

**The General Manager**

**Launceston City Council**

**2 May 2018**

**Submission Regarding Development Application 0644/2017**

**(20 Floreat Cr Trevallyn)**

**Kathy Williams**

Please note, the Applicant still continues to refer to and describe the address of this development application as 18-20 Floreat Crescent Trevallyn. It should only be referred to as 20 Floreat Crescent. At the start of this application process last year the council planning section was not being made aware of the pending sale from September 2017 of number 18 Floreat Crescent

The sale was finalised in January 2018 after the titles were finally separated. I was initially not contacted

by council or the applicant as to the Development Application. Thank you to Marilyn Burns at the council who I contacted in January, she has kept us informed ever since. Also the application notice was placed in front of

2 weeks ago I believe by council, this was moved by someone else shortly after, to be placed correctly at the front of 20 Floreat Crescent.

### **I now address the following points in the application**

#### **10.4.2 Setbacks and building envelope for all dwellings**

The objective in this part of the Tasmanian Planning Provisions is that the planned development does not cause an unreasonable loss of amenity for adjoining properties. I see that Townhouse (TH) 1 of the development application is still causing an unreasonable loss of amenity such as sunlight to dining and sun rooms due to overshadowing directly due to the proximity, height and size of the proposed dwelling.

It appears the roof heights have been reduced by a metre from the previous version. The structure will now have a reduced level roof height of about 71 metres above sea level at the south east corner. floor level in the sun

room and dining room has a reduced level of 64m. Therefore it towers over floor level by around 7 metres with only about 6 metres of separation between us and TH1. This effectively blocks warmth and sunlight through the North and North West facing windows from around 2pm in winter on the living areas of my home. rooms were obviously designed to benefit by direct sunlight on a winter's afternoon and carry that warmth through to the evening. So I appreciate that this latest version of this development plan, has been lowered as I had previously recommended. However, the setback from the side boundary has actually been reduced and effectively moved Town House 1 (TH1) closer by 0.3 metres from the previous versions location! privacy from the East facing window of TH1 is still an issue.

I strongly disagree in regard to the statement in the Development Application that the proposed dwelling complies with the acceptable solution of A3. The applicant obviously also disagrees to this part as they added the words "for the most part" to their statement. Therefore this section does not comply with the building setback and building envelope and the statement is not good enough. It is not excusable to boldly break through the building envelope adjacent to boundary in regard to both Townhouses.

It is not excusable that given a 24 metre frontage to Floreat Crescent that it would be necessary to break through the building envelope at all and cast shadow, especially in regard to Townhouse 1, over the living areas of sunroom and dining room. The sun will be blocked out from sunroom/ dining room before 2pm through the winter months.

has a frontage of only 18.3 metres and has a set back from the adjoining boundary of 4.3 metres. setback was obviously planned back in the 1980's in anticipation of a future reasonably designed dwelling being placed on this vacant block. This development is totally unreasonable in its current form.

In regard to addressing the steep nature of the building block of land there appears to be very little or no excavation of the land to effectively reduce the overall height of the two Townhouses. Whereas, has been fully excavated and designed to fit with the steepness of the block.

See my suggestions below for compliance of this part.

## **Trevallyn Hillside Scenic Management Area**

The bulk and massing as well as the stark white roof colour of the proposed townhouses should not be compared to any dwellings on the high side of Floreat Crescent. Dwellings on the high side of Floreat are not within the designated Management Area. The boundary of this management area is the front boundary of this side of Floreat Crescent and extends East towards the Tamar. The grade of the hillside flattens on the high side of Floreat Crescent and therefore the colour white of number 21 Floreat is not seen from across the river.

The comparison of the roof type and bulk of the proposed development should not be compared to Number 14 Floreat as setting precedence, as it is neither white nor bold. The roof of 14 is actually a lot lower by at least 2metres than the roofs of both numbers 12 and 16 and it actually provides its neighbours with enhanced scenic view access.

