

## Traffic Engineer Referral Response

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| <b>Application Number:</b>             | DA2024/1362   |
| <b>Proposed Development:</b>           | Demolition works and construction of mixed use hospitality venue with supporting car parking, servicing and landscaping works |
| <b>Date:</b>                           | 18/06/2025  |
| <b>Responsible Officer</b>             |   |
| <b>Land to be developed (Address):</b> | Lot 180 DP 752017 , 40 Myoora Road TERREY HILLS NSW 2084  |

### Officer comments

#### Second traffic referral comments - 18 June 2025

The additional information provided by the applicant has been reviewed including amended plans, response to TfNSW concerns, additional traffic reporting and the applicants response to Council's Request for Further Information. The final TfNSW referral response has also been reviewed and noted.

The applicant has reduced the scale of the development and it now and now seeks approval for a reduced GFA of 1399m<sup>2</sup> and a reduced seating capacity of 594 patrons and 40 staff with offstreet parking for 211 cars, 3 motorcycles and 10 bicycles. A loading bay catering for a Medium Rigid Vehicle is also proposed.

The quantum of parking is satisfactory in terms of Warringah DCP requirements as it meets the greater of 15 spaces per 100m<sup>2</sup> of floor area or 1 space per 3 seats. In terms of GFA the development requires 210 and the 211 spaces provides is therefore acceptable.

The applicant's assessment of traffic generation as outlined in the additional report provided by Traffix dated 16 April has been accepted by TfNSW and is also acceptable to Council. It is noted that TfNSW has opposed the introduction of a right turn ban at the Aumuna Road/Mona Vale Road intersection. As this intersection is under TfNSW management this decision is noted and accepted by Council's traffic team.

The applicant still proposes two pram ramps on the Myoora Road frontage of the site to provide accessible access to the site. As there are some 211 parking spaces on site including 7 appropriately located accessible parking spaces there is no need for pram ramps to facilitate accessible access to the site from the kerb frontage. In addition any vehicle stopping to load or unload passengers from the Myoora Road frontage of the site would be parked within 3m of unbroken centrelines and therefore illegally parked. The pram ramps are to be deleted from the plans. This will be conditioned.

The applicant has retained the Loading Bay for MRV's and has not made any provision for deliveries by larger vehicles and asserts that an 8.8m MRV is more than adequate to accommodate all servicing requirements of the development. It will be conditioned that all deliveries and servicing are to be completed by vehicles less than 8.8m MRV's as there is no capacity on site to accommodate parking or turning by larger trucks and no ability to accommodate kerbside deliveries by larger vehicles.

The development is supportable subject to conditions

Original Comments - 7th January 2025

The development application is for a restaurant and beer garden with a GFA of 2698m<sup>2</sup>, parking for 297 vehicles (comprised of 223 car spaces in a carpark plus overflow parking on grass for 74 vehicles), 1 x loading bay, 1 x minibus drop off/pick bay, patronage for 794 persons and operating 10am to 12 midnight Mon-Sun

**Parking**

The Warringah DCP parking requirements for a restaurant are the greater of 15 spaces per 100m<sup>2</sup> GFA (405 spaces) OR 1 space per 3 seats (265 spaces). The premises therefore requires a minimum of 405 parking spaces for compliance with the DCP. While the DCP advises that there is potential to allow a reduced parking supply if there is suitable available parking in the vicinity, on Myoora Road, as parking is in high demand near the proposed premises, a reduction in the parking requirements on the basis of spare capacity elsewhere is not appropriate. The developer's traffic consultant advises that a parking assessment has also been undertaken noting TfNSW guidelines. The latest TfNSW guidelines are the 2024 Guide to Transport Impact Assessment which became active from 4 November 2024. These guidelines also suggest that parking rates for restaurants should be determined from the greater of 15 spaces per 100m<sup>2</sup> of GFA or 1 space per 3 seats. The TfNSW and Warringah DCP parking requirements are identical and should be met. While the use of a shuttle bus and a green travel plan are welcomed and may assist in resulting in small reductions in trips to/from the facility, given the relatively isolated location of the development and the scattered nature of residential development in the surrounding area it is considered likely that patrons will remain heavily car dependent for travel to and from the facility. The proposed parking provision of 297 spaces is well below DCP requirements and unacceptable.

It is also noted that the referral from Council's Landscape Officer has raised concerns about the reliance on a part of the landscaped area on the site for overflow carparking with its ongoing use as carparking limiting is landscaping benefit. Given that it is proposed to mark the overflow carpark with paving "dots" which would presumably need to be affixed into a hardpaved surface, the impact of the above coupled with the wear and tear created by parking activity would limit the potential for any meaningful landscaping.

