

Development & Building

TO: DAVID PAINE
FROM: DAVID RYNER
DATE: 26 AUGUST 2016
DA NO: 2016/00346 - TRAFFIC REFERRAL

Assessment Scope

The following plans / details have been assessed

- Architectural Plan by CKDS Architecture Project No. 1518 Drg No. 102 Rev D dated 25 May 2016
- Traffic and parking assessment by Intersect Traffic dated March 2016

Traffic Advice

1. SEPP Infrastructure 2007

The application triggers the SEPP Infrastructure 2007 Clause 104 Schedule 3 and requires referral to RMS.

RMS have advised in a letter dated 1 June 2016 that they have no objections to, or requirements for this development as it is considered that the development will not have an unacceptable impact on the classified (State) road network.

2. Traffic Generation

The traffic modelling estimates that during peak periods the increase in traffic generated by this development will equate to an increase in intersection delays of less than 5 seconds and an increase of back of queues lengths of less than 5 vehicles. On this basis the additional traffic generated by this development is considered minor in terms of the operation of an intersection.

The traffic consultant has reviewed the traffic generation associated with this development pre and post development as well as the 10 year projection factoring in a yearly 1.5% growth rate. This review concludes that the development is adequately catered for by the existing road network with intersection performance being maintained within acceptable limits based on RMS Guidelines.

3. *Parking*

Under Council's DCP 2012 a minimum total of 234 spaces are required for this development comprising 166 resident spaces (inclusive 11 resident motorbike spaces), 18 commercial /retail spaces and 39 dedicated visitor spaces. A further 2 spaces are to be dedicated as light vehicle service/maintenance bays in addition to the formal loading dock.

The applicant proposes a total of 262 spaces (inclusive 5 resident motorbike spaces) comprising additional resident parking spaces and a reduction in the number of visitor parking spaces from 39 to 5 spaces, adding a further 34 spaces to resident parking. While it is accepted that some visitor parking can be accommodated on- street in existing time restricted parking bays it is considered appropriate that a minimum of 25% (10 spaces) be provided on-site in designated visitor spaces. Even with the provision of the 10 dedicated visitor parking spaces and aforementioned 2 service / maintenance bays a resident parking surplus of 61 spaces remains for this development.

Parking for the commercial /retail space complies with Council's DCP 2012 with the provision of 18 spaces. The proposal to utilise these spaces for additional visitor parking outside of business hours is supported but not considered appropriate for stacked spaces. This visitor parking would be in addition to the 25 % (10 spaces) visitor parking spaces referenced above.

The shortfall of 6 motorbike spaces can be accommodated by the additional resident vehicle spaces

Accordingly an appropriate condition has been recommended for this application in relation to the minimum parking requirements for this development and the allocation of spaces.

4. *Car park layout*

The car park is to be reviewed for compliance with AS 2890.1 - Parking Facilities and considered acceptable.

5. *Public Transport*

The site is well serviced by public transport with bus services running in Hunter, King and Steel Streets and bus stops located well within the nominal 400m radius

6. *Pedestrian Network*

Further clarification is sought in relation to the treatment and ownership of the proposed pathway along Cottage Creek prior to DA determination. Is the pedestrian link to be transferred to Council or retained in private ownership with appropriate easements for public access.

7. *Public Utilities (Overhead Wires etc.)*

Electricity kiosks are to be located within private property and not within public road reserves or domains. An appropriate condition has been recommended for this application in relation to this matter.

8. Site Access

The site access has been reviewed having regard to AS 2890.1 - Parking Facilities and is now considered acceptable however a 2.0 x 2.5m building splay is required at the south western corner of the site in accordance with AS 2890.1 - Parking Facilities to maintain driver sight lines to pedestrians for vehicles exiting the neighbouring ANZ site. An appropriate condition has been recommended for this application in relation to this matter.

9. Servicing

All servicing inclusive of garbage collection is to be undertaken onsite within 2 x designated service vehicle bays and a loading dock facility. An appropriate condition has been recommended for this application in relation to this matter.

