

From: Wayne Gersbach
To: [Michelle Niles](#)
Cc: [Anthony Witherdin](#); [Tom Bitmead](#)
Subject: RE: Wahroonga School - MOD 2
Date: Thursday, 13 December 2018 6:02:34 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)
Importance: High

Thank you Michelle for getting back to us on this matter,
I have reviewed the submissions that you forwarded and offer the following responses:

Ku-ring-gai Council feedback:

Importantly, Council has advised that the estimated additional vehicle demand that will be generated by the proposed temporary access arrangements at the signalised intersection at Fox Valley Road and the Hospital entrance is modest and is therefore unlikely to have any significant impact on its operation. Accordingly, council raises no objection to the proposed modification that is sought.

Council has suggested however that the reference in the proposed amended condition to a roundabout be removed, as the proposal for traffic signals is now “well progressed”.

Response: The inclusion of the words “or roundabout” in the suggested wording of the amended condition is a fallback position, in case agreement to a signalised intersection is not forthcoming. It is not a preferred position for the school but we do not wish to face a situation whereby a further amendment to the condition wording is required if approval for a signalised intersection is not achieved. On behalf of the school signalised intersection plans have been submitted to Council and the RMS and the school has every intention to deliver this outcome as soon as approval is issued. In the event that Council and RMS form the view that a signalised intersection cannot be supported, the school seeks authority to provide an alternate roundabout solution.

RMS feedback:

RMS has raised concern that the proposed condition has no binding timeframe to complete the intersection works and that its current investigations and assessment of traffic modelling provided by the applicant is based on the provision of a signalised intersection and not a roundabout. The RMS has suggested that the amended condition should require the applicant to execute the WAD (works authorisation deed) with RMS no later than June 2019 and that the works should be completed by the end of 2019.

In a separate submission the RMS has also advised that it would not support a ‘drop-off and pick-up’ facility on Fox Valley Road and that the applicant should be required to submit a safe drop-off and pick-up strategy.

Response: Again, the roundabout suggestion is a fallback position only. We would be happy for this option to be deleted if we can be guaranteed that approval for a signalised intersection will be issued. The school has waited a substantial amount of time for a decision to be made on this matter and does not wish to be further delayed in completing the intersection works if a final approval for traffic lights does not eventuate.

The proposed modified condition seeks to lock in the commencement of intersection works no

later than 6 months following the execution of a binding (WAD) agreement. This is to allow for the appropriate tendering of works and the appointment of a road contractor to undertake the works. RMS has suggested that the WAD be entered into by June 2019 and completed by the end of 2019, allowing 6 months to complete the works.

Whilst we have no objection in principle to these suggestions it should be noted that the school has no power over the achievement of the timings they specify. The suggested wording, as included in our suggested amended condition, is considered a more reasonable approach, i.e. that *"The intersection improvement works are to commence no later than 6 months following the execution of a binding agreement to complete the works between the RMS and the landowner and between Council and the landowner"*.

The school and Johnstaff, its project managers, will do everything possible to have the roadworks completed as soon after execution of the WAD as possible, but the contract for these works will include normal provisions for bad weather delays etc. It would be preferable for the WAD to be executed now, and for the tender process to be commenced as early as possible in 2019.

The RMS comments with respect to the use of Fox Valley Road for 'drop-off and pick-up' purposes are agreed with. It is not the school's intention to allow this to occur. All drop-off and pick-ups will occur internal to the site, as is presently the case for current school enrolments. The modification seeks to extend these arrangements until the required intersection works are completed.

The approved permanent arrangement for drop-off and pick-up facilities entails the use of the carpark basement. These arrangements are presently in place, although accessed internally until the intersection works are completed. There is no intention that Fox Valley Road will be used for such purposes.

TfNSW feedback:

TfNSW has raised no objection to the modification but has suggested that the amended condition should require completion of the signalised intersection works within 12 months of occupation of the Stage 3 development.

Response: As stated above, the school has every intention of delivering an upgraded intersection asap but the completion of work is primarily dictated by the time that has been taken to achieve RMS and Council agreement to 'sign-off' on such. We believe that is more reasonable to specify the commencement of works within a reasonable period following the issue of the WAD approval. It is in everyone's interest to have the works completed asap after the appointment of a road contractor.

I hope that this response now allows for the Department's prompt determination of our request. Please let me know if anything further is required.

Regards,

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