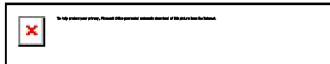


**From:** noreply@openforms.com  
**Sent:** Wednesday, 10 November 2021 12:14 PM  
**To:** council  
**Subject:** 10.2021.619.1 - eForm Submission Object - [REDACTED]  
**Attachments:** submission - [REDACTED] DA619-1.pdf





## 10.2021.619.1 - eForm Submission Object - [REDACTED]

10.2021.619.1 - eForm Submission of Object - [REDACTED]

Contact details	
Name	[REDACTED]
Organisation (where relevant)	[REDACTED]
Email	[REDACTED]
Phone	[REDACTED]
Postal address	[REDACTED]
Application details	
Development application number	10.2021.619.1
Street address	99 Station Street
Suburb	MULLUMBIMBY
Submission details	
Type of submission	Object
Grounds for submission	As the immediate neighbour the DA proposal severely impacts my property, health and lifestyle. The DA is also inappropriate for the location.
File upload	<a href="#">submission - [REDACTED] DA619-1.pdf</a>
Declarations	
Lodgement declarations	I declare that the information in my submission is true and correct.


	I have read and acknowledge the Political Donations, Privacy Statement and Submissions and Confidentiality declarations.
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The General Manager  
Byron Shire Council  
PO Box 219  
Mullumbimby NSW 2482

10<sup>th</sup> November 2021

Dear Sir/Madam,

As the immediate neighbour of the property identified in DA 10.2021.619.1 (99 Station Street Mullumbimby), I strongly object to several points included in above mentioned DA. The points, outlined below, explain how this development severely impacts my property and health at  thus negating the 20 years of effort and expense I've invested.

The planners have omitted answering or providing detail for a large number of significant questions/points and I feel that these need to be fully addressed before any further consideration of the DA.

I strongly object to the planner's tactic which seems to be a deliberate minimization of key criteria addressing Byron Shire's LEP — as follows:

**Planning controls affecting property**

**Height of Building = NA**

**Floor Space Ratio = NA**

**Part A — Statement of Environmental Impact**

- **The height, height plane and scale of the buildings** — this exceeds current limits. The developer's statement has been pulled out of thin air! For starters — to say that it is **consistent** and using the Council Chambers monstrosity as a precedent is absolutely NOT ON. The proposal is for a residential development that will tower above its immediate neighbours (single story residences with actual history). The roof line will block out my winter sunlight and block my northerly aspect. My gardens will be impacted. **This should not be a 2-story development.**  
Citing Wehbe, Pittwater or North Sydney as precedent arguments has NO place in the Objection to Clause 4.3 Height of Buildings.  
Stephen Connelly's *viewpoints* claim that the height is needed for flood proofing. This **SHOULD only** be a single story building **and as a 2-story development** it **absolutely** affects my views, winter sun and all year round privacy.
- **Number of dwellings — far too many for the allotment size.** Allowing subdivision or development of multiple dwellings on consecutively/adjacently located existing allotments in the CBD escalates the problems of high-density planning that destroy the very ambience and flavour of Mullumbimby. Council should seek to stagger the footprint of such developments in the CBD – and hold off moving toward higher-

density living until it becomes an absolute necessity and not just the whim of greedy developers. The “studio” at the rear of 103 Station Street is at least staggered and does not affect my privacy.

