



Draft development control plan

To Amend Wollondilly Development Control Plan 2016

Site specific planning controls for Abbotsford (Subdivision)

Prepared by Wollondilly Shire Council

These controls are proposed to be included under “Part 3 – Controls for Specific Locations” in
“Volume 3 – Subdivision of Land” of the development control plan

October 2018

Background

In June 2018 Council voted to support the Abbotsford Planning Proposal to amend the Wollondilly Local Environmental Plan 2011.

The amendments involve rezoning land from its current rural zone to enable rural residential style development, to safeguard items of historical interest across the site and to facilitate the environmental management of sensitive land.

The amendments seek to do this by amending provisions within the local environmental plan relating to land zoning, height of buildings, lot size, biodiversity and heritage as they apply to the site.

Council has requested the NSW Government to make the changes to the Wollondilly Local Environmental Plan 2011. This process is progressing but at present the land has not been rezoned. Once rezoned it will be Amendment No.32 to the local environmental plan.

Council has also endorsed a voluntary Planning Agreement between Wollondilly Shire Council and a number of parties to accompany the planning proposal to rezone the land. The planning proposal includes a number of community benefits including realignment of Abbotsford Road, stabilisation works to the state significant heritage listed Abbotsford homestead and a contribution towards the implementation of works associated with the Picton Town Centre Transport Master Plan when finalised.

A need has been identified for site specific planning controls to guide future development on this site. These planning controls are to be included in the Wollondilly Development Control Plan 2016 (Wollondilly DCP) and will guide the future subdivision of the site and the subsequent construction of houses and other structures on future lots.

This document includes the draft planning controls to be included in *Volume 3 – Subdivision of Land*. These controls will apply to any development application for subdivision both to establish super lots and subsequent stages.

Development would be required to be consistent with the planning controls provided in this document in addition to the requirements within other relevant sections of the Wollondilly DCP.

Planning controls to guide the design and development of houses are proposed for inclusion in *Volume 4 – Residential Development* of the Wollondilly DCP and are addressed in a separate document – *Site specific planning controls for Abbotsford (Residential Development)*.

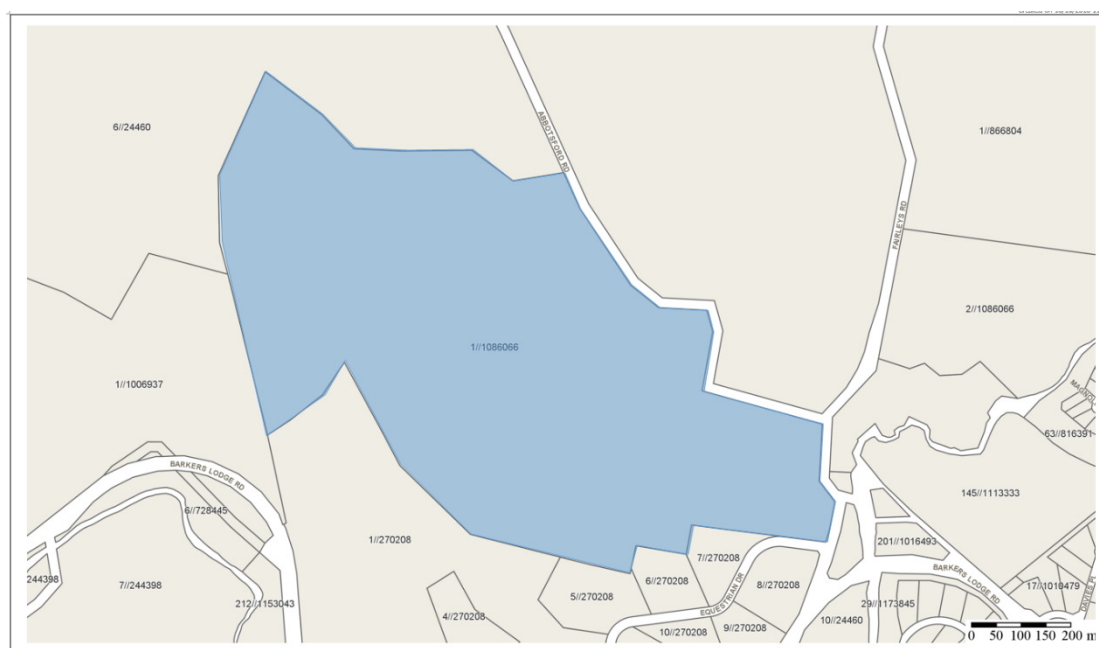
Proposed Planning Controls

PART 3 – CONTROLS FOR SPECIFIC LOCATIONS

3.13 Abbotsford

Application

1. This section applies to land at Abbotsford Road identified on the map below:



Objectives

1. Facilitate the development of the site to achieve a high quality built form.
2. Encourage adaptive reuse of heritage items.
3. To ensure that new development is designed and located so they do not have an adverse impact on heritage.
4. To ensure hazards such as flooding are managed effectively to reduce the risk of damage to property and human life.
5. To protect and improve environmentally sensitive land identified on the site.
6. To protect scenic landscapes.

