

**From:** Peter Serisier [[mailto:](#)]  
**Sent:** Wednesday, 10 June 2015 3:19 PM  
**To:** Robert Dobrzynski  
**Subject:** 16-24 Charles st and 9 Canal St Launceston

General Manager  
Mr Robert Dobrzynski  
Launceston City Council

Dear Sir,  
Re DA 0573/2014

As I am presently in Canada, I am making this representation under difficult circumstances and for practicality am restricting my comments to the proposed subdivision and repair work to the old Supply River warehouse at 9 Canal St (the old cordial factory).

I am not opposed to the subdivision of the old warehouse building providing enough land is retained around the building for it to be worked on and maintained in the future by an interested party. Conditions need to be

included for the necessary restoration of this building to be completed before retail use can be commenced on the CH Smith site.

The minimum land surrounding the old warehouse( cordial factory ) needs to be :

subdivision on eastern side to align with existing brick wall of former Kerr Bogle warehouse , forming a party wall.

Boundary on southern side of 1.5M from the present wall of the old warehouse( cordial factory ) , to allow warehouse wall to be correctly maintained and conserved ie drainage etc.

Subdivision boundary on the western side to the present roof overhang alignment is at minimum required ,providing frontage remains as road frontage., to provide unobstructed visual appreciation of the main facade of the building and for access for maintenance and vehicular access to entrance doors.

Vehicle turning space within road area must be retained for two way traffic from Canal St and a formed footpath a minimum of 3 M wide to the frontage of the old warehouse should be present.

Yours sincerely,

Nancy Ann Serisier.

10 June 2015

**From:** Timothy Walker  
**Sent:** Wednesday, 10 June 2015 4:52 PM  
**To:** records  
**Subject:** Submission regarding DA0573/2014 : CH Smith Building 16-24 Charles Street CH Smith, Launceston

To whom it may concern,

I am writing to express concerns about the current DA before Launceston Council.

I am concerned that in the there is no proposal by the owners to put a roof over the heritage building in Canal St known as the Old Cordial Factory.

I am also concerned that there may be insufficient land on the south and west side of this building for it to be properly restored and protected.

I also believe that if it is to separated from the title, that the developer should make a sizeable financial contribution to its restoration, as it agreed to do in its original Development Application.

Yours sincerely,

--  
Tim Walker  
Multimedia Journalist

**LIONEL MORRELL**  
**ASSOCIATES**  
**ARCHITECTS**

10th June 2015

General Manager,  
Mr Robert Dobrzynski,  
Launceston City Council  
Town Hall  
St John Street  
LAUNCESTON TAS 7250

By email [Robert.Dobrzynski@launceston.tas.gov.au](mailto:Robert.Dobrzynski@launceston.tas.gov.au)

Dear Sir,

**Re: Bulky Goods Sales - food Services, educational & occasional Care and vehicle parking - change of use; construction of a building; subdivision; development on Council land.  
9 Canal St & 16-24 Charles St Launceston DA 0573/2014**

I make this representation in response to the notice published in the Examiner newspaper, 27th. May 2015.

The proposal to subdivide the old store building at 9 Canal St Launceston is opposed on the basis that the restoration and protection of this building is important to the heritage values of the place and Launceston in general.

The owners made very public undertakings when purchasing the property 4 years ago, that they were aware of the condition of the heritage buildings and were very happy to accept the obligation to spend a substantial sum on restoring all heritage buildings on the site.

To use an application to undertake a subdivision in order to avoid these obligations is unfair and is contrary to the present permits under which the works have been progressing.

Yours sincerely,



L.J. Morrell

# HERITAGE PROTECTION SOCIETY (TASMANIA) INC.

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10th June 2015

General Manager,  
Mr Robert Dobrzynski,  
Launceston City Council  
Town Hall  
St John Street  
LAUNCESTON TAS 7250

By email [Robert.Dobrzynski@launceston.tas.gov.au](mailto:Robert.Dobrzynski@launceston.tas.gov.au)

Dear Sir,

**Re: Bulky Goods Sales - food Services, educational & occasional Care and vehicle parking - change of use; construction of a building; subdivision; development on Council land.  
9 Canal St & 16-24 Charles St Launceston DA 0573/2014**

This representation is submitted to you in response to the notice published in the Examiner newspaper, 27th. May 2015.

Our Society is an independent community-based organisation, formed in Tasmania to protect our heritage. Heritage protection is very important to the cultural lifestyle of all Tasmanians, not just to enhance tourism, but to give us all that quality of life that is so important to our well-being and which we do not miss until it is gone. It is important that we hand on our heritage to future generations. There is a need in this process, for a community-based group to do the work that others cannot or will not do because of political fears and concerns. We also help other like organisations with their work, not to compete with, but to complement and strengthen them.

