



THE PLANNINGHUB

by Hawes & Swain

STATEMENT OF ENVIRONMENTAL EFFECTS

**Construction of New Dwelling (Detached Dual
Occupancy) and Associated Works at
120-134 Farm Road, Mulgoa**

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Project Name: 120-134 Farm Road,
Mulgoa

Job Reference: 21/430 V.3

Date Approved: 10 November 2021

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1.0 Introduction

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) submitted to Penrith Council. This DA proposes the retention of an existing dwelling and the construction of a new dwelling to form a detached dual occupancy and associated site works at 120-134 Farm Road, Mulgoa.

This SEE provides a detailed description of the site and the proposal and provides an assessment of the proposal against the relevant heads of consideration set out in Section 4.15 of the *Environmental Planning and Assessment Act, 1979 (EP&A Act)*. That assessment has found that the proposal:

- Meets the current objectives of the LEP and DCP where applicable;
- Will not result in negative impacts on surrounding land uses and environment;
- Is responsive to site context and presents a positive visual relationship with surrounding uses; and
- Is strongly in the public interest.

The SEE forms part of a suite of documents that are submitted in support of the application attached as **Appendices A – J**.

1.1 Project Context

The site is located in Mulgoa, on the eastern side of Farm Road, and is situated in the Local Government Area of Penrith City Council. The land is described as 120-134 Farm Road, Mulgoa and is currently registered as Lot 8, DP 229785. The site is irregular in shape and covers an area of 3.82 hectares. Existing development in the area consists of a number of large rural lots with residential dwellings, detached dual occupancies and large rural outbuildings.

This application seeks approval for the retention of the existing dwelling and the construction of a new dwelling to form a detached dual occupancy and associated site works.

The proposal is generally compliant with the relevant objectives and provisions of the Penrith Local Environmental Plan (LEP) 2010 and the Penrith Development Control Plan (DCP) 2014.

2.0 Site Analysis

2.1 Location and Context

The site sits within the Penrith City Council LGA in the suburb of Mulgoa. The subject site is located on the eastern side of Farm Road and adjoins SP2 Infrastructure zoned water supply system along its eastern and southern boundary. The site also adjoins Mulgoa Creek at the rear of the lot.

The surrounding area is characterised by a number of large rural lots which contain residential dwellings and large rural outbuildings. The subject site is also approximately 1.2km from Mulgoa Valley Football Club and approximately 1.7km from Mulgoa Public School and Mulgoa Park. The site's locational context is demonstrated in **Figures 1 & 2** below.

