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## MEMORANDUM

**DATE:** 31 May 2022  
**TO:** Northern Beaches Local Planning Panel  
**CC:** Rod Piggott, Development Assessment Manager  
**FROM:** Adam Croft, Development Assessment Officer  
**SUBJECT:** DA2021/2054 – 243 Pittwater Road MANLY  
**REFERENCE:** 2022/330114

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Dear Panel,

Council is in receipt of a written submission prepared by the applicant for DA2021/2054.

The purpose of this memo is to respond to the concerns raised in the applicant's written submission in relation to the recommended condition Nos. 2, 14, 60 and 71.

The application as originally submitted required referral to TfNSW based on the proposed changes to access arrangements to/from Pittwater Road. The amended proposal no longer seeks to alter the existing access arrangements. As indicated by the applicant, the proposal does not increase the existing gross floor area of the development (reduction of 63.5m<sup>2</sup> as calculated in report) and is not categorised as traffic generating development.

However, Council and Transport for NSW are aware of the significant traffic and pedestrian safety issues in the vicinity of the subject site. It is also noted that the proposed reconfiguration of the shop layout provides an additional 277m<sup>2</sup> of 'front of house' floor area that is accessible to customers. Given the proposed increase in front of house floor area, the refurbishment of the building and the inclusion of additional ancillary uses, the proposal is anticipated to generate additional patronage of the premises and exacerbate the existing safety issues. As such, it was considered necessary to address safety issues through consultation with TfNSW (as the road authority) and the subsequent imposition of conditions as recommended.

### 3.1 Traffic and Transport

The applicant opposes the recommendations made by TfNSW and Council relation to traffic and pedestrian safety measures (condition Nos. 2, 14 & 71).

#### Council Response:

TfNSW are the road authority responsible for Pittwater Road, being a classified road, and the recommendations of Council's Traffic team in relation to traffic and pedestrian safety are consistent with those made by TfNSW. As such, any changes to the recommended conditions are beyond the authority of Council and would be subject to further consideration by TfNSW.



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### **3.2 Delivery Hours**

The applicant opposes the recommendations made by Council in relation to delivery hours for vehicles larger than small rigid vehicles (condition No. 60).

#### Council Response:

Again, noting the existence of significant traffic safety issues in the vicinity of the site, Council is seeking to improve safety for vehicles and pedestrians in comparison to the existing situation by ensuring that deliveries by larger vehicles occur outside of peak traffic hours.

Council's Traffic team initially recommended that truck deliveries by vehicles other than small rigid vehicles occur outside of peak traffic hours (before 7:30am and after 6pm). However, the applicant's acoustic report recommends that small and medium rigid vehicles not deliver goods prior to 7:00am Monday to Saturday, leaving only 30 minutes between 7:00am and 7:30am for deliveries.

Discussions between the assessing planner and Traffic Officer determined that the delivery hours for larger vehicles in accordance with the recommended condition No. 60 were most appropriate in this case. The below advice and revised condition were provided by the Traffic Officer via email on 17 May 2022:

*"Volumes on Pittwater Road are at their highest on weekdays between 8am and 9am and between 5pm and 6pm. On weekends 11am to 2pm is the busiest period so deliveries at those times have the potential to create the greatest disruption to traffic. Given the above and noting the advice in the acoustic report I think the best compromise is probably to amend the condition to the following:*

#### ***Delivery Vehicles and Delivery Hours***

*Deliveries by vehicles larger than small rigid vehicles are only permitted to access the site via the westernmost driveway and only between the following hours:*

*9:30am-3:00pm Monday to Friday and*

*8:00am-10am & 4:00pm-6:00pm Saturday, Sunday & Public Holidays*

*Deliveries are not to be undertaken by trucks longer than 15.6m articulated vehicles.*

*Reason: to reduce impacts on traffic, safety within the carpark and minimise noise.*

It is noted that deliveries by vehicles smaller than medium rigid vehicles are not limited by condition No. 60, and are permitted from 7:00am Monday to Saturday and from 8:00am Sundays and Public Holidays in accordance with condition No. 65.

#### **Recommendation**

No changes to conditions contained in the assessment report.