



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

ABN 41449599554 PO Box 31, Beecroft NSW 2119  
www.bcct2119.com.au

Hornsby Shire Council

Dear Sir,

**DA/1425/2023 24 Welham Street, BEECROFT NSW 2119 - Subdivision of One Lot into Two**

The Beecroft Cheltenham Civic Trust objects to the proposed subdivision of this heritage listed property for the following reasons outlined below. While the various reports may provide a theoretical solution, in practical terms the Trust considers the proposal has numerous negative issues with very few benefits. Here are too many compromises and therefore is likely not to be in the public interest over time.

The Trust requests that this DA be referred to Council's bushland and stormwater sections for comment. See below

**Heritage concerns:**

The Trust understands the rationale presented in the HIA in supporting the subdivision, however a similar rationale can be easily presented opposing the subdivision. The irregular lot boundary with a significant proportion of unusable land should not be encouraged but only considered as a last resort when other constraints are acceptable, which they are not.

Another concern centres around the positioning of the proposed dwelling so close to north east corner of the existing heritage listed Chilworth.. There is a major pinch point where the two dwellings are so close that privacy and associated amenity are likely to be compromised. In addition, overshadowing is also likely to be unacceptable at this north east corner of the Chilworth dwelling. This north easterly area of Chilworth is considered to be the most important area of the heritage listed house for sunlight, amenity, access to the surrounding verandah and physical access to the dwelling.

**Subdivision design:**

The Trust notes the HIA report, however the Trust seriously questions the desired outcome where the proposed lot 1 has an extremely irregular boundary that will create unusable areas with minimal practicality. The irregular boundary may be justified to compensate for the historic landscaping but it does not justify the creation of a severely constrained lot with extremely poor amenity and practicality.

**Loss of trees:**

The loss of such a significant amount of tree cover is contrary to the DCP requirement to retain significant trees. The vegetation loss is likely to, over time, have an adverse edge impact on the surrounding bushland corridors.

The Trust has regularly observed over the years that there is an additional loss of trees after a subdivision is approved, either at the dwelling approval stage or simply tree dieback due to poor tree management. As a result bushland corridors will deteriorate. So expect a greater loss of trees over time after approval.

**Overshadowing:**

With a proposed dwelling positioned on higher ground on the north easterly side and in close proximity to the existing dwelling (and verandah) there is likely to be an overshadowing issue. The Trust believes this impact will be significant and unacceptable, mainly because this is the very area that provides the main privacy and amenity for the residents living in the existing Chilworth dwelling.

**Loss of Privacy and poor amenity:**

The existing dwelling is positioned in the centre of the existing lot in order to capture the bushland view, overlooking the sloping yard. Because of the topography of the existing lot and the design of the existing Chilworth dwelling with sweeping verandahs, its main access and outdoor use tends to be focused on the northern and eastern side of Chilworth. This is where the proposed dwelling on lot 1 will be positioned.

In addition, with APZs over both lots 1 and 2 there is likely to be little opportunity for future vegetation screening. This is contrary to the statement made in the HIA.

As a result the privacy and amenity for the future Chilworth residents will be compromised. This is considered an undesirable outcome.

**Stormwater drainage:**

The use of the existing drainage easement (noted as 'A' on the plans) requires more detail. The Trust has assumed at this stage that the easement does not benefit the Chilworth lot ( lot 4) and was created for lots 1 and 2 in DP 25486. This should to be clarified and if required appropriately legalised prior to any development approval is granted.

Also the existing easement allows stormwater to drain into Chilworth Reserve. There appears to be no visible outlet in the reserve. This should be investigated as the easement may not be in use. If this is the case then any new discharge of stormwater into Council's reserve from possibly four properties should be designed and managed appropriately to minimise weed plumes in the reserve. Council has an active bushcare group of volunteers working in Chilworth and an inappropriate condition of any approval may have an adverse impact on the quality of the bushland in the future.

**Bushfire issues:**

The bushfire report is conditional upon four strict recommendations. The Trust seriously questions the merit of recommendation 1, which requires an APZ over almost the entire existing heritage listed Chilworth property. Such a restriction on both titles would severely limit any future landscaping that could be carried out on either lot. Such vegetation restrictions will adversely impact on future privacy and amenity for both dwellings.

It is not clear how the APZ easements (in perpetuity) will be created and managed. It is highly likely that the APZ easement for the new lot 1 will need to be over lot 2 as well, where the owner of the proposed lot 1 will have full access to the Chilworth property. If this legal arrangement is required, it is unlikely to be attractive to any future owner of Chilworth in the long term.

Also the Trust questions the benefit of creating a lot 1, there being little merit of removing such a significant number of trees for the new dwelling and for such a large APZ.

**Public interest:**

The Trust strongly believes that this proposed subdivision provides very few benefits with minimal merit, but instead has the potential to create irreversible adverse impacts in the future. On balance the Trust believes it is not in the public interest and should be refused.

Yours sincerely,

Ross Walker OAM  
Vice President  
Beecroft Cheltenham Civic Trust

29 January 2024