- **Number of bedrooms — far too many.** The 3-bedroom, no garden proposal is so obviously aimed at investors wanting to earn high-cost rental a-la-share-housing and/or holiday letting incomes. If this were a single dwelling or single-story duplex, and not 4-multi-story townhouses, then the 3-bedroom configuration would conceivably be suitable as a primary residence for a family, if there were grounds that offered a family compatible or gardener’s lifestyle. As it is, it’s completely inappropriate for Mullumbimby.  
Further the 3-bedroom, no garden proposal suggests potentially up to 3 cars per dwelling that would need to find parking in the vicinity. My logic here is based on the high-cost of purchase or rental and lack of open gardens (deep soil) areas, which is not attractive to a family, thus increasing the likelihood that residents will be working adults with a mobile lifestyle.
- **Car parking** — the proposed second car space directly impacts my property and health. It would mean cars, idling, entering and exiting while flooding exhaust fumes directly into my kitchen and open plan house. This would NOT be ameliorated by high fences. FURTHER gravel will increase the heat coming into my living space. The designated, but still inadequate, proposed deep soil areas must remain fully vegetated.
- **Location of Air-conditioner motor** — this is going to be right outside my bedroom windows. I don’t use air-conditioning anywhere but one small office, and it only gets used about 5 days in the year, because I care about environment. Proper PLANNING means you don’t need such devices. IF there were only two dwellings taking a smaller footprint on the land in this proposal, then they could plant shade trees etc. and focus on insulating walls (as I did) and not running a bloody air-conditioner.
- **1.8m high wood-panel fences** — this is going to directly impact my lifestyle and health by restricting summer breezes, shading out the northern gardens where I grow fruit and vegetables etc.
- **South-facing windows** — I will cease to have any privacy. There should be NO windows above the fence-height that allows a person to look on to my windows.
- **The footprint of the buildings and car spaces** — leaves absolutely no usable deep soil for landscaping. This absolutely goes against the LEP and flavour of Mullumbimby. The developer’s statement, “the current structures on site have little if any heritage significance”, indicates they have not considered or do not find any value in the history of Mullumbimby, nor it’s contemporary cultural history, that has contributed to general profile of Byron Shire being significant in terms of its flora and fauna, parks and gardens! This developer needs to consider being part of the solution and future. The current proposal is a monstrosity that belongs to the Gold Coast. We’ve already seen the development of too many of this crud in Mullumbimby.
- **Removal of trees** — the two mature and fecund mango trees — this is further evidence that developer greed is the only motivation for this type of development. The eventual residents (and hopefully resident owners) of these dwellings would be horrified at their loss.

## PART B — BASIX Certificate

- The building design is UGLY — it does not belong in this “heritage area”. It’s oversized and there’s too little open land to allow any decent landscaping. It will be another eyesore. This type of design belongs in a metro suburban location (Gold Coast etc.) NOT Mullumbimby. According to the site map details, the site coverage claims 53% where 1 dwelling allotment is 281.25m<sup>2</sup> and building coverage is 150.90m<sup>2</sup> where my estimate is that building coverage with verandahs (located on the designated “deep soil” areas exceeds 182.25 m<sup>2</sup> and that doesn’t include the 2<sup>nd</sup> car-spaces covered in gravel! (They can’t they do the math?)
- No ceiling fans is absolutely NOT ok. Ceiling fans eliminate the need for air-conditioning for almost 90% of the summer period.
- 2 car spaces per Dwelling is NOT ok (as stated above).
- 2<sup>nd</sup> open car space (which should be approved for deep soil gardens only) is to be gravelled. This is NOT ok. This will cause excess heat in summer into my house PLUS noise every time a car enters and exits.
- The air-conditioner is located next to my bedrooms. It should be located in the middle of the property where they can enjoy the noise.
- It seems evident that additional landfill will be added which will cause run off into neighboring properties.

