

SUMMARY RESPONSE – CONCEPT APPROVAL MP 07_0166			
Current Condition	Proposed Amendment (Dec 2020)	Council Position (2021)	TfNSW Position (2021)
1) Deed of Agreement be entered into with RMS.  a) Deed to include:  I. Reconstruction of Fox Valley Road & Comenarra Parkway intersection.	Deed of Agreement no longer applicable therefore conditions to require:  ▪ Upgrade of this intersection to be completed by April 2021.	▪ Noted – work completed.	▪ Noted – work completed as approved by TfNSW.
<b>Applicant Response – April 2022:</b> <ul style="list-style-type: none"> <li>▪ All parties agree that a Deed of Agreement is no longer possible / required.</li> <li>▪ The reconstruction of the Fox Valley Road &amp; Comenarra Parkway intersection has been completed. This matter is now closed.</li> </ul>			
II. Intersection improvements where Fox Valley Road intersects with site accesses.	▪ Upgrade to main Hospital intersection prior to OC for Stage 1A Hospital.  ▪ Provision of traffic signals <u>without</u> a dedicated right turn bay for school intersection.	▪ Noted – work completed.  ▪ Modification not supported – dedicated right turn bay required.	▪ Noted – agreed.  ▪ Modification not supported – dedicated right turn bay required.
<b>Applicant Response – April 2022:</b> <ul style="list-style-type: none"> <li>▪ The main hospital intersection has been completed in accordance with TfNSW specifications and is fully operational.</li> <li>▪ The applicant agrees to the provision of a signal-controlled intersection adjacent to the school with final designs for this work to be as determined in consultation with TfNSW and Council.</li> </ul>			
III. Widening The Comenarra Parkway for two traffic lanes in each direction	▪ Comenarra / Fox Valley Road Intersection upgrade to include eastbound kerbside approach	▪ No objection to deletion of requirement for two traffic lanes but requests seagull	▪ Objection raised as works are part of binding Deed of Agreement.

between Fox Valley Road and Browns Road.	of 210m + northbound kerbside departure of 85m.	treatment for Browns Road intersection.	
<p><b>Applicant Response – April 2022:</b></p> <ul style="list-style-type: none"> <li>▪ Road widening works on The Comenarra Parkway have been completed, in accordance with TfNSW requirements, as part of the Fox Valley Road intersection improvements. These works have incorporated improvements to and new line-marking of the Browns Road intersection.</li> <li>▪ A seagull treatment at the Browns Road intersection was not required by the original Concept Approval but has now been suggested by Council. Council has put forward a design solution, but its proposal cannot be accommodated without impacting private property.</li> <li>▪ Two (2) alternate concepts for a ‘simplified’ seagull treatment have been prepared (see attached), but these concepts are compromised as: <ul style="list-style-type: none"> <li>○ They do not comply with Austroads in relation to: <ul style="list-style-type: none"> <li>▪ Acceleration</li> <li>▪ Turning path for right turn for vehicles larger than a car;</li> </ul> </li> <li>○ Result in a reduction of the length of 2 lane queuing to Fox Valley Road; and</li> <li>○ The resultant 3m lane width for one of the lanes is not compliant.</li> </ul> </li> <li>▪ The applicant is currently liaising with Council with respect to its suggested design and has proposed that the intersection arrangement be left ‘as is’ with an upgrade to the existing traffic islands and line-marking, to be undertaken by the applicant. Ongoing discussion with Council is expected.</li> <li>▪ TfNSW’s response on this issue fails to acknowledge the modelling produced in respect to the proposed works and simply rejects the works on the notion that the requirement is “part of the binding Deed of Agreement committed by the Proponent to be entered.” It is noted that there is NO binding Deed of Agreement in place. Modelling has been updated to reflect current traffic conditions and should not be discounted by TfNSW. The tapering of the 2 lanes as currently constructed before the Browns Road intersection has already been constructed in line with the plans approved by TfNSW and Council for the Comenarra Parkway/Fox Valley Road intersection.</li> <li>▪ Resolution of this matter is ultimately a matter to be determined between council and the applicant.</li> </ul>			
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	<ul style="list-style-type: none"> <li>▪ Not directly specified in modification request as works relating to two traffic lanes adjacent to the site have been included in various intersection improvements/upgrades and have already been provided.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Noted</li> <li>▪ Council agrees that widening is not required but traffic lights at Lucinda and Ada <u>may</u> be required.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Noted. Matter for Council to determine as Fox Valley Road is under its control.</li> </ul>

