

7 November 2023

TfNSW Reference: SYD23/01153
Council Reference: DA23/0420



Ms. Manjeet Grewal
Chief Executive Officer
Sutherland Shire Council
Locked Bag 17
Sutherland NSW 1499

Attention: Amanda Treharne

**CONSTRUCTION OF MIXED DEVELOPMENT (HEALTH SERVICE FACILITY AND RESIDENTIAL UNITS)
319–331 TAREN POINT ROAD AND 6–20 HINKLER AVENUE, CARINGBAH**

Dear Ms Grewal,

Reference is made to Development Application DA23/0420 (**DA**) which was referred to Transport for NSW (**TfNSW**) on 15 October 2023 for review and comment pursuant to clause 2.122 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*. TfNSW advises that:

- The proposed development's traffic generation will impact the surrounding classified network by the intensification of road users turning right from the Kingsway (classified road) onto Hinkler Avenue to access the development.
- The intensification of road users turning right from The Kingsway onto Hinkler Avenue will result in safety implications, including due to the potential to further increase the likelihood of rear end and side swipe accidents. This will inevitably result in a reduction to road safety for existing and future road users.

TfNSW notes that the proposed development, in terms of development yield, parking provision, vehicular ingress/egress, traffic generation and traffic modelling (which was last updated in 2021) appears to be identical to DA21/1251. TfNSW understands that the traffic modelling submitted by the proponent in relation to DA23/0420 is the same as that submitted in relation to DA21/1251. TfNSW raised this concern of the intensification of road users turning right from the Kingsway onto Hinkler Avenue and the consequent safety implications with the proponent by way of letter dated 11 August 2023 (a copy of which is **enclosed**). TfNSW suggested "Proposed Road Works" (as defined in the 11 August 2023 letter) which TfNSW considers may ameliorate the impacts of the increased traffic generation of the proposed development. However, the Proposed Road Works do not appear to have been incorporated into DA23/0420.

Accordingly, TfNSW repeats the advice provided in TfNSW's letter of 11 August 2023 in that the content of the submission TfNSW provided with respect to DA21/1251 also applies to this DA. TfNSW draws the Council's attention to:

- The concerns with the proponent's modelling as identified under the sub-heading "*Applicant's modelling*"; and
- The "Proposed Road Works" which TfNSW considers may ameliorate the impacts of the increased traffic generation of the proposed development as identified under the sub-heading "*Amelioration - Proposed Road Works*".

Given TfNSW has concluded that the proposed development subject of the DA will generate increased traffic and impact the surrounding classified network by the intensification of road users turning right from the Kingsway, and applying the safe systems approach to mitigate the impacts of the proposed development, should the consent authority be minded to approve the application, TfNSW would require that the application be amended to incorporate the Proposed Road Works and the conditions provided in **Attachment C** to the **enclosed** letter dated 11 August 2023 included in any Development Consent.

For more information, please contact Mr. James Hall, Senior Land Use Planner, via phone on 0418 962 609 or by email at development.sydney@transport.nsw.gov.au.

Yours sincerely,

Brendan Pegg
Senior Manager Land Use Assessment Eastern
Planning and Programs, Greater Sydney Division

Transport for NSW

11 August 2023

TfNSW Reference: SYD22/00135
Council Reference: DA21/1251



Ms. Manjeet Grewal
Chief Executive Officer
Sutherland Shire Council
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Sutherland NSW 1499

Attention: Amanda Treharne

**CONSTRUCTION OF MIXED DEVELOPMENT (HEALTH SERVICE FACILITY AND RESIDENTIAL UNITS)
319–331 TAREN POINT ROAD AND 6–20 HINKLER AVENUE, CARINGBAH**

Dear Ms Grewal,

Reference is made to Development Application DA21/1251 (**DA**) which was referred to Transport for NSW (**TfNSW**) pursuant to the *State Environmental Planning Policy (Infrastructure) 2007* (now repealed). Reference is also made to the following correspondence issued by TfNSW to Sutherland Shire Council (**Council**) in relation to the DA:

- Letter dated 24 February 2022; and
- Letter dated 11 November 2022 (which is annexed to this letter at **Attachment A**).

Traffic-generating development

TfNSW confirms that it has considered the DA and determined that the proposed development subject of the DA is traffic generating development in accordance with clause 2.122 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*. The proposed development's traffic generation will impact the surrounding classified network by the intensification of road users turning right from The Kingsway (a classified road) onto Hinkler Avenue to access the development.

The intensification of road users turning right from The Kingsway onto Hinkler Avenue will result in safety implications, including due to the potential to further increase the likelihood of rear end and side swipe accidents. This will inevitably result in a reduction to road safety for existing and future road users.

