From:
 Rich Vincent-Barr

 Sent:
 21 Nov 2019 20:08:49 +1100

 To:
 Contact Us

 Subject:
 DA0609/2019 - 14-16 St Georges Sq, East Launceston

21 November 2019

Mr Michael Stretton General Manager Launceston City Council PO Box 396 Launceston, TAS

REF: DA0609/2019 - 14-16 St Georges Square, East Launceston

Dear Sir,

I am writing to you in reference to the above DA. The following points need to be considered by council:

FRONT FENCE DESIGN AND PILLARS

While Council may argue that the front fence is not part of this DA, changes evident in the design of the front fence as shown in the architect's drawings indicate that it must be considered.

The permit conditions required to be met prior to the house being demolished required a rebuild of the fence as it was. **This does not** include a **new gap in the fence into which a new gate** would be installed to give additional access to the sub-divided No 14 St Georges Square block.

The permit conditions issued by Council states:

2. REQUIRED PRIOR TO COMMENCEMENT OF WORKS

In accordance with the conditions of this permit, all of the following are required prior to the commencement of works:

(a) Completion of the reconstruction of the brick wall;

(b) Provision of a Vegetation Management Plan;

(c) Installation of required tree protection measures;

(d) Written confirmation by the project arborist that all tree protection measures are correctly installed; and

(e) Soil and water management plan.

3. FENCING OF ST GEORGES SQUARE FRONTAGE

Prior to the commencement of any demolition works, a contiguous wall shall be erected, for the length of the frontage of 14-16 St Georges Square, from the

existing driveway opening to the boundary with Scott Street. The wall shall be visually consistent with the remnant sections of the original brick fence.

Prior to this in the first Development Application for the subdivision of 14-16 St Georges Square (DA0136/2018), the developer proposed to breach the historic brick wall with an access cross-over from St Georges Square into the newly created Lot 1 (no 14). This was opposed by representors and the developer subsequently agreed to Council to locate access to the rear of the block in Scott Street. (see Minutes of Council Meeting 4 June 2018 p. 48) The location of this access point was a condition of the subdivision permit. This is further confirmed on p50 where the Agenda report explains Lot 1 will have access via Scott Street. The developer is again asking to create a new breach in what should be a continuous reconstructed wall and this is not acceptable.

Further the developer is asking for the cross-over from the Square into 16 St Georges Square (front of garage) to be widened but does not specify by how much.

The widened entrance and the extra entrance to the subdivided no 14 and wider crossover would or could mean that less of the original fence would have to be rebuilt. This is in contravention to the requirements of the Demolition Permit. This does not take into account the loss of the original gate pillar that was removed in 2017.

REMOVAL OF EXISTING VEGETATION AND VEGETATION PROTECTION

The site sits within the Central Hills Precinct and has a scenic protection code. The removal of yet more established trees significantly degrades the amenity of our area and rather flies in the face of Council's recently declared "Climate Emergency" for our city.

PROVISION OF CAR PARKS

The plans indicate car parking spaces in the garage for two cars. This does not meet the Planning Scheme requirements for the provision of car parks for a five or possibly more bedroom house.

HOUSE DESIGN

There is an interesting comment on the front page from the Architect - " **These** drawings show design INTENT only and are suitable as a guide only".

What is actually going to be built on this site?

I appreciate your time in reviewing this submission.

Regards,

From:	Jenny Davidson	
Sent:	22 Nov 2019 18:48:26 +1100	
То:	Councillor Tim Walker	
Cc:	Contact Us;Mayor;Councillor Danny Gibson;Councillor Janie	
Finlay;andrea.dawkins@launceston.tad.gov.au;Councillor Hugh McKenzie;Councillor Karina		
Stojansek;Rob.Soward@launceston.tad.gov.au;Jim.Cox@launceston.tad.gov.au;Councillor Alan		
Harris;Councillor Paul Spencer		
Subject:	14-16 St George's Square Demolition	

I note the new DA0609/2019 to construct a dwelling on 14-16 St George's Square. As you know . We have raised concerns about

our heritage listed significant trees on the boundary of number 16. The DA for house demolition on the above site had as stipulated a vegetation management plan included. As neighbours who could be significantly impacted by the demolition and preparation of the site for the subsequent build we would like to see the vegetation management plan and be reassured that it follows the Australian Standards for management of trees on development sites.

Of note there has already had been heavy concrete edging and bricks stored in the SPZ area of the sequoia trees in breach of the standards.

We feel it is important that there be an adequate vegetation management plan with an arborist on site daily during the demolition and site preparation. This was agreed at the Council meeting 5/9/19 and is noted in the minutes of that meeting.

Yours Sincerely

Dr Jenny Davidson

From:	Jenny Davidson
Sent:	26 Nov 2019 17:17:29 +1100
То:	Contact Us
Cc:	Duncan Payton
Subject:	DA0609/2019 at 14-16 St Georges Square East Launceston

To whom it may concern,

The proposed construction of a dwelling at 14-16 St Georges Square East Launceston has a number of inconsistencies and missing information that must be clarified and corrected before the council should approve DA0609/2019. These errors are; the failure to attach an arborist report or comment, concerning the impact of the new dwelling on the two national-trusted listed Sequoiadendron giganteum (giant sequoia) trees on the nearby heritage-listed premises of 'Torkington' 54 Ann Street, the non-identification of an evergreen tree at the rear of 14-16 St Georges Square that is within the special protection zone (spz) of the sequoias, the non-identification of a venerable old mulberry tree adjacent to the new dwelling 14-16 St Georges Square with Scott Street; the two later trees are remnants of the once fabled Torkington (Fairview) gardens that extended to St Georges Square.

The proposed landscaping works to a depth of one-to-two-metres are indicated in the southern and western sides of the property, as these works are intended within the tree protection zone (tpz) and spz (noted in figure one below in the red circle for the southern and western elevations), such deep excavations as noted by a previous arborist report by Frank Rossol in 2015 (which the council has copies of), would compromise the sequoia trees health. The fact that a French drain and numerous concrete steps at the rear of both the western and southern sides of the site and which are within the tpz and some areas of the spz is not noted by the DA, how removal without excavators breaching the spz is required to remove the height difference of the back of the site is not noted. So it would be prudent for arborist consultation or a re-modification of the plans. An error in the DA which indicates a setback to both 54 Ann Street and 5 Scott boundaries for the new dwelling obviously needs to be corrected.

