Council Meeting - Agenda Item 9.11 - Attachment 3 Representations - 14 St Georges Square East Launceston - 28 January 2021

From: Lionel Morrell

Sent: Monday, 4 January 2021 4:47 PM
To: Contact Us; Michael Stretton

Cc: Eve Gibbons

Subject:Representation DA0830 2020 14 St Georges Square East LauncestonAttachments:HPST Inc Rep DA0830 2020 14 St Georges Square East Launceston.pdf

Please see attached representation.

HERITAGE PROTECTION SOCIETY (TASMANIA) INC.

31 December 2020

The General Manager Mr Michael Stretton Launceston City Council Town Hall:

St John Street LAUNCESTON TAS 7250

By email only to contactus@launceston.tas.gov.au

Dear Sir,

Re: DA0830/2020 Residential – Construction of a dwelling : 14 St Georges Square East Launceston.

We refer to the advertised notice on 12 December 2020 in The Examiner newspaper.

This application to construct a residence on this land comes about because Council approved an earlier subdivision of the land in failure of due regard for Objective 11.4.2 which prescribes:

To provide lots with areas and dimensions that enable the proposed siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Council's abject failure to properly address these objectives when previously approving the subdivision, results in further diminishments and compromises in planning, and causes further discretionary powers to be engaged, should this application be approved.

We refer you to the representation we made on 25 April 2018 (DA0136/2018). That representation dealt exhaustively with issues of current and future adverse impacts including loss of amenity, overlooking, loss of privacy, denial of useful areas of open space for gardens and outdoor recreation spaces, provision for solar gain and daylighting to habitable rooms, failure to fit within prescribed building envelopes, insufficient setbacks, removal of trees (both illegally and by application), loss of the historic brick wall along the St Georges Square frontage.

Fears about and predictions of significant impacts on existing residential amenity and historic character of the area, have materialised as predicted. We passionately implored Council to not issue a subdivision approval that relied on any Performance Criteria in preference to Acceptable solutions under the circumstances of that subdivision.

We also illustrated the potential over-intensification of the land and that would lead to conflict in satisfying the purposes and values to be upheld in the zone.

The present application, in our opinion, alludes to be for a residential development, however the meagre kitchen facilities proposed are hardly sufficient for a 2 bedroom residence, and are more the standard for a tourist accommodation unit or a commercial office unit. We referred to the likely potential for this development to be for a commercial development in our representation of 25 April 2018, and whilst we appreciate this is apparently not the current proposed use, such a change could easily be accommodated subsequent to its construction. This opinion is further evidenced by the complete absence of a laundry, which although referred to on the schedule exhibited on with formal landscape plan, does not in fact exist! Yes, under current building regulations, a laundry facility may be incorporated into a kitchen area, that is not the present proposal, and given the present severe limitation in floor area of the 'corridor' kitchen, any addition of a washing machine/dryer/laundry trough as seemingly scheduled, will simply not fit there.

The Zone Purpose Statement for the Residential Zone which includes to "encourage residential development that provides a high standard of residential amenity and streetscape contribution" is a wild stretch of the imagination, if suitably addressed by the design and facility presented by this application. "Donga" style residential buildings are not to be found in the St Georges Square residential precinct. This form of temporary or transportable house is commonplace in remote areas of northern Australia, but there they are outback sheds and fly-in fly-out (FIFO) village housing, not at all desirable or compatible with the Council's description of High Street and St Georges Square precincts "St Georges Square demonstrates principles of English town planning transposed to the colonies with an arrangement of houses around a square."; "The setting on the ridge with the expansive St Georges Square forming a large parkland provides for a unique character."

SIGNIFICANCE

The precinct is significant for a range of reasons:

- It demonstrates the diversity of high quality housing in Launceston and the successive layering of housing development in prime locations. Commencing with the c1830 townhouses and incorporating Victorian Federation and Interwar houses each are represented with very fine examples in largely intact settings.
- It demonstrates the tradition of high quality housing that characterises Launceston.
- It provides a series of streetscapes of consistent and high visual and aesthetic value demonstrating the core values of housing development in Launceston.
- Many of the buildings have high individual significance as fine examples of their periodor style, several are perhaps the quintessential examples in Launceston.
- The pattern of development, particularly the planning around St Georges Square demonstrates early town planning principles and the adaption of English precedents to a colonial setting.