TfNSW has reviewed the five-year accident history for this section of The Kingsway, near the intersection of Hinkler Avenue, and has identified several crashes at this intersection including crashes that resulted in serious and moderate injury. Accordingly, TfNSW is concerned about the potential for increased traffic safety implications because of the intensification of road users turning right from The Kingsway onto Hinkler Avenue.

Applicant's modelling

TfNSW determination that the proposed development subject of the DA will generate increased traffic and impact the surrounding classified network by the intensification of road users turning right from The Kingsway is based upon a review of the Applicant's Traffic Impact Statement by The Transport Planning Partnership dated 15 October 2021 and the supplementary SIDRA modelling provided to TfNSW in October 2022. TfNSW has concerns with the Applicant's supplementary modelling and has set out below a summary of its concerns:

1. The traffic distribution used in the analysis and traffic modelling does not provide details or justification as to how the trip distribution has been determined. Despite this, based on the trip distribution used, the analysis indicates that the traffic generated by the proposed development will lead to the increase in the number of right turn movements from The Kingsway into Hinkler Avenue from:
 - a. 34 to 72 movements in AM peak which represents a 112% increase; and
 - b. 19 to 50 movements in PM peak which represents a 163%.
2. No calibration procedure has been provided.
3. Pedestrian volumes were not included in the modelling.
4. A Peak Flow Factor (PFF) was not included in the modelling.

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5. In relation to lane geometry, the intersections of Hinkler Avenue and Chamberlain Avenue should be modelled separately, as the right turn into Hinkler (south) could block the right turn into Chamberlain (north).
6. In relation traffic growth and distribution, the supplementary modelling of traffic growth indicates a heavier split of inbound traffic from the east without providing justification for this.
7. Pedestrian priorities have not been set for the appropriate left turn movements.
8. Pedestrian protection has not been added as per SCATS times after allocating the above-mentioned priorities. TfNSW would recommend using 8s along Taren Point Road.
9. In relation to Vehicle Movement Data, SCATS indicates 2s late start on D phase.
10. All red time should be increased to 3s as per SCATS.
11. The cycle length is incorrectly set at 110 seconds and SCATS indicates a cycle time of 120 seconds.

Amelioration - Proposed Road Works

TfNSW has formed the view that the impacts of the increased traffic generation of the proposed development can be ameliorated by road treatment works. The works that TfNSW proposes are set out in TfNSW's letter of 11 November 2022 however, for ease, TfNSW has set out below a description of the required works.

To mitigate the impact of the intensification of traffic, applying a safe systems approach, TfNSW would require the Applicant to construct a dedicated right turn bay on The Kingsway to safely store vehicles turning right into Hinkler Avenue (**Proposed Road Works**) as generally depicted in **TAB A** of the TfNSW letter dated 11 November 2022 annexed to this letter in **Attachment A**.

TfNSW has reviewed the feasibility of the right turn bay and considered that the right turn bay could be provided by the reallocation of lane space for westbound movements in The Kingsway and median adjustments, generally as depicted in **Attachment B**.

TfNSW advises that the Proposed Road Works will require a pavement re-sheet on The Kingsway to ensure the new line marking is clearly visible and will also require removal of existing on-street parking on The Kingsway west of Hinkler Avenue to allow the transition from 2 lanes to 3 lanes westbound.

The Proposed Road Works shall be carried out by the Applicant at no cost to TfNSW.

TfNSW anticipate that the Proposed Road Works would be incorporated into the Applicant's DA. The amended DA would be exhibited, and appropriate community consultation carried out in accordance with Council's requirements.

Conditions of Consent

Given TfNSW has concluded that the proposed development subject of the DA will generate increased traffic and impact the surrounding classified network by the intensification of road users turning right from The Kingsway, and applying the safe systems approach to mitigate the impacts of the proposed development, should the consent authority be minded to approve the application, TfNSW would require that the application be amended to incorporate the Proposed Road Works and the conditions provided in **Attachment C** included in any Development Consent.

For more information, please contact Mr. James Hall, Senior Land Use Planner via phone on 0418 962 609 or by email at development.sydney@transport.nsw.gov.au.

Yours sincerely,



Brendan Pegg
Senior Manager Land Use Assessment Eastern
Planning and Programs, Greater Sydney Division

Transport



11 November 2022

TfNSW Reference: SYD22/00135
Council Reference: DA21/1251

Manjeet Grewal
General Manager
Sutherland Shire Council
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319 – 331 TAREN POINT ROAD AND 6 – 20 HINKLER AVENUE, CARINGBAH**

Dear Ms Grewal

Reference is made to Council's letter of 7 September 2022 seeking comment from Transport for NSW (TfNSW) on the updated traffic models associated with the abovementioned development application.

