

## Applicant contact details

Title	
First given name	Karina
Other given name/s	
Family name	Vikstrom
Contact number	0266221011
Email	smcdonald@ndc.com.au
Address	PO Box 1138, Lismore NSW 2480
Application on behalf of a company, business or body corporate	Yes
ABN	76003815174
ACN	003815174
Name	NEWTON DENNY CHAPELLE PTY LTD
Trading name	NEWTON DENNY CHAPELLE PTY LTD
Is the nominated company the applicant for this application	Yes

## Owner/s of the development site

Owner/s of the development site	A company, business, government entity or other similar body owns the development site
Owner #	1
Company, business or body corporate name	17 The Evans Pty Ltd
ABN / ACN	

I declare that I have shown this document, including all attached drawings, to the owner(s) of the land, and that I have obtained their consent to submit this application. - Yes

Note: It is an offence under Section 10.6 of the Environmental Planning and Assessment Act 1979 to provide false or misleading information in relation to this application.

## Site access details

Are there any security or site conditions which may impact the person undertaking the inspection? For example, locked gates, animals etc.	No
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## Developer details

ABN	18 094 689 845
ACN	
Name	The Trustee for NEWTON DENNY CHAPELLE UNIT TRUST
Trading name	
Address	1 31 Carrington Street Lismore 2480
Email Address	admin@ndc.com.au

## Development details

Application type	Development Application
Site address #	1
Street address	17 MCDONALD PLACE EVANS HEAD 2473
Local government area	RICHMOND VALLEY

Lot / Section Number / Plan	7/-/DP14089 <input checked="" type="checkbox"/>
Primary address?	Yes
Planning controls affecting property	<p>Land Application LEP Richmond Valley Local Environmental Plan 2012</p> <p>Land Zoning R1: General Residential</p> <p>Height of Building 9.5 m</p> <p>Floor Space Ratio (n:1) NA</p> <p>Minimum Lot Size 600 m<sup>2</sup></p> <p>Heritage NA</p> <p>Land Reservation Acquisition NA</p> <p>Foreshore Building Line NA</p> <p>Acid Sulfate Soils Class 3</p>

### Proposed development

Selected common application types	Demolition Erection of a new structure
Selected development types	Shop Top Housing Awnings, blinds and canopies Garage, carport or carparking space
Description of development	The construction of a shop top housing development comprising ground floor commercial space and ten (10) residential units within the first and second floor. The proposal is inclusive of demolition of the existing building, removal of existing vegetation, and ground floor carparking. The project involves awnings above the footpaths adjacent McDonald Place and Elm Street, and incorporates kerbside dining to service the commercial space.
<b>Provide the proposed hours of operation</b>	
Proposed to operate 24 hours on Monday	
Monday	-
Proposed to operate 24 hours on Tuesday	
Tuesday	-
Proposed to operate 24 hours on Wednesday	
Wednesday	-
Proposed to operate 24 hours on Thursday	
Thursday	-
Proposed to operate 24 hours on Friday	
Friday	-
Proposed to operate 24 hours on Saturday	
Saturday	-
Proposed to operate 24 hours on Sunday	
Sunday	-
Is the development proposed to be build-to-rent housing?	No
<b>Dwelling count details</b>	
Number of dwellings / units proposed	10
Number of storeys proposed	3
Number of pre-existing dwellings on site	
Number of dwellings to be demolished	
Number of proposed occupants	0
Existing gross floor area (m2)	0

Proposed gross floor area (m2)	0
Total site area (m2)	0
Total net lettable area (m2)	0
What is the estimated development cost, including GST?	\$4,970,042.00
Estimated development cost	\$4,518,220.00
Do you have one or more BASIX certificates?	Yes
BASIX Certificate Number	1732625M
<b>Climate Zone</b>	
What climate zone/s is the development in?	Climate zone 8 - alpine
Has the climate zone impacted the design of the development?	No
<b>Subdivision</b>	
Number of existing lots	
<b>Proposed operating details</b>	
Number of additional jobs that are proposed to be generated through the operation of the development	
Number of staff/employees on the site	

