



Date: 30<sup>th</sup> January 2017  
Our Ref: 11/088

General Manager  
Ballina Shire Council  
PO Box 450  
BALLINA NSW 2478

Dear Sir,

**Re: Development Application 2016/506  
Lot 2 DP 577649 No. 37 Converys Lane, Wollongbar**

Thankyou for the opportunity to respond to Council's 'request for additional information' letter dated 13 December 2016 and NSW RMS correspondence dated 7 November 2016.

Council and the NSW RMS have raised concerns with the proposed implementation of a Traffic Management Plan that involves the temporary modification of the Converys Lane/Bruxner Highway intersection on the days when events occur at the subject site. In this regard, the concerns relate to an increase in delay, degree of saturation and que length when comparing with and without development scenarios in the Converys Lane intersection analysis, with delay considered a major risk factor in intersection crashes.

Council's and the NSW RMS concerns in-turn relate to the proposed Traffic Management Plan in regard to having u-turns performed at Sneaths Road for those wanting to travel west which will add about 3km to a driver's journey, and that this distance and extra delay is likely to encourage non-compliance, by even the most compliant drivers.

NSW RMS have therefore stated in correspondence addressed to Council dated 7 November 2016 that: *"to manage the risks associated with delay at Converys Lane, it is suggested demand management strategies be employed to limit the number of vehicles accessing the site for training days. Strategies such as limiting access to training events to buses provided specifically for the event should be considered. If buses were to be provided it would be easier to manage driver behaviour and route choice by implementing travel management plans that specifically ban undesirable turn movement."*

In accordance with the RMS advice, demand management strategies will be employed by the proponent to service the additional 135 full time students which will limit the number of vehicles accessing the site for training days. The strategy will involve a combination of the use of bus transport and also car-pooling as outlined below and ensure the daily vehicle movements are either equal to or below the current levels approved for the site.

JOHN NEWTON B. Surv. M.I.S. Aust. TONY DENNY B. Surv. (Hons), M.I.S. Aust. CAMIAN CHAPELLE BIR OPP  
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**i. Bus Transport**

The use of an 18 or 22 seat buses will be employed by the proponent to transport students to and from the Converys Lane site which will involve a designated pick-up and drop-off point at Blue Hills Medical Clinic and also Blue Hills College, which are located at 15 & 17 Blue Hills Avenue, Goonellabah.

Blue Hills Medical Clinic is operated by the proponent of this application thereby enabling the use of this site for parking, whilst authority has been achieved from the Principal of Blue Hills College with respect to utilisation of their car parking.

The number of parking spaces available at these two premises are as follows, which have been identified from past development consent notices issued by Lismore City Council.

Premise	Available Parking Spaces	Comment
Blue Hills Medical Centre 15 Blue Hills Avenue, Goonellabah	15 spaces	A combined 80 parking spaces are available for students to utilise.
Blue Hills College 17 Blue Hills Avenue, Goonellabah	65 Spaces	Adopting the scenario that an 18 seat bus is used for transport with 1 person per car utilising the Blue Hills Avenue parking spaces, this would require 5 bus trips (rounded up from 4.4 bus trips) to deliver 80 students from Blue Hills Avenue, Goonellabah to Converys Lane, Wollongbar.  By using a 22 seat bus, this would result in 4 bus trips (rounded up from 3.6 bus trips).

Due to the nature of the educational events, students also arrive to the area via the Gold Coast or Ballina-Byron Gateway Airports which may yield between 40 – 60 students arriving via airplane who will then be transported to Converys Lane via shuttle bus arranged by the proponent. By adopting the transport strategy the proponent will use an 18 seat bus to transport students, based on 60 students this would require 4 bus trips (rounded up from 3.3 trips) to deliver students to Converys Lane. By using a 22 seat bus, this would result in 3 bus trips (rounded up from 2.72 bus trips).

