



**BEECROFT
CHELTENHAM**
CIVIC TRUST INC
the voice of our community

The General Manager
Hornsby Shire Council

**DA/1344/2017 - 65D Malton Road, BEECROFT NSW 2119 - RESIDENTIAL
- SINGLE NEW DWELLING - DWELLING HOUSE & DRIVEWAY**

Dear Sir

The Trust objects to the amended plans submitted in November 2018. This lot is very constrained and with the current restrictive legislative controls, any development will be difficult to achieve on this lot. While the applicant has attempted to meet these constraints by reducing the size and bulk of the development and minimising cut and fill, there are still concerns over whether the amended proposal satisfies all the matters to be considered under the relevant legislation.. Hindsight is a wonderful thing and upon reflection, this lot should never have been created as a residential lot in the 1980's. Even in the 1990's insufficient analysis allowed it to remain zoned residential. The fundamental argument is how to develop this lot in such a way to satisfy the public interest test.

The Trust lists the following matters.

- The provisions of SEPP 19 (bushland) require further investigation. This is still a large development on a very sensitive and constrained site that is in a critical area of the Byles Ck Valley bushland. There will always be conflict between development and the environment, especially today with the multitude of legislative controls like bushfire requirements. The subject site is located near a pinch point in the Byles Ck wildlife corridor and as the corridor has already been compromised through past developments, this proposal will have a significant adverse impact on the future viability of this corridor.
- The Trust understands owner's consent for development over the easement for access is still required.
- The height is still unnecessarily high and the Clause 4.6 argument is not supported. Combined with scale and bulk and APZ requirements it will be out of character with the surrounding development.
- The topography prevents any driveway to comply with Council's planning controls. The steepness and length of the driveway has the potential to create a future liability issue for Council if it does accept a compromised design. The applicant could always consider an inclinor instead of a driveway, and leave vehicles in Malton Road.

- The dwelling footprint, together with its accompanying APZ, is still too large for the restrictive nature of this lot, in this position, in the Byles Ck Valley.
- The proposed development, with its noncompliant height, bulk and loss of vegetation (in perpetuity) for bushfire requirements, will still have an undesirable impact on the heritage precinct.
- The site's physical constraints makes bushfire requirements difficult, if not impossible, to comply with. Any solution will likely involve compromising the fire regulations.
- There appears to be some minor confusion regarding whether the bushland to the west of the drainage easement is affected by the proposed Asset Protection zones. This needs clarification.

In summary, the Trust, after weighing up all matters that need to be considered, seriously questions whether this proposed development is in the public interest.

Yours Sincerely

Ross Walker

President
Beecroft Cheltenham Civic Trust
14 December 2018