#### Number of parking spaces

Number of loading bays	
Is a new road proposed?	No
<b>Concept development</b>	
Is the development to be staged?	No, this application is not for concept or staged development.
<b>Crown development</b>	
Is this a proposed Crown development?	No

#### Related planning information

Is the application for integrated development?	No
Is your proposal categorised as designated development?	No
Is your proposal likely to significantly impact on threatened species, populations, ecological communities or their habitats, or is it located on land identified as critical habitat?	No
Is this application for biodiversity compliant development?	No
Does the application propose a variation to a development standard in an environmental planning instrument (eg LEP or SEPP)?	Yes
Would you like to answer questions in this form to complete the variation request or upload a supporting document	Complete questions
What is the name of the relevant environmental planning instrument? eg. LEP, SEPP	Local Environmental Plan (LEP)
Relevant LEP	Richmond Valley Local Environmental Plan 2012

What is the zone of the land?	
Address	17 MCDONALD PLACE EVANS HEAD 2473
Zone	R1
What are the objectives of the zone(s) ?	The primary objectives of the R1 General Residential zone 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. To minimise conflict between land uses within the zone and land uses within adjoining zones.
Development Standard Variation details	
Name of the development standard being varied	Height
Clause name	4.3
Numeric value of the standard being varied	9.5
Numeric value of the development against this standard	12
Percentage value of the proposed variation	29.16
What are the objectives of the development standard(s) ?	(1) The objectives of this clause are as follows— (a) to establish the maximum height for buildings, (b) to ensure that the height of buildings complements the streetscape and character of the area in which the buildings are located, (c) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development.
How is compliance with the development standard(s) unreasonable or unnecessary in the circumstances of this particular case ?	Refer to attached variation request.
Are there sufficient environmental planning grounds to justify variation of the development standard(s) ?	Refer to attached variation request.
Is there any other relevant information to be considered to justify variation of the development standard(s) ?	Refer to attached variation request.
Is the application accompanied by a Planning Agreement ?	No
<b>Section 68 of the Local Government Act</b>	
Is approval under s68 of the Local Government Act 1993 required?	Yes
Have you already applied for approval under s68 of the Local Government Act?	No
Would you like to apply for approval under s68 of the Local Government Act?	No
<b>10.7 Certificate</b>	
Have you already obtained a 10.7 certificate?	
<b>Tree works</b>	
Is tree removal and/or pruning work proposed?	Yes
Please provide a description of the proposed tree removal and/or pruning work	The proposed development requires clearing of six (6) trees.
Number of trees to be impacted by the proposed work	6
Land area to be impacted by the proposed work	
Units	
Approximate area of canopy REQUESTED to be removed	344
Units	Square metres
<b>Local heritage</b>	
Does the development site include an item of environmental heritage or sit within a heritage conservation area.	No
Are works proposed to any heritage listed buildings?	No

Is heritage tree removal proposed?	No
<b>Affiliations and Pecuniary interests</b>	
Is the applicant or owner a staff member or councillor of the council assessing the application?	No
Does the applicant or owner have a relationship with any staff or councillor of the council assessing the application?	No
<b>Political Donations</b>	
Are you aware of any person who has financial interest in the application who has made a political donation or gift in the last two years?	No
Please provide details of each donation/gift which has been made within the last 2 years	

### Sustainable Buildings

Is the development exempt from the <a href="#">State Environmental Policy (Sustainable Buildings) 2022</a> Chapter 3, relating to non-residential buildings?	Yes
Provide reason for exemption. Is the development any of the following:	An alteration or addition with a Capital Investment Value under \$10 million, or a new development with a Capital Investment Value under \$5 million

### Payer details

Provide the details of the person / entity that will make the fee payment for the assessment.

The *Environmental Planning and Assessment Regulation 2021* and Council's adopted fees and charges establish how to calculate the fee payable for your development application. For development that involves building or other works, the fee for your application is based on the estimated cost of the development.

If your application is for integrated development or requires concurrence from a state agency, additional fees will be required. Other charges may be payable based on the Council's adopted fees and charges. If your development needs to be advertised, the Council may charge additional advertising fees. Once this application form is completed, it and the supporting documents will be submitted to the Council for lodgement, at which time the fees will be calculated. The Council will contact you to obtain payment. Note: When submitting documents via the NSW Planning Portal, credit card information should not be displayed on documents attached to your development application. The relevant consent authority will contact you to seek payment.