By the proponent implementing demand management strategies the following outcome can be achieved:

- Five (5) bus trips will occur to deliver 80 students to each educational event at Converys Lane, Wollongbar from Blue Hills Avenue, Goonellabah through the use of an 18 seat bus. The amount of bus trips would reduce to four (4) should the proponent utilise a 22 seat bus.
- Four (4) bus trips will occur to deliver 80 students to each educational event at Converys Lane, Wollongbar from either Ballina-Byron Gateway and Gold Coast Airports through the use of an 18 seat bus. The amount of bus trips would reduce to three (3) should the proponent utilise a 22 seat bus.

**i. Car-Pooling**

The proponent already encourages a car pooling regime via the Educational Establishment's website and also via e-mail notifications to students as evidenced in the attached event announcement screen shots provided by the proponent.

Details recorded during a parking audit of an event at the site on 15<sup>th</sup> July 2016 as documented in the NDC Engineering Design Note (2011/098 dated March 2016) found that 107 parking spaces were occupied for 207 people on site, which equates to 1.93 students per space. The audit demonstrates the ability to effectively implement a car pooling strategy to enable the development to remain within the limit of 80 peak hour trips which have previously been modelled for the Converys Lane and Bruxner Highway intersection.

**Conclusion**

The site is currently approved for 100 full time students with a generation of 90 peak hour vehicle trips previously modelled at the intersection of Converys Lane and the Bruxner Highway. The proposed demand management strategies to be coordinated and implemented by the proponent generates transport to service the additional 135 proposed full time students which will enable the development to stay within the 90 peak hour vehicle limit for Converys Lane and the Bruxner Highway intersection. Accordingly, we submit there is no increase in vehicle movements by the proposed development.

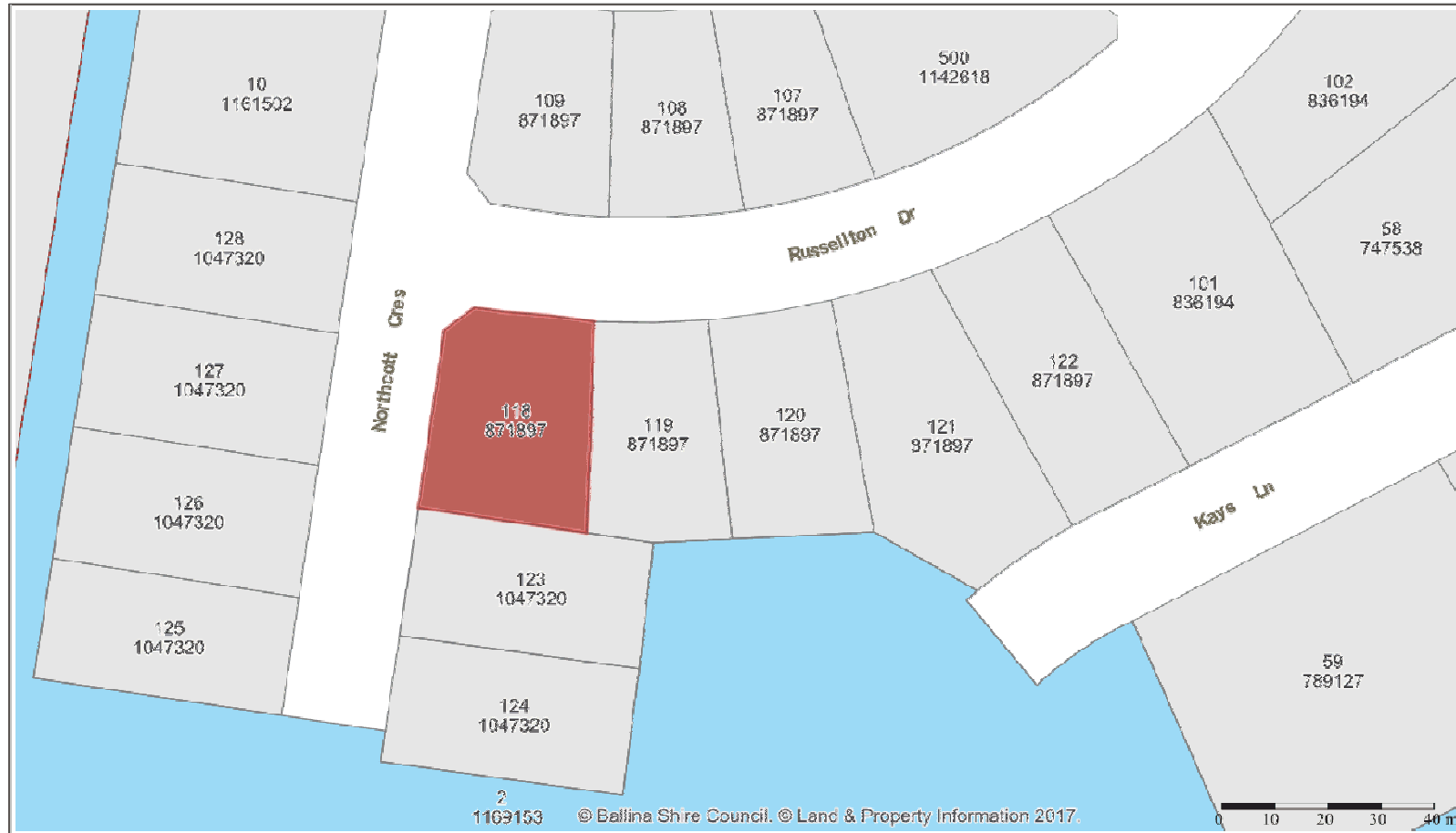
Importantly, the parking at the site is managed by the proponent; hence students are required to adhere to parking arrangements and transport implemented by the proponent. This point is best demonstrated by the fact additional student numbers operated from the site with no objections from adjoining residents or traffic incidents related directly to the education establishment. We submit the trial period for the additional students was successful and should provide Council with the confidence that the initiatives of car parking and the proposed bus service are practical responses to addressing concerns associated with the function of the Bruxner Highway / Converys Lane intersection. We also raise for Council's consideration the opportunity to lodge a Transport Management Plan (TMP) as a condition of consent. The TMP would incorporate a collection of student numbers, bus hire and total traffic movements for the use of the site. The information would be made accessible to Council for review.

