....
YES THE BUILDING EXISTS, THE PROPOSAL COMPLIES WITH BCA REGULATIONS

BOUNDARY SETBACKS

How far is your development setback from the front boundary?

50M

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

20M FROM SIDE AND 20M FROM REAR

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.

NO , N/A

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).

NO , 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.

NO , 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.

NO

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.

NO

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

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, underscrub 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.

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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, THESE ISSUES HAVE BEEN ADDRESSED

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

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VIEWS

Does the development obstruct any views from adjoining properties?

NO

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 EXIST

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

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STORMWATER RUNOFF DISPOSAL

How will excess stormwater runoff be disposed?

THE BUILDING AND STORMWATER PIPES EXIST

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 N/A

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

OTHER CONSIDERATIONS

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

NO

APPLICANT AUTHORISATION

Name: . **FLETCHER OWENS**

Signature:



Date : 27-8-21

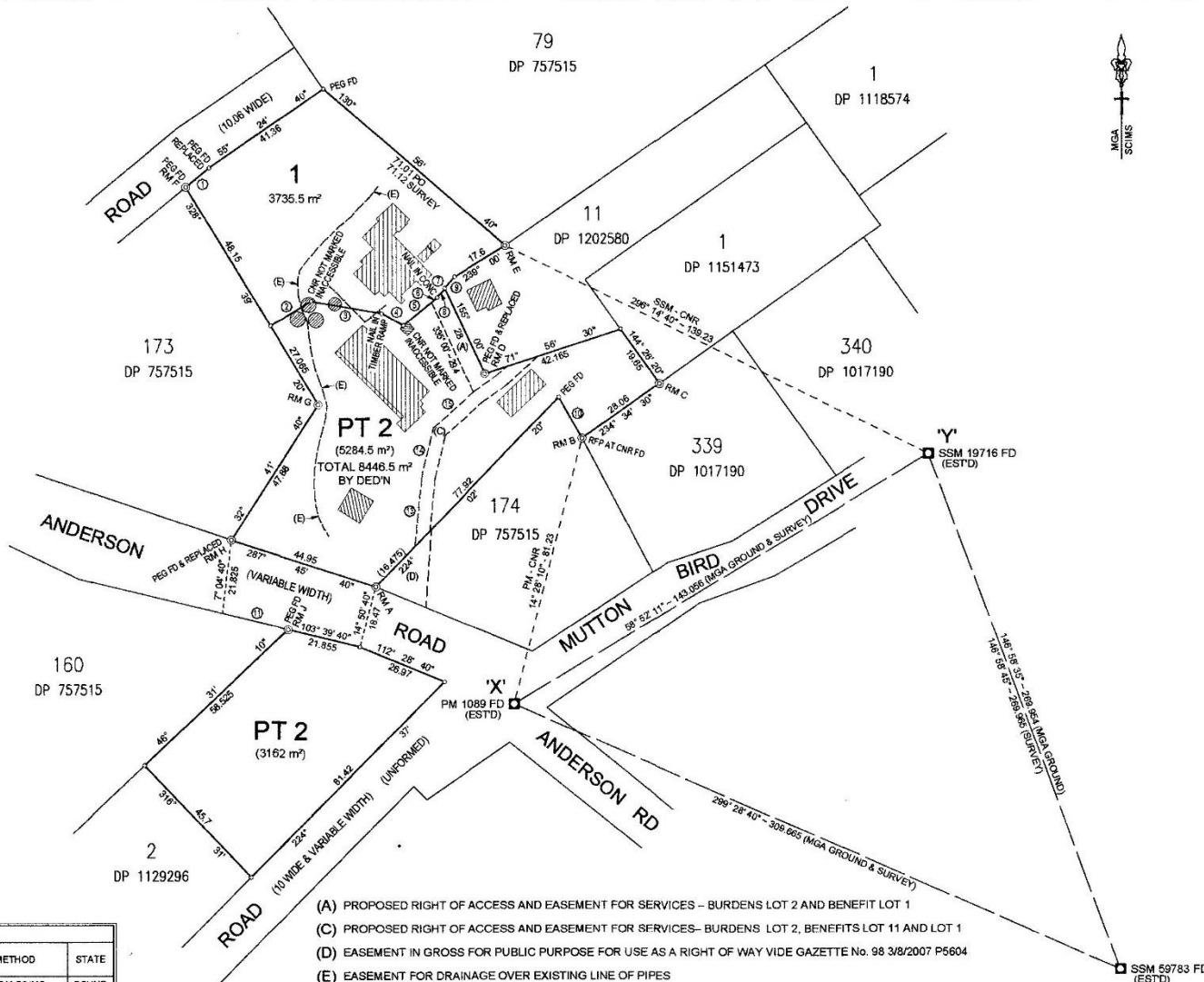
Signature:

