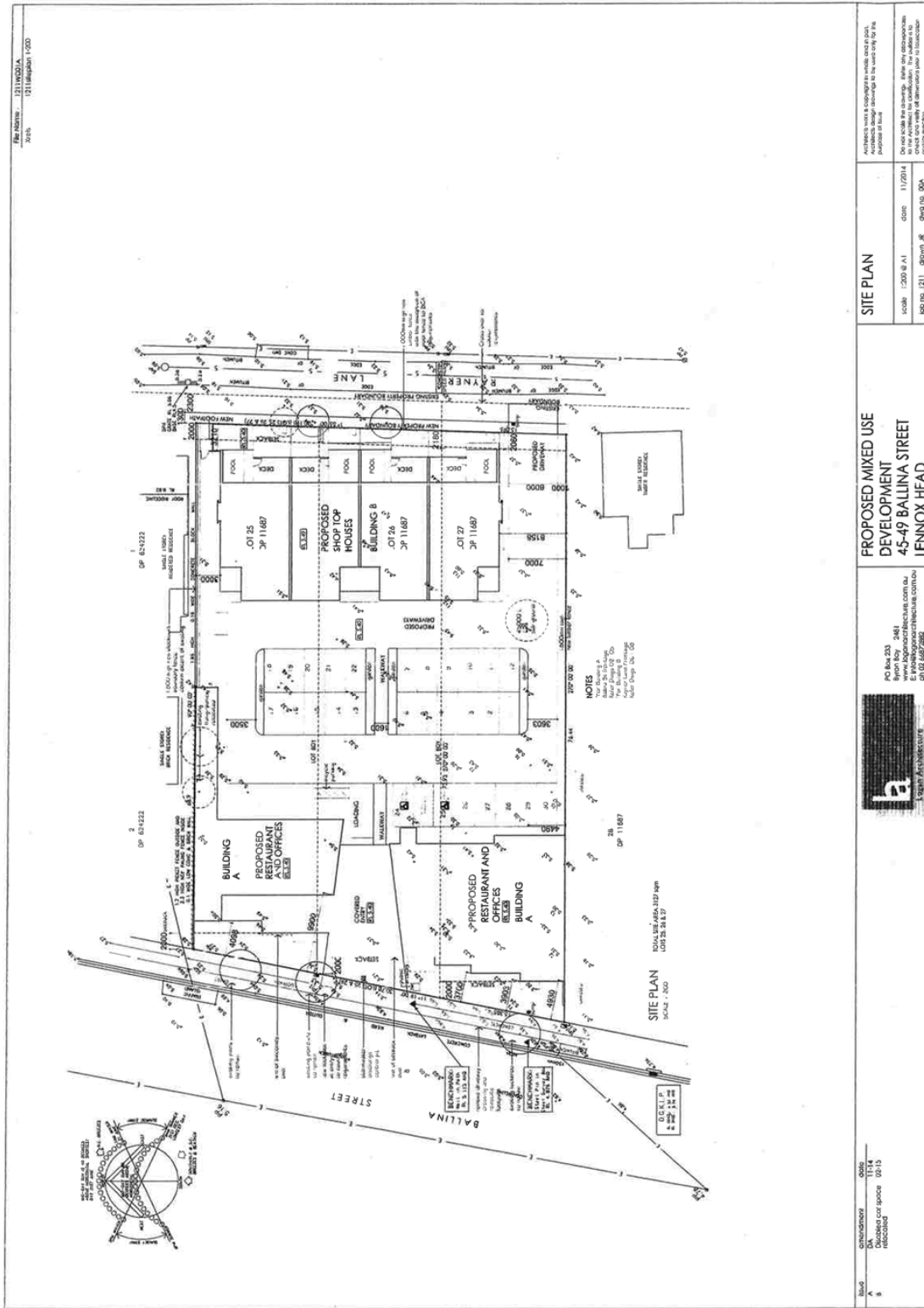
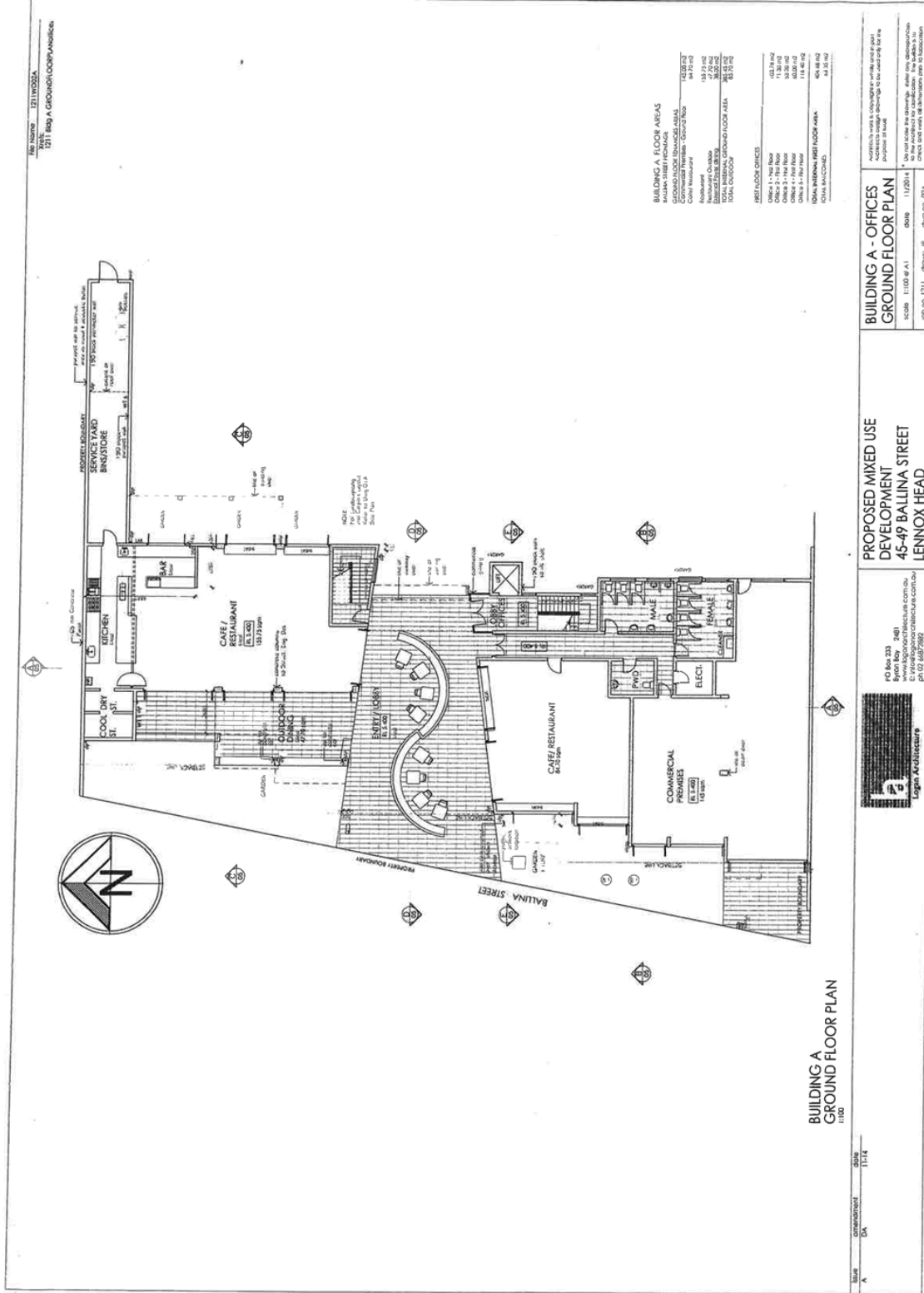
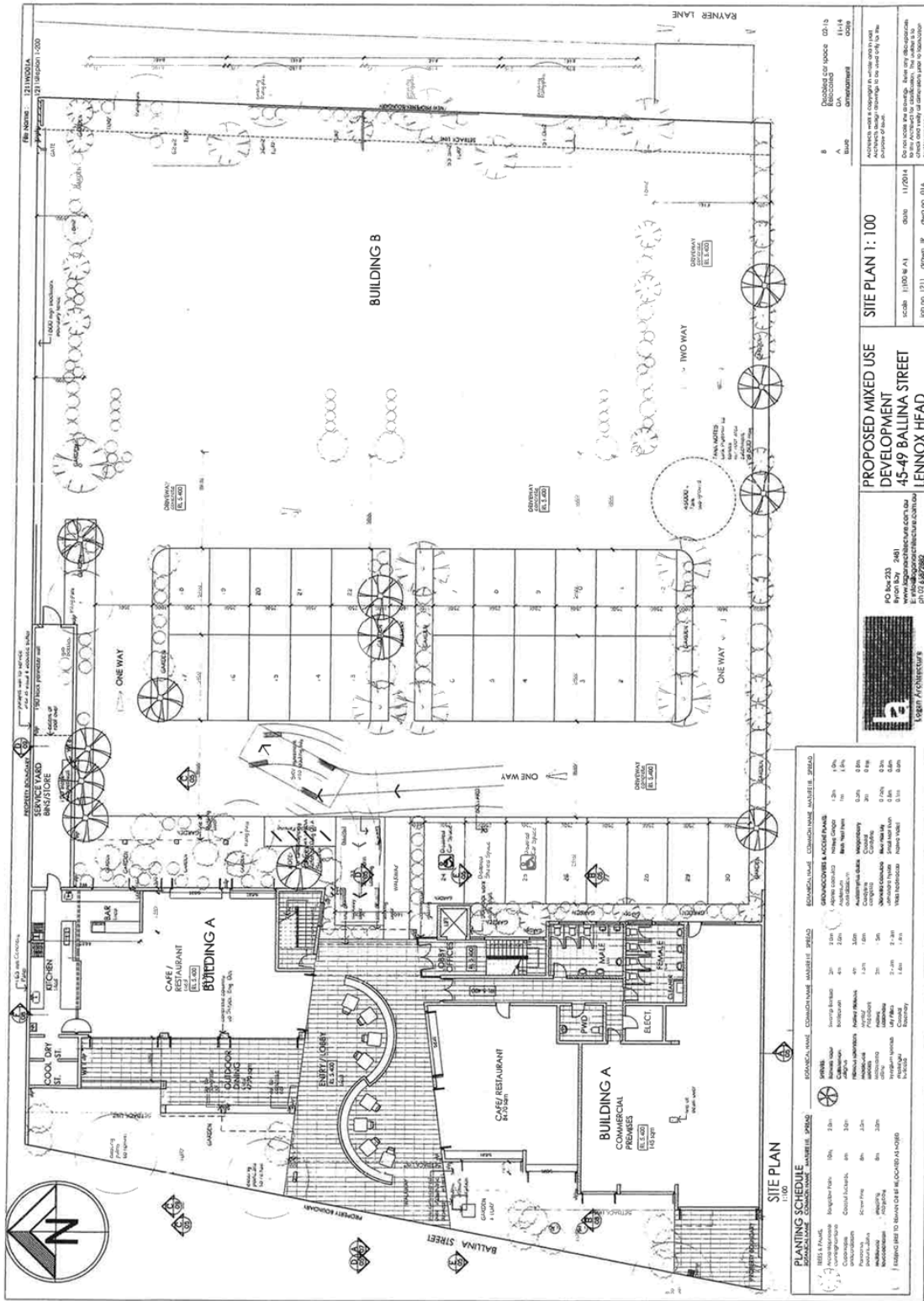