We trust this letter addresses Council's queries, however should you have any questions, please do not hesitate contacting Damian Chapelle or Luke Fittock of this office.

Yours sincerely,  
**NEWTON DENNY CHAPELLE**



**DAMIAN CHAPELLE**  
Town Planner: BTP CPP.



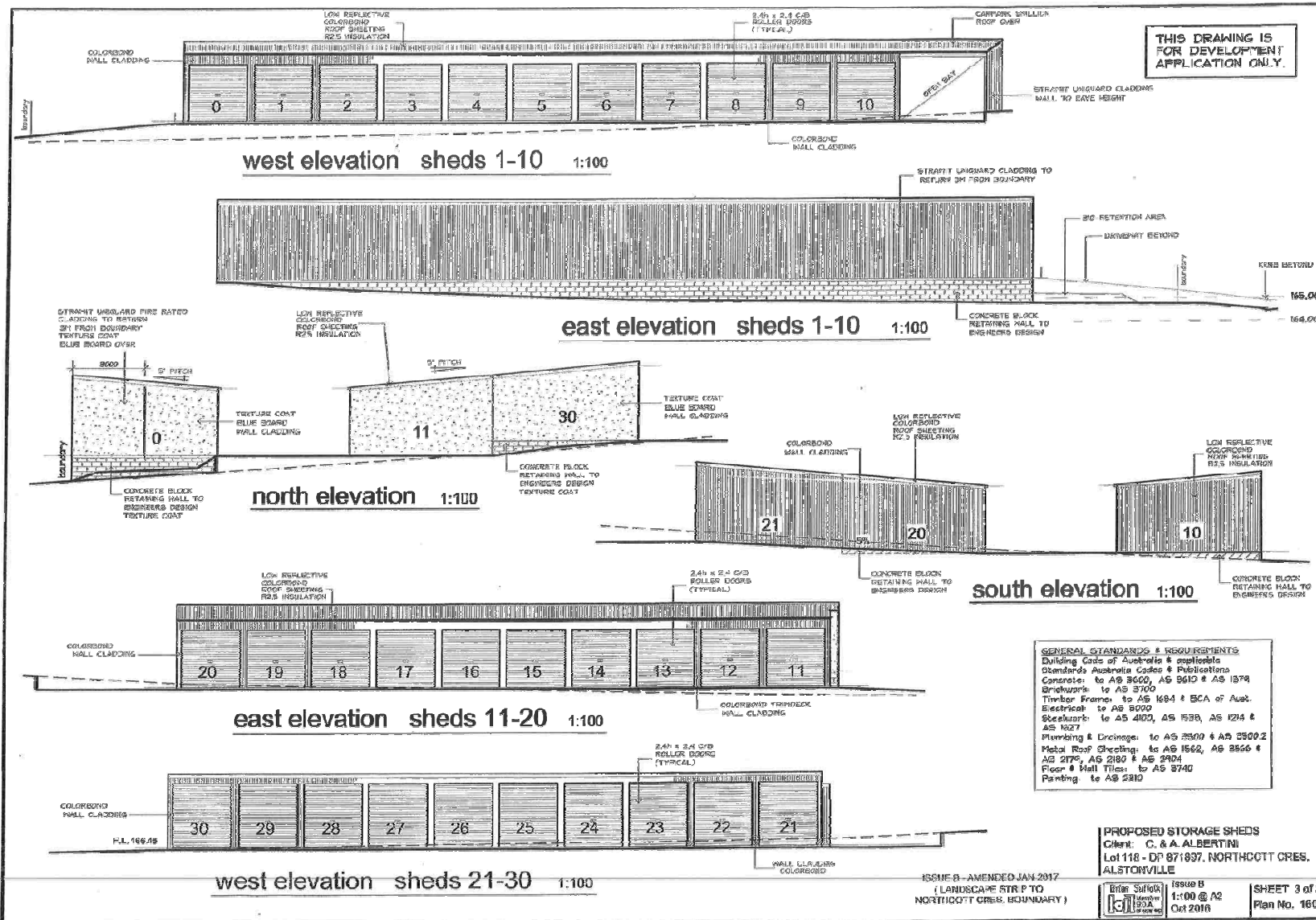
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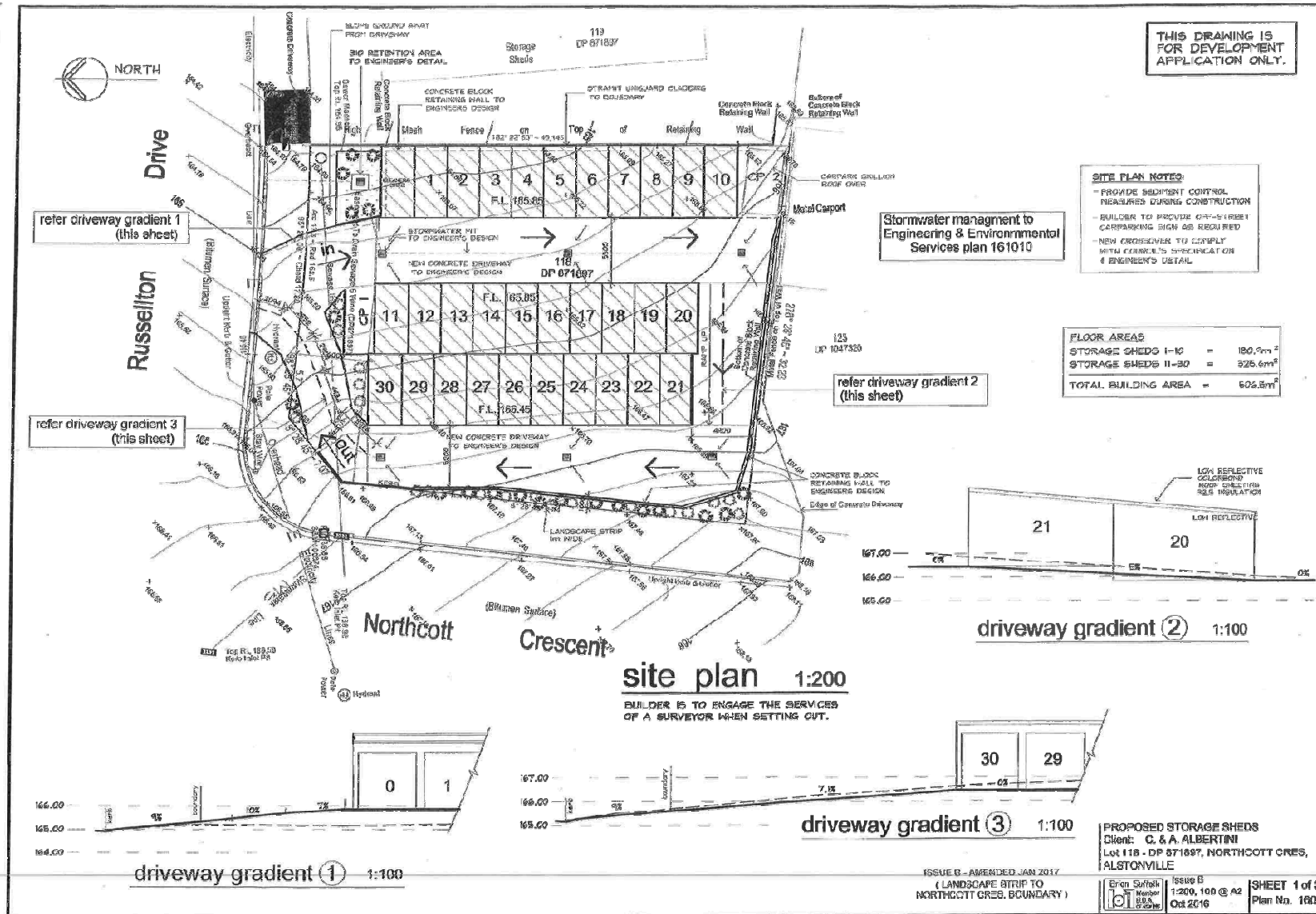


