

## APPLICATION TO ENTER A BALLOT FOR 6 DWELLING ALLOCATIONS

Applications for dwelling allocations are to be a joint application between the existing perpetual lease holder(s) and the proposed new lessee(s). This form should be read in conjunction with the [Lord Howe Island Local Environment Plan 2010](#) (LHI LEP).

Applicants are advised to seek their own legal, financial and planning advice on matters relating to their personal business and interests, and in making an application for a dwelling allocation.

Please read the explanatory notes on this form (pages 6-8) and the dwelling allocation guidelines, *prior* to completing this application form.

### **This application is for:**

Sub-division  
Multiple Occupancy

### **If your application is for a Multiple Occupancy - What is the proposed relationship between the Principal Applicant(s) and Co-Applicant(s):**

Joint tenants  
Tenants in common

### **Part 1 - Principal Applicant(s)**

**Principal Applicant(s)** (Current Perpetual Leaseholder(s) of the land to which the application relates). Where relevant, evidence supporting a claim is required from all Principal Applicants:

A. Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

B. Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

### **Land to which the application relates:**

Perpetual Lease Number : \_\_\_\_\_

Portion/ Lot Number: \_\_\_\_\_

LHI Plan/DP: \_\_\_\_\_

**1. I am/we are currently a resident of Lord Howe Island in accordance with the definition for residence provided in the *Lord Howe Island Act 1953*.**

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- Yes *Evidence supporting this claim is required, see explanatory notes*
- No *If checked, your application is not eligible to enter the public ballot*

## 2. As Principal Applicant(s) I/we confirm that this is the only application I/we have made in this dwelling allocation round:

- Yes *If not checked, your application is not eligible to enter the public ballot*

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### Part 2 - Co-Applicant(s)

**Co-applicant(s):** (Proposed new leaseholders from sub-division, or occupants of the multiple occupancy). Where relevant, evidence supporting a claim is required from all co-applicants.

A. Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

B. Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

## 3. As a co-applicant(s) I/we confirm that I/we hold Islander status in accordance with the *Lord Howe Island Act 1953*:

- Yes *Evidence supporting this claim is required, see explanatory notes*
- No *If checked, your application is not eligible to enter the public ballot*

## 4. As a co-applicant(s) I/we confirm that I/we currently reside on Lord Howe Island in accordance with the definition for residence provided in the *Lord Howe Island Act 1953*:

- Yes *Evidence supporting this claim is required, see explanatory notes*
- No *If checked, your application is not eligible to enter the public ballot*

## 5. As a co-applicant(s) I/we confirm that I/we am 18 years of age or older:

- Yes *If not checked, your application is not eligible to enter the public ballot. Evidence supporting this claim is required, see explanatory notes*

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**6. As a co-applicant(s) I/we confirm that I/we do not hold, or have previously held, a Perpetual Lease on Lord Howe Island:**

Yes *If not checked, your application is not eligible to enter the public ballot*

**7. As a co-applicant(s) I/we confirm that I/we will have my/our name added to the new lease and thereafter comply with all associated residency conditions as per the *Lord Howe Island Act 1953* and Board policies.**

Yes *If not checked, your application is not eligible to enter the public ballot*

**8. As a co-applicant(s) I/we confirm that I/we will complete and continuously occupy the proposed new dwelling on the new lease, as my/our primary residence, within 5 years of being granted the lease:**

Yes *If not checked, your application is not eligible to enter the public ballot*

**9. As a co-applicant(s) I/we acknowledge that for a period of 10 years from the date of issue of a lease granted through this ballot process, that the Board will not support a transfer of the lease (unless in exceptional circumstances as determined by the Board):**

Yes *If not checked, your application is not eligible to enter the public ballot*

**10. As a co-applicant(s) I/we confirm that this is the only application I/we have made in this dwelling allocation round:**

Yes *If not checked, your application is not eligible to enter the public ballot*

**11. As a co-applicant(s) I/we acknowledge that any dwelling allocation granted through this ballot process is not transferable:**

Yes *If not checked, your application is not eligible to enter the public ballot*

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### Part 3 - The Local Environmental Plan 2010

Any development proposal, including sub-division, which forms part of an application must be permissible under the [LHI LEP](#).

