

Director City Strategy & Development Author: Akhter K./Skoric J., Manager T.

HISTORICAL COMMITTEE

SUBJECT: Proposed Reclassification of Historic "Woodstock" Property at Plumpton from "Community Land" to "Operational Land" (Follow up Report)

FILE NUMBER: RZ-10-2299

SUMMARY OF REPORT:

1. At its Ordinary Meeting of 16 June 2010, Council considered a report on the "Proposed Redevelopment and Use of Woodstock House in Hobson Place, Plumpton" (FC300081). At that meeting Council resolved that:

"...the Director, City Strategy and Development be requested to commence action to classify Lots 423 and 428 in DP 812674 [the Woodstock property] as operational land in accordance with the provisions of the Local Government Act, 1993."

2. Acting on the above resolution, Council's City Strategy and Development Directorate prepared a Planning Proposal for the proposed reclassification of the Woodstock property. That Planning Proposal was reported to Council's Ordinary Meeting of 24 November 2010 (SD300103). Having considered the proposal, Council resolved to defer the matter "for further investigation and report for further options".
3. Further investigations into the proposed reclassification have since been undertaken. The purpose of this report is to advise of the findings.
4. Attachments to this report are:

Attachment 1 - Location Plan

Attachment 2 – Council report of 4 February 2009, titled "Use of Woodstock" (FCS290013)

Attachment 3 – Council report of 16 June 2010, titled "Proposed Redevelopment and Use of Woodstock House..." (FCS300081)

Attachment 4 - Planning Proposal to reclassify the Woodstock property from "community" to "operational" land.

RECOMMENDATION:

1. Council proceed to amend Schedule 4 of the *Blacktown Local Environmental Plan 1988* to allow for the reclassification of the Woodstock property (ie. Lots 423 and 428 in DP 812674) from "community land" to "operational land", as outlined in the Planning Proposal held at **Attachment 4**.
2. Council forward the Planning Proposal to the Minister for Planning seeking a Gateway Determination in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*.

3. Upon receipt of notification of the Gateway Determination to proceed, Council exhibit the Planning Proposal in accordance with the requirements of the Gateway Determination and *Environmental Planning and Assessment Act 1979*.

REPORT:

1. The Subject Property

- a. This report relates to the following Council-owned sites, which are collectively referred to as the Woodstock property:
 - Lot 428, DP 812674, No. 6 Hobson Place, Plumpton (3,349 sq.m); and
 - Lot 423, DP 812674, No. 3 Dexter Place, Plumpton (560 sq.m).
- b. A Location Plan is provided at **Attachment 1**.
- c. Under *Blacktown Local Environmental Plan (BLEP) 1988*, both sites are zoned 2(a) Residential and listed as a Heritage Item at Schedule 2.
- d. Both sites are also classified as "community land".
- e. The historic house "Woodstock" and a significant Moreton Bay Figtree are situated on Lot 428. Lot 423 is a vacant site which was acquired by Council to provide a buffer, and prevent damage to the adjoining Moreton Bay Figtree.

2. Heritage Significance of Woodstock House

- a. As noted above, Woodstock House (Lots 423 and 428, DP 812674) is listed as a Heritage Item under Schedule 2 of BLEP 1988.
- b. A Conservation Management Plan (CMP) for the property was prepared for Council by Hubert Architects in 2000 and revised in April 2008. The CMP notes that Woodstock is of state significance as it was the home of Walter Lamb from circa 1880 until his death in 1906. Lamb initiated the development of the Plumpton district and was of substantial importance in New South Wales in the second half of the nineteenth century, holding a number of commercial positions.
- c. Although Woodstock is not currently listed on the State Heritage Register, the aforementioned CMP prepared for Council states that it should be. Accordingly, Council is considered to have an obligation to undertake repairs and maintenance to avoid possible criticism regarding the state of the building whilst in Council's ownership. Following finalisation of the complete restoration of Woodstock, it has been proposed that Council seek its listing on the State Heritage Register prior to any potential sale or lease of the premises.
- d. Council could also consolidate both lots, to ensure that the smaller lot (Lot 423) is not purchased and developed separately and thereby, that a sufficient curtilage around Woodstock House is maintained.