10. Balconies/Awnings

Any proposed balconies or awnings protruding into the King Street road reserve require in principle approval from Council's Property Section prior to DA determination with separate S138 approval prior to construction. In this regard an appropriate condition has been recommended for this application requiring the lodgement of a separate S138 application for the awning seeking Council approval prior to commencement of construction.

Recommendation

The application is considered acceptable on traffic grounds and therefore recommended for approval with the inclusion of the following conditions:

Standard Conditions

A- CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

A007

On-site parking accommodation is to be provided for a minimum of 166 resident vehicles and 11 motorbikes, 18 commercial /retail vehicles, 10 resident visitor vehicles, an additional 29 visitor vehicles after hours (5.00pm to 9.00am) and 2 service / maintenance vehicles, such being set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 'Traffic, Parking and Access' of Council's adopted Newcastle Development Control Plan 2012. Full details are to

be included in documentation for a Construction Certificate application.

- A009 The car park is to be designed to comply with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities. Full details are to be included in documentation for a Construction Certificate application.
- A013 All proposed driveways, parking bays, loading bays and vehicular turning areas are to be constructed with a base course of adequate depth to suit design traffic, being sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers and being properly maintained. Full details are to be included in documentation for a Construction Certificate application.
- A017 Letterboxes, landscaping and any other obstructions to visibility are to be kept clear of or limited in height to 1.2m in the 2 metre by 2.5 metre splay within the property boundary each side of the driveway entrance in accordance with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Full details are to be included in documentation for a Construction Certificate application.
- A051 A group type mailbox is to be provided at the street frontage in accordance with the requirements of Australia Post, clearly displaying individual unit numbers and the required house number. Full details are to be included in the documentation for a Construction Certificate application.
- A061 The proposed floodlighting of the premises is to be designed, positioned, and installed, including appropriate shielding and orientation of the lighting fixture, as to not give rise to obtrusive light, interfere with traffic safety or detract from the amenity of surrounding properties in accordance with Australian Standard 4282:1997 - Control of the obtrusive effects of outdoor lighting. Full details are to be included in the documentation for a Construction Certificate application.
- A068 - For use A commercial vehicular crossing is to be

commercial, industrial and multi residential dwellings.

Not for use for single dwelling houses. Use B029 for a single dwelling or ancillary structures.

constructed across the road reserve, in accordance with the following criteria:

- a) Constructed in accordance with Council's A374 – Driveway Crossings Standard Design Details.
- b) The driveway crossing, within the road reserve, shall be a maximum of 6.0 metres wide.
- c) Provision of a 6.0m ramp at a maximum grade of 5.0% immediately inside the property for vehicle access in accordance with AS 2890.1 - Parking Facilities.
- d) Letterboxes, landscaping and any other obstructions to visibility should be kept clear of or limited in height to 1.2 metre, in the 2 metre by 2.5 metre splay within the property boundary each side of the driveway entrance.
- e) The proposed driveway shall be a minimum of 3 metres clear of the trunk of any tree within the public reserve.
- f) The proposed driveway shall be a minimum of 750mm clear of the centre of any pole or obstruction within the public reserve and 1 metre clear of any drainage pit.

These works are not approved until consent under Section 138 of the *Roads Act 1993 (NSW)* has been granted by Council. An application under Section 138 must be applied for and approved before the issue of a Construction Certificate.

A069

A separate application must be lodged and consent obtained from Council for all works within the road reserve pursuant to Section 138 of the *Roads Act 1993 (NSW)*, before the issue of a Construction Certificate.

B - CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK AND DURING THE CONSTRUCTION PHASE

- B038 Prior to commencement of site works the developer is to submit to Council for approval a Construction Traffic Management Plan addressing traffic control measures to be utilised in the public road reserve during the construction phase.
- B039 The Construction Traffic Management Plan is to be prepared by a Roads & Maritime Services accredited person with a Design and Audit Traffic Control Plans Certificate in accordance with Australian Standard 1742.3:2009 - Manual of uniform traffic devices – traffic control for works on roads. The plan is to ensure the provision for safe, continuous movement of traffic and pedestrians within the road reserve.
- B040 Any alteration to natural surface levels on the site is to be undertaken in such a manner as to ensure that there is no increase in surface water runoff to adjoining properties or that runoff is impounded on adjoining properties, as a result of the development.
- B050 Provision is to be made on the site for the installation of a 'kiosk' type electricity substation should such be required by the electricity authority and any such 'kiosk' being located in accordance with that authority's requirements.
- B056 All parking bays are to be permanently marked out on the pavement surface.
- B057 The proposed visitor parking bays are to be clearly indicated by means of signs and/or pavement markings.
- B061 The vehicular entrance and exit driveways and the direction of traffic movement within the site are to be clearly indicated by means of reflectorised signs and pavement markings.
- B078 Where the proposed development involves the destruction or disturbance of any existing survey monuments, those monuments affected are to be relocated at no cost to Council by a Surveyor registered under the *Surveying and Spatial Information Act 2002* (NSW).

**C - CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN
OCCUPATION CERTIFICATE, A SUBDIVISION CERTIFICATE OR A STRATA
CERTIFICATE**

- C002 All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a satisfactory state that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to Council's satisfaction prior to the completion of demolition work or prior to the issue of any occupation certificate in respect of development involving building work.
- C003 All works within the road reserve required by this consent are to be completed prior to the issue of a Final Occupation Certificate.
- C004 Any redundant existing vehicular crossing is to be removed at no cost to Council. The road reserve and kerb being restored to, Council's satisfaction, to match the existing infrastructure. Works are to be completed prior to the issuing of a Final Occupation Certificate for the proposed development.
- C005 The whole of the land > _____ < is to be consolidated into a single title and documentary evidence of the lodgement for registration of a survey plan of consolidation with NSW Government Land & Property Information being submitted to Council prior to the issuing of an Occupation Certificate for the proposed development.

**D- CONDITIONS TO BE SATISFIED DURING THE
OPERATION AND USE OF THE DEVELOPMENT**

- D011 No flashing, chasing or scintillating lighting or promotional material of a visually intrusive nature is to be installed or displayed on the exterior of the premises.
- D018 A minimum of 10 of the proposed on-site parking bays are to be made available for the use of resident visitors to the premises and such spaces under no circumstances being subdivided, leased or controlled by or on behalf of particular unit owners or residents.
- D022 All vehicular movement to and from the site is to be in a forward direction.
- D023 Proposed parking areas, vehicle bays, driveways and turning areas are to be maintained clear of obstruction and be used exclusively for purposes of car parking, loading and unloading, and vehicle access, respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.

E - ADVISORY MATTERS

- E007 Any necessary alterations to public utility installations are to be at the developer/demolisher's expense and to the requirements of both Council and any other relevant authorities. Council and other service authorities should be contacted for specific requirements prior to the commencement of any works.

New Conditions

1. The developer is to design and construct the following works within the King Street frontage adjacent to the site at no cost to Council and in accordance with Council's guidelines and design specification:
 - a) Removal of existing footway paving and provision of full width Type 3 pavement (honed concrete finish) in accordance with Council's *'City Centre Public Domain Technical Manual'*.
 - b) Provision of 4 street trees in the kerbside parking area (road carriageway) within gap-graded structural soil vaults with kerb island blisters and Council's standard tree guard.
 - c) Reconstruction of kerb and gutter

Detailed public domain plans including longitudinal and cross sections are to be provided to Council for review and approval as part of the S138 Road Act Type 2 application.

Such works are to be implemented prior to the issuing of any Occupation Certificate for the proposed development.

