

APPLICATION FOR DEVELOPMENT APPROVAL AND / OR BUILDING APPROVAL

APPLICATION NO.

DABA

10/2024

1. APPLICANT DETAILS (May be an agent acting on behalf of a landowner)

Name Applicant 1	STANLEY	WEBBER
	First Name	Last Name
Name Applicant 2		
	First Name	Last Name
Postal Address	V202/1117 Nelson Bay Rd Fern Bay NSW 2295	
Phone No.		Mob. No. +61412334591
Email (s) webbers_norfolk@yahoo.com.au		
Signature Applicant 1	(see attached)	
Signature Applicant 2		

2. LANDOWNER(S) DETAILS (if not the Applicant)

Name	Please see attached sheet	
	First Name	Last Name
Name	SEE ATTACHED SHEET	
	First Name	Last Name
Postal Address		
Phone No.		Mob. No.
Email		
Signature(s) of all landowners. This signature provides landowner's permission for the Applicant to make this Development and / or Building Application only.		

NORFOLK ISLAND


Regional Council

ABN 6010 3855 713

APPLICATION FOR DEVELOPMENT APPROVAL AND / OR BUILDING APPROVAL

APPLICATION NO.

1. APPLICANT DETAILS (May be an agent acting on behalf of a landowner)

Name Applicant 1	<u>STANLEY</u> <u>WEBER</u>		
	First Name	Last Name	
Name Applicant 2			
	First Name	Last Name	
Postal Address	<u>202/1117 NELSON BAY RD FERN BAY NSW</u>		
Phone No.		Mob. No.	<u>+61 412334591</u>
Email (s)			
Signature Applicant 1			
Signature Applicant 2			

2. LANDOWNER(S) DETAILS (if not the Applicant)

Name	<u>MONICA</u> <u>ANDERSON</u>		
	First Name	Last Name	
Name			
	First Name	Last Name	
Postal Address	<u>PO BOX 158 NORFOLK ISLAND</u>		
Phone No.	<u>22115</u>	Mob. No.	<u>52518</u>
Email	<u>monica@worldtraders.nf</u>		
Signature(s) of all landowners. This signature provides landowner's permission for the Applicant to make this Development and / or Building Application only.			
Landowner 1	<u>Monica Anderson</u>		
Landowner 2			

3. PROPERTY DESCRIPTION							
Address	3 GRASSY ROAD						
Portion No.	35c7	Lot No.	27	Section No.	27	Land Area:	1000m2
Please attach a copy of the Title Search for the subject property: Attached							
Current Land Use	FERNY LANE THEATRE - MIXED						
Land Tenure	x	Freehold		Crown Lease		Un-alienated Crown Land	
		Road Reserve		Vacant Crown Land			
Zoning		Rural	x	Mixed Use		Open Space	Airport
		Rural Residential		Business		Conservation	Roads
		Residential		Industrial		Special Use	

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

5. THE ACTIVITIES INVOLVED IN THE PROPOSED USE OR DEVELOPMENT <i>(please tick where relevant)</i>	
	Erecting, altering or adding to a building or structure
	A temporary building, structure, or use

	Subdividing land
	Demolition
X	Changing the use of land or a building or the classification of a building under the Building Code of Australia (without building, subdividing or demolishing)

6. DESCRIPTION OF PROPOSAL

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

CHANGE OF USE FROM THEATRE TO PLACE OF PUBLIC WORSHIP

CHANGE USE OF BAR TO CAFÉ, EXISTING SEATING FOR TWELVE. HOURS TUE TO FRI 0900 TO 1330.

SMALL BOOKSTORE IN FOYER WITH SHELVING FOR DISPLAY, HOURS TUE TO FRI 0900 TO 1530.

