

Planning Applications
George Town Council

Re:DA2021/87
11 Ninth Island Cres. Lulworth
1st September 2021

For Attention Chelsea Blyth and Tamara Burt

Dear Chelsea and Tamara ,
We have just had the opportunity to read your letter and view the plans. We would like to make a submission based on our concerns as set out below:

The floor level is showing at 4145 mm (over 4 metres high) Building height is 7340 mm. There is a building covenant applicable which states that the maximum height of a building can be no more than 5500mm from the highest point of the land. This block appears to be fairly level so we are not sure where the extra 1840mm comes from. Please advise details.

We built our house 3 years ago under the new BAL ratings . We were given a BAL of 29 because of the vegetation on Crown Land . We were required to position the house back on the block from our preferred location . This was 12 metres from the boundary . There is no difference between the vegetation in front of our block and the vegetation in front of our neighbours' block, but the plan shows the building as only 7 metres from the boundary.
Please advise the reason for this significant difference.

On the plan, the stairs are positioned less than 1 metre from our boundary and there is no consideration for screening to our property. This is the only entry/exit to the proposed dwelling and will be in constant use. With the top of the stairs being over 4 metres in height, it resembles a viewing tower and overlooks our front and back gardens. Our concern is very much a privacy issue. We value our private space in the gardens and have done a lot of work planting along all boundaries to achieve this.

The door on the plan is also a full glass panel.

The property is and has always been run as a short term holiday rental , so the stairs will be in constant use by holiday renters , coming and going.

We need full, effective screening of the stairs, landings and door to provide some semblance of privacy if this building application is approved.

The small screen on the front deck needs to be more substantial, because from that position, anyone standing would be looking directly onto our balcony. Again, another privacy issue and goes back to the setback from the boundary.

The block of land adjoining us is 2509 sq. mts. and our shared boundary is 62 mts. long. We have a tennis court with a high cyclone fence actually right on the boundary, an existing building with stairs only about 1 metre from the boundary and, now, a proposed new building of 15 metres long and over 7 metres in height. This would leave only 6.5 mts. clear on a 62metre. boundary. This is a concern for us when there is scope for an additional building to be placed somewhere on such a large block.

We appreciate the opportunity to document our concerns on these matters. They relate primarily to a huge loss of privacy for us, and we would like to submit the above details for consideration.

Please acknowledge receipt of our submission. Please also advise if you require any further information.

Our preferred contact at present is via email:

Regards

Rob and Liz Wegmann
58 Seascape Drive, Lulworth.

Dear Justin,

We are writing to express our concerns regarding DA2021/87 at 11 Ninth Island Crescent, Lulworth.

Given the expedient growth in the area we would like George Town Council to consider the potential impact that new developments will have on the very reason people live in and visit the area e.g. connection to nature, beautiful scenery, escaping urban life. Providing the opportunity to regain a sense of peace, space and connection with the natural landscape.

Specifically in relation to DA2021/87 we are concerned about the visual impact the height and position that the proposed dwelling will impose on both neighboring residence and users of the shoreline (especially the beaches to the east). Given the proposed height it will easily be the highest constructed dwelling from this vantage point and given the owners have 2509sqm to locate the dwelling it seems an unnecessary burden that the community and visitors would have to bear.

The pre-existing dwelling on 11 Ninth Island Crescent already has front row seats to this stunning coastline and increasing the height to nearly 7.4m then puts the pressure on those landowners behind to increase the height of their homes to maintain their views. Compounding the potential visual impact many fold, much like a domino effect.

The proposed additional dwelling is an independent self-contained unit which could be positioned in a myriad of locations closer to the ground there by having much less impact on the shoreline users and neighboring community.

Currently the roofline of the existing dwelling is visible from the shoreline therefore if the proposed development went ahead the entire height of the new structure would be visible by all beach users.

We would encourage the George Town Council to take a long-term view of the Planning regulations so that the inherent value of the coastline is maintained. The beach is a shared recreational area, and its natural beauty should be preserved and protected at all costs for all people.

As with all the residential blocks within this subdivision, 11 Ninth Island Crescent was purchased with a covenant agreeing to a maximum building height of 5.5m. We realise, that the Planning Scheme which the George Town Council operates within allows for a maximum height of 8m. The plans for the new dwelling indicate a "Building Height Covenant", with a red line. This line is more likely to be indicative of the 8m Planning Scheme height not the actual covenant height of 5.5m. There is probably a misinterpretation of the facts with the Building Designer who drew the plans up.

In good faith to all those who have purchased land in the area under the same covenant it would be much appreciated if the owners of 11 Ninth Island Crescent found a way to modify their new dwelling proposal (DA2021/87) to stay within the terms of the covenant under which they purchased the land initially.

Kindest Regards

Kate Hindmarsh