It is noted that the drop off/pick up bay on the "at grade" parking level is capable of accommodating the developer's mini bus. This drop off/pick up bay is also likely to be well used by clients dropping off elderly/less mobile passengers and to ensure this activity is able to occur a dedicated parking bay of appropriate dimensions should be identified to accommodate the mini-bus when not in use. This bay should be identified on the plans with access to/from that bay demonstrated by turning movement plots for the mini-bus

The developer proposes to provide 5 accessible parking spaces all located in the basement carpark. The Building Code of Australia requires accessible parking at a rate of 1 space per 50 spaces or part thereof and it is therefore required that at least 9 accessible parking spaces designed in compliance with AS2890.6 be provided. Some of these spaces should be located in the at grade carpark near the entrance to the restaurant with suitably graded access to the premises. The 5 spaces proposed is insufficient.

Although the Warringah DCP does not specifically require motorcycle parking, it is noted and supported that 5 motorcycle parking spaces have been provided to cater for this alternate transport mode.

**Bicycle Parking**

The Warringah DCP requires high-medium security bicycle parking (in a secure room/enclosure) at a rate of 1 space per 200m<sup>2</sup> GFA for business and retail premises with a further 1 space per 600m<sup>2</sup> of low security spaces (bike racks/rail). This equates to a requirement for 14 secure spaces and 5 lower security spaces. The developer has proposed only 10 low security spaces which is considered inadequate to support a development of this size.

The developer's traffic consultant has incorrectly advised that Mona Vale Road does not provide cycle lanes. On the contrary, Mona Vale Road has cycle lanes in both directions and is well used by cyclists. Terrey Hills, as an area is also conducive to cycling being quite flat and there is potential for cycling to and from the development site. Bicycle parking consistent with DCP requirements should be provided.

### **Traffic Generation**

It is noted that TfNSW has raised concerns about the traffic generated by the development impacting on the operation of the Aumuna Road/Mona Vale Road intersection in particular the increase in delays for vehicles exiting Aumuna Road via a right turn. TfNSW has also raised concerns about the absence of any measures to mitigate such impacts. TfNSW has also raised a number of concerns about the SIDRA modelling undertaken to support the project. Until such time as the above issues have been addressed to TfNSW satisfaction, Council's traffic engineers are unsupportive of the development application.

As noted by TfNSW, traffic data collected by the traffic consultants has not been provided for review. This data, collected at the intersections of Aumuna Road/Mona Vale Road & Aumuna Road/Myoora Road on Friday 5 April and Saturday 6 April between 4pm and 6pm and 10am to 2pm should be provided and supplemented by additional data collected at the other key intersection in the vicinity i.e Myoora Road/Mona Vale Road/Forest Way. Council agrees with TfNSW that the majority of traffic movements to/from the development will or should be using Aumuna Road/Mona Vale Road however given that the developer is suggesting that 25% of traffic will use Myoora Rd south of Aumuna Road at the very least traffic data should be provided to provide background information for that intersection.

### **Servicing**

The developer's traffic consultant has advised that the largest vehicle servicing the site will be a Medium Rigid Vehicle and the loading bay and turning area has been designed to accommodate that size vehicle. It is however anticipated that deliveries of beer and other produce for the 3 restaurants on the site and also for waste collection are likely to exceed the 8.8m length of a MRV and the loading bay and turning area should therefore be designed to accommodate HRVs up to 12.5m in length. Revised turning bay dimensions and swept path plots for vehicles of this size should be provided.

### **Access**

It is noted and supported that the development will be accessed solely from Myoora Road. As outlined above, the developer should provide adequate access for the largest anticipated vehicle likely to service the site. It is considered that this is more likely to be a HVR rather than the MRV that has been anticipated by the developer's traffic consultant. The vehicle crossing and driveway should be designed to cater for a left turn in and out of the driveway by a HRV without encroachment on the opposing travel lane on Myoora Road. This may require widening of the driveway to accommodate this.

To cater for pedestrian access to/from the development the existing footpath which currently terminates at the western Myoora Road boundary of the site shall be extended across the full frontage

of the property to allow for eventual extension of the path to the bus stop east of the site. This should be indicated on the DA plans

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

#### **Recommended Traffic Engineer Conditions:**

### **DEVELOPMENT CONSENT OPERATIONAL CONDITIONS**

#### **Staff and Contractor Parking**

The applicant is to make provision for parking for all construction staff and contractors for the duration of the project. All Staff and Contractors are to use the basement and at grade parking once available. All necessary facilities are to be provided to accommodate this requirement including lighting in the basement, security cameras, etc.

Reason: To ensure minimum impact of construction activity on local parking amenity.

#### **Parking Enclosure**

No parking spaces, or access thereto, shall be constrained or enclosed by any form of structure such as fencing, cages, walls, storage space, or the like, without prior consent from Council.

Reason: To ensure accessibility is maintained.