<p>Architects name &amp; company or whole name and contact details                  Architects design drawings to be used only for the purposes of this DA</p>	<p>STREET VIEWS</p>	<p>PROPOSED MIXED USE DEVELOPMENT                  45-49 BALLINA STREET                  LENNOX HEAD</p>
<p>For the DA 2014/609                  Project No. 2014/609                  E: info@peterjohnsonarchitect.com.au                  Ph: 07 4472862</p>	<p>scale: 1:100                  date: NOV 2014                  job no. 1311 about: CAH dwg no. 0347</p>	<p>check and verify all dimensions prior to fabrication and/or erection</p>







**PLANTING SCHEDULE**

PLANTING SCHEDULE	QUANTITY	SIZE	PLANTING SCHEDULE	QUANTITY	SIZE
SPRING	20	1.2m	SPRING	20	1.2m
Autumn	20	1.2m	Autumn	20	1.2m
Summer	20	1.2m	Summer	20	1.2m
Winter	20	1.2m	Winter	20	1.2m
...	...	...	...	...	...

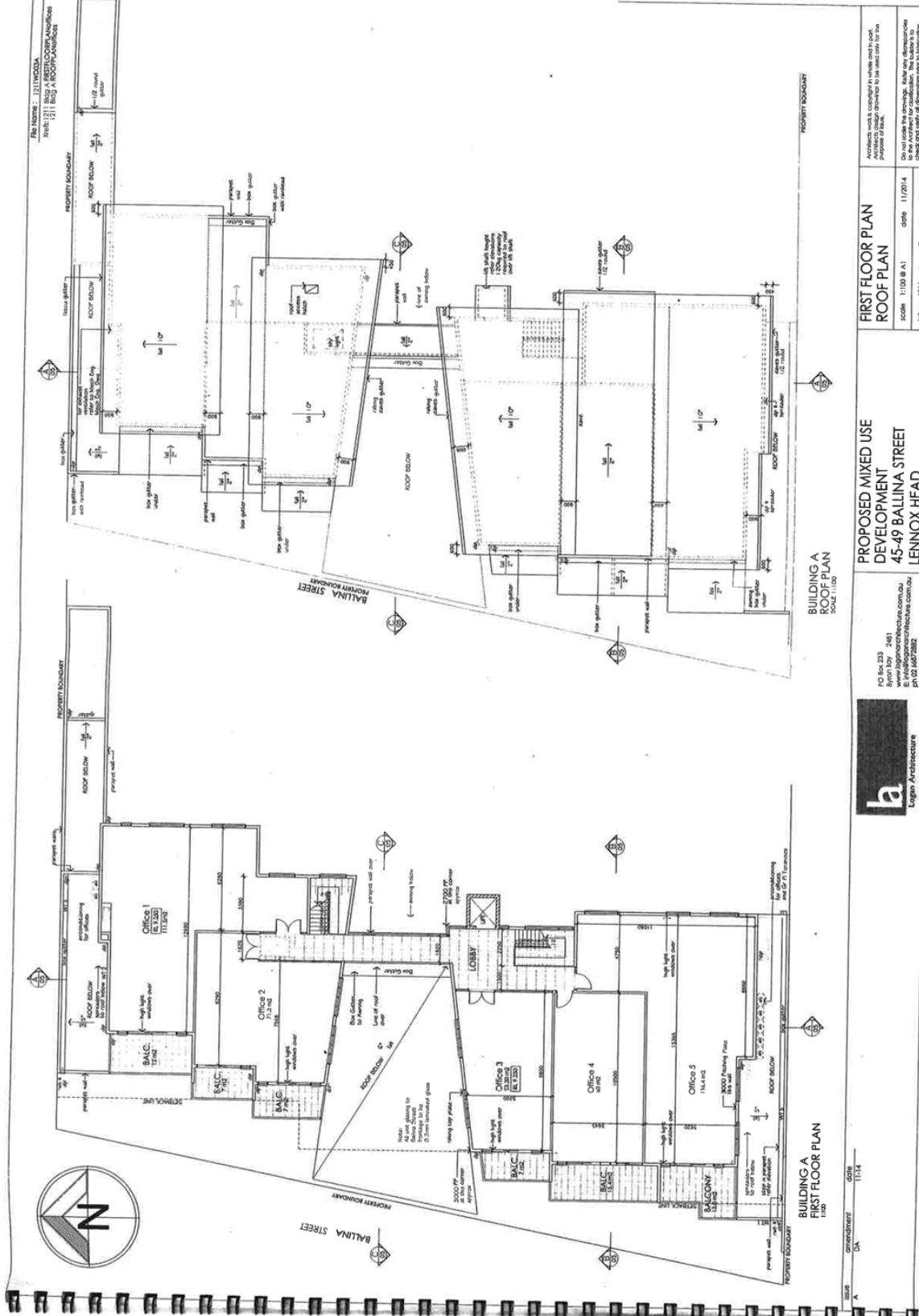
**LEGGER ARCHITECTURE**  
 PO Box 213  
 1101  
 E: info@leggerarchitecture.com.au  
 www.leggerarchitecture.com.au  
 PHONE: 02 6428 2800  
 FAX: 02 6428 2801