The role of the community consultation is important, so that people can express their views about places that are significant to them - by providing information about places and participating as individuals, as members of community groups and by political action.

In preparation of this representation, we have consulted with various members of the community and with the Senior Heritage Advisory Officer at Heritage Tasmania, and Launceston City Council's Manager Planning Services.

## **Preamble**

Launceston, Australia's third oldest city, promotes a pride in the cultural heritage of the city and the cultural and tourism values of its old buildings.

Following an attempt at illegal demolition, this group of buildings has been the topic of several applications in the past, which have been the subject of appeals to the Planning Appeals Tribunal and Resource Management Planning and Appeals Tribunal. On each occasion, permits have been issued and developments have been commenced, but apart from the buildings at 16-18 Charles Street, each development has failed due to changed financial circumstances of developers, leaving a site of part demolished, part constructed and generally neglected buildings, contributing to a feeling that this gateway site to the City is an embarrassing eyesore. On each occasion a development proposal has been unveiled, there has been community angst and attempts made by promoters to vilify and condemn people and bodies who raise concerns that are critical of the

Former C H Smith Site Development Representation DA 0573/2014

proponent's wishes. An understanding of this place and the esteem to which the community holds the place and its buildings, seems to present a difficulty to outside owners, promoters and design consultants, and the merits of utilising local experts seems not to be attractive to developers, resulting in foreign concepts and attitudes being exhibited with development proposals.

The present owner of the property has had a permit to develop the place since 2011, but has done little to take action, even the most elementary work to keep rainwater out of the fragile buildings which one would imagine was in the owner's interest so as to limit the eventual cost of repairs/restoration. This owner also made public statements when purchasing the place, that there was sufficient funding to be generated to willingly take on the restoration work, and that that cost had been factored in.

It is important to recognize that there is presently a permit issued (Ref. 0343/2011) under which work has commenced and continues, albeit incredibly slowly. Any statement or impression that work has been stopped, frustrated or delayed by the statutory approval processes on this site, is untrue. Most recently, an application (Ref. RMPAT 100/14) for demolition on this site was refused, and a subsequent Appeal (Ref. 100/14) lodged against the decision by the applicant remains suspended, at the applicant's request. HPS(T) Inc. is a party to that appeal.

It is a fundamental tenet accepted by conservation professionals that there must be an involvement of interested parties in the preparation of any Conservation Plan, Policy or Statement of Significance. Whilst this development relies on reports and documents of this kind, these have been prepared in private and simply produced with the application and other documentation.

***Plans prepared in secret and sprung on people are seldom accepted no matter how good they may be. At best they will be followed by a protracted period of explanation and compromise; at worst by vituperative controversies and rejection. Therefore, it is sensible to find out who has an interest in, or may be affected by, the outcome and to take care that that they are briefed on intentions, progress and given a chance to make suggestions at appropriate stages. Difficult situations can be resolved or ameliorated in this way.***

*Dr. J. S. Kerr 1990.*

There has been no consultation with the community in relation to this development, other than that required during the past fortnight being the statutory requirement of a Planning Authority. This is regrettable, and it would be prudent of the Tasmanian Heritage Council and the Launceston City Council, should they ever be of a mind to approve this proposal, to seek community sanction beforehand.

### **Application DA 0573/2015**

This application is for the development and use of this large central site including subdivision, advertising signage, traffic and parking modifications beyond the boundaries of the subject land, demolition and alterations to heritage listed buildings, and other demolition.

The advertised documentation for this project is extensive but difficult to piece together, and contains serious discrepancies as to the extent and nature of the work proposed. The display conditions under which the documents have been exhibited at the Town Hall Service Centre are less than ideal and are not conducive to easy understanding by the public. It will not surprise us if there is little contribution submitted by the general public for this reason. There also continues to be public condemnation and vilification from certain parties, often publishing in the media anonymously, and designed somewhat successfully, to discourage anyone opposing the applicant's proposals on this site. Continued misrepresentation of the facts surrounding the details

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and nature of past statutory proceedings that dealt with the three distinct approvals for major developments on this site, have not been corrected. The duties of the statutory approval authorities to protect the decaying and unsightly heritage structures surviving on the site has been raised often, as has the apparent reluctance by these statutory authorities to enforce approval conditions in a timely and proper manner.

We have tried to illustrate to the LCC Manager Planning how the documents submitted by this applicant in support of the Development Application are confused and confusing. It is the duty of Launceston City Council as the Planning Authority is to ensure that this application not be advertised for public input until it is clear, concise and completely in accordance with the provisions of the Launceston Planning Scheme and the LUPA Act.

