

Ballina Shire Development Control Plan 2012

Chapter 6c – Commercial Development Lennox Head





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Part 1 Preliminary

1.1 Introduction

Name:

Ballina Shire Development Control Plan 2012, Chapter 6c – Commercial Development Lennox Head.

Purpose:

To identify Council's requirements relating to commercial development in Lennox Head.

Relationship to other Chapters of this DCP:

The provisions in this chapter prevail over those in chapters 1, 2, 2a and 2b where there is an inconsistency.

Where there is an inconsistency between provisions in chapters 3, 4, 5, 6, 6a, 6b, 6c, 6d and 7 Council will determine which provision(s) will apply based on consideration of the strategic planning framework for the land the subject of the application, statutory considerations, relevant planning objectives and the nature of the proposed development.

The provisions of chapter 8 apply in conjunction with those in this chapter, but prevail in the event of an inconsistency unless otherwise specified.

The provisions of this Chapter prevail over the general provisions in Chapter 6 in the event of any inconsistency.

Application:

This Chapter applies to:	
Location/s:	All E1 zoned land in Lennox Head
Development Type/s:	All development

Planning Objectives and Development Controls:

The provisions of this chapter are categorised in relation to a series of planning considerations (referred to as elements). For each element, planning objectives and development controls are specified. Development proposals must be consistent with the planning objectives for the chapter and each of the applicable elements. Such consistency is typically demonstrated by compliance with the identified development controls, although there may be circumstances where an alternative to the application of a development control is consistent with the planning objectives.





Part 2 Chapter Planning Objectives

- a. Provide a high quality built environment which is complementary to the location and seaside village atmosphere of the Lennox Head Village Centre;
- b. Encourage the consolidation and development of an intermediate range of retail, commercial, community and residential activities of a district scale;
- c. Improve pedestrian linkages both within the village centre and to adjacent residential and open space areas;
- d. Minimise the impact of buildings on the streetscape and promote an active street experience for pedestrians;
- e. Provide opportunities for alfresco dining on private land within the village centre;
- f. Provide adequate, integrated, safe and accessible car parking within the Lennox Head village centre to accommodate existing and proposed development;
- g. Improve the amenity of the Lennox Head Village Centre through preserving and retaining existing mature native vegetation and Norfolk Island Pines wherever possible;
- h. Support landscape design that incorporates the planting of landscape species indigenous to the Lennox Head area;
- i. Provide for the staged implementation of a Landscape Masterplan for public land within the village centre;
- j. Encourage development that is consistent with the preferred land uses identified in each village centre precinct; and
- k. To provide opportunity for usable paved and landscaped pedestrian and dining environments on private land within the Village Centre.

Part 3 Desired Future Character Statement

The Lennox Head Community has indicated a clear preference for the seaside village atmosphere experienced in the Village Centre to continue into the future. Factors contributing to this character can be summarised as follows:

- Low scale buildings;
- The environmental heritage and qualities of the area;
- Small, independently operated shops;
- Pedestrian friendly scale;
- Proximity and access to the beach;





- The sense of community;
- Connectivity between open spaces and the commercial area; and
- People living within, and in close proximity to the Village Centre.

Whilst an intensification of development within the Centre has the potential to alter the existing amenity, this chapter proposes that development controls be implemented to ensure that the design and density of such development is complementary to the overall feel and image of the area.

To achieve this, the village centre has been divided into a number of land use precincts as illustrated on the Lennox Head Village Centre Precincts Map.

Part 4 Development Controls - All Precincts

4.1 Element – Building Design

Objective

- a. Provide a high quality built environment which is complementary to the location and seaside village atmosphere of the Village Centre;
- b. Provide for low scale development compatible with the existing built form; and
- c. Ensure that the Lennox Head Village Centre is accessible to all persons, including those with disabilities and the aged.

