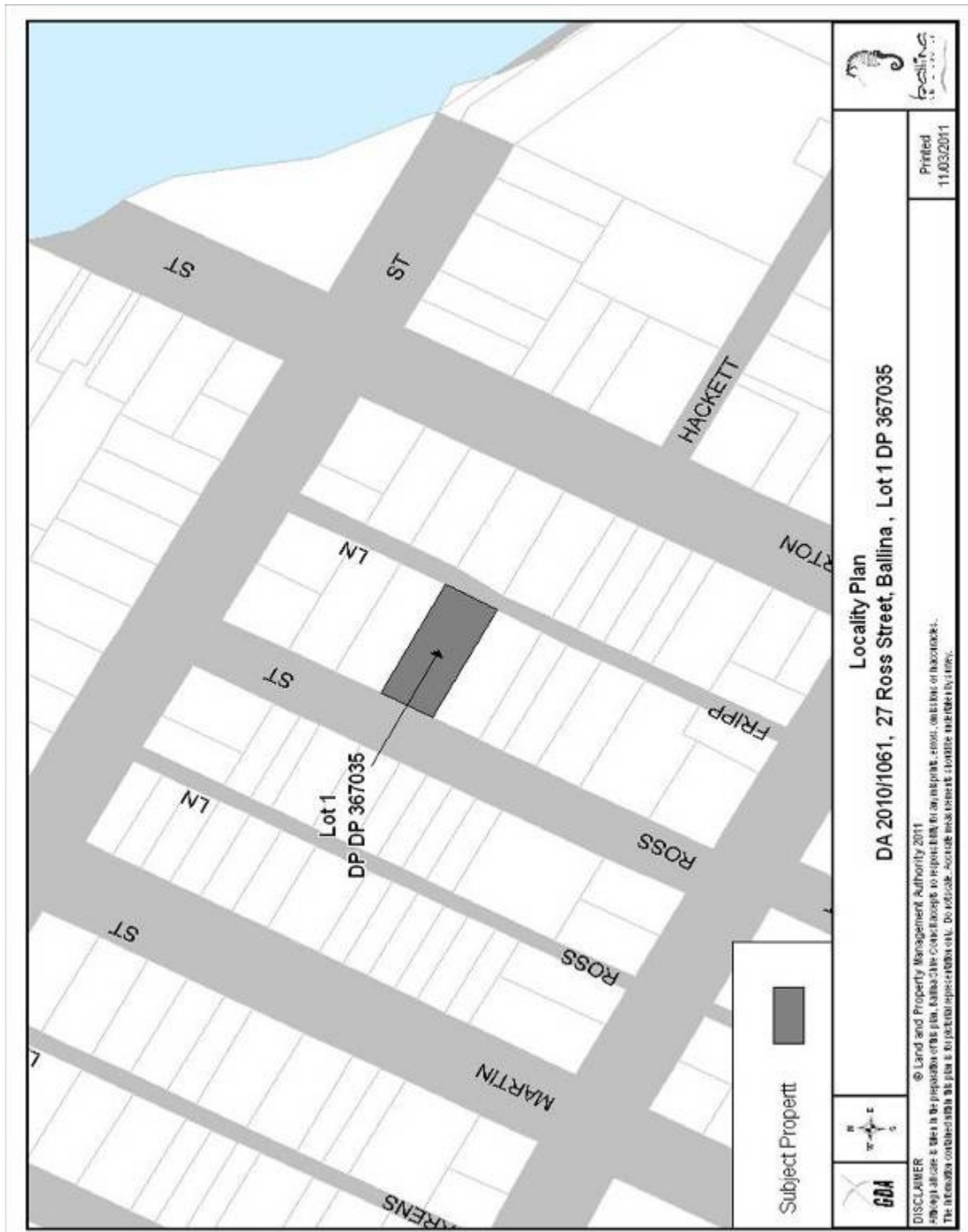
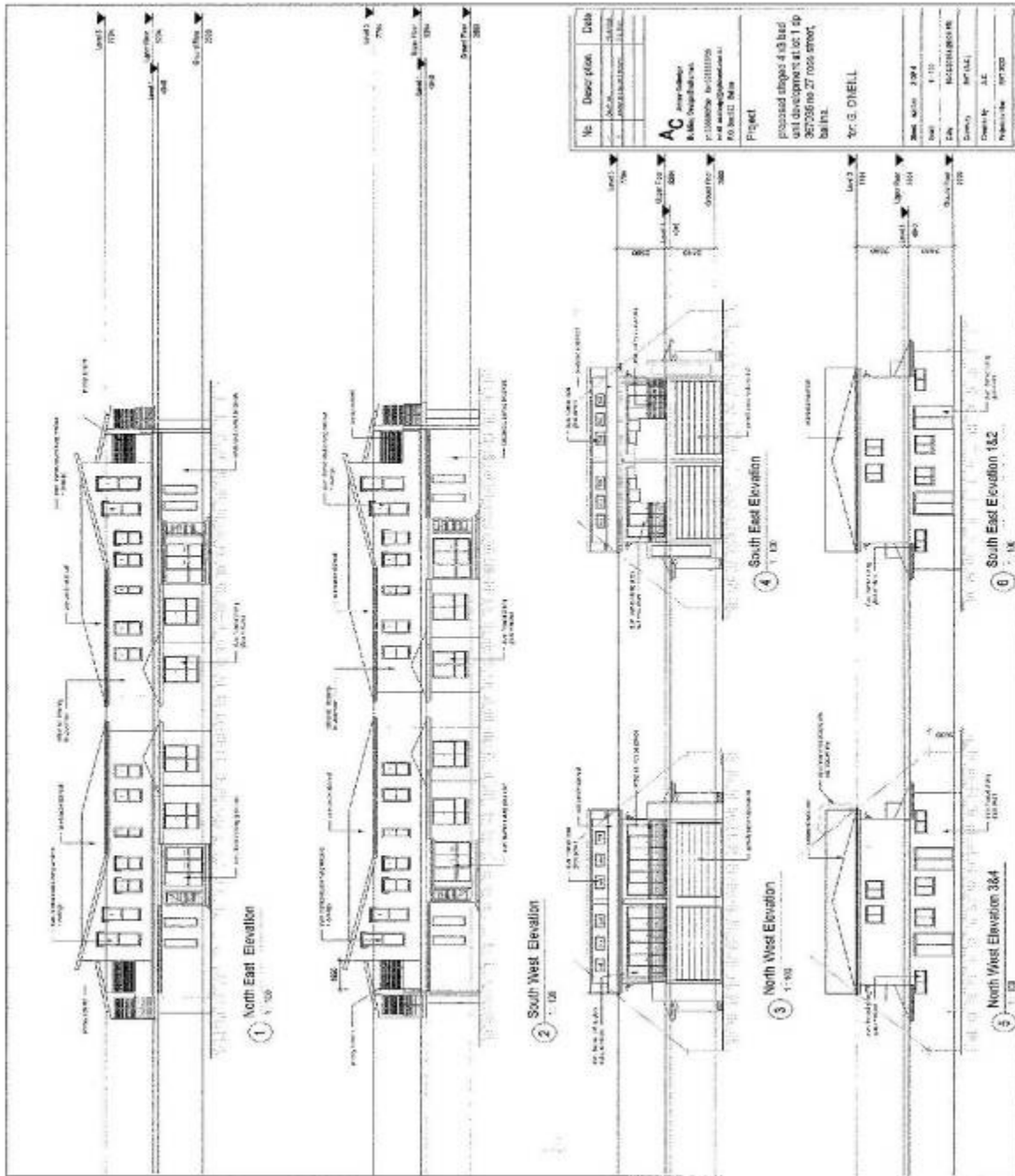
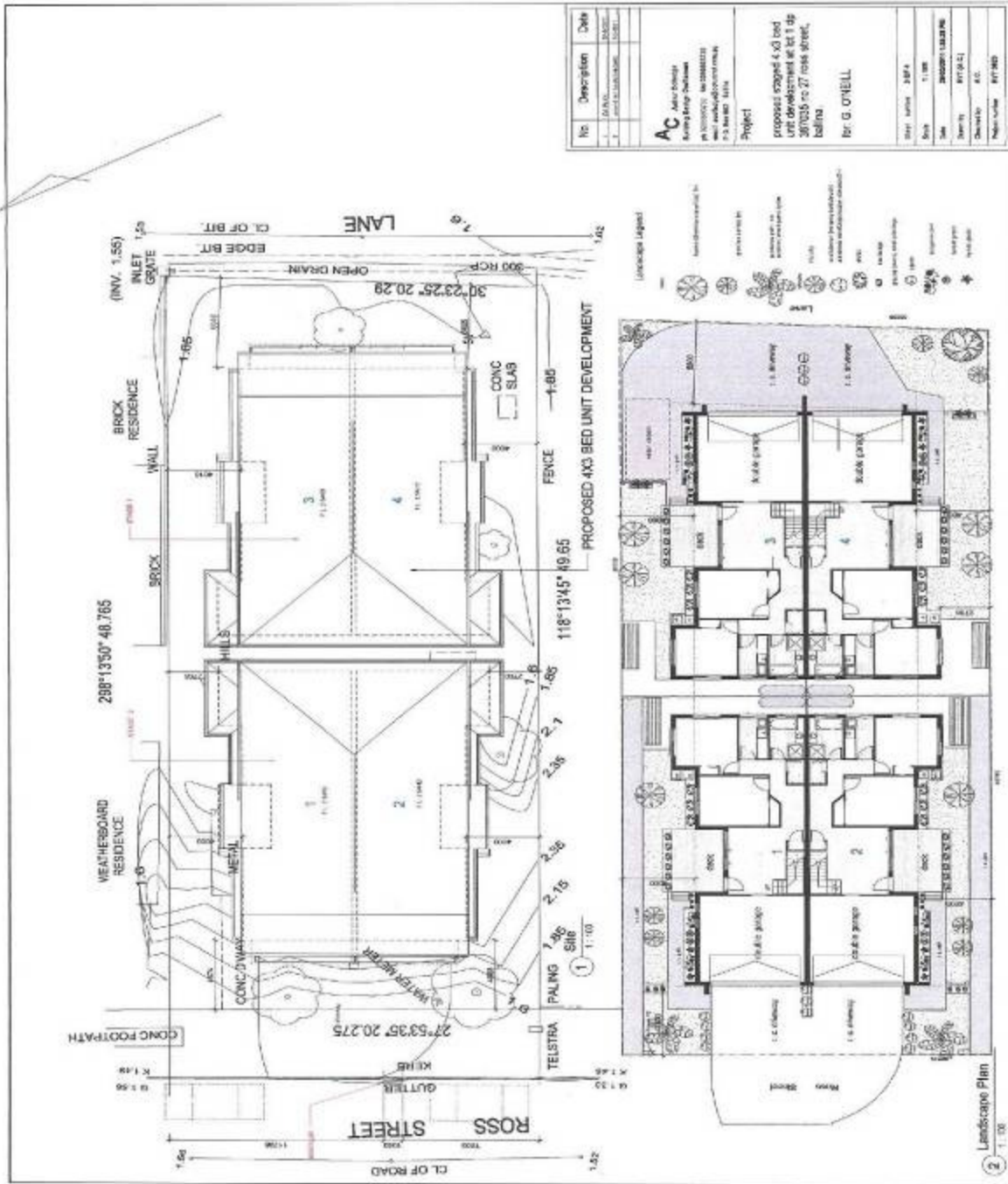


