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**Sent:** 28/11/2022 4:39:26 PM  
**Subject:** Further submission to DA 2021/2567 60 Federal Parade, Brookvale St Augustine's College Brookvale  
**Attachments:** 11771 Submission 3.pdf;

Anne-Marie

Please find attached a further submission in response to the additional material submitted.

Regards

**Jillian Sneyd**  
**Consultant Planner**



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28 November 2022

Our Ref: 11771 Submission 3

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. A review of the DA tracker for DA 2021/2567 indicates additional information has been submitted by the applicant in support of the application. We have reviewed the information submitted and raise the following concerns:

**Inconsistent details**

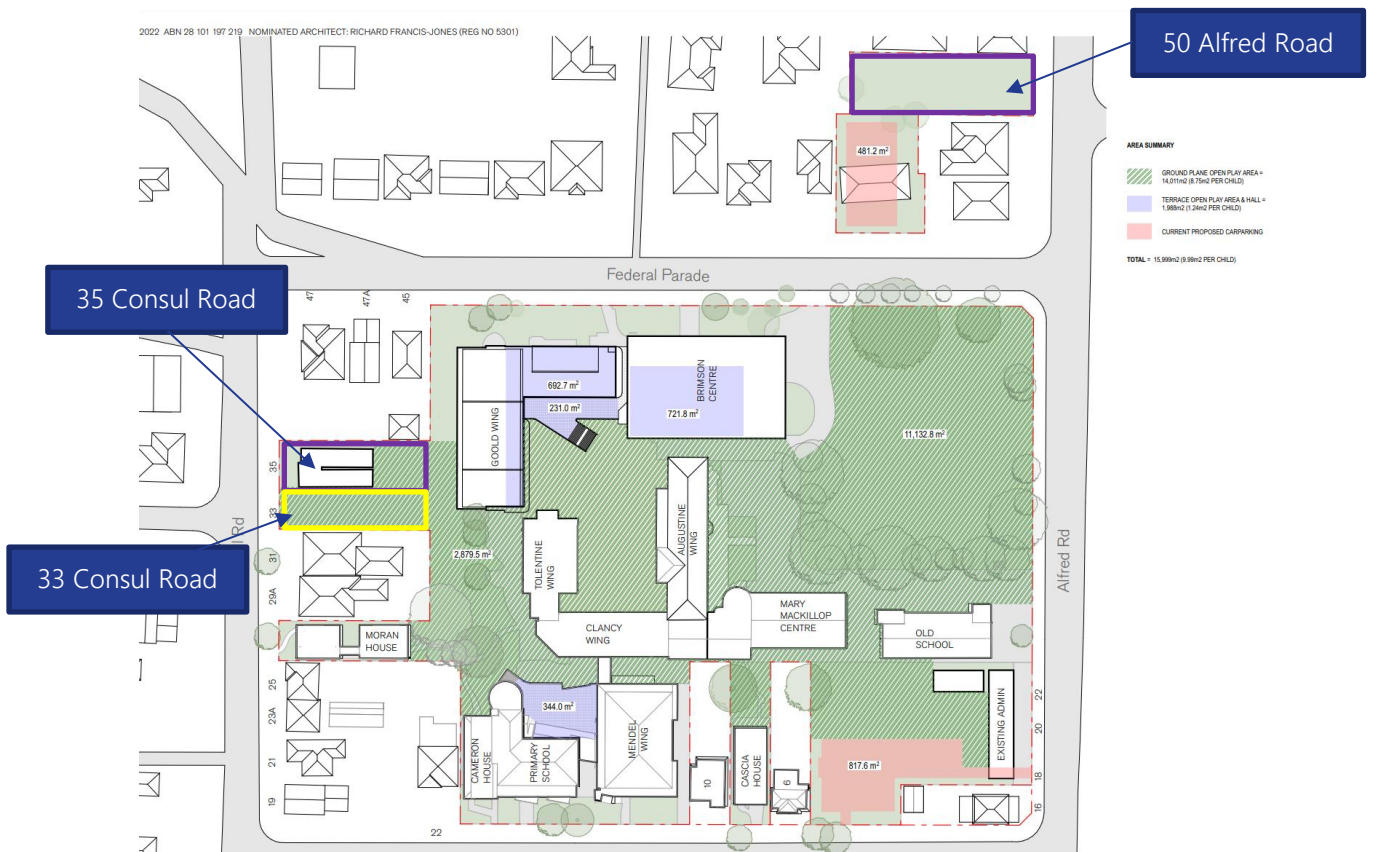
The additional detail indicates that the site description of the proposed development is:

- *"37-43 Federal Parade, Brookvale - Lot 100 DP 1250521;*
- *60 Federal Parade, Brookvale - Lot 13 DP 568333; and*
- *Lot B DP 395193 (this parcel does not have a street address) – no physical works"*

The open play area calculations submitted indicate lands not the subject of this application, being:

- Lot 5 DP 12815, 35 Consul Road; and
- Lot A DP394188, 50 Alfred Road.

The properties not the subject of the application are outlined in blue on the following extract of the Outdoor Play Area for clarity.



**Figure 1 – Extract Open Play Area Plan**

The parcels identified in blue in **Figure 1** have not obtained Development Consent for school use and are not the subject of this DA.

