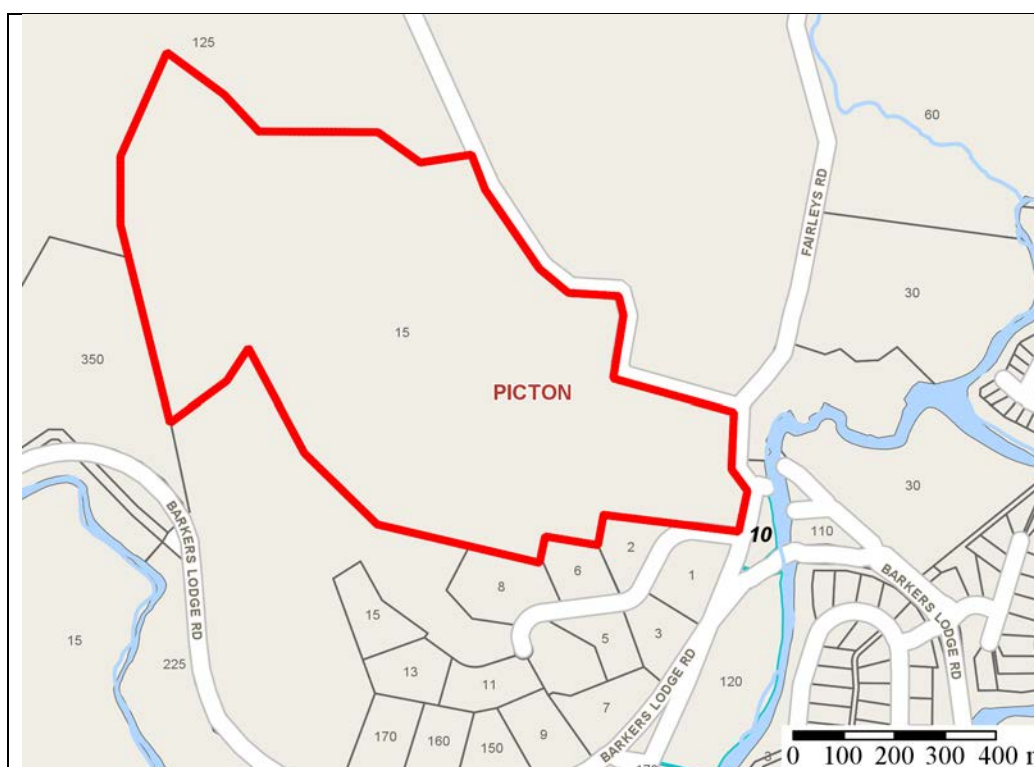


Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 19 June 2017

PE2 – New Heritage Item – Abbotsford Barn (Abbotsford Planning Proposal)

PE2 **New Heritage Item – Abbotsford Barn (Abbotsford Planning Proposal)**
 259421 TRIM 6497

Applicant: Rein Warry & Co
Owner: R & F Ziems Pty Ltd & Ms G J Thompson & Mr N L Arber



LOCATION MAP N ↑

Stage	Completed
Preliminary notification	20 Oct – 11 Nov 2011
Gateway Determination	24 April 2012
Consultation with Public Agencies	May/June 2012
Specialist Studies	July 2013
Public exhibition/community consultation	Not yet completed
Referred to Minister for Publication	Not yet completed

Planning & Economy

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EXECUTIVE SUMMARY

- The purpose of this report is to seek Council support to heritage list the ‘Abbotsford Barn’ either as a minor amendment to the Abbotsford Planning Proposal or as a new planning proposal.
- Under legislation, a person who makes a relevant planning application or public submission is required to disclose any reportable political donations. The disclosure requirements extend to any person with a financial interest in the application or any associate of the person making a public submission. No disclosure of political donation has been made in association with this application.
- It is recommended that Council support the inclusion of the Abbotsford Barn as a new heritage item in the Wollondilly Local Environmental Plan 2011.

REPORT

1.1 INTRODUCTION & SITE DESCRIPTION

The ‘Abbotsford Barn’ is a rural farm building located within the Abbotsford Planning Proposal site located approximately 1 kilometre from Picton town centre, in a direct line, and 1.5 kilometres by road.

The subject site, part Lot 1 in DP 1086066, is approximately 70.87ha in area within a mostly rural setting with most of the area having been cleared for grazing with only small patches of remnant trees and shrubs remaining. The site starts relatively flat rising gently to meet steep slopes up to the plateau in the West.

