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5 October 2018

Attn: Simon Scott
Ballina Shire Council
40 Cherry Street
PO Box 450 BALLINA NSW 2478



Dear Sir,

Re: Skennars Head – Proposed rezoning

We act on behalf of Intrapac Property in relation to the proposed rezoning of the property at Skennars Head, The Coast Road.

Thank you for your email of 11 September 2018 outlining the key issues that have been raised in submissions to the proposed rezoning, whilst on exhibition until 28 September 2018, at the site at Skennars Head.

This letter provides a response to the key issues raised.

Community consultation

The issue raised was:-

"There were also numerous comments in the submissions that the information presented by Intrapac at the community information sessions was contrary to what has been submitted as part of the planning proposal. Particularly as it relates to the nomination of medium density zoning on land directly abutting existing residential lots in Headlands Estate, but also in relation to the scale of the proposed neighbourhood centre zone. These submitters say that Intrapac advised them that larger (low density) residential allotments would be provided on land directly abutting the existing Headlands Estate rather than medium density development."

Response

Community consultation for the planning for Skennars Head started with a community stakeholder workshop at the end of 2016. This consultation informed the Site-Specific Development Control Plan as well as the vision for the site. Once the Site-Specific Development Control Plan was adopted by Council, Intrapac undertook further site-specific detailed studies. This resulted in a Community Information and Feedback Session in December 2016 (which the outcomes are attached to the Planning Proposal application). An extract of the one information board is shown in Figure 1.

As can be seen from the information (Figure 1) provided to the community, the smaller lots or medium density was located around the proposed neighbourhood centre as well as adjacent to the local park. Further, it can be noticed that there was additional medium density indicated south of the proposed central park, which has now been removed.

Further detailed work progressed after the community information session in December 2016, and meetings were held with:-

- » Around 7 directly adjacent residents in February 2017
- » Local residents were invited (around 15 attended) for an update on 27 March 2017
- » Fifteen local residents attended a meeting in April 2017

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- » Around 70 people attended a Community Information and Feedback Session on 27 May 2017 (one board extracted from the community session is shown in the Figure 2 below)
- » Around 40 residents were invited to a pop in meeting style on 22 November 2017
- » There have been numerous meetings with the directly adjacent residents in Headland Estate since February 2018 until most recently in September 2018
- » A fact sheet was emailed to around 40 email address list/register of people who had previously provided email details to Intrapac.

Further to the above consultation with residents, the Councils' Planning Proposal Report was made publically available at a Council meeting in December 2017, which demonstrated the proposed site to be rezoned for R3 and the B1 site.

Figure 1: Extract of a board to show potential small lot housing – December 2016





Figure 2: Extract from Community Information Boards – May 2017

A SUBDIVISION THAT CREATES A COMMUNITY

INTRAPAC PROPERTY

A subdivision that provides the community with a diversity of lot sizes, ranging between 451m² to 757m², open space and streets with views to the ocean and wetland area, and local and neighbourhood parks for communities to meet and have fun.

COASTAL PROPOSED PUBLIC RESERVE
OPEN SPACE/PROPOSED PARKS/RESERVE
RELOCATED NEIGHBOURHOOD CENTRE

www.intrapac.com.au

In summary, the proposed rezoning of R3 sites and the proposed relocation of the existing B1 site have generally remained consistent. Throughout the consultation there have always been superlots shown for the proposed rezoning to R3 around the neighbourhood centre (B1) and local central park. The proposed neighbourhood centre, shown as being relocated in a larger lot and closer to The Coast Road, has not changed throughout the consultation. The key reason for this is that at the Community Information and Feedback Session in December 2016 we received such strong support for the neighbourhood centre.

We therefore confirm that the proposal for the rezoning for medium density/smaller lots and the relocation of the B1 zone has been generally consistent from December 2016 until the current rezoning. The principles of higher density, as per the Skennars Head DCP, close to the park and neighbourhood centre is also consistent.

It is therefore not considered necessary to amend the rezoning.