Launceston City Council should properly have insisted that the Applicant not include information as part of this application that may be regarded as obsolete or not relevant. This application is a fresh application, not an amendment to any earlier application. Launceston City Council initially received this application as an application to amend Permit 0343/2011, but (correctly) refused to process the application as an amendment because of the significant variation to that earlier permit. It is not appropriate for your Manager Planning to conclude (Ref. email 10 June 2015) that ***If necessary, permit conditions can be imposed if minor changes or clarification of details are required.*** Such a process will be a denial of natural justice and disregard the provisions and principles of the Planning Scheme and the Act.

It is not the duty of other interested parties to sort all of this conflicting material, it is the duty of Launceston City Council as the Planning Authority.

Accordingly, in our opinion, the situation is already sufficiently admitted in your Planning Manager's recent emailed correspondence, for it to be demonstrated that the advertised material is flawed, and accordingly the duty of Launceston City Council is to cease the present process, call on the applicant to correct, edit and amend the application, and then, once all concerns have been addressed, re-advertise the application.

Accordingly, We again repeat our request for this advertised application to be stopped, and in due course re-advertised.

This application, like that previously assessed and approved in 2011 (Ref. DA 043/2011) still seeks to rely to some degree on an earlier Conservation Plan Document, there is no absolute reconciliation or undertaking, that the present applications take into account all of the planning or cultural heritage matters or standards that have been determined for this place during previous proceedings or hearings.

Accordingly, we seek an undertaking from the proponents and the statutory approval authorities, that all such matters determined in the past by the statutory authorities and the Tribunal, will be respected and upheld at a minimum, on this occasion.

## Heritage Matters

### 24 Charles St (house)

- We oppose the demolition of walls and other fabric to the rear section of the building.
- We oppose the demolition of interior partition walls and staircase etc.
- We request the roof to be clad with slate as it was originally.
- We question the lack detail provided for the new door/shopfront joinery at street level.
- We question the lack of details provided concerning the inevitable impact of heating, cooling, mechanical ventilation and exhaust systems, necessary to serve a new use in this building.
- We seek to ensure preservation of the old advertising signage on the south wall.

### 22 Charles St (warehouse)

#### Former C H Smith Site Development Representation DA 0573/2014

- We request the reinstatement of the rear wall in the original position, not necessarily in brickwork.
- We request the roof to be clad with slate as it was originally.
- We question the lack of detail provided for the new door joinery at street level.
- We question the lack of details provided concerning the inevitable impact of heating, cooling, mechanical ventilation and exhaust systems, necessary to serve a new use in this building.

#### 20 Charles St (woolstore)

- We applaud the applicants reconsideration of the previously proposed demolition of floor and sawtooth roof structures etc. behind the facade.
- We question the lack of design details for windows, doors etc. to the Charles St facade.

#### 16-18 Charles St (old bond store, later C H Smith Offices)

- We applaud the applicant's reconsideration and decision to retain the previously proposed demolition of elements of this building, which is the oldest remnant structure on the site.

#### Canal St (du Croz store, was Matson's, prior was Armitage Auctions)

- We regret the demolition of walls and roof structure of this old building( approx.18M long Oregon roof trusses), and note that the building area created is no longer proposed to be the site of a construction previously argued as being essential to the overall development plan.
- The large space now left vacant behind the old wall remaining along Canal Street, does not appear to have any really worthwhile purpose apart from bicycle storage.

#### 9 Canal St (store, was Supply River Mill flour store and for a short period, a cordial factory)

- We oppose the proposal to now do nothing to this important structure in the hope (and this is by no means assured) that if subdivided, another party will accept ownership and responsibility for its structural stabilisation; repair and re-roofing; conservation/restoration of exterior brickwork, floor structures, window & door joinery replacement.
- We request the reinstatement of roof slates.
- We request a greater distance between the front of the building and the road carriageway at to reduce traffic impacts on the heritage fabric and improve the amenity/use of the building.
- We request that the proposed southern boundary on the surveyor's drawing be amended to the alignment shown on other general plans and that there be 1.5M space to allow the wall to be maintained and dampness arrested.

