

20 October 2020

The Secretary
Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124
Attention: Michelle Niles: michelle.niles@planning.nsw.gov.au

Dear Michelle,

Re: Wairoonga Adventist School (SSD 5535) – Modification Request (MOD-3)

This request seeks to modify the SSD approval for the Wairoonga Adventist School to enable further additional time for associated roadworks to be completed and to allow for school enrolments to be increased in the interim.

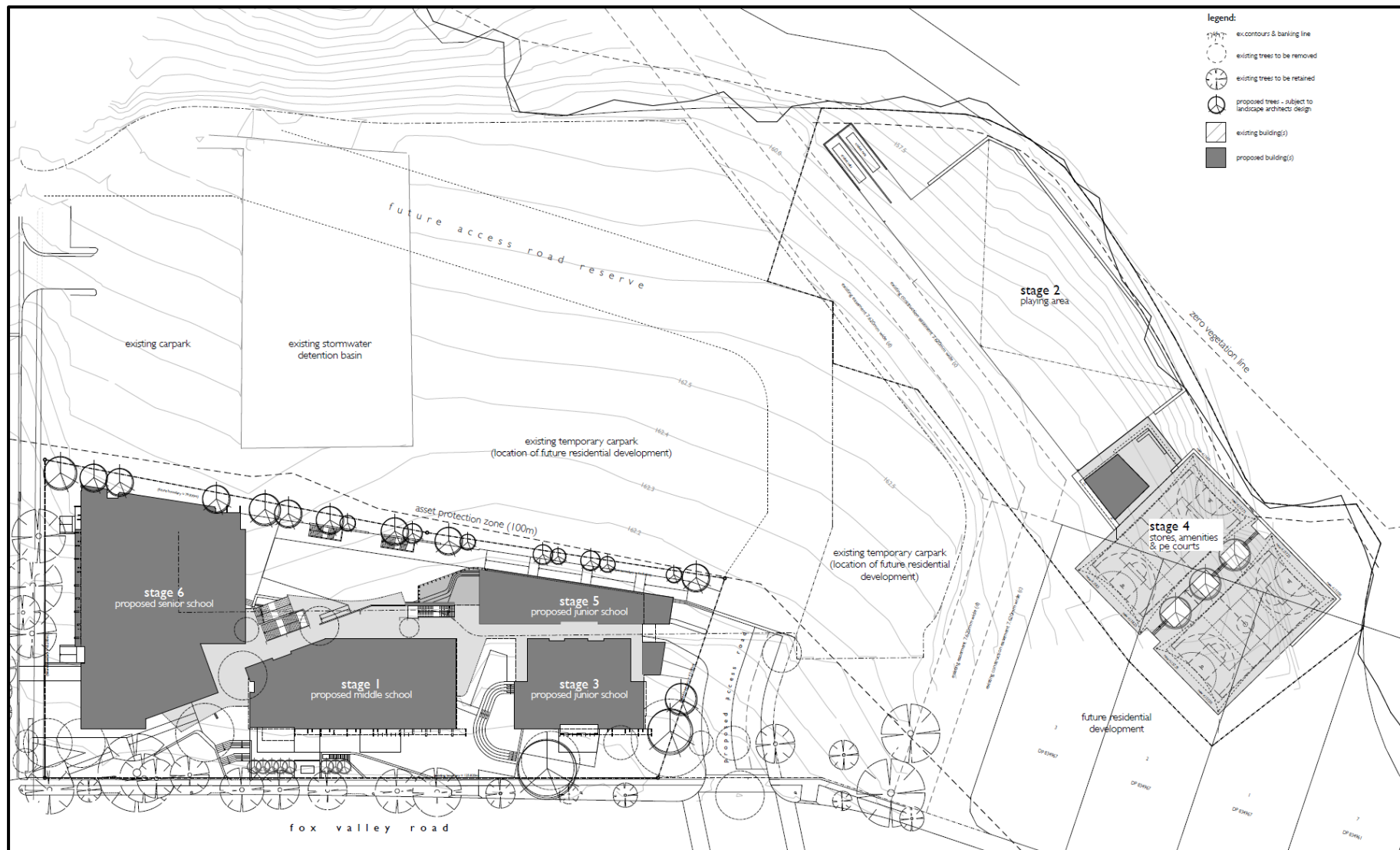
Background

The State Significant Development approval for the K-12 Wairoonga Adventist School (SSD 5535) requires the “construction of a new access road and signalised intersection on Fox Valley Road”. The initial approval, issued on 29 April 2015, required the intersection to be operational prior to the issue of an Occupation Certificate for Stage 3 of the school’s construction.