The application may be cancelled if the fees are not paid:

First name	17 The Evans Trust
Other given name(s)	
Family name	C/- NDC
Contact number	0266221011
Email address	smcdonald@ndc.com.au
Billing address	PO Box 1138, Lismore NSW 2480

### Application documents

The following documents support the application.

Document type	Document file name
Acid sulfate soils report	Attachment 10 - Preliminary Acid Sulfate Soil Investigation
Acoustic report	Attachment 5 - Noise Impact Assessment
Arborists report	Attachment 13 - Arborist Report
Architectural Plans	Attachment 3 - Architectural Design Statement Attachment 2 - Architectural Plan Set - REV Attachment 2 - Architectural Design Plans

	Attachment 3 - Architectural Design Statement
BASIX certificate	Attachment 17 - Stamped Plans Attachment 17 - NatHERS_Summary_Certificate_Final Attachment 17 - Basix Commitments Table Attachment 17 - Basix Certificate
Clause 4.6 variation request	Clause 4.6 Variation Request - REV - COMPILED - Copy Attachment 19 - Clause 4.6 Variation Request
Cost estimate report	Estimated Cost of Development
Demolition Work Plan	Attachment 9 - Demolition Work Plan
Fee estimate	Amended Invoice - PAN-424117 Application InvEPlanPy 679140.pdf
Generated Pre-DA form	Pre-DA form_1712129291.pdf
Geotechnical report	Attachment 16 - Geotechnical Site Investigation
Landscape plan	Attachment 8 - Landscape Plans - REV Attachment 8 - Landscape Architect Plans
Other	Attachment 15 - Signed RSL Letter of Support - REV 24.04.16 - Adequacy Review Cover Letter Application DAePIInfRI 675231.pdf Attachment 11 - Preliminary Site Investigation Attachment 15 - Letter of Support Club Evans RSL Attachment 1b - Pre-lodgement Minutes - 25.10.2022 Attachment 1C - Architect Consultation Meeting Notes Attachment 1a - Pre-lodgement Minutes - 20.07.2023
Owner's consent	ASIC Company Extract - Confidential Landowner Authority
Preliminary Engineering Drawings	Attachment 7 - Engineering Services Report - Civil Plans Attachment 7 - Engineering Services Report
Proposed Subdivision plan	Attachment 4 - Strata Plans
Section J report	Attachment 18 - Section J Report
Site Plans	Attachment 2 - Architectural Design Plans
Statement of environmental effects	Statement of Environmental Effects - Rev D Statement of Environmental Effects - REV C Statement of Environmental Effects
Survey plan	Attachment 14 - Detail Survey
Traffic Impact Assessment	Attachment 6 - Traffic Impact Assessment
Waste management plan	Attachment 12 - Waste Management Plan

#### Applicant declarations

I declare that all the information in my application and accompanying documents is , to the best of my knowledge, true and correct.	Yes
I understand that the development application and the accompanying information will be provided to the appropriate consent authority for the purposes of the assessment and determination of this development application.	Yes
I understand that if incomplete, the consent authority may request more information, which will result in delays to the application.	Yes
I understand that the consent authority may use the information and materials provided for notification and advertising purposes, and materials provided may be made available to the public for inspection at its Offices and on its website and/or the NSW Planning Portal	Yes
I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Government Information (Public Access) 2009 (NSW) (GIPA Act) under which it may be required to release information which you provide to it.	Yes
I agree to appropriately delegated assessment officers attending the site for the purpose of inspection.	Yes
I have read and agree to the collection and use of my personal information as outlined in the Privacy Notice	Yes
I confirm that the change(s) entered is/are made with appropriate authority from the applicant(s).	

#### Lodgement details

Outcome of the pre-lodgement review	Application was lodged
Applicant paid the fees?	Yes
Total fee paid	\$0.00

Council unique identification number	DA2024/0140
Date on which the application was lodged into Council's system	7/05/2024