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16 June 2018

Jeremy Gray
Department of Planning & Environment
Northern Region
Locked Bag 9022
Grafton NSW 2460



Dear Sir

Subdivision and development at Skennars Head

I act on behalf of our client, Intrapac Skennars Head Pty Ltd.

Introduction

Skennars Head, rezoned in 2014, is identified in the North Coast Regional Plan as a land release area.

The new coastal village will form a natural extension to existing residential development in Headland Estate/Skennars Head, providing a range of housing types, with a focus on maximising physical and visual connections to the coast and prioritising pedestrians and cyclists through the development and between Headlands Estate and Sharpes Beach. The future neighbourhood centre will provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhoods and will act as a focal point for community activity and social interaction for residents and visitors. The development will also respect the environmental qualities of the coastal wetlands and the natural environment.

A development application for subdivision of the first stage of the residential area was submitted to Council in 2017. Whilst the subdivision development application is being finalised by Council, Intrapac is considering the next stage of the development, namely appropriate design for built form.

The NSW Government has the Exempt and Complying State Environmental Planning Policy (SEPP) Housing Code, and recently released amendment to the SEPP for the Greenfield Housing Code 2017.

I write this letter to request clarification from the Department of Planning, or alternatively request consideration be given to amending the Code to assist developments in greenfield areas.

Background

Clause 1.19 of the SEPP outlines specific land that is exempt from the application of the Housing Code and the Greenfield Housing Code. This clause specifically excludes land "*(c) land identified on an Acid Sulfate Soils Map as being Class 1 or Class 2, or*". Acid Sulfate Soils Map means a map in an environmental planning instrument that identifies land containing acid sulfate soil.

It is considered that many greenfield areas in the regions would be impacted by acid sulphate soils. The result would be that not many of the greenfield areas could have new housing built under the Housing Code or Greenfield Housing Code. In the case of Skennars Head, where the average lot size is 450sqm, this would mean that many families would need to pay the expense for reports and plans for a development application, submit a development application and



incur a delay costs for a few months to allow for the construction of a dwelling in the greenfield area.

Further, as demonstrated in Annexure 1, acid sulphate soils in Skennars Head only occur over part of the land, and in some cases only across part of a lot. The affect is that the future residents in some areas of Skennars Head can apply the Greenfield Housing Code, whilst others not, even though all bulk earthworks would have been undertaken. From a future buyers, or mom and dad point of view, it is unlikely to make any sense when considering designing or buying a home, but rather seen as a complicated planning system.

Option

Acid sulphate soils are common along the coast. In most cases on development site, acid sulphate soil testing is undertaken and followed by the development of an Acid Sulphate Soils Management Plan. The Plan is then implemented as part of the bulk earthworks and laying of servicing.

Validation testing of the soil is required to confirm appropriate treatment has been achieved. Once all testing is undertaken and conditions of the Construction Certificate have been met, then built form is realised.

It is therefore considered that an option to assist housing to be constructed under the Code, could be to apply a condition, similar to that under “complying developments on flood control lots” where should bulk earthworks, together with an Acid Sulphate Soil Management Plan be implemented and validated by a qualified professional engineer specialising in acid sulphate soil, that the housing/dwellings in a greenfield site could be built as outlined in the Code.

The benefits of this option are:-

- » The soils and earthworks have been undertaken in terms of the consent and construction certificate
- » Validation of the acid sulphate has been undertaken, and the soil/land for the dwelling can be constructed with no harm/impact
- » Where bulk earthworks is large scale, the acid sulphate soil impact would have been assessed and managed, whilst simultaneously been dealt with and neutralised.
- » Certification of the land/development occurs
- » Dwellings can be developed on a lot under the Code, thus reducing time and cost for the mom and dad.
- » There is no confusion for families in the planning pathway in a greenfield area, unless required, as the house design can comply with the Code.
- » Council resourcing in regional areas are more responsibly used by assessing major projects, and not house DAs on acid sulphate soils.

Conclusion and Recommendation

Intrapac propose to provide a great vision and housing diversity for the Ballina Shire community. We request that the Department of Planning consider this option, and request the Minister for Planning to amend the Greenfield Housing Code.



