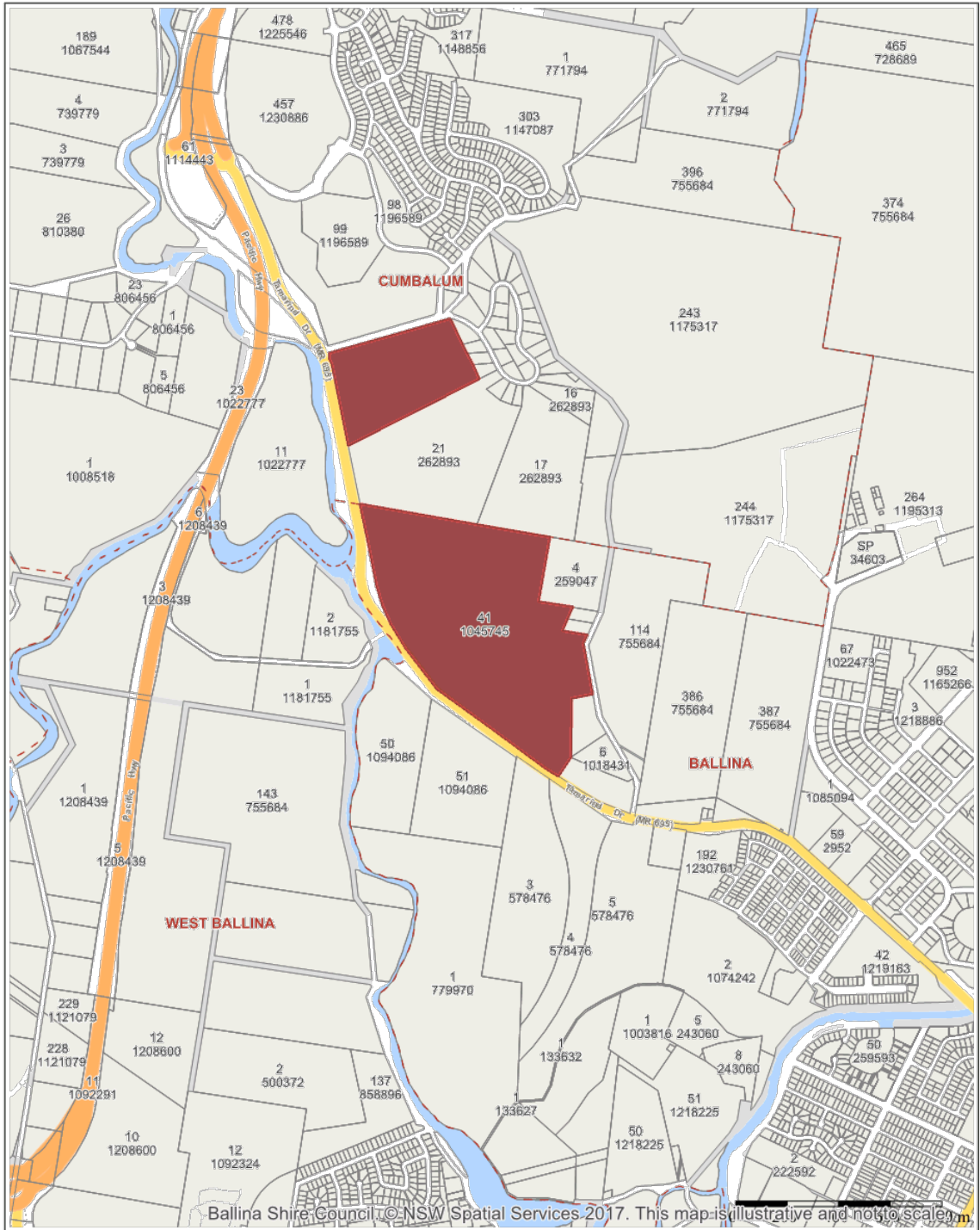


8.1 **DA 2017/371 - 57 Gallans Road, Ballina.DOC**



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 40 Cherry Street
 BALLINA NSW 2478