TfNSW has reviewed the updated traffic models and provides the following requirements for inclusion in any development consent:

1. A dedicated right turn bay shall be constructed in the Kingsway to safely store vehicles turning right into Hinkler Avenue. This road work shall be undertaken by reallocating lane space between the existing kerbs on Kingsway as generally depicted in the hand drawn sketch provided in **TAB A** for illustration purposes only and is subject to further refinement and change as part of the detailed design review process.

Note: Although not depicted on the hand drawn sketch, the above road works will likely require a pavement re-sheet on Kingsway to ensure the new line marking is clearly visible and will also require removal of existing on-street parking on Kingsway.

2. Prior to the release of a Construction Certificate for the first building structure on the subject site, the developer shall submit certified copies of the civil road design plans associated with the dedicated right turn bay on Kingsway to TfNSW for approval and enter into a Works Authorisation Deed.
3. The dedicated right turn bay on Kingsway will require vehicle turning restrictions at the Chamberlain Avenue intersection at Kingsway to left turn movements only. Prior to commencing any road works on Kingsway, the applicant shall prepare a Traffic Management Plan (TMP) that assesses the traffic impacts of the vehicle trips displaced by the proposed prohibited right turn movements at this intersection. The TMP shall be submitted to TfNSW and Council for review.
4. Prior to submitting the civil design plans for the dedicated right turn bay on Kingsway, the applicant shall undertake community consultation with any residents affected by the proposed right turn prohibition at the intersection of Chamberlain Avenue and Kingsway. This consultation should be undertaken to the satisfaction of Council.
5. Prior to the release of any Occupation Certificate, the dedicated right turn bay on Kingsway at the Hinkler Avenue intersection shall be fully constructed and operational.
6. All works associated with the proposed development shall be at no cost to TfNSW.

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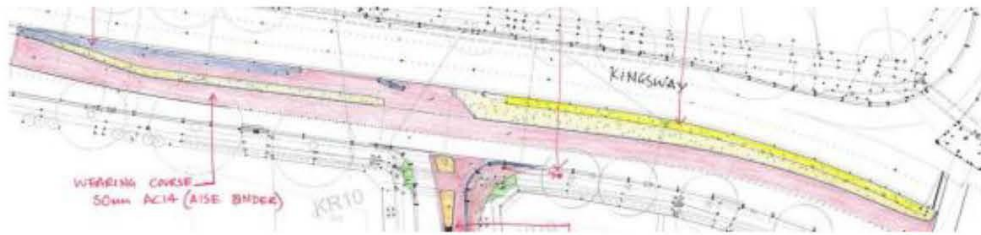
For more information, please contact the undersigned on 0418962609 or by email at development.sydney@transport.nsw.gov.au.

