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STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED DWELLING HOUSE
44A MAYFAIR RD, MULGOA

JULY 2019

cityscape planning + projects

abn: 37 089 650 386

phone: 4739 3374

fax: 4739 3408

mobile: 0408 866913

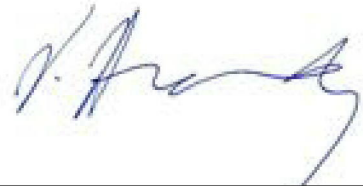
email: cityscape@cityscape.net.au

www.cityscape.net.au

post: PO Box 127

Glenbrook NSW 2773

This report has been prepared by:



Vince Hardy BTP, RPIA
URBAN PLANNING CONSULTANT



cityscape planning + projects, 2019

This report is provided to accompany a Development Application to be lodged on the subject land and is to be used for that purpose solely and for the client exclusively. No liability is extended for any other use or to any other party. Whilst the report is derived in part from our knowledge and expertise, it is based on the conditions prevailing at the time of the Report and upon the information provided by the client.

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1.0 INTRODUCTION

Cityscape Planning + Projects has been engaged by the owner of the subject site to prepare a Statement of Environmental Effects to accompany a Development Application to be lodged on the subject site.

The report has been compiled, through on ground investigations, research, analysis and discussions with planning officers from *Penrith City Council* and is to be read in conjunction with the accompanying plans and reports.

2.0 THE SUBJECT SITE

2.1 SITE LOCATION + DESCRIPTION

The subject site is a large irregular shaped parcel of land located on the southern side of Mayfair Rd, approximately 1km west of its intersection with Mulgoa Rd. A Figure plan showing the locality of the site is provided at Figure 1.

The site has historically formed part of the *Fernhill Estate*, however has been dislocated from that broader land holding in recent years. The site is known as 44A Mayfair Rd, Mulgoa but has the following real property description:

Lots: 12 **DP:** 610186

Figure 2 and 3 provide a cadastral plan and aerial photo of the site.

