

3 November 2024

TfNSW Reference: SYD24/01773/01
Council Reference: DA2023/1289 CNR6-0226

Scott Phillips
Chief Executive Officer
Northern Beaches Council
PO Box 82
Manly NSW 1655

Attention: daplanningportal@northernbeaches.nsw.gov.au

**PROPOSED MIXED USE DEVELOPMENT (DEMOLITION WORKS AND CONSTRUCTION OF SHOP TOP HOUSING)
1112 – 1116 BARRENJOEY ROAD, PALM BEACH**

Dear Mr Phillips,

Reference is made to the Council's referral regarding the abovementioned application, which was referred to Transport for NSW (TfNSW) for concurrence under Section 138 of the *Roads Act 1993*.

This letter has been updated in response to the additional information provided and supersedes the previous TfNSW response dated 6 October 2023. TfNSW has reviewed the submitted information and would provide concurrence to the proposed driveway, kerb and gutter works on Barrenjoey Road under Section 138 of the *Roads Act 1993*, subject to Council's approval and the following conditions being included in the development consent:

1. All buildings and structures, together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth) along the Barrenjoey Road boundary.
2. The redundant driveway on the Barrenjoey Road boundary shall be removed and replaced with kerb and gutter to match existing. The design and construction of the driveway, kerb, gutter, stormwater and associated works shall be in accordance with TfNSW requirements.

Detailed design plans are to be submitted to TfNSW for approval prior to the issue of a Construction Certificate and commencement of any road works. Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee and lodgement of a performance bond is required from the applicant prior to the release of the approved road design plans by TfNSW.

3. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system on Barrenjoey Road are to be submitted to TfNSW for approval, prior to the commencement of any works. 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.
4. Vehicles are to enter and exit the site in a forward direction.
5. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to TfNSW for assessment, in accordance with Technical Direction GTD2020/001. The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by TfNSW. Please send all documentation to development.sydney@transport.nsw.gov.au.

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) day notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

6. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Barrenjoey Road during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>
7. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle

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lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.

8. Any public utility adjustment/relocation works on the state road network will require detailed civil design plans for road opening /underboring to be submitted to TfNSW for review and acceptance prior to the commencement of any works. The developer must also obtain 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.
9. Prior to the issue of any construction certificate, the applicant shall prepare a Car Park and Loading Dock Management Plan (CPLDMP) to be prepared in consultation with the Council. The CPLDMP shall specify, but not be limited to, the following:
 - Details of the development's car and loading/service vehicle parking system including garbage and removalist management;
 - Details of the development's freight and servicing profile, including the forecast loading/service vehicle traffic volumes by vehicle size, frequency, time of day and duration of stay;
 - Loading bay management details including controls for duration of vehicle stay.
 - Loading and unloading for the retail/commercial premises will occur within the development site (not on Barrenjoey Road frontage of the site).

The CPLDMP (and any updates to the plan), shall be implemented and adhered to at all times by the applicant following the issue of the Occupation Certificate.

10. Prior to the issue of the construction certificate, if construction activities will affect the existing bus stop, its facilities and operation, the developer must consult with TfNSW/the bus operator and the Council to identify an appropriate location for a temporary bus stop relocation. Written agreement from TfNSW/the bus operator and the Council shall be provided to the certifier with all required works to be completed before construction commences to the satisfaction of the Council. These works shall be at no cost to TfNSW.
11. Prior to the issue of the occupation certificate the developer shall consult with TfNSW/the bus operator and the Council to determine a suitable location for the temporary bus stop post-construction works. Written agreement from TfNSW/the bus operator and the Council shall be provided to the certifier with all required works to be completed to the satisfaction of the Council before the issue of an occupation certificate. These works shall be at no cost to TfNSW.
12. For the life of the completed development the servicing for the retail/commercial premises, except for the Council waste collection, must be undertaken within the site and shall not be undertaken from the Barrenjoey Road frontage of the site.

For more information, please contact Vic Naidu, Land Use Planner via email at development.sydney@transport.nsw.gov.au.

Yours sincerely,



**A/Senior Land Use Planner
Land Use Assessment Eastern
Planning, Integration and Passenger
Transport for NSW**