



**Proposal: Two (2) lot  
strata subdivision of  
existing dual occupancy**

**Location: 84 Currajong  
Street, Evans Head**

**Applicant: Christain  
Dujmovic & Esmerald  
Dujmovic C/o PPlan**

**Date: 14 February 2024**



# Statement of Environmental Effects

## 1.0 REPORT SUMMARY

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### 1.1 Proposal

Proposal:	Two lot strata subdivision of existing dual occupancy as shown on the attached plans.
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### 1.2 Site Details

Address:	84 Currajong Street, Evans Head
RPD:	Lot 19 on DP 1248978
Site Area:	861.4m <sup>2</sup>
Easements:	Yes – sewage easement
LEP:	Richmond Valley Local Environmental Plan 2012
DCP:	Richmond Valley Development Control Plan 2021
Zone:	R1 – General Residential

### 1.3 Nature of Development Application

Type of Development:	Two Lot Strata Subdivision
Approval Type:	Development Permit
Proposed Use as Defined:	Dual Occupancy (detached)
Category of Assessment:	Permitted with Consent

### 1.4 Owner and Applicant Details

Applicant Name:	Christian Dujmovic & Esmerald Dujmovic
Owner:	Christian Dujmovic & Esmerald Dujmovic
Contact Name:	PPLAN – Jeremy Hopkins
Phone:	07 3707 6675
Email:	town.planning@pplan.com.au

### 2.1 Aerial Photos



Site Locality – dated 7 July 2023 (Source: NearMaps)

### 2.2 Site Details

The subject site contains two recently constructed single storey detached dwellings (dual occupancy) on a lot measuring 861.4m<sup>2</sup>. Each of the two dwellings contain a tandem garage, four bedrooms (master with ensuite and walk-in-robe), open plan kitchen/living/dining area with covered outdoor living area. The dwellings are both clad in face brickwork with concrete roof tiles and have either render or weatherboard cladding to the street elevations. The surrounding area to the south and east has been developed primarily for residential purposes with detached single storey dwellings. The land to the north has been developed for Evans Head Airport, whilst the Evans River is located approximately 1.6km to the southeast of the subject site. An existing block retaining wall runs along the rear northwest boundary.

Development Consent No. DA2023/0017 was determined on 8 September 2022 for the construction of two (2) single storey dwellings with attached tandem garages to create a detached dual occupancy development and associated works.

### 2.3 Access

The site has frontage to a sealed residential road, with concrete footpath running along the street frontage. Two (2) concrete driveways have recently been installed in accordance with Development Consent No. DA2023/0017.

### 2.4 Vegetation

The site is cleared of any significant vegetation, and is currently being landscaped in accordance with Development

Consent No. DA2023/0017.

## **2.5 Topography**

The site has been levelled with no significant slope and an elevation averaging AHD 7.05m.