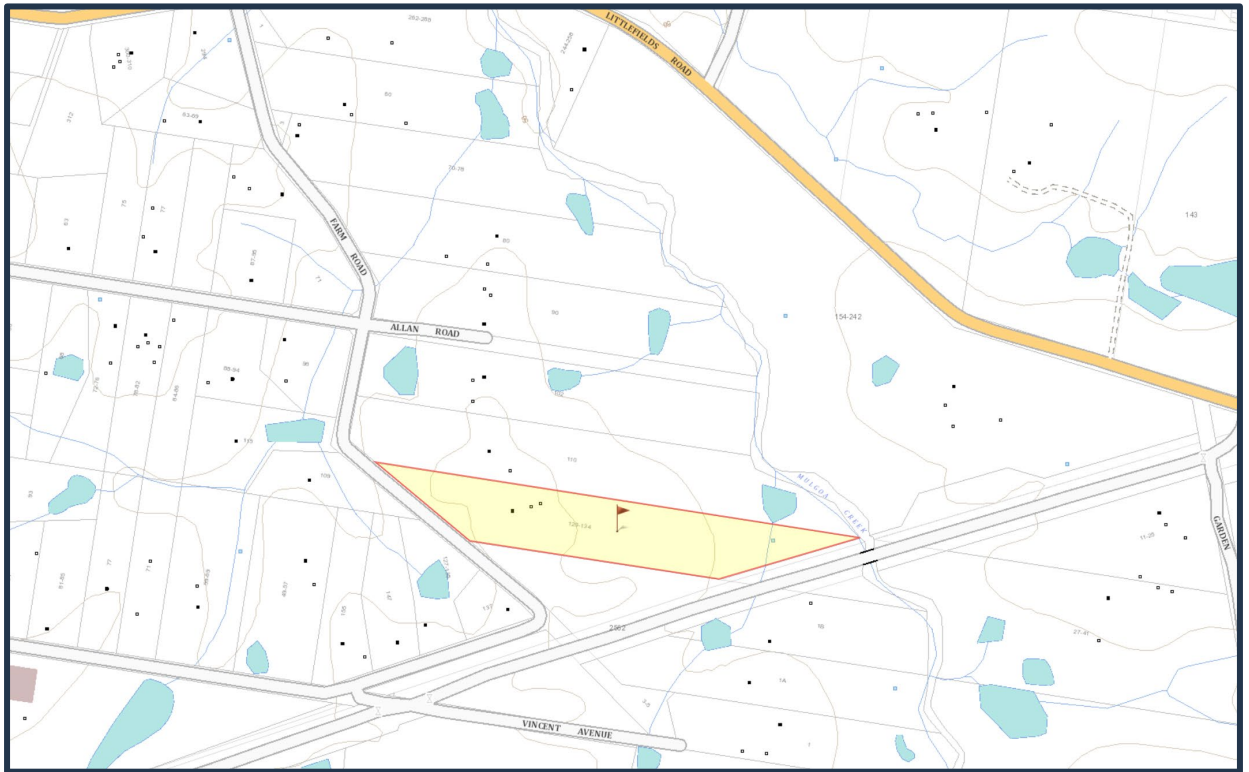


Figure 1: Locality Plan Demonstrating the Site Outlined in Red (Source: SIX Maps)



Figure 2: Site Aerial Demonstrating the Site Area Outlined in Blue (Source: Nearmap)

2.2 Site Description

The site is commonly known as 120-134 Farm Road, Mulgoa and is legally identified Lot 8, DP 229785. The site has a total area of 3.82 hectares and has a frontage of approximately 156.458m to Farm Road. The site area to be developed under this DA is identified as E3 Environmental Management and E2

Environmental Conservation zoned under the provisions of the Penrith Local Environmental Plan (LEP) 2010.

The site currently contains a single storey detached dwelling including an attached carport and small existing ancillary sheds. The site adjoins the Mulgoa Creek at the rear of the lot and has existing concentration of vegetation at the front of the site. All existing trees will be retained as part of this development.

2.3 Existing Site Conditions

Landform	The subject site has a fall of approximately 10m to the west and 20m to the east.
Existing Structures	The site currently contains a single storey detached dwelling with an attached carport, an ancillary workshop and shed.
Access	Vehicular access is provided off Farm Road.
Vegetation	A concentration of trees is present primarily at the front of the site. These trees will be retained and incorporated as part of the proposed landscaping.
Bushfire	The site is identified as being Category 2 bushfire prone land. A Bushfire Report has been provided in Appendix E by Bushfire Planning and Design which supports the application subject to the implementation of a number of recommendations.

2.4 Flood Planning

The site is not identified as ‘Flood Planning Land’ on the Clause Application Map of the Penrith LEP. However, the land is identified as being affected by Flood Flows under the Penrith Overland Flow Flood “Overview Study” 2006, as shown in **Figure 3** below.

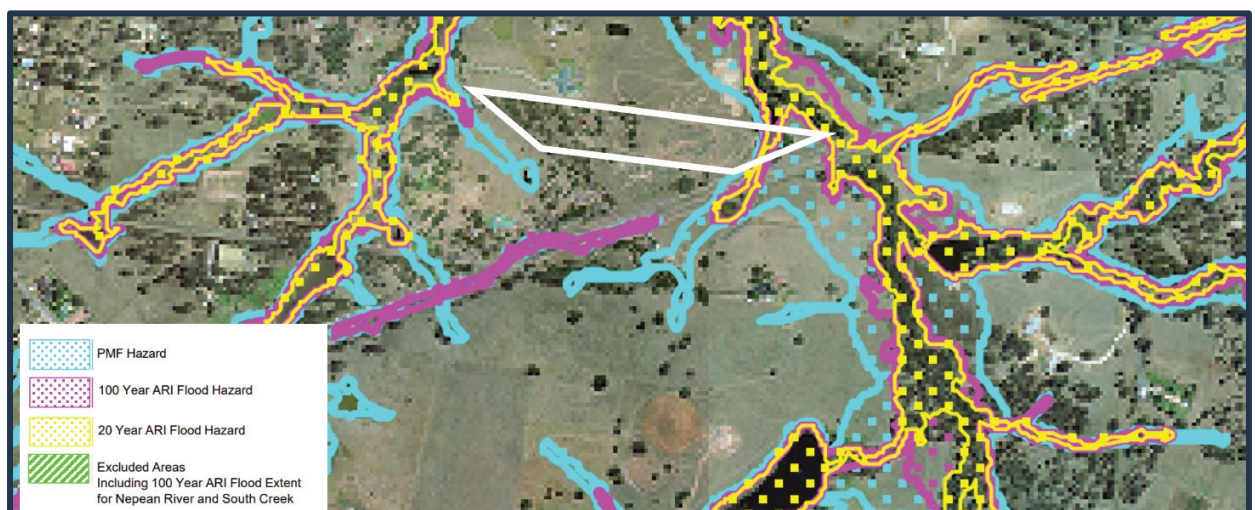


Figure 3: PMF, 100 Year, 20 Year ARI Provisional Flood Extent Map – Site Outlined in White (Source: Penrith Council)

The above Flood Extent Map demonstrates that the flood affectation area is located at the rear of the site, well removed from the location of the proposed dwelling.