The numerous trees of 14-16 St Georges Square which are not shown on the DA's plans are circled alongside the sequoias (circled green) in figure three as follows: the chestnut (light blue), mulberry (orange), evergeen (yellow); three trees which are identified on the DA's plans on the neighbouring 18 St Georges Square are circled in pink. Another tree of reasonable size behind the proposed garage at 14-16 St Georges and which is not identified, is circled as purple in figure three. Only the sequoia trees (reduced to scale in the DA's plan) and the neighbouring trees at 18 St Georges Square are identified in the overhead of the site. No indication is made as to the intentions of the applicant towards the four trees that are actually on the 14-16 St Georges site. Again it is our belief that all these trees which are not within the estimated footprint of the new building and which all appear to be in good health should be retained, to enable the DA to meet the requirements of the scenic management code; that vegetation should where possible be retained to enhance the street setting and protect the core values of the code. In addition surely protection of mature healthy trees on the site would be in accordance with the council's recent unanimous declaration of a climate emergency.

Figure four indicates that some vegetation is to be retained in the DA and these are shown (two rows of conifers circled in black), but no mention of the sequoias or other trees are shown (positions of those trees positions and their canopies are circled in the same colours used as with figure three). Some necessary two metre telecommunications and plumbing pipelines for the dwelling are circled in figure three as grey. No indication as to any distance from the sequoia trees these excavations is given; do they breach the tpz is indeterminable. Again a arborist report/consultation should be provided to the council to ensure that no unnecessary errors are made in the requisite excavations for the slab and essential piping.

As shown by figure five, the developer apparently had contacted Adams Tree Services for a tree report to be conducted on the sequoia trees. As the builder Fraser Cowan noted to council, the report would be prepared for the next DA concerning the new dwelling. Yet no mention of this report by the applicant is made in the plans, if a report has been made, it would be appropriate for this report to be made public and to be part of the decision marking process made by the planning department.

The recent development in Civic Square by the Council near Macquaire House unfortunately has impacted the Giant Sequoia which was previously in good health. Despite an arborist report stating good health, it appears no adequate oversight of works done near this tree was undertaken, and should be a reminder that an arborist should be on site at all times when excavation or other work is near these types of trees.

On the grounds of the above points we believe that the DA should only be approved with a stringent vegetation management plan (as what was approved by the council for the demolition of the current dwelling on the site) and for a suitably qualified arborist working off both the advice of the council and Torkington's arborists to ensure that someone is on site at all times, when work is to be done in the western and southern sides of the site near the sequoia trees and when excavations are nearby the existing vegetation at 14-16 St Georges Square. That all significant trees on the site and the sequoias are adequately protected by tree protection fences, adhering to the Australian Tree Standards Code and for no erroneous breaches for whatever reason without adequate consideration by qualified individuals be conducted during the build.

Dr Jenny Davidson

Figure 1: From southern elevation



Figure 3: Overhead of site



Figure 4: The ground floor plans for DA



Figure 5: From the previous DA from the applicant, stating that an arborist report would be present for this DA

COWAN Building Contractors Pty Ltd

22 Mulgrave Street SOUTH LAUNCESTON TAS 7249 ABN 97 142 953 035

18th July 2019

To whom it may concern,

We intend to undertake the demolition of the house at 14-16 St Georges Square once there is an approval granted by Launceston City Council.

I wish to advise that we have no intention of excavating or disrupting the roots of the large Redwood Trees on the neighbouring property during the demolition process.

The owner has sought advice from Adams Tree Services and is working towards a plan to protect the tree roots in order to form part of a report when lodging a future building application.

The root system does not need to be interfered with at the demolition stage.

Yours sincerely

anon

Fraser Cowan

From:Rosemary DickensonSent:27 Nov 2019 11:06:03 +1100To:Contact UsSubject:St Georges Square DA0609/2019

St Georges Square DA0609/2019

Objection to DA 0609/2019.

To the council .

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Please do not approve this DA in its current state. as it lacks vital information which needs to be provided.

The issues are:

An incorrect building envelope in the plans.

Failure of the house design to meet the front setback as in the Planning Scheme.

Street impact.

An eror in the rear building envelope as it comes off Scott St and not 4 metres in from that boundary. No detail as to which important trees are to be removed and the impact on the Scenic Protection Code for the area.

Streets can be cooled by 10 degrees in summer if there is green cover shade provided by large trees so existing trees on No 16 should not be removed.

The existing Mulberry tree on block No. 14 requires protection during the build as do all the trees.

Although not in this DA, clarity on the rebuild of the original historic front brick fence and the placement and size of gateways.

Your faithfully, Rosemary Dickenson

From:	Greg Leong
Sent:	28 Nov 2019 15:59:56 +1100
То:	Contact Us
Cc:	
Subject:	REFERENCE: DA0609/2019; 14-16 ST GEORGES SQUARE, LAUNCESTON

ATTENTION: MR MICHAEL STRETTON, GENERAL MANAGER, LAUNCESTON CITY COUNCIL REFERENCE: DA0609/2019 14-16 ST GEORGES SQUARE, LAUNCESTON

Dear Mr Stretton,

I refer to the plans currently open for public comment for a proposed residence to be built at 16 St Georges Square, Launceston. I do not support this development application and I have outlined my concerns below.

1. Tree Protection

I am particularly concerned that there appears to be a significant reduction in the existing vegetation that will remain on the site following completion of the construction of the new residence. Given the conditions for protection and retention of existing site vegetation issued as part of the permit for the demolition of the existing residence, the development application is deficient in that it does not clearly identify which trees are to be removed or retained. Further removal of vegetation will adversely affect the scenic amenity of the area particularly for neighbouring residents and this would seem inconsistent with Council's recent adoption of a Climate Emergency for our city.

2. Widening of Front Cross-Over to New Garage

The proposed widening of the cross-over into the garage from St Georges Square will seriously impact on the remnant section of the original gate pillar. To achieve this wider vehicle cross-over (exact width unknown) the northern side original gate pillar will have to be removed completely to achieve this. There is also a gate shown into the no. 14 number block. Is this consistent with the requirements of the demolition permit in that point 3 states. *Prior to the commencement of any demolition works, a contiguous wall shall be erected, for the length of the frontage of 14-16 St Georges Square, from the existing driveway opening to the boundary with Scott Street. The wall shall be visually consistent with the remnant sections of the original brick fence?*

3. Front Setback

The house exceeds the building envelope on three sides and does not comply with the front setback requirement of 4.5 metres as it is shown as being 2.77m on the northern end.