The status of construction staging for the school is outlined below.

School Stage	Expected Timing/Students	Current Status	Enrolled Students
1: New Middle School	Transition of primary students into demountables + new Year 7-8’s = 456 students	Completed 2017	2016 (Yrs K-7): 283 2017 (Yrs K-8): 383
2: Playing Fields	Amenities only – no new students	Completed 2017	N/A
3: New Junior School (east)	Accommodation of new students in existing Middle School buildings + demountables = 679 students	Partially completed (still fit-out areas to complete) - January 2020	2018 (Yrs K-9): 436 2019 (Yrs K-10): 516
4: Hardcourts etc	Amenities only – no new students	Completed - April 2020	
5: New Junior School (west)	Full occupation of Junior School + temporary accommodation of Year 11 & 12 = 679 students	Shell finished March 2020; Fit-out yet to occur.	2020 (Yrs K-11): 568 2021 (Yrs K-12): 647 (anticipated)
6: New Seniors School (Yrs 11-12)	Full operation of School = 800 students	Anticipated completion – 2025+	N/A

Note: The actual number of students attending classes is less than the enrolled number. There are approximately 530 students attending classes in 2020. Due to the impact of Covid-19, School attendances are even further reduced.



Approved Staging Plan for Wahroonga Adventist School, SSD 5535, September 2014

The approved staging allows for the ‘gradual’ occupation of the school commensurate with an expansion of on-site parking, recreation and other school facilities, i.e. enabling each class year to progress its education annually with a new ‘youngest’ year commencing in sync.

Ultimately, with the completion of the Stage 6 Senior School buildings in 2025+, the school will be able to operate at full capacity, with all Year classes accommodated in buildings designed and fitted out for their specific purpose.

Owing to delays in the consideration of intersection designs and having regard for the requirements of the school’s annual intake program, the original approval was modified in January 2019 (SSD 5535 - MOD 2) to allow additional time for the intersection roadworks to be completed.

The modified consent stipulates:

New Signalised Intersection and Site Access Road

G11 a) *To ensure that satisfactory vehicular and pedestrian access is provided for Wahroonga Adventist School, the Applicant must ensure that the signalised intersection at Fox Valley Road and the new school access road is operational within 12 months of issuing an Occupation Certificate for stage 3 or prior to the release of any Occupation certificate for stage 6, whichever occurs first.*

b) *No further enrolments, beyond 553 students is permitted until the new signalised intersection at Fox Valley Road and the new school access road is provided in accordance with (a) above,*

c) *Temporary vehicle access is to be provided to the basement car park via the main hospital entry and the temporary car park to the rear of the school until the new signalised intersection at Fox Valley Road and new school access road is provided in accordance with (a) above.*

SSD 5535, Modified Consent, 25 January 2019

The modified consent requires the signalised intersection to be operational within 12 months of an Occupation Certificate being issued for Stage 3 or prior to the issue of an Occupation Certificate for Stage 6, whichever occurs sooner.

The modified consent also specifies that “no further student enrolments, beyond 553 is permitted until the new signalised intersection ... is provided...”. This number was based on an additional 97 students expected to enrol for the 2019 school year bringing the expected total enrolments for that year to 553 (i.e. 456 students for the completed Middle School + 97 new enrolments anticipated for 2019). It did not consider, however, that the capacity of the school at the completion of Stage 3 had increased to 679 students, consistent with the original approved staging of works. The condition merely sought to tie enrolments for 2019 to the expected completion of roadworks by the end of that year.

Actual student numbers have dragged a little behind school capacity. Currently the school has 568 enrolled students for 2020 thus far (with a lesser number actually attending). Enrolments are expected to increase in 2021 to a total of 647 students, still within the originally approved student capacity for Stage 3 (i.e. 679 students), but beyond the current cap of 553 students.

