PLANNING & NATURAL SYSTEMS

ATTACHMENT C

PLANNING PROPOSAL - HIGHWAY SERVICE CENTRE - PACIFIC HWY, BULAHDELAH

ORDINARY MEETING

24 MAY 2017

DRAFT PLANNING PROPOSAL ADEQUACY

Amendment to the Great Lakes Local Environmental Plan 2014

Additional Permitted Use:

Highway Service Centre

Lot 100 DP 1139447, Lot 3 DP 1120817*
9844 Pacific Highway Bulahdelah

*Actual site of HSC is part Lot 100

MidCoast Council

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Thanks

The author wishes to thank the staff of the Mid Coast Council for their assistance and support.

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Purpose of this Review

This review of the adequacy of the Planning Proposal application for a highway service centre at Lot 100 DP 1139447, Lot 3 DP 1120817* 9844 Pacific Highway Bulahdelah (*the actual site of highway service centre is part Lot 100) was commissioned by Mid Coast Council in response to the submission of a Planning Proposal by Hampton Property Development on 10 February 2016. The Planning Proposal application documentation included the Planning Proposal itself and a supporting Economic Impact Assessment.

The objectives of the Review are to:

1. Identify where the document meets or does not adequate meet legislative requirements of the Environmental Planning and Assessment Act, 1979 and the NSW Department of Planning and Environment Guide to Preparing Planning Proposals, 2012 and Guide to Preparing Local Environmental Plans, 2013, and relevant plans and policies of the former Great Lakes Council,

2. Undertake a review of the revised Economic Impact Statement to a preliminary level, and

3. Assess whether the policies and documents referred to in the planning proposal are accurately and reliably interpreted and presented as part of the above work.

Structure of this Review

The Review has been structured in the format of the Department of Planning and Environment's Guide to Preparing Planning Proposals. The Review has been structured this way in order to provide a schematic way of assessing whether the submitted Planning Proposal meet the requirements set by the State Government, and to enable Council and State Government planning officers to use their existing assessment templates and procedures.

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Introduction

The content in this section of the Planning Proposal contains incorrect information on the zones that apply over the identified property.

The maps provided are also unclear on the location and extent of the land area required for the proposed highway service centre, associated access and facilities that would be accommodated within the required Additional Permitted Use area.

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Part 1: Objectives and Intended Outcomes

The focus of this section of the Planning Proposal is on the conceptual development over the entirety of the Site, with insufficient information on the objectives and intended outcomes of the highway service centre which is the proposed Additional Permitted Use.

A clear description of the objectives and intent of the Planning Proposal is required, for example:

This Planning Proposal aims to provide for a "highway service centre" (HSC) on certain land within Zone RU2 Rural Landscape and Zone R2 Low Density Residential on Lot 100 DP 113447. This land is located adjacent to the northern Pacific Highway interchange at Bulahdelah, near the existing Bulahdelah Golf Club.

The purpose of the HSC would be to provide services and facilities to people travelling on the adjacent Pacific Highway.

Great Lakes Local Environmental Plan 2014 (LEP 2014) includes the following definition:
***highway service centre** means a building or place used to provide refreshments and vehicle services to highway users. It may include any one or more of the following:*

(a) a restaurant or cafe,

(b) take away food and drink premises,

(c) service stations and facilities for emergency vehicle towing and repairs,

(d) parking for vehicles,

(e) rest areas and public amenities.

The Proposal would amend Schedule 1 of the Great Lakes Local Environmental Plan 2014 to provide for an additional permitted use on the land, i.e. a highway service centre.

Within the Planning Proposal the applicant has also indicated that other provisions of the LEP 2014 such as development standards that apply may be required to be modified in relation to the Site to accommodate structures associated with the proposed HSC, such as signage. These amendments should also be clearly identified and justified within the one Planning Proposal application to provide a complete application for the proposed land use and all services, facilities and structures associated with the activity.

1A Description of the Proposal

The Planning Proposal application would benefit from a clear description of the Proposal, what facilities are likely to be included, its physical form, anticipated access arrangements etc.

The HSC should be the primary component of the description and any description of the "wider development" being minor and providing additional context.

Much of the information on the HSC is insufficient with the only detailed content being provided on page 13 "Concept Plan" and in the conceptual plans contained within Appendix 2 and 3.

Insufficient information is provided on all services, facilities and structures that will be associated with the proposed HSC as the Additional Permitted Use being applied for within the Planning Proposal.

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1B Description of the Site, including site analysis

The Planning Proposal application would benefit from a clear description of the physical qualities of the Site and its surroundings, its locational context with respect to the township of Bulahdelah, its relationship to the wider development (i.e. the "masterplan" referred to in the application document).

The extent of clearing of vegetation and landform modification required to accommodate the Additional Permitted Use and associated services and facilities is also unclear and does not provide sufficient information for the purposes of community consultation.

Based on the information that is provided, the visual impact of the proposed HSC, associated access arrangements, landform modification and future signage is insufficient for the purposes of community and public agency consultation.

The existing site analysis in the Planning Proposal maps, locational plans, conceptual plans and written information provides little narrative on the actual highway service centre, with the majority of information being on other aspects of the broader masterplan for the remainder of the Site. The result is a Planning Proposal which is insufficient in detail on the HSC and the anticipated impacts and benefits of this land use in this location.

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Part 2: Explanation of Provisions

Significant focus and information within the Planning Proposal is on the broader context of the development. While this is acknowledged as relevant, it results in a Planning Proposal that is unclear on its intention, what amendments to the Great Lakes Local Environmental Plan 2014 are required, and how these amendments would operate.

In this regard, the Explanation of Provisions within the document is unclear, and the proposed provisions briefly described in various parts of the Planning Proposal.

Master Plan Objectives (page 12)

Material referring to the broader masterplan for the Site from this Section should be placed in a more appropriate location in the Planning Proposal application.

While the residential and tourism aspects of the Proposal may be integral parts of a masterplan for the wider site, the objectives and the content of the master plan should be located elsewhere in the narrative of the document as these do not represent the key component of the Planning Proposal or provide a suitable explanation of the proposed provisions.

Planning Proposal Objectives (page 12)

The Planning Proposal objectives are descriptive only and not specific to the purpose of amending the Great Lakes Local Environmental Plan (LEP) 2014 to introduce a new Additional Permitted Use of a HSC on the nominated land.

The Objectives should be reworded (as necessary and relevant) to also describe the other relevant provisions of the LEP 2014, such as development standards, that may require amendment to enable development of the additional permitted use on the Site. To this end the objectives should also be more focussed than at present.

How does the Concept Plan Align with the Master Plan (page 13)

This Section should be reworded to describe how the proposed HSC forms an integral part of the master planned approach to the wider site.

It is not clear what the status of the master plan is from the information provided in this ection or the remainder of the Planning Proposal.

The explanation of provisions does not provide a background to the concept and location of the HSC or sufficient information on its relationship to other HSCs and highway service towns. In particular, the number and location of existing service centres within the region that may already have approval for conversion to highway service centres or have the existing entitlement to expand into a highway service centre and how this may impact on the proposal.

The Planning Proposal has also not provided an introduction to the relationship between the HSC and the township of Bulahdelah. In particular, the Proposal should provide a social and economic context between the existing commercial activities within Bulahdelah and the impact or benefit of the highway service centre on these activities.

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Part 3 Justification

In accordance with the Department of Planning's "Guide to Preparing Planning Proposals", this section should provide a response to the following issues:

- Section A: Need for Proposal;
- Section B: Relationship to Strategic Planning Framework;
- Section C: Environmental, Social and Economic Impact; and
- Section D: State and Commonwealth Interests
- Section E Because of the nature of the Planning proposal an additional Section titled Strategic Merit and Net Community Benefit has been added.

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Section A: Need for Proposal

Why is a Planning Proposal required (page 14)

The information on the proposed HSC in this section is satisfactory.

However, additional information should be provided on any other amendments to the Lakes LEP 2014, such as development standards, that may be required to enable all components of the proposed highway service centre to be undertaken.