Date:

SCHEDULE OF REFERENCE MARKS				
RM	DESCRIPTION	BEARING	DISTANCE	ORIGIN
A	RM GIP FD	44° 01' 40"	0.76	LHI 128 - 2909
B	RM GIP FD	98° 49' 30"	0.46	LHI 128 - 2909
C	RM GIP FD	144° 26' 00"	1	DP 1151473
D	RM GIP GONE	58° 28' 40"	0.335	DP 1202580
E	RM GIP	21° 32' 40"	0.285	PLACED
F	RM GIP FD	233° 31' 00"	1	DP 1118574
G	RM STAR PICKET	329° 27' 45"	15.01	PLACED
H	RM STAR PICKET	179° 19' 20"	7.936	PLACED
I	RM TREE FD	162° 00' 40"	3.395	LHI 127 - 2909
J	RM GIP	136° 08' 20"	1.82	PLACED
K	RM GIP FD	228° 30' 40"	1.205	LHI 120 - 2909

SCHEDULE OF SHORT BOUNDARIES			
No.	BEARING	DISTANCE	COMMENTS
1	50° 25' 40"	8.89	BOUNDARY
2	236° 38' 20"	14.135	BOUNDARY
3	280° 00' 00"	21.125	BOUNDARY
4	290° 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	294° 16' 40"	16.235	EASEMENT
13	185° 37' 45"	20.74	EASEMENT
14	193° 34' 05"	14.86	EASEMENT
15	(228° 34' 15")	(15.875)	EASEMENT

COORDINATE SCHEDULE						
MARK	MGA COORDINATES		CLASS	ORDER	METHOD	STATE
	EASTING	NORTHING				
PM 1089	506 416.757	6 512 809.093	C	4	FROM SCIMS	FOUND
SSM 19716	506 539.183	6 512 883.021	C	4	FROM SCIMS	FOUND
SSM 59783	506 686.225	6 512 456.770	A	1	FROM SCIMS	FOUND
DATE OF SCIMS COORDINATES : 30-6-2017 MGA ZONE 58 MGA DATUM : GDA 94 COMBINED SCALE FACTOR : 0.99959						



