

Brisbane City Council
Via email: dalodgement@brisbane.qld.gov.au
Attn: Justin Sellars - Assessment Manager

Application Number:	A005563407
Site Address:	56 & 60 Chiswick Road, Bardon Q 4065
Lot & Plan:	Lots 62 and 64 on RP20187 and Lots 1 & 2 on RP44116
Proposed Development:	Child Care Centre (including partial demolition of an existing pre-1947 building)
Applicant:	Corella Property Investment Trust

We write this letter as a properly made submission **in objection** to the development application A005563407 at 56 & 60 Chiswick Road, Bardon.

The proposed development conflicts with the intent, purpose and outcomes of multiple assessment benchmarks across the Zone, Neighbourhood Plan, and relevant primary and secondary codes of City Plan 2014. The scale of the proposal and its locational characteristics preclude the applicant from being able to illustrate sufficient justification to navigate these conflicts and therefore, **should be refused by Council**.

The submitter has undertaken a thorough review of the common material submitted with the above-mentioned development application. The grounds for this submission and the facts and circumstances relied on in support of those grounds are as follows:

- At the scale of the current proposal the applicant cannot demonstrate that the proposed development can comply with the higher order provisions of the Brisbane City Plan 2014 ("City Plan") Strategic Framework, in particular Specific Outcome 7 of Element 5.5 – Brisbane's Suburban Living Areas.
- The proposed development fails to provide adequate justification to demonstrate compliance with the overall outcomes, and therefore purpose, of the CR1 Character (Character) Residential Zone.
- The proposed development fails to provide adequate justification to demonstrate compliance with specific outcomes of the Hillside Character Precinct, and therefore Overall Outcomes, of the Ithaca District Local Plan.
- The Childcare Needs analysis provided in support of the development application has specifically excluded approved and under construction centres that will clearly service the local community, however, included centres within nearby Ashgrove to demonstrate limited vacancy for long day care services. If the applicant is to provide sufficient information for the community to consider and demonstrate local need, as required by the Zone overall outcomes, more accurate analysis of the approved centres on Boundary Road is imperative.
- Insufficient information has been provided to determine how the application purports compliance with certain aspects of the Transport, Access, Parking and Servicing Code. The Brisbane City Council raises specific matters within its information request of which the submitter cannot find a specific response.
- The Applicants has failed to provide sufficient information or justification to demonstrate why the proposed development should be approved despite the apparent conflicts with the City Plan.

More concerning to the broader submitter group is that the applicant has commenced public notification of the application whilst providing an incomplete response to the information requested by Brisbane City Council. The submitter defers to the Council on whether this constitutes a technical failure under the provisions of the Planning Act 2016, however, the information response purports compliance with specific outcomes of the planning scheme and then defers to technical traffic responses that are to

be provided under separate cover. As a submitter, I have not been able to locate this response. As such, I have formed the view that this is a clear and purposeful breach of public notification in that submitters have not been afforded the ability to review or understand the applicant's compliance against important assessment benchmarks.

It is requested that this be made available for review and that public notification been recompleted to provide sufficient time for a corresponding expert to review.

1.0 Property Details

The subject site comprises land located at 56 & 60 Chiswick road, Bardon, more particularly described as Lots 62 and 64 on RP20187 and Lots 1 & 2 on RP44116. The subject site encompasses a total area of 1,853m² and is located within the CR1 Character (Character) Residential Zone. More specifically, the site is mapped within the bounds of NPP-008 being the Hillside Character Precinct of the Ithaca District Local Plan.

2.0 Key Issues

2.1 Conflict with the Strategic Framework

Element 5.5 – Brisbane Suburban Living Area states under specific outcome 7:

Specific Outcome	Land Use Strategies
<p>SO7 Non-residential uses support local character and amenity.</p>	<p>L7 A range of non-residential land uses that generally support the needs of those Suburban Living Areas include the following:</p> <ul style="list-style-type: none"> a. local and district services and shopping with access to public transport services, as well as centres in specific locations and other small-scale non-residential uses such as those within commercial character buildings, providing neighbourhood convenience services within a walkable catchment; b. schools and other community facilities; c. a range of parks, from district sports parks to local recreation parks; d. vegetation and open space, including in backyards, that support local and district ecological functions, including biodiversity and fauna movement, as well as helping reduce the urban heat island effect; e. pedestrian-friendly traffic environments and pedestrian and cyclist connectivity to surrounding areas including some buffered industrial areas that offer locally accessible employment opportunities for residents in the Suburban Living Areas.

The submitter disagrees with the concept of a small-scale non-residential use, which is intended to support local needs, generating 80 vehicle movements per hour during morning and evening peak hours. The volume of traffic, access location in proximity to the pedestrian refuge on Chiswick Road and key intersection with Cecil Road will not:

- a. result in a centre which services local need; and
- b. will clearly not result in a pedestrian friendly traffic environment.

2.2 Conflict with Purpose of Zone Precinct

As previously identified, the subject site is located within the CR1 Character Residential Zone. The purpose of this zone is achieved through overall outcomes for development location and uses and development form. The proposal in its current form fails specific overall outcomes in both these categories, however, very specifically:

Specific outcome (d) states *Development reflects and supports the high level of comfort, quiet, privacy and safety (including impacts of glare, odour, light, noise, traffic, parking, servicing and hours of operation) reasonably expected within a predominantly low density permanent residential environment.*

The introduction of a 92 place Child Care Centre with traffic movements of 80 vehicles per hour during peak morning and evening drop offs does not provide a density which affords the high level of comfort, quiet and safety that is within the reasonable expectations of surrounding residents. This is resoundingly clear based on the volume of opposing submissions.