Regrettably there is nothing *high quality* or with *high visual or aesthetic value* concerning this development proposal, and accordingly the streetscape and pattern of development of the area will be damaged and thereby diminished.

We refer you to the publication MAKING GOOD LOCAL HERITAGE DECISIONS – Local Government heritage guidelines : a national guide.

This guide relies heavily on the sound planning principles of

- Respect the building's context and location
- Ensure new buildings fit into the streetscape

- Maintain the view
- Seek design excellence.

The development proposal fails these principles.

Accordingly, we recommend that Council firmly refuses this application, and thereby protects the value and importance of the established cultural amenity of the area.

Yours faithfully,

L. J. Morrell

PRESIDENT
For and on behalf of
HERITAGE PROTECTION SOCIETY (TASMANIA) INC.

From:

Debbie McGrath

Sent:

Sunday, 3 January 2021 9:18 PM

To:

Contact Us

Subject:

DA0830/2020

To Duncan Payton:

I have received the notice of application for a planning permit for 14 St Georges Square, East Launceston.

I am writing to question the notation on the plans that refers to the "existing brick fence' and states it is to be "demolished and rebuilt with salvaged bricks". The brick fence has long been demolished and it was agreed that it would be rebuilt before the house on number 16 could be demolished. How, since it is a contiguous brick wall along both block frontages, does the recent application for a building on number 14 regard the rebuilding of the fence and whether it will be rebuilt before the construction of the new dwelling begins?

Thank you for your time and consideration of this application.

Kind Regards,

Debbie McGrath

From: Jeanette Gatenby

Sent: Friday, 1 January 2021 3:41 PM

To: Contact Us

Subject:Submission re DA0830/2020 14 St Georges SquareAttachments:Submission re DA 08302020 R and J Gatenby.docx

Importance: High

Dear Mr Stretton

Please find attached our submission (2 pages) regarding DA 0830/2020 14 St Georges square.

Please advise me that you have received this email, thank you.

Jeanette and Ro Gatenby

To the General Manager

Launceston City Council

contactus@launceston.tas.gov.au

Friday, 1 January 2021

RE: Development Application DA0830/2020 14 St Georges Square East Launceston

Dear Mr Stretton,

We lodge this submission regarding this Development Application. Some of our concerns are:

The Fence onto 14 St Georges Square:

This DA, with its very brief plan and minimal information, states:

"existing brick fence to be demolished and rebuilt with salvaged bricks".

This is not an accurate statement. Only one part-pillar (on the driveway to no.16) and the original fence foundations of the 19th century brick fence that stood on 14 St Georges Square currently exist. The remainder has already been demolished by the developer.

A permit has been granted for demolition of the house on 16 St Georges Square, and that demolition is only permitted if the wall (14-16 St Georges Square) is re-built (with strict stipulations on the style and materials used) before any demolition occurs at 16 St Georges Square.

Therefore, we submit that the essence of the stipulations (as stated above) would mean that the new fence at 14 St Georges Square – should be built prior to any building on that site. This new fence should be built subject to the requirements of that permit to demolish the house on 14-16 St Georges Square.

This new DA has not included any information on the style of the new fence, details which were clearly stated in the Permit for 14-16 St Georges Square (demolition - 5 September 2019- point 3 Fencing). The permit for the construction of a dwelling (23 January 2020) also stipulated details regarding the fence in point 4: *Protection of St Georges Square Frontage Fence*.

The developer has, throughout this long, drawn-out process, shown no regard at all for the importance of the fence and its impact on the streetscape of historic St Georges Square. We are most concerned that this new project will also show no regard for the fence or indeed, for the many concerns that have been submitted to, and considered by, the Council.

We submit that the re-instatement of the fence (as detailed in the Council's Planning Approval for 14-16 St Georges Square 23 January 2020) be included in any approval for this current DA.

Vegetation/Trees:

In this DA the developer states:

"existing trees to be retained are to be protected by a Tree Protection Zone. Existing trees to be well mulched and watered. Contractor to minimize earth works in the canopy **as much as is feasible**".