Compliance with the modified deadline / enrolment limits is not possible given a stalemate position that has been reached in the ongoing consideration and approval of designs for the intersection.

Accordingly, this request seeks to further amend the SSD 5535 consent to allow further additional time for the intersection roadworks to be completed and for school enrolments to be increased leading up to the completion of the works. At the same time, it is proposed that the current

‘temporary’ arrangements for the dropping off and picking up of students via the adjacent hospital grounds be allowed to continue.

The modification will have minimal environmental impact and is supported by this submission and an accompanying traffic impact appraisal undertaken by Ross Nettle of Traffic and Transport Planning Associates (TTPA).

Current Position Regarding School Intersection Design and Approval

Included at **Appendix A** is a summary of the repeated and continual approaches, requests and meetings that have been made/occurred with both RMS/TfNSW and Ku-ring-gai Council (KMC), still without final resolution on the design of the intersection.

The Seventh Day Adventist Church was advised by RMS/TfNSW in October 2019 that the design plans for a 4-way intersection will require dedicated right-hand turn lanes and therefore additional land requisitions which impact upon the Church’s current administration operations on Fox Valley Road and potential development of the surrounding sites as approved under Part 3A¹.

Through subsequent discussions with RMS/TfNSW and Ku-ring-gai Council, and following further traffic modelling, it was intended to revert to a roundabout treatment of the intersection as indicated on the original Concept Plan for the Wahroonga Estate.

KMC’s Strategic Transport Engineer, Mr Joseph Piccoli, subsequently proposed a 4-way intersection without dedicated right turn bays on the basis that:

“traffic signal control under a 4 lane/2-way configuration on Fox Valley Road (without dedicated right turn bays) would:

- still provide satisfactory intersection performance (average am/pm peak delay of 10.8s/12.4s, vs 10.0s/9.7s for the Council adopted/TfNSW preferred layout);*
- provide superior pedestrian access and safety across Fox Valley Road at the intersection (compared to the roundabout option); and*
- be consistent with condition B7 of the Wahroonga Estate Concept Plan approval by providing two southbound travel lanes.*

Based on this, it is recommended that traffic signal control under a 4 lane/2-way configuration on Fox Valley Road (without dedicated right turn bays) be the preferred control mode for the new intersection.”

[Note: The above is an excerpt from the assessment report prepared by Mr Joseph Piccoli included in the Agenda from the Ku-ring-gai Traffic Committee’s meeting held on 4th May 2020.]

The arrangement suggested by Council’s Traffic Engineer is able to be supported by the Church.

Notwithstanding, the KMC Traffic Committee resolved against the recommendation of its traffic engineer and will write to the RMS/TfNSW to support an intersection design with the dedicated right turn bays.

The KMC’s Traffic Committee reasoning for this resolution is summarised as:

¹ It is noted that Block D of a previous layout for residential development on the northern side of the school access road has been deleted and is now utilised as school play space. Additionally, an agreement between the Seventh Day Adventist Church and the school developer stipulates that no residential construction work will commence on the Estate until such time as the intersection works are in place.

1. In 2011, the Traffic Committee considered and adopted, in principle, a layout of the intersection which was based on the initial modelling that was done as part of the Concept Plan application. It had two travel lanes in each direction at the intersection with dedicated right turn bays;
2. That cost benefit should not be a consideration, and the community should be seeking maximum benefit that would be provided by the original proposal approved by the Traffic Committee in 2011. Concern from the State Member for Ku-ring-gai was that if Fox Valley Road had to be widened in the future to provide dedicated right bays, this would be at Council's expense, and therefore the right turn bays should be constructed now rather than deferred to a future point in time; and
3. No dedicated right hand bays could present future safety issues that without controlled right turns into the school or opposite the school, this could also lead to increases in right-turn crashes, especially with the slight curve in Fox Valley Road at the intersection and the resulting line of sight.

