



15 April 2019

Chief Executive Officer  
Central Coast Council  
PO Box 21  
GOSFORD NSW 2250

**Attention: Gemma Gibbons**

**AVOCA DRIVE (MR504): DA 56271/2018, RESIDENTIAL 108 BED AGED CARE FACILITY, LOT: 103 DP: 707503, 290 AVOCA DRIVE KINCUMBER**

Reference is made to Council's referral dated 02 April 2019, regarding the abovementioned application which was referred to Roads and Maritime Services (Roads and Maritime) for comment.

Roads and Maritime understands the proposal to be for Residential Aged Care Facility (RACF), including:

- construction of a 108 bed RACF, associated earthworks and tree removal;
- supportive ancillary services including a café, hair salon, physiotherapy room, office space, multi-purpose room and chapel;
- thirty-eight (38) onsite car spaces and one (1) ambulance parking space;
- landscaping of the site; and
- public domain works along Avoca Drive.

Proposed access to the site for all vehicles, including emergency vehicles, is via the existing driveway off Scaysbrook Drive which will be upgraded. It is noted that additional fire-fighting access is available via the existing access track off Avoca Drive which will provide the primary firefighting access route in the north through the central portion of the property. This road will be upgraded to fire trail standards and will provide a turning head at its termination.

#### Roads and Maritime Response & Requirements

Transport for NSW and Roads and Maritime's primary interests are in the road network, traffic and broader transport issues. In particular, the efficiency and safety of the classified road network, the security of property assets and the integration of land use and transport.

Roads and Maritime has reviewed the information provided and raises no objection to the proposed development, provided the following matter(s) are addressed and included in Council's conditions of development consent:

- The bus stops located at the frontage of the site on both the southern and northern side of Avoca Drive are to be formalised including kerb and gutter and footpaths, to provide safe pedestrian access between the site and the nearby pedestrian refuge.

- Additional access from the RACF to Avoca Drive would not be supported.

### Advice to Council

Roads and Maritime recommends that the following matters should be considered by Council in determining this development:

- Roads and Maritime has no proposal that requires any part of the property.
- 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.
- Council should have consideration for appropriate sight line distances in accordance with Section 3 of the *Austroads Guide to Road Design Part 4A (Unsignalised and Signalised Intersections)* and the relevant Australian Standards (i.e. AS2890:1:2004) and should be satisfied that the location of the proposed driveway promotes safe vehicle movements.
- Discharged stormwater from the development shall not exceed the capacity of the Avoca Drive stormwater drainage 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.
- While it is acknowledged that concurrence is not required to be provided by Roads and Maritime for the new signage proposed in the subject application under Clause 18 of SEPP 64, the following advice is for Council to consider:
  - All signs should meet the criteria contained in the Department of Planning's *Transport Corridor Outdoor Advertising and Signage Guidelines (November 2017)* including, but not limited to, Section 3.3.3 Illumination and reflectance.
  - Council should ensure that all signs meet the requirements of Schedule 1 Assessment Criteria of the *State Environmental Planning Policy (SEPP) No. 64 – Advertising and Signage*.
  - Please advise the applicant that Roads and Maritime may direct the screening, modification or removal of a structure if, in the opinion of Roads and Maritime, the structure is considered a traffic hazard under Section 104 of the *Roads Act 1993*.
  - As road works are required on Avoca Drive (MR504), Roads and Maritime will require the developer to enter into a Works Authorisation Deed (WAD) with Roads and Maritime. Roads and Maritime would exercise its powers and functions of the road authority, to undertake road works in accordance with Sections 64, 71, 72 and 73 of the *Roads Act*, as applicable, for all works under the WAD (Attachment A).

*Comment: It is requested that Council advise the developer that the Conditions of Consent do not guarantee Roads and Maritime'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. Roads and Maritime must provide a final consent for each specific change to the classified (State) road network prior to the commencement of any work.*

*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 Roads and Maritime.*

- All road works under the WAD shall be completed prior to issuing any Occupation Certificate for the development.
- All works associated with the subject development shall be undertaken at full cost to the developer and at no cost to Roads and Maritime or Council, and to Council's requirements.

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 Kate Leonard, Development Assessment Officer, on 4908 7688 or by emailing [development.hunter@rms.nsw.gov.au](mailto:development.hunter@rms.nsw.gov.au).

Yours sincerely



**Peter Marler**  
Manager Land Use Assessment  
Hunter Region

## **Attachment A: Works Authorisation Deed (WAD) Advice to Consent Authority and Developer**

### **Advice to the Consent Authority**

- On determination of the proposal a copy of the Notice of Determination should be forwarded to Roads and Maritime within the appellant period for advice / consideration and action where required.
- Conditions of development consent do not guarantee Roads and Maritime consent to the specific road works, traffic control signals and /or other structures or works for which it is responsible. The developer must obtain Roads and Maritime authorisation in writing prior to the commencement of any road works on Avoca Drive, including traffic management, temporary or permanent road works associated with the proposed development.

### **Advice to the Developer**

- Following development consent, early discussion with the Roads and Maritime Project Manager is recommended. Roads and Maritime will initiate the WAD process by sending out a letter and information pack on receipt of the Notice of Determination, including the name and contact details of the Project Manager.
- As the WAD process, including acceptance of design documentation and construction can take considerable time, you should allow sufficient lead time within the project development program to ensure that all documentation and works are completed in advance of occupation. Roads and Maritime will not consider granting concurrence to occupation until it is satisfied all documentation and works under the WAD have been completed.
- Authorisation to commence construction will only be granted when Roads and Maritime is satisfied that all requirements under the WAD have been met by the developer, including Roads and Maritime fees and charges, an unconditional bank guarantee for the full value of the works, detailed design documentation, environmental assessment, road occupancy license, among other matters. Roads and Maritime will issue a letter to the developer advising of this authorisation.
- Any property acquisition / dedication required to accommodate the State road works / traffic control signals associated with the proposed development shall be at full cost to the developer, including all legal and survey costs. This land shall be dedicated by the developer as public road reserve in favour of the Council, as the owner.
- Part of the developers' timeline should make provision for Roads and Maritime to satisfy its obligations under the *Environmental Planning and Assessment Act 1979* (EP&A Act) to assess the environmental impacts of the works within the road reserve. Further investigation and assessment to that undertaken for the development consent may be required to the satisfaction of Roads and Maritime, under Part 5 of the EP&A Act.
- It is recommended that the developer use design consultants with the experience and knowledge of Roads and Maritime design requirements, in particular the Austroads *Guide to Road Design* (with Roads and Maritime supplements) and relevant Australian Standards.
- A fact sheet providing further information on the WAD process can be obtained from the Roads and Maritime Private Developments Website at:  
[http://www.rms.nsw.gov.au/roadprojects/community\\_environment/private\\_developments.html](http://www.rms.nsw.gov.au/roadprojects/community_environment/private_developments.html)
- Construction on a State road and / or traffic control signals requires the engagement of an Roads and Maritime pre-qualified contractor. A list of pre-qualified contractors can be found on the Roads and Maritime website below.  
<http://www.rms.nsw.gov.au/doingbusinesswithus/tenderscontracts/prequalifiedcontractors.html>