7. APPLICATION FEES

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

Total estimated cost of building and works

\$ N/A AS NO BUILDING WORKS

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

Gross floor area of all new proposed buildings	NOT APPLICABLE		
Gross floor area of all existing buildings on site	800.4 square meters		
Total roof area (sqm) of all buildings on the lot	714.2 square meters		
Total number of bedrooms	ONE		
Maximum height of new building(s) or structure(s) in metres	NOT APPLICABLE		
Building setbacks – minimum distance to front, rear, and side boundaries in metres.	Boundary	Distance	Orientation
	Front	OUR SOLICITOR HAS REQUESTED THE OWNER SUPPLY THIS INFORMATION	
	Rear		

<i>Note: it will be necessary to peg out the general footprint of proposed structures at the subject land.</i>	Side		
	Side		
Wall construction material (external) & colour	HARDIE PLANK / BLUE		
Floor construction material	CONCRETE AND TIMBER		
Roof construction material & colour	CUSTOM ORB METAL / CREAM		
Frame construction material	TIMBER		
Water supply and storage <i>Note: Please refer to DCP No. 2 - Water Resources for minimum water storage requirements.</i>	Water tank material	CONCRETE	
	Water tank capacity (existing)	10,000 Gallons 45,400 LITRES	
	Water tank capacity (new)		
	Total combined capacity (new and existing tanks)	45,400 LITRES	
On-site wastewater management system proposed / existing (e.g., sewer connection, AWTS, other – please specify;) and total capacity <i>Note: Please refer to DCP No. 2 - Water Resources for minimum waste water management requirements.</i>	Type of system	SEWER CONNECTION	
	System tank capacity		
Advertising Structure or Sign - construction material, size, total number of signs or structures (new and existing) <i>Note: Please refer to DCP No. 4 – Outdoor Advertising Structures and Signs to determine requirements and standards for the display of signage.</i>	Construction material		
	Total Display Area	NIL ADVERTISING, ONLY CHURCH NAME OVER EXISTING.	
	Maximum height of structure		
	Total number of signs or structures	TWO	
Describe any earthworks required as a component of building work; such as site works to create building pad, construct access and driveways, retaining walls, drainage works. Include total volume of earthworks (m ² and m ³) <i>Note: an Earthworks Plan as described in section 11 will be required to support your Application if in excess of 50 cubic metres</i>	NIL EARTHWORKS		

Swimming pool - above ground / below ground, dimensions, (length, depth, width) construction materials and dimensions for associated decking / structures/ fences and gates.	NOT APPLICABLE
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9. BUILDER'S DETAILS (if applicable; and if a builder has been selected)			
Name	NOT APPLICABLE		
Phone No.		Mob No.	
Email:			

10. CONSULTATION WITH COUNCIL INFRASTRUCTURE, SERVICES AND ENVIRONMENT STAFF	
<p><i>In planning and designing your proposed development you should contact relevant Council staff with responsibility for infrastructure and services to ensure infrastructure required for your development is available or can be made available; to determine whether there any specific requirements for infrastructure and services and whether any additional permits, licences or approvals may be required for your proposal.</i></p> <p><i>You should also consult with Council's environment staff to determine any specific environmental matters to consider in developing your proposal, such as identifying protected trees or potential impacts on threatened species; and requirements for additional permits and approvals.</i></p> <p><i>It is strongly suggested that you present a description of your proposal and preliminary building plans for your development to enable the relevant Council staff to provide advice on requirements.</i></p> <p><i>Please request the relevant staff member(s) to email their advice to you as the Applicant and to also email direct to planning@nirc.gov.nf. Alternatively, advice can be provided in the spaces below.</i></p>	
Contact	Comments
Electricity Team Leader, John Christian Ph: 22078, 23206 Email: john.christian@nirc.gov.nf Mitchell Graham Email: mitchell.graham@nirc.gov.nf	JOHN REPLIED TO MY EMAIL TO ADVISE THAT A COMPLETION CERTIFICATE WAS NOT FORTHCOMING WHEN THE BUILDING WAS CONVERTED TO THE THEATRE. OUR SOLICITOR HAS REQUESTED THE OWNER ATTEND TO THIS REQUIREMENT.
Public Health and Environment Water storage and wastewater management requirements Team Leader, Arthur Travalloni Ph: 22001 Email: arthur.travalloni@nirc.gov.nf	ARTHUR ADVISED THAT EXISTING STORAGE SHOULD/WOULD MEET PLANNED BUILDING USE.
Fire Service Team Leader, Shane Wallis Ph: 22049 Email: shane.wallis@nirc.gov.nf	SHANE HAS NOT CARRIED OUT AN INSPECTION SO COULD NOT COMMENT. OUR SOLICITOR HAS REQUESTED THE OWNER ATTEND TO THIS MATTER

