

Ballina Shire Council
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02 6686 4444
 council@ballina.nsw.gov.au
 www.ballina.nsw.gov.au



ballina shire council
 geographical information system

Projection: GDA94 / MGA zone 56
 Date: 17/04/2018

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5 RAYNER LANE LENNOX HEAD



NEW RESIDENCE

27.06.18

FOR
M & T PRIEST

ARCHITECTURAL SCHEDULE

DRAWING NO:	DRAWING SCHEDULE	REVISION
A-00-00	Cover Sheet	A
A-01-01	Proposed Site Plan	A
A-02-01	Basement Level	A
A-02-02	Ground Floor Plan	A
A-02-03	Level 1 Floor Plan	A
A-02-04	Roof Plan	A
A-03-01	Elevations	A
A-03-02	Elevations	A
A-04-01	Inspiration/Exemplars	A
A-05-01	Shadow Diagrams (Existing)	A
A-05-02	Shadow Diagrams (Proposed)	A
A-10-01	Perspectives	A
A-10-02	Perspectives	A



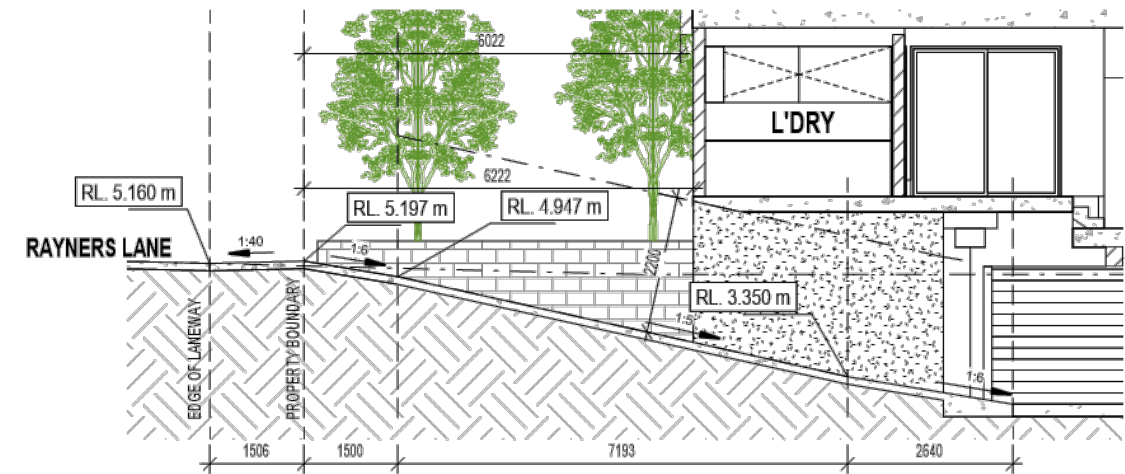
Project No :
017-084
Sheet No :
A-00-00

LOT NO. 41 No. 5
RAYNER LANE
LENNOX HEAD

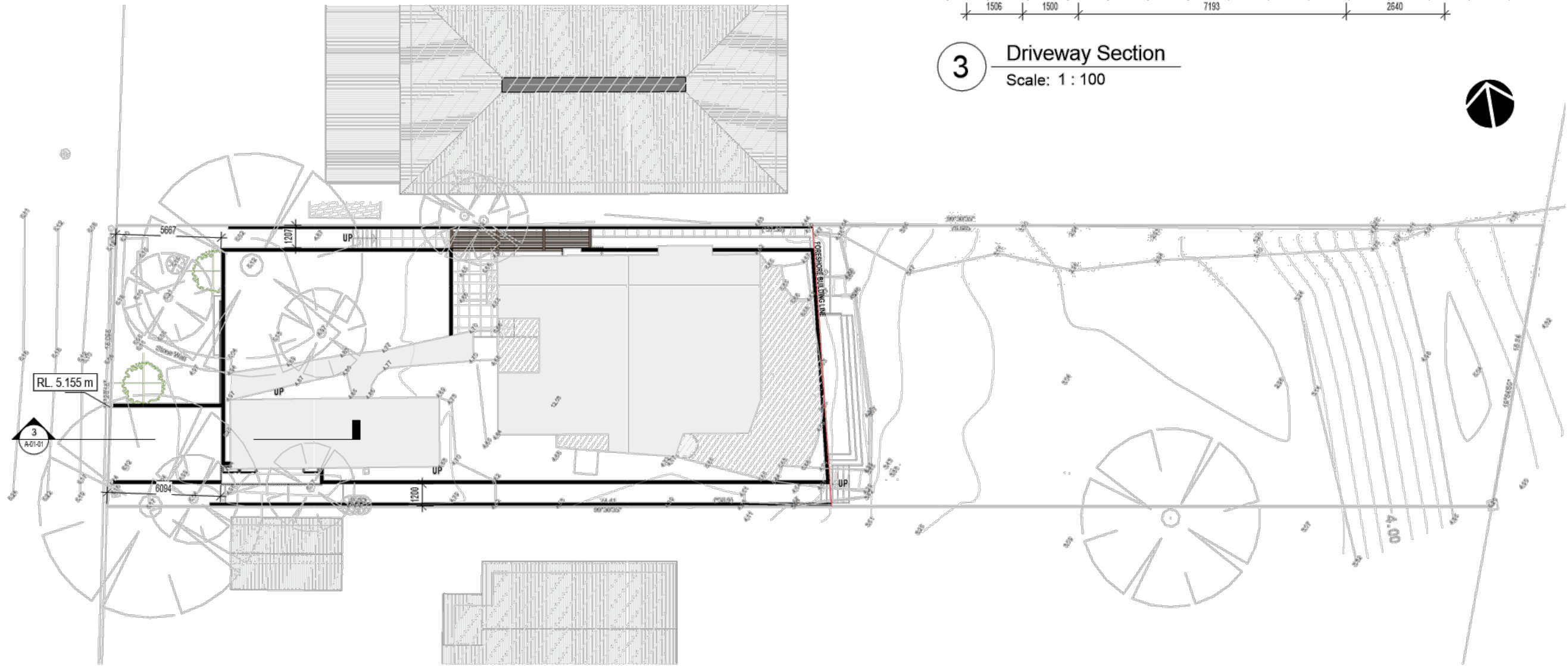
COUNCIL : BALLINA SHIRE COUNCIL

Footprint Area 328 m² GFA
Site Area 1140m² 553m²/1140 = 0.4850
Site Coverage 28.8%

PROPERTY DESCRIPTION
LOT 41 Sec 1 in DP 11687



3 Driveway Section
Scale: 1 : 100

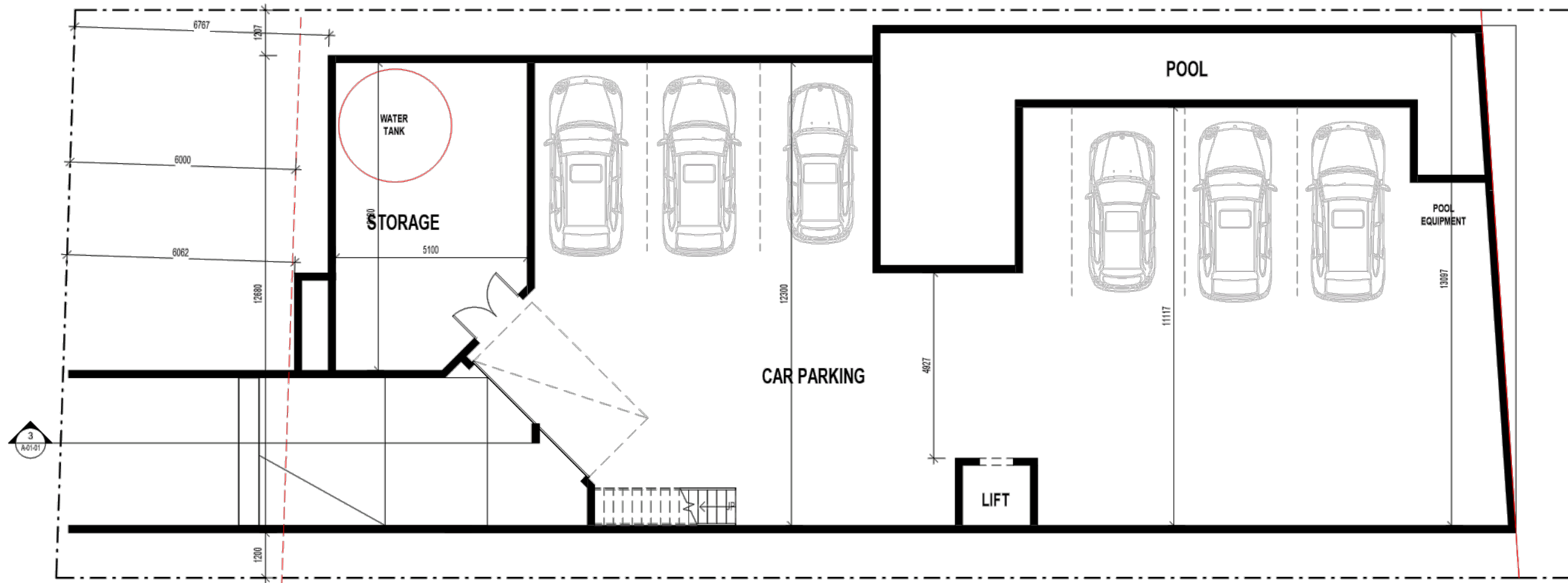


1 Site Plan
Scale: 1 : 200

<p>MS DESIGN BUILDING DESIGN</p>	<p>GOLD COAST BALLINA</p> <p>Suite 8A, 47 Ashmore Rd Bundall QLD 4127 PO Box 6785 GCWC QLD 9726 Ph: 07 5502 4118 Fax: 07 5570 2119</p>	<p>S/O Moon Street Ballina NSW 2478 ABN: 92 132 448 554 BA S: 1167391 admin@msdesign.net.au www.msdesign.net.au</p>
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DRAWN	REV	DATE	DESCRIPTION	PROJECT	CLIENT	TITLE	ISSUE	DATE	DWG NO	PROJECT NO
MT	A	20.03.18	COUNCIL RR RESPONSE - DRIVEWAY SECTION	NEW RESIDENCE	M & T PRIEST	Proposed Site Plan	SK-04	27.06.18	A-01-01	017-084
				5 RAYNER LANE LENNOX HEAD					DRAWN SCALE As indicated	
concept design only										A3

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1 Basement
Scale: 1 : 100

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	concept design only									

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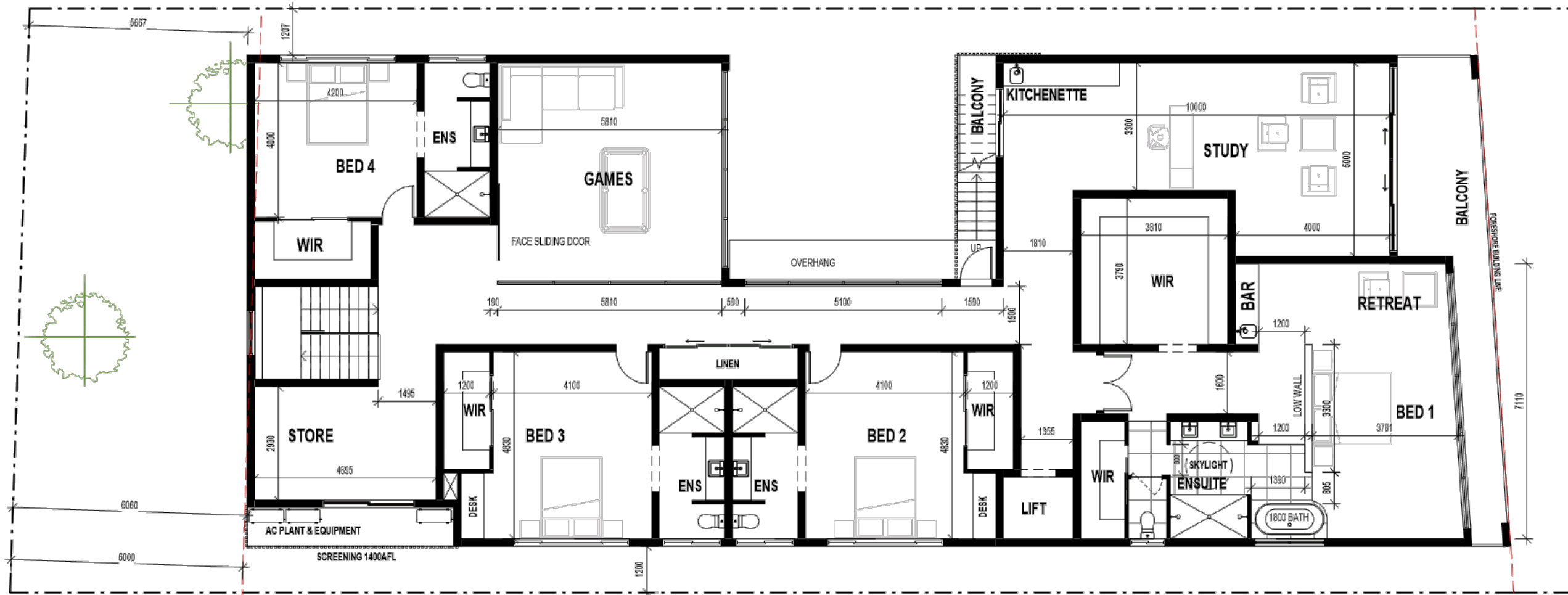
Floor Areas	
Name	Area
BASEMENT	326.67 m ²
	326.67 m ²
GROUND FLOOR	275.23 m ²
ALFRESCO	23.70 m ²
PORCH	7.24 m ²
	306.17 m ²
FIRST FLOOR	344.58 m ²
BALCONY	19.21 m ²
	363.78 m ²
Grand total	996.63 m ²



1 Ground Floor
Scale: 1 : 100

<p>GOLD COAST BALLINA Suite BA, 47 Ashmore Rd Bundall QLD 4177 PO Box 6786 GCMC QLD 9726 Ph: 07 5570 4118 Fax: 07 5570 2119</p>	<p>58 Moon Street Ballina NSW 2478 ABN: 92 122 448 554 BA: 1167391</p>	<p>DRAWN: MT REV: A DATE: 23.03.18 DESCRIPTION: COUNCIL RFI RESPONSE - DRIVEWAY SECTION</p>	<p>PROJECT: NEW RESIDENCE 5 RAYNER LANE LENNOX HEAD</p>	<p>CLIENT: M & T PRIEST</p>	<p>TITLE: Ground Floor Plan</p>	<p>ISSUE: SK-04</p>	<p>DATE: 27.06.18</p>	<p>DWG NO: A-02-02</p>	<p>PROJECT NO: 017-084 DRAWN: MT SCALE: 1 : 100 A3</p>
		<p>concept design only</p>							