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 02 6686 4444
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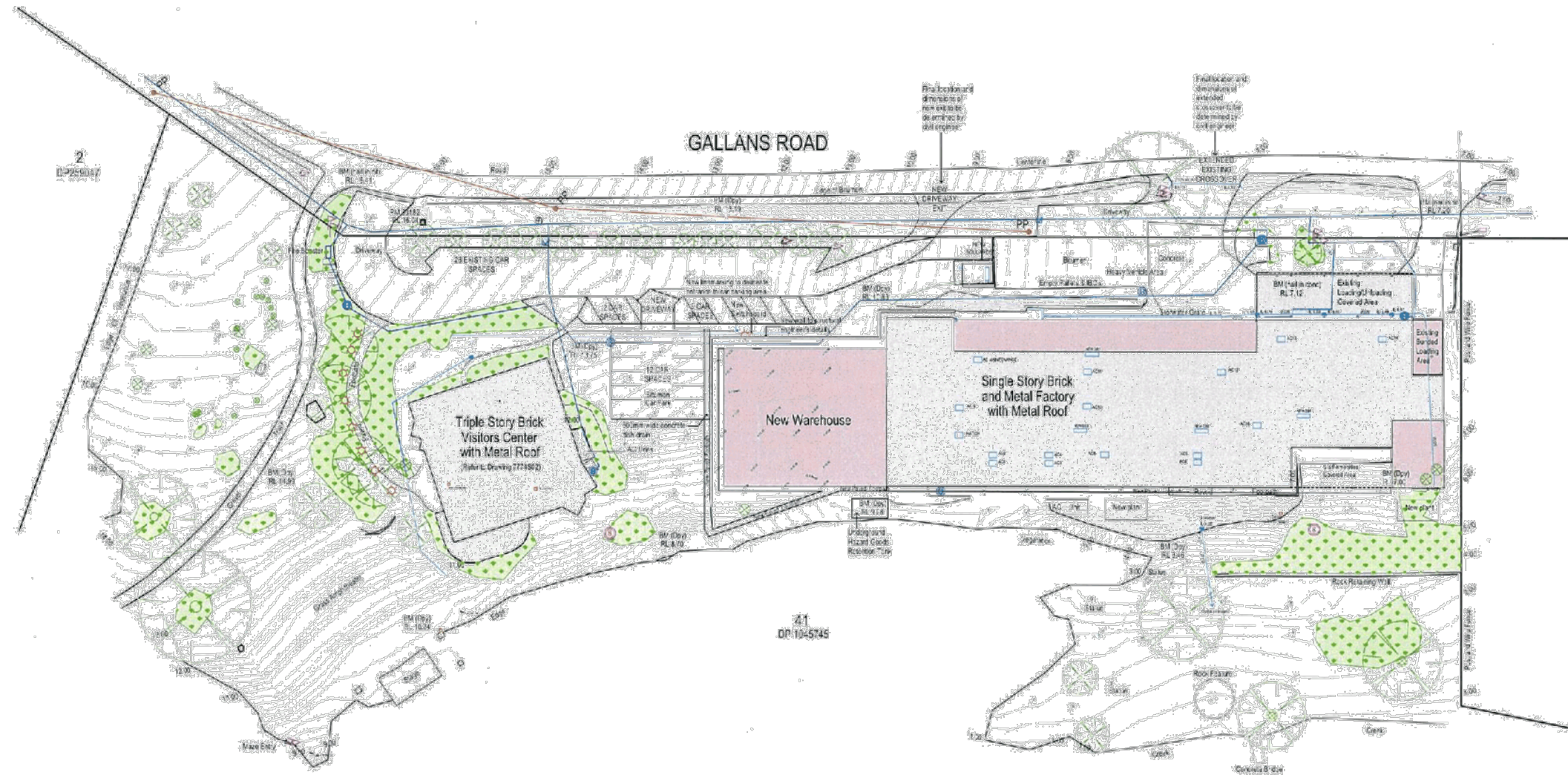