Justification for the Rezoning (page 16)

The Planning Proposal does not request a rezoning, but an amendment to Schedule 1 of Great Lakes LEP 2014 and the heading would result in unnecessary confusion during any community consultation. It is recommended that headings and the format of the document more accurately reflect the Guidelines for Preparation of a Planning Proposal and the specific amendments to the LEP being proposed.

This section does not provide sufficient or clear justification on planning grounds of the need for a HSC in this location per se.

This is critical given that the Proposal is contrary to the Roads and Maritime Services Highway Service Centres along the Pacific Highway Policy, the former Great Lakes Council Highway Service Centres Study and Strategy Report, and S117 Ministerial Direction 5.4 Commercial and Retail Development on the Pacific Highway, North Coast, as well the likelihood of the proposed HSC having an impact on existing highway services centres, service stations and highway service towns, particularly within a 50 km radius.

This section attempts to justify the Planning Proposal largely on the basis that the income generation from the HSC will make the development of the wider site economically viable. In this regard, the cost of infrastructure is cited as a specific reason why assistance with the development viability of the wider site is required. However, no financial analysis is provided to justify the viability claims. In addition, there is no clear undertaking within the Planning Proposal that the wider site will be developed, as distinct from only the HSC.

1. Does the Planning Proposal result from a Strategic Study or Report?

The Proposal has not resulted from a strategic study.

The Proposal is contrary to the Roads and Maritime Services Highway Service Centres along the Pacific Highway Policy and the former Great Lakes Council Highway Service Centres Study and Strategy Report.

2. Is the Planning Proposal the best way to achieve objectives or intended outcomes, or is there a better way?

An amendment to Schedule 1 of Great Lakes LEP 2014 for the purpose of an additional permitted use is one way of permitting the development of a highway service centre on the Site.

The Planning Proposal application needs to state: What other mechanisms have been considered to allow this use on this Site?

The Planning Proposal application needs to state what are the relative merits or disadvantages of these alternatives, compared to the introduction of an additional permitted use.

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Section B: Relationship to Strategic Planning Framework

3. Is the Planning Proposal consistent with Objectives and Actions within Regional Strategies?

The Planning Proposal addresses in part, but is contrary to, the Roads and Maritime Services Highway Service Centres along the Pacific Highway policy and the Mid North Coast Regional Strategy 2009

The Proposal does not address the provisions of the Draft North Coast Regional Plan and the Draft Hunter Regional Strategy 2016., however, since the amalgamation of the former Great Lakes, Greater Taree and Gloucester Shire Councils, it is advisable that the provisions of this Plan be taken into consideration as they relate to the establishment of highway service centres along the Pacific Highway.

Roads and Maritime Services Highway Service Centres along the Pacific Highway

Excerpt from Council report 10 November 2015 regarding Roads and Maritime Services review of the Highway Service Centre Policy:

> *BACKGROUND:*
>
> *In May 2014 NSW Roads and Maritime (RMS) issued a Discussion Paper on proposed amendments to the Policy for Highway Service Centres (HSCs). The matter was reported to the June Strategic Committee where Council resolved to make a submission supporting the policy. The submission is contained in Annexure A.*
>
> *The only proposed revisions were some amendments to the prescribed locations where HSCs may be established. These changes were made to reflect progress with the highway upgrade and as a result of more detailed investigations by RMS, of the original sites. No new sites have been identified in Great Lakes by RMS.*
>
> *Final Policy Position of RMS*
>
> *In June 2015 NSW Roads and Maritime released its Consultation Report on its review of the 'Policy for Highway Service Centres along the Pacific Highway'.*
>
> *RMS maintained its position that no new sites would be nominated on the route of the Pacific Highway through Great Lakes.*
>
> *In the Consultation Report, the RMS gave particular consideration to submissions regarding Bulahdelah.*
>
> *1. Issue Raised in Submission*
>
> *Bulahdelah should be included as a 'service town'.*
>
> *RMS Response*
>
> *Bulahdelah has long been recognised by both Roads and Maritime and Great Lakes Shire Council as providing a high level of services to passing traffic. The close interchanges north and south of the town make it very accessible for light and recreational vehicles and visitors do not need to backtrack to return to the highway. Directional and service signposting is also provided and research has found that the travelling public appreciate towns that can cater for their needs.*
>
> *2. Issue Raised in Submission*
>
> *There should be a roadhouse complex close to the highway entry/exit for Bulahdelah.*
>
> *RMS Response*

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As set out above, there is not a proposed highway complex close to the highway service centre site at Bulahdelah as interchanges north and south of town make it very accessible from the highway and visitors do not need to backtrack to return to the highway.

With the existing highway service centre at Taree and one proposed at Heatherbrae (once bypassed), there will be sufficient provision of services for the foreseeable future.

It is clear from the RMS statements that Bulahdelah is to be maintained as a highway service town and that no further HSCs are needed for some distance north and south to meet the needs of the travelling public.

Implications for Great Lakes

There are no implications for Great Lakes while ever Council wants to adhere to its position of no out of town HSCs. This position was reached in 2004 when the Great Lakes Highway Service Strategy (GLHSC) was prepared with funding from the then Roads and Traffic Authority. A key action from the GLHSC was for Council to recognise and reinforce Bulahdelah as a highway service town so as to reduce the economic impacts of the bypass. To deliver on this outcome, Council made service stations prohibited in the rural zone along the highway; the consequent effect being that any service station or HSC could only be developed within the existing urban zones. This Policy was reviewed and maintained after the 2014 revision of the Roads and Maritime Services Highway Service Centres along the Pacific Highway Policy.

The prohibition was continued under LEP 2014 and, as a new definition for "highway service centres" was introduced in the standard LEP template, Council also made these prohibited. Any proposals for either a service station or HSC at an out of town location would therefore require an amendment to the LEP. The proposal would then have to be assessed against the objectives of the s117 Direction.

In the event that somebody wanted to establish an out of town HSC then a planning proposal would have to be prepared at which time the full merits of such a proposal would have to be assessed.

Implementation of Revised Policy
The Department of Planning and Environment has advised Council that the revised RMS Policy has been given effect by amending the s117 Direction. This is the Ministerial Direction, under s117 of the Environmental Planning and Assessment Act, which gives direction to Councils when they prepare planning proposals for commercial development along the Pacific Highway.

The issues outlined within this Council report remain valid and must be comprehensively addressed within the Planning Proposal for Council and other public agencies to consider such a significant shift in policy position. Considerable community support would also be required for such a change in state, regional and local policy.

Therefore, the Planning Proposal must demonstrate comprehensive consideration of the potential social and economic costs and benefits of the HSC on the businesses and community of Bulahdelah, and the implications of the HSC well explained to ensure an appropriate level of engagement and consultation on this Proposal.

Mid North Coast Regional Strategy

The NSW Government's Mid North Coast Strategy 2009 is mentioned in the Planning Proposal but it does not sufficiently address the provisions of this document as they relate to the establishment of highway service centres along the Pacific Highway. In particular, the following provisions of the Strategy have not been adequately addressed within the Proposal:

Although recognising the importance of restricting commercial activity to existing centres it is also necessary to provide some commercial opportunities along the Pacific Highway in accordance with the Highway Service Centres Policy of the NSW Government. This policy,

identified in the Ministerial Direction No. 5.4 issued under section 117 of the Environmental Planning and Assessment Act 1979, will govern the identification of the limited opportunities available for commercial development in the highway corridor. (page 25).

Highway service centres may be located beside the Pacific Highway at Maclean (at one of the Maclean \ interchanges), Woolgoolga (at one of the Woolgoolga interchanges), Kempsey (at the southern interchange), Port Macquarie (on the eastern side of the Pacific Highway at the interchange with the Oxley Highway) and Taree (at the Old Bar Road interchange). In the future, additional highway service centres could be located at Nambucca Heads (at the northern interchange) and Port Macquarie (on the western side of the Pacific Highway at the Oxley Highway interchange), subject to review of need by the Roads and Traffic Authority at a five year review of the Strategy. No other zonings to permit new out- of-town commercial development will occur along the Pacific Highway. This includes any industrial zones that could permit commercial uses such as bulky goods premises. (page 27)

The Strategy includes a mapped reference to the future urban release area and employment land potential of the Site adjacent to the golf course, but this map also appears to exclude the land identified by the Planning Proposal as the potential Site of the HSC.