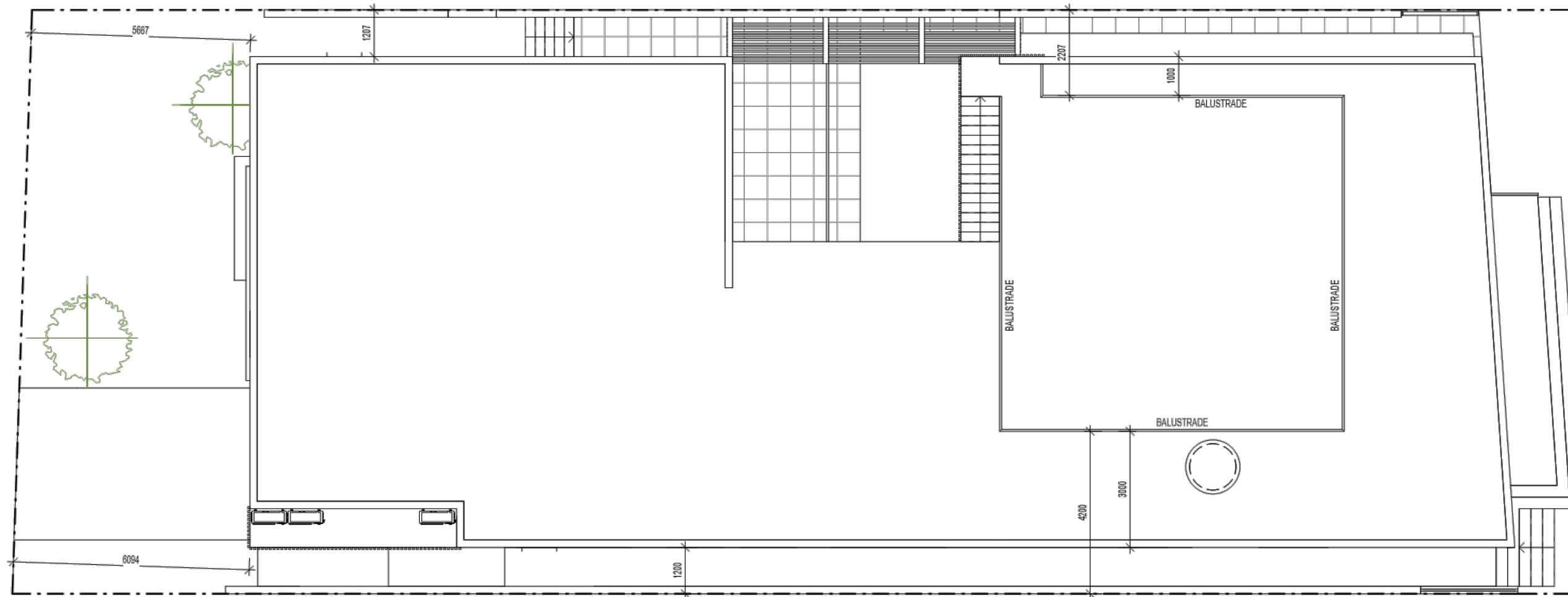
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1 Level 1
Scale: 1 : 100

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		concept design only													

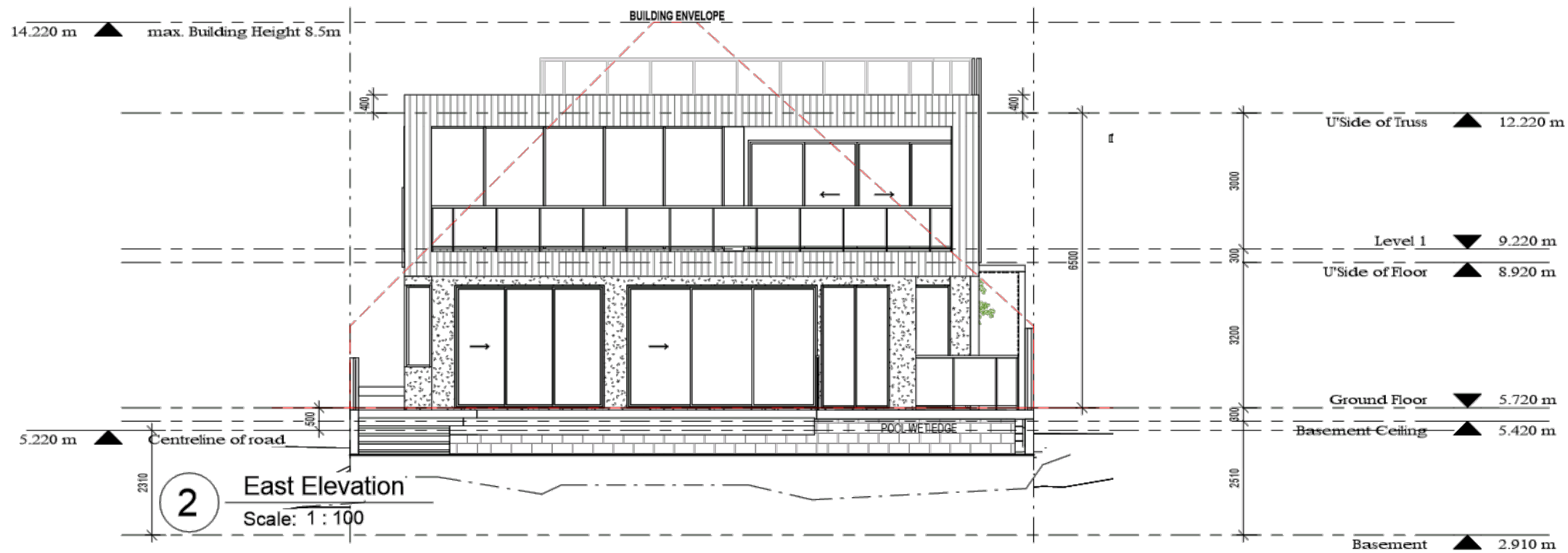
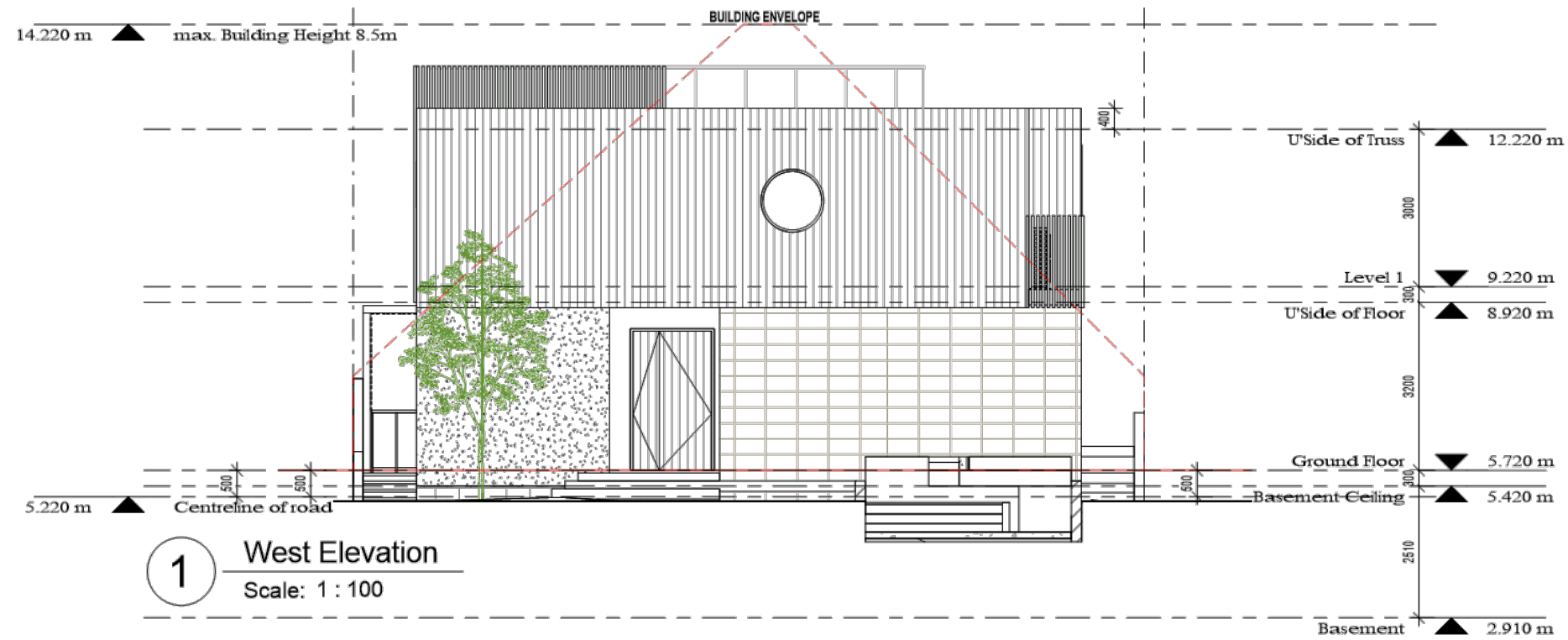
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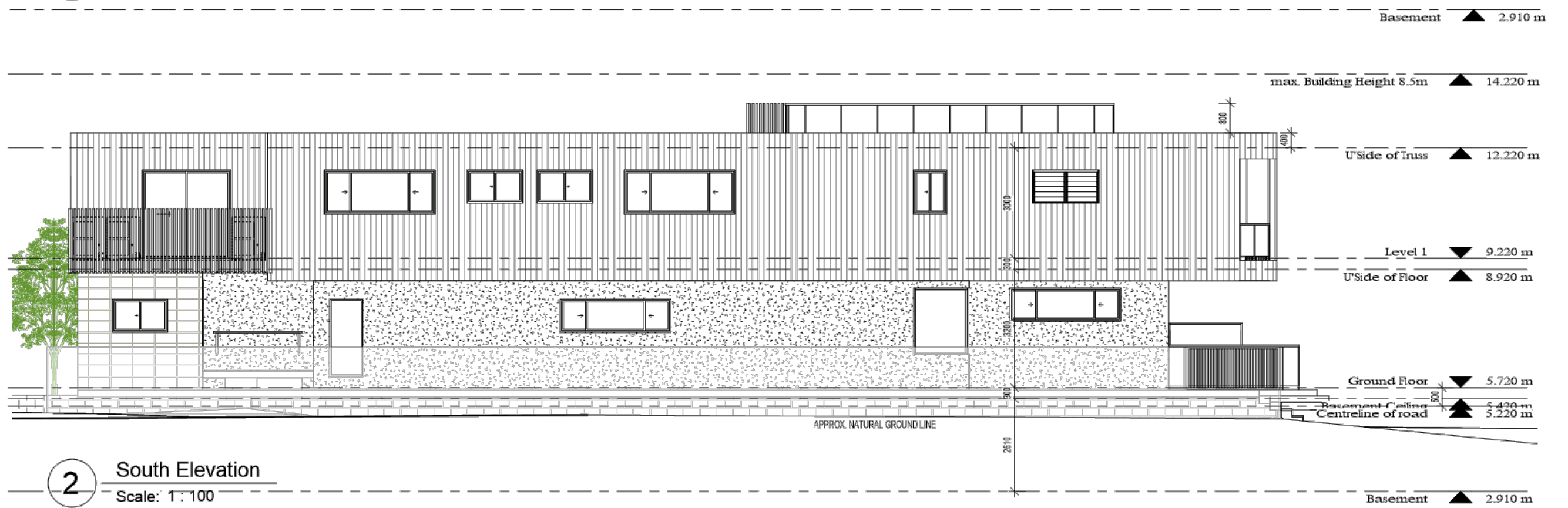
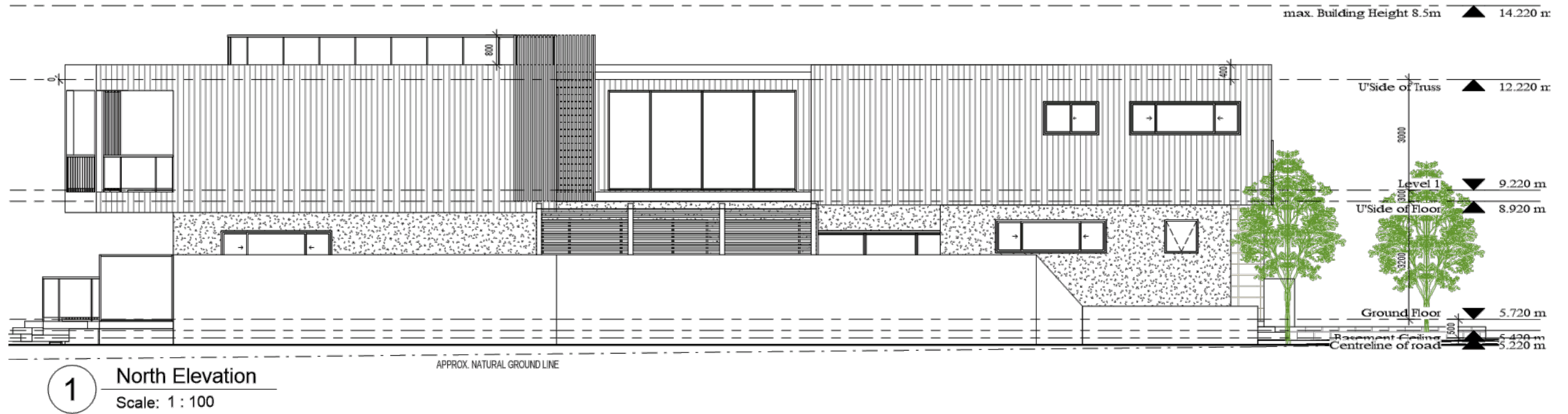
1 Roof Plan
Scale: 1 : 100