Telecom Team Leader, Simon Peapell Ph: 23905 Email: simon.peapell@nirc.gov.nf	N/A
Public Works and Depot Road works, driveways Team Leader, Mal Snell Ph: 22006 Email: malcolm.snell@nirc.gov.nf	N/A
Biodiversity Protected trees, Argentine ants etc Team Leader, Tara Patel Ph: 22001 Email: tara.patel@nirc.gov.nf	N/A
11. OTHER APPROVALS	
<i>You may need approvals, licences or permits under other legislation in force on Norfolk Island such as those listed below. Please tick the relevant legislation. If in doubt, please contact the Planning Office.</i>	
	<i>Environmental Protection and Biodiversity Protection Act 1999 (Cth).</i> Please refer to http://www.environment.gov.au/protection/environment-assessments
	<i>Crown Lands Act 1996 (NI)</i> – applies to Crown land.
	<i>Local Government Act 1993 (NSW)(NI)</i> – approvals may be required for specified activities.
	<i>Trees Act 1997 (NI)</i> – permit required to remove protected trees. Please refer to the <i>Trees Regulations 1999</i> - Schedule of Protected Trees.
	<i>Public Reserves Act 1997 (NI)</i> – permit required for an activity in a Public Reserve.
	<i>Subdivision Act 2002 (NI)</i> – registration of plan of subdivision.
	<i>Tourist Accommodation Act 1984 (NI)</i> – registration of tourist accommodation.
X	<i>Sale of Food Act 1950 (NI)</i> – licence required for production and / or sale of food.
	<i>Liquor Act 2005 (NI)</i> – licence required to supply liquor.
	<i>Heritage Act 2002 (NI)</i> – Proposals for use or development that affect listed heritage items .
	<i>Roads Act 2002 (NI)</i> – opening and closing public roads.
	Other Approvals

12. ENVIRONMENTAL IMPACTS OF YOUR DEVELOPMENT	
<p>To assess your proposal, we need to understand any potential impacts it may have on the environment. Depending on the nature and scale of your proposal, you may need to either:</p> <ol style="list-style-type: none"> 1. Provide a Description of Potential Environmental and Heritage Impacts in your Development Application; or 2. Submit a Statement of Environmental Effects with your Development Application; or 3. Submit an Environmental Impact Statement prepared in accordance with the Planning Act 2002 (NI) & Planning Regulations 2004 (NI) with your Development Application. <p>Please consult Council's Planning Office to determine which environmental impact assessment documentation is required for your proposal. Please tick below the information provided with this application.</p>	
Environmental Impact Statement attached:	NOT APPLICABLE
Statement of Environmental Effects attached:	NOT APPLICABLE
Description of Potential Environmental and Heritage Impacts:	NOT APPLICABLE
<p>Description of Potential Environmental and Heritage Impacts: Please describe the potential impact of your proposed use or development on the environment and heritage of the development site and surrounding area.</p>	
NIL IMPACT AS NOTHING WILL CHANGE.	
13. PLANS AND MAPS	
<p>Applications must be supported by relevant plans and maps that clearly shows what is being proposed. A full list of the information that may be required is provided at Clause 12 of the Norfolk Island Plan 2002. Please tick below the information provided with this application.</p>	
X	Drawings showing the plan and proposed usage at each floor level, elevations, sections and dimensions of the building, the sizes and locations of structural members to a scale of not less than 1:100.
N/A	Drawings containing sufficient detail and at a scale appropriate to the work proposed to be carried out, to show the plumbing and drainage work to be carried out.
??	<p>Site Plan - Drawings to a scale of not less than 1:500 showing:</p> <ul style="list-style-type: none"> - The boundaries and dimensions of the allotment, relevant easements and adjacent streets. - The position and dimension of the building to the boundaries of the allotment, existing buildings on the allotment and adjoining allotments together with details of the purposes for which the buildings are to be used. - The levels of the site and of the floors of the building in relation to an adjoining street channel, if any.