The Church's response to each of these points is as follows:

1. The plans approved by the Traffic Committee in 2011 were conceptual in nature and since these plans were endorsed, the designs for all of the intersections along Fox Valley Road have changed, based on more current traffic modelling as agreed by and in conjunction with Ku-ring-gai Council and RMS/TfNSW.

In the case of the school intersection, the land acquisition required for the road widening to accommodate dedicated right turn lanes is far in excess of what was ever contemplated, and not considered reasonable in light of the traffic modelling results out to 2036 which indicate only a marginal improvement in the performance of the intersection. There is no impact on the 'A' Level of Service and only a minor increase of 2.8 seconds in wait time during AM peak and 0.7 seconds wait time during PM peak.

The approach by the Traffic Committee in respect to this intersection is different to the approach taken with respect to the Hospital Main Entry and Comenarra Parkway/Fox Valley Road intersections, with both of these intersections now under construction and/or complete based on different designs to those originally approved by the Traffic Committee in 2011.

The Main Hospital intersection does not have dedicated right turn bays and is performing satisfactorily with both the school and hospital traffic demand. This intersection currently accommodates school traffic resulting from its temporary use for drop-off and pick up purposes, without impact on road safety conditions or efficiency.

Further, RMS/TfNSW has not provided any detailed reasoning as to their current position that the intersection needs dedicated right turn bays.

2. The land resumption required to undertake the intersection is excessive and will impact on the estate's overall development in keeping with the Part 3A Concept Plan. In addition to the large amount of land already being dedicated by the Church for the Fox Valley Road and Comenarra Parkway intersection, the Church will be committing well in excess of \$30 million to road upgrades along Fox Valley Road. The State Member for Ku-ring-

gai's concern in respect to future widening should be alleviated by the traffic modelling which details only minor performance benefit with modelling out to 2036.

The Church considers that the local community would derive more benefit from a holistic review and approach to intersection upgrade works along the entire Fox Valley Road, which will occur in conjunction with further planned development within the Estate, rather than holding firm on a decision based on traffic data and modelling dating back to 2011. Further, the intersection design is not in keeping with the character of the area. It is an intersection design more fitting for the Pacific Highway, not the residential village feel along Fox Valley Road.

3. The geometry of the intersection complies with all necessary design standards and statutory requirements. It is noted that this intersection design is the same as the Main Hospital intersection upgrade completed a few years ago approximately 100m further along Fox Valley Road, which also does not have dedicated right turn bays and is performing satisfactorily. We would welcome further review of the sight lines and geometry of the intersection with Ku-ring-gai Council and RMS/TfNSW.

Ongoing Estate-wide Traffic Assessment

The Church has considered KMC's and RMS/TfNSW's position on this matter and reflected on the change to the traffic circumstances on Fox Valley Road that has occurred since the concept plans for the Wahroonga Estate were originally approved. In particular, much of the Estate development that has been approved thus far is now complete and occupied and there is also the issue of what potential beneficial impact the anticipated opening of Northconnex will have on traffic movements along Fox Valley Road.

In this respect, the Church has commissioned Mr Ross Nettle (of TTPA) to conduct a survey of traffic on Fox Valley Road, which will take into account upgrades completed to date and traffic generation. Surveys have been undertaken at:

- Fox Valley Road and Ada Avenue
- Fox Valley Road and Lucinda Avenue
- Fox Valley Road and School Intersection
- Fox Valley Road and The Comenarra Parkway

The traffic movements at the various intersections will establish the base to which the assessed additional traffic movements for the uncompleted elements can be added to facilitate a fresh traffic assessment and determine best intersection designs for the length of Fox Valley Road.

The results of these surveys will inform the Department's ongoing assessment of separate modification requests for the Wahroonga Estate Concept Plan and Project (Hospital Works) Approval (see MOD 6 – MP07_0166 and MOD 7 – MP10_0070).

Details and Appraisal of Current Modification Request

As previously indicated, the School anticipates that its enrolments will increase to 647 students for the 2021 school year, increasing beyond the current 553 cap on enrolments set by the previous SSD 5535 - MOD 2.