<p>Road from the Pacific Highway to the site.</p>	<ul style="list-style-type: none"> <li>▪ Works relating to travel lanes along Fox Valley from Pacific Hwy to be deleted.</li> </ul>		
<p><b>Applicant Response – April 2022:</b></p> <ul style="list-style-type: none"> <li>▪ <i>The widening of Fox Valley Road from the Pacific Hwy has been examined by TTPA’s November 2020 re-assessment and found to be unjustified. Council agrees with this finding.</i></li> <li>▪ <i>Existing single lane roundabout intersections at Lucinda and Ada Avenues are anticipated to continue to perform well – see extract from TTPA assessment below.</i></li> <li>▪ <i>Council’s suggestion that traffic lights ‘<u>may</u>’ be justified at Lucinda and Ada Avenues is not warranted and will result in a decline in the level of service.</i></li> <li>▪ <i>Traffic accident data for these intersections has been reviewed by TTPA. Over the past five (5) years, a minimal number of traffic incidents have occurred – none of which have involved a right-angle collision or a collision involving a right-hand turn at these intersections. This accident history suggests that there is no traffic safety reason to alter the current roundabout arrangements.</i></li> </ul>			

Transport and Traffic Planning Associates

	AM		PM	
	LOS	AVD	LOS	AVD
The Comenarra Parkway	C	33.9	C	34.0
E.B. Max. Queue	129.2m		82.6m	
N.B. Max. Queue	65.8m		92.5m	
Hospital Intersection	B	15.0	B	17.3
School Intersection				
Roundabout	A	7.4	A	7.2
Traffic Signals (No RT Bays)	B	17.9	B	15.5
Traffic Signals (RT Bays)	B	15.1	B	14.9
Lucinda Avenue				
Existing RAB	A	8.9	A	8.3
Traffic Signals	B	27.1	B	19.7
2 Lane RAB	A	6.2	A	5.4
Ada Avenue				
Existing RAB	A	5.7	A	5.7
Traffic Signals	B	21.7	B	19.4
2 Lane RAB	A	4.8	A	4.9

Extract from TTPA's Wahroonga Estate Development - Reassessment of Road Upgrade Requirements, November 2020

- TTPA's assessment finds that both the Lucinda and Ada Avenue intersections will operate quite satisfactorily with the existing single lane roundabout.

<p>V. A monetary contribution or 'works in kind' (WIK) equivalent for:</p> <p>1. Upgrade of the Pacific Highway and Fox Valley Road intersection; and</p>	<ul style="list-style-type: none"> <li>▪ New monetary contributions condition suggested based on previous agreements with RMS and previous removal of Kissing Point Road works (Concept Approval - Mod 2).</li> <li>▪ Suggested condition requires payment by end-June 2021.</li> </ul>	<ul style="list-style-type: none"> <li>▪ No comment.</li> </ul>	<ul style="list-style-type: none"> <li>▪ No objection to the suggested modification.</li> </ul>
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2. Upgrade of Comenarra Parkway and Kissing Point Rd intersection.			
<p><b>Applicant Response – April 2022:</b></p> <ul style="list-style-type: none"> <li>▪ <i>These matters have been previously agreed and accepted. It will be necessary to include a new date for the payment of contributions – suggested that this be within 6 months of the final determination of the Consent Modification or by end 2022.</i></li> </ul>			
<p><b>b)</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.</p>	<ul style="list-style-type: none"> <li>▪ This requirement / scope is incorporated in the suggested conditions.</li> <li>▪ Specification to be deleted.</li> </ul>	<ul style="list-style-type: none"> <li>▪ No comment.</li> </ul>	<ul style="list-style-type: none"> <li>▪ No comment.</li> </ul>
<p><b>c)</b> Outline the extent of road upgrade works to be undertaken by the Proponent, including lane configuration, timing of works and estimated costs.</p>	<ul style="list-style-type: none"> <li>▪ This requirement / scope is incorporated in the suggested conditions.</li> <li>▪ Specification to be deleted.</li> </ul>	<ul style="list-style-type: none"> <li>▪ No comment.</li> </ul>	<ul style="list-style-type: none"> <li>▪ No comment.</li> </ul>
<p><b>Applicant Response – April 2022:</b></p> <ul style="list-style-type: none"> <li>▪ <i>These matters relate to the wording of the previously intended Deed of Agreement which is no longer being proceeded with. The requirements of the conditions are implicit in the reworded conditions suggested as part of the current modification request. No further action with respect to these matters is required.</i></li> </ul>			
<b>MAJOR PROJECT APPROVAL MP 10 0070</b>			
<b>Current Condition</b>	<b>Proposed Amendment (Dec 2020)</b>	<b>Council Position</b>	<b>TfNSW Position</b>
E1 Transport and Access			

Road upgrade works relative to the stages of the hospital development shall be undertaken.	<ul style="list-style-type: none"> <li>▪ Deletion of condition</li> </ul>	<ul style="list-style-type: none"> <li>▪ No comment.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Objection raised on basis that deletion would abrogate proponent's responsibilities.</li> </ul>
<p><b>Applicant Response – April 2022:</b></p> <ul style="list-style-type: none"> <li>▪ <i>The stages of work anticipated at the time of the Project Approval are no longer valid and the works specifications have changed.</i></li> <li>▪ <i>The requirements of this condition are proposed to be fully incorporated within the proposed modified Concept Approval.</i></li> <li>▪ <i>TfNSW feedback ignores the purpose of the Modification to clarify all requirements and to have a single point of reference that applies to all development within the estate. No abrogation of applicant responsibilities is proposed.</i></li> </ul>			