

1 November 2021

Mr. Steven Head
General Manager
Hornsby Shire Council
PO Box 37
Hornsby NSW 1630

Attention: Ben Jones

Dear Mr. Head,

**PROPOSED SENIORS HOUSING DEVELOPMENT
284 CASTLE HILL ROAD CASTLE HILL**

Reference is made to Council's referral, regarding the abovementioned application which was referred to Transport for NSW (TfNSW) for comment in accordance with clause 104 of the *State Environmental Planning Policy (Infrastructure) 2007* and approval under section 138 of the *Roads Act 1993*.

TfNSW has reviewed the submitted application and at this stage is unable to provide concurrence under section 138 of the *Roads Act 1993* for the following reason:

- TfNSW has previously acquired an easement for drain water over the subject property as shown by the brown colour in **Attachment A**, defined by DP 654242 and noted on title (Dealing Q736772).

As such any new building or structures, together with any improvements integral to the future use of the site, shall be erected clear of the identified easements benefiting TfNSW. Access and integrity to the TfNSW easements is not to be denied.

In this regard, TfNSW requires clarification to confirm if the existing drainage easements are to be relinquished and new easements created benefitting TfNSW in lieu of existing as part of the application.

Upon receipt of amended plans that reflect the abovementioned requirements, TfNSW will review and provide a response accordingly.

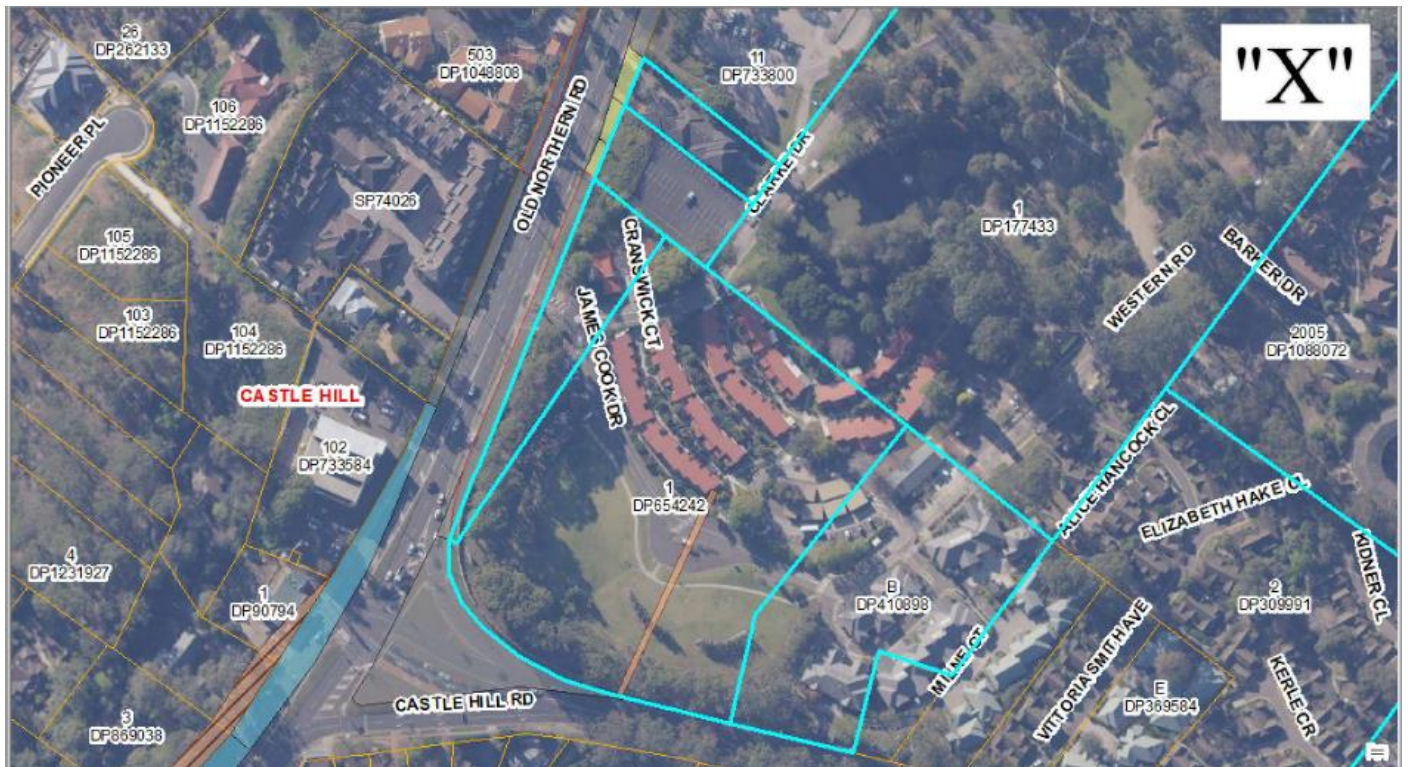
For more information, please contact Vic Naidu, Land Use Planner, by email at development.sydney@transport.nsw.gov.au.

Yours sincerely,



Brendan Pegg
Senior Land Use Planner
Planning and Programs, Greater Sydney Division

Attachment A



Transport for NSW

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