**PROPOSED MIXED USE DEVELOPMENT**  
**45-49 BALLINA STREET**  
**LENNOX HEAD**

**SITE PLAN 1: 100**  
 DATE: 11/02/14  
 DRAWN: 11/02/14  
 CHECKED: 11/02/14  
 PROJECT NO: 1211  
 CLIENT: JL  
 DRAWING NO: 01A

**REVISIONS**

NO.	DESCRIPTION	DATE
1	Issue for approval	11/02/14
2	Revised	11/02/14
3	Revised	11/02/14
4	Revised	11/02/14
5	Revised	11/02/14
6	Revised	11/02/14
7	Revised	11/02/14
8	Revised	11/02/14
9	Revised	11/02/14
10	Revised	11/02/14
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44	Revised	11/02/14
45	Revised	11/02/14
46	Revised	11/02/14
47	Revised	11/02/14
48	Revised	11/02/14
49	Revised	11/02/14
50	Revised	11/02/14



**FIRST FLOOR PLAN**  
**ROOF PLAN**  
 scale: 1:100 @ A1  
 GDR 11/2014  
 job no. 1211 gdrw jr gdrw no. dda

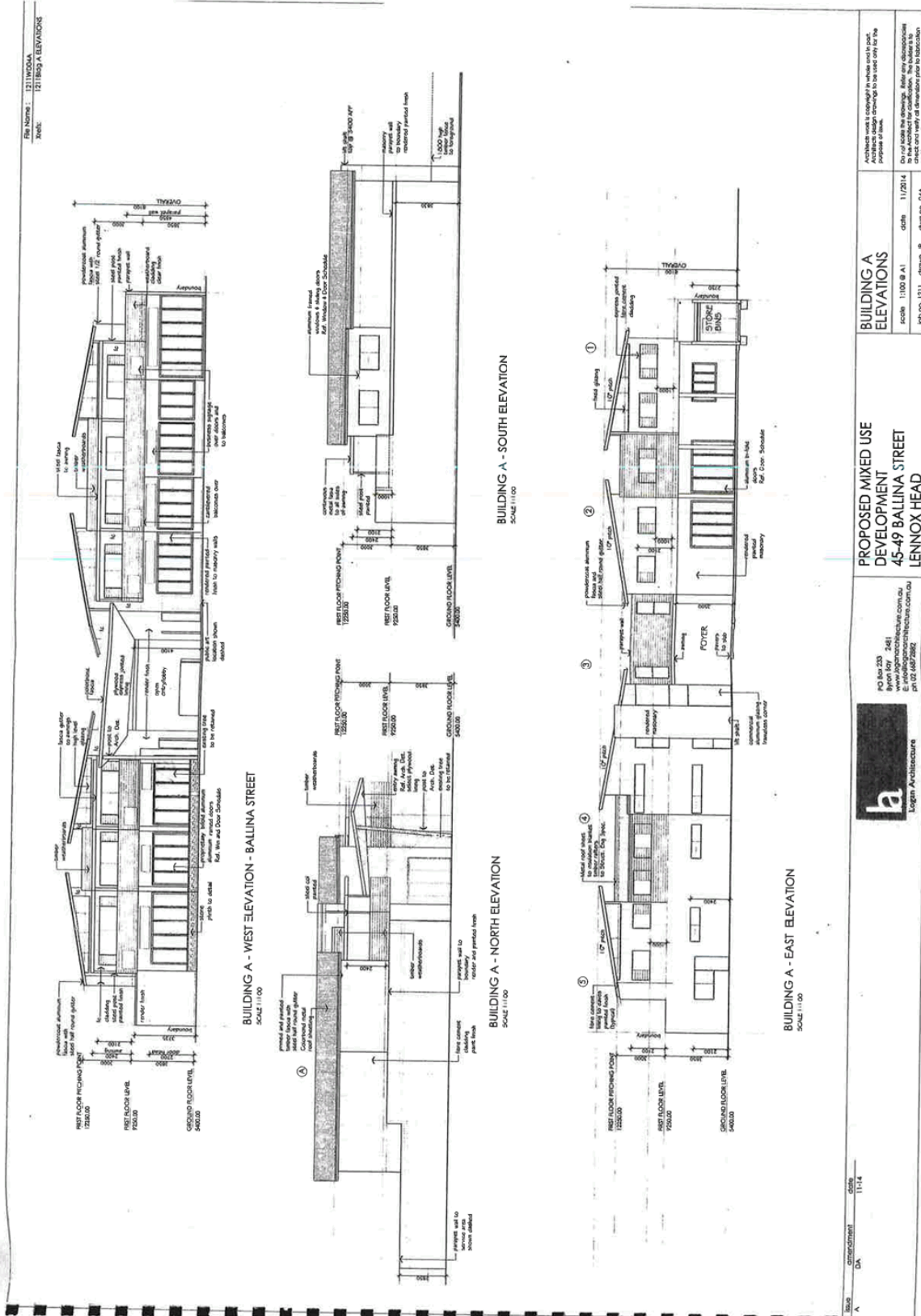
**PROPOSED MIXED USE DEVELOPMENT**  
**45-49 BALLINA STREET**  
**LENNOX HEAD**



10 The Esplanade  
 Lennox Head  
 www.loganarchitecture.com.au  
 ph 02 66722822

**BUILDING A**  
**ROOF PLAN**  
 SCALE: 1:100

10 The Esplanade  
 Lennox Head  
 www.loganarchitecture.com.au  
 ph 02 66722822



File Name: 1211 WOODA  
 Title: BUILDING A ELEVATIONS

**BUILDING A ELEVATIONS**  
 scale: 1:100 @ A1  
 date: 11/2014  
 job no: 1211 - shown\_R - dwg no: 04A

**PROPOSED MIXED USE DEVELOPMENT**  
 45-49 BALLINA STREET  
 LENNOX HEAD

PO Box 233  
 Byron Bay NSW 2481  
 E: info@loggierarchitects.com.au  
 P: (02) 6697 8886



