

## CONSULTANCY PROFILE & STATEMENT OF EXPERTISE

Accessibility Solutions consultancy offers a range of services to provide advice for clients to develop new and modify existing buildings, facilities and services to be accessible to people with disabilities to comply with legislation and regulations relevant to people with disabilities.

Relevant legislation and regulations that underpins advice includes the Disability Discrimination Act (DDA) Building Code of Australia, Australian Standards 1428, HREOC Advisory Notes on Premises, DDA Transport Standard, State Environment Planning Policy No. 5 Housing for Older People or People With a Disability (SEPP 5) / Seniors Living Policy, SEPP 65 – Residential Flat Buildings Design Code and various local government DCP's.

The scope of services provided by Accessibility Solutions includes:

- Plan Appraisals and design advice
- Access Reports for development applications and construction certificates
- Expert Reports for Court evidence
- Access Auditing of existing buildings, facilities, transport conveyances and infrastructure
- Policy and document reviews and development of Disability Action Plans
- Staff training in access auditing

The services consider issues concerning people with all types of disability including; physical; vision; hearing, intellectual and other cognitive impairments that may affect access for people with a disability consistent with the Disability Discrimination Act.

As principle consultant Mark Relf has considerable experience and expertise in a wide range of access related projects and is a recognised Access Adviser approved by the NSW Ageing and Disability Department and has attained accreditation with the Association of Consultants in Access Australia for the purposes of providing advice concerning access to the built environment and services for people with disabilities.

His expertise has been gained over 20 years working in management and advocacy roles within the disability sector and since 1994 providing advice to clients on access issues. Mark also participates on various key committees concerning access for people with disabilities. His qualifications and affiliations are:

- Accredited Member of the Association of Consultants in Access Australia.
- Member, Standards Australia ME/64 Committee responsible for the AS1428 suite and AS4299 – Adaptable Housing.
- Member, NSW Heritage Office's – Fire, Access and Services Advisory Panel.



## Penrith Development Control Plan 2010: Compatibility Table

Clause	Objective / Control	Proposed	Comply
DCP Principles	Principle 1 Provide a long-term vision for cities, based on sustainability, intergenerational, social, economic and political equity, and their individuality.	The approval of the proposal will enable the long term preservation of the Fernhill Estate. The Eastern and Western Subdivision will enable the Central precinct to operate as an Estate. Providing an important asset for the Penrith City Community.	YES
	Principle 2 Achieve long term economic and social security.	The proposal will provide a sustainable long term business model that preserves an important asset for the community.	YES
	Principle 3 Recognise the intrinsic value of biodiversity and natural ecosystems, and protect and restore them	The conservation and rectification of the ecology of the subject land is an integral component of the development. This is achieved through the proposed biobanking, vegetation management and identifying residential precincts that will have minimal impacts on existing ecology.	YES
	Principle 4 Enable communities to minimise their ecological footprint.	The activities proposed within the Central Precinct do not involve the removal of any ecology and are activities that have occurred within the precinct. The ecological footprint within the East and Western precinct is minimised through the water sensitive urban design of the subdivision, vegetation buffers and location of the subject lands.	YES
	Principle 5 Build on the characteristics of ecosystems in the development and nurturing of healthy and sustainable cities.	The characteristics of the existing ecosystem are a key feature of the landscape within the Eastern and Western Precinct. The preservation of the Central Precinct will enable the nurturing of the ecosystems within the subject land for the benefit of Penrith.	YES
	Principle 6 Recognise and build on the distinctive characteristics of cities, including their human and cultural values, history and natural systems.	The vision behind the project is to capitalise on historical values that the Estate has to offer and the long term preservation of the natural environment within the subject land.	YES
	Principle 7 Empower people and foster participation.	The local community have been involved and informed in the development of this proposal. To ensure that the proposal is integrated within the existing local community.	YES
	Principle 8 Expand and enable cooperative networks to work towards a common, sustainable future.	The project team has collaborated with a variety of networks to ensure that the proposal is viable and will be sustainable for the long term.	YES

## Penrith Development Control Plan 2010: Compatibility Table

	Principle 9 Promote sustainable production and consumption, through appropriate use of environmentally sound technologies and effective demand management.	N/A	N/A
	Principle 10 Enable continual improvement, based on accountability, transparency and good governance.	The operation and maintenance of the heritage values of the Central Precinct will be accountable to external bodies to ensure the long term transparency, good governance and importantly preservation of the heritage values within the subject land.	YES
CI Site Planning and Design Principles	a) Improve the sustainability of development through improved site planning that takes into account social, economic and environmental opportunities and constraints;	The village of Mulgoa will be enhanced through the increased amount of employment opportunities and growth to support local schools and business.	YES
	b) Ensure that developments address the key principles of site planning, urban design and design excellence by:		
	i) responding to the natural topography and landform of the site;	The natural topography has been utilised to minimise the visual impacts from the residential subdivision from Mulgoa Rd.	YES
	ii) protecting areas of scenic or visual importance in the City of Penrith;	The character within the Fernhill Estate has been retained to preserve the scenic quality of the subject land.	YES
	iii) adopting a height, massing and scale that accords with the analysis of the site and minimises visual impact;	N/A	YES
	iv) incorporating safety and security measures in its design;	N/A	YES
	v) utilising, where possible, sustainable materials that minimise impacts on the environment, maintenance and waste; and	N/A	YES
	vi) incorporating the principles of universal design to maximise accessibility for all people.	N/A	YES
	c) Ensure that non-residential buildings (and their future uses) are	N/A	YES



## Penrith Development Control Plan 2010: Compatibility Table

	designed to incorporate design and sustainable excellence by: i) being accredited under the Australian Buildings Greenhouse Ratings certification system, now part of the National Australian Built Environment Rating System (NABERS) and/or Green Star certification system, whichever is applicable; and ii) ensuring that energy and water consumption is minimised		
I.1 Site Planning B - Objectives	a) Ensure that the site's context has been analysed and considered to ensure that development is designed on a 'whole of building' approach; and	There is no proposed built form within the Central Precinct. The Eastern Precinct is a natural extension of the Mulgoa Village. The rural residential subdivision within the Western Precinct will integrate with the adjacent rural residential subdivision.	YES
	b) Protect and enhance areas with high scenic and landscapes values contribute to the character of the City of Penrith.	The preservation of the Central Precinct and the careful selection of the residential precincts.	YES
I.1.2. Key Areas with Scenic and Landscape Values B – Principles	a) Protect and enhance the visual diversity and scenic quality of gateways and view sheds within the City of Penrith, including detailed, mid and long range views;	The visual character will be protected through careful site planning, ecological conservation and minimal development.	YES
	b) Protect and enhance the key regional natural features that contribute to the character of Penrith as a City, including the Blue Mountains escarpment, the Nepean River, other riparian corridors and bushland reserves;	The visual and scenic values of the subject land are protected through; -Central Precinct Amalgamation and Conservation -Eastern Precinct is an extension of Mulgoa Village -The Western Precinct is adjacent to a rural residential subdivision.	YES
	c) Protect, maintain and enhance other important natural features, including ridgelines, hillsides, watercourses and riparian corridors, vegetation and landform;	The retention of natural vegetation that surrounds the proposed subdivision will buffer to visually sensitive corridors.	YES
	d) Protect, maintain and enhance backdrops and settings that contribute to the local identity;	This proposal achieves this through sustainable development, bio-banking and water-sensitive urban design.	YES
	e) Protect, maintain and enhance views and vistas from vantage points, including main road corridors and other public places;	Views are maintained through the integration of the development with the existing landscape character	YES
	f) Conserve and enhance historic landscapes, properties and their curtilages;	f) The Views from Mulgoa Road are maintained through not having	YES

