

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA15/0396
Proposed development:	Rural Shed
Property address:	9 - 13 Garswood Road, GLENMORE PARK NSW 2745
Property description:	Lot 4210 DP 1150762
Date received:	28 April 2015
Assessing officer	Mathew Rawson
Zoning:	E4 Environmental Living - LEP 2010
Class of building:	Class 10a
Recommendations:	Approve

Executive Summary

Council is in receipt of a development application for a rural shed at 9-13 Garswood Road, Glenmore Park. The subject site is zoned E4 - Environmental Living under the Penrith Local Environmental Plan 2010. In the E4 zone farm buildings are not a permissible use however given the limited capacity of the site for agricultural use and that the use of the shed will be for the storage of bulky household goods and property maintenance machinery only. As such it is considered that the land use is better described as being ancillary to the existing dwelling and as such is permissible with consent.

Key issues identified for the proposed development and site include:

- The shed is proposed to be ancillary to the dwelling currently under construction on the site. Accordingly a condition of consent has been imposed which requires that the Occupation Certificate for the dwelling be obtained prior to the issue of an Occupation Certificate for the shed.
- The siting of the shed conflicts with the approved onsite sewerage management system (OSSMS) for the dwelling. Accordingly an Onsite Wastewater Assessment was submitted which proposed a revised OSSMS for the dwelling. This OSSMS was reviewed by Council's Environmental Health Officer and found to be acceptable. Accordingly the revised OSSMS will be approved as part of the subject application. A memorandum will be prepared to advise Council's certification team of the change to the OSSMS.
- The numerous design variations to Council's controls for rural sheds. These variations are considered to be acceptable given the lack of visibility from public places or other allotments as well as the numerous examples of similar sized structures of similar design.

A previous application for a farm building (not ancillary to a dwelling) was previously notified to adjoining and adjacent neighbours and attracted one submission in objection. This application was not supported by Council and subsequently withdrawn. The subject application was not notified as it is proposed as being ancillary to the dwelling under construction on the subject site and therefore the no additional land uses are being proposed which does not require notification in Council's DCP 2014. However the concerns raised in the objection to the previous application remain pertinent and have been considered in the assessment of the application.

An assessment under Section 79C of the Environmental Planning and Assessment Act 1979 has been undertaken and the application is recommended for approval, subject to recommended conditions.

Site & Surrounds

The subject site is situated on the northern side of Garswood Road approximately 90 m west of the intersection with The Northern Road. It is 8570 sqm in area, is orientated in a north-south, direction and has a gentle slope from the rear to the street with a dam located in the south western corner.

A large dwelling and swimming pool is currently being constructed on the site.

The surrounding area is characterised by residential development on rural/ residential sized lots.

Proposal

The proposal is for the construction of a new metal shed to provide storage for the owner's items listed below:

- Trailers
- Motorbikes
- Truck
- Ride on mower, and
- General property maintenance equipment

The proposed shed is 18.0 m by 12.0 m, resulting in a floor area of 216.0 sqm. The shed's overall height is 6.52 m with a maximum wall height of 5 m.

Plans that apply

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2010
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Planning Assessment

• Section 79C - Evaluation

The development has been assessed in accordance with the matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following issues have been identified for further consideration:

Section 79C(1)(a)(i) The provisions of any environmental planning instrument

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

An assessment has been undertaken of the application against relevant criteria within Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997) and the application is satisfactory subject to recommended conditions of consent.

Local Environmental Plan 2010 (Amendment 4)

Provision	Compliance
Clause 1.2 Aims of the plan	Complies
Clause 2.3 Permissibility	Complies
Clause 2.3 Zone objectives	Complies
Clause 4.3 Height of buildings	Complies
Clause 7.1 Earthworks	Complies
Clause 7.4 Sustainable development	Complies

