

Fernhill Estate

Mulgoa

Picnic Races Event

Statement of Environmental Effects

JUNE 2014



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Project:	1041-1117 Mulgoa Road, Mulgoa; Picnic Race		
Document:	Statement of Environmental Effects		
Revision:	Date:	Authored By:	Approved By:
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Executive Summary

This Integrated Development Application seeks;

- To hold a temporary event, a Picnic Race Day with up to 10,000 patrons once a year for the next five years, expiring in 2018. This approval will coincide with the racing licence that has been granted for the subject.

This proposal is in the public interest and is considered appropriate;

- This application is made pursuant under clause 2.8 of the Penrith Local Environment Plan 2010
- This temporary event will have no permanent buildings or structures as part of this application.
- The event is catered and licensed and will operate as per the Food Safety and Alcohol Management Plans within the event management plan, which forms part of this application.
- All operational, safety and security management plans are outlined in the event and operational plans which form part of this application.
- This event will provide an opportunity for the public to have access to part of heritage listed site.
- Public transport and shuttle bus options from strategic neighbouring locations such as Mulgoa Primary School, Penrith Station and Penrith Paceway, these are available to assist with reducing the number of vehicles coming on site.
- The proponent will implement the appropriate means to protect environmental and heritage sensitivities on the land mitigate the impact of noise and traffic on the community. The site will be restored to its existing state after the event.

Having considered all relevant matters, the proposal represents sound development outcomes and will deliver a positive result for the State heritage listed Fernhill Estate, local Mulgoa community and the broader region. The proposal is considered to be within the public interest and worthy of approval.

I. Introduction

The event is to be held in Fernhill Estate, a rural property of approximately 643 hectares that includes areas and items of State and local heritage significance and biodiversity value.

This Integrated Development Application (IDA) is an application for Fernhill Picnic Race Day Event, which is a one day event that is proposed to occur annually from October 2014 concluding in 2018. A bump in time of five days and bump out time of four days will be required for the event.

This Development Application is seeking permission to undertake a single, temporary, cultural event under clause 2.8 of the Penrith Local Environment Plan (2010). This application is seeking a maximum attendance of 10,000 patrons.

The land subject (the site) of this DA is one lot that is located within the State Heritage Area. The Lot and Deposited Plan number for the site is listed below:

LOT	DP No
Lot 10	DP 615 085
Lot 11	DP 615 085
Lot 2	DP541825

The Statement of Environmental Effects draws on a series of technical inputs that have been developed as part of the overall submission for this application.

DOCUMENT	CONSULTANT
Statement of Environmental Effects	ae design partnership
Survey	Land Partners
DA Drawings: DA100- DA101	ae design partnership
Heritage Impact Study	Paul Davies Pty Ltd: Heritage Architects
Traffic Management Plan	GTA Consultants Pty Ltd
Accessibility Report	Accessibility Solutions Pty Ltd
Noise Impact Report	Wilkinson Murray Pty Ltd
Operational Management Plan	Event Global

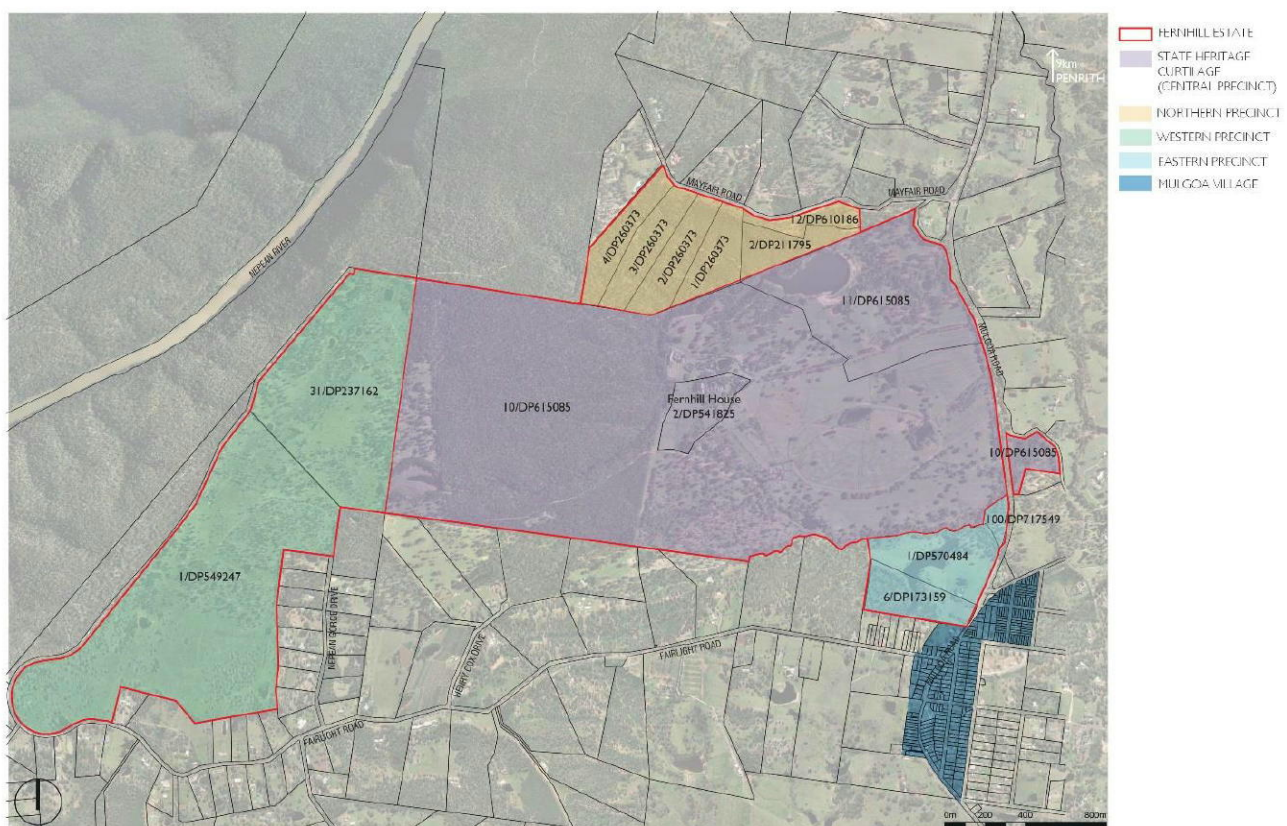
The SEE incorporates the following:

- An analysis of the site context, including identification of the site, characteristics of the existing and surrounding development including local context.
- Identification of the planning context, including existing relevant planning controls.
- A description of the proposed development.
- A comparison of the development and applicable local planning controls.
- Identification and analysis of key development issues associated with the relevant planning controls.
- Assessment of matters listed for consideration under Section 79C of the Environmental Planning and Assessment Act 1979.

2. Context

2.1 Regional Context

Fernhill Estate, Mulgoa is located within the Penrith Local Government Area. The site resides approximately 10 kilometres south of Penrith and 61 kilometres west of Sydney CBD. The Estate is bounded to the east by the Mulgoa Road and St Thomas' Church, to the west and north west by densely vegetated areas adjacent to the Nepean River and the Blue Mountains National Park, to the south by rural allotments and Mulgoa Village, and to the north by Mayfair Road, which is illustrated in figure 1.



FERNHILL PRECINCTS

Figure 1: Context Map

2.2 The Site

The proposed event is located within lot 10 and 11 DP615 885 and Lot 2 DP 541 825. It is characterised by undulating hills, cleared land for agricultural activities and a Cumberland Plain ecological profile.

The majority of the site to the east of the historic house have been cleared and used for agricultural practices, which is where the racetrack and proposed parking is. Where the proposed picnic race is located the majority of land is utilised for agricultural purposes.

The event area is located at the racetrack and a large tract of land north of it with a fall from west to east, illustrated in Figure 2.