Draft Hunter Regional Strategy

The Site is affected by the NSW Government's draft Hunter Region Strategy and it is located within the "North East Coast" sub-area of the draft Plan. Priorities for this sub-area include:

- *strengthen the roles of existing communities and the accessibility and vibrancy of town centres and main streets, particularly within Forster-Tuncurry and Nelson Bay;*
- *support urban infill and the regeneration of town centres that builds on coastal village identity and form; and*
- *support economic diversity and further tourism opportunities that focus on reducing the impacts of the seasonal nature of tourism and its effect on local economies.*

Draft North Coast Regional Strategy

The NSW Government's draft North Coast Region Strategy includes the former Greater Taree Council area to the north and while it is acknowledged that the provision of this Plan were not highly significant at the time of lodgement of the Planning Proposal, the merger of the former Great Lakes, Greater Taree and Gloucester Shire Council now warrants its consideration.

In this regard it has an action specifically relating to HSCs, unlike the draft Hunter Strategy:

GOAL 5 - Improved transport connectivity and freight networks
The draft Plan aims to: designate highway service centre locations close to bypassed towns to deliver economic benefits and to encourage motorists to take breaks; (page 73)

ACTION 5.1.2
Designate HSCs along the Pacific Highway

There is an extensive rest stop network across major road corridors in NSW. Facilities provided at each rest stop vary and typically depend on the local environment and site characteristics. HSCs, one type of rest stop, encourage motorists to take breaks and therefore contribute to travel safety and efficiency.

The following sites have been identified as potential locations for HSCs along the Pacific Highway:
• Chinderah (at Chinderah Bay road and Tweed Valley Way);
• Ballina (at Teven interchange);
• Maclean (at the interchange near Ferry Park);
• Woolgoolga (at the Arrawarra interchange);
• Nambucca Heads (at the Nambucca Heads interchange);
• Kempsey (at the South Kempsey interchange);

- *Port Macquarie (at Oxley Highway); and*
- *Taree (at Old Bar road).*

These locations are close to bypassed towns, which will retain the economic benefits.

The NSW Government will work with councils to appropriately locate service centres along the highway.

These locations are those identified in the 2014 Roads and Maritime Services Highway Service Centres along the Pacific Highway Policy and the S117 Ministerial Direction 5.4 Commercial and Retail Development on the Pacific Highway, North Coast. As previously stated, significant justification would be required as part of the Planning Proposal to vary state, regional and local policy regarding the establishment of a highway service centre on the nominated site.

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4. Consistency with Council's Community Strategic Plan or other Local Strategic Plan

The Planning Proposal does not sufficiently acknowledge or address Council's strategy documents including but not necessarily limited to:

- Great Lakes Rural Living Strategy 2004;
- Great Lakes Council Heritage Study 2007;
- Great Lakes Council Highway Service Centres Study and Strategy Report; and
- Great Lakes Community Strategic Plan 2030.

Great Lakes Council Highway Service Centre Study and Strategy Report

This Study was commissioned by the former Great Lakes Council and partially funded by the former Roads and Traffic Authority to specifically consider and address the impact of the Pacific Highway upgrade and bypass program and therefore requires detailed consideration within this Planning Proposal.

The recommendations of the Strategy require additional consideration and supporting documentation as part of the justification of the Proposal given the clear and concise state and regional policy directives regarding the establishment of highway service centres on the Pacific Highway.

In particular, the social and economic consideration of impacts of the Pacific Highway, the identification and protection of highway service towns, such as Bulahdelah, and the key recommendations regarding future highway service centre development must be comprehensively addressed within the Proposal.

Great Lakes Community Strategic Plan 2030

The Great Lakes 2030 Community Strategic Plan is not addressed, including:

Objective 2.1
Diversifying local business options

- *Our local government area is attractive and supportive of business.*
- *We have a diversity of business and industries across the local government area.*
- *Our planning controls provide for adequate industrial and commercial land*

Objective 2.2
Achieving more sustainable employment opportunities

- *We have learning opportunities for people of all ages.*
- *We have employment opportunities in the local government area*

Objective 2.3
Increasing tourism opportunities and visitation in the area

- *We have a range of diverse visitor experience across the entire local government area.*
- *Our local government area is attractive to visitor*

Objective 3.1
Protecting & enhancing the natural environment & the rural character of the area

- *Our area's rural character and heritage is protected.*
- *Our community is aware of the value of natural resources and biodiversity.*
- *Our environmental amenity is protected and enhanced.*
- *Our waterways and catchments are maintained and enhanced.*

5. Consistency with State Environmental Planning Policies

The Planning Proposal provides justification of the HSC against several relevant State Environmental Planning Policies (SEPPs) however the document should address all applicable SEPPs.

Within the Planning Proposal, the 'fundamental' requirements of access, egress and relocation of the electricity easement and infrastructure is acknowledged. The Planning Proposal does not however, demonstrate that any preliminary or significant consultation with the relevant public agencies has been

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undertaken to overcome these issues. Reliance upon Council undertaking these referrals after the lodgement of the Planning Proposal is not considered sufficient in this instance.

An assessment of all relevant SEPPs against the Planning Proposal is required, as indicated by the sample table below. Where the provisions of a SEPP are identified as being applicable, additional narrative and where necessary specific justification against the requirements of the SEPP should be provided in the Planning Proposal.

Table 1: Relevant State Environmental Planning Policies

SEPP	Relevance	Consistency and Implications
SEPP 1 - Development Standards	The SEPP makes development standards more flexible. It allows councils to approve a development proposal that does not comply with a set standard where this can be shown to be unreasonable or unnecessary.	This SEPP does not apply to land affected by Great Lakes Local Environmental Plan 2014.
SEPP 4 - Development without Consent and Miscellaneous Complying Development	The SEPP allows relatively simple or minor changes of land or building use and certain types of development without the need for formal development applications. The types of development covered in the policy are outlined in the policy.	Nothing in this Planning Proposal affects the aims and provisions of this SEPP
SEPP 6 - Number of Storeys in a Building	The SEPP clarifies the reference to storey, floors and levels.	Not applicable.
SEPP 15 - Rural Land Sharing Communities	The SEPP provides for multiple occupancy development, with council consent, in rural and non-urban zones, subject to a list of criteria in the policy.	Not applicable.
SEPP 21 -Caravan Parks	The SEPP provides for development for caravan parks.	Applicable, not relevant to this Proposal.
SEPP 22 - Shops and commercial premises	The SEPP provides for the change of use of commercial premises.	Not applicable.
SEPP 30 - Intensive Agriculture	The SEPP provides considerations for consent for intensive agriculture.	Applicable, not relevant to this Proposal.
SEPP 32 - Urban Consolidation (Redevelopment of Urban Land)	The SEPP makes provision for the re-development of urban land suitable for multi-unit housing and related development.	Not applicable.
SEPP 33 - Hazardous & Offensive Development	The SEPP provides considerations for consent for hazardous & offensive development.	Applicable - it is referenced in the Planning Proposal application, which states further definition of the extent of hazard will be required
SEPP 36 - Manufactured Homes Estates	The SEPP makes provision to encourage manufactured homes estates through permitting this use where caravan parks are permitted and allowing subdivision.	Applicable, not relevant to this Proposal.
SEPP 44 - Koala Habitat Protection	This SEPP applies to land across NSW that is greater than 1 hectare and is not a National Park or Forestry Reserve. The SEPP encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over	Applicable - it is referenced in the Planning Proposal application, which states the HSC is not within core or secondary Class 1 or 2 koala habitat.