Controls

General

1. Council will not grant consent to the carrying out of development unless the development application is accompanied by a site analysis prepared for the land upon which the development is proposed, that addresses the following matters to Council's satisfaction:
 - a) The slope and contours of the land,
 - b) The location of any watercourses and associated flooding or drainage characteristics,
 - c) The location of any trees and vegetation,
 - d) The location and key views associated with any heritage items,
 - e) Views to and from the land,
 - f) The location of visually prominent ridgelines and landscapes, and
 - g) A written statement and/or drawings explaining how the design of the proposed subdivision has taken the site analysis into account.

Building Envelopes

2. Council will not grant consent to the carrying out of development unless the development application is accompanied by a concept plan showing the location of building envelopes and indicative dwelling locations to demonstrate that:
 - a) Development will be within a landscaped setting,
 - b) The scale and footprint of the built form is secondary to the Abbotsford Homestead,
 - c) Key views to Abbotsford Homestead, Byrnes Exhibition Dairy and Abbotsford Silos are not obstructed,
 - d) All habitable buildings shall be constructed above the PMF level, and
 - e) All habitable buildings will not be located on visually prominent ridgelines.
3. This control applies to the area of the site mapped as 4000 sq.m on the Minimum Lot Size Map which forms part of the *Wollondilly Local Environmental Plan 2011*.

Building envelopes shall be detailed on plans lodged as part of any development application for subdivision to protect sight lines.

Details of this building restriction shall be included within a Section 88B instrument to accompany any application for a subdivision certificate and shall be registered on the title of all lots.

The wastewater irrigation may be located outside the building envelope.

4. This control applies to the area of the site mapped as 20 hectares on the Minimum Lot Size Map which forms part of the *Wollondilly Local Environmental Plan 2011*.

A geotechnical assessment is required to establish a suitable building envelope for the residential lot with regard to slope stability.

Details of this building restriction shall be included within a Section 88B instrument to accompany any application for a subdivision certificate and shall be registered on the title of the lot.

The building envelope must include an area to accommodate the necessary wastewater irrigation.

Heritage

5. Council will not grant consent to the carrying out of development unless the development application is accompanied by a Heritage Impact Statement.

The Heritage Impact Statement should include consideration of:

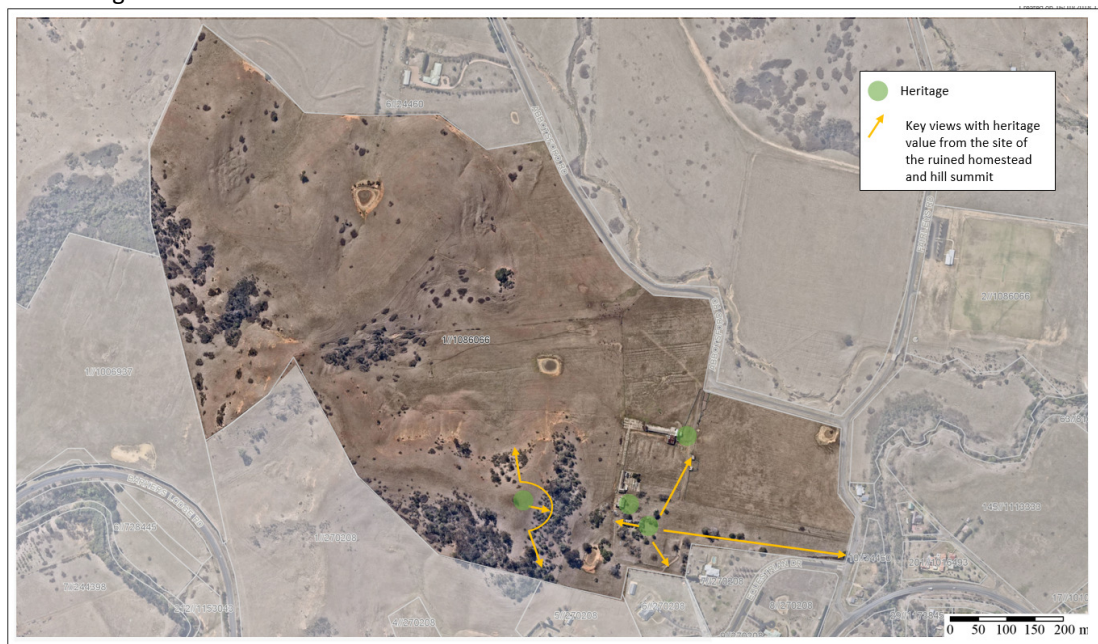
- a) The Abbotsford Homestead, Byrnes Exhibition Dairy and Abbotsford Silos,
 - b) The impacts of the development on a significant colonial farm,
 - c) The impact of the development and how and if this impact can be mitigated,
 - d) How the opportunity to interpret an early pastoral property and its rural setting can be retained, and
 - e) Graphical representations of the proposed development on the proposed lots in the vicinity of heritage structures within the site, including the visual connections of 'Abbotsford' to the Vault Hill
6. Council will not grant consent to the carrying out of development unless the development application is accompanied by an Archaeological Management Plan.
 7. The following landscape elements are to be protected by a restriction on the relevant lots:
 - a) The western-most araucaria tree on the hill top
 - b) Apparent thorn hedging on the northern side of the existing main driveway for the Abbotsford Homestead

