



19 December 2016

Amy Robertson – Planner – Modification Applications  
Planning Services  
GPO Box 39  
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Dear Amy

**Re: Modification of Major Project Application 07\_0026 – Epiq Lennox (formerly known as Pacific Pines)**

Council has reviewed the documentation in relation to the Epiq Section 75W Modification No.5 and provide the following comments:

**Retail Floor Area Expansion**

The proposed retail floor area proposed expansion is directly related to the Ballina retail Strategy and the Lennox Head Community Aspirations Strategic Plan.

The modification documentation addresses the retail hierarchy and associated considerations and concludes that the larger retail floor area is consistent with the retail strategy and strategic plan primarily on the basis that the retail/ commercial area in the Lennox Head village centre is larger in area terms and the supermarket floor area proposed is less than the supermarket sites in Ballina (Kerr Street Precinct).

The consistency with the policies of Council regarding the retail hierarchy is partly dependent on interpretation, and in particular, the level of retail floor area and the nature of commercial uses that relates to neighbourhood scale facilities and the maintenance of the village centre as the higher order commercial area in Lennox Head.

The Lennox Head Community Aspirations Strategic Plan indicates that the village centre should provide services at a district scale (underpinning the maintenance of the village centre as the primary retail/commercial area in Lennox Head). The current modification proposal relies on a geographic area that expands outside the Epiq development and Lennox Head to demonstrate that the proposed supermarket and associated retail floor area can be supported in terms of population. Based on the information presented, it could be argued that the facilities are district level in their nature.

Having regard for the above, it is suggested that the proponent be requested to provide additional information in relation to the following aspects of the commercial hierarchy policy provisions under the Lennox Head Community Aspirations Strategic Plan.

- The CBD will be the principal commercial area in Lennox Head and will provide facilities and services of a district scale.
- A second commercial area will be provided in Pacific Pines Estate to complement those facilities found in the village centre.

- This centre shall be lower in the retail hierarchy than the CBD (village centre) and provide facilities of a neighbourhood scale to service the residents located in this area and enhance walkability.
- Higher order retail and commercial facilities including major supermarkets, shopping malls and bulky goods retailing will be provided elsewhere such as Ballina.

This information should specifically address the scale of the retail / commercial area proposed, the integrity of the Lennox Head village centre as the primary retailing area in Lennox Head and the inconsistency between the scope of the trade area identified by Location IQ and the neighbourhood scale retail / commercial area for Epiq referred to in Council's policy documents.

### **Movement Network**

The Mod 5 proposed Movement Network is defined in "Illustration C6 Movement Network 16 November 2016" which is designated in proposed Concept Approval Term A3 and proposed Project Approval Condition A3.

### **Street Classification**

The current (Mod 4) Illustration C6 has a legend that refers to classes of street specified as "Local Street a", Local Street b", Local Street c" and "Access Street" etc. However there is no explanation or reference in the Mod 4 approvals that defines what these terms mean.

Prior to Mod 4, the Movement Network Illustration C6 referred to classes of street defined variously as "C' Local Connector Road", "D' Local Connector Road", "F' Residential Street" etc. These street cross sections were defined in the "Urban Design Guidelines" (Deike Richards) submitted with the original application and included as part of the conditions of the original approval and Mods 1 – 3.

The Mod 4 approval specifically removed the Deike Richards "Urban Design Guidelines" from the approval and also replaced the reference to their street classes in the legend to the Mod 4 approved Illustration C6 Movement Network. The replaced legend referred to classes of street specified as "Local Street a", Local Street b", Local Street c" and "Access Street". It is understood that during the Mod 4 assessment process by the NSW Dept. of Planning, the proponent submitted a letter to the Department dated 16 January 2012 which contained a plan "SMEC Typical Cross Sections Drawing No.331069E-MP-02 Rev B" (see attached) which contained road cross sections proposed to be referred to in the Mod 4 Illustration C6.

Through an apparent oversight, the Department did not exhibit the proposed SMEC cross sections and there was no opportunity for Council or the public to comment on the revised cross sections. When the Mod 4 approval was approved it did not relate the replaced Illustration C6 legend to the SMEC or any other typical cross section drawings.