Controls – Design

- i. Developments will be required to provide articulated and active frontages. Expanses of blank walls or dark obscured glass are not appropriate.
- ii. Skillion and/or peaked roofs are preferred within the Village Centre.
- iii. The ground level of developments and associated landscaping is to be at generally the same finished level as the footpath system immediately adjacent to the site. Elevated ground or podium levels are not permitted.

Controls – Colours and Materials

- i. Use of composite construction materials (such as a combination of masonry, glass, timber and powder coated iron) is encouraged.
- ii. Brickwork is to be predominately rendered and painted. Generally not more than 20% of the building surface is to be face brick.
- iii. Colour schemes should be drawn from colours found in the natural environment of Lennox Head, such as:
 - pandanus – grey-green;





- tea tree lake - red-brown;
- red rock – red;
- black rock – black, grey;
- sand – wet, dry;
- water - steel blue (rather than blue-green);
- spinifex – tan, buff, grey-green;
- banksia - yellow, grey-green, brown;
- littoral rainforest – deep green; and
- coastal cypress pines – grey-green, black.

4.2 Element – Landscaping

Objective

- a. Encourage the provision of landscaping as an integral component of development proposals within the Village Centre;
- b. Encourage the retention of existing mature native vegetation and Norfolk Island Pines; and
- c. Encourage the planting of landscape species indigenous to the local area.

Controls

- i. Pavement design, treatment and colour are to be compatible with the Lennox Head Village Landscape Masterplan (see Appendix A).
- ii. Existing mature Tuckeroo, Coastal Banksia, Coastal Cypress, Pandanus and Norfolk Island Pine trees, particularly when visible from the street or lane, shall be retained wherever possible.
- iii. The species list is to comprise native vegetation which is tolerant to exposure to salt conditions and is consistent with the *Ballina Shire Urban Garden Guide*.

4.3 Element – Vehicle Access

Objective

- a. Provide for a safe, pedestrian friendly environment in Ballina Street; and
- b. Ensure that access to the off-street parking does not unreasonably impact on the provision of parking within the public street system.

Control – Vehicular Access and Parking





- i. Any intensification of vehicular driveway access to and from Ballina Street is discouraged. As such, any redevelopment of allotments located on the eastern side of Ballina Street shall obtain vehicular access from either Rayner Lane or Rutherford Street. Any redevelopment of allotments located on the western side of Ballina Street shall obtain vehicular access from Park Lane.
- ii. A maximum of one vehicular access point is to be provided to each property so as to increase opportunities for parking within the street system. Driveway locations should be located so as to maximise on street parking opportunities.
- iii. In relation to the provision of car parking, the provisions of Chapter 2 apply to Precincts B and C and to any land uses not specifically identified in the parking schedules provided in relation to Precincts A and D.
- iv. Designs which facilitate the long term integration of car parking between allotments are encouraged.

(Note was deleted via Amendment 12 – 26/09/2019)

Control – Parking Credits

- i. Car parking credit granted for existing shops, restaurants, commercial offices on a site shall be calculated at the rate of 1 space per 25m² GFA;
- ii. Car parking credits are only available for new development upon the land parcel associated with an approved current use. Car parking credits are not transferable to other development sites; and
- iii. Where a development has previously paid for the construction of car parking in the public street system, new development of that same site will be entitled to car parking credits equivalent to the number of spaces which were previously paid for.

Control - Loading / Unloading

- i. New developments shall be required to provide loading bays located wholly within the subject site. Such loading bays are not to be accessed from Ballina Street.
- ii. Loading bays and turning areas should have dimensions designed in accordance with the size of vehicles that will service the site.
- iii. No loading / unloading / deliveries is permitted on or from Ballina Street during the hours of 9.00am to 5.00pm.





Part 5 Development Controls – Precinct A

5.1 Background

This precinct is the core business area within the Village Centre. A wide range of retail, commercial, office and dining activities occur within it. A range of housing and accommodation styles are also present in the precinct, including dwellings and residential flat buildings.