<p>GOLD COAST BALLINA Suite BA, 47 Ashmore Rd Bundall QLD 4127 PO Box 6786 GCMC QLD 9726 Ph: 07 5510 4118 Fax: 07 5510 2113</p>	<p>56 Moon Street Ballina NSW 2478 Ph: 0412 483 044</p>	<p>ABN: 92 132 448 554 BAS: 1167391 admin@msdesign.net.au www.msdesign.net.au</p>	<p>DRAWN: MT REV: A DATE: 23.03.18 DESCRIPTION: COUNCIL RFI RESPONSE - DRIVEWAY SECTION</p>	<p>PROJECT: NEW RESIDENCE 5 RAYNER LANE LENNOX HEAD</p>	<p>CLIENT: M & T PRIEST</p>	<p>TITLE: Roof Plan</p>	<p>ISSUE: SK-04</p>	<p>DATE: 27.06.18</p>	<p>DWG NO: A-02-04</p>	<p>PROJECT NO: 017-084 DRAWN: MT SCALE: 1 : 100</p>
			<p>concept design only</p>							

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		<p>Do not scale from drawings. Dimensions are to be checked on site prior to commencement of work. Discrepancies to be brought to the attention of the author. Any dimensions not nominated must be referred to the designer for confirmation. The concepts and information contained in this document are the copyright of MS Design. Use or copying of the document in whole or in part without the written permission of MS Design constitutes an infringement of copyright.</p>		<p>concept design only</p>	<p>DRAWN</p> <p>MT</p>	<p>SCALE</p> <p>1 : 100</p>	<p>A3</p>		



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			DRAWN MT	SCALE 1 : 100	A3	concept design only							

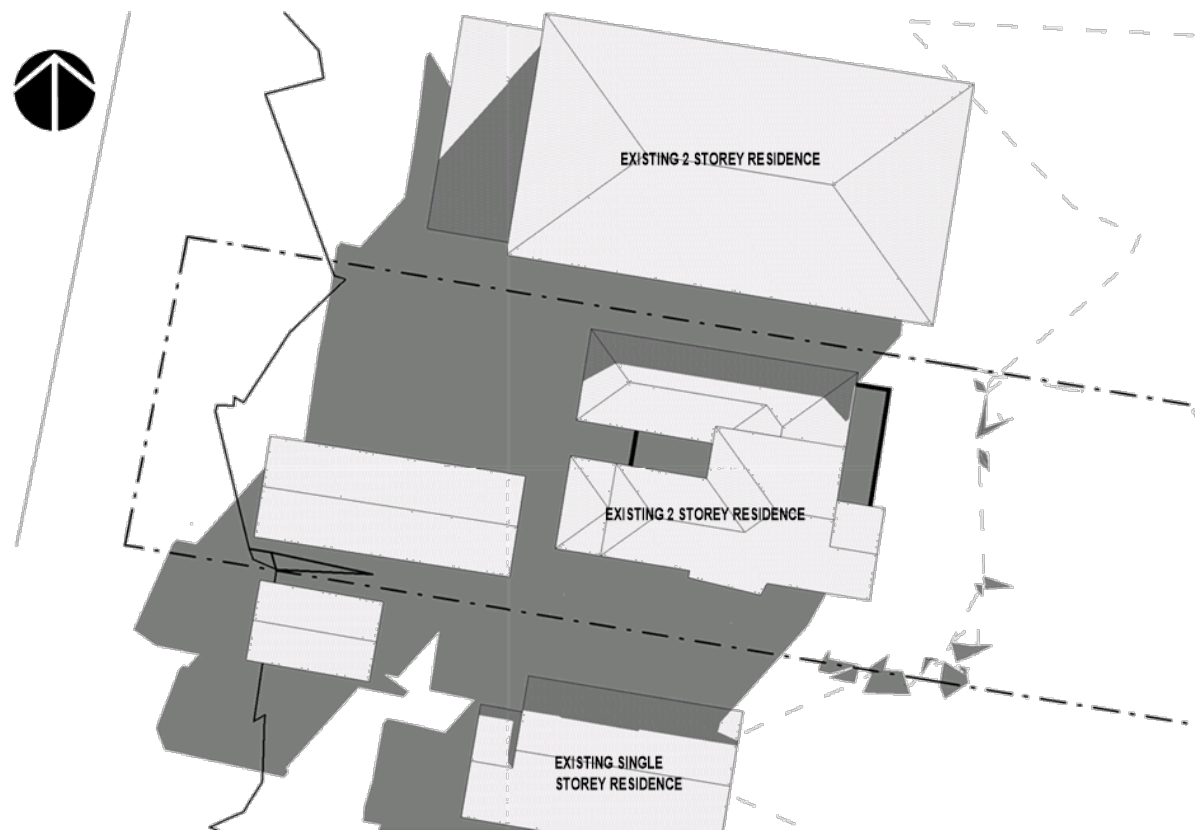
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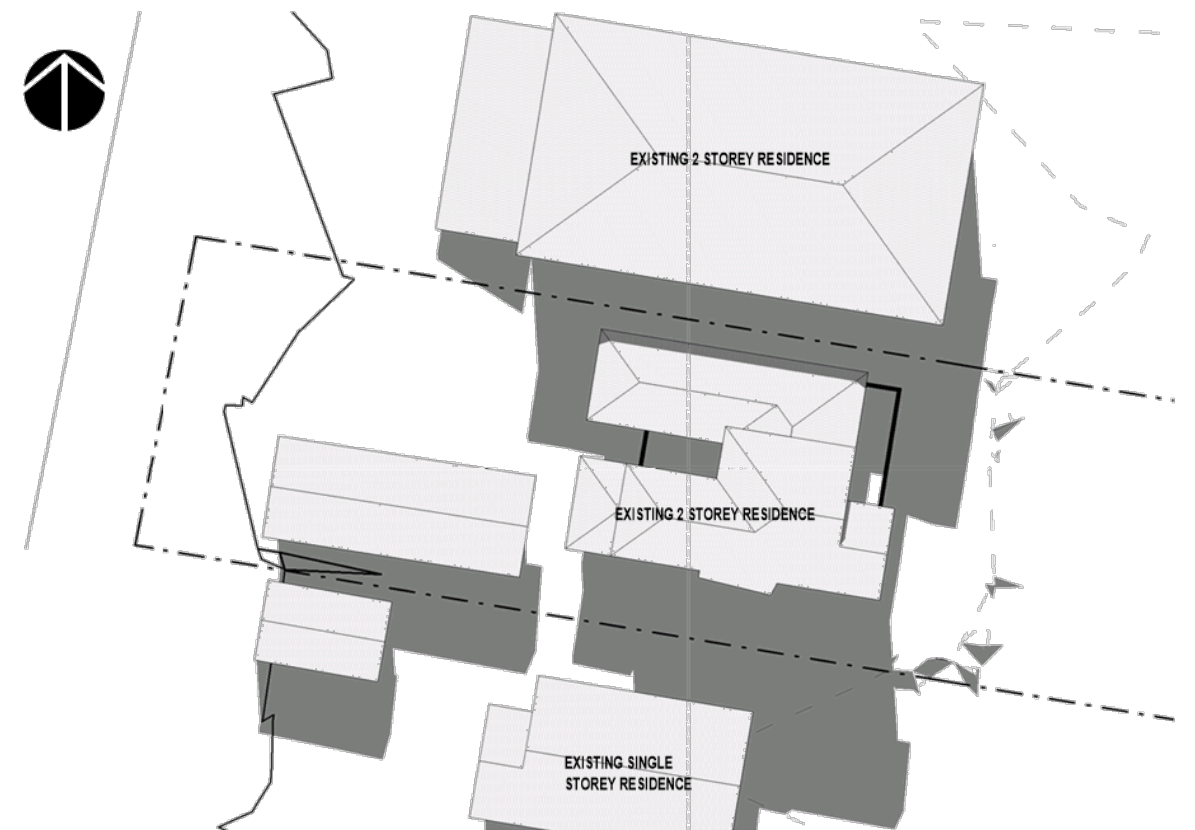
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	<p>concept design only</p>								

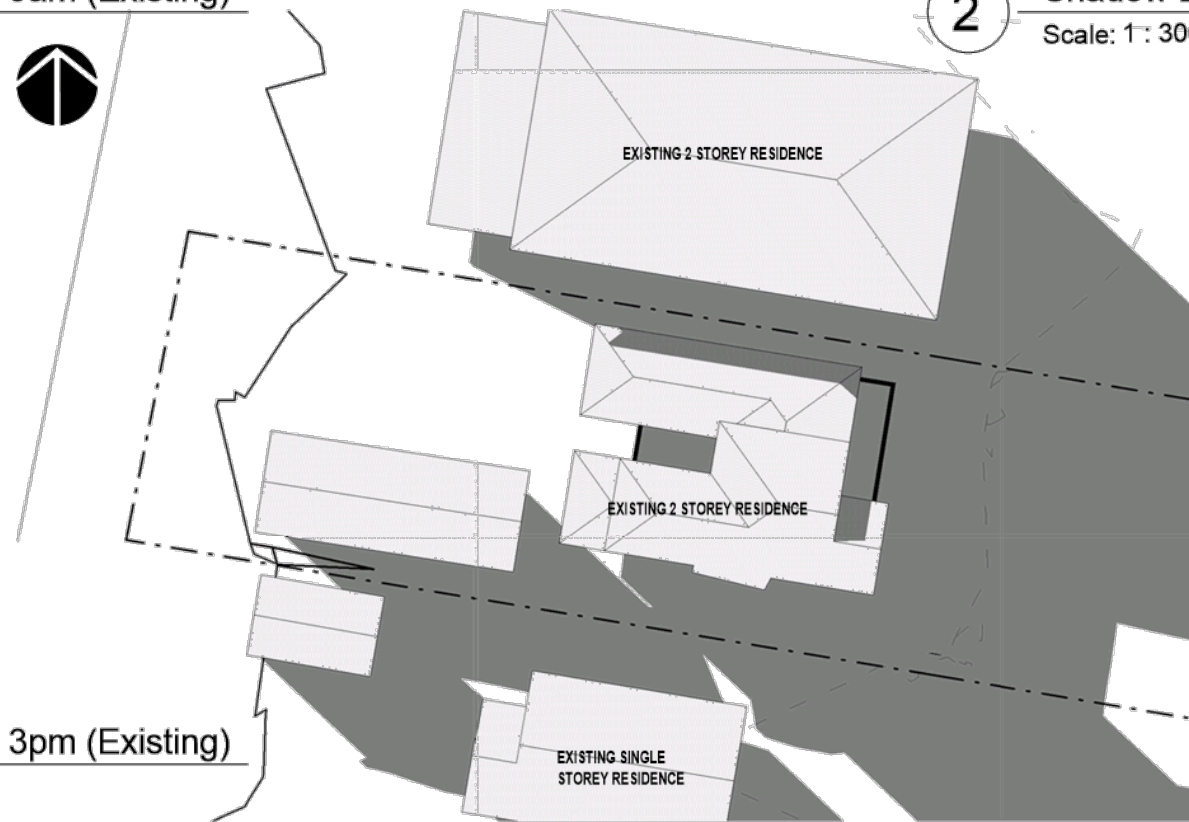
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1 Shadow Diagram - June 21 9am (Existing)
Scale: 1 : 300



2 Shadow Diagram - June 21 12pm (Existing)
Scale: 1 : 300



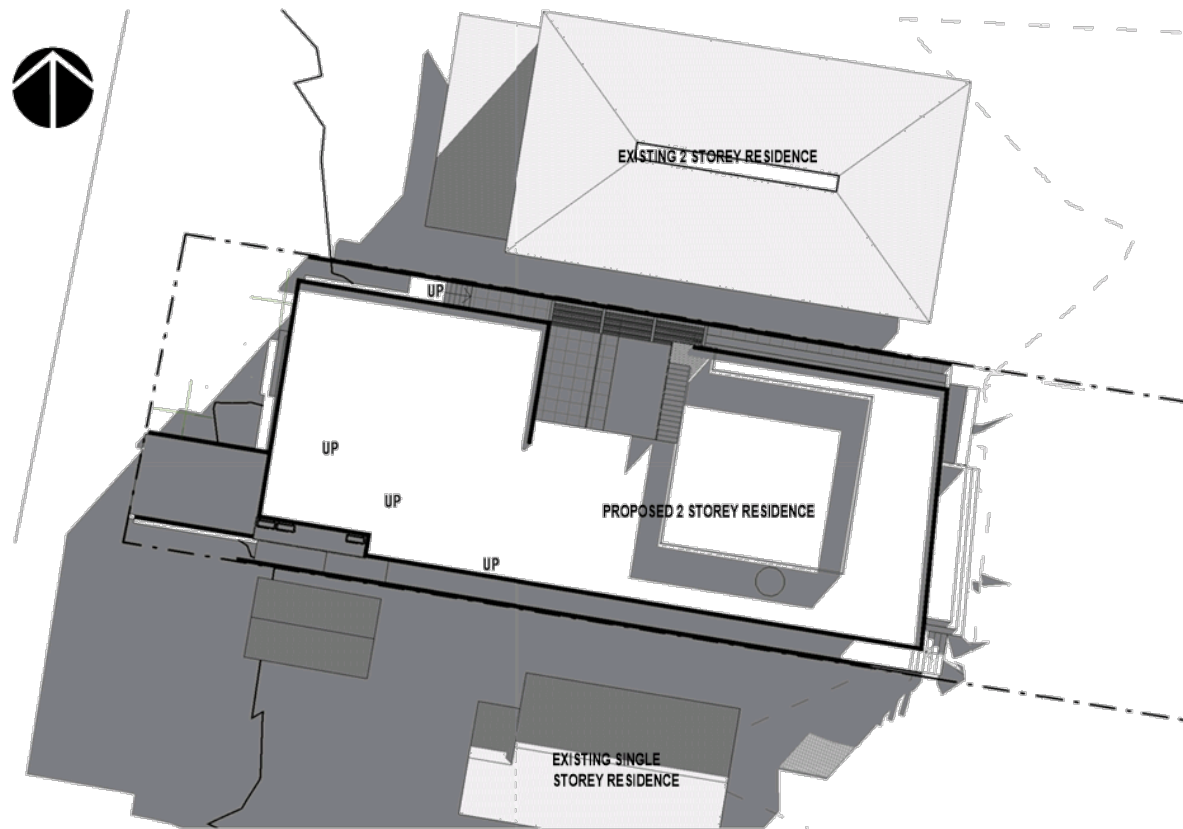
3 Shadow Diagram - June 21 3pm (Existing)
Scale: 1 : 300

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	Ph: 07 5502 4118 Fax: 07 5570 2119	Ph: 0412 488 044	