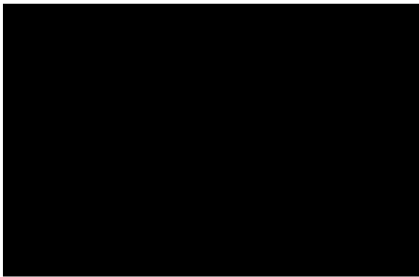
## PART C — Heritage Statement

- **The height and scale and footprint of the buildings** — see above response Part-A.
- **Number of dwellings** — far too many for the allotment size — see above response Part-A.
- **Verandahs and fences** — a lot of spin here! The “transition” between main house and garden??? What fucking garden? No “heritage” precedent has this kind of layout. The proposed fence will restrict summer breezes, and shade out my north facing fruit and vegetable gardens.
- **The removal of the shed** contradicts Council’s decision, on the grounds of “heritage”, that the development must retain the similar shed at 93a McGoughans Lane. This proposal should retain the shed as a feature and scale the dwellings back to a smaller footprint of either a duplex or single story development BUT NOT both multi-story-multi-dwelling.
- **Character of buildings** — what a load of codswallop. The developer’s have absolutely no idea of Mullumbimby’s characteristics. There are no precedent buildings of this nature. The proposal is faux-chic Gold Coast crap.
- **The developer’s closing statement** (heritage impact) is another load of codswallop. They need to provide precise evidence of the demand for multi dwelling housing, and the demographic that demands it. I refute the suggestion. The demand is for low-cost housing. This development is the exact opposite. People are not moving to Mullumbimby to live in a shitbox. They want LIFESTYLE – gardens, a safe place to bring up a family. The only people interested in such a development are greedy investors looking for a holiday retreat for a month or two, and the lucrative income from holiday letting and rental accommodation (upon which they turf out the renters each year/season without a care).

NOT addressed at all is the process of the proposed **demolition**. As the immediate neighbour, my property, my person, my animals and garden will be directly impacted. I

know from past experience that demolition of old buildings, and particularly 99 Station Street will result in infestations of cockroaches, rodents etc. I know for a fact that this unoccupied property includes mounds of rubbish inside the current buildings, caravans and gardens. I have seen the rats. I do not and have never sprayed my property as I know this upsets the balance of nature and causes infestations to occur. For personal health reasons I demand to see the schedule of demolition in detail.

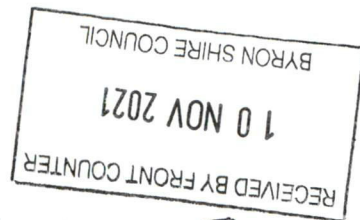
Lastly, I'm offended that Byron Shire Council has begun to allow DAs through to public comment that are incomplete, and provide no means to check the nature and background of the developer in question, to satisfy the authenticity and accuracy of their stated proposals based on the final outcomes of previous developments undertaken by the Developer. I demand that Byron Shire Council provide absolute evidence of the developer's stated non-affiliations and non-pecuniary interests. Anyone can tick a box.



# Submission Form:

DA No. 10.2021.619.1

Street Address: 99 Station Street  
Mullumbimby 2482



## Object:

I am an immediate neighbour of the proposed Development at 99 Station St. My property is on McGougans Lane Boundary. I am strongly opposed to this development & the impact it would have on its immediate neighbours & Laneway Traffic.

Below are my objections:

The DA is 2 Storey in height. It exceeds the height & building plane of any residential buildings in our area. A Building of its height will over shadow my place, blocking all light from the East into my Bedroom & Living Areas. The DA also proposes to put decks without screens, that will look directly onto my bedroom,



Living Areas & private courtyard Garden.  
My Garden is a private & deeply meaningful place. It is a Memorial Garden for my son whom passed away.

A deck without screens & windows on the second Storey facing both North & West from the development will look directly into my house!! I stand to lose all sense of Privacy!!

- I am also concerned about light pollution & noise pollution, produced by a building of this nature, that towers over all its neighbouring properties.

Light pollution is already an increasing issue from a development 2 doors down on McGougans Lane. The developer selected lights without covers or shades. It is bright white light & often left on till 3 or 4am in the morning! It disturbs my sleep regularly. Even curtains don't block the height & scope of the light.

- Traffic on the Lane now, presents both safety & noise issues. The volume of traffic has increased exponentially in recent years. It is a single carriage Lane way, with no overtaking bays.



③

The Laneway is used by trucks servicing commercial businesses, local residents & numerous pedestrians. There is no reduction to the speed limit & it is becoming very hazardous to walk without a verge. As it is 2 way, bypassing cars is not possible. In order to pass cars, one needs to back up & try to find a safe place that accommodates 2 vehicles breadth.