5.2 Preferred Land Uses

Preferred land uses within this Precinct are *retail premises, business premises, restaurants or cafes* and *community facilities* to service the needs of the Lennox Head community. *Residential accommodation* and *tourist and visitor accommodation* are also encouraged within the Precinct, particularly above the ground floor.

5.3 Development Controls

Table 6c.1 – Precinct A Development Controls	
Element	Controls
Building Design	<ul style="list-style-type: none">• Building facades fronting Ballina Street are to be articulated at intervals of approximately 5 metres horizontally. For example, if a building occupies a 15 metre frontage, it should appear as though there are three separate shops with 5 metre frontages. This can be achieved via window separations, signage, setbacks, colours, changes of building materials etc.• Where ground floor levels comprise non-residential land uses, an active and accessible street frontage shall be provided at the same level of the footpath. An active street frontage shall have a minimum 50% clear glazing and shall consist of one or more of the following:<ul style="list-style-type: none">– a shop front,– commercial and residential lobbies,– a café or restaurant if accompanied by an entry from the street, or– a public building if accompanied by an entry from the street.





Table 6c.1 – Precinct A Development Controls			
Element	Controls		
Building Setback	<p><u>Ballina & Byron Street</u></p> <ul style="list-style-type: none"> • Minimum 1 metre and average 2 metres from property boundary. Setback area is to demonstrate consistency with the Lennox Head Village Centre Landscape Master Plan (see Appendix A). Walkways or arcades linking to Park Lane are not to be included when calculating the average building setback. <p><u>Park Lane</u></p> <ul style="list-style-type: none"> • 6 metres <p><u>Corner Allotments</u></p> <ul style="list-style-type: none"> • A reduction in building line for corner allotments may be applied as follows: <ul style="list-style-type: none"> - Ballina Street – no reduction - Byron Street – reduction of 1 metre - Park Lane – reduction of 2 metres 		
Pedestrian Access	<ul style="list-style-type: none"> • Development on the western side of Ballina Street comprising two or more allotments is to provide a pedestrian access in the form of an arcade at least 3.5 metres wide linking Ballina Street with Park Lane. The design of the arcade shall comply with the development standards specified in Section 3.3 of this chapter. • For development on the western side of Ballina Street comprising only one allotment, the provision of pedestrian access linking Ballina Street with Park Lane is to be provided wherever practical. • For development in Precinct A on the eastern side of Ballina Street, the provision of pedestrian access linking Ballina Street with Rayner Lane is to be considered, particularly where the development contains commercial land uses ancillary to the use of the land for accommodation. 		
Car Parking	<table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 30%;">Office Premises Business Premises</td> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • 1 space per 25m² Gross Floor Area (GFA) to be provided on site. • A minimum of 25% of total required spaces to be available for customer accessible parking. </td> </tr> </table>	Office Premises Business Premises	<ul style="list-style-type: none"> • 1 space per 25m² Gross Floor Area (GFA) to be provided on site. • A minimum of 25% of total required spaces to be available for customer accessible parking.
Office Premises Business Premises	<ul style="list-style-type: none"> • 1 space per 25m² Gross Floor Area (GFA) to be provided on site. • A minimum of 25% of total required spaces to be available for customer accessible parking. 		



Table 6c.1 – Precinct A Development Controls		
Element	Controls	
	Shops	<ul style="list-style-type: none"> • 1 space per 25m2 GFA to be provided on site. • A minimum of 75% of total required spaces to be available for customer accessible parking.
	Restaurant or Cafe	<ul style="list-style-type: none"> • 1 space per 25m2 to be provided on site. • A minimum of 75% of total required spaces to be available for customer accessible parking.
	Other land uses	<ul style="list-style-type: none"> • To be provided on site, in accordance the rates specified in Chapter 2.
Rayner Lane	<ul style="list-style-type: none"> • For every 5.4m of street frontage or part thereof dedicated to Council along Rayner Lane (in accordance with the provisions of Chapter 2), Council will credit one car parking space for existing and future developments on the land from which they originated. 	