Section 79C(1)(a)(iii) The provisions of any development control plan

Development Control Plan 2010

Provision	Compliance
Part B - DCP Principles	Complies
Part C 1 - Site planning and design principles	Complies
Part C2 - Vegetation management	Complies
Part C3 - Water management	Complies
Part C4 - Land management	Complies
Part C5 - Waste management	Complies
Part C6 - Landscape design	Complies
Part C7 - Culture and heritage	N/A
Part C8 - Public domain	N/A
Part C9 - Advertising and signage	N/A
Part C10 - Transport, access and parking	Complies
Part C11 - Subdivision	N/A
Part C12 - Noise and vibration	N/A
Part C13 - Infrastructure and services	Complies - see Appendix - Development Control Plan Compliance
Part D1, Chapter 1.1 - Rural character	Complies
Part D1, Chapter 1.2 - Rural dwellings and outbuildings	Complies - see Appendix - Development Control Plan Compliance
Part D1, Chapter 1.3 - Farm buildings	Does not comply - see Appendix - Development Control Plan Compliance
Part D1, Chapter 1.4 - Agricultural development	N/A
Part D1, Chapter 1.5 - Non-agricultural development	N/A

Section 79C(1)(a)(iv) The provisions of the regulations

Prescribed Conditions

The relevant prescribed conditions of the Regulations, such as the requirement for compliance with the BCA, will be imposed as conditions of consent where applicable.

As such subject to the recommended conditions of consent, the proposed development complies with the requirements of the Regulations.

Section 79C(1)(b) The likely impacts of the development

Impacts raised in referral comments

No issues of concern raised, subject to the imposition of recommended conditions of consent.

Other impacts identified in assessment

Subject to the recommended conditions of consent, it is not considered that the proposal will result in any significant impacts on the natural, social or economic environments of the locality due to its scale, location and consistency with surrounding uses.

Section 79C(1)(c) The suitability of the site for the development

The subject site is deemed suitable for the following reasons:

- The zoning permits the proposed use.
- The use is consistent and compatible with surrounding/adjoining land uses.
- The grade of the site is suitable for the design proposed.
- Stormwater from the site is able to drain to Council's satisfaction.
- The site is adequately serviced by access, water and sewer infrastructure which has the capacity to cope with any increase in demand associated with the proposed development.
- Recommended conditions of consent will ensure that the proposal will have minimal effects on the surrounding environment during the construction stage.

Section 79C(1)(d) Any Submissions

Community Consultation

The proposed development does not require notification as it is proposed as being ancillary to the dwelling under construction on the subject site. Therefore the proposed land use remains as a single dwelling which does not require notification in Council's DCP 2014.

However a previous application for a farm building (not ancillary to a dwelling) was previously notified to adjoining and adjacent neighbours and attracted one submission in objection. This application was not supported by Council and subsequently withdrawn on the basis that no dwelling house was approved on site. The concerns raised in the objection to the previous application remain pertinent and have been outlined below.

Submissions

The following issues were raised in the submission received and have formed part of the assessment.

<i>Issue Raised</i>	<i>Comments</i>
Does the shed comply with height controls?	The shed will comply with both the maximum height of building's control (8.5 m under LEP 2010) as well as the maximum wall height control (5 m under DCP 2014)
Can any colours be used?	There is no control regarding the colour scheme for rural sheds. The applicant has advised that the shed will be shale grey which is a recessive colour consistent with the colour scheme of the approved dwelling.
Landscaping should be included in conditions of consent.	Amended plans were required which included a row of 14 trees to be planted along the northern boundary to screen the proposed shed and soften its visual impact.

Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Environmental - Environmental management	No objections - subject to conditions

Section 79C(1)(e)The public interest

The proposed development will not generate any significant issues of public interest.

Conclusion

Subject to the recommended conditions of consent the proposal is considered to be consistent with the relevant sections of the Environmental Planning and Assessment Act 1979, the relevant State Environmental Planning Policies, the relevant Local Environmental Plan and the Penrith Development Control Plan 2014 because it does not contravene any development standards and will not result in any significant impacts on the natural, social or economic environments.

The site is suitable for the proposed development, the proposal does not conflict with the public interest, and there is unlikely to be negative impacts arising from the proposed development. Accordingly, the application is worthy of support and recommended for approval, subject to recommended conditions.

Recommendation

1. That DA15/0396 for a rural shed at 9-13 Garswood Road, Glenmore Park, be approved subject to the attached conditions.
2. That the persons who made a submission on DA14/1217 are notified of the determination.
3. That a memorandum be prepared for Council's Certification team advising of the required changes to the dwellings OSSMS.