15. DEVELOPMENT APPLICATION AND / OR BUILDING APPLICATION - CHECKLIST OF REQUIREMENTS			
<p><i>Applications shall contain information as is necessary to determine compliance with the Norfolk Island Plan, Planning Act 2002 (NI), and Building Act 2002 (NI). Clause 12 of the Norfolk Island Plan 2002 specifies matters (listed below) that must be included in a Development Application, where applicable and relevant. It is the responsibility of the Applicant to demonstrate that each of the matters listed has been addressed by placing a tick in the relevant box. Failure to provide all the relevant information may result in the Application not being accepted by Council or delays in the processing of the application.</i></p>			
Requirement	Yes	No	N/A
a) The name and address of the applicant, the location of the land, a copy of the title to the land, the name and address of the owner, and written consent from the owner of the land if not the applicant.	X		
b) The use or development of the land at the date of application.	X		
c) The intended use or development of the land.	X		
d) A plan or plans drawn to a scale available on a standard scale rule which show clearly:	X		
(i) the relationship of the land to lot boundaries, levels or contours, title boundaries and roads;		X	
(ii) rights of way, easements and covenants affecting the land;			X
(iii) existing buildings, works, trees, and vegetation;			X
(iv) site preparation – including details of buildings and works to be demolished, areas to be cut and/or filled, existing vegetation and trees to be removed, and other land clearing;			X
(v) proposed buildings, works, and services, and alterations to existing buildings and works – including floor plans, elevations, dimensions, relative site levels, provisions for drainage, and the purpose of rooms, other spaces and structures;			X
(vi) existing and proposed vehicular access/egress points to roads from the land, and the areas set aside and other provisions made for vehicular passage, manoeuvring and parking;			X
(vii) existing and proposed landscaping – including details of site beautification, tree planting, and screening;			X
(viii) the materials proposed for construction purposes and the colour of such materials on all exterior surfaces;			X
(ix) signs – including details of dimensions, wording, logos, colours, illumination, supporting structures, and positioning on buildings and works and the method of affixing thereto;	X		
(x) floodlighting and other exterior lighting including the location and strength of illumination.			X
(xi) A written statement by or on behalf of the Applicant of the likely impact of the proposed use or development on the environment and heritage; and			X
(xii) A written statement from relevant infrastructure managers regarding the infrastructure requirements necessary to enable the proposed use or development, and the availability of such infrastructure; and / or the need to upgrade any infrastructure to support the proposed use or development.			X

LODGEMENT DETAILS

You can lodge the completed Application by:

Email: planning@nirc.gov.nf

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

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

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

OFFICIAL USE ONLY

Receiving Officer:

Date:

CONSIDERATION OF ADEQUACY FOR ACCEPTANCE – TO BE COMPLETED BY COUNCIL

Application satisfactory to lodge and accept

Yes

No

Additional information required before the application will be accepted:

Planning Act 2002 (NI):

Development Approval Required:

Yes

Tick category:

Category of Development

Permitted Use or Development

Permissible (with consent) or
Use Development

*

Declared significant development

Building Act 2002 (NI):

Building Approval Required:

Yes

No

APPLICATION ACCEPTANCE – TO BE COMPLETED BY COUNCIL

Officer: J Brown

Date: 17 April 2024



TITLE SEARCH

The information in this title search relates to an estate in fee simple granted on 14 September 1859

Registered Proprietor and Tenancy

MONICA JEAN ANDERSON
Sole Proprietor

Land

Lot	Section	Portion	Area	Sheet Number
27	27	35c7 rem	1000	72

Notations

Instrument No	Description	Comments
12837	Registrar's Dealing	Substituted certificate of title is issued on 18 August 2023 to replace the original lost or destroyed certificate of title 2660/1

Encumbrances

Instrument No	Description	Registered

Unregistered dealings

Instrument No	Description	Lodge date

Certification

The information in this search is certified correct by the Registrar of Titles at 26/03/2024 09:49:06

PROJECT DESCRIPTION (PD) GL'S

The first step to initiate a Project is for the Applicant to define the project and prepare a Project Description. The detail will vary depending on the complexity of the project but would include matters such as the following to provide a good overview of the scale and scope of the project:

1. Introduction

- a. General project description, purpose / need for development
CHANGE OF USE FROM THE CURRENT THEATRE TO A PLACE OF PUBLIC WORSHIP. WE DESIRE TO HAVE A FACILITY THAT SUITS OUR NEED, IS EASY TO LOCATE, HANDY TO THE CBD, ALREADY SET UP FOR AUDITORIUM, HAS FLEXIBILITY FOR SMALL MEETINGS AS WELL AS LARGER, A PERMANENT HOME FOR THE CHURCH WITH ACCESS FOR DISABLED. ALSO TO USE THE EXISTING SEATING AND BAR AREA IN THE FOYER, AS A SMALL CAFÉ BY PLACING A COFFEE MACHINE IN THE KITCHENETTE, FOOD PREPARATION WOULD BE IN THE EXISTING COMMERCIAL KITCHEN. A SMALL BOOKSTORE ALSO IN THE FOYER WITH SHELVING FOR DISPLAY.
- b. Site description
NBR 3 GRASSY ROAD, PORTION 35c7, LOT 27, SECTION 27, LAND AREA 1000M2
- c. The proponent
SENIOR PASTOR STAN WEBBER, ON BEHALF OF "DAA SAID FE WORSHEP NORF'K AILEN" ("THE NORFOLK ISLAND HOUSE OF WORSHIP") CHURCH A REGISTERED CHRISTIAN DENOMINATION.
- d. Land ownership
MONICA ANDERSON
- e. Current development consents, current use(s) and operation(s)
MIXED USE, THEATRE
- f. Preliminary planning considerations - Statutory Planning – is it permitted ?
PLACE OF PUBLIC WOSHIP, INCLUDING A CAFÉ AND BOOKSTORE IS PERMISSABLE IN MIXED USE

2. Proposed development

- a. Construction
NIL BUILDING CHANGES TO EXISTING
- b. Description of all structures & installations
EXISTING STRUCTURE HAS HARDIE PLANK EXTERIOR PAINTED BLUE. ROOF IS CUSTOM ORB PAINTED CREAM. QTY FOUR SLIDING GLASS DOORS FOR ACCESS AND EGRESS.

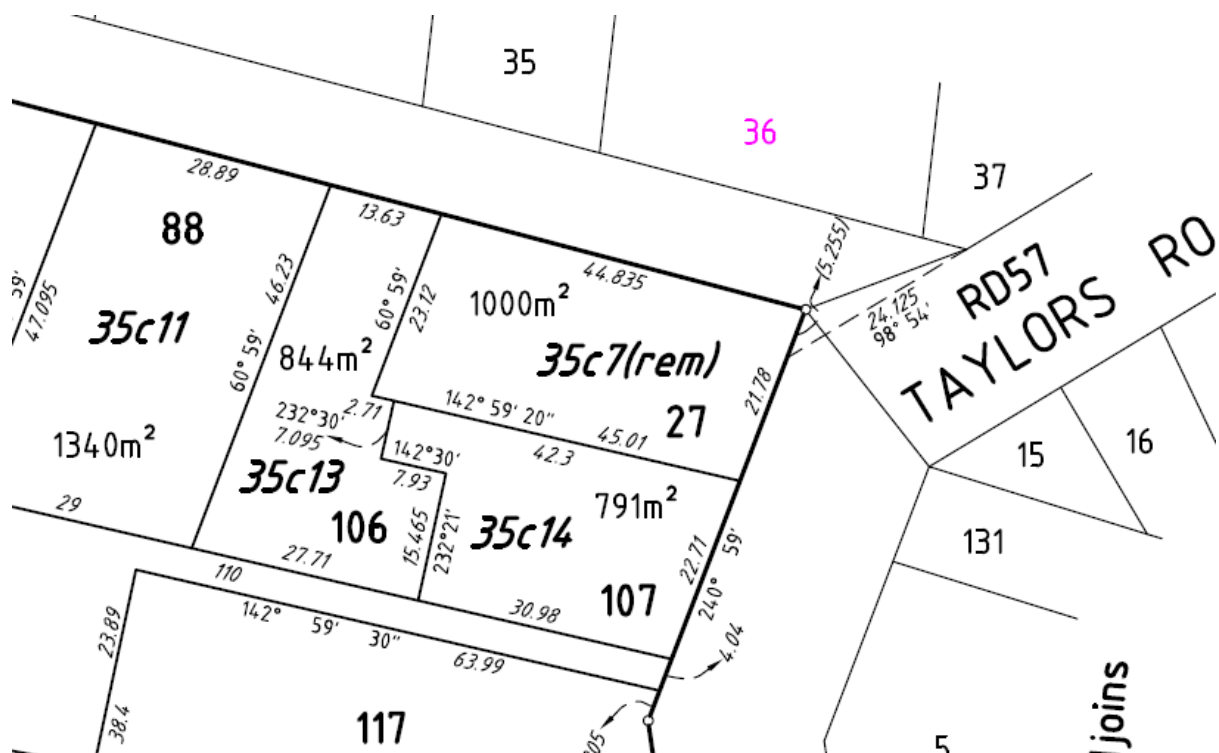
WHEELCHAIR/DISABLED ACCESS EXISTS. MULTIPLE WINDOWS FOR LIGHT AND AIR. THEATRE AUDITORIUM OCCUPIES THE LARGEST PORTION OF STREETLEVEL, FOYERS, MALE AND FEMALE/ DISABLED TOILETS, COMMERCIAL KITCHEN. BAR AREA WITH CLASSIC SEATING BOOTHS AND KITCHENETTE. QTY TWO STORAGE/ GARAGE AREAS. FIRST STORY IS A ONE BEDROOM FLAT WITH A BATHROOM AND LIVING ROOM. THE POWER BOARD IS INTERNALLY LOCATED, SMOKE DETECTORS THROUGHOUT THE BUILDING ARE CONNECTED TO A CENTRAL FIRE DISPLAY AND ISOLATION BOARD. WATER TANK IS UNDERFLOOR.