Loggier Architecture

Scale: 1:100  
 Date: 11/14

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North-Eastern Street View - Rayner Lane

Mixed Use Development  
45 - 49 Ballina Street  
Lennox Head

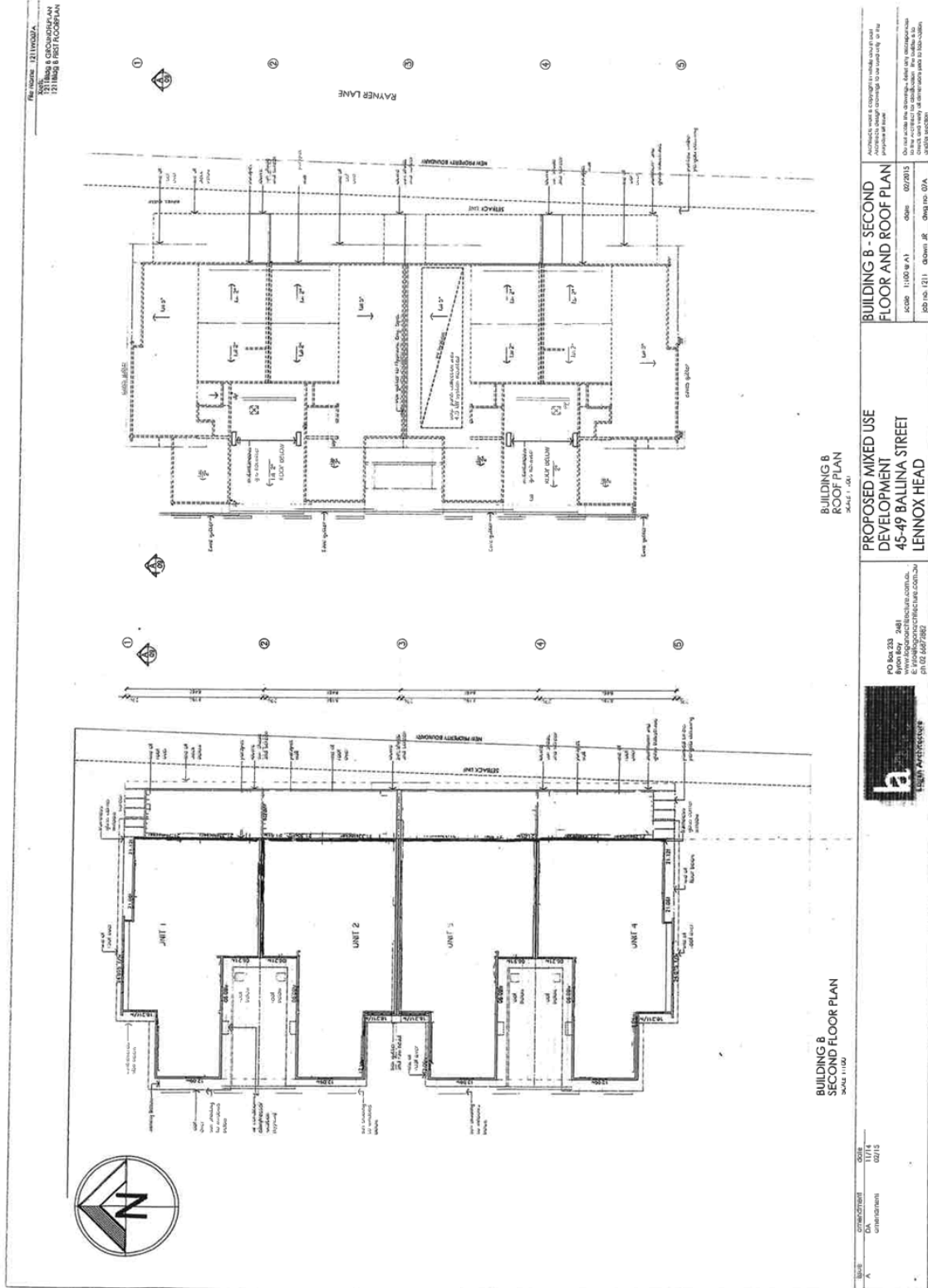


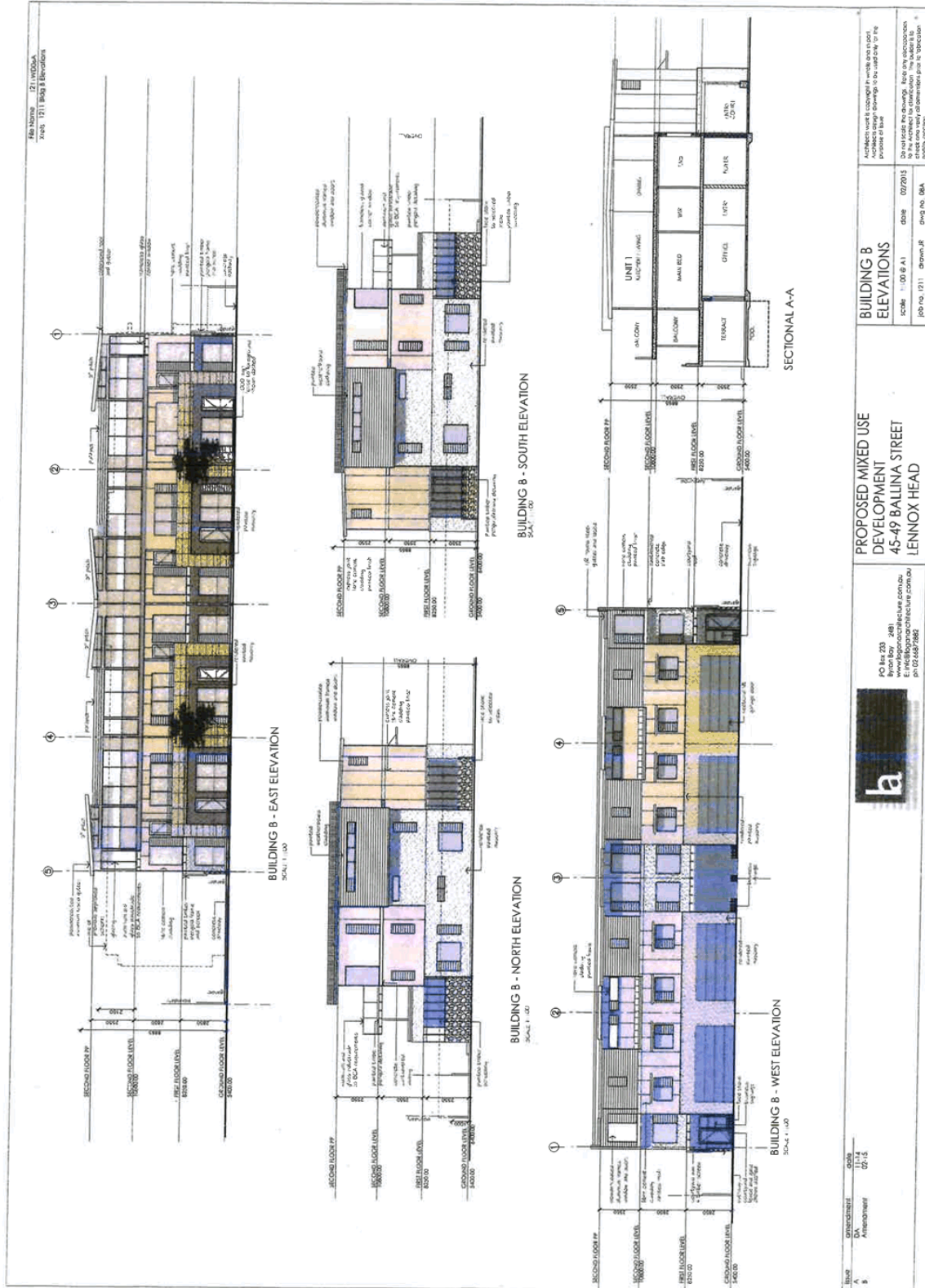


Eastern Street View - Rayner Lane

Mixed Use Development  
45 - 49 Ballina Street  
Lennox Head







<p>PO Box 250 989 www.lapropositive.com.au E: info@lapropositive.com.au P: 02 655 5581</p> 	<p><b>PROPOSED MIXED USE DEVELOPMENT</b> 45-49 BALLINA STREET LENNOX HEAD</p>	<p><b>BUILDING B ELEVATIONS</b> DATE: 10/06/14 JOB NO: 1211 drawn: JF DWG NO: BMA</p>	<p>THIS DOCUMENT IS THE PROPERTY OF LAPROPOSITIVE ARCHITECTURE AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE TITLE BLOCK. IT IS NOT TO BE REPRODUCED, COPIED, OR DISTRIBUTED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF LAPROPOSITIVE ARCHITECTURE.</p>
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**From:** Trevor Brand <trevor.brand@bigpond.com>  
**Sent:** Friday, 19 December 2014 7:18 PM  
**Subject:** DA/2014609

I write to submit my concern relating to the subject DA: 2014/609 which is currently before council. As the adjoining property owner on the southern boundary, I am concerned that the planned fence dividing our properties has been shown to be a constructed 1.8mtr high timber fence. A paling fence. The submitted application shows that all traffic for residential component and commercial component as well as delivery vehicles will use the only ingress and egress available which is immediately adjacent to my home with a distance of approximatley 3 mtrs and will no doubt create excessive noise . Given the presence of restaurant/cafe operations on site when completed, this noise increase would be unpleasant to our amenity and lifestyle both through the day and as well into the evening as patrons to the commercial and residents from the residential come and go.

I therefore make this submission that the aforementioned dividing fence be constructed of a solid material thus alleviate most noise issues that will arise if this application is approved.

Trevor Brand  
0414852992  
Sent from my iPad

2 Rutherford Street  
Lennox Head NSW 2478

18 December 2014

Ballina Shire Council  
Cnr Tamar and Cherry Streets  
Ballina NSW 2478  
Attention: Anthony Peters

BY FAX: 66867035

Dear Mr Peters,

**Development Application 2014 / 609**

I am writing to object to the above development application for the following reasons.

**Increased Traffic using Raynor Lane**

As owner and resident of 2 Rutherford Street, which is on the corner of Raynor Lane and Rutherford Street, I am particularly concerned about the increased traffic that will be using Raynor Lane and Rutherford Street if the development is approved as proposed. The proposal is a large scale and significant commercial development with the only point of vehicular access via Raynor Lane. Raynor Lane is a narrow laneway with no footpaths or dedicated cycleway. It is favoured by pedestrians and cyclists because it is a quiet laneway away from traffic. The resulting significant increase in traffic will pose a safety risk to the large number pedestrians and cyclists who currently use Raynor Lane. In addition, the loss of amenity at my property as a result of an increase in trucks and cars using the laneway and turning into Rutherford Street would be significant.

Providing for vehicular access via Ballina Street and not via Raynor Lane would be vastly preferable on all of the above points.