(j) Development for any other non-residential use serve a local community facility need only, such as a childcare centre or substation, and is compatible with and integrates with the built form intent of the Character residential zone.

Whilst reduced, a 92 place Child Care Centre is inconsistent with the concept of local community need. This is evident from analysis of the existing centres servicing the area (all below 77 spaces) and the recently approved centres on Boundary Road being The Nest (49 places) and Eden Academy (64). Also, significant to note that the Childcare Needs assessment presented to Council in support of the application itself acknowledges that The Nest application at 144 – 146 Boundary Road, Bardon (also CR1 Character zoned) was itself refused by Council and the Planning and Environment Court in February 2019 before the scope was significantly reduced. This assessment fundamentally points to a clear threshold of satisfying the local community need test.

As outlined within the below, the proposal cannot reasonably be argued as being compatible or integrating with the built form intent of the CR1 Zone.

2.3 Conflicts with the Ithaca District Neighbourhood Plan

The proposed concept is in clear conflict with P20 of the Ithaca District Neighbourhood Plan Code, which states:

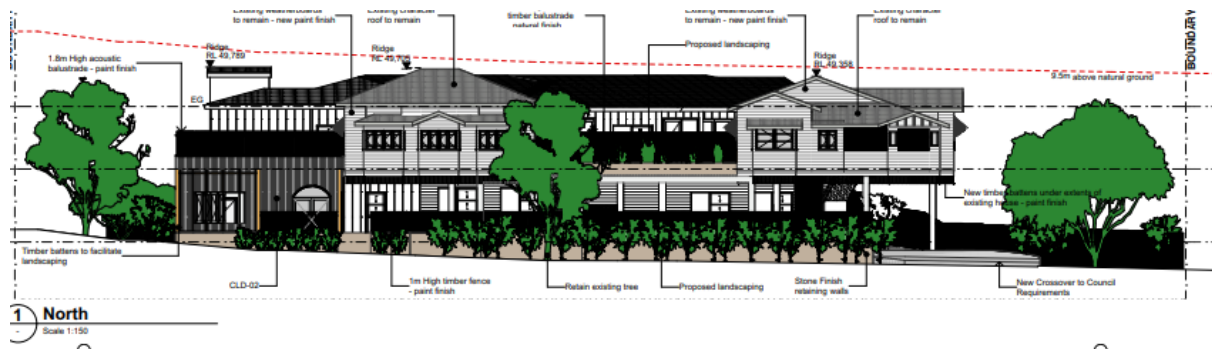
P020

Development must be designed, sited and landscaped to minimise the impact of incompatible building bulk, maintain and enhance the traditional character and built form of this precinct in terms of building:

- a. bulk, form and scale;
- b. eaves heights;
- c. elevation treatment;
- d. construction materials;

- e. *by using quality contemporary architecture respectful of its setting;*
- f. *development along ridgelines must not dominate the skyline and must be designed and sited to contribute to a consistent rhythm and sense of scale along the ridgeline when viewed from the visual catchment.*

By virtue of the site's long frontage and considerable built form (refer below), the concept is very clearly not maintaining a traditional built form or scale. The inclusion of some 19 car spaces at ground level is evidence enough that the proposal has not be designed to acknowledge the lower density scale of the Hillside Character Precinct.



The northern elevation demonstrates the scale of a small neighbourhood centre.

2.4 Economic Need

The Childcare Needs analysis provided in support of the development application has specifically excluded approved and under construction centres that will clearly service the local community. To this point both The Nest and Eden Academy have Bardon addresses but have been excluded from the catchment area analysis. The analysis has, however, included centres within nearby Ashgrove to demonstrate limited vacancy for long day care services. The submitter feels this is a purposeful exclusion to suggest a larger demand for places than what exists and to limit the relevance of the number of places that these centres have been restricted to in demonstrating local community need.

If the applicant is to provide sufficient information for the community to consider and demonstrate local need, as required by the Zone overall outcomes, more accurate analysis of the approved centres on Boundary Road is imperative.

2.5 Traffic and Pedestrian Safety

It has been well recorded that large proportions of the surrounding community hold significant concerns about the introduction of a use capable of introducing 80 vehicle movements per hour in morning and evening peaks at a location that experiences high volumes of pedestrian and vehicle traffic associated with the surrounding schools, kindergarten and parks. A child care centre at the proposed scale cannot achieve strategic outcomes that pursue safe pedestrian environments within suburban areas.

Council has raised specific matters relating to in particular site distances for the site entrance, reduction of the road lane widths, impact on street parking spaces, impacts on cyclist safety on Chiswick Road and Cecil Street, impacts on the operations of roads as a result of U-turn movements associated with the left-in / left-out restriction and on-site waste collection and storage design.

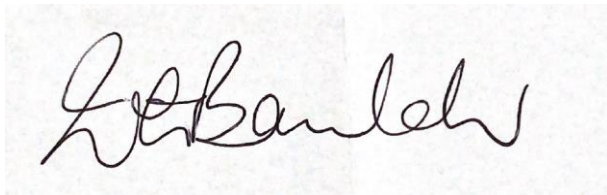
The applicant's information response purports compliance with specific outcomes of the planning scheme and then defers to a technical traffic response that from our searches are not yet provided. It is requested that this be made available for review and that public notification been recompleted to provide sufficient time for a corresponding expert to review.

3.0 Conclusion and Recommendations

The abovementioned issues are significant in their nature and conflict with the relevant assessment benchmarks. The proposed development fails to provide appropriate justification for the various conflicts and in its current form must be refused by Brisbane City council.

I trust that you will take the above into consideration when assessing and deciding the development application.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Jacqueline Baulch', is written on a light-colored, textured background.

Jacqueline Baulch
125 Simpsons Road, Bardon Q 4065