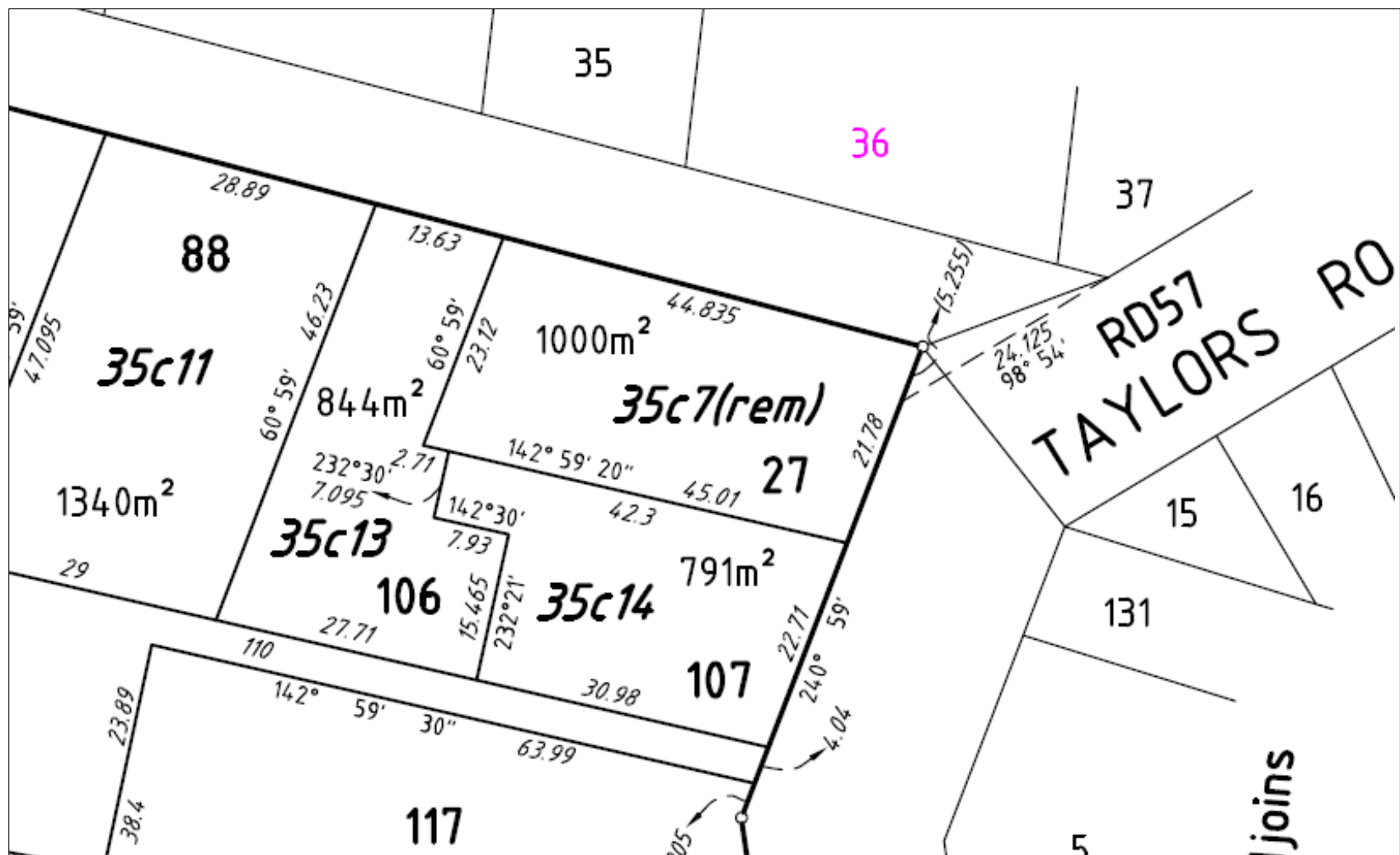
- c. Key inputs AS DETAILED ABOVE
- d. Key processes . BOOKSHELVES OF MODEST SIZE TO ACCOMMODATE APPROXIMATELY 250 BOOKS. ENSURE THE BUILDING MEETS THE NEEDS OF OUR PROPOSAL AND IS FIT FOR PURPOSE. THE CHANGE OF THE BAR AREA TO CAFÉ WITHOUT STRUCTURAL CHANGE.
- e. Key outputs AS DETAILED ABOVE.
- f. Quantities, scale
- g. Equipment required, Infrastructure required
MOST EQUIPMENT NEEDED FOR CHANGE OF USE ALREADY EXISTS. A COFFEE MACHINE AND BOOK SHELVEING WOULD BE NEEDED. NO INFRASTRUCTURE REQUIRED AT THIS TIME
- h. Hours of operation
TUESDAY TO FRIDAY 0900 TO 1530 OFFICE AND OR COUNCEL AS REQUIRED. CAFÉ AND BOOKSHOP HOURS WITHIN THESE TIMES. SUNDAY 0900 TO 1900. CLOSED MONDAY AND SATURDAY.
- i. No.s of staff
INITIALLY TWO TO FOUR, ADITTIONAL AS GROWTH OCCURRS
- j. Socio-economic matters
THERE ARE NO REQUIREMENTS EITHER SOCIALLY OR ECONOMICALLY ASSOCIATED TO ENTER OR JOIN. THOSE WITH A NEED IN BOTH AREAS ARE ASSISTED TO THE BEST OF OUR ABILITY.