FIGURE 1: LOCATION OF SITE

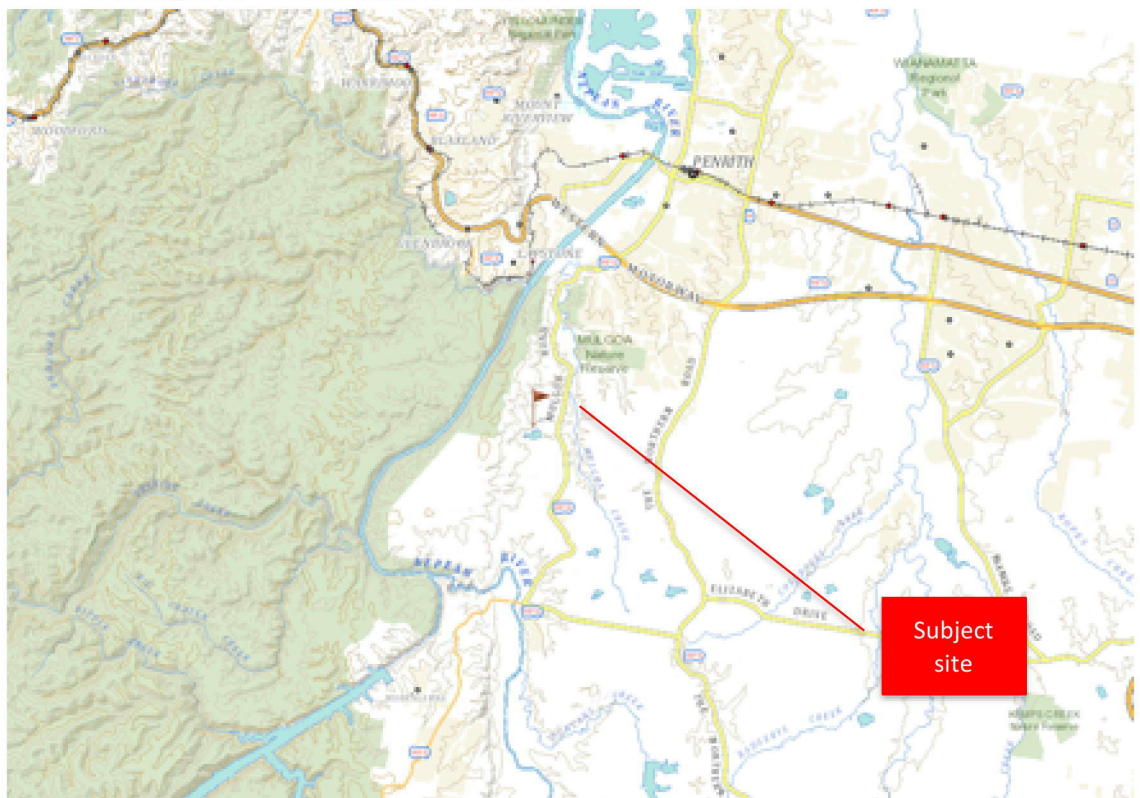


FIGURE 2: CADASTRAL + TOPOGRAPHIC PLAN

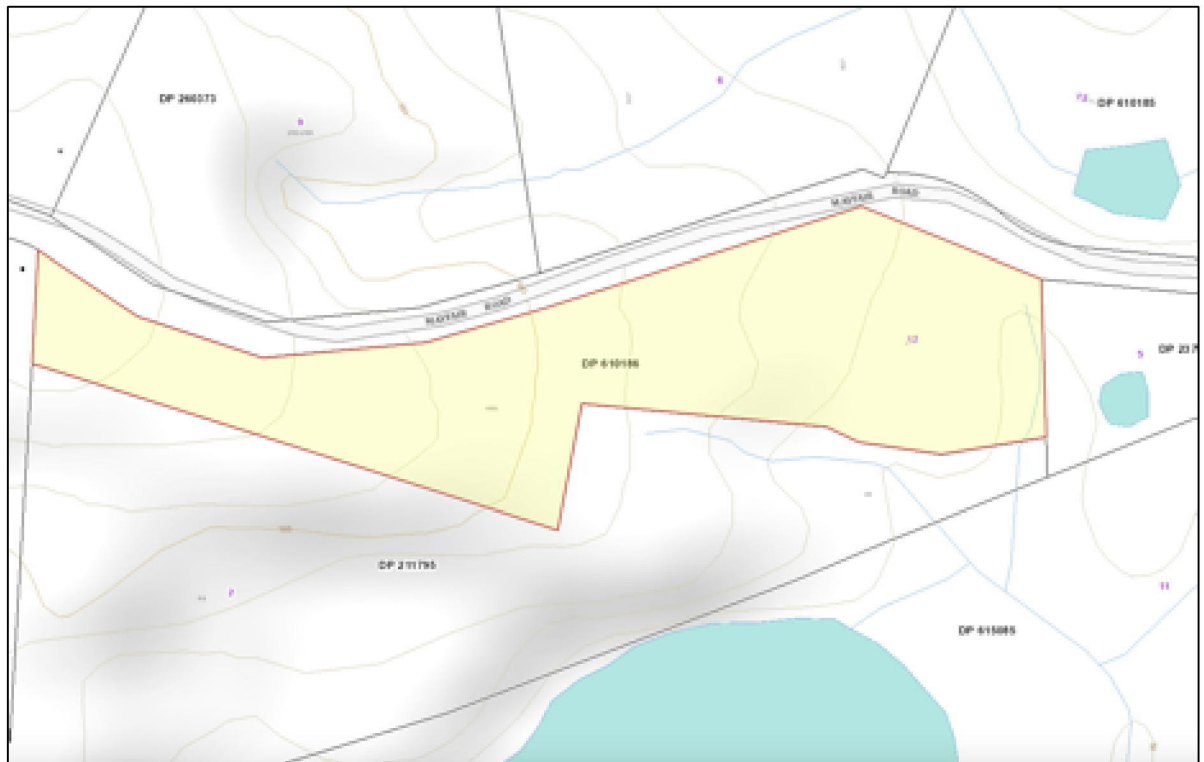


FIGURE 3: AERIAL PHOTO



2.2 TOPOGRAPHY + DRAINAGE

The site is located within a topography of low rolling hills and undulations and slopes down from a high point at the north western corner to a low point at the south eastern corner.

The topography of the site is represented at Figure 2 whilst contours and spot levels are also provided on the accompany development plans.

The majority of the site does not accommodate any drainage lines or water bodies, however the very eastern section of the site does accommodate a drainage line that drains to a large rural type dam located to the south of the site. The location of these drainage features is represented at Figure 2-3.

2.3 FLORA + FAUNA

The site has experienced some clearing as part of previous development and land use. However, the site still accommodates a good coverage of remnant bushland vegetation across its full extent.

The extent of vegetation coverage can be seen in the aerial photos provided at Figures 3 and photos provided at Figures 4-5.

A detailed flora and fauna review accompanies the Development Application and demonstrates that the vegetation on site is Cumberland Plain Woodland listed as a critically endangered ecological community (CEEC) under the Biodiversity Conservation Act.

FIGURE 4: VIEW OF SITE FROM MAYFAIR RD



FIGURE 5: CLEARED AREA TO ACCOMMODATE PROPOSED DWELLING



2.4 ABORIGINAL & EUROPEAN HERITAGE

A search of Council and NSW databases has confirmed that both the subject site and adjacent lands are identified as being heritage items under both local and state listings. However, the site is not identified as containing any identified items of Aboriginal heritage. Written confirmation of the absence of Aboriginal heritage is provided at Annexure A.

2.5 SERVICES & INFRASTRUCTURE

The site enjoys access to *Sydney Waters* reticulated water but not sewer services. Power and communication services are also available to the site.

2.6 ADJACENT DEVELOPMENT

The site is located within a rural type environment and therefore adjoins rural type dwellings to the north and east. This development land fragmentation pattern is evident at the cadastral plan provided at Figure 6.

2.7 HAZARDS & NUISANCE

The site is also identified as being bushfire prone land on the relevant Council map. An extract of that map is provided at Figure 7. Accordingly a bushfire assessment accompanies the development proposal and demonstrates it achieves the requirements of *Planning for Bushfire Protection 2006*.

FIGURE 6: LOCAL DEVELOPMENT AND SUBDIVISION PATTERN



FIGURE 7: COUNCIL BUSHFIRE MAP



3.0 DEVELOPMENT PROPOSAL

The applicant seeks Council consent for the erection of dwelling house at the north-western corner of the site.

The proposed dwelling is single storey structure that provides five (5) bedrooms together with living areas and three (3) car garage.

It is proposed to be finished in a mix of materials and finishes but primarily a mix of rendered painted finishes and a metal roof.

Vehicle access to the site is proposed via a driveway provide off Mayfair Rd and the dwelling will also be accompanied by an On Site Waste Water Management System.