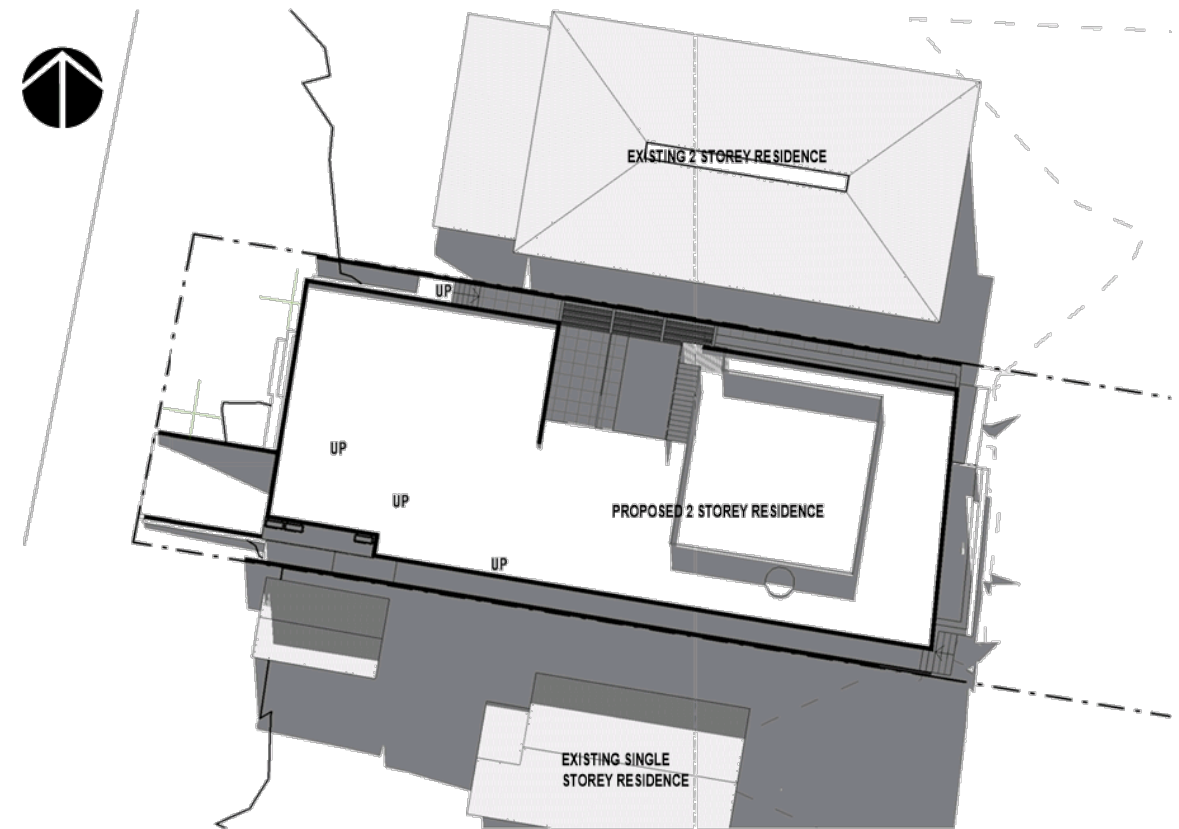
DRAWN	REV	DATE	DESCRIPTION	PROJECT	CLIENT	TITLE	ISSUE	DATE	DWG NO	PROJECT NO
MT	A	20.03.18	COUNCIL RR RESPONSE - DRIVEWAY SECTION	NEW RESIDENCE	M & T PRIEST	Shadow Diagrams (Existing)	SK-04	27.06.18	A-05-01	017-084
				5 RAYNER LANE LENNOX HEAD						MT
										1 : 300
										A3

concept design only

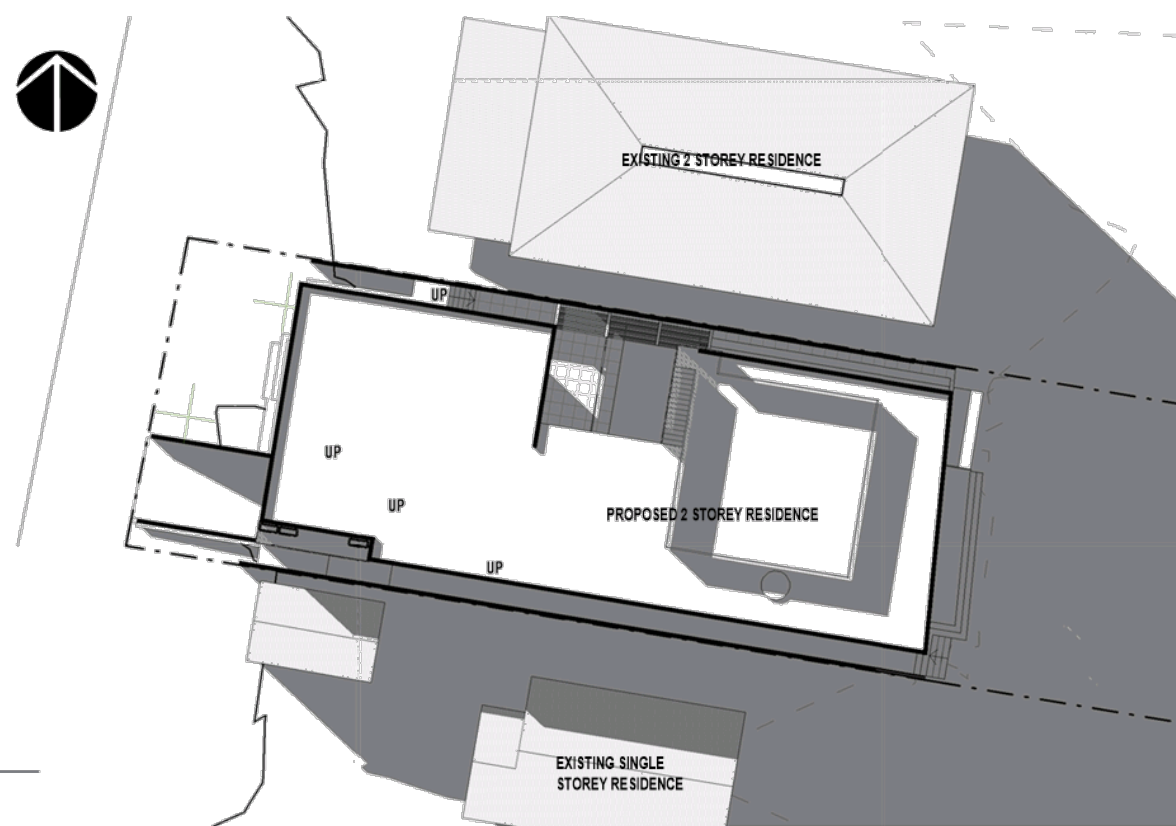
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1 Shadow Diagram - June 21 9am
Scale: 1 : 300



2 Shadow Diagram - June 21 12pm
Scale: 1 : 300



3 Shadow Diagram - June 21 3pm
Scale: 1 : 300


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DRAWN	REV	DATE	DESCRIPTION	PROJECT	CLIENT	TITLE	ISSUE	DATE	DWG NO
MT	A	20.03.18	COUNCIL/RFP RESPONSE - DRIVEWAY SECTION	NEW RESIDENCE	M & T PRIEST	Shadow Diagrams (Proposed)	SK-04	27.06.18	A-05-02
				5 RAYNER LANE LENNOX HEAD			concept design only		

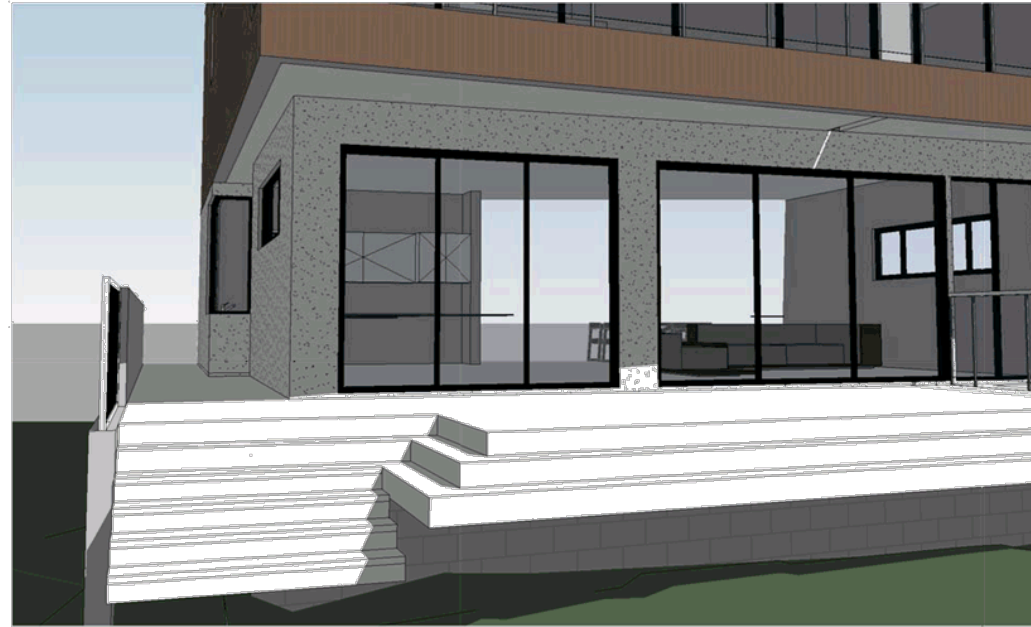
PROJECT NO	017-084
DRAWN	MT
SCALE	1 : 300
A3	

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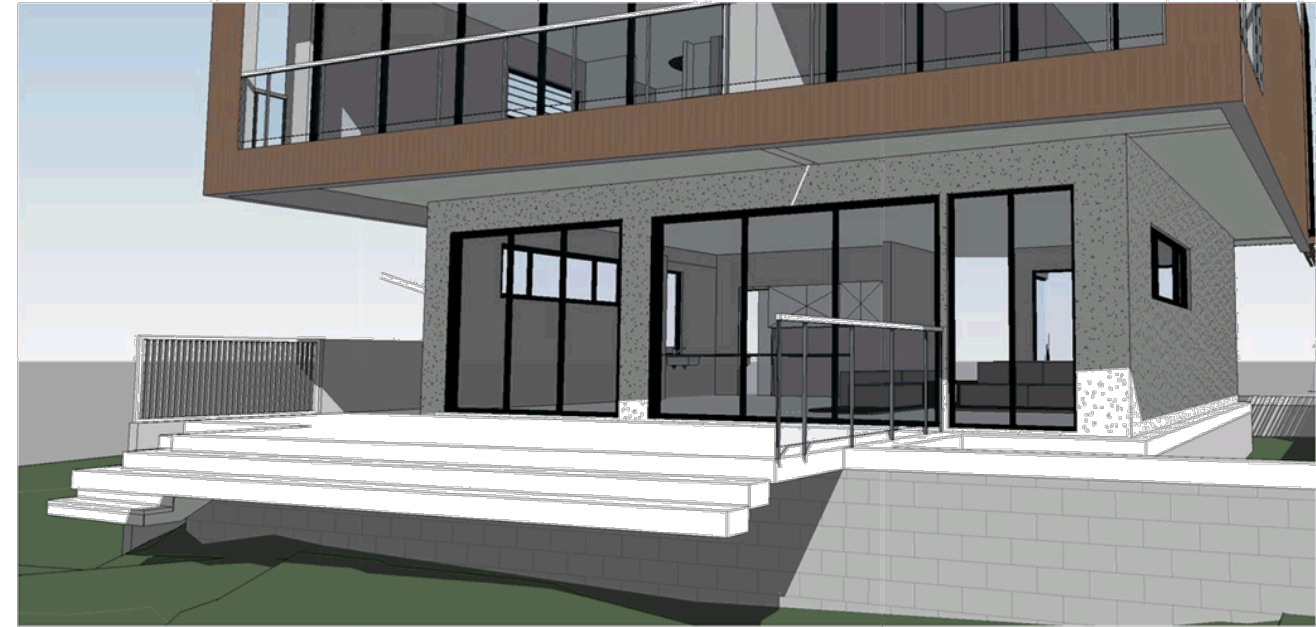


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		concept design only												


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1 Rear Stair perspective 1
Scale:



2 Rear Stair perspective 2
Scale:

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			<p>MT</p>	<p>A</p>	<p>23.03.18</p>	<p>COUNCIL RFR RESPONSE- DRIVEWAY SECTION</p>	<p>NEW RESIDENCE</p>	<p>M & T PRIEST</p>	<p>Perspectives</p>	<p>SK-04</p>	<p>27.06.18</p>	<p>A-10-02</p>	<p>017-084</p>

5 RAYNER LANE
LENNOX HEAD

concept design only

A3

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CLIENT/S:
Don & Julie Priest

PROJECT :
New Residence

PROJECT ADDRESS:
3 Rayner Lane Lennox Head

DA 2016/510

Approved plans for comparison only



SHEET NUMBER	ARCHITECTURAL SCHEDULE	REVISION
DA-00-01	Cover Sheet	C
DA-01-01	Site Plan	C
DA-01-02	Hardscape Plan	C
DA-01-03	Site Sections	B
DA-02-01	Ground Floor Plan	C
DA-02-02	Level 1 Floor Plan	C
DA-03-01	Elevations 1	B
DA-03-02	Elevations 2	B
DA-03-03	Elevations 3	B
DA-04-01	Front Perspectives	
DA-04-02	Rear Perspectives	

DEVELOPMENT APPLICATION DRAWINGS ISSUE 3 30.01.2017

Revision Schedule		
Date	Number	Description
07.11.2016	A	Create Building Envelope Mass to cast shadows as per BSC Building Envelope
05.11.2016	B	Remove all Shadow Diagrams. Shadow diagrams supplied by Shadow Consultant. Reduce overall Building Height by 110mm
30.01.2017	C	Modify building to clear the Foreshore Building Line



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ABN: 92 132 448 554
BSA: 1167391

