



**Ballina Shire Council**  
 40 Cherry Street  
 BALLINA NSW 2478  
 PO Box 450  
 BALLINA NSW 2478  
 1300 864 444  
 council@ballina.nsw.gov.au  
 www.ballina.nsw.gov.au



**Locality Plan - DA 2020/242**

**ballina shire council**  
 geographical information system

Projection: GDA94 / MGA zone 56  
 Date: 10/12/2020

© Ballina Shire Council © NSW Spatial Services 2020  
 While every care is taken to ensure the accuracy of this product, Ballina Shire Council and the local / State / Federal Government departments and Non-Government organisations whose supply details, maps or representations or services about the accuracy, reliability, completeness or suitability for any particular purpose and disclaimer of responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damages) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.

**ASSESSMENT OF THE APPLICATION UNDER SECTION 4.15 (1) OF THE EP&A ACT 1979****4.15 (1) (a) (i) - the provisions of any environmental planning instrument****Local Environmental Plans (LEPs)**

Relevant LEP	Applies YES/NO
Ballina Local Environmental Plan 2012	Yes
Ballina Local Environmental Plan 1987 (Note: BLEP 1987 only applies to land identified as "Deferred Matter" on the Land Application Map accompanying the BLEP 2012)	Yes

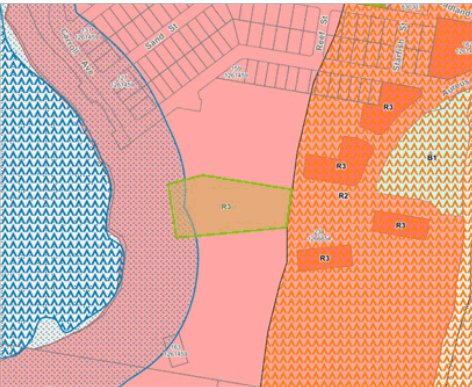





Ballina LEP 2012 – Zoning, Permissibility and Relevant Clauses	Comments/Is consistency with these provisions achieved?
Aims, objectives of BLEP (Clause 1.2)	The proposed development has regard for the objectives of the Plan.
Land use definition (Clause 1.4)	<b>Multi dwelling housing</b> means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.
Zoning under BLEP 2012, permissibility within zone and regard for zone objectives (Clause 2.3)	<p>Multi dwelling housing is permitted with consent within the R3 zone.</p> <p><b>Objectives of zone</b></p> <ul style="list-style-type: none"> <li>To provide for the housing needs of the community within a medium density residential environment.</li> <li>To provide a variety of housing types within a medium density residential environment.</li> <li>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>To provide development that is compatible with the character and amenity of the surrounding neighbourhood.</li> <li>To encourage housing and infrastructure that supports the ageing population.</li> <li>To provide for development that meets the social and cultural needs of the community.</li> <li>To encourage development that achieves the efficient use of resources such as energy and water.</li> </ul> <p>The proposed development has regard for the objectives of the R3 - Medium Density Residential zone. In particular, the development</p>



	<ul style="list-style-type: none"> <li>• Provides a variety of housing types within the Skennars Head Expansion Area which will assist with meeting the housing need of the community;</li> <li>• Achieves the desired future character of the 'Aureus' land release;</li> <li>• Incorporates some dwelling designs which will support the aging population, including the provision of eight dwellings which meet the adaptable housing standards to support 'aging in place' (dwellings 03, 08, 14, 16, 26, 28, 39, and 44);</li> <li>• Incorporates energy efficient design features, and achieves BASIX targets for water, thermal comfort and energy.</li> </ul>
Subdivision – Consent requirements (Clause 2.6)	<p>Clause 2.6 states that land to which this Plan applies may be subdivided, but only with development consent.</p> <p>The application comprises the Strata Title subdivision of the proposed dwellings.</p>
Height of buildings (Clause 4.3)	<p>The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Building Map.</p> <p>In this instance, the subject site is mapped as having a maximum height of 8.5 metres.</p> <p>The proposed development has a maximum overall height (to roof and balustrade of roof terrace) of 8.4 metres. The proposal therefore complies with this development standard. To ensure that the buildings (as constructed) do not exceed this height, a condition is to be imposed on any consent to require a registered surveyor to confirm finished floor levels accord with the approved plan, prior to pouring of concrete slabs.</p>
Acid Sulfate Soils (Clause 7.1)	<p>The proposed development site is identified as Class 2 and 5 on the Acid Sulfate Soils Planning Maps.</p> <p>The following information was provided from Douglas Partners in relation to Acid Sulfate Soils (ASS) on the site.</p> <p>The subject site is identified as Class 2 and Class 5 potential acid sulfate soils. The subject site will be filled as part of the bulk earthworks approved under DA 2017/244 (up to approximately 2m). Accordingly, the proposed development (including the provision of services and drainage) is unlikely to expose acid sulfate soils.</p>

Earthworks (Clause 7.2)	Bulk earthworks on the site are being undertaken under Development Consent 2017/244.
Airspace operations (Clause 7.5)	The Limitation or Operations Surface level for the subject site is 46.5m AHD. The proposed development has a maximum height of less than 15.0m AHD and therefore does not penetrate the Existing Obstacle Limitations Surfaces.
Development in areas subject to aircraft noise (Clause 7.6)	<p>This clause applies to development that -</p> <ul style="list-style-type: none"> <li>(a) is on land that -</li> <li>(i) is near the Ballina Byron Gateway Airport, and</li> <li>(ii) is in an ANEF contour of 20 or greater, and</li> <li>(b) the consent authority considers is likely to be adversely affected by aircraft noise.</li> </ul> <p>The site is located approximately 2.7km from the eastern end of Ballina/Byron Gateway Airport runway and is not within an ANEF contour of 20 or greater. The proposed development is unlikely to be adversely affected by aircraft noise.</p>
Essential Services (Clause 7.7)	<p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required —</p> <ul style="list-style-type: none"> <li>(a) the supply of water,</li> <li>(b) the supply of electricity,</li> <li>(c) the disposal and management of sewage,</li> <li>(d) stormwater drainage or on-site conservation,</li> <li>(e) suitable vehicular access,</li> <li>(f) telecommunication services.</li> </ul> <p>All required services will be provided to the subject site (approved Lot 443) as part of stage 1C of DA 2017/244. If approval is issued, conditions will be imposed on the consent to ensure the development is connected to these services.</p>
<b>Ballina LEP 1987 – Zoning, Permissibility and Relevant Clauses</b>	<b>Comments/Is consistency with these provisions achieved?</b>
	A portion of the subject property is zoned 7(d) Environmental Protection under the Ballina LEP 1987. However, the proposed development is located away from this area and will not affect it. Accordingly, the specific objectives and provisions of this Plan are not of relevance to the application.

**State Environmental Planning Policies (SEPPs)**

Relevant SEPPs	Comments/Is consistency with these provisions achieved?
SEPP (Building Sustainability Index: BASIX) 2004	<p>A BASIX certificate (Certificate No. 1070227M) indicates that the development achieves the minimum BASIX targets for water, thermal comfort and energy.</p> <p>It is noted that a number of units are shown to have clothes drying line within garages. This is considered to be inadequate for the development and contradicts the energy requirements of the BASIX certificate. Should the application be approved, a specific condition is to be imposed to require private outdoor or unsheltered clothes drying lines for each unit.</p>
SEPP 55 – Remediation of Land	<p>Clause 7 of State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) provides that contamination and remediation are to be considered in the determination of development applications.</p> <p>The suitability of site in regard to contamination was assessed under DA 2017/244. This assessment concluded that the subject development site is suitable for proposed residential use with minimal risk to human health or the environmental health.</p>
SEPP (Coastal Management) 2018	<p>A small area of the western portion of the approved lot is identified under the SEPP as within proximity to coastal wetlands (referred to as 'buffer' below).</p>  <p><b>Key</b></p> <ul style="list-style-type: none"> <li> SEPP Coastal Wetlands 2018</li> <li><input checked="" type="checkbox"/>  Original</li> <li><input checked="" type="checkbox"/>  Buffer</li> <li><input checked="" type="checkbox"/>  SEPP Coastal Use Area</li> <li> Subject site</li> </ul> <p><b>Figure 2 Coastal Protection Mapping</b></p>

	<p>The following provisions are therefore relevant to the assessment of the application.</p> <p><i>(1) Development consent must not be granted to development on land identified as "proximity area for coastal wetlands" or "proximity area for littoral rainforest" on the Coastal Wetlands and Littoral Rainforests Area Map unless the consent authority is satisfied that the proposed development will not significantly impact on—</i></p> <p><i>(a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or</i></p> <p><i>(b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.</i></p> <p>The development site is located approximately 70 metres to the east of mapped coastal wetlands. A small portion of the site is therefore mapped as being within proximity to coastal wetlands. The wetland will be separated from the development site by an 18m wide road reserve (Carroll Crescent), environmental restoration area, and landscaped/vegetation buffer.</p> <p>Stormwater detention and treatment of the entire Aureus subdivision (including all developed Superlots) was considered as part of the DA 2017/244. The stormwater system has been designed to ensure pre-developed flow and volume into the wetland are maintained, and pollutant reduction targets are met.</p> <p>The proposed development will not significantly impact the biophysical, hydrological or ecological integrity of the adjacent wetland, nor will it affect the quantity or quality of surface or ground water flows to or from the adjacent coastal wetland.</p> <p><i>Division 5 General</i></p> <p><i>15 Development in coastal zone generally — development not to increase risk of coastal hazards</i></p> <p><i>Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.</i></p> <p>The development is not likely to cause increased risk of coastal hazards on the subject land or other land.</p> <p><i>16 Development in coastal zone generally—coastal management programs to be considered</i></p> <p><i>Development consent must not be granted to development on land within the coastal zone unless the</i></p>
--	---

	<p><i>consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.</i></p> <p>No Coastal Management Plans are applicable to the land.</p>
--	---

**4.15 (1) (a) (ii) – any proposed instrument that is or has been the subject of public consultation under the EP&A Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)**

Draft EPI/Planning Proposal	Comments/Is consistency with these provisions achieved?
<p>Draft State Environmental Planning Policy - Remediation of Land.</p> <p>Draft Amendment to State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.</p> <p>Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019.</p>	<p>No concerns are raised in relation to draft Environmental Planning Instruments.</p>

**4.15 (1) (a) (iii) – any development control plan (DCP)**

DCPs currently in force:	
<b>Ballina Shire Development Control Plan 2012</b>	<input checked="" type="checkbox"/>

Ballina Shire DCP 2012	Comments/Assessment of proposal against provisions of DCP
<p>Chapter 2 - General Requirements</p>	<p><b>3.4 Potentially Contaminated Land</b> Refer to previous commentary on SEPP 55 in this report.</p> <p><b>3.6 Mosquito Management</b> The proposed development site is located in an Area of High Risk on elevated lands located near known mosquitos breeding areas as shown on the Mosquito Management Maps. Conditions requiring screening of external windows, doors, and rainwater tanks to comply with Chapter 2 of the DCP will be imposed if the application is approved.</p> <p><b>3.7 Waste Management</b> <u>Construction</u> The management of construction waste will be addressed by way of condition, should the application be approved. A construction environmental management plan will also be</p>

	<p>required to be prepared and implemented throughout the construction phase.</p> <p><b>Operational</b>  Waste Management is proposed to occur by Council's kerbside collection service. There is sufficient space on the kerb to collect all bins using the three-bin service. However, collection will also be required from the private internal road for 10 of the dwellings (20 bins). Conditions can be imposed to ensure that the waste storage areas and collection points comply with Council's Waste Management for Multi-Unit Development Policy.</p> <p><b>3.9 Stormwater Management</b>  Impervious areas for the multi dwelling development were included in the subdivision stormwater management plan therefore treatment, flow and volume control were assessed as adequate under DA 2017/244. Notwithstanding this, the development will need to demonstrate the street network downstream of the discharge locations can accommodate stormwater flows from the development site. This can be addressed by way of condition.</p> <p><b>3.10 Sediment and Erosion Control</b>  Addressed by way of condition.</p> <p><b>3.11 Provision of Services</b>  Services essential to the development will be available to the site prior to construction commencing. Refer to previous commentary in this report on this matter.</p> <p><b>3.15 Crime Prevention through Environmental Design</b>  The four principles that need to be used in the assessment of development applications to minimise the opportunity for crime are:</p> <ul style="list-style-type: none"> <li>• Surveillance</li> <li>• Access Control</li> <li>• Territorial Reinforcement</li> <li>• Space Management</li> </ul> <p>The application was accompanied by a CPTED assessment which details specific design considerations that have been undertaken to minimise crime risk in a new multi dwelling housing development, having regard to the four main CPTED principles.</p> <p>Adequate consideration has been given to these principles in the design of the development and approval of the application is not expected to increase the likelihood of crime in the area.</p> <p><b>3.19 Car Parking and Access</b>  <i>External Roads and Traffic</i></p>
--	---



	<p>The existing external road network will be constructed to a suitable standard to service the proposed development. Traffic generation modelling and intersection analysis were undertaken as part of the development application for the Aureus Estate and the appropriate intersections and street network constructed for the development.</p> <p><i>Pedestrian and Cyclist Requirements</i> Footpaths servicing the subject superlot will constructed as part of the subdivision works under DA 2017/244.</p> <p><i>Site Access, Internal Driveways and Parking Design</i> The driveways and circulation roadways are to be designed and constructed in accordance with the requirements of Australian Standard 2890. Sight distances at the two access location are suitable to service the development.</p> <p><i>Parking Numbers</i></p> <p>The following requirements apply:</p> <p><b>Table 1 – Car Parking Requirements</b></p> <table border="1"> <thead> <tr> <th>Council Requirement</th> <th>Proposed</th> <th>Required Number of Parking Spaces</th> </tr> </thead> <tbody> <tr> <td>Rate</td> <td></td> <td></td> </tr> <tr> <td>2 spaces per dwelling with &gt;85m<sup>2</sup> gross floor area</td> <td>44 units with 2 spaces each = 88</td> <td>88</td> </tr> <tr> <td>1 visitor space per 5 dwellings</td> <td>6 = 3 space shortfall</td> <td>9</td> </tr> <tr> <td colspan="2" style="text-align: right;">Total required</td> <td>97</td> </tr> <tr> <td colspan="2" style="text-align: right;">Total proposed</td> <td>94</td> </tr> </tbody> </table> <p>The proposed development has a shortfall of three on-site visitor spaces. This issue is addressed further in this report – refer to DCP assessment below.</p> <p><b>3.21 Bushfire Management</b> The subject site is mapped as being bushfire prone. A bushfire safety authority has been issued for the development by the NSW RFS, subject to specific conditions.</p>	Council Requirement	Proposed	Required Number of Parking Spaces	Rate			2 spaces per dwelling with >85m <sup>2</sup> gross floor area	44 units with 2 spaces each = 88	88	1 visitor space per 5 dwellings	6 = 3 space shortfall	9	Total required		97	Total proposed		94
Council Requirement	Proposed	Required Number of Parking Spaces																	
Rate																			
2 spaces per dwelling with >85m <sup>2</sup> gross floor area	44 units with 2 spaces each = 88	88																	
1 visitor space per 5 dwellings	6 = 3 space shortfall	9																	
Total required		97																	
Total proposed		94																	
Chapter 4 - Residential and Tourist Accommodation	Chapter 4 of the Ballina DCP 2012 applies to the proposal. The following table summarises the main controls of Chapter 4 which are applicable to the proposal.																		

DCP – Chapter 4 (Residential and Tourist Development)		
Control	Proposed	Compliance
<i>A. Element - Building Height</i>		
8.5m maximum	8.4m max.	Yes
<i>C. Element - Building envelopes</i>		

Building Envelope – 45° @ 1.8m above boundaries of public reserve to 8.5m	Minor eave encroachments allowable under clause iv.  (note: development does not have a side or rear boundary, only primary frontages and frontages to future public reserve).	Yes – allowable encroachments
<b>D. Element – Articulation Zone</b>		
Minor building elements may project forward of the building line to the primary street frontage by up to 1.5m.	Minor elements do not project beyond 1.5m	Yes
Up to 25% of articulation zone may contain building elements.	<25% encroachment into articulation zone on each street frontage – north and west (see figures below).	Yes

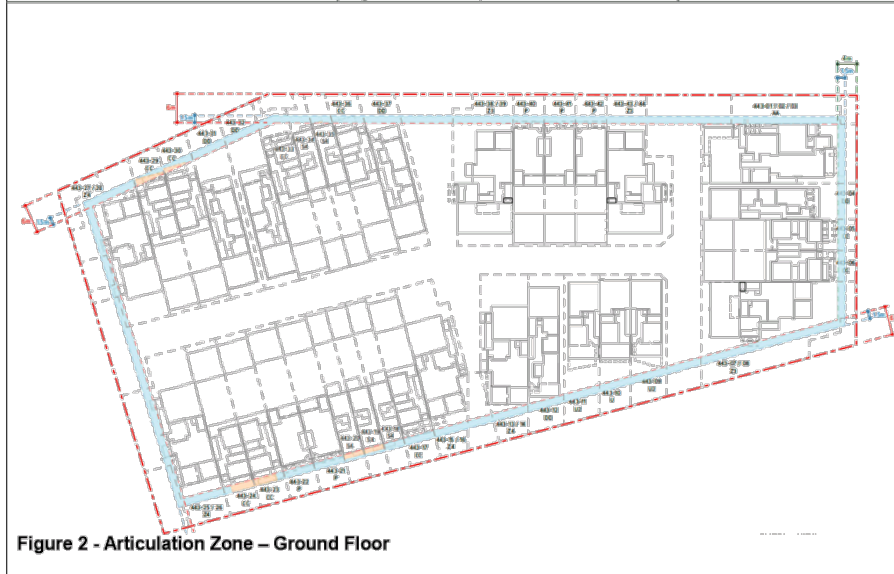


Figure 2 - Articulation Zone – Ground Floor



**Figure 3 - Articulation Zone – First Floor**

<p><i>Dwelling to address street and provide identifiable entrances and contribute to streetscape</i></p>	<p>All dwellings have identifiable entrances. The development will contribute to the future streetscape and provides an acceptable interface with the future adjoining local park.</p>	<p>Yes</p>
<p><b>E. Element – Building Lines</b></p>		
<p>Primary Road – 6m</p>	<p>6m setbacks to all streets (with allowable articulation zone encroachments).</p>	<p>Yes</p>
<p>Public Reserve – 6m</p>	<p>Building elements of Units 17-24 encroach into the 6m public reserve setback to the south (approved public reserve lot 442 under DA 2017/244) by up to 1.5m (note: the articulation zone only applies to the primary street frontage and not public reserves.)</p>	<p>No – The proposed encroachments into the setback to the south relate to relatively minor building elements (and are similar to that permitted within the articulation zone of a primary frontage to a road). Whilst the development has frontage to a future public reserve to the south, this area is more akin to a wide road verge (approximately 18m) than a typical public reserve (eg park area to the west). The minor encroachments will</p>

		<p>not add significant bulk to the development when viewed from the public reserve or adjoining street, unreasonably overshadow this area, impact on its intended use for passive open space, landscaping and stormwater conveyance.</p> <p>The proposed non-compliance is therefore considered acceptable in this instance.</p>
<i>G. Element – Landscape &amp; Open Space</i>		
<p>Private Open Space</p> <p>Ground level courtyard = minimum 40m<sup>2</sup>, 4m minimum width and maximum gradient of 1:10.</p> <p>No ground floor entries = balconies with minimum area of 25m<sup>2</sup> and a minimum width of 2.5m.</p> <p>Private open space accessible from a living area.</p> <p>Where practicable, private open space is to be located to the north or east of the dwelling and is required to have appropriate orientation and provisions to allow for winter sun and summer Shade.</p>	<p><u>Unit 01</u></p> <ul style="list-style-type: none"> <li>• Ground floor entry but primarily upper level unit.</li> <li>• Ground floor courtyard 27m<sup>2</sup> and 5m wide (not adjacent to living areas)</li> <li>• Balcony off living area = 10m<sup>2</sup> and 2.5m wide (north facing).</li> <li>• Balcony off living area = 13m<sup>2</sup> and 2.5m wide (east facing).</li> <li>• Unit also has rooftop courtyard = 20m<sup>2</sup></li> </ul> <p><u>Unit 02</u></p> <ul style="list-style-type: none"> <li>• Ground floor entry but primarily upper level unit.</li> <li>• Northern balcony off living area = 18m<sup>2</sup> and 2.8m wide (north facing).</li> <li>• Unit also has rooftop courtyard = 19m<sup>2</sup></li> </ul> <p><u>Unit 03</u></p> <ul style="list-style-type: none"> <li>• Courtyard = &gt;40m<sup>2</sup>, &gt;4m wide and flat (east facing).</li> <li>• Courtyard off bedroom (north facing) = 36m<sup>2</sup> and 5m wide.</li> </ul> <p><u>Unit 04</u></p> <ul style="list-style-type: none"> <li>• Courtyard off Ground floor bedroom = &gt;40m<sup>2</sup>, &gt;4m wide and flat.</li> <li>• Balcony off living area = 23m<sup>2</sup> and 4.2m wide (east facing).</li> </ul>	<p>No – Variations acceptable.</p> <p>Whilst not all dwellings strictly comply with each element of the private open space controls, the combination of the spaces provided (courtyards, balconies and rooftop terraces) is deemed to be sufficient to meet the recreational and service needs of the future residents of the development.</p> <p>The level and design of private open space for the development is therefore acceptable.</p>

	<ul style="list-style-type: none"> <li>• Unit also has secondary balcony 14m<sup>2</sup> and roof top terrace = 19m<sup>2</sup></li> </ul> <p><u>Unit 05</u></p> <ul style="list-style-type: none"> <li>• Courtyard off Ground floor bedroom = 26m<sup>2</sup>, &gt;4m wide and flat.</li> <li>• Balcony off living area = 12m<sup>2</sup> and 2.7m wide (east facing).</li> <li>• Unit also has rear service courtyard = 42m<sup>2</sup>.</li> </ul> <p><u>Unit 06</u></p> <ul style="list-style-type: none"> <li>• Courtyard off Ground floor bedroom = 26m<sup>2</sup>, &gt;4m wide and flat.</li> <li>• Balcony off living area = 12m<sup>2</sup> and 2.7m wide (east facing).</li> <li>• Unit also has rear service courtyard = 42m<sup>2</sup>.</li> </ul> <p><u>Unit 07</u></p> <ul style="list-style-type: none"> <li>• Ground floor entry but primarily upper level unit.</li> <li>• Ground floor courtyard 70m<sup>2</sup> and &gt;5m wide (not adjacent to living areas)</li> <li>• Balcony off living area = 17m<sup>2</sup> and 3.6m wide (east facing).</li> <li>• Balcony off first floor bedroom = 23m<sup>2</sup> and 5m wide (north facing).</li> <li>• Unit also has rooftop courtyard = 20m<sup>2</sup></li> </ul> <p><u>Unit 08</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard = 190m<sup>2</sup> and &gt;10m wide (east and south facing).</li> </ul> <p><u>Unit 09</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard (not adjacent to living rooms and south facing) = 77m<sup>2</sup> and 7.6m wide.</li> <li>• Balcony off living area = 20m<sup>2</sup> and 3.6m wide (south facing).</li> </ul> <p><u>Unit 10</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard (not adjacent to living rooms and south facing) = 73m<sup>2</sup> and 6.6m wide.</li> <li>• Balcony off living area = 25m<sup>2</sup> and 3.8m wide (south facing).</li> </ul> <p><u>Unit 11</u></p>	
--	--	--

	<ul style="list-style-type: none"> <li>• Ground floor courtyard (not adjacent to living rooms and south facing) = 101m<sup>2</sup> and 7.5m wide.</li> <li>• Balcony off living area = 27m<sup>2</sup> and 3.9m wide (south facing).</li> </ul> <p><u>Unit 12</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard (not adjacent to living rooms and south facing) = 52m<sup>2</sup> and 7.5m wide.</li> <li>• Balcony off living area = 28m<sup>2</sup> and 4.3m wide (south facing).</li> <li>• Additional balcony of dining area = 14m<sup>2</sup> and 2.2m wide (north facing)</li> </ul> <p><u>Unit 13</u></p> <ul style="list-style-type: none"> <li>• Ground floor entry but primarily upper level unit.</li> <li>• Balcony off living area = 14m<sup>2</sup> and 3.3m wide (south facing).</li> <li>• Balcony off first floor bedroom = 18m<sup>2</sup> and 3m wide (north facing).</li> <li>• Unit also has rooftop courtyard = 20m<sup>2</sup></li> </ul> <p><u>Unit 14</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard = 40m<sup>2</sup> and 4.5m wide (south facing).</li> </ul> <p><u>Unit 15</u></p> <ul style="list-style-type: none"> <li>• Ground floor entry but primarily upper level unit.</li> <li>• Balcony off living area = 13m<sup>2</sup> and 3.4m wide (south facing).</li> <li>• Balcony off first floor bedroom = 11m<sup>2</sup> and 3.2m wide (north facing)</li> </ul> <p><u>Unit 16</u></p> <ul style="list-style-type: none"> <li>• Courtyard = 50m<sup>2</sup>, 4.5m wide and flat (south facing).</li> </ul> <p><u>Unit 17</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 40m<sup>2</sup> and 5m wide (not adjacent to living areas) south facing.</li> <li>• Ground floor courtyard 53m<sup>2</sup> and 6.5m wide (not adjacent to living areas) north facing.</li> <li>• Balcony off living area = 7.5m<sup>2</sup> and 2.6m wide (south facing).</li> </ul> <p><u>Unit 18</u></p>	
--	--	--



	<ul style="list-style-type: none"> <li>• Ground floor courtyard 20m<sup>2</sup> and 4.5m wide (adjacent to living areas) south facing.</li> <li>• Ground floor courtyard 25m<sup>2</sup> and 4.2m wide (adjacent to living areas) north facing.</li> </ul> <p><u>Unit 19</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 20m<sup>2</sup> and 4.5m wide (adjacent to living areas) south facing.</li> <li>• Ground floor courtyard 25m<sup>2</sup> and 4.2m wide (adjacent to living areas) north facing.</li> </ul> <p><u>Unit 20</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 20m<sup>2</sup> and 4.5m wide (adjacent to living areas) south facing.</li> <li>• Ground floor courtyard 25m<sup>2</sup> and 4.2m wide (adjacent to living areas) north facing.</li> </ul> <p><u>Unit 21</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 36m<sup>2</sup> and 4.5m wide (adjacent to living areas) south facing.</li> <li>• Ground floor courtyard 75m<sup>2</sup> and 6.5m wide (adjacent to living areas) north facing.</li> </ul> <p><u>Unit 22</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 36m<sup>2</sup> and 4.5m wide (adjacent to living areas) south facing.</li> <li>• Ground floor courtyard 75m<sup>2</sup> and 6.5m wide (adjacent to living areas) north facing.</li> </ul> <p><u>Unit 23</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 62m<sup>2</sup> and 6.5m wide (not adjacent to living areas) north facing.</li> <li>• Ground floor courtyard 53m<sup>2</sup> and 5.5m wide (not adjacent to living areas) south facing.</li> <li>• Balcony off living area = 12m<sup>2</sup> and 2.5m wide (south facing).</li> <li>• Unit also has rooftop courtyard = 20m<sup>2</sup>.</li> </ul> <p><u>Unit 24</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 62m<sup>2</sup> and 6.5m wide (not adjacent to living areas) north facing.</li> <li>• Ground floor courtyard 53m<sup>2</sup> and 5.5m wide (not adjacent to living areas) south facing.</li> </ul>	
--	---	--

	<ul style="list-style-type: none"> <li>• Balcony off living area = 11.5m<sup>2</sup> and 2.5m wide (south facing).</li> </ul> <p><u>Unit 25</u></p> <ul style="list-style-type: none"> <li>• Balcony off living area = 14.5m<sup>2</sup> and 3.5m wide (south facing).</li> <li>• Balcony off first floor bedroom = 19m<sup>2</sup> and 3.2m wide (north facing).</li> <li>• Unit also has rooftop courtyard = 20m<sup>2</sup></li> </ul> <p><u>Unit 26</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard &gt;40m<sup>2</sup> and 5.3m wide (adjacent to living areas) south facing.</li> </ul> <p><u>Unit 27</u></p> <ul style="list-style-type: none"> <li>• Ground floor entry but primarily upper level unit.</li> <li>• Balcony off living area = 13m<sup>2</sup> and 3.7m wide (north facing).</li> <li>• Balcony off first floor bedroom = 15m<sup>2</sup> and 3.7m wide (south facing)</li> </ul> <p><u>Unit 28</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard &gt;40m<sup>2</sup> and 5.4m wide (adjacent to living areas) north facing.</li> </ul> <p><u>Unit 29</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 41m<sup>2</sup> and 6.5m wide (not adjacent to living areas) north facing.</li> <li>• Ground floor courtyard 55m<sup>2</sup> and 6.5m wide (not adjacent to living areas) south facing.</li> <li>• Balcony off living area = 12m<sup>2</sup> and 2.5m wide (north facing).</li> <li>• Unit also has rooftop courtyard = 20m<sup>2</sup>.</li> </ul> <p><u>Unit 30</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 45m<sup>2</sup> and 6.5m wide (not adjacent to living areas) north facing.</li> <li>• Ground floor courtyard 55m<sup>2</sup> and 6.5m wide (not adjacent to living areas) south facing.</li> <li>• Balcony off living area = 12m<sup>2</sup> and 2.6m wide (north facing).</li> </ul> <p><u>Unit 31</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 100m<sup>2</sup> and 7.5m wide (not adjacent to living areas) north facing.</li> </ul>	
--	--	--

	<ul style="list-style-type: none"> <li>• Balcony off living area = 31m<sup>2</sup> and 4.1m wide and south facing.</li> </ul> <p><u>Unit 32</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 107m<sup>2</sup> and 7.5m wide (not adjacent to living areas) north facing.</li> <li>• Balcony off living area = 29m<sup>2</sup> and 4.2m wide and north facing.</li> <li>• Balcony off dining area = 14m<sup>2</sup> and 2m wide and south facing.</li> </ul> <p><u>Unit 33</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 52m<sup>2</sup> and 6.5m wide (not adjacent to living areas) north facing.</li> <li>• Ground floor courtyard 65m<sup>2</sup> and 6.5m wide (not adjacent to living areas) south facing.</li> <li>• Balcony off living area = 11m<sup>2</sup> and 2.4m wide and north facing.</li> <li>• Unit also has rooftop courtyard = 20m<sup>2</sup>.</li> </ul> <p><u>Unit 34</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 21m<sup>2</sup> and 4.3m wide (adjacent to living areas) north facing.</li> <li>• Ground floor courtyard 26m<sup>2</sup> and 6.5m wide (adjacent to dining area) south facing.</li> </ul> <p><u>Unit 35</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 21m<sup>2</sup> and 4.3m wide (adjacent to living areas) north facing.</li> <li>• Ground floor courtyard 26m<sup>2</sup> and 4.3m wide (adjacent to dining area) south facing.</li> </ul> <p><u>Unit 36</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 44m<sup>2</sup> and 6.5m wide (not adjacent to living areas) north facing.</li> <li>• Ground floor courtyard 65m<sup>2</sup> and 6.5m wide (not adjacent to living areas) south facing.</li> <li>• Balcony off living area = 12m<sup>2</sup> and 2.7m wide and north facing.</li> </ul> <p><u>Unit 37</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 58m<sup>2</sup> and 6.7m wide (not adjacent to living areas) north facing.</li> </ul>	
--	--	--

	<ul style="list-style-type: none"> <li>• Balcony off living area = 30m<sup>2</sup> and 4.4m wide and north facing.</li> </ul> <p><u>Unit 38</u></p> <ul style="list-style-type: none"> <li>• Ground floor entry but primarily upper level unit.</li> <li>• Balcony off living area = 17m<sup>2</sup> and 3.7m wide (north facing).</li> <li>• Balcony off first floor bedroom = 25m<sup>2</sup> and 3.7m wide (south facing)</li> <li>• • Unit also has rooftop courtyard = 20m<sup>2</sup>.</li> </ul> <p><u>Unit 39</u></p> <ul style="list-style-type: none"> <li>• • Ground floor courtyard 44m<sup>2</sup> and 6m wide (adjacent to living areas) north facing.</li> </ul> <p><u>Unit 40</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 44m<sup>2</sup> and 6.5m wide (adjacent to living areas) north facing.</li> <li>• Ground floor courtyard 48m<sup>2</sup> and 6.5m wide (adjacent to living areas) south facing.</li> <li>• Balcony off bedroom = 5.6m<sup>2</sup> and 1.4m wide and south facing.</li> </ul> <p><u>Unit 41</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 44m<sup>2</sup> and 6.5m wide (adjacent to living areas) north facing.</li> <li>• Ground floor courtyard 48m<sup>2</sup> and 6.5m wide (adjacent to living areas) south facing.</li> <li>• Balcony off bedroom = 5.6m<sup>2</sup> and 1.4m wide and south facing</li> </ul> <p><u>Unit 42</u></p> <ul style="list-style-type: none"> <li>• Ground floor courtyard 44m<sup>2</sup> and 6.5m wide (adjacent to living areas) north facing.</li> <li>• Ground floor courtyard 48m<sup>2</sup> and 6.5m wide (adjacent to living areas) south facing.</li> <li>• Balcony off bedroom = 5.6m<sup>2</sup> and 1.4m wide and south facing.</li> </ul> <p><u>Unit 43</u></p> <ul style="list-style-type: none"> <li>• Ground floor entry but primarily upper level unit.</li> <li>• Balcony off living area = 17m<sup>2</sup> and 3.5m wide (north facing).</li> </ul>	
--	---	--

	<ul style="list-style-type: none"> <li>Balcony off first floor bedroom = 26m<sup>2</sup> and 3.6m wide (south facing)</li> </ul> <p><u>Unit 44</u></p> <ul style="list-style-type: none"> <li>Ground floor courtyard 40m<sup>2</sup> and 3.1m wide (adjacent to living areas) north facing.</li> <li>Ground floor courtyard 48m<sup>2</sup> and 6.5m wide (adjacent to living areas) south facing.</li> </ul>	
Landscaped area/private open space = 90m <sup>2</sup> per dwelling with GFA 85m <sup>2</sup> (3,960m <sup>2</sup> in total) 75% of landscaped open space previous surface (eg landscaped areas such as lawn or landscaping) (2,970m <sup>2</sup> in total)	Landscape open space = >3,960m <sup>2</sup> Previous area = >2,970m <sup>2</sup> or >75%	Yes
Supported by Landscape Plan	The application was accompanied by a landscape plan which is considered satisfactory.	Yes
<b>H. Element – Vehicular Access &amp; Parking</b>		
Car parking rate  2 spaces per dwelling where total GFA of dwelling is greater than 85m <sup>2</sup> = 88 spaces.  Plus 1 additional space per 5 dwellings for visitor parking = 9 spaces.	Two spaces per dwelling = 88 spaces.  Six common visitor spaces.	Yes  No – The development comprises a shortfall of three on-site visitor spaces.  Having regard for the extensive road frontage to the development site, it is considered there is adequate visitor parking available in the street to absorb the shortfall in on-site visitors spaces.  The proposed variation to this visitor parking standard is therefore supported in this case.
Stacked or tandem parking permitted for dwellings houses, secondary dwellings, semi-	Tandem parking is proposed for 13 of the proposed dwellings (Dwellings 13, 14,	No - Thirteen dwellings do not comply.