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SEPP	Relevance	Consistency and Implications
	their present range.	
SEPP 50 - Canal Estates	The SEPP bans new canal estates from the date of gazettal, to ensure coastal and aquatic environments are not affected by these developments.	Applicable, not relevant to this Proposal.
SEPP 55 - Remediation of Land	This SEPP applies to land across NSW and states that land must not be developed if it is unsuitable for a proposed use because of contamination	Applicable - it is referenced in the Planning Proposal application, which states preliminary investigation will be required to supplement the previous rezoning's preliminary application.
SEPP 62 - Sustainable Aquaculture	The SEPP relates to development for aquaculture and to development arising from the rezoning of land and is of relevance for site specific rezoning proposals.	Applicable, not relevant to this Proposal.
SEPP 64 - Advertising and Signage	The SEPP aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.	Applicable, particularly relevant to any subsequent DA.
SEPP 65 - Design Quality of Residential Development	The SEPP relates to residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development.	Applicable, not relevant to this Proposal.
SEPP Affordable Rental Housing 2009	The SEPP provides for an increase in the supply and diversity of affordable rental and social housing in NSW.	Applicable, not relevant to this Proposal.
SEPP Building Sustainability Index: BASIX 2004	The SEPP provides for the implementation of BASIX throughout the State.	Applicable, not relevant to this Proposal.
SEPP Housing for Seniors or People with a Disability 2004	The SEPP aims to encourage provision of housing for seniors, including residential care facilities. The SEPP provides development standards.	Applicable, not relevant to this Proposal.
SEPP Infrastructure 2007	The SEPP provides a consistent approach for infrastructure and the provision of services across NSW, and to support greater efficiency in the location of infrastructure and service facilities.	Applicable - it is referenced in the Planning Proposal application, which states number of triggers for consideration under this SEPP exist including impacts on the electricity network/easement, and traffic generating development. Referral to the RMS and electricity authority required.
SEPP State Significant Precincts 2005	The SEPP defines certain developments that are major projects to be assessed under Part 3A of the Environmental Planning and Assessment Act 1979 and determined by the Minister for	Applicable, not relevant to this Proposal.

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SEPP	Relevance	Consistency and Implications
	Planning. It also provides planning provisions for State significant sites. In addition, the SEPP identifies the council consent authority functions that may be carried out by Joint Regional Planning Panels (JRPPs) and classes of regional development to be determined by JRPPs.	
SEPP Mining, Petroleum Production and Extractive Industries 2007	The SEPP aims to provide proper management of mineral, petroleum and extractive material resources and ESD.	Applicable, not relevant to this Proposal.
SEPP Miscellaneous Consent conditions	The SEPP provides for the erection of temporary structures and the use of places of public entertainment while protecting public safety and local amenity.	Applicable, not relevant to this Proposal.
SEPP Exempt and Complying Development Codes 2008	The SEPP provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying development that may be carried out in accordance with a complying development certificate.	Nothing in this Planning Proposal affects the aims and provisions of this SEPP.
SEPP Rural Lands 2008	The SEPP aims to facilitate economic use and development of rural lands, reduce land use conflicts and provides development principles.	Applicable- it is referenced in the Planning Proposal application, which states which provides a lengthy justification for the Proposal in the context of the SEPP.
SEPP State and Regional Development 2011	The SEPP aims to identify development and infrastructure that is State significant and confer functions on the Joint Regional Planning Panels (JRPPs) to determine development applications.	Applicable, relevance is dependent on the size/value of the development.

6. Consistency with s.117 Ministerial Directions for Local Plan Making

The Planning Proposal provides justification of the Proposal against several relevant S117 Ministerial Directions however the narrative should address all Directions.

An assessment of all Directions against the Planning Proposal is required, as indicated in the sample table below. Where the provisions of a Direction are identified as being applicable, additional narrative and where necessary specific justification against the objectives, application and consistency requirements of the Direction should be provided in the Planning Proposal.

In particular, the Planning Proposal addresses in part, but is contrary to, S117 Ministerial Direction 5.4 Commercial and Retail Development on the Pacific Highway, North Coast.

Table 2: Relevant s.117 Ministerial Directions

Ministerial Direction	Aim of Direction	Consistency and Implication
1. EMPLOYMENT AND RESOURCES		
1.1 Business and Industrial Zones	Encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified strategic centres.	Not applicable
1.2 Rural Zones	The objective of this direction is to protect the agricultural production value of rural land.	Applicable. The justification of the Proposal in terms of the aims of this Direction requires further detail. The provided justification appears to rely on the economic impact of the Proposal as distinct from addressing the aims of the SEPP.
1.3 Mining, Petroleum Production and Extractive Industries	The objective of this direction is to ensure that the future extraction of State or regionally significant reserves coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	Applicable. Consultation with NSW Resources and Energy should be undertaken if the Proposal proceeds beyond the Gateway stage.
1.4 Oyster Aquaculture	The objectives of this direction are to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal, and to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts	Not applicable. However, a statement stating that oyster aquaculture areas are located some distance away and that opportunity to address any fuel spillage etc. is adequate before pollutants enter the Myall River system.
1.5 Rural lands	The objective of this direction is to protect the agricultural production value of rural land and facilitate the economic development of rural lands for rural related purposes.	Applicable. Notwithstanding the response provided in the Planning Proposal application, the justification of the Proposal requires some additional narrative about the lands agricultural potential. However, it is noted this land does currently not support agriculture other than possibly low level grazing
2. ENVIRONMENT AND HERITAGE		
2.1 Environmental Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	May be applicable. A map overlaying the zone boundaries with the HSC site (i.e. the site for which the additional permitted use is sought) may verify the Site is clear of the E2 zone. The Proposal is required to demonstrate how the proposed highway service centre and associated buildings, services and facilities, will not adversely impact on the E2 zoned portion of the land.
2.2 Coastal Protection	The objectives of this direction are the implement the principles of the NSW	Not applicable. The land is not within the Coastal Zone.

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	Coastal Policy.	
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Applicable - it is referenced in the Planning Proposal application, which states the HSC site is within the Alum Mountain heritage conservation area. Further description of the distance from Alum Mountain and the nature of the topography that ameliorates any impact on the heritage conservation area is required. The Planning Proposal application also states the previous Indigenous archaeological studies have been undertaken on the Site and Highway bypass adjacent, and acknowledges that additional work may be required if the Proposal proceeds beyond a gateway determination.
2.4 Recreation Vehicle Areas	The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles	Not applicable. The Planning Proposal does not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983).
3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT		
3.1 Residential Zones	Encourage a variety and choice of housing types to provide for existing and future housing needs, make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and minimise the impact of residential development on the environment and resource lands.	May be applicable. A map overlaying the zone boundaries with the HSC site (i.e. the site for which the additional permitted use is sought) will verify relationship of the Site to the R2 zone. Some verification may be required that the Proposal will not adversely impact on the R2 zoned land, i.e. reduce potential housing supply, and allowance for noise buffers, light spill and traffic management etc.
3.2 Caravan parks and Manufactured Home Estates	The objective of this direction is to provide for a variety of housing types, and provide opportunities for caravan parks and manufactured home estates.	Applicable, the Planning Proposal retains existing provisions for caravan parks.
3.3 Home Occupations	The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	Applicable, the Planning Proposal retains existing provisions for home occupations.
3.4 Integrating Land Use and Transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs subdivision and street layouts achieve the sustainable transport objectives.	Applicable, the Planning Proposal should briefly address relevant issues regarding the transport implications of the Proposal relative to the development of the wider land as well as Bulahdelah township.
3.5 Development Near Licensed	The objectives of this direction to ensure the efficient and safe operation of	Not applicable.