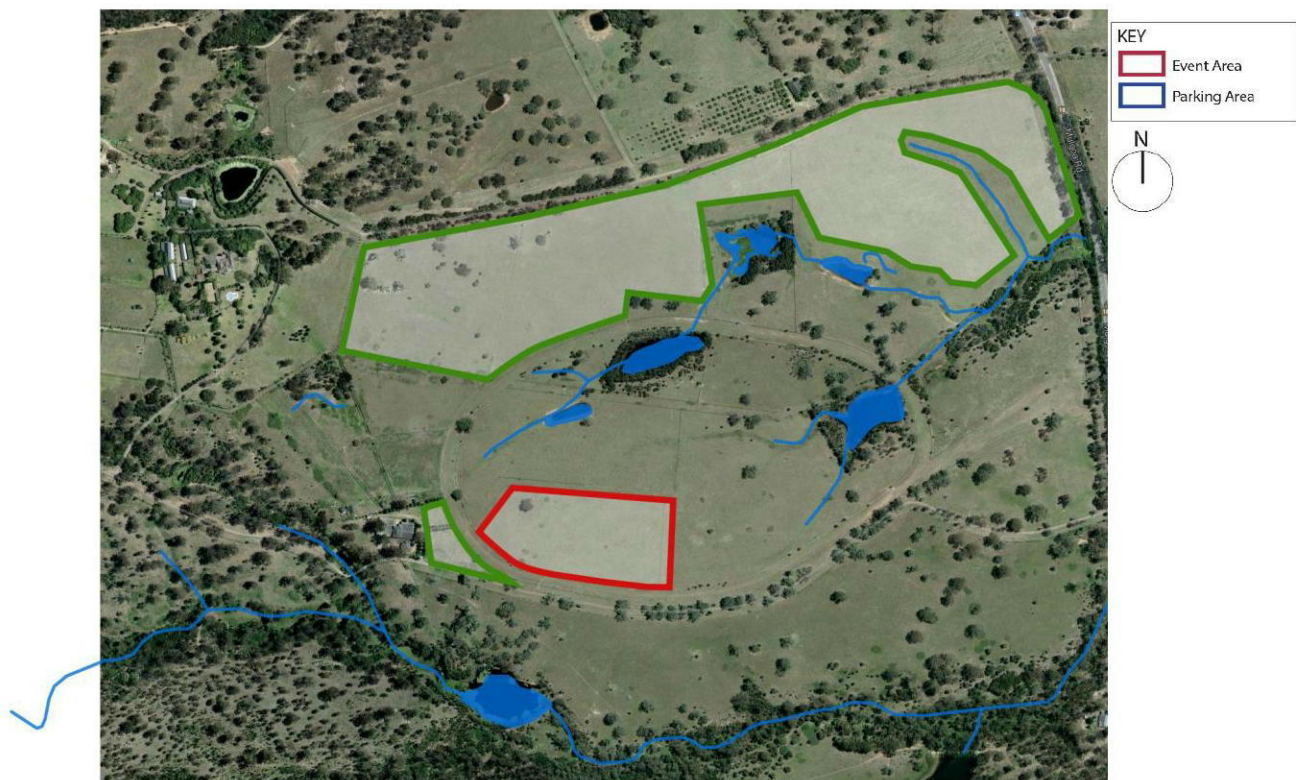


Figure 2: Race Track Location

2.3 Vehicle Access

Lot 2 DP 541825 & Lot 10 & 11 DP 615085 have frontage to Mulgoa Road and Mayfair Road to the north. Access to the event is from Mulgoa Road

Mulgoa Road, is a sub arterial State road providing a major link to Penrith and the M4 motorway. Mulgoa Road has one traffic lane in each direction with unsealed shoulders. The speed limit is typically 80km/h reducing to 60km/h within the Mulgoa Village.

There are two access points to the site from Mulgoa Road, the main entrance (closer to Mulgoa Village) with its formal gate, signage and bay area and the secondary entrance also known as the northern or Tradesman entrance. Both entrances will be used for the event

3. The Proposal

3.1 Overview

- The Fernhill Picnic Race day event is proposed to be on Saturday 18 October, 2014 and then approval for a race meeting during the spring over the next five years, concluding in 2018.
- The event will be located within Fernhill's race track and surrounds as illustrated within the DA Drawings prepared by ae design partnership.
- The viewing of the race, amenities for patrons and entertainment will be located within the south eastern portion of the race track area. This area located near the finish line is set aside for corporate tents, several small marquees to provide shelter for patrons, amenities, a staged area for entertainment for patrons, and stalls that sell food and alcohol. Parking is located to the north west of the track area

3.2 Overview of the Race Meeting

This application is seeking the approval of an annual 'picnic race' over a five year period. The applicant has a racing licence provided to the site by NSW Racing. The "Picnic Race" is defined as a "Community Meeting" (Racing NSW, 2010, Strategic Plan);

Non-TAB meetings with a feature that is important at least in a local context. These are conducted where doing so provides an opportunity for racing to maintain and build its mainstream presence and generate an acceptable financial return in the absence of TAB wagering. Funding of the meeting is obtained by capturing the interest of the local community along with limited industry funding and support (Racing NSW, 2010 Strategic Plan).

The Fernhill Estate has been identified as an appropriate venue to hold Community Meetings for the next five years by Racing NSW.

3.2.1 Overview of the race meeting

Below is an overview of a typical race meeting, which is proposed at the subject site;

- 5.00am to 8.30am the arrival of racehorses, all horses will be required to access the property prior to the soft opening of patrons to mitigate traffic issues arising with the arrival of horses.
- 7.00am to 9.00am the arrival of staff and completion of bump in ensure that all marquees and facilities are ready for soft opening.
- 9.00am soft opening, gates open and shuttle buses commence transporting patrons from Penrith Station and Western Sydney Paceway.
- 10.00am food stalls open, family area, which incorporates activities for children commence.
- 11.00am bar opens and tab opens.
- 11.30am official opening of the event, which incorporates speeches and national anthem
- 12.00pm to 1pm, sponsors and dignitaries formally welcomed.
- 1.00pm first race, called by official host
- 2.00pm second race, called by official host
- 2.30pm third race, called by official host
- 3.30pm fourth race, called by official host
- 4.20pm fifth race, called by official host

- 5.00 Sixth race, called by official host.
- 6.00pm, horses exit via main entrance via traffic control and according to traffic management plan
- 6.30pm post-race entertainment commences
- 7.00pm-9.00pm soft exit to enable patrons to leave venue and mitigate traffic impact on surrounding area.
- 8.30pm bar closes
- 9.00pm official announcement to conclude event.
- 10pm gates close

3.2.2 Bump in Operation

It is proposed that the bump in process would commence on the Monday prior to the event being held on the Saturday. For the 2014 race it is envisaged that the operation of setting up for the picnic race would commence Monday 13 October, 2014 and the race would be ready for Council inspections of temporary structures and associated facilities Friday 17, October 2014.

3.2.3 Details of Temporary Structures

The setting up of the temporary structures which are illustrated on DA101 include;

- Temporary star picket fencing that consists of plastic material approximately 1,000mm in height and is held within the ground by star pickets. This will be utilised to cordon the precinct for general activity during the day.
- There are several marquees that vary in size that are shown on DA101. Temporary Marquees will be utilised to provide shelter from weather for general patrons, stalls for the selling and consumption of food and drink, corporate hospitality, first aid and staff office. These have been labelled and are illustrated on DA101, all of these are located within the event area.
- 327 amount of Portable Toilets including 6 accessible toilets.
- Temporary Racing Stables adjacent to the existing stables, each panel is by 2.1mx1.8m and comprise galvanised steel that is 32mm thick.
- Temporary Signage will be provided to provide direction and speed limits to vehicles throughout the site, these will be approximately 900mm x600mm.