**DA 2016/752 - Erection of Mini Storage Sheds - Lot 118 DP 871897, No. 31 Russellton Drive, Alstonville**

**ballina** shire council  
 geographical information system  
 Projection: GD434 / MGA zone 56  
 Date: 18/04/2017

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8.3 **DA 2015/320 - Sec 96 - 18 Northcott Crescent, Alstonville**

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<b>Applicant</b>	I & T Jackson
<b>Property</b>	Lot 71 DP 800199, No. 18 Northcott Crescent, Alstonville
<b>Proposal</b>	To modify Condition No. 3 of the issued consent to allow for Colorbond Sheeting construction of the front elevation of the approved Storage Sheds rather than the required masonry construction
<b>Effect of Planning Instrument</b>	The land is zoned IN1 General Industrial under the provisions of the Ballina LEP
<b>Locality Plan</b>	The subject land is depicted on the locality plan attached

**Introduction**

On the 10 July 2015 Council, under delegated authority, approved the erection of self-storage premises containing 30 units of varying sizes, associated signage, driveway access/egress, car parking and landscaping.

Although the applicant had proposed the use of texture coat blue board within the front elevation, Council's Environmental Health Group required the replacement of this material with masonry construction as required by Council's Development Control Plan, Chapter 5 Industrial Development (DCP).

