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**Sent:** 23/05/2020 5:04:33 PM  
**Subject:** DA2019/1420 John Colet School  
**Attachments:** Amended Plans building RCsubmission May 2020.docx;

Dear Sir/Madam,  
Please find attached our Submission to DA2019/1420 John Colet School.

Yours Faithfully  
Ron and Cynthia Patton

Ron and Cynthia Patton  
 pattonrc@hotmail.com  
 18 May 2020

Northern Beaches Council  
**Attention: Planning Officer**  
**Mr Nick England.**

**DA2019/1420**  
**John Colet School**  
**6-8 Wyatt Ave Belrose NSW 2085**  
**Amended Plans**

Dear Sir,

Thank you for the opportunity to make a submission.

We object to this proposal for an additional new 2 storey building and associated facilities on this site.

This is an inappropriate development proposal.

These proposals will severely add to the existing adverse impacts on us and other neighbours/people in this residential neighbourhood.

We make this submission in addition to our previous submission which is also to be considered in regard to this proposal. Further, the details in this submission are to be read in conjunction with the details in our submission for the amended plans for Mod2019/0627 – DA2015/0558.

**The amended plans show a large two storey building. This proposed building is not contained within the set back and height standards for Locality C8 WLEP2000 and the proposal does not provide sufficient spaces for the carparking requirements.**

As mentioned in our previous submission on this Development Application, we consider that this application should not have been received by the Council until the Modification 2019/0627 (total site proposal) has been assessed and determined.

**DA2019/1420 application**

The application refers to the consent for DA2015/0558 which contained staged development proposals for this school. This approval for this DA contains Consent Condition 5 where it states that development Applications are to be lodged for the construction of (future) stages F to Q as approved on Plan JC/IN DA//DWG 1000 REV D Dated 14/12/15.

The application does not comply with this consent condition.

The documents for this current application do not contain a **full** Development Application for this stage. Also, it is difficult for residents to understand all the changes in the amended plans as there is no written information. This is unacceptable all details should be submitted

In addition, this application is subject to the approval of MOD2019/0627.

As the application is incomplete and it is subject to a Modification it is inappropriate for Council to accept and assess this Development Application.

**Therefore, the Application should be rejected and refused.**

**WLEP2000 Locality C8 Category 3**

Primary Schools are Category 3 developments and require a more rigorous application and assessment to show how the proposals are consistent with the desired Future Character Statement of the locality and other planning controls in WLEP2000.

Consistent" in WLEP2000 means "capable of existing together in harmony "with the DFC for the Locality. It is insufficient to merely ask whether, notwithstanding the proposed development, the locality "as a whole" would retain its character, WLEP2000 requires that each and every development be consistent with the DFC individually (see DEW Gillespies v Warringah Council [2002] NSWLEC.

WLEP 2000 Part 2 Control of Development states in part:

Clause 12.3.(b) Category 2 or 3; the consent authority must be satisfied that the development is consistent with the desired future character statement.

The notes under this clause state in part: Category 3 development is development that is generally inconsistent with the desired future character statement of the Locality.

Clause 15.(1) states: consent may be granted to development classified as Category 3 **only if** the consent authority has considered a statement of environmental effects that includes the items listed in schedule 15, Statement of Environmental Effects.

The written application with the previous plans addresses some of these requirements and as there are no written details with the amended plans there are insufficient details to comply with this requirement and to provide a full assessment of this proposal.

The proposed building is not consistent with many of the planning controls; therefore the application should be refused.

Further the Desired Future Character Statement includes; "Development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses Low Intensity and Low Impact are defined in *Vigor Master Pty Ltd v Warringah Council* [2008] 1128.

Intensity-is commonly used to identify the nature of the proposal in terms of its size and scale and the extent of the activities associated with the proposal.

"Therefore 'low intensity' would constitute a development which has a low level of activities associated with it.

The school activities certainly do not involve a low level of activities as detailed below.

Therefore the **proposal is not low intensity** which means that it is not consistent with the Desired Future Character of Locality C8.