BALLINA
PH 0412 488 044
56 MOON STREET
BALLINA NSW
2748



Project No :
016-063
Sheet No :
DA-00-01
Issue and Date:
30.01.2017

DRAWINGS PRINT TO SCALE ON A2 SHEETS

LOT NO. 43
3 RAYNER LANE
LENNOX HEAD

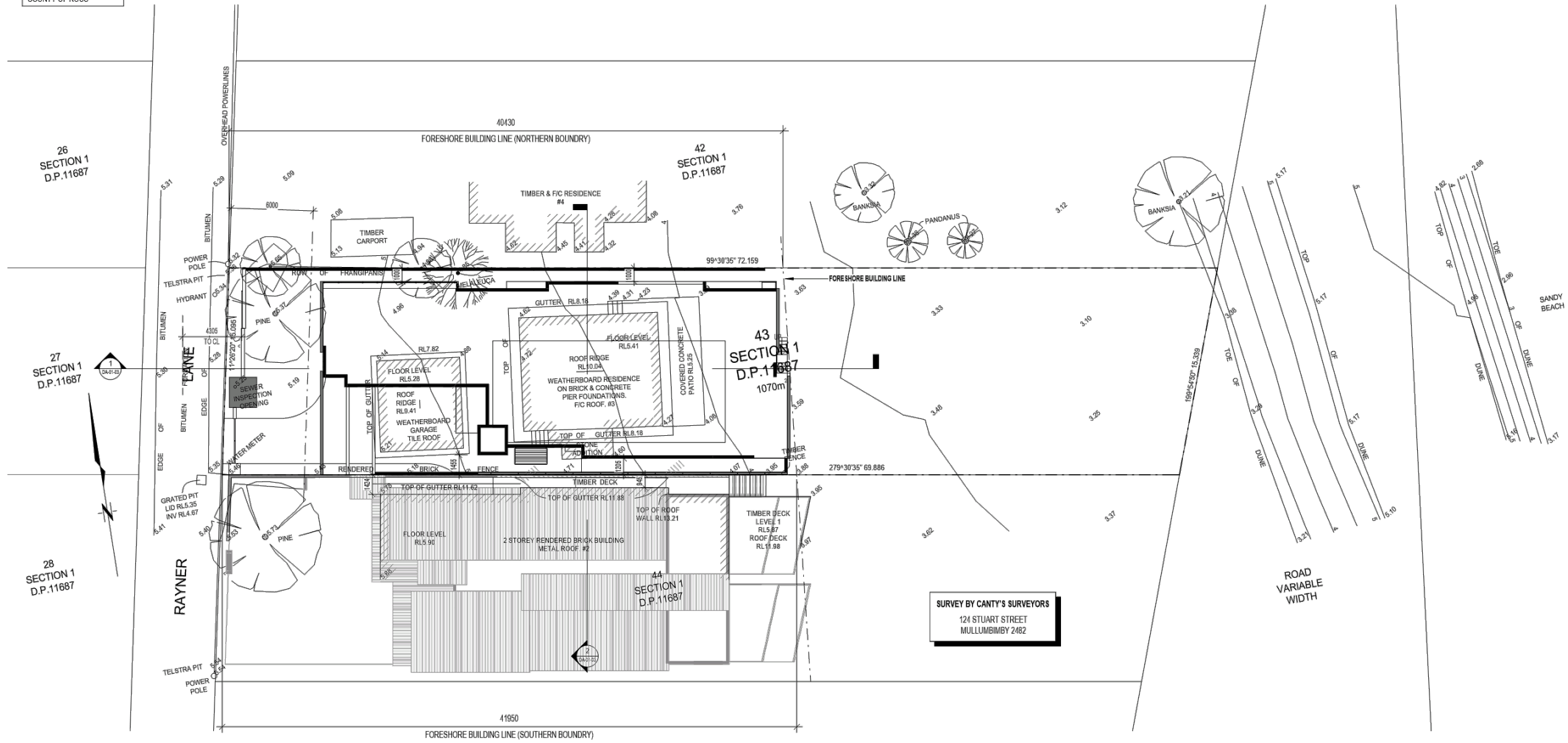
COUNCIL : BALLINA SHIRE COUNCIL

Footprint Area 360.00 m²
 Site Area 1070.00 m²
 Site Coverage 33%
 FSR = 47% (509m² / 1070²)




PROPERTY DESCRIPTION
 LOT 43 SECTION 1 DP 11687
 PARISH OF BALLINA
 COUNTY OF ROUS

DA 2016/510

Approved plans for comparison only

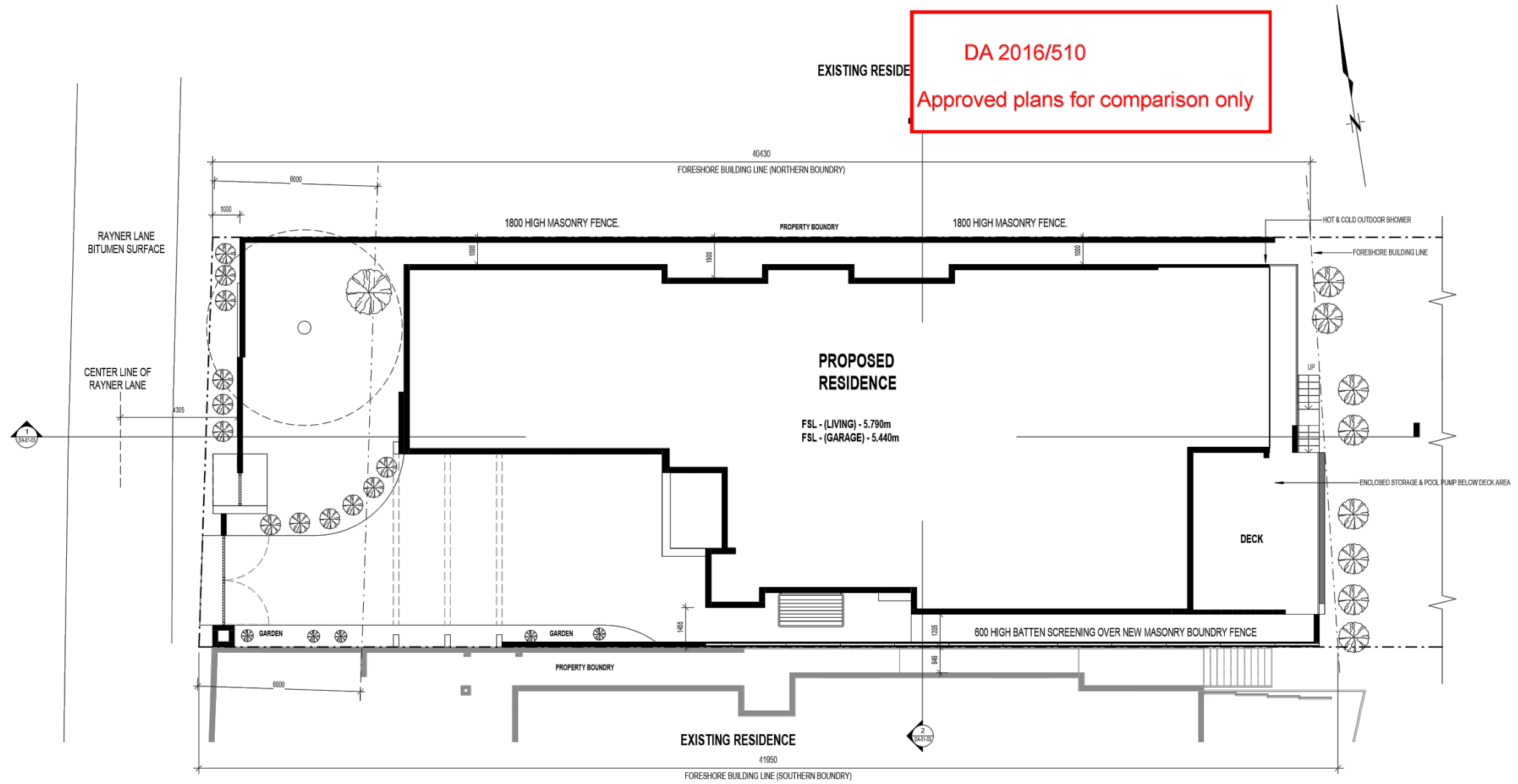


1 Site Plan
 Scale: 1 : 200

 MS design <small>Multi-disciplinary Design</small>	GOLD COAST PH 07 5570 4118 FAX 07 5570 4119 SUITE 8A, 47 ASHMORE ROAD BUNDALL QLD 4217 PO BOX 6785, GCMC BUNDALL 9726 ABN: 92 132 448 554 BSA: 1167391	BALLINA PH 0412 488 044 56 MOON STREET BALLINA NSW 2748	 ENDORSED Sustainable Building Designer	 building designers' association of queensland inc.
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Revision Schedule		
Date	Number	Revision Description
30.01.2017	C	Modify building to clear the Foreshore Building Line

client : Don & Julie Priest	designed by : MT	drawn by : SL	job no : 016-063
project : 3 Rayner Lane Lennox Head	issue & date : 30.01.2017		sheet no : DA-01-01
title : Site Plan			scale : 1 : 200 on A2

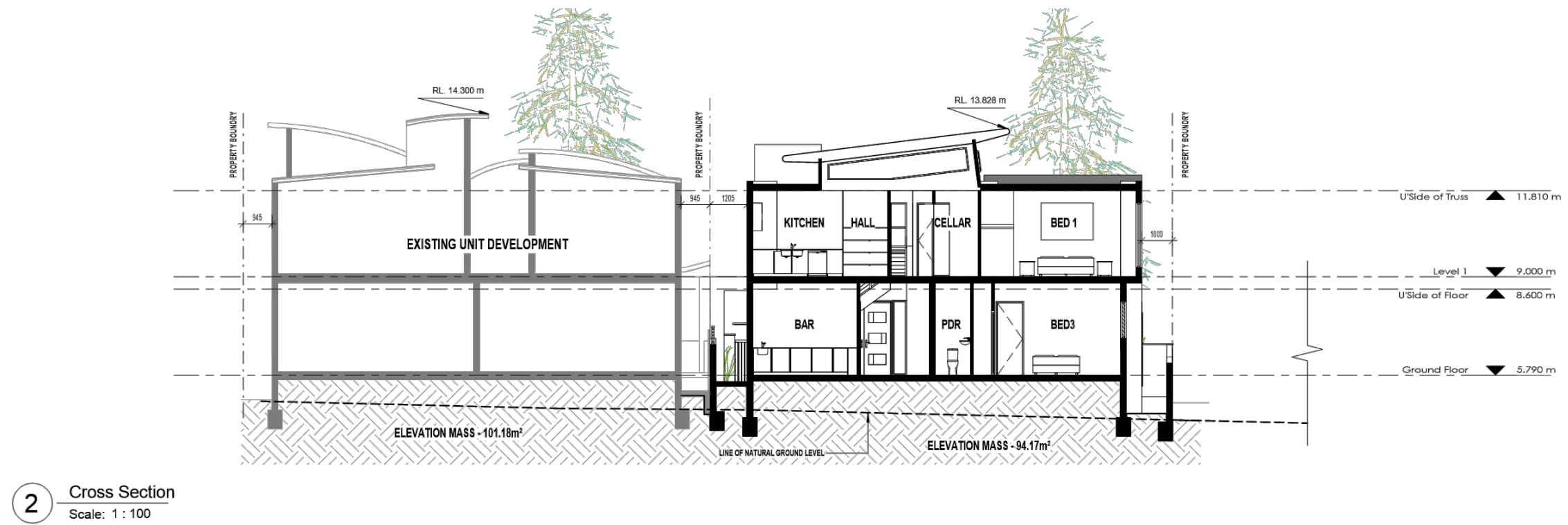
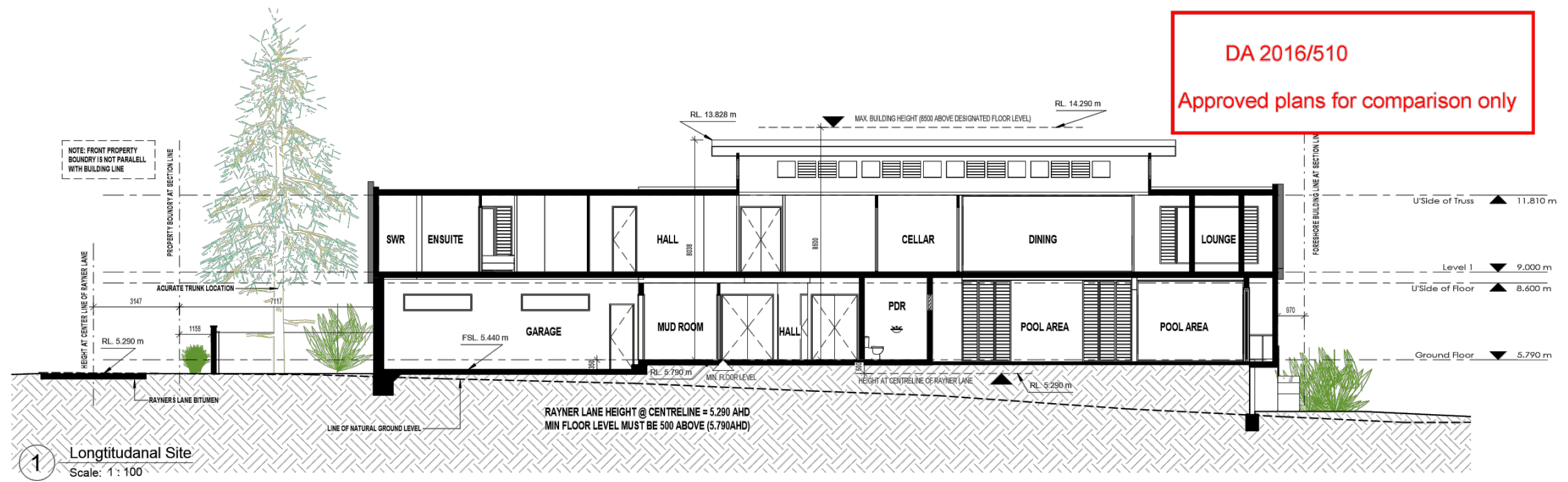


1 Hardscape Plan
Scale: 1 : 100

<p>MS design Building Designers</p>	<p>GOLD COAST PH 07 5570 4118 FAX 07 5570 4119 SUITE 8A, 47 ASHMORE ROAD BUNDALL QLD 4217 PO BOX 6786, GCMC BUNDALL 9726 ABN: 92 132 448 554 BSA: 1167391</p>	<p>BALLINA PH 0412 488 044 56 MOON STREET BALLINA NSW 2748</p>	<p>building designers' association of queensland inc.</p>
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Revision Schedule		
Date	Number	Revision Description
30.01.2017	C	Modify building to clear the Foreshore Building Line

client : Don & Julie Priest	designed by : MT	drawn by : SL	job no : 016-063
project : 3 Rayner Lane Lennox Head	issue & date : 30.01.2017		sheet no : DA-01-02
title : Hardscape Plan			scale : 1 : 100 on A2



MS design
Building Designers

GOLD COAST
PH 07 5570 4118
FAX 07 5570 4119
SUITE 8A, 47 ASHMORE ROAD
BUNDALL QLD 4217
PO BOX 6786, GCMC BUNDALL 9726
ABN: 92 132 448 554
BSA: 1167391