8.3 DA 2010/1061 - Residential Flat - Ross Street / Fripp Lane, Ballina







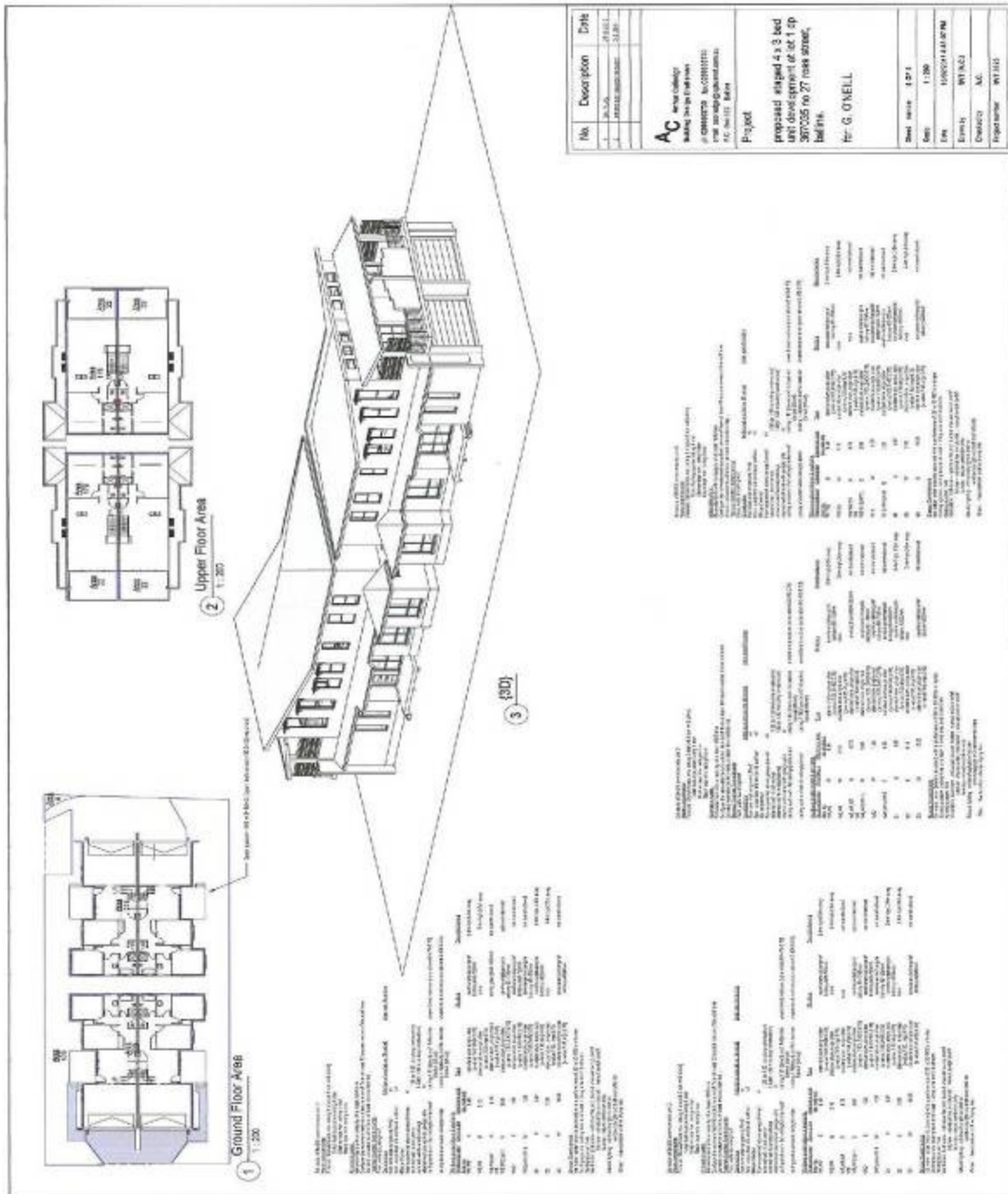


No	Description	Date
1	PREPARED	20/04/11
2	REVISED	20/04/11
3	REVISED	20/04/11

**AC** Acker Ecology  
 Ecology & Design Solutions  
 PO BOX 10770 BALLINA NSW 2463  
 www.ackeranddesign.com.au  
 T 61 61 6520 1234

**Project**  
 proposed 4x3 bed unit development at lot 1 dp 387035 to 27 ross street, ballina  
 for G O'NEILL

Sheet Number	28/11
Scale	1:100
Title	PROPOSED 4x3 BED UNIT DEVELOPMENT
Client	G O'NEILL
Drawn by	AC
Checked by	AC
Scale	1:100



No.	Description	Date
1	Issue	27/03/11
2	Issue	22/03/11
3	Issue	22/03/11

**AC** Architecture  
 Making the Difference  
 40 GERRARD ST. N. SUITE 101  
 ST. CATHARINES, ONT. L7M 1Y1  
 TEL: 905.461.1111 FAX: 905.461.1111

**Project**  
 proposed single 4 x 3 bed  
 unit above apartment of 1 up  
 367035 no 27 rick street,  
 ballina.

for: **G. O'NEILL**

Sheet name	1/27.1
Date	1/200
Drawn by	150874141/PM
Checked by	WJ/KLS
Designed by	AC
Project name	WJ 110

