

## Statement of Reasons

<b>DA Number</b>	2019/0147
<b>Property Address</b>	19 Woodburn Street, Evans Head
<b>Matter Determined</b>	Construction of a Health Services Facility, demolition, car parking and associated works.
<b>Date of Decision</b>	14/03/2019
<b>Decision</b>	Approval subject to conditions.
<b>Application Determined by</b>	General Manager under Delegation

### Reasons for the Decision

<p><b>Relevant Mandatory Considerations – Statutory Requirements</b></p>	<ul style="list-style-type: none"> <li>• The development a Crown Development pursuant to the provisions under Division 4.6 of the Environmental Planning and Assessment Act, being lodged on behalf of Northern NSW Local Health District. A consent authority in relation to a Crown Development must not refuse consent, except with consent of the Minister, or impose a condition on its consent, except with the approval of the applicant or the Minister. The proponent provided agreement to the proposed consent conditions on 13 March 2019.</li> <li>• The proposed development is permissible with consent in the R1 General Residential Zone pursuant to clause 57 of State Environmental Planning Policy (Infrastructure) 2007.</li> <li>• The proposed development complies with the relevant provisions of Richmond Valley Council Local Environmental Plan 2012</li> <li>• The proposed development complies with the relevant State Environmental Planning Policies, being, State Environmental Planning Policy (Infrastructure) 2007, State Environmental Planning Policy (Coastal Management) 2018 and State Environmental Planning Policy 55 Remediation of Land.</li> <li>• The proposed development complies with relevant provisions of Richmond Valley Development Control Plan 2015 excepting the Front Building Line Setback standard. A variation request has been submitted to vary the front building line from 6m to 3m. The variation request is considered appropriate in the circumstances having regard to the surrounding development, proposed building design and the open spaces provided to the Woodburn Street frontage. The variation request was approved concurrently with the Development Application.</li> <li>• The proposed development complies with Environmental Planning &amp; Assessment Regulation 2000.</li> <li>• The proposed development will not have significant adverse impact on the natural, built or social environment or economic impacts on the locality provided it is managed and operated in accordance with the Consent granted and Statement of Environmental Effects Ref 18/454 December 2018 and the additional information submitted 18 February 2019, 26 February 2019 and 28 February 2019.</li> </ul>
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	<ul style="list-style-type: none"> <li>• The proposed development is considered suitable for the proposed site.</li> <li>• The development application was notified in accordance with Development Control Plan 2015. Two submissions were received.</li> <li>• Site inspections were undertaken on 18 February 2019 and 21 February 2019.</li> <li>• The proposed development is considered to be of significant public benefit and not contrary to the public interest.</li> <li>• Consent conditions have been recommended as contained within the development consent notice.</li> </ul>
<p><b>Material Considered in the Decision</b></p>	<p>List documents</p> <ul style="list-style-type: none"> <li>• Statement of Environmental Effects prepared by Newton Denny Chapelle, December 2018 including attachments.</li> <li>• Cost Estimate of Capital Investment Value prepared by AltusGroup, 05 December 2018.</li> <li>• Design Plan prepared by Harmes Sharley submitted with the application.</li> <li>• Additional information submitted 18 February 2019, 26 February 2018 and 28 February 2019.</li> <li>• Submissions received during the exhibition period.</li> </ul>
<p><b>Community Views Raised in Submissions</b></p>	<ul style="list-style-type: none"> <li>• The DA was notified in accordance with Development Control Plan 2015.</li> <li>• Two Submissions were received issues concerned political decisions, Councils conflict of interest, variations to the DCP, biodiversity assessment, relocation of Living Museum and Community Technology Center and historical land use decisions.</li> </ul>