- Noise of the traffic early morning disturbs my sleep regularly. This will get considerably worse with 4 carpark places nominated, directly next to my bedroom on Maloungans Lane.

- The DA is not in keeping with the Heritage precedent in the town CBD generally. It is extremely bulky, with its scale dominating almost the entire block.

- Green space or garden area to soften the development is minimal & inadequate at Best.

- The building simply does not reflect the character or charm of Mullumbimby.

I wonder what is the intended purpose for such a development? Is it for Air B & B to be rented to tourists in our residential street? It seems unlikely to be affordable housing for local people, whom are already being displaced from their community in droves!


I have been a resident of Northern Rivers since 1984. During that time we have seen a lot of change. While progress & change & development are inevitable. I believe it's extremely important we shape the nature of that development & how it blends, supports or fits in, to our treasured town.

Poor development choices stand to erode & undermine the fabric & character of Mollumbimby. They have a negative impact on its residents, whom stand to lose the lifestyle they have come to live here. Bad development choices can't be taken back. We must be aware not to sell out on the Original &



Unique Feel 'of our Town. (5)

We are at a pivotal point with the towns growth. The choices we make about development are critical to the direction our town moves in. We are not the Gold Coast or Sydney. I hope we continue to make choices that support the local community & serve its residents as best we can.

- I understand the developer is from Sydney, not a local person but using Lennox Head Address. When do developers actually care about the town & its people. They move in with big money, hoping to make bigger money at the expense of the community they invade.
  - I do not think the nature of this proposal supports our towns growth in a positive way. I cannot see any benefits from it being passed.
- 



[REDACTED]

9<sup>th</sup> November, 2021

M/s Rebecca Mercer,  
Assessing Planner,  
Byron Shire Council  
Station Street  
MULLUMBIMBY 2482

Dear Rebecca,

Re; SUBMISSION DEVELOPMENT APPLICATION -10.2021.619.1- 99 STATION ST.,MULLUMBIMBY

On perusal of the above application, I believe it is an inappropriate development for this area of Mullumbimby. It is in a Heritage Conservation area and runs counter to the Byron Shire Council LEP and DCP with regards to Heritage conservation in the Shire. The application is not in any way sympathetic to its surroundings. The adjacent properties are all low rise as is the new development across the road referred to as "The Mill Yard" properties 101 and 107, are of a particular heritage style.

There are also two heritage listed houses north of the proposed development ie. Hollingsworth House and a further house is now being used for NDIS clients.

The Heritage impact Statement included in the documentation is extremely lacking and shows very little respect for surrounding properties.

The building is too high and too large for the area and would dominate this neighbourhood with its bulk.

The street frontage is of a poor design being dominated by two garages and two peaked entrances.

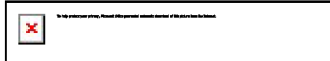
The same applies for the buildings which front McGoogan's Lane.

In summary, I feel this DA Should not be approved as it stands.

The application also for a height variation at the outset from 9000mm to 9100mm could set a precedent for future developments along this street and elsewhere in the Shire. The 9m height limit is far too high for this urban area particularly in this instance. I feel this development is out of character for the area.

[REDACTED]

**From:** noreply@openforms.com  
**Sent:** Sunday, 7 November 2021 3:07 PM  
**To:** council  
**Subject:** DA10.2021.619.1 - eForm Submission Object - [REDACTED]



## DA10.2021.619.1 - eForm Submission Object - [REDACTED]

DA10.2021.619.1 - eForm Submission of Object - [REDACTED]