4.0 STATUTORY SITUATION

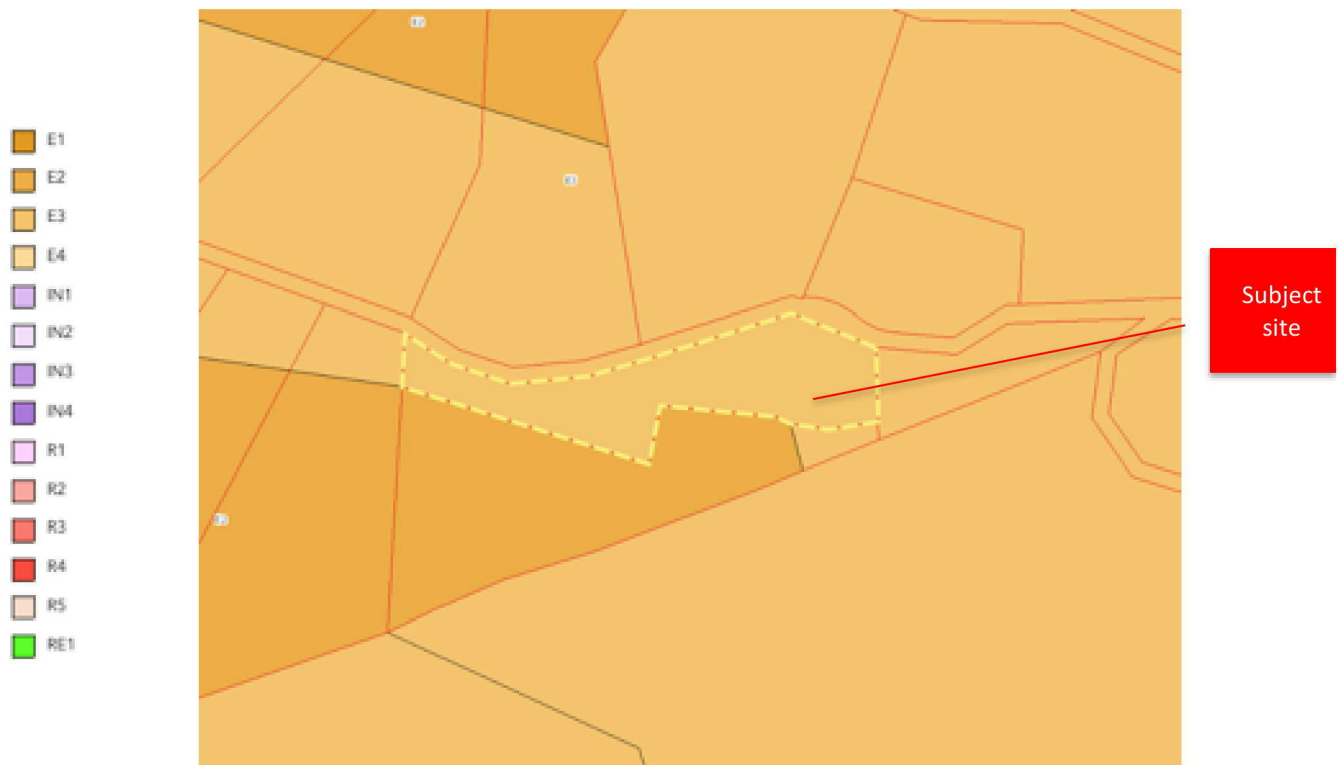
4.1 ZONING

The subject site is zoned E3 Environmental Management pursuant to Penrith Local Environmental Plan (PLEP) 2010. An extract of that zoning map is provided at Figure 8.

4.2 PERMISSIBILITY OF DWELLING

Clause 2.3 of Penrith LEP 2014 references a land use table that identifies a dwelling house as permissible land use in the zone. Council can therefore approve the development proposal.

FIGURE 8: PENRITH ZONING MAP



5.0 PLANNING ASSESSMENT

5.1 THE PROVISION OF ANY ENVIRONMENTAL PLANNING INSTRUMENT

5.1.1 SEPP No 55 – REMEDIATION OF LAND

The object of this Policy is to provide for a State wide planning approach to the remediation of contaminated land. In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:

- (a) by specifying when consent is required, and when it is not required, for a remediation work, and
- (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and
- (c) by requiring that a remediation work meet certain standards and notification requirements

Previous and existing use of the site does not provide any land use or activity that would give rise to any potential for contamination.

5.1.2 SREP N0.20 – HAWKESBURY NEPEAN

Sydney Regional Environmental Plan No 20 (SREP 20) is in place to protect the environment of the Hawkesbury-Nepean River system by

ensuring that the impacts of future land uses are considered in a regional context.

It seeks to achieve this by providing a series of strategies and planning controls that all development must be considered against.

The proposed development is not in conflict with this objective, and it is considered that any risks relating to the protection of the Hawkesbury-Nepean River system would be considered and addressed through the implementation of any conditions of consent relating to erosion and sediment control, and stormwater runoff mitigation.

5.1.3 PENRITH LEP 2010

The relevant provisions of the Penrith LEP 2010 are provided below together with an assessment of the development against those provisions.

PART 2 PERMITTED OR PROHIBITED DEVELOPMENT

2.3 Zone objectives and land use table

Zone E3 Environmental Management

1 Objectives of zone

- ***To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.***
- ***To provide for a limited range of development that does not have an adverse effect on those values.***
- ***To minimise conflict between land uses within the zone and land uses within adjoining zones.***

- *To ensure development is compatible with the environmental capabilities of the land and does not unreasonably increase the demand for public services or public facilities.*
- *To preserve and improve natural resources through appropriate land management practices.*

COMMENT:

The site accommodates important ecological values such as bushland and a natural drainage lines and adjoins lands with cultural heritage values. However, the development proposal seeks to provide the dwelling in that part of the site that will cause the least disturbance to those natural and cultural assets.

The development also provides on-site waste water management and bushfire hazard measures that ensures that it is compatible with the environmental capacity of the land.

The development provides limited potential to cause land use conflict in the local or broader area.

The development is therefore considered to cause no inconsistency with the zone objectives.