BALLINA
PH 0412 488 044
56 MOON STREET
BALLINA NSW 2748

ENDORSED Sustainable Building Designer

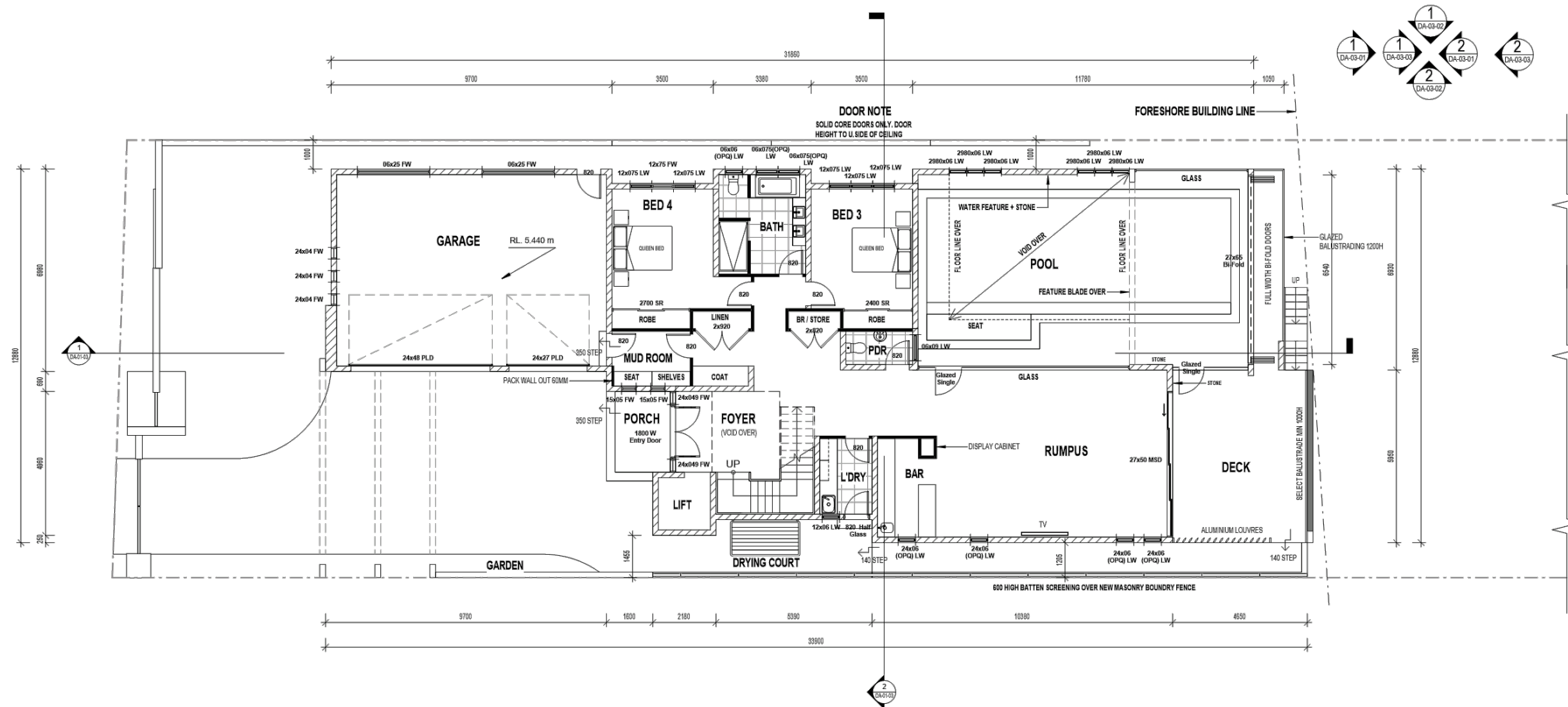
building designers' association of queensland inc.

Revision Schedule		
Date	Number	Revision Description
05.11.2016	B	Remove all Shadow Diagrams. Shadow diagrams supplied by Shadow Consultant. Reduce overall Building Height by 110mm




client : Don & Julie Priest	designed by : MT	drawn by : SL	job no : 016-063
project : 3 Rayner Lane Lennox Head	issue & date : 30.01.2017		sheet no : DA-01-03
title : Site Sections			scale : 1 : 100 on A2

GF Floor Areas	
Name	Area
GF Living	172.39 m ²
Enclosed Pool	81.87 m ²
Garage	66.83 m ²
Rear Deck	38.16 m ²
Porch	6.60 m ²
Grand total	365.85 m ²

DA 2016/510
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1 Ground Floor
Scale: 1 : 100

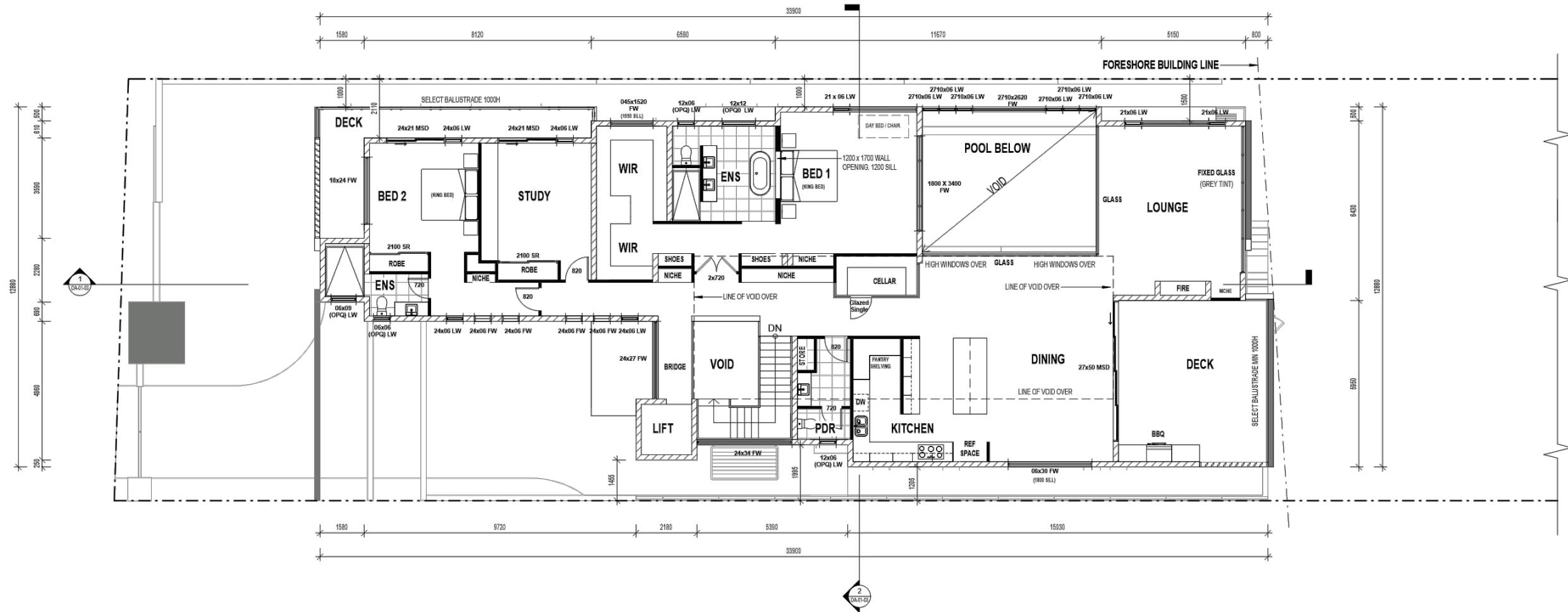
 MS design Building Designers	GOLD COAST PH 07 5570 4118 FAX 07 5570 4119 SUITE 8A, 47 ASHMORE ROAD BUNDALL QLD 4217 PO BOX 6786, GCMC BUNDALL 9726 ABN: 92 132 448 554 BSA: 1167391	BALLINA PH 0412 488 044 56 MOON STREET BALLINA NSW 2748	 ENDORSED Sustainable Building Designer	 building designers' association of queensland inc.
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Revision Schedule		
Date	Number	Revision Description
30.01.2017	C	Modify building to clear the Foreshore Building Line




client : Don & Julie Priest	designed by : MT	drawn by : SL	job no : 016-063
project : 3 Rayner Lane Lennox Head	issue & date : 30.01.2017		sheet no : DA-02-01
title : Ground Floor Plan			scale : 1 : 100 on A2

Lev 1 Floor Areas	
Name	Area
Lev 1 Living	278.95 m ²
BBQ Deck	33.92 m ²
Pool Void	33.31 m ²
Lev 1 Deck	17.17 m ²
Grand total	363.34 m ²

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1 Level 1
Scale: 1 : 100

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Revision Schedule		
Date	Number	Revision Description
30.01.2017	C	Modify building to clear the Foreshore Building Line

client : Don & Julie Priest	designed by : MT	drawn by : SL	job no : 016-063
project : 3 Rayner Lane Lennox Head	issue & date : 30.01.2017		sheet no : DA-02-02
title : Level 1 Floor Plan			scale : 1 : 100 on A2



1 West Elevation (Schematic)
Scale: 1 : 75

2 East Elevation (Schematic)
Scale: 1 : 75

<p>MS design Building Designers</p> <p>© copyright ms design pty ltd</p>	<p>GOLD COAST PH 07 5570 4118 FAX 07 5570 4119 SUITE 8A, 47 ASHMORE ROAD BUNDALL QLD 4217 PO BOX 6786, GCMC BUNDALL 9726 ABN: 92 132 448 554 BSA: 1167391</p>	<p>BALLINA PH 0412 488 044 56 MOON STREET BALLINA NSW 2748</p>	<p>building designers' association of queensland inc.</p>
	<p>30/01/2017 10:07:28 AM M:\MS Design Job Folder\2016 Job\016-063 - Don & Julie Priest - 3 Rayner Lane Lennox Head\REV\1016-063 Don & Julie Priest - 3 Rayner Lane Lennox Head (2).rvt</p>		

Revision Schedule		
Date	Number	Revision Description
05.11.2016	B	Remove all Shadow Diagrams. Shadow diagrams supplied by Shadow Consultant. Reduce overall Building Height by 110mm

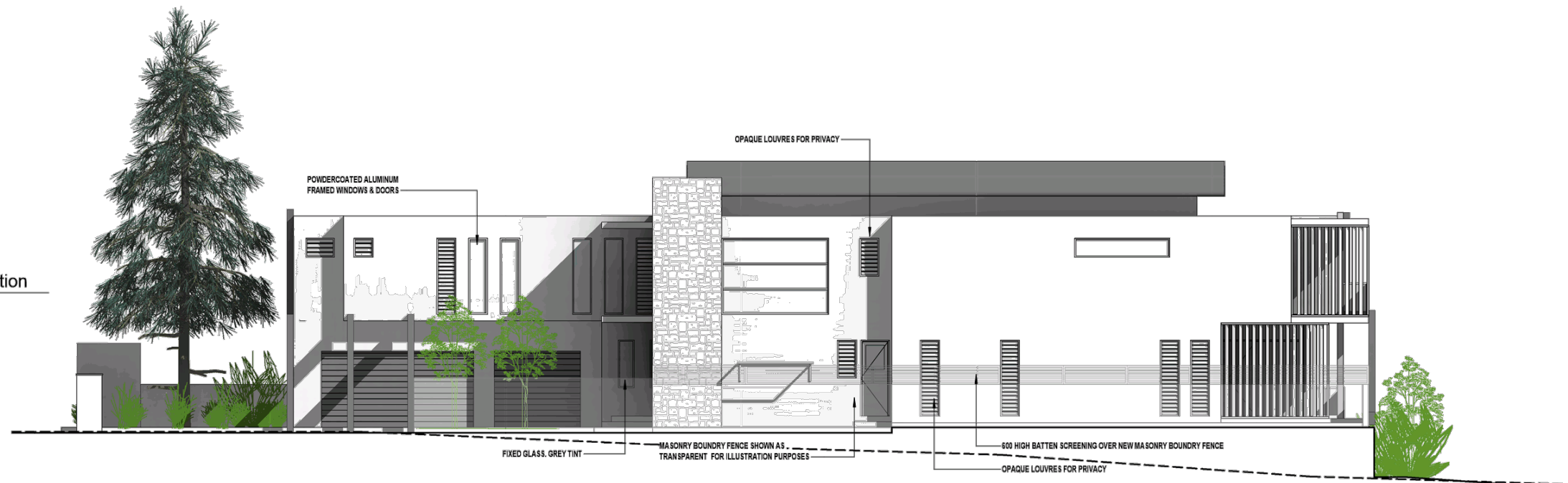
client: Don & Julie Priest	designed by: MT	drawn by: SL	job no: 016-063
project: 3 Rayner Lane Lennox Head	issue & date: 30.01.2017		sheet no: DA-03-01
	title: Elevations 1		scale: 1 : 75 on A2




DA 2016/510
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1 North Elevation
Scale: 1 : 100



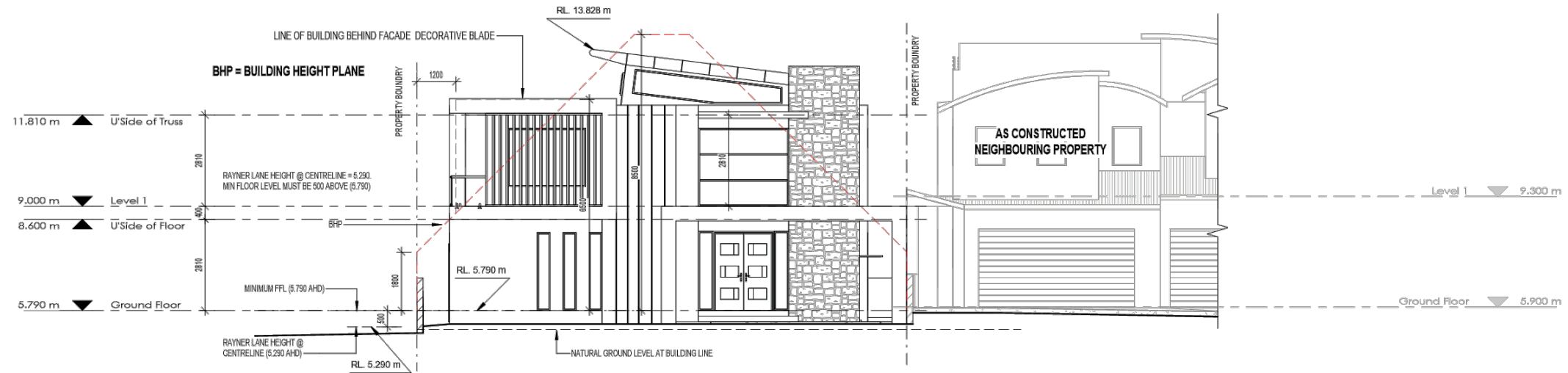
2 South Elevation
Scale: 1 : 100



 MS design Building Designers	GOLD COAST PH 07 5570 4118 FAX 07 5570 4119 SUITE 8A, 47 ASHMORE ROAD BUNDALL QLD 4217 PO BOX 6786, GCMC BUNDALL 9726 ABN: 92 132 448 554 BSA: 1167391	BALLINA PH 0412 488 044 56 MOON STREET BALLINA NSW 2748	 ENDORSED Sustainable Building Designer	 building designers' association of queensland inc.
	<small>30/01/2017 10:07:39 AM M:\MS Design Job Folder\2016 Jobs\016-063 - Don & Julie Priest - 3 Rayner Lane Lennox Head\REV\T\016-063 Don & Julie Priest - 3 Rayner Lane Lennox Head (2).rvt</small>			

