

**Details of Development Applications Approved/Determined with a
Variation to Development Standard
January - December 2022**

Council DA reference number	Lot number	DP number	Street number	Street name	Suburb/Town	Postcode	Category of development	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Concurring authority	Date DA determined dd/mm/yyyy
010.2021.00000445.001	Lot: 4	509201	111	Swift ST	BALLINA	2478	Residential - Alterations & Additions	R3 Medium Density Res - BLEP 2012	Clauses 10 and 14 of AFH SEPP 2009	Variation requested to the 400m walking distance to B4 zone & variation requested to the 15% of the site to comprise deep soil zone.	Proposal involves 410m walking distance to B3 zone (therefore 2.5% variation)	COUNCIL	10/05/2022
010.2021.00001007.001	Lot: 62	242183	45	Survey ST	LENNOX HEAD	2478	Residential - Alterations & Additions	R2 Low Density Res - BLEP 2012	Clause 4.3 Height of Buildings BLEP 2012	Underlying objectives are met. The additions height is minor in relation to the existing variation that the building exhibits and the departure is commensurate with the existing scale, height and design	Building height of 9.4m or 10.6% variation	COUNCIL	25/08/2022
010.2021.00000712.001	Lot: 7	1239938		Hutley DR	LENNOX HEAD	2478	Mixed	R3 Medium Density Res - BLEP 2012	Clause 4.3 Height of Buildings & 4.3A Exceptions to Height of buildings- BLEP 2012	<p>Clause 4.3</p> <ul style="list-style-type: none"> • The approved concept plans in Project Approval 07_0026 provide for a development on the subject land described as '3 storey with 8.5m maximum height where encroachment over 8.5m will be considered'. • The proposed development achieves the objectives of Clause 4.3 and the height of the proposed buildings are appropriate for the site and compatible with the desired bulk, scale and character of the locality. • The extent of variation will not result in adverse impacts on the existing or future amenity of adjoining properties and the scenic or landscape quality of the locality. The area of non-compliance will not impede significant views from public places. • Strict compliance could be achieved by providing a uniform roof pitch across the development, however this will reduce the level of building articulation and compromise the architectural merit of the design. <p>Clause 4.3A</p> <ul style="list-style-type: none"> • The purpose of the development standard in Clause 4.3A is not relevant to the development and the site given that the approved lots are well above the prescribed flood level. • The strict application of this standard would sterilise the land and prevent the development planned under the Concept Approval in the Major Project Approval 07_0026. 	Clause 4.3 Height of buildings – variation of up to 825mm or 9.7%. Clause 4.3A Exceptions to height of buildings - variations of up to 4.1m or 39%.	COUNCIL	01/09/2022

Council DA reference number	Lot number	DP number	Street number	Street name	Suburb/Town	Postcode	Category of development	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Concurring authority	Date DA determined dd/mm/yyyy
010.2021.00000833.001	Lot: 8	1262723		Ascot RD	BALLINA	2478	Industrial	IN1 General Industrial - BLEP 2012/RU2 Rural Lan	BLEP CI 4.3 Height of Buildings - 8.5m	The skillion roof has a nominated height of 8.747m to provide for pallet racking. The variation is minor and remains consistent with zone objectives.	Height 8.747 which is 2.9%	COUNCIL	07/10/2022
010.2022.00000035.001	Lot: 19	791644	13	Loedna PL	LENNOX HEAD	2478	Subdivision Only	R2 Low Density Res - BLEP 2012	BLEP CI 4.1B Minimum subdivision lot size for strata plan schemes in certain residential, rural and waterway zones	Dual occupancy was existing and subdivision maintains visual appearance of one lot.	Lot 1 = 53.75% Lot 2 = 5.83%	COUNCIL	15/12/2022
010.2021.00000412.001	Lot: 1	579243	12	Florence Price PL	BALLINA	2478	Residential - Seniors Living	R3 Medium Density Res - BLEP 2012/7(a) Environmental	BLEP CI 4.3 Height of Buildings - 8.5m	Minor variation will not be visible from neighbouring properties. Development achieves the objectives of the standard despite non-compliance.	up to 200mm or 2.4%	COUNCIL	16/12/2022