PART 5 MISCELLANEOUS PROVISIONS

5.10 Heritage conservation

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Penrith,**

(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

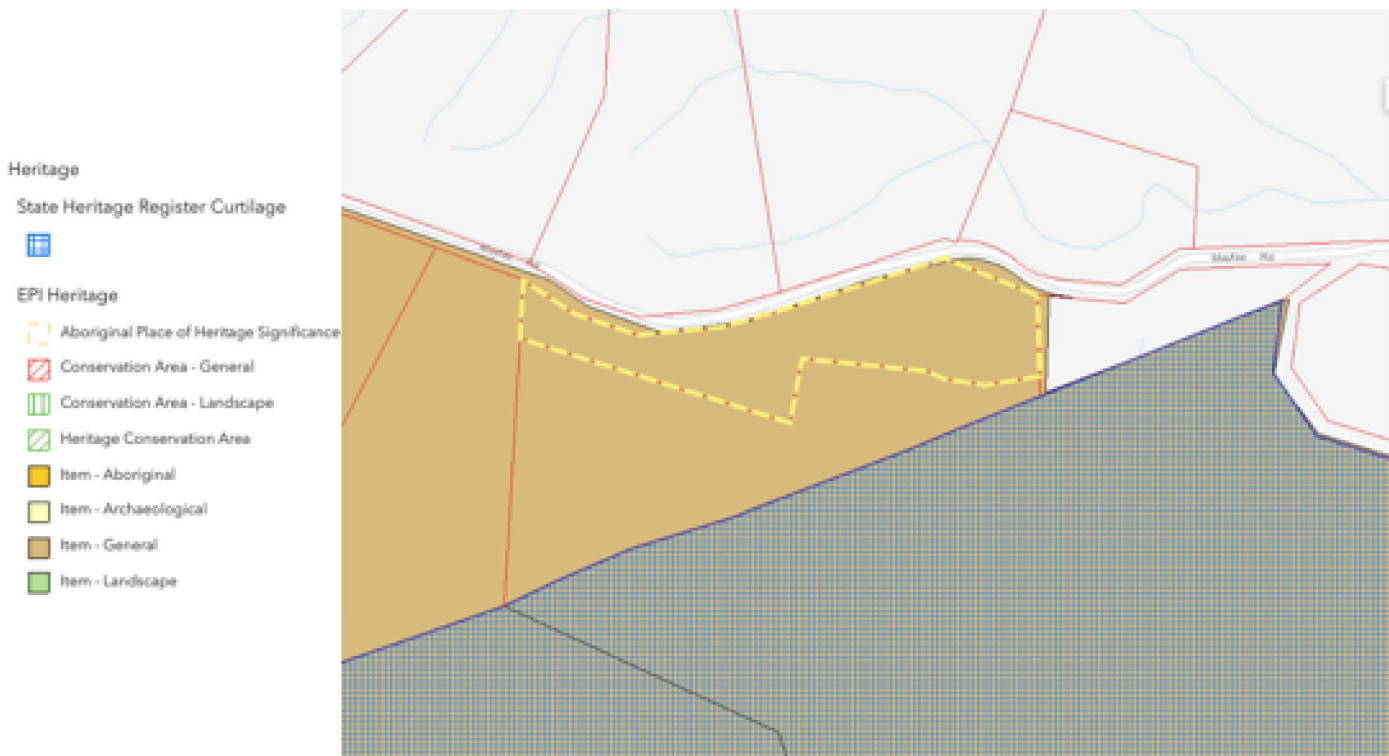
(c) to conserve archaeological sites,

(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

The site is identified as being a local heritage item at Schedule 5 of PLEP and adjoining a State listed Heritage Item. An extract of the relevant Heritage Map is provided at Figure 9 and identified both these listings.

The State Heritage Inventory (SHI) listing provides the following statement of significance for these items.

FIGURE 9: PLEP HERITAGE MAP



Significance: Local

Fernhill, Curtilage - 873

Significance: State

***Fernhill – House, Outbuildings, Landscape and Curtilage
Kenilworth”, dwelling and trees -128***

The importance of Fernhill as a group of related sites (along with St. Thomas' Church, Mulgoa, and the Cottage, Mulgoa) is twofold: the landscape is exceptionally significant in its own right irrespective of the buildings, and is as important as the architectural, historic and visual relationships of the buildings themselves. This group of three sites retain their original visual relationship to each other and demonstrating the ambitions and changes in wealth and status of an important early colonial family (the Coxes) from 1810-1880s. The landscape between the Cottage, the Church and Fernhill has remained virtually unaltered since the 1850s. This landscape is a unique piece of evidence of a very rare attitude in the mid-nineteenth century towards the natural environment. Fernhill's landscape extends generally from Mulgoa Creek in the east to beyond the ridge of bush behind Fernhill house in the west, from Littlefields Creek in the south to Mayfields Road in the north. Fernhill setting is an extensive area of modified landscape providing a picturesque approach to the historic Homestead. The landscape is significant for the high degree of creative design achievement, attributed to the original owner, Edward Cox. It is historically significant for the following reasons: - the landscape is a rare Australian example of the English landscape school's design technique which modified existing landscapes to create a romanticised natural appearance; - the landscape demonstrates a cultural phase in Australia when landscape design was influenced by the teaching of Thomas