The specific detail and setting up of temporary structures will be subject to Safe Work Method Systems (SWMS) and Occupational Health and Safety (OH&S) Regulations. The operational plan, which forms part of this application, has SWMS and OH&S plan for the putting together and packing away of temporary structures. Council building inspectors will inspect all temporary facilities at least 24 hours prior to the race.

3.3 Access and Parking

The access arrangements for the picnic race have been described in detail within GTA's traffic and parking management plan, the access to the site and internal arrangements are illustrated in figure 2.

- There is provision for 5,750 car spaces on the site as illustrated in DA101. Private vehicles that do park on site are envisaged to have 2.7 people per vehicle (GTA, Traffic and Parking Management Plan, 2014).
- Onsite parking areas is provided for staff, which are illustrated on DA101, accessible spaces are located adjacent to the activity areas and small vehicles will transport people that are disabled to the event area as detailed in the access statement prepared by accessibility solutions.

- Entry to the site will be via Mulgoa Road, left turn only at the main access driveway southern entrance.
- All internal traffic movement will be monitored by suitably qualified traffic controllers.
- The opening of the gates at 9.00am will stagger the arrivals prior to the event official opening at 11.30am. This will minimise impact on local traffic (GTA, Traffic and Parking Management Plan, 2014).
- At the conclusion of the races, evening entertainment will be provided to stagger the egress of the event to minimise impact on local traffic.

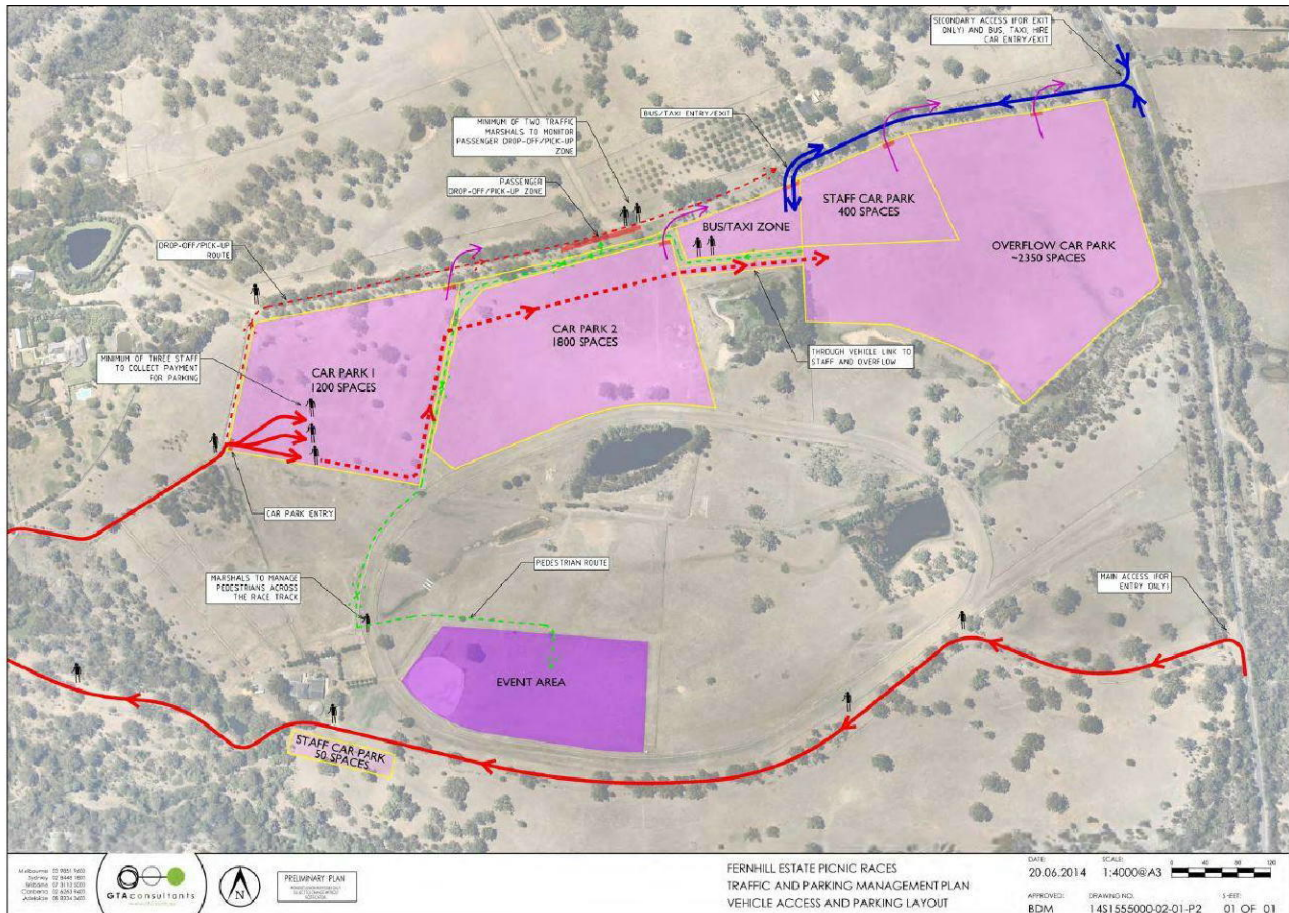


Figure 3 Vehicle Access and Parking. (GTA, Traffic and Parking Management Plan, 2013)

GTA expect that 30% of the patrons will utilise public transport. This will assist in reducing the impact on local traffic networks.

