

*Our Reference: # [E.g., TRIM 1234 CG:CG]*

Ms Rachel Cumming  
Director – Metropolitan Region (Parramatta)  
Department of Planning and Environment  
Locked Bag 2500  
PARRAMATTA NSW 2150

18 September 2015

Dear Ms Cumming,

**REQUEST FOR ALTERATION TO GATEWAY DETERMINATION (PP\_2011\_WOLLY\_017\_00)  
PLANNING PROPOSAL - ABBOTSFORD**

Wollondilly Shire Council would like to seek a revised Gateway Determination for the Planning Proposal at Abbotsford, Picton (PP\_2011\_WOLLY\_017\_00) under section 58 of the EP&A Act 1979.

**Summary of Amendments**

A revised Gateway Determination is required to ensure that the proposed amendments within the planning proposal for changes to the Wollondilly Local Environmental Plan 2011 in terms of land use zones, site area and lot size are robust.

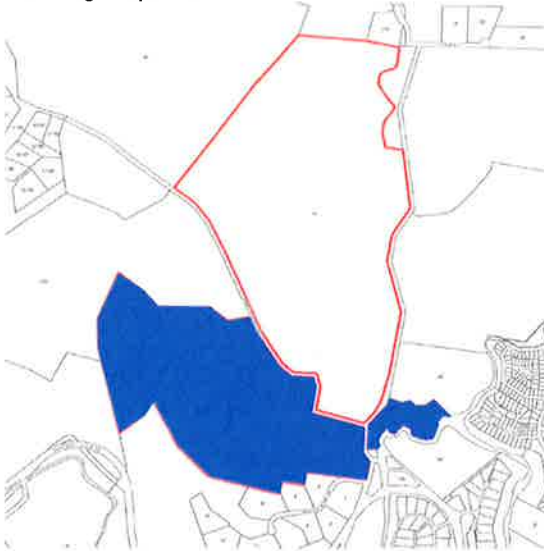
In addition, the specialist studies undertaken so far have identified a need to protect two additional historically significant buildings.

A revised Planning Proposal dated September 2015 is included for your attention. In addition I would like to provide the following summary of the revised proposal to highlight the amendments involved. I have emphasised the changes or comments on the changes in **red**.

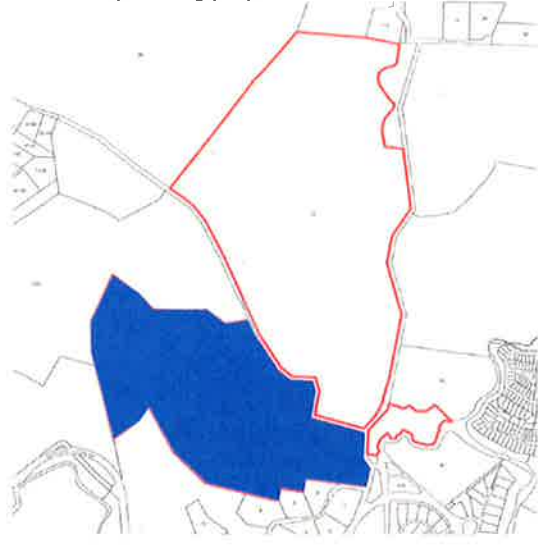
**Land to which the Planning Proposal Applies**

The land area within the planning proposal has reduced from 70.87ha to approximately 66.62ha. It still relates to part Lot 1 DP 1086066, however the area to the west of Fairleys Road has now been removed and is no longer proposed to be rezoned to RE1 Public Recreation. The change in land area is illustrated in the map over page.