### **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

#### **Car Parking Standards**

The driveway/access ramp grades, access and car parking facilities must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. The dimensions of car parking bays and aisle widths in the car park are to comply with Australian/New Zealand Standard for Off-Street Parking AS/NZS 2890.1-2004.

Details demonstrating compliance with this condition are to be submitted to the Principal Certifier prior to the issue of a construction certificate.

Reason: To ensure compliance with Australian Standards relating to manoeuvring, access and parking of vehicles.

#### **Car Parking Finishes**

All driveways, car parking areas and pedestrian paths are to be surfaced and sealed. Details of treatment to these areas are to be submitted to the Principal Certifier prior to issue of the Construction Certificate.

Reason: To provide suitable stormwater disposal and to prevent soil erosion and runoff.

#### **Construction Traffic Management Plan**

A Construction Traffic Management Plan (CTMP) and report shall be prepared by a Transport for NSW accredited person and submitted to and approved by the Northern Beaches Council Traffic Team prior to issue of any Construction Certificate.

The CTMP must address following:

- The proposed phases of construction works on the site, and the expected duration of each construction phase.
- The proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken.
- Make provision for all construction materials to be stored on site, at all times.
- The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period.
- The proposed method of access to and egress from the site for construction vehicles, including access routes and truck routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed.
- Where access is required across private property not in the direct ownership of the proponent, such as a private road/driveway, community title road or right of way, the CTMP is to include:
  - Evidence of the legal right and terms to use the access route or provide owners consent from the owners/strata/community association.
  - Demonstrate that direct access from a public space/road is not viable for each stage of works.
  - An assessment to be carried out of the physical constraints of the Right of Carriageway to determine the maximum size of vehicle that may access the site via the Right of Carriageway during construction.
  - Unless owner/strata/community associations consent is obtained, vehicles are not to exceed 24 tonnes or 7.5 metres in length (an assessment must be undertaken that the surface is capable of supporting up to 24 tonnes, otherwise the weight limit should be reduced in the CTMP). If consent is obtained, a copy must be included in the CTMP.
  - No construction vehicles, materials or plant are to be located or parked in the private road/driveway, community title road or right of way.
  - How any disruption to other users of the private road/driveway, community title road or right of way will be minimised and all users kept informed of likely disruption where the access will be closed or blocked for any given time.
  - If trees are located within or overhang the access route, a tree protection plan prepared by an Arborist with minimum AQF Level 5 in arboriculture demonstrating how any trees within the Right of Carriageway will be protected from damage by construction vehicles. Should any tree protection measures be required on private land in accordance with AS4970-2009 Protection of trees on development sites, owner's consent must be obtained.
  - A Dilapidation report, including photographic surveys, of the private road/driveway/right of way must be included prior to any works commencing on the site. The report must detail the physical condition of the private road/driveway/right of way, and any other adjacent private property assets (including trees) or adjacent public property that may be adversely affected by vehicles servicing the development site to undertake works or activity during site works.
  - A requirement for Post-Construction Dilapidation Reports, including photos of any damage evident at the time of inspection, to be submitted after the completion of works and prior to the Occupation certificate. The report must:
    - Compare the post-construction report with the pre-construction report,
    - Clearly identify any recent damage or change to the private road/driveway/right of way and whether or not it is likely to be the result of the development works,

- Should any damage have occurred, identify remediation actions taken.
  - Be submitted to Council with the Occupation Certificate.
- The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible mobile cranes should be located wholly within the site.
  - Make provision for parking onsite. All Staff and Contractors are to use any basement parking once available.
  - Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council prior.
  - Specify that, due to the proximity of the site to Terrey Hills Public School, no heavy vehicle movements or construction activities effecting vehicle and pedestrian traffic are permitted along Myoora Road, from north of the site in school zone hours (8:00am-9:30am and 2:30pm-4:00pm weekdays).
  - Include a Traffic Control Plan prepared by a person with suitable RMS accreditation for any activities involving the management of vehicle and pedestrian safety.
  - The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process. It must also specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
  - Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
  - Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site.
  - The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site.
  - Specify that the public roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
  - The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising Structural Engineer, or equivalent.
  - Proposed protection for Council and adjoining properties.
  - The location and operation of any on site crane.

The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”.

All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and are to be paid at the time that the Construction Traffic Management Plan is submitted.

A copy of the approved CTMP must be kept on-site at all times while work is being carried out.



The development is to be undertaken in accordance with the Construction Traffic Management Plan approved by Northern Beaches Council Traffic Team.

Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

### **Removal of Redundant Driveways**

All redundant driveways shall be removed and reinstated to Council standard kerb and gutter. Suitably prepared plans shall be submitted to for an approval under and approved by Council prior to the issue of the Construction Certificate. All costs associated with the works shall be borne by the applicant.

A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approval.

Reason: To maximise on street car parking by removing driveways that are no longer needed in accordance with Council policy.