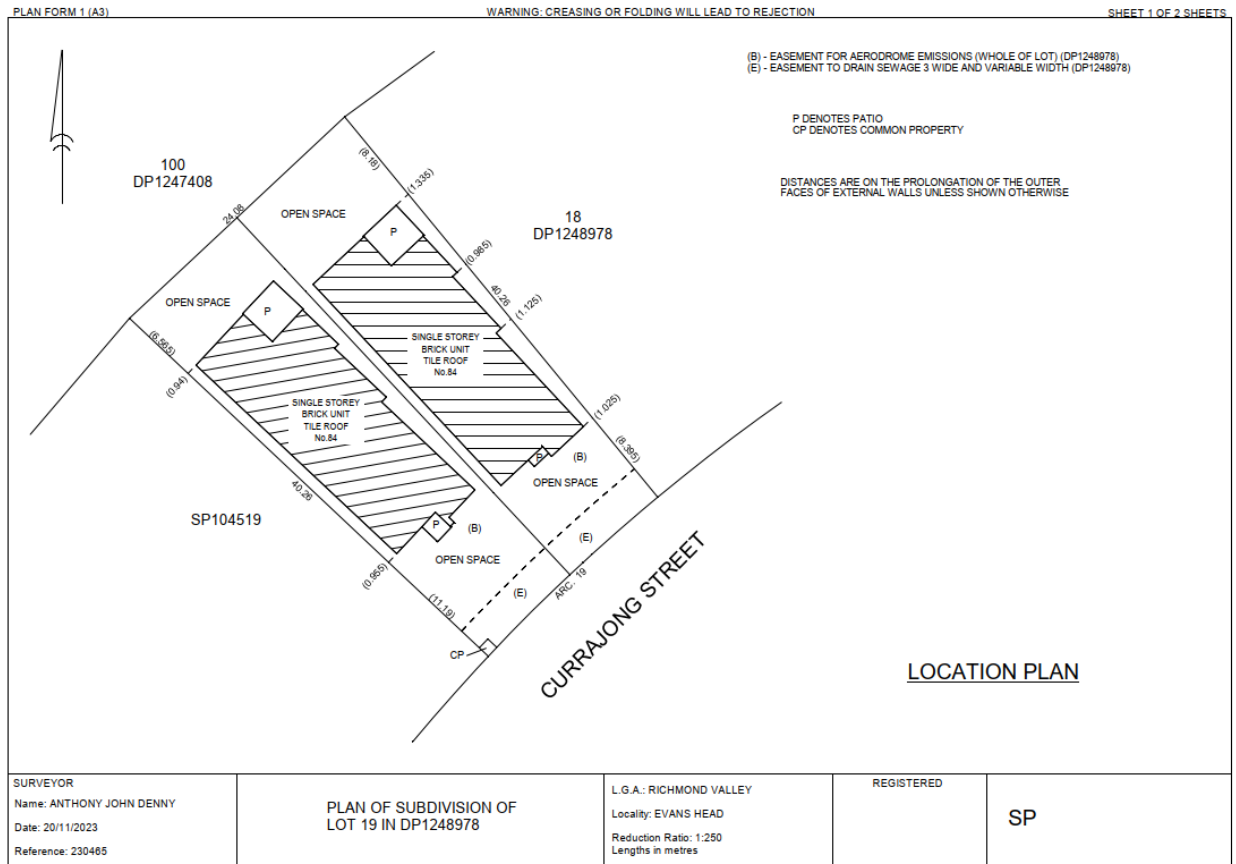
## **2.6 Constraints**

The site is identified as affected by Class 3 Acid Sulfate Soils, is heritage listed and is bushfire prone. Council may condition requirements as necessary.

### 3.0 PROPOSAL

#### 3.1 Proposed Development

The subject site contains two recently constructed single storey detached dwellings (dual occupancy) on a lot measuring 861.4m<sup>2</sup>. A two (2) lot strata subdivision is proposed, with Lot 1 having a length of 40.26m, street frontage of 9.578m and total area of 432,2m<sup>2</sup> Whilst Lot 2 will have a length of 39.88m, street frontage of 8.42m and a total area of 428.1m<sup>2</sup> as detailed on the Plan of Subdivision shown below and accompanying the development application:



**Plan of Subdivision – Source: Anthony John Denny Registered Land Surveyor**

## 4.0 TOWN PLANNING FRAMEWORK

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### 4.1 *Environmental Planning and Assessment Act 1979*

The following matters must be taken into consideration pursuant to section 4 of the Act:

### 4.2 Any Environmental Planning Instrument

Instruments considered directly relevant to the proposal comprise the Richmond Valley Local Environmental Plan 2012. See section 5 of this Statement.

### 4.3 Any Draft Environmental Planning Instrument

None.

### 4.4 Any Development Control Plan

See section 6 of this Statement.

### 4.5 The Environmental Planning and Assessment Regulation 2000

No specific provisions apply.

### 4.6 The Likely Impacts of the Development on the Natural and Built Environments and Social and Economic Impacts

See section 7 of this Statement.