The proposed development site area is not considered to be affected by flooding due to its location at the front of the site which is above the area affected by the flooding. A site survey has been prepared and provided as **Appendix C**. This is consistent with Council’s assessment of the dwelling approved on site under **DA19/0125** on 23 July 2020.

3.0 Proposed Development

3.1 Overview

This application seek approval for the retention of an existing dwelling and the construction of a new dwelling to form a detached dual occupancy and associated site works at 120-134 Farm Road, Mulgoa. Specifically, the development will consist of the following:

Construction

Construction of a Single storey detached brick veneer dwelling comprising of:

- Five bedrooms
- Study
- Laundry
- Integrated family room, games room, dining room and kitchen
- Lounge room
- Home theatre
- Outdoor alfresco area
- Four-car garage
- Front verandah
- Portico

Associated Works

- Landscaping works
- New onsite wastewater management system
- Construction of a new driveway and turning bay

3.2 Numerical Overview

A numerical overview of the development is presented in **Table 2** below:

Table 2: Numerical Overview	
Feature	Proposed
Site Area	38,200 m ²

Table 2: Numerical Overview	
Feature	Proposed
Building Footprint Area	1,016.97 m ² (2.66%)
Landscaped Area	37168.9m ² (97.3%)
Maximum Building Height	9.6m
Garage Car Spaces	4 car parking spaces

3.3 Safety and Security

The proposed development has been designed with regard to the principles of Crime Prevention Through Environmental Design (CPTED). In this regard, a number of security features will be introduced as follows:

- Landscaped areas within the development site to be maintained to a good standard.
- Clear delineation between public and private areas.
- Effective sightlines between public and private spaces.
- Landscape, building position and activities orientated to maximise natural surveillance.

Based on the above provisions, the requirements of CPTED are deemed to be met.

3.4 Access

Access to the site is provided off Farm Road. A new driveway and turning area will be constructed to provide access to the proposed dwelling and the existing gravel driveway will continue to provide access to the existing dwelling at the rear of the lot.

3.5 Onsite Wastewater Management System

An effluent management scheme comprising of an aerated wastewater treatment system (AWTS) is proposed to service the proposed dwelling. The existing dwelling is serviced with a Council approved AWTS and surface spray irrigation area for land application.

The existing dwelling and components of its effluent management are positioned well-away from the proposed dwelling and associated effluent management system and both will operate independently to each other.

Therefore, the operation of the existing effluent management system will not impact upon the same for the proposed dwelling. A Wastewater report has been prepared by Blue Mountains Geological and Environmental Services Pty Ltd and provided as **Appendix J**. The report concludes that the proposed effluent disposal area is appropriately located with regards to the proposed dwelling, all property boundaries, and the nearest water feature in the relevant flow path.

4.0 Assessment of Environmental Impacts

4.1 Statutory Planning Framework and Compliance

An assessment of the proposal has been made against the relevant planning instruments applicable to the land and the proposal. These are:

- State Environmental Planning Policy No.55 – Remediation of Land;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River;
- Penrith Local Environmental Plan 2010; and
- Penrith Development Control Plan 2014.

4.1.1 State Environmental Planning Policy No.55 – Remediation of Land

SEPP 55 requires Council to consider whether the subject land of any development application is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or zoning, Council must be satisfied that the land can and will be remediated before the land is used for that purpose.

The subject site currently contains a dwelling house and ancillary structures. Satellite imaging shows that the location where the dwellings are proposed to sit have been used only for residential purposes for an extended period of time and therefore the site is considered suitable for its intended use and no further investigations are required.

4.1.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

SEPP (BASIX) applies to the subject site. A BASIX Report has been prepared for the proposed development that indicates the proposal will satisfy the relevant water and energy targets. Therefore, the requirements of this SEPP are met. A copy of the BASIX Certificate is attached as **Appendix F**.