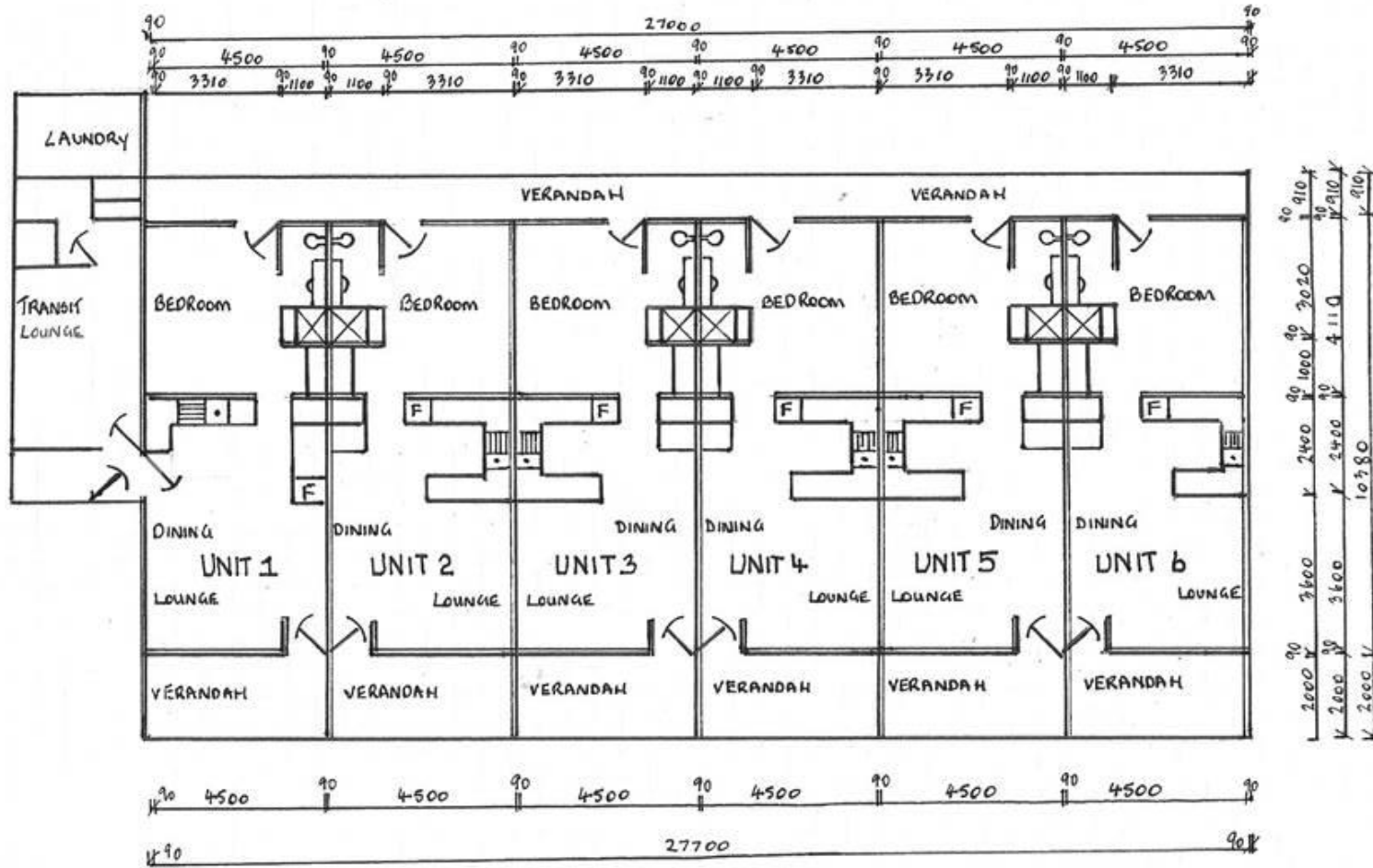
- (A) PROPOSED RIGHT OF ACCESS AND EASEMENT FOR SERVICES – BURDENS LOT 2 AND BENEFIT LOT 1
- (C) PROPOSED RIGHT OF ACCESS AND EASEMENT FOR SERVICES – BURDENS LOT 2, BENEFITS LOT 11 AND LOT 1
- (E) EASEMENT IN GROSS FOR PUBLIC PURPOSE FOR USE AS A RIGHT OF WAY WIDE GAZETTE No. 98 3/8/2007 P5604
- (E)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

SURVEYOR Name : DALLAS BRIAN LAUNDRY Date : 30-6-2017 Reference : 5842 LHI ST3	PLAN HEADING SUBDIVISION OF LOT 10 IN DP 1202580	LGA : UNINCORPORATED Locality : LORD HOWE ISLAND Reduction Ratio : 1:800 Lengths are in metres	REGISTERED	DP
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Sit plan showing Parts 1 and 2

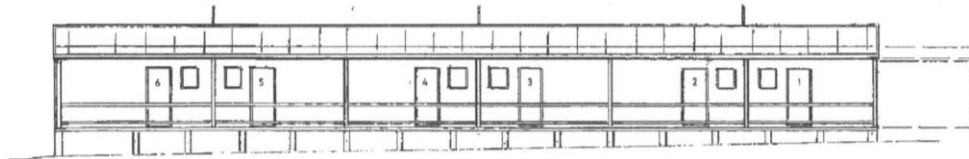
FLOOR PLAN LORHITI APARTMENTS LORD HOWE ISLAND NSW 2898