Impact – is commonly used in planning assessment to identify the likely future consequences of proposed development in terms of its surroundings and can relate to visual, noise, traffic, vegetation, streetscape, privacy, solar access etc.

Therefore low impact would constitute a magnitude of impacts such that was minimal, minor, or negligible level and unlikely to significantly change the amenity of the locality.

The existing impacts of the School are certainly not minimal, minor, or negligible. With this extra large building the impacts particularly visual, traffic and street parking will be greater.

The impact is High and is inconsistent with the desired Future Character Statement for Locality C8.

### **Two Storey Building**

The proposal is not contained within the height requirements and the front set back distance is 17 metres where the planning requirement is 20 metres.

In addition the planning requirements state this set back areas are to be densely planted with local species.

**The proposal is not consistent with any of these standards.**

The side set back distance in the plans is 5 metres where the planning requirement needs a minimum of 10 metres which is to be densely planted with native species and free of any structures.

Again the proposal is not consistent with the planning requirements.

The proposed two storey building will result in a continuous high wall of four large buildings along the Wyatt Ave frontage.

This is not in character with the detached dwellings in this neighbourhood.

This will add to a high visual impact along the streetscape and is inconsistent with the Desired Future Character Statement in the planning controls, which requires low impact.

In addition, the Desired Future Character Statement for Locality C8 WLEP2000 states in part, "The present character of the Belrose North Locality will remain unchanged except in circumstances addressed as follows."

As this LEP was implemented in 2000, the "present character" refers to the character that existed in 2000.

Therefore, the proposal is not consistent with the DFC, where the applicant is proposing a building based on the character that has been developed since the implementation of LEP2000.

**This proposal building is not consistent and does not meet the Terms in Locality C8 WLEP2000 and the General Planning Requirements in WLEP2000. Therefore the application should be refused.**

The Urban Design Referral Response states that the proposal is “sympathetic to the existing buildings” and that the roof height is “consistent roof topology across the site”.

These are not valid reasons to justify the significant variations from the planning controls.

There are no comments referring to the proposal being consistent with the planning controls for Locality C8.

The application should be refused.

### **Landscaping**

The Landscape Referral Response does not refer to the requirements of Locality C8. This is unacceptable.

The plans show that there is a playground in the front set back area whereas the planning controls require this area to be **densely planted with local natives**. Similarly, the side set back should be 10 metres, densely planted with local natives and free of any structures.

Further the response has not referred to planting proposals on other parts of the site where the proposed plantings are not local natives.

This landscaping plan is not consistent with the planning requirements in Locality C8.

Therefore the application should be refused.

### **Student and Staff Numbers**

The written application with the previous plans does not provide any details on the student and staff numbers.

Further the amended plans do not have any written details associated with these plans.

Although the numbers of existing students and staff are not provided with the applications, it is evident that the parking for the existing staff numbers does not meet the planning requirements. There are many staff vehicles parked on the local streets each day.

The onsite car parking requirements are based on the total number of staff (both full time and part time) on site and can only be determined if these numbers are provided in the application.

### **Parking**

*Although a total of 19 car parking spaces have been approved for previous applications, the addition of the extra spaces in the application will not satisfy the existing developments and certainly will not meet the requirements for an additional large building.*

There are many more that park on the local streets each day, than the extra proposed onsite spaces. This means that there will be insufficient spaces onsite to accommodate the parking associated with the new building.

In the Consultant’s (McLaren Traffic Engineering) report for the Applicant the plan shows a total of 25 spaces without any stacked spaces.

The Architect’s plan shows there are 30 spaces with 6 stacked spaces.

The Consultant report does not support the application by the Architect.

In considering the proposed location and layout of the car parking spaces there are many issues that make these spaces unacceptable.

The proposed stacked spaces are not practicable, particularly where there is a number of part time staff. The internal road does not provide sufficient manoeuvring area for these spaces.

Some of the proposed spaces are located along the eastern boundary. These spaces are located within the 10 metre set back distance which is to be provided with densely planted native species and free of structures and car parking.

In addition to these proposed car parking spaces along the Eastern Boundary the plans show a cool room and a shipping container near the proposed car parking spaces.