4.1.3 State Environmental Planning Policy No 20 – Hawkesbury-Nepean River

The proposed development is consistent with the aim of the SEPP that is to protect the environment of the Hawkesbury-Nepean River system, as well as all of its planning controls. The proposed development has been designed to ensure it will not impact on the Hawkesbury-Nepean River system through the design of a stormwater management system that manages water quality and quantity and the implementation of soil erosion and sediment controls measures (**Appendix B**) in accordance with the requirements of Council's Engineering Specifications.

A Stormwater Concept Design has been prepared by Pyramid Design and Drafting in support of the proposal and is provided in **Appendix B**.

4.1.4 Penrith Local Environmental Plan 2010

Permissibility

The site is situated within the Penrith City Council Local Government Authority (LGA) and is subject to the provisions of the Penrith Local Environmental Plan 2010 (LEP). The site is zoned E3 Environmental Management and E2 Environmental Conservation pursuant to the LEP, as shown in **Figure 3** below.

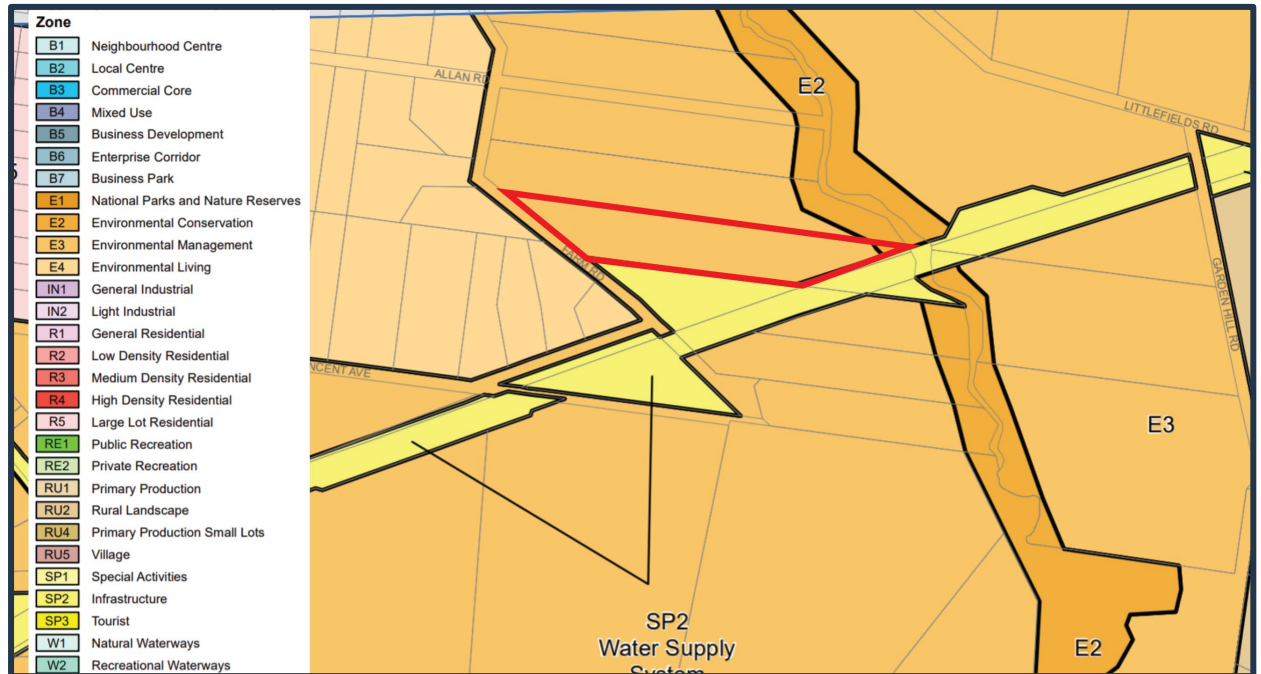


Figure 4: Land Zoning Map Demonstrating the Subject Site as Outlined in Red (Source: NSW Legislation)

The development proposes the construction of a dwelling which will form a detached dual occupancy and ancillary works on land which is zoned E3 Environmental Management. The proposed works are permissible with consent in the E3 Environmental Management Zone.

Definitions

Under the Penrith LEP 2010,

- **Dual occupancy** means a dual occupancy (attached) or a dual occupancy (detached), and
- **Dual occupancy (detached)** means 2 detached dwellings on one lot of land but does not include a secondary dwelling.

The proposed development is for the construction of a dwelling on a site that has an existing dwelling, to create a detached dual occupancy on the lot.

Zone Objectives

The objectives of the E3 Environmental Management Zone are:

- 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 proposed development is consistent with the relevant objectives of the zone in that it will provide a dwelling that poses minimal impacts on the ecological scientific, cultural, or aesthetic values of the land. The provision of a dual occupancy is a permissible use of the site and will not unreasonably increase the demand for public services or public facilities.