<p>detached dwellings and attached dwellings, where 1 spaces per dwelling is covered.</p>	<p>15, 16, 18-20, 25-28, 34 and 35). Remaining dwellings have double garages.</p>	<p>Generally, tandem parking is not permitted for multi dwelling housing developments or residential flat buildings. Tandem parks are less convenient than fully accessible parks which can cause a heavier dependence on onstreet parking. However, exceptions are made for certain smaller scale residential developments, such as dwellings and dual occupancies.</p> <p>The proposed development is defined as multi dwelling housing. However, given the nature of the site and design of the development, the proposal is considered to be more akin to a series of attached dwellings or dual occupancies (most of which have direct frontage to a road) that a typical multi dwelling housing or Residential Flat Building development (which generally have a narrow road frontage).</p> <p>In addition, the development site has a large street frontage. Two of the three street frontages have a road reserve of 18m and a carriageway</p>
---	---	--



		<p>width of 9m allowing for onstreet parking that does not encumber two way traffic. The frontages are approximately 190m long of 18m road reserve. Allowing for 6m parallel parking, up to 25 onstreet car spaces could be available (minus the two proposed driveways and intersection tangent points). There is adequate on-street parking fronting the development to accommodate additional on-street parking.</p> <p>The development provides adequate on site car parking for residents of the development and ensures streetscape amenity, character and utility is maintained.</p>
Garage setback behind building line (6m)	6m	Yes
Maximum width of the garage door must not be more than 50% of the lot frontage	<50% on all street frontages.	Yes
Car parking forward of the building line where: <ul style="list-style-type: none"> <li>- At least one covered space per dwelling is located behind the building line</li> <li>- The frontage remains open</li> </ul>	<p>Two common visitor spaces are located forward of the building line.</p> <ul style="list-style-type: none"> <li>- All units have at least one covered space located behind the building line.</li> <li>- All spaces forward of the building line are open and uncovered.</li> </ul>	Yes
<i>I. Element Overlooking and Privacy</i>		
Habitable windows are to be screened if less than three metres from the side or rear boundary.	All first floor habitable windows >3m from side or rear boundaries. The subject site does not directly adjoins other residential properties.	Yes

<p>A balcony, deck, patio, pergola, terrace or verandah must have a privacy screen if it:</p> <ul style="list-style-type: none"> <li>• has a setback of less than 3 metres from a side or rear boundary, and</li> <li>• has a floor area of more than 3 square metres and is greater than 1m above ground level.</li> </ul>	<p>All first floor terraces are provided with privacy screened where required.</p> <p>(refer to plan DA - 443_8007 and DA - 443_8009)</p>	<p>Yes – Acceptable.</p>
<p>Direct views between habitable rooms, other than bedrooms, shall be screened where:</p> <ul style="list-style-type: none"> <li>• Ground and first floor windows are within a 9 metre radius from any part of the window of an adjacent dwelling on the same site, and</li> <li>• Other floor windows are within a 12 metre radius of an adjacent dwelling on the same site, and</li> <li>• Direct views from habitable rooms, excluding bedrooms, of dwellings into the principal area of private open space of other dwellings on the same site shall be screened or obscured where they are within a 12 metre radius</li> </ul>	<p>Proposal does not strictly comply with all development controls.</p>	<p>No – However, given the design of each unit and proposed window offsets, the proposal is considered acceptable in terms of internal privacy.</p>
<p>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 of adjoining dwellings</p>	<p>The roof terraces are generally positioned to minimise direct views into future adjoining properties or the habitable rooms or private open space of other dwellings in the development.</p>	<p>Yes - Acceptable</p>
<p>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</p>	<p>No structures (other than balustrading) is proposed on the roof top terraces. Future structures on roof top terraces will not comply with maximum 8.5 metre height control.</p>	<p>Yes – Restriction on title to prevent erection of structures on the roof top terraces.</p>
<p>Roof terraces are to be appropriately located and screened to prevent direct views into habitable rooms or private open space of any adjoining dwellings</p>	<p>The rooftop terraces are not proposed to be screened (and requiring such would result in non-compliance with the maximum height control for the site). However, they are generally positioned to</p>	<p>Yes – Acceptable.</p>

	minimise direct views into future adjoining properties or the habitable rooms or private open space of other dwellings in the development.	
<b>J. Element - Solar Access</b>		
Dwellings are to be orientated with the main indoor and outdoor living spaces and major window areas facing towards the north and east	Living areas and principal private open space of the majority of units are orientated to the north or east and will receive at least three hours of direct sunlight between 9.00am and 3.00pm on the winter solstice.	Yes – Acceptable.
The windows of living areas of dwellings and private open space facing north, north east or north west must receive at least three hours of direct sunlight between 9.00am and 3.00pm (Australian Eastern Standard Time) on 21 June (Winter Solstice)	Refer to plans DA-443_8010 and 8011 for details.	
New buildings must maintain at least three hours of direct sunlight to the windows of living areas that face north, north east or north west for existing adjacent dwellings and their areas of private open space between 9.00am and 3.00pm (Australian Eastern Standard Time) on 21 June (Winter Solstice);	The subject superlot does not directly adjoining any other residential lots as it will have frontage to Swell Avenue to the north, Carroll Avenue to the west, and a local park to the east and south).  The proposed development will not unreasonably overshadow the local park or adjacent road reserve.	Yes - Acceptable.
Buildings are to be designed, wherever practicable, to include a north or west facing roof where a solar hot water system or collector can be installed;	A reasonable number of units contain north or west facing roofs that are capable of accommodating solar hot water systems.	Yes - Acceptable.
<b>K. Element – Fences and walls</b>		
Front Fence – 1.2 metres  Where fences or walls are proposed exceed 1.2 metres in height (as required under Table 4.5), the fence or wall is to be designed in accordance with the following: <ul style="list-style-type: none"> <li>The fence or wall is to be articulated so as to provide visual relief and opportunities for landscape plantings between the wall and public areas;</li> </ul>	Front fencing proposed to all streets and neighbouring park – combination of 0.6m fencing and 1.7m slatted fencing with landscaped setback.	Yes – Can be addressed by way of condition.

<ul style="list-style-type: none"> <li>The maximum height of the fence or wall is 1.8 m; and</li> <li>The design of the fence or wall incorporates openings with at least 50% visual permeability.</li> </ul> <p>Side Fence - 1.2 metres forward of the building line and 1.8 metres for the remainder.</p> <p>Rear Fence – 1.8 metres.</p>	No side fencing proposed	N/A
	No rear fencing proposed.	N/A
Where a fence abuts a driveway edge, a minimum 2.5m x 2.0m splayed area in accordance with Australian Standard 2890	Splays provided	Yes
<i>L. Element – Roof Pitch</i>		
Roof Pitch 5° minimum	Elements greater than 5° in slope.	Acceptable
<i>M. Element – Adaptable Housing</i>		
10% of dwellings designed in accordance with AS 4299-1995.	Dwelling 03, 08, 14, 16, 26, 28, 39, and 44 nominated = 18%	Yes – The application was accompanied by an Adaptable Housing Unit Compliance Statement which confirms that all nominated dwellings are capable of achieving compliance with the Adaptable Housing provisions of AS 4299-1995 for an adaptable housing unit.
Garages to comply with dimensions specified in standard.		Suitable conditions can be imposed to ensure compliance.
<i>N. Element – Minimum Lot Area</i>		
Multi dwelling housing – 1,000m	Lot 234 – 23.33 Ha	Yes
	Approved Lot 344 – 11,193m <sup>2</sup>	Yes

**4.15 (1) (a) (iia) – any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4**

Planning Agreement (or draft)	Comments
Nil	Not applicable.

**4.15 (1) (a) (iv) – any matters prescribed by the regulations**

	Comments/Is consistency with these provisions achieved?
If the DA is for the demolition of a building, consider the provisions of AS 2601-1991: The demolition of structures (as in force 1 July 1993):	Not applicable.
If the DA is only for a change of use or the use of an existing building as a place of public entertainment, is the fire protection and structural capacity of the building appropriate to the building’s proposed use?	Not applicable.
If the DA is involves the rebuilding/ alteration/enlargement/extension of an existing building, is the existing building required to be brought into total or partial conformity with the Building Code of Australia (BCA)?	Not applicable.
If the DA is for the erection of a temporary structure, is the fire protection and structural capacity of the structure appropriate to the proposed use of the structure?, and is the ground or other surface, on which the structure is to be erected, sufficiently firm and level to sustain the structure while in use?	Not applicable.

**4.15 (1) (b) – the likely impacts of that development**

	Discuss whether or not the impact is acceptable or not? If not, then describe the adverse impacts and the steps taken to mitigate the impacts
<b>Urban and Building Design</b>	
i) Context and Settings	The subject site is located within the residential land release known as 'Aureus' in Skennars Head. It adjoins a future local park (approved Lot 442), is located in close proximity to the future neighbourhood centre precinct, and will be within

	walking distance of public transport routes, education facilities, and Sharpes Beach.
ii) Site Design and Internal Design	The subject site (being approved Lot 443) was designed and rezoned specifically to accommodate medium density residential development. The allotment has a site area of 11,193m <sup>2</sup> .
iii) Ecologically Sustainable Building Design	Acceptable – The proposed development provides an acceptable level of solar access to the private open space and main living areas of dwellings, incorporates energy efficient design features, and achieves BASIX targets for water, thermal comfort and energy.
iv) Access, Transport and Traffic	Acceptable - Addressed previously in this report.
v) Public Domain	Acceptable - The proposed development provides traditional street addresses to all adjoining roads. The built form incorporates a variety of building materials, and architectural design features to provide visual relief and reduce the bulk of the development when viewed from the street or adjoining local park.
vi) Utilities	Acceptable - Water supply, sewer, electricity, and the broadband internet will be proposed to the site as part of the broader 'Aureus' development.
vii) Heritage	Acceptable – The development is unlikely to expose or affect cultural heritage items.
viii) Construction	Construction of the development will occur in accordance with Council's conditions of consent, the Building Code of Australia, and WorkCover requirements.  Appropriate erosion and sediment control measures shall be implemented during the construction phase to mitigate opportunities for soil erosion and water pollution.  Construction activities are to adhere to Council's standard hours of construction.
<b>Environmental Impacts</b>	
ix) Other Land Resources	Acceptable.
x) Water	<u>Water</u> The development will be connected to Council's dual water supply system, thus providing both drinking water and recycled water to each dwelling.  <u>Stormwater</u> The super lots for the Aureus subdivision were included in the overall stormwater management plan however the development will need to demonstrate the street network downstream of the



		discharge locations can accommodate stormwater flows from the development site. Addressed by way of condition.
xi)	Soils	Acceptable - Bulk earthworks will be undertaken under DA 2017/244.
xii)	Air and Microclimate	Acceptable
xiii)	Flora and Fauna	Acceptable - The proposed development does not involve any clearing and will not have negative impacts on flora and fauna.
xiv)	Waste	Acceptable - Addressed previously in this report.
xv)	Energy	Acceptable - The proposed development incorporates energy efficient design features, and achieves BASIX minimum targets for water, thermal comfort and energy.
<b>Hazards</b>		
xvi)	Noise and Vibration	<p><u>Construction</u> Some impact on neighbours is possible during the construction phase of the development. Appropriate conditions have been imposed in this regard. In addition, it is expected that construction of the subject development and surrounding dwellings will likely occur at a similar time.</p> <p>The proposal incorporates slab on ground construction and therefore driven piling or excavation is not required. Accordingly, the structural integrity of surrounding buildings (if constructed at the time) is unlikely to be compromised by the development.</p> <p><u>Operational</u> The proposed development comprises residential use of the land. Any noise issues between residents of the units related to plant, such as air conditioning, heat pumps or rainwater tank pumps, will be referred to body corporate to manage under the Strata Schemes Management Act. The Protection of the Environmental Operations Act 1997 contains provisions to protect neighbouring residents from these same potential noise impacts.</p>
xvii)	Natural Hazards	<p>The subject site (approved Lot 443) is mapped as bushfire prone land. A bushfire safety authority has been issued for the development by the NSW RFS, subject to specific conditions.</p> <p>Note: the entire lot is required to be maintained as a bushfire inner protection zone under DA 2017/244.</p>
xviii)	Technological Hazards	Acceptable.

xix)	Safety, Security and Crime Prevention (CPTED)	Acceptable – Addressed previously in this report.
<b>Social and Economic Impacts</b>		
xx)	Social Impacts in the Locality	Acceptable - The proposed development will provide a variety of housing types (including eight dwellings that will meet the adaptable housing standards) within the Skennars Head Expansion Area which will assist with meeting the housing needs of the community.
xxi)	Economic Impact in the Locality	The proposal is considered to achieve the orderly and economic use and development of the land.  Positive economic impacts are expected during the construction phase in terms of employment generation.
<b>Cumulative Impacts</b>		
xxii)	Cumulative Impacts	None anticipated.

**4.15 (1) (c) – The suitability of the site for the development**

		Comments
i)	Does the proposal fit in the locality?	The proposed development will achieve the desired future character for the area and will therefore fit in the locality.
ii)	Are the site attributes conducive to development?	The subject site has been designed and sized specifically for the proposed development. The site is therefore conducive to the development.

**4.15 (1) (d) Any submission made in accordance with this Act or the Regulations?**

Is advertising required because the development is designated or “advertised” development?	No
Is advertising required in accordance with established Council policy and practice?	Yes
If YES, how many submissions were received?	Eight

Document general terms of issues raised in any submission and how they are being considered/ assessed:

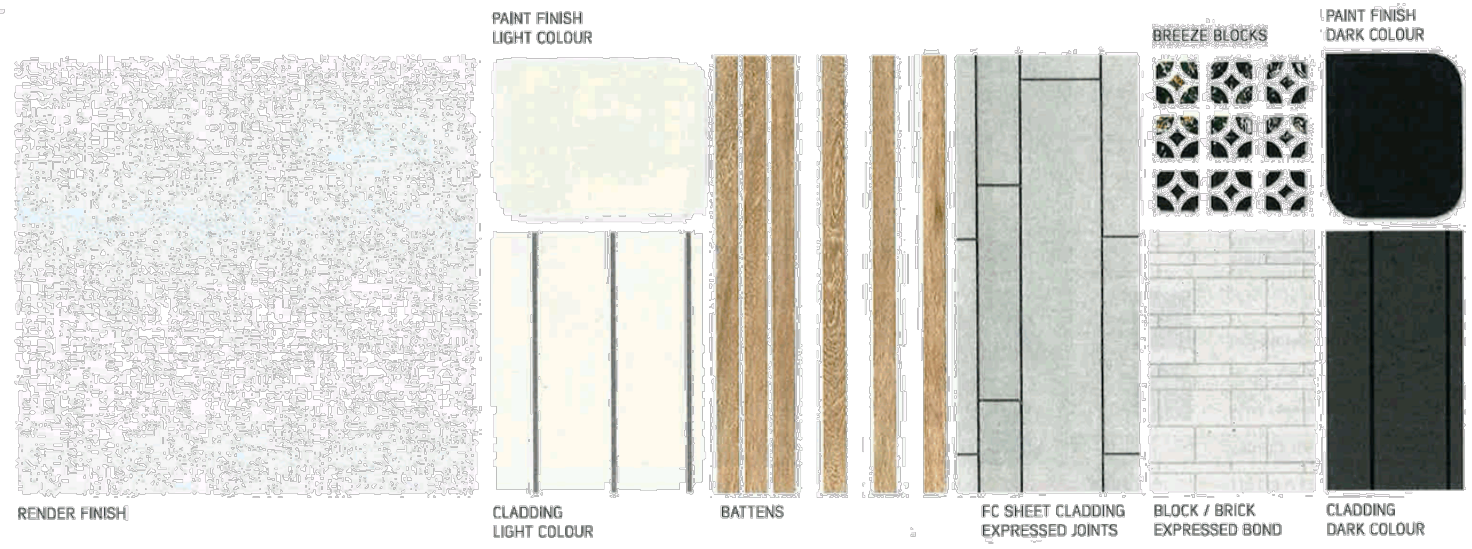
Public Submissions:	The application was place on public exhibition from 20 May to 4 June 2020 in accordance with Council’s Community Participation Plan.  Eight public submissions were received during the exhibition period. The relevant matters raised in the submission have been addressed in detail in the corresponding Council report.
Public Authority Submissions:	<u>NSW Rural Fire Service</u>

	The subject property is mapped as being bushfire prone. As the proposal involves subdivision of bushfire prone land, it also requires approval under section 100B of the Rural Fires Act 1997. Accordingly, the application was lodged as Integrated Development and was referred to the NSW Rural Fire Service for assessment. A Bushfire Safety Authority was issued for the development on the 2 July 2020 by the Rural Fire Service, subject to specific conditions. These requirements are to be incorporated into the consent, if approval is granted.
--	--

**4.15 (1) (e) The public interest**

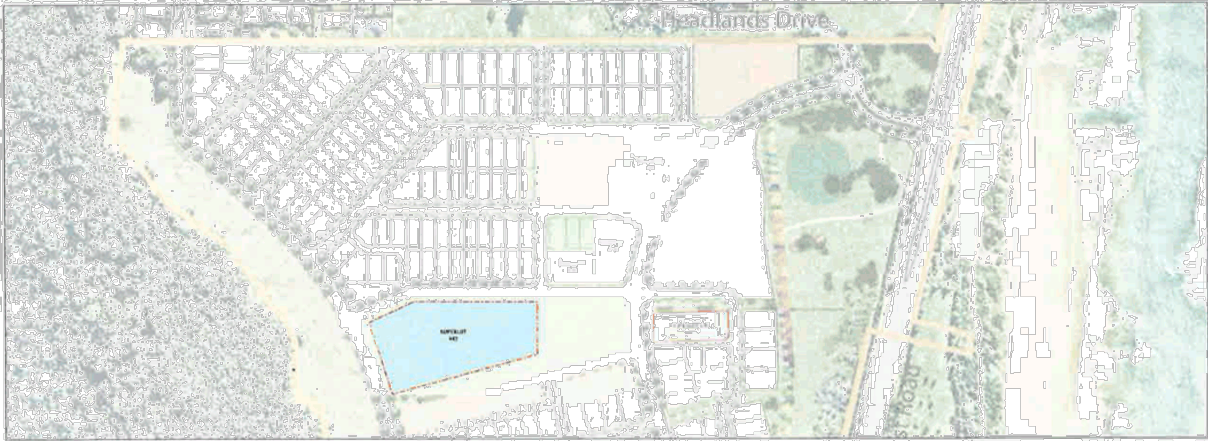

Federal, State & Local Government interests and Community interests	Having regard for the matters outlined in Section 4.15 of the Environmental Planning & Assessment Act 1979, the proposed development is considered to be in the public interest.
Section 64 Contributions and Section 7.11 Contributions	Contributions under section 64 and 7.11 apply to the development.

		<b>AUREUS</b>	
<b>DEVELOPMENT APPLICATION</b>		<b>DESIGN + AESTHETICS</b>	
		PART 1 OF 5	<b>DESIGN STATEMENT</b>
		PART 2 OF 5	<b>SUPERLOT</b>
		PART 3 OF 5	<b>PLANNING RESPONSE</b>
		PART 4 OF 5	<b>HOUSE TYPOLOGIES</b>
		PART 5 OF 5	<b>INDIVIDUAL HOUSES</b>
		<b>PROJECT TEAM</b> AVANT TOWNHOMES LEVEL 5 580 ST KILDA ROAD MELBOURNE VIC 3004 TEL 03 9207 8088 INTRAPAC PROPERTY	
		<b>DEVELOPMENT APPLICATION PREPARED BY:</b> ARCADIA STUDIO 5 109-111 HAWKE STREET WEST MELBOURNE VIC 3003 TEL 03 9398 5080 www.arc-studio.com.au <b>NOMINATED ARCHITECT:</b> DAVID HOCKLEY REG. No. 10792	
		<b>PLANNERS NORTH</b> 6 PORTER STREET BYRON BAY NSW 2481 TEL 0438 803 021 Kate@plannersnorth.com.au	
		<b>LAND SITE</b> LAND SITE PO BOX 1175 BYRON BAY NSW 2481 TEL 02 6680 8997 info@landsite.net.au <b>KNOREL ENGINEERS</b> SUITE 4 - 155 VARSITY PARADE VARSITY LAKES QLD 4227 TEL 07 5580 9777 eng@knobelengineers.com.au <b>RICHARD GROVES ARCHITECTS</b> 5/123 BREAKFAST CREEK ROAD NEWSTEAD QLD 4006 TEL 0411 954 550 rga@thedesignalliance.com	
AVANT TOWNHOMES INTRAPAC PROPERTY ARCADIA		<b>AUREUS MEDIUM DENSITY</b> 505 NORTH CREEK ROAD SKENNARS HEAD NSW 2478	
		27 NOV 2019	<b>DA 0010</b>







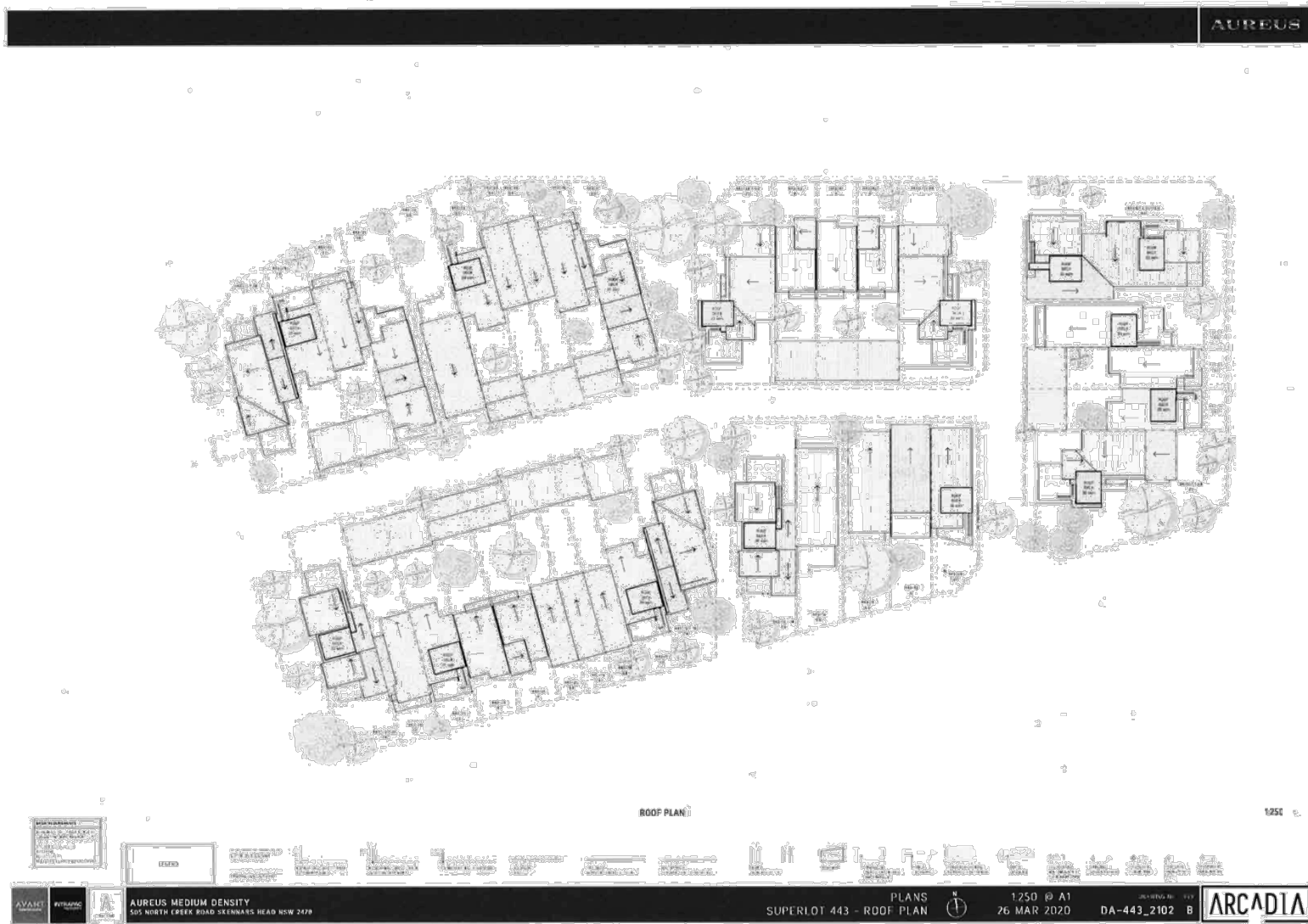
<b>AUREUS</b>		
<b>DEVELOPMENT APPLICATION</b>	<b>SUPERLOT 443</b>	<b>PART 1 OF 5 DESIGN STATEMENT</b> <b>PART 2 OF 5 SUPERLOT 443</b> <b>PART 3 OF 5 PLANNING RESPONSE</b> <b>PART 4 OF 5 HOUSE TYPOLOGIES</b> <b>PART 5 OF 5 INDIVIDUAL HOUSES</b>
		<p><b>PROJECT TEAM</b></p> <p><b>AVANT HOMES</b>          LEVEL 6 385 ST KILDA ROAD          MELBOURNE VIC 3004          TEL 03 9297 8088</p> <p><b>INTRAPAC PROPERTY</b></p> <hr/> <p><b>DEVELOPMENT APPLICATION PREPARED BY:</b>  <b>ARCADIA STUDIO</b>          15/155-155/156 HANAC STREET          WEST MELBOURNE VIC 3003          TEL 03 9288 3280          www.arcadialab.com.au</p> <p><b>ADMINISTRATIVE ARCHITECT:</b>          DAVID HICKLEY REG No 10792</p> <hr/> <p><b>PLANNERS NORTH</b>          6 POSEY STREET          SYDNEY NSW 2161          TEL 02 9288 3000          Kate@plannersnorth.com.au</p> <p><b>LAND SITE</b></p> <p><b>EG BOX 375</b>          SYDNEY NSW 2161          TEL 02 9288 3997          info@landsite.net.au</p> <p><b>KNOBEL ENGINEERS</b>          SUITE 4 - 115 WORSLEY PARADE          VANDY LAKES QLT 4022          TEL 07 5380 5927          info@knobeleng.com.au</p> <p><b>RICHARD GROVES ARCHITECTS</b>          5193 HOBARTS CREEK ROAD          NEWSLEAD QLD 4006          TEL 048 354 5300          richardgroves.com.au</p>
		
<b>AUREUS MEDIUM DENSITY</b> 501 NORTH CREEK ROAD - KENNEDY HEAD NSW 2479		REVISION B      26 MAR 2020 <b>ARCADIA</b>





























AUREUS

PART 1 OF 5 DESIGN STATEMENT  
 PART 2 OF 5 SUPERLOT  
**PART 3 OF 5 PLANNING RESPONSE**  
 PART 4 OF 5 HOUSE TYPOLOGIES  
 PART 5 OF 5 INDIVIDUAL HOUSES

DEVELOPMENT APPLICATION

SUPERLOT 443

**PROJECT TEAM**

AVANT TOWNHOMES  
LEVEL 6 580 ST KILDA ROAD  
MELBOURNE VIC 3004  
TEL 03 9207 8088

INTRAPAC PROPERTY

---

**DEVELOPMENT APPLICATION PREPARED BY:**  
 ARCADIA STUDIO  
STUDIO 5 109-111 HAWKE STREET  
WEST MELBOURNE VIC 3003  
TEL 03 9986 5060  
www.arc-studio.com.au

**NOMINATED ARCHITECT:**  
DAVID HOCKLEY REG. No. 10792

---

PLANNERS NORTH  
6 PORTER STREET  
BYRON BAY NSW 2481  
TEL 0438 803 021  
Kate@plannersnorth.com.au

**LAND SITE**

KNobel ENGINEERS  
SUITE 4 - 155 VARSITY PARADE  
VARSITY LAKES QLD 4227  
TEL 07 5580 9777  
eng@knobelengineers.com.au

RICHARD GROVES ARCHITECTS  
5/123 BREAKFAST CREEK ROAD  
NEWSTEAD QLD 4006  
TEL 0411 954 350  
rga@thedesignbalance.com

**BDCP CONTROLS**

DA-443_8000	COVER
DA-443_8001	DEVELOPMENT SUMMARY
DA-443_8002	BUILDING HEIGHT • ENVELOPES - A • C
DA-443_8003	BUILDING HEIGHT • ENVELOPES - A • C
DA-443_8004	GFA - B
DA-443_8005	ARTICULATION ZONE - D • E
DA-443_8006	ARTICULATION ZONE - D • E
DA-443_8007	PRIVATE OPEN SPACE - G • I
DA-443_8008	PRIVATE OPEN SPACE - G • I
DA-443_8009	LANDSCAPE AREA • VEHICLES - G • H
DA-443_8010	SOLAR ACCESS - J
DA-443_8011	SOLAR ACCESS - J
DA-443_8012	FENCE - K

**AUREUS MEDIUM DENSITY**  
505 NORTH CREEK ROAD  
SKENNARS HEAD NSW 2478

2 FEB 2020

DA-443\_8000

# AUREUS

**SUPERLOT 443**  
**DEVELOPMENT SUMMARY**

**SITE AREA** 11 193 sqm

**MULTI-DWELLING HOUSES** 17  
**HOUSES** 27  
**TOTAL No. OF DWELLINGS** 44

**2 BEDROOM DWELLINGS** 12  
**3 BEDROOM DWELLINGS** 27  
**4 BEDROOM DWELLINGS** 5  
**TOTAL No. OF DWELLINGS** 44

**CAR PARKING SPACES**  
**FOR DWELLINGS** 88  
**FOR VISITORS** 6  
**TOTAL No. OF SPACES** 94

SUPERLOT 443 - SITE COVER	
	AREA
443-01/02/03	264
443-04	133
443-05	105
443-06	105
443-07/08	193
443-09	86
443-10	86
443-11	86
443-12	133
443-13/14	156
443-15/16	156
443-17	105
443-18	81
443-19	81
443-20	81
443-21	110
443-22	110
443-23	105
443-24	105
443-25/26	156
443-27/28	156
443-29	105
443-30	105
443-31	133
443-32	133
443-33	105
443-34	81
443-35	81
443-36	105
443-37	833
443-38/39	138
443-40	110
443-41	110
443-42	110
443-43/44	118
<b>4 140 m<sup>2</sup></b>	

**SITE COVER** 3 165 x 11 193  
0.28 : 1



**SITE COVER**



**GENERAL PERFORMANCE SPECIFICATIONS** (NHBC) (NHW)  
The National House Building Council (NHBC) and National Home Warranty (NHW) are the industry's leading providers of home building warranties. They provide a comprehensive range of services to ensure that new homes are built to the highest standards of quality and durability. The NHBC and NHW are committed to providing a high level of customer service and support throughout the entire building process.

**GENERAL SPECIFICATIONS** (NHBC) (NHW)  
The NHBC and NHW provide a range of specifications for new homes, covering everything from the structural elements to the finishing touches. These specifications are designed to ensure that new homes are built to the highest standards of quality and durability. The NHBC and NHW are committed to providing a high level of customer service and support throughout the entire building process.

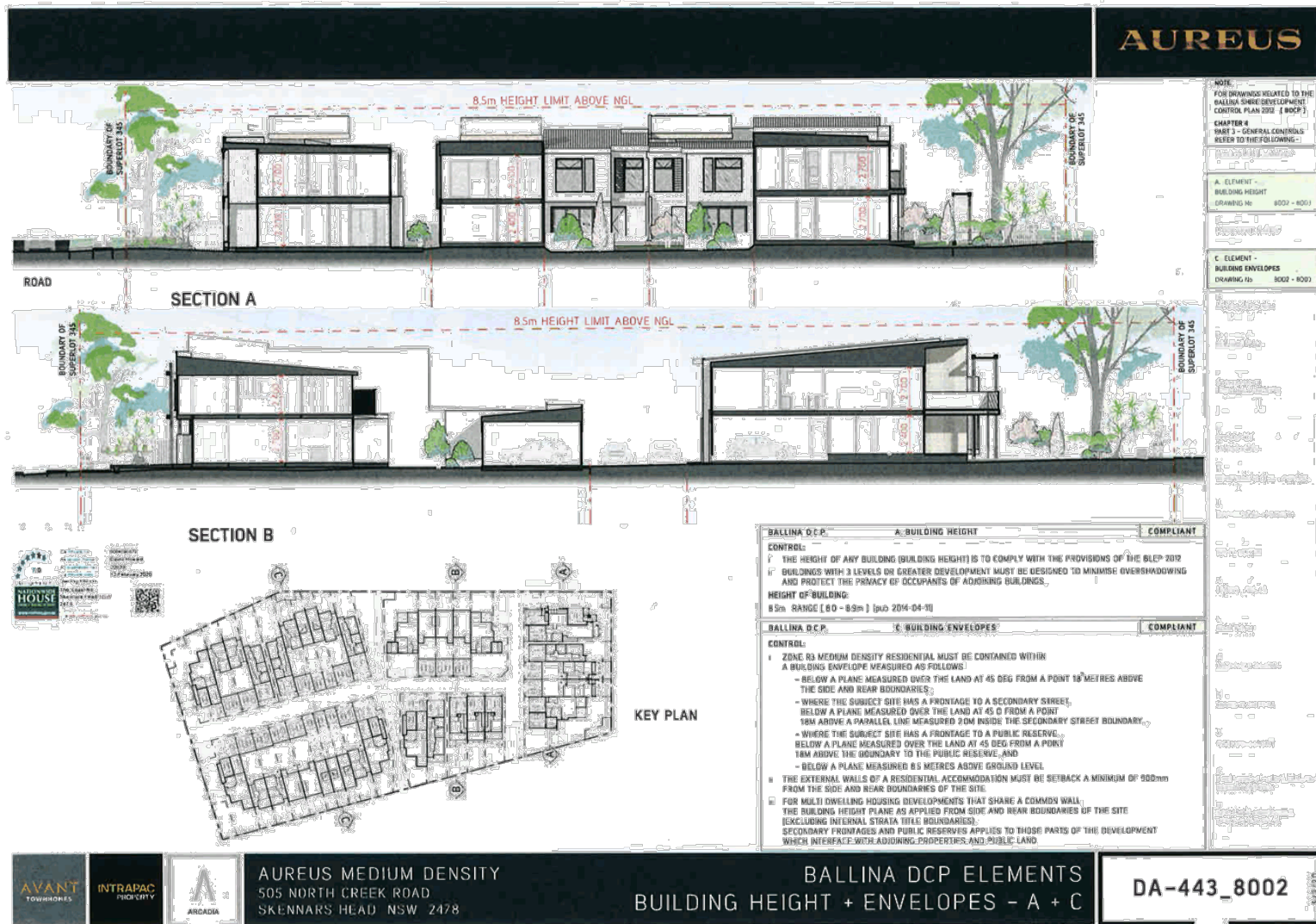
**GENERAL SPECIFICATIONS** (NHBC) (NHW)  
The NHBC and NHW provide a range of specifications for new homes, covering everything from the structural elements to the finishing touches. These specifications are designed to ensure that new homes are built to the highest standards of quality and durability. The NHBC and NHW are committed to providing a high level of customer service and support throughout the entire building process.