The white roof lines of the proposed townhouses seem to add unnecessary mass and height to the structures and looks like a façade rather than a necessary part of the structure. This proposed development stands head and shoulders above the surrounding properties and seems to be making a bold statement such as look at me as it is bursting out of the Trevallyn Hillside Management Area above its neighbours.

If the roof type, colour and mass was to be compared to any other structure seen from this neighbourhood it actually compares with that of JB HI FI big box retail store across the Tamar. The JB store featured unfavourably in the media as it was being built and the plans to boldly sign write the store as viewed from residences in Trevallyn was rejected by Council.

If this bold development on the Trevallyn Hillside Management Area were to be approved, it could spark similar outrage in the surrounding suburbs of Invermay and Inveresk.

I note the photos of this Development taken from across the river have now been withdrawn from this latest application, even though they were photo shopped, they actually showed the dwellings as stark and bold, standing high above the neighbouring properties. In comparison it is hard to make out

Numbers 18 and 22 Floreat Crescent from across the river as the natural colours and low mass of both these dwellings blend into the hillside.

See my suggestions below for compliance to this part.

### **Tree Removal and Landscaping**

I note that the application refers to the removal of all trees between 3 to 6 metres on the footprint of the proposed dwellings only as per page 4. I also note in the landscaping plan that all trees are to be removed and new plantings are shown. Therefore this appears to be conflicting with the first statement. I note that attached is an undated tree report recommending the removal of a large Eucalypt close to the street boundary. I worry about the proximity of this massive Eucalypt which is referred to on this report. I also worry about the health and mass of the similarly placed one In  
my opinion these two trees should not have been allowed to grow so big and potentially dangerous to the occupants.

### **Summary and Recommendations**

My suggestions in regard to the full compliance of sections addressed above to achieve a fit of the structures within the building envelope as described in the planning scheme and shown on drawings A3-002, A3-003 and A4-001 in blue on the DA and also to fit with the Trevallyn Hillside Management Area would be to:

1/ Excavate further into the ground to lower the overall structure of both the dwellings. I believe both Townhouse 1 and 2 could be excavated to reduce the overall heights of both Town Houses until they fit under the building envelope.

This is how further excavation could be achieved.

The garage to Townhouse 1 is attached at the same floor level and this has dictated the finished floor levels of this dwelling. Perhaps this was part of the Architects brief from their client. I suggest a split level garage be attached to Townhouse 1. This would enable a better fit with the steep nature of the block and enable further excavation of TH1 to meet the confines of the building envelope. It is not unreasonable to ask the applicant to have some steps and perhaps even a mobility lift if required between the Townhouse 1 floor level

and its garage floor level. Townhouse 2 could have their car parking at the front or rear of the dwelling to enable more excavation to lower the dwelling structure to also fit within the building envelope and be in keeping with the steep nature of the block. Access is already planned by steps from the garage to TH2 floor level.

The proposed dwellings should also adhere to the spirit of the Hillside Management Area. I recommend this development should blend in with the surrounding homes on the hillside with a more subdued choice of colour as well as lowering the height as suggested above to better fit with the neighbouring houses. There also needs more thoughtful (perhaps native) plantings which also provides amenity with the birdlife which myself and my neighbours thoroughly enjoy.

### **Restrictive Covenants**

There are currently two restrictive covenants in place on this lot that will be breached if this Development Application were to be approved. They are as follows:

Not to erect on the said lot more than one main building.

As Number 20 was previously adhered to property number 18, it has naturally taken on the restrictive covenants of both 18 and 20 as has property in the process of the separation of titles.

That no dwelling house or outbuilding with outer walls other than Brick, Brick Veneer, Stone or Concrete or Besser Brick shall be erected on this lot.

As I understand it, restrictive covenants such as these were placed on subdivisions to build a community and neighbourhood of value of housing structures that fit to their surrounds. However, this particular development application will reduce the values and ascetic quality standards of this neighbourhood by planning to build two dwellings of “Colorbond”, “Easy Lap Hardie Board” and “Shadow cladding or Similar” (whatever that is). It appears to me to be an oversized beach side shack that does not belong in this neighbourhood. This Neighbourhood feels strongly about these restrictive covenants as all of these houses were previously bound to abide by them. I have also spoken to most of the neighbours from 22 to 32 Floreat Crescent to

gauge their feelings and found the majority were keen to sign a petition against breaching the building materials covenant.