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Aerodromes	aerodromes, ensure their operation is not compromised by incompatible future adjoining land uses	
3.6 Shooting Ranges	The objective of this direction is to maintain appropriate levels of public safety and amenity, reduce land use conflict and identify issued that must be addressed when rezoning land adjacent to an existing shooting range.	Not applicable.
4. HAZARD AND RISK		
4.1 Acid Sulfate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils	Applicable, the Planning Proposal should acknowledge that Council LEP mapping indicates that the Site is unlikely to be affected by acid sulphate soils. In any case, the Great Lakes Local Environmental Plan 2014 contains provisions to address development on sites with potential acid sulphate soils.
4.2 Mine Subsidence and Unstable Land	The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Not applicable. The land does not appear to be within a Mine Subsidence District.
4.3 Flood Prone Land	The objectives of this direction are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the *Floodplain Development Manual 2005*, and that the provisions of an LEP on flood prone land are commensurate with flood hazard and include consideration of the potential flood impacts both on and off the subject land.	Applicable, the Planning Proposal should acknowledge that the Site is not affected by the LEP flood planning area, and refer to any local catchment flooding that may need to be assessed and addressed at a development application stage.
4.4 Planning for Bushfire Protection	The objectives of this direction are to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, to encourage sound management of bush fire prone areas.	Applicable. The Planning Proposal application briefly discusses a need for early referral to RFS regarding conditions and requirements. No reference is made to the Bushfire Hazard Categories applying to the Site. Some preliminary discussion/assessment is applicable pre Gateway determination.
5. REGIONAL PLANNING		
5.1 Implementation of Regional Strategies		Applicable - The North Coast Regional Strategy is referenced in the Planning Proposal application. This section would be improved by greater direct reference to policies and strategies etc. contained in the Regional Plan, which it does in part. The Planning Proposal application needs to refer to the draft Hunter

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		Region Strategy which applies to the Site. In addition, the draft North Coast Region Strategy is also relevant.
5.2 Sydney Drinking Water Catchment	The objective of this Direction is to protect water quality in the Sydney drinking water catchment.	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	The objectives of this direction are to ensure that the best agricultural land will be available for current and future generations, to provide more certainty on the status of the best agricultural land, and to reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas.	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	The objectives for managing commercial and retail development along the Pacific Highway are: (a) to protect the Pacific Highway's function, that is to operate as the North Coast's primary inter- and intra-regional road traffic route; (b) to prevent inappropriate development fronting the highway; (c) to protect public expenditure invested in the Pacific Highway; (d) to protect and improve highway safety and highway efficiency; (e) to provide for the food, vehicle service and rest needs of travellers on the highway; and (f) to reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns	Applicable, however the Planning Proposal application needs to be considerably further developed in relation to Direction 5.4. It does not address the 2014 RMS HSCs Policy Review. Rather, it provides a descriptive narrative which does not provide sufficiently detailed and evidenced based analysis about market characteristics, complete details about "competing" sites, and so on. The Planning Proposal application describes the Heatherbrae/Tomago service centre site on the eastern side of the highway as an "inconvenience" to northbound travellers because of the onerous turning movements involved but does not acknowledge that access to the Planning Proposal site is similar and slightly more complex to navigate. The narrative also does not discuss the services delivered by "highway service towns", such as Bulahdelah and Nabiac and the impact of a new HSC. The narrative also does not acknowledge that the Site is not visible on the approach from the south, despite a reference in the narrative that "the Site is in such a position that it will be evident". Limited analysis is provided about the impact of the proposal on

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		other HSCs/towns. It is also not clear why the narrative concluded: "the inconsistency of the planning proposal is of minor significance". Direction 5.4 is critical to the acceptance of the Planning Proposal and the narrative provided does not adequacy address any inconsistencies.
6. LOCAL PLAN MAKING		
6.1 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The Planning Proposal is not affected by this Direction.
6.2 Reserving Land for Public Purposes	The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	The Planning Proposal is not affected by this Direction.
6.3 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	The Planning Proposal seeks to introduce an additional permitted use on a specific site. Should the Planning Proposal proceed it may be necessary to include restrictive site specific controls in order to ensure desired outcomes or to manage its impacts.

7. Great Lakes Local Environmental Plan 2014

The Planning Proposal acknowledges that a range of specific amendments to Great Lakes LEP 2014 will be required, but only nominates amendments to Schedule 1 to establish an Additional Permitted Use on the Site. The Planning Proposal must therefore identify all necessary amendments to establish a highway service centre on the Site.

Other matters of relevance that require additional consideration within the Planning Proposal including but not necessarily limited to:

- The Planning Proposal application needs to describe how the Proposal:
  - Addresses the aims of the LEP
  - Addresses the objectives of the Land Use Zones within which it is located

- Clause 2.5 Additional Permitted Uses. The Planning Proposal should be clear that it seeks to introduce an Additional Permitted Use (APU) to Schedule 1 (i.e. a highway service centre), in accordance with this Clause 2.5. The Proposal should clearly identify the area of the Site where the Additional Permitted Use is to be established, why the amendment is necessary and why an APU is the most appropriate method of achieving the desired outcome.

- Clause 4.1 Minimum Lot Size and Lot Size Map. The Planning Proposal should specify the details of any proposed amendments to the minimum lot size map, justification for these amendments and any resultant impact.

- Clause 4.3 Height of Buildings and (maximum) Height of Buildings Map. The Planning Proposal should specify the details of any proposed amendments to the building height map, justification

for these amendments and any resultant impact. The height of pylon signage is potentially affected by this limitation.

- Clause 4.4 Floor Space Ratio and (maximum) Floor Space Ratio Map. The Planning Proposal should specify the details of any proposed amendments to the floor space ratio map, justification for these amendments and any resultant impact.

- Clause 4.6 Exception to Development Standards. It should be made clear it is anticipated that any resultant development will not rely on a relaxation of development standards as a matter of course.

- Clause 5.4 Controls Relating to Miscellaneous Permitted Uses. The Planning Proposal may consider specifying the details of any proposed controls proposed for HSCs, such as those which might provide protection to existing retail and commercial activities within Bulahdelah, such as a limitation on floor space on the Site, and any resultant impact. (Note: these controls may be better located in Schedule 1 in conjunction with the additional permitted use.)

- Clause 5.10 Heritage Conservation. The impact of this Proposal on the Bulahdelah Mountain Conservation Area (Alum Mountain) should be addressed in some detail. In particular, the potential visual impacts of the facility and associated landform modification required to accommodate a highway service centre on this Site. The need for heritage conservation investigations is acknowledged in the Planning Proposal application, however the potential impacts are considered to warrant additional investigation and information for Council's consideration, in this instance.

  The Planning Proposal application notes that the NSW Heritage Register Website provides little detail about the Conservation Area. Further investigation by the proponent should reference the the 2007 Great Lakes Council Heritage Conservation Study Annex A which provides considerable detail about the Mountain and the diverse nature of its significance.

- Part 6 Urban Release Areas. The Planning Proposal might consider including the wider “masterplan” area as a mapped Urban Release Area within the LEP.

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Section C: Environmental, Social and Economic Impact

8. Impact on Threatened Species

The Planning Proposal application should provide an overview of the previous ecological studies in the context of the Site, including drawing on studies undertaken for the Highway bypass as appropriate. It should summarise the content and outline the scope of these studies so that the need for additional work can be identified at the Gateway Determination.

9. Environmental Impact

The Planning Proposal application should provide an overview of any previous physical environmental studies such as water management and geotechnical studies in the context of the Site. An overview of previous work by RPS and the constraints map referred to in the narrative would be helpful as well as drawing on studies undertaken for the Highway bypass as appropriate.

The Planning Proposal indicates that significant landform modification is required to accommodate the highway service centre, associated buildings, services, facilities and infrastructure on the Site. Insufficient information is provided in this regard.

Noise, light, traffic and any other potential impacts on the adjacent residential development and fauna within the surrounding environmentally significant lands, should be documented and considered, so that the need for additional work can be identified at the Gateway determination.

10. Social and Economic Impacts

Social Impacts

The Planning Proposal application should provide more detail on the likely social impact of the proposed HSC on the town of Bulahdelah, on the adjacent proposed residential development, and on other localities where the HSC's impact may be apparent. Within the Proposal it is important to acknowledge and address the fact that some social impacts will be related to economic impacts.

Economic Impacts

The Planning Proposal application should provide greater detail of the likely economic impact of the HSC. It is anticipated that this narrative would largely summarise the contents of the Economic Impact Statement (comments on that document have been separately provided).

The 2014 Roads and Maritime Services Highway Service Centres along the Pacific Highway Policy Review provides a useful reference point for this analysis. Additionally, there is insufficient acknowledgement or consideration of other HSC or highway service enterprises that have occurred or been approved since the 2014 Review was undertaken. In particular, several new food outlets have opened at Coolongolook and Nabiac; and HSCs have been approved at Nabiac and Cundletown.

The Caltex service station at Bulahdelah is open 24 hours and caters to interstate coaches at night. A specific assessment of the impact on this business should be included in any assessment of the net economic impact of the Proposal.