Proposed R3 zoning

Issue raised:

- » *Objection to the provision of medium density development*



on the basis of the following:

- » *If allowed, medium density should be located at the back of the development and not be visually prominent;*
- » *Impact on private views from existing dwellings in Headlands Estate;*

Response

The location and introduction of R3 Medium density lot will:

- > Allow for a better housing choice facilitating a broad socio-economic mix and the creation of a sustainable neighbourhood catering for first time buyers to empty nesters
- > Enable the provision of a range of housing forms to meet the different needs of the community
- > **Provide for the higher densities on future lots, close to the neighbourhood centre, local park pedestrian access and on land that is gently sloping, as set out in the Ballina DCP (Chapter 3- Section 3.1.2)**
- > Replicate the development pattern to the north (Headland Estate) where R3 zones are interspersed through the R2 zone allowing for the provision of medium density housing
- > Provide for the subdivision of land that recognises the environmental values of the area by concentrating density around the local park and neighbourhood centre with larger lots serving as a buffer to more environmentally sensitive areas
- > Increase opportunities for dwellings to overlook the local park optimising both surveillance of the public realm and the residential amenity of the dwellings
- > Encourage safe pedestrian access through the future development by concentrating higher densities along the collector road to maximise surveillance.

Some objections have also raised view loss from existing dwellings in Headland Estate. A view loss assessment was undertaken in DA 2017/244 Addendum 3, Section 3.1.1. to demonstrate that the loss of views is not significant and complies with the Environmental Law court ruling in this regard. The assessment in particular included the potential impact of the subject proposal on the existing view from 11 Headlands Drive, Skennars Head against the decision in *Tenacity Consulting v Warringah* [2004] NSWLEC 140 (Tenacity).

It is therefore considered that the issue raised in relation to the view loss is not significant, as the dwellings still have full views to the east to the coast and ocean, as well as shared views to the southeast. It is therefore not considered necessary to amend the rezoning.

Proposed B1 zoning

Issues raised:

- » *Objection to the scale of the proposed expansion of the neighbourhood centre.*
- » *Objection to the proposed change from 8.5m to 10m height limit.*

on the basis of the following:

- » *It will impact negatively on the coastal amenity;*
- » *It will increase traffic within the future estate and access to Skennars Head;*
- » *It will increase the numbers of people accessing Sharpes Beach and impact on coastal ecosystems;*
- » *Impact on private views from existing dwellings in Headlands Estate;*

Response

The relocation of Neighbourhood Centre (B1 Zone) will:



- » Provide a more direct link between the neighbourhood centre and its coastal setting
- » Create the potential for direct links between the neighbourhood centre and the beach, pedestrian networks, public transport options and local services and facilities
- » Provide for better integration of the neighbourhood centre with the existing Headland Estate and surrounding neighbourhood and community facilities
- » Address and manage any traffic impacts, as outlined in the TPS Report
- » Provide improved access compared to the neighbourhood centre compared to the current location
- » Be located on more suitable topography compared to the current location
- » Allow for improved level of local services in the neighbourhood centre due to increased exposure to passing traffic
- » Enable the retail buildings to achieve the necessary heights for efficiency and functional use
- » Enable the neighbourhood centre to create a gateway to Skennars Head Residential Neighbourhood, however respect other retail hierarchy of centres. The size of the proposed B1 centre was supported by Council's peer review study that was exhibited with the planning proposal.
- » Retain the current FSR of B1 Zone as 0.8:1, and include a new Local Provisions Clause to limit business and retail purposes to 0.4:1.
- » The height is to be retained at 8.5m.

Conclusion

This letter has addressed the key issues raised in the submission received during the public exhibition period.

The response to the issues, together with the planning proposal and associated reports, demonstrates the suitability and compliance of the proposed development with the strategic planning framework, the Site Specific Development Control Plan as well as the site specific conditions.

It is recommended that the Ballina Shire Council not make any further amendments to the proposed rezoning, but retain the proposal as was publically exhibited.

If you have any queries in relation to the information provided, please don't hesitate to call me on (02)9387 2600. We are happy to meet with you and provide an overview or outline the information provided.

Yours sincerely

Jenny Rudolph
Director: Urban and Regional Planning
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