## Penrith Development Control Plan 2010: Compatibility Table

		development on the ridgeline and preserving the historic landscape and their curtilages.	
	g) Plan and site new development to enhance local identity. Development is to effectively integrate with the surrounding landscape so that any change as a result of the new development does not compromise the character of the landscape. Issues such as context, scale, size, built form and height, setbacks/buffers, landform, structural space (private and public), streetscape, vegetation and infrastructure are to be addressed;	The Central precinct will enable the preservation of the heritage landscape and ecology. The residential subdivision within the East and West Precinct will integrate with the existing village character.	YES
	h) Strengthen local identity through consistency and/or compatibility of design. Design development to take into account issues such as scale, form, line, colour, texture, lighting, existing vegetation, open space and landscaping;	N/A	YES
	i) Use vegetation to frame scenic views, provide interest or change, define new space, provide backdrops and visually connect all other elements within the setting; and	Street Tree planting and vegetation buffers will define the new residential precincts visually connecting them to the existing character.	YES
	j) At gateways, reinforce the distinct experience of arrival or passing from one landscape character type to the next, through legible site planning and design.	N/A	YES
C2 Vegetation Management – B.- General Objective	a) Adopt the principles of Ecologically Sustainable Development ('ESD') in protecting and enhancing Penrith's native vegetation;	The conservation and rectification of the ecology of the subject land is an integral component of the development. This is achieved through the proposed bio-banking, vegetation management and identifying residential precincts that will have minimal impacts on existing ecology	YES
	b) Preserve existing trees and vegetation for the benefits they provide;	The majority of vegetation within the subject land will be retained. The only trees that will be removed will be to accommodate infrastructure and roads within the Eastern and Western precinct.	YES
	c) Preserve existing trees and vegetation, where possible, during	The majority of vegetation within the subject land will be retained. The only	YES

## Penrith Development Control Plan 2010: Compatibility Table

	the design, development and construction process and justify any tree or vegetation removal to Council;	trees that will be removed will be to accommodate infrastructure and roads within the Eastern and Western precinct.	
	d) Protect and enhance native vegetation and biodiversity in the Penrith local government area, including habitat for threatened species, populations and ecological communities and corridors for	Noted	YES
	e) Retain native vegetation in parcels of a size and configuration which will enable existing plant and animal communities to survive in the long term;	The retention and enhancement of native vegetation and biodiversity is achieved through biobanking, the retention of ecological communities within the central precinct and locating the Eastern and Western Precincts within locations that will have minimal impacts on the biodiversity of the subject land.	YES
	f) Protect and enhance the landscape character and scenic qualities of the Penrith local government area; and	The parcels of vegetation that are retained within the proposal are significant in size and will preserve flora and fauna for the long term	YES
	g) Manage the conflict between protecting and removing vegetation to address natural hazards such as bushfires.	The landscape character of the subject land is retained through site planning and preservation of the rural setting and existing vegetation. This is managed through having vegetation buffers that are adjacent to asset protection zones that protect.	YES
2.1 Preservation of Trees and Vegetation Objectives	a) Prescribe which species or kinds of trees or other vegetation are protected by Clause 5.9 of Penrith LEP 2010 and this Section of the Plan;	Complies	YES
	b) Promote the benefits of trees and other vegetation;	The preservation of trees and importance of them is integral to the proposal, ecological communities are promoted through bio-banking and dedicating clusters of vegetation as reserves.	YES
	c) Protect and enhance native vegetation, habitat for native fauna and biodiversity;	This is obtained through the protection of a significant proportion of native vegetation	YES
	d) Protect and enhance native vegetation for its scenic values and to retain the unique visual identity of the landscape;	This is achieved through dedicating large portions of the site for bio-banking and ecological reserves.	YES



## Penrith Development Control Plan 2010: Compatibility Table

	e) Manage non-native vegetation in accordance with its cultural and landscape significance;	This is achieved through dedicating large portions of the site for bio-banking and ecological reserves.	YES
	f) Ensure that any new development takes into account existing vegetation in the site planning, design, development, construction and operation of the development; and	The landscape of the heritage listed Femhill Estate is maintained within the heritage agreement to preserve the original landscape.	YES
	g) Ensure there are mechanisms for the long term protection, management and maintenance of trees and vegetation.	The long term mechanism is the bio-banking of vegetation within the subject land.	YES
	<b>1. Development Consent</b> a) In accordance with Clause 5.9 of Penrith LEP 2010, a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation which is prescribed by this Plan without development consent.	Noted	YES
2.2.Biodiversity Corridors and Areas of Remnant Indigenous Vegetation in Non-Urban Areas - B. Objectives	a) Protect, enhance and manage the ecological, hydrological, scientific, cultural and aesthetic values of biodiversity and wildlife habitat corridors, natural waterways and riparian land; and	Bushfire assessment reports for both the East and West Precinct form part of this application.	YES
	b) Enhance connections between remnants of indigenous vegetation; and	The East and West residential precincts incorporate, Asset Protection Zones, Inner Protection Zones and Emergency Fire Trails, Water Tanks to make adequate provisions for firefighting.	YES
	c) Prevent the fragmentation and degradation of remnant vegetation; and veg	Enhancing connections between existing vegetation and remnant vegetation will prevent the degradation of remnant vegetation. The clustering of residential precincts, opposed to a continuous' subdivision ensures these connections are retained and enhanced where possible.	YES
	d) Ensure that clearing and other development is located and designed to avoid or minimise the impact on the ecological, hydrological, scientific, cultural and aesthetic values of biodiversity and wildlife habitat corridors, natural waterways and riparian land.	This has been recognised within the bushfire assessment and incorporated within the site planning of the East and West Precinct.	YES