### **Pedestrian sight distance at property boundary**

A pedestrian sight triangle of 2.0 metres by 2.5m metres, in accordance with AS2890.1:2004 is to be provided at the vehicular access to the property and where internal circulation roadways intersect with footpaths or other pedestrian access areas.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of the Construction Certificate.

Reason: To maintain pedestrian safety.

### **Pram Ramps to Myoora Road**

The two pram ramps connecting the development site to the kerb alignment on Myoora Road are to be deleted from the plans.

Details demonstrating compliance with this condition are to be incorporated in the plans submitted to Council's Development Engineers for Section 138 and/or 139 Roads Act approval with confirmation of approval of the above provided to the Principal Certifier prior to the issue of a construction certificate.

Reason: The pram ramps are unnecessary and any vehicles stopping to load/unload passengers at the ramps would be illegally parked.

## **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

### **Work Zones and Permits**

Prior to commencement of the associated works, the applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site.

A separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane

Reason: To ensure Work zones are monitored and installed correctly.

### **Road Occupancy Licence**

Prior to commencement of the associated works, the applicant shall obtain a Road Occupancy

License from Transport Management Centre for any works that may impact on traffic flows on Mona Vale Road.

Reason: Requirement of TMC for any works that impact on traffic flow.

### **Demolition Traffic Management Plan**

As a result of the site constraints, limited vehicle access and parking, a Demolition Traffic Management Plan (DTMP) shall be prepared by an suitably accredited person and submitted to and approved by the Northern Beaches Council Traffic Team prior to commencing any demolition work.

The DTMP must:-

- Make provision for all construction materials to be stored on site, at all times.
- The DTMP is to be adhered to at all times during the project.
- Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site is not permitted unless prior approval is granted by Council's Traffic Engineers.
- Specify that, due to the proximity of the site adjacent to Terrey Hills Public School, no heavy vehicle movements or construction activities effecting vehicle and pedestrian traffic on Myoora Road north of the site are permitted in school zone hours (8:00am-9:30am and 2:30pm-4:00pm weekdays).
- Include a Traffic Control Plan prepared by an TfNSW accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- Specify that a minimum fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes, structures proposed on the footpath areas (hoardings, scaffolding or temporary shoring) and extent of tree protection zones around Council street trees.
- Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the DTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- Specify spoil management process and facilities to be used on site.
- Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of demolition. At the direction of Council, the applicant is to undertake remedial treatments such as patching at no cost to Council.

The DTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – "Manual of Uniform Traffic Control Devices", RMS' Manual – "Traffic Control at Work Sites".

All fees and charges associated with the review of this plan is to be in accordance with Council's Schedule of Fees and Charges and are to be paid at the time that the Demolition Traffic Management Plan is submitted.

Reason: This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The DTMP is intended to minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian



amenity adjacent to the site.

## **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

### **Implementation of Demolition Traffic Management Plan**

All works and demolition activities are to be undertaken in accordance with the approved Demolition Traffic Management Plan (DTMP). All controls in the DTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate TfNSW accreditation. Should the implementation or effectiveness of the DTMP be impacted by surrounding major development not encompassed in the approved DTMP, the DTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved DTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

Reason: To ensure compliance and Council's ability to modify the approved Construction Traffic Management Plan where it is deemed unsuitable during the course of the project.

### **Implementation of Construction Traffic Management Plan**

All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate TfNSW accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to Council on request.

Reason: To ensure compliance of the developer/builder in adhering to the Construction Traffic Management procedures agreed and are held liable to the conditions of consent.

### **Ongoing Management**

The applicant shall be responsible in ensuring that the road reserve remains in a serviceable state during the course of the demolition and building works.

Reason: To ensure public safety.

## **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**

### **Disabled Parking Spaces**

Where disabled parking spaces are provided they must be in accordance with AS2890.6:2009.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

Reason: To ensure compliance with Australian Standards.

### **Shared Zone Bollard**

A bollard is to be provided at the shared zone between disabled spaces in accordance to Australian Standards AS2890.6:2009.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

Reason: To ensure compliance with Australian Standards.

## **ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**

### **Delivery/Service Vehicles**

Delivery and servicing vehicles associated with the completed development are not to exceed an 8.8m Medium Rigid Vehicle and all deliveries to and servicing of the site are to occur offstreet within the site.

Reason: offstreet loading and turning areas on the site cannot accommodate larger vehicles.

### **Landscaping adjoining vehicular access**

The applicant must ensure that the planting chosen for any land immediately adjacent to the driveway and adjacent to any driveway intersections must not exceed a height of 1m

Reason: To maintain unobstructed sight distance for motorists.

### **Site Occupancy**

That the number of (customers/visitors/guests/patrons) on the site at any one time be limited to 594 persons.

Reason: To ensure that all parking generated by the site is contained on the site.