This lack of a clear approval for standard street cross sections caused some difficulties in the issue of the Construction Certificates for Stages 1A and 1B. However the issue has been settled to date by negotiations between Council and the proponent. The principal issues of contention have been the pavement width of Road No. 5 (Access to a further subdivision, Henderson Farm, to the west of Super Lot 7, Council wanted 9m kerb to kerb width rather than 7m) and the absence of footpaths being designated on SMEC drawing for local streets.

The Mod 5 proposal for the "Illustration C6 Movement Network" legend still refers to SMEC street classes for the developed area and undeveloped areas in the supermarket precinct, Super Lot 7 and Super Lot 8, but designates "Northern Rivers Local Government Local Street" and "Northern Rivers Local Government Access" (these are classes of street

designated in the "Northern Rivers Local Government Development Design Manual") for the balance of the undeveloped area.

It is requested that the references to the unexhibited/unapproved SMEC plan should be deleted and the C6 legend should refer only to classes of street designated in the "Northern Rivers Local Government Development Design Manual".

### **Road Network**

Mod 5 proposed "Illustration C6 Movement Network", has a configuration that encourages a "rat run" that would compromise the intended road hierarchy and cause through traffic to short cut through residential local streets.

The potential "rat run" is created by the alignment of Montwood now being extended through a roundabout to the north of Main Street and following a north then westward unimpeded curvilinear path to the roundabout with Hutley Drive. Montwood Drive is the major (and only) external collector road connecting Pacific Pines/Epiq to the south and Hutley Drive is the major external connection to the north. The current road hierarchy has northbound traffic from Montwood Drive, turning left onto Main Street, proceeding westward on Main Street, then right onto Hutley Drive and then northward on Hutley Drive to exit the locality.

The undesirable attraction of the potential "rat run" could be reduced by introducing a number of forced T-intersections along its alignment that favour intersecting cross streets. The proponent has agreed to this arrangement which can be seen on attached Newton Denny Chappelle "Epiq Lennox Head Plan 4 Prop Layout Stages 2 & 6 Rev C - 5-12-16". In this plan the "rat run" is impeded by two T-intersections on the curvilinear residential street between Montwood Drive and Hutley Drive.

It is requested that the Mod 5 approval conditions require the insertion of two T-intersections in the local street curvilinear alignment connecting Montwood Drive and Hutley Drive as illustrated in Newton Denny Chappelle "Preliminary Road Network Sketch" dated 1-12-16 (attached).

### **Traffic Related Limits on Land Release (Concept Approval Term B7A)**

The proposed Mod 5 Term B7A limits the release of subdivision certificates for allotments and occupation certificates for commercial development to that which would not produce external traffic movement exceeding 7,466 vehicles per day "until such time as Hutley Drive is extended north from the site to North Creek Road".

This figure of 7,466 vpd was originally provided by Cardno in Table 5 of their submission for the proponent dated 10 July 2014 and was the estimated external traffic generation for up to Stage 5 (Stages 1A, 1B, 2, 3, 4 and 5) and estimated 4,071 vpd on Montwood Dr and 3,386 vpd on Henderson Lane for a network that did not have a direct connection between Hutley Drive and North Creek Road.

This scenario has an ongoing exceedance of Montwood Drive's "environmental capacity" of 3,500 vpd by 571 vpd in perpetuity or until the southern extension of Hutley Drive (a \$12.3m S94 Plan Item) is completed by Council. The Cardno report was considered at Council's meeting 23 October 2014 and endorsed for the purposes of approving a traffic management plan prior to the release of Pacific Pines Stage 1B.

The proposed Mod 5 Term B7A will have similar external traffic impacts to the existing B7A; however it provides a more flexible arrangement for the proponent being based on external traffic to be generated rather than a more arbitrary limit based on subdivision lots released.

In practice, until the connection of the northern connection from Hutley Drive to North Creek Road, each subdivision certificate and commercial development occupation certificate will need to be accompanied by an updated external traffic generation analysis that verifies the cumulative external traffic generation of combined Pacific Pines/Epiq will not be caused to exceed 7,466 vpd by the each subject subdivision/occupation certificate application.

Should you have any queries regarding this matter please contact Hugh Johnson in Council's Regulatory Services Group on 02 6686 1254.

Yours Faithfully



Rod Willis  
**Group Manager**  
**Regulatory Services Group**