Zone Objectives

The objectives of the E2 Environmental Conservation Zone are:

- *To protect, manage and restore areas of high ecological, scientific, cultural, or aesthetic values.*
- *To prevent development that could destroy, damage, or otherwise have an adverse effect on those values.*
- *To protect, manage, restore, and enhance the ecology, hydrology and scenic values of riparian corridors and waterways, wetlands, groundwater resources, biodiversity corridors, areas of remnant indigenous vegetation and dependent ecosystems.*
- *To allow for low impact passive recreational and ancillary land uses that are consistent with the retention of the natural ecological significance.*

Comment

The proposed development will not occur on land which is zoned E2 Environmental Conservation and will therefore not destroy, damage, or otherwise have an adverse effect on the ecological, scientific, cultural, or aesthetic values of the area.

Relevant Clauses

A summary of the proposed development against the relevant clause within the Penrith LEP is provided in the following table.

Table 1: Penrith LEP Compliance Table		
LEP Clause	Requirement	Complies - Comment
5.21 Flood Planning	Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the	Yes – The subject site is not identified as a flood planning area in the Penrith LEP Flood Planning Land Maps.

Table 1: Penrith LEP Compliance Table		
LEP Clause	Requirement	Complies - Comment
	<p>consent authority is satisfied the development—</p> <p>(a) is compatible with the flood function and behaviour on the land, and</p> <p>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</p> <p>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</p> <p>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</p>	
7.1 – Earthworks	<p>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.</p>	<p>Yes – The proposed dwellings are designed to respond to the site. Minor fill is proposed which will ensure that the development will not have a detrimental impact on surrounding land uses or environmental functions of surrounding lands. Erosion and sediment control measures will be incorporated throughout all components of the development to minimise the impact of the development on surrounding land uses, this is detailed in the Erosion and Sediment Control Plan provided in Appendix B. The maximum fill proposed is 1m.</p>

Table 1: Penrith LEP Compliance Table		
LEP Clause	Requirement	Complies - Comment
7.5 Protection of scenic character and landscape values	Development consent must not be granted for any development on land to which this clause applies unless the consent authority is satisfied that measures will be taken, including in relation to the location and design of the development, to minimise the visual impact of the development from major roads and other public places.	<p>Yes - The subject site is identified as land with scenic and landscapes value on the Scenic and Landscape Values Map.</p> <p>The adjoining lands alongside Farm Road are categorised as low density with low-rise dwellings and ancillary structures in large lots. The proposed dwelling has a substantial setback from the front boundary and is heavily screened by existing tree canopy and proposed vegetation to reduce its impact on the locality and streetscape.</p> <p>Furthermore, the surround land uses are predominantly low-rise dwellings and associated structures and there are no significant natural landscape features such as ridgelines, hillsides, slopes, watercourses, and vegetation on the site. Therefore, there is minimal impact on the existing landscapes.</p> <p>The proposed building materials and finishes are consistent with the existing aesthetic of the streetscape and are considered complementary to the natural environment and surrounding dwellings.</p>

Table 1: Penrith LEP Compliance Table		
LEP Clause	Requirement	Complies - Comment
7.6 Salinity	<p>Development consent must not be granted to any development unless the consent authority has considered—</p> <p>(a) whether or not the proposed development is likely to have an impact on salinity processes, and</p> <p>(b) whether or not salinity is likely to have an impact on the proposed development, and</p> <p>(c) appropriate measures that can be taken to avoid or reduce any undesirable effects that may result from the impacts referred to in paragraphs (a) and (b).</p>	Yes - Soil and sediment management plans have been provided in Appendix B which demonstrates that the proposed development will not impact on salinity process, and that salinity will not impact the development.
7.7 Servicing	<p>Before granting development consent for development on any land to which this Plan applies, the consent authority must be satisfied that—</p> <p>(a) the development will be connected to a reticulated water supply, if required by the consent authority, and</p> <p>(b) the development will have adequate facilities for the removal and disposal of sewage, and</p> <p>(c) if the development is for seniors housing, the development can be connected to a reticulated sewerage system, and</p> <p>(d) the need for public amenities or public services has been or will be met.</p>	Yes - The site has existing connections to adequate services. An effluent management scheme comprising of an aerated wastewater treatment system (AWTS) is proposed to service the proposed dwelling.
7.10 – Dual Occupancies and Secondary Dwellings in Certain Rural and Environmental Zones	<p>Development consent must not be granted for a dual occupancy on a lot to which this clause applies unless the lot has an area of at least 2 hectares.</p> <p>Development consent must not be granted for the erection of more than 2</p>	<p>Yes - The subject site has an area of 3.82 Hectares.</p> <p>Yes - The subject site already has one existing dwelling. The proposed works</p>