Part 6 Development Controls – Precinct B

6.1 Background

This precinct contains the existing Lennox Point Hotel which provides an important community and entertainment focal point for Lennox Head. The ongoing use of the site for this purpose is considered appropriate and desirable.

6.2 Preferred Land Uses

Preferred land uses within this Precinct are *hotel or motel accommodation* and *restaurants or cafes* ancillary to the primary use of the land.

6.3 Development Controls

Development in Precinct B is to comply with the General Controls contained in **Chapter 6** and **Part 4** of this chapter.

Part 7 Development Controls – Precinct C

7.1 Background

Office premises occupied by *health care professionals* currently predominate in this Precinct. The concentration of such facilities into a single location provides an important and convenient community service to the residents of Lennox Head. In addition, given that it is physically separated from the





core commercial precinct by Park Lane, it is considered undesirable for land uses generating substantial pedestrian traffic to be provided in this locality. In light of the above, this Chapter promotes the continued use of this Precinct for the purpose of small scale *office premises* and *health services facilities* and the like.

7.2 Preferred Land Uses

Preferred land uses on the ground floor within this Precinct are *office premises* and rooms *health services facilities*.

7.3 Development Controls

Element	Controls
Building Design	<ul style="list-style-type: none">• Development applications for sites within Precinct C involving the expansion of the existing building footprint or for upper floor extensions are to be supported by a detailed assessment of the visual impact of the development on the surrounding landscape. This assessment is to be prepared by an appropriately qualified and experienced landscape architect or accredited designer.• The expansion of the existing footprint or upper floor extensions to any buildings on the western half of the site are to be designed to incorporate appropriate articulation within the built form which has the effect of minimising the visual impact of the development on the adjoining open landscape.• Building colours, materials and finishes are to complement the existing natural landscape.• Development applications for any expansion of the footprint or upper floor extensions on the western half of the site are to be supported by a geotechnical assessment detailing the suitability of the site to support the proposed additional buildings.• New and additional building works on the western half of the site shall comprise a built form of light weight construction with little or no excavation to minimise disruption to the landform.

Part 8 Development Controls – Precinct D

8.1 Background

Precinct D (Commercial Accommodation) currently contains a range of accommodation styles, including *dwelling houses*, *residential flat buildings* and *tourist and visitor accommodation*. The





generally non-commercial nature of development, combined with a number of prominent mature trees located on private land, contribute to the low key landscape character of the Lennox Head Village Centre. From both pedestrian amenity and traffic management perspectives, it is considered desirable that there be no intensification of existing traffic access from Ballina Street within the Precinct. Traffic amenity impacts within Raynor Lane and Rutherford Street will be assessed in accordance with section 4.3 *Impact on amenity*, as contained in the *Guide to Traffic Generating Development (RTA 2002)*.

Redevelopment of allotments located on the eastern side of Ballina Street shall obtain vehicular access from either Rayner Lane or Rutherford Street. Redevelopment of allotments located on the western side of Ballina Street shall obtain vehicular access from Park Lane.

8.2 Preferred Land Uses

The preferred land use within this Precinct is short term *tourist and visitor accommodation* such as serviced apartments, motels and the like. *Shop top housing*, as well as commercial activities fronting Ballina Street that are ancillary to *tourist and visitor accommodation*, (such as *restaurants or cafes*) are also encouraged.

8.3 Development Controls

Element	Controls
Building Design	<ul style="list-style-type: none">• Building facades fronting Ballina Street, Rutherford Street or Raynor Lane are to be articulated at intervals of approximately 5 metres horizontally. For example, if a building occupies a 15 metre frontage, it should appear as though there are three separate shops with 5 metre frontages. Similarly if a building fronting Raynor Lane, contains a number of individual dwellings each dwelling shall be appropriately articulated.• Articulation may be achieved via window separations, signage, setbacks, colours, changes of building materials etc.• Where ground floor levels comprise non-residential land uses, an active and accessible street frontage shall be provided at the same level of the footpath. An active street frontage shall have a minimum 50% clear glazing and shall consist of one or more of the following:<ul style="list-style-type: none">– a shop front,– commercial and residential lobbies,– a café or restaurant if accompanied by an entry from the street, or– a public building if accompanied by an entry from the street.