3. Conservation Works Undertaken To Date

- a. In 2001, Council undertook conservation works at Woodstock House, to remove twentieth century additions to the main building and to provide some stabilisation to the building. It was anticipated at that time that a second stage of work, to fit out the building for the then proposed use (as a Family Day Care Administration Centre), would also include completion of the repair and conservation work. Unfortunately, this did not occur and the condition of the building, including some of the fabric introduced in 2001 works, has deteriorated. Further stabilisation works are required to prevent further deterioration of Woodstock House.
- b. Being unused, and with a lack of finances required to fully restore the Woodstock House, the building had not been maintained to a habitable standard.
- c. However, in recent years a total of \$1 million has been allocated to fund restoration works at Woodstock House in Council's Works Improvement Program (\$500,000 was allocated in 2009/10 and again in 2010/11). These restoration works are expected to return the building to a habitable standard and thereby enable an Occupation Certificate to be issued by the Development Services Unit (DSU) within Council.

4. Acquisition and Classification of the Woodstock Property

- a. Council acquired Lot 428 (No. 6 Hobson Place) in August 1998 with the intention of it being conserved and then used as a Family Day Care Administration Centre. The adjoining vacant site at Lot 423 was acquired by Council in 1995 to provide a protective buffer to the root system and canopy cover of the Moreton Bay Figtree on the Woodstock site.
- b. Not long after acquisition, Lot 428 had been classified as "community land" due to its proposed use at the time and the use of Section 94 funds which created an implied trust in the land. It is noted that upon any sale of this property, the Section 94 funds that were used to acquire the site would be reimbursed.
- c. Lot 423 was always intended to be classified as "operational land" but due to some doubts about the process utilised at the time of acquisition, it too was classified as "community land".
- d. The proposal to accommodate Council's Family Day Care Service Administration Centre did not proceed and an alternative community use has never been identified. The reasons for this are addressed in the following section.

5. Why the Woodstock property is not well-suited to a community use

- a. At its Ordinary Meeting of 4 February 2009, Council considered a report on the "Use of Woodstock" (FC290013 – refer to a copy at **Attachment 2**). The report addressed an action within Council's Management Plan, to call for Expressions

of interest for the use of Woodstock. The report advised that Expressions of Interest for the use of Woodstock were invited and had closed on 17 December 2008.

- b. Only two expressions of interest were received – both from the same party, Mr Stephen Lynch of Plumpton. The proposal that was favoured was to restore Woodstock as a Greyhound Racing Museum and Hall of Fame. Council resolved, in part, that:
 - further discussions be held with Mr Stephen Lynch regarding his proposal for a Greyhound Racing Museum and Hall of Fame at Woodstock and to report the outcomes of those discussions; and
 - a follow-up report to Council also provide an option for the use of Woodstock, for community use offices.
- c. The above matters were addressed in a subsequent report that was considered by Council at its Ordinary Meeting of 16 June 2010 (FC300081: "Proposed Redevelopment and Use of Woodstock House..."). A copy of that report is provided at **Attachment 3**.
- d. This follow-up report advised that further discussions with Mr Stephen Lynch regarding possible future uses of Woodstock revealed that, in the absence of a sound business plan, the viability of the Greyhound Racing Museum and Hall of Fame proposal was questionable. Mr Lynch also revealed that he did not have the financial capacity or expertise to undertake his "back-up" plan to restore Woodstock House to a habitable state.
- e. With regard to any future use of the property for community use offices, the report noted advice from Council's Manager Community Development that the Woodstock property is ill-suited to use such a use for the following reasons:
 - The location is inappropriate due to the close proximity of residential properties and potential impact on neighbours.
 - The location is inappropriate due to the lack of facilities in the area, i.e. not close to transport, roads, town centres and all other services. Community groups have indicated that they require locations in well activated areas, near public transport.
 - Operational costs – community groups have limited capacity to afford rental components and for most funded community agencies, there has been little or no inclusion of rental components as part of their funding. The impact of this is that there is unlikely to be adequate income stream to cover operational expenses.
- f. At that same meeting, Council resolved, amongst other things, as follows:

"That the Director, City Strategy and Development be requested to commence action to classify Lots 423 and 428 in DP 812674 as operational land in accordance with the provisions of the Local Government Act, 1993."