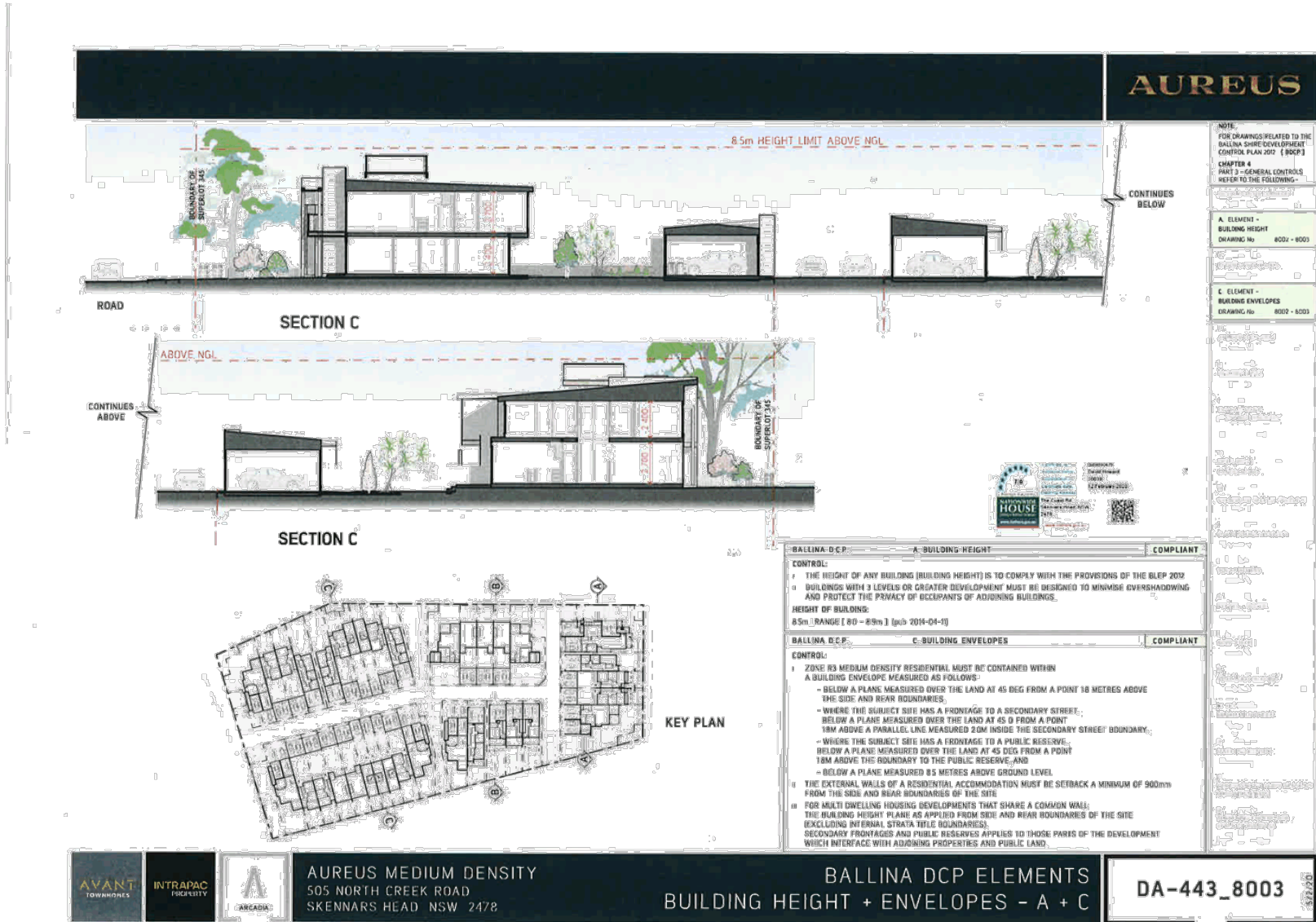
**AUREUS MEDIUM DENSITY**  
505 NORTH CREEK ROAD  
SKENNARS HEAD NSW 2478

**DEVELOPMENT SUMMARY**  
**SITE COVER**

**DA-443\_8001**



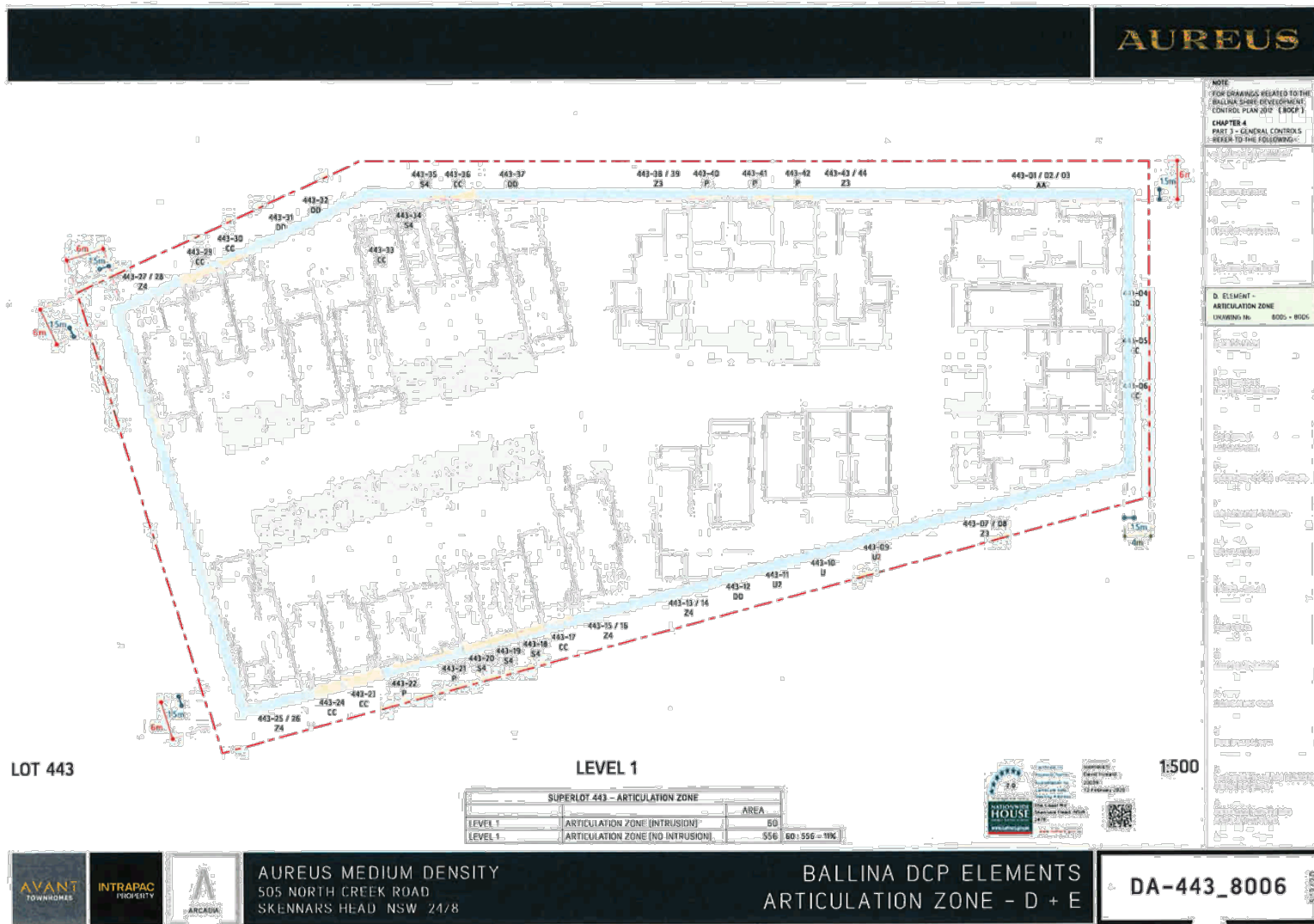


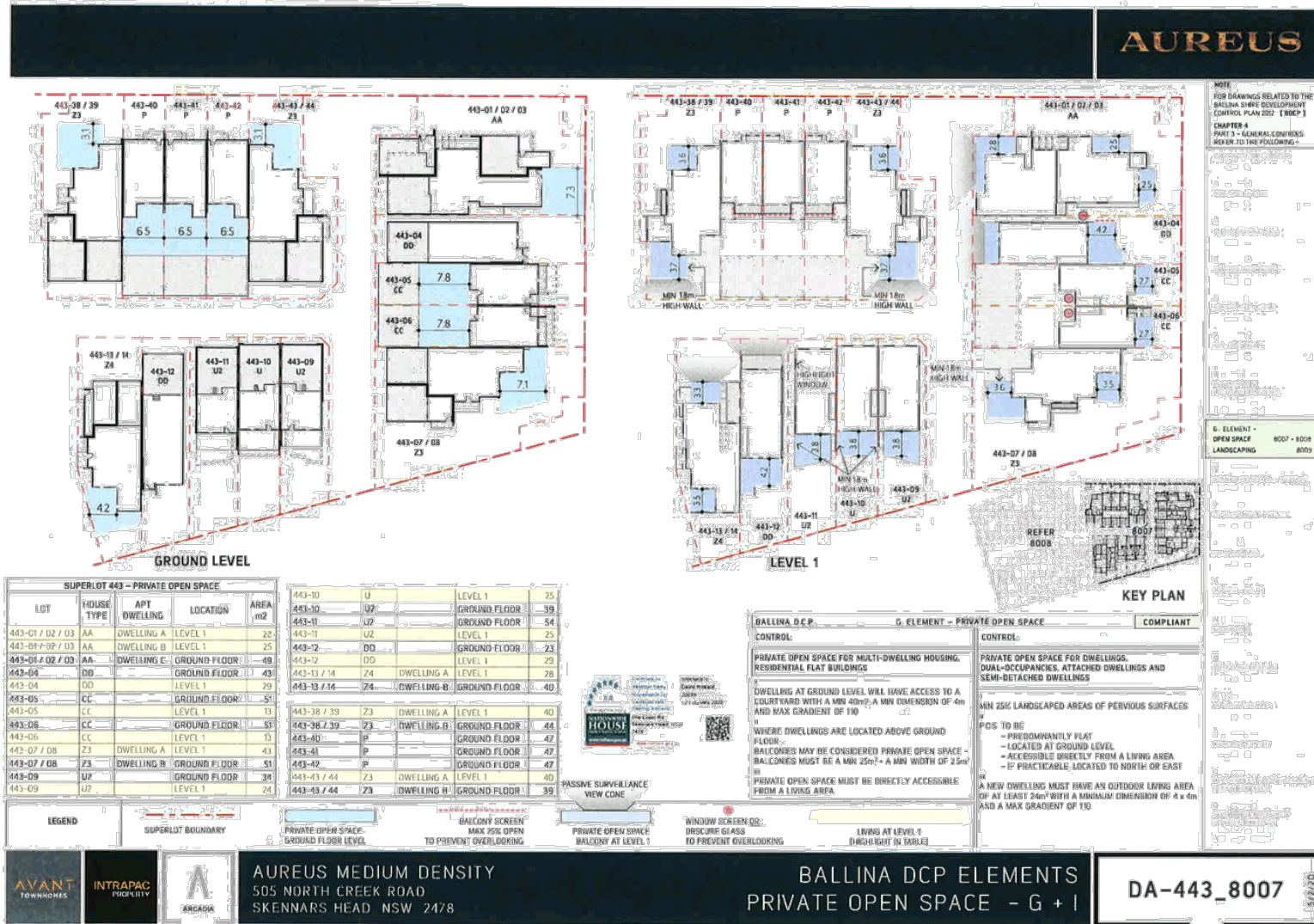




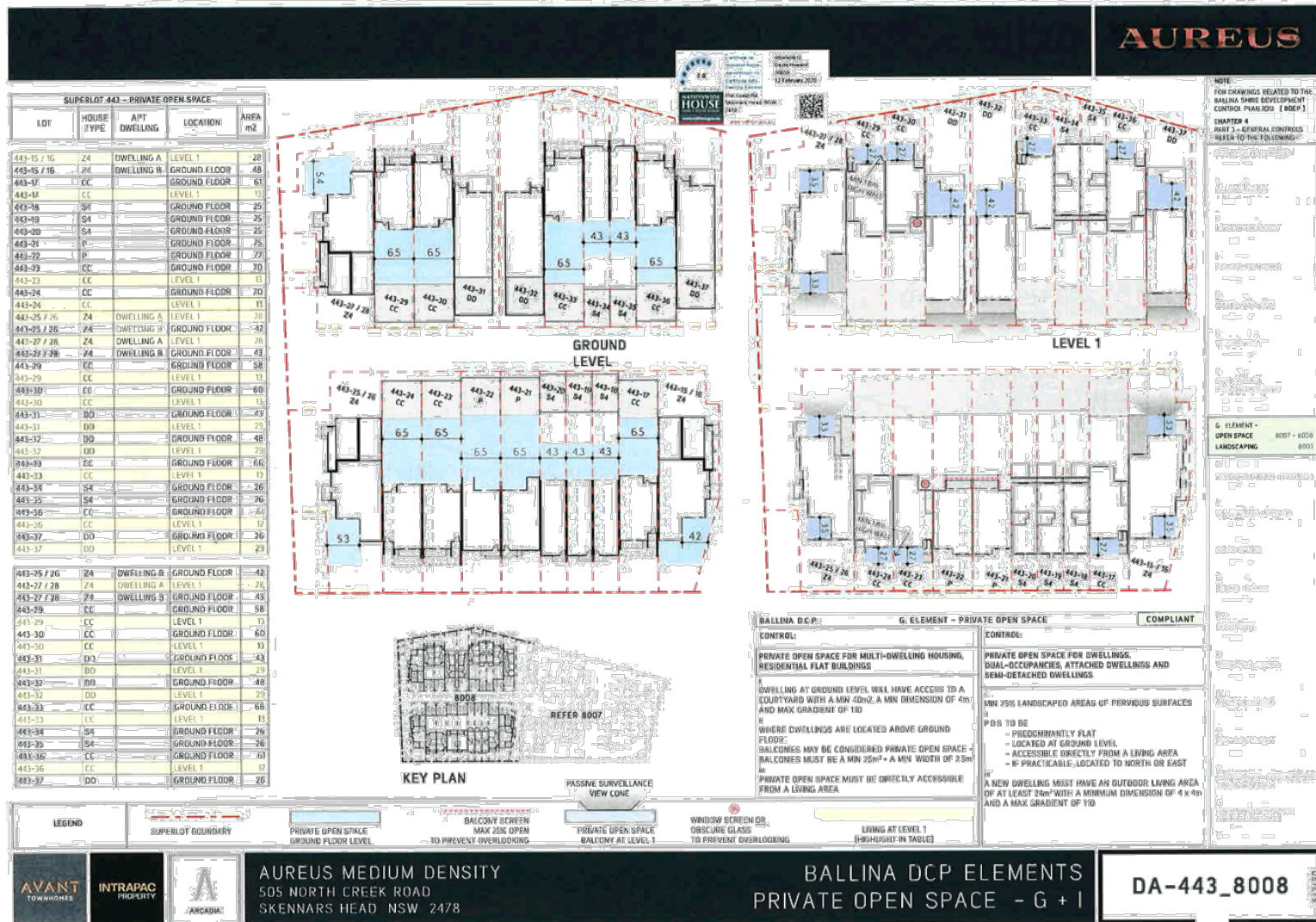


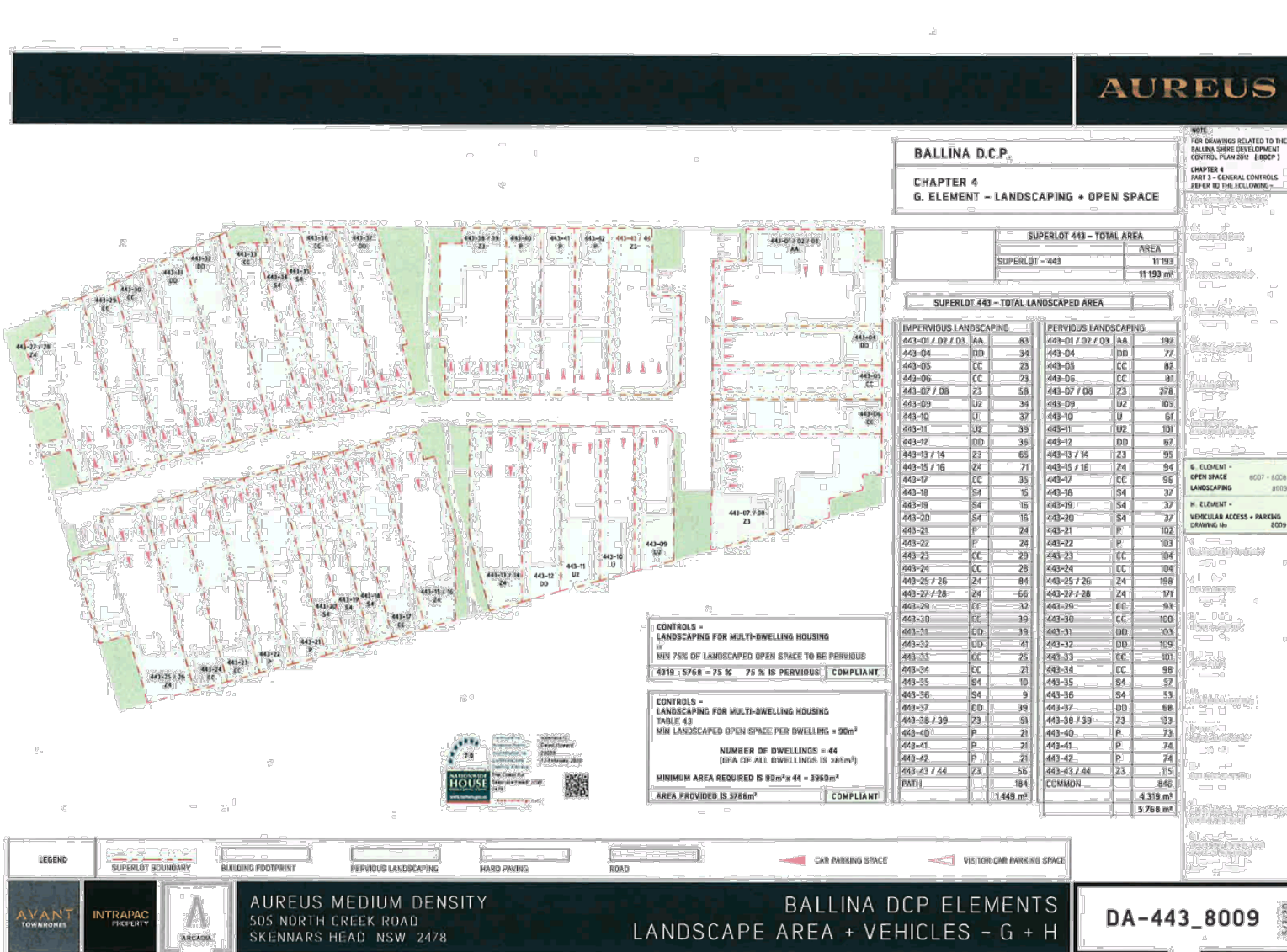




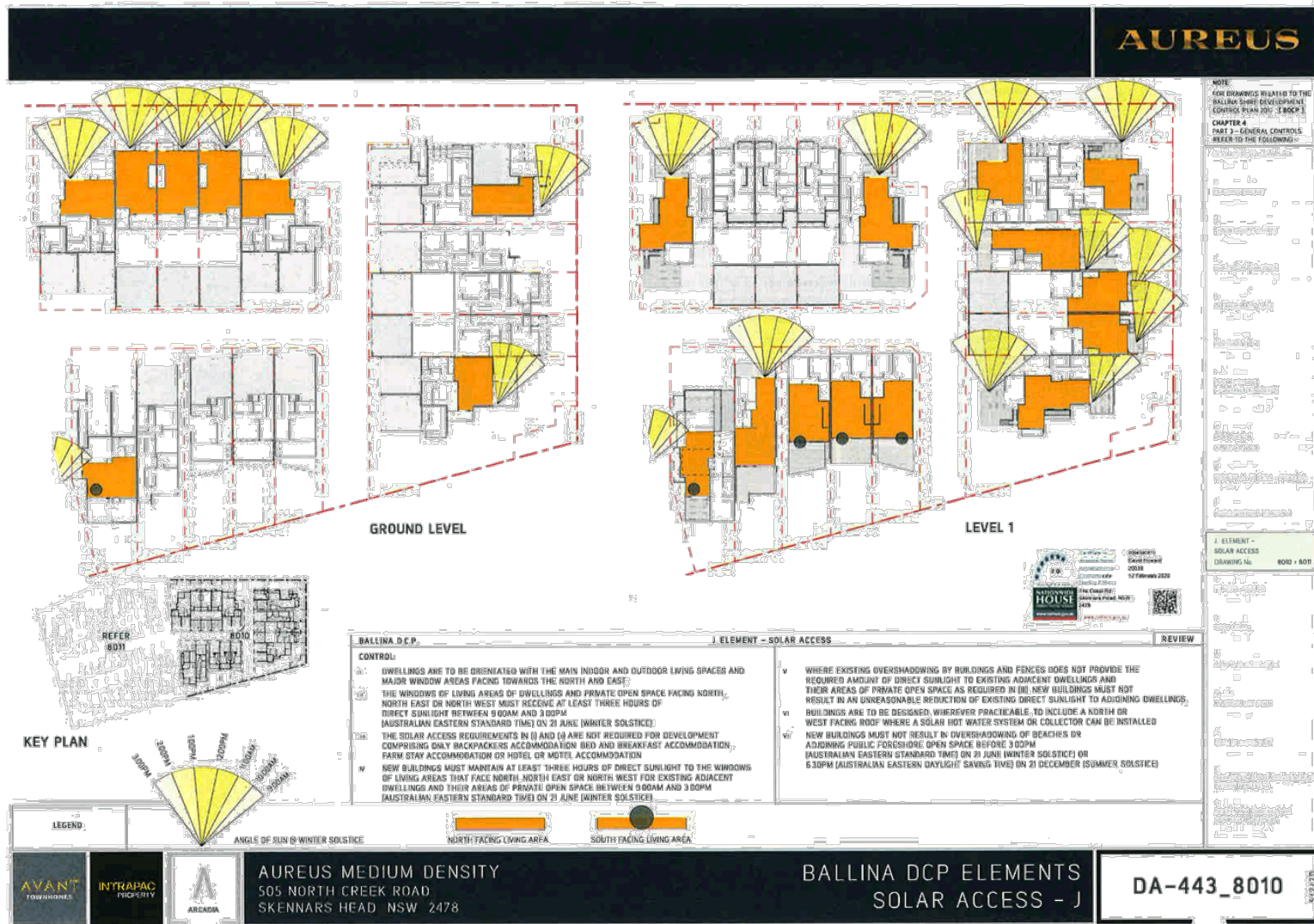




















NOTE:  
FOR DRAWINGS RELATED TO THE BALLINA SHIRE DEVELOPMENT CONTROL PLAN 2015 (DCP) CHAPTER 4 PART 3 - GENERAL CONTROLS REFER TO THE FOLLOWING DEVELOPMENT SUMMARY:

1. ...

2. ...

3. ...

4. ...

5. ...

6. ...

7. ...

8. ...

9. ...

10. ...

11. ...

12. ...

13. ...

14. ...

15. ...

16. ...

17. ...

18. ...

19. ...

20. ...

21. ...

22. ...

23. ...

24. ...

25. ...

26. ...

27. ...

28. ...

29. ...

30. ...

31. ...

32. ...

33. ...

34. ...

35. ...

36. ...

37. ...

38. ...

39. ...

40. ...

41. ...

42. ...

43. ...

44. ...

45. ...

46. ...

47. ...

48. ...

49. ...

50. ...

BALLINA D.C.P. K. ELEMENT - FENCES + SCREENS	COMPLIANT
<p><b>CONTROL:</b></p> <p>THE HEIGHT OF FENCES MUST NOT EXCEED THE FOLLOWING HEIGHTS</p> <p>(i) FRONT FENCE 12 METRES UNLESS FENCE COMPLIES WITH POINT (ii) BELOW.</p> <p>(ii) SIDE FENCE 12 METRES FORWARD OF THE BUILDING LINE AND 18 METRES FOR THE REMAINDER</p> <p>(iii) REAR FENCE 18 METRES</p> <p>WHERE THE REAR FENCE IS THE PRIMARY FRONTAGE, 12 METRES</p> <p>*FRONT FENCE REFERS TO A FENCE ON THE FRONT BOUNDARY OR FORWARD OF THE BUILDING LINE ON THE PRIMARY STREET FRONTAGE OF A SITE</p> <p>WHERE FENCES OR WALLS ARE PROPOSED EXCEED 12 METRES IN HEIGHT THE FENCE OR WALL IS TO BE DESIGNED IN ACCORDANCE WITH THE FOLLOWING:</p> <ul style="list-style-type: none"> <li>* THE FENCE OR WALL IS TO BE ARTICULATED SO AS TO PROVIDE VISUAL RELIEF AND OPPORTUNITIES FOR LANDSCAPE PLANTINGS BETWEEN THE WALL AND PUBLIC AREAS</li> <li>* THE MAXIMUM HEIGHT OF THE FENCE OR WALL IS 18 M; AND</li> <li>* THE DESIGN OF THE FENCE OR WALL INCORPORATES OPENINGS WITH AT LEAST 50% VISUAL PERMEABILITY</li> </ul> <p>WHERE A FENCE ABUTS A DRIVEWAY EDGE: A MINIMUM 2.5M x 2.0M SPAYED AREA IS TO BE PROVIDED EITHER SIDE OF THE DRIVEWAY FOR SOLID FENCE DESIGNS FOR TRAFFIC VIEWING PURPOSES (AS 2890) ALTERNATIVELY A FULLY OPEN OR PART OPEN STYLE FENCE MAY BE ADOPTED EITHER SIDE OF THE DRIVEWAY WHEN NOT INCORPORATE SOLID CONSTRUCTION TO A MAXIMUM HEIGHT OF 10M</p>	
<p><small>K. ELEMENT - FENCES + WALLS DRAWING NO. #01</small></p>	

**LEGEND**




— 1.8m HIGH FENCE

— 1.2m HIGH SLATED FENCE / SCREEN

— 0.6m HIGH FEATURE FENCE / SCREEN

**AUREUS MEDIUM DENSITY**  
505 NORTH CREEK ROAD  
SKENNARS HEAD NSW 2478

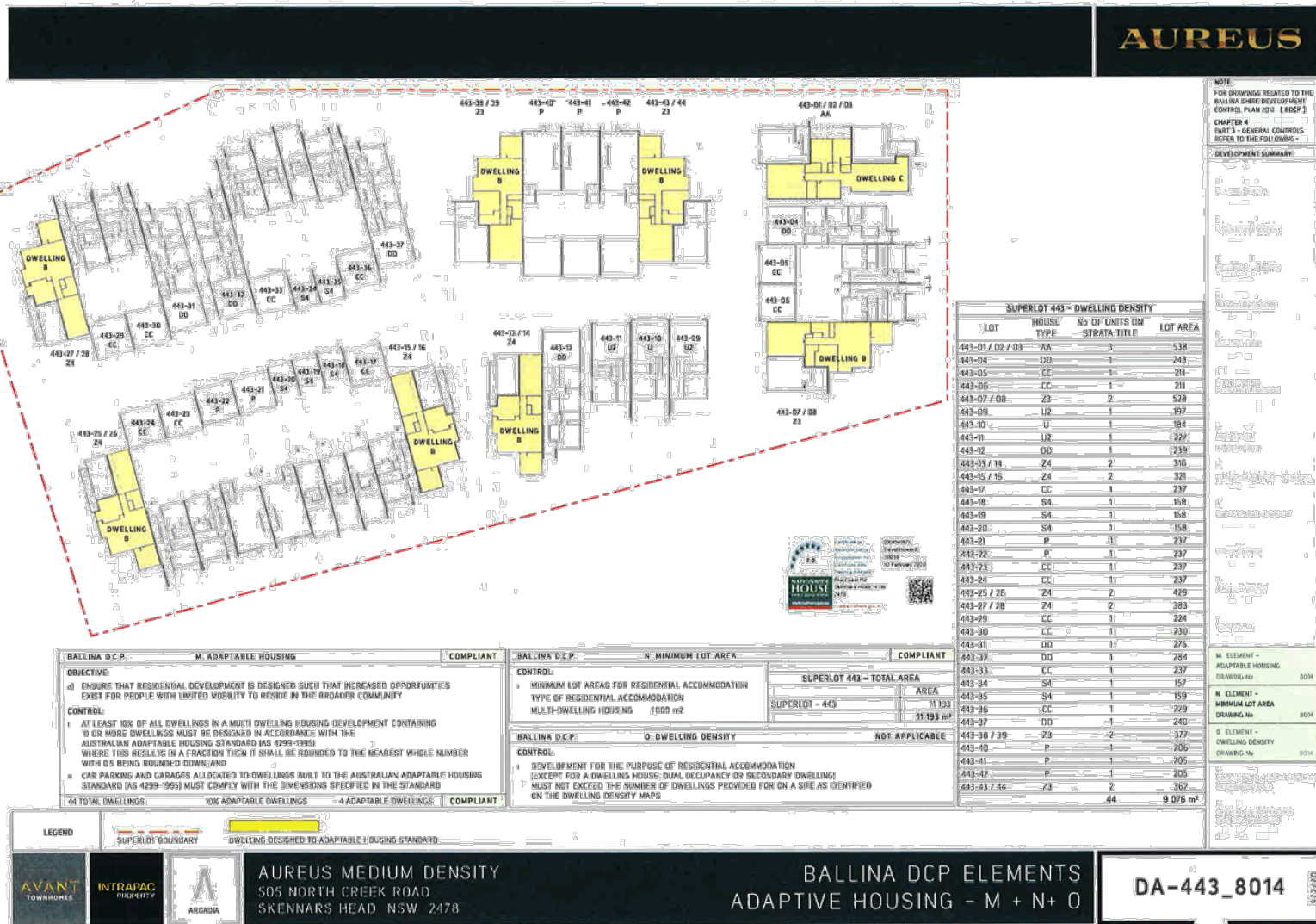
**BALLINA DCP ELEMENTS**  
**FENCES - K**

**DA-443\_8012**

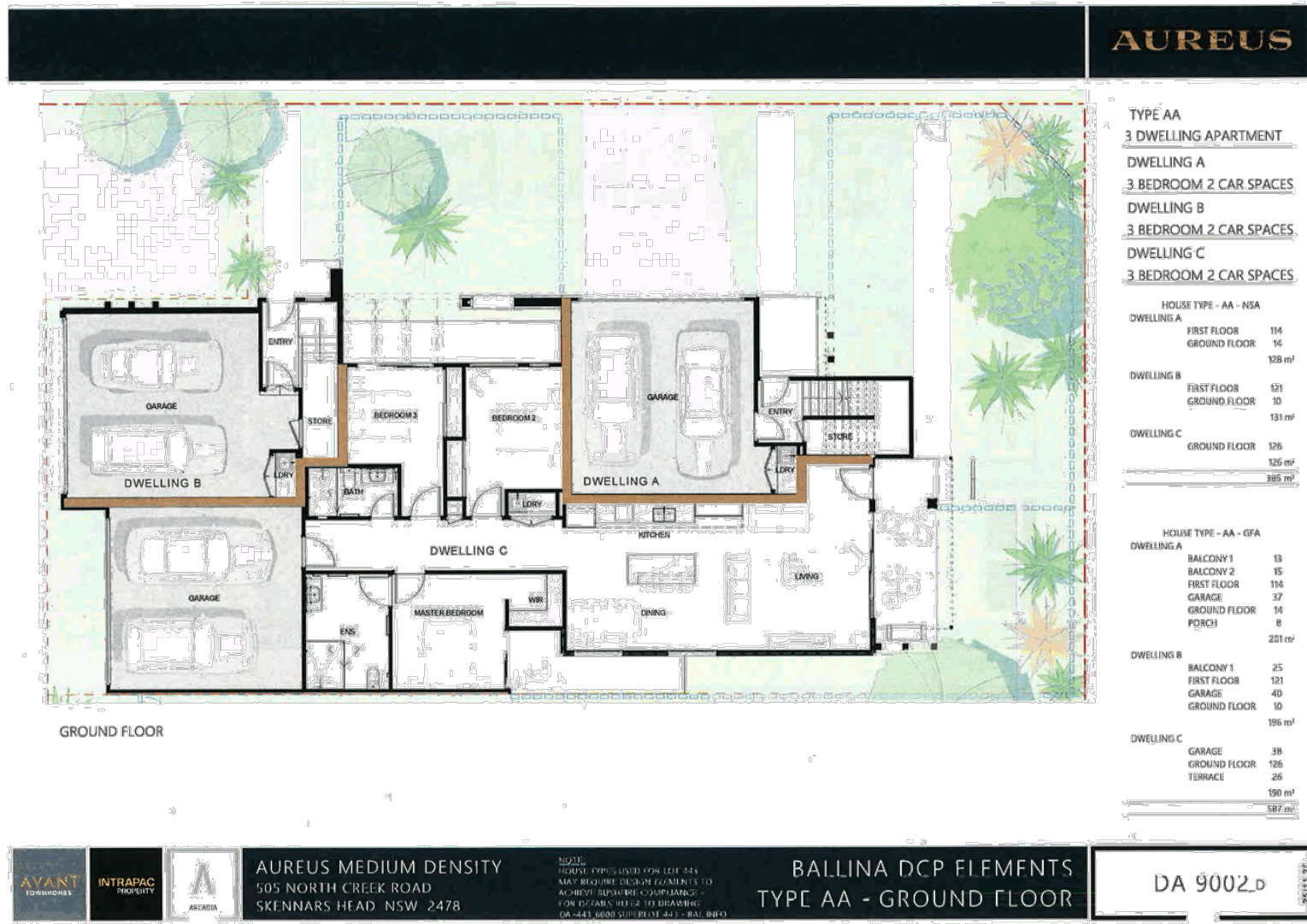






		<b>AUREUS</b>	
		PART 1 OF 5	DESIGN STATEMENT
		PART 2 OF 5	SUPERLOT
		PART 3 OF 5	PLANNING RESPONSE
DEVELOPMENT APPLICATION		DWELLING DESIGNS	
		PART 4 OF 5	HOUSE TYPOLOGIES
		PART 5 OF 5	INDIVIDUAL HOUSES
		<b>PROJECT TEAM</b> AVANT TOWNHOMES LEVEL 6 500 ST KILDA ROAD MELBOURNE VIC 3004 TEL 03 9207 8088 INTRAPAC PROPERTY	
		DEVELOPMENT APPLICATION PREPARED BY: ARCADIA STUDIO STUDIO 5 109-111 HAWK STREET WEST MELBOURNE VIC 3003 TEL 03 9988 5080 www.arc-studio.com.au NOMINATED ARCHITECT: DAVID HOCKLEY REG-No. 10792	
		PLANNERS NORTH 6 PORTER STREET BYRON BAY NSW 2481 TEL 0438 803 021 Kate@plannersnorth.com.au	
		LAND SITE LANDSITE PO BOX 1175 BYRON BAY NSW 2481 TEL 02 6680 8997 info@landsite.net.au KNOBEL ENGINEERS SUITE 4 - 155 VARSITY PARADE VARSITY LAKES QLD 4227 TEL 07 5580 9777 eng@knobelengineers.com.au RICHARD GROVES ARCHITECTS 5/123 BREAKFAST CREEK ROAD NEWSTEAD QLD 4006 TEL 0411 954 550 rga@thedesignalliance.com	
AVANT TOWNHOMES INTRAPAC PROPERTY ARCADIA	AUREUS MEDIUM DENSITY 505 NORTH CREEK ROAD SKENNARS HEAD NSW 2478		25 NOV 2020 REV D
		DA 9001 <sub>b</sub>	