General

1 [A001](#)

The development must be implemented substantially in accordance with the plans stamped approved by Council, the application form, and any supporting information received with the application, except as may be amended in red on the approved plans and by the following conditions.

2 [A008 - Works to BCA requirements \(Always apply to building works\)](#)

The work must be carried out in accordance with the requirements of the Building Code of Australia. If the work relates to a residential building and is valued in excess of \$20,000, then a contract of insurance for the residential development shall be in force in accordance with Part 6 of the Home Building Act 1989.

{Note: Residential building includes alterations and additions to a dwelling, and structures associated with a dwelling house/dwelling such as a carport, garage, shed, rural shed, swimming pool and the like}.

3 [A019 - OCCUPATION CERTIFICATE \(ALWAYS APPLY\)](#)

The development shall not be used or occupied until an Occupation Certificate has been issued.

4 [A020 - Use of building](#)

The building shall not be used under any circumstances for any commercial, industrial or habitable residential activity.

5 [A046 - Obtain Construction Certificate before commencement of works](#)

A **Construction Certificate** shall be obtained prior to commencement of any building works.

6 [A Special \(driveway\)](#)

Prior to the issue of an Occupation Certificate, stabilised access shall be provided from the driveway approved under DA15/0274 to the shed. No additional vehicle connections to Garswood Road or other allotments are permitted. Any vehicular access to the shed shall be setback a minimum of 2m from the approved on-site sewerage management (OSSM) system.

7 [A Special \(OC for dwelling prior to OC for shed\)](#)

Prior to the issue of an Occupation Certificate for the shed, an Occupation Certificate for the dwelling approved under DA15/0274 shall be issued.

Environmental Matters

8 [D001 - Implement approved sediment& erosion control measures](#)

Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

9 [D002 Spraygrass](#)

All land that has been disturbed by earthworks is to be spray grassed or similarly treated to establish a grass cover.

10 **D007 - Cut and fill of land requiring Validation Certificate –limited to footprint**

Cut and fill operations on the property are only permitted in conjunction with the building works as detailed on the approved plans and specifications, and shall not extend more than 2 metres past the defined building footprint.

Before any fill material is imported to site, a validation certificate issued by an appropriately qualified person is to be provided to the Principal Certifying Authority. The validation certificate must demonstrate that the fill material is free from contaminants and weeds, that it is suitable for its intended purpose and land use, and that it will not pose an unacceptable risk to human health or the environment.

If Penrith City Council is not the Principal Certifying Authority, a copy of the validation certificate is to be submitted to Council for their reference.

{Note: Penrith Contaminated Land Development Control Plan defines an appropriately qualified person as “a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance.”}

11 **D009 - Covering of waste storage area**

All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

12 **D010 – Appropriate disposal of excavated or other waste**

All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

BCA Issues

13 **E001 - BCA compliance**

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

(a) complying with the deemed to satisfy provisions, or

(b) formulating an alternative solution which:

- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or

(c) a combination of (a) and (b).

Construction

14 H001 - Stamped plans and erection of site notice

Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details is to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the Occupation Certificate has been issued for the development.

15 H002 - All forms of construction

Prior to the commencement of construction works:

(a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by the council, or
- alternatively, any other sewage management facility approved by council.

(b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

(c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

(d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:

- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
- the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
- any such hoarding, fence or awning is to be removed when the work has been completed.

16 [H041 - Hours of work \(other devt\)](#)

Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm, if inaudible on neighbouring residential premises, otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy that do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

Engineering

17 [K Special - K041 \(Infrastructure restoration bond\) \(not adopted by Council. Used by planners\)](#)

An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Council's Public Infrastructure Assets. The bond is to be lodged with Council **prior to the issue of a Construction Certificate**. The bond shall be determined in accordance with Council's adopted Fees and Charges.

The bond is refundable once a final inspection has been carried out by Council's City Works Department and the works have been completed to Council's satisfaction. The bond may be used to repair or reinstate any damage that occurs to Council's Public Infrastructure Assets as a result of the development works.

Contact Council's City Works Department on 4732 7777 or visit Council's website to obtain the form and request for final inspection.

Landscaping

18 [L000 Special \(Species List\)](#)

The proposed tree planting along the northern boundary shall be selected from the following species list:

- Capital Pear; or
- Black Plum; or
- Golden Elm.