Table 1: Penrith LEP Compliance Table		
LEP Clause	Requirement	Complies - Comment
	<p>dwelling on a lot to which this clause applies.</p> <p>Development consent must not be granted for the subdivision of a dual occupancy on a lot to which this clause applies into a strata, company or community title.</p>	<p>are to construct one additional dwelling.</p> <p>Yes - No subdivision is proposed.</p>
7.17 – Dwelling houses on certain land in Castlereagh, Cranebrook, Llandilo, Londonderry, Kemps Creek and Mulgoa	Development consent must not be granted for the erection of a dwelling house on land identified as “10 Hectares for Dwelling House” on the Clause Application Map unless the land has an area of at least 10 hectares.	The subject site is identified as “10 Hectares for Dwelling House”. The proposed development is for the purpose of a detached dual occupancy on the site. Therefore, this clause is not applicable.
7.18 – Mulgoa Valley	<p>Before granting development consent for any purpose on land to which this clause applies, the consent authority must be satisfied of the following—</p> <p>(a) that any proposed building will not be located on a ridgetop and will not intrude into the skyline when viewed from a road or other public place,</p> <p>(b) that the proposed development will not adversely affect the historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of any heritage item in the valley,</p> <p>(c) that the proposed form and siting of buildings, colours, landscaping and building materials are appropriate for the rural character of the valley,</p>	<p>Yes – The proposed development will not be located on a ridgetop and will not intrude into the skyline when viewed from a road or other public place.</p> <p>Yes – The proposed development will not adversely affect the historic, scientific, cultural, social, archaeological, architectural, natural, or aesthetic significance of any heritage item in the valley.</p> <p>Yes – The proposed development is sited to provide a substantial setback from the front boundary to mitigate visual impacts. A material palette has been provided in Appendix B which</p>

Table 1: Penrith LEP Compliance Table		
LEP Clause	Requirement	Complies - Comment
	<p>(d) that the proposed development will not detract from the “Vistas of heritage items” specified on the Scenic and Landscape Values Map,</p> <p>(e) that extensive areas of vegetation will not be cleared for the proposed development,</p> <p>(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,</p> <p>(g) that the agricultural viability of holdings and potential of the land will not be adversely affected,</p> <p>(h) that Aboriginal and non-Aboriginal cultural heritage resources on the land will not be adversely affected,</p> <p>(i) that the view from Mulgoa Road and the rural setting of the villages of Mulgoa and Wallacia will not be adversely affected,</p>	<p>demonstrates the use of exterior cement rendering, terracotta roof, timber framing and aluminium details. The proposed materials are considered complementary to the local area and existing visual scheme.</p> <p>Yes – The site is not identified as “Vista of Heritage Items”.</p> <p>Yes – No extensive area of vegetation will be cleared for the proposed development. The existing site is generally clear and existing tree canopy is retained.</p> <p>Yes – Adequate provision of landscaping has been proposed. A landscape plan has been prepared by Pyramid Design and Drafting and provided as Appendix G.</p> <p>Yes – The subject site does not have agricultural viability and potential of the land.</p> <p>Yes – The development will not impact any non-Aboriginal cultural heritage resources on the land. There are no Aboriginal cultural heritage resources identified on site.</p> <p>Yes – The proposed development has a significant setback from Mulgoa Road and existing vegetation and tree canopy are retained to screen the dwelling from the road and to mitigate any adverse visual impacts on the rural setting of the Mulgoa Village.</p>

Table 1: Penrith LEP Compliance Table		
LEP Clause	Requirement	Complies - Comment
	(j) that the safety and efficiency of Mulgoa Road will not be adversely affected,	Yes – The safety and efficiency of Mulgoa Road will not be adversely affected as the driveway has been designed to ensure that vehicles can exit from and enter the site in a forward motion. The proposed dwelling does not present an unacceptable increase of traffic on Mulgoa Road and thus the efficiency of the local road network will not be significantly impacted.
	(k) that any upgrading required to maintain safety and efficiency will not detract from the present rural character of Mulgoa Road.	Yes – No upgrading works to public land has been proposed.

4.1.5 Penrith Development Control Plan 2014

The Penrith Development Control Plan 2014 provides detailed provisions to supplement the Penrith LEP 2010. An assessment of the proposal against the relevant development controls applying to the subject land is provided in **Appendix A**.