It is noted that 2021 represents the final year for Year 7 students that commenced at the school in 2016 and that the planned Seniors School, which will add to the school's enrolment capacity, is not planned to be completed until 2025. This means that in 2021 the school will operate at or near its current capacity, noting that the planned stages 4 (hardcourts and amenities) and 5 (Junior School west) will not increase enrolment capacity beyond that of Stage 3 – see staging table at page I of this request.

The current restrictions that apply to the Wahroonga Adventist School in terms of enrolment numbers were intended to align with the anticipated program for construction of the intersection roadworks. The restrictions, however, have become impractical. They are not based on actual traffic conditions and do not have regard for current school capacities. Further, if enforced, they will mean that current Year 11 students at the school will not be able to progress to Year 12 in 2021 and will need to complete their secondary schooling elsewhere. This would cause a major disruption to the school community.

As new enrolments for 2021 are already occurring and being planned for, it is necessary to urgently amend the SSD 5535 approval, notwithstanding that, in the absence of a final approval for the intersection design, it is not yet possible to set a construction completion date for the intersection works.

To assist the assessment of this modification request, TTPA has undertaken a separate traffic investigation. TTPA has considered the traffic implications of the school's request to enrol additional students pending the completion of the intersection upgrade.

TTPA has assessed the operational performance of the Fox Valley Road (hospital) access intersection (i.e. the current temporary access arrangement for the school) for the existing and planned additional students, utilising SIDRA modelling.

The assessment (included at **Appendix B**) demonstrates that the operational performance (level of service) of the hospital intersection will remain unchanged with the proposed additional students and that the additional enrolments will not adversely impact on traffic conditions.

Preferably, given the adequacy of current temporary access arrangements, it is proposed that no cap on enrolments be placed on the school's operations beyond that which is inherent with the approved Stage 3 capacities. It is expected, of course, that the intersection works will be completed under the terms specified by the Department's determination of the current outstanding modification requests for the Estate Concept Plan and Project Approval and that the works will be completed before the planned completion of the next substantial stage of school works, i.e. Stage 6, which will further increase school capacity to its maximum 800 student level.

A suggested wording for the amended condition is:

New Signalised Intersection and Site Access Road

G11 a) To ensure that satisfactory vehicular and pedestrian access is provided for Wahroonga Adventist School, the signalised intersection at Fox Valley Road and the new school access road must be operational prior to the release of any Occupation Certificate for stage 6 of the school as described in Condition A12 above.

b) No increase in school enrolments, beyond that identified for Stage 3 in Condition A12 shall occur prior to the completion of the works described in (a) above,

c) Temporary vehicle access is to be provided to the basement car park via the main hospital entry and the temporary car park to the rear of the school until the works described in (a) above are completed.

It is noted that Condition A12 referred to above currently stipulates:

Student Population

A12. This approval provides for the staged student population growth across the staged development of Wahroonga Adventist School, to a maximum of 800 students (inclusive of 90 Year 12 students), as follows:

	STAGE 1	STAGE 3	STAGE 6	TOTAL
STUDENTS	456	223	121	800

No change to this condition is required by the current modification request. The school intends to operate at 647 enrolments for the 2021 school year which is within the 679 limit (i.e. 456 + 223) on enrolments imposed for Stage 3 of the school's operations. No further increase in capacity is allowed by the SSD approval nor is a variation to these overarching limits sought by the current request.

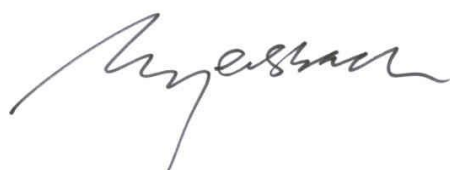
The current request solely seeks to remove the temporary 553 enrolment limit imposed on the school for its 2019 school year. As this number of enrolments will be exceeded in 2021, an adjustment to the limit is required. It is proposed that, rather than set a further temporary limit, the overarching limit that relates to Stage 3 of the school's operations be used. This will avoid having to make further consent adjustments up to the completion of roadworks. As previously stated, it is expected that the intersection works will be completed before the planned completion of the next substantial stage of school works, i.e. Stage 6, which will increase school capacity to its maximum 800 student level.