Any alternate species of tree proposed to be planted in lieu of the above, must be first approved by Council.

19 [L001 - General](#)

All landscape works are to be constructed in accordance with the stamped approved plans and Sections F5 "Planting Techniques", F8 "Quality Assurance Standards" and F9 "Site Management Plan" of Penrith Council's Landscape Development Control Plan.

Landscaping shall be maintained:

- in accordance with the approved plan, and
- in a healthy state, and in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity as the vegetation which died or was removed.

20 [L002 - Landscape construction](#)

The approved landscaping for the site must be constructed by a suitably qualified landscape professional.

21 L003 - Report requirement

The following series of reports relating to landscaping are to be submitted to the nominated consent authority at the appropriate time periods as listed below. These reports shall be prepared by a suitably qualified landscape professional.

i. Implementation Report

Upon completion of the landscape works associated with the development and prior to the issue of an Occupation Certificate for the development, an Implementation Report must be submitted to the Principal Certifying Authority attesting to the satisfactory completion of the landscaping works for the development. The report is to be prepared by a suitably qualified landscape professional.

An Occupation Certificate should not be issued until such time as a satisfactory Implementation Report has been received. If Penrith City Council is not the Principal Certifying Authority, a copy of the satisfactory Implementation Report is to be submitted to Council together with the Occupation Certificate for the development.

ii. Maintenance Report

On the first anniversary of the date of the Occupation Certificate issued for the development, a Landscape Maintenance Report is to be submitted to Penrith City Council certifying that the landscape works are still in accordance with the development consent and the plant material is alive and thriving.

This report is to be prepared by a suitably qualified landscape professional.

22 L005 - Planting of plant

All plant material associated with the construction of approved landscaping is to be planted in accordance with the Tree Planting Specification prescribed in Penrith Council's Landscape Development Control Plan.

23 L006 - Aust Standard

All landscape works are to meet industry best practice and the following relevant Australian Standards:

- AS 4419 Soils for Landscaping and Garden Use,
- AS 4454 Composts, Soil Conditioners and Mulches, and
- AS 4373 Pruning of Amenity Trees.

Certification

24 Q01F - Notice of Commencement & Appointment of PCA2 (use for Fast Light only)

Prior to the commencement of any earthworks or construction works on site, the proponent is to:

- (a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
- (b) submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

25 Q05F - Occupation Certificate for Class10

An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the use of the shed.

The Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding.

A copy of the Occupation Certificate and all necessary documentation supporting the issue of the Certificate is to be submitted to Penrith City Council, if Council is not the Principal Certifying Authority.

Operation of OSSM

26 R001 Special (OSSMS replaces previous DA)

The proponent is advised that the approved Onsite Sewerage Management System is to replace that approved under DA15/0274.

27 **R101 - Operational Approval prior to use**

The on-site sewage management (OSSM) system shall be installed and operated in accordance with the recommendations contained in the Wastewater Report "On-Site Wastewater Assessment For Proposed Residential Dwelling on 9-17 Garswood Road, Glenmore Park (Ref: 1331ww Amended 26 June 2015) , prepared by Harris Environmental Consulting, dated 26 June 2015, and the conditions of this consent.

Prior to the issue of the Occupation Certificate and before the OSSM system can be used, an 'Approval to Operate' for the OSSM system is to be sought from and issued by Penrith City Council.

28 **R102 - OSSM System Type and Disposal Area (all systems)**

All wastewater generated on the site is to be diverted to an aerated wastewater treatment system and be disposed of by way of surface and sub-surface irrigation in the approved effluent management area. The effluent management area is to be located in accordance with the stamped approved Wastewater Report "On-Site Wastewater Assessment For Proposed Residential Dwelling on 9-17 Garswood Road, Glenmore Park (Ref: 1331ww Amended 26 June 2015) , prepared by Harris Environmental Consulting, dated 26 June 2015, and have a minimum total area of 970m² (comprising 654m² spray irrigation and 316m² subsurface irrigation).

