

---

**From:** Margaret Lavers  
**Sent:** 27/01/2022 3:02:34 PM  
**To:** Council Northernbeaches Mailbox  
**Cc:** Tony Robb  
**Subject:** Attention: Maxwell Duncan - Development Application DA2021/1408 [16 Addison Road Manly]  
**Attachments:** Traffic Managment Plan - Council letter 27 Jan 2022.pdf;

Afternoon Maxwell,

Attached please find a letter regarding Development Application DA2021/1408 [16 Addison Road Manly], in particular the Construction Traffic Management Plan.

We are happy to discuss our concerns regarding this document and the right of carriageway issues, with Council.

With kind regards  
Margaret

**Margaret Lavers**

**Email:** [REDACTED] | **Telephone:** [REDACTED]

14 Addison Road  
Manly NSW 2095

27 January 2022

**Attention:** Maxwell Duncan  
Planning Department  
Northern Beaches Council  
P O Box 82 Manly NSW 1655

**Application** DA2021/1408

**Address** LIC30003605 and Lot 2 DP325220 - 16 Addison Road Manly

**Document** Construction Traffic Management Plan prepared by Transport and Traffic Planning Associates

This letter refers to the proposed development application for 16 Addison Road Manly, in particular the Construction Traffic Management Plan. We appreciate that the owners of 16 Addison Road have shared this document at this stage via the Council website.

We have reviewed the document and offer the following comments for consideration by Council.

#### **Accuracy and Completeness**

Aspects of the document are inaccurate and incomplete. Further the document on the website does not have the "List of Figures" nor the text for the "Appendices". We will appreciate if these can be provided to us.

#### **Right of Carriageway**

No mention is made in the document that the driveway is used daily by neighbours living at 12 Addison Road and 14 Addison Road. These properties have a right of carriageway over the driveway. In terms of this, no parking of vehicles on the driveway is permitted and no storage of any materials or supplies is permitted in the driveway. We request a condition of approval for the development application includes statements to this effect.

Section 5.2 - Surrounding Property Access – The document states "*Access to surrounding properties will be available at all times during the construction*". This is an extremely presumptive statement – under no circumstances will we permit access to our property at all times.

We note that the width of the driveway is greater than the specified 2.3m.

#### **Loading and Unloading of Vehicles**

We confirm as per Section 5.3 "All loading and unloading activities will occur on site."

This will require thoughtful planning by the owner because

- a) during excavation the site will be a "big hole in ground" and,
- b) the site entry and existing carport area is narrow.

We request conditions of approval for the development application include full details on how the owner will ensure vehicles will be able to park on the construction site to load and unload materials, equipment, supplies etc. and not simply obstruct the driveway. We emphasise that vehicles cannot be parked in the drive way and no materials can be loaded or unloaded in the driveway. The motherhood statements in the current plan such as 'wherever possible' and 'wherever feasible' plan should be replaced with details on how the owner will ensure compliance with these conditions.

We appreciate that the induction of tradies will include explanations to this effect.

### **Wheel Wash Station**

The wheel wash station with appropriate drainage must be located fully within the site and not near the driveway. The location must be such that no washings under any circumstances can enter any of the drains on the driveway. The drains on the driveway flow directly to the harbour. Under no circumstances can any materials, dirt, sand, liquids etc be washed down the drains on the driveway. Blockage of these drains will result in flooding of the property 14 Addison Road. Should this occur, we require confirmation in writing that the associated damage and repair costs will be paid for by the owners of 16 Addison Road. We request a condition of approval for the development application includes statements to this effect.

### **Parking in Addison Road**

There is no unrestricted parking in Addison Road. All street parking has 2-hour time limit between 8am to 10pm.

Section 5.3 states – *“There will be no loss of on-street parking spaces, given that all loading and unloading activities will occur on the site.”*

Given the number of apartment complexes in Addison Road on most days it is very difficult for residents to find street parking in Addison Road. Most submissions to Council regarding this development application commented on the impact the construction phase will have on parking in Addison Road.

Twenty tradies parking their vehicles in Addison Road will have a major impact on street parking. It is unrealistic to expect tradies to store their tools on site and use public transport to access the property. This just is not what tradies do!

### **Vehicles Accessing the Property**

The report details conflicting information on the number and type of vehicles that will access the site. We would appreciate receiving an accurate assessment of the number and type of vehicles that will access the driveway.

No mention is made of heavy machinery transporting excavators and such like equipment. Details of brick, glass panels, timber and concrete delivery to the site has not been included in the report.

### **Damage to Driveway**

During the demolition, excavation and construction phases, damage to the driveway is likely to occur. We request a condition of approval is included that requires the owner to cover the full cost of this repair.

In section 4.1 - mention is made of a “new driveway” - what plans have been submitted for this driveway. Can we please have access to these plans?

### **Site Security and Dust Fencing**

We will appreciate if the location of site security and dust fencing is provided in a sketch to ensure it does not limit access to the properties of 12 Addison Road and 14 Addison Road.

In section 4.10 reference is made that the existing fence and gate will remain. There is no existing fencing and gate.

Section 4.10 refers to erection of site security and dust fencing on the northern side of the site during the construction of the new fencing and gate. This statement does not make sense as there is no access to the property from the northern side of the property.

### **Access by Emergency Vehicles**

The only way emergency vehicles will be restricted from accessing neighbouring properties is if vehicles are parked in the driveway or loading and unloading takes place in the driveway only take place on site and not the driveway.

### **Public Consultation Process**

It is noted that Patrick Joyce is the nominated contact for day-to-day activities on site. This is impractical as Mr. Joyce lives in Queensland. We will appreciate if a person who is on-site daily is nominated as the contact for neighbours.

### **In Conclusion**

In conclusion we request Council genuinely considers the issues the shared driveway will pose during the development of 16 Addison Road and address these prior to any consent being granted.

We refer to the comments made in our earlier submission to Council (Letter dated 29 October 2021 by Tony Robb of Evolution Planning, the town planner we engaged.)

*“Evidence must be provided prior to the grant of consent, (if Council is of the opinion the proposal is otherwise worthy of support), in the form of a detailed Construction Traffic Management Plan, to ensure that the rights for carriageway are maintained for the entirety of the construction process.*

*This is considered to be a critical, determinative issue which should not be deferred to post consent consideration by way of a condition. None of the key-stakeholders (including Council) would want to be in a position where consent has been granted but issues arise later with respect to the maintenance of the purpose of the easement as a right of carriageway. From experience, such instances may result in costly and time-consuming legal proceedings.”*

We are happy to discuss the concerns and issues with Council as we really want to avoid any problems and issues arising during the development of the property.

Best regards



Margaret Lavers  
(Owner: 14 Addison Road Manly)

**Copy:** Tony Robb – Evolution Planning