Room No.	Room Name	Area (sq. m)	Volume (cu. m)	Notes
101	Living Room	15.0	45.0	Living Room
102	Dining Room	10.0	30.0	Dining Room
103	Kitchen	8.0	24.0	Kitchen
104	Bedroom	12.0	36.0	Bedroom
105	Bedroom	12.0	36.0	Bedroom
106	Bedroom	12.0	36.0	Bedroom
107	Bathroom	5.0	15.0	Bathroom
108	W.C.	2.0	6.0	W.C.
109	Hallway	3.0	9.0	Hallway
110	Staircase	2.0	6.0	Staircase
111	Storage	1.0	3.0	Storage
112	Entry	2.0	6.0	Entry
113	Veranda	10.0	30.0	Veranda
114	Deck	5.0	15.0	Deck
115	Roof	100.0	300.0	Roof
116	Garage	20.0	60.0	Garage
117	Driveway	10.0	30.0	Driveway
118	Front Yard	50.0	150.0	Front Yard
119	Rear Yard	50.0	150.0	Rear Yard
120	Overall	200.0	600.0	Overall

**From:** Janeane Burke [janeaneb@ballina.nsw.gov.au] on behalf of Ballina Shire Council  
**Sent:** Monday, 7 March 2011 10:45:02 AM  
**To:** Sandra Bailey  
**Subject:** FW: Request for Councillor assistance

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**From:** Marc Lyndon [mailto:opie1@aapt.net.au]  
**Sent:** Monday, 7 March 2011 9:36 AM  
**To:** Councillor Sue Meehan  
**Cc:** Robyn Hordern; Alan Brown; Ballina Shire Council  
**Subject:** Request for Councillor assistance

'A' Ward Councillors,  
General Manager,  
Ballina Shire Council

Dear sir/madam

We are writing to bring to your attention a proposed development at 27 Ross Street, Ballina - DA 2010/1061, and the negative impacts, should it be approved in its present form, the development will have to the amenity of the area and individually to the writers of this letter.

The initial submission and subsequent response to Council requests for further information contain many inaccuracies, and the size, scale and density of the proposal is greater than any other building in the near vicinity. The developer and absentee owner (Mr & Mrs O'Niell from Mcleans Ridges) seeks maximum benefit from both the design and location to the detriment of residents in proximity to Fripp Lane, Ballina. It appears that the design and 'residential flat' structure is geared to be on-sold to the Department of Housing? or Strata Subdivided on completion and sold individually. Either will result in a large profit for a building that is only 'generally consistent' with Council policies and is totally out of place in this location.

Drainage, traffic, overshadowing, encroachments, open space, size and scale have not been appropriately addressed by the applicant, and they have been dismissive of residents objections. Who is liable should more flooding occur to properties with access to Fripp Lane?

Submissions have been made to Council through Ms Jenna McNabb, and she has detailed responses from each of us.

We would request your assistance in seeking a better outcome than what is presently proposed.

Marc Lyndon  
72 Norton St

Heather Cleverley  
70 Norton St

Val Pinney  
2/29 Ross St

Hazel Clough  
74A Norton St

**OBJECTION TO DA # 2010/1061 , LOT 1 DP 367035, No. 27 Ross Street, Ballina**

Jenna McNab

I am writing to object to the above Development Application on the following grounds.

- \* The scale, size and bulk of the development is not in keeping with surrounding buildings,
- \* Plans show that the roof-line extends beyond the permissible building envelope,
- \* The height used by the developer is incorrect, he uses a lower pitching plate height as the underside height of ceiling and not the higher plate height at the front of each duplex. Infact it is approximately 1.3m higher with an RL of 9m.
- \* There are significant losses of privacy and overshadowing to neighbouring properties.
- \* Traffic issues along Fripp Lane (stage 1 of the DA)

The timing of this DA submission does not allow enough time to respond. With Council closed for the Christmas break and people away on annual holidays not enough time has been allowed to fully scrutinise the plans (some of which are illegible) or fully consider the impacts of what is the largest development to be proposed in this area of Ballina Island. I would request that a decision be deferred on this DA to allow residents and Council to fully consider its appropriateness.

Some items in the Submission at Council that I noticed today which are at odds with the facts,

2.2 Site Analysis - 'generally cleared' except for the large African Tulip tree

2.23 Visual Context - the newer houses constructed along Fripp Lane are single storey single occupancy definitely not 2 storey duplexes

2.3 Surrounding Land Use - all properties adjacent, behind or diagonal are single storey.

Fig 4 is of a corner block, the largest overuse of land in this precinct, but not as exploitative as this DA. It is not a standard residents wish to emulate ie; a negative impact on the street-scape

Fig 5 is of 2 separate single houses, not 2 x double storey duplexes, I don't see how this helps Mr Colleges' case for approval as it is not similar development?

Should you need any further evidence of street scape I can provide you with pictures of the 25 houses of a single storey within the area (50m) of this DA

3.2 Mr College has the incorrect detail here ? It does appear not to relate to Ross Street but a property on Commercial Road Alstonville and I am unsure why it is included?

Mr College goes on to claim that there is '*architectural merit*' in his application and the way the roofline penetrates the building envelope. I find it offensive that he argues that the roofline '*draws the eye naturally up to reduce the apparent overall bulk and scale*' of the proposal. He argues that by making the building larger it somehow reduces its size and visual impact ????. There is something in there about the roofline not being continuous, but from the front of each duplex it is.

8.3 This encroachment will overshadow adjoining properties. It will obstruct views from our property and have an adverse impact on the scenic quality of the locality.

Residents along Fripp Lane have tried to develop along a certain theme, of single storey single occupancy. As it is an extremely narrow lane anything more would seem worse than if placed on a wide street. From building line to building line the Laneway is 5.5m wide (approx) whereas Ross Street is 20m wide. There is also no 'on street parking' along Fripp Lane. We have many elderly residents living here, including one a SEPP5 developments further down Ross Street, and this overdevelopment will greatly impact on everyones amenity and safety (extra traffic movements). I was once led to believe that when blocks were subdivided in this area that only one of the new blocks could have a double storey building, with the other being single storey. Rules may have changed but it has served this area well.

As this DA is for 2 x 2 storey duplexes, I do not consider that Mr College should be able to 'bend' or break any planning laws, only to leave residents with the consequences. It is overdeveloped and there are too many large dwellings onto one block.

This type of development appears more suited to a block closer to the CBD, where similar developments have been built. The Councils own building envelope has been ignored and heights are exceeded.

I am not opposed to the development of this site if it were more in keeping with surrounding homes. As the DA stands it is an overdevelopment and does not comply with Council Planning Regulations.



Sincerely  
M.Lyndon

RECORDS  
SCANNED

- 4 MAR 2011

Doc No:.....  
Estn No:.....

Marc Lyndon  
Licensed Builder  
72 Norton Street  
Ballina

Ms Jenna McNabb  
Ballina Shire Council

**RE: DA 2010/1061 - Additional Information**

The submission by Basix Services fails to respond to our objections to the above development, but seeks to confirm their initial proposal. Some of the information is incorrect. I would suggest referring the DA to Council and a site visit as a minimum. Fripp Lane is an extremely narrow laneway and the proposed development will impact negatively upon residents due to this fact alone.

Having spoken with other objectors to this DA, we all realise that the 2 storey duplex fronting Ross Street may attract fewer objections, largely in part to other approved buildings (figures 4,5 &6 in the response) which can be described as 'thin edge of the wedge' using one bad development to approve another - fig 6 (3 units on a corner block in Ross St). As this is a 'staged' development, we are taking issue primarily with the 2 story duplex fronting Fripp Lane.

I am forced to respond to some of the reports inaccuracies.

**2.2.3 Visual Context**

The 'response' argues several buildings in Fripp Lane being multiple occupancy and double storey (Figures 2 & 3). **Figure 2** is taken from Ross Street not Fripp Lane. **Figure 3** is the only 2 storey multiple occupancy at the southern end of Fripp Lane. If the proposal was similar to the building in **Figure 3**, I would be unlikely to object but what they propose is much more; in height, density, scale and it's impact on neighbours and the subsequent loss of privacy.

**2.3 Surrounding Land Use**

**Figures 4, 5 & 6:** The 'response' uses **Figures 4, 5 & 6** again to assert our objection provides inaccurate information. These buildings are on Ross Street, and as stated previously the objectors are more concerned with the impact of 'Stage 1' of the development which fronts the very narrow Fripp Lane.

**Fig 5** is of a single occupancy 2 storey home and both buildings shown in **Fig 4 & 5** have their second storey roof lines set well back from their rear boundary on Ross Lane. Neither are similar in scale or nature to what is proposed. Therefore it is not accurate to say this DA is consistent with existing developments in the area. *Attached are pictures of the surrounding buildings.* The writer of the 'response' is disingenuous to only supply pictures of buildings that fit his need and ignore those which do not.