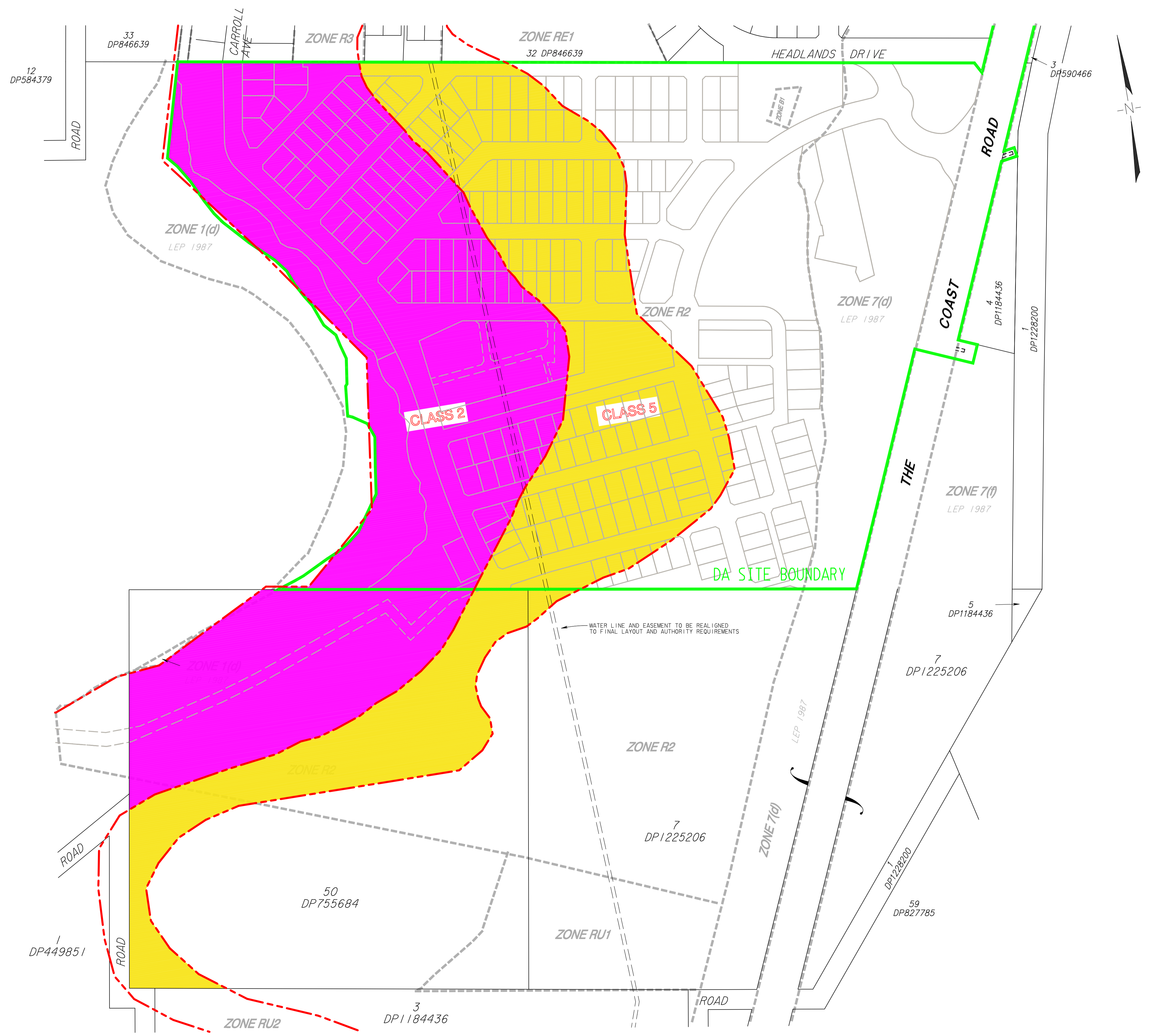
I look forward to meeting or talking to you on this matter. If you have any queries, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jenny Rudolph', written in a cursive style.

Jenny Rudolph
Director

CC Deborah Brill - Acting Executive Director, Planning Policy



Revision	Chk
Client:	
Intrapac Skennars Head Pty Ltd	

IMPORTANT NOTES :

----- DENOTES ZONE BOUNDARY

ACID SULPHATE SOIL CLASS AREAS ARE AS DIGITISED FROM BALLINA SHIRE COUNCIL LEP 2002 MAPPING SHEET ASS-005 & 006 ON 15/3/18

THE PROPOSED BOUNDARIES AS SHOWN HEREON ARE PRELIMINARY ONLY AND ARE SUBJECT TO FINAL DESIGN, LOCAL AUTHORITY APPROVAL AND REGISTRATION WITH LAND AND PROPERTY INFORMATION NSW

LOCATION PLAN

OF ACID SULPHATE SOIL MAPPING WITHIN LOT 6 IN DP1225206 THE COAST ROAD, SKENNARS HEAD

Parish of BALLINA County of Rous

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