Information about actual business performance and customer characteristics in Bulahdelah since the opening of the bypass should also be provided as part of the economic impact assessment.

Economic Impact is likely to be the most significant issue to be addressed when evaluating the merits of the Planning Proposal, with impacts likely to be experienced by many highway services centres and highway services towns on the Pacific Highway for some distance to the north and south.

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An Economic Impact Statement (EcIS) accompanying the Planning Proposal application was undertaken to provide detail of its likely economic impact.

Unfortunately, the EcIS does not provided sufficient level of detail and analysis on the likely economic impact of the Planning Proposal. Furthermore its contents have not been sufficiently integrated into the body of the Planning Proposal narrative. Some important matters that need to be addressed include:

1. The EcIS has been produced to support a Planning Proposal to provide for a HSC as an additional permitted use on a specific site. However, the EcIS has focussed the wider development of the Site, i.e. HSC, hotel and residential development rather than on the HSC. The proposal that Council has before it is an HSC which may or may not proceed as part of a wider development and the impact assessment should focus on the HSC.

2. Because of the above, many of the financial and other figures provided are based on the wider development and not the HSC. The effect of this is that it is difficult to determine the impact of the HSC itself. Furthermore, some impacts may be misinterpreted as relating to the HSC, rather than the collective impact of the wider development.

3. A number of assumptions, source documents and the like are not quoted or are missing. The need to carefully interpret some data such as employment multipliers is not stated. It is very important to understand the limitations and caveats that should be applied to certain data in order to ensure that the impact of a proposal is correctly understood, particularly as far as the local community is concerned.

4. The EcIS largely relies on desktop research. However, given the absence or age of, certain important data, additional original research is required. Because Bulahdelah is still adjusting to the impact of the bypass it is important that that quantity and qualitative data upon which analysis is undertaken is as up to data as possible, because older data may not accurately reflect current circumstances.

5. The concept of a highway service town is not discussed. Highway service towns are an important concept which describes the collective role of businesses in a town to deliver services to highway travellers. Bulahdelah, Coolongolook and Nabiac are examples of highway service towns. Highway service towns can support a wider range of businesses and higher employment than are supported by their local population due to the patronage of highway travellers. They offer a different experience to the typical service station/fast food model of a HSC while at the same time potentially offering much the same types of services.

6. The impacts of the HSC on “highway service towns” such as Bulahdelah, Coolongolook and Nabiac are inadequately assessed. Each of these highway service towns has different characteristics and is experiencing different levels of business activity. For example, Coolongolook is gradually expanding its offerings to highway users while Bulahdelah is still adjusting to the impact of the bypass.

7. The market niche of Bulahdelah as a highway service town vs the proposed HSC is not explored in terms of minimising any impact of a HSC and maximising any opportunities. The EcIS would benefit from exploring the nature of the existing and potential market for the Bulahdelah highway service town and how it might relate to a HSC on its periphery.

8. There is little analysis of the impact of an HSC on local business and an assessment of net economic impacts. An HSC will have both positive and negative impacts on local businesses. It has been argued that because of the corporate/franchise nature of the businesses in most highway service centres, few goods tend to be sourced locally. The EcIS should establish - what is the actual sourcing behaviour of HSC based businesses; what trade will a HSC attract from the existing businesses; and what will be the net effect in economic activity and employment for the area and other nearby centres on the Pacific Highway?

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9. There is no reference to Council's Highway Service Strategy and little analysis of the Roads and Maritime Services Highway Service Centres along the Pacific Highway Policy Review(2014). The Department of Planning and Environment requires planning proposals to be assessed within a policy context. In the case of the proposed HSC a Section 117 Direction 5.4 provides clear considerations in this respect. Council and the RMS have highway service centre policies which require close examination and analysis in relation to the proposed HSC. Despite the Council's policy being adopted in 2004 Council has reviewed and confirmed its consistency with the 2014 revision of the RMS policy.

10. The EcIS could benefit from a clearer delineation between background, data, analysis and conclusions. The existing context tends to mix these matters together in some sections. The EcIS could be restructured to provide a clearer progression of data, analysis and conclusions.

A full assessment of the Economic Impact Statement is provided in Attachment 1 to this Report.

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Section D: State and Commonwealth Interests

11. Adequate Public Infrastructure

Information about the capacity, availability and economic feasibility of infrastructure provision to service the Proposal should be provided at this preliminary stage given they are fundamental to the establishment of a highway service centre.

Discussion of the role of Section 94/ 94A in relation to infrastructure demand arising from the development of the HSC is relevant to this Section.

Where more complex and/or indirect infrastructure and other impacts arise, the use of a Planning Agreement to address or offset these impacts is another avenue that could be discussed in the narrative of the Planning Proposal.

12. Consultation with State and Commonwealth Authorities

Details and documentation of consultation with public agencies should be provided with the Planning Proposal, as well as details of any anticipated consultation that would be considered necessary should the Proposal proceed beyond the Gateway stage.

Within the Proposal narrative the applicant acknowledges the importance of services and infrastructure to the Site and the proposed development. In particular, the applicant identifies that electricity easements may be required to be relocated and that slope constraints would influence the design and location of buildings, access, egress and other associated vehicle movement and parking areas.

The need to demonstrate strategic merit for this Proposal would therefore require demonstration of preliminary consultation and support from at least:

- Department of Planning and Environment to vary S117 Ministerial Direction 5.4 Commercial and Retail Development along the Pacific Highway, North Coast; and
- Roads and Maritime Services regarding access and egress arrangements at the northern Bulahdelah highway interchange and the establishment of a HSC in the proposed location.
- The local electricity provider with regards to the process and requirements associated with the potential relocation of the existing electricity easement.

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Section E: Strategic Merit and Net Community Benefit

The Proposal needs to demonstrate strategic merit, giving consideration to the relevant section 117 Directions applying to the Site and other strategic considerations.

The Proposal needs to demonstrate its site-specific merit and is it compatibility with the surrounding land uses, having regard to the following:

- the natural environment (including known significant environmental values, resources or hazards);
- the existing uses, approved uses, and likely future uses of land in the vicinity of the Proposal, and
- the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

The narrative of the Planning Proposal application appears to focus on the wider development, as distinct from the HSC land use and activity.

The HSC needs to be justified on its own terms and the wider development might provide part of this justification. However, the narrative is too heavily focussed on the wider development.

Both positive and negative impacts of the Proposal should be documented and analysed in a systematic and comprehensive way to determine its net impact. A broad qualitative description of these is insufficient.

The Planning Proposal does not provide sufficiently well-developed documentation and analysis demonstrate strategic merit or a net community benefit from the proposed HSC.

The role of a Planning agreement and its possible inclusions and their role in the assessment of net community benefit could be discussed in the this context in the narrative on the Planning Agreement.

A matrix similar to that developed by the Department of Planning and Environment should be used to guide any determination of net community benefit.

While not directly applicable, in order to assist in the evaluation of its merits, the Planning Proposal could also utilise/adapt the Department of Planning and Environment's LEP pro-forma Evaluation Criteria-Category 1: Spot Rezoning LEP which provides some useful criteria, shown below:

Criteria	Consistency
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g., land release, strategic corridors, development within 800m of a transit node)?	
Will the LEP implement studies and strategic work consistent with State and regional policies and Ministerial (s.117) directions?	
Is the LEP located in a global / regional city, strategic centre or corridor nominated within the metropolitan Strategy or other regional / sub-regional strategy?	
Will the LEP deal with a deferred matter in an existing LEP?	
Have the cumulative effects of other spot rezoning	

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Criteria	Consistency
proposals in the locality been considered? What was the outcome of these considerations?	
Is the LEP likely to create a precedent, or create or change in the expectations of the landowner or other landowners?	
Will the LEP be compatible / complementary with surrounding land uses?	

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Part 4 - Mapping

The Planning Proposal provides locational and existing zoning maps, but does not provide a clear Additional Permitted Uses map that would be required with the proposed amendment to Schedule 1 of Great Lakes LEP 2014.

The Site affected by the Proposal is of considerable size within an identified Heritage Conservation Area and zoned a mixture of RU2 Rural Landscape, R2 Low Density Residential and E2 Environmental Conservation.