# AUREUS

**TYPE AA**  
**3 DWELLING APARTMENT**  
**DWELLING A**  
**3 BEDROOM 2 CAR SPACES**  
**DWELLING B**  
**3 BEDROOM 2 CAR SPACES**  
**DWELLING C**  
**3 BEDROOM 2 CAR SPACES**

**HOUSE TYPE - AA - NSA**

DWELLING A	FIRST FLOOR	114
	GROUND FLOOR	14
		128 m <sup>2</sup>
DWELLING B	FIRST FLOOR	121
	GROUND FLOOR	10
		131 m <sup>2</sup>
DWELLING C	GROUND FLOOR	126
		126 m <sup>2</sup>
		385 m <sup>2</sup>

**HOUSE TYPE - AA - GFA**

DWELLING A	BALCONY 1	13
	BALCONY 2	15
	FIRST FLOOR	114
	GARAGE	37
	GROUND FLOOR	14
	PORCH	8
		201 m <sup>2</sup>
DWELLING B	BALCONY 1	25
	FIRST FLOOR	121
	GARAGE	40
	GROUND FLOOR	10
		196 m <sup>2</sup>
DWELLING C	GARAGE	38
	GROUND FLOOR	126
	TERRACE	26
		190 m <sup>2</sup>
		587 m <sup>2</sup>

GROUND FLOOR



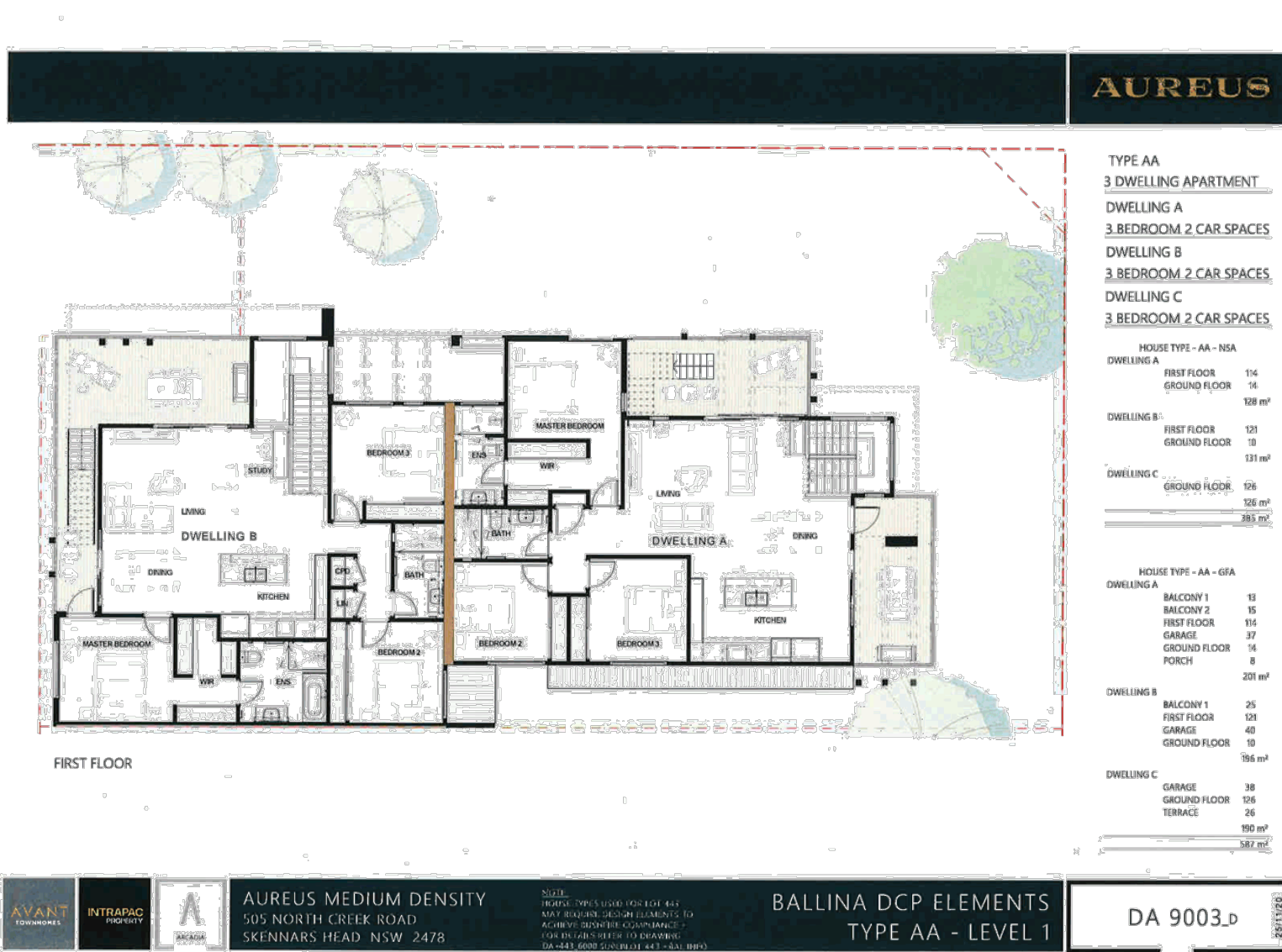


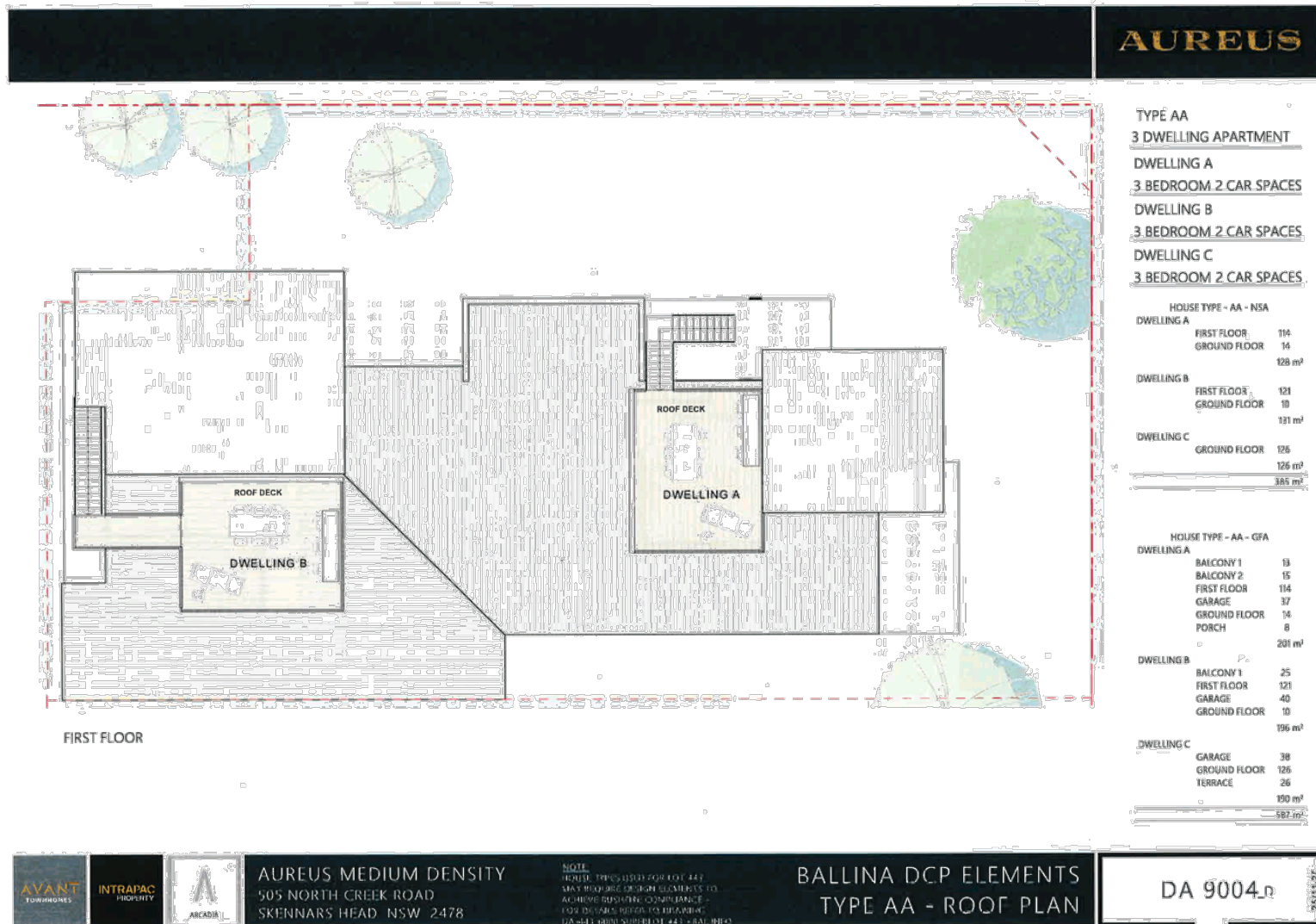
**AUREUS MEDIUM DENSITY**  
 505 NORTH CREEK ROAD  
 SKENNARS HEAD NSW 2478

NOTE: THESE TYPES USED FOR LOT 444 MAY REQUIRE DESIGN EXEMPTS TO ACHIEVE BUSHFIRE COMPLIANCE. FOR DETAILS REFER TO DRAWING DA-443, 0600 SUPERSET 443 - BAL INFO

**BALLINA DCP ELEMENTS**  
**TYPE AA - GROUND FLOOR**

DA 9002\_D





# AUREUS

**TYPE AA**  
**3 DWELLING APARTMENT**  
**DWELLING A**  
**3 BEDROOM 2 CAR SPACES**  
**DWELLING B**  
**3 BEDROOM 2 CAR SPACES**  
**DWELLING C**  
**3 BEDROOM 2 CAR SPACES**

**HOUSE TYPE - AA - NSA**

DWELLING A	FIRST FLOOR	114
	GROUND FLOOR	14
		128 m <sup>2</sup>
DWELLING B	FIRST FLOOR	121
	GROUND FLOOR	10
		131 m <sup>2</sup>
DWELLING C	GROUND FLOOR	126
		126 m <sup>2</sup>
		385 m <sup>2</sup>

**HOUSE TYPE - AA - GFA**

DWELLING A	BALCONY 1	13
	BALCONY 2	15
	FIRST FLOOR	114
	GARAGE	37
	GROUND FLOOR	14
	PORCH	6
		201 m <sup>2</sup>
DWELLING B	BALCONY 1	25
	FIRST FLOOR	121
	GARAGE	40
	GROUND FLOOR	10
		196 m <sup>2</sup>
DWELLING C	GARAGE	38
	GROUND FLOOR	126
	TERRACE	26
		190 m <sup>2</sup>
		587 m <sup>2</sup>

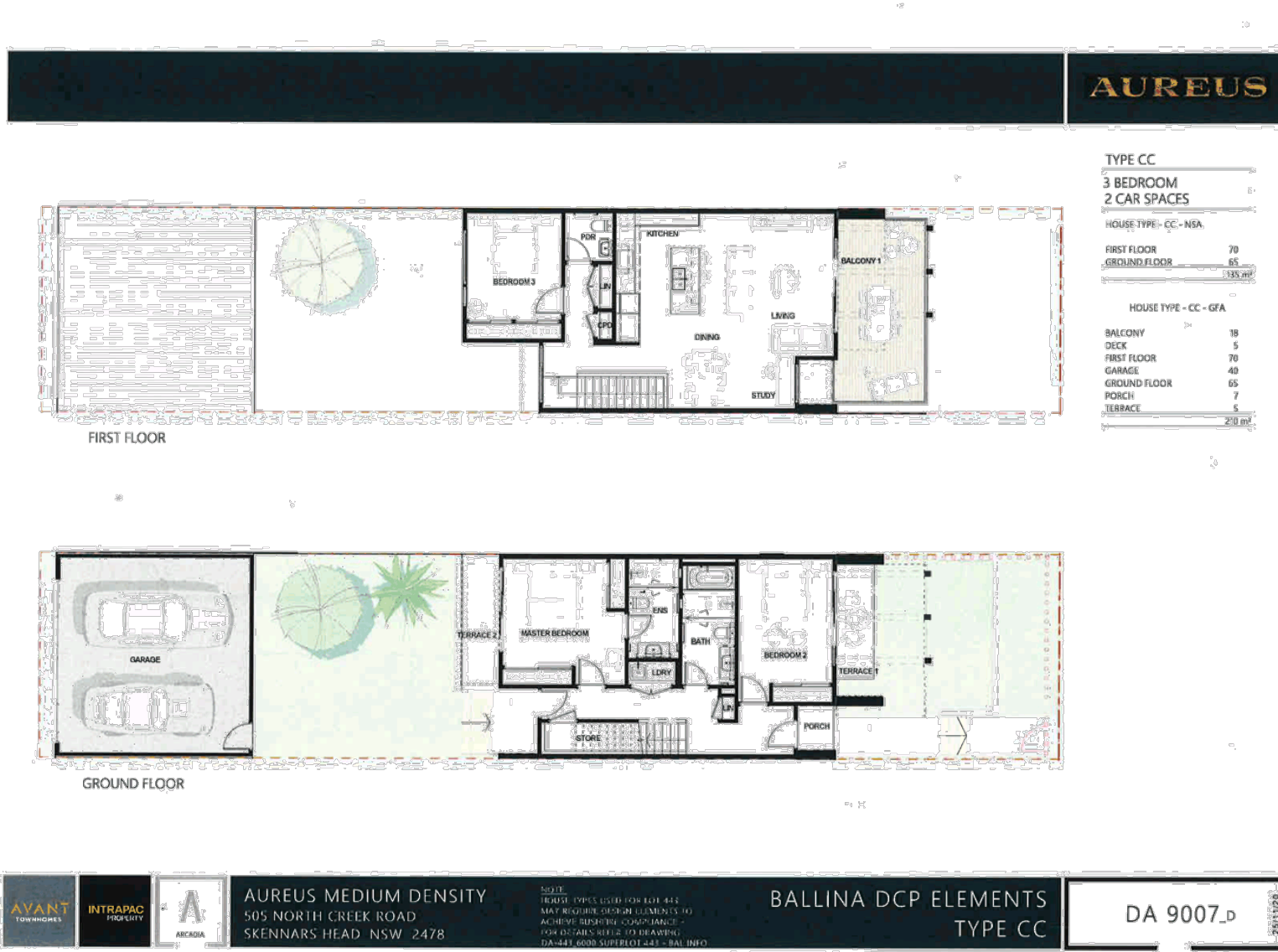


**AUREUS MEDIUM DENSITY**  
 505 NORTH CREEK ROAD  
 SKENNARS HEAD NSW 2478

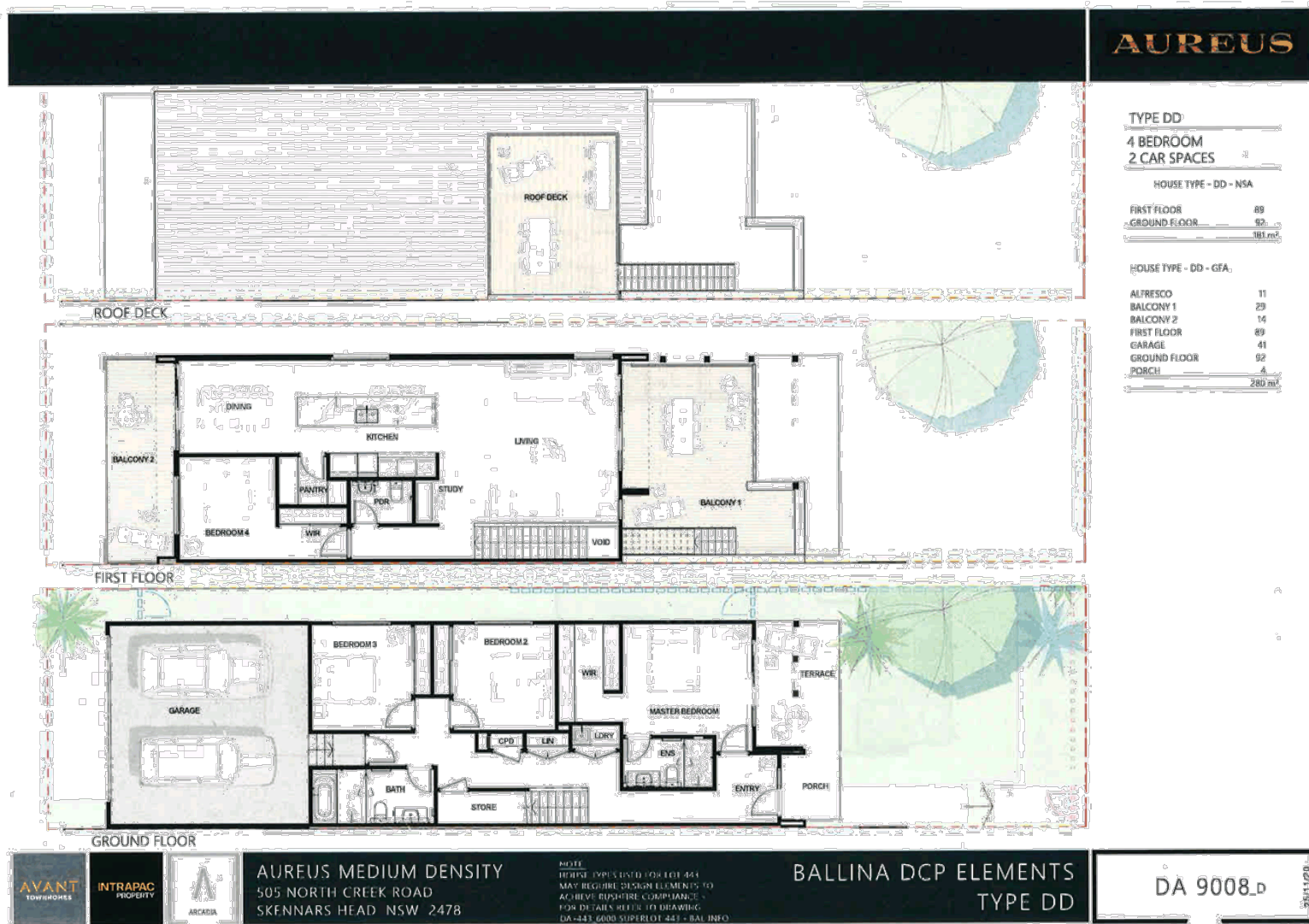
NOTE: THIS DRAWING FOR LOT 442 HAS BEEN PREPARED IN ACCORDANCE WITH THE BUILDING ACT 2016 AND THE BUILDING REGULATIONS 2016 FOR A DEVELOPMENT OF A BUILDING. DA-441-2020-500-RES-1-442-BAU-000

**BALLINA DCP ELEMENTS**  
**TYPE AA - ROOF PLAN**

**DA 9004\_D**





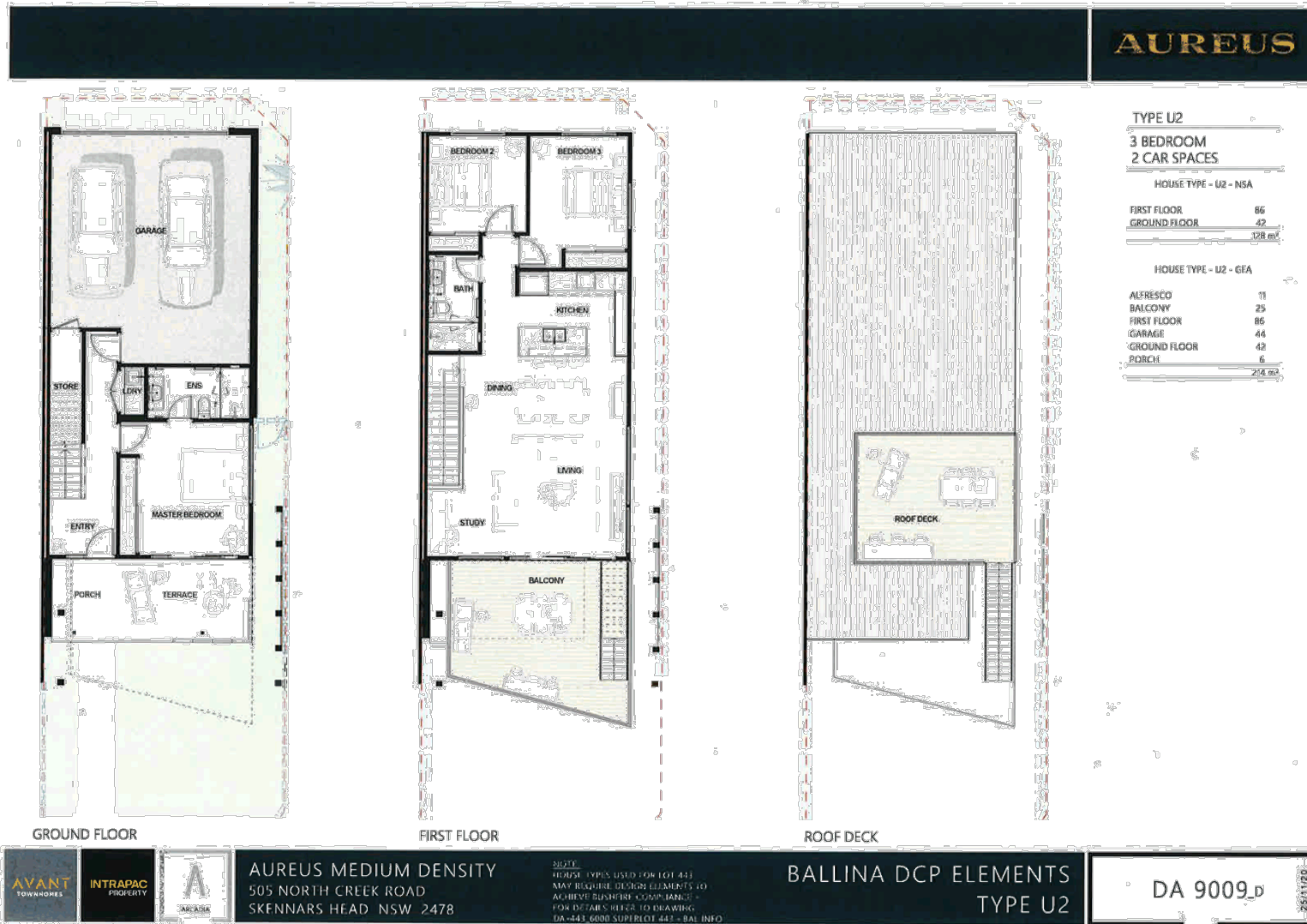


**AUREUS MEDIUM DENSITY**  
 505 NORTH CREEK ROAD  
 SKENNARS HEAD NSW 2478

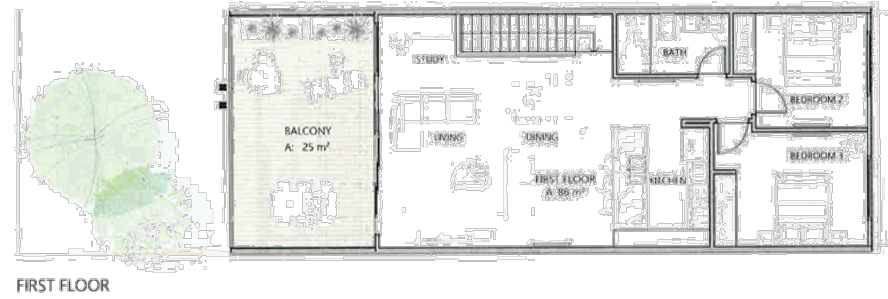
NOTE:  
 HOUSE TYPES DD10 - DD101-441  
 MAY REQUIRE DESIGN ELEMENTS TO  
 ACHIEVE RUSHFIRE COMPLIANCE -  
 FOR DETAILS REFER TO DRAWING  
 DA-441-6000-SUPERLOT-441-BAL-INFO

**BALLINA DCP ELEMENTS**  
 TYPE DD

**DA 9008\_b**



**AUREUS**



FIRST FLOOR

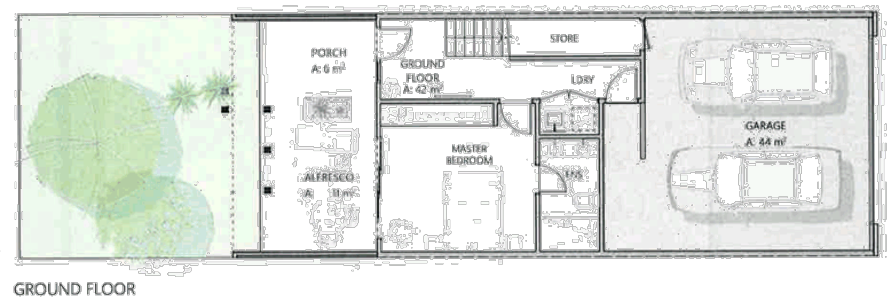
**TYPE U**  
**3 BEDROOM**  
**2 CAR SPACES**

