
From: Jillian Sneyd
Sent: 19/01/2023 2:29:02 PM
To: Council Northernbeaches Mailbox; Anne-Marie Young
Subject: TRIMMED: DA2021/2567 DA Submission
Attachments: 11771 Submission 4.pdf;

Please see attached submission. Anne- Marie I have left a couple of phone messages, could you please give me a call to discuss briefly.

Regards

Jillian Sneyd

Consultant Planner



A Level 10, 70 Pitt Street Sydney NSW 2000

P GPO Box 5013 Sydney NSW 2001

M [REDACTED]

T (02) 9249 4103

F (02) 9249 4111

w glnplanning.com.au

18 January 2023

Our Ref: 11771 Submission 4

Northern Beaches Council
799 Pittwater Rd
DEE WHY NSW 2099

Attention: Anne-Marie Young

Dear Anne-Marie,

RE: DA 2021/2567

Property: 60 & 37- 43 Federal Parade, Brookvale St Augustine's College Brookvale

We refer to our previous submissions on behalf of our clients, the owners, and residents of 31 Consul Road Brookvale. This submission is in response to the December 2022 renotification of the application. Our prior submission addressed the additional material submitted but not the Plan of Management (POM). We have reviewed the information submitted and raise the following concerns:

Unclear Development Proposal

The manner in which the Development Application has been submitted has resulted in the nature and scale of the development proposed is unclear and not supported by documents which reflect the proposal. Each piece of additional information reveals different information and further detail as to the use of the site, which is either a modification or an additional use, should be clarified.

Plan of Management

The use as proposed within the POM is not reflected in the SEE submitted with the Development Application. The application as submitted lacks sufficient clarity as to the proposal. Notably, the POM provides details of the use of the site in a manner not anticipated in the Acoustic Report dated 13 December 2021. The Applicant has taken the view in preparation of the application and submission of additional material that the proposed development is merely an increase in pupil numbers that gives rise to additional traffic and parking demand, requiring the only the provision of additional carparking. The Plan of Management clarifies the extent of the proposal, including the number and variety of extra curricular and community activities, which by virtue of the increase in student numbers has the potential to not only impact traffic and parking, but also give rise to acoustic and residential amenity impacts that are not adequately considered or addressed.

The Plan of Management has not been prepared having regard to the NSW Land and Environment Court Planning Principles identified in *Renaldo Plus 3 Pty Limited v Hurstville City Council* [2005] NSWLEC 315 at 53-55 and further refined by *Amazonia Hotels Pty Ltd v Council of the City of Sydney* [2014] NSWLEC 1247.

The POM is not drafted to be a binding POM and suggests that amendments should only be notified to Council, not that an approval to modify be sought.



The following matters are identified for further consideration by Council in the assessment of the application:

- Acoustic impact of PA facility not assessed in Acoustic Report.
- Supervision of ball activities is ineffective, with our clients reporting numerous balls per week within their rear yard, with the potential for property damage. Access to students retrieving balls has been freely granted on a regular basis.
- The playground is regularly accessed and noise generating before 8:40am despite statements within the POM.
- Community use of Tolentine Park is not indicated which has acoustic impacts upon adjoining residential properties.
- Community use of the school facilities described in the POM are not addressed in the Acoustic Report.
- Lighting to the rear of the Goold Building is not timed to turn off at 10pm and causes a nuisance to adjoining residents. Sensor lights should be installed in lieu.

Landscape Referral Comments

Council's internal Landscape referral comments continue to fail to address the landscape requirements of No 33 Consul Road. No 33 Consul Road forms part of the land approved for school use and has not been landscaped since demolition of the dwelling house prior to the construction of the Goold Building as complying development, identified by the red rectangle. Similarly the landscape plan shows an existing garden bed having been constructed within the drainage easement and overland flow path (shown by red oval). These matters as well as the 'relocated' drainage overland flow path in this vicinity have been previously identified in our submissions and not resolved by the additional information submitted and are illustrated in Figures 1 and 2 below.

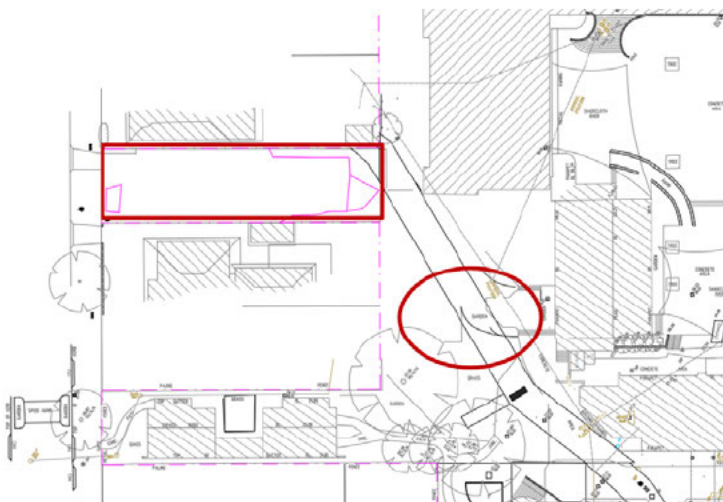


Figure 1 Extract of Landscape Plan Rev E dated 10 November 2022



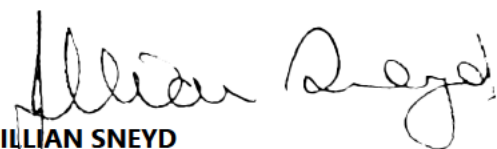
Figure 2 Aerial Photograph of 33 Consul Road Brookvale

Conclusion

The additional information submitted has not addressed the matters raised in our earlier submissions and again has raised more concerns. The Applicant should be required to withdraw the application to address the identified inconsistencies within the application to provide a clear representation of the approval being sought. The matters raised in our earlier submissions have not been addressed and remain as objections to the current Development Application.

Yours faithfully

GLN PLANNING PTY LTD


JILLIAN SNEYD
CONSULTANT TOWN PLANNER