Mrs DIANE OWENS 1993
APPROVED

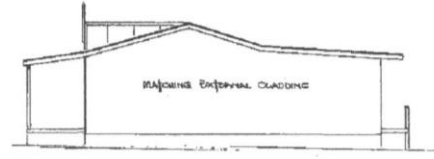


Plan of tourist units Lorhiti Apartments

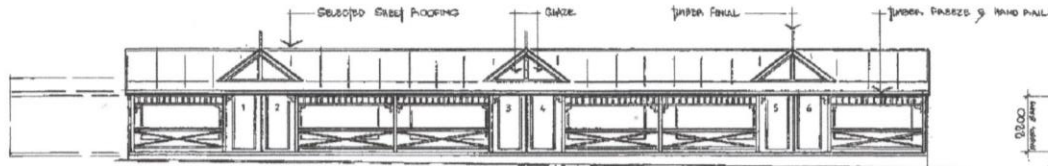
Tourist Accommodation Lorihiti Apartments (Lot 2)



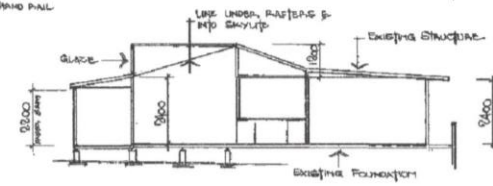
WESTERN ELEVATION



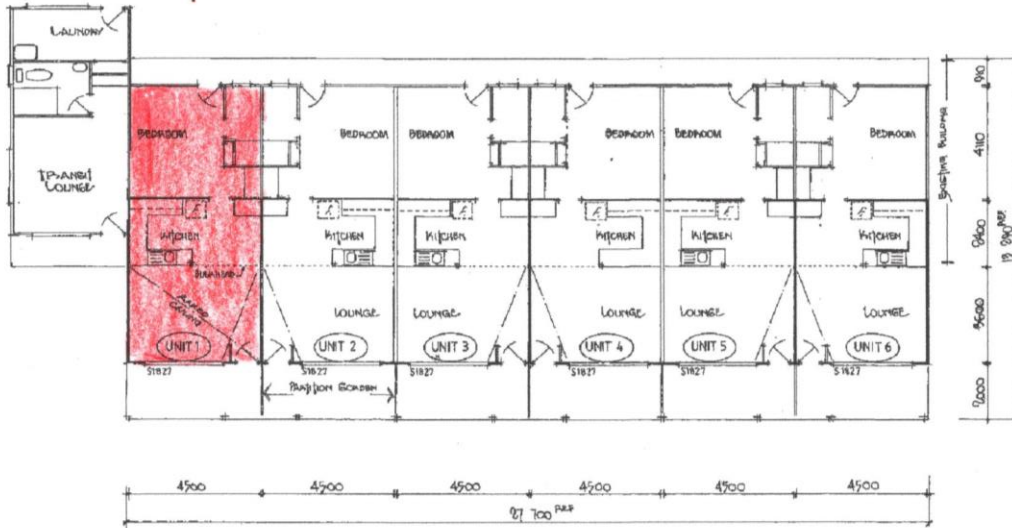
NORTHERN ELEVATION



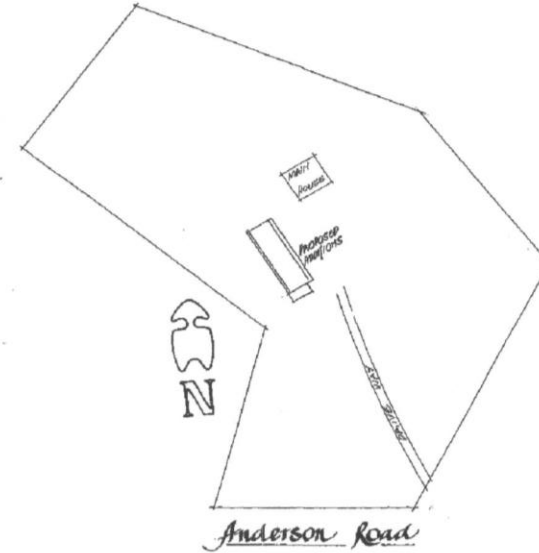
EASTERN ELEVATION



SECTION



FLOOR PLAN



PROPOSED ALTERATIONS TO EXISTING UNITS (6)
 AT LORIHITI LODGE ANDERSON ROAD, LAND HOWE ISLAND
 FOR: MR. & MRS. G. & D. OWENS