**Bulk and Scale of the Proposed Development**

It appears that the development will be three stories high, fronting directly onto Raynor Lane and extending over 3 separate titles. The sheer size, height and bulk of the proposal is entirely incompatible with the seaside village characteristic of Lennox Head, the narrow local laneway upon which it will be fronting and the neighbouring properties that it will be overshadowing and overlooking.

In addition it appears also that the proposal is materially inconsistent with Council's own Development Control Plans.

Yours sincerely



Louise Baldwin  
0404 859 407

18/12 2014 THU 15:07 FAX

18 December 2014

The General Manager  
Ballina Shire Council  
PO Box 450  
Ballina NSW 2478

Dear Sir / Madam

**Re DA 2014/609 45-49 Ballina Street Lennox Head**

I am the owner and resident at 3/41 Ballina Street.

I am very concerned about this development proposal especially the size and height of the development. The large increase in traffic that will use Rutherford Street is also of concern. Raynor Lane is a one way so all exiting traffic must travel south along Raynor Lane, turn right into Rutherford Street, then into Ballina Street so Rutherford Street will be the only way to exit this development.

The proposed buildings will be three stories high which is not within keeping with the acceptable height of two stories in Lennox Head. It also covers three blocks so is a very substantial development in what is a small seaside village. The very fact that Lennox Head is a small seaside village is what makes it so attractive to people who chose to live and visit Lennox Head. A development of this size and scale is totally inconsistent with this and is completely out of character with the surrounding homes and other commercial premises. The size of this multi-use development is without precedent in Lennox Head and should not be approved.

The increase in traffic is also very concerning, and in particular the increased number of trucks (eg. delivery trucks to cafes or restaurants in the development and garbage collection) that will be using Raynor Lane and Rutherford Street. Rutherford Street is already a very busy street with all traffic coming along Raynor Lane using it to exit into Ballina Street as well as all traffic travelling to the "boat channel" area. My home fronts directly onto Rutherford Street so the increased traffic will directly impact me, as well as posing a serious safety risk to the large numbers of pedestrians and cyclists who use Raynor Lane, which is a narrow one way laneway.

Yours faithfully



Shirley Mazzer

2001

Don and Julie Priest  
3 Rayner Lane  
Lennox Head NSW 2478  
Post:  
PO Box 439  
Lennox Head NSW 2478

RECORDS SCANNED 17 DEC 2014 Doc No..... Batch No.....
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15 December 2018

Mr Anthony Peters  
Development and Environmental Health  
Ballina Shire Council  
PO Box 450  
Ballina NSW 2478

SUBJECT: OBJECTIONS TO DEVELOPMENT APPLICATION DA 2014/609

Dear Mr Peters,

Further to your letter of 28 November 2014 regarding development application DA2014/609 we would like to lodge the following objections and propose solutions:

1. **Building Design and Siting** - We strongly object to the **height, bulk, lack of set back and overall design of Building B** as shown on the Plans. This building is described in the proposal as comprising of *"four, three storey shop top housing units"*.

In our view, three storey buildings are out of character with Lennox Head and the line of shop top housing units on minimal set back will look and feel like three storey terraces more akin to inner Sydney than Lennox Head.