This statement bears no specific reference to the detailed Vegetation *Management Plan February 2020* (including ongoing supervision by qualified arborist etc) which was an integral condition of any development of the land of 14-16 St Georges Square, as stipulated by, approved by Council in February 2020.

We submit that Council stipulate these details are to be part of any approval, regarding 14 St Georges Square (which was encompassed in the demolition approval at 16 St Georges Square).

Purpose of this building:

The new plan in the DA is very strange – it is merely a truncated version of the previous plan submitted by the developer. For example, the "key" on the plan indicates there are: "stove", "clothes washing machine", "trough" and so on, yet none of these facilities are on the plan, nor is there space for these. The plan submitted is for a very basic unit, with minimal kitchen facilities.

Given the developer's business website <u>insitu property</u> states that the address for *Insitu Property Real Estate* is 14-16 St Georges Square, we question that the purpose of this latest new building is not for a residential home, but for the use as an office for the business.

If this current DA is approved, what processes must occur to enable the property to be used as a business? What off-street parking would be required? Would an additional crossover have to be built from Scott Street? How close to the road on St Georges Square would this cross-over be? If so, this would require further removal of vegetation to create a client car parking site on the eastern (front) side of the building.

We have very much appreciated the thoroughness with which our City Councillors have approached the various submissions made by this developer for the historic site of 14-16 St Georges Square.

This is an important part of the Launceston city-scape. It merits and deserves a quality development.

Yours sincerely,

Jeanette Gatenby

Roy Gatenby

From:

Umit Sungur

Sent:

Monday, 4 January 2021 6:21 PM

To:

Contact Us

Subject:

DA0830/2020

Dear Duncan,

Regarding the application to build a dwelling at 14 St George's Square. I couldn't see any reference to tree protection and a vegetation management plan, especially for the chestnut tree at number 14 where the tree protection fence has already fallen down and of trees on adjoining sites especially the two heritage significant trees (giant sequoias) at This would seem to be a prudent thing to have done.

Yours sincerely

Umit Sungur

Sent from my iPhone

From:

Jenny Davidson

Sent:

Monday, 4 January 2021 6:19 PM

To:

Contact Us

Subject:

DA0830/2020

Dear Duncan,

Regarding the above application I couldn't see any reference to a vegetation management plan for the trees on site number 14 and adjoining properties including the giant sequoias at number

Currently the fence around the chestnut tree at number 14 has fallen down.

Kind Regards Jenny Davidson

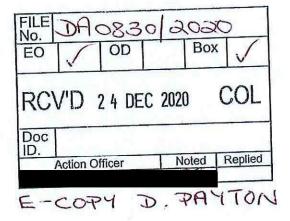
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My Ref: DA0830/2020GK

24 December 2020

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



Dear Mr Stretton,

Re DA00830/2020 – Construction of Dwelling at 14 St Georges Square, Launceston

I am writing in response to the currently advertised application for a planning permit for the construction of a new dwelling at 14 St Georges Square, Launceston. The current application raises a number of concerns as my property adjoins 14 St Georges Square on its rear boundary. My concerns are outlined in the remainder of this representation.

1. Tree and Vegetation Management

While there is a reference (Drawing A1-001) to

"Existing trees to be well mulched and watered, contractor to minimise earth works within tree canopy as much as is feasible"

there is no reference to the specific *Vegetation Management Plan February 2020* which is a requirement of any development and all works on the land of 14-16 St Georges Square, Launceston as determined in the decision statement approved by the Launceston City Council at its meeting on 23 January 2020 (see p35 Council Minutes 23/1/2020 point 3 – Supervision by Project Arborist" and page 36 point 10. Protection of Existing Trees.

The decision statement refers to both 14 and 16 St Georges Square which covers the land this current development application is proposing to build upon. There are five specifically identified trees to be preserved on the northern and the western boundaries of this block which are listed for specific protection procedures.

The current application makes no reference to the significant role the Arborist is required to play through daily supervision, documentation and reporting of works under taken on these two sites.

It is extremely concerning that this development application makes such scant reference to tree protection and management during construction. The strong community/neighbourhood response to the enforcement of the protection of trees on 14-16 St Georges Square and the endorsement of this by Council's Aldermen should be to the forefront in any consideration of this development application.