HOUSE TYPE - U - NSA

FIRST FLOOR	86
GROUND FLOOR	42
<b>TOTAL</b>	<b>128 m²</b>

HOUSE TYPE - U - GFA

ALFRESCO	11
BALCONY	25
FIRST FLOOR	86
GARAGE	44
GROUND FLOOR	42
PORCH	6
<b>TOTAL</b>	<b>214 m²</b>

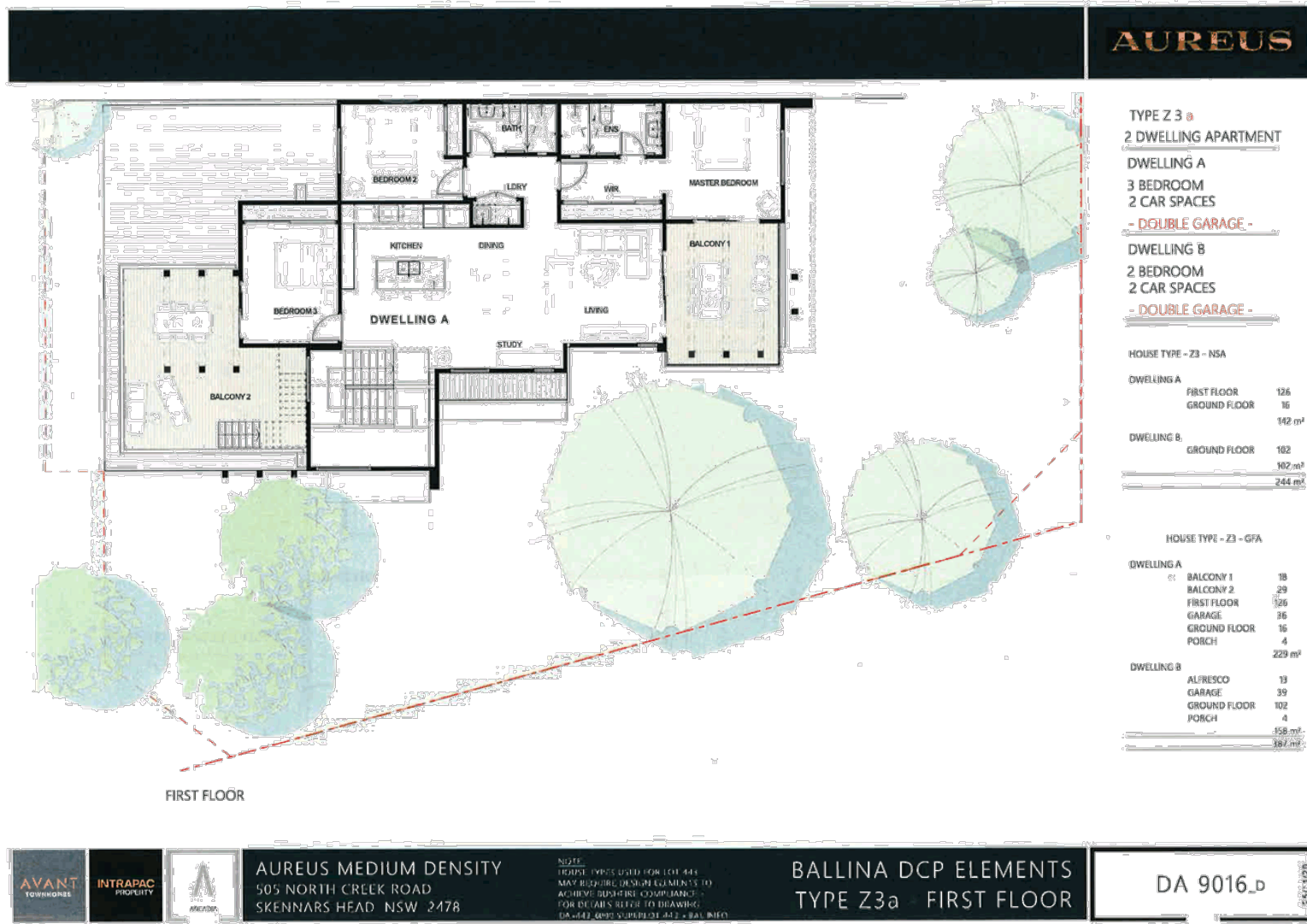


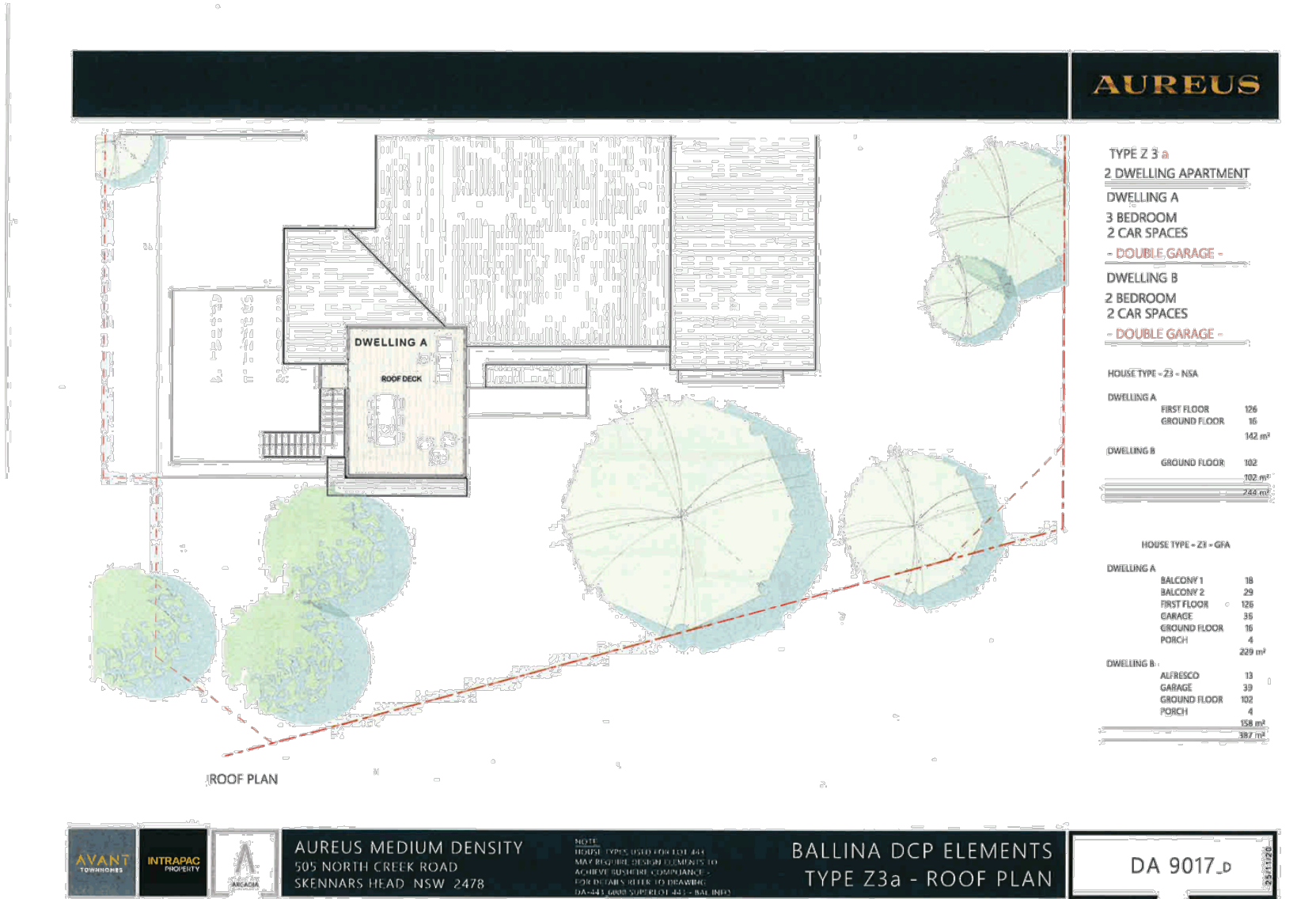
GROUND FLOOR

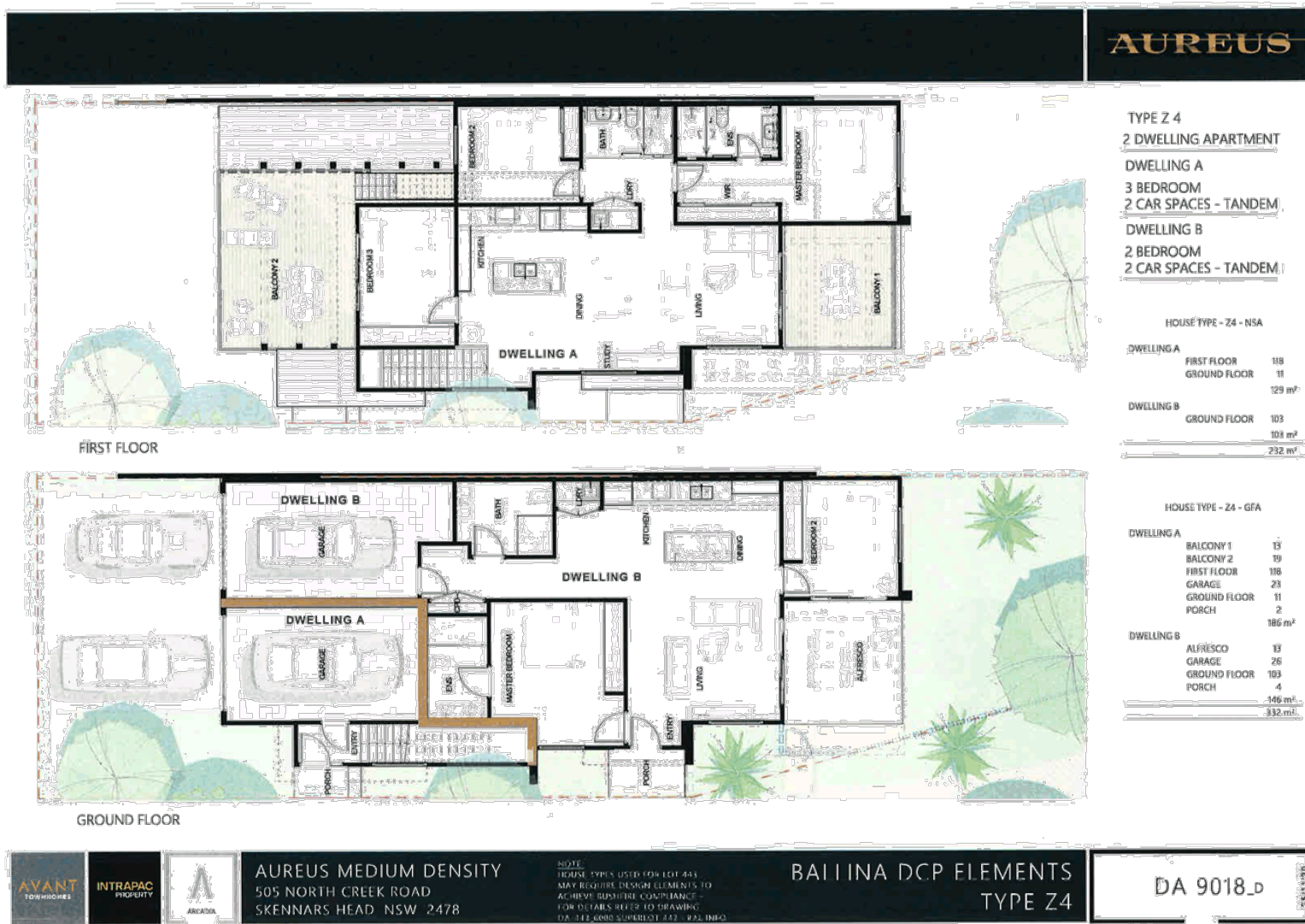
			<p><b>AUREUS MEDIUM DENSITY</b>                  505 NORTH CREEK ROAD                  SKENNARS HEAD NSW 2470</p>	M011 HOUSE TYPES U20 FOR LOT 444 BALLINA SHIRE DESIGN ELEMENTS U ACHIEVE BUSHFIRE COMPLIANCE FOR DETAILS REFER TO DRAWING DA-541-0005-339-PLN-443-BAL-010	<p><b>BALLINA DCP ELEMENTS</b>                  TYPE U</p>	<p><b>DA 9011_p</b></p>
--	--	--	---	--	--	-------------------------

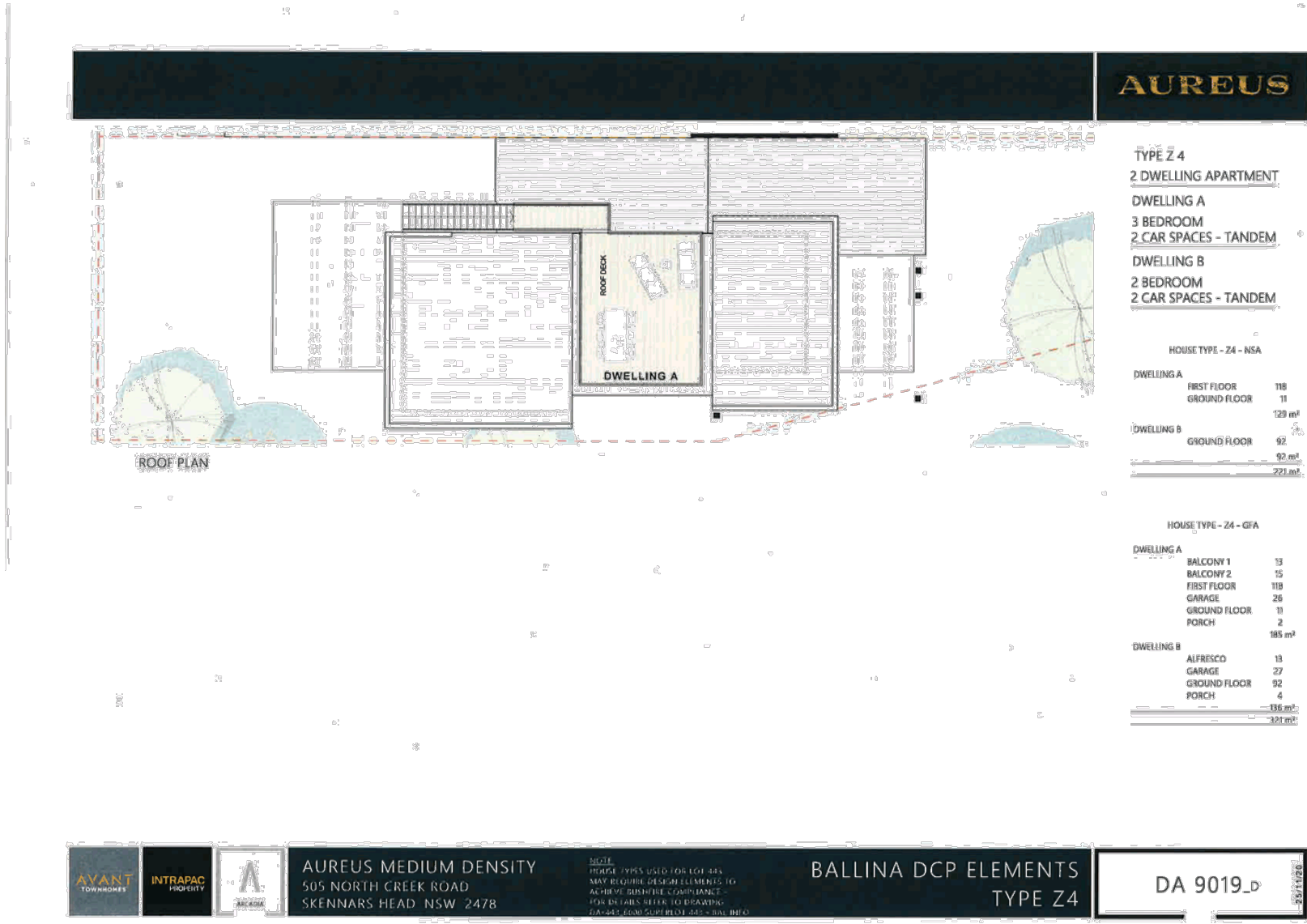




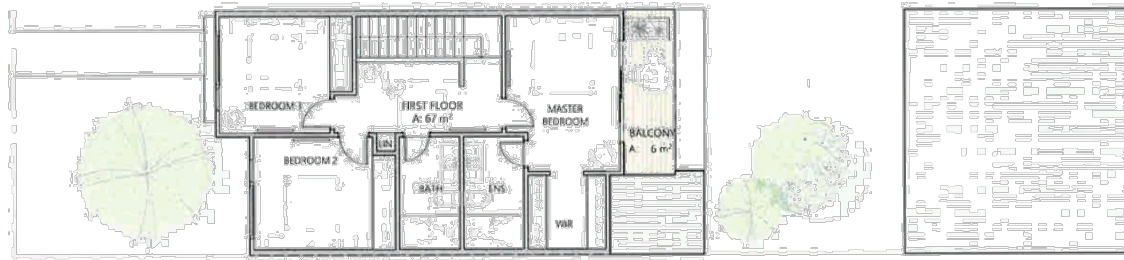












FIRST FLOOR

**TYPE P**

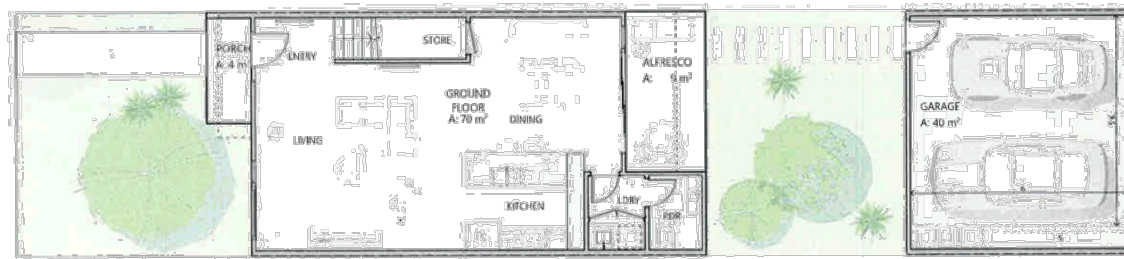
**3 BEDROOM**  
**2 CAR SPACES**

HOUSE TYPE - P - NSA

FIRST FLOOR	67
GROUND FLOOR	70
<b>TOTAL</b>	<b>137 m<sup>2</sup></b>

HOUSE TYPE - P - GFA

ALFRESCO	9
BALCONY	6
FIRST FLOOR	67
GARAGE	40
GROUND FLOOR	70
PORCH	4
<b>TOTAL</b>	<b>196 m<sup>2</sup></b>



GROUND FLOOR

			<p><b>AUREUS MEDIUM DENSITY</b> 505 NORTH CREEK ROAD SKENNARS HEAD, NSW 2470</p> <p><small>NOTE: TYPES USED FOR LOT 443 PROJECT MAY REQUIRE DESIGN ELEMENTS TO ACHIEVE BUSHFIRE COMPLIANCE - CONSULTABLES REFER TO DRAWING DA-443-6000-507 (LOT 443 - BAL INFO)</small></p>	<p><b>BALLINA DCP ELEMENTS</b> TYPE P</p>	<p><b>DA 9020_D</b></p> <p><small>25/11/2020</small></p>
--	--	--	---	---	--



**AUREUS**

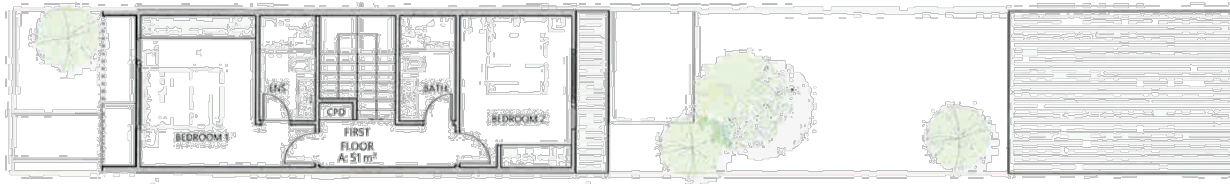
**TYPE S4**  
**2 BEDROOM**  
**2 CAR SPACES - TANDEM**

HOUSE TYPE - S4 - NSA

FIRST FLOOR 51  
 GROUND FLOOR 54  
 105 m<sup>2</sup>

HOUSE TYPE - S4 - GFA

ALFRESCO 7  
 FIRST FLOOR 51  
 GARAGE 27  
 GROUND FLOOR 54  
 PORCH 2  
 141 m<sup>2</sup>

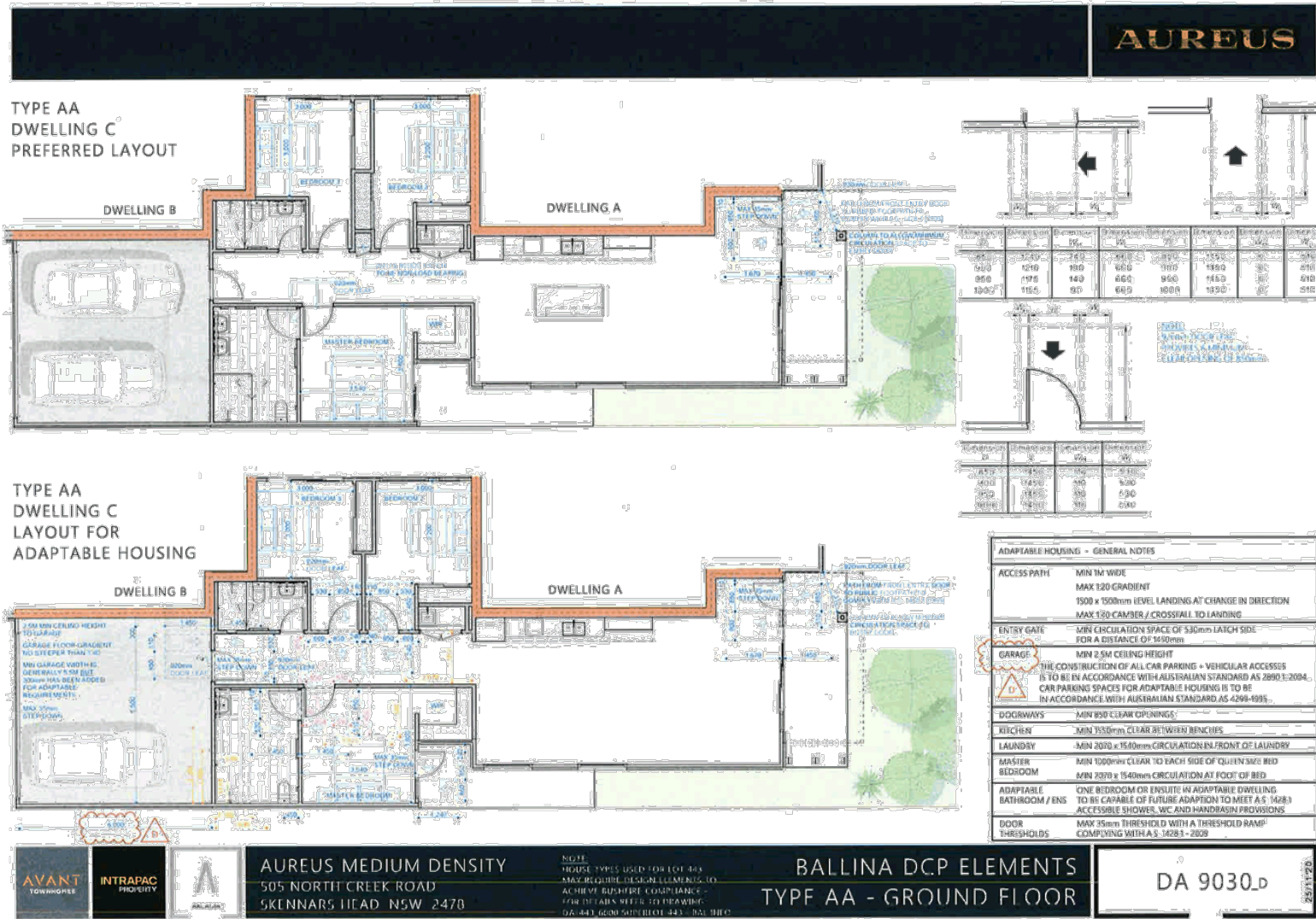


FIRST FLOOR

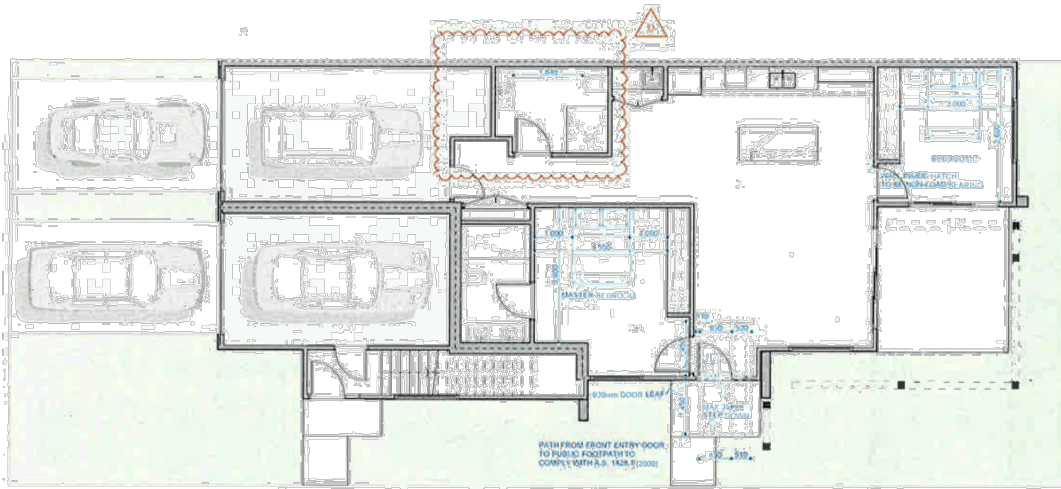


GROUND FLOOR

			<p><b>AUREUS MEDIUM DENSITY</b>                  505 NORTH CREEK ROAD                  SKENNARS HEAD NSW 2478</p>	<p><small>NOTE:                  THESE TYPES USED FOR LOT 434                  MAY REQUIRE DESIGN ELEMENTS TO                  ACHIEVE DUSHPRE COMPLIANCE -                  FOR DETAILS REFER TO DRAWING                  DA-242-6000-500/RELOT-434 - BAL INFO</small></p>	<p><b>BALLINA DCP ELEMENTS</b>                  TYPE S4</p>	<p><b>DA 9021_b</b></p>
--	--	--	---	---	---	-------------------------



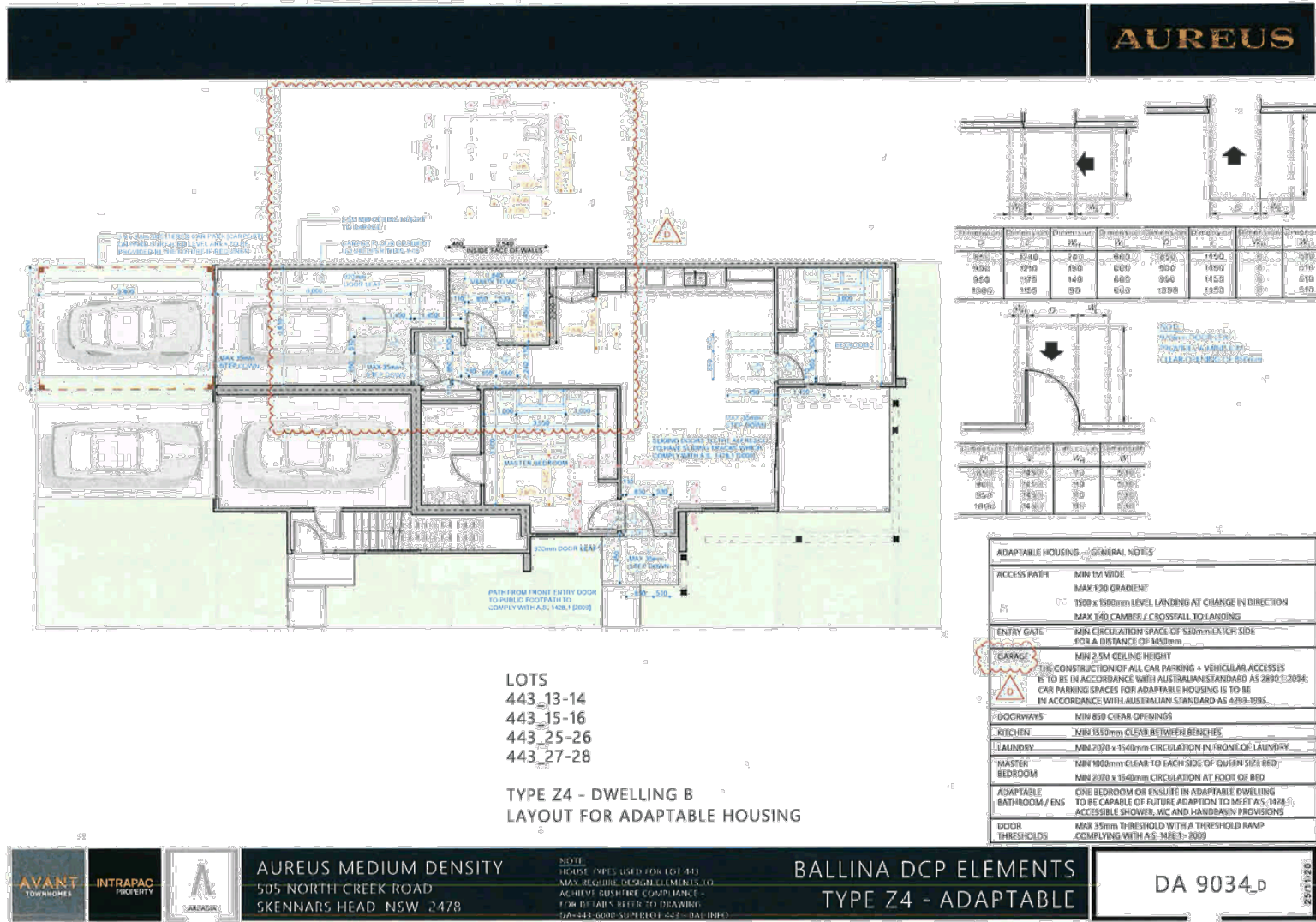
**AUREUS**



**TYPE Z4 - DWELLING B  
PREFERRED LAYOUT**


ADAPTABLE HOUSING - GENERAL NOTES	
ACCESS PATH	MIN 1M WIDE MAX 1:20 GRADIENT 1500 x 1500mm LEVEL LANDING AT CHANGE IN DIRECTION MAX 1:40 CAMBER / CROSSFALL TO LANDING
ENTRY GATE	MIN CIRCULATION SPACE OF 530mm LATCH SIDE FOR A DISTANCE OF 1450mm
GARAGE	MIN 2.5M CEILING HEIGHT THE CONSTRUCTION OF ALL CAR PARKING + VEHICULAR ACCESSES IS TO BE IN ACCORDANCE WITH AUSTRALIAN STANDARD AS 2898:2004. CAR PARKING SPACES FOR ADAPTABLE HOUSING IS TO BE IN ACCORDANCE WITH AUSTRALIAN STANDARD AS 4298-1995.
DOORWAYS	MIN 850 CLEAR OPENINGS
KITCHEN	MIN 1550mm CLEAR BETWEEN BENCHES
LAUNDRY	MIN 2070 x 1540mm CIRCULATION IN FRONT OF LAUNDRY
MASTER BEDROOM	MIN 1000mm CLEAR TO EACH SIDE OF QUEEN SIZE BED MIN 2070 x 1540mm CIRCULATION AT FOOT OF BED
ADAPTABLE BATHROOM/ENSUITE	ONE BEDROOM OR ENSUITE IN ADAPTABLE DWELLING TO BE CAPABLE OF FUTURE ADAPTATION TO MEET AS 1986: ACCESSIBLE SHOWER, WC AND HANDBASIN PROVISIONS
DOOR THRESHOLDS	MAX 35mm THRESHOLD WITH A THRESHOLD BAMP COMPLYING WITH AS 14283 - 2009

			<p><b>AUREUS MEDIUM DENSITY</b> 505 NORTH CREEK ROAD SKENNARS HEAD NSW 2478</p>	<p><small>NOTE: DATE SPECIFIED FOR LOT 443 - MAY REQUIRE OTHER ELEMENTS TO ACHIEVE DESEAL COMPLIANCE - FOR DETAILS REFER TO DRAWING DA-443-2009-SUPPLEMENT-443-1-BAL-INFO</small></p>	<p><b>BALLINA DCP ELEMENTS</b> <b>TYPE Z4 - PREFERRED</b></p>	<p><b>DA 9033_d</b></p>
--	--	--	---	---	---	-------------------------





AUREUS

PART 1 OF 5 DESIGN STATEMENT

PART 2 OF 5 SUPERLOT

PART 3 OF 5 PLANNING RESPONSE

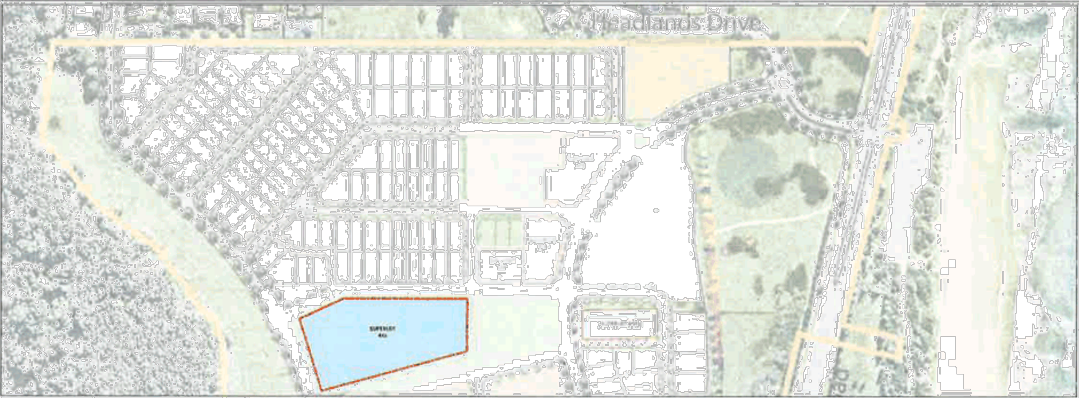

PART 4 OF 5 HOUSE TYPOLOGIES

**DEVELOPMENT APPLICATION**


**SUPERLOT 443**

PART 5 OF 5


**INDIVIDUAL HOUSES**


**PROJECT TEAM**



**AVANT TOWNHOMES**  
LEVEL 6 580 ST KILDA ROAD  
MELBOURNE VIC 3004  
TEL 03 9207 8888




**INTRAPAC PROPERTY**



**DEVELOPMENT APPLICATION PREPARED BY:**  
**ARCADIA STUDIO**  
STUDIO 5 509-111 HAWKE STREET  
WEST MELBOURNE VIC 3003  
TEL 03 9988 5080  
www.arc-studio.com.au


**NOMINATED ARCHITECT:**  
DAVID HOCKLEY REG No: 10792




**PLANNERS NORTH**  
6 PORTER STREET  
BYRON BAY NSW 2481  
TEL 0438 803 021  
Kate@plannersnorth.com.au

**LAND SITE**




**LANDSITE**  
PO BOX 1175  
BYRON BAY NSW 2481  
TEL 02 6680 8997  
info@landsite.net.au



**KNOBEL ENGINEERS**  
SUITE 4 - 155 VARSITY PARADE  
VARSHY LAKES QLD 4227  
TEL 07 5580 9777  
eng@knobelengineers.com.au



**RICHARD GROVES ARCHITECTS**  
5/123 BREAKFAST CREEK ROAD  
NEWSTEAD QLD 4006  
TEL 0411 954 550  
rga@thedesignalliance.com

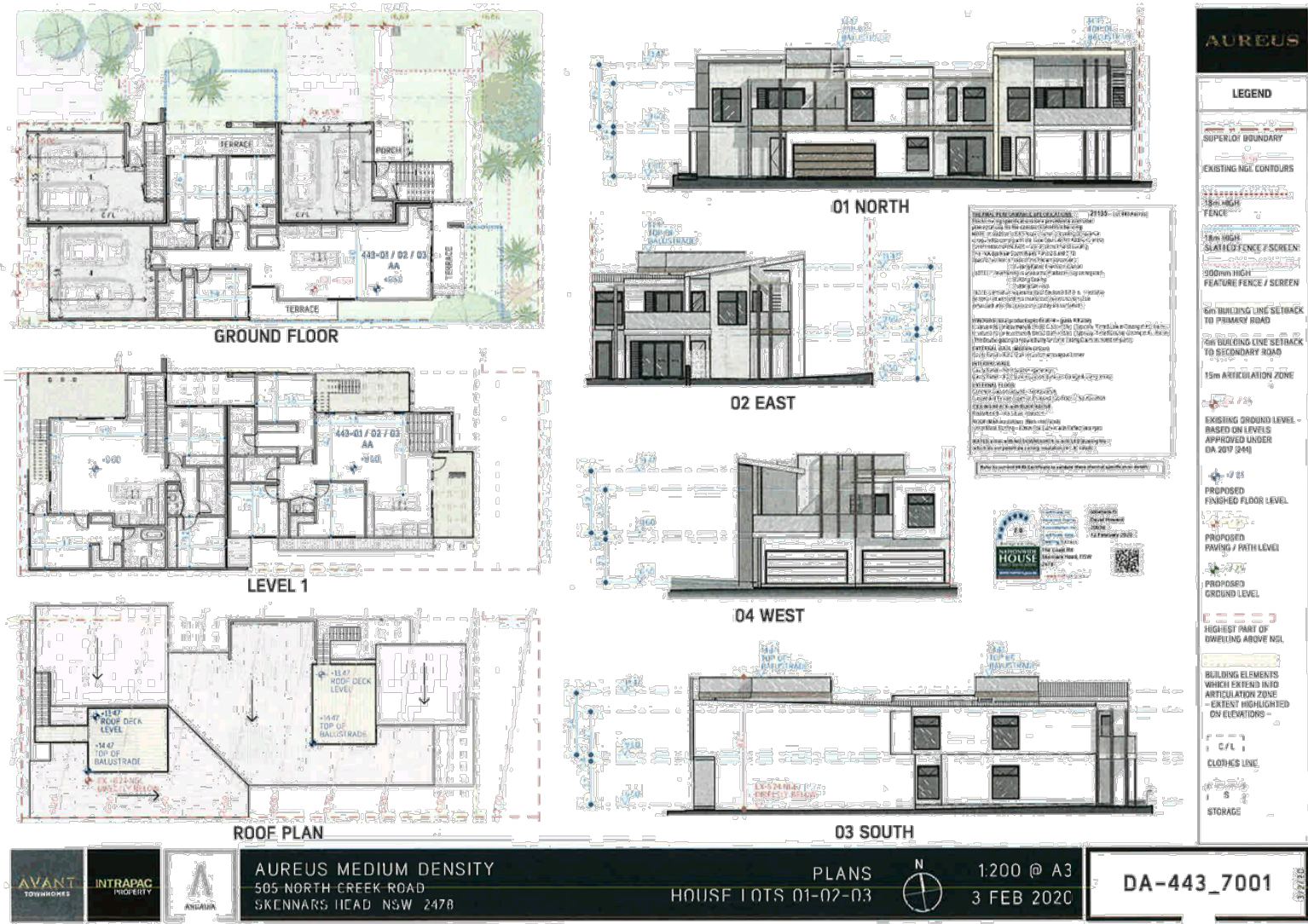




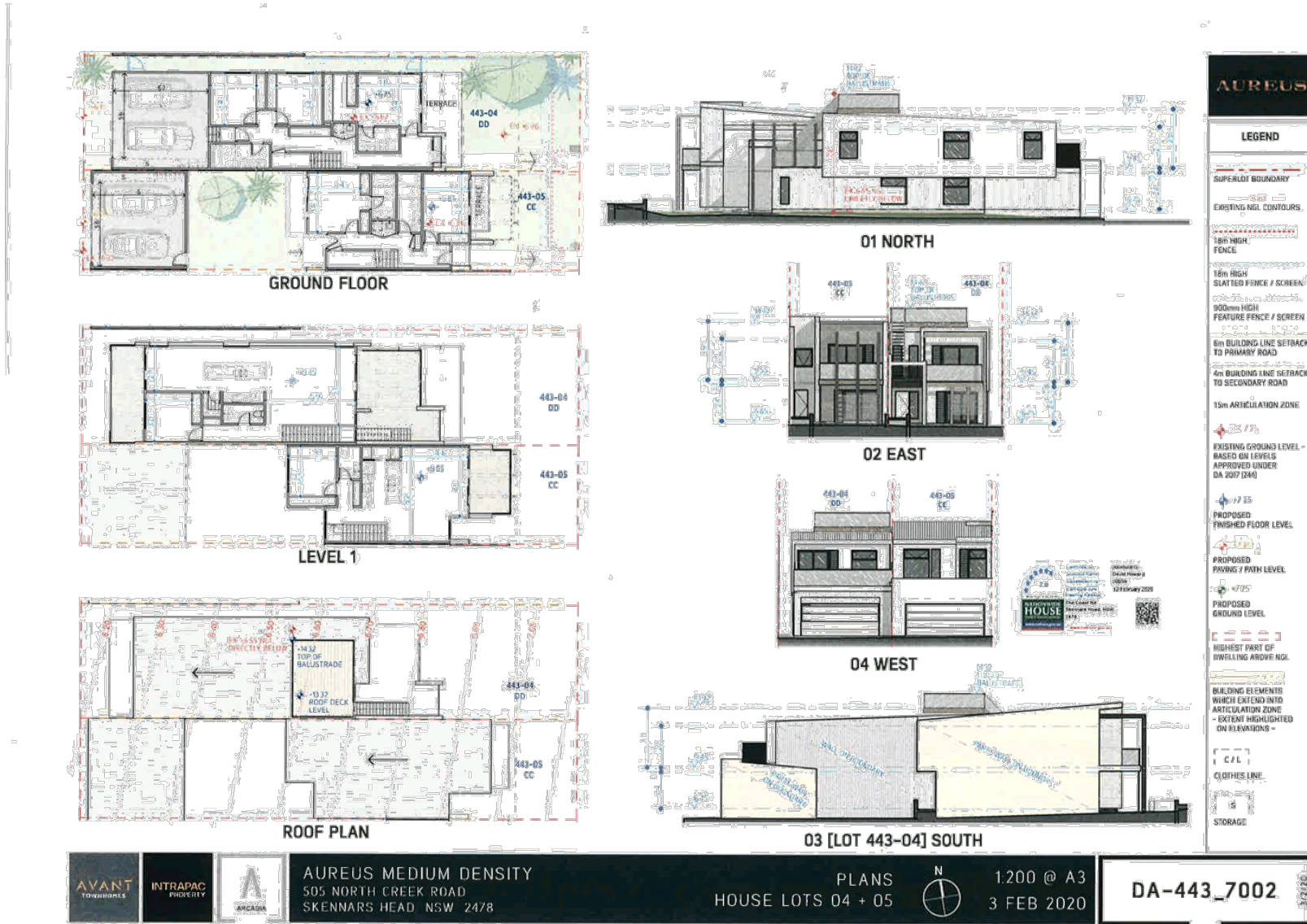
**AUREUS MEDIUM DENSITY**  
505 NORTH CREEK ROAD  
SKENNARS HEAD NSW 2478