I have previously registered my disappointment and concern at the way the re-development of this site has progressed. It demonstrates how easily this city's valuable heritage streetscapes and green environment can be so easily eroded.

Regards,

Greg Leong

East Launceston Tasmania 7250

Friday, 29 November 2019

To: The General Manager Mr Michael Stretton Launceston City Council

RE: DA 0609/2019. 14-15 St Georges Square East Launceston 7250. Residential – Construction of a dwelling

Dear Sir,

Having made submissions regarding proposals for this site put forward by the developer, I note that this latest DA disregards - and if it is approved by our Councillors- will be in breach of - some key aspects of the Approval granted by Council of DA 0339/2019: that is - Residential – Demolition of dwelling at 14-16 St Georges Square.

I write specifically about the permit conditions attached to the approval of the Demolition of the dwelling, and the fact that this latest DA 0609/2019 shows disregard of the conditions imposed in the approval of the previous DA (for the demolition of the dwelling). The new DA is in breach of those conditions. The new plan clearly shows that permit conditions are not being adhered to: namely – it shows a new gateway inserted into where the brick fence is to be totally reinstated. It also shows a widening of the cross over to the proposed garage, which – if permitted – will mean the northern gate pillar (still standing, to some extent) will have to be removed.

I attended the Council meetings relating to that DA (Demolition permit) and observed that the vast majority of our Councillors spoke strongly and supportively about the absolute essential aspects that the Demolition Approval granted was based on various matters, including the total reinstatement of the brick wall facing St Georges Square, and there be a Tree Protection plan to preserve the trees on the property and also the Nationally Heritage listed trees on adjoining property (Torkington).

I am therefore writing to ask that our Councillors stand by their previous stance regarding the brick fence and refuse the current DA in its current form. *"Fencing of St George's Square Frontage: Prior to the commencement of any demolition works, a contiguous wall shall be erected, for the length of the frontage of 14-16 St Georges square, from the existing driveway opening, to the boundary with Scott Street. The wall shall be visually consistent with the remnant sections of the original brick fence" (DA 0339/2019)*

Access to the block at 14 St Georges Square can easily be made through Scott Street, as have all the immediate neighbours with Scott Street frontage.

There are no supporting documents attached to the new DA 0609, so there is no information on any of the submitted **plans for tree protection during the building of the new dwelling.** A Vegetation Protection Plan was a major aspect of the

conditions for the permit to demolish the current house. Therefore I assume the criteria regarding a Vegetation Protection Plan is only in place for the previous DA and thus only covers the period of time when the demolition is underway. A Vegetation Plan will be needed to cover the period when the new residence is being built. The importance of these trees has been addressed in previous submissions relating the demolition DA. Our Councillors spoke very strongly about the importance of the Vegetation Plan – now please ensure that such a plan is in place for period of the building of the new residence.

Also, in the light of the fact our councillors have declared a "Climate Emergency" – I urge the councillors to insist on the inclusion of a tree protection plan for the site whilst building is underway. I also ask that Councillors address the fact that the current DA does not include any information on what trees will be retained in this building process. Maintenance of the tree canopy which provides more shade in urban spaces is considered one of the simplest solutions to reducing the urban heat island effect.

I urge our Councillors to stand by their previous stipulations regarding the reinstatement of the fence – in total, and their publicly stated concern for the trees.

Yours sincerely

Jeanette Gatenby

East Launceston Tasmania 7250

Friday, 29 November 2019

To: The General Manager Mr Michael Stretton Launceston City Council

RE: DA 0609/2019. 14-16 St Georges Square East Launceston 7250. Residential – Construction of a dwelling

Dear Sir,

I am writing to ask that the Councillors stand by all the conditions they placed on the previous Development Application to demolish the building at 14-16 St Georges Square. These conditions are not being adhered to in the new DA 0609/2019.

The people of Launceston need to know that if the Council imposes conditions, then these must always be adhered to. We vote for Councillors and expect them to consider all developments carefully, in the best interests of our city, its ambiance, its live-ability, and its desire to make our city a green and beautiful historic city. What is the point of imposing conditions, only to have a developer ignore them and present new plans for a development (DA0609) that shows several aspects of the conditions of approval of the previous DA (0339) are being breached? This shows complete disregard for the procedures set by the Council and will be seen as such by the people of Launceston.

The current DA has no explanatory documents (I understand these are not an essential requirement) but in the light of the ongoing public concern regarding the development of this site, this does not allay concerns about the required re-instatement in full – of the brick fence, and the probable damage of the trees on the site during the build. Yesterday a large shipping container (presumably a site office?) was dumped onto the site, with no protection for any of the trees (including those included in the Council-directed approval for the previous DA (DA0339).

The Approval granted by Council of DA 0339/2019: that is - Residential – Demolition of dwelling at 14-16 St Georges Square clearly demands that the developer reinstate the brick fence **in its entirety**, yet the this new DA shows a gateway from St Georges Square into 14 St Georges Square, which would be in breach of the above condition. There is a long frontage onto Scott Street, and the gateway could be placed there. The developer agreed to Council to locate access to the block, via Scott Street (Minutes of Council Meeting 4 June 2018. Page 48). The proposed widening of the cross-over to 16 St Georges Square, would further reduce the extent of the brick wall, and require the removal of one pillar – the northern pillar, already damaged by the developer).

"Fencing of St George's Square Frontage: Prior to the commencement of any demolition works, <u>a contiguous wall shall be erected, for the length of the frontage of 14-16 St</u> <u>Georges square, from the existing driveway opening, to the boundary with Scott Street.</u> The wall shall be visually consistent with the remnant sections of the original brick fence" (DA 0339/2019) As the council has declared a Climate Emergency, I request that this new DA not be supported, as several trees currently on the site are not represented on the plan. I note that the site is in the Central Hills Precinct and has a scenic protection code.

I reiterate, it is essential for all developers to know that if the Council states certain Conditions are imposed on a Development Permit, that the Council will continue to insist that these Conditions be adhered to. Otherwise it is "open slather" for any developer to do as they wish. There is considerable concern in the wider Launceston community about this attitude. I urge the Councillors to stand firm about these matters, and their previously expressed concerns for the climate and the preservation of this brick wall and the trees on these blocks and those in the adjoining property of Torkington.