Yours sincerely,

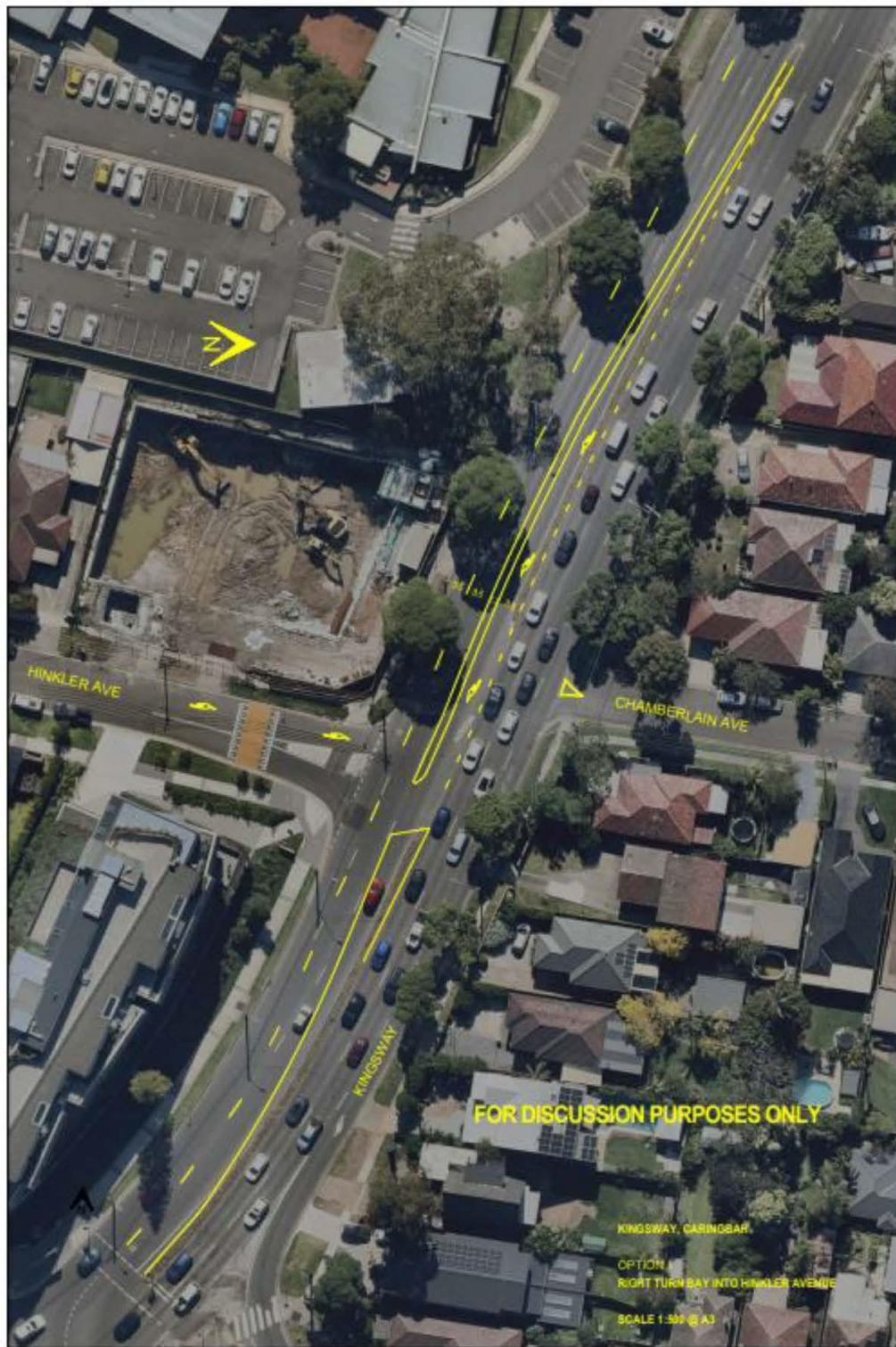


James Hall
Senior Land Use Planner
Land Use Assessment Eastern
Planning and Programs, Greater Sydney Division

TAB A



Attachment B



Attachment C – TfNSW required Conditions of Consent

1. Prior to the issue of a Construction Certificate, the Applicant shall obtain approval from TfNSW pursuant to section 87 of the *Roads Act 1993* for the proposed road works to construct a dedicated right turn bay on The Kingsway to safely store vehicles turning right into Hinkler Avenue.
2. Prior to the issue of a Construction Certificate, the Applicant shall obtain consent from the Council pursuant to section 138 of the *Roads Act 1993* and concurrence from TfNSW under section 138(2) of the *Roads Act 1993* for the proposed road works to construct a dedicated right turn bay on The Kingsway to safely store vehicles turning right into Hinkler Avenue and any other civil works proposed on the Kingsway.
3. Prior to the issue of a Construction Certificate, the Applicant shall enter a Works Authorisation Deed (WAD) with TfNSW for all works on The Kingsway. The WAD must be prepared in accordance with and be accompanied by the requisite design documentation as set out in the documents entitled “Works Authorisation Deed (WAD) process manual for developers” and “Design plan requirements” prepared by TfNSW and dated August 2022 (as amended from time to time). TfNSW fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.
4. The proposed dedicated right turn bay along Kingsway shall be designed to meet TfNSW requirements and endorsed by a suitably qualified practitioner. The design requirements shall be in accordance with AUSTROADS and other Australian Codes of Practice. The certified copies of the civil design plans shall be submitted to TfNSW for consideration and approval prior to the release of the Construction Certificate by the Principal Certifying Authority and commencement of road works. Please send all documentation to development.sydney@transport.nsw.gov.au.
5. The dedicated right turn bay on Kingsway will require vehicle turning restrictions at the Chamberlain Avenue to left turn movements only. The applicant shall prepare a Traffic Management Plan (TMP) that assesses the traffic impacts of the vehicle trips displaced by the proposed prohibited right turn movements at this intersection. As part of the TMP the applicant will be required to undertake and document community consultation with any residents affected by the proposed right turn prohibition at the intersection of Chamberlain Avenue and Kingsway. This consultation should be undertaken to the satisfaction of Council. The TMP shall be submitted to TfNSW and Council for approval via the Local Traffic Committee.
6. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work, and as required by the various public utility authorities and/or their agents.
7. A Road Occupancy Licence (ROL) shall be obtained from Transport Management Centre (TMC) for any works that may impact on traffic flows on The Kingsway during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.
8. Construction Pedestrian Traffic Management Plan (CPTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to TfNSW for approval prior to the issue of a construction certificate. The CPTMP must be prepared in consultation with TfNSW.
9. Prior to the release of any occupation certificate, the dedicated right turn bay on Kingsway at the Hinkler Avenue intersection shall be fully constructed and operational.
10. All works associated with the proposed road works shall be at no cost to TfNSW.