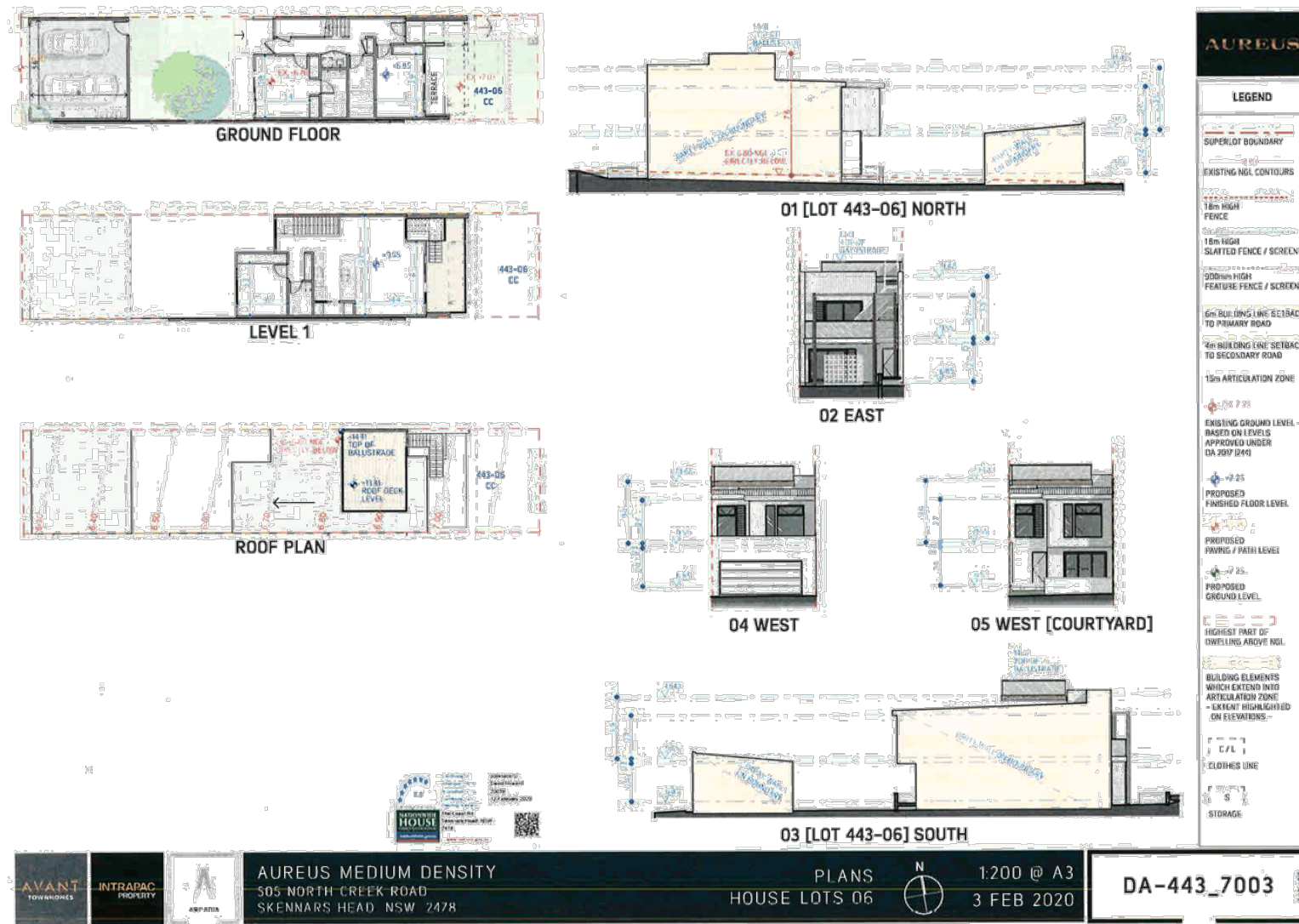
3 FEB 2020

**DA-443\_7000**

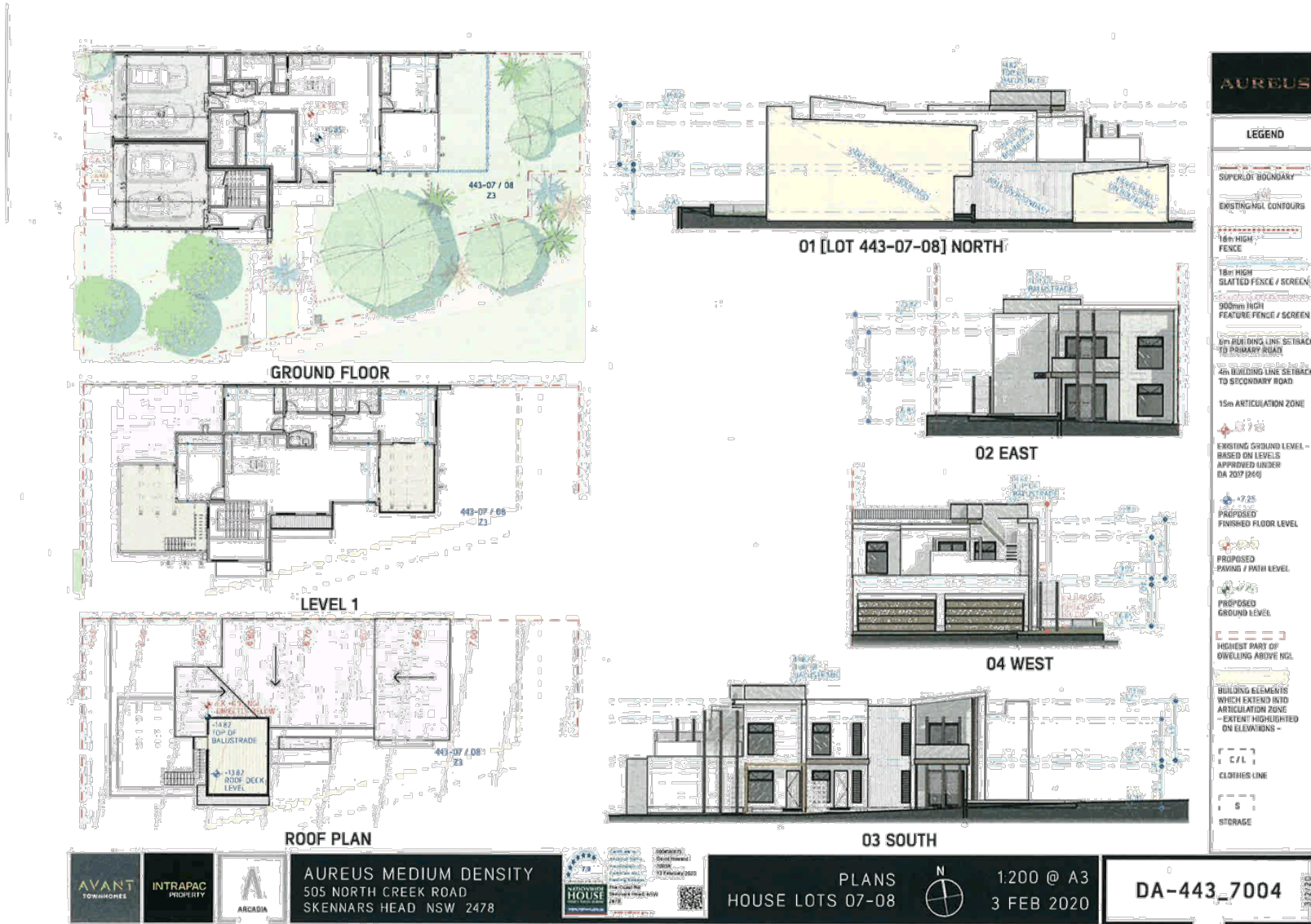


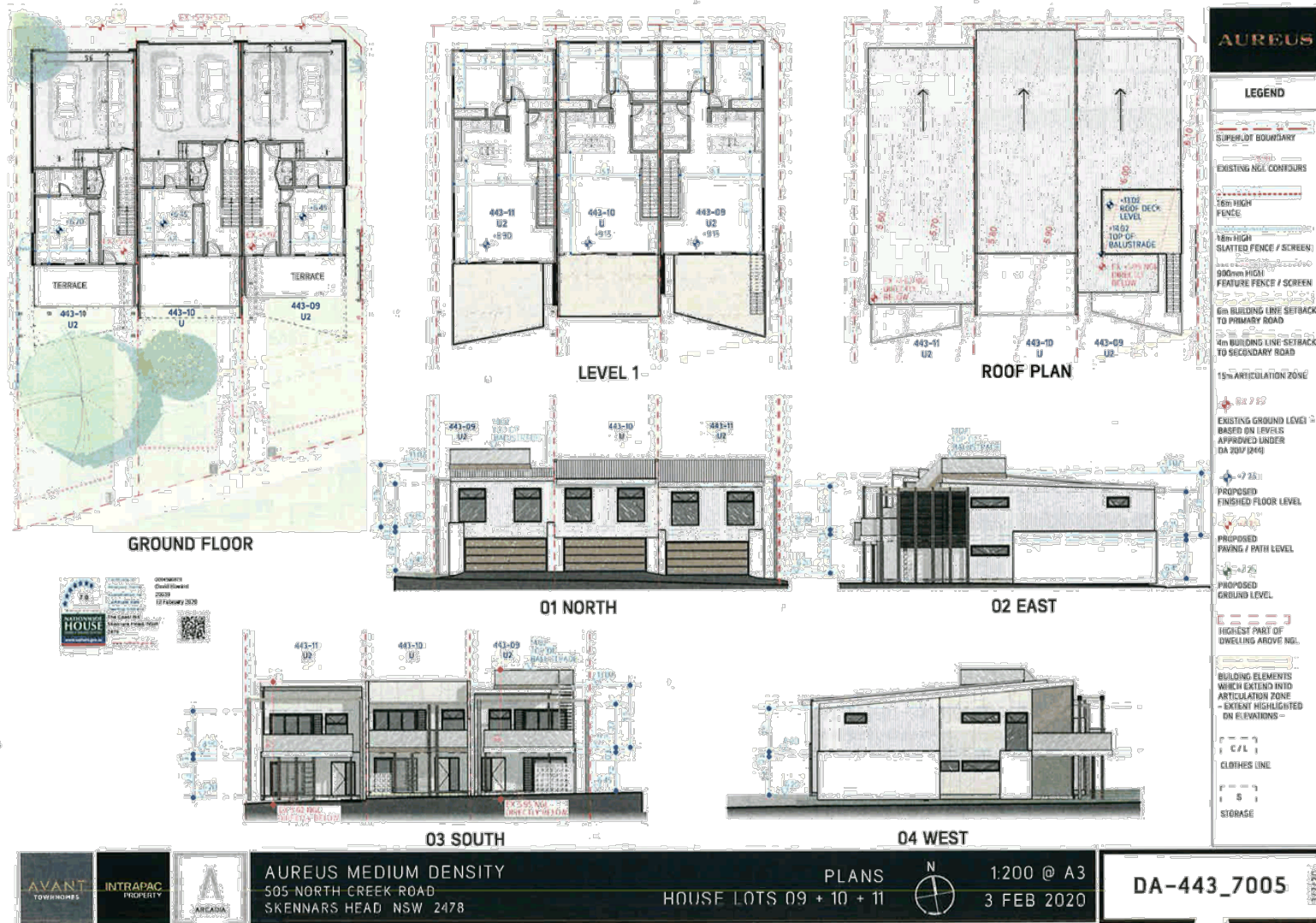






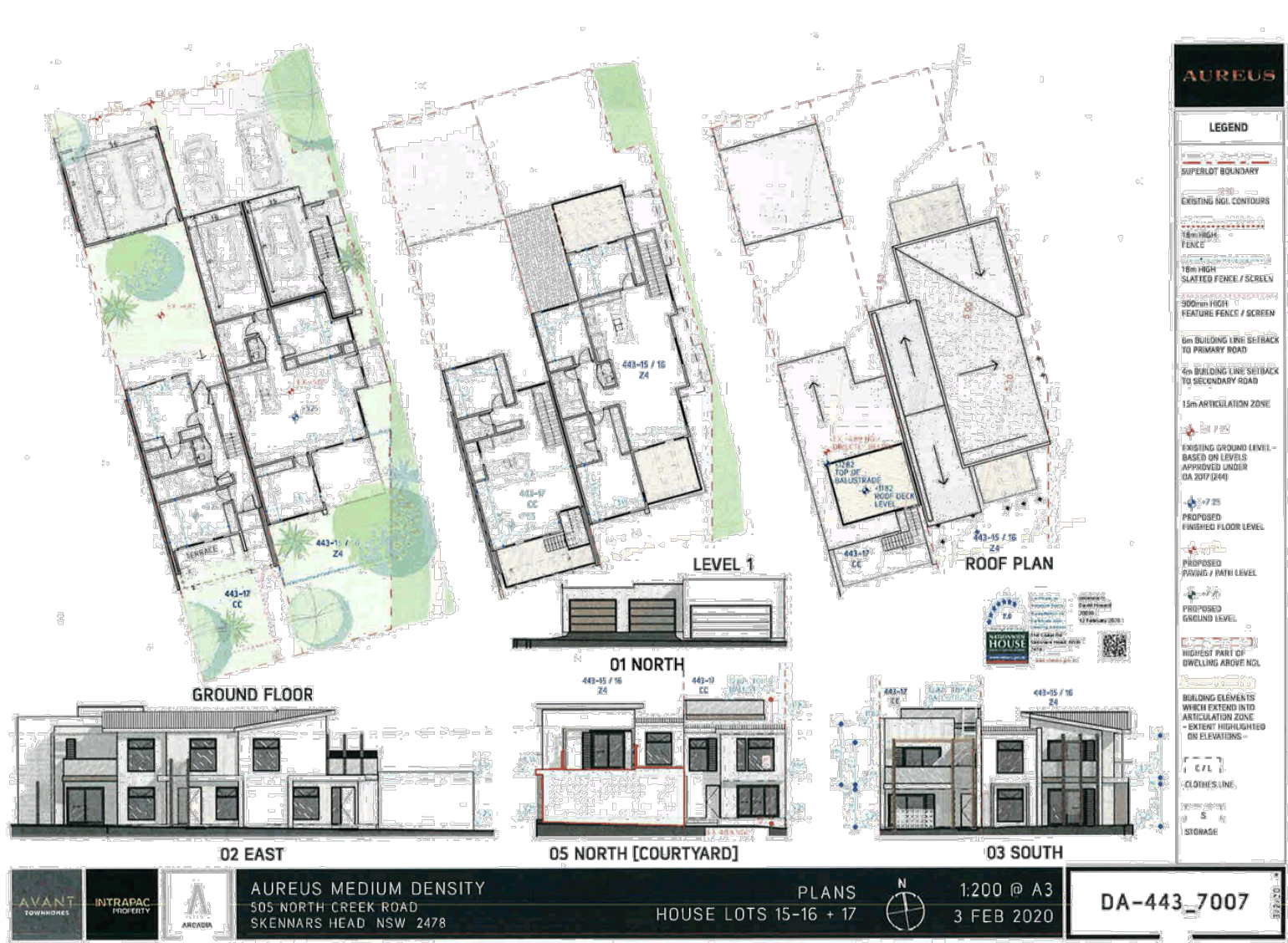




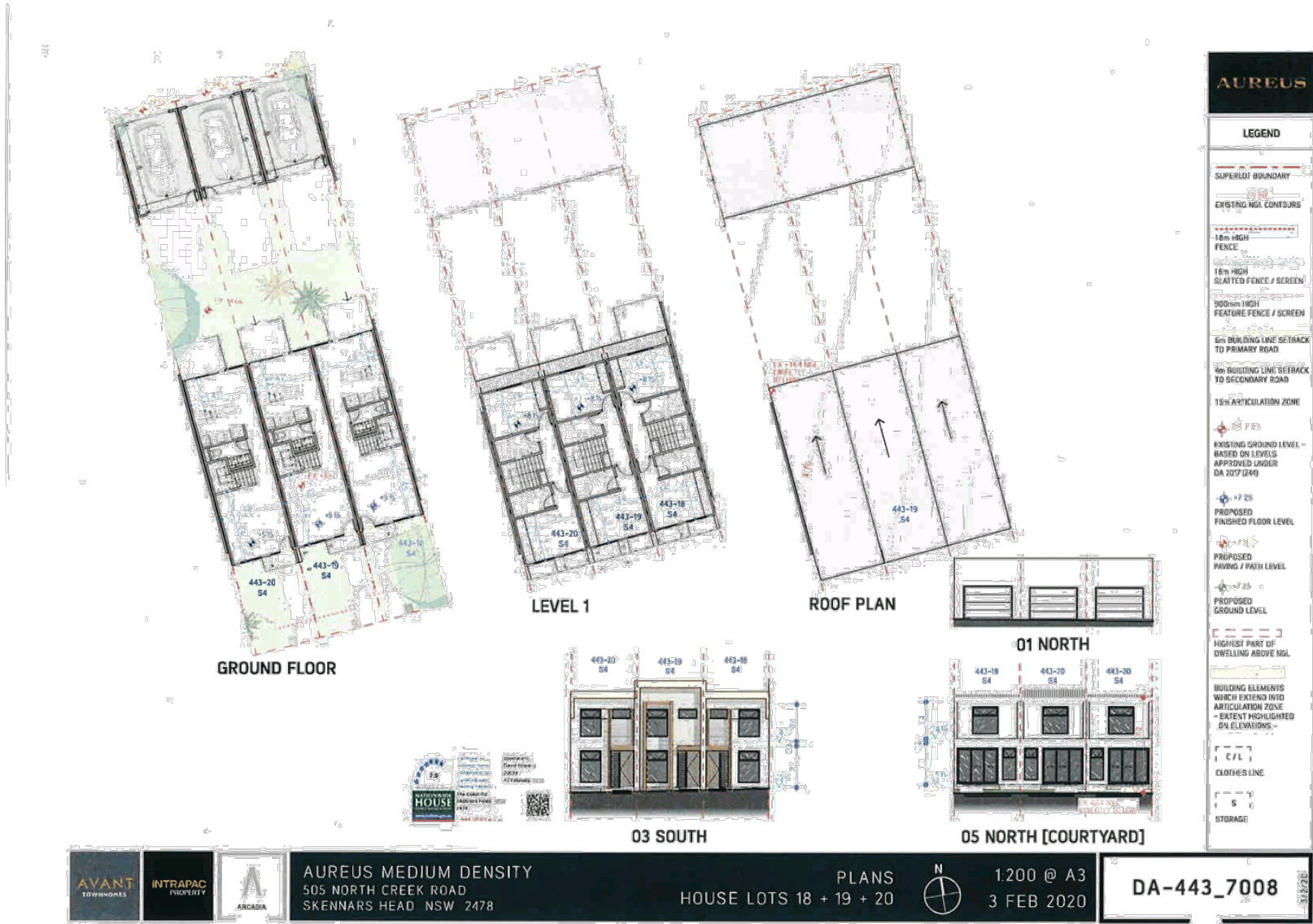


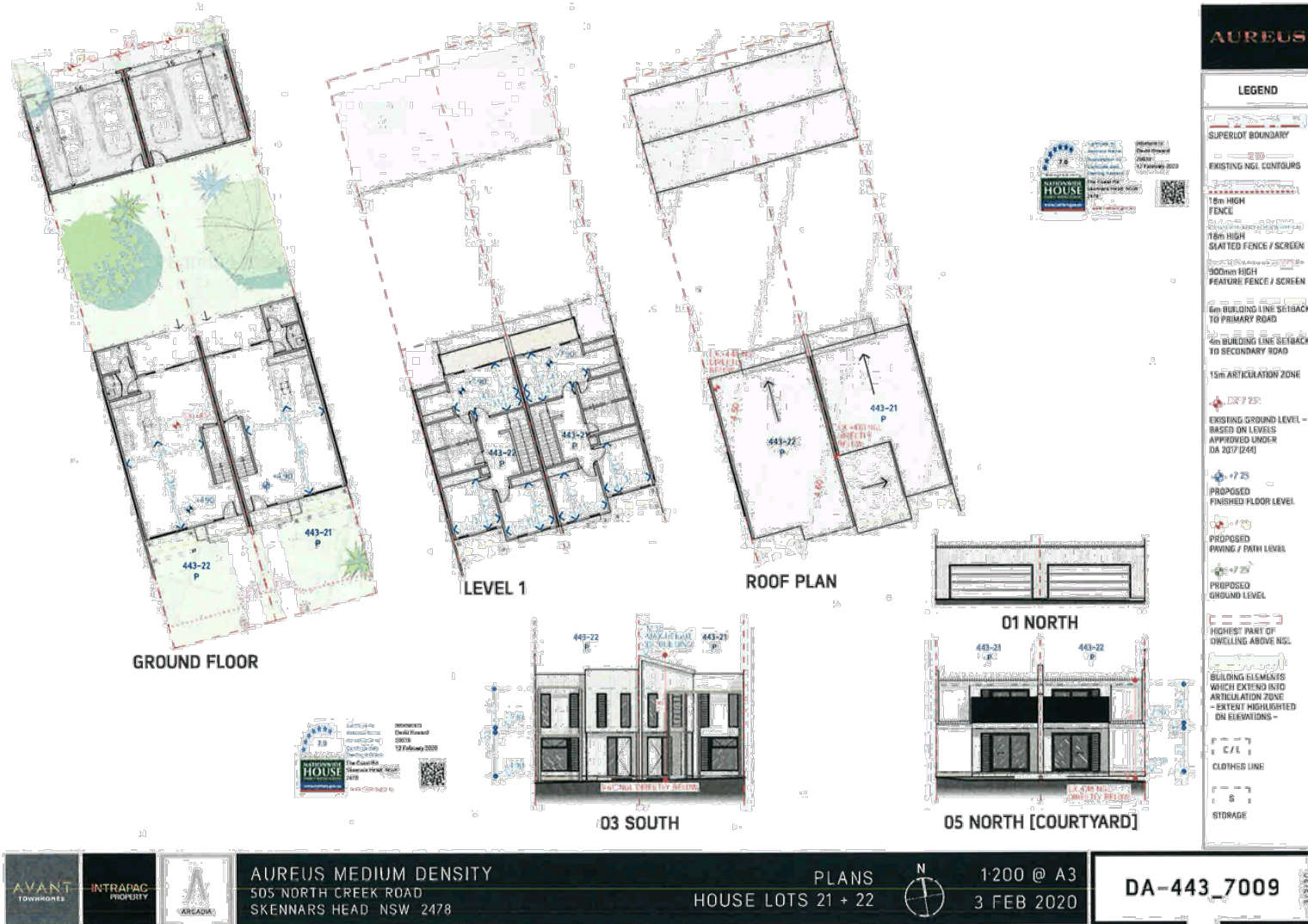






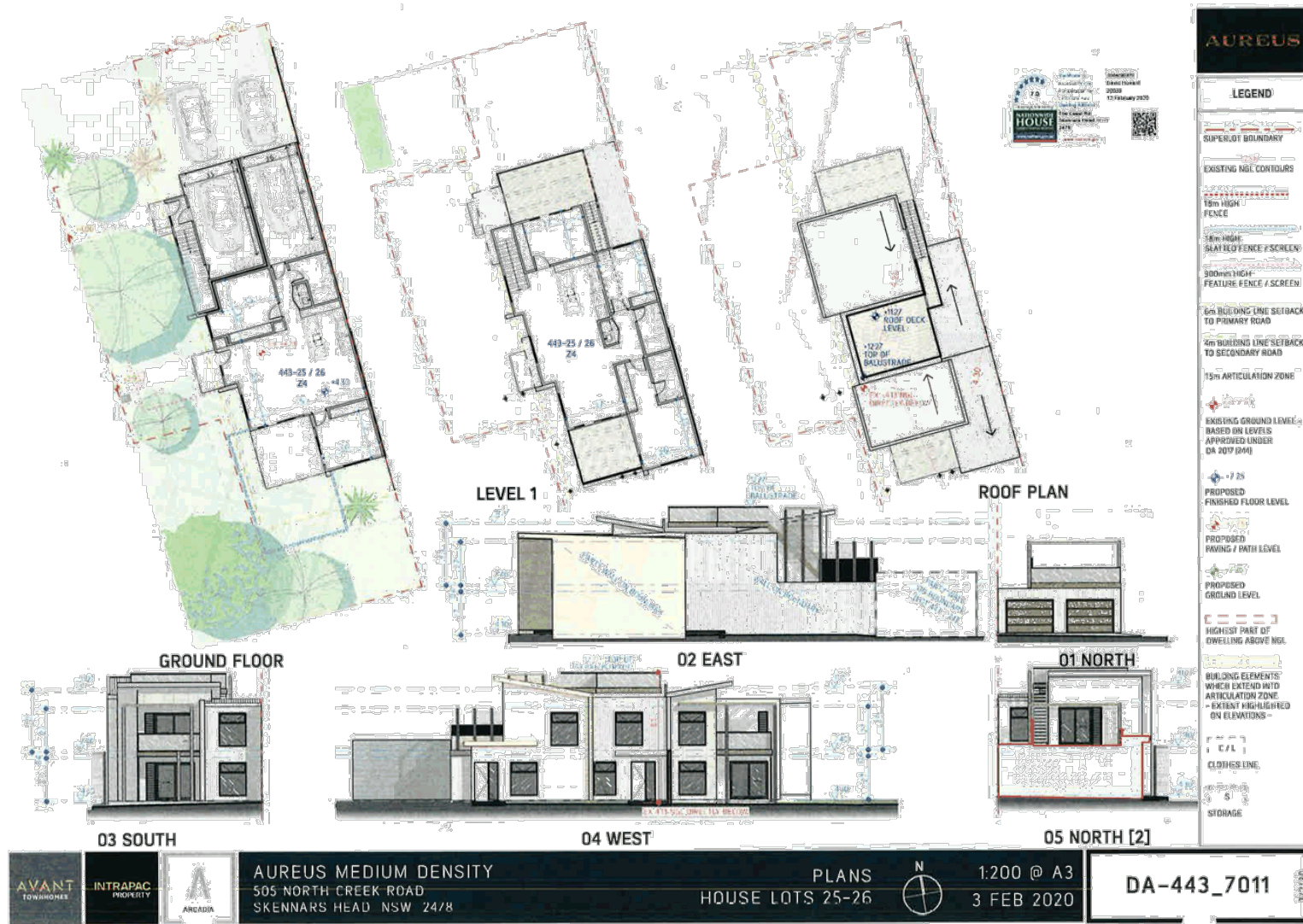


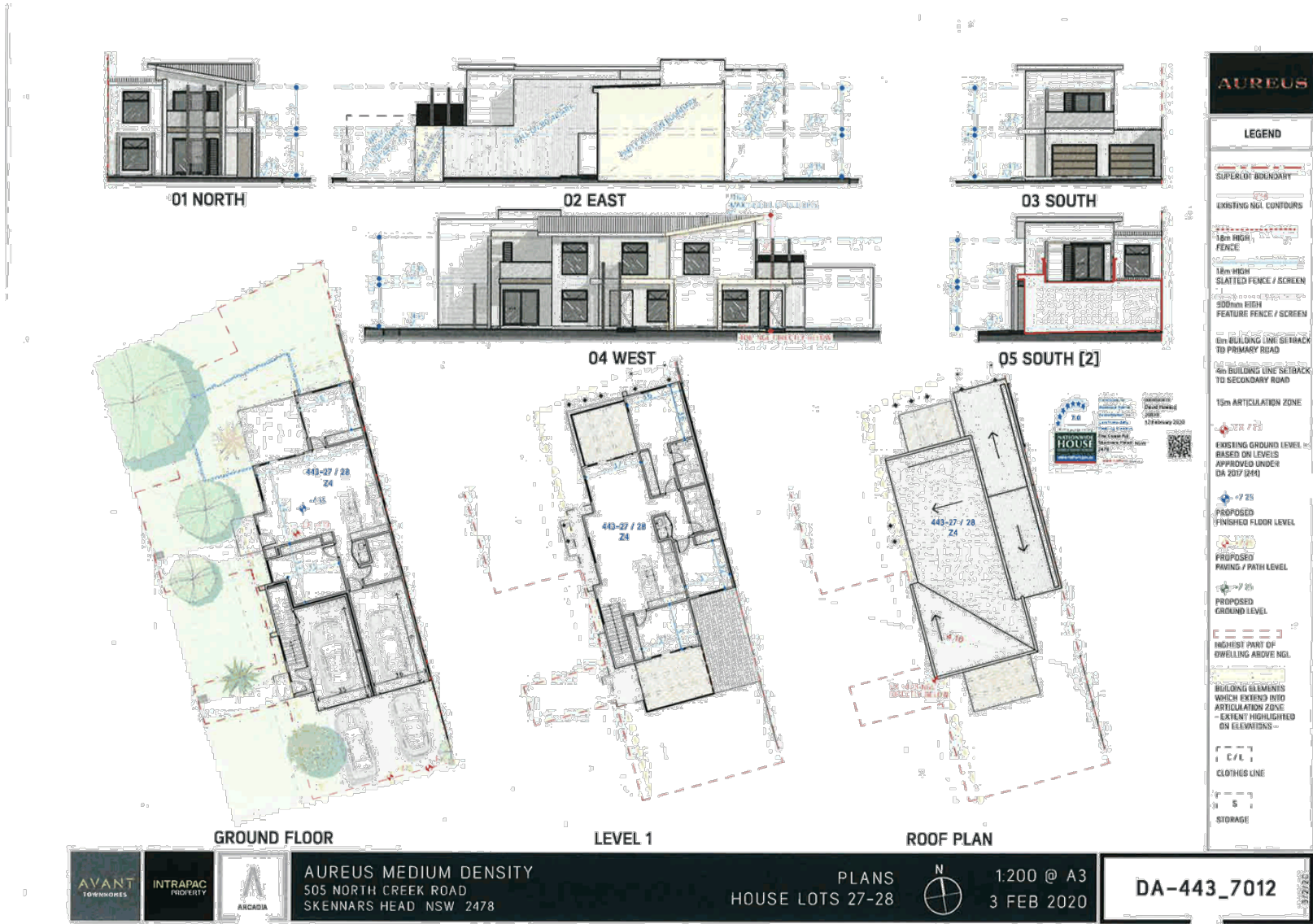






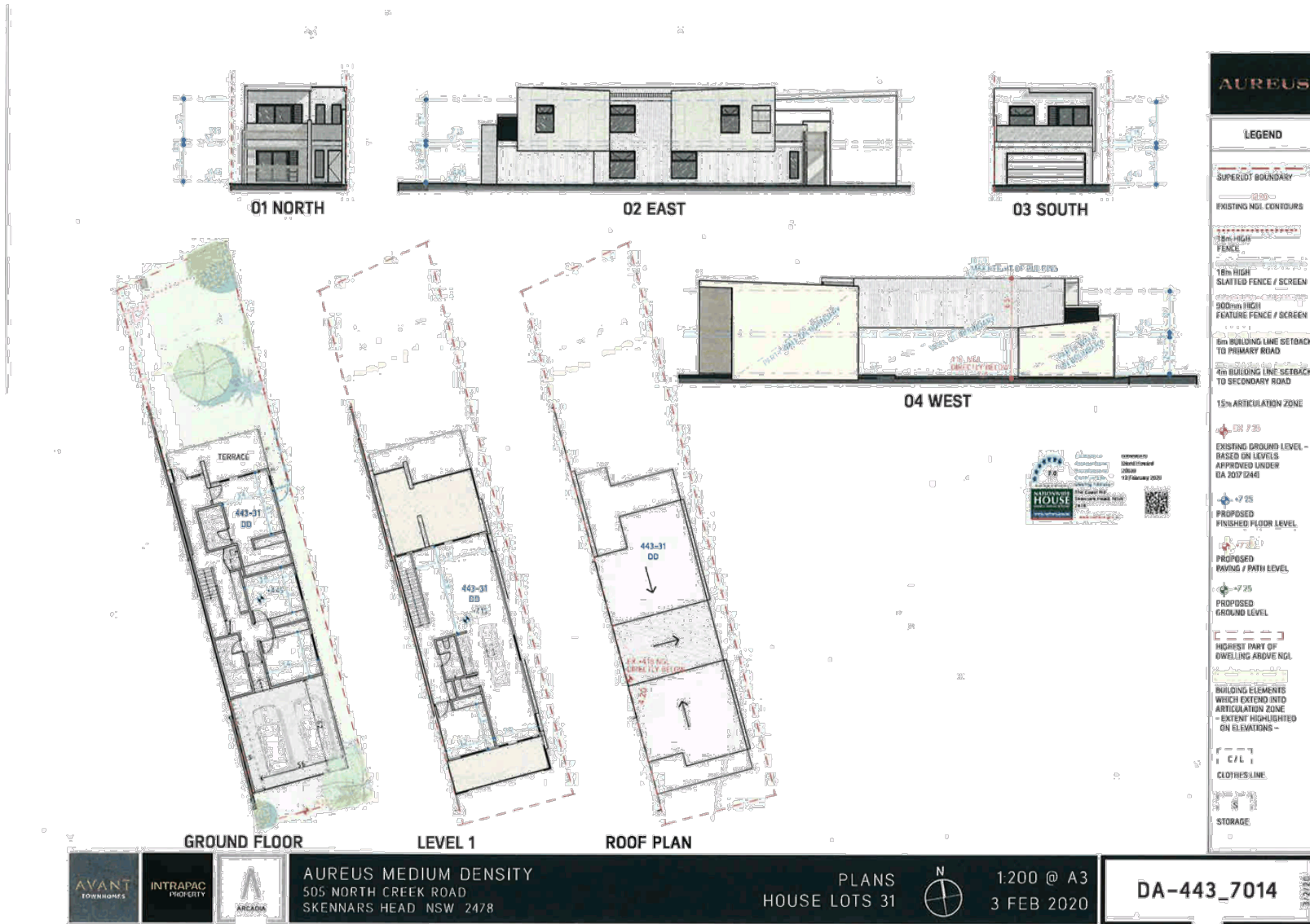




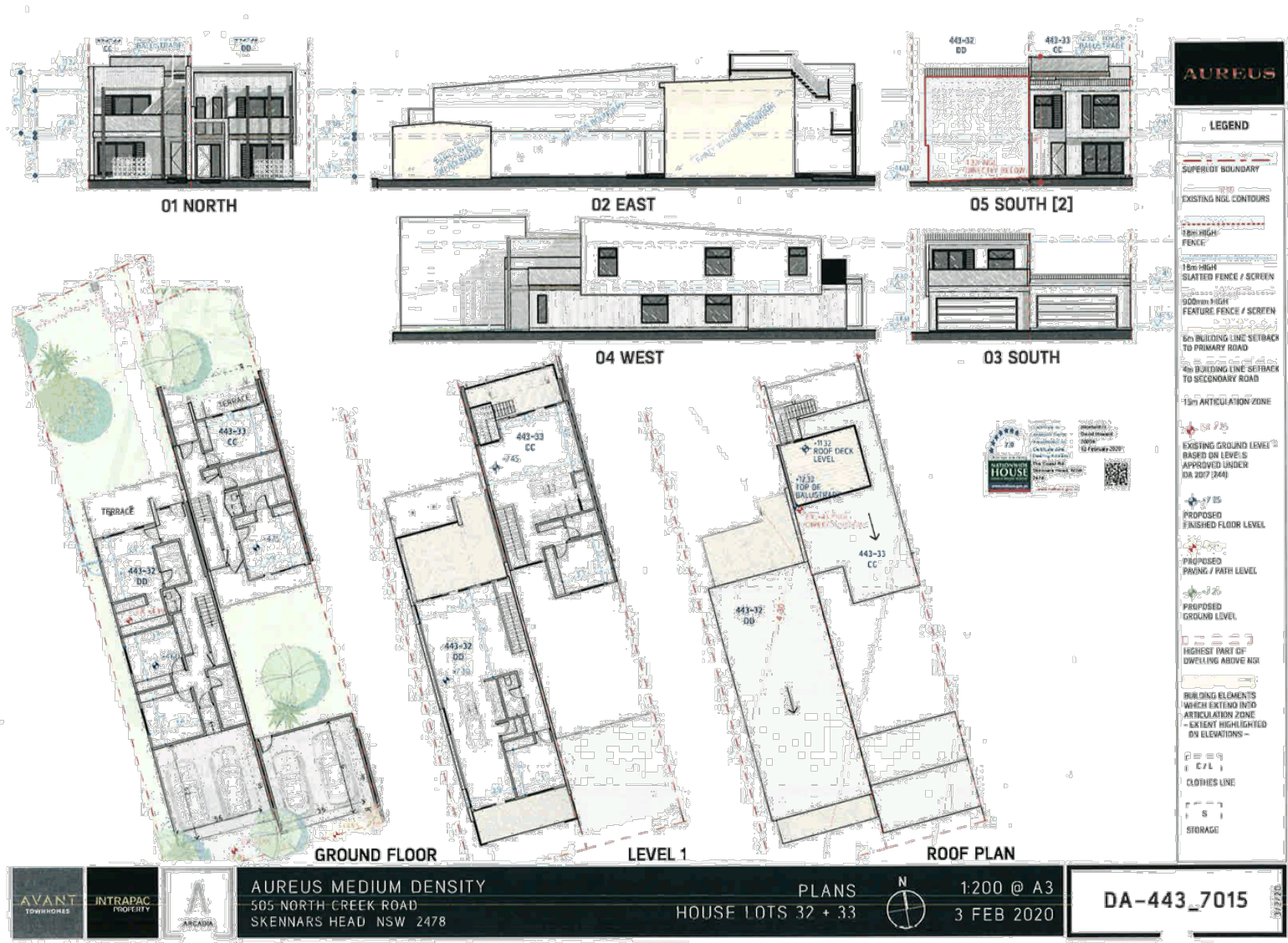




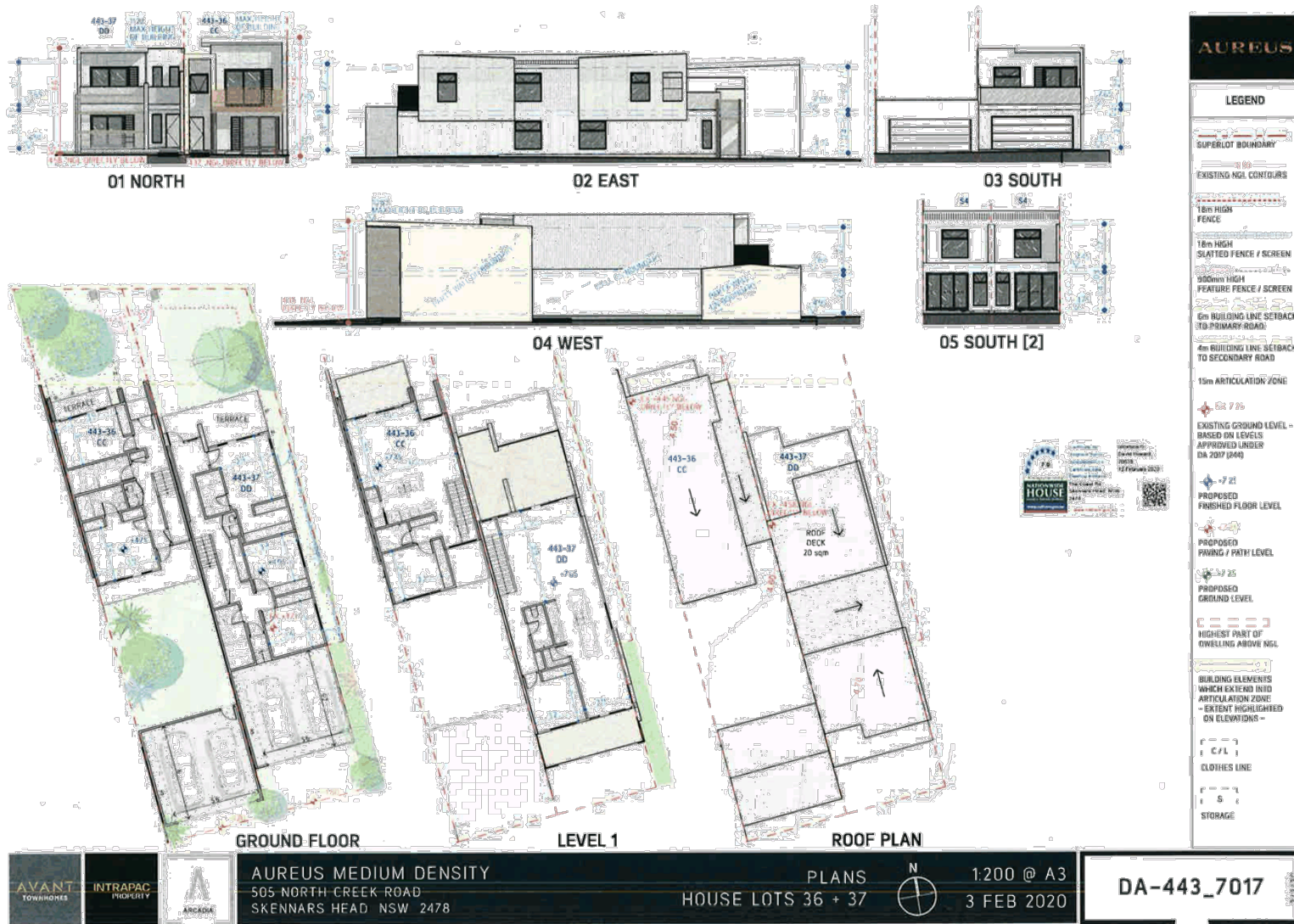




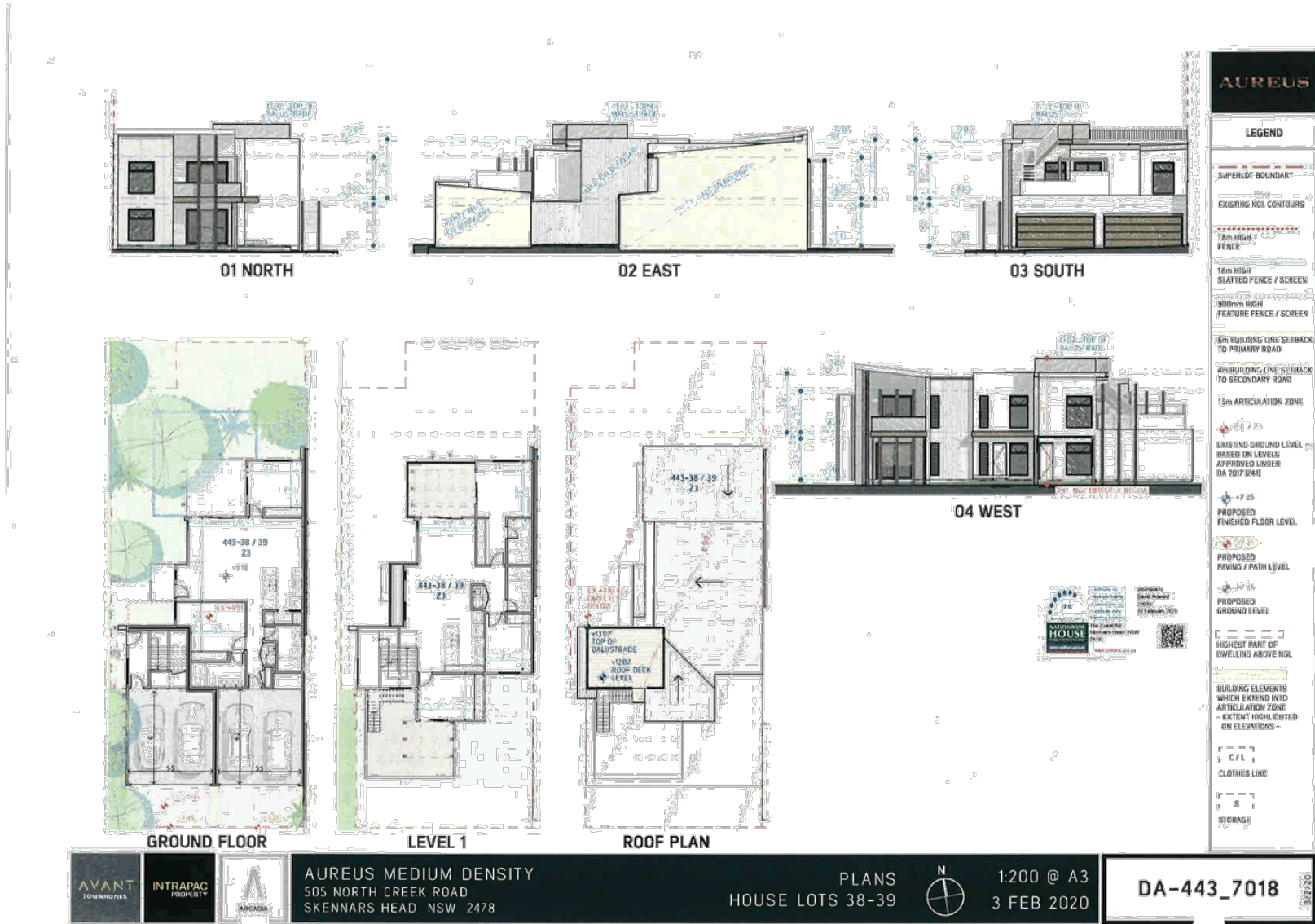






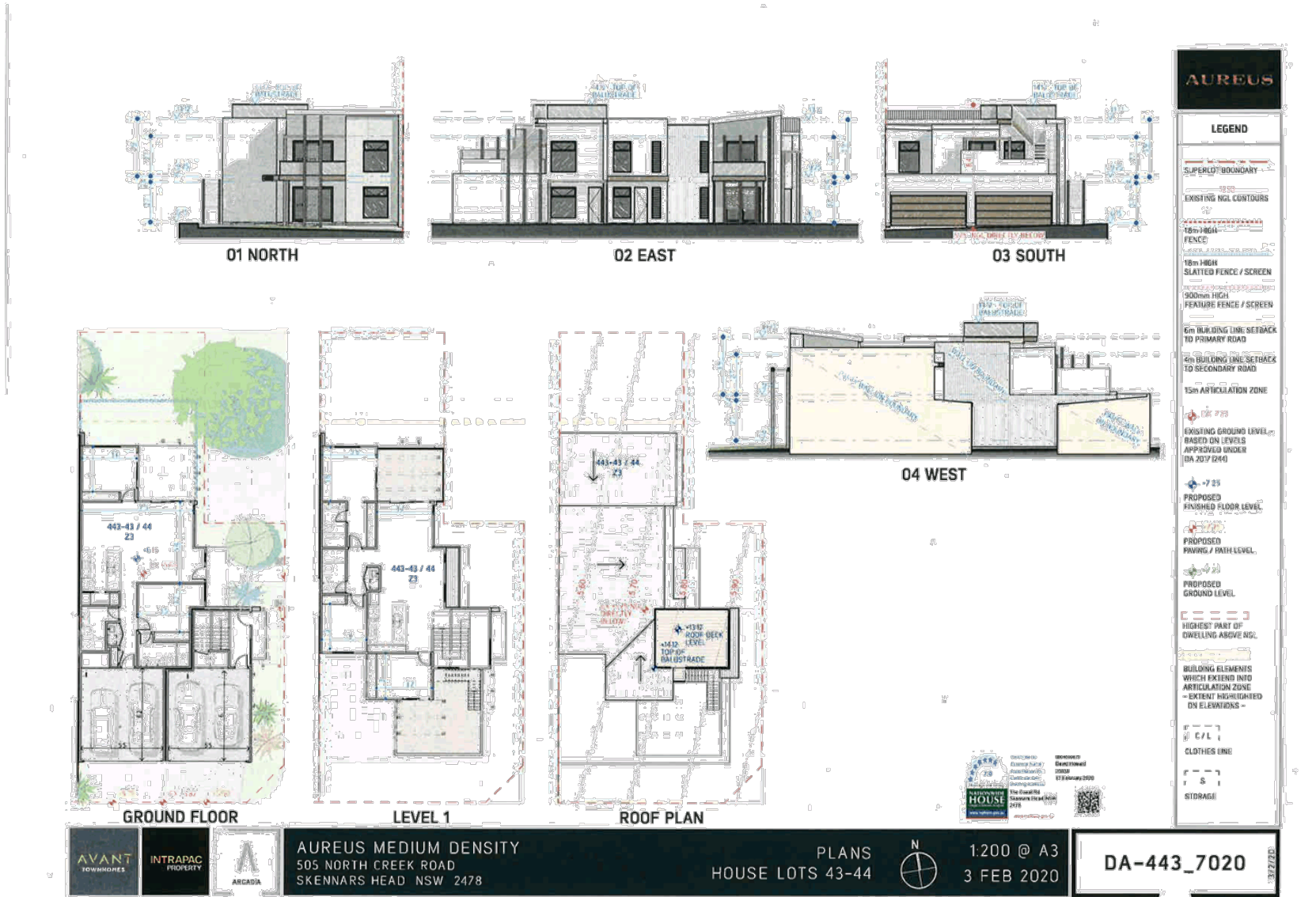


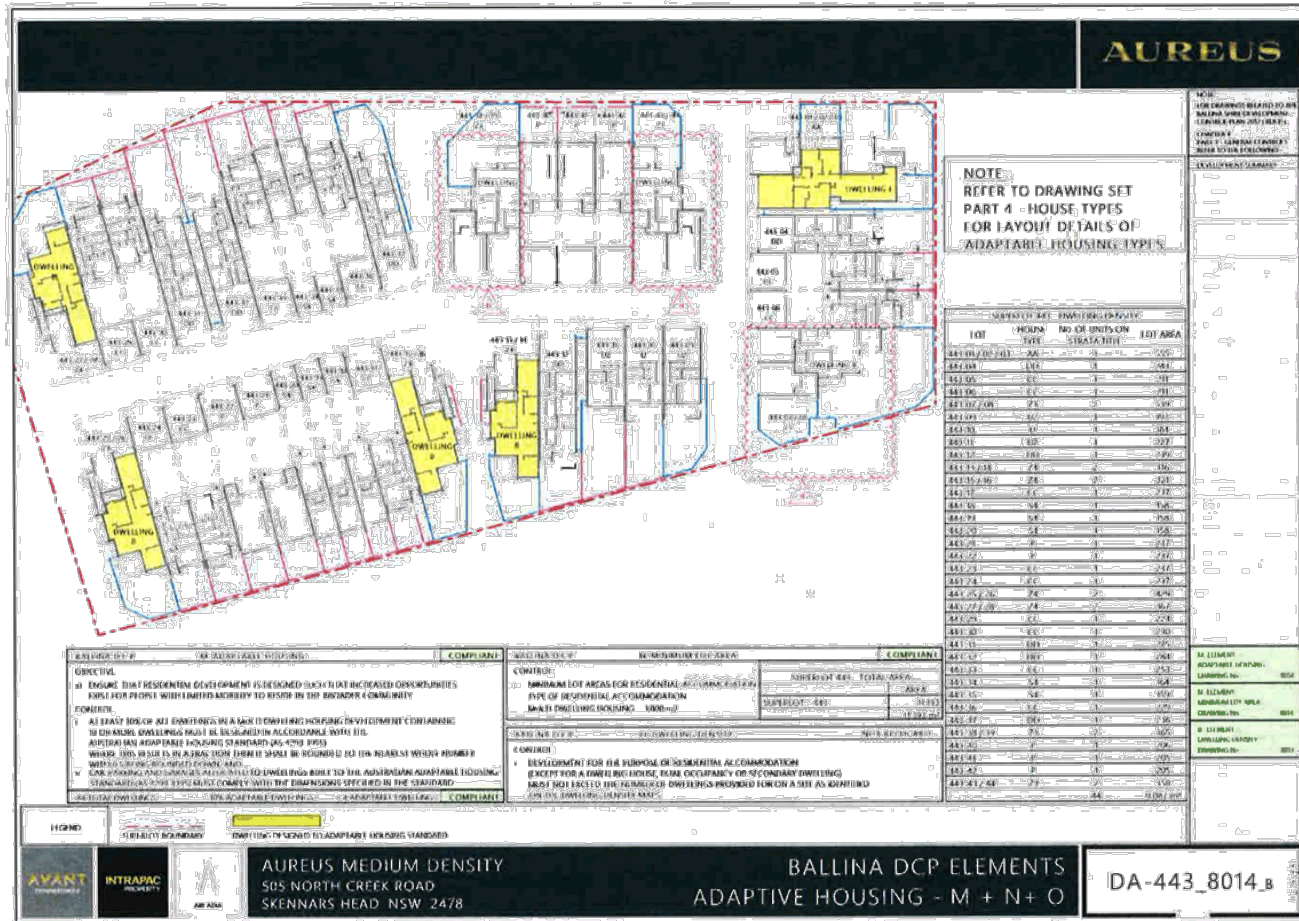




















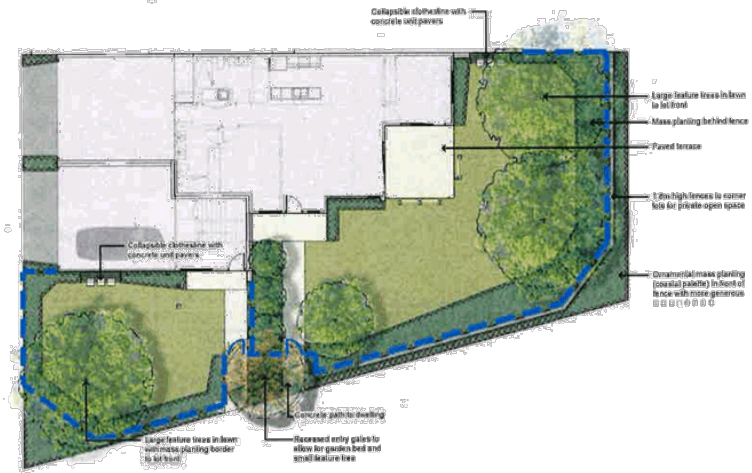




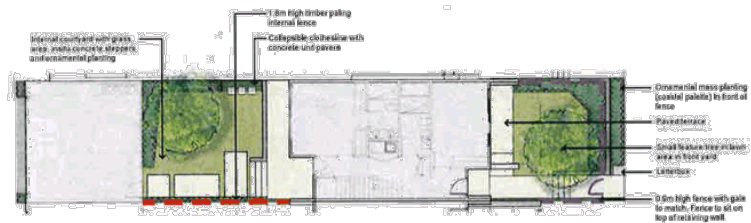
INDIVIDUAL HOUSE TYPE INDICATIVE CONCEPTS- 443 TOWNHOUSES



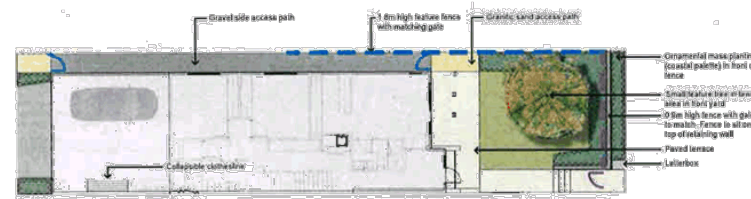
TYPE AA



TYPE Z3



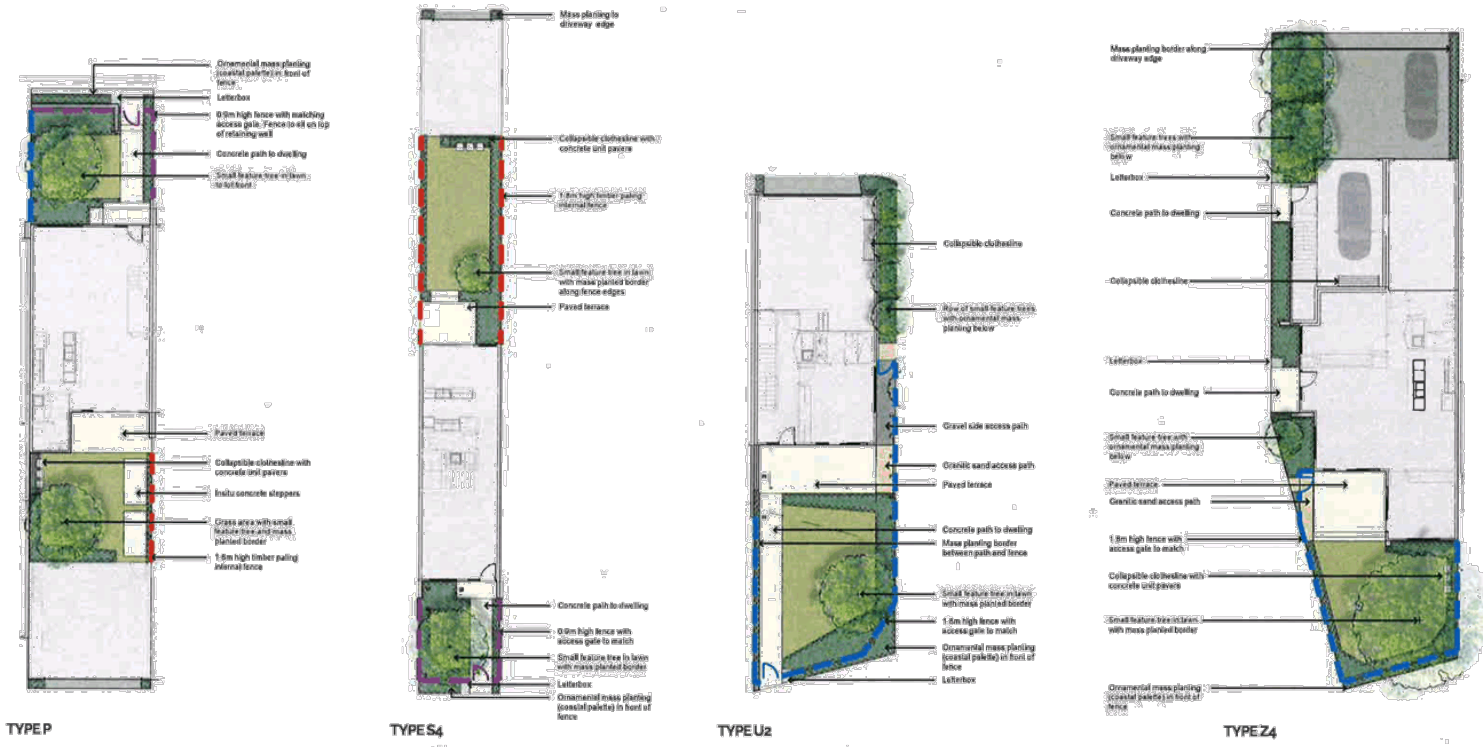
TYPE CC



TYPE DD



INDIVIDUAL HOUSE TYPE INDICATIVE CONCEPTS - 443 TOWNHOUSES



1:100 at A1  
1:200 at A3  
Date: 03-04-2020 | Project No: 1911

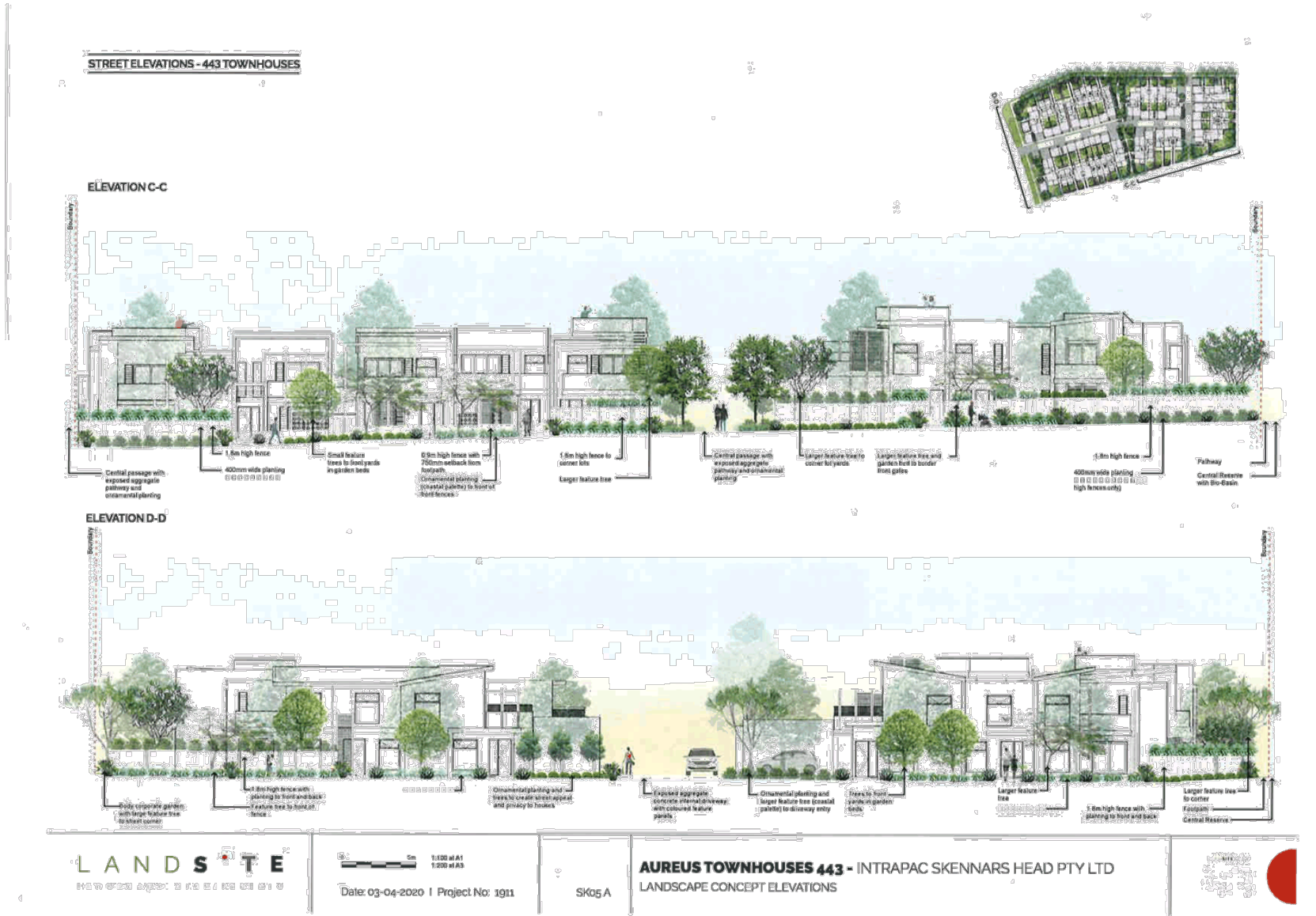
SK03A

AUREUS TOWNHOUSES 443 - INTRAPAC SKENNARS HEAD PTY LTD  
INDIVIDUAL HOUSE TYPE CONCEPTS









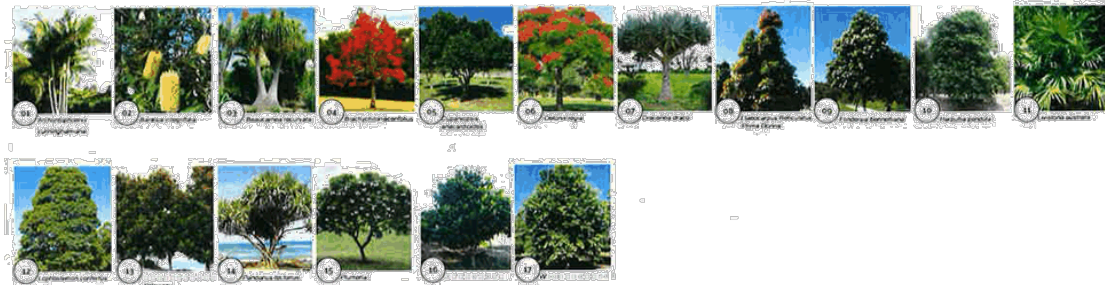


SUGGESTED PLANT SPECIES - 443 TOWNHOUSES

TREES

BOTANICAL NAME	COMMON NAME
1. <i>Archontophoenix cunninghamiana</i>	Bangalow Palm
2. <i>Banksia integrifolia</i>	Castalia Banksia
3. <i>Beaucarnea recurvata</i>	Porcelain Palm
4. <i>Brachychiton acerifolius</i>	Tuckeroo
5. <i>Cupressus anacardifolia</i>	Peiniana
6. <i>Delonix regia</i>	Dragon Tree
7. <i>Draecena draca</i>	Blueberry Ash
8. <i>Elaeocarpus reticulatus</i> 'Prima Donna'	Bonnet's Ash
9. <i>Entolasia bicolorata</i>	Tulwood
10. <i>Harpalia pendula</i>	Cabbage tree palm
11. <i>Livistone australis</i>	Swath box
12. <i>Lopholaimum confertus</i>	Magnolia
13. <i>Macaranga peltata</i>	Screepine
14. <i>Pandanus tectorius</i>	Frangipani
15. <i>Plumeria sp.</i>	Nakivogardenia
17. <i>Wrightia</i>	Weeping Illi pilli

TREES



SHRUBS & ACCENTS

BOTANICAL NAME	COMMON NAME
1. <i>Acalypha hispida</i>	Chenille Plant
2. <i>Agave sp.</i>	Twin Flowered Agave
3. <i>Alocasia 'Divine Plum'</i>	Agave
4. <i>Angicostachys Big Red</i>	Divine Plum Bromeliad
5. <i>Banksia aemula</i>	Kangaroo Paw
6. <i>Banksia robusta</i>	Wallum Banksia
7. <i>Chrysocarpum spiculatum</i>	Sweepy Banksia
8. <i>Cissampelos</i>	Yellow buttons
9. <i>Cissampelos</i>	Spiral Ginger
10. <i>Cyperus revidata</i>	Sage Palm
11. <i>Fernandea</i>	Fernight lily
12. <i>Furcraea foetida</i>	Mauritius hemp