Roy Gatenby

Sent:	28 Nov 2019 17:20:59 +1100
То:	Contact Us
Subject:	Objection DA 0609/2019 at 14-16 St Georges Square, Launceston East.

Dear General Manager

I wish to comment on DA 0609/2019 at 14-16 St Georges Square, Launceston East.

I have commented previously regarding the heritage listed sequoias adjoining this property on a previous DA for this site. The current DA still does not address the issues raised.

What is going to occur regarding foundations for this dwelling? As I have previously pointed out, digging foundations will severely jeopardise the root system of these 30 meter tall heritage trees https://trustrees.org.au/tree/TAS/Launceston/Torkington_554 Ann_Street

Has a suitably qualified, independent arborist submitted a report regarding this building project?

Will an arborist be present during foundation work? Surely this is a necessary requirement when heritage listed trees may be seriously impacted by work on this site?

Again, I ask Council to consider the implications of damaging the roots of these trees. Their death will impact the amenity and culture of the area which is important aspect of Launceston.

Likewise, who will be responsible for the removal and payment of property damages should the trees be killed during this building process?

Is Council accepting liability or will legal action by neighbouring residents be a possibility if damage is caused to residences due to the death and removal of the trees?

So much more needs to be considered before this DA can be approved.

Sharon Melville

Sent:	28 Nov 2019 17:24:49 +1100
То:	Contact Us
Subject:	DA 0609/2019 at 14-16 St Georges Square, Launceston East.

The General Manager,

I am concerned that the above application doesn't consider the impact of the proposed development on two heritage listed Californian Redwoods (Sequoia sempervirens) on an adjacent property (<u>https://trusttrees.org.au/tree/TAS/Launceston/Torkington_554_Ann_Street</u>)

As stated in my objection to the previous DA (0115/2019), the size of these trees (30+m) means that the setback from the boundary is insufficient to avoid damage to the root systems which will likely kill the trees. The linked documents for DA 0609/2019 do not include a report by a suitably qualified arborist regarding the impact of the proposed works on the trees.

Given that even the movement of heavy equipment outside the building footprint may cause damage to the root system, will council require a report setting out a suitable TPZ (Tree Protection Zone) be prepared BEFORE a design is accepted?

Also given that some damage appears to have been done to heritage structures during previous demolition, will Council require a suitably qualified independent arborist be on site to supervise excavation and construction to ensure the listed vegetation is not harmed?

Will Council establish some checkpoints setting out when and how inspections will occur?

The loss of these trees would significantly affect the visual amenity of the neighbourhood as well as potentially threatening the life and property of the proponent and neighbours. Please consider this issue before proceeding.

Mark Melville

Sent:	28 Nov 2019 17:38:08 +1100
То:	Contact Us
Subject:	DA0609/2019 14-16 St Georges Square

To whom it may concern,

I write to oppose the DA0609/2019 at the adjacent 14-16 St Georges Square. The DA has no arborist report attached with it. No mention of a chestnut, mulberry or evergreen (located two metres from the giant sequoia's of Torkington). These trees and the sequoias appear missing from overheads and the main plans, it appears the DA wishes to remove the trees on site and does not mention possible damage to the sequoia's roots from the proposed landscaping to a depth of one-two metres in the southwest section of the site. Excavations to a depth within the special protection zone (SPZ) of the sequoias would severely compromise these trees. No mention of Adam's tree services is made. Yet the builder Fraser Cowan states in a previous DA that this report would be presented for the construction of a new dwelling. Where this report is and what it contains, need to be made public in order for a scientific assessment of the impact of excavators in the (tree protection zone) TPZ and SPZ on the sequoias. The DA ignores even the loss of privacy from the removal of an evergreen at the rear of 14-16 St Georges Square on Torkington's garden, as well as increased solar radiation on the Torkington's garden from the removal of this tree. An arborist needs to be on site at all times to ensure no damage is done to any of the trees. Without Arborist reports or supervision on site, how can the sequoia trees be adequately protected? The DA stipulations need to take this into account to ensure the DA protects the sequoias and the established trees on site.

Dr Umit Sungur

29 November 2019

Mr. Michael Stretton General Manager Launceston City Council PO Box 396 Launceston TAS 7250

Your Ref: DA0609/2019

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Dear Sir,

Re: DA0609/2019 – Construction of a Dwelling 14-16 St Georges Square

I am writing this letter to lodge my objection to the granting of an approval to construct a dwelling on 14-16 St Georges Square, as proposed in DA0609/2019. I have major concerns in relation to this proposal and they are outlined below;

1. Major changes to the Heritage Front Fence.

I have been told by Council officers that major changes to the Heritage front fence to insert a gate entrance into 14 St Georges Square and a decreasing of the length of the original wall by some 2 metres to allow for a widening of the street crossover is not part of this DA, having been agreed in the previous demolition DA0339 (05/09/2019) for this block. However I strongly disagree with this assessment for the following reasons.

- As part of the original Subdivision DA for 14 & 16 St Georges Square (0136/2018) the applicant agreed to retain the entire wall. I quote from page 48 of the Council Agenda on 4/6/2018 "Following concerns from representors about the impact on the existing brick wall the applicants have agreed to relocate the proposed access to Scott Street". The provision of a separate gate entrance is obviously not a pre requisite for the building of a dwelling on the site as the current proposed building on No.16 has its front entrance off the driveway with no separate entrance gate.
- Allowing a gateway in the wall now would undermine one of the major supporting points for the subdivision approval without any corresponding DA approval process.
- This Council approved the demolition of the existing house on now 16 St Georges Square (DA0339/2019) subject to certain conditions, number 3 being

" FENCING OF ST GEORGES SQUARE FRONTAGE - Prior to the commencement of any demolition works, a contiguous wall shall be erected, for the length of the frontage of 14-16 St Georges Square, from the existing driveway opening to the boundary with Scott Street. The wall shall be visually consistent with the remnant sections of the original brick fence" (a distance of 25.60M).

How does a new wall some 1.5 - 2 metres shorter in length meet the requirement of "a contiguous wall shall be erected, for the length of the frontage of 14-16 St Georges Square, from the existing driveway opening to the boundary with Scott Street"? How does a new gateway into 14 St Georges Square meet both the "contiguous" and the "visually consistent" aspects of this condition?