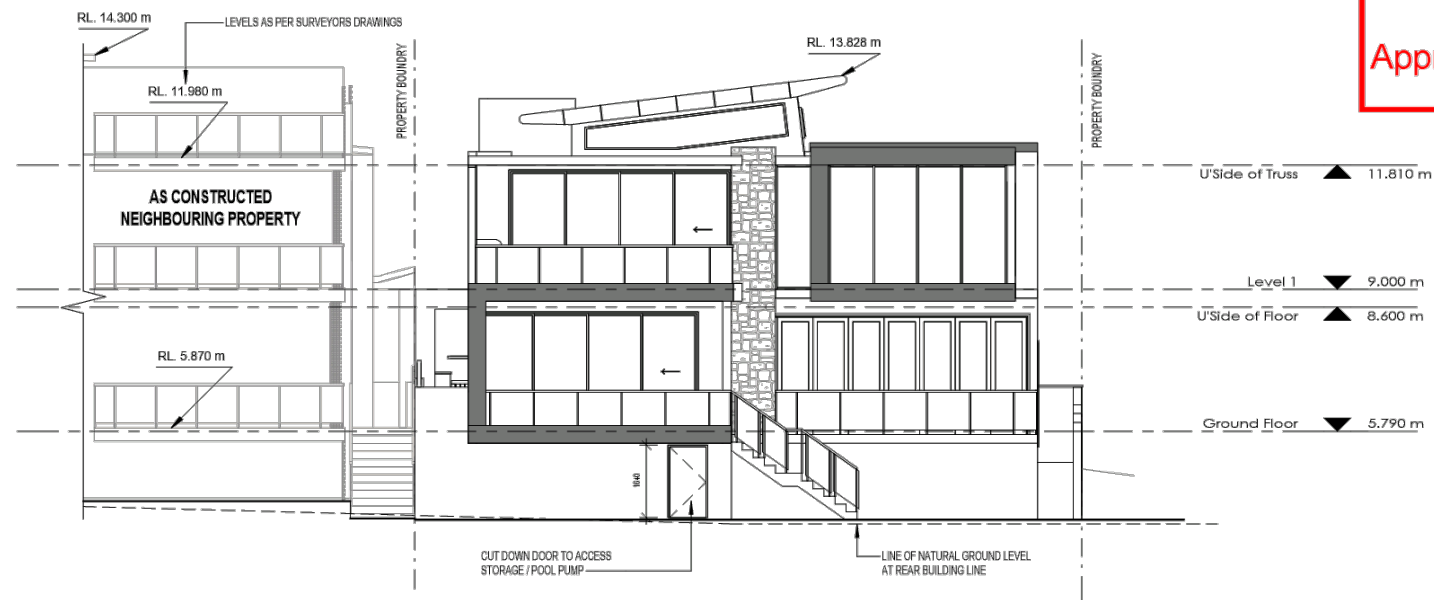
Revision Schedule		
Date	Number	Revision Description
05.11.2016	B	Remove all Shadow Diagrams. Shadow diagrams supplied by Shadow Consultant. Reduce overall Building Height by 110mm

client : Don & Julie Priest	designed by : MT	drawn by : SL	job no : 016-063
project : 3 Rayner Lane Lennox Head	issue & date : 30.01.2017		sheet no : DA-03-02
	title : Elevations 2		scale : 1 : 100 on A2






1 West Elevation
Scale: 1 : 100

DA 2016/510
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2 East Elevation
Scale: 1 : 100

 MS design Building Designers	GOLD COAST PH 07 5570 4118 FAX 07 5570 4119 SUITE 8A, 47 ASHMORE ROAD BUNDALL QLD 4217 PO BOX 6786, GCMC BUNDALL, 9726 ABN: 92 132 448 554 BSA: 1167391	BALLINA PH 0412 488 044 56 MOON STREET BALLINA NSW 2748	 ENDORSED Sustainable Building Designer	 building designers' association of queensland inc.
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Revision Schedule		
Date	Number	Revision Description
05.11.2016	B	Remove all Shadow Diagrams. Shadow diagrams supplied by Shadow Consultant. Reduce overall Building Height by 110mm

client : Don & Julie Priest	designed by : MT	drawn by : SL	job no : 016-063
project : 3 Rayner Lane Lennox Head	issue & date : 30.01.2017		sheet no : DA-03-03
title : Elevations 3			scale : 1 : 100 on A2



DA 2016/510
Approved plans for comparison only






 MS design Building Designers	GOLD COAST PH 07 5570 4118 FAX 07 5570 4119 SUITE 8A, 47 ASHMORE ROAD BUNDALL QLD 4217 PO BOX 6786, GCMC BUNDALL 9726 ABN: 92 132 448 554 BSA: 1167391	BALLINA PH 0412 488 044 56 MOON STREET BALLINA NSW 2748	 ENDORSED Sustainable Building Designer	 building designers' association of queensland inc.
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Revision Schedule		
Date	Number	Revision Description

client : Don & Julie Priest	designed by : MT	drawn by : SL	job no : 016-063
project : 3 Rayner Lane Lennox Head	issue & date : 30.01.2017		sheet no : DA-04-01
title : Front Perspectives			scale : on A2



DA 2016/510
Approved plans for comparison only

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Revision Schedule		
Date	Number	Revision Description

client : Don & Julie Priest	designed by : MT	drawn by : SL	job no : 016-063
project : 3 Rayner Lane Lennox Head	issue & date : 30.01.2017		sheet no : DA-04-02
title : Rear Perspectives			scale : on A2













8.3 **DA 2017/707 - 5 Rayner Lane, Lennox Head.DOC**

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

17 January 2018

General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478

Copies: Mr Gary Gee

SUBJECT: DEVELOPMENT APPLICATION DA 2017/707 - 5 RAYNER LANE, LENNOX HEAD. NSW 2478

Dear Sirs,

We wish to offer this **letter of support for DA 2017/707** for the redevelopment of 5 Rayner Lane Lennox Head.

We advise that we have viewed the plans and discussed the project with the owners. We believe their new home will be interesting architecturally, in keeping with the style and size of houses in Rayner Lane, and generally enhance the image of the area.

As such would like to support their development application.

Yours sincerely

Don and Julie Priest

J Manyweathers
4 Rayner Lane,
Lennox Head, NSW, 2478
jjmanyweathers@hotmail.com
0419941552

Gary Gee
Ballina Shire Council
40 Cherry Street, Ballina, 2478.

Re: Submission in regards to DA 2017/707 for Lot 41: Sec:1 DP: 11687 5 Rayner Lane, Lennox Head

The Manyweathers property (4 Rayner Lane) is located directly adjacent to the south of lot 41 on the Eastern side of Rayner Lane.

We would like to object to the development application based on:

1. the proposed encroachment in the building envelope controls,
2. the excessive loss of privacy due to the location of the rooftop terrace,
3. the overall height of the roof line towards the Eastern elevation, and
4. the excessive height of the boundary fence/wall.

According to the Ballina Shire DCP 2012, the development application is not compliant for the following reasons:

1. The development application includes an unacceptable encroachment outside of the Ballina DCP building envelope controls. These controls have been deliberately disregarded and the impact on the current and future use of 4 Rayner Lane has been ignored. The proposal is not for a minor encroachment but for a significant encroachment extending the length of the Southern boundary. The effect of this encroachment increases in an Easterly direction. If the building envelope lines were drawn correctly on the Eastern elevation beginning at 1.8m above the natural ground at the Base of the Eastern wall, the true extent of the encroachment would become clearer. This encroachment not only dramatically increases the shadowing over the current and future use of 4 Rayner Lane. It also creates an elevation over 9m high from the natural ground line at the boundary to the top of the second storey roof at the South Eastern corner of the house with the rooftop terrace extending above this again. This will cause an unacceptable loss of sunlight and loss of privacy at 4 Rayner Lane. To allow such an encroachment would be to substantially decrease the current and future amenity of 4 Rayner Lane, specifically reducing solar access and privacy.

Notes:

Encroachments to the side and rear boundary building envelopes will generally not be supported along the southern and western elevations. This is because these elevations have the greatest capacity to overshadow adjoining properties, including existing or future *private open space* required to meet the provisions of this DCP.

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.

J. Element - Solar Access

Objectives

- a. Ensure new dwellings have adequate direct sunlight to living areas (living rooms, lounge rooms, kitchens, dining rooms and the like) and *private open space*; and
- b. Ensure developments do not significantly overshadow living areas and the *private open space* of adjacent dwellings and areas of foreshore open space.

3.1.3 Development Controls

A. Element - Building Height

Objectives

- a. Ensure that the height of buildings (*building height*) is compatible with the bulk, scale and character of the locality;
- b. Minimise adverse impacts on existing or future amenity of adjoining properties and scenic or landscape quality of the locality; and
- c. Protect significant views from public places.

Controls

- i. The height of any building (*building height*) is to comply with the provisions of the BLEP 2012.
- ii. Buildings with 3 levels or greater development must be designed to minimise overshadowing and protect the privacy of occupants of adjoining buildings.

2. It is clear that the rooftop terrace proposed on top of this house should be considered a level from the perspective of privacy, even if it is not technically considered a storey. As such, the privacy implications of this terrace should be taken into consideration. Our objection is that this proposed rooftop terrace will pose an unacceptable reduction to the current and future privacy experienced at 4 Rayner Lane. Any rooftop terrace along the Southern edge of the house will look directly down into the house in its current location and into any future redevelopment of the site. A rooftop terrace in this location should not be allowed since the loss of privacy would clearly fall outside Ballina's DCP.

Controls – additional privacy requirements for roof terraces

- i. Roof top terraces and associated structures shall be designed so their size and location does not impose upon or have unreasonable impacts on the privacy adjoining dwellings; and
- ii. Awnings and coverings on roof terraces must be located within the applicable height limits for structures and must not unduly obstruct views from surrounding properties; and
- iii. Roof terraces are to be appropriately located and screened to prevent direct views into habitable rooms or *private open space* of any adjoining dwellings.

3. The development application as it is currently drawn shows a natural ground line sloping towards the East with a level roof line above. It is difficult to interpret the implications of this without access to the

contour plan but it appears that this leads to height to the top of the roof over 9m from this ground line and to much higher to the top of the rooftop terrace balustrade. Consideration should be made to the total height proposed along these Southern and Eastern Elevation as it contribute significantly to the overshadowing of 4 Rayner Lane as increasing the visual bulk from the beach and contributing to the unbroken skyline that is slowly taking over Rayner Lane.

4. The development application as drawn, shows a boundary wall between the new house and the existing 4 Rayner lane property. This wall appears to begin 2m above the natural ground line at the South Western corner of the new house. Along the boundary towards the East, this wall appears to remain level along the top, to end up around 3m high by the South Eastern corner of the new house. This is an unnecessary and obtrusive wall which is not compliant with Ballina DCP as noted below. This 3m high wall will remove all possibility of North Easterly breeze and sunlight as well as creating a visually imposing and overpowering eyesore from our side of the boundary.

i. The height of fences must not exceed the heights shown in **Table 4.5**:

Table 4.5 - Height of Fences

Fence Location	Height
Front Fence*	1.2 metres unless fence complies with point ii. below.
Side Fence	1.2 metres forward of the building line and 1.8 metres for the remainder.
Rear Fence	1.8 metres. Where the rear fence is the primary frontage, 1.2 metres.

*Front fence refers to a fence on the front boundary or forward of the building line on the primary street frontage of a site.

In general, although it is argued that the scale and bulk of the development may be in keeping with some other developments along Rayner lane, it will dwarf, overshadow and significantly diminish the amenity of 4 Rayner Lane.

No attempt has been made to reduce the impact of the scale of the house on our property or to reduce the amount that it will overshadow us and take away our privacy. We believe that more consideration could lead to a design which would allow the same benefits to the inhabitants of the new house without reducing the sunlight, privacy and amenity of our house.

We appreciate your consideration of these objections and hope that they are taken into account as you assess this application.

This document has been prepared on behalf of Jeannette Manyweathers by her daughters and powers of attorney Jennifer O'Leary (0419941552) and Margaret Sheely.

Jennifer O'Leary

Margaret Sheely





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alan@loganarchitecture.com.au www.loganarchitecture.com.au ABN 23 938 035 716 - Registration No. 5674

9 January, 2018
The General Manager
Byron Shire Council
PO Box 450
Ballina NSW 2478

RE: DA 2017 / 707 Lot 41 Sec 1 DP 11687 5 Rayner Lane, Lennox Head

On behalf of our client, Mr Craig Watson who is the owner of 45 – 49 Ballina street Lennox Head, we wish to object to the above application.

Mr Watsons property is located on the western side of Rayner Lane directly opposite the property on which the subject application has been lodged.

Mr Watson has consent for four dwellings to the Rayner Lane frontage of his property by development consent no. 2014/609

The subject application will have a direct impact on our client's property, due to the non - compliance with the building height plane and Rayner Lane setbacks, leading to a loss of amenity, outlook and views.

Mr Watson, in gaining consent for his project, strictly complied with council's development controls, and council strictly required compliance with its controls.

It is obvious when looking at the drawings for the subject property that there has been a blatant disregard for councils building height plane control to the northern and southern boundaries, to the point that it has been completely ignored.

This is evident in the east and west elevations of the proposed building where the building height plan is delineated.

One of the objectives of a building height plane is to allow view corridors between buildings

View corridors allow buildings on the western side of Rayner Lane to obtain ocean views between buildings on the western side of Rayner Lane. This is a sensible planning principle.

