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Assessing Officer
Central Coast Council

Letter of Objection

to

**Development Application 58154/2020 being for the Relocation of
Existing Dwelling and Conversion to Managers Residence and
Construction of Proposed Child Care Centre
At 14 Brennan Avenue, Kincumber
Lot 89 DP 577995**

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1. INTRODUCTION

I write to The Central Coast Council on behalf of the Anglican Diocese of Newcastle, as an affected property owner, to lodge an objection to Development Application 58154/2020 for the Relocation of Existing Dwelling and Conversion to Managers Residence and Construction of Proposed Child Care Centre at 14 Brennan Avenue, Kincumber.

DA58154/2020 has not provided sufficient information for an informed assessment and raises unresolved issues in relation to potential noise and traffic impacts on residential amenity.

The proposed development is in contravention of the following aims of the Gosford Local Environmental Plan 2014:

(e) to concentrate intensive land uses and trip-generating activities in locations that are most accessible to transport and centres,

(f) to promote the efficient and equitable provision of public services, infrastructure and amenities,

(j) to promote a high standard of urban design that responds appropriately to the existing or desired future character of areas,

(k) to promote design principles in all development to improve the safety, accessibility, health and well being of residents and visitors

2. TRAFFIC & RIGHT OF WAY

DA58154/2020 proposes a dramatic increase in traffic to a short no through road at peak periods in the morning and afternoons, a significant increase in traffic at the intersection of Avoca Drive and Brennan Ave at peak periods and represents poor design in that when entering and exiting 21 Brennan Ave.

The Traffic Study included in DA58154/2020 models traffic movements into Brennan Avenue as follows:

- 74 movements between 7:00am and 9:00am in the morning; and
- 65 movements between 4pm and 6 pm of an evening.

The above modelling does not support the daily impact of a ninety-two (92) place child care facility with a minimum of eighteen (18) staff on site (noting the NSW Education and Care Services National Regulation requires 1:5 staff to child ratio at a minimum, plus a Centre Director and ancillary staff). The traffic modelling is insufficient for Council staff to make an informed assessment on impact to residential amenity caused by traffic and noise.

Brennan Avenue is roughly 100 metres long. The banking of cars waiting to enter the roundabout at peak times during the morning and evening creates an unacceptable impact to traffic flow.

Further to the above, residents will also have to reverse up the right of way to the dwelling by entering the proposed roundabout the correct way and then reversing back through the busy roundabout. Conversely if the resident drives front first into the right of way at pick up times, they are required to reverse into a busy roundabout creating a real risk of collisions with other vehicles. The large tree to be retained in the centre of the roundabout also adds to the reduced sight lines to traffic and other road users in the roundabout. The design principles in this development create significant safety issues, contradicting the aim of Council's LEP.

DA58154/2020 indicates that the right of way that exists for the benefit of house numbers 19 & 21 Brennan Avenue is proposed to be incorporated into the roundabout. As stated above the proximity of the entry and exit to the roundabout for the right of way is very restrictive and will require unsafe vehicle movements to allow access to and from 19 & 21 Brennan Avenue. This is unacceptable in an area that is being proposed to be incorporated into a child care centre, with children in close proximity to vehicle movements in the drop off area.

3. URBAN AMENITY

Gosford City Council via its LEP is required amongst other things: *"to promote a high standard of urban design that responds appropriately to the existing or desired future character of areas"*. DA58154/2020 does not provide sufficient information in relation to the impact and maintenance requirements on a local road caused by increased traffic movements in excess of residential use, the narrow width of Brennan Avenue to accommodate the traffic generated by the development; and the lack of kerb and guttering and stormwater infrastructure to Brennan Avenue. There is insufficient information provided for Council staff to make an informed assessment in relation to Council's LEP and impact on amenity.

With regard to the Gosford LEP 2014 and relevant to this point and the point above, it is noted that Council is required to take into consideration the following under section 33A of the *Environmental Planning and Assessment Act 1979*:-

(j) to encourage orderly, feasible and equitable development whilst safeguarding the community's interests, environmentally sensitive areas and residential amenity.

4. FLOOR SPACE RATIO (FSR)

DA58154/2020 has calculated a FSR for a far larger building envelope than would be seen in a low-density residential area.

The surrounding precinct to the subject site has an FSR 0.5 to 1 due to its low-density residential nature. The subject site of DA58154/2020 is 7(C2) – Conservation and Scenic Protection (Scenic Protection – Rural Small Holdings). It has a land area of 1.499 Hectares. This is considerably larger than the adjacent lot size of 19 Brennan Avenue at roughly 3600m² or next door to 19 at 21 Brennan Avenue being

631m². The disproportionate size of 7(c2) land at 14 Brennan Ave compared to that of the surrounding low-density residential lots will always give a very favourable FSR calculation allowing a much larger building to pass the FSR requirement. A more equitable comparison would be to compare the square metreage's of the surrounding precincts approved residential buildings compared to that of the proposed child care centre. The documented area of the proposed centre is 1065.3 m² if including the relocated dwelling is roughly 1300m². The adjacent buildings including garages at 19 Brennan is 410m² with 21 Brennan being at 340m² with the existing dwelling to be relocated at 14 Brennan being roughly 245m². The size of the proposed child care centre being grossly different to the surrounding residential dwellings, over 400% increase in size to existing dwelling area allows for more childcare places to be offered resulting in much more traffic being generated that would otherwise be generated from a more contextually accurate low-density residential development.

5. CONCLUSION

The objection to DA58154/2020 is based on: Insufficient traffic modelling, the calculation of the FSR of the new building, the impact on the road surface, the narrow width of Brennan Avenue, the lack of kerb and guttering and the lack of stormwater infrastructure to Brennan Avenue; the very real issues with safety and visibility at the entry to the proposed roundabout with an existing right-of-way, the issues with the intersection of Avoca Drive and Brennan Avenue, and the dramatic increase in the number of vehicles entering and exiting the site combined with the short length of Brennan Avenue. There are significant short comings in the application. In accordance with the NSW *Local Government Act 1993* it is incumbent upon Council to act fairly, ethically and without bias in the interests of the local community, not the single interest of the applicant. It is our expectation that Council will seek further information from the applicant and give due regard to these matters in the assessment of DA58154/2020 and not support inappropriate development in this location.

Regards,

A handwritten signature in black ink that reads 'Brendon Lowndes'.

Brendon Lowndes

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