1.2 DESCRIPTION OF ABBOTSFORD PLANNING PROPOSAL

The Planning Proposal seeks to enable the development of the site for rural residential style housing while safeguarding items of historical interest across the site and facilitating the environmental management of sensitive land.

1.3 CHANGES SOUGHT TO EXISTING PLANNING PROPOSAL

The Planning Proposal in its current form seeks to reduce the curtilage to the Abbotsford Homestead and separately list two (2) new items being the Byrne’s Exhibition Dairy (two brick buildings) and the Abbotsford Silos.

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The initial intention to list the silo structure was based on an assumption that this may include some of the attached nearby related farm building structures. As the proposal has progressed and enabled a more detailed assessment there is now considered merit in separately listing the Abbotsford Silos and a nearby barn structure, 'Abbotsford Barn'. On review, the current planning proposal and references to the proposed Abbotsford Silos listing are not robust enough to protect or encourage retention of the Abbotsford Barn structure in any new development.

The significance of the Abbotsford Barn is summarised below:

Item	Reason
Abbotsford Barn	The Abbotsford Barn is a large, vernacular rural pole frame structure that is historically significant as evidence of local agricultural economies. It has landmark value and has some aesthetic significance. It is a good local example of a large pole frame barn, a type of storage structure that is becoming increasingly rare.

A plan showing the location of the Abbotsford Barn and other proposed new heritage items is provided at Attachment 1.

In particular, the Abbotsford Barn could be adaptively reused with a glazed wall to rural views. If the Abbotsford Barn is located on a sufficiently large separate lot, there may also be an opportunity for further development.

Similar to the proposal to list the Abbotsford Silos, the main objective for listing the Abbotsford Barn is to encourage the retention of these structures and encourage their adaptive reuse by providing access to the heritage conservation incentive clause, Clause 5.10(1) of the *Wollondilly Local Environmental Plan 2011*.

Clause 5.10(10) enables a consent authority to grant consent to development for any purpose of a building that is a heritage item or the land on which is erected even though that development would otherwise not be allowed. However, the development must result in the conservation of the heritage item.

The Abbotsford Barn could be retained and adaptively reused as a dwelling or other use with a glazed wall along the front of the structure to the rural views. The retention of the barn structure is considered desirable and would contribute to the setting and interpretation of the other existing and proposed heritage items across the site. It would also contribute positively to the character and quality of the new subdivision.

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Site specific controls may be required in the development control plan to provide this direction and outcome.

1.4 TIMEFRAME FOR AMENDMENTS TO PLANNING PROPOSAL

The Abbotsford Planning Proposal was submitted to Council in August 2011 and has been with Council for some time due to the need to resolve issues around heritage and infrastructure.

The minor amendment proposed by this report has the potential to delay the planning proposal further which is not desirable. Subsequently, it is proposed that this amendment is accommodated within the current planning proposal where this would not create significant delay to the statutory process. If this cannot be achieved then the inclusion of the Abbotsford Barn as a heritage item within Schedule 5 of the *Wollondilly Local Environmental Plan 2011* should be pursued as part of a separate planning proposal.

The decision on whether to include the listing of the Abbotsford Barn within the Abbotsford Planning Proposal will be dependent on the progress of the Picton Town Centre Traffic Masterplan and finalising the draft planning agreement for the site.

CONSULTATION

2.1 FORMAL CONSULTATION WITH COUNCIL STAFF THAT PROVIDE SPECIALIST COMMENT

The proposal to separately list Abbotsford Barn and Abbotsford Silos is a recommendation of Council's Heritage Advisor.

2.2 CONSULTATION WITH PUBLIC AGENCIES

Public Agencies have not been consulted directly about the proposed changes to the planning proposal.

Further formal consultation is proposed during the public exhibition of the planning proposal.

2.3 COMMUNITY CONSULTATION

Preliminary consultation was undertaken for the original planning proposal as submitted to Council in October 2011. At that time no submissions were received.

No community consultation has been undertaken specifically related to the alterations sought by this report. However, if the changes were considered acceptable and incorporated into the proposal they would be subject to community consultation when the public exhibition is held.

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The applicant has been notified of this report and recommendation.

