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To the Applications Secretariat

Submission against DA: [201630153](#)

2 Fitzroy Street, Forrest ACT 2603, Block 8 Section 35 Forrest

The Development Application submitted for No 2 Fitzroy street needs to take into consideration the broader precinct in which it resides – the Forrest Fire Station Precinct. The buildings are considered important examples of Australian Early Modern Architecture and illustrate a distinctive comparison with the "Federal Capital Architecture" that dominated in Canberra in the 1920s and 1930s. They were designed by Government architects E H Henderson and Cuthbert Whitley and are the last remaining example of Government sponsored functionalist residential architecture in Canberra.

The precinct is listed on the ACT Heritage Register and the ACT Chapter of the Royal Australian Institute of Architects (RAIA) Register of Significant Twentieth Century Architecture. The houses are regarded by the RAIA as being excellent examples of the inter-war functionalist style.

References in the DA submission to a stripped classical style, and suggestions the property is not part of the Forrest Fire Station Precinct heritage listing shows a lack of understanding of the uniqueness of this property and its context in the broader precinct.

The KBRG has submitted several queries on Block 8 Section 35 Forrest and responses to these remain outstanding, these include:

- our submission to DA201528116
- our complaint submitted to the ACT Architect Board in 2015, and

- our letter enquiring about the possible alteration to No 2 Fitzroy Street by raising the windows on the first storey by five courses of bricks

We also note several minor approvals have occurred very close to the submission of this current DA and ask why the ACT Government did not insist these be done as part of a comprehensive assessment noting the significance of the heritage of the area?

These approvals include;

- the widening of the driveway which impacts the street scape heritage and is currently used for parking
- a possible approval to bring the car port structure forward of the most adjacent wall, despite previous Act Heritage Unit advise it should site 0.5m behind the adjacent wall (as per the approval for DA201528116), and
- the installation of a roof top garden after the approval for DA201528116 was finalised. The KBRG strongly oppose this addition, including the umbrella, noting the significant impact on the heritage aesthetic, skyline and street scape. We believe that this installation should have been subjected to a DA noting the heritage listing on the property and request it be considered as new works as part of this DA process.

The primary concerns the KBRG has with DA201528116 include:

Carport/car stacker

- DA201528116 approved two 10,000 L water tanks for the site, now identified and seeking approval as a car stacker. How can the change of use of this excavation be agreed? We believe that the original submission was misleading noting that several members of the community reported concerns as to the integrity of the water tank claim only to be assured that the ACT Government would insist the excavation would have to be its approved use as a water tank.
- DA201528116 approved a carport, only if detached from the main wall of the original structure and set back 0.5 m from the adjoining building as per the heritage listing for the site. Subsequently we note a car port is being built forward of this line. This has significant impact on the heritage of the building as it impacts the ability of the original building to remain the dominant feature from Fitzroy Street. It also impacts the street scape of the precinct listing. We believe the car port should be demolished and returned to the originally approved 2015 Development Application.

Subdivision of the property

- DA201425608 approved a lease variation of one home office and one residence. Concerns were flagged in submissions on DA201528116 that the design was setting up to allow further sub division of this site, as seen in the current DA.
- The commercial area has greatly expanded and it appears the property is trying to be a commercial building and a residence rather than a residence with a small home office which exceeds what was agreed in DA201425608. We therefore want to know if a new lease variation is required to be approved before this DA is assessed.
- The proposed scale of the works is not in keeping with the precinct and not suitable for a heritage listed site. The KBRG believes that the heritage of this site should take precedence over the commercial zoning for this site. Plot ratio should be considered primarily with the impact to heritage rather than the commercial zoning. Building on such a significant plot ratio will potentially lead to issues for the block if other buildings within the precinct followed suit. This would defiantly lead to the loss of the significance of this block and its unique history and architecture.
- The multiple purposes proposed for the property increases water usage, waste management issues, parking and will impact the amenity of nearby neighbours. We believe the calculations used to demonstrate a 40% reduction in water usages compared to 2003 levels should be reviewed.
- The reduced landscaping will primarily be used for parking. This impacts the heritage streetscape and only provides limited open space for those on the property.
- The proposed works building up to boundary lines on two sides of the property will have privacy and amenity impacts on No 4 Fitzroy Street and 27 Manuka Circle. While the ground floor of 27 Manuka Circle is currently used for commercial purposes, this may not always be the case, and future use may be residential. As such any consideration of privacy impact must be done to the highest level of possible impact for a residential property.
- We also understand the first story of No 27 Manuka Circle is currently used as a residential premises.
- The shadow drawings only show a 3pm shadow at an undefined date and needs to illustrate 9am and noon at mid summer and mid winter and the equinoxes. If this were done we believe that the shadowing would demonstrate a loss of sun to adjoining properties which is unacceptable. Especially noting that the current commercial uses may change in future back to residential.