We would submit that the design of Building B is in conflict with the 'Ballina Development Control Plan 2012, Chapter 6c – Commercial Development Lennox Head' in the following areas:

- **Part 2 Chapter Planning Objectives** - paragraph d. states *"Minimise the impact of buildings on the streetscape and promote an active street experience."* The height, bulk and appearance of Building B, so close to Rayner Lane will give a claustrophobic feeling to pedestrians as well as those living in the immediate vicinity and detract from the 'street experience'
- **Part 3 Desired Future Character Statement** - *"proposes that development controls be implemented to ensure the design and density is complementary to the overall feel and image of the area."* While the design of Building A appears complementary, the height, bulk and appearance of the three storey Building B, is not. The Lennox Head community have previously expressed their desire for maximum 2 story buildings.



- **Part 5.3 Development Controls – Building Design** – requires buildings facing Ballina Street to be articulated at 5 metre intervals to give the impression of separate shops. The proposed four, three storey, shop top housing units of Building B should also be broken up with setbacks and/or space between buildings.
- **Part 5.3 Development Controls - Building Setback** – While no setback requirement is given in the plan for Rayner Lane, we would submit that it should be at least that of Park Lane ie 6metres. This would give the impression of spaciousness instead of claustrophobia. In any case the pool fences for offices 2 and 3 extend beyond the set back line on the plan.

**Solution** – Reduce each shop top housing unit to 2 stories (underground parking if necessary) with an increased set back. Separate the units into free standing, two x two units with shrubs in between or at least set back two of the units further with shrubs for visual relief.

2. **Garbage** - Rayner Lane is 'one way' North to South. Currently the bins from residences on both sides of Rayners Lane are placed on the eastern side for the garbage truck to pick up. We are concerned over the prospect of 16 extra garbage bins from the 4 residences and 4 offices of Building B, lined up on our fence line every Monday afternoon and Tuesday morning, resulting in the whole of our fence line being covered with bins and the associated smell and noise on emptying.

We are assuming that the Western side restaurants and offices would put their garbage bins out on Ballina Street.

**Solution** - the Garbage trucks should empty bins from the carpark inside the development.

3. **Traffic** – Rayner Lane is a single lane, one way road with no footpath and a reasonably high pedestrian traffic to and from the beach and boardwalk. We are not aware of any traffic management plan, but assume the location of the driveway on the plan means that all traffic from Buildings A (including 2 restaurants) and B will move in and out of Rayner Lane directly opposite our driveway.

Apart from the issue of pedestrian safety we have concerns with noise particularly at night with patrons leaving the restaurant's car park. There is also the likelihood of and patrons parking in Rayner Lane with resultant restriction of through traffic movement, and danger to pedestrians.

**Solution** – Redirect traffic movement from Building A to Ballina Street.

Our Political Donations and Gifts Disclosure Statement to Council is attached.

Yours sincerely



Don and Julie Priest

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**From:** MARY HOSIE <rmhosie@bigpond.net.au>  
**Sent:** Tuesday, 16 December 2014 5:34 PM  
**Subject:** DA 2014/609, 45-49 Ballina Street, Lennox Head

The General Manager,  
Ballina Shire Council,  
BALLINA. NSW 2478

Dear Sir,

Re: DA2014/609, 45-49 Ballina Street, Lennox Head

I wish to object in the strongest possible terms to this DA.

As a neighbouring resident, I object to the proposed three storey building facing Rayner Lane, which, as the name suggests, is a narrow, one-way laneway completely unsuited to such a development. To put a building of this size and bulk – the biggest building in the village – in such a position defies good planning and basic intelligence. The huge building is not only higher than Council's limit but it also stretches unbroken across three allotments. To the best of my knowledge, there are no other three storey buildings in Lennox Head. This is consistent with the village atmosphere so important to everyone who lives here.

Rayner Lane is a residential street and I object strongly to the introduction of four shops opening onto the lane. Inevitably, customers will park in Rayner Lane which cannot cope with the current demand for parking, let alone the increase that will be generated by this development. They will park where the shopfronts are as each shop has only a very small doorway to the common parking area between the two buildings and the main entrance to each shop is obviously the large sliding glass door facing on to Rayner Lane. There should be no shops in Rayner Lane.

Even now, residents of the lane know that they share the laneway with cyclists and families walking up to the playground at the end of the street and they drive cautiously and appropriately. There is no footpath. Customers coming to these shops, and other motorists who do not realise the sheer numbers of pedestrians, will be unaware of the very real danger of a serious accident. As it is, Council must wear the responsibility of demanding that all vehicular access to this development be from Rayner Lane, including trucks servicing the Ballina Street shops.

I also wish to record my objection to the fact that the building illustrated on the notice of DA facing Rayner Lane is NOT the building for which approval is being sought. It is, in fact, the completely different and totally separate two storey building facing Ballina Street. This

1

**8.1 DA 2014/609 - 45-49 Ballina Street, Lennox Head.DOC**

is misleading and dishonest and gives no indication of the massive bulk of what is actually proposed. A passerby would have no idea of the reality of the building which would ultimately front Rayner Lane. In addition, the estate agent's advertising billboard on Ballina Street, (referring to the previous DA), clearly states that there will be underground parking and the uninformed person would naturally expect this new development would also have underground parking and be no more than two storeys high.

I strongly urge Council not to approve this totally inappropriate building.

Yours faithfully,

Mary Hosie

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**From:** MARY HOSIE <rmhosie@bigpond.net.au>  
**Sent:** Tuesday, 16 December 2014 5:49 PM  
**Subject:** DA 2014/609, Ballina Street, Lennox Head

The General Manager,  
Ballina Shire Council,  
BALLINA. NSW. 2478

Dear Sir,

Re DA 2014/609, 45-49 Ballina Street, Lennox Head

As a resident of Rayner Lane for many years, I ask Council to look very carefully at DA 2014/609, a proposed mixed use development in Ballina Street and Rayner Lane, Lennox Head.

The proposal has shops with units on top fronting Rayner Lane.

Many councillors may not be aware that Rayner Lane is only 20 feet wide and is already very dangerous as it has a mixture of parents and children on foot as well as vehicles.

I wish to warn Council that there will be many serious and even fatal accidents if this development is approved.

Yours faithfully

Robert C. Hosie

*Lyn & Peter Keating*

Phone 02 66877013  
Mobile 0419 005 129  
e-mail [keatingp@bigpond.com](mailto:keatingp@bigpond.com)

Ballina Shire Council  
PO Box 450  
Ballina  
NSW 2478

RECORDS SCANNED
16 DEC 2014
Doc No.....
Batch No.....

Unit 1 "Galleon"  
12 Pinnacle Row  
Lennox Head  
NSW 2478

12<sup>th</sup> December 2014

Re:- DA 2014/609

Dear Sir/Madam

We are writing this letter to register our strong objection to some of the content of the above DA.

Not long after we first moved to this area in October 2011 we became aware of the restrictions on heights & number of stories for buildings at Lennox Head.

In July 2013 we became aware of (& we have a copy) of "Policy Statement No. 7" from "Ballina Shire Council Development Control Plan No.1 - Urban Land". included in this document is a statement which says "buildings shall be no more than 2 storeys".

Also on the 7<sup>th</sup> December 2014 we had a discussion with a member of staff from the planning section of the Council. Again it was stated by staff that there is a 2 storey restriction.

So understandably we believed that there is a 2 storey limit.

The above mentioned DA includes "four, three storey shop floor housing units". This is clearly a contravention of the 2 storey limit that has been explained to us on 2 occasions by Council.

We strongly object to the "three storey shop floor housing units" & request that they be removed from the DA.