Table 6c.3 – Precinct D Development Controls									
Element	Controls								
Building Setback	<p><u>Ballina Street</u></p> <ul style="list-style-type: none"> A line perpendicular to the northern boundary of the site and 2 metres from its north-western corner. Setback area is to demonstrate consistency with the Lennox Head Village Centre Landscape Master Plan (see Appendix A). <p><u>Rayner Lane</u></p> <ul style="list-style-type: none"> 2 metres from property boundary following land dedication. <p><u>Rutherford Street</u></p> <ul style="list-style-type: none"> 6 metres from property boundary <p><u>Corner Allotments</u></p> <ul style="list-style-type: none"> A reduction in building line for corner allotments may be applied as follows: <ul style="list-style-type: none"> Ballina Street – no reduction Rayner Lane – no reduction Rutherford Street – reduction of 2 metres 								
Pedestrian Access	<ul style="list-style-type: none"> The provision of pedestrian access linking Ballina Street with Rayner Lane is to be considered in all development proposals wherever practical, particularly where the development contains commercial land uses ancillary to the use of the land for accommodation. 								
Car Parking	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; vertical-align: top;">Office Premises Business Premises</td> <td> <ul style="list-style-type: none"> 1 space per 25m² Gross Floor Area (GFA). A minimum of 25% of total required spaces to be available for customer accessible parking. </td> </tr> <tr> <td style="vertical-align: top;">Shops</td> <td> <ul style="list-style-type: none"> 1 space per 25m² GFA. A minimum of 75% of total required spaces to be available for customer accessible parking. </td> </tr> <tr> <td style="vertical-align: top;">Restaurant or Cafe</td> <td> <ul style="list-style-type: none"> 1 space per 25m² GFA. A minimum of 75% of total required spaces to be available for customer accessible parking. </td> </tr> <tr> <td style="vertical-align: top;">Other land uses</td> <td> <ul style="list-style-type: none"> To be provided on site, in accordance the rates specified in Chapter 2. </td> </tr> </table>	Office Premises Business Premises	<ul style="list-style-type: none"> 1 space per 25m² Gross Floor Area (GFA). A minimum of 25% of total required spaces to be available for customer accessible parking. 	Shops	<ul style="list-style-type: none"> 1 space per 25m² GFA. A minimum of 75% of total required spaces to be available for customer accessible parking. 	Restaurant or Cafe	<ul style="list-style-type: none"> 1 space per 25m² GFA. A minimum of 75% of total required spaces to be available for customer accessible parking. 	Other land uses	<ul style="list-style-type: none"> To be provided on site, in accordance the rates specified in Chapter 2.
Office Premises Business Premises	<ul style="list-style-type: none"> 1 space per 25m² Gross Floor Area (GFA). A minimum of 25% of total required spaces to be available for customer accessible parking. 								
Shops	<ul style="list-style-type: none"> 1 space per 25m² GFA. A minimum of 75% of total required spaces to be available for customer accessible parking. 								
Restaurant or Cafe	<ul style="list-style-type: none"> 1 space per 25m² GFA. A minimum of 75% of total required spaces to be available for customer accessible parking. 								
Other land uses	<ul style="list-style-type: none"> To be provided on site, in accordance the rates specified in Chapter 2. 								