*Shepherd who advocated the adaptation of the English design technique. The landscape contains a richness of cultural features such as: - long vistas to the Homestead; - vistas to St. Thomas' (the family) Church spire from the Homestead; - use of water as a foreground for vistas and views; - ornamental bridges to articulate enframed views; and clumps of trees carefully created by thinning of native bushland (RNE) Fernhill is possibly the only intact early colonial garden laid out on the principles of the English Landscape Garden (a landscape "Park" in the picturesque manner) but relying entirely on indigenous plant material and the process of elimination (thinning and tree removal) rather than planting. (National Trust (NSW) 1981) While unfortunately somewhat altered in character and detail, Fernhill's remnant trees of the 19th century garden (Bunyas, stone pines, Chinese elms) around the house and the remnant garden layout are a carefully contrived culmination of the more important landscape drive. Fernhill was probably one of the last buildings completed in the Colonial period of New South Wales architecture. It was the home of Edward Cox, son of William Cox, and as such is intimately linked with much of the early rural development of the colony. Fernhill property retains most of its rural landscape character, including a visual relationship with the Cox family's earlier house Mulgoa Cottage and church, St Thomas' Church of England. (Report to Heritage Council 1978) Fernhill was constructed of stone quarried on the site and was probably one of the last buildings to be completed in the noble colonial period. It was at this time that the Greek and Romantic Revival period commenced in which the buildings were constructed of imported materials. (RNE listing). Believed to be possibly the finest extant Greek Revival temple house in New South Wales. (Fox * Associates 1987: MV-4) The fact that the house was not completed (it is single storey, and was apparently to be two storeys) makes it physical evidence of the depression of the 1840s. Perhaps most significant is its siting. In the*

truly picturesque sense, it is sited like a Greek temple, on an acropolis of a site, to command the country for miles around. It is also significant as the home of a prominent settler, Edward Cox. (Stapleton for Dept. Of Planning 1983). Also See 2260873.

The subject development proposal does not seek to undertake any physical works on the adjacent *Fernhill* and the proposed dwelling is to be sited at the very outer edge of the curtilage of *Fernhill* Estate. In this regard the proposed dwelling is located over 900m from the *Fernhill* house and there is no direct line of sight between the two built forms as this vast distance is also heavily vegetated with bushland that screens views.

It is therefore considered that the development presents no potential to compromise the heritage conservation values of the nearby heritage item.

Accordingly, the development does not cause any inconsistency with the objectives of this clause.

PART 6 URBAN RELEASE AREAS

Not relevant to the site or its development

PART 7 ADDITIONAL LOCAL PROVISIONS

7.1 Earthworks

(1) The objectives of this clause are as follows:

(a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,

The development provides a single level development on relatively flat sections of the site and as such will require limited and cut and fill works. The limited scale of these earthworks shall not cause any inconsistency with the relevant clause objectives.

7.4 Sustainable development

In deciding whether to grant development consent for development, the consent authority must have regard to the principles of sustainable development as they relate to the development based on a “whole of building” approach by considering each of the following:

- (a) conserving energy and reducing carbon dioxide emissions,**
- (b) embodied energy in materials and building processes,**
- (c) building design and orientation,**
- (d) passive solar design and day lighting,**
- (e) natural ventilation,**
- (f) energy efficiency and conservation,**
- (g) water conservation and water reuse,**
- (h) waste minimisation and recycling,**
- (i) reduction of vehicle dependence,**
- (j) potential for adaptive reuse.**

The proposed dwelling has been designed with a range of sustainability measures integrated into the development. This includes provision of a BASIX compliant development that is also accompanied by a waste water management regime that provides large stormwater tanks for the harvesting and reuse of those waters.

The dwelling also provides good opportunities for natural cross ventilation across the lengthy eastern and western elevations of the development.

The primary living areas are also provides with an eastern aspect that affords good solar access and are well integrated with outdoor living areas that will receive a northern aspect, which provides excellent solar access and passive heating opportunities.

The use of wide shady eaves will also provide for passive shading and cooling to the dwelling.

7.7 Servicing

(1) The objective of this clause is to ensure that development of land to which this Plan applies reflects the availability of services.

(2) Before granting development consent for development on any land to which this Plan applies, the consent authority must be satisfied that:

(a) the development will be connected to a reticulated water supply, if required by the consent authority, and

The site enjoys access to *Sydney Waters* reticulated water supply network and also will have access to a full range of energy and communications utilities.

The development is not expected to generate demands on these services beyond the capacities of these services and utilities.

Sewer services are not available to the site, however, the development is accompanied by an on-site waste water management service which will suitably manages these waste waters.

7.18 Mulgoa Valley

(3) Before granting development consent for any purpose on land to which this clause applies, the consent authority must be satisfied of the following:

(a) that any proposed building will not be located on a ridgetop and will not intrude into the skyline when viewed from a road or other public place,

The development is located mid slope and therefore is not located on a ridgetop and the presence of a vegetated backdrop ensures that the development will not intrude into the skyline when viewed from the road.

(b) that the proposed development will not adversely affect the historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of any heritage item in the valley,

The development is located on the very outer edge of the curtilage to *Fernhill* and there is no direct line of sight between the heritage house and the proposed development.

The development therefore has no potential to cause any significantly adverse impact upon the heritage values of that adjacent heritage item.

(c) that the proposed form and siting of buildings, colours, landscaping and building materials are appropriate for the rural character of the valley,

The proposed dwelling seeks to utilise a design theme that is reflective of traditional rural Australian homesteads. This includes the use of a low horizontal emphasis built forms, shallow sloping pitched roof and generous wide eaves and shaded verandas.

The development also proposes contemporary rural type materials inclusive of a metal roof and a rendered, painted finish.

- (d) that the proposed development will not detract from the “Vistas of heritage items” specified on the Scenic and Landscape Values Map,**

The site is not identified as being with any significant vistas on the relevant LEP map.

- (e) that extensive areas of vegetation will not be cleared for the proposed development,**

A flora and fauna impact assessment accompanies the development proposal and demonstrates that the development will result in the removal of a small number of young trees and groundcover vegetation. No threatened or otherwise significant species of flora or fauna would be impacted.

- (f) that adequate provision has been made for the landscaping of the land to which the development relates and about whether any trees or other vegetation on the land should be preserved,**

The vast majority of vegetation shall be retained and the presence of both significant bushland and the need to mitigate bushfire hazards mitigates the need for new landscaping.