To ensure that the proposed extent of the additional land use - highway service centre - and associated access, parking and infrastructure requirements can be identified, a clear map is necessary for consideration by Council and the Department of Planning and Environment and public exhibition purposes.

The Planning Proposal also indicates that other provisions of Great Lakes LEP 2014 may require amendments, including development standards with associated map layers, e.g. Height of Buildings. All potential amendments to LEP 2014 should be identified and documented.

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Conclusion

The Planning Proposal application is insufficiently developed to warrant Council's consideration to forward the Planning Proposal to the Department of Planning and Environment for a Gateway Determination.

This Review highlights areas where the Planning Proposal application requires additional research, studies and content in order to meet the requirements for consideration.

As such, the Planning Proposal application provides insufficient justification for the proposed additional permitted use of a highway service centre on the subject land.

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Appendix 1

Review of Bulahdelah Highway Service Centre Economic Impact Statement

Lot 100 DP 1139447, Lot 3 DP 1120817*
9844 Pacific Highway Bulahdelah

*Actual site of HSC is Lot 100

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MidCoast Council

Strategy Hunter
www.strategyhunter.com.au

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Thanks

The author wishes to thank the staff of the Mid Coast Council for their assistance and support.

August 2016

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Review of Bulahdelah Highway Service Centre Economic Impact Statement by Hill PDA for Hamptons Property Services, June 2016

Review author: Strategy Hunter consultants, for MidCoast Council.

Review summary

It is understood that the Bulahdelah Highway Service Centre Economic Impact Statement (EcIS) was undertaken to support a Planning Proposal to provide for a highway services centre (HSC) as an additional permitted use on a specific site. The Site is located in the eastern side of the northern entry to the Bulahdelah Bypass of the Pacific Highway and is adjacent to and south of the Bulahdelah Golf Club.

The township of Bulahdelah is located on the western side of the bypass to the southwest of the proposed HSC. The commercial centre of Bulahdelah is located at the southern entry to the town, some 2 km from the proposed HSC.

The EcIS does not adequately permit an assessment of the economic impact of the proposed Highway Service Centre (HSC) at the northern entry to the Bulahdelah bypass. This is because:

1. The EcIS has been produced to support a Planning Proposal to provide for a HSC as an additional permitted use on a specific site. However, the EcIS has addressed the wider development on the Site, i.e. highway service centre, hotel and residential development rather than focusing on the HSC.

2. Because of the above, many of the financial and other figures provided are based on the wider development and not the HSC.

3. A number of assumptions, source documents and the like are not quoted or are missing. The need to carefully interpret some data such as employment multipliers is not stated.

4. The EcIS largely relies on desktop research. However, given the absence or age of, certain important data, additional original research is required.

5. The concept of a highway service town is not discussed.

6. The impacts of the HSC on “highway service towns” such as Bulahdelah, Coolongolook and Nabiac are inadequately assessed.

7. The market niche of Bulahdelah highway service town vs the proposed HSC is not explored in terms of minimising any impact of a HSC and maximising any opportunities.

8. There is little analysis of the impact of an HSC on local business and an assessment of net economic impacts.

9. There is no reference to Council’s Highway Service Strategy and little analysis of the RMS Highway Service Centre Review (2014).

10. The EcIS could benefit from a clearer delineation between background, data, analysis and conclusions

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Detailed comments

Page & Section Reference	Content	Comments
p5 1. Background	The background refers to the impact statement addressing an intended development application for "full retailing with associated quick service restaurant facilities, along with a hotel and residential lots ("wider development")	The Economic Impact Statement (EcIS) is required for a planning proposal for an additional permitted use (highway service centre- HSC) on the subject site. The focus of the EcIS appears to be much wider (although it is acknowledged that some discussion of this is useful).
P5 Report Objectives	The EcIS objectives are broader than the nature of the planning proposal.	The objectives should focus on the nature and impacts of development arising the planning proposal, i.e. a HSC. It is reasonable for include a section on the impact of the wider development. However, this should not be allowed to overshadow analysis of the HSC per se.
P8 Subject Site	Refers to entire area of the "wider development", not the HSC per se.	Site description should focus on the HSC in the context of the wider development. Maps should show the actual site of the HSC. The land subject to the planning proposal should be the HSC site, not the entire land holding shown in the maps as the "Site".
p10 Proposed Development	Refers to a "mixed use" development, comprising the HSC, tourist accommodation (4 star 100 rooms), and residential subdivision 200 lots, sold at 15-20 lots pa	The planning proposal is for the HSC only. It is worthwhile considering the HSC in the context of the wider development, not giving the wider development equal attention. "Mixed use development" is probably not an appropriate term for 3 disparate/discrete land uses spread over a 140 ha site. It is not clear how the residential lot take up rate of 15-20 lots per annum is derived, and seems optimistic.
P12 State Plan	Relevant key goals and priorities of the State Plan are quoted.	The State Plan is no longer current. It was placed by NSW 2021 in 2011, which in turn was replaced in 2015 by "NSW Making It Happen 30 priorities for NSW", including 12 "Premier's Priorities"
P13. Draft Mid North Coast Plan	The draft Plan is quoted	The draft Plan has been superseded. The draft Hunter Region Plan includes the former

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Page & Section Reference	Content	Comments
		Great Lakes LGA, and the draft North Coast Plan includes the former Taree LGA. These draft Plans should be quoted as is relevant.
P13 Great Lakes Local Environmental Plan 2014	The land use zoning of the wider site is identified	The EcIS should include (from an economic perspective) an assessment of the proposal against the aims of the LEP and the objectives of the relevant zones There should also be commentary/assessment against any other relevant clauses of the LEP. The definition of a highway service centre (HSC) in the LEP should be highlighted.
P13 Pacific Highway Service Centre Policy	The 2014 RMS "Highway Services Centre Along the Pacific Highway- Policy Review" is quoted only is so far as the definition of a HSC is concerned.	The content of the 2014 Policy/Policy Review should be discussed in greater detail, particularly the rationale underlining its recommendations, and the economic implications of its recommendations for the location of HSCs.
P15 Population Trends and Levels	Id forecast figures are provided for the "Bulahdelah Region", described elsewhere in the EcIS as "Bulahdelah Central Rural"	The Bulahdelah Region should have defined in a map, and in comparison with the town itself. Note: the town's population was 1118 in 2011 (ABS Urban Centre) relative to 1992 for the Bulahdelah Central Rural area, with 495 and 705 private dwellings respectively
P16 Unemployment Trends	Changes in the nature of unemployment/demand for part time employment between 2001 and 2011 are provided.	The validity of these figures for 2016 is questionable given the impact of the bypass on local employers. There should be some dialogue about changes since 2013. Possibly a survey of major employers, such as food outlets in the main street etc., could be undertaken. The reference to the proposal providing part time employment potentially in demand by residents should be relocated to the analysis part of the EcIS.
P17 Labour force Trends	The narrative of this section refers to "Bulahdelah residents" – Table 3 indicates that "Bulahdelah residents" refers to "Bulahdelah Central Rural" residents., not just residents of	The EcIS needs to use consistent and clear terminology throughout. The discussion of industries of employment should be clearer-

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	the town.	and placed in context, for example “dairy farming, beef cattle production and forestry are described as the “traditional economic base” of the “Bulahdelah region”. While these are important industry sectors, health care/social assistance, retail, construction, and accommodation and food services have been equally important for several decades, and now are just as “traditional” for the town/region. Certainly, from 2001-2011 these latter industries have maintained their contribution to employment of the region, while the former has declined. Some discussion regarding changes in employment structure since the 2013 bypass is of critical importance to the EcIS but is lacking from it, notwithstanding that census results are not yet available- some original research would be useful.
PP18 Traffic Volumes	Traffic volumes as measured by the RMS are provided for 2007 and 2010, showing growth of 4.6% pa. The 2004 EIS for the bypass is quoted @2.45% growth pa. A combination of the two figures are used to estimate increases in traffic volumes to 2028. RMS traffic counts are not available beyond 2010.	Updated actual counts would assist in determining the impact of the proposal- can this be arranged It is noted that the traffic report quoted in the EcIS seems to have updated figures of some sort for the bypass in 2015.
P20 Trips diverting from the highway	A traffic count is provided for 0900-1600 Friday 6 November 2015 showing traffic volumes diverting into Bulahdelah and their dwell time. The counts indicate around 9.1% of traffic on the Pacific Highway diverts into Bulahdelah. The impact on local business of the decline in traffic in Bulahdelah since the bypass is noted. The EcIS states that as highway traffic increases the volume of traffic diverting into Bulahdelah will increase, based on a constant	The EcIS does not provide details as to how the Pacific Highway “passing” traffic was measured/determined (elsewhere it is stated that counts are not available beyond 2010). In addition, it is not clear how many diverting trips relate to medical, school or similar related trips, as distinct from actual highway “passing trade “visitors. A survey of main street movements may assist in providing this detail. It is not clear on what basis the EcIS assumes that the diversion percentage will remain at 9.1%