Consequently, Condition No. 3 of the issued consent states:

- 3. The front elevations of the buildings fronting Northcott Crescent are to consist of masonry construction (rather than the proposed texture coat blue board wall cladding).*

The applicant has subsequently lodged a Section 96 Modification Application requesting that the masonry construction requirement for the front Northcott Crescent elevation be replaced by colorbond sheeting, (i.e. not the originally requested texture coat blue board wall cladding).

Due to the requested variation of the recently re-stated masonry DCP requirement and the potential precedent effect any variation would have, the Section 96 is reported to Council for determination.

**Reportable Political Donations**

Details of known reportable political donations are as follows:

- Nil (or state otherwise if this is not the case)

### **Report**

As stated above, the requirement for masonry front elevation construction has been a provision within Council's DCP relating to development within Industrial zones that has recently been re-stated.

The masonry construction requirements have been adopted into Council's DCPs since 1994 in an effort to provide a design of industrial buildings that establishes a minimum standard streetscape presentation with the selective use of materials of suitable texture and colour.

The previous DCP No. 1 – Urban Land, Policy Statement No. 5 – Industrial Development stated:

*"The front elevation of industrial buildings shall be clad in face brick or selected masonry materials (not standard concrete block). When proposing the use of cladding it shall be suitably pre-coloured."*

Similar provisions were most recently reaffirmed and reinforced by Council's consultants (GHD) and review panel as part of Council's formulation and adoption of the current Ballina Development Control Plan 2012, Chapter 5 Industrial Development.

Council's DCP renewal program in 2012 included a specific review of provisions relating to industrial development. This was done by GHD and included benchmarking with other local government areas. The review recommended retention of the provision requiring use of masonry materials on the front of buildings.

Consequently, it appears that since 1994 and as reaffirmed in 2012, Council wishes to maintain a high standard finish to the front elevation of industrial buildings to improve the appearance of the front elevation of buildings within the streetscape.

Currently, Section 3.1.3 of Chapter 5 outlines:

#### ***Building Appearance – Control***

- i. Exterior walls of buildings, including any outbuildings, shall comprise materials with a low reflective index and must not be constructed using uncoated/untreated metal sheeting, fibre-cement or like materials;*
- ii. The full length of any exterior wall facing a road frontage, including any adjoining exterior wall for a minimum length of 5 metres, must be of masonry construction and painted where of plain concrete finish;*

The Section 79C report prepared by Council's Development and Environmental Health Group in relation to the assessment of DA 2015/320 noted at Chapter 5 of the DCP:

#### ***A. Element – Building Design Requirements***

*The building line for the street frontage is 6m which is compliant and the part texture coat blue board front panels (although presenting similar to masonry construction) is a fibre cement material and is therefore inconsistent with the DCP.*



### **Conclusions**

It is evident that, although there may be examples of colorbond (or similar) cladding within the Shire's Industrial Estates (both in Southern Cross and Russellton) the Council has, since the DCP provisions were first introduced, generally maintained that the front facades of industrial buildings should be of masonry construction to ensure a consistently higher standard of visual presentation when viewed from the street system. This intention has been specifically re-stated in the recent 2012 DCP project.

Specifically, in relation to the current request, the additional cost of providing a masonry finish should not be significant based on the limited façade that would need to be treated.

As the Council has only relatively recently reaffirmed the DCP provisions as part of its renewal program in 2012, it is considered that the Council should consistently maintain the masonry finish to industrial building frontages across the Shire.

If Council were to vary the requirement for masonry construction in this instance, the DCP would also need to be amended to reflect this position given the precedent it would establish. This would also affect the presentation of buildings in the Southern Cross Industrial Estate, unless different controls were to apply to the Shire's industrial estates.

### **Options**

1. That Council refuse the Section 96 Modification Application requesting that the front elevation/façade be clad in colorbond materials rather than masonry given the long held and recently re-stated preference for masonry finishes because the proposal is inconsistent with Council's DCP provisions and is not in the public interest.
2. That Council approves the Section 96 Modification Application to allow colorbond cladding to the front elevation/façade of the self-storage sheds as proposed.