- (g) that the agricultural viability of holdings and potential of the land will not be adversely affected,**

The site has no historic use or future viability as an agricultural landholding.

- (h) that Aboriginal and non-Aboriginal cultural heritage resources on the land will not be adversely affected,**

The site is not identified as containing any identified items of Aboriginal heritage. Written confirmation of the absence of Aboriginal heritage is provided at Annexure A.

- (i) that the view from Mulgoa Road and the rural setting of the villages of Mulgoa and Wallacia will not be adversely affected,**

The site is located well outside any viewshed of Mulgoa Rd or the villages of Mulgoa and Wallacia.

- (j) that the safety and efficiency of Mulgoa Road will not be adversely affected,**

The development will not generate traffic at volumes that would have any legible impact upon the efficiency or safety of Mulgoa Rd.

- (k) that any upgrading required to maintain safety and efficiency will not detract from the present rural character of Mulgoa Road.**

Not relevant as no upgrading of Mulgoa Rd is required by the development.

5.2 THE PROVISIONS OF ANY DRAFT PLANNING INSTRUMENT

The Department of Planning & Environment have released a Draft SEPP (Environment) that seeks to protect and management the natural environment. This Draft SEPP applies to the subject site.

However, the Draft SEPP does not necessarily seek to introduce new planning controls but rather simply seeks to consolidate several SEPP's including SREP 20 – Hawkesbury Nepean.

Accordingly, the development proposes no inconsistency with that Draft SEPP.

There are no other known draft Planning Instruments relevant to this development proposal.

5.3 THE PROVISIONS OF ANY DEVELOPMENT CONTROL PLANS

PENRITH DCP 2014

PART C – SITE PLANNING AND ENVIRONMENTAL MANAGEMENT

All matters pertaining to site constraints, environmental planning matters have been addressed as part of previous sections of this report.

Further, the following detailed reports accompany the Development Application and address relevant environmental issues:

- Flora and fauna Impact Assessment

- On-Site Waste Water Report
- BASIX certificate

D1 RURAL LAND USES

1.1 Rural Character

General Objectives

- a) To preserve the rural character of the City of Penrith, including its scenic and landscape qualities;*
- b) To retain and protect each of the elements that make up the rural character of Penrith; and*
- c) To address the visual impact assessment requirements for major applications, as required.*

Comment:

The subject development is a relatively modestly scaled form and provides a land use and building type that is already well represented in the local area. Accordingly, the development can be expected to readily absorbed into the rural landscape without adverse visual impact and actually contribute to and enhance the prevailing rural character of the site and local area.

1.2 Rural Dwellings and Outbuildings

1.2.1 Siting and Orientation

C. Controls

1. Site Planning

- a) Dwellings and associated buildings should be sited to maximise the natural advantages of the land in terms of:*
 - i) Protecting the privacy of proposed and existing buildings;*

- ii) Providing flood-free access to the dwelling and a flood free location for the dwelling itself;*
 - iii) Minimising risk from bush fire by considering slope, orientation and location of likely fire sources;*
 - iv) Maximising solar access;*
 - v) Retaining as much of the existing vegetation as possible; and*
 - vi) Minimising excavation, filling and high foundations by avoiding steep slopes (greater than 1 in 6).*
- b) The design of the development must consider all components including fencing, outbuildings, driveways and landscaping.**
- c) Where practical, all buildings on a site, including dwellings and outbuildings, should be clustered to improve the visual appearance of the development in its landscape setting and reduce the need for additional access roads and services.**

The site analysis undertaken at section 2 of this report reveals that the site is constrained by slope, bushfire, and ecological resources.

However, the proposed dwelling has been located in that part of the site that has the least exposure to these constraints (i.e. a cleared and relatively level area) and also incorporates design features and measures (Asset Protection Zones and On-Site Waste Water Management System) that serve to mitigate any adverse environmental impact.

No outbuildings are proposed as part of the development.

2. Landscape / Scenic Character

- a) Buildings on sloping land should be sited (where natural features permit) so they do not intrude into the skyline.*
- b) Buildings should not be placed on the ridgeline or peak of any hill unless there are no alternative locations possible.*
- c) Where practical, buildings should be sited to take advantage of existing vegetation to provide privacy from passing traffic and public places, screening from winds and a pleasant living environment.*
- d) Roads should be designed and located to run with the contours of the land.*

e) Rooflines and ridgelines should reflect the setting of the dwelling, incorporating simple shapes to step a building down with a sloping site or level change.

f) Simple rooflines should be used to minimise the likelihood of twigs and leaves building up in valleys and presenting a bushfire hazard.

C. Controls

The development is sited mid-slope on a cleared and relatively level platform area. This siting serves to reduce the dwelling visual presence when viewed from Mayfair Rd and the broader Mulgoa Valley.

The dwelling proposes a simple, traditional pitched and hipped roof form, which reflects the prevailing built character of the local area.

1.2.2 Setbacks And Building Separation

C. Controls

1. Setbacks from Roads

a) A minimum setback of 15 metres from public roads is required for all dwellings and outbuildings. Formal parking areas are not permitted within the setback.

b) A variety of setbacks will be encouraged to prevent rigidity in the streetscape.