## Penrith Development Control Plan 2010: Compatibility Table

Complimentary Objectives	a) Promote the establishment and retention of biodiversity corridors and areas of remnant indigenous vegetation that contribute to the long-term survival of native fauna and flora species in the area;	Complies	YES
	b) Maintain (and where possible increase) the current area of native bushland and retain the natural species diversity of bushland as far as possible;	Noted	
	c) Encourage the planting of a diversity of indigenous species to enhance biodiversity values, scenic quality and landscape character; and	The proposal integrates Water Sensitive Urban Design to ensure the preservation of the quality of watercourses within the subject land and downstream.	YES
	d) Facilitate the implementation of weed control and management measures that act upon the processes causing weed invasion of natural areas.	Best practice water sensitive urban design has been incorporated within the proposal.	YES
2.2.Biodiversity Corridors and Areas of Remnant Indigenous Vegetation in Non Urban Areas – C. Controls	b) In accordance with Clause 6.4 Development on natural resources sensitive land of Penrith LEP 2010, development consent is required for the following in biodiversity corridors and areas of remnant indigenous vegetation: i) the subdivision of land; ii) earthworks (including removal of rock or other natural material or alteration of a natural waterway or drainage line); iii) the carrying out of a work; iv) clearing vegetation (including slashing or underscrubbing); v) irrigation with treated effluent. c) Clause 1 a) iv) above does not include slashing or underscrubbing undertaken for the purposes of controlling declared pests under the Rural Lands Protection Act 1998 or to maintain dams, fences or asset protection zones.	Complies	YES
2.3.Bushfire Management – B. Objectives	a) Minimise the risk to life, property and the environment in the event of a bushfire, including the lives of emergency personnel	Bushfire assessment reports for the development are attached to the application.	YES
	b) Ensure that all development on	The East and West residential	YES



## Penrith Development Control Plan 2010: Compatibility Table

	bush fire prone land makes adequate provision for access for emergency personnel, vehicles and equipment	precincts incorporate, Asset Protection Zones, Inner Protection Zones and Emergency Fire Trails, Water Tanks to make adequate provisions for firefighting.	
	c) Balance the risk of bushfire to life and property with the other principles in this Plan, including the need to protect and enhance existing vegetation where possible; and	This has been addressed through the consultation between ecological and bushfire experts	YES
	d) Recognise that land not classified as 'bushfire prone land' may still be subject to the impact from bushfire, particularly through ember attack	This has been recognized within the bushfire assessment and incorporated within the site planning of the East and West Precinct	YES
2.3.Bushfire Management – C. Controls	a) If land is identified as 'bushfire prone land' on the Bushfire Prone Land Map, then any Development application on that land must address the bush fire protection measures set out in the document 'Planning for Bushfire Protection 2006 (PBP).	This has been addressed within the bushfire assessment, which forms part of this application.	YES
	b) If the development proposes the subdivision of land for residential and rural-residential purposes or is a development which has been identified as 'special fire protection purposes', then the development will be Integrated Development under the Environmental Planning and Assessment Act 1979.	Noted	YES
C3 Water Management - B. General Objectives	a) Adopt an integrated approach that takes into account all aspects of the water cycle in determining impacts and enhancing water resources;	The proposal integrates Water Sensitive Urban Design to ensure the preservation of the quality of watercourses within the subject land and downstream.	YES
	b) Promote sustainable practices in relation to the use of water resources for human activities;	Best practice water sensitive urban design has been incorporated within the proposal.	YES
	c) Minimise water consumption for human uses by using best practice site planning, design and water efficient appliances;	N/A	YES
	d) Address water resources in terms of the entire water catchment;	Complies	YES
	e) Protect water catchments and		YES

## Penrith Development Control Plan 2010: Compatibility Table

	environmental systems from development pressures and potential pollution sources		
	f) Protect and enhance natural watercourses, riparian corridors and wetlands;	Complies	YES
	g) Integrate water management with stormwater, drainage and flood conveyance requirements; and	Complies	YES
	h) Utilise principles of Water Sensitive Urban Design in designing new developments or infill development in existing areas.	Complies	YES
3.3 Catchment Management and Water - B. Objectives	a) Adopt a total catchment management approach to water quality and protection of water systems;	Complies	YES
	b) Prevent direct pollution of existing groundwater or surface water systems;	Complies	YES
	c) Ensure appropriate management of land uses and activities to minimise the risk of indirect water pollution;	Complies	YES
	d) Improve the water quality of the Hawkesbury-Nepean River system and tributaries;	Complies	YES
	e) Ensure the high quality of discharge to sewer and drainage systems; and	Complies	YES
	f) Protect the aquatic environment through the use of Ecologically Sustainable Development principles.	Complies	YES
3.3. Watercourses, Wetlands and Riparian Corridors - B. Objectives	b) Minimise disturbance and/or impacts on natural waterbodies;	There is minimal development within proximity to natural water-bodies. Where development occurs within proximity to waterbodies the utilisation of bio detention swales and GTPs will minimise the impact of natural water bodies.	YES
	c) Rehabilitate existing riparian corridors and ensure that width, buffers to development, quality of landscape and diversity of vegetation to support principles of	I In order to minimise the aesthetic impact on the riparian corridor: Basins are shown to incorporate both 1V:6H and 1V:4H batter slopes in order to provide a natural appearance	YES

## Penrith Development Control Plan 2010: Compatibility Table

	ecological sustainability are provided.	similar to the existing terrain. Planting within the basin and surrounding areas shall be selected by a suitably qualified ecologist to ensure minimal impact on riparian corridors. Piped discharges shall have scour protection and rock headwalls to DECCW standards	
	a) Water saving devices must be incorporated into any internal renovation (taps, toilets, etc);	• N/A	YES
3.3 Watercourses, Wetlands and Riparian Corridors – B. Objectives	b) Rainwater tank(s) and gutter systems shall be installed to capture rainwater and reuse for irrigation, toilet flushing and other non-drinking purposes. Installation of rainwater tanks shall comply with the relevant standards established by Sydney Water.	Noted	
	c) If water saving devices and/or rainwater tanks are not to be installed, the applicant will need to submit a statement explaining why the installation of these measures is not economically feasible or is technically difficult.	Noted	YES
	1. Controlled Activity Approval under the Water Management Act 2000  If any activities/land uses are proposed near a watercourse, the Water Management Act 2000 may apply and you may be required to seek a Controlled Activity Approval from the NSW Department of Environment, Climate Change and Water	Noted	YES
	2. Preserving Alignment of Watercourses a) Where possible, the natural (or historic) alignment of an existing wetland or watercourse should be retained along with its natural dimensions and flow regimes. b) Watercourses should not be straightened to reduce the natural meander or flow path or to improve flood conveyance. c) The alignment of major overland flow paths should be recognised in site planning and development	It should however be noted that neither of these water courses are well defined (i.e. no clear top of bank) and appear to only convey intermittent surface flows during rainfall events.	YES