**Figures 7 & 8:** The writer then uses **Figures 7 & 8** of his report as a representation of similar multi unit developments in the area to strengthen his case for approval. Both consist of a single attached duplex each, with larger setbacks and ground floor grass and outdoor areas on a corner block on Martin Street (wider than both Fripp Ln and Ross St combined). The roof lines of each suggest that they have complied with building envelopes. No one is confronted by either of these across a narrow laneway, and both are lower in height, and the dwellings are smaller in scale and usage to what is proposed.

**Figure 9** of the 'response' refers to a multi-unit development at the southern end of Martin Street. It is of a SEPP 5 development. Whilst it is of 5 units, it is still smaller in scale than the proposal, and is not located in Martin Street.

None of the cited buildings, **Fig 2, 7 & 8**, are similar to what is proposed, none of their second floors are utilised as living or entertaining spaces. The impact of the proposed design is a 'loud speaker' effect, with 2nd storey living areas and balconies directly opposite us across a narrow lane.

**8.0 Height Restrictions**

Contrary to their assertion, the roof line does not 'localise the higher points ..towards the centre of the building'. **The roof line still encroaches, and is continuous across the width of the building.** There is alot of talk about 'design' and 'architectural technique but very little 'architectural merit' in the design of the 2 x 2 storey 'flats' , which resemble duplexes in all but name. The windows or as they are somewhat poetically



called 'celestial windows' face South East and North West in either building. A North East aspect would provide better attributes but would not enable the 'cookie cutter' design of the proposed DA.

### 8.3 Encroachment in Building Line

We always expected the block to be developed, and have planted trees in preparation, but the height at the top of the windows is such that it will adversely affect us. New occupants of the development, if approved, will have a direct view into our house, it's kitchen and living and dining areas and garden at all times. Our neighbours *do not* as the report attests have DAs pending for two storey dwellings along Fripp Lane and why this is even included as some form of rebuttal or disparagement to legitimate concerns by residents of the DA is mystifying. The DA ignores the encroachment in attempt to have Council to approve which is an overdevelopment of the site and does not meet the Council's own guidelines

The 'shed' in Fig 11 is no longer in use but predates my moving here. It houses a boat and car. Knowing the owner, it is unlikely that he will replace it with a 7m high duplex.

### Further Objections

Whether described as 2 x 2 storey duplexes or multi-unit residential 'flats' (semantics) the impact on neighbours and their amenity the same. The building envelopes have now been ignored twice.

The Developer seeks to benefit from the ambience of the area created by the current residents, and erode it at the same time. The view from the proposed development wont change, but the view from our homes will. The phrase '*generally consistent with the provisions*' appears regularly though the 'response'. It is **either consistent or not. It either encroaches or does not.**

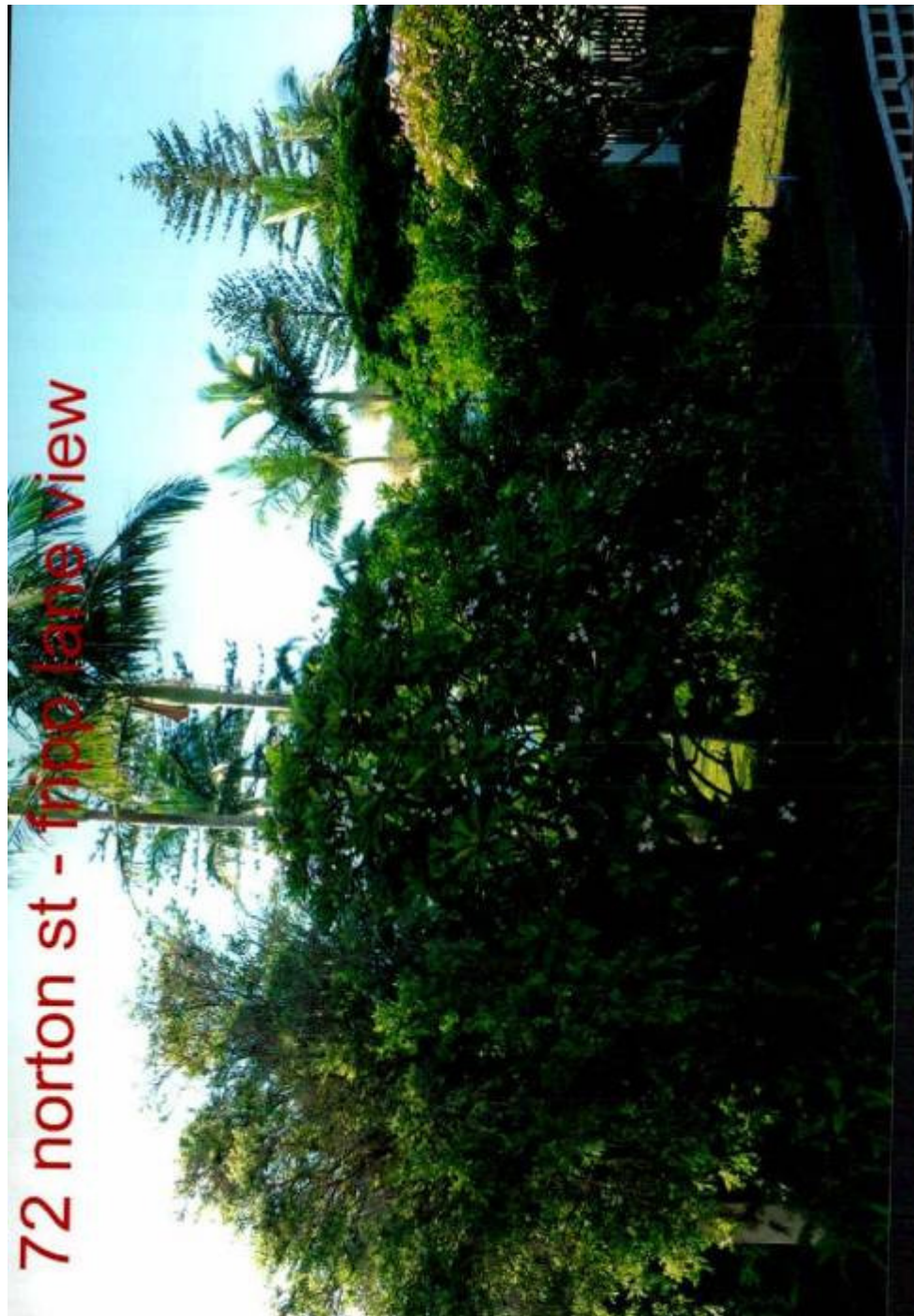
The whole proposal appears geared to be immediately on sold to the Department of Housing. Perhaps a price has already been agreed on? It would debunk the 'response' when it states that 'as few as 4 people may occupy the entire development when completed'.

There is nothing in the 'response' that enhances this application. The tone is patronising and dismissive of residents concerns. Has the lack of open space even been addressed? There is a refusal to make any changes to the submission. As residents and ratepayers we rely on the Council in this matter to achieve a preferred outcome.