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	percentage of diversion.	over time.
P23 Highway Service Station	Table 8 shows the service stations on/near the Highway between Hexham and Taree	Table 8 is incomplete. It does not include service stations at "The Rock" (Liberty), Karuah (BP), Nabiac x 2(Caltex and Caravan Park/former Liberty). As a result, the narrative is incomplete. There needs to be narrative about retail/food offerings the highway service towns of Karuah, Coolongolook and Nabiac, noting that the offerings in Nabiac and Coolongolook appear to have expanded as a result of recent small business investment.
P24 Accommodation	Accommodation is not part of the Proposal. However, a review of available accommodation is provided along with an assessment of rates/occupancy of an additional 4 star hotel.	The Plough Inn hotel has accommodation which should be included for completeness, as should caravan and RV overnight opportunities. It is not clear where the occupancy rate for the proposed 4 star hotel is sourced or also the underlying assumptions. It is also not stated whether the 4 star hotel would be viable based on the figures quoted in the EcIS.
P25 Residential	Residential development is not part of the HSC. The EcIS states that the residential market in the area is static, with price growth less than inflation. The EcIS identifies a market niche of lots fronting the golf course, albeit that market absorption is likely to be very slow. Sales of 15-20 lots per annum are predicted	However, no statements are made regarding the viability of such development given the relatively low land values in the vicinity, servicing costs and the stated "Very slow" market absorption. Given this statement the EcIS appears to be optimistic-indicating a "likely" lot take up of 15-20 lots per annum-possibly as high as 25 lots. It is not stated as to how this take up rate is derived.
P27 Development investment	Total construction cost of the HSC, residential land, and hotel is estimated @ $13 million. The Proposal, i.e. the HSC, is $6 million.	
P27 Construction Employment	Construction of the HSC, residential land, and hotel is estimated to create 117 job years and support another 307 job years, and construction of housing an additional 220 job years directly and 473 job years indirectly.	Using crude proportioning of the figures stated in the EcIS, the $6m HSC will create 16 job years in construction, and 42.83 indirect jobs. The nature of employment estimates is that they estimate all jobs resulting from a development, no matter what

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		the location. How many jobs will accrue to Bulahdelah is not provided, and is very difficult to estimate.
P28 Operational Employment	Construction of the HSC, residential land, and hotel is estimated to create 104 direct and 66 indirect jobs. Of these, 34 direct and 32 indirect jobs are estimated to be employed in the HSC, assuming there is 750 sqm of "retail" floor space.	Direct jobs are related to the specific development, while indirect jobs are those that support the development. It is not clear how many of the 34 direct and 32 indirect jobs will be created in the local area. The EcIS provides no indication of any likely loss of employment from existing enterprises in Bulahdelah or other centres, as a result competition from the proposed HSC.
P39 Tourism Benefits	A range of national, State and LGA tourism statistics re provided. Although it is not being part of the HSC, it is stated that additional capacity in the 4 star accommodation market will help attract new visitors to Bulahdelah.	No analysis is provided on tourism infrastructure/ attractions in Bulahdelah and the surrounding area and what strategies can be pursued by existing businesses and the proposed HSC to develop the tourism market, including local area improvements/place making
P31 Visitor Expenditures	A discussion on visitor expenditures is provided which shows the expenditure of overnight visitors.	This is not relevant to the proposal, unless it leads to an increase in overnight stays in Bulahdelah, which has not been demonstrated/explored in the report.
P31 Expanded levels of household Spending	A discussion of the increase in expenditure by new local households as a result of additional residential development is provided.	This is only relevant to the wider development proposal- not the HSC.
P32 Contribution to Gross Regional Product	It is stated that each person employed in the tourism sector generates approximately $90,000 per annum towards the gross regional product (GRP). A figure is provided for the additional GRP generated.	The figure is provided by this is based on the wider development and not only on the HSC proposal. Furthermore, it is not clear how much of the additional GRP will be within the Bulahdelah economy and not in the wider economy.
Potential Impact on Bulahdelah		
P32 Highway Service Centre	Discussion on the impact of the reduction in vehicle traffic through Bulahdelah as a result of the bypass. The EcIS states that is it unlikely that two service services will be viable in Bulahdelah irrespective of the development of a HSC. The EcIS	The narrative does not discuss the impact on the existing service stations should a HSC be established. Furthermore, there is no discussion of the impact on the existing retailers of the proposed food/retail outlets at the HSC, i.e. the impact on the

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	states Bulahdelah town will be less attractive as a stop if both service stations close. It states that a HSC will provide an opportunity to capture new market share.	Bulahdelah highway service town (HST).
P33 Hotel	The EcIS states that the hotel will provide a point of difference to the existing accommodation in town because it is newer and offers higher grade accommodation.	This is not part of the HSC, and is related to the wider development. The assessment does not include the potential impact on the existing accommodation in Bulahdelah. There is no discussion of existing occupancy rates or trends. Trip Advisor comment on the existing accommodation is very positive.
P33 Residential	The EcIS states that the increased population resulting from residential development on the wider site will increase retail trade in Bulahdelah.	This is not part of the HSC, and related to the wider development. Increased residential development will support retail trade and services in Bulahdelah.
P33 Impact on Existing Service Centres	A "gravity model" is applied to identify the impact of the HSC on existing service centres (read: service stations). The model identified that the existing service stations in Bulahdelah would lose around 14% of their trade while most others would lose around 4-7%. The assessment postulates that it is not the proposed HSC that would lead to closures of existing service stations at Bulahdelah but rather the impact of the bypass itself. There is reference to the HSC potentially reducing "escape" expenditure from Bulahdelah	The centres at Karuah, Nabiac caravan park/former United, and "the Rock" are not included in Table 10 (which is consistent with Table 8 in any case). Furthermore, the assessment appears to focus on fuel sales and retail integrated with a service station, as distinct from the "highway service towns" of Bulahdelah and Coolongolook for example. This is a limited perspective on the impact of a new HSC and understates its impact. The concept of reducing "escape" expenditure from Bulahdelah should be further explored or detailed. Perhaps "escape" expenditure could be more adequately described as "capturing passing trade expenditure". Escape expenditure is usually used in the context of local expenditure "leaking" to other centres, such as from local shops to supermarkets in a nearby larger centre.
P35 Other considerations	The EcIS refers to the benefits as a result of the wider development, such as enhanced retail and service facilities for	The HSC per se may decrease trade at existing businesses as a result of existing customers being attracted to the HSC's offerings.

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	local residents (as a result of demand from increased residential population). It also refers to improved local employment opportunities.	It may lead to additional trade in town if visitors could be attracted to Bulahdelah after stopping at the HSC. These issues are not explored in the EcIS. Any loss of employment if existing businesses close as a result of lost trade to the proposed HSC is not examined, gross employment gain, not net employment gain is discussed.
P36 7. Conclusion	The EcIS states that the wider development (HSC, hotel and residential) wold be expected to provide economic benefits for Bulahdelah and the LGA. Refers to the negative impacts of business of the bypass and that these impacts will reduce over time as a result of an increase in traffic on the Pacific Highway	The conclusion provides little detail on the impact of the HSC per se. It does not provide any detail on how any negative impacts on existing businesses can be minimised and or positive impacts maximised. The conclusion does not refer to impacts on other service centres or highway service towns.

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