## Penrith Development Control Plan 2010: Compatibility Table

	<p>design.</p> <p>3. Avoiding Modifications to Natural Waterbodies</p> <p>a) There should be no modifications to a natural (or historic) waterbody in its dimensions, depth or bank height unless it seeks to enhance the ecological outcomes of the waterbody.</p> <p>b) Watercourses should not be modified to maximise flood conveyance unless there are no other means to avoid damage to existing dwellings or infrastructure that cannot be relocated.</p> <p>c) Natural hydrological processes are to be maintained where possible, including natural vegetation and the flow regimes to maintain creek line stability and the health of terrestrial and aquatic plant communities.</p>	<p>a) Riparian corridors shall be provided for Creek 1 on the Eastern Precinct 10m offset from the top basin level.</p> <p>b) Proposed channels will be reconfigured as part of the development in the Western Precinct in order to convey the 100 year floods for creeks 1 and 2 respectively in a more controlled manner but retain existing systems in reserves and private lots.</p> <p>c) The existing upstream sub-catchments naturally adjoin the system at the same locations as in the predevelopment model. While the proposed development will mean that sub-catchment areas on the subject site will enter the creek system at slightly different locations, the outlet remains the same.</p>	YES
	<p><b>4. Protection and Enhancement of Riparian Corridors</b></p> <p>a) All riparian corridors should comprise a core riparian zone along each waterway flanked by a vegetated buffer on each side of the waterway (see Figure C3.1).</p> <p>b) The core riparian zone and the vegetated buffer should retain, or be revegetated with, fully structured native vegetation (trees, shrubs and groundcover species).</p> <p>c) Under some circumstances, Council may consider some level of human activity in the vegetated buffer, depending on the ecological values and the extent of the core riparian zone. This would be limited to environmental protection works, drainage, crossings (e.g. roads or service utilities), pedestrian paths/walkways and landscape maintenance programs.</p> <p>d) A managed buffer zone outside the vegetated buffer should be provided (where possible), to provide an additional buffer between development and the core riparian zone. Land uses within the managed buffer zone could</p>	<p>a)</p> <p>b) The Eastern Precinct does not have any impact on riparian corridors. Within the Western precinct the vegetated buffer remain, however there will be some change to the depth.</p> <p>c) Noted</p> <p>d) A detention swale and access points to the GPT are within the riparian corridor.</p> <p>e) APV are located outside the riparian corridors.</p> <p>f) An ecology report forms part of this application and council have an opportunity to provide advice prior to the final detailed design.</p> <p>g) N/A</p>	YES

## Penrith Development Control Plan 2010: Compatibility Table

	<p>include roads, paths, playgrounds and stormwater management mechanisms.</p> <p>e) Asset protection zones should be located outside core riparian zones and vegetated buffers.</p> <p>f) Appropriate widths for core riparian zones and vegetated buffers will depend on the specific ecosystems being managed and the bioregion. Council reserves the right to assess each riparian corridor and each development on its merits. In general, however, the width will depend on the category of the stream/watercourse (see Figure C3.2 – This figure is also available on Council's website). The width should be measured from the top of the highest bank on both sides of the stream/watercourse, excluding the managed buffer zone, and shall comply with the requirements outlined in Table C3.3.</p> <p>g) Where, a watercourse has had a gabion wall or channellisation constructed, this should be removed to restore a natural meander for ecological purposes, except where:</p> <p>i) The length of the watercourse through the development site is less than 50 metres; or</p> <p>ii) The watercourse through the development site is a middle section of the overall watercourse, and it is technically unfeasible to reverse the channellisation; or</p> <p>iii) Restoring the natural meander will create a hazard.</p> <p>h) Enhancement of riparian corridors should, where possible:</p> <p>i) Mimic natural hydrological regimes for watercourse treatments;</p> <p>ii) Replicate the natural watercourse through creation of curved, rather than straight channels;</p> <p>iii) Simulate natural roughness having regard to riparian requirements and flow velocities to sustain vegetation groupings;</p> <p>iv) Minimise ongoing maintenance</p>		
--	---	--	--

## Penrith Development Control Plan 2010: Compatibility Table

	<p>requirements through channel design;</p> <p>v) Establish a functional riparian zone and natural channel section;</p> <p>vi) Maintain or create a full assemblage of vegetation with likely natural obstructions;</p> <p>vii) Create variations in channel cross-section and provide an opportunity for meandering of the channel within the flood plain;</p> <p>viii) Minimise likely damage to channel banks and vegetation from storm flow through channel design; and</p> <p>ix) Ensure that the channel has the capacity for appropriate flood flows having regard to the steepness of the catchment, channel modifications and future liability for land owners, Council and government agencies.</p> <p>i) There may be a need for a sensitivity analysis for a range of flood hydrology and design flows having regard to supporting flood studies for development.</p>		
	d) Minimise nuisance flows of stormwater from one property to adjoining properties;	By incorporating the detention sizes recommended in Table 3.6 of the Stormwater Report, pre-post requirements shall be achieved at both the overall outlet positions and critical positions on the subject site. Flows from the proposed detention basins are to be controlled for all standard storm recurrence intervals and durations from the 2-100yr events. This is proposed with a system of staged outlets within a discharge control pit and overflows systems for major storms. Please refer to the Mott MacDonald Civil DA plans for typical/bio-retention details and outlet configurations.	YES
	e) Maximise reasonable on-site detention, to provide opportunities for rainwater re-use;	N/A	YES
	f) Minimise hardstand and impervious areas on developed land to minimise run off;	N/A	YES
	g) Provide a stormwater system which can be maintained economically;	This stormwater system can be accessed a maintained in an economic manner.	YES
	h) Provide a stormwater system	The stormwater system utilises open	YES



## Penrith Development Control Plan 2010: Compatibility Table

	which utilises open space in a manner compatible with other uses;	space within the Eastern Precinct that will be compatible for passive recreation activities.	
	i) Control flooding and enable access to allotments, stabilise the land form and control erosion; and	By incorporating the detention sizes recommended in Table 3.6 of the Stormwater Report, pre-post requirements shall be achieved at both the overall outlet positions and critical positions on the subject site. Flows from the proposed detention basins are to be controlled for all standard storm recurrence intervals and durations from the 2-100yr events. This is proposed with a system of staged outlets within a discharge control pit and overflows systems for major storms. Please refer to the Mott MacDonald Civil DA plans for typical/bio-retention details and outlet configurations.	YES
	j) Minimise urban runoff pollutants to watercourses	The installation of GPT and vegetation buffers minimise urban runoff.	YES
	<b>I. Natural Environment</b> a) Runoff must not be discharged into bushland areas. b) Pipe outlets shall be treated with measures to dissipate stormwater velocity, except where waters will enter a formed channel or similar structure that is unlikely to be damaged by water flowing in at high velocity. c) Permeable ground surfaces are to be maintained as far as possible, and where suitable conditions exist, stormwater is to be infiltrated on-site.	a)Complies  b)Complies  c)Noted	YES
3.9. Water Sensitive Urban Design - B. Objectives	b) Maintain and restore natural water balance;	This overall WSUD Strategy has demonstrated that future development on both precincts can proceed without an increase in stormwater impacts on either the Hawkesbury-Nepean Catchment or the surrounding areas.	YES
	c) Make more efficient use of water resources by conserving water, particularly potable (or drinking) water;	N/A	YES
	d) Reduce flood risk in urban areas;	By incorporating the detention sizes recommended in Table 3.6 of the Stormwater Report, pre-post	YES