  
M Lyndon



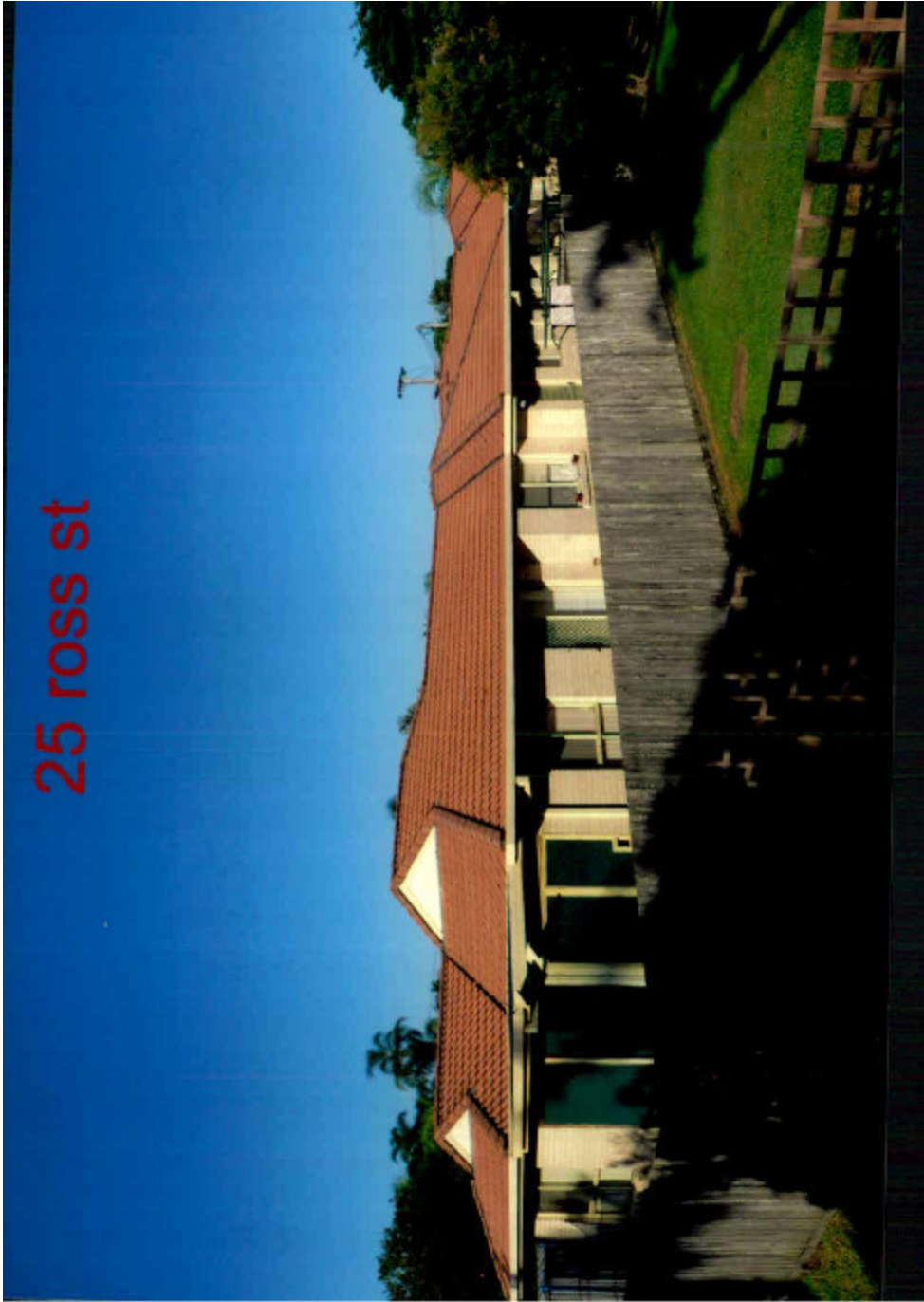




64 norton st - mostly single storey



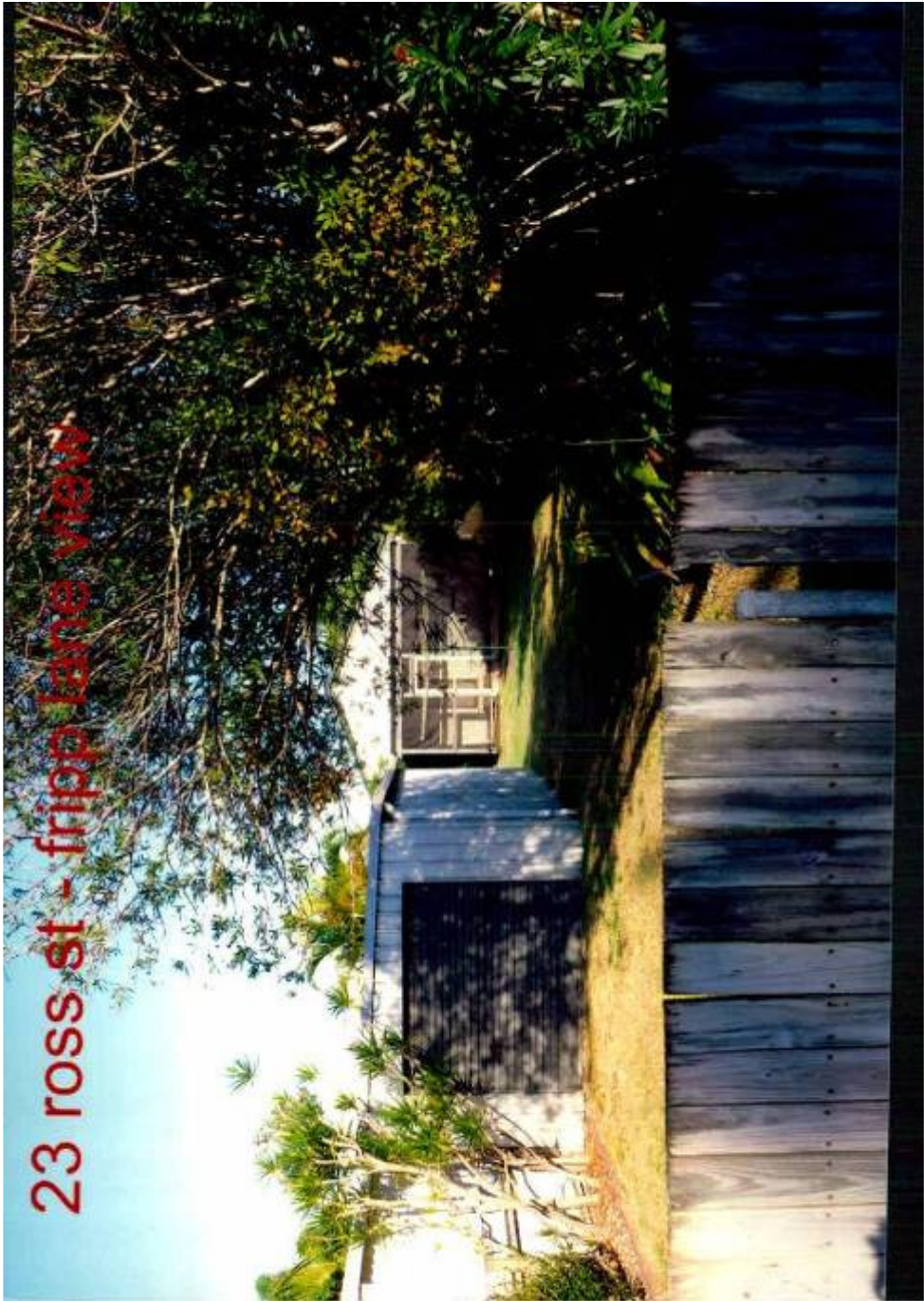


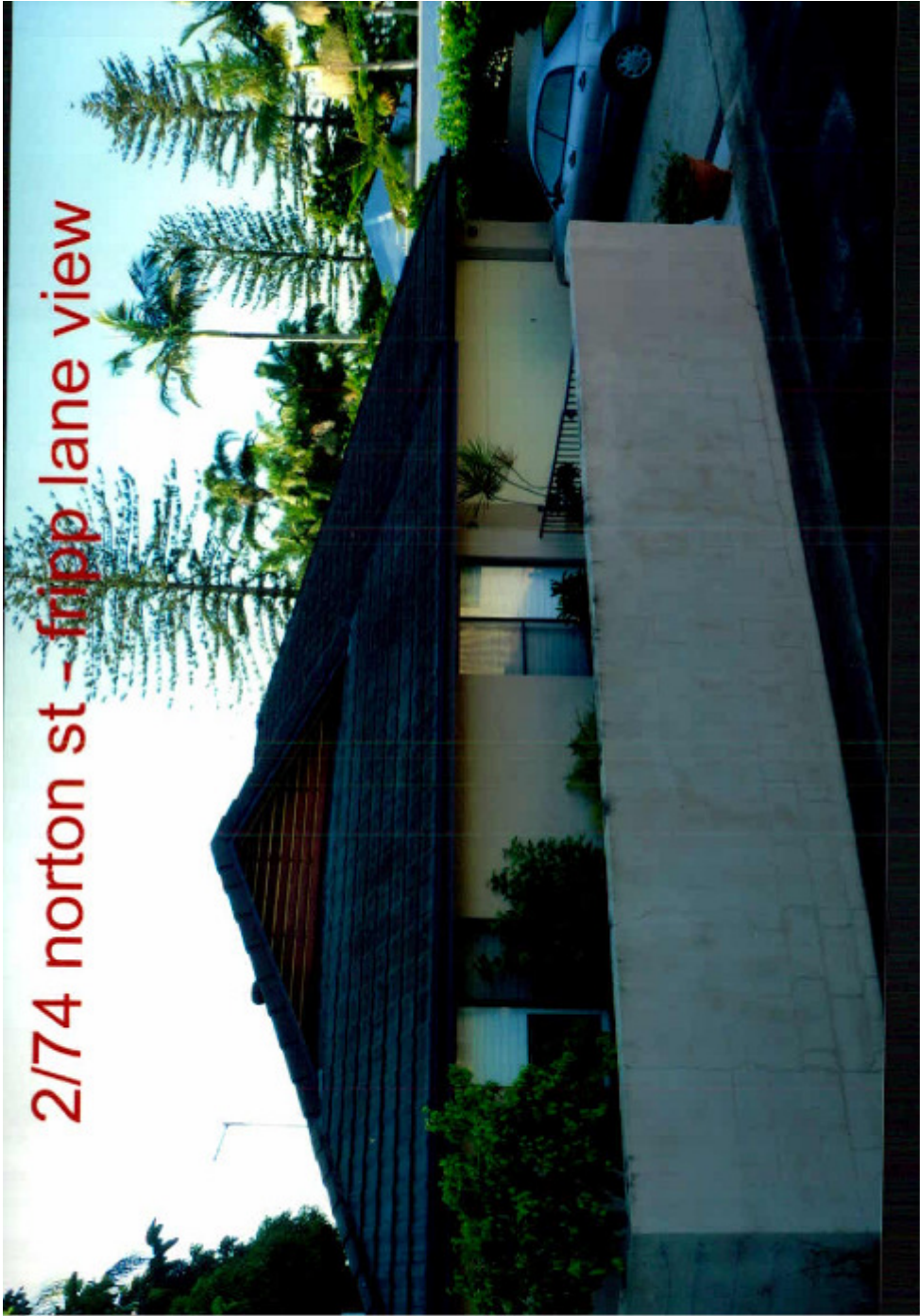




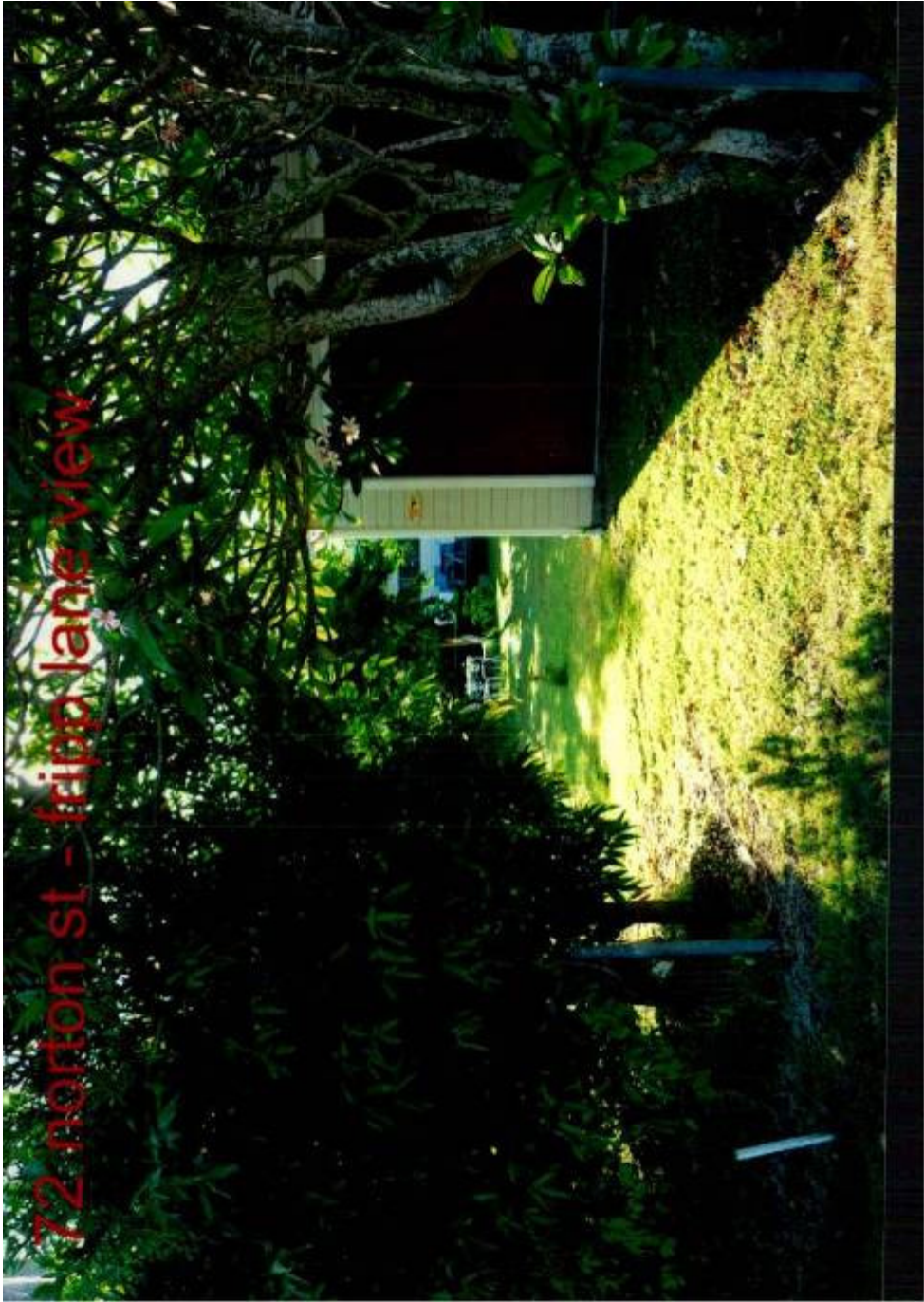
68 norton st - fripp lane view











OBJECTION TO DA#2010/1061, LOT 1 DP 367035, 27 ROSS STREET, BALLINA.  
Attention Jenna McNab,  
I, Margaret Pinney, object to the above named development application on the following grounds.  
2.2.3 Visual Context.

There are not several similar developments in the immediate area. One on the corner of Fox & Ross Sts. & one further up Ross St. on a much larger area. All other two stories are single dwellings. All houses both in Ross St. & Fripp Lane are single storey except for an older style town house in Fripp Lane off Bentinck St.

### 3.2 Site Access & Traffic Generation

Where is Commercial Drive? Is this Fripp Lane? If so, traffic is going to cause problems. Fripp lane is extremely narrow, in most places no two cars can pass ea. other.

### 4.1 Stormwater.

Unable to clearly see stormwater plans & this issue would need to be clarified by council on site as the Fripp Lane site units 3 & 4 are next to my single storey home which is five years old.

### 4.2 Traffic.

Absolute rubbish!! No traffic should be allowed in Fripp Lane during the building phase if this development is allowed. All deliveries, trucks & whatever must come from Ross St. This developer owns the whole block & should not be allowed to hold the residents to virtual house arrest so that he can make money.

### 4.7 Social & Economic Considerations.

Dispute that no social impact will be felt by residents. There will be probably be at least another sixteen people living in that development, their outdoor living area is directly beside my two bedrooms so noise will be detrimental.