This plan has been provided to indicate the open space play areas available to the College. The calculations indicate 15,999m<sup>2</sup> (9.99m<sup>2</sup> per student). The NSW Department of Education adopts a minimum requirement of 10m<sup>2</sup> per student. The sites for which there is no existing development consent and for which consent for school use is not sought have a total area of 1635m<sup>2</sup>. The proposed use of these properties is unknown and must be deleted from material submitted with DA 2021/2567 for clarity.

**Use of No 33 Consul Road**

The College site includes 33 Consul Road having been previously amalgamated. Development Consent No 2018/1804 granted approval for the change of use of 33 Consul Road from residential dwelling to educational use. At this time the SEE submitted indicates that there is a masterplan being developed for the use of the properties. The dwelling house on 33 Consul Road was demolished under a Complying Development Certificate. At the time of the Consent No 2017/1804, 33 Consul Road had been amalgamated into the school site (then Lot 1, DP 1250521 and now Lot 100 DP 1250521). Council at the time were advised of the development of the Goold Wing under Complying Development Certificate.



As noted in our earlier submissions, the submitted SEE, supplementary reports and amended plans do not provide any clarity around the use of 33 Consul Road. Notably:

- The Acoustic Report does not address the use of 33 Consul Road.
- There is no landscaping plan. No 33 remains an un-remediated construction site since the demolition of the dwelling house prior to 2018.

33 Consul Road was used as construction access for the Goold Wing. It what appears to be an omission, 33 Consul Road was not included in Condition 7 of Consent Not 2018/1804 which required the sites to be grassed. Continued failure to consider the likely use of 33 Consul Road particularly in light of the College purchase of 35 Consul Road is likely to result in adverse impacts upon the residential amenity of our Clients home.

The submitted SEE and amended plans do not provide any clarity around the use of 33 Consul Road.

### **Traffic, Parking and Pedestrian Safety**

The Traffic and Parking Assessment submitted relies on on-going management to limit the impacts of traffic and parking upon the surrounding residential amenity. Whilst, the implementation of such strategies is encouraged, the commentary that parents arranging to meet students in other locations does not assist in ensuring appropriate traffic management or safety. Equally, the owners and residents of the properties in these unidentified locations may not be aware not notified of the application.

### **Available Open Space**

As noted above, the calculations include areas which are not the subject of the Application before Council. Further, the utility of areas surrounding the proposed carpark, and un-landscaped areas is queried. In addition, there is no evidence within the submitted materials that 33 Consul Road is suitable for use for active school uses. Further details are required to ensure that 33 Consul Road and any other former residential sites on which there has been demolition and construction uses are not the subject of any land contamination.

### **Future Development of the School**

The Applicants position that "*No approval for the use of these sites for the purposes of an Educational Establishment has been sought and therefore their use remains residential only*" is inconsistent with the open play area plan submitted as discussed above.

### **Student Enrolments**

The breakdown of the student enrolments for the 2020 and 2022 does not provide an analysis of the adequacy of the existing school buildings to meet the needs of those students. The submission of this application seeking to remedy non-compliance with the student cap to seeks to limit the application of Design Guide for Schools and avoid the preparation of a Masterplan which was indicated to Council as being formulated in 2018.



## **Operational Plan of Management**

At the time of writing this submission, the Operational Plan of Management (OPoM) had not been submitted. The OPoM should when received be the subject of a further notification. The application currently before Council is incomplete and the responsibility to ensure adjoining residents and owners are aware of the additional material submitted should rest with either Council or Applicant.

## **Community Consultation**

Our clients have not been directly approached to open and maintain a dialog, in respect of the current and proposed plans for the College site. They would welcome open written and verbal communications providing clarity as to the proposed development and the mitigation of adverse impacts upon their residential amenity.

## **Flooding**

As we have previously identified an existing easement and overland flow path exists over 33 Consul Road now consolidated within the mail College site. The flood impacts have been considered in the Draft Greendale Creek Flood Study and the material submitted with DA 2020/1514.

The Draft Greendale Creek Flood Study states that *"when flows exceed the Consul Road pipe capacity, they overtop Consul Road and flow south-easterly through 35 – 47 Consul Road and then through St Augustine's College"*. In addition, it is noted that *"The recent redevelopment of St-Augustine's School at Brookvale involved modifications to the building footprints and ground levels around the school"*. These works were undertaken in conjunction with the Complying Development Certificate for the Goold Wing. A *"planter wall had been constructed in the drainage easement"..."which is likely to present a significant obstruction to overland flows through the site"*.

Review of the Draft Greendale Creek Flood Study indicate the area is a Floodway, Hydraulic Hazard H4/5 and Flood planning Constraint Category 1 in the 1% AEP ( 100 year). These constraints are not considered within the submitted material.

The most recent submissions indicate that the areas within 33 and 35 Consul Road are to be used for open space calculations. The DA as submitted does not address the likely impacts of flooding on the useability and safety for school uses. Equally this application provides the opportunity to remedy works constructed contrary to the terms of the easement and to minimise impacts on land that would not otherwise be impacted by flooding.



**Conclusion**

The additional information submitted has not addressed the matters raised in our earlier submission and has raised more concerns. The amended material when complete and all inconsistencies resolved should be renotified to ensure the local residents are given the opportunity to review and comment prior to determination by the Northern Beaches Local Planning Panel.

Yours faithfully

**GLN PLANNING PTY LTD**

A handwritten signature in black ink, appearing to read "Jillian Sneyd". The signature is written in a cursive, flowing style.

**JILLIAN SNEYD  
CONSULTANT TOWN PLANNER**