5.0 Development Impacts

5.1 Visual Impacts

The subject site is identified as land with scenic and landscapes value on the Scenic and Landscape Values Map from the Penrith Local Environmental Plan 2010 and categorised as a Village Bookend Gateway in the Penrith Council Development Control Plan 2014.

The adjoining lands alongside Farm Road are categorised as low density with low-rise dwellings and ancillary structures in large lots. The proposed single storey dwelling is setback 42 – 45.469m from the front boundary and is heavily screened by existing tree canopy and proposed vegetation to reduce its impact on the locality and streetscape. All existing vegetation on the site is retained, and proposed landscape plans are prepared in **Appendix G** for reference.

Furthermore, the existing landscape views include adjoining lots with low-rise dwellings and associated structures and there are no significant natural landscape features such as ridgelines, hillsides, slopes,

watercourses, and vegetation on the site. Thus, the proposed development will not result in any substantial impacts on the existing landscapes.

The design of proposed development employs building materials and finishes of a natural palette and takes into consideration of the local environment to ensure the development emulates the existing aesthetic of the streetscape and minimises any potential visual impacts on surrounding views and landscape.

The proposed materials include exterior cement rendering, terracotta roof, timber framing and aluminium details, which can be deemed complementary to the local area and existing visual scheme. Additionally, the terracotta roof material proposed has low reflectivity and is considered to be minimally intrusive to the landscape.

Further details and visual representation of building materials are specified in the architectural plans prepared in **Appendix B**.

5.2 Bushfire Impacts

The subject site has been identified as BAL-19 and BAL-12.5 and is classified as Vegetation Category 2 Bushfire Prone Land. A Bushfire Report prepared by Bushfire Planning and Design has been provided with this application (**Appendix E**).

The report concludes that the proposed development design achieves and maintains the required APZ and provides adequate site access via a public road for the safety and easy manoeuvrability of emergency response vehicles. The report also specifies that the installation and maintenance of any bottled gas is to be conducted in accordance with the relevant Australian Standards and that there should be regular inspection of any above ground electrical lines.

Overall, the report concludes that the proposal is compliant with relevant bushfire protection controls including Planning for Bush Fire Protection 2019 subject to the implementation of the above recommendations.

5.3 Biodiversity Impacts

The subject site sits within the Cumberland Plain Woodland community corridor. A Biodiversity Assessment Report (BDAR) has been prepared by Ecological Consultants Australia Pty Ltd, and provided as **Appendix J**.

The report concludes that the proposed development will have an approximate impact area of 0.29ha on previously mapped Cumberland Plains Woodland which has been significantly altered as such that the current site does not reflect the natural structural attributes as previously mapped. There is little to no remnant vegetation left on the property and therefore the proposed development is considered to have minimal impact on the natural environmental and habitats.

The proposed development and landscaping have been designed to be consistent with the recommendations outlined in the BDAR and construction works will be undertaken in line with the recommended techniques to mitigate impact on the environment and natural habitat areas

5.4 Access and Car Parking

Access to the site will be provided off Farm Road via the proposed new driveway which gives access to the garage of the proposed dwelling and then feeds into an existing gravel driveway that provides access to the existing dwelling and attached carport on site. The proposed driveway has been designed to ensure the safe and easy manoeuvrability of emergency service vehicles with consideration of the site as bushfire prone land.

The proposed dwelling will provide under cover parking for up to five vehicles via an attached four car garage and via an attached single car portico. The covered carport of the existing dwelling is to be retained.

5.5 Social and Economic Impacts

The construction of the proposed development will bring with it a number of important environmental benefits for the local and wider community as outlined below.

- Promote enhanced neighbourhood safety and security through casual surveillance generated by the presence of permanent new development and activity within the site;
- Provide short-term economic benefits through construction expenditure and employment; and
- Positively complements the existing and envisaged streetscape, character, amenity of the area thus enhancing resident quality of life and satisfaction.

5.6 Site Suitability

Having regard to the characteristics of the site and its location, the proposed development is considered appropriate in that:

- The zoning of the site permits the proposed uses;
- The size and dimensions of the land are appropriate for accommodating the proposal;
- It does not result in any adverse impacts on adjoining developments including overshadowing, overlooking or noise issues; and
- It will provide a dual occupancy that positively responds to the locality and are compatible in size and siting with surrounding developments.

5.7 Public Interest

The proposal will facilitate the development of the site by providing a new high-quality housing development which achieves good design that considers the ecological, scientific, cultural, and aesthetic values of the locality. Generally, the proposal provides the following public benefits:

- The development has been designed that enhances and responds sensitively to its environmental setting, creating spaces that reflect the desired scale and significance of the immediate locality.
- The proposed development provides a built form that presents as high-quality design that fits within the envisaged character of the area and responds to the site attributes and development controls applicable; and
- There are no significant adverse impacts on surrounding properties in terms of sunlight access, views, visual and acoustic privacy.