The proposed building on 5 Rayner Lane presents as a 2 storey high block to the street frontage apart from minimal 1 metre side boundary setbacks.

With regard to the statement of environmental effects submitted with the subject application prepared by Ardill Payne and Partners, we make the following comments.

Chapter 4 Residential and Tourist Developments

C Building envelopes

- *the proposal will not have any adverse impacts on the existing or future amenity of adjoining properties and the scenic or landscape quality of the locality*

Conclusion

The proposed dwelling does not comply with the building envelope and Rayner Lane building line controls under the DCP, however, the departures have been assessed and are considered reasonable and not such that will have any significant adverse impacts on the landscape or streetscape or the amenity of any adjoining property. The proposed development has been assessed under all relevant environmental planning

Comment

The above statements from the SEE are very subjective. To say that non-compliance with the building height plane is reasonable cannot be substantiated, nor can the statement that the proposal will not have any adverse impacts on the existing or future amenity of adjoining properties.

It is not reasonable to ignore the building height plane to the northern and southern boundaries. What is the point of council having a building height plane planning control if it can be ignored.

The building height plane control is not confined to addressing overshadowing issues, but also issues such as open space, wind movement, sunlight, setbacks view corridors and space between buildings.

The proposal has a direct impact on our clients and adjoining properties by effecting their amenity.

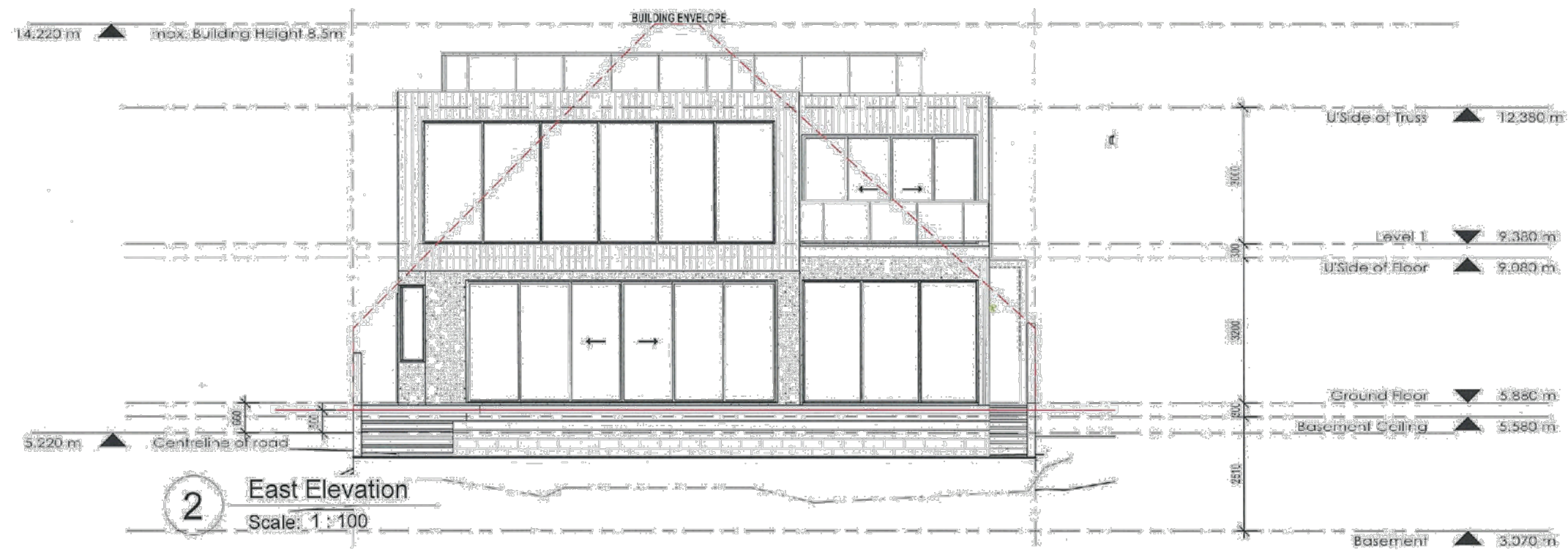
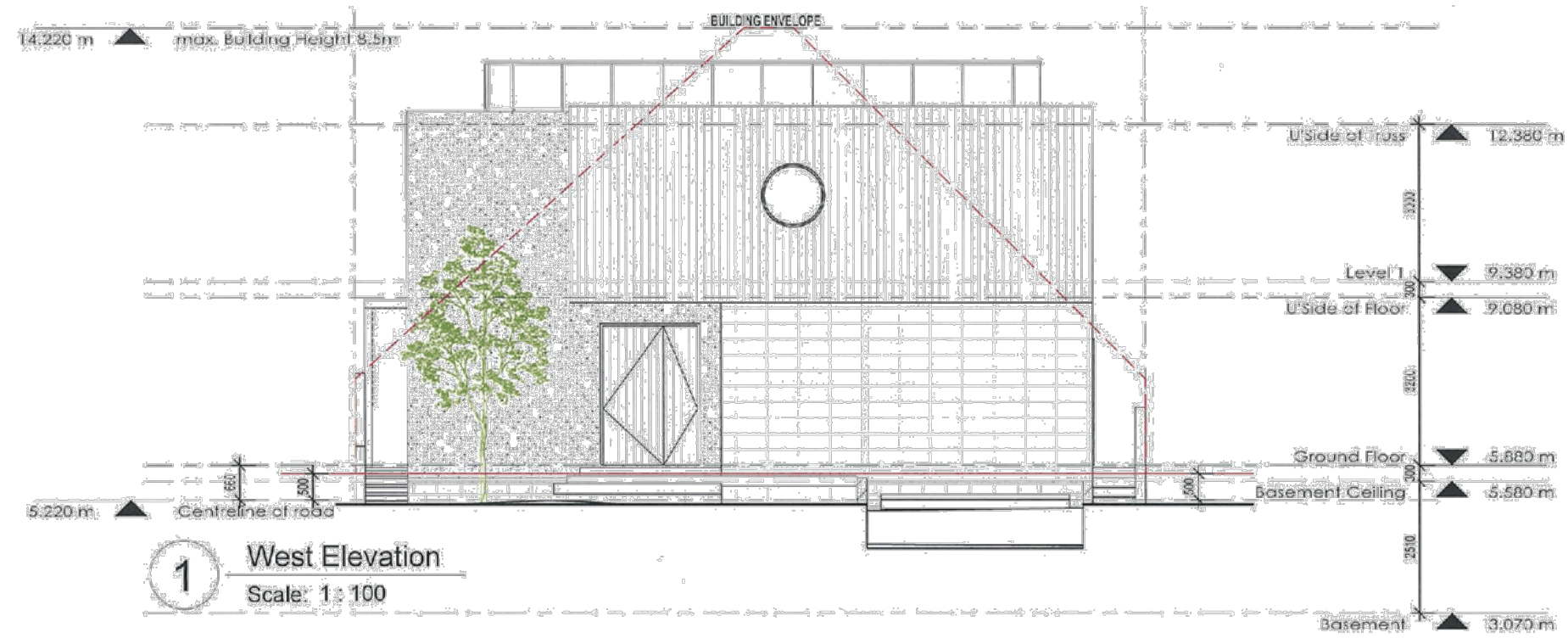
The proposal would not set a good precedent for the development of the eastern side of Rayner Lane.

We would request that council request that the applicant present a scheme that fully complies with councils building height plane and setback provisions.

Yours Faithfully

AG Logan

Alan Logan



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	<p>Do not scale from drawings. Dimensions are to be checked on site prior to commencement of work. Discrepancies to be brought to the attention of the author. Any dimensions not mentioned must be referred to the designer for confirmation. The concepts and information contained in this document are the copyright of MS Design. Use or copying of the document in whole or in part without the written permission of MS Design constitutes an infringement of copyright.</p>			

J Manyweathers
4 Rayner Lane,
Lennox Head, NSW, 2478.
jjmanyweathers@hotmail.com
0419941552

Ballina Shire Council
40 Cherry Street, Ballina, 2478.

Re: Submission in regards to amended DA 2017/707 for Lot 41: Sec: I DP: 11687 5 Rayner Lane, Lennox Head

The Manyweathers property (4 Rayner Lane) is located directly adjacent to the south of lot 41 on the Eastern side of Rayner Lane.

We have previously objected to the development application based on:

1. the proposed encroachment in the building envelope controls,
2. the excessive loss of privacy due to the location of the rooftop terrace,
3. the overall height of the roof line towards the Eastern elevation, and
4. the excessive height of the boundary fence/wall.

Of these 4 points, the loss of privacy due to the location of the rooftop terrace (point 2 above) has been dealt with in the amended application. However we still object to the amended application based on the remaining 3 points which have not been adequately dealt with in this most recent revised application.

Although the Southern elevation has been moved in from the southern boundary by 200mm and the height of the rooftop terrace has been lowered by approximately 160mm, the building does still not even come close the Ballina Shire building envelope controls. As such our first objection remains the same. Although the encroachment is clearly drawn on the Eastern and Western elevations, we would like to emphasize that the building envelope as drawn onto the Eastern elevation, does not adequately show the extent of this encroachment since it is drawn in with reference to ground lines apparently taken from the Western elevation which are significantly higher.

Minor variations to the overall height and boundary setback have made no practical difference to the unacceptable shadowing that the proposed development will create directly over our house at 4 Rayner Lane. The shadow diagrams presented demonstrate complete shadowing of the winter sun on the living areas of our house.

According to the Ballina Shire DCP 2012, the development application is not compliant for the following reasons:

1. The development application includes an unacceptable encroachment outside of the Ballina DCP building envelope controls. These controls have been deliberately disregarded and the impact on the

current and future use of 4 Rayner Lane has been ignored. The proposal is not for a minor encroachment but for a significant encroachment extending the length of the Southern boundary. The effect of this encroachment increases in an Easterly direction. If the building envelope lines were drawn correctly on the Eastern elevation beginning at 1.8m above the natural ground at the Base of the Eastern wall, the true extent of the encroachment would become clearer. This encroachment not only dramatically increases the shadowing over the current and future use of 4 Raynor Lane. It also creates an elevation over 9m high from the natural ground line at the boundary to the top of the second storey roof at the South Eastern corner of the house with the rooftop terrace extending above this again. This will cause an unacceptable loss of sunlight and loss of privacy at 4 Rayner Lane. To allow such an encroachment would be to substantially decrease the current and future amenity of 4 Rayner Lane, specifically reducing solar access and privacy.

Notes:

Encroachments to the side and rear boundary **building envelopes** will generally not be supported along the southern and western elevations. This is because these elevations have the greatest capacity to overshadow adjoining properties, including existing or future **private open space** required to meet the provisions of this DCP.

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.

J. Element - Solar Access

Objectives

- a. Ensure new dwellings have adequate direct sunlight to living areas (living rooms, lounge rooms, kitchens, dining rooms and the like) and **private open space**; and
- b. Ensure developments do not significantly overshadow living areas and the **private open space** of adjacent dwellings and areas of foreshore open space.

3.1.3 Development Controls

A. Element - Building Height

Objectives

- a. Ensure that the height of buildings (**building height**) is compatible with the bulk, scale and character of the locality;
- b. Minimise adverse impacts on existing or future amenity of adjoining properties and scenic or landscape quality of the locality; and
- c. Protect significant views from public places.

Controls

- i. The height of any building (**building height**) is to comply with the provisions of the BLEP 2012.
2. ii. Buildings with 3 levels or greater development must be designed to minimise overshadowing and protect the privacy of occupants of adjoining buildings. The development application in its amended form shows a fictional natural ground line running almost level along the Southern boundary towards the East. This ground line does not represent the on-site reality and contradicts the same line presented in the original elevations. If a true natural ground line were to be drawn in on these elevations, it would be clear that the proposed building height towards the Eastern end of the Southern elevation is designed to be built significantly higher than the maximum building height of 8.5m. Rough calculations without a full contour plan indicate that the top of the roof line (the height of the trafficable roof

terrace floor surface) is designed to be approximately 9m above the true natural ground line at the South Eastern corner. The balustrade and screening are in addition to this height. It is clear that at the Eastern end of the building the 8.5m maximum height to natural ground has been completely ignored. Consideration should be given to the total height proposed along these Southern and Eastern Elevation as it contributes significantly to the overshadowing of 4 Rayner Lane as well as increasing the visual bulk from the beach and contributing to the unbroken skyline that is slowly taking over Rayner Lane. To adjust the natural ground lines on the plans presented does nothing to reduce the impact of the proposed development on neighbouring properties.

3. Similarly, the development application as drawn, shows a boundary wall between the new house and the existing 4 Rayner lane property. This wall previously appeared to be 2m above the natural ground line as it was drawn on the original application at the South Western corner of the new house. Along the boundary towards the East, this wall previously appeared to remain level along the top, to end up around 3m high by the South Eastern corner of the new house. This is an unnecessary and obtrusive wall which is not compliant with Ballina DCP as noted below. This wall has not been significantly changed in response to our objection except to re-draw the natural ground line to lessen its apparent impact. This wall, as drawn, will remain 3m high from the natural ground level on our side of the boundary and will remove all possibility of North Easterly breeze and sunlight as well as creating a visually imposing and overpowering eyesore.

i. The height of fences must not exceed the heights shown in Table 4.5:

Table 4.5 - Height of Fences

Fence Location	Height
Front Fence*	1.2 metres unless fence complies with point ii.below.
Side Fence	1.2 metres forward of the building line and 1.8 metres for the remainder.
Rear Fence	1.8 metres. Where the rear fence is the primary frontage, 1.2 metres.

***Front fence refers to a fence on the front boundary or forward of the building line on the primary street frontage of a site.**

In general, although it is argued that the scale and bulk of the development may be in keeping with some other developments along Rayner lane, it will dwarf, overshadow and significantly diminish the amenity of 4 Rayner Lane.

No real attempt has been made to reduce the impact of the scale of the house on our property or to reduce the amount that it will overshadow us and take away our privacy. We believe that more consideration could lead to a design which would allow the same benefits to the inhabitants of the new house without reducing the sunlight, privacy and amenity of our house.

We appreciate your consideration of these objections and hope that they are considered as you assess this application.

This document has been prepared on behalf of Jeannette Manyweathers by her daughters and powers of attorney Jennifer O'Leary (0419941552) and Margaret Sheely (0448433509).

Jennifer O'Leary

Margaret Sheely

Handwritten signatures of Jennifer O'Leary and Margaret Sheely. The signature of Jennifer O'Leary is written above the signature of Margaret Sheely.