The Council cannot have it both ways, either the previous DAs count and the wall is built as a continuous wall without a gateway and to its current 25.6M (approx.) length, or if changes are to be made such as new gateways and shortened length then a new DA to that effect should be commenced, thereby giving all stakeholders the opportunity to participate.

How can ratepayers have any confidence in their councilors and the transparency of their processes, if what is approved by one DA can be later varied without a new DA to suit certain applicants? Why can't/won't we just enforce the decision that the majority on Council voted for on 5/9/2019 – reinstate it as was or you will not get a demolition permit?

The current proposed building exceeds the Planning Scheme building envelope for the site on all four sides, the 4.5M front setback requirement as well as the Planning Schemes site coverage limit if 50%.

The actual block is 21.81m wide at the front and 23.43M at the back and to adhere to the planning schemes setbacks an area of 98.14sqm at the front (21.81 x 4.5) and 93.72sqm at the back (23.43 x 4.0) would need to be set aside. These combined amounts would equal only 191.86sqm out of a site of 687sqm, meaning meeting the regulations would still leave the applicant with approximately 72% of the site on which to build and still meet the setback regulations. The scheme allows 50% site coverage so the applicant has an area of 495.14sqm on which to put the proposed 351sqm building footprint (the house size still exceeds the scheme at 51%). The front of the building comes to within 2.77M of the front boundary, far exceeding the Planning Schemes requirement of 4.5M.

It is a new building on an effectively vacant (approx. 22M x 30M) 687sqm block, so surely it can meet the Planning Scheme setbacks and envelope requirements and not exceed nearly every one.

3. Protection of significant trees during construction.

The application is totally silent on how the applicant plans to protect, during the construction process, the heritage trees on 54 Ann Street adjoining the property on its western border and the Mulberry and Chestnut trees within one and four metres of the existing house on the subdivided block of 14 St Georges Square.

There exists a well-known and used <u>Australian Building Standard AS 4970-2009 Protection of trees on</u> <u>development sites</u> that covers this application's exact circumstances. A condition of the demolition permit was that a plan along these lines be put in place, however no outline of the envisaged area was detailed. This application for the construction phase is totally silent on the matter.

This standard sets out in detail an exact process consisting of defined certifiable stages. It starts with the preparation of an approved <u>Tree Protection Plan</u> prepared by a suitably qualified arborist and approved by Council. Such a plan covers all stages of development on a block from site acquisition through to post construction with each of these stages being defined in detail and either supervised and/or certified by a qualified arborist.

The plan revolves around the defining of an individual <u>Tree Protection Zone (TPZ)</u> for each affected tree which is the principal means of protecting trees on development sites. The TPZ is a combination of the root area and crown area requiring protection and the standard has a very clearly set out basis for its calculation. It is this area that is then specially isolated from construction disturbance, so that the tree/s will remain viable.

The sequoias on 54 Ann Street that meet the 16 St Georges Square block in the back south western corner are listed on the Tasmanian Heritage Register. The foundation slabs/footings for this section of the existing house were put down some 60 years ago in the 1950's and early 1960's.

During this time the root system of the sequoias have expanded extensively down the southern side of the property, driven in no small part by the extensive cement retaining walls built over 125 years ago around what was then the grass tennis court of "Torkington" and which is now 5 Scott Street. These were put in place to restrict the sequoias' root systems from invading the grass tennis court and therefore prevented any major growth in a northern direction.

Part of this retaining wall was removed in 1998 during a major renovation of the property following our purchase in 1997. Since that time the southern increase of the root system and its renewed expansion along the western side of what is now 16 St Georges Square has been extensive. I personally know this from my nearly 20 year ownership of 14-16 St Georges Square between 1998 and 2017 and the constant need to adjust and repair pavers in our southern and western courtyards.

I trust the points raised above are seriously considered in the assessment of this development application.

Yours Sincerely

John Ewing

29 November 2019

Your Ref: DA0609/2019, 14-16 St Georges Square, La	uncest	φn	1 - 0	/		
	No.	PAC	2604	120	210	1
Mr Michael Stretton	EO	~	OD	/	Box	
General Manager Launceston City Council PO Box 396	RC	V'D	2 9 NO	V 2019)	LCC
LAUNCESTON TAS 7250	Doc No.					
Dear Mr Stretton,	C·W	Action Of	MORE	Not	ed F	Replied
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I am writing to respond to the advertised plans (DA0609/2019) for the construction of a dwelling at 16 St Georges Square, Launceston.

The issues that are of particular concern with this development application are discussed below. Regrettably, the plans submitted do not in all cases provide, for example, site measurements that would enable areas to be more accurately assessed. This application is notable in that there is no explanatory documentation accompanying the plans to explain how Planning Scheme criteria is or is not met by the design of the proposed dwelling.

1. Tree Removals from the Site

It is not totally clear which trees, if any, are to be removed from this site as part of the construction of the proposed dwelling. Given the strength of opinion voiced by our Councillors and further demonstrated by their voted endorsement of the planning permit conditions for the demolition of the existing residence, the protection of existing trees on the site must be a critical criteria against which this application is assessed.

The site is located within the Central Hills Precinct and within a Scenic Protection Code Zone. Significant vegetation has already been removed from the original site on the now subdivided block of no.14 St Georges Square. Any further reduction of vegetation is a retrograde action and will serve only to further diminish the amenity and scenic value for the surrounding streetscape, properties and residents.

The removal, for example, of the large evergreen tree growing in the south-west corner of the site will significantly intensify the solar heat impact on the adjoining heritage-listed 'Torkington'. It will also majorly affect their privacy and allow significant overlook of that property. This tree was part of the original gardens of the heritage-listed 'Torkington'. For my property, this tree helps reduce the impact of the strong south-easterly winds. This large tree makes a significant contribution to the scenic amenity of the green landscape surrounding my residence. Its removal is not required to facilitate the construction of the proposed dwelling.

Councillors unanimously endorsed the *Climate Emergency* for Launceston. Councillor Dawkins, an advocate for the motion, spoke strongly about the need to ameliorate the heat sinks created in suburbs that are deficient in trees and green cover. She and other Councillors spoke of the value that trees add to the health and well-being of residents. It is through the Planning Scheme that Councillors and Council have some control over what happens to tree cover on private land. Given the declaration of the Climate Emergency, I would urge all Councillors to reject this development application where it requires the further removal of established vegetation.