To increase the amount of public transport usage GTA has proposed within the Traffic and Parking Management Plan that offers the following strategies;

- Advertising public transport heavily on website and providing shuttle bus services from Penrith Station. A free shuttle bus will operate between Penrith Station and the picnic race.
- Providing shuttle bus service from key parking destinations such as Mulgoa Primary School and Penrith Paceway.
- Private vehicle parking on site, will cost a minimum \$20, whilst parking at shuttle bus destinations will be \$5. The traffic management plan, ensures that shuttle buses are efficient and provide fast access to and from the event.

GTA in consultation with Council and RMS considered four options for the most appropriate vehicle arrival route. These are discussed within the 4.1 of the Traffic and Parking management plan.

The most appropriate option that was determined in consultation with key stakeholders was Option 1, which is to “divert southbound Mulgoa Road traffic to turn left into St Thomas Road (southern section), right into Farm Road, right into Littlefield’s Road to access Mulgoa Road and enter the site from the south” (GTA Traffic and Parking Management Plan, 2014).

3.4 Heritage Impact

The Heritage Impact Statement prepared by Paul Davies Pty Ltd, which forms part of this application states that the success of the 2013 Picnic Races event should be drawn upon for future races. The previous event did not have a negative impact on the landscape or cause any damage to the State heritage listed Fernhill House and Gardens.

“The Fernhill Picnic race is large and significant event, it is manageable within the scope of activities that are appropriate for the property” (Paul Davies Pty Ltd, 2014, Heritage Impact Statement). This report forms part of the application.

3.5 Accessibility Statement

The access statement prepared by accessibility solutions confirms that the DA drawings and topography of the site can provide appropriate access to the site for people with disabilities. The management systems and location of events shall “facilitate dignified and inclusive access for people with disabilities in a manner that will comply with accessibility standards and be consistent with the Disability Discrimination Act (Access Report, 2013, Accessibility Solutions).

3.6 Noise Impacts

The Noise Assessment Report prepared by Wilkinson Murray has indicated that the noise impacts of the proposed picnic race can be managed and will have limited impacts. Consultation with neighbouring residents and ensuring the event concludes by 9.00pm will ensure that the race does not cause disturbance to the local community.

3.7 Environmental Management

Fernhill Management have had a picnic race at the subject site pursuant to cl 2.8 of PLEP in November 2013 and ensured that the landscape and environment was restored to its pre-existing condition.

The car park area and main area of activity will be rehabilitated with vegetative ground cover (grass seeds and turf) at the conclusion of the event. If the ground has been impacted by compaction to the extent that rehabilitation is ineffective the soil will be aerated through shallow tillage and plug aeration.

An environmental management plan will be prepared by a suitably qualified environmental consultant prior to the race to ensure that the event does not have a negative impact on the natural environment.

4. Environmental Planning Instruments

4.1 Overview

This section outlines the relevant state and local planning controls applicable to this development. The proposed events and activities will form an application pursuant of the Penrith City Council 2010 Local Environment Plan and Development Control Plan. This will be lodged under part 4 (division 2) of the Environmental Planning and Assessment Act (1979).

It will also address the objectives of the Penrith Local Environment Plan (2010) and specifically the Temporary Use of Land in 2.8.

4.2 Local Planning Documents

The relevant local planning controls include:

- Penrith Local Environmental Plan 2010
- Penrith City Council Development Control Plan 2010.

The land is zoned E3 and a race meeting is a prohibited land-use activity. The application is therefore made under Clause 2.8 of PLEP 2010.

The Penrith City Council DCP does not have any applicable controls for this temporary event. We have reviewed the controls and they are not applicable as no works or building is proposed as part of this event.

4.3 State Legislation

Threatened Species Conservation Act, 1995

This Act identifies and protects native plants and animals in danger of becoming extinct. The proposed development does not incorporate any development that incorporates the removal of vegetation. The location of where temporary structures are in an area that is not environmentally sensitive and is land that is predominantly cleared for agricultural purposes as illustrated in figure 3. An environmental management plan prior to the race to ensure that the event does not impact local threatened species.