3. Environmental issues matters that might be affected e.g.

- a. Ecology
NIL
- b. Visual impacts
NO CHANGE TO EXISTING

- c. Noise impacts
NO DIFFERENT TO THEATRE
- d. Air quality
NO DIFFERENT TO THEATRE
- e. Odour emissions
NIL
- f. Traffic
PEMISSION BEING OBTAINED FROM THE OLD VEHICLE WORKSHOP OPPOSITE (HAYDON BELL'S) IN FERNY LANE AND NEARBY NEIGHBOUR IN GRASSY ROAD FOR OVERFLOW PARKING IF AND WHEN REQUIRED. THE OWNER OF 5 GRASSY ROAD (35c13) HAS GIVEN PERMISSION.
- g. Surface and ground water
NO CHANGE TO EXISTING
- h. Waste disposal including waste water
NO CHANGE TO EXISTING





Sheet 72 Official Survey extract



2021 aerial



2019 aerial



Google Earth June 2023

12000
4500
2500 x 2400 x 3200 x 3800

Window
Bathroom
Control Room
stairs
Access

Living

Bedroom

Window

Window

Sliding Glass
Door

Verandah

1500
2500
7200
3400
2000

#3 GRASSY ROAD
UPPER RESIDENCE
1:100
SHEET 2 of 2