I believe Council used to enforce all restrictive covenants and appears now to ignore these other than adding a disclaimer attached to any approval these days. I guess it is because it is not written into the current interim Planning Scheme. Perhaps this is just an oversight but I have consulted the State Government in this regard and await an answer.

Before any final decision is made by Launceston City Council, a scaffold or timber framework structure to depict the form and heights of the dwellings on this site should be built and viewed by local residents as well as viewed from across the river in regard to the impact on the scenic management area. This occurs frequently interstate in regard to Development Applications.

I am lucky in to have two surveyors to consult in regard to understanding the real impact this DA has over my property as well as my neighbourhood.

Regards

Kathy Williams

Representation for 20 Floreat Crescent.

DA No: DA0644/2017

Applicant: S Group

Location: 20 Floreat Cres

Trevallyn

Proposal: residential – multiple dwellings; construction and use of two dwellings; removal of trees (partially retrospective) (re-advertised)

Contact Marilyn Burns

Date of notice 18/04/2018

Thank you for the opportunity of making a representation. Building in suburbia is not building in isolation – it is building the fabric of community.

I am not in opposition to development at 20 Floreat Cres. But putting 2 buildings on the block brings with it extra challenges in respecting the existing amenities of neighbours. I wish to be sensitive to the desires of our potential neighbour and am asking that the LCC and the proponent also be sensitive to, and commit to maintaining the scenic, privacy and other amenities enjoyed by those living adjacent to the proposed development. I do not expect the buildings to replicate the adjacent ones, just to be complimentary. I understand that the White Gum at the top of the block will be removed and accept it.

Background: On the lower side of Floreat Crescent the houses are discretely situated within the landscape with greenery screening for privacy from one another and the street, and gardens being fairly important in the aesthetics. Most roof lines are below the street. From my observation houses have been positioned in order to maintain good exposure to afternoon sun in winter for everyone and enable pleasant vistas.

An example of sensitive planning is 24 Floreat Cres. It is a relatively modern style house but it has been nestled into the landscape reducing the visual impact. The muted colour of the rendering ensures that it blends into the landscape so that it does not stand out when the hillside is viewed from Bunnings carpark. There is space on either side of the boundary for plantings to screen the two houses. The garage also is below street level and thus discrete. The shadow thrown by that building does not block afternoon winter sun from 22 Floreat Cres. And the aesthetics of this lower side of Floreat Cres are maintained ie being in harmony with the aspirations of the Trevallyn Hillside Scenic Management Plan.

Both of the proposed buildings are quite large. Their presence is “big, bold and out there” and as such would look great down the West Tamar Council end of Floreat Cres. or in a new subdivision. I cannot see them being within the aspirations of the Trevallyn Hillside Scenic Management Plan or an asset to the immediate vicinity if permitted in their current form.

For in 18 Floreat Cres I am distressed to see that the bulk and proximity of Townhouse 1 to their home is such that the winter sun will be blocked from their living areas as early as 2 pm according to the shadow diagrams. And I can only imagine that their views will be considerably interrupted by the bulk of Townhouse 2.

Scenic Management: The proposed buildings, with their expansive white façades are “out there, bold and look at me” despite bringing Townhouse 1 down the hillside.

The façade could be more sympathetic by being complimentary in colour to the timber and charcoal fenestration rather than in contrast.

(An example how a white facade makes an adverse visual impact can be made by comparing JB Hi-Fi with Bunnings and Officeworks as viewed from Floreat Cres.)

Comparing the bulk and massing of the 2 townhouses with 21 Floreat Cres, a single dwelling on the high side of Floreat Cres would seem to be arbitrary as that side of Floreat Cres is outside the Trevallyn Hillside Scenic Management Plan. 14 Floreat Cres. also a single dwelling is at least 3 houses away and well below street level. A comparison with 24 Floreat Cres would be more appropriate as it is within the Trevallyn Hillside Scenic Management Plan.