13. <i>Grevillea Honey Gem</i>	Queenia
14. <i>Heliconia rostrata</i> 'Parrot Beak'	Parrot's Beak
15. <i>Isoplepis nodosa</i>	Knobby club rush
16. <i>Ixora coccinea</i>	Flame of the Woods
17. <i>Juncus oedocarpus</i>	Bleeding Rush
18. <i>Juzaliola carnea</i>	Brazlian Plum Flower
19. <i>Leptospermum laevigatum</i> 'Shore 7.1'	Coastal tea tree
20. <i>Liriodendron Green Giant</i>	Liriope
21. <i>Lomandra longifolia</i>	Mat rush
22. <i>Lomandra longifolia</i> 'Fenella'	Mat rush
23. <i>Caustophanous doornbosii</i>	Billy Budora
24. <i>Phalaenopsis</i>	Xanadu
25. <i>Phalaenopsis</i>	Waterfall plant
26. <i>Phalaenopsis</i>	Waterfall plant
27. <i>Phalaenopsis</i>	Waterfall plant
28. <i>Scaevola calandulacea</i>	Dune Fan Flower
29. <i>Strelitzia reginae</i>	Bird of Paradise
30. <i>Westringia 'Jervis gem'</i>	Coastal rosemary
31. <i>Westringia fruticosa</i> 'Zena'	Native rosemary
32. <i>Xanthorrhoea micrantha</i>	Coastal grass tree
33. <i>Zamia</i>	Cardboard Plant

SHRUBS & ACCENTS



**SUGGESTED PLANT SPECIES - 443 TOWNHOUSES**

**GROUNDCOVERS / TUFTING PLANTS / CLIMBERS**

BOTANICAL NAME	COMMON NAME
1. <i>Acacia brownii</i>	Heath Wattle
2. <i>Aechmea fasciata</i>	Lin Bromeliad
3. <i>Aptenia Cordifolia</i>	Baby Sun Rose
4. <i>Bougainvillea 'Bambino Nonyia'</i>	Bougainvillea
5. <i>Bougainvillea 'Miss Alice'</i>	Bougainvillea
6. <i>Caladium bicolor</i>	Heart of Jesus
7. <i>Carpobrotus mesii</i>	Figleaf
8. <i>Casuarina glauca 'Cousin II'</i>	Cousin II Sheek
9. <i>Civola minima</i>	Clivia
10. <i>Coniolum variegatum</i>	Crabon
11. <i>Dianella caerulea</i>	Silver Falls
12. <i>Dichondra repens 'silver falls'</i>	Silver falls
13. <i>Festuca glauca</i>	Blue Fescue
14. <i>Guzmania lingulata</i>	Scarlet Star Bromeliad
15. <i>Myoporum parvifolium</i>	Creeping Boobialla
16. <i>Neomarica gracilis</i>	Walking Iris
17. <i>Ophiopogon japonicus</i>	Mundo Grass
18. <i>Pandanus garnieroides</i>	Bower Plant
19. <i>Poa labillardieri</i>	Tussock Grass
20. <i>Scaveola nemula</i>	Fairy Fan Flower
21. <i>Sedum rupestre 'Angelina'</i>	Stonecrop
22. <i>Senecio mandraliscae</i>	Blue Chalk Sticks
23. <i>Zoysia matrella</i>	Manilla Grass

**GROUNDCOVERS/TUFTING PLANTS**





**From:** [Tracey craft](#)  
**To:** [Ballina Shire Council](#)  
**Subject:** Aureus DA 2020/242.1 Submission - objection  
**Date:** Tuesday, 2 June 2020 2:14:43 PM

---

**CYBER SECURITY WARNING - This message is from an external sender - be cautious, particularly with links embedded within the message and/or attachments.**

DA 2020/242.1 Submission Aureus 44 unit.