Contact details	
Name	[REDACTED]
Organisation (where relevant)	[REDACTED]
Email	[REDACTED]
Phone	[REDACTED]
Postal address	[REDACTED]
Application details	
Development application number	DA10.2021.619.1
Street address	99 Station Street
Suburb	MULLUMBIMBY
Submission details	
Type of submission	Object
Grounds for submission	<p>Dear Sir/Madam</p> <p>As the immediate neighbour of the property identified in DA10.2021.619.1 or 99 Station Street Mullumbimby we strongly object to the development they wish to build as the points below explain how this development will effect us and our property at 101 Station Street Mullumbimby.</p> <p>Point 1 : The building extends past the maximum height and also the</p>



	<p>maximum height plane.</p> <p>Point 2 : It will overshadow our house and our proposed Solar Panels and will also overshadow neighbouring properties.</p> <p>Point 3 : Air Conditioner Unit and Garbage Bins are next to our bedroom creating noise and smell.</p> <p>Point 4 : Does not fit the Heritage Style of neighbouring houses and certainly will down grade the heritage conservation area in the vicinity.</p> <p>Point 5 : There are no 2 storey homes in the vicinity.</p> <p>Point 6 : The Bulk and Scale of the buildings will leave minimal yard for children and pets to play except on the road.</p> <p>So summing up we feel this development is most inappropriate and certainly does NOT fit into the Heritage Conservation Area of Mullumbimby or saying it plainly it is Ugly, Too High, Over Built and should be in a new subdivision where similar homes dominate that area.</p>
File upload	
Declarations	
Lodgement declarations	<p>I declare that the information in my submission is true and correct.</p> <p>I have read and acknowledge the Political Donations, Privacy Statement and Submissions and Confidentiality declarations.</p>

**From:**  
**Sent:**  
**To:**  
**Subject:**

noreply@openforms.com  
Thursday, 4 November 2021 9:17 AM  
council

Submission Object -



## 10.2021.619.1 - eForm Submission Object -

10.2021.619.1 - eForm Submission of Object -

Contact details	
Name	
Organisation (where relevant)	
Email	
Phone	
Postal address	
Application details	
Development application number	10.2021.619.1
Street address	99 Station St
Suburb	MULLUMBIMBY
Submission details	
Type of submission	Object
Grounds for submission	We are of the opinion that this Development Application is most inappropriate for this neighbourhood which is in the Mullumbimby Heritage Conservation Area. It also runs counter to the BSC's LEP and DCP concerning heritage conservation in the Shire. The building is in no

	<p>way sympathetic to its surroundings on many criteria.</p> <p>The adjacent properties are all low rise as is the "The Mill Yard"- a new development across the road. Properties 101 to 107 are of a particular Heritage style. There are two Heritage listed houses just to the north of the proposed development, i.e. The Gables" and the house which accommodates NDIS clients.</p> <p>The Heritage Impact Statement included in the documentation is extremely lacking and shows little or no respect for the surrounding properties.</p> <p>To put it simply this development is too big and too high and would dominate the neighbourhood with its bulk. It would be more suited to a canal development on the Gold Coast.</p> <p>The street frontages in Station St and Mcgooghans Lane are of a very poor design being dominated by two garages and two peaked entrances.</p> <p>In summary we feel that this DA should not be approved as it stands. And to apply for a height variation from the outset from 9000 to 9100mm could set a precedent for future developments in the HCA and others throughout the Shire.</p> <div style="background-color: black; width: 350px; height: 50px; margin-top: 10px;"></div>
File upload	
Declarations	
Lodgement declarations	<p>I declare that the information in my submission is true and correct.</p> <p>I have read and acknowledge the Political Donations, Privacy Statement and Submissions and Confidentiality declarations.</p>

[REDACTED]

---

**From:**

**Sent:**

[REDACTED]  
Monday, 1 November 2021 2:05 PM

**To:**

**Cc:**

**Subject:**

[REDACTED]  
RE: Advice of Lodgement of Development Application - 10.2021.619.1 - 99 Station Street, Mullumbimby PR122830 & 122840

[REDACTED]

I am surprised at the apparent contempt for the setting of this site within a designated Conservation Area and failure to give proper consideration to the provisions of Clause 5.10, with the absence of qualified heritage impact statement. The HIS is basic in the extreme and confirms a lack of understanding of the values of the Mullumbimby HCA. Even without the HCA constraints, there appears to be no proper site analysis which identifies the positive characteristics and elements which define the locality and the context of the site.