2. Protection of Existing Vegetation during Construction

One of the key conditions of the approval of the previous development application for the demolition of the current residence was the protection of existing trees during work undertaken on the site. This development application is conspicuously silent on how tree protection measures are to be applied during the construction of the proposed dwelling. The conditions, applied to the demolition permit, must also be adhered to or increased or strengthened for any permit approved for the construction of a new dwelling.

Regrettably, the conditions applying to the demolition permit for tree protection may have already been breached with the delivery and depositing of a large site office on the property on the afternoon of Wednesday 27 November 2019. Loaded on a heavy vehicle which entered the site via the St Georges Square frontage, the truck drove over the root zones of the two established trees on no 14. No tree protection zones appeared to be in place. Branches were broken off the mulberry tree during this delivery. This is an example of why tree protection must not only be a condition of the next development permit issued for this site but it also must now be rigorously applied and monitored by Council.

Extract from the Demolition permit (5 September 2019)

2. REQUIRED PRIOR TO COMMENCEMENT OF WORKS In accordance with the conditions of this permit, all of the following are required prior to the commencement of works: (a) Completion of the reconstruction of the brick wall; (b) Provision of a Vegetation Management Plan; (c) Installation of required tree protection measures; (d) Written confirmation by the project arborist that all tree protection measures are correctly installed; and (e) Soil and water management plan.

3.Front Heritage Fence and Widening of Front Cross-Over

Although I have been advised by the Planning Department that the front fence is not relevant to this development application, I contend that actions arising as part of this development application, specifically the proposed widening of the crossover from St Georges Square will impact on the remnant heritage fence. Therefore the fence is a relevant part of this development application.

To achieve this wider cross-over (approximately by an additional metre plus) the northern-side original gate pillar will have to be completely removed to allow for this widening. The current cross-over at the front boundary line is 5.38 metres and the new cross-over is over 6.5 metres, possibly closer to 7 metres.

The schematic showing the front of the proposed dwelling includes an image of a reinstated fence with a gate entry into the no. 14 number block from St Georges Square. I understand that a design has been agreed upon between the Manager of City Development, Richard Jamieson and the developer and that this agreed design may not be the same as the schematic detail in the advertised application. Given this, it is impossible to truly assess the impact of the rebuilt fence on both the streetscape and the future dwelling. What is being built?

Regardless of this, it is imperative that the conditions of the demolition permit, endorsed and voted upon by 11 out of 12 Councillors with one Councillor opposing the demolition total, must be upheld.

3. FENCING OF ST GEORGES SQUARE FRONTAGE Prior to the commencement of any demolition works, a contiguous wall shall be erected, for the length of the frontage of 14-16 St Georges Square, from the existing driveway opening to the boundary with Scott Street. The wall shall be visually consistent with the remnant sections of the original brick fence

Design and construction plans of the wall including a schedule of materials must be submitted to and approved by the Manager of City Development prior to commencement of construction.

No gap should be allowed in the front fence if the developer is to meet the requirements of the demolition permit and there is no reason why they should not meet them. Other property owners who border onto Scott Street all have entrances from this street.

The request to widen the cross-over and entry into the site should not be accepted.

4. Building Envelope and Height/Bulk of the Building

There is an error in the rear building envelope shown on the plans for the northern elevation. The building envelope is shown as coming off the back boundary with no.5 Scott Street. **This is incorrect**. It should in fact commence four metres in from that boundary. This error means that the rear of the northern elevation exceeds the building envelope and this discrepancy is not shown on the plans. Council Planning was advised of this error on Monday 18 November 2019.

The house exceeds the building envelope on all four sides. It exceeds the site coverage (recommend maximum 50% of the land) and does not comply with the front setback requirement of 4.5 metres (it is 2.77 metres on the northern end).

Given that the developer will be commencing construction on a vacant block of 687 square metres, it is has to be questioned as to why these required setbacks and envelope requirements cannot be met.

5. Impact of New Raised Floor Levels

It is significant to note that the submitted plans show a proposed dwelling with a raised floor level above the current slab height off ground level. This increased height is most noticeable in the north-west corner where the land falls away some 900mm from the current garage level. This increased floor level height will create a

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building that sits higher than the existing ground and first floor heights. The increased house bulk impacts directly on the amenity of my residence and my outdoor living areas.

6. Landscaping Plan

There is only minimal mention of any landscaping, namely an internal courtyard, on what is proposed for green landscaping for the site. Similarly there is no documentation as to whether ground levels may or may not be raised as part of any landscaping for this proposed dwelling. If the latter is intended then I strongly object to any increase in ground level height along the western boundary where it joins my property. The current fence is not a retaining wall and it is not constructed to have the capacity to support increased loadings of soil against it. Such a raising of levels, if undertaken, should require specialist engineering design work and drainage to prevent any water incursion into my property. In the St Georges Square/Scott Street area drainage issue are a critical concern.

The lack of detail regarding landscaping in this application makes it inconsistent with development applications for other recently built dwellings in our area. Some of these have, as a result of neighbour concerns, required extremely detailed landscaping plans to be prepared for Council which have included information such as future height of trees in 5 and 10 years and detailed planting plans including the notation of species. Why is this development application an exception?

7. On-site Car Parking

I note that two car spaces have been provided within the garage for a potential 5plus bedroom dwelling. It is highly questionable if the provision of the additional car parking capacity required to meet the Planning Scheme can be met, as it is dependent upon the widening of the front cross-over and the subsequent removal of the remaining original 1870s gate pillar.

I urge you as the Councillors who will make a determination on this development application to seriously consider and reflect upon your previous standpoints, decisions and voting regarding the conditions you endorsed and applied to previously approved applications for this site. Existing permit conditions must be extended to this new application and they must be rigorously enforced by Council's Planning and Compliance staff. If this is not the case then your decisions when you sit as the Planning Authority become impotent.

Yours sincerely, Glenda King

Sent:	29 Nov 2019 15:48:19 +1100
То:	Contact Us
Subject:	The General Manager re DA0609/2019

Dear Mr Stretton

I am writing to voice my concern with this application regarding 16 St Georges Square, East Launceston.

In particular the matters of concern relate to

- 1. tree protection and the removal of additional trees
- 2. Front fence and widening of cross over.
- 3. The building envelope and height and bulk of the building

Tree protection and removal of additional trees

Whilst the mulberry tree on 14 St Georges Square is not part of this application, it should not be forgotten in consideration of application DA0609/2019.