SCALE
 1:100

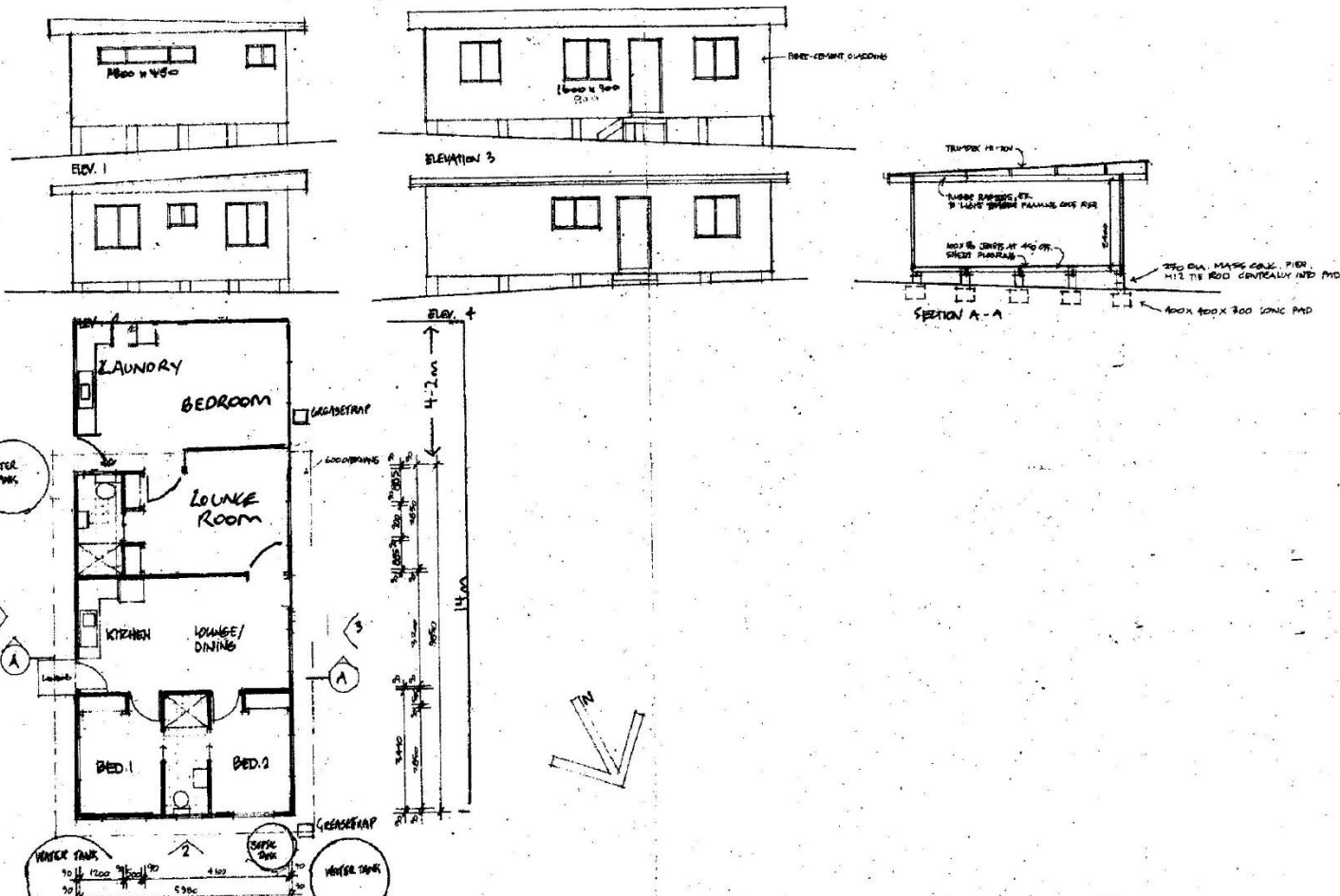
Plan of Unit 1 to be decommissioned (in red)

