



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

The General Manager  
Hornsby Shire Council

Dear Sir

**DA/723/2019 - 7 Boronia Avenue, BEECROFT NSW 2119 - SUBDIVISION ONE  
LOT INTO TWO**

The Beecroft Cheltenham Civic Trust strongly objects to this proposed subdivision for the following reasons.

The Trust notes that the applicant refers to this DA as an amended DA, inferring a reference to the first DA 234/2018 that was refused. Some of the documentation reflects that. There is no arborist report on the trees, the objector has to rely on an email from the arborist stating that this latest proposal is similar to the first DA and there is no problem. Which leads one to conclude that there is still a problem with the impact on the trees because the first DA had a problem.

The indigenous trees on site next to the driveway are very significant. They are most likely older than the dwelling and most likely will still be around in another 100 years if they are protected. This proposed subdivision places them in severe danger of being lost, the driveway. The driveway will need substantial upgrading as part of the subdivision and a significant percentage of the root zone will be impacted, even with pier and beaming in the root zone. Trees are living organisations and as evidenced by the bitumen driveways the roots continue to grow and expand. The proposed driveway is highly likely to place the trees under long term stress, especially with the impact of climate change.

The trees in the street are also likely to be adversely impacted also, similar to what was identified in the first DA 234/2018. The existing driveway in the road reserve will require substantial upgrading and therefore present a major risk to the longevity of these trees. The applicant refers to a recent LEC decision at 103A Copeland Road where a raised driveway was approved to overcome tree root

problems. This site is different as the trees are locally indigenous, some of the trees are on Council owned land, the convex topography is not ideally suited to raised driveways and the new driveway will be substantially wider and heavier than the existing driveway. These trees, referred to above, form an important cluster adding significant value to the natural heritage of the street. Therefore the precautionary principle should apply to remove the high risk to the long term health of these trees.

This view on the impact on the trees is supported by Mr Stuart Pittendrigh, arborist and landscape architect. His email is attached as reference. Mr Pittendrigh strongly objected to the first DA 234/2018 and he has stated with respect to this DA that his views have not changed. Council is requested to refer to Mr Pittendrigh's original objection. To quote Mr Pittendrigh;

*"Hi Ross,*

*No changes to my previous comments. The street trees will be impacted.*

*However it should be noted that Boronia Avenue street trees which include the grassed verge is described by Council as 'local significance' within the designated HSC Heritage Conservation Areas.*

*Regards,*

*Stuart Pittendrigh*

*Registered Landscape Architect*

*Registered Horticultural/ Consultant Arborist"*

Lack of space in the rear of lot 1 for parking. Tandem parking is a poor solution to parking and severely compromises the amenity of the rear yard of lot 1. The construction of a two car garage with this configuration is very unlikely to be constructed and should not be presented as a solution to the parking requirements. It will lead to very poor amenity for the owner of lot 1 but also the neighbours as there is insufficient open space for appropriate plant screening that is required in the heritage precinct. If approved, in the long term the owner of lot 1 will no doubt pressure council to permit a garage out the front of the dwelling, severely compromising the heritage of the streetscape. Council must again adopt the precautionary principle and consider the likely inappropriate future consequences of any approval. Even if the tandem parking adopted, the owner on lot 1 will have a confined private open space wedged between the main dwelling and a garage or carport. This is not satisfactory for a heritage precinct. See comments below.

There is no control at the subdivision stage over the type of dwelling that is likely to be built on the rear lot 2. Heritage values have been compromised in the past when after a subdivision like this one has been approved, there is minimal control over the adverse impact the rear dwelling will have on the front dwelling and the streetscape. Effectively, "the horse has bolted."

Because this property is in a heritage precinct and the fact that the streetscape is separately listed there has to be a high degree of importance placed on the protection of the streetscape. There are many examples in the immediate area where there is a 2 storey dwelling on a battleaxe lot towering over the roofline of the heritage house in front. The dwelling in front should be framed by trees in accordance with the heritage listed streetscape. This required element cannot be achieved due to the minimal gap between the two dwellings plus the need for the front dwelling to construct garaging facilities at the rear. Also the slope of the land will increase the intrusion of any dwelling structure located behind the front dwelling.

The Trust strongly believes that the earlier subdivision patterns in the heritage precinct should be preserved as much as possible. This includes treed streetscapes and wide curtilages around dwellings. The subdivision patterns also allowed deep curtilages at the rear of the dwellings to allow room for ancillary structures like chicken runs, garden sheds, stables and of course later on garages; so these structures are not at the front or on the sides of the dwelling. This subdivision will highly likely to be contrary to this important heritage element due to the minimal area at the rear of lot 1.

As a follow on from the problem with a small rear area for lot 1 is the problem with privacy and amenity. There are a number of existing battleaxe subdivisions where the heritage house at the front has an intrusive 2 storey dwelling directly behind looking at the rear of the older dwelling in front with a complete lack of privacy. Often the older dwelling in front has been designed and built in such a way that its privacy was totally dependent on a large rear yard. This is a terrible outcome in a heritage listed suburb that it creates very poor amenity for the dwelling in front as well , but also for the new dwelling behind on the battleaxe lot.

The Trust believes that this proposed subdivision, based on the issues outlined above, is clearly not in the public interest. There are too many risks associated with the subdivision that will culminate in a poor planning outcome when a rear dwelling is built on the rear lot if the subdivision is approved. There has been too many low merit subdivisions similar to this one, approved in the past and the evidence of poor planning outcomes is evident. Council is requested not to repeat the poor decisions of the past. It is at this first development stage, the subdivision, that the latent damage is created. This DA should be refused, like the previous DA.

Yours sincerely

Ross Walker OAM

President

Beecroft Cheltenham Civic Trust

4 September 2019