Locality plan DA 2017/371

ballina shire council
 geographical information system

Projection: GDA94 / MGA zone 56
 Date: 14/09/2017

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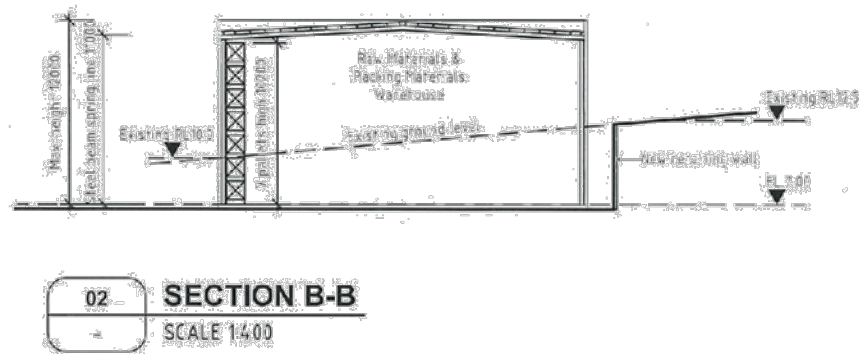
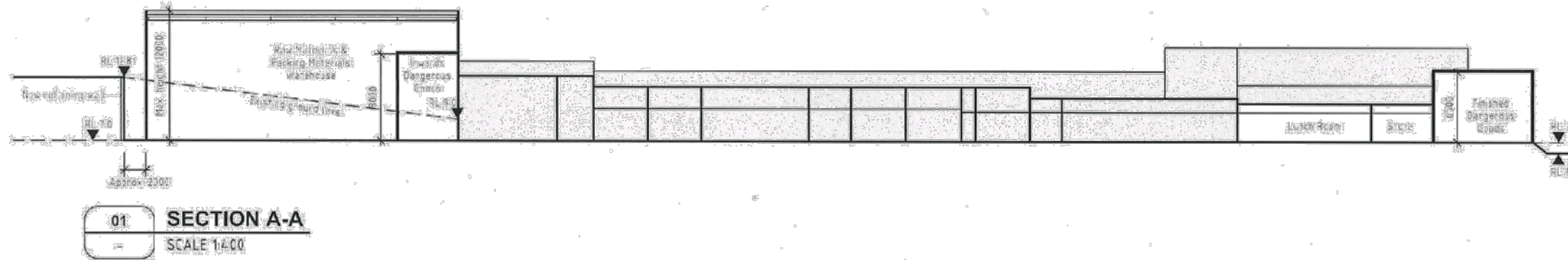
MASTER PLAN - SITE PLAN

Integría Health Care
 Integría Ballina
 St Leonards NSW 2065

LEGEND
 [Grey Box] EXISTING



Project No.	P131HC03	Amec Foster Wheeler Australia Pty Ltd
Dwg No.	P131HC03-300-SKT-A-001	
Scale	1:300	
Sheet Size	A3	
Plot Date	07/02/17	
Rev	01	



NOTES

Raw Materials & Packing Materials Warehouse Warehouse: total size internally 28.5m long x 24m wide x 11m high.

Inwards dangerous goods store Store total size internally 10.6m long x 5.4m wide x 8m high.

Inwards dangerous goods MAL Total internal size 5m long x 5.4m wide x 4m high.

Finished dangerous goods store Total internal size 9m long x 11.6m wide x 6.5m high.

LEGEND

EXISTING

MASTER PLAN - SECTIONS

Integria Health Care
Integria Ballina
St Leonards NSW 2065

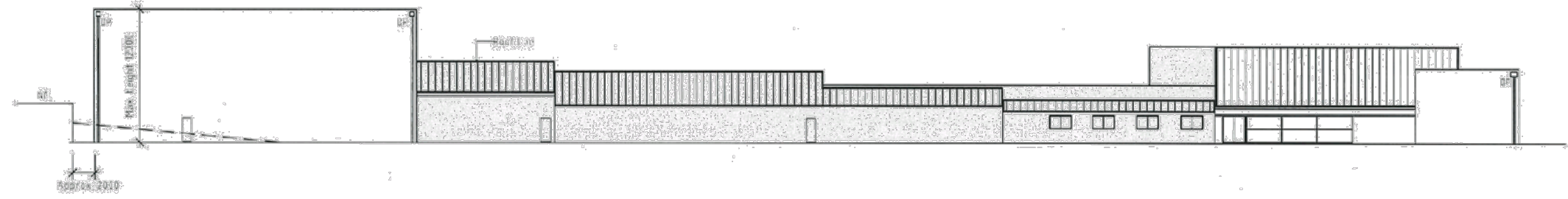
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Scale: 1:400
Sheet Size: A3
Plot Date: 06/07/17
Rev: E0