## Penrith Development Control Plan 2010: Compatibility Table

		requirements shall be achieved at both the overall outlet positions and critical positions on the subject site. Flows from the proposed detention basins are to be controlled for all standard storm recurrence intervals and durations from the 2-100yr events. This is proposed with a system of staged outlets within a discharge control pit and overflows systems for major storms. Please refer to the Mott MacDonald Civil DA plans for typical/bio-retention details and outlet configurations.	
C5 Waste Management		A Waste Management Plan forms part of this application, which addresses the DCP requirements	YES
C6 Landscape Design	a) Ensure that landscape design reinforces the principles of Ecologically Sustainable Development;	The landscape design within the Central Precinct incorporates the removal of noxious weeds and retention of existing vegetation. The landscape design within the Eastern precinct will be appropriate to the context of the precinct, incorporating street trees and a large lot that fronts Mulgoa Rd. The Western Precinct are large rural residential allotments with the roads proposed to incorporate street trees.	YES
	b) Promote landscape design and planning as part of a fully integrated approach to site development;	The central precinct is subject to a Heritage Agreement and the landscape design and planning is influenced by the Conservation Management Plan. The design of the residential precincts is appropriate to the contextual location of the precinct and ensuring that the landscape is appropriate to the landscape character of the area.	YES
	c) Ensure landscape design takes into account the site's context, landscape and visual character, existing landscape features and amenity, both at the local and regional scale;	The sites topography, rural setting and amenity are incorporated within the landscape proposed for the proposal.	YES
	d) Encourage the development of quality landscape design	The landscape design will be an evolving process to ensure that best	YES

## Penrith Development Control Plan 2010: Compatibility Table

	associated with new development that is consistent with industry best-practice;	practice, environmental sustainability and maintainability can be achieved.	
	e) Encourage the retention of existing trees and vegetation to enhance landscape character;	The retention of vegetation and conservation of remnant vegetation is paramount to the proposed development.	YES
	f) Ensure landscape design adequately complements the proposed built form and minimises the impacts of scale, mass and bulk of the development in its context;	N/A	YES
	g) Encourage landscape design that can be effectively maintained to a high standard for the life of that development; and	The proposed development will incorporate best practice principles to enable to maintainability of the proposed landscape.	YES
C7 Heritage B Objectives	a) Encourage the retention of existing heritage items and their significant elements;	The proposal encourages the conservation of the significant elements of the Fernhill Estate.	YES
	b) Ensure development is based on the understanding and conservation of the heritage significance of the item;	The revised CMP has provided a thorough understanding of the Fernhill Estate, which has informed the development of the proposal.	YES
	c) Encourage heritage items to be used for purposes that are appropriate to their heritage significance;	The proposed event uses of the Fernhill Estate are considered appropriate to the estate's heritage significance.(heritage Impact Statement, 2013)	YES
	d) Maintain the setting of the heritage item including the relationship between the item and its surroundings;	The proposed subdivisions have been carefully designed and sited so as to maintain the significant landscape elements and landscape setting of the Fernhill Estate and do not impact on heritage items in the vicinity.	YES
	e) Encourage the removal of inappropriate alterations and additions, and the reinstatement of significant missing details and building elements; and	N/A	N/A
	f) Protect and conserve built heritage in accordance with the principles of the Burra Charter.	The proposal ensures that ongoing conservation works will be undertaken to the significant elements of the Fernhill Estate.	
C Controls	a) Any Heritage Impact Statement for development that may impact	The Heritage Impact Statement provided within Appendix 3 has	YES



## Penrith Development Control Plan 2010: Compatibility Table

on a heritage item must address the following (at a minimum):	addressed all the requirements within the DCP	
i) The heritage significance of the item as part of the environmental heritage of Penrith;	Complies	YES
ii) The impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features;	Complies	YES
iii) The measures proposed to conserve the heritage significance of the item and its setting;	Complies	YES
iv) Whether any archaeological site or potential archaeological site would be adversely affected by the proposed development;	Complies	YES
v) The extent to which the carrying out of the proposed development would affect the form of any significant subdivision pattern; and	Complies	YES
vi) The issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.	Complies	YES
b) Development of a heritage item must:	N/A	
i) Be consistent with an appropriate Heritage Impact Statement or Conservation Management Plan;	The Working masterplan has been guided by the Heritage Impact Statement and Conservation Plan to ensure that the proposal is consistent with this critical document.	YES
ii) Be consistent with the Heritage Inventory Assessment Report;	Complies	YES
iii) Protect the setting of the heritage item;	Any activity within a heritage item will occur according to the CMP and Heritage Working Master Plan.	
iv) Retain significant internal and external fabric and building elements;	No changes to the heritage items are proposed	YES
v) Retain significant internal and external spaces;	Complies	YES
vi) Remove unsympathetic alterations and additions;	N/A	N/A
vii) Reinstate missing details and building elements; and	N/A	N/A
viii) Use materials, finishes and	N/A	N/A

## Penrith Development Control Plan 2010: Compatibility Table

	colours that are appropriate to the significant periods of development or architectural character of the item.		
	c) Alterations to the room layout of heritage items are to ensure that the original room configuration remains discernable and can be interpreted.	N/A	N/A
	d) If there is any likelihood of an impact on any significant archaeological relics from a period prior to the current building, development must ensure that the impact is managed according to the assessed level of significance of those relics.	The archaeological sites affected by the proposal are the site of the remains of a slab hut, and several Aboriginal archaeological sites in the proposed eastern subdivision area. These archaeological sites will be managed in accordance with the recommendations of an Austral Archaeology report, and a condition of consent is recommended in this regard.	YES
7.1.5 Design Guidelines	a) Conserve and maintain established setbacks to streets;	N/A	N/A
	b) Ensure adequate curtilage and landscape setting for the item;	The heritage items within the Central Precinct retain the existing curtilage and landscape, there is no building or permanent structures proposed within the vicinity of the heritage items.	YES
	c) Ensure the integrity of the heritage item and its setting, or the conservation area, is retained by the careful siting of new buildings and alterations and additions to existing buildings;	The integrity of the heritage items will be achieved through the implementation of the Heritage Masterplan, which was guided by the conservation masterplan.	YES
	d) Ensure that the subdivision of land on which a heritage building is located does not isolate the building from its setting or context, or adversely affect its amenity or privacy;	The heritage items within the Fernhill Estate are located within the Central precinct, which is approximately 400ha. Thus the residential subdivision within the East and West Precinct will have no adverse impacts on the amenity of the heritage items.	YES
	e) Ensure that the development of land or a building in the vicinity of a heritage item is undertaken in a manner that complements the heritage significance of the site;	N/A	N/A
	f) Ensure that new development is carefully sited so as to avoid causing physical damage to any heritage item especially where sited within the same curtilage as the heritage item;	The heritage items within the Fernhill Estate are located within the Central precinct, which is approximately 400ha. Thus the residential subdivision within the East and West Precinct will have no adverse impacts on the amenity of the heritage items.	YES
	g) Ensure that new development, including alterations, additions,	N/A	N/A