The system and effluent management area are to be installed and managed in accordance with the:

- "Environmental and Health Protection Guidelines On Site Sewage Management for Single Households"
- Australian Standards AS 1547:2012,
- Council's On-Site Sewage Management and Greywater Reuse Policy,
- the Wastewater Report "On-Site Wastewater Assessment For Proposed Residential Dwelling on 9-17 Garswood Road, Glenmore Park (Ref: 1331ww Amended 26 June 2015) , prepared by Harris Environmental Consulting, dated 26 June 2015,

The system is to be utilised for a 6 bedroom dwelling or daily wastewater load of 1050 litres in accordance with the stamped approved Wastewater Report "On-Site Wastewater Assessment For Proposed Residential Dwelling on 9-17 Garswood Road, Glenmore Park (Ref: 1331ww Amended 26 June 2015) , prepared by Harris Environmental Consulting, dated 26 June 2015. Any dwelling approval on the site greater than this may require a new wastewater report for Council's consideration.

29 **R107 - AWTS - Irrigation pipework (surface or sub-surface)**

All irrigation pipework and fittings shall comply with AS2698 "Plastic Pipes and Fittings for Irrigation and Rural Applications". In this regard:

- the irrigation system is not to be connected to/not capable of connection to the mains water supply,
- standard household fittings, soaker hoses, garden sprinklers and standard water hose fittings are not to be used,

Surface -

- all distribution lines of the irrigation system to any standpipe shall be buried to a minimum 100mm below finished surface level,
- spray irrigation equipment connected to distribution lines shall be fixed, and
- spray irrigation shall only use low pressure, low volume spray heads which are not capable of producing aerosols. The spray shall have a maximum plume height 400mm and a plume radius of not more than 2 metres.

Sub surface -

- sub-surface drip irrigation lines are also to be installed in accordance with AS 1547:2012 and are to evenly distribute treated effluent over the designated disposal area, and
- all subsurface drip irrigation is to be buried within a minimum of 250mm of topsoil in accordance with AS 1547:2012. Mulch is not to be used as part of the minimum top soil requirement.

Appendix - Development Control Plan Compliance

Development Control Plan 2010

Part C - Controls applying to all land uses

C13 Infrastructure and Services

The siting of the shed conflicts with the approved onsite sewerage management system (OSSMS) for the dwelling. Accordingly an Onsite Wastewater Assessment was submitted which proposed a revised OSSMS for the dwelling. This OSSMS was reviewed by Council's Environmental Health Officer and found to be acceptable. Accordingly the revised OSSMS will be installed for the dwelling. Council's Building Surveyor responsible for the dwelling's approval has been advised of the change to the OSSMS.

D1 - Rural land uses

Part D1, Chapter 1.3 Farm Buildings

The DCP states that *"the controls for farm buildings also apply to all sheds and outbuildings ancillary to any permissible use of rural land (specific to the relevant zone), whether or not that use is considered an agricultural use."* Although the shed is considered to be ancillary to the dwelling on site and not a separate land use itself, it still must comply with the relevant controls of this section.

The application does not comply with the following controls of this DCP section:

- For allotments 3 hectares in size or less, the maximum accumulative building footprint of all farm buildings on an allotment shall not exceed 200 sqm - The shed's floor area of 216 sqm does not comply.
- The design of farm buildings should comprise traditional roof shapes to provide visual relief to the building, reduce the buildings dominance over its setting and to provide interest and character to the locality - Low pitch gable roof, does not comply.
- Farm buildings shall have a minimum roof pitch of 15° and a maximum roof pitch of 25° - Low pitch gable roof, does not comply.
- The construction of farm buildings should utilise a range of materials to aid in the articulation of the building form - Colourbond steel used exclusively, does not comply.

Despite these variations to controls of the DCP the proposal is considered to be satisfactory given the lack of visibility from public places, or other allotments, as well as the numerous examples of similar sized structures of similar design. Additionally the proposal has displayed considerable regard for the other controls relevant to the design of the shed such as maximum height, wall height, setbacks, use of colours, use of landscaping to screen the the shed from adjoining northern and western neighbours and orientation of the shortest facade to the most important public viewshed (being the Northern Road to the east). The proposed development's compliance with these controls as well as its siting behind the dwelling and additional landscape planting, significantly reduces perceptions of its bulk and scale as well as minimizes its visual prominence.