Option one is recommended as per the contents of this report.

*Consequently, a condition of consent will require the blue board wall cladding to be replaced with masonry and the stramit uniguard cladding (similar to colourbond) facing Northcott Crescent, although not strictly masonry construction in accordance with the DCP, is considered acceptable as the metal cladding is not an unfinished/unpainted material and will therefore present well with a low reflective index and break up the front façade.*

*The side and rear boundaries will have a zero lot line. This is also considered acceptable and will be finished in uniguard cladding, therefore the returns of the building, where visible due to the setbacks of adjoining buildings will also present well.*

*It should be noted that the majority of the existing storage sheds within the Russellton Industrial Estate have masonry finishes to the building(s) frontage.*

Although the applicant, as part of the Section 96 Modification Application, has highlighted examples of a number of buildings that have colourbond (or similar) frontages (copy attached), it should be noted that some of these buildings were built prior to any DCP provisions relating to masonry construction (i.e. prior to 1994).

Since receiving the Section 96 Modification Application, Council Officers have reviewed various development applications for buildings within the Russellton Industrial Estate and have reaffirmed that the majority of existing buildings (including storage sheds) have some form of masonry finish to the street frontage(s).

Further, within Council's Southern Cross Industrial Estate, to reinforce the requirement for masonry construction, a restriction on title was also applied so that prospective purchasers were fully aware of such future construction requirements. Russellton Industrial Estate does not have this restriction on title.

Council's Environmental Health Group has identified for Council's consideration a specific example, similar to that the subject of this report, of an applicant's request to vary the masonry requirement via DA 2003/897. Although DA 2003/897 related to a building's finish in the Southern Cross Industrial Estate, it is relevant to the current Russellton Industrial Estate proposal as it demonstrates that where a variation to the masonry finish has been specifically requested, Council chose to maintain its DCP requirements relating to industrial buildings/development.

DA 2003/897 was reported to Council's Planning Committee on 14 August 2003 (copy attached) where Council had an option to part clad the building in concrete to a minimum height of 2.9 metres and the remainder of the street frontage part colourbond cladding. Council resolved to maintain the DCP requirements applicable at that time and that:

*"The front elevation when viewed from Piper Drive shall be clad in face brick or selected masonry materials (not standard concrete block) and shall be suitably pre-coloured."*

**RECOMMENDATION**

That the Section 96 Modification Application to DA 2015/320 at Lot 71 DP 800199, No. 18 Northcott Crescent, Alstonville to modify Condition No. 3 of the issued consent to allow for Colorbond Sheeting construction of the front elevation of the approved Self-Storage Sheds rather than the required masonry construction be **REFUSED** for the following reasons:

1. The proposal is inconsistent with Council's DCP provisions.
2. The proposal is not in the public interest.

**Attachment(s)**

1. Locality Plan
2. Approved Plans
3. Council's Consultant's DCP Renewal Document
4. Current DCP Requirements
5. Applicant's Photographs of Colourbond Examples
6. DA 2003/897 Report & Resolution

**8.3** DA 2015/320 - Sec 96 - 18 Northcott Crescent, Alstonville  
**171215/4 RESOLVED**

(Cr Paul Worth/Cr Robyn Hordern)

That the Section 96 Modification Application to DA 2015/320 at Lot 71 DP 800199, No. 18 Northcott Crescent, Alstonville to modify Condition No. 3 of the issued consent to allow for Colorbond Sheeting construction of the front elevation of the approved Self-Storage Sheds rather than the required masonry construction be **APPROVED** subject to the façade being constructed of texture board and rendered.

FOR VOTE - Cr David Wright, Cr Sharon Cadwallader, Cr Keith Williams, Cr Susan Meehan, Cr Ken Johnston, Cr Paul Worth, Cr Robyn Hordern and Cr Ben Smith

AGAINST VOTE - Cr Jeff Johnson and Cr Keith Johnson