## Penrith Development Control Plan 2010: Compatibility Table

	extensions, additional buildings or structures, are designed to minimise any potential impacts to adjoining heritage items;		
	h) Protect the heritage significance of heritage items and items within heritage conservation areas;	The heritage items will be conserved and protected through the implementation of the working heritage masterplan and the heritage agreement.	YES
	i) Conserve and protect significant items of European heritage that are located in the industrial areas of the City;	The heritage items are protected as part of the proposal.	YES
	j) Prevent the demolition of heritage items or items within heritage conservation areas; and	No heritage items are proposed to be demolished.	YES
	k) Ensure that new development located within the curtilage of a heritage item is in keeping with the context and setting of the heritage item.	No building work or permanent structures are proposed within the curtilage of a heritage item. The activities proposed within the Central Precinct are appropriate for the context of the Fernhill.	YES
3. Subdivision and Site Analysis	a) Proposals for subdivision should define an appropriate setting or 'curtilage' for the heritage building as part of the heritage impact statement or conservation management plan.	The residential subdivision will enable the setting to remain according to the heritage conservation management plan.	YES
	c) New development shall be of a scale and form that does not detract from the historical significance, appearance and setting of the heritage item. In this way, the following elements require specific consideration:	There are no new buildings or permanent structures proposed within the central precinct. The discrete residential subdivision is appropriate within the context of the subject land.	YES
	The height of new development near heritage items shall be less than the subject item. Increases in height shall be proportional to increased distance from the items and will be considered on merit;	N/A	N/A
	ii) Views and vistas to the heritage item from roads and other prominent areas are key elements in the landscape and shall be retained;	The proposal will not impact any views or vistas to the proposed heritage items.	YES
	iii) If the development site can be viewed from a heritage item(s), any new development will need to be designed and sited so that it is not obtrusive	The proposed residential subdivisions are appropriate for the context of the location and have been designed to incorporate the existing character.	YES
	iv) Curtilages shall be retained around all listed items sufficient	Complies	YES



## Penrith Development Control Plan 2010: Compatibility Table

	to ensure that views to them and their relationship with adjacent settings are maintained.		
7.17 Development within the Vicinity of Heritage Conservation Area	The objective of this section is to ensure that the development of land or a building in the vicinity of a heritage item or heritage conservation area is undertaken in a manner that complements the heritage significance of the site or area.	The proposed subdivisions are considered to comply with the objective of this clause as they have been designed to complement the heritage significance of Fernhill and the heritage items in the vicinity. The subdivisions are both located outside the historical Fernhill land grant of 1810, the western subdivision of land which was once part of the historical lands of Fairlight, and the design and form of the subdivisions are designed to prevent adverse heritage impacts on heritage items in the vicinity through lot size, incorporation of parkland setting, setbacks and retention of Cumberland Plain Woodland.	YES
7.1.8 Archaeological Sites	The objective of this section is to ensure that development is undertaken in a manner that acknowledges and protects sites of archaeological significance.	The archaeological sites affected by the proposal are the site of the remains of a slab hut, and several Aboriginal archaeological sites in the proposed eastern subdivision area. These archaeological sites will be managed in accordance with the recommendations of an Austral Archaeology report, and a condition of consent is recommended in this regard.	YES
7.1.12 Conservation Incentives and Fee Concessions	The objectives of this section are to provide incentives to owners/applicants for development applications involving heritage items.	The applicant is pursuing the application through 5.10.(10) of the PLEP 2010.	YES
	a) That the conservation and retention of the heritage significance of the place depends on the granting of consent;	It is considered that the conservation of the Fernhill Estate depends on the granting of consent, as the proposal ensures ongoing income for maintenance and conservation of Fernhill estate.	YES
	b) That the proposed use is in accordance with a conservation management plan or a detailed schedule of conservation works for the building which has been endorsed by Council;	The proposed consolidation of lots to incorporate the core Fernhill estate lands and the northern area will protect the Fernhill estate and its curtilage from future unsympathetic subdivision.	YES
	c) That the granting of consent to the proposed development would ensure that all necessary conservation work identified in the conservation management plan or a detailed schedule of	The granting of consent for the proposal will ensure that all necessary conservation work identified in the CMP will be carried out.	YES

## Penrith Development Control Plan 2010: Compatibility Table

	conservation works for the building is carried out;		
	d) A detailed long term maintenance plan for the building is specified;	The CMP includes a detailed long-term maintenance plan for the Fernhill Estate. A Heritage Agreement will be made to ensure that funds from the various uses on the consolidated Fernhill estate lands will be put to conservation of the estate buildings and land.	YES
	e) That the proposed use would not adversely affect the heritage significance of the place; and	The proposed uses within the estate will not adversely affect the heritage significance of the estate, or the amenity of the surrounding area.	YES
	f) That the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.	The proposed subdivisions have been carefully located and designed so as to have no heritage impact on either the estate itself or the surrounding heritage items.	YES
7.2 Aboriginal Culture and Heritage	The objective of this section is to preserve items and sites of Aboriginal archaeological significance located within the City of Penrith.	The proposed western and eastern subdivision areas have a number of Aboriginal archaeological sites identified by an Austral Archaeology. These Aboriginal archaeological sites will be managed in accordance with the recommendations of the Austral Archaeology report, and a condition of consent is recommended in this regard. Note that the Aboriginal archaeological sites in the western area will not be affected by the proposed subdivision.	YES
C8 Public Domain General Objectives	a) Enhance the quality of the public domain;	The public domain within the residential precinct will be enhanced with street trees that match the character of the Mulgoa Valley's rural setting.	YES
	b) Enhance the natural setting and landscape character of Penrith;	The amalgamation of the site will enable approximately 400ha of the Central precinct to be preserved. The Eastern precinct is appropriate with the adjacent Mulgoa Village. The Western precinct are large rural residential allotments.	YES
	c) Ensure that the public domain is attractive, safe, interesting, connected, comfortable, readily understood and easily accessed;	The public domain within the proposal is an appropriate setting for a small subdivision within the rural setting of Mulgoa.	YES
	d) Ensure that the public domain is enhanced by the built form adjoining it; and	N/A	N/A
	e) Ensure that the principles of Universal Design are considered when designing the public domain.	Footpaths to be designed to provide accessible access.	YES
C10 10.2 Traffic	a) Provide safe and efficient travel	The access roads to the residential	YES