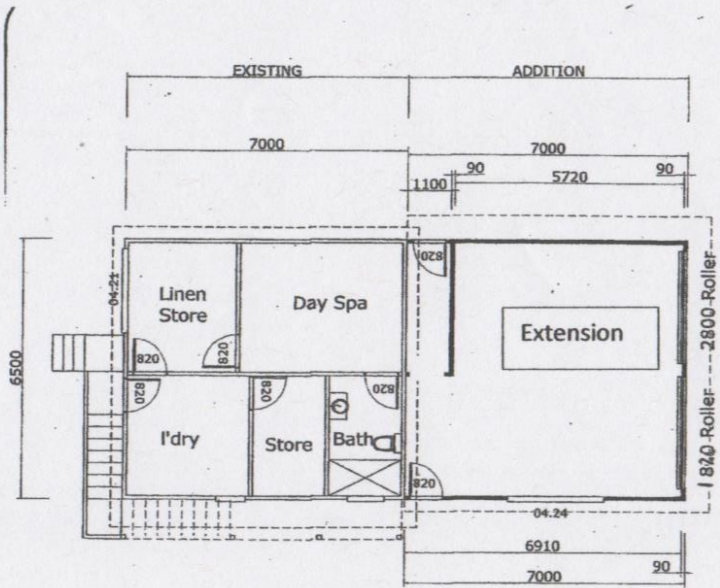
CONSOLIDATION SHEARWATER COTTAGE + CYCLONE ALLEY

OCCUPATION CERTIFICATE: FOC2019-08

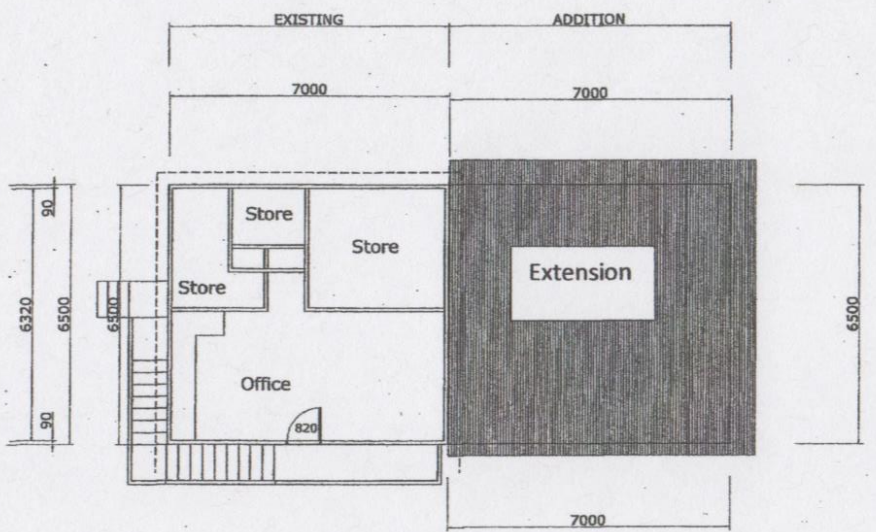
REF: CC2019-08

20 MARCH 2019





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
 Servicing • Civil & Structural Engineering • Planning

A 64 Lord St, Port Macquarie
 P (02) 6583 2733
 F (02) 6583 7808
 E office@brconsulting.net.au

FLOOR PLAN
 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	

MDC2021-3 JUSTIFICATION FOR MODIFICATION OF UNIT 1 APPROVED CHANGE OF USE FROM TOURIST ACCOMMODATION TO STAFF ROOM, OFFICE.STORAGE AND UTILITIES ROOM IN ORDER TO DECOMMISSION UNIT 1.
TO
ADDITIONAL GUEST TRANSIT ROOM

Diane Owens and Fletcher Owens

17-9-21

This Justification is to accompany MDC2021-3 updated on 17-9-21

JUSTIFICATION

1. Currently the guest transit room (adjacent to Unit 1) can only accommodate 4 people due to Covid19 distancing regulations.
2. The transit room is used for arriving and departing guests and their luggage.
3. If 6 guests arrive on the early flight and 6 guests are departing on the afternoon flight potentially there will be 12 people requiring the transit room with storing their luggage.. There is not enough space.
4. If it is raining, there is no room indoors for the guests to wait for their flight.
5. It is proposed to use Unit 1 to spread out guests arriving and departing to comply with Covid19 regulations.
6. It is proposed to remove the bed from unit 1 and replace it with seating for 4 people in each room with an area to store their luggage.
7. There is no increase in Lorhiti 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 transit area space for guests allows Lorhiti to comply with NSW Government regulations.