



Pre-Development Application

Date Submitted: 02/05/2025

Project Name: The Belvedere, Nelson Bay
Case ID: PDA-83307206

Proponent Details

Project Owner Info

Title	Mrs
First Name	Anna
Last name	Sharikova
Role/Position	Director
Phone	0415313347
Email	anna@ryanplanning.com.au
Address	Level 1, 15-17 Church Street Maitland , New South Wales, 2320 , AUS

Company Info

Are you applying as a company/business?
Yes

Company Name	Fortezza Group
ABN	31637126044

Primary Contact Info

Are you the primary contact?

Yes

Title	First Name	Last Name
Mrs	Anna	Sharikova
Phone	Email	Role/Position
0415313347	anna@ryanplanning.com.au	Director

Address

Level 1, 15-17 Church Street

Maitland,
New South Wales
2320
AUS

Development Details

Engagement with the Department

Have you engaged with the department in relation to this project?
Yes

Project Info

Project Name	The Belvedere, Nelson Bay
Industry	Residential & Commercial
Development Type	HDA Housing
Estimated Development Cost (excl GST)	AUD67,000,000.00
Indicative Operation Jobs	40
Indicative Construction Jobs	500
Number of Occupants	115
Number of Dwellings	55
Gross Floor Area (GFA) sqm	6,144
% of In-fill Affordable Housing	0
Number of In-fill Affordable Dwellings	0

Description of the Development/Infrastructure
The proposed development is for a Residential Flat Building (RFB), office premises and strata subdivision

Concept Development

Are you intending to submit a concept or staged application?

Site Details

Site Information

Site Name	The Belvedere
Site Address (Street number and name)	42 Donald Street NELSON BAY; 7 Church Street NELSON BAY; 5 Church Street NELSON BAY.
Site Co-ordinates - Latitude	-32.721405
Site Co-ordinates - Longitude	152.142

Local Government Area

Local Government	District Name	Region Name	Primary Region
Port Stephens		Hunter	☒

Lot and DP

Lot and DP
LOT: B DP: 417172 LOT: A DP: 417172 LOT: 15 SEC: A DP: 5616

Site Area

What is the total site area for your development?
Site Area sqm
2,202

Statutory Context



Note: Please confirm the below selection by referring to the applicable section of either the [Planning Systems SEPP 2021](#) or the [Transport and Infrastructure SEPP 2021](#) or the applicable Ministerial planning order.

Which State Environmental Planning Policy (SEPP) does your application relate to?

None, declared by a Ministerial planning order as SSD

Section under selected Schedule

Residential development

Permissibly of Proposal

Permissible with consent

Describe the permissibility of the proposal under relevant environmental planning instruments

Permitted under Port Stephens Local Environmental Plan 2013

Biodiversity Development Assessment Report Waiver Request

Would you like to request that the requirement for a biodiversity development assessment report be waived?
Yes

Attachments

File Name	PRE_DA comments
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Land Use Zones

What land use zone/s is the development in?
Land use zones (select all that apply)
E1 Local Centre, R3 Medium Density Residential

Statutory Context 2

Legislation and EPIs

List any relevant legislation and environmental planning instruments that apply to the project.
State Environmental Planning Policy (Housing) 2021; Port Stephens Local Environmental Plan 2013; and Port Stephens Development Control Plan 2014

List any relevant planning agreements or existing approvals that apply to the project (e.g. concept plan approvals, staged DA consents).
n/a

Would the project vary any development standard?
Yes

Describe the nature of variation.
Clause 4.3 Variation - Height

Designated development

Would the project be designated development (but for Section 4.10(2) of the Environmental Planning and Assessment Act 1979) under [Schedule 3 of the Environmental Planning and Assessment Regulation 2021](#) or any other environmental planning instrument?

No

If the project is in a location or includes a use that corresponds with a designated development provision, provide an explanation of why the project is not designated development.

n/a

Sustainable Buildings SEPP

Exemption from Sustainable Buildings SEPP

Is the development exempt from the [State Environmental Planning Policy \(Sustainable Buildings\) 2022 Chapter3](#), relating to non-residential buildings?

No

Is the development a prescribed state significant development in the Sustainable Buildings SEPP?

- Cultural, recreation or tourist facility
- Hospital, medical centre or health research facility
- Educational establishment

No

Is the development a prescribed large commercial development in the Sustainable Buildings SEPP?

- Hotel or motel with 100 rooms or greater
- Serviced apartments with 100 apartments or greater
- Office premises with 1000 sqm net lettable area (NLA) or greater

No

Approvals - Part1

Would the development otherwise, but for [Section 4.41](#) of the Environmental Planning and Assessment Act 1979, require any of the following:

A permit under Section [201](#), [205](#) or [219](#) of the [Fisheries Management Act 1994](#)?*

No

An approval under [Part 4](#), or an excavation permit under [Section 139](#), of the [Heritage Act 1977](#)?*

No

An Aboriginal heritage impact permit under [Section 90](#) of the [National Parks and Wildlife Act 1974](#)?*

No

A bush fire safety authority under [Section 100B](#) of the [Rural Fires Act 1997](#)?*

No

A water use approval under [Section 89](#), a water management work approval under [Section 90](#) or an activity approval under [Section 91](#) of the [Water Management Act 2000](#)?*

No

Approvals - Part2

Do you require any of the following approvals from [Section 4.42](#) of the Environmental Planning and Assessment Act 1979, in order to carry out the development:

An aquaculture permit under [Section 144](#) of the [Fisheries Management Act 1994](#)?*

No

An approval under [Section 15](#) of the [Mine Subsidence Compensation Act 1961](#)?*

No

A mining lease under the [Mining Act 1992](#)?*

No

A petroleum production lease under the [Petroleum \(Onshore\) Act 1991](#)?*

No

An environment protection licence under [Chapter 3](#) of the [Protection of the Environment Operations Act 1997](#) (for any of the purposes referred to in [Section 43](#) of that Act)?*

No

A consent under [Section 138](#) of the [Roads Act 1993](#)?*

Yes

A licence under the [Pipelines Act 1967](#)?*

No

Attachments

File Name	H4700DON-SD-Issue AE
File Name	22953detail 1
File Name	Design Review Panel Comments
File Name	Declaration Order