**12. If you are proposing a subdivision, does your proposal comply with the LHI LEP 2010, in particular Clause 21 Subdivision and clause 23 Erection of dwellings?:**

Yes

No

N/A

Area of proposed new lot/Perpetual Lease (squared meters):

\_\_\_\_\_  
Area of residual lot/Perpetual Lease (squared meters):

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**13. If you are proposing a multiple occupancy, does your proposal comply with the LHI LEP 2010, in particular Clause 23 Erection of dwelling and Clause 24 Concession for erection of certain dual occupancies?:**

- Yes
- No
- N/A

Area of proposed new lot/Perpetual Lease (squared meters):

\_\_\_\_\_

**Note:** *The granting of a dwelling allocation does not confer or imply any planning consent to construct or create a dwelling. The granting of a dwelling allocation means that the applicants may lodge a development application for a dwelling. The dwelling can only be constructed or created if it is approved through the development application assessment process. It is the responsibility of the applicant(s) to ensure that their proposed construction or creation of a dwelling is permissible under the LHI LEP and complies with the development control plan.*

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### Part 4 - Declaration:

- 14. As a co-applicant(s) and if successful through this ballot, I agree to pay:**
- a) a one-off non-refundable lump sum Administration Levy of \$1200 ex GST (due within 30 days of the ballot being determined), *and*
  - b) a one-off non-refundable lump sum Environment and Services Levy of \$20,000 ex GST applying to any dwelling created or constructed through this ballot (payable within 12 months of the ballot being determined).

Yes                      *If not checked, your application is not eligible to enter the public ballot*

### **Declaration:**

We the undersigned, **being the**

### **Principal Applicant(s)**

(Name/s:) \_\_\_\_\_

\_\_\_\_\_

**and the co-applicant(s)**

(Name/s:)

\_\_\_\_\_

\_\_\_\_\_

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I do hereby apply to the Lord Howe Island Board to be granted the consent of the NSW Minister for the Environment to lodge a development application for the creation of a new dwelling in accordance with the information provided above.

In making this application we confirm that: we have read and understood the LHI LEP 2010 regarding our proposed development, and that all of the information provided in this form is true and correct

Signed:

\_\_\_\_\_ (Perpetual Leaseholder) \_\_\_\_\_ (Date)  
\_\_\_\_\_ (Perpetual Leaseholder) \_\_\_\_\_ (Date)  
\_\_\_\_\_ (Co-applicant) \_\_\_\_\_ (Date)  
\_\_\_\_\_ (Co-applicant) \_\_\_\_\_ (Date)

Please also initial each page of this application form.

Please note that providing information on this form which is false or incorrect could result in your application being rejected. Please check with the Board if you are in doubt about any matter on this form.

Please submit this form along with any additional information to support your application (refer to explanatory notes and evidence) to:

You may submit applications:

Via email: **[rwaldersee@ocm.net.au](mailto:rwaldersee@ocm.net.au)**

By post: **OCM**

**Robert Waldersee**

**Level 18, 1 Margaret Street**

**Sydney, NSW 2000**

Personal Information which is submitted on this form will only be used for the purpose for which the information was provided. Please refer to the Lord Howe Island Board website for the Board's privacy responsibilities and obligations: [Privacy | Lord Howe Island Board \(nsw.gov.au\)](http://www.lhib.gov.au/privacy)

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### Explanatory notes and evidence required

