

# ATTACHMENT 2

## City of Ryde Submission to the Independent Auditor for Meadowbank Education and Employment Precinct Schools Project (SSD 9343)

Key compliance issues relating to post- approval requirements


Submission Date: 20 October 2021



This submission is in response to correspondence from Derek Low dated 13 October 2021 seeking Council's input for upcoming audit of the development works at the Meadowbank Education and Employment Precinct with respect to SSD-9343 (School).

City of Ryde seeks that the scope of this audit should be in line with Section 3.3 of the IAPAR, including additional matters outlined below. Council requests that the following additional matters be included in the scope of your audit which are the concerns being raised by Council's engineering and planning departments.

ITEM No.	Particulars under the SSD Consent SSD-9343	Compliance Requirements	Applicant's Response to date and possible issues
1	<b>Pedestrian Infrastructure Improvements - Condition B44(a):</b> This Condition requires a 2.5m wide shared use path along western side of Hermitage Rd.	<p>A Roads Act approval for the 2.5m wide shared user path (SUP) have been issued on 22/7/2021 under Conditions B44(a), D14 &amp; D15. This must be constructed in accordance with the approval.</p> <p>However, also important is the need for an additional 1.2m wide footpath on the western side of Hermitage road to provide a pathway for children being dropped off along the western side of Hermitage Road to walk to the site. This 1.2m wide footpath is required as the steep slope of the road verge is such that children being dropped off along the western side of Hermitage Road cannot access the elevated shared path. This requirement must be completed as per SMEEP-Public Domain Strategy Workshop and Council's public domain enhancement strategy consultation progress and documentation package agreement on 26/2/2021 and the Road Acts approval on 22/07/2021.</p> <p>(Photo below of the site condition)</p>	<p><b>Representatives have mentioned in at a meeting with Council staff on 29 September 2021 that they do not wish to provide the 2.5m shared user path.</b></p> <p><b>The applicant has also indicated that they may not be constructing the 1.2m wide footpath, which represents a non-compliance with the development consent.</b></p>

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2	<b>(Condition B44 (b)):</b> 2.5m wide shared use path along southern side of Macpherson St between Mellor and Bowden Streets.	Council seeks that the Shared Use Path along southern side of Macpherson Street between Mellor and Bowden Street be provided as the Condition of Consent.	It is understood that the applicant is to deliver on this work prior to the opening of the new schools.
3	<b>Condition B44(c):</b> 2.5m wide shared use path along eastern side of Bowden St from Victoria Road to Macpherson Street.	Council staff have advised the applicant to provide the 2.5m wide shared use path on the western side rather than the eastern side to be consistent with the civil plans of works that Council originally intended to carry out.	It is understood that the applicant is to deliver on this work prior to the opening of the new schools.
4	<b>Condition B44(d):</b> 2.5m wide shared use path along southern side of Squire St.	Condition requires 2.5m wide SUP. As part of the SMEEP - Public Domain Strategy Consultation progress, Council agreed that the existing 1.35m wide footpath be upgraded on the southern side of Squire Street to ensure that there are no trip hazards or other construction deficiencies from its intersection with Sutherland Avenue to its intersection with Bowden Street.	<b>The applicant has previously indicated that they will not deliver on this work due to civil constraints and the existing 1.35m wide footpath along the southern side of Squire St is to remain.</b>
5	<b>Condition B44(e):</b>	none	It is understood that the applicant is to deliver on

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	2.5m wide shared use path along southern side of Rhodes St		this work prior to the opening of the new schools.
6	<b>Condition D9 (a):</b> Raised wombat pedestrian crossing on Macpherson St at Mellor St	none	It is understood that the applicant is to deliver on this work prior to the opening of the new schools.
7	<b>Condition D9(b):</b> Pedestrian crossing on See Street at Macpherson St	This is required for safety reasons in light of the increase in end users. Required by Conditions of Consent.	<b>The applicant has previously indicated that they will not deliver on this work.</b>
8	<b>Condition D9(c):</b> The upgrade of the existing pedestrian refuge at the Bowden Street roundabout to a wombat pedestrian crossing	none	It is understood that the applicant is to deliver on this work prior to the opening of the new schools.
9	Prior to the commencement of the operation of the new schools, the Applicant must consult with Council and TfNSW in relation to the need for the provision of a wombat pedestrian crossing or alternative pedestrian infrastructure upgrade works at the northern end of Mellor Street near/at its intersection with Victoria Road. (Condition D10)	This is required.	<b>The applicant has previously indicated that they will not deliver on this work.</b>