Bearing in mind that the site sits within the Central Hills Precinct and has a scenic protection code, the removal of yet more established trees significantly degrades the amenity of the area and is contrary to Council's recently declared "Climate Emergency" for Launceston. Thus the existing green cover on number 16 should be retained.

Front fence and the widening of cross over

The widening of the crossover from St Georges Square will impact on the remnant fence, which will require the removal of the northern side of the original gate pillar.

The building envelope and height and bulk of the building

There is an error in the rear building envelope shown on the plans (it comes off the back boundary with 5 Scott Street instead of starting 4 metres in from that boundary.

The design of the house as submitted, exceeds the site coverage (recommended maximum 50% of the land, whilst the plan is 50.72%) and does not comply with the front setback requirement of 4.5 metres (it is 2.77 metres on the northern end).

I urge Council to reject planning application DA0609/2019 as submitted, upon consideration of the above matters.

Kind regards

Leonie Prevost

Launceston City Council

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Launceston 7250

December 1 2019

Dear Sir/Madam,

RE :0609/2019

14-16 St Georges Square, East Launceston.

May I make some comments and concerns about the above.

Firstly the size of the proposal and does it stay within the specified space: particularly the distance between building and boundary.

Secondly the restoration of the fence as instructed by the council.

Thirdly the salvation of some long established greenery/trees.

Fourthly the overall sensitivity and ambience to the iconic St George's Square needs to be retained.

Perhaps as the precedence for parking underground has been established on the Square, perhaps this should be the case with this plan.

I would hope that I can have the opportunity to directly tease out these concerns at a council meeting.

Yours Faithfully,

Gregory Stephens

Abythens

Sent:	1 Dec 2019 18:27:45 +1100
То:	Contact Us
Subject:	DA 0609/2019 14-16 St George Square

I refer to the above Development Application for a construction of a dwelling at 14-16 St Georges Square East Launceston.

My concern is that like the previous DA 0115/2019 there is no regard for the giant (*Endangered Species*) Californian Redwoods Sequoia sempervirens which are growing on the property at 54 Anne Street. These trees are healthy as they stand now and are likely to last many more years if their roots are undisturbed. Not only are they of scientific and historical importance, but they are a buffer against present day climactic conditions. They are a boon to the health of Launceston's environment and those living in this city. If the roots are disturbed not only could the trees die, but the familiar vista of this area would be ruined.

I note there is no reference to the arborist report or the reconstruction of the fence which has been demolished.

Please consider once again these important issues regarding the above Development Application. Yours faithfully

Barbara Cox



Seymour has put another DA for her development. She wants to proceed without an arborist report and without building historic fence. She has put a site office at the back of building. We are very concerned for the safety our trees.
 Sent:
 1 Dec 2019 18:52:06 +1100

 To:
 Contact Us

 Subject:
 DA0609/2019

To: Duncan Payton

Listed below are my concerns about the proposed development at 14-16 St Georges Square, East Launceston.

1. Is there or will there be a management plan for the trees and vegetation on the site and surrounding properties? There are a number of significant trees that will be affected by the development.

2. The plans show the percentage of the proposed residence to exceed 50% coverage of the site. I feel it is important to consider the visual impact on the streetscape of St Georges Square and of the neighbouring properties. The scale of the proposed residence should be sympathetic to the surrounding buildings and not overwhelm them.

3. The application is vague in some areas. What most concerns me is the statement that "These drawings show design intent only and are suitable as a guide only". How do we know what will *actually* be built, based on such an open-ended statement, and how are we able to comment on them?

4. Although it is not part of this application, I feel it is necessary to reiterate my concerns about the brick fence rebuild. The most recent drawings are, once again, showing an opening which was rejected in the original application. Will the fence be rebuilt as set out in the previous DA?

Thank you for your time and careful consideration of this application.

Kind Regards,

Debbie McGrath

Sent:	2 Dec 2019 16:04:07 +1100
То:	Contact Us
Subject:	DA 0609/2019 - SUBMISSION

This submission is with regard to the protection of two Californian redwood trees in the back garden of 54 Anne Street Launceston and the rebuilding of brick fence along 14-16 St George Square.

While waiting on the phone to speak to a Council officer, I couldn't help but note the recorded message regarding the proud fact that Launceston has an intact cityscape of wonderful historic character dating back to 1824, so with regard to this "intact cityscape" I would again request protection of the two aforementioned trees as well as the rebuilding of the brick fence that was demolished so unnecessarily.

At a meeting at Council after the original fence was demolished, an assurance was given by Council that an exclusion area to protect the trees from damage by any kind of building work would be required. There is no visible protection area on site and at present there is a portable structure on the area in question. I also note that the DA 0609/2019 is now in the name of Cumulus Studio - a change from previous applicant name but in fact the same individual which could be construed as a ploy to hide the fact that there is a history of protest in connection with this property. The current DA does not mention the rebuilding of the fence, nor is there any mention of any tree protection. Surely a single dwelling sited on this large suburban lot could be sited to protect these trees which are estimated to be 150 years old (young for this type of tree) and a landmark on the Launceston skyline.

Launceston is justly proud of its heritage, let's keep it that way, protect heritage over excessive greed by developers.

L. E. Knight

HERITAGE PROTECTION SOCIETY (TASMANIA) INC.

2 December 2019

Mr Michael Stretton General Manager Launceston City Council Town Hall St John Street LAUNCESTON TAS 7250

By email to Michael.stretton@launceston.tas.gov.au

Dear Sir,

Re: DA0609/2019. 16 St Georges Square Launceston – Residential – Construction of a dwelling

This application was advertised on 16 November 2019 and the advertising period closes on 2 December 2019 at 5pm.

This development has become notorious for changes to applications, public promises and presentations by the proponent/applicant/property owner, and apparently illegal demolition works including tree removals.

The present application has been advertised as 14-16 St Georges Square, however notifications including that posted on the area, signify a development at 16 St Georges Square only.

If this development is limited or restricted to 16 St Georges Square, we then submit that it is an over- intensification of development on that limited area of land, that clearly does not fit the pattern of development of the immediate area (evidenced by the present dwelling building apparently to be demolished), and if it proceeds, will have a detrimental impact on the character of the immediate area (certainly that within a 100m radius), and should not be approved.