- g. Acting on the above resolution, Council's City Strategy and Development Directorate prepared a Planning Proposal for the proposed reclassification of the Woodstock property. That Planning Proposal was reported to Council's Ordinary Meeting of 24 November 2010 (SD300103). A copy of the Planning Proposal is provided at **Attachment 4**.
- h. Having considered the proposal, Council resolved to defer the matter "for further investigation and report for further options". In accordance with this resolution, the further enquiries were made with Council's Property Section regarding options for the Woodstock property. The Property Section has responded by clarifying what the implications of an "operational land" classification as opposed to retaining a "community land" classification would be. These implications are discussed below.

6. Implications of an "Operational Land" classification

- a. An "operational land" classification does not necessarily mean that Council will dispose of the Woodstock property following restoration. However, it is considered that **Council should not be fettered in its deliberations, post restoration, for a property that does not have a public purpose and for which no community use has been identified**. Due to the inappropriateness of the site for a community use (for the reasons outlined at Section 5(e) of this report), there is no compelling reason for Council to necessarily own Woodstock once it has been restored. The site will still be protected by virtue of its listing as a Heritage Item under BLEP 1998 and potentially, by a future listing on the State Heritage Register.
- b. It is also noted that there are a number of significant heritage properties that are owned by Council and that are classified as "operational land". These include Grantham Heritage Park at Seven Hills, St Bartholomew's Church and Cemetery at Prospect and Alroy Tavern at Plumpton. The classification relates more to the property management structure that is in place for these sites/facilities than whether or not the property is owned by Council.

7. Implications of Retaining a "Community Land" Classification for Woodstock

- a. If the Woodstock property remains classified as "community land", a Plan of Management (PoM) will need to be prepared for the land and adopted by Council, to authorise any lease that may ultimately be entered into for future occupation of the building. Even with the PoM in place there will be some restrictions in relation to how the property can be managed.
- b. As the proposed community use of Lot 428 is no longer an option and as no alternate community use had been identified, it is considered that **from a property management perspective, Council would be best served by having the**

property classified as “operational land” so as not to be hampered by the restrictions of a “community land” classification.

8. Conclusion

- a. Woodstock House was acquired by Council in 1998, with the intention of it being conserved and used as a Family Day Care Administration Centre.
- b. As the proposed use as an administration centre did not proceed, Council in 2008, called for Expressions of Interest for the future use of the property. Only two Expressions of Interest were received, and upon further investigation, neither of those proposals were found to be financially sound.
- c. Furthermore, Council's Manager Community Development had provided advice that the property, primarily due to its location in a quiet residential street and its distance from public transport and other services, was ill-suited to use as “Community Use Offices”.
- d. In the last 2 financial years, a total of \$1 million has been allocated in Council's Works Improvement Program for restoration works at Woodstock House, to enable it to be returned to a habitable state.
- e. In light of the lack of appropriate and/or feasible future uses for the Woodstock property, it is the view of Council's Property Section that the property be reclassified from “community land” to “operational land”, so as to not hamper Council's options for the future use of the property (eg. sale or lease), post restoration works.
- f. In order to facilitate the reclassification of the Woodstock property to “operational land”, an amendment to Schedule 4 of the Blacktown Local Environmental Plan 1988 is required. To facilitate this reclassification, a Planning proposal has been prepared by Council's City Strategy and Development Directorate.

RECOMMENDATION:

1. Council proceed to amend Schedule 4 of the Blacktown Local Environmental Plan 1988 to allow for the reclassification of the Woodstock property (ie. Lots 423 and 428 in DP 812674) from “community land” to “operational land”, as outlined in the Planning Proposal held at **Attachment 4**.
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