

3 May 2019

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Jim Betts  
The Secretary  
Department of Planning and Industry  
320 Pitt Street  
Sydney NSW 2000

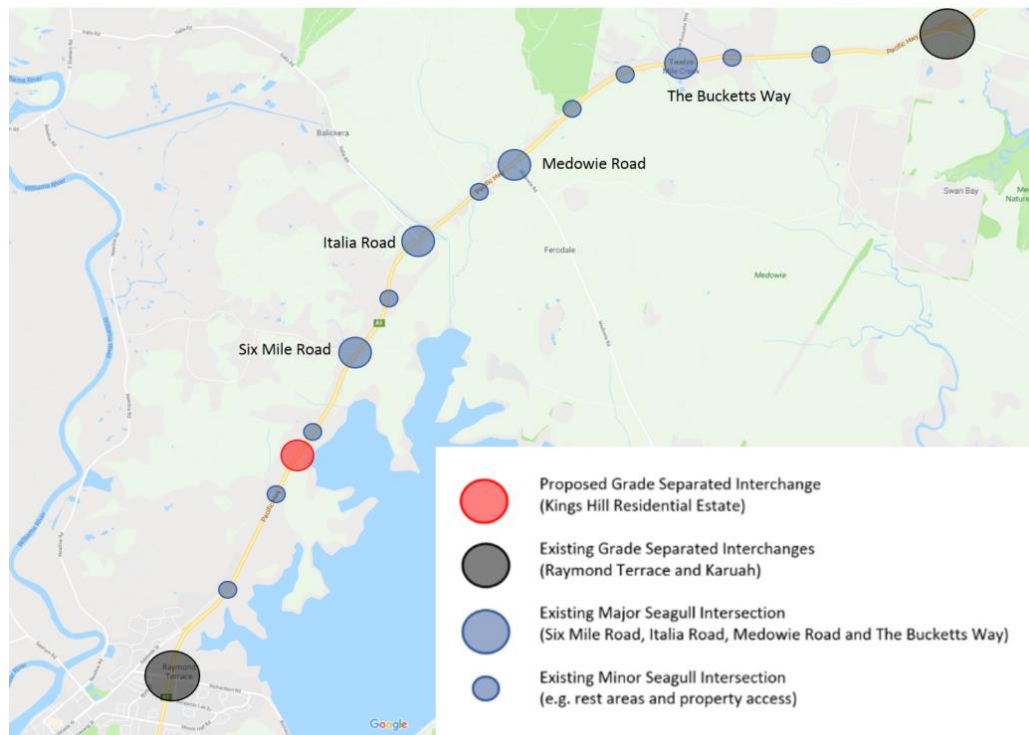
Dear Sir,

**PLANNING AGREEMENT 2014/9939  
3221 Pacific Highway and 35 Six Mile Road, Kings Hill**

This submission has been prepared by Ethos Urban on behalf of [REDACTED]. [REDACTED] is a major land owner in the locality and has a long-established understanding of the complex local and regional traffic constraints of the area, including through extensive consultation with the NSW Roads and Maritime Service (RMS).

This submission is an objection to the proposed Planning Agreement, on the basis that the proposed “designated State public infrastructure” has never been identified in a NSW Government strategy or plan. In particular, the location for the proposed Kings Hill Interchange has never been subject of any strategic planning or options assessment to determine whether it is the right infrastructure or in the right location.

As shown in **Figure 1**, there are four major existing seagull intersections on this part of the Pacific Highway (between the Raymond Terrace and Karuah Interchanges) – being at Six Mile Road, Italia Road, Medowie Road and The Bucketts Way.



**Figure 1: Location of existing intersections between Raymond Terrace and Karuah**

The large number of seagull intersections is not optimal in that they permit right-turn movements entering and exiting the highway, across opposing traffic flows. There is a significant number of heavy vehicles accessing these local roads – including commercial / industrial trucks, quarry trucks, school buses, and agricultural vehicles, and these kinds of movements become increasingly unsafe as traffic flows on the highway increase over time. Indeed, only one month ago a right-turning vehicle out of the Medowie Road intersection tragically collided with a truck causing a double fatality. It is understood to be a clear policy of the Pacific Highway Upgrade Program to improve safety and reduce accidents. With four major seagull intersections, and an additional nine minor seagull intersections, on this 20km stretch of the Pacific Highway, there is a clear need for a broader strategic solution to be achieved to improve the safety on this section of the highway, whilst also accommodating background traffic growth.

The proposed Kings Hill Interchange should therefore be subject of strategic transport planning and options assessment, in the same way as any major piece of State Government infrastructure, to ensure it addresses broader land use and transport objectives and represents the best value for money for the State Government. In this context, the strategic assessment should consider a range of options, with a view to identify the most appropriate solution for the entire section of the highway, not just a simple means of accessing a single development. There is no evidence that this kind of broader strategic analysis has occurred for this section of the Pacific Highway, or how the proposed Kings Hill Interchange will contribute to the resolution of constraints on the existing traffic network.

We believe that a broader strategic analysis, that considers both strategic land use and traffic safety factors across the relevant section of the Pacific Highway, as well as the requirements of the Kings Hill residential growth area, would most likely result in a new interchange being located further north than is currently proposed – probably closer to the Six Mile Road or Italia Road intersections. A broader strategic analysis would also likely determine that the new interchange should in some way accommodate access to the Pacific Highway for the large number of heavy vehicles that travel through the area. The current designs appears to make this outcome very difficult, as the local connector roads pass through the middle of residential areas.

In this context, the proposed Planning Agreement is premature, as it pre-empts a broader strategic analysis of the appropriate traffic solutions for this section of the Pacific Highway, and diverts funding from both the private and public sector for a project that has not been through a rigorous business case assessment, as would normally be expected for State Government infrastructure projects. We therefore respectfully request that the proposed Planning Agreement be deferred until such time as the Kings Hill Interchange has been subject of appropriate strategic planning and business case assessment to demonstrably justify the project in a broader context.

Whilst this submission constitutes an objection to the proposed Planning Agreement, it should not be considered as objecting to the broader need for improvements to this section of the Pacific Highway. Indeed, this section of the highway is in urgent need of improvements of this nature, and we consider that the financial contributions obtained from the developer under the proposed Planning Agreement should be directed towards road infrastructure that serves a dual purpose of enabling access to the developer's proposed Kings Hill residential area, as well as achieving broader benefits for the local and regional traffic network.

We would be happy to provide further detail on the matters raised in this submission. Otherwise, we trust that our submission will assist the Department in assessing the proposed Planning Agreement against the statutory objectives of the *Environmental Planning Assessment Act 1979*.

Yours sincerely,