Portion of Lot 1 DP 1086066 included within original Planning Proposal



Portion of Lot 1 DP 1086066 included within amended planning proposal



### Objectives and Intended Outcomes

The objectives or intended outcomes for the planning proposal have been amended and now read:

*This Planning Proposal seeks to enable the development of the site at Abbotsford Road, Picton for rural residential style housing, while safeguarding items of historical interest across the site and facilitating the environmental management of sensitive land.*

### Explanation of Provisions

The proposed outcome will be achieved by:

- Amending the Wollondilly LEP 2011 Land Zoning Map in accordance with the proposed zoning map shown in Part 4 by Map 2; *which indicates an E4 Environmental Living land use zone; and*

*The original planning proposal sought an R5 Large Lot Residential zone and E3 Environmental management across the site and a portion of RE1 Public Recreation. The land proposed to be rezoned to RE1 has now been removed from the planning proposal and in response to the specialist studies an E4 zone is considered to be more appropriate for the site.*

- Amending the Wollondilly LEP 2011 Lot Size Map in accordance with the proposed lot size map shown in Part 4 by Map 3; *which indicates a minimum lot size of 4000 sq.m for the lower areas and 20ha across the upper area of the site; and*

*The proposed lot size for the portion of the site to be used for rural residential style development has not changed. The proposed lot size for land within the upper area of the site has been changed from 5ha to 20ha.*

- Amending the Wollondilly LEP 2011 Height of Buildings Map in accordance with the proposed height of building map shown in Part 4 by Map 4; *which indicates a maximum permissible height of 6.8 metres;*

*The maximum permissible height of buildings has been reduced from 9m to limit development across the site to encourage future development within the visual catchment of Abbotsford to be an appropriate scale.*

- *Amending the Wollondilly LEP 2011 Heritage Map in accordance with the proposed heritage map shown in Part 4 by Map 5, to include two (2) new heritage items and to amend the curtilage for the existing listed archaeological site for the Abbotsford Homestead (Item No A7).*
- *Amending Schedule 5 Environmental heritage; Part 1 Heritage items of the Wollondilly LEP 2011 to include the following two (2) new heritage items:*

| <b>Suburb</b> | <b>Item name</b>         | <b>Address</b>   | <b>Property description</b> | <b>Significance</b> | <b>Item No</b> |
|---------------|--------------------------|------------------|-----------------------------|---------------------|----------------|
| Picton        | Byrne's Exhibition Dairy | 15 Fairleys Road | Part Lot 1 DP 1086066       | Local               | TBC            |
| Picton        | Silos (Abbotsford)       | 15 Fairleys Road | Part Lot 1 DP 1086066       | Local               | TBC            |

*The proposed map amendments are included at Part 4 – Mapping.*

*The specialist studies have identified additional potential heritage items for inclusion within the WLEP 2011.*

#### Reasons for Changes

The proposed amendments predominantly reflect the outcomes of the specialist studies and can be broadly summarised as being in response to the following three considerations:

**RE1 Public Recreation Land:** In considering the proposed RE1 Public Recreation Land Council has concluded that there is no strategic rationale for acquiring this land. The proponent has removed this land from the planning proposal.

**Heritage:** The proposed amendments reflect the recognition of historical items identified across the site and the need to ensure any future development is sensitive the site's heritage.

**Landscape Character:** The site is located within a landscape which contributes to the setting of Picton as a town surrounded by lightly vegetated undeveloped hills. This setting is considered to be significant and should be retained.

#### Other Matters – Satisfying existing Gateway Determination Conditions

Condition 3 of the Gateway Determination prevents Council from commencing a public exhibition until the studies required by Gateway condition no 1 have been completed and copies provided to the Department's regional office.

Condition 4 requires Council to amend the planning proposal in response to the studies and provide a copy to the Department prior to exhibition.

To this end, an amended planning proposal has been provided to inform this request for an alteration to the Gateway Determination. The requested amendments reflect the content of specialist studies prepared to inform the planning proposal. The appendix to the Planning Proposal also includes all the studies prepared.

When you respond to this request can you please also confirm that Council has now met the requirements of Conditions 3 and 4 and can proceed with the public exhibition.

Should you require any further information to respond to this request please contact Carolyn Whitten from Council's Strategic Planning Team by phone on (02) 4677 9551 or by email [carolyn.whitten@wollondilly.nsw.gov.au](mailto:carolyn.whitten@wollondilly.nsw.gov.au)

Yours faithfully

A handwritten signature in black ink, appearing to read 'DSH', with a stylized, flowing script.

David Smith  
**Manager**  
**GROWTH & STRATEGIC PLANNING**