Heritage impacts

- The area increase of the site was previously 215.20 m² and is now 455.87m² which is a substantial increase and as a consequence has impacts on the heritage of the site.
- The landscape is reduced, the driveway widened and the site is developed right to the site boundary on two sides and nearly to the building line on the two street frontages.
- The roof top garden shown in the illustrations as an existing (yet unapproved) structure with plantings and balustrades significantly changes the character of the area and is inconsistent with the heritage values. It exceeds the height of the original building and therefore should not be approved and be removed from the building.
- This roof top garden sets a precedent that will potentially impact the streetscape of Manuka Circle, Canberra Avenue and Empire Circuit. It may also create problems for co-joined properties and has the potential to impact privacy and noise of neighbour across the entire block.
- The addition of roof top furniture including an umbrella further impacts heritage values. The overall impact changes the simple form of the inter-war functionalist architecture lines and the building shape – making this structure at odds with the rest of the precinct.
- The waste storage area should not be to the front of the main entrance of the heritage listed building. This should be managed out of line of site from the heritage streetscape on Fitzroy Street. Despite the proposed screening this will still be visible from the driveway and can be better located to acknowledge and allow the original heritage building to be the dominant feature from Fitzroy Street.
- ACT Heritage Letter - the drawings referenced in this do not include A00, A01, A08, A09, A10, A11 A15 and A16 so the advice provided is without a full appreciation of the proposal. The total massing of the proposal therefore has not been considered. As such we believe the entire proposal, including recently approved works should be reassessed by the Heritage Unit.
- The materials, projections, size and setting change and the form is inconsistent with that of the precinct. These are also clearly visible from Fitzroy Street and therefore need to be considered in terms of the impact of the streetscape. The massing, extent of change and features like the carport, which are foreign elements in the street scape, are not acceptable to such a unique heritage precinct.

Given the significant concerns above we believe the proposal needs to be reassessed, including unapproved and recently approved works to ensure the total impact of all upgrades processed through this DA and minor approvals are considered in their entirety.

The site needs to be assessed not just as an individual property but in its totality within the Fire Station Precinct. Changes they may be reasonable for a single listed heritage property are not necessarily acceptable within a precinct heritage listing as their changes impact an entire block listing.

The site has had a prohibition notice and stop work notice for unapproved works. Despite this, Access Canberra is allowing incremental approvals hence not allowing a true assessment of the totality of the works being proposed for this site. We believe that Access Canberra should consider all changes from those first approved with the lease variation in 2014 through to unapproved works such as the roof top garden. Unless assessed in their entirety then an incorrect approval may be granted.

We also believe this site clearly demonstrates the need for weekend inspectors. It demonstrates the inability of Access Canberra to truly support the planning process when there are no inspectors on call for issues such as tree removal, unapproved works and management of signage. We again note that DA signage for this property has disappeared for the second time over the timeframe it is meant to be displayed. As this is on a long weekend it is unlikely to be addressed in time to have any meaningful impact.

We await responses to our outstanding queries from 2015 and ask that Access Canberra take the significant heritage of this site into consideration first and foremost when assessing this development application.

Thank you

Nick Swain