2. Tree plantings within King Street fronting the site being species *Nyssa sylvatica*, with the selected trees being advanced specimens in a minimum 300 litre pot size. The required plantings are to be undertaken in consultation with Council, with the trees certified by the supplier to comply with the current NATSPEC guideline with respect to root development, height, trunk diameter, branch structure and balance (refer to *Specifying Trees*, Construction Information Systems Australia PL, Clark, R 2003). All associated costs are to be borne by the developer. To be completed prior to issue of any occupation certificate.
3. The planting vaults proposed within the footway of King Street being linearly connected by tree pits to maximise soil volume (structural soil) and allow for drainage, soil moisture and root control barriers. The design and construction of the planting

vaults are to be undertaken at no cost to Council and under Council's direction, such being completed prior to issue of any occupation certificate.

4. The existing trees within the public footway along the King Street frontages of the site being removed and the stumps ground out by the developer at no cost to Council and under Council's supervision such being completed prior to issue of any occupation certificate.
5. Any structure on or over the public road reserve, including balconies and awnings, being the subject of a separate consent from Council, under *Section 138 of the Roads Act 1993*, prior to commencement.

Note: A separate approval from Council must be obtained for all structures within the public road reserve pursuant to *Section 138 of the Roads Act 1993*.

6. The Developer designing and constructing the following works within King Street adjacent to the site at no cost to Council and in accordance with Council's guidelines and design specification, such works to be implemented prior to any occupation of the premises:
 - a) Road pavement
 - b) Kerb and gutter reconstruction
 - c) Footpaving
 - d) Street tree planting in gap-graded structural soil vaults with kerb island blisters and Council's standard tree guard.
 - e) Associated drainage works

In this regard the separate approval from Council must be obtained for all works within the public road reserve, pursuant to *Section 138 of the Roads Act 1993*, prior to commencement. Engineering design plans and specifications for the works being undertaken in the public road reserve are required to be prepared by a suitably qualified practising civil engineer with experience and competence in the related field and submitted to Council for approval with the *Section 138* application.

7. Appropriate arrangements being made for the collection of garbage (recyclable and non-recyclable) from within the development and such arrangements being in place prior to the occupation of the premise the subject of this development application. Under no circumstances are garbage bins to be presented to King Street for kerbside collection.
8. Prior to commencement of site works the developer submitting to Council for approval a Construction Traffic Management Plan addressing traffic control measures to be utilised in the public road reserve during the construction phase.

- Note:**
1. The plan will be required to be referred to the Roads & Traffic Authority for separate approval.
 2. The required plan is to ensure the provision for safe, continuous movement of traffic and pedestrians within the road reserve. The plan is to be prepared in accordance with Australian Standard 1742.3 – 2002.

9. Prior to commencement of site works for each respective stage of development the developer is to submit to Council for approval a Construction Parking Management Plan (CPMP) addressing the parking of construction vehicles and the transportation of construction personnel to the site. The CPMP is to detail a common location for the parking of construction vehicles outside of the Newcastle CBD area and utilise shuttle buses and for the transportation of construction personnel and their equipment to the site.
10. It being the responsibility of the developer to meet all expenses incurred in undertaking the development including expenses incurred in complying with conditions imposed under this consent.
11. The Contractor making provision for safe, continuous movement of traffic and pedestrians in public roads and erecting traffic warning signs conforming to the Roads and Traffic Authority's General Specifications (RTA Spec. Part G10 "*Control of Traffic*" and RTA Spec. 3355). Traffic control is to be carried out only by flagmen with certification that they have been trained in accordance with Australian Standard 1742.3 – 2002.
12. Any necessary alterations to public utility installations being at the Developer/Demolisher's expense and to the requirements of both Council and the appropriate authorities.

Reason: To ensure that any required alterations to public utility infrastructure are undertaken to acceptable standards and without demands on public sector resources.

13. The developer being responsible for the provision of additional regulatory signage in King Street adjacent to the site frontage and all adjustments to and/or relocation of existing regulatory signage necessary as part of this development, at no cost to Council and in accordance with Council requirements, such works being implemented prior to any occupation of the premises.

Note: The provision of additional regulatory signage and alterations to existing regulatory signage will need to be referred to the Newcastle City Traffic Committee for approval prior to installation.