### 5.1 Local Environmental Plan'

The design is not consistent with the surrounding homes & is out of context with the area. The building height is above the limit.

### 5.2 Ballina Shire Combined Development Control Plan 2006.

Minimum setback, must not be allowed, would interfere with cars backing into Fripp Lane as driver would not have clear vision, namely me & my family. I doubt that any significant landscaping will soften this development, simply not enough room after cramming four two storey three bed units on this block, in fact not enough room to swing a cat!

### 8 Height restrictions.

Exceeds the height levels.

8.3 over shadows surrounding buildings particularly 25 Ross St.& definitely cause lack of privacy by occupants overlooking our homes.Also obstructs views from the back of Norton St.homes which back onto Fripp Lane,definitely has an adverse impact on the quality of the area&exceeds height levels.

9 Building lines & setbacks.

I object to the two balconies for units 4& 5 if they are to be forward of the building line even if they are above the ground,no encroachment should be allowed.

This development is over the top in terms of size & bulk,anyone who wants to visualize just what this monstrosity will look like should visit 25/23/21 Martin St. Ballina.

Yours sincerely,

M. Pinney

2/29 Ross St.Ballina

3/01/2011

Ballina Shire Council,  
Attention – Jenna McNabb.



Mrs Hazel Clough  
74A Norton Street  
BALLINA. 2478.  
Phone: 66867775.  
19<sup>th</sup> January, 2011.

Reference – D/A 2010/1061. 27 Ross Street, Ballina.

