



The General Manager
Hornsby Shire Council

Discussion Paper and Survey – Byles Creek Planning Study

Dear Sir,

The Trust supports the intent of the study. The Trust thanks Council for the opportunity to participate in a video meeting with Elton Consulting. The following comments are a follow up from the video meeting.

Biodiversity Connectivity

The Trust has serious concerns about the long term viability of the biodiversity connectivity through to Lane Cove National Park.

Figures 18 and 19 in the study shows biodiversity within the Byles Ck catchment. The study also emphasises the importance of biodiversity connectivity with the various case studies. Figure 18 infers from the colouring that the connectivity at the lower and eastern end of Malton Road is quite healthy and strong showing only a very minor break in the biodiversity corridor around the existing housing. However Figure 18 is misleading , in that some of the identified biodiversity is on land zoned R2 residential and already partially cleared of vegetation. The study should comment on the expected future health of the connectivity at the lower eastern end of Malton Rd, based on the assumption that the vacant residential lots will be completely cleared of vegetation after development and their associated 'in perpetuity' asset protection zones (APZ). Perhaps another figure should be provided that shows the expected future degrading of this essential biodiversity connection. The revised figure could also show the overall change in biodiversity across the total catchment if all the residentially land is developed with their required APZs. This is important because it presents a future scenario that the community may not want to support.

The longstanding debate over strengthening this weak connection, or pinch point, may be considered by Council to be outside the parameters of this study. The Trust acknowledges that Council has carried out an earlier study specifically about additional land required for open space. But the Trust strongly believes that this study should still assess and then comment on the future viability of this biodiversity connection if additional residential land is not acquired for open space and asset protection zones are created in perpetuity.

The repeated requests by the community for these undeveloped residential lots to be acquired for addition to the open space should be pursued by Council. The State Government has repeatedly offered to provide State funding for the acquisition of additional land in Byles Ck for open space. This avenue for the protection of biodiversity connectivity of Byles Ck should be pursued by Council with vigour now.

Weed management and edge effect

Weed management on privately owned land and Council controlled land is critical in maintaining and preserving the biodiversity of Byles Ck. This requires a long term strategy involving community education. The promotion of bushcare groups will assist.

Edge effect relates to weed management, controlling garden plants spreading into the bush. Dumping cuttings and lawn clippings adds to the problem and is difficult to manage with so many property owners and such a complicated boundary between housing and bush. Continual community consultation resulting in education may be the best long term solution to minimise the effect.

Compliance

Development compliance has been an issue and, while resourcing appears to have been an issue in the past, should be addressed.

Planning controls

The Trust supports stronger statutory controls in the LEP, such as a tighter land use like E4 or increased lot size. A land use change can incorporate strong environmental objectives. Larger lot sizes for battle axe lots will allow dwellings and substantial trees to coexist. Currently the 600m² minimum lot size does not work and environmental constraints such as trees or topography always come off second best. Dwellings are becoming larger and there is no room for large trees. As a consequence trees are not being replaced. Also there is more hard standing with multiple vehicles, often added later under exempt development. .

The trust naturally supports tighter DCP guidelines.

The Trust requests that Council's other strategic studies are also considered in this study, including, amongst others, Thematic History, water wise, biodiversity, urban forest and climate wise. While many of these strategies are mentioned, they need to be incorporated as well and hopefully used to drive tighter planning controls.

Council's overall Local Strategic Planning Statement (LSPS) must play a role as well. If statutory changes are recommended in the Byles Ck catchment, then these need to be incorporated in the LSPS. In fact the outcomes of the Byles Ck study may influence similar planning control changes elsewhere in the Shire.

Bushfire management

The existing bushfire controls could potentially be strengthened for the next generation of land owners. It is highly likely more dwellings will require APZs. This is likely to have significant effect on the biodiversity in Byles Ck. Currently APZs are triggered by new development. Restricting or even prohibiting further battle axe subdivisions (the study refers to only 10 possibilities in Malton Rd) will prevent new APZs being created and potentially extending down into the existing private bushland. Rebuilding or altering existing dwellings is likely to trigger additional APZs where no APZ exist now. The State Government may in the future require all dwellings older than 30 years will require an APZ.

Therefore the Trust suggest the study should investigate future scenarios of APZs and their impact on biodiversity, including if all residential properties bordering the open space require an APZ. The investigation should include Pennant Hills as well.

Council must be planning for possible future scenarios and not just looking at tomorrow.

The Trust agrees with the assessment of current situation outlined in Part 8 of the study. Council must be proactive in addressing , halting and reversing the decline in the environmental health of the Byles Creek Valley. Please contact me if Council requires additional information.

Yours Sincerely

Ross Walker OAM
Vice President
Beecroft Cheltenham Civic Trust
20 May 2021