

**Details of Development Applications Approved/Determined with a
Variation to a Development Standard
January – December 2021**

Development Application No:	2020/618
Applicant's Name & Address:	Newton Denny Chapelle
	PO Box 1138
	LISMORE NSW 2480
Subject Land:	Lot: 36 DP: 1257681, Lot: 37 DP: 1257681, Lot: 38 DP: 1257681, 12 Anchorage Avenue LENNOX HEAD, 6 Anchorage Avenue LENNOX HEAD, 2 Anchorage Avenue LENNOX HEAD
Description of Proposed Development:	Multi-Dwelling Housing Development comprising the erection of 25 two storey dwellings, Strata Title subdivision and associated works in two stages. A variation is sought to the 8.5m Height of Building development standard contained in Clause 4.3 of the Ballina Local Environmental Plan 2012 for a number of the proposed dwellings.
Category of Development	4: Residential – New Multi-Unit
Environmental Planning Instrument	Ballina LEP 2012
Zoning of Land	R3 - Medium Density Residential – BLEP 2012 B1 - Neighbourhood Centre – BLEP 2012
Development Standard to be Varied	Clause 4.3 Height of Buildings – 8.5m
Justification of Variation	<ul style="list-style-type: none"> • Slope of land means it is difficult to meet standard without compromising design • Consistent with character of area • No impact on amenity of neighbours
Extent of Variation	9.8%
Concurring Authority	Council under the assumed concurrence of the Secretary of the Department of Planning, Industry and Environment
Date DA determined	28 May 2021

Development Application No:	2020/878
Applicant's Name & Address:	Ardill Payne & Partners
	PO Box 20
	BALLINA NSW 2478
Subject Land:	Lot 1 SP 47384, 1/25 Dress Circle Drive, Lennox Head
Description of Proposed Development:	Alterations and additions to a Dual Occupancy building
Category of Development	4: Residential
Environmental Planning Instrument	Ballina LEP 2012
Zoning of Land	R3 - Medium Density Residential – BLEP 2012
Development Standard to be Varied	Clause 4.4 Floor Space Ratio
Justification of Variation	The proposal has no unreasonable adverse impacts on the existing and future amenity of adjoining properties and the landscape quality of the locality as a result of the variation.
Extent of Variation	20%
Concurring Authority	Council under assumed concurrence
Date DA determined	27 May 2021

Development Application No:	2021/200
Applicant's Name & Address:	Newton Denny Chapelle
	PO Box 1138
	LISMORE NSW 2480
Subject Land:	Lot 15 DP 1252778, 112 Stoneyhurst Drive, Lennox Head
Description of Proposed Development:	Two lot Torrens Title subdivision of an approved detached dual occupancy creating one 624sqm lot and one 569sqm lot being below the 600sqm minimum lot size development standard
Category of Development	13 – Subdivision only
Environmental Planning Instrument	Ballina LEP 2012
Zoning of Land	R3 - Medium Density Residential – BLEP 2012
Development Standard to be Varied	CI 4.1 minimum lot size standard of the BLEP 2012 600m ² Minimum lot size
Justification of Variation	<ul style="list-style-type: none"> • No impact on character of the locality • Lot size and configuration is generally consistent with the surrounding area • The approved dwellings are capable of complying with the Ballina DCP on the proposed allotments
Extent of Variation	Proposed Lot 2 provides a lot size of 569.3m ² which constitutes a variation of 5.1% to the 600m ² minimum lot size.
Concurring Authority	Council under assumed concurrence
Date DA determined	2 June 2021

Development Application No:	2020/632
Applicant's Name & Address:	Newton Denny Chapelle
	PO Box 1138
	LISMORE NSW 2480
Subject Land:	Lot 228 DP 1121079, Teven Road, West Ballina
Description of Proposed Development:	Warehouse or distribution centre involving the construction of a 50m x 30m shed and associated civil, car parking and landscaping works.
Category of Development	11 - Industrial
Environmental Planning Instrument	Ballina Local Environmental Plan 2012
Zoning of Land	RU2 Rural Landscape - BLEP 2012
Development Standard to be Varied	Clause 4.3 Building Height 8.5m maximum height, to be measured from the minimum level AHD permitted for the land on the Building Height Allowance Map, which is 2.3m AHD, per Clause 4.3A Exceptions to Height of Buildings.
Justification of Variation	The required minimum floor level (2.9m AHD) creates the non compliance. The height is required to ensure the external walls are 7m in height to allow for the efficient use of the building. A small part of the roof pitch exceeds the height limit.
Extent of Variation	Variation to building height standard is 6.6%.
Concurring Authority	Council under assumed concurrence
Date DA determined	5 October 2021

Development Application No:	2020/778
Applicant's Name & Address:	R & J Harris Consulting Pty Ltd
	87 Tweed Coast Road
	HASTINGS POINT NSW 2489
Subject Land:	Lot 10 DP 1137966, 540 Pimlico Road, Pimlico
Description of Proposed Development:	Erection of 17 silos to a maximum height of 11.49m AHD for the purpose of seasonal storage of local produce and associated works. The application includes a variation to the height of building development standard under clause 4.3A of the BLEP 2012, due to the proposed height of the silos.
Category of Development	11 - Industrial
Environmental Planning Instrument	Ballina Local Environmental Plan 2012
Zoning of Land	RU1 Primary Production - BLEP 2012
Development Standard to be Varied	Clause 4.3A Building Height
Justification of Variation	The variation to the development standard will allow for the height of the proposed silos to be fit for purpose for the operation of the agricultural produce industry. The visual impacts of the proposed development will be softened by the presence of existing mature vegetation.
Extent of Variation	2.6%.
Concurring Authority	Council under assumed concurrence
Date DA determined	7 October 2021