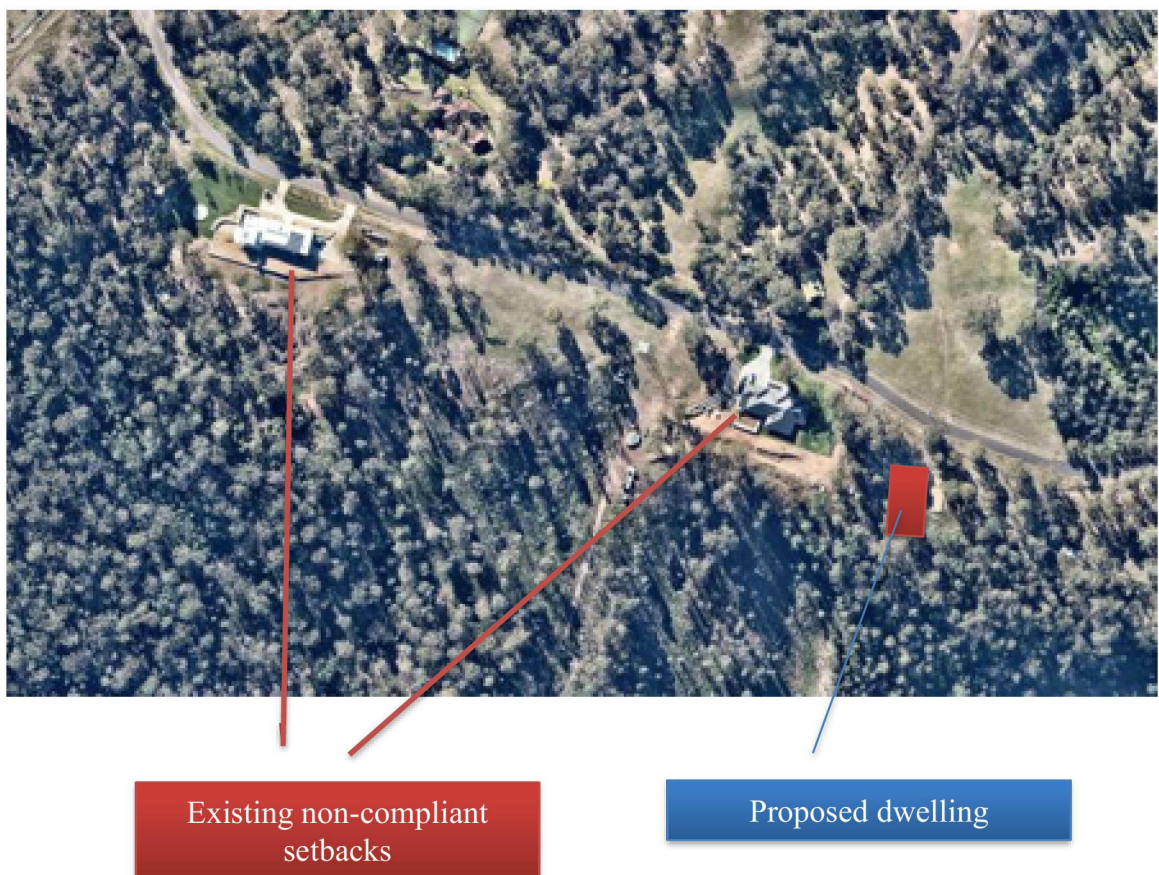
c) A minimum setback of 30 metres is required to all classified roads (except Mulgoa Road), Luddennam Road, Greendale Road and Park Road. In some cases, larger setbacks may be required. Please contact Council to discuss.

d) A minimum setback of 100 metres is required to Mulgoa Road for all dwellings and outbuildings (except in the Mulgoa Village).

The subject site has a frontage to Mayfair Rd and setback of only 10m to that road. This setback is less than that required under the DCP but has been deliberately proposed to provide a greater setback from the bushfire hazard located to the south of the site.

This decreased setback is also consistent with that of the front setback of other recent development that has been provided on adjacent lands. This is demonstrated at Figure 10. Accordingly, the developments non-compliance with this DCP requirement does not cause any inconsistency with the established rural landscape character of the local area.

FIGURE 10: EXISTING NON-COMPLIANT SETBACKS



2. Setbacks from Watercourses

- a) A minimum setback of 100 metres is required from the Nepean River. This is measured from the top of the bank. The river includes all elements, such as lagoons and backwaters. Council will determine the minimum setback required if the “bank” is difficult to define.***
- b) A minimum setback of 75 metres is required from South Creek for all dwellings and outbuildings.***
- c) A minimum setback of 40 metres is required from any other natural watercourses for all dwellings and outbuildings to minimise impacts on the watercourse.***

The development is located over 300m from the nearest watercourse to which it drains and as such should have no adverse impact upon that watercourse.

3. Building Separations and Side Boundary Setbacks

- a) Dwellings on adjacent properties should be considered when determining the location of a proposed dwelling to ensure that separation distances are maximised as far as is reasonably possible to maintain amenity for each dwelling and minimise noise and privacy intrusions.***
- b) The minimum side setback for dwellings is 10 metres where the allotment is 2 hectares or larger.***
- c) The minimum side setback for dwellings is 5 metres where the allotment is less than 2 hectares.***
- d) Dwellings on one allotment should be separated as much as reasonably possible from any farm buildings or other buildings on adjacent allotments where there is potential for noise generation from those farm buildings/other buildings.***

Minimum separations depend on the nature of the farm buildings/activity occurring on the adjacent allotment. Minimum setbacks are set out in other sections of this chapter for agricultural and other types of development.

The proposed buildings have a minimum side setback of 10m to the eastern boundary, which achieves the minimum requirement. The northern sections of the dwelling well exceeds that 10m setback requirement.

The new dwelling is not located near any farm buildings or activity that is likely to cause any noise disturbance or loss of amenity.

1.2.3 SITE COVERAGE, BULK AND MASSING

C. Controls

1) Dwellings shall have a maximum ground floor footprint of 500m² (including any undercover car parking areas).

The proposed dwelling has a gross floor area of 474.6m² and therefore achieves the DCP requirement.

2) Dwellings shall have a maximum overall ground floor dimension of 45m, with a maximum of 18m at any one point.