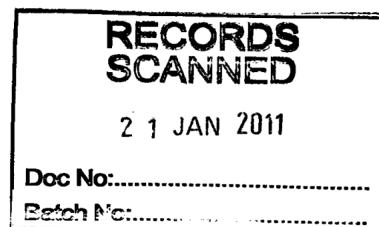
I wish to advise of my objection to the above D/A in its present form. I have read through the Development Proposal prepared by G. O'Neill, Basixservices. I live alone in my single story townhouse (front entry from Fripp Lane.(No.49) and it is adjacent to the proposed development. My postal address is 74/A Norton Street.

My concerns are:

1. That this building will impact significantly on the surrounding one storey homes in this area. With one exception, all the homes facing into Fripp Lane are one storey buildings and this new development will be out of character for this small area.
2. Real concerns as to the height and density of the 4x3 bedroom homes (with double garages) and the impact this development will have on the surrounding homes and the loss of the amenities and aesthetics of this lane. I understand this is a 'Heritage' listed area and Fripp Lane is in close proximity to Norton Street. It is our elected Councillors' responsibility that residents and ratepayers can feel assured that we keep what is precious to the long term residents of this beautiful area.
3. There is no room for on-street parking in the lane. Should the development go ahead, there must be no development site deliveries through Fripp Lane, all building deliveries to come through Ross Street. To deliver from the lane would be extremely hazardous. Residents would be blocked in on occasion .
4. Ideally, the development would have just the one freestanding single storey townhouse facing into Fripp Lane. My living environment is very important to me and the two double storey townhouses across the lane from me will have an impact. I would like to think that Council will consider my objection to this building which is quite out of character to our small area.

*Hazel Clough*

Mrs Hazel Clough.

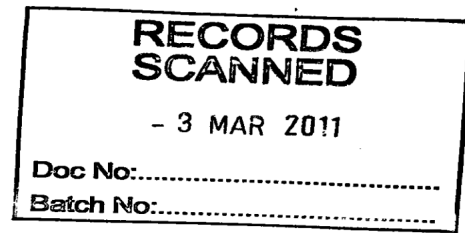


70 Norton Street  
Ballina 2478

2<sup>nd</sup> March 2011

Ms Jenna Mc Nabb  
Ballina Shire Council  
Cherry Street Ballina

Dear Ms Mc Nabb



**Re: DA 2010/1061 27 Ross Street Additional Information**

I would like to respectfully request that BSC does a site inspection of the proposed development to assess the impact it will have on the neighbourhood particularly Fripp Lane. As well, could this DA be referred to Council for further consideration?

To provide you with background of my experience, I have lived in Ballina since 1974 and, as a developer, have built many villas on Ballina Island since the early eighties. I have also renovated several old houses including in recent years No 52 and No 68 Norton Street. Currently I am about to renovate my home at 70 Norton St. I also held a NSW Real Estate Agents full Licence for over 30 years. I recently sold my successful Care Service, North Coast Minders P/L and retired after 17 years in business. In all my endeavours I have tried to consider my neighbours and always consulted and sought to positively add to, not detract from, the amenity of the neighbourhood in which I was building. I know that this is becoming more and more difficult because of Ballina's growth but I believe we must all keep trying.

I don't know if the properties will be sold or leased but they are so close and lacking in privacy I would not like to have to list them and get a result.

I understand there may be less objections to the Ross Street frontage of the development as it is a much wider road. My neighbours and I are most concerned with the impact of stage one on residents in Fripp Lane and the crowded environment lacking in open space being created for the people who will live in the units at the rear of No 27 Ross St.

In answer to the Basix Services letter, I believe many of their comments could be called obfuscation, and I reject some of their claims and supporting photos which are incorrect and misleading.

**1. Timing of application** is relevant I believe as it reduces neighbourhood exposure to the development application if it is advertised in peak holiday time when many people are away. Perhaps a little extra time could be given by Council for consideration of DA's over the holidays.

**2. Overdevelopment of the site** We are living in a country town not Surry Hills or inner western Sydney. Such dense development adversely affects



residents in the development and adjoining properties particularly in Fripp Lane Figure 3 of Basic Services letter is the only photo taken of another Fripp Lane property All the rest of the photos are Ross Street and Martin Street and one is of a 2 storey *house* on a very large block of land at 19 Ross St All the other developments in Fripp Lane are relatively low impact Basix Services photo and description of a "commercial" shed in Fripp Lane is incorrect This is a boat and car shed at the rear of a house at 66 Norton Street Dave Bazar the owner has his plumbing business in commercial premises in the Southern Cross Industrial Estate

**3. Building Design** The "numerous developments" quoted by the applicant are all some distance away in much more open areas What do the words "generally consistent" mean? Is it consistent or not? Does it comply with height requirements or is it outside the normal height and other requirements of Ballina Council? I would really like to know

**4. Stormwater** Any long term resident of Ballina will know tanks fill very quickly in the wet weather and the overflow still has to be dealt with To quote Basix Services "overland flows and surcharges will be directed to stormwater systems" which are currently inadequate in Fripp Lane There is very little landscaped area to absorb stormwater on site As the block will be filled I suspect we will all suffer from the runoff from this property

**5. Adjoining property No 25 Ross Street** I remain concerned about the residents who will not only lose privacy, even with the addition of screens on No 27, but also light and sun The roofline of No 27, I believe, does encroach for the length of the building No 25 are community housing units and the tenants may feel marginalised and not voice their concerns I would ask Council to represent their interests

**6. Carparking in Fripp Lane** I remain concerned particularly about visitors parking offsite blocking neighbours access to garages I believe the development is too big More people equals more cars

**7. Height** The windows are so high they will look directly into several homes in the lane including mine The SW balconies which will be virtually the only open space for the residents of the Fripp Lane units to use This will cause a loss of privacy and what used to be called "quiet enjoyment" to properties opposite and nearby

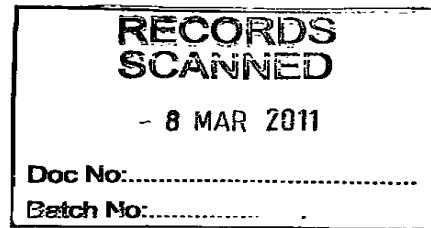
In conclusion I am asking Ballina Shire Council to closely scrutinise the DA, and in particular, its effects on Fripp Lane and its residents

Yours Faithfully



Heather Cleverley

2/29 Ross St.  
Ballina 2478  
6<sup>th</sup> March 2011



**Re DA 2010/1061 Lot DP 367035 27 Ross St. Ballina.**

I wish to have my initial response to this development to be included in the assessment of this matter.

I would also like to respond to whoever responded to my previous objections.

Objector Pinney

**Page 9 4.2 Traffic.**

This person asks why Fripp Lane should be given greater importance than Ross St. In my opinion unless Council has renamed Fripp Lane & now calls it Ross St. it has to be given individual treatment. This development is not only in Ross St. but Stage 1 is in fact in Fripp Lane & should be assessed on Fripp Lane.

There is one townhouse with an attached single story unit as shown on **Page 2 Figure 3** it is definitely not 2 x 2 storey units. Also whoever wrote this certainly does not know this area **Figure 2** same page is the front of Ross St., NOT Fripp Lane. This development on Fripp Lane is only 1 x single storey villa with a single garage.

The writer of this response continually carries on as if we are in Ross ST. NOT so ! Most, if not all of the objectors are in Fripp Lane. The whole of 29 Ross St was owned by my family & as there was & still isn't a garage there ,most deliveries were made through that entry, why, because we were not prepared to inconvenience others. We also had the co operation of our neighbour Lil, since deceased, in return for filling & levelling the back of the property, namely 27 Ross St.

Not much to look at on Google in the last 5 years. I think mine is the only new house or building in this part of Fripp. I also took a drive to the other part of Fripp Lane across Bentinck St. I note that except for 2 blocks on the corner of Fripp & Bentinck no 2 storey there either. The 2 buildings I have just mentioned are of 3 units, 2 single story & 1 townhouse.

I assume like many others that no one in their right mind would pay today's rentals unless they actually needed a 3 bedroom apartment to house less than 4 people so therefore I say now that at least 12 people would be living on that block not the 4 as stated.

As a retired state reg. Psychiatric & General trained nurse who worked in the community as a Welfare Officer, I know full well the results of overcrowding eg: noise, arguments etc & results in many verbal & physical altercations. I am not concerned by the noise caused by the building of this development but the problems that will be encountered after the developers have made their money & leave.

I note that this is not a strata development, are these units to be later strata subdivided and sold to individuals or to become part of the Housing Commission or whatever they call themselves today?

