

21 July 2025

Strathfield Council  
65 Homebush Road  
Strathfield NSW 2135  
Attention: The General Manager

**By Email:**

council@strathfield.nsw.gov.au

Dear Sir or Madam

**DA SUBMISSION - DA2025.77**

We refer to Council's site notice relating to development application number DA2025.77 (the **Application**), in relation to the property at 90 Abbotsford Road, Homebush (the **Subject Site**).

The Homebush Residents' Group, Inc. (the **HRG**), is an association of residents in and around the area known as Homebush village, which is located to the south of Homebush station in the suburbs of Homebush and Strathfield. The HRG is registered in New South Wales as an incorporated association with an incorporation number INC2201289. We make these submissions on behalf of the HRG's members, to **oppose** the Application.

In summary, our objections focus on two aspects:

- Nothing in the Application supports the demolition of the heritage dwelling. We respectfully submit that Council must not approve the Application unless the fabric of the heritage dwelling is substantially preserved and restored as part of the proposed development.
- The Application seeks to regularise the felling of a significant number of trees on the Subject Site, which appears to have already begun (or been completed) without approval. Council must not approve such large scale illegal tree removals without adequate remedy.

**1 Demolition of heritage dwelling**

The Application does not set out a coherent case for why approval should be given for a well-preserved heritage dwelling to be demolished. As Council will be well aware, the Abbotsford Road Heritage Conservation Area has important heritage significance to the Strathfield area. No. 90 is one of the few properties that have an especially high heritage value, as recognised by its listing as a local heritage item. In particular:

- The existing heritage dwelling contains well-preserved Victorian era fabric, amongst the oldest in the Heritage Conservation Area.
- The existing dwelling is a former home of William Morris (Billy) Hughes, one of Australia's most significant prime ministers.

Although the home was subsequently altered by additions in the interwar era, the additions are contributory to its heritage significance, in demonstrating a rare integration of Victorian-era and later constructions. Contrary to the Applicant's heritage impact statement, the combination of contributory elements from different eras adds to the heritage significance of the building.

Based on the information available to us, the only part of the existing dwelling that appears to be lacking in heritage value is the back room which was incorporated into the dwelling in the mid-20th century. The remainder of the dwelling is in a good condition suitable for restoration and incorporation into any new development.

We should add that there are significant shortcomings in the Applicant's heritage impact statement to the point of incoherence. For example, the heritage impact statement quotes at length from a history of Homebush Municipal Council, when the Subject Site was never in Homebush Municipal Council. The Applicant's heritage impact statement appears to sometimes situate the Subject Site north of the railway, and sometimes at (or around) 1-3 Beresford Road, indicating either that the heritage impact statement was cobbled together by plagiarising statements for other properties, or it is simply replete with errors. On this basis, we urge Council not to adopt any findings of the Applicant's heritage impact statement.

The law recognises that the heritage significance of a structure lies in its fabric. The replacement of a heritage-protected item by a new construction - even if it has an identical façade or structure - does not preserve the heritage value. Once demolished, heritage fabric is lost, and cannot be replaced even by an identical structure. This principle was recently confirmed by the Court in *26 Salisbury Pty Ltd v Woollahra Municipal Council* [2024] NSWLEC 1119.

The law also does not countenance 'demolition through neglect' as legitimate. Any deterioration to the condition of the property during the Applicant's ownership cannot be used to justify a proposed demolition. In any case, the existing heritage structure is in good condition and capable of restoration.

The NSW planning system is premised on the principle that it is a necessary cost of orderly development that some development projects, such as those that cannot sustainably take place within heritage, environmental and regulatory constraints, simply will not occur. If the Applicant regards as too costly an undertaking to proceed with an orderly development at the Subject Site that complies with the heritage overlay, both law and policy in this state is comfortable with that outcome.

We urge Council to reject the Application unless it is amended to substantially preserve the fabric of the heritage dwelling (other than the back room addressed above).

## **2 Removal of trees**

The Application refers to the backyard as bare and vacant. This is surprising, because as far as our members were aware, even as late as late 2024, the backyard of the Subject Site was the location of a large number of mature trees, providing a habitat for native birds that are otherwise rarely seen in the Strathfield area.

If the photographs submitted with the Application are accurate, then it appears that the Applicant has begun clearing the backyard without an approved development application. If that is the case, then a significant number of trees have been removed illegally.

Council should not approve the Application without requiring the Applicant to go through proper processes to seek approval for each of these removals and justify each removal in the context of the proposed development.

## **3 Conclusion**

Approval of this Application would set a highly undesirable planning precedent that would encourage developers to demolish heritage items in Strathfield as a cost-saving shortcut. This should not be countenanced, especially in a heritage conservation area.

We respectfully request that Council should **reject** this Application on this basis.

Yours faithfully