The dwelling has a total length of 32.55m, with a maximum width of 17.07m.

3) The maximum floor space of any second storey is to be 70% of the floor space of the lower storey of the dwelling.

No second storey component is proposed for the development.

4) No more than three (3) undercover car parking spaces can face towards a public road or place. Any additional garages should be setback behind the building line and screened.

The development provides a 3 space garage which has an address to the western boundary.

- 5) A maximum ground floor footprint of 600m² will be permitted on any one allotment, including the dwelling and all associated structures, but excluding 'farm buildings' and any 'agricultural or non-agricultural development' referred to in other parts of this chapter.***

No additional structure or buildings are proposed or currently exist on site.

1.2.4 HEIGHT SCALE AND DESIGN

C. Controls

1. Height and Scale

- a) Dwellings shall be no more than two storeys in height, including garage and storage areas.***
- b) If liveable rooms are located in the area immediately below the roof then this level will be counted as a storey.***
- c) The maximum height of the ceiling of the top floor of all buildings should not exceed 8 metres above natural ground level.***
- d) On sloping sites, split level development is preferred. The floor level of the dwelling at any point should not be greater than 1m above or below the natural ground level immediately below the floor level of that point. Cut and fill should be limited to 1m of cut and 1m of fill as shown in Figure D1.7.***

The proposed dwelling has a single storey scale and appearance with a maximum height of 5.5m above the Finished Ground level.

Limited cut and fill is required as part of the development of the dwelling.

2. Design and Quality

The design of dwellings and associated structures should be sympathetic to the rural character of the area.

The proposed dwelling seeks to utilise a design theme that is reflective of traditional rural Australian homesteads. This includes the use of a low horizontal emphasis built forms, shallow sloping pitched roof and generous wide eaves and shaded verandas.

The development also proposes contemporary rural type materials inclusive of roof tiles and a mix of brick and rendered masonry wall finishes.

5.4 IMPACTS OF DEVELOPMENT

5.4.1 NATURAL ENVIRONMENT

The site accommodates significant topographic features inclusive of a watercourse, slopes, and native vegetation.

However, the development seeks to site the proposed building in a cleared and relatively level platform part of the site that also seeks to avoid the bushfire hazard located to the south of the site.

The vast majority of vegetation shall be retained as part of the development. A small number of young trees and ground cover will be required to be removed however a detailed flora and fauna impact assessment demonstrates that no threatened or otherwise significant species of flora or fauna would be impacted.

The development is also accompanied by a waste-water management report that demonstrates that all waste water can be suitably managed on site without adverse impact upon the local environment.

As a consequence, it can be ultimately concluded that the development will not cause adverse impact upon the natural environment.

5.4.2 BUILT ENVIRONMENT

The local character of the area is represented as a rural type environment that provides large scaled rural lots of varying shapes and sizes.

The proposed development seeks to reflect this prevailing settlement pattern with a rural styles built form that will comfortably sit within the character of that rural landscape.

The RTA document, *Guide to Traffic Generating Developments (2002)*, states that a single dwelling house is likely to generate an average of 9 vehicle trips per day.

These vehicles trips will access the local road network at Mayfair Rd and the access point provides lengthy and clear site lines to ensure a safe road traffic environment is maintained.

The volume of additional traffic generated by the development is limited and well within both the design and operating capacity of the local road network.

The dwelling is located over 1km from Mulgoa Rd and 900m from the Fernhill heritage house and this distance will adequately mitigate any adverse acoustic or visual impacts from or to those locations.

Accordingly, it can be concluded that the development will not cause adverse impact upon the built environment.

5.4.3 SOCIAL IMPACT

The proposed development will create an additional housing opportunities in the local area. This is considered to be a positive social impact.

5.4.4 ECONOMIC IMPACT

The proposed subdivision is not of a scale that will cause any economic impacts to the local or broader area.

5.5 SUITABILITY OF THE SITE

The subject site is appropriately zoned and serviced to accommodate the proposed development and will cause no adverse impacts to the built or natural environment.

The subject site is therefore ideally suited to the proposed development.

5.6 THE PUBLIC INTEREST

The public interest is best served when the outcomes from development represents positive benefits as distinct from negative benefits.

The proposed subdivision has no significantly adverse negative outcomes and hence the public interest is best served by approval of the development.

5.7 BUSHFIRE ASSESSMENT

Section 79BA of the EP& A Act requires that development for a dwelling on bushfire prone land must conform to the specifications and requirements of the document entitled *Planning for Bush Fire Protection* prepared by the NSW Rural Fire Service.

A bushfire assessment has been undertaken which accompanies this report and demonstrates that the development is able satisfy the requirements of *Planning for Bushfire Protection 2006*.

6.0 CONCLUSION

The application seeks approval to the erection of single storey dwelling. This land use is permissible in the zone under the relevant LEP.

An assessment of the development has been made against the relevant provision of all relevant planning instruments and demonstrates no inconsistencies with those plans.

The development will also implement several measures that will mitigate against any adverse environmental impacts.

Therefore, we can see no reason why Council should not approve the proposed development.

ANNEXURE A: AHIMS SEARCH



AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : mayfair rd

Client Service ID : 438136

Vince Hardy
16 Alexandra Cres
GLENBROOK New South Wales 2773
Attention: Vince Hardy
Email: vhardy@cityscape.net.au
Dear Sir or Madam:

Date: 29 July 2019

AHIMS Web Service search for the following area at Lot : 12, DP:DP610186 with a Buffer of 50 meters, conducted by Vince Hardy on 29 July 2019.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

| | |
|---|---|
| 0 | Aboriginal sites are recorded in or near the above location. |
| 0 | Aboriginal places have been declared in or near the above location. * |