We submit that there is considerable confusion and probable faulty advertising, notification and exhibition of this present application, probably leading to an incompetent Development Application that is invalid, and one that cannot be presently determined by City of Launceston Council, acting as a planning authority.

The exhibited plans refers to 14-16 St Georges Square and illustrates the section of vacant land known as 14 St Georges Square (subdivided) without any reference to that section of land NOT being an integral part of the present development. Accordingly, it is our interpretation that the subdivided land area at 14 St Georges

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Square, is an integral part of the present application, that land contributing necessary open space/ landscaped garden for the proposed new 6-bedroom dwelling.

There are a number of controversial aspects of this development, entailing impacts on important trees on the development land and tree root systems on that land belonging to significant trees on the adjoining property; and, the reconstruction using original brick materials, of the significant brick fence along St Georges Square and Scott Street frontages.

The application documents do not show the construction details of the recentlydemolished fence, faithfully reconstructed, as publicly pledged by the property owner. Accordingly, we submit that CoL Council must condition any permit to ensure this reconstructed brick fence is properly and accurately reconstructed, and impose a monetary deposit to be held sufficient to ensure that the brick fence shall, be properly, accurately and faithfully reconstructed, as pre-existing.

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We look forward to your confirmation that all of our concerns will be addressed.

Yours faithfully

Lionel J. Morrell, President For and on behalf of Heritage Protection Society (Tasmania) Inc. Susan Charlton

FILE No. EO OD Box RCV'D OD Box RCV'D OZ DEC 2019 LCC Doc No. Action Officer Noted Replied E-COPY'D RGVD Replied

2 December 2019

The General Manager Mr Michael Stretton City of Launceston PO Box 396 LAUNCESTON TAS 7250

Dear Mr Stretton,

Re: Proposal: DA0609/2019 – Residential Construction of a Dwelling Applicant: Cumulus Studio Site: 14-16 St Georges Square, East Launceston

I wish to write another written representation in relation to an amended Residential Dwelling Proposal on the above site.

The owner was instructed by the City of Launceston to rebuild the old brick fence before any further demolition was to be completed. I haven't seen any progress happen in relation to this.

There was also to be a current Arborist Report submitted when the current proposal was to be perused by the Council. This also hasn't been submitted. There will still be damage to the root system of the trees growing next door at 54 Ann Street, Launceston.

I therefore wish to object to the above proposal DA0609/2019 as I feel some of the requests that were issued by the City of Launceston haven't been adhered to.

Yours faithfully,

Susan Charlton

Sent:	2 Dec 2019 21:11:42 +1100
То:	Council
Subject:	Comment on application DA0609/2019

For the attention of the General Manager / Planning Manager / Planning Department

Application Address Description Name of commenter

DA0609/2019 14-16 St Georges Square East Launceston TAS 7250 Residential - Construction of a dwelling Paul Osborne

Comment

I'm assuming the council will ensure that the front wall will be rebuilt as per the previous DA, BEFORE any further works take place?

This comment was submitted via PlanningAlerts, a free service run by <u>the OpenAustralia</u> <u>Foundation</u> for the public good. <u>View this application on PlanningAlerts</u>

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Sent:	4 Dec 2019 08:16:21 +1100
То:	Council
Subject:	Comment on application DA0609/2019

For the attention of the General Manager / Planning Manager / Planning Department

Application Address Description Name of commenter

DA0609/2019 14-16 St Georges Square East Launceston TAS 7250 Residential - Construction of a dwelling Jarad Murray

Comment

Personally, I like the design, but there is a pretty significant issue here that the developer has misled council already by stating that the wall would be retained and then demolishing it as soon as the DA advertising was complete. There was some talk of restoration, but that has not happened.

The wall was supposedly to be retained as per the last DA and so as to address the concerns of most of the the representations, but it appears this was a deception.

Now this new plan is being put forward with no reference to the planning scheme or the issue of the fence. So using the drawings, as they are all that appears to have been submitted, the fence that is being put back looks very different to the one that was removed without approval. As the plans are all that is there to go by, it appears that the developer has no intention of replacing the fence as it was.

I'd also note that the overshadowing of the new design is significant, but that is an issue for the neighbours effected.

This comment was submitted via PlanningAlerts, a free service run by <u>the OpenAustralia</u> Foundation for the public good. <u>View this application on PlanningAlerts</u>

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Dr Umit Sungur

6 December 2019

Leanne Hurst City of Launceston PO Box 396 LAUNCESTON TAS 7250

Dear Ms Hurst,

Re: Proposal: DA0339/2019 & DA 0609/2019 Site: 14-16 St Georges Square, East Launceston

According to the Launceston City Council Meeting on Thursday 5 September 2019 the Council Agenda - Order of Business Planning Authority - 8.1 14-16 St Georges Square, East Launceston – Residential – Demolition of a Single Dwelling

Standards Requiring Council Discretion 9.4 Demolition

Recommendation:

2. Required prior to commencement of works

In accordance with the conditions of this permit, the following are required prior to the commencement of works: -

- (a) Completion of the reconstruction of the brick wall
- (b) Provision of a Vegetation Management Plan
- (c) Installation of requirement tree protection measures
- (d) Written confirmation by the Project Arborist that all Tree Protection Measures (Tree Protection Zone TPZ and Protection of trees on development sites AS 4970-2009) are correctly installed; and
- (e) Soil and water management plan

Now that another Proposal has been considered (DA0609/2019) have the above been included in this new proposal.

Could you please supply a copy of the required Arborist Report (written certification) that all tree protection measures as described in the Vegetation Management Plan have been installed and the Arborists Qualifications. I would also like to know if the Arborist is going to be on site every day to manage the construction works and report all significant breaches of the tree protection measures to the Council on the day or the next working day when a breach is observed.

manage the construction works and report all significant breaches of the tree protection measures to the Council on the day or the next working day when a breach is observed.

Yours faithfully, Dr Umit Sungi

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ECOPY: D. PAYTON

Document Set ID: 4296868 Version: 1, Version Date: 09/02/2020

2/12/19 To bity of I ton, DA. 0609/2019. Bear Sirs, I am writing to try stop the trees neset to 14-16 George Square Laurceston being destroyed. They are beautiful trees a very old. I ppoke to Richard Jameson a he told me to write a letter and make a complaint. yours faithfully, (chors) B. Suttle FILE DA 0609/2019 OD Box RCV'D 0 6 DEC 2019 Doc No. Action Officer I Noted Replied E-COPY D. Payton