

Local issue: Scout Hall Demolition – York Street, Beecroft & Proposed sale of war memorial bequest land by Scouting NSW

May 2008

Interested parties:

Interested residents; Epping RSL, local Councillors, State MP for Epping.

Area affected:

Former Scout hall site and adjacent land at 29 to 31 York Street, Beecroft, adjacent to Chilworth Reserve.

Background:

Scouts NSW head office has been selling off a number of properties it owns in NSW in order to rationalise and improve services. This seems similar economic rational practice to banks and other institutions over recent years.

Ida and Cyril Byles were residents of Beecroft and community benefactors, dedicating for public enjoyment the notable forests of Chilworth Reserve in Beecroft. Adjacent to Chilworth Reserve, Ida Byles bequeathed a parcel of land in York Street Beecroft, to the Scouts Association in NSW, in memory of her brother, Wilfrid Unwin, who was killed in action in WW1 on the Western Front.

York Street residents, and other members of the Beecroft Cheltenham Civic Trust, have expressed real concern that Scouting NSW is intending to sell off this land (a unique bushland memorial by Ida Byles) for residential redevelopment, with a windfall of some \$1M. This appears contrary to the intended terms of settlement she executed with the Scouts by Deed.

Key points:

- The Trust has carried out research that indicates certain property formerly comprised in CT Vol 3895 Folio 31 at York Street Beecroft NSW was subject to a Deed of Settlement.
- The Beecroft Cheltenham Civic Trust's research provides evidence that Ida Byles' draft deed's terms included her wish that as the bequest was a war memorial to her brother, the land be inalienable and not sold by the Scouts until certain conditions first be met.
- Council records show Byles' draft terms of deed required the Scouts not sell the lands *until a Scout troop in Beecroft no longer existed*. Scouts are still active in Beecroft.
- The Scouting Association is taking steps towards sale of the property, which may well be a breach of the Deed
- Regrettably the full Deed of Settlement, to which likely terms have been specified and agreed, is not available for viewing at the Land titles Office as it should be, nor has the Public Trustee shown as party to the Deed been able to assist with a copy.
- The request for vesting notes the Deed of Settlement is dated 13th August 1926. The sealing is dated 28th October 1966. Registration of the document as dealing K248629 was apparently effected on 18 February 1966.
- Reflecting the notable concern of the Beecroft Cheltenham Civic Trust and local residents, the CFMEU placed a *Green Ban* on development at the site.
- NSW Scouts have declined requests to meet with the Trust
- Following Trust representations, Greg Smith SC MP(Epping) kindly met with the NSW Commissioner for Scouts on 21 April 2008
- The Scouts intimated to Greg Smith that a Deed of Trust supplanted the draft or Deed of Settlement between Byles and Scouts. Regrettably Scouts were not able to produce any Deed to Greg Smith.
- It is interesting to note that the material provided in support of demolition of the scout hall by Scouts to Council was the draft Deed of Settlement, not the Deed of Trust.
- Demolition of the hall was undertaken on 29 April 2008.

- Scouts have indicated to Greg Smith that they would relocate the Wilfrid Unwin Memorial Plaque to a suitable location at their hall in the Council Reserve off Welham Street, Beecroft.

Trust response:

- Reflecting resident concerns about the terms of Byles' War Memorial bequest of the land being fairly and transparently adhered to by Scouts, the Trust requests Scouts make public a true copy of the Deed as executed.
- This would allay concerns that they were breaching a condition of the draft deed that Scouts not sell the land *until a Scout troop in Beecroft no longer existed*.

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