#### General Matters

- The proposed subdivision (note the current permit 043/2011 requires the titles to have been amalgamated) relies on the owner purchasing an area of Crown Land (The Esplanade, adjacent to 9 Canal Street. Should this not eventuate, for whatever reason, a significant gap occurs in the ability of the owners to proceed with the proposed development as now planned. This is an important aspect to be determined before this fresh DA can be considered. This road area is zoned Utilities Zone, and the use proposed is not compatible.
- The Planning Scheme encourages heritage places to retain a public frontage, yet the facade at 9 Canal Street will not continue to 'front' a public street. The absence of vehicular access to the old warehouse doors will severely hamper the initial then on-going maintenance of this place, quite apart from vehicular servicing of any potential future use. The Esplanade road frontage must accordingly be retained. An important heritage streetscape is the front view of the old warehouse, and historically this has always been a public view, originally from the river, and later from the reclaimed public land. The Traffic



Engineering Assessment conflicts with other plans in that landscaping is shown in front of the old warehouse, yet this space is elsewhere shown as manoeuvring space for articulated buildings.

- We query traffic routes intended, draw attention to the inappropriate congestion/dangers at the end of Canal Street, and particularly in the vicinity of the corner of the heritage building, and the closeness (just 0.6M of manoeuvring heavy articulated delivery vehicles to the fragile exterior brick walls).
- We oppose the use and development of the area at the western end of Canal Street (The Esplanade, public land, Reserved Road, and maintained for a long period as a road by Launceston City Council) affecting the desired repositioning of traffic, preventing landscaping potential, and providing a turning circle facility for traffic entering from Canal Street.
- We request that a fully detailed Traffic Management Study be provided at this stage (in addition to what has been done which ignores the relevant issues we have identified) for routes within The Esplanade and in Canal Street, and that this information be made available to the public for further comment and submission before the permit applications are finally considered.
- We are unsure about what will be very public views of new buildings and carparking structures from the Wellington St extension, and what is meant by the applicant in stating "green wall" is proposed near here. A green wall is simply the colour of a wall. Perhaps what is meant is a 'vertical garden' i.e. climbing plants on a vertical trellis structure, but if so, then that is not properly described or presented.
- We question the adequacy of car parking for this development, which is stated in the application to be providing only 271 spaces representing a shortfall of 377 spaces under the planning scheme requirements, and request that an additional floor of car parking be incorporated which and assist in addressing the deficiency in the parking facility. The parking examples given are located in Victoria and New South Wales, where much better public transport facilities are provided, and in any event bear no relationship to the public's wish for a greater carparking capacity to be provided in the central area. The more relevant example is the parking capacity at the Bunnings Centre at Inveresk, which amply shows what the likely requirements ought to be.
- We submit there is a need to condition any Permit such that heritage building work be guaranteed to be first stage (re-roofing/protecting etc), and that no other use commence on the site until that has been completed (Refer Permit 0343/2011).
- We question the lack of information about rooftop plant & equipment being visible and seek permit conditions requiring all plant to be fully screened from view higher buildings and elevated areas roads and suburbs.
- We question the lack of detail pertaining to materials selected for the exterior of the proposed buildings, and inevitable conflict with community expectations for prominent Launceston buildings.
- We question the proposed height of new buildings at 15-16M being in excess of the Planning Scheme provisions of a 12M limit. The surrounding viewpoints are all public places, be they parklands, roads footpaths etc. The impacts on the general amenity of the areas surrounding the site cannot be easily assessed due to the lack of information and illustrations that have been provided.
- We note that the signage is not proposed to be illuminated, and assume that this includes external illumination, i.e. flood lights.
- We are concerned that the Heritage Impact Statement has been written by the planning consultant, not the heritage consultant, and furthermore, that the heritage consultant's report has been edited by an unknown party. In 2011, Mr Davies the heritage consultant stated that it was important the area around 9 Canal Street be 'fixed' in terms of the spacial use, however, that view is now apparently disregarded by others.

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- It is of great concern that from the correspondence attached from the Launceston City Council, this application will be relying on using land that is not owned by the applicant/owner and that is admitted to be relying on encroaching on publicly owned/managed lands.

### **Conclusion**

Whilst we would be pleased to encourage the development of this neglected site and for best practice conservation standards to be employed, we submit that neither the Tasmanian Heritage Council nor the Launceston City Council should approve the present application in its current form, and encourage the development of an amended proposal that takes into account the matters raised in this representation and that can be supported and enthusiastically endorsed by the community.

We believe that more time should be provided for this redesign and evaluation to be concluded and would welcome the opportunity for the proponents to enter into dialogue with us and other interested parties with a view to achieving an agreed outcome.

Yours faithfully,

*Lorraine Green*

Secretary,  
for and on behalf of  
**Heritage Protection Society (Tasmania) Inc.**

Please also forward a copy to the Mayor and each Alderman

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**From:**  
**Sent:** Thursday, 4 June 2015 1:25 PM  
**To:** records  
**Subject:** CH Smith building

I have thought for a while how good it would be to have a development of affordable housing behind the C H Smith building. It would bring more people in to the town centre. We don't really need more shops.

Mary Forehead,