The proponents failure to acknowledge the setting and context within a HCA and basics of infill development are evident by the pastiche federation architectural treatment ( I thought we were well passed this ignorant approach) and the scale and proportions of the two storey buildings (including the dominance off garages and driveway crossings) which have no regard to the streetscape and predominant single storey domestic character of the area.

In my opinion, the proposal is out of character with the area .

Just my thoughts, anyway I will leave it to you deal with as you think appropriate.

[REDACTED]

**Subject:** Advice of Lodgement of Development Application - 10.2021.619.1 - 99 Station Street, Mullumbimby PR122830 & 122840

Please see details below:

DA No. 10.2021.619.1

Assessing Planner: Rebecca Mercer

Address: 99 Station Street, Mullumbimby

Proposal: Demolition of Existing Structures and Construction of Multi Dwelling Housing comprising of Four (4) Dwellings and Strata Subdivision

Heritage Classification: Conservation Area

Neighbour Notification Period: 28/10/21 to 10/11/21

Please see the following link to Council's DA tracker to view the application:

[www.byron.nsw.gov.au/DAs\\_exhibition](http://www.byron.nsw.gov.au/DAs_exhibition)

## DA Tracker Tips

Go to [www.byron.nsw.gov.au/DAs\\_exhibition](http://www.byron.nsw.gov.au/DAs_exhibition)

Or

Go to Council's website home page [www.byron.nsw.gov.au](http://www.byron.nsw.gov.au) select the 'Find a Development Application' icon then select 'Applications On Exhibition' under the Applications menu.

### Icon example



**Find a Development Application**  
You can find DAs online and view DAs on exhibition.

**DA Number:** If the DA Number for this notification is 10.2019.100.1, you would enter the search details as shown as below and select 'Submit' (NOTE: You are not required to complete any further search fields):

### Search

Please enter your application search details below:

Application Year:

2019



Application Number:

000





Byron Shire Council acknowledges the Traditional Owners of this land, the Arakwal people, the Minjungbal people and the Widjabul people of the Bundjalung Nation, and pays our respects to Elders past and present.

Emails from Byron Shire Council may contain confidential and/or privileged information. Please consider the context in which this email has been sent to you, the email's content, and whether it can be disclosed to a third party.


**From:** noreply@openforms.com  
**Sent:** Wednesday, 10 November 2021 9:53 AM  
**To:** council  
**Subject:** 10.2021.619.1 - eForm Submission Object - [REDACTED]



## 10.2021.619.1 - eForm Submission Object - [REDACTED]

10.2021.619.1 - eForm Submission of Object - [REDACTED]

Contact details	
Name	[REDACTED]
Organisation (where relevant)	[REDACTED]
Email	[REDACTED]
Phone	[REDACTED]
Postal address	[REDACTED]
Application details	
Development application number	10.2021.619.1
Street address	99 Station St
Suburb	MULLUMBIMBY
Submission details	
Type of submission	Object
Grounds for submission	Submission for DA 10.2021-619.1 99 Station St Mullumbimby I object to this development for the following reasons. 1, The Scale and Bulk are completely inappropriate for this site with low rise heritage houses surrounding the block. 2. The site is in a Heritage Conservation Area that states "low level single storey houses in the style of the early 1950 " is the character of the Area which is outlined in the DCP and Local Character Statement. This DA does not in anyway conform to the character definitions or DCP requirements so outlined.

	
File upload	
Declarations	
Lodgement declarations	<p>I declare that the information in my submission is true and correct.</p> <p>I have read and acknowledge the Political Donations, Privacy Statement and Submissions and Confidentiality declarations.</p>