Should you need to contact us on this matter please phone on mbl. 0419 005 129 or e-mail [keatingp@bigpond.com](mailto:keatingp@bigpond.com)

Yours Sincerely

*Lyn Keating*  
**Lyn Keating**

*Peter Keating*  
**Peter Keating**

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**From:** Maree Noble <mareenoble17@gmail.com>  
**Sent:** Saturday, 13 December 2014 7:09 PM  
**Subject:** Attn: Anthony Peters - Re: DA2014/609

Re: DA2014/609  
49/45 Ballina Street, Lennox Head 2478

Dear Mr Peters

We are the owners of the house and land immediately adjoining the Development in Question.  
We would like to make an objection against said development for the following reasons.

1. HEIGHT

The height of the building is in no way complimentary to the Lennox Head Village.

2. SIZE

The sheer area, size and design of the development defies any relationship to the existing style and amenity of the seaside village atmosphere.

3. LOCATION & USE

This is a development that will grossly intrude into the current amenity and style of the Lennox Head Village. The precedent set by introducing Commercial Development facing into Rayner Lane is quite obvious.

4. OPERATION OF FACILITY

Can we be assured that the arrangement for the Holding Of Rubbish (considering there are Restaurants involved) and the removal of said rubbish will not interfere with the Health and Lifestyle of nearby residents, especially us as this area as indicated will be Backing Onto Our Bedroom Window. This same question can be asked about the delivery of Goods and Gas Bottles etc etc.

RAYNER LANE - ROAD/FOOTPATH SURFACE & LIGHTING

Any development of this magnitude would require serious consideration of the rebuilding of the lane, establishing a footpath and more street lighting. Heavy vehicle movement in relation to the building process would make the lane in need of a complete makeover. Without a Footpath and More Street Lighting this Village Style One Way Lane would be putting Adults and Children who use this lane Safety in Jeopardy. There are only two street lights in the whole length of the lane and already locals and visitors alike have to carry torches at night to ensure their safety.

We hope this submission of objection is favourably received by council.  
We may be contacted for further input if required.

Yours faithfully  
David & Maree Noble  
0403 246 111  
6A Rayner Lane, Lennox Head

6 Rayner Lane,  
Lennox Head NSW 2478

10 December, 2014

The General Manager,  
Ballina Shire Council,  
PO Box 450  
Ballina NSW 2478

Dear Sir,

**Re DA 2014/609 45-49 Ballina Street Lennox Head**

I wish to submit objection to the above DA. My objection is mainly to the building named as Building B on the plans.

In general, I object to the mass, the height and the incompatibility of the proposed structure with the Rayner Lane locality.

In particular, the proposed three storey building is not in keeping with the acceptable residential height of two stories that has been policy in Lennox Head to retain the Village atmosphere. To vary that now is to set a precedent that will be detrimental to living conditions for which people choose to live in this village. This is the beginning of the 'Gold Coast' high rise mentality.

The height of the building is above the height prescribed in the DCP Building Height Map and should not be allowed.

Because this building is to be constructed across three normal building allotments and is excessive in height it will stand as a massive block overlooking a narrow lane opposite to normal residential homes. There are no breaks between units in the building and the facade cannot be broken by any foliage. It is completely incompatible with the surrounding neighbourhood.

The proposed 'Offices' are commercial spaces that, in reality, front Rayner Lane. This also is incompatible with the character of Rayner Lane. These offices do not have a frontage to the west - only an entry passage.

When the entire development is considered it represents a traffic problem. Rayner Lane is already in bad repair. After the traffic produced during construction it will not be in a suitable condition for existing residents as well as those who will be required to use it as a result of this development. At the least it will require upgrading and improved lighting as it will be used at night by restaurant patrons. I do not believe Council should be responsible for this.

Yours sincerely,

J and F Goodman

---

**From:** Richmond Manyweathers <manys@bigpond.com>  
**Sent:** Sunday, 14 December 2014 6:15 PM  
**Subject:** DA 2014/609

The General Manager  
Ballina Shire Council.

Dear Sir,

**DA 2014/609 - 45-49 Ballina St., Lennox Head**

As residents of #4 Rayner Lane, directly opposite the proposed development on the Rayner Lane frontage we wish to submit the following objections to the new proposal.

1. In our previous submission objecting to the initial development we cited the generation of traffic along Rayner Lane as a major concern. This objection still stands given the nature and present usage of the lane. It is a major pedestrian thoroughfare; use is limited by domestic vehicle parking and the surface/drainage is unsatisfactory for significant commercial usage.

It is interesting to note that despite council's attempts to facilitate pedestrian traffic from the Boat Channel area along Rutherford St and then Ballina St usage along 'the lane' has not diminished and is obviously favoured by walkers (especially family groups) and cyclists because it is away from traffic etc.

It is going to be interesting to see large commercial/construction vehicles trying to negotiate the lane given the parking that residents rightly enjoy on their domestic frontages. Road rage can be anticipated, or many damaged vehicles.

In fact if council had a concern for public safety they would impose a dual use policy on the lane with a maximum speed of 5 km per hour as is evident in other situations where pedestrians and vehicles have to use the same thoroughfare.

2. The bulk of the proposed development is completely incompatible with the existing development in the area and with the well documented desire of residents to maintain a 'village' atmosphere within the town precinct. It would appear that the building will present a massive wall like facade to those of us living opposite and overshadow the three properties facing it on the lane. If we wanted this type of development we would head to the Gold Coast!

3. I understand that the height of the structure exceeds the approved/accepted level and should be opposed on this fact alone. Why have 'permissible' elements when they are blatantly ignored for commercial reasons at the expense of legitimate aesthetic considerations?

4. It would appear that the ground floor offices/shops have their main public access facing Rayner Lane. Again, this is completely incompatible with the residential nature of the homes along the lane and a major ground on which we oppose the development.

Yours faithfully,

Jeannette and Richmond Manyweathers



## EXTRACT FROM APPLICANT'S DESIGN RESPONSE

5. Visual Impact to Rayner Lane – The proposed building has been remodelled to better define it as a coastal building that reflects the seaside village character of Lennox Head. It aims to provide a positive presence to Rayner lane, surrounding residences and pedestrians by providing a strong relationship to the street whilst minimising the bulk and scale of the building.

This has been achieved by:

- a) *Scaling back bulk of facade facing Rayner Lane relative to height.*

The design has been remodelled to progressively step back from the street front in both variation of building element planes and 'weight' of materials used on the facade. (Refer Elevations North and South in **Annexure B**).

An effort to articulate the building levels and provide lighter weight construction to the levels above ground floor has been made by setting the top floor roof back from the line of the second floor balcony. (Refer Second Floor Plan and Roof Plan in **Annexure B**). This also provides a reduction in the perceived height / bulk of the building as the Second floor balcony slab acts to provide strong termination of the building height from the street, rather than the second floor roof line, which is now set back and out of site from street level. The balustrade to the Second floor will remain glass and aluminium to optimise views but to minimise bulk perceived from the street.

The Second Floor Roof Structure has been changed from a solid parapet with a continuous line to now include skillion sections of roof over each of the units. This provides variation to a straighter parapet facade and reflects architectural detailing seen along Rayner Lane in other contemporary coastal buildings.

Remodelling of the second floor plans in Units 1 & 4 has opened up and lightened the building fabric on the outer edges of the building presented to the street. This has been achieved by stepping the building in around the corners in both Units 1 & 4 and providing floor to ceiling frameless glass corner windows at both ends of the development. It departs from the original rectilinear shape in the first scheme and provides greater visual variation.