The existing agreed vegetation protection requirements, as determined in the Vegetation Management Plan 2020, (prepared by the applicant's Arborist) must be enforced for any development of, and works undertaken, on 14 St Georges Square.

The Vegetation Management Plan also goes into extensive detail as to how any excavation work should be undertaken in the tree protection zones. It details the specific processes which should be followed to install any new fence footings and to undertake any subsequent building under the existing Chestnut tree on 14 St Georges Square.

This application should therefore not be approved unless those existing conditions as approved by Council in DA0339/2019 in January 2020 in relation to Arborist supervision and adherence to the Vegetation Management Plan are enforced as part of any approval.

2. Rear Boundary Setback

The decision statement by Council on 23 January 2020 approved the rear boundary setback of the adjoining residence on 16 St Georges Square (yet to be constructed) at greater than 4.00 metres which is the location of the western wall of the existing residence.

The current proposal has the rear setback at 2.523 metres from my eastern boundary fence. To ensure consistency with the neighbourhood, the rear setback for this current proposed residence should be at a minimum of 4 metres compliant with the existing neighbouring structure.

With a 13.197 metre front setback described on the plans for the proposed residence on 14 St Georges Square, there is ample space to move the proposed residence forwards to the front boundary to provide a 4 metre rear setback without compromising the available front garden.

The length of the current front setback however raises questions at to the intent of such a lengthy setback. Is the developer is planning to extend the proposed dwelling once the current plans are approved or build a second independent 'unit' or install a

front car park to accommodate staff or client vehicles should the proposed building be used for the developer's business?

3. Re-built Front Fence

The decision statement by Council on 23 January 2020, required the masonry fence (DA0339/2019 approved 5 September 2019) to be protected during the construction of the approved dwelling on 16 St Georges Square. This document also refers to 14 -16 St Georges Square and hence both blocks of land.

No development or construction should take place on 14 St Georges Square until the fence is erected as agreed with the Launceston City Council. This includes the design specification for one pedestrian gate/entrance in no 14. Council did not approve any new vehicle cross-over.

4. Incorrect Information on Plans

The Vegetation Management Plan 2020 specifically identified five trees to be preserved on the northern and the western boundaries of 14 St Georges Square of which only one is specifically referred to in the plans. (refer to Drawing A1-001)

A large tree shown to the rear on the Scott Street boundary (Drawing A1-001) is non-existent and was previously removed by the developer prior to the approval for the subdivision of the land in June 2018. The continued inclusion of this non-existent tree which first appeared in DA0732/2018 gives an incorrect impression as to the extent of vegetation on the property. Council had been advised of this incorrect information in 2018.

The plans refer to the "existing brick fence" however there is no existing brick fence. The original heritage brick fence was demolished by the developer on Tuesday 6 August 2019. (refer to Drawing A1-001).

It is quite obvious that this current development application has simply used a truncated form of the plans submitted to Council for DA0732/2018 in March 2019 which were subsequently withdrawn by the developer. The current plans are missing the original living, dining, kitchen (running length 8.5 metres), the laundry and the second rear bedroom which has been changed to an office. This change of function removes any potential requirement to provide an additional off-street car park. No laundry facilities are shown on the plan of the proposed residence. Where is this activity to occur in the residence?

5. Landscaping Plan and Site Drainage

No landscaping plan has been supplied with the development application. It is therefore not possible to consider the full impact of the proposed development on pervious and non-pervious surfaces on this site.

Effective drainage is essential as my property has already experienced considerable water inundation from run-off from these sites. This issue, which has been previously raised with Council, needs to be addressed in the approval stage not retrospectively.

Given the points outlined above and the unanswered questions regarding these, I wish to advise that I do not support this development application.



Your Ref: DA0830/2020

23 December 2020

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

Dear Sir,

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Re DA00830/2020 - Construction of Dwellings 14 St Georges Square

I am writing this letter in response to the above Notice of Application for a Planning Permit received concerning 14 St Georges Square, East Launceston.

I have a number of concerns in relation to the application. I raise them as their outcome will have a direct impact on me, as a co-owner of eastern boundary meets the proposed developments' back or western boundary) and as a long term resident of this area. The concerns are:

- 1. Rear setback on the proposed new building on 14 St Georges Square
- 2. The proposed reinstatement of the previous heritage front fence which was common to both 14 and 16 St Georges Square.
- 3. Protection of existing site vegetation during any development of the site.
- Incorrect documentation as part of application process for 14 St Georges Square.