Question	Explanatory notes and evidence required
1 Principal Applicant	<p><b>I am/we are currently a resident(s) of Lord Howe Island in accordance with the definition for residence provided in the <i>Lord Howe Island Act 1953</i>. (eligibility criteria I)</b></p> <p>*Please supply evidence of residency for each Perpetual Leaseholder. This evidence should show LHI residency at 31 July 2023 and consist of:</p> <ul style="list-style-type: none"> <li>a) a valid driver's licence <i>and</i></li> <li>b) one or more of the following documents in your name that is issued to the same LHI address: a Lord Howe Island Board issued rates notice, electricity account, or business license, or, a phone bill or a bank statement.</li> </ul>
2 Principal Applicant	<p><b>As a principal applicant(s) I/we confirm that this is the only application I have made in this dwelling allocation round: (eligibility criteria H)</b></p> <p>This criteria seeks to maximise dwelling allocation access for the largest number of eligible Islanders in this allocation round.</p>
3 Co applicant	<p><b>As a co-applicant(s) I/we confirm that I hold Islander status in accordance with the <i>Lord Howe Island Act 1953</i>: (eligibility criteria A)</b></p> <p>*Please supply a statutory declaration: heritage islander or statutory declaration: 10 year islander with supporting timeline and justification/details of absences. The Lord Howe Island Board may reference records held.</p>
4 Co applicant	<p><b>I am/we are currently a resident of Lord Howe Island in accordance with the definition for residence provided in the <i>Lord Howe Island Act 1953</i>. (eligibility criteria I)</b></p> <p>*Please supply evidence of residency for each co-applicant. This evidence should show LHI residency at 31 July 2023 and consist of:</p> <ul style="list-style-type: none"> <li>a) a valid drivers licence <i>or</i> a current tenancy agreement <i>or</i> a Board approved sublease <i>and</i></li> <li>b) one or more of the following documents in your name that is issued to the same LHI address: a Lord Howe Island Board issued rates notice, electricity account, or business license, or, a phone bill or a bank statement.</li> </ul>
5 Co applicant	<p><b>As a co-applicant(s) I/we confirm that I am 18 years of age or older: (eligibility criteria A)</b></p> <p>*Please provide proof of age or other legally acceptable form of identification confirming date of birth.</p>

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6 Co applicant	<p><b>As a co-applicant(s) I/we confirm that I/we do not hold, or have previously held, a Perpetual Lease on Lord Howe Island: (eligibility criteria B)</b></p> <p>For clarity, this criteria does not include a Sub-Lease.</p> <p>In keeping with the intent of the ballot, this criteria is extended to apply to a partner in a marriage or defacto relationship as defined by the <a href="#">Australian Taxation Office</a>. That is, the partner of a Perpetual Lease holder is not eligible to apply for a dwelling allocation in this allocation round.</p>
7 Co applicant	<p><b>As a co-applicant(s) I/we confirm that I/we will have my/our name added to the new lease and thereafter comply with all associated residency conditions. (eligibility criteria D)</b></p> <p>The Board Administration will monitor compliance with this criteria. Compliance will be reported to the Board bi-annually.</p> <p>The <a href="#">Suspension of Condition of Residency Policy on Perpetual Leases</a> will apply.</p>
8 Co applicant	<p><b>As a co-applicant(s) I/we confirm that I/we will complete and continuously occupy the proposed new dwelling on the new lease, as my/our primary residence, within 5 years of being granted the lease: (eligibility criteria C &amp; F)</b></p> <p>The Board Administration will monitor compliance with this criteria. Compliance will be reported to the Board bi-annually.</p> <p>The <a href="#">Suspension of Condition of Residency Policy on Perpetual Leases</a> will apply.</p>
9 Co applicant	<p><b>As a co-applicant(s) I/we acknowledge that for a period of 10 years from the date of issue of a lease granted through this ballot process, that the Board will not support a transfer of the lease (unless in exceptional circumstances as determined by the Board): (eligibility criteria E)</b></p> <p>To be clear, transfer by sale is not supported within a 10 year period. The Board will consider exceptional circumstances as they arise and on a case by case basis.</p> <p>For clarity, this ballot process involves the issue of 6 dwelling allocations and any subsequent ballots implemented to issue these 6 dwelling allocations.</p>
10 Co applicant	<p><b>As a co-applicant(s) I/we confirm that this is the only application I/we have made in this dwelling allocation round: (eligibility criteria H)</b></p>