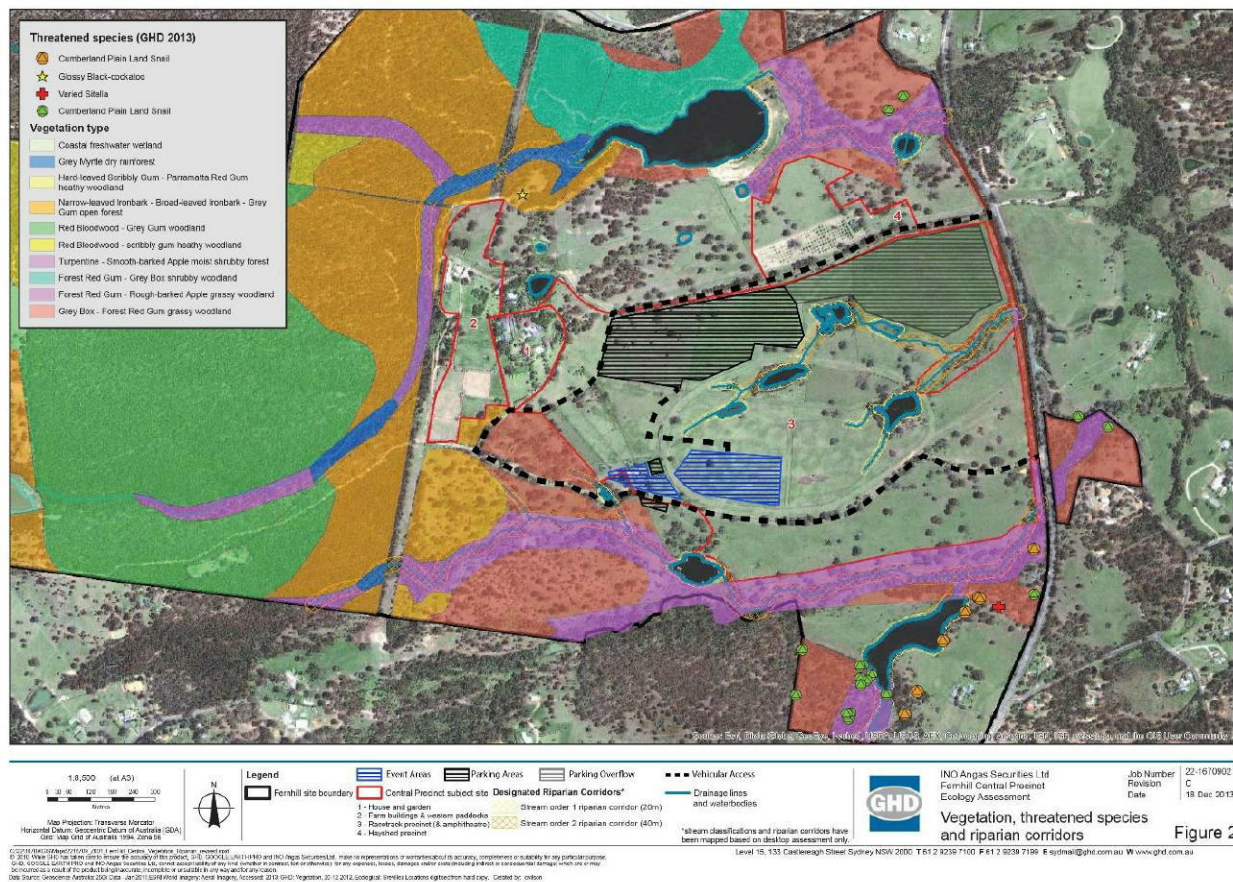


Figure 3 Environmentally Sensitive Land

Office of Water Management Act 2000

This Act has been prepared to promote the principles of ecological sustainable development, protect restore and enhance water sources and to ensure the best practice of water management is implemented in the State. The proposed development does not impact any watercourses within the property. The proposed temporary structures are not within 40m of any natural watercourse. This is illustrated in figure 2 and 3, correspondence from the office of Environment and Heritage in July 2013 demonstrates that this does not require trigger the Act.

4.3 State Planning Documents

- State Environmental Planning Policy (SEPP) Infrastructure (2007). The proposed development is not impacted by this SEPP as Mulgoa Road doesn't have the sufficient volume of traffic required, as described on Map 13 of the RTA Traffic Volume Maps for Road Noise Assessment (November 2008).
- State Environmental Planning Policy (SEPP) 55 Remediation is not applicable to the site as there is no requirement for remediation that has been identified.

5.0 Planning Context

The proposed development requires approval from the consent authority through Clause 2.8 of the Penrith Local Environment Plan, 2010 as uses not permissible in the E3 zones are proposed within the subject land. An assessment of the proposed development is provided in the form of a compatible table. The proposal will be assessed against applicable objectives and controls of the Penrith LEP 2010.

CLAUSE		CONTROL	PROPOSED	COMPLIES
2.1	Land Use Zones	E3: Environmental Management	Temporary Events	YES (permissible with Consent under Clause 2.8)
			Event classified as an 'Entertainment Facility', under LEP definitions.	NO 'Entertainment Facility' is not permissible in the E3 zone. (Pursued through C2.8).

5.1 Current Approvals under clause 2.8 of the PLEP 2010

Fernhill Estate. Lot 10 and 11 DP615 085 obtained approval under clause 2.8 of the PLEP 2010 at a Council Meeting 24, March 2014; DA13/1402 for the temporary use of the Great Hall & Hayshed as a function centre for a maximum 14 days over a 6 month period; DA13/1505 for a symphony concert with a maximum 3,000 patrons on the 11 May 2014, which has been postponed till later the summer of 2014/15.

There has been four events under DA 13/1402 for the temporary use of the hayshed and great hall as a function centre;

- 26 April, 2014 Wedding Hayshed, One Day
- 3 of May, 2014 Wedding Hayshed, One Day
- 11 of May, 2014 Small Concert, One Day
- 17 of May, 2014 Wedding Great Hall, One Day

There are five more functions proposed prior to the conclusion of the approval period on 26 October, 2014, these are anticipated to only take one day. This will take the amount of days utilised under clause 2.8 to 9 days.

It is anticipated that the Picnic Race will take a maximum five days to bump in and a maximum four days to bump out. This will take the amount of days that have been utilised under clause 2.8 of the PLEP to 18 days within a calendar year.

