

Submission and Objections for DA56190/2019

The superseded consent for the site gave approved for 13 dwellings.

This current proposal seeks a further nine dwellings to total twenty-two.

The dwelling layout is high density and inconsistent with the design and character of development in this area of East Gosford

Setbacks

Two dwellings are proposed with a zero or near zero set back from the street/property boundary – one to Adelaide Street and one to Melbourne Street.

This is significantly inconsistent with other development in these streets and throughout East Gosford where the garden suburb character with greenery and garden setbacks, is the consistent theme although this is being diminished by increments as development densities increase along with traffic demands.

Traffic Study

NSW School Zone hours are from 2.30-4pm. The peak traffic period in Russel Drysdale, Melbourne, Adelaide and Webb streets is from 3pm to 4pm – not 4.30 to 5.30 as stated in the report.

The traffic study anticipates a traffic generation increase of 10 vehicles during peak hour periods based on this incorrect peak period and so an increase in 10 vehicles is not a reasonable conclusion.

The study uses the peak period for the Central Coast Highway whereas the local street school traffic peak is earlier. This has led to an under-estimation of vehicle increase from the development.

We are currently forced to avoid exiting our Melbourne St driveway during school day peak traffic periods. This is an unreasonable situation now and will be more so with the increased traffic generated by the proposed development.

Gridlock traffic in the school afternoon peak is an environmental factor that Council should consider since it is already having a negative impact on local amenity.

School buses and an increasing proportion of private diesel vehicles contribute to rising particulate pollution affecting pedestrians (inc school children during peaks) and residences in Russel Drysdale, Melbourne, Adelaide and Webb streets. Diesel particulates are a scientifically proven carcinogen and a primary aggravation for asthma and other pulmonary disease sufferers.

Morning and afternoon school peak drop off and pick up periods are already contributing to local air pollution as parent vehicles routinely park with engines idling for cabin air conditioning.

The two senior Catholic schools in Russel Drysdale Street are primary contributors to local traffic congestion through their coopting of public street space for their student vehicle needs. Why have these schools not provided adequate parking on their own land, as all other developments are required to do?

Council has not developed a detailed strategic traffic plan for East Gosford despite the high concentration of schools and the increasing density of development in such a small residential area.

The lack of a formal traffic plan means increasing development is threatening to destroy the fabric of the suburb.

Development occurs incrementally with each new proposal arguing its case in isolation. The lack of strategic traffic planning for the area allows incremental impacts such as that proposed for 32-36 Melbourne Street to become elements of cumulative and negative impacts.

The 22 dwelling proposal at 32-36 Melbourne significantly exceeds any previous residential development proposal in this small and increasingly dense area of East Gosford – an area that funnels funnelled traffic through a single traffic light controlled intersection at the Central Coast Highway.

The risk of serious crashes at this intersection increases with every new development in this section of East Gosford as driver impatience is encouraging red light shooting. The risk to pedestrians crossing at the lights – especially the aged and less able people, is a significant factor that must receive greater consideration in the assessment of traffic generating development that is 32-36 Melbourne Street.

Pedestrians are routinely pressured by turning vehicles to cross faster than many are capable of crossing and there are daily near misses as vehicles rush the lights to turn east across the pedestrian crossing and against oncoming vehicles.

The proposed development at 32-36 Melbourne Street sets a further negative precedent to which future development proposals are likely to be considered.

The Arboriculture report

The report is confusing to lay readers. It contains information irrelevant to requirements eg information on British and other methods of determining tree tolerance to construction other than the Australian Standard that is referred in the report, although the Australian Standard has been used selectively.

The report does not refer to any relevant objectives, guidelines and standards regarding trees on development sites in the Gosford LEP and DCP.

The reporting appears to have worked backwards i.e. starting with the proposed development plan then presenting a case for tree removals where the trees are seen to conflict with the proposed building plans.