2.4 ALTERATION OF A PLANNING PROPOSAL

Should Council resolve to support the amendments, the Planning Proposal will be amended and then forwarded to the Greater Sydney Commission with a request for an Alteration to the Gateway Determination.

In deciding to forward an amended Planning Proposal to the Gateway process, Council is endorsing the Planning Proposal and it is deemed to be *Council's* Planning Proposal.

Council's options are:

1. Resolve to support an amended planning proposal in the form described in Section 1.3 of this report (i.e. support a request to separately list the Abbotsford Silos and the Abbotsford Barn), noting the potential that a separate planning proposal may be required.
2. Resolve to support a Planning Proposal in its current form. With this option no alteration to the Gateway Determination would be required.

Option **1** is the recommendation of this report.

2.5 A PLAN FOR GROWING SYDNEY

The proposed changes to the Planning Proposal are not inconsistent with A Plan for Growing Sydney.

2.6 DRAFT SOUTH WEST DISTRICT PLAN

The approach sought by this report for the Abbotsford Barn is consistent with the Draft South West District Plan as it seeks to encourage the conservation of heritage and the delivery of great places.

2.7 SECTION 117 MINISTERIAL DIRECTIONS

The proposed changes to the Planning Proposal are considered to be considered with this direction, in particular, Direction 2.3 Heritage Conservation.

2.8 STATE ENVIRONMENTAL PLANNING POLICIES (SEPP'S)

The amendment sought to the Planning Proposal would not create an inconsistency with any relevant SEPP.

2.9 WOLLONDILLY GROWTH MANAGEMENT STRATEGY

The proposed amendment does not affect the site's suitability as previously assessed under the Growth Management Strategy.

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2.10 WOLLONDILLY LOCAL ENVIRONMENTAL PLAN, 2011 (WLEP 2011)

Based on the amendments to the planning proposal sought by this report, the revised planning proposal would seek amendments to WLEP 2011 as described below **(the changes sought by this report are in bold)**:

- Amend the Land Zoning Map from land use zone RU2 Rural Landscape to E4 Environmental Living,
- Amend the Lot Size Map from a minimum lot size category of 40 hectares across the site to 4000 square meters on the lower slopes and 20 hectares along the ridges and upper slopes,
- Amend the Height of Buildings Map to establish a Maximum Building Height category of 6.8 metres,
- Amend schedule 5 Environmental Heritage to include the Byrne's Exhibition Dairy, Abbotsford Silos and **Abbotsford Barn**,
- Amend the Heritage Map to provide an appropriate curtilage around the existing Abbotsford group item (reduce curtilage) and new items at the Byrne's Exhibition Dairy, Abbotsford Silos and **Abbotsford Barn** (new items).

2.11 WOLLONDILLY DEVELOPMENT CONTROL PLAN, 2016 (WDCP 2016)

Site specific planning controls are to be prepared for inclusion within the Wollondilly Development Control Plan. These will be subject to a separate report to Council.

VOLUNTARY PLANNING AGREEMENT

Council is currently negotiating the details of a draft planning agreement related to the proposal which once finalised would be exhibited along with the Planning Proposal. This agreement will provide for stabilisation works to the state listed Abbotsford archaeological site and also provisions to realign sections to Abbotsford Road.

Dependent on the outcome of the Picton Town Centre Transport Master Plan the planning agreement may also include provisions to accommodate the findings of that investigation. This draft planning agreement will be separately reported to Council.

FINANCIAL IMPLICATIONS

Funding for this project to date has been achieved through the adopted Planning Proposal fees and charges.

ATTACHMENTS INCLUDED IN A SEPARATE BOOKLET

1. Plan showing the location of the proposed Abbotsford Barn and other new heritage items

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RECOMMENDATION

1. That Council support the inclusion of the Abbotsford Barn as a heritage item in Part 1 Heritage Items of Schedule 5 Environmental Heritage and on the associated Heritage Map in the Wollondilly Local Environmental Plan 2011.
2. That the proposed Abbotsford Barn heritage item be included within the Abbotsford Planning Proposal or, if that is not practicable then as a separate planning proposal initiated by Council.
3. That if a new planning proposal is required that it be forwarded to the Minister for Planning and Environment for a Gateway Determination with a request to grant Council delegation to make the amendments to Wollondilly Local Environmental Plan, 2011 in accordance with Section 59 to the Environmental Planning and Assessment Act, 1979.
4. That the applicant and landowner be notified of Council's Resolution.