



11 April 2018

General Manager
Mid Coast Council
PO Box 482
TAREE NSW 2430

Attention: Richard Pamplin / David Crofts,

PACIFIC HIGHWAY (HW10): PLANNING PROPOSALS TO AMEND SCHEDULE 1 OF THE GREAT LAKES LOCAL ENVIRONMENTAL PLAN 2014 ('LEP') TO INCLUDE ADDITIONAL USES TO PERMIT DEVELOPMENT OF HIGHWAY SERVICE CENTRES AT PT LOT: 22 DP: 1019544, 6783 PACIFIC HIGHWAY, TEA GARDENS AND PT LOT: 100 DP: 1139447, 9844 PACIFIC HIGHWAY, BULAHDELAH

Reference is made to Council's letters dated 19 December 2017 and 19 March 2018 seeking comment in relation to two planning proposals both which seek to amend Schedule 1 *Additional Permitted Uses* within the LEP to permit with consent the development of a highway service centre at Tea Gardens and Bulahdelah respectively.

As discussed in a meeting held at Roads and Maritime's offices on 4 December 2018, Section 117 Direction, 5.4 – *Commercial and Retail Development along the Pacific Highway, North Coast* (August 2015) applies to the planning proposals. The direction provides that the establishment of highway service centres may be permitted, subject to Roads and Maritime satisfaction, in locations listed in Table 1 *Highway service centre that can proceed*. Neither the Tea Gardens nor Bulahdelah site is listed under Table 1 as a suitable site.

The most recent policy review was carried out in 2014, resulting in the adoption of current Direction on 21 August 2015 with the inclusion of an additional site at Nambucca Heads. The 2014 Policy Review identified that traditionally, the Pacific Highway has passed through many north coast towns and villages which have provided services such as fuel and food to travellers. As upgrade works to the Pacific Highway bypassed these traditional rest stops, travellers need to either leave the highway to obtain services in the bypassed centres, or make use of highway service centres. Provision of highway service centres encourages drivers to "stop, revive, survive" and take breaks when they recognise the warning signs of fatigue, which contributes significantly to travel safety and efficiency. It is therefore very important that highway service centres are provided at conveniently spaced centres along the route.

The highway service centre sites identified under Table 1 of the Direction are generally in the vicinity of bypassed towns so the economic benefits can remain with those centres (e.g. job creation). Some bypassed towns have been intentionally excluded from the list in order to encourage travellers to stop within the town centre to protect the commercial viability of local business. This includes Bulahdelah, which is identified as a highway service town within the *Great Lakes Highway Service Centre Strategy*. Roads and Maritime note that Great Lakes Council supported the revised Direction 5.4 at its Strategic Committee

meeting on 10 June 2014 following consideration of the 2014 Policy Review (see attached correspondence). Council's letter highlights that support is granted to the review as it reinforces Bulahdelah as a highway service town.

The site at Tea Gardens is neither identified within the list of locations for a highway service centre under Table 1 of the Direction nor located within a highway service town.

The rural residential site at Tea Gardens has access via a battle-axe handle driveway leading to Viney Creek Road, a local road. The boundary between the subject lot and the Pacific Highway is subject to a Controlled Access Road restriction declared by notification of Gazette 45 dated 6 May 1966. Despite the Controlled Access restriction, a license approving a 5m wide access via fire trail was granted on 15 May 1992. The granting of the licence does not apply to an access for the purposes of a Highway Service Centre.

Notwithstanding that the Tea Gardens location is excluded from Table 1, a highway service centre at this location would substantially increase traffic generation at the access and the existing consented access point should not be considered a legal form of access if any change in land use is proposed. As provided within the existing restriction-on-use burdening to the subject Lot, Roads and Maritime reserve the right to revoke, rescind, modify and/or vary any direct consented access point/s to a State Road network.

In summary, Roads and Maritime does not support the planning proposal(s) which seek to facilitate Highway service centres in locations contrary to Section 117 Direction, 5.4 – *Commercial and Retail Development along the Pacific Highway, North Coast* (August 2015).

Should you require further information please contact Hunter Land Use on 4908 7688 or by email at development.hunter@rms.nsw.gov.au.

Yours sincerely

Peter Marler
Manager Land Use Assessment