## Penrith Development Control Plan 2010: Compatibility Table

Management and Safety	routes for all vehicles in the Penrith LGA;	allotments within the proposal have been designed in accordance with Council and RMS requirements. The roads are designed in a safe and appropriate manner.	
	b) Reduce the number of vehicle and pedestrian accidents per capita;	The proposed upgrades to Mulgoa Road will improve conditions for right turning movements.	YES
	c) Ensure the safety of cyclists, pedestrians and passing traffic during construction of development;	A traffic management plan will be developed and implemented prior to the issuance of a construction certificate.	YES
	d) Cater for current and future growth of vehicle traffic usage;	The additional traffic generated from the development is minimal and adjoining road networks are within their capacity.	YES
	e) Encourage the orderly and economic provision of road and intersection works;	Noted	YES
	f) Ensure that existing roads and intersections are upgraded to provide a satisfactory level of service consistent with the volume and	Complies	YES
	g) Avoid new direct access to and from arterial, sub-arterial and other major roads.	Complies	YES
C10.6 Rural Roads	a) Rural roads are to achieve the following performance objectives:		
	i) Provide direct access to residential/rural properties and interconnectivity with the adjoining road network;	Direct access is provided to the residential allotments from the new roads that are proposed.	YES
	ii) Provide for all classes of heavy vehicles; and	Complies	YES
	iii) Provide lighting in accordance with relevant Australian Standards.	Complies	YES
	b) Roads are to be designed in accordance Penrith City Council's Engineering Design Guidelines and conditions of development consent with reference to Figure C10.6.	Complies	YES
	c) Further controls may be applied as part of a development consent based on the individual circumstances of any proposed layout with reference to the adjoining road network.	Noted	YES
C11 Subdivision	a) Consider and address the principles of sustainable development in determining the location, design and future use of subdivided	The EP & WP will enhance the prosperity of the Mulgoa area, with an emphasis on extending the existing qualities of the area through the retention of green buffers, clustering	



## Penrith Development Control Plan 2010: Compatibility Table

	land;	development, and integrating lot sizes with surrounding development for a consistent subdivision pattern.	
	b) Address the objectives and controls in this DCP relating to social, economic, environmental and built form principles to maximise sustainable development outcomes; and	<p>The EP and WP will obtain the principles of sustainable development through;</p> <ul style="list-style-type: none"> <li>▪ Social development which is achieved through providing a range of housing types to meet needs in housing markets, the protection of valued lifestyle, natural environment, and heritage values, community infrastructure provision, and support for local economic activity.</li> </ul> <p>Economic development through utilising the eastern precinct land to expand the Mulgoa Village, and the western precinct to expand existing rural development, for appropriate development of vacant land providing economic investment and growth opportunities. Environmental sustainability will be achieved by through environmental conservation areas, clustering development rather than a blanket subdivision, and maintaining a rural living quality.</p>	
	c) Provide efficient subdivision layouts that meet the needs of the proposed land uses and activities, and market requirements for those land uses/activities.	The subdivision of the Eastern and Western precinct will enable the Femhill Estate to continue to exist as an Estate. Preserving the rural, agricultural and heritage values the site offers. The Eastern precinct is an extension of the village of Mulgoa and the visual amenity from Mulgoa Road is preserved. The Western Precinct allotments are a typical size of surrounding properties within rural residential subdivision on Fairlight Drive and Nepean George Drive.	
11.1 Objectives	a) Addresses site planning principles in the design of any subdivision layout;	The site planning principles address the site planning principles described above.	YES
	b) Addresses environmental constraints, including flooding, slope and vegetation, and ensures that any future development will not be subject to an unacceptable level of risk from natural hazards;	The stormwater management and design addresses these constraints. The location of the residential precincts are to have a minimal impact on the existing ecological communities. The proposal has addressed the appropriate bushfire protection mechanisms within the proposal.	YES
	c) Adequately provides services to,	The rural residential allotments will	YES

## Penrith Development Control Plan 2010: Compatibility Table

	and mechanisms for effluent disposal from, any proposed allotment(s);	incorporate onsite sewage infiltration systems that are appropriate for location of the lots. Refer to the infrastructure Report provided by mott Macdonald to review the sewage disposal options.	
	d) Addresses any access and traffic constraints and maximises vehicle and pedestrian safety; and	Incorporated within the road design.	YES
	e) Reviews the likelihood of any Aboriginal archaeology present on the site and addresses this as part of the application.	The proposed western and eastern subdivision areas have a number of Aboriginal archaeological sites identified by an Austral Archaeology. These Aboriginal archaeological sites will be managed in accordance with the recommendations of the Austral Archaeology report, and a condition of consent is recommended in this regard. Note that the Aboriginal archaeological sites in the western area will not be affected by the proposed subdivision.	
C12 Noise and Vibration	The objective of this section is to ensure that future development that generates noise or vibration does not adversely affect the amenity of surrounding land uses.	The proposed activities within the Central precinct will be managed to preserve the amenity of surrounding land uses. The proposed residential subdivision is compatible with the surrounding context.	YES
C13 Infrastructure and Services	a) Ensure existing infrastructure and services, including easements, are taken into account in siting and designing any proposed development;	The Central Precinct will be serviced by temporary infrastructure facilities for the activities proposed.  The Eastern precinct can be serviced by underground electrical and telecommunication cables from Mulgoa Road. Sydney water can provide water and sewage disposal for the eastern precinct. The Western Precinct can be serviced by overhead cables. It is proposed that rainwater tanks provide potable drinking water and onsite infiltration for sewage disposal.	YES
	b) Ensure there is adequate provision of utilities and services to allotments to support any proposed development without significant additional burden on Council and utility providers;	The proposal can be serviced adequately by services further detailed design and correspondence is required prior to the issuance of a	YES
	c) Ensure on-site sewage management systems in the City's unsewered areas are sited, designed, constructed, operated and maintained to prevent risks to	Noted	YES

## Penrith Development Control Plan 2010: Compatibility Table

	public health and the environment;		
	d) Achieve set engineering and construction standards for infrastructure, which is provided either by Council or a private developer; and	Complies	YES
	e) Ensure social facilities are provided in a manner appropriate to the proposed development.	N/A	N/A
C13 13.2 Utilities and Services Provision	a) Ensure that development will not place unreasonable pressure on servicing authorities in terms of timing and extent of supply;	Servicing authorities have been consulted, further consultation and timeframes will be established prior to the issuance of a construction certificate.	YES
	b) Ensure that development will take place only where satisfactory arrangements are made with the servicing authorities; and	Noted	Yes
	c) Ensure that adequate consultation is carried out with the relevant servicing authorities during the formulation of development proposals.	Noted	YES
C13 Sewage	a) Prevent risk to public health – wastewater may contain bacteria, viruses, parasites and other disease-causing organisms. On-site SMS should be selected, sited, designed, constructed, operated and maintained so that contact with effluent is minimised or eliminated, particularly for children; residuals, such as composted material, are handled carefully; and treated sewage is not used on edible crops that are consumed raw.	The sewer absorption potential of the residential lots is illustrated on WE-0170 by Mott Macdonald. The design of the onsite SMS is not part of this application.	YES
	b) Protect land and vegetation - on-site SMS should not cause the deterioration of land and vegetation quality through soil structure degradation, salinisation, water logging, chemical contamination or soil erosion;	The sewage absorption beds are located in areas that will not degrade existing ecological communities' offsite.	YES
	c) Protect surface and ground waters - on-site SMS should not contaminate surface and ground waters as a result of flows from treatment systems and land application areas;	These measures will be addressed in later stage.	N/A
	d) Conserve and reuse resources - the resources in domestic wastewater (including nutrients, organic matter and water) should	The sewer absorption bed provides an opportunity for the re-use for domestic purposes.	YES