1. Rear setback on the proposed new building on 14 St Georges Square

- During the DA application process for our house at (under the existing then new scheme in 2015) Council officers made it quite clear that the Planning Act for residential properties had a strict building back setback of 4M which they would not in any way recommend exemptions from. They stated the main reason for this uncompromising stance was to ensure a minimum standard building setback for all neighbours' back yards. If the proposed building is approved, we will have on our eastern border a new residence at 14 St Georges Square at 2523mm from our boundary.
- The 14 St Georges Square block is 30.06M long on its boundary with 16 St Georges Square. The structure proposed is 14.34M long leaving some 15.72M as open garden. The applicant currently proposes to allocate this 15.72M as 2.523M for a rear setback and 13.197M for a front setback. Moving the structure forward 1.50M to give a 4.0M rear set back, would still leave the applicant with a more than adequate and very generous 11.7M front garden area.

Part of the planning scheme's performance criteria for setbacks is a
requirement that "the building setback on the rear boundary must
be appropriate to the location, having regard to the character of
the surrounding area and location of buildings on adjoining lots.
Ref - 11.4.10 P1(b)". All buildings on the city block upon which this
structure is proposed have such a setback including the existing house
on 16 St Georges Square. Even the new house recently approved for
16 St Georges Square for the same applicant meets this 4M standard.

There is simply no common sense justification for any buildings on this site to not meet a 4M rear setback.

2. The proposed reinstatement of the previous heritage front fence which is common to both 14 & 16 St Georges Square.

The fleeting reference to the front fence on page A1-001 (copy attached as Appendix 1) states that an existing front fence (which doesn't currently exist) will be demolished and rebuilt with salvaged bricks.

- This does not state or make clear whether the applicant intends to build the whole fence as previously agreed and if so, if it is to the Council's also agreed design, which was a similar look as the previous front fence from the street with the allowance for a pedestrian front gate entrance to 14 St George Square and a slightly larger driveway opening for 16 St Georges Square, and that it would be built from bricks salvaged from the demolition of the original fence.
- DA0339/2019 condition 4 approved by the Council on 23 January 2020 covering both sites stated :

PROTECTION OF ST GEORGES SQUARE FRONTAGE FENCE

The masonry fence on the St Georges Square frontage, as required by DA0339/2019 shall be erected prior to the commencement of works and reasonable care shall be taken to protect the fence from damage during the construction of the approved dwelling. Any and all damage sustained during the construction process shall be repaired, prior to occupancy of the dwelling, to maintain a visually consistent fence.

 At that meeting (23 January 2020) Council officers gave numerous verbal assurances to both the galley and Council Alderman that NO work would take place on 14-16 St Georges Square until the fence in its entirety was completed to their satisfaction.

Therefore this application should not proceed without the above requirement being part of its conditions.

3. Protection of existing site vegetation during any development of the site.

On page A1-001 of the application (copy attached as Appendix 1) it states that "existing trees will be retained and trimmed back by certified arborist" and "are to be protected with a Tree Protection Zone. Existing trees to be well mulched and watered contractor to minimize earth works within tree canopy as much as feasible"

This is an enormous downgrading and major variation of both the Council's approved conditions for the site and the subsequent Vegetation Management Plan submitted by the applicant. It raises a number of issues as detailed below:

- DA0339/2019 conditions 3 & 11 approved by the Council on 23 January 2020 set out quite specific detailed requirements in relation to <u>Supervision</u> <u>by the Project's Arborist</u> and the provision and adherence to a detailed <u>Vegetation Management Plan.</u>
- The conditions were very specific in regard to the arborist's attendance requirements (daily) and their responsibility to record what happened daily on site during any work being undertaken. The conditions were similarly quite detailed as to what the Vegetation Management Plan, required as part of the permit, should include.
- The Vegetation Management Plan subsequently produced, expanded and further detailed, as one would expect, these requirements to the extent that the plan contains a schedule (Appendix 2) identifying specific trees to be protected, five of which are on the 14 St Georges Square block. It also goes into considerable detail outlining options as to how these trees can be protected, both before work starts and during any site works subsequently.
- The plan also goes into extensive detail as to how any excavation work should be undertaken in the tree protection zones and it details the specific processes which should be followed to put any new fence footings and do any subsequent building under the existing Chestnut Tree on 14 St Georges Square and three Catalpa trees on 16 St Georges Square.