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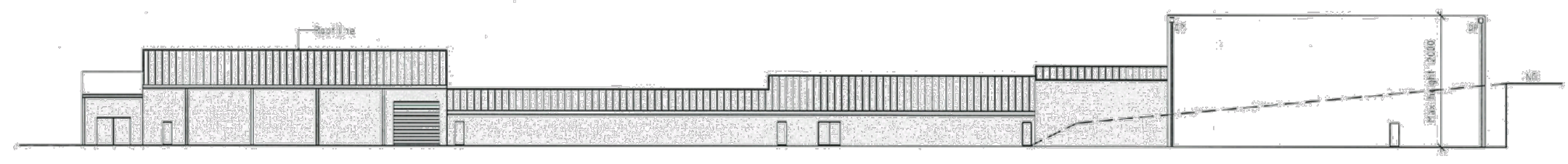


LEGEND

EXISTING



01 WEST ELEVATION
SCALE: 1:400



02 EAST ELEVATION
SCALE: 1:400

MASTER PLAN - EXTERNAL ELEVATIONS

Integria Health Care
Integria Ballina
St Leonards NSW 2065

Project No: P15HC03
Dwg No: P15HC03-300-SKT-A-907
Scale: 1:400
Sheet Size: A3
Plot Date: 04/07/17
Rev: B0

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- (a) to ensure that the height of buildings is compatible with the bulk, scale and character of the locality,*
- (b) to minimise adverse impacts on existing or future amenity of adjoining properties and the scenic or landscape quality of the locality,*
- (c) to protect significant views from public places.”*

On the basis that the building extension is being constructed on a reasonably significant cut, the highest part of the building when determined from existing ground level is approx. 9.5-10m which marginally exceeds the 8.5m height provision.

Clause 4.6 relates to exceptions to development standards, with the application seeking to vary clause 4.3 through the provisions of this clause. The objectives of this clause are:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

It is submitted that the proposed development will achieve a better outcome if flexibility is provided in relation to clause 4.3. The variation is driven by the nature of the building extension and its use for warehousing purposes, so as to maximise its holding capacity for product, including the ability for the stacking of pallets and to enable fork-lifts to function in the building.

Clause 4.6(3) states:

- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.**

It is considered that compliance with the development standard is unreasonable and unnecessary in the circumstances of the case for the following reasons:

- The proposed height variation is a direct result of the lay of the land and the purpose of the building extension (warehouse storage) and will not result in any unreasonable amenity impacts for neighbouring properties.
- There will not be any loss of privacy or overshadowing of any adjoining properties and no adverse impacts on the amenity of any adjoining land.
- There will not be any significant adverse impacts on the character and setting of the landscape or streetscape.
- The actual height of the building when viewed from the street will be substantially reduced as a consequence of it being cut into the ground and situated behind a retaining wall.
- The proposed relatively minor height variation is not considered to be such that is inconsistent with the Clause 4.3 objectives.

In addition to the above, it is deemed that there are sufficient environmental planning grounds to justify contravening the subject development standard as the proposal is a unique situation created by the existing development and proposed use of the extension and will not set an unreasonable precedent for other developments within the Shire.

Clause 5.5 relates to development within the coastal zone, the heads of consideration of which are largely replicated in SEPP 71 – Coastal Protection. A SEPP 71 assessment is provided in **Section 5.1.3** of this report.

Clause 7.1 relates to acid sulfate soils. Comments on such are provided in **Section 4.1** of this report.

Clause 7.2 relates to earthworks and provided that before granting consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following:

- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*
- (b) the effect of the development on the likely future use or redevelopment of the land,*
- (c) the quality of the fill or the soil to be excavated, or both,*
- (d) the effect of the development on the existing and likely amenity of adjoining properties,*
- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing relics,*