## Penrith Development Control Plan 2010: Compatibility Table

	be utilised as much as possible within		
	e) Protect community amenity - on-site SMS should not unreasonably interfere with the quality of life and, where possible, should add to local amenity.	The re-use will improve local amenity through enabling the landscape of lots to be maintained and vegetation to be provided with nutrients.	YES
E2 Mulgoa Valley	a) Conserve the rural landscape of the Mulgoa Valley;	The amalgamation of land within the CP will enable the continuing uses within the Fernhill estate, which includes equestrian activities and agistment of stock. The landscape will be preserved as part of the conservation management plan, through the mitigation of the noxious weeds and upkeep of the character of the landscape.	YES
	b) Protect the setting of the villages of Mulgoa and Wallacia within the rural landscape;	The village of Mulgoa will not be adversely affected by the proposal. The eastern precinct is a natural discrete extension of the village in keeping with the layout of the Mulgoa Village. Street planting and careful site planting will preserve the existing character.	YES
	c) Conserve heritage items and vistas within the Valley;	The heritage items within the Fernhill Estate will be preserved and maintained through implementation of the working masterplan and the formalisation of the heritage agreement.	YES
	d) Protect natural ecological elements within the Valley;	The amalgamation of land within the CP will enable the continuing uses within the Fernhill estate, which includes equestrian activities and agistment of stock. The landscape will be preserved as part of the conservation management plan, through the mitigation of the noxious weeds and upkeep of the character of the landscape.  The proposed Eastern and Western Precincts are designed to maintain and preserve the positive attributes of the natural landscape, through landscaping, buffering the existing vegetation and dedicating land for biobanking to preserve ecology.	YES
	e) Protect the agricultural capability of prime agricultural land; and	The subdivision of the East and West Precinct will reduce the amount of agricultural land within the Fernhill Estate, however the proceeds of the	YES

## Penrith Development Control Plan 2010: Compatibility Table

		subdivision	
	f) Ensure that development in the Valley is consistent with conserving its rural and natural landscape, heritage and agricultural qualities.	Within the proposal (CP, EP and WP) minimal vegetation is being removed. The only vegetation that is proposed to be removed is to accommodate the development of new roads and accommodate services to the residential allotments within EP and WP.	YES
B. Additional Objectives	a) Protect the surviving early colonial rural landscape from any further degradation;	The proposed subdivisions are considered to comply with the objective of this clause as they have been designed to complement the heritage significance of Fernhill and the heritage items in the vicinity. The subdivisions are both located outside the historical Fernhill land grant of 1810, the western subdivision of land which was once part of the historical lands of Fairlight, and the design and form of the subdivisions are designed to prevent adverse heritage impacts on heritage items in the vicinity through lot size,	YES
	b) Ensure development does not prejudice the remaining evidence of the Cox family's associations with the Valley, its houses and gardens;	The proposal ensures the preservation of the Fernhill Estate.	YES
	c) Preserve and enhance the visual relationship between the sites of Cox's Cottage, St Thomas's Church and Fernhill;	The amalgamation of the Central Precinct maintains the curtilage and landscape that enables the visual relationship between the Cox Cottage, St Thomas Church and Fernhill Estate.	YES
	d) Conserve the surviving structures, features and gardens at the major historic and archaeological sites;	An archaeological report has identified the major items and artefacts on site. These items have been preserved through the implementation of the working heritage masterplan.	YES
	e) Protect the visual catchments of heritage items by appropriately siting development having regard to the significance of the setting;	The proposed subdivisions are considered to comply with the objective of this clause as they have been designed to complement the heritage significance of Fernhill and the heritage items in the vicinity. The subdivisions are both located outside the historical Fernhill land grant of 1810, the western subdivision of land which was once part of the historical lands of Fairlight, and the design and form of the subdivisions are designed to prevent adverse heritage impacts on heritage items in	YES

## Penrith Development Control Plan 2010: Compatibility Table

		the vicinity through lot size, incorporation of parkland setting, setbacks and retention of Cumberland Plain Woodland.	
	f) Prevent development within the historic landscapes and curtilages of heritage items which may detract from the significance of those sites; and	No building or permanent structures are proposed within the landscape or curtilages of the heritage items within the Fernhill Estate.	YES
	g) Prevent any activity which could destroy the potential archaeological resources of any heritage items.	The archaeological sites affected by the proposal are the site of the remains of a slab hut, and several Aboriginal archaeological sites in the proposed eastern subdivision area. These archaeological sites will be managed in accordance with the recommendations of an Austral Archaeology report, and a condition of consent is recommended in this regard.	YES
2.2.2 Siting Objectives	In addition to the general objectives for Mulgoa Valley, the objective of this section is to ensure that buildings are sited to protect and enhance the rural and natural landscape of the Valley, particularly when viewed from roads and other public places.	N/A	N/A
2.2.4	In addition to the general objectives for Mulgoa Valley, the objective of this section is to protect and enhance existing indigenous vegetation and historic introduced vegetation that contributes to the Valley's rural and natural landscape and its heritage values.	The amalgamation of the Central precinct (Approx 400 ha) will ensure the preservation of the existing indigenous vegetation. The historic landscape is preserved through the implementation of the heritage masterplan. The residential subdivisions within the East and West Precinct are minimal and will have minimal impact on existing eco-communities.	YES
2.2.5	In addition to the general objectives for Mulgoa Valley, the objective of this section is to ensure the visual impact of access roads, parking areas and services is minimised.	Access roads are minimised through street planting and only temporary parking is provided within the Central parking.	YES
2.2.6	In addition to the general objectives for Mulgoa Valley, the objective of this section is to ensure fences, gates and entrances are in harmony with the existing landscape and character of the Mulgoa Valley Precinct.	The entrances to the proposed Fernhill Estate will remain with the current character and setting.	YES
2.3 Controls relating to natural hazards or other constraints	a) Protect the present rural character and function of Mulgoa Road; and	The proposed intersection upgrades of Mulgoa Road are consistent in character with other interactions along Mulgoa Road including BAL	YES



## Penrith Development Control Plan 2010: Compatibility Table

		intersections at the Glenmore Golf Course and the Neapean Christian School bot located north of the site, and a BAR intersection at the Electrical substation north of the site.	
	b) Ensure any new development does not impact on the safety and efficiency of Mulgoa Road.	The proposed works on Mulgoa Road are minimal and will not change the function of the road.	YES