**Page 9 Local Environment Plan.5.1**

The responder says "the proposed residential unit development & related structures have been designed so they are consistent with the residential character of the area & will not significantly affect the amenity of the surrounding area"

Load of absolute garbage! This property will not be in any way in keeping with the area, looks like Phoenix Rising & about to take off into outer space. This developer says they are to cost \$150,000 ea. I doubt that any decent units could be built for this amount, after all Ballina Council quoted \$450,000 to put a lump of concrete in Bentinck St.[called a roundabout]several years ago.

**Page 8 Figure 11**

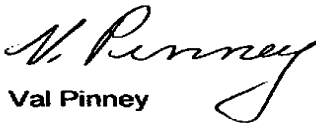
I can assure the respondent that the shed is definitely much more attractive than the proposed design.

As I stated in my previous objection, Fripp Lane is very narrow, no two cars can pass each other with safety, whilst development will happen it needs to do so to the benefit of all residents, present and future, so I believe that only one unit should be built on Fripp Lane one either two storey or one single level house like others built here in the past 10 years.

**Page 15**

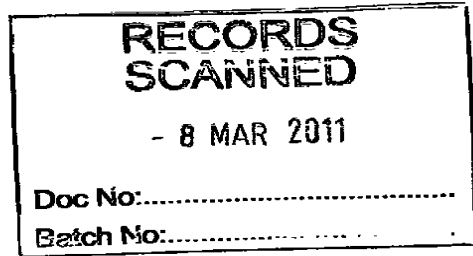
I do not like this person's patronising attitude, if the adjoining property owners are allowed an opinion which I may add is not "one resident" but at least four & our opinions are of no value, why does Ballina Shire Council not just rubber stamp the complex? Because we are the ones who live here, and Council is there to help all residents not just developers.

Yours faithfully

  
Val Pinney

**Greg Shone**

2/25 Ross Street  
Ballina, NSW 2478



4 March 2011

Jenna McNabb  
Ballina Council

Jenna,

I am writing to object to the development next door at 27 Ross Street. I didn't object before this as I live in housing commission and thought I couldn't object. I have lived here for ten years and the size of the buildings next door will negatively affect my place and my life.

The size and closeness of the buildings means that I will lose all my natural sunlight for most of the year. My place will be in a shadow and I will not be able to grow my vegetables any more, which I enjoy doing. There will be windows looking down into my place from the second storey living room and the buildings will block all the breezes I now have. I don't have any air conditioning, so the breeze is my natural air conditioner.

Please don't approve this building, there is nothing in the area that is the same size and it will look out of place. It will badly affect alot of people who live nearby.

Sincerely yours,

A handwritten signature in black ink that reads "G. Shone".

Greg Shone

Barbara Churchill

3/25 Ross St.

Ballina 2478

Jenna Mc Nabb.

This letter is an objection to the new development proposed for 27 Ross St. Ballina.

Having lived in this area for 14 years I have grave concerns about the double story building plan for the block next door to my home.

With this development being on the north East side of my home, I have grave concerns regarding the shadows this will cause. My yard will be in shadow making my washing take a lot longer to dry, and affecting the growth of both my lawn and garden.

Privacy is another concern, having two levels will mean that people can look into not only my yard but my home as well, where now only the sun shines in.

Traffic is also an issue, both volume of traffic and extra noise that will occur from people coming and going. These units are also three bedroom encouraging family living this would entail at least 4 people in each unit as opposed to a house which would hold one family, therefore noise level would increase as well, now we will have at least 16 people next door.

Most buildings in this area are low level, why can't these new developments fit in with

what already exists in the area.

I am not opposed to new development in any shape or form, but a double story building will adversely affect my home.

Please consider these objections when consulting the builder.

Yours Sincerely.

Barbara Churchill

B. Churchill

6th March 2011.

**From:** John McKenna [John@ncchc.org.au]  
**Sent:** Tuesday, 8 March 2011 6:38:11 PM  
**To:** Ballina Shire Council  
**Subject:** Objection To DA# 2010/1061, Lot 1 DP 367035, No 27 Ross Street Ballina

Jenna McNab

Re: Objection To DA# 2010/1061, Lot 1 DP 367035, No 27 Ross Street Ballina

I am writing to object to the above Development Application on the following grounds.

- The scale, size and bulk of the building is not in keeping with the surrounding dwellings.
- The height of the building is obtrusive and would overshadow our property at No 25 resulting in a loss of amenity to our Community Housing tenants.
- The lack of an environmental impact statement makes it difficult to assess possible loss of sunlight and overshadowing to our property.
- I also have major concerns over the control of stormwater run off into our property and the level of fill required and the impact this will have on the privacy of our tenants.
- Minimum setback should not be allowed
- The proposed development is not in keeping with the existing single storey streetscape.
- There is no room for on street parking in Fripp Lane. Should any development proceed the Council should limit site deliveries to Ross St.

I ask that Council ensure that any development on this site be in keeping with the existing building heights and streetscape.

Regards  
John McKenna  
General Manager  
North Coast Community Housing  
Ph: 02 6627 5300  
F: 02 6622 4261  
M: 0434 674 711

Address: 31 Carrington St Lismore NSW 2480

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From: Marc Lyndon [mailto:copie1@aspl.net.au]  
Sent: Friday, 11 March 2011 12:19:08 PM  
To: Jenna McNabb  
Subject: DA 2010/1061 27 Ross St, Ballina

Jenna,

Having looked at the submitted drawings again there is a need to supply further information to Council.

With regard to water retention on site, 2000 lt is inadequate for a high rainfall area such as Ballina, with full discharge of overflow to Frupp Lane (stage 1). The size of the tanks (4000 lt) will be such that they will block windows and doors at the rear of each property, breaching BCA rules for light, openings and egress.

The Building envelope used by the Applicant has not been taken from the existing ground level, but rather some level artificially constructed in the future. It places adjoining properties at a distinct disadvantage (being 70-90 cm below the artificial level) and increasing the height of the development above that which is generally allowed. Is there a similar building envelope as taken from Frupp Lane? Does the building encroach this as well?

With regard to the Finished Floor R.L. of 2.5m, this was recently raised from 2.1m I am told by Council Staff. The policy of continually raising the R.L. is unsustainable. It creates serious anomalies between developments approved at different times over the past 10 years. Other councils have different approaches to dealing with 1 in 100 year flood levels, where slab on fill construction is no longer permitted. Perhaps it's time for Council to become aware of this and the problems associated with a 'shifting' building envelope.

Once again, we are not opposed to development of the site, but feel that something better could be submitted should the applicant be given the opportunity.

Could you please attach this email to my other submissions when it is forwarded to Council.

Thank You  
Marc Lyndon



Dwayne Smith  
1/31 Ross St  
Ballina NSW 2478

Dear Jenna McNab,

I am writing in regards to the development application, DA # 2010/1061, Lot 1 DP 367035 No 27 Ross St Ballina.

I live in Fripp lane which is a nice quiet small lane; this type of development would dramatically change the whole identity of this neighbourhood. I imagine you have visited this area and are familiar with the type of residential living that is available here, because if you haven't then you should so you know what we are talking about, and you would not need this letter at all.

I am very sorry but could someone please show me where there is a 4 x two storey unit development in this area, as I have lived here for 14yrs and have not seen one anywhere???

I am aware that the development is a little out of scope with the council building requirements, height issues for one with some speculation on setbacks 2.7mtrs Vs 1.2mtrs, some zoning laws, the cantilevered balcony's/decks privacy, encroaching building line issue's as well as the possibility of traffic problems in Fripp lane. These are just some of the reasons for me to submit this objection, below are some personal ones as well.

This development presents a problem with setting precedents for future development, in such a way that I could possibly extend my home to a 3 storey residence providing my height is under or the same as this development which it could be if my AHD is low???? At what point do you stop to look at the surrounding developments with a clear conscience to say "NO not this type of development in this area" but you may do A, B, C, which is in keeping with the local environment and building structures.

I am all for development as I am trying to have some plans approved myself in another region, I to have to comply with the council requirements there and believe me there is quite a few so I am not sure why some of your requirements are being overlooked here??? How does this happen?

At the end of the day if you had the time to canvas everyone in the neighbourhood even the people who lived in two storey developments and there is only a couple of those in this area you would probably find out that 95% would find this type of development not suitable to this area, but may suit another part of Ballina Island. Just look at the lovely homes and the history that some of them have to offer and right along side of them are some recent developments that are keeping in touch with the same theme/style not a large 4 x two storey unit building that is art deco/contemporary with its style or theme.

Thank you for your time

Kind regards,

Dwayne Smith