

20 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

Thank you for your recent response to the latest modification request for the above matter, submitted to the Department on 2nd May.

I note the Department's advice that condition E1 of Major Project Approval MP 10_0070 should be retained on the basis that it is integral to the Project Approval which authorises the undertaking of development work within the hospital precinct.

As stated in our submission of 2nd May, the works required by Condition E1 have been completed and/or have been superseded by other events or current thinking.

I have discussed the Department's response with the Church and no objection is raised to the keeping of the condition in order to retain the integrity of the Project Approval, although it is suggested that the wording of the Project Approval condition should, as far as is practical, match the wording of the Concept Approval. This way, the intention to establish clarity in the reading of the Project Approval and Concept Approval conditions, as sought by our current modification request, is not lost.

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.*

The following wording is suggested:

E1 Transport and Access

Prior to issue of Occupation Certificate, road upgrade works relative to the stages of the hospital development as outlined below shall be undertaken.

(a) *Reconstruction of the intersection of The Comenarra Parkway and Fox Valley Road.*

(b) *The provision of ‘No Parking’ along the hospital precinct’s frontage to Fox Valley Road.*

(c) *The reconstruction of the main hospital access intersection with Fox Valley Road to include traffic lights and an additional left turn egress lane.*

(d) *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).*

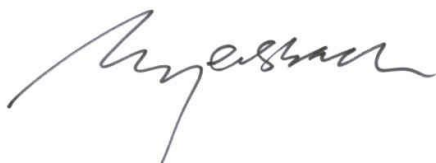
The primary changes in the suggested condition are the deletion of the staging of works – as this is now irrelevant; and the substitution of the requirement for works at the Pacific Highway with the requirement for a monetary contribution in lieu, as previously agreed with TfNSW.

I note further the Department’s advice that we provide traffic justifications for the suggested changes (particularly where works are proposed to be deleted). As noted above, the road works required of the Project Approval have been completed or superseded by other events or current thinking. The works themselves are not contested, apart from those suggested for the Pacific Highway. The outcome suggested in the proposed modified condition has been previously agreed with TfNSW. This contribution is in the process of being paid by the Church.

It would be appreciated if the contents of this correspondence can be assessed in conjunction with our submission of 2nd May.

We remain hopeful that the final resolution of this matter is now in hand.

Yours Sincerely



Wayne Gersbach | **Memphis Strategic**