



9 September 2016

SF2012/033236
CR2016/001161 & CR2016/004285
KAP

General Manager
Newcastle City Council
PO Box 489
NEWCASTLE NSW 2300

Attention: Priscilla Emmett, Senior Development Planner,

STEWART AVENUE (A43): PROPOSED DEVELOPMENT COMPRISING DEMOLITION OF BUILDING, ERECTION OF FIVE (5) STOREY COMMERCIAL BUILDING, ASSOCIATED CAR PARKING AND SITE WORKS – LOT 200 DP 1222338, 12 STEWART AVENUE, NEWCASTLE WEST – DA 2016/00267

I refer to Council's letter of 14 March 2016 requesting comment from Roads and Maritime Services in relation to the abovementioned development application and apologise for the delay in responding to Council's request.

Roads and Maritime understands the subject development application proposes the demolition of all existing structures on the site, the construction of a commercial / office building over five (5) levels and associated car park, the provision of landscaping around the new building, and the provision of associated services, drainage infrastructure etc.

It is understood that Council is seeking concurrence under Section 138 of the *Roads Act 1993* to proposed works in a classified road and comment in accordance with Clause 104 of the *State Environmental Planning Policy (Infrastructure) 2007*.

In responding to Council's request, I also refer to specific access requirements outlined in Roads and Maritime's letter of 21 October 2015 relating to development application 2015/483 for a two storey car park proposed on the subject site.

Roads and Maritime response

Roads and Maritime has reviewed the information referred by Council and provides the following comments to assist Council in making a determination:

Roads and Maritime Services

- The Traffic Impact Assessment (TIA) prepared by Intersect Traffic dated 10 February 2016 is essentially the same as the supporting information for DA 2015/483 (two storey car park on the subject site). However, it is noted that the previous assessment considered the impacts of the additional vehicular access on Stewart Avenue at full development of the site.
- Roads and Maritime understands that the bus stop located in the vicinity of the proposed access to Stewart Avenue has been removed.

Roads and Maritime has no objection to the subject development provided the following requirements are included in Council's conditions of consent:

- Direct vehicular access to and from Stewart Avenue shall be provided generally in accordance with Drawing No. NL150030 dated 15/10/15 (attached) and to Council requirements. The driveway shall be of sufficient width to allow an entering design vehicle to safely pass an exiting vehicle.

Comment:

The current application proposes a 6.0 metre two way access from Stewart Avenue. Roads and Maritime previous advice of 21 October 2015 included a requirement for the additional vehicular access on Stewart Avenue to be "provided generally in accordance with drawing no. NL150030 dated 15/10/15 to Council requirements". That drawing indicated the access would comprise 2 x 3.5 metre lanes with a 0.6m central median.

- All redundant driveway accesses are to be legally and physically closed, with the road reserve to be reinstated to the satisfaction of Council.
- All works associated with the subject development shall be designed to Council's specifications and constructed by the developer at no cost to Roads and Maritime or Council.

Advice to Council

- Roads and Maritime has no proposal that requires any part of the property.

Following discussions with Roads and Maritime on 1 December 2015, the developer (Spartohori Pty Ltd) agreed to amend the design on the south western corner of the building to retain sufficient width between the existing kerb and gutter and the property boundary in Stewart Avenue to accommodate a future left turn lane, which is anticipated as part of the Newcastle Light Rail project. A section of former Lot 102 DP 1191992, identified as Lot 21 DP1217043, has been acquired by Roads and Maritime (see Attachment B).

- All matters relating to the internal arrangements on-site such as width of driveway, car parking, traffic / pedestrian management, manoeuvring of service vehicles and provision for people with disabilities are matters for Council to determine.
- Council should be satisfied that sight line distances for vehicles entering and exiting the driveway promote safe vehicle movements and are in accordance with the relevant Australian Standards (including AS2890:1:2004).
- Council should ensure that appropriate traffic measures are in place during the construction phase of the development to minimise the impacts of construction vehicles on traffic efficiency and road safety on Stewart Avenue and the surrounding road network.
- Discharged stormwater from the development should not exceed the capacity of the Stewart Avenue stormwater system. Council shall ensure that drainage from the site is catered for appropriately and should advise Roads and Maritime of any adjustments to the existing system that are required prior to final approval of the development.

- Council should ensure that the applicant is aware of the potential for road traffic noise to impact on development on the site. In this regard, the developer, not Roads and Maritime, is responsible for providing noise attenuation measures in accordance with the *NSW Road Noise Policy 2011*, prepared by the department previously known as the Department of Environment, Climate Change and Water, should the applicant seeks assistance at a later date.

If the external noise criteria cannot feasibly or reasonably be met, Roads and Maritime recommends that Council apply internal noise objectives for all habitable rooms with windows that comply with the Building Code of Australia.

On Council's determination of this matter, please forward a copy of the Notice of Determination to Roads and Maritime for record and / or action purposes. Should you require further information please contact Hunter Land Use on (02) 4924 0688 or by email at development.hunter@rms.nsw.gov.au

Yours sincerely



Kyle-Anne Pont
A/Manager Land Use
Hunter

Enc. Drawing No. NL150030 dated 15/10/15