The Symphony Concert has been postponed at this stage there is not date is decided. The event will take a maximum 3 days to bump in and a maximum 2 days to bump out, this would take the total days utilised under clause 2.8 of the PLEP within a calendar year to 23 days.

Therefore the maximum number of days, which can be applied for under clause 2.8 of the PLEP for Lot 10 and 11 DP615 085 will not exceed 28 days and can be considered under this clause.

5.2 Aims of Penrith LEP 2010

The proposed use for an 'entertainment facility' is consistent with the PLEP local strategy, adopted in 2010. It addresses the environmental and heritage concerns for the subject site that were appropriately considered in the design process for the event.

AIMS OF THIS PLAN	COMMENTS
a) To promote development that is consistent with the council's vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities with a strong commitment to environmental protection and enhancement.	The proposal will meet the councils vision for Penrith as the event: <ul style="list-style-type: none"> Will not impact the rural qualities of the area by undertaking a single event that will not remove any vegetation or alter the landscape. Will open Fernhill Estate to the public, enhancing the prosperity of the region through helping to establish Fernhill as an iconic venue in a rural heritage setting.
b) To ensure development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes.	The proposal will encourage: <ul style="list-style-type: none"> Casual employment for the running of the event and for businesses providing resources required for the hosting of the event. The event will promote social engagement in a sustainable temporary adaptive reuse of part of the heritage listed lands. No vegetation will be cleared and it will not impact any watercourses or catchments, or areas of significant ecology.
c) To encourage development to be designed in a way that assists in reducing and adapting to the likely impacts of climate change.	The picnic race is an annual event, however the management of the event has been catered to minimise the level of waste (Event and Operation Plan, 2014, Event Operations).
d) To protect the environmental values and heritage of Penrith, including places of historic, aesthetic, architectural, natural, cultural, visual, and aboriginal significance.	The proposal will protect: <ul style="list-style-type: none"> Environmental values by retaining existing vegetation on site and locating events in a cleared area, thus minimising any impacts on ecological environments. No public access to the heritage buildings.
e) To provide for an urban environment that is active, attractive, and safe for residents and visitors.	N/A No urban environment is proposed.
f) To foster viable employment, transport, education, and future investment opportunities that are suitable to the needs and skills of the residents and the workforce.	The event will promote casual employment for the running of the event and for businesses providing resources required for the hosting of the event.
g) To protect views and vistas from main	N/A -The proposal does not include any permanent structures, and will be an annual event that takes place

roads and other vantage points	over one day. It will not obstruct views from the main road, public domain or adjacent properties.
h) To reinforce Penrith's urban growth limits by allowing rural living opportunities where they will promote the intrinsic rural values and functions of Penrith's rural lands and the social wellbeing of its rural communities	N/A - This event does not include any residential development.

5.3 Penrith LEP 2010 - cl. 2.8 Temporary Use of Land

OBJECTIVES	COMMENTS
The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.	<p>The State heritage listing and land-use zoning restricts the site areas development potential, the existing use of extensive agriculture and equestrian training will not be compromised by the annual picnic race. There may be a period after the race where grazing is not permitted as the grass recovers from compaction.</p> <ul style="list-style-type: none"> It will promote casual employment for the running of the event and for businesses providing resources required for the hosting of the event. The event could potentially increase patronage to Mulgoa businesses during the bump in and bump out of the event. The event is a community event that will provide social interaction within the Mulgoa Valley and will attract tourists and visitors to the Penrith City Local Government Area. No vegetation will be cleared and it will not impact any watercourses or catchments, or areas of significant ecology.
Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 28 days (whether or not consecutive days) in any period of 12 months.	<p>The subject site has not been granted development consent for event that will occupy more than 28 days in the past 12 months.</p> <p>There has currently been 4 days that have been utilised under this clause for temporary events within lot 2 DP DP541825, Lot 10 and 11 DP615085.</p>
Development consent must not be granted unless the consent authority is satisfied that: (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental	<p>The race is an annual event, which is temporary in nature and does not require more than 28 days to bump in and bump out.</p> <p>The subject land will continue to operate as a private residence on a rural property throughout the year and no further events or activities not permissible within the E3 land-use zone are proposed.</p>

planning instrument, and	
(b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and	<p>The impacts of this temporary event will be negligible.</p> <ul style="list-style-type: none"> • There is no proposed alteration to existing structures or the landscape. • Acoustically, the event is located a minimum distance of 750m from the nearest property, is utilising the existing topography of the amphitheatre as acoustic shielding, will occur over a single day, and will be in accordance with the Noise Management Plan for the site prepared by Wilkinson Murray. • These events will not require any additional works to Mulgoa Road or the access driveway to accommodate traffic. • Shuttle buses will provide an alternate mode of transport for patrons that will pick patrons up from strategic locations throughout the LGA to minimise the impact on local traffic. • Parking will be provided on site.
(c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and	<p>The temporary event will not alter any part of the ground surface or require the removal of any trees, will not be located in environmentally sensitive areas and will not impact any drainage lines or water bodies.</p>
(d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.	<p>Fernhill Management had a picnic race at the subject site pursuant to cl 2.8 of PLEP in November 2013 and ensured that the landscape was restored to its pre-existing condition.</p> <p>The car park area and main area of activity will be rehabilitated with vegetative ground cover (grass seeds and turf) at the conclusion of the event. If the ground has been impacted by compaction to the extent that rehabilitation is ineffective the soil will be aerated through shallow tillage and plug aeration.</p>

