

Our Ref: 0033/13lt4

3 September 2014

The General Manager
Hornsby Shire Council
PO BOX 37
HORNSBY NSW 1630

Attention: Mr James Farrington

Dear James,

**ADDITIONAL RESPONSE TO JRPP RESOLUTION FOR DA/81/2014
7, 7A, 7B & 7C CHAPMAN AVENUE AND 81-83 BEECROFT ROAD, BEECROFT**

Further to Council's request for additional information in relation to heritage matters associated with No. 81 Beecroft Road, we attach a submission prepared by Mr Robert Staas, Director/Heritage Consultant at NBRS + Partners.

In our view, the submissions made in relation to the process of assessment of heritage impacts on No. 81 Beecroft Road are largely directed at the LEP process that provided for "upzoning" of the subject site and surrounding properties, rather than the subject Development Application.

The criticism of the LEP process is simply an expression of opinion by the National Trust, and other objectors. Whilst entitled to this opinion, we do not agree that it is a legitimate criticism that Council, as the responsible planning authority, consciously made a decision that on balance, the objectives of its Housing Strategy and need for higher density housing should be given more weight than the long term protection of No. 81 Beecroft Road. In our view, Council made a conscious decision that it was entitled to make and whilst we respect the strong difference in opinion of the objectors, that does not represent a flawed process.

On the basis of this further information having been provided, we respectfully request the JRPP's favourable determination of this development application. We note that Mr Robert Staas will be overseas at the time of the upcoming JRPP meeting however would be happy to respond to any questions from the Panel or Council staff prior to the meeting.

Should you require any further information or clarification in this regard, please do not hesitate to contact our office.

Yours faithfully,



Jeff Mead
DIRECTOR

2nd September 2014

The General Manager
Hornsby Shire Council
PO Box 37,
HORNSBY NSW 1630

Dear Sir,

Re: HERITAGE ISSUES 81 BEECROFT ROAD BEECROFT

In a series of investigations and enquiries regarding the existing house at 81 Beecroft Road, Beecroft, which were part of the development process for the site at the corner of Chapman Avenue and Beecroft Road, my office determined that the site was not affected by any heritage listings apart from its location in the Beecroft Conservation Area.

It would appear that despite its location adjoining a listed heritage item and clear visibility from a main road that the original assessment made for the Hornsby Heritage Study 1993 and the subsequent review of that study in 2004 did not consider it of sufficient merit to warrant individual heritage listing.

These studies were carried out by professional consultants using the guidelines set down by the NSW Heritage office and were considered to be sufficiently comprehensive to form part of the statutory basis for planning in the Hornsby Local Environmental Plan. These studies were also open to public nominations, review and submissions which did not result in any suggestion that the site should be individually identified for any heritage values.

In 2008 The Hornsby Council Heritage Advisory Committee nominated the property for heritage consideration, any action taken in regard to that nomination did not result in inclusion of the site in the LEP as an item of environmental heritage.

No further nomination of the property for heritage protection or listing has been made prior to the current development application process in the intervening period by the Civic Trust, The National Trust or any member of the public, including Mr Ross who had his commercial premises next door for a number of years.

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The Hornsby Council in responding to the NSW Government housing directive sought to identify areas in the Shire for increased density in the vicinity of transport links and commercial centres and identified the subject site as part of an area to be re-zoned R4 for re-development to achieve a desired future outcome which included the replacement of individual houses for multi unit development. The subject site was identified as meeting the requirements for re-zoning to achieve the desired future outcomes.

This process which followed the legal process for the identification and zoning of land and for the re-zoning changes for inclusion in a new LEP have now been in place for some time, have been on public exhibition, having been adopted by Council and having passed the scrutiny of the Department of Planning prior to gazettal and implementation.

During this process no specific objections from the public to the inclusion of the subject site in the new zone appears to have been made and Council's professional staff and the consultants advising them made no recommendations that would have led to either the heritage listing of the property or its exclusion from the R4 zone which created the expectation of future re-development.

During the DA process for the current application, the Applicant provided a Statement of Heritage Impact which addressed the proximity of the development site to an adjoining heritage item at 83 Beecroft Road, the impact of subdivision of that item and the impact on the Beecroft / Cheltenham Conservation Area as required by Council.

In assessing the Application, Council's professional staff also considered the heritage implications of the proposed development under the provisions of the Hornsby LEP and the EP&A Act and came to the conclusion that the application was satisfactory in relation to heritage impacts.

Objections to the recommendation of Council to approve the development were received from The National Trust of Australia (NSW) and GBA Heritage Consultants on behalf of The Beecroft Civic Trust.

The objection of Mr Brooks suggests that the Council has not made a sufficiently exhaustive evaluation of the impacts of demolition on the conservation area, however there is no evidence that this is the case.

The National Trust are correct in identifying that there will be some conflict in the changing character of some areas between heritage values and a desire to promote sustainable development options for the Sydney Region. Many similar conflicts have occurred and will continue to occur where isolated older buildings are caught up in re-zone areas and where the context of older buildings is lost as a result of surrounding development. In the current situation the contributory status of the subject site to the wider conservation area will inevitably be substantially altered by the nature of surrounding development were it to be retained in isolation.

A considerable number of similar representative buildings exist within Hornsby Shire's conservation areas in locations where they will not be affected by the inevitable changes required to house the increasing population of Sydney.

I am therefore of the opinion that in the current circumstances where the Applicant has appropriately followed the due process required and has addressed the issues in accordance with the requirements of the LEP and the EP&A Act, that there is no sound reasons why the objections that have been raised should be given greater weight than the statutory planning controls provide for the development of this site. I would therefore commend the application in this regard for continued favourable consideration.

Yours faithfully,
NBRS+PARTNERS

A handwritten signature in black ink, reading 'Robert Staas'. The signature is written in a cursive, flowing style with a large 'R' and 'S'.

ROBERT STAAS
Director / Heritage Consultant