### 4.7 The suitability of the Site for the Development

See section 8 of this Statement.

### 4.8 Any Submissions

See section 8 of this Statement.

### 4.9 The Public Interest

See section 8 of this Statement.

## 5.0 ENVIRONMENTAL PLANNING INSTRUMENTS

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### 5.1 *Environmental Planning and Assessment Act 1979*

The Richmond Valley Local Environmental Plan 2012 as discussed below is applicable to the development application for the two lot strata subdivision of the recently constructed dual occupancy.

### 5.2 Richmond Valley Local Environmental Plan 2012

#### 5.2.1 Land Use Table

The land is zoned R1 General Residential. The primary objectives are to provide for the housing needs of the community, to provide for a variety of housing types and densities, to enable other land uses that provide facilities or services to meet the day to day needs of residents, to ensure that housing densities are generally concentrated in locations accessible to public transport, employment, services and facilities, and to minimise conflict between land uses within the zone and land uses within adjoining zones.

The existing use is defined as a dual occupancy (detached). Pursuant to the provisions of the Richmond Valley Local Environmental Plan 2012, a dual occupancy is permitted with development consent, which was granted under DA2023/0017 on 8 September 2022. There is no floor space ratio applicable to this locality. The existing dual occupancy complies with the Building Height Requirements.

#### 5.2.2 Part 4 Principal Development Standards

The subject site is mapped as having a minimum lot size of 8 hectares. However, Part 4.1(4) of the Richmond Valley Local Environmental Plan 2012 states that:

*This clause does not apply in relation to the subdivision of any land—*

- (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015,*  
*or*
- (b) by any kind of subdivision under the Community Land Development Act 2021.*

As the proposed two lot subdivision is for the registration of a strata plan, the minimum lot size provisions does not apply in this instance.

#### 5.2.2 Development Control Plan

The Richmond Valley Development Control Plan 2021 is applicable to the proposed development. The following components are applicable:

- Part G Subdivision – See Section 6 of this Statement.
- Part I-1 Environmental Heritage

#### 5.2.3 Miscellaneous Provisions

*Development within the Coastal Zone*

The land is not affected.



#### *Preservation of Trees or Vegetation*

No vegetation is proposed to be removed as part of the application.

#### *Heritage Conservation*

The land is identified as containing a state heritage listing affecting the parent lot being the Evans Head Memorial Aerodrome. A Heritage Impact Assessment accompanies the development application.

#### *Acid Sulfate Soils*

The land is identified as being affected by Class 3 Acid Sulfate Soils. Development Consent No. DA2023/0017 was determined on 8 September 2022 for the construction of two (2) single storey dwellings with attached tandem garages to create a detached dual occupancy development and associated works. Consideration of the acid sulfate soils was assessed by Council as part of the development consent.

#### *Bushfire Hazard*

The land is identified as bushfire prone. Development Consent No. DA2023/0017 was determined on 8 September 2022 for the construction of two (2) single storey dwellings with attached tandem garages to create a detached dual occupancy development and associated works. Conditions of the development consent required the development to be constructed to a BAL 12.5 rating.

#### *Flooding*

The land is not affected.



### 6.1 Richmond Valley Development Control Plan 2021

The Richmond Valley Development Control Plan 2021 is applicable to the proposed development. The following components are applicable:

- Part G – Subdivision
- Part I-1 – Environmental Heritage

#### Response to Part G – Subdivision

	Control	Assessment
G.1	General Objectives	Please refer to the planning responses below where it is submitted that the strata 2 lot subdivision complies with the general objectives of Part G.1.
G.2.2(1)	Design Criteria	Please refer to the planning responses below where it is submitted that the strata 2 lot subdivision complies with the design criteria.
G.2.2(2)	Site Analysis	The development application is for a two (2) lot strata subdivision of the recently constructed dual occupancy approved under Development Consent DA2023/0017. IN this instance a site analysis is submitted to not be required for the proposed strata subdivision.
G.2.2(3)	Subdivision and Road Design	No new roads are proposed as part of the two (2) lot strata subdivision with the recently constructed dual occupancy obtaining direct access from the driveways to Currajong Street.
G.2.2(4)	Energy Efficiency – Lot Orientation	The two (2) lot subdivision proposes each ot to be orientated on the north-south axis and solar access was considered under Development Consent DA2023.0017 for the construction of the dual occupancy.
G.2.2(5)	Density (Minimum Lot Size) and Dimensions	The two (2) lot strata subdivision proposes lots sizes of 428.1m <sup>2</sup> and 432.2m <sup>2</sup> with street frontage widths greater than 8.42m. It is noted that an inspection of existing buildings will be undertaken to ensure compliance with all relevant building and fire regulations, and final occupation certificates will be required in accordance with Part G.2.2(5)(a)(iii) of the Richmond Valley Development Control Plan 2021.
G.2.2(6)	Services	The existing lot which is proposed to be subdivided has all services available including a fully constructed road with footpath, and the existing dual occupancy is connected to drainage, reticulated sewer and water, telecommunications, street lighting and electricity.
G.2.2(7)	Stormwater Drainage	Stormwater drainage is provided to the subject site and the recently constructed dual occupancy is fully connected to stormwater drainage.
G.2.2(8)	Utility Services	The recently constructed dual occupancy is fully connected to utility services.
G.2.2(9)	Erosion and Sediment Control	Erosion and sediment control measures were undertaken as part of the construction of the dual occupancy approved under Development Consent DA2023/0017.
G.2.2(10)	Street Tree Masterplan	N/a.

G.2.2(11)	Developer Contributions	Developer Contributions were imposed by Council under Condition 42 of Development Consent DA2023/0017 granted for the recently constructed dual occupancy for the payment of \$19,436.
G.2.2(12)	Adoption of Northern Rivers Local Government Development Design and Construction Manuals	N/a.

### Response to Part I-1 – Environmental Heritage

The subject site is identified as containing a state heritage listing affecting the parent lot being the Evans Head Memorial Aerodrome. A Statement of Heritage Impact (SOHI) was prepared by Ainsworth Heritage in April 2019 for the construction of 15 residential lots on lots 2 to 14 and 17 to 20 on Deposited Plan No. DP1248978, which was formerly part of the Evans Head Memorial Aerodrome. A further Addendum to the SOHI was provided to Council as part of the assessment of the dual occupancy approved under development Consent DA2023/0017. It is submitted that the strata subdivision will not have any adverse impacts on the significance of the heritage place, being the Evans Head Memorial Aerodrome located to the north of the subject site.

### 6.2 Notification and Public Participation

The proposed two (2) lot strata subdivision of the recently constructed dual occupancy should not require public notification as it complies with the requirements of the Richmond Valley Development Control Plan 2021 and would not result in any off-site amenity impacts.

## 7.0 LIKELY IMPACTS OF THE DEVELOPMENT

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The land is zoned for residential purposes and has been developed for residential purposes through subdivision of the land and the construction of a detached dual occupancy approved under Development Consent DA2023/0017. The two (2) lot strata subdivision is for the purpose of obtaining individual titles for each of the dwellings and is not anticipated to have any adverse impact on the cultural significance of the heritage place. The proposed strata subdivision is submitted to comply with Parts G (Subdivision) and I-1 (Environmental heritage) of the Richmond Valley Development Control Plan 2021.



## 8.0 OTHER MATTERS

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### 8.1 Suitability of the site for development

The site has been developed for residential purposes. The proposal is consistent with the intended purpose, as well as the zoning of the land.

### 8.2 Public Interest

The development of the site and proposed strata subdivision is consistent with the intended purpose of the zone and the standards contained in the Richmond Valley Development Control Plan 2021.

### 8.3 Public Notification

Council will address as part of the assessment of the development application.



# PPLAN

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