The report concludes:

“Fifteen of the trees assessed have been identified as worthy of specific consideration for retention/protection if possible.”

Three of the fifteen trees are not even on the development site.

The report recommends three public street trees in Melbourne Street should be considered for removal. These are 40-60 year old mature Box Elder (*Acer negundo*) They may not be everyone's preferred species but nothing will ever be planted again if they are removed and we lose their shade and amenity values.

The tree report describes these trees as an “environmental pest” although no evidence is presented to support this arbitrary claim against the street trees.

These trees are among the last few surviving street trees and their contribution to street and footpath shade and local amenity is highly valued.

We have lived in Melbourne Street for about 35 years and in the last decade have seen a very high attrition of public and private tree canopy. This is continuing apace.

Since Central Coast Council has no master plan or strategy for street tree management and renewal, it is imperative to preserve and protect the few public trees that remain – this includes the trees adjacent to 32-36 Melbourne Street.

The tree report is problematic

The Arborist report does not incorporate a survey plan plotting the location and numbering of trees assessed. Instead it refers to a separate survey plan dated 2018 but the documents on Council's web page provide a survey plan dated 2015.

It is extremely difficult to determine which trees are being discussed in the tree report when having to repeatedly toggle between documents.

The tree report states:

“...it is considered that none of the trees assessed for this report is considered to be of high landscape significance and medium to long life expectancy....”

We disagree. The cluster of tall trees in the SE corner of the site includes a mature Cheese tree, Firewheel tree and Rain tree – we say these are of high landscape significance to the immediate surrounds and that they do have medium life expectancy and are suitable for retention.

The arborist has over-generalised about the condition of these trees and on that basis proposed them for removal as they are said to be “Within the footprint of the basement ramp and will require removal.”

In fact a majority of tree removals are proposed by reasoning that each stands “*Within or adjacent to the footprint of proposed works and identified to be removed as part of the works*”

This pre-emptive removal could be construed as advocacy because it pre-empts Council assessment.

Being situated in the footprint of a proposed structure is not valid reason for recommending removing a tree and the approach is contrary to professional arboriculture practice.

The Australian Standard for tree protection does not give the user guidance or mandate for recommending tree removal by pre-empting development approval.

We object to the removal of the three trees in the SE corner near Adelaide Street because in our view the trees are well placed in a corner of the site; they are worthy canopy trees of mature size and they are suitable for retention.

We also believe that the high density of the proposed 22 unit development is such that no suitable compensatory canopy tree planting can be accommodated on the site.

Landscape Plan

The only trees with a canopy height capable of being seen in the future are the existing street trees in Melbourne and three proposed street trees to Adelaide Street, if they ever survive in the absence of any requirement to maintain them. All other landscaping is proposed as sparse, low level shrubbery

The proposed development is so dense on the ground that there is no space for even a single medium sized canopy tree.

The plan is a significant departure from all other development landscapes in the area.

This means this dense development contributes no future tree canopy amenity despite using a combined area of three building blocks from which every existing tree is proposed for removal.

The plan assumes that residents who buy into the development will gain their amenity from surrounding properties, whilst making no contribution of their own.

This is inconsistent with the objectives and standards in the DCP.

Conclusions

The development is far too dense making it inconsistent with the character of surrounding development.

A reduction in the number of units would provide opportunity for some tree retention and for compensatory canopy planting to maintain the character of the suburb – a character incidentally, that the proponent has made a significant part of the development marketing and sales strategy.

A new traffic plan should be submitted having regard for actual traffic peak periods in surrounding streets during school times.

Some of the set backs ie zero to less than one metre to the Melbourne and Adelaide boundaries are not consistent with the existing standards in the area and will detract from street character.

There are some canopy trees on the land that can and should be retained as they are suitable canopy trees and are situated favourably toward the SE corner of the land.

Street trees should be retained and preserved in accordance with a Council approved tree protection plan prepared in accordance with AS 4970-2009 Protection of trees on development sites.