

12 June 2025

TfNSW Reference: SYD24-01792/04
Council's Reference: DA2024/1362 (CNR-74738)

Mr Scott Phillips
Chief Executive Officer
PO Box 82
MANLY NSW 1655

Attention: Claire Ryan

**HOSPITALITY VENUE COMPRISING THREE RESTAURANTS AND ANCILLARY SUPPORTING USES
40 MYOORA ROAD, TERREY HILLS**

Dear Mr Phillips,

Reference is made to Council's correspondence, concerning the abovementioned Development Application (**DA**) which was referred to Transport for NSW (**TfNSW**) for comment under Section 2.119 and 2.122 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*.

TfNSW has reviewed the updated information, SIDRA data and amended plans for the application and notes that the DA has been amended with a reduction in patronage and gross floor space, and the premises will also not be utilised as a function centre. TfNSW also notes that the Applicant's traffic consultant has recommended the installation of 'No Right Turn' signage on the both the Aumuna Road and Kamber Road approaches to Mona Vale Road. TfNSW **does not support** the installation of the 'No Right Turn' signage as these will create diversion routes that will impact surrounding streets.

Provided that Council is satisfied adequate controls and conditions are in place to prevent the development from being used as a 'Function Centre' (as defined in the *Warringah Local Environmental Plan 2011*), thereby avoiding a high volume of vehicles accessing or leaving the site via local roads connecting to Mona Vale Road at the same time, TfNSW advises that it raises no objection to the DA and would grant concurrence for the proposed civil works along the Mona Vale Road frontage under Section 138 of the *Roads Act 1993*, subject to Council's approval and inclusion of the following suggested conditions in any development consent issued:

1. All construction access to/from the property is to be gained from Myoora Road.
2. Any public utility adjustment/relocation works on the state road network (i.e. Mona Vale Road) will require detailed civil design plans for road opening/underboring to be submitted to TfNSW for review and acceptance prior to the issue of a Construction Certificate and the commencement of any works. The developer must also obtain any necessary approvals from the various public utility authorities and/or their agents. Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee will be payable, and a performance bond may be required before TfNSW approval is issued.
3. The developer is required to enter into a Works Authorisation Deed (WAD), or other suitable arrangement as agreed to by TfNSW, for the abovementioned works detailed in Condition 2 that are located on or have the potential to impact Mona Vale Road.
4. Prior to the issue of an Occupation Certificate, the following shall be complied with:
 - a) The works as required by TfNSW as part of the WAD (i.e. works required by Condition 2) must be completed to the satisfaction of TfNSW. Written confirmation is to be obtained from TfNSW in relation to the above.
 - b) Physically close the two existing driveway crossovers on Mona Vale Road by removing the driveways, fencing them and revegetating. No changes are to be made to the existing dish drain on Mona Vale Road.
5. A Road Occupancy Licence (ROL) shall be obtained from the Transport Management Centre for any works that may impact on traffic flows on Mona Vale Road during construction activities (e.g. works to remove the existing driveways on Mona Vale Road). A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.
6. The 'No Right Turn' on the Aumuna Road and Kamber Road approaches to Mona Vale Road not being installed as proposed in the amended documentation (letter from TRAFFIX dated 16 April 2025, Ref: 24.014r04v04).

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7. For the life of the completed development, the following requirements shall be complied with:

- a) No vehicular and/or pedestrian access is to be gained directly from Mona Vale Road.
- b) The approved development is not to be used as a 'Function Centre' as defined in the *Warringah Local Environmental Plan 2011*.

Should you wish to discuss this matter or require any further information, please contact Jim Tsirimiagos, Land Use Planner, on 0412 376 198, or by email at development.sydney@transport.nsw.gov.au.

Yours sincerely,



Andrew Lissenden
A/Senior Land Use Planner
Land Use, Network & Place Planning
Transport Planning | Planning, Integration and Passenger