5.4 Penrith LEP 2010 – cl. 6.9 Mulgoa Valley

Objectives	Comments
I (a) to establish specific planning controls for land in the Mulgoa Valley (<i>the valley</i>),	The subject land is within the Mulgoa Valley.
I (b) to protect and enhance the rural landscape of the valley, including its agricultural qualities, cultural heritage values and the setting of the villages of Mulgoa and Wallacia,	The temporary use of the racecourse will not have any adverse impacts on agricultural activities within the area. The short duration of the event and use of temporary structures ensures there will be minimal impacts on the rural landscape.

I (c) to ensure development in the valley (including rural living opportunities) protects and utilises its tourism and recreational potential and is consistent with conserving its rural and natural landscape, heritage and agricultural qualities,	The proposal will enable visitors from within the area and surrounding areas to experience the rural, natural and heritage qualities within the Estate.
I (d) to ensure traffic generating development is suitably located so as not to adversely affect the safety, efficiency and rural character of roads, particularly Mulgoa Road.	<p>The traffic generation generated from the picnic race will impact Mulgoa Road on the date of the event, however traffic will be managed in accordance with GTA's traffic and parking management plan to mitigate local impacts.</p> <p>The character of the road will not change as a result of the proposed application, there is no proposed permanent works applied for as part as this application.</p> <p>Traffic Safety and efficiency measures will be managed through traffic control measures outlined within the GTA report attached ,</p>
<p>(3) Before granting development consent for any purpose on land to which this clause applies, the consent authority must be satisfied of the following:</p> <p>(a) that any proposed building will not be located on a ridge top and will not intrude into the skyline when viewed from a road or other public place,</p>	The proposed event, including temporary structures and the car parking will be visible in part from Mulgoa Road, however this is an event that will only occur for one day per year over the next five days and have no permanent impact on the landscape.
(b) that the proposed development will not adversely affect the historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of any heritage item in the valley,	<p>The State heritage Fernhill House and Gardens will not be impacted by the annual picnic race, no access is enabled to the site. The Heritage Impact Statement prepared by Paul Davies Pty Ltd, concludes that potential heritage impacts can be managed and if appropriate management in place there will be no permanent impact on these values.</p> <p>The location of the event areas is within cleared areas that are not ecologically sensitive.</p> <p>The landscape will be repaired after the event through the shallow tillage of compacted areas and re-seeding of areas impacted by compaction.</p>
(c) that the proposed form and siting of buildings, colours, landscaping and building materials are appropriate for the rural character of the valley,	N/A
(d) that the proposed development will not	Refer to response 3a of this table.

detract from the "Vistas of heritage items" specified on the Scenic and Landscape Values Map,	
(e) that extensive areas of vegetation will not be cleared for the proposed development	No vegetation is to be cleared.
(f) that adequate provision has been made for the landscaping of the land to which the development relates and about whether any trees or other vegetation on the land should be preserved,	No vegetation or trees will be impacted as a result of these temporary events.
(g) that the agricultural viability of holdings and potential of the land will not be adversely affected,	Agricultural activities and holdings will continue within the subject area after the conclusion of the event.
(h) that Aboriginal and non-Aboriginal cultural heritage resources on the land will not be adversely affected,	N/A No items have been identified within the subject area, which was undertaken in the AHIMS search boundary, which formed part of the previous application that has subsequently been withdrawn.
(i) that the view from Mulgoa Road and the rural setting of the villages of Mulgoa and Wallacia will not be adversely affected,	N/A The proposed works will not adversely impact on views or vistas.
(k) that any upgrading required to maintain safety and efficiency will not detract from the present rural character of Mulgoa Road.	N/A There are no proposed upgrade works associated with this application.

6. SUITABILITY

The following section provides a summary of the suitability of the site for the proposed development according to Section 79C (1) (C) of the EP& A Act 1979:

- The detailed investigations that have been undertaken support and justify this application including all relevant heritage, social, economic and environmental considerations.
- The site can accommodate a picnic race within the racetrack area without the need for any permanent structures.
- Implications for traffic, parking, and noise will be minimal and highly manageable and short in duration
- The activities proposed within the proposal will provide temporary employment opportunities for local residents through the running of functions and local businesses servicing the functions.

7. CONCLUSION

The application to enable the use of the subject area within the Central Precinct for the purpose of a concert under clause 2.8 within the PLEP 2010, should be approved;

- The detailed investigations across all relevant issues that have been undertaken support and justify this application.
- The uses identified in this application will provide the opportunity to make part of the property available to the public.
- Only temporary structures will be utilised minimising impact on ecology, heritage curtilage and ground surface.
- The event will also contribute to the role of Mulgoa and local employment for the running of events and promoting economic investment and growth.
- The proposal has a potential to provide a range of social, cultural and economic benefits to the local and wider community through enabling a unique

This proposal responds appropriately to its context, relevant local planning instruments, and the matters for consideration under Section 79C of the Environmental Planning and Assessment Act, 1979. Accordingly it is recommended that the application should be approved.