This is unacceptable as the planning controls state that this area is to be free of structures and is to be densely planted with native species.

Some of the proposed spaces are located at the rear of the property.

The bushland area at the rear of the property is included in previously approved plans to accommodate the planning requirement to provide a minimum of 50% of the site with bushland or planted with local species.

The proposed playground area cannot be included as part of this bushland area requirement.

This location should not be used for car parking.

In considering vehicle access to many of the proposed spaces, the Consultant’s Report states that “vehicles can access the staff parking spaces with an acceptable number of manoeuvres”. **REALLY!**

We consider that this is unacceptable, as the staff will find it easier to park on street. This is already occurring with the existing staff vehicles.

Without sufficient on-site carparking spaces for the new building the application should be refused.

### **Traffic**

The existing development causes traffic chaos which results in unsafe traffic movements.

The applicant's consultants have not addressed the current problems and have not provided any details for the new development.

Schedule 17 of WLEP2000 requires, for primary schools, adequate pick up/set down area **onsite**. All pickup and set down occur on Wyatt Ave as there is no area onsite. This causes many safety problems and impacts as detailed below.

Pick up in the afternoons cause extensive queues along Wyatt Ave which extends through the intersection of Cotentin Ave and often further down Wyatt Ave, often as far as No 26 Wyatt Ave. This impacts us and other residents as it makes it very difficult and often impossible for residents to enter and exit their properties. This is unacceptable.

Wyatt Ave is narrow which means that two way traffic movements cannot operate with this queuing.

There are always illegal traffic movements at the intersection of Wyatt Ave and often buses have problems navigation along Wyatt Ave.

Recently Council approved a 60 place Child Care Centre at 12 Wyatt Ave at the intersection of Wyatt Ave and Cotentin Road.

The queuing of vehicles for John Colet School extends along Wyatt Ave past this Child Care Centre site. The combination of the traffic and parking movements will cause unacceptable chaos, create unacceptable safety problems, cause unacceptable noise and make it impossible for residents to access and exit their properties.

Together with this traffic there are pedestrian movements including school children and younger children.

This traffic chaos is already causing unsafe situations; any increase in students and staff will cause more unsafe situations.

The combination of the traffic and pedestrians associated with both John Colet School and the Child Care Centre will cause many extra safety problems.

### **This is a Local Neighbourhood Street and should be respected as such.**

Both the parking and traffic are high intensity causing high adverse impacts on the local residents in this residential neighbourhood.

Further developments on this site will only increase these impacts and cause extra safety problems.

In a submission for DA2010/1170 on this site a consultant's report stated in part, "The proposed development will generate traffic volumes that will result in Wyatt Ave exceeding the RTAs desirable maximum environmental goal of 200 vehicles per hour in the AM and PM peak hours."

The addition of the proposed building will increase the traffic volumes in Wyatt Ave, this will increase these environmental impacts.

The impacts as predicted by this consultant are now evident and the current proposal will result in higher intensity which is not consistent with the Planning controls for this Locality.

**With no proposals to prevent this traffic chaos the proposal should be refused.**

### **Bushland Area**

The planning requirements for Locality C8 WLEP require; **'Bushland Setting:**

Minimum of 50% of the site area is to be kept as natural bushland or landscaped with local species."

Approved plans for existing developments provided the bushland area at the rear of the property to comply with this requirement.

The application does not provide any details to show that the current proposal will be consistent with this standard. In fact the proposal shows car parking in some of this bushland area; therefore this application should be refused.

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We consider that this proposed large two storey building and associated facilities will result increase the existing overdevelopment of this site and cause excessive adverse impacts to us and residents/people in this residential neighbourhood and cause extremely adverse impacts on the site.

This is NOT in the Local Communities interest. These development Proposals are a burden to the local neighbourhood.

The application does not show how the proposal is consistent with the planning requirements in WLEP2000; in fact, it only lists many variations which means it does not meet the Terms of the Planning Controls therefore, this application should be refused.

We respectfully request that all the above details be taken into consideration in the assessment report.

Yours Sincerely

Ron and Cynthia Patton