The second floor balconies to Units 1 & 4 have been reduced in size to create less bulk on the top floor. In place of these areas of balcony, timber pergola style detailing has been introduced to emphasise coastal character. (Refer Second Floor Plan and elevations in **Annexure B**).

- b) *Materials and Detailing*

Materials have been reconsidered to reduce the bulk of the building as it increases in height.

The large masonry elements acting as columns within the first scheme stretching over 3 levels have been removed as has heavy masonry. In its place lighter weight steel structure will support the upper balconies. The base, middle and top of the building has been further articulated in the horizontal planes to reduce the perception of bulk and scale of the building, rather than accentuating vertical elements. Heavier textures and stone work anchors the building to the ground. Light weight fibre cement cladding with express joints, colour bond roofing all in light colours form a coastal seaside village character on the upper levels.

Masonry balustrades on the first floor have been maintained for acoustic and visual privacy however this structure now continues down to the ground level to emphasise connection and relationship to the street. (Refer East Elevation, Ground and first floor slab in **Annexure B**). It is intended that the masonry will be clad with a natural stone tile that reflects the natural sand, bleached coral and driftwood tones of the coast. Openings within this masonry and natural stone ground floor facade create an interactive face on street level for occupants to access green open space, however provide acoustic and visual privacy. This natural base element will be combined with well-considered landscaping to also ground the building.

Heavy, darker, continuous elements of the facade within the original scheme have been removed such as the vertical timber screening and darker metal cladding. Material selection will be from a natural coastal palette of whites, greys, stone and paperbark colours and textures.



c) *Emphasis on Coastal Contemporary Architectural Detailing.*

Precedences of successful contemporary coastal detailing have been observed within the village. (Refer to **Annexure C**). This appears in expressions of light weight timber detailing, light weight balustrade, light weight columns and roof structures appearing as 'hats', all now introduced in the current scheme.

Introduction of pergola and screening elements to the pool and balcony areas assist in providing a coastal aesthetic seen within the town and help to further define the external fabric of the building whilst providing solar passive benefits. It is envisaged that these details throughout the building would be a white painted timber. As previously mentioned these elements will soften and fragment the external faces of the building reducing bulk and adding coastal character.

As illustrated in the graphic below, the above described alterations to the Rayner Lane building massing and façade treatment has significantly altered the appearance of the development. The first of the 2 graphics below illustrates the scheme as initially lodged.



North-Eastern Street View - Rayner Lane

Mixed Use Development  
45 - 49 Ballina Street  
Lennox Head

The below graphic illustrates the modifications to the plans to provide an emphasis on contemporary coastal architectural treatment within the context of Council's expressed height controls for the locality.



North-Eastern Street View - Rayner Lane

Mixed Use Development  
45 - 49 Ballina Street  
Lennox Head



**EXTRACT FROM  
APPLICANT'S RESPONSE TO OBJECTIONS**

In relation to the various objections received, we note that many of the concerns raised by objectors, particularly in relation to matters such as traffic generation in Rayner Lane, the height of the development and the land uses proposed in the Development Application, mainly relate to Council's requirements under its Development Control Plan and Local Environmental Plan. None of the objections relate to the proposal's element of "nonconformance" with the Development Control Plan regarding the first floor level office accommodation above the Ballina Street frontage. In relation to the specific items mentioned in the objections, we observe as follows:-

- *Mrs Mary Hosie* - we agree with Mrs Hosie that the establishment of 4 shops "fronting" Rayner Lane would be inappropriate. The architect has gone to considerable length to ensure that this does not occur. All commercial activity related to the rear shop-top housing is conducted via the Ballina Street frontage of the development.



The height of the proposed shop-top housing is consistent with Council's most recently adopted DCP (see note on Page 10 "this DCP does not limit the number of storeys or levels within a dwelling. For dwellings comprising more than 2 levels, Council will have particular regard to the impact of the dwelling on privacy and overshadowing of nearby properties...") and the height as approved by DA2012/195. The proposed shop-top housing has little or no adverse impacts in terms of privacy and overshadowing.

- *Mr Robert Hosie* – technically the proposal does provide for commercial premises that abut Rayner Lane. However, the fencing as proposed (see page 42 in the SoEE and page 4 in the CPTED report), landscaping and commercial orientation of the premises to Ballina Street will ensure that shops do not formally front Rayner Lane.
- *Mr Goodwin* – this objector is in error when he says that the height proposed is above the DCP limit. The height as proposed is fully consistent with Council's DCP and LEP provisions. The whole of the design of the shop-top housing is premised upon access to the offices associated with the shop-top housing being totally from the west.
- *Mr Peter & Mrs Lyn Keating* – unfortunately Mr & Mrs Keating have been incorrectly advised about the currently applicable controls. There is no 2 storey height limit applicable to the subject site and locality. The height control is a specified 9m distance from natural surface level to the top of the building. The proposal is fully compliant with this standard.
- *Mr Richmond & Mrs Jeannette Manyweathers* – the proposed development's traffic generation is the equivalent of that approved pursuant to DA 2012/195 and consistent with Council's DCP intentions for the locality. With respect to the bulk and scale of the development, those aspects are consistent with the recently prescribed standards by Council in terms of height and floor space ratio. We concur with Mr & Mrs Manyweathers in relation to the undesirability of shops and offices fronting Rayner Lane, and the Architect has been cognitive of this with the design of the development to ensure that this does not occur.
- *Mrs Shirley Mazzer* – this objector raises the issue of 3 storey height and does not seem to appreciate that this height has been set by Council in its recent LEP and DCP for the locality. With respect to traffic, the quantum of traffic proposed is generally the same as that which is currently approved for the site and consistent with Council's intention pursuant to its DCP.
- *Mrs Maree Noble* – contrary to the view put by this objector, the proposed development is consistent with Council's height and floor space ratio controls. The commercial development to Rayner Lane is both permissible under the LEP and DCP. The proponent has gone to considerable length to ensure that the frontage to Rayner Lane is kept residential in character. With respect to rubbish, we respectfully submit that the management plan lodged with the Development Application is appropriate in the subject circumstances.
- *Mr Don & Mrs Julie Priest* – this objector quotes various provisions of Council's DCP but overlooks the fact that there is no prohibition with respect to 3 storey height control. The height control is a height standard, not a storey standard. The concept of the development "being consistent with the feel and image of the area" must be judged having regard to the applicable development standards

particularly the height and floor space standards which have only recently been adopted for the locality. The implementation of the proposed development is intended to be guided by a waste management plan, which provides for the proper treatment of waste.

- *Louise Balwin* - the proposed development's traffic generation is the equivalent of that approved pursuant to DA 2012/195 and consistent with Council's DCP intentions for the locality. With respect to the bulk and scale of the development, those aspects are consistent with the recently prescribed standards by Council in terms of height and floor space ratio.
- *Trevor Brand* -the proponent has no objection to a condition of development consent requiring the southern dividing fence be constructed of a solid material.

Having regard to the above comments concerning each of the ten items referred to in Council's letter of 15<sup>th</sup> December 2014 the 'stop the clock' applicable to this application is now cancelled.

Yours faithfully,  
**PLANNERS NORTH**



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Encl:

- Stormwater Management
- 3D images for Rayner Lane
- Acoustic Report
- landscape area calculations

