

26 September 2023

File No: NTH23/00432/01/00

Your Ref: A-71410

General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

Attention: Madaline Eltherinton

Pacific Motorway (M1): DA23/0398, Proposed Bunnings, Lot: 2 & 3 DP: 1077990, Lot: 2145 DP: 879149, 44 Enterprise Avenue Tweed Heads South

I refer to the abovementioned Development Application referred to Transport for NSW (TfNSW) on 8 September 2023 for comment in accordance with Section 2.122 / Schedule 3 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*.

TfNSW key interests are the safety and efficiency of the transport network, the needs of our customers and the integration of land use and transport in accordance with the *Future Transport Strategy*.

Pacific Motorway (M1) is a classified State road, Minjungbal Drive is a Regional road, Machinery Drive, Traders Way and Enterprise Ave are local roads. Council is the roads authority all these public roads with the exception of the M1 Pacific Motorway, which is under the care of TfNSW, in accordance with Section 7 of the *Roads Act 1993*.

TfNSW has reviewed the referred information and provides the following comments to assist the consent authority in making a determination:

- The Traffic and Parking Assessment, prepared by Transport and Traffic Planning Associates and dated February 2023 recommends intersection upgrades on the local road network to mitigate traffic impacts of the development. Should Council condition the recommended upgrades that involve signalisation of intersections, TfNSW would require the developer to enter into a Works Authorisation Deed (WAD) with TfNSW in accordance with the *Roads Act*, as applicable for all works under the WAD.

Should Council condition the signalisation of the intersections, it is requested that Council advise the developer that the conditions of consent do not guarantee TfNSW's final consent to the specific road work, traffic control facilities and other structures or works, for which it is responsible, on the road network.

The WAD process, including acceptance of design documentation and construction, can take time. The developer should be aware of this and allow sufficient lead time within the project development program to accommodate this process. It is therefore suggested that the developer work through this process as soon as possible with the TfNSW.

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- All works associated with the subject development shall be undertaken at full cost to the developer and at no cost to TfNSW or Council, and to Council's requirements.
- Council should ensure that appropriate traffic measures are in place during the construction phase of the project to minimise the impacts of construction vehicles on traffic efficiency and road safety within the vicinity.
- TfNSW highlights that in determining the application under Part 4 of the Environmental Planning & Assessment Act, 1979 it is the consent authority's responsibility to consider the environmental impacts of any road works which are ancillary to the development.
- All matters relating to internal arrangements on-site such as traffic / pedestrian management, parking, manoeuvring of service vehicles and provision for people with disabilities are matters for Council to consider.

On Council's determination of this matter, please forward a copy of the Notice of Determination to TfNSW for our records. Should you require further information please contact Tim Chapman, Development Services Case Officer, on 1300 207 783 or 0412274356 or by emailing development.north@transport.nsw.gov.au.

Yours faithfully



Court Walsh

Team Leader Development Services
North Region | Community & Place
Regional & Outer Metropolitan

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