Tuesday 2/6/2020

Attn Peter Drew, Town Planner.

Dear Council,

Based on the following concerns, I wish to object to the draft strategic plan/development proposal for the superlot DA 2020/242.1 which proposes the development of 44 units.

1)The location of this development - it is noted that this is within approx. 200 meters of the wetland. The impact on the wetland from such a number of residents in a concentrated area needs more clarification.

2. Following on from point 1. The site proposed for this development is currently where there is a 'temporary?' dam collecting a significant amount of runoff from the development site. As this is at the south eastern end and collects most of the water from the site, there needs to be more information about drainage. There could be impact on proposed development and again on the wetland.

3. It is noted that this is the fourth of nine superlots that are proposed. Before this is approved it would be preferable to have some indication of the number of buildings proposed for subsequent superlots. Without this information it is unclear as to how many medium-high density buildings/precincts and people will be located in this area. This will have consequences for:

A) Infrastructure - there is limited transportation between Skennars Head and Ballina - Byron

B) water - we have recently been on severe water restrictions - how can council ensure secure potable water future for the area?

C) roads - there will be two main roads into the site - Carroll Avenue and Aureus Drive - with smaller tributaries through the estate - what is the future traffic prediction for the area as currently the Coast Road is a traffic jam in peak times of the day especially with the Catholic Schools traffic.

D) Social amenity - what will be the impact of such a high number of people living in a concentrated area on noise, community cohesion, and health & leisure - there is only one small grocery store, a coffee shop and tavern proposed - which is all that is needed and wanted in this area with the current residents. How will families

and children live in such a densely populated area with limited access to leisure and shopping? It is noted that the development is next to a parkland however this is relatively small considering it is to serve the whole estate.

E) Employment - where will these increased numbers be employed in the area given the current unemployment situation? Future employment figures and in the area given the current unemployment situation? Future employment figures and security need to be provided by Council and the State Government.

Kind regards,  
Yours Sincerely,  
Tracey Craft. 23 Henderson Drive , Lennox Head. 0427859315.

---

This email has been scanned by the Symantec Email [Security.cloud](#) service.  
For more information please visit <http://www.symanteccloud.com>

<BR

**DA 2020\_242 Carroll Avenue, Skennars Head**

I wish to object to the proposed medium density development proposed on the south western end of Aureus Estate. My reasons for objection are as follows:

1. Proximity of the development to the wetland. This high density development is within 200 metres of the wetland. The impact on the biodiversity, water and soil quality of this wetland from this development and from the remainder of the estate requires monitoring. There is not current indication of baseline data for this site. What is the proposed runoff from an increase of at least 100 residents in such a concentrated area?
2. Location of the development is on a water retention dam which is currently capturing most of the runoff from the estate as the water flows from the highest eastern ridge to the wetland. More information is required on the proposed solution to this drainage, importantly to the construction of this significant development on this site.
3. Increased traffic – a 44 unit complex may have 2 cars per household or between 50-80 more cars. Currently there is traffic congestion on the Coast Road at peak times on week days, especially with 2 large Catholic Schools, and on weekends with carparks and road verges already full. Consideration of how this increase in traffic will be managed needs to be identified by Council and the developer.
4. Limited public transport to and from Ballina, Lennox Head and Byron Bay. The current bus service is limited especially on weekends. This needs to be addressed as part of planning for the entire development.
5. Lack of amenities – it is acknowledged that the development is adjacent to a proposed small parkland. However Skennars Head currently has no shopping or leisure facilities apart from the beach. It is noted that a small grocery store, coffee shop and tavern will be developed, however this may occur after the housing is completed. A medium density housing development such as this and others proposed on the estate will create increased pressure on amenities that will need to be provided.

Thank you for the opportunity to comment on this development. I am lodging this because I believe that more medium density development on these environmentally sensitive coastal areas requires a bigger picture. One which considers all of the large scale development currently being undertaken, importantly at Skennars Head, Angels Beach and Lennox Head.

Yours sincerely



Kia Trainer

5 The Grove  
Lennox Head, 2478

3<sup>rd</sup> June 2020

SUBMISSION IN RESPONSE TO DA 2020\_242 Carroll Avenue, Skennars Head  
NSW 2478

Thank you for the opportunity to comment on this Development Application. I am a resident of Ballina Shire whose family has been continuously living in the area since the mid-1800s. I was born and raised here and left in my early 20s because of work commitments. I have been a frequent visitor to Ballina throughout my working career. Since my retirement I returned to Ballina to live because it is my sense of place.

The whole Aureus development is another example of poorly thought through progress without purpose. Another large tract of arable farmland is being converted into a housing estate. Eventually we will arrive at the point where only poor quality arable land will be left for farming purposes.

I submit the following points to support my opposition to the application for medium housing development on part of the Aureus Estate, Skennars Head.

Objection 1. The land parcel covered by the DA seeking approval for a superplot to contain 44 residences is located within approximately 200m of a wetland, a collection point for runoff from the land in question. The impact of this concentration of housing so close to the wetland needs to be closely examined.

Objection 2. Currently there is a temporary dam that collects a significant amount of runoff from the development site located at the south-eastern end of the area covered by the development application. The impact of subsequent drainage issues on the wetland and the development requires further exploration.

Objection 3. The current application relates to the fourth of nine superplots proposed for this development. It appears that the Aureus Estate will have a focus on medium- to high-density housing. The developer should be required to identify the number of buildings proposed for the remaining superplots. Without this information it is not possible to determine how many people will be crammed into this estate and its full impact on Ballina Shire and surrounding areas.

Objection 4. It is not possible to determine the impact of the development on infrastructure.

- The road between Skennars Head and Ballina, Lennox Head and Byron Bay is an already busy secondary road and will not be able to cope adequately with the increased road use generated by the Aureus Estate. The newly constructed roundabout will not provide easy access to The Coast Road for residents of Skennars Head, especially when the new developments in Lennox Head are completed. This section of the road is already a bottleneck at peak travel times. This has had a flow on effect to the intersection of Bangalow Road and Angels Beach Road with major road works in the pipeline for this site. Pressure from the increased traffic from the Aureus Estate will make matters worse by adding to the pressures already created by people accessing the two schools in the area.



- Currently there is limited public transport between Ballina and Byron Bay via The Coast Road. Any increase in the population density at Skennars Head will exacerbate this.
- The recent drought resulted in the introduction of Level 3 water restrictions. In the past even more stringent restrictions, when the population in the Shire was less than it is now, have been introduced. What plans are in place to ensure a secure supply of potable water for an ever-increasing number of residents in Ballina Shire?
- Road access into the development is limited to two main roads – Carroll Avenue and Aurius Drive – with narrower tributary roads within the estate. What consideration has been factored into planning to manage the increase in vehicles from the estate wishing to enter The Coast Road?
- Access to the NBN and security of this service may be adversely influenced by the increased population in the area. Planning for the NBN in this area was undertaken prior to the existence of the Aurius Estate and may now be inadequate to meet future demand.

Objection 5. There will be an impact on the social amenity of Skennars Head with the proposed concentration of people living in the estate.

- There will be an increase in the level of noise, an impact on community cohesion, health and lifestyle. While current residents are happy that there will be minimal commercial development in the area with a small grocery store, café and tavern proposed, the increased population density would put pressure on these amenities as well as the limited leisure facilities in the area.
- There will be limited access for residents, especially children to participate in leisure activities. There is parkland beside the estate but this is relatively small given that it will have to serve the whole estate. In addition there will be increased pressure on both Sharpes and Angels Beaches. The northern end of Sharpes Beach has already been adversely affected by existing work undertaken as part of the development of the estate.

Objection 6. The ambience of Skennars Head will be drastically altered. Current housing in the area consists of single freestanding dwellings on reasonably sized blocks of land. The new estate with its focus on medium density housing on smaller blocks of land has the potential to create the impression that some people reside on the wrong side of the street. I have in mind the development in the Campbelltown area of Greater Sydney that has created an unnecessary social divide. On one side of the Hume Motorway are large houses on small acreages. On the other side there are cramped unit-based public housing estates. While the housing in the Aurius Estate will not be public housing, the impression will be created that one group is better off than the other.

Objection 7. There will be limited opportunity for people to be employed on the estate. This will increase pressure on infrastructure, as people will need to travel for work. In addition there is already an issue with the number of unemployed or underemployed people in the local area. The increased population moving to the area because of the estate will put additional pressure on employment and the economy.

Objection 8 There is a risk that the Aureus Estate will be the benchmark for future developments in Ballina Shire. People choose to live in Ballina Shire because it is a rural coastal centre where life is less stressful. The planned crowding together of 44 residences on the fourth superplot will be a significant departure from what makes the area an attractive location to reside.

I trust that this submission will be given due consideration as part of the decision making process to determine if the application is accepted as lodged, accepted with amendments or dismissed.

Sincerely

Meg Pickup  
2 Sunway Place  
Ballina NSW  
Ph: 6686 6745  
Email: meg.pickup1@gmail.com.au

Roslyn Harradine  
5/33 Redford Drive  
Skennars Head  
NSW 2478

Peter Drew  
Ballina Shire Council

**Ref: Submission to DA 2020/242**

**Background**

Rezoning by Stealth to R3

- The Community Consultation on this development's original DA (244) never mentioned the future allowance of large density strata complexes.
- 
- As council was going to be the DA consent compliance authority, their attendance was inappropriate, totally isolating Council from any knowledge of what their community was being told:
  - Torrens title of all lots
  - Dual occupancy on larger lots
  - Medium lot sizes 450sqm
- Subsequent rezoning to R3 on super lots was masked by the rezoning of the neighbourhood centre, rather like a footnote.
- Minimum public exhibition (V3) was applied to the rezoning community consultation
- Council resolved a recommendation excluding R3 zone to the south/western super lot, but this action seems to have been subsequently ignored by the developer.
- Major inconsistencies with council's BLEP12 SEPP 14 wetlands guidelines seem to have been totally negated in the pursuance of R3 zoning.

**Comments**

- The rezoning to R3 of this super lot to strata title was not consistent with the surrounding urban landscape and the environmental constraints pertaining to this lot.
- By stealth, the developer seems to have pushed rezoning for the purpose of squeezing higher monetary yield from this parcel of land.
- The only other strata complex in the surrounding urban landscape consists of 12 townhouses 460sqm minimum with attached garages, 144sqm fenced individual backyards and a 15m common area pool. In comparison the proposed strata development is comparable to an inner-city Sydney unit complex.
- It appears an exemption under LEP 4.6 has not been requested by the developer and approved by council prior to the DA lodgement, which means strata title cannot be issued, and minimum lot size reverts to 450sqm.
- Maintenance of swales, infiltration trenches and bio retention basins will be handed back to council following the development completion stated as 2 years. This will incur substantial

costs to council. Coupled with the replacement costs of this form of infrastructure one would hope that council ensures complete compliancy with all planning instruments.

**3.2 General description of proposal**

- The *generous private* open space on the largest blocks is only 15sqm per dwelling
- The infrastructure footprint of car spaces, floor area of dwellings, roads, infiltration trenches and pathways leave little greenspace areas.
- Fencing on these small blocks is going to further exacerbate confinement issues and sunlight.

**4.1.1 Deemed Environmental Planning Instruments**

Deemed Environmental Planning Instruments is the collective name for LEPs, SEPPs, REPs, Environmental Planning and Assessment Act and the Environmental Planning and Assessment Regulation. The Development Application of lot 443 incorrectly states that the above does not apply.

**Minimum Subdivision Lot Size**

Council adopted 4.1 (4) in its LEP. Every DA for strata subdivision under 4.1 must be accompanied by a clause 4.6 exemption request that council/court on merit based appeal would need to support before DA submission.

Has an exemption under 4.6 been requested by the developer and approved by council prior to the DA lodgement?

If not, strata title cannot be issued, and minimum lot size reverts to 450sqm.

**4.1.2 Local Environmental Plan**

- Proposed development should require concurrence
- Advertising and community comment applicable

**Essential Services**

- Supply of water, electricity, sewerage and stormwater drainage ALL require the disturbance of acid sulphate soils

**Urban Growth**

- Development consent must not be granted where land use impacts, associated with stormwater or wastewater discharge, effects surrounding vulnerable areas.

**Landscaping and open space**

- The minimum planning requirement is 90sqm per dwelling
- Once all infrastructure is considered (i.e. car spaces, floor area dwellings, roads, 3 infiltration trenches, pathways) the total landscape area provided is 3210sqm which equates to 72.5sqm per dwelling.

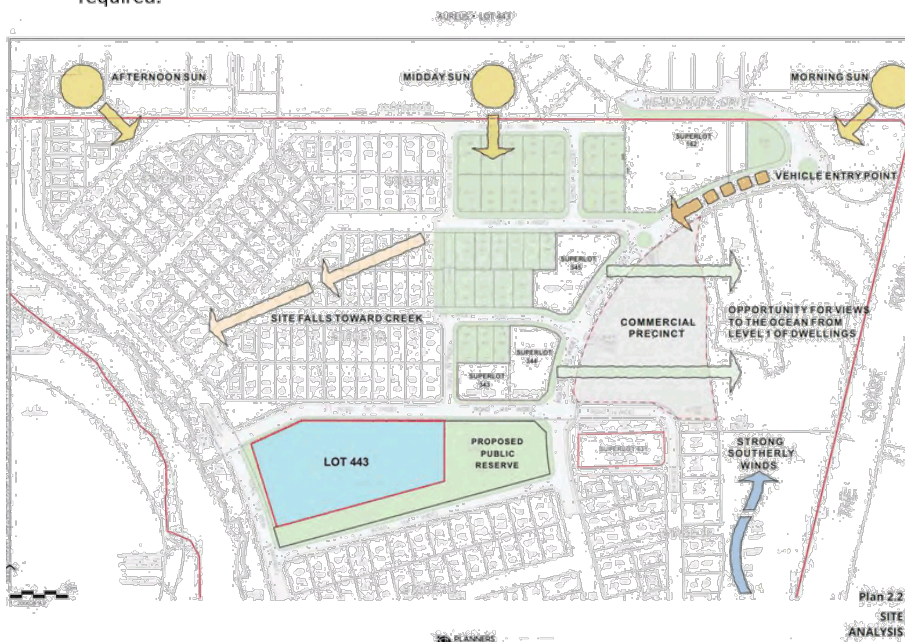
**Vehicular access and parking**

- Visitor carparking is not adequate and the idea of roadside parking is a recipe for disaster. Trees and swales prohibit off-site street parking and 6m wide streets within site do not provide enough drive-through clearance.
- Visitor carparking requirement is minimum of 8 spaces, only 6 have been provided.



**Solar Access**

- As with all terrace style dwellings, shared dividing walls prohibit either morning or afternoon sun, except at block ends.
- Those who have two shared walls on either side will be totally reliant on the short interval of midday sun. Combining this with shadowing from dividing fences of 1.8m tall, coupled with the dwellings being double storey, many dwellings would fall short of the 3hrs of sunlight required.



**Acid Sulphate Soils**

The proponent comments “that as the proposed development provides for construction on a recently approved subdivision allotment that the issue of acid sulphate soils was considered at the subdivision stage.” It was not adequately specific to this DA site which:

- Consists of 90% of the lot being class 2 and 10% class 5 acid sulphate soils
- Lot 443 overlaps into the buffer zone of SEPP 14 wetland
- All drainage from total development site is directed into lot 443 area.
- As 3 infiltration trenches are proposed to be dug within lot 443 acid sulphate soil disturbance will be indirect conflict of 7.1 of BCLEP 12
- Subsequent building erection of the 44 dwellings on lot 443 will also be in contradiction of BDCP 12.
- Disturbance of acid sulphate soil is not permitted within 500m of a SEPP 14 wetland.
- Lot 443 is 80m from the wetland.

NB. Furthermore, if Council approves the development of lot 443 allowing the disturbance of acid sulphate soils, any further legal action taken (after handover to council of infrastructure in 2yrs) of

any form of acid sulphate soil inundation to surrounding areas, may be borne by council. Presumably, the cost of any remedial works undertaken will be at council's expense.

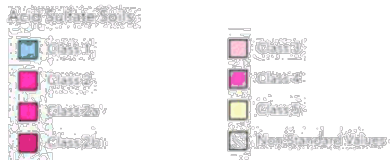
As Ballina derives a great majority of its income stream from tourism and commercial fishing, any damage to aquatic eco systems would be disastrous.

The building of the large number of dwellings will disturb acid sulphate soils initially and the subsequent pollutants (i.e. grease, oil, litter) from normal human habitation poses too great an environmental risk. Intense periods of rainfall from low pressure systems are frequent events on the coastal fringe and inundations of stormwater management systems occur frequently.

**Acid Sulfate Soils Map**



**Legend**



**Mosquito Management**

Lot 443 is within an area of high mosquito risk as per Ballina Council's Mosquito Management Plan (map).

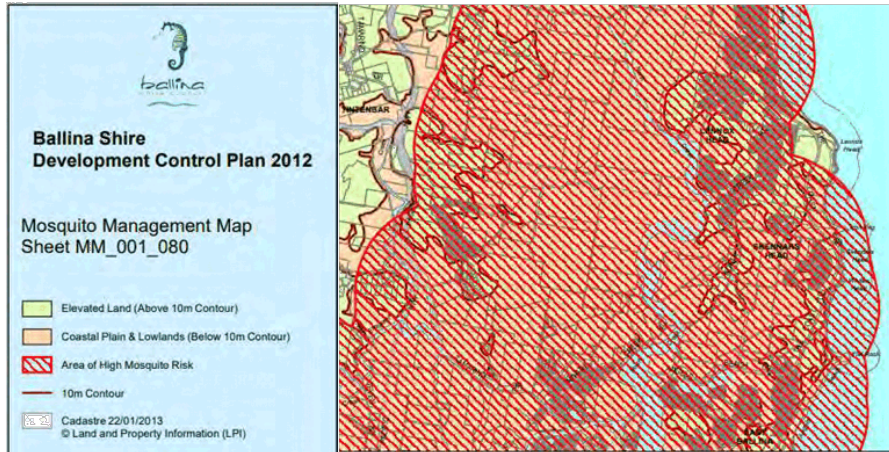
No compliance data with BDCP12 3.6.3 is contained in the DA in reference to:

- iv. bullet point 2: any development that includes stormwater control ponds or water features designed or capable of holding water for a period in excess of 48hrs requires:
  - Minimum buffer 100m wide
  - An entomological report
- vi. Entomological report to include bullet points 1 – 4 to be addressed
- vii. Was an entomologist assessment carried out at DA site at rezoning stage?

- viii. Design of stormwater detention areas must be designed to minimise mosquito habitat and facilitate easy maintenance. Dot points 1 – 5 to be addressed.

The only action purported to be taken by the DA proponent will be to incorporate screens as required by the DCP.

Obviously, this response is inadequate in an area of high mosquito risk and insufficient in compliance to BDCP12.



**Stormwater Management**

As this new DA on lot 443 has an acute change of dwelling density, significant lessening of vegetation cover, is the closest mass occupancy to the wetland, is on the highest gradient and is 90% acid sulphate soil, relying upon the supplied stormwater plans is unconscionable and irrelevant. The data supplied in support of stormwater management plans, was last reviewed on 10<sup>th</sup> October 2018. At the time of this report the zoning of the development site was R2 B1 and 7(d) environmental protection site. See map contained in Knobel consultant’s report.

No stormwater management plan has been contracted to give site-specific results with the rezoning to R3 with 44 dwelling units entered into the equation. Preferred environmental outcomes can only be reached with up to date data as a basis for stormwater management plans.







**NatHERS**

General acceptance of efficiency ratings in new developments is now considered to be 7.0

The following units are well below acceptable efficiency: 443-07, 25, 27 and 38.

The following units meet minimum efficiency ratings: 443-01, 02, 11, 13, 31, 37 and 43.

Units marginally below acceptable efficiency: 443-04, 05, 06, 09 and 15.

A total of 16 units are below acceptable efficiency ratings.

**Submission re: DA 2020\_242 Carroll Avenue, Skennars Head, NSW 2478**

Thank you for the opportunity to comment on the proposed development. My house 'backs onto' Aureus Estate at Seaside and Carroll Avenues. I wish to object to this medium density development proposed on the following grounds:

**Objection 1: Impact on the wetland** [this also relates to Objection 2.] This housing complex is within 200 metres of the wetland. The impact on the water quality, soil quality and biological diversity of this wetland which is part of the North Creek eco-system has not been identified. Following recent storm events there has been a significant increase in sediment, water and litter observed flowing into the wetland. Certainly I (and my neighbours) have observed various impacts and breaches to the POEO Act during the development, importantly lack of retention of sediment runoff to waterways on the coast and to the wetland. [we have photo evidence]

I refer to the Northern Rivers State of the Catchments 2010 -Wetlands report which identifies the impacts that occur from development adjacent to wetlands:

- **catchment disturbance** – *modifications or changes to the catchment structure or processes that affect the wetland. Significant catchment disturbances affecting NSW wetlands include urbanisation, agriculture, vegetation clearing, infrastructure and fire*
- **hydrological disturbance** – *the levels of nutrients entering a wetland, water and soil chemistry, vegetation patterns, the biota present and the wetland's productivity. Drainage, damming, extraction and river regulation have greatly altered the hydrologic dynamics of many NSW wetlands*

Proposed community care group:

Whilst this aforementioned report identifies that it is difficult to assess the state of a wetland, I suggest that some baseline monitoring is required (or was required before the development) – measuring water quality, soil condition, pest species and biodiversity. This could be achieved through the establishment of a volunteer group such as Waterwatch auspiced by Ballina Council, in partnership with Intrapac and local residents, with advice and support from Richmond Landcare Inc. My neighbours and I would be interested in being part of such a group. I am currently a member of Coastcare and would be keen to continue this commitment to caring for this wetland.

**Objection 2: Potential and existing problems with drainage and water retention.** There is a 'temporary' water retention dam on the site of the proposed development. This dam appears to be capturing a significant amount of the runoff from the estate noting that the majority of the water flows from the eastern 'ridge' to the west and the wetland. More information is required regarding how the housing complex will be constructed on this site, considering the stability of the soil structure; and how the current dam will be replaced with sufficient water retention and drainage that ensures minimal to no impact on the wetland. It is also noted that there may be 100 people residing in this housing complex and therefore more information is required on the increased water usage and runoff as well as drainage plans for this site.

**Objection 3: Impact on water use and future water security.** Ballina Council has recently been on Level 3 water restrictions. The future water use of this complex and of the entire estate needs to be identified together with a plan for the security of our future water. In other words does Council have a plan for the security of water for the increased number of residents from development on this site and in the shire?

**Objection 4: Impact of increased traffic.** Given that most households have 2 cars, with a 44 unit complex, there may be between 50-80 cars from this complex. The issues are: the complex is at the southern end of the development which will result in increased traffic flow through the estate and/or via Carroll Avenue to Redford Drive; increased pressure on the

1

Coast Road which is currently congested at peak times during the week with commuters and school traffic from the two large Catholic Schools; and on weekends with parking at capacity on the road verges and car parks at Sharpes Beach and Flat Rock. A plan for how this increased traffic will be managed by Council and the developer is required.

**Objection 5: Lack on amenities and infrastructure** (apart from roads and water identified above). A medium density housing complex such as this and others proposed on the estate will create increased pressure on amenities that will need to be provided. The parkland proposed next to the housing complex is recognised. However this small green space is mooted for the whole estate. Given that there are more 'superlots' also proposed and with the large number of small lots it is argued that this space will be insufficient to provide leisure for the number of residents. Certainly the increased use of Sharpes Beach and Flat Rock (already congested – as identified above) will result. Skennars Head also has no shopping or leisure facilities. It is acknowledged that a small grocery store, coffee shop and tavern are proposed, however it is not certain whether these will be available before or after houses have been built on the estate.

**Objection 6: Lack of public transport.** Currently there is limited public transport (bus only) between Skennars Head and Ballina, Lennox Head and Byron Bay. This bus service is less frequent on weekends when it is argued there will be increased demand. This will impact traffic congestion unless resolved. A public transport plan and service needs to be addressed as part of this development and other development occurring in the Ballina, Skennars Head and Lennox Head suburbs.

**Objection 7: Compound impact of medium density 'superlots':** it is noted that this is the fourth of nine superlots proposed for this estate. It is suggested that rather than consider this DA in isolation from the remaining 4-5 superlots that all of the future superlots be considered for development in their entirety. In doing so there will be more information on the number of units proposed and therefore the impact that these will have on the environmental and social amenity of this 'fragile' coastal eco-system.

Other matters that are not addressed as 'objections' but which are directly related to the increase in pressure from medium density housing include:

- limited employment opportunities: whilst the current unemployment rate of 3% is low compared with regional Australia (<https://economy.id.com.au/ballina/unemployment>) this data needs to be considered in relation to a number of factors including disposable income – Ballina residents have a lower disposable income compared with NSW with double the rate of cash benefits than NSW (17.9 vs 9.6%) and with the Health Care and Social Assistance sectors being the highest employer indicating high social needs of the community. In the current economic climate with the pandemic and recession, employment is not secure for current residents. The increase in residents from medium density housing will put pressure on employment in the shire;
- impact on these environmentally 'fragile' coastal areas. The impact on Sharpes Beach has not been included as an objection with the current DA for a site which has more direct impact on the wetland. However, increased sediment runoff from the site to the beach, filling up of the underpass with water and undercutting occurring on the beach from recent storm events dis evidence of significant impact from the Aureus development that is not being mitigated by the developer.

I trust that you will consider this submission in your decision on the development.

Regards  
Dr Hedy Bryant  
7/33 Redford Drive  
Skennars Head, NSW 2478  
Ph. 0407458156; email hedy.bryant@gmail.com

Janette Punshon  
4/33 Redford Drive  
Skennars Head  
NSW 2478  
0417 519 896

Peter Drew  
Ballina Shire Council

Ref: Submission to DA 2020/242

**Thank you for the opportunity to comment on DA2020/242.**

1. As a grandmother, I have significant concerns to the amount and quality of water that is being contained, already, in the existing storm water swales and ponds and will be contained within the new (3) trenches in Lot 443.

As a small child can drown in **3 inches** of water, it seems extremely dangerous to put hazardous water ponding areas "dottered" around home environments. As Council justifiably maintains **strict certification protocols of swimming pools**, why is this development allowed to forego any "**duty of care**" in regard to the water collection areas?

Has water quality monitoring been conducted and met compliance levels regarding "nitrogen, phosphorus, oil & grease, grass pollutants and suspended solids" in the already constructed swales and ponds? Before adding another (3) infiltration trenches in Lot 443, existing adherence would be imperative.

Observation of the construction and maintenance levels occurring within the existing storm water infrastructure is worrying (**see photos attached**)

2. I am further concerned with the availability to install a functioning solar system on these units as it is proposed as affordable housing – one would expect the opportunity to lower electricity bills would be a factor.
3. The idea that this development would provide affordable housing to the elderly is ridiculous given that Lot 443 is furthest from the Neighbourhood Centre, public transport and are all (2) storey
4. When I attended the community consultation meetings at the start of this development, for them now to propose Strata Titled areas is totally the opposite to the "**Coastal haven**" that they promoted in terms of density. This is decidedly not consistent as a continuation of the existing Skennars Head subdivision and does not fit in the general building landscape of the area. Rather, it would be much more suitable on "The Gold Coast"
5. **I am also concerned with the increased health issues that arise with "ponding water" re: mosquitoes and the possible inundation of cane toads.**
6. The number of extra cars concerned with this Lot 443 development is further worrying concerning children, especially those with bikes.



Allowing Lot 443 to be developed under this proposal will be injurious to the environment and social amenities of Skennars Head.

I hope that the Ballina Shire Council carefully, and responsibly, consider my (and others) concerns and objections to this development application.

Kind regards

Janette Punshon













**From:** [Ross Swepson](#)  
**To:** [Ballina Shire Council](#)  
**Subject:** Submission re - DA 2020/242 Lot: 6 DP: 1225206, The Coast Road SKENNARS HEAD  
**Date:** Wednesday, 3 June 2020 1:54:13 PM

---

**CYBER SECURITY WARNING - This message is from an external sender - be cautious, particularly with links embedded within the message and/or attachments.**

Dear Ballina Shire Council

I am a resident and rate payer in Ballina Shire and I declare that I have not made any political donations or gifts to any Councillor or employee of that Council.

I am writing to raise an **objection** to the Development Application - DA 2020/242 Lot: 6 DP: 1225206, The Coast Road SKENNARS HEAD.

My understanding is that this Application is proposing a 44 new dwelling development, which will later be strata titled, on Lot 6 as above.

**Potential and existing problems with drainage , water retention, and the resulting impact on the protected wetland**

While I understand the current imperatives around increasing the number of Medium Density developments in the Shire, the proposed development in this particular location on the Aureus site would appear likely to further exacerbate an already precarious situation regarding site drainage and the protection of the nearby protected wetlands.

The increased scale and density of human activity on the site in its proposed form as a 44 Dwelling development, during and after construction, is bound to put undue pressure on the site drainage. This in turn would be to the detriment of the wetlands that are in some cases less than 200 metres away.

On that basis, I would submit that this application, in its current form be rejected by the Council.

Thank you for accepting this submission.

Ross Swepson

*Active Business Consultancy*

+61 458076442

Ross.Swepson@bigpond.com

---

This email has been scanned by the Symantec Email [Security.cloud](#) service.  
For more information please visit <http://www.symanteccloud.com>

---

**From:** [Coralie Swepson](#)  
**To:** [Ballina Shire Council](#)  
**Subject:** Submission re - DA 2020/242 Lot: 6 DP: 1225206, The Coast Road SKENNARS HEAD  
**Date:** Wednesday, 3 June 2020 6:09:22 PM

---

**CYBER SECURITY WARNING - This message is from an external sender - be cautious, particularly with links embedded within the message and/or attachments.**

Dear Ballina Shire Council,

I am a resident and rate payer in Ballina Shire and I declare that I have not made any political donations or gifts to any Councillor or employee of that Council.

I am writing to raise an **objection** to the Development Application - DA 2020/242 Lot: 6 DP: 1225206, The Coast Road SKENNARS HEAD.

My understanding is that this Application is proposing a 44 new dwelling development, which will later be strata titled, on Lot 6 as above.

I wish to object to this medium density density development proposal on the following grounds:

Ballina Shire Council is presented with a rare opportunity to facilitate development which protects, promotes and responds to the stunning, mostly untouched coastline between Lennox Head and Ballina to provide a unique coastal experience for both visitors and residents. The proposed development appears to be one which does not respond adequately to the needs of the surrounding fragile environment or provide adequately for the broader needs of future residents.

1. It is clear that **the site drainage will not adequately protect the biological diversity of the nearby protected wetlands** either currently or in the future as in some cases development is less than 200 metres away from the proposed buildings. The wetlands currently appear to be affected by increased sediment, litter and water runoff from the current Aureus development and future impact by the construction of 44 buildings will compound the situation. Once completed the wetland environment will be impacted significantly and consistently by the close proximity of the urban living of up to 100 residents. This is bound to put undue pressure on the wetland which is **part of the North Creek eco-system**. Rather than the building of 44 residences, a **wider band of green space is called for** to provide a buffer for the existing wetland area to continue into the future as it has in the past.
2. As every home is understandably allocated two car spaces and on the basis of the **inadequate public transport** available in the area, I have grave concerns re the impossible traffic load for residents on the Coast Road and the significant impact this **increased traffic activity** will have on the coastal environment. A reduction in the number of "Superlots" is called for.
3. There is **limited parking available** currently at the popular local beaches and I have serious concerns as to where and how future carparking areas will be established. Illegal parking currently often creates dangerous road conditions. Future parking areas will be needed and will potentially lead to further degradation of the environment.

On the basis of the above points, I would submit that this application in it's current form be rejected by the Council.

I call on the council to allow for the land on this site to be a designated green space or **reduce significantly the number and type of residences.**

Please allow for an **increase in appropriate green space** to help protect the wetland environment.

Once this development contributes to damage to the wetland environment, the loss of plants and animals that form part of that ecosystem and the degradation of the beautiful natural coastline, the opportunity to create a unique coastal space for visitors and residents is lost forever.

Thank you for accepting this submission.  
Coralie Joy Swepson

Sent from [Mail](#) for Windows 10

---

This email has been scanned by the Symantec Email [Security.cloud](#) service.  
For more information please visit <http://www.symanteccloud.com>

---