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	<p>This criteria seeks to maximize dwelling allocation access for the largest number of eligible Islanders in this allocation round.</p> <p>This criteria is extended to apply to a partner in a marriage or defacto relationship as defined by the <a href="#">Australian Taxation Office</a>. That is, the partner of a Perpetual Lease holder is not eligible to apply for a dwelling allocation in this allocation round.</p>
<p>11 Co applicant</p>	<p><b>As a co-applicant(s) I/we acknowledge that any dwelling allocation granted through this ballot process is not transferable by way of sale, gift or any other means.</b> <i>(eligibility criteria J)</i></p>
<p>12 Principal Applicant</p>	<p><b>If you are proposing a <u>subdivision</u>, does your proposal comply with the LHI LEP 2010, in particular Clause 21 Subdivision and clause 23 Erection of dwellings?</b> <i>(eligibility criteria G)</i></p> <p>This criteria seeks to ensure that the requirements of the LEP have been considered by the applicant(s), and that the proposal can satisfy development standards.</p> <p>The minimum dwelling area is 3000m<sup>2</sup>. A minimum lease area to support a dual occupancy is 5000m<sup>2</sup>. Please provide the area (m<sup>2</sup>).</p>
<p>13 Principal Applicant</p>	<p><b>If you are proposing a <u>multiple occupancy</u>, does your proposal comply with the LHI LEP 2010, in particular Clause 23 Erection of dwelling and Clause 24 Concession for erection of certain dual occupancies?:</b> <i>(eligibility criteria G)</i></p> <p>This criteria seeks to ensure that the requirements of the LEP have been considered by the applicant(s), and that the proposal can satisfy development standards. Please provide Perpetual Lease area (m<sup>2</sup>).</p>
<p>14 Co-applicant</p>	<p><b>As a co-applicant(s) and if successful through this ballot, I/we agree to pay:</b></p> <ul style="list-style-type: none"> <li>c) a one-off non-refundable, lump sum Administration Levy of \$1200 ex GST (due within 30 days of the ballot being determined), <i>and</i></li> <li>d) a one-off, non-refundable, lump sum Environment and Services Levy of \$20,000 ex GST applying to any dwelling created or constructed through this ballot (payable within 12 months of the ballot being determined).</li> </ul> <p><i>(eligibility criteria K &amp; L)</i></p> <p>An obligation to pay the Administration Levy and Environment and Services Levy to the Board will be included in a Deed to be executed by the co-applicant. If the Levies are not paid in accordance with the Deed, the dwelling allocation and any payment made will be forfeited.</p>



# APPLICATION TO ENTER A BALLOT FOR 6 DWELLING ALLOCATIONS



## Application checklist

Check off this list as you complete your application. This will ensure that you've submitted all the necessary information for your application to be adequately assessed:

All parties have initialed and dated each page of this application.  
All parties have initialed and dated ANY corrections made on this application.  
Files/attachments in electronic application submissions are named using the following file title convention:

LHIB Ballot – SURNAME LEASEHOLDER – SURNAME LESSEE.

### **Question 1 (Eligibility criteria I)**

Evidence of residency for each Perpetual Leaseholder. This evidence should show LHI residency at 31 July 2023 and consist of:

- a) a valid driver's licence and
- b) one or more of the following documents in your name that is issued to the same LHI address: a Lord Howe Island Board issued rates notice, electricity account, or business license, or, a phone bill or a bank statement.

### **Question 3 (Eligibility criteria A)**

- Statutory declaration for co-applicant/s confirming you are a heritage islander or statutory declaration confirming you are a 10 year islander with supporting timeline and justification/details of absences.

### **Question 4 (Eligibility criteria I)**

- Evidence of residency for each proposed lessee(s). This evidence should show LHI residency at 31 July 2023 and consist of:
  - a) a valid drivers licence or a current tenancy agreement or a Board approved sublease and
  - b) one or more of the following documents in your name that is issued to the same LHI address: a Lord Howe Island Board issued rates notice, electricity account, or business license, or, a phone bill or a bank statement.

### **Question 5 (Eligibility criteria A)**

Proof of age or other legally acceptable form of identification confirming date of birth of co-applicant/s is 18 years of age or older.

### **Recommended reading**

- We have read the Suspension of Condition of Residency on Perpetual Leases Policy.
- We have read the Transfer of Perpetual Lease Policy.
- We have read the Lord Howe Island Planning Application Lodgement Kit.