

2 May 2022

The Secretary
NSW Department of Planning, Industry & Environment
Locked Bag 5022
PARRAMATTA 2124

Attention: Michelle Niles, Senior Planner - Regional Assessments

E: michelle.niles@planning.nsw.gov.au

Re: Modification to Concept & Project Approvals concerning Roadworks for Wahroonga Estate

I refer to recent discussions regarding the above matter and hereby provide our response, on behalf of the Seventh Day Adventist Church, to the feedback that has been provided by both Transport for NSW (TfNSW) and Ku-ring-gai Council in relation to our outstanding Consent Modification request.

Please see the attached Summary Response Table which provides an overview of the current consent conditions, the respective positions regarding each condition that is sought to be modified as expressed by TfNSW and Council, and our response to this feedback.

In conjunction with and parallel to the attached summary, the following provides the Church's suggested wording of the conditions that it seeks to modify. The suggested wording is based on the findings and recommendations arising from a recent TTPA assessment of current traffic conditions and incorporates the feedback from Council and TfNSW where appropriate.

As has been previously suggested, the modification seeks to have all roadworks itemised in the Concept Approval as a single point of reference for required works across the estate.

The current wording of the relevant conditions under both the Concept Approval and the Project Approval (for the initial hospital works) are included at **Appendix A**.

MOD 6 to Major Project Concept Approval MP 07_0160:

The proposed wording for Condition B7 of the Concept Approval is:

B7 Agency road requirements

- 1) *The Proponent is to undertake detailed road upgrade works and make payment of specified monetary contributions prior to the issue of Occupation Certificates for the nominated staged development of the site or as otherwise specified below:*
 - a) *the road upgrade works to be undertaken by the Proponent include:*
 - i. *Reconstruction of the intersection of The Comenarra Parkway and Fox Valley Road - to be completed by end April 2021.*

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- II. A) Upgrade to the Main Hospital Entry intersection - prior to Occupation Certificate for Stage 1A Hospital.

B) Provision of traffic signals and associated roadworks at the intersection of Fox Valley Road and the road adjacent to the school, subject to final designs to be authorised by TfNSW and Council - to be completed prior to occupation of stage 6 (Senior School) of SSD5535 or end June 2025, whichever is the sooner.
 - III. Widening The Comenarra Parkway between Fox Valley Road and Browns Road to provide an eastbound kerbside approach of 210m to and a westbound kerbside departure of 85m from the Comenarra Parkway and Fox Valley Road intersection, together with traffic island and line-marking upgrades to the Browns Road intersection – to be completed prior to the issue of an Occupation Certificate for the Student Accommodation & Key Worker Housing project (DA 0453/12).
 - IV. Widening Fox Valley Road between The Comenarra Parkway and the northern boundary of the site to accommodate two travel lanes in each direction - to be completed prior to occupation of stage 6 (Senior School) of SSD5535 or end June 2025, whichever is the sooner.
- b) the monetary contributions to be provided by the proponent as a work-in-kind payment, are to include:
- i. A monetary contribution to RMS towards the upgrading the Pacific Highway and Fox Valley Road intersection, comprising an amount of \$309,833 (subject to indexation from the base date 1 July 2012 consistent with the Bureau of Transport and Communications Economics Road Construction and Maintenance Price Index); and
 - ii. A monetary contribution to RMS in the amount of \$670,000 (subject to indexation from the base date 1 July 2012 consistent with the Bureau of Transport and Communications Economics Road Construction and Maintenance Price Index) toward the upgrade of the Pacific Highway and Fox Valley Road intersection in lieu of upgrading The Comenarra Parkway and Kissing Point Road intersection.

The monetary contributions are to be paid to the RMS by end-December 2022.

The above modification is proposed in conjunction with the following proposed amendment of the major project hospital approval in order that both approvals are in sync.

MOD 7 to Major Project Approval MP 10_0070:

In association with the above modification to the Concept Approval, it is proposed to delete Condition E1 of the Project Approval.

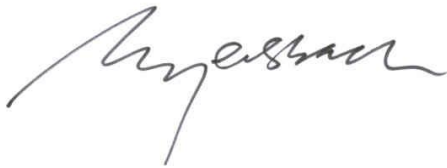
Condition E1 was based on the original assessment of the cumulative traffic generation of the various development components associated within the central hospital precinct.

Most of the required works have either been completed and/or are underway. Accordingly, this modification seeks to incorporate the project approval works within the frame of the overarching Concept Approval so that all previously approved (and future) projects have a single point of reference.

To assist with the Department's determination of this request, my client and its consultants are available to meet at your request.

I look forward to final resolution of this matter.

Yours Sincerely



Wayne Gersbach | **Memphis Strategic**

APPENDIX A – CURRENT WORDING OF CONDITIONS

Condition B7 of Major Project Concept Approval MP 07_0166 presently states:

B7 Agency road requirements

- 1) A binding Deed of Agreement is to be entered into between the Proponent and the RMS prior to issue of the first Occupation Certificate for future staged expansion and refurbishment of the Clinical Services Building on the site. The Deed is to:
 - a) detail the road upgrade works to be undertaken by the Proponent, including:
 - I. reconstruction of (including upgrading of the existing traffic signals to) the intersection of The Comenarra Parkway and Fox Valley Road;
 - II. intersection improvements where Fox Valley Road intersects with site accesses;
 - III. widening The Comenarra Parkway to provide two traffic lanes in each direction between Fox Valley Road and Browns Road;
 - IV. widening Fox Valley Road between The Comenarra Parkway and the northern boundary of the site to accommodate two travel lanes in each direction. In addition, two southbound travel lanes must be provided along Fox Valley Road from the Pacific Highway to the site.
 - V. a monetary contribution or 'works in kind' (WIK) equivalent towards the estimated total cost of upgrading the Pacific Highway and Fox Valley Road intersection, comprising the equivalent of:
 1. 25 % of the estimated total cost of traffic signal/civil upgrade works and land acquisition costs associated with the upgrade of the Pacific Highway and Fox Valley Road intersection; and
 2. 100% of the estimated total cost of upgrading of The Comenarra Parkway and Kissing Point Rd intersection, being the following works:
 - a. a left turn slip lane (min 50m storage) for the movement turning into Kissing Point Road (north)
 - b. two eastbound through lanes;
 - c. one right turn lane (min 50m storage) for the movement turning into Kissing Point Road (south); and
 - d. a single westbound through lane.
 - b) outline the arrangements for the Proponent and RMS to negotiate the scope, value and timing of any WIK towards the estimated total cost of upgrading the Pacific Highway and Fox Valley Road intersection referred to above; and
 - c) outline the extent of road upgrade works to be undertaken by the Proponent, including lane configuration, timing of works and estimated costs.

Condition E1 of the Major Project Approval MP 10_0070 presently states:

E1 *Transport and Access*

Prior to issue of Occupation Certificate, road upgrade works relative to the stages of the hospital development as outlined in the Accessibility of Transport, Traffic and Parking Implications, prepared Transport and Traffic Planning Associates and dated July 2010 shall be undertaken.

These works include:

Stage 1

(a) Initial upgrade at The Comenarra Parkway/Fox Valley Road intersection.

(b) Install 'No Parking' along Fox Valley Road in accordance with the requirements of the Kuring-gai Traffic Committee and Council.

Stage 2

(a) Upgrade the hospital access intersection with an additional egress lane (LT 'slip lane').

Stage 3

(a) Ultimate upgrade at The Comenarra Parkway/Fox Valley Road Intersection.

(b) Upgrade scheme at Pacific Highway/Fox Valley Road intersection.