Privacy, Tree Removal and Landscaping: 10.4.6 states privacy is compliant for all dwellings.

The issue of privacy between the proposed townhouses and the adjacent dwellings, 18 & 22 Floreat Cres. is not addressed. There is some planting below the driveway screening the house below.

I am relieved to see that it is proposed that the driveway be 0.5 metres from the northern boundary. It will however provide a bare minimum planting area for the proponent to provide and/or replace vegetative screening of a reasonable height. I cannot see a documented plan for that strip to be used for landscape screening from 22 Floreat Cres.

This is particularly critical with regard to Townhouse 2 and 22 Floreat Cres.

Currently along the lower half of the northern boundary within development block there are tall shrubs, approximately 3-4 meters tall that provide privacy for both properties No 20 and No 22. Should these shrubs be retained there would be excellent privacy screening for both dwellings. BUT these shrubs are at least 1 metre inside the northern boundary and so will be removed when the driveway is formed thus exposing elevated living areas - the deck, sitting and living rooms to the driveway, deck and façade of Townhouse 2 and our lawn/recreation area to the deck and façade of Townhouse 2. Due to a 30+ yo retaining wall and path on side of the boundary it is not possible to plant screening vegetation without cutting off the only wheelbarrow access to the lower part of garden.

The only vegetation planned between Townhouse 2 and our property is 'lomandra lime tuff' 0.5 m.

In conclusion the issues are:

"Big, bold and out there": Despite Townhouse 1 being brought further down the slope the large dwellings remain 'bold and out there' with their expansive stark white façades. The bulk of the buildings presents challenges. Is big always better or necessary? Changing the stark white to a colour complimentary to the timber and charcoal fenestration would be a start towards making these buildings sympathetic with the aesthetics of this lower side of Floreat Cres and, I suggest, in harmony with the aspirations of the Trevallyn Hillside Scenic Management Plan.

Shading of No 18: In winter, that Townhouse 1 will cast a shadow on No 18's 'sunroom' by 2pm is unreasonable.

Privacy for No 22: The 0.5 metre space between the driveway and the northern boundary affords very limited opportunity for hedging or screening landscape plantings. In the landscaping proposal there is no provision for planting between the drive and the boundary and/or replacement of the current vegetation in order to screen living areas in particular from Townhouse 2 which will result in a huge loss of privacy and leave Townhouse 2 exposed as well. Increasing this space to 1 metre would enable a reasonable planting, 3-4 m in height to give adequate privacy for all 3 dwellings.

My hope is that the LCC will consider the issues I've raised and that the proponent and their client may become sensitive to the neighbourhood and build something that is in harmony with the aspirations of the Trevallyn Hillside Scenic Management Plan and maintain the scenic, privacy and other amenities enjoyed by those who live adjacent to the proposed development. The privacy afforded by generous plantings, gentleness on the landscape – nestling of houses into the landscape, and 'green' aesthetic was important in our search for a house in 2011 and this side of Floreat Cres. absolutely filled those criteria. This proposal would seem to be at odds with that.

Sincerely

Margaret Brodie



**From:** Leaha and Phillip Dent

Dear Sir

Re: proposal for residential multi-dwellings on 20 Floreat Crescent

We have two concerns about the proposed plan.

Our first concern is about the height of the rear unit. It is 7.7m from the ground and 10 metres above rear fence.

This will be very imposing and will shade property. As it is proposed to be painted white, this will accentuate its prominence, especially as the surrounding properties are brick.

It appears from the plan that this building does not fit in the council's height recommendations.

Its height could easily be reduced by some excavating of the garage.

However our biggest concern is the driveway as it almost covers the full length of the block at a very steep incline, thus there is the potential for a runaway car to crash into property.

This has the potential to be disastrous as living room is in a direct line with the driveway.

We would appreciate if the plans include a substantial buffer at the end of the driveway, such as bollards, Armco railing or large boulder landscaping to protect

Would you kindly acknowledge receipt of this emailed letter.

Yours sincerely,  
Phillip and Leaha Dent