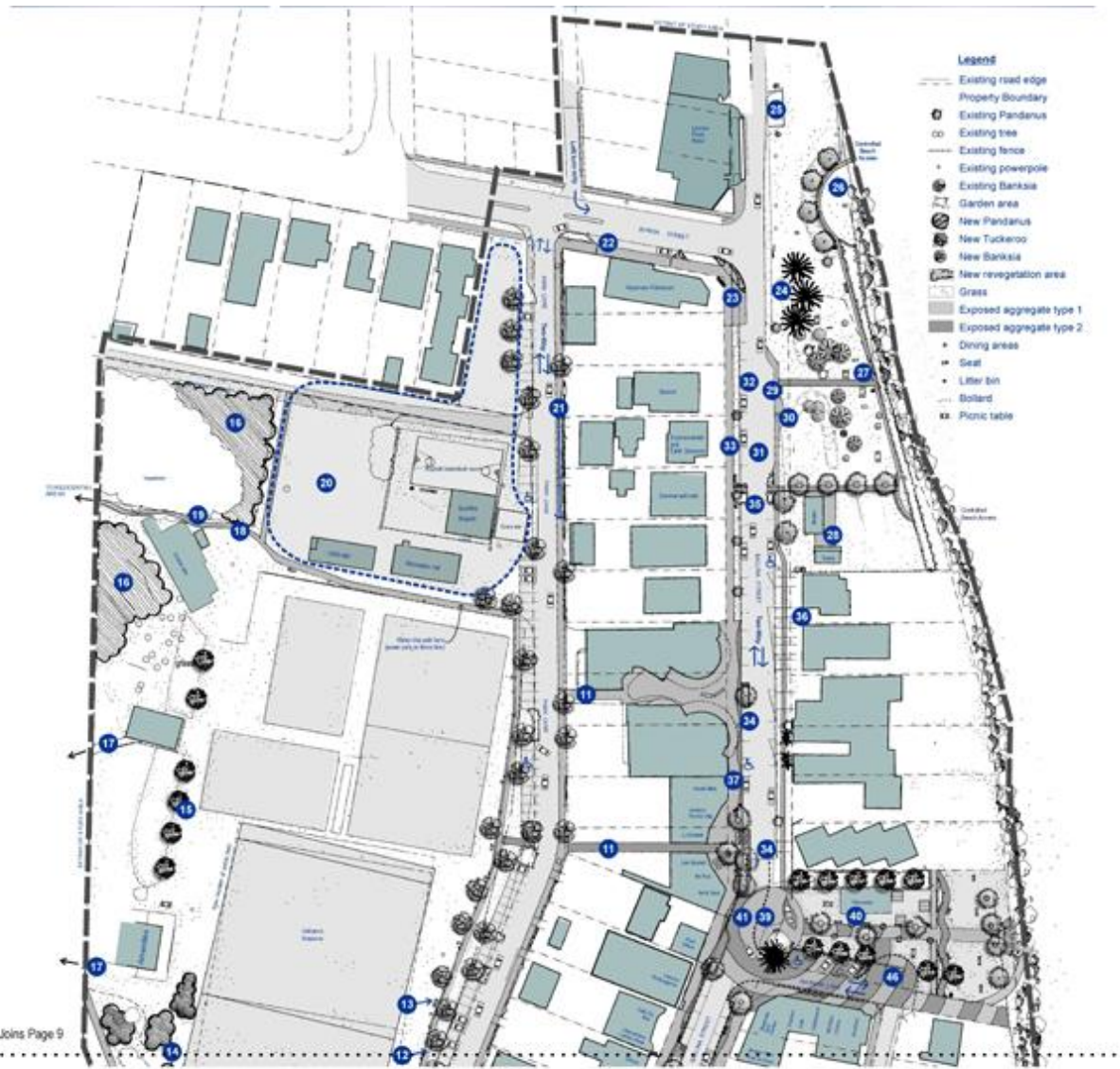
Table 6c.3 – Precinct D Development Controls	
Element	Controls
Rayner Lane	<ul style="list-style-type: none">For every 5.4m of street frontage or part thereof dedicated to Council along Rayner Lane (in accordance with the provisions of Chapter 2), Council will credit one car parking space for existing and future developments on the land from which they originated.





Appendix A – Lennox Head Village Landscape Masterplan

Northern Sheet



DCP No.8 - Lennox Head Village Centre, February, 2004

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