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11	<b>Public Domain Works - Conditions D14 &amp; D15</b>  Delivering 180m of 2.5m Shared User Path on western side of Hermitage Road as per the Road Acts approval issued on 22/07/2021 under conditions D14 and D15.	The applicant must meet the clearance requirement for each service and allow for construction of the elevated 2.5m wide SUP, this will require relocation and/or modification of the existing services to allow for the new elevated 2.5m wide SUP. This requirement must be completed as per SMEEP-Public Domain Strategy Workshop and our public domain enhancement strategy consultation progress and documentation package agreement on 26/2/2021 and approved condition B44 (a,b,d ,e and c " proposed works are for western side of Bowden street not the eastern side) and condition number B45 (a ).	<p><b>It is unclear whether this aspect of the development will commence soon.</b></p> <p><b>Representatives have mentioned in at a meeting with Council staff on 29 September 2021 that they do not wish to provide the 2.5m shared user path.</b></p>
12	<b>Street lights Condition D14(h)</b>	As per condition D14(h), Public domain upgrades, the applicant must provide new street lights using LED luminaire to be designed and installed to Australian Standard AS1158:2010 Lighting for Roads and Public Spaces, to replace any existing street lighting proposed to be removed as part of the development.	<p><b>Plans have not been received yet from the applicant and approval by Council has not been issued yet for this item.</b></p>
13	<b>Noise Issues Conditions C1, C4, C12, C13</b>	The noise limitations imposed by Conditions of Consent must be complied with at all times.	<p><b>Various complaints have been received by Council's Customer Services and through Councillors regarding noise issues</b></p> <p>In some cases, Customer has indicated that construction is starting at 5:30 every morning.</p> <p>In other complaints Customer has advised that they have gone to the communications team of the Department to make a complaint and they have brushed it off.</p> <p>Some of the concerns has indicated that despite the hotline and channel of communication being provided, "nothing is being done (about the</p>

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			residents' complaints) and this is negatively impacting the way we live".
14	<b>Construction Hours Conditions C3, C4</b>	Works must only occur during the approved hours.	If this could be adhered to as well in light of various issues being raised.

In light of the above matters, Council advises that if conditions are not complied with, the school may not be able to commence operation as per conditions E20, E21,E22 and any future Road safety auditing requirements as per conditions E13,E14 and E15.

With regards to the non-compliances with the development consent identified above, the most critical is the applicant's intent to not proceed with providing a future pedestrian/cyclist connection to the site along the western side of Hermitage Road, which would be an adverse outcome for students, staff and visitors travelling to the school.

Part 8.2 of the *Transport and Accessibility Impact Assessment* report prepared by GTA Consultants (now called Stantec) dated 14 October 2019, for which the works outlined in the development consent is based on, has specifically recommended for the "*continuation of the existing Hermitage Road shared path from the Sydney Water driveway to the Rhodes Street site access*" as a key measure to support and encourage greater walk and cycle trips to the site, which is essential considering the approved development provides a lack of car parking spaces on site. (Around 60 parking spaces is proposed to be provided on site for 2,620 students and 215 staff. This is well below Council's DCP requirements).

With regards to the other non-compliances, it is noted that the applicant has recently submitted a School Travel Plan to address Condition D17 of the development consent, whereby the plan indicates that a significant number of students and staff travelling to the site by walking and/or cycling will originate from the south and east of the school site. As such, the pedestrian and cyclist infrastructure commitments (required in accordance with the development consent), which the applicant is proposing to not provide can also affect the safety and efficiency in which students and staff can walk and cycle to the site from the south and east (in particular the pedestrian crossing across See St at Macpherson St).

In addition to the above, a road safety audit has been undertaken on the civil design in accordance with Condition B46 of the development consent, with comments from Council staff provided to the applicant on 11 August 2021. It is unclear to date, whether the defects and recommendations (with our comments) have been addressed.

END OF SUBMISSION