This application should therefore not be approved unless those existing conditions as approved by Council in DA0339/2019 in January 2020 in relation to Arborist supervision and adherence to the Vegetation Management Plan are enforced as part of any approval.

4. Incorrect Documentation as part of the Application for 14 St Georges Square

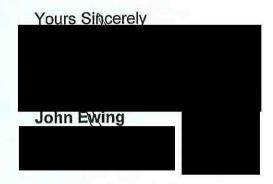
- The site plan (A-001) submitted as part of the building application is incorrect in that it gives the impression that a substantial tree exists just over half way down Scott Street. No such tree currently exists as it was removed by the applicant prior to the sub-division application decision being made by Council (June 2018). Its inclusion gives the false impression that such vegetation exists on the block and will be retained. That is just not the case.
- The site plan (A-001) also as mentioned earlier in item 2, refers to a non existent front fence which is says it is proposing to demolish and rebuild with salvaged bricks.

One has to ask the question as to why these two glaring mistakes were accepted and the application allowed to proceed to advertisement as the Council is fully aware of the non-existence of both the tree and the fence.

Taken at face value they could clearly alter someone's perception of the application and their attitude to its acceptance or not (eg. isn't it good that the applicant is retaining both those big trees in Scott St as part of the building project) — when in fact that is blatantly incorrect

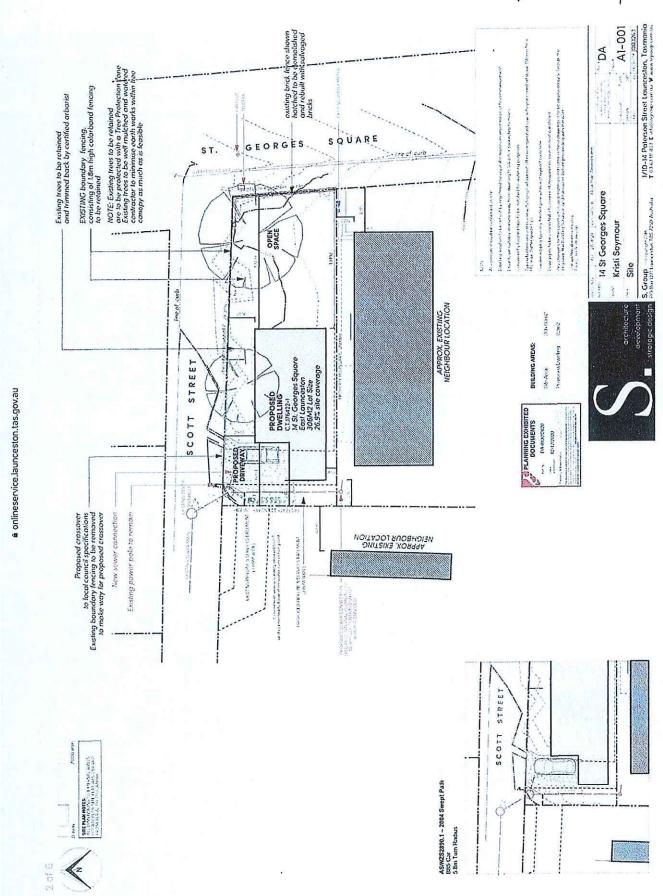
Have the Council's standards slipped to such an extent that it no longer cares whether a true presentation is being offered to its citizens in relation to building applications to enable them to make their decisions upon or is there something else driving this acceptance of plainly incorrect information?

In summary the proposal to build this new residence on 14 St Georges Square in its current form does not have my support.



Appendix

- 1. Page 2 of Planning Application DA0830/2020 New Dwelling 14 St Georges Square
- 2. Page 15 of Vegetation Management Plan 14 -16 St Georges Square East Launceston (February 2020)



APPENDIX 1 - TREE PROTECTION PLAN