Wahroonga Adventist School respectfully requests that the Department's assessment of this modification request be accelerated in order that its operations may continue with minimal community disruption. On this basis, it is requested that this current modification for the Wahroonga Adventist School (SSD 5535) be prioritised ahead of the outstanding aforementioned modifications for the Wahroonga Estate Concept Plan and Project Approval.

The school would be happy to attend the required scoping meeting if considered necessary by the Department or to attend other discussions with RMS, TfNSW or Ku-Ring-gai Council that may occur during the Department's assessment of this request.

We await your further advice.

Yours Sincerely



Wayne Gersbach | **Memphis Strategic**

Appendix A – Correspondence with Ku-ring-gai Council and RMS / TfNSW

5 th April 2018	Email from S.Brain (TTW) to RMS with proposed signalised intersection design
22 nd May 2018	Email response from A.Ahsanul (RMS) requesting justification as to why signalised intersection is required at this location.
26 th July 2018	Email from D.Upton (TTW) to A.Ahsanul (RMS) with justification
31 st August 2018	Email response from A.Ahsanul (RMS) confirming approval of signalise intersection, but stating: <i>“Roads and Maritime does not support your proposal for a 4-way signalised intersection without proper justification. Roads and Maritime would support it as a T-signalised intersection and in future it is necessary to build the fourth leg of this intersection, it should be supported by associated traffic modelling and any necessary road widening works in/along Fox Valley Road.”</i> For clarity, the forth leg related to the road into the Church Administration offices.
5 th September 2018	Email from D.Upton (TTW) to .Ahsanul (RMS) with further detail provided as to reasoning for the 4 th leg of the intersection together with intersection design showing 2 traffic lanes in each direction on Fox Valley Road, with the southbound right lane accommodating shared through/right turn movements (to control access to the School).
18 th October 2018	Email from D.Upton (TTW) to A.Ahsanul (RMS) acknowledging verbal conversation with ‘in principle’ approval for 4 th leg of the intersection, and discussed with RMS the dedicated right turn bay, which RMS was of the position is required. TTW advised that they do not agree with the need for an indented right turn bay for several reasons: • The right turn bay is not consistent with the design of the already completed signalised intersection at the hospital main entrance and so would not provide considerable benefit. • The SIDRA analysis shows the current design is sufficient and does not require 2 lanes of uninterrupted traffic. • The addition of a right turn bay would incur considerable costs and delays in the project as Fox Valley Road would need to be widened. These costs would outweigh the benefits.
18 th October 2018	Email response from A.Ahsanul (RMS) requesting soft copy of SIRDA modelling file to RMS for review to justify point 2 above.
19 th October 2018	Email from D.Upton (TTW) to A.Ahsanul (RMS) with SIDRA results.
1 st November 2018	Email from D.Upton (TTW) to J. Piccoli (KMC) copied to A.Ahsanul (RMS) with SIDRA modelling and requesting KMC support of the proposal without dedicated right turn lanes.
19 th November 2018	Email from J.Piccoli (KMC) to D.Upton (TTW) requesting SIDRA files.
26 th November 2018	Email rom J.Piccoli (KMC) to D.Upton (TTW) requesting clarification on some queries/comments from KMC regarding certain aspects of the SIDRA model.
27 th November 2018	Email response from D.Upton (TTW) to J.Piccoli (KMC) with answers to the queries/comments.
8 th February 2019	Email from J,Piccoli (KMC) to D.Upton (TTW) with additional queries, following discussions directly between KMC and RMS.
20 th February 2019	D.Upton (TTW) email to J.Piccoli (RMS) with response to queries and supporting updated SIDRA Model.
21 st February 2019	Email from J.Piccoli (KMC) advising that KMC will liaise directly with A.Ahsanul (RMS) in respect to the intersection.