Details of this restriction shall be included within a Section 88B instrument to accompany any application for a subdivision certificate and shall be registered on the title of all affected lots.

8. The subdivision shall be designed to retain and enhance key view lines associated with Abbotsford Homestead, Byrnes Exhibition Dairy and Abbotsford Silos.

Note: Key views with heritage value from the Abbotsford Homestead site have been identified and are illustrated in Figure 3.13.1. Further work is required to identify key views associated with the Byrnes Exhibition Dairy and Abbotsford Silos.

Figure 3.13.1 Key views with heritage value from the Abbotsford Homestead archaeological and from the hill summit



Boundary Treatments, Fences & Gates

9. Boundary fencing must be see-through rural style fencing (post and rail/ post and wire with chicken wire mesh detail) with cherry laurel hedging to a maximum height of 1200mm.
10. Entrance gates must be constructed from timber and traditional in style.
11. An interpretative sign/entrance feature is required near an entry road to the development to provide a link to the Abbotsford Homestead and the site's heritage.

It should include a few lines of text about the history of the place including key dates, use and importance.

Contamination

12. Council will not grant consent to the carrying out of development unless the development application is accompanied by a Phase 2 Contaminated Site

Assessment in order to satisfy the requirements of Clause 7(1) of State Environmental Planning Policy 55 – Remediation of Land.

Flood Risk

13. For the purposes of Volume 1 of this plan, the site is to be regarded as being at risk of flood.
14. Flood free access is to be provided from all new lots to Barkers Lodge Road.

Connectivity

15. A shared pathway shall be constructed to provide access from new development to and connect with Picton Sportsground to link with the existing path network.

Biodiversity

16. Council will not grant consent to the carrying out of development unless the development application is accompanied by a flora and fauna report to determine the impact of the development on the biodiversity values of the site.

In addition to the standard scope for such a report, it should specifically include:

- a) a map that identifies the presence and boundaries of vegetation communities on the site,
- b) A map that identifies areas of native and exotic grasses including those areas satisfying the definition of 'derived' native grassland under the scientific determination for Cumberland Plain Woodland under NSW legislation,
- c) Details of methodology and outcomes of surveys within quadrats in the area of Cumberland Plain Woodland on the site using best practice involving the identification of coverage of each identified native species within each coverage, and
- d) Methodology and outcomes of targeted surveys of threatened fauna species particularly Flying Foxes given the close proximity of the site to the Grey-Headed Flying Fox Camp occupying Stonequarry Creek.

Notes

For further information please refer to the following specialist studies prepared to inform the Abbotsford Planning Proposal:

1. For further detail on the location of flood prone land refer to the Flood Assessment Report prepared by FloodMit (February 2013).
2. For further detail on the location of constrained land in terms of slope and slip features refer to the Geotechnical Study prepared by Harvest Scientific Services Pty Ltd (January 2013).
3. For further detail on biodiversity refer to the Biodiversity Study prepared by ACS Environmental Pty Ltd (June 2013).
4. For further detail on heritage matters related to the Abbotsford Homestead refer to the:
 - a) Curtilage Study prepared by NBRS + Partners (June 2013), and
 - b) Statement of Heritage Impact prepared by NBRS + Partners (October 2017).