	Verbal discussion with KMC also confirmed KMC support of the TTW design with provision for 2 traffic lanes in each direction on Fox Valley Road, with the southbound right lane accommodating shared through/right turn movements (to control access to the School).
2 nd April 2019	A.Ashanul (RMS) emails T.Zdun (Capital Bluestone) with email sent from him to J.Piccoli (KMC) on 29th March 2019, which states as follows: “Dear Joseph, Reference is made to your correspondence dated 26 February 2019 regarding proposed new traffic signal at Fox Valley Road & school access road intersection. Roads and Maritime appreciates Council’s view on this matter. Roads and Maritime has reviewed the submitted SIDRA modelling for the subject traffic signal and noted that during peak hours there would be high demand for right turn movements from Fox Valley Road into School Access Road. Therefore, without any right turn bays at the subject intersection there would be significant impact and delays in Fox Valley Road that would have major impacts on road network operations. In light of the above, Roads and Maritime could only support proposed new traffic signal with right turn bays at Fox Valley Road & School Access Road intersection. Please note Roads and Maritime is the consent authority for installation of new traffic signals and proposed traffic signals at Fox Valley Road & school access road intersection would require Roads and Maritime’s consent in accordance with Section 87 of the Roads Act 1993. Should you have any further enquiries regarding the above please do not hesitate to contact me on 02-8849 2762 during business hours or e-mail at development.sydney@rms.nsw.gov.au.”
1 st May 2019	Meeting held at RMS offices with P.Rahnee (RMS), A.Ashanul (RMS), J.Piccoli(KMC), S.Brain (TTW), T.Bitmead (JSP). RMS were walked through the practical restrictions in providing dedicated right turn lanes. RMS made the commitment to review the intersection design if SIDRA modelling supported this approach. RMS was to provide traffic generation figures out to 2036 to assist in preparation of updated SIDRA model.
2 nd May 2019	Email from A.Ashanul (RMS) with traffic generation figures out to 2036.
8 th May 2019	Email from A.Ashanul (RMS) with clarification as to how the SIDRA model is to be prepared for RMS review.
28 th June 2019	Email from G.Caro (RMS) with updated SIDRA model.
13 th August 2019	Email from A.Ashanul (RMS) with queries related to update SIDRA model.
19 th August 2019	Email from S.Ali (TTW) to A.Ashanul (RMS) with updated SIDRA model.
18 th September 2019	Email from S.Brain (TTW) to A.Ashanul (RMS) requesting update. ‘Out of office’ received with A.Ashanul out of the office until January 2020.
14 th October 2019	Email from P.Rahnee (RMS) advising; “I refer to your email regarding the proposed signalised intersection to service Wahroonga Adventist School and provide the following comments for your consideration: - The provision of traffic lights at the intersection of Fox Valley Road and the new school access gate is required to ensure safe vehicle and pedestrian access is provided to the school prior to an increase in pedestrians and vehicles associated with the development in the area. - Roads and Maritime re-iterate its requirement for additional turn bays on the proposed traffic signal design to improve traffic efficiency and safety. The installation of the proposed traffic lights without these turn bays will

	<i>limit Roads and Maritime Services ability to effectively operate the traffic signals in the future to ensure safety at this location.”</i>
17 th December 2019	Email from S.Brain (TTW) to P.Rahnee (RMS) with roundabout option for RMS consideration.
14 th January 2020	Email received from R.Bito-On (RMS) stating as follows: <i>“Hi Stephen, I refer to your email below regarding the proposed roundabout on Fox Valley Road. Fox Valley Road is a unclassified regional road which falls under the jurisdiction of Council and therefore, Council are the assessing and authorising body for the proposed intersection treatment. Please liaise with the Council on the proposed intersection treatment. Transport for NSW normally provides comments on intersection treatments on unclassified roads through the Local Traffic Committee. If you have any questions regarding this matter, please don’t hesitate to contact me.”</i>
14th January 2020	Email from S.Brain (TTW) to J.Piccoli (KMC) stating: <i>“Does this mean we can proceed with the roundabout option subject to your approval?”</i>
31 st January 2020	Email response to from J.Piccoli (KMC) stating: <i>“Thanks for your patience on this. From the comments by TfNSW, I gather we can consider this matter through the Local Traffic Committee/Council process. The next scheduled traffic committee meeting is on 2 March 2020, and our reports need to be finalised by 21 February 2020. So, I will start the report some time next week, and I might need to contact you/your team for some supporting information or concept plan (if we don’t already have this information).”</i>

Appendix B – TTPA Traffic Assessment

Separately attached