6.0 Conclusion

This proposal seeks approval for the retention of the existing dwelling and the construction of an additional detached dwelling to form a dual occupancy and associated site works at 120-134 Farm Road, Mulgoa.

The proposal is generally consistent with the relevant environmental planning instruments, including Penrith Local Environmental Plan 2010 and Penrith City Council Development Control Plan 2014. The proposed development has significant planning merit in the following respects:

- the proposal maintains the environmental landscape character of the land; and
- there are no adverse impacts on surrounding properties.

Having regard to the above, and in light of the relevant heads of consideration listed under Section 4.15 of the *Environmental Planning and Assessment Act, 1979* the proposal is reasonable and appropriate and warrants favourable consideration.



**A PUBLICATION BY
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APPENDIX A

PENRITH DEVELOPMENT CONTROL PLAN 2014 - COMPLIANCE TABLE

120 – 134 FARM ROAD,
MULGOA

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Penrith Development Control Plan 2014 – Compliance Table
120-134 Farm Road, Mulgoa (Lot 8, DP 229785)

Control	Requirement	Comment	Complies
Part C1 – Site Planning and Design Principles			
1.1.1. Site Analysis	Site analysis involves looking at the features of the site and the immediate surrounding area and, where possible, presenting the information in a diagrammatical plan(s). It includes the site and the immediate context – usually up to 50m or 100m in any direction from the site (depending on the scale of development, the proposed land use and its impacts).	A Site Analysis Plan has been submitted in support of this application in Appendix B .	✓
1.1.2 Key Areas with Scenic and Landscape Values	<p>B PRINCIPLES</p> <ul style="list-style-type: none"> • 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 • 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 • Protect, maintain, and enhance other important natural features, including ridgelines, hillsides, watercourses and riparian corridors, vegetation, and landform • Protect, maintain, and enhance backdrops and settings that contribute to the local identity; • Protect, maintain, and enhance views and vistas from vantage points, including main road corridors and other public places. 	<p>The proposed development is small in scale and is minimally intrusive to the visual landscape and characteristic of the area.</p> <p>There are no significant natural features on site including ridgelines, hillsides, watercourses and riparian corridors, vegetation, and landform, and all existing vegetation on site will be retained.</p> <p>The proposed works do not obstruct views from vantage points. The front setback from the proposed dwelling is 42m ensuring the development will not significantly impact the existing streetscape.</p>	✓

	<ul style="list-style-type: none"> ● Conserve and enhance historic landscapes, properties, and their curtilages. ● 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 ● 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 ● 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 ● At gateways, reinforce the distinct experience of arrival or passing from one landscape character type to the next, through legible site planning and design <p>C CONTROLS</p> <p>New proposals on land identified in the LEP Scenic and Landscape Values Map (including gateway sites) or on land zoned E1 National Parks and Nature Reserves or E2 Environmental Conservation, are to submit a visual impact assessment with their development application.</p>	<p>There are no historic landscapes or heritage listed items and properties on site that require conservation.</p> <p>Design of the development takes in consideration of the local landscape and streetscape and uses materials and finishes such as exterior brick corbelling and terracotta roofing and can be considered to compliment the local area and existing aesthetic.</p> <p>Further details and design visualisation is prepared in the architectural plans in Appendix B.</p> <p>The subject land is identified as a Village Bookend Gateway of Mulgoa Village. An assessment of visual impacts can be referred to in section 5.1 of the Statement of Environmental Effects.</p>	<p style="text-align: right;">✓</p>
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<p>1.2.2. Built Form - Energy Efficiency and Conservation</p>	<p>Buildings should be designed on passive solar design principles which:</p> <ul style="list-style-type: none"> • Respond to orientation to maximise the northerly aspect and solar access in the cooler periods; • Reduce overheating in summer and promote solar gain in winter; • Ensure there is adequate cross flow of air by utilising natural ventilation, resulting in a reduction in the use of mechanical ventilation and/or air-conditioning systems. 	<p>The proposed development has been designed to increase solar access to habitable rooms by orienting principle living spaces in a northerly direction. Cross ventilation has provided through the provision of windows on all elevations of both the proposed dwellings.</p>	<p>✓</p>
<p>1.2.3. Building Form - Height, Bulk and Scale</p>	<p>Context: An applicant must demonstrate how all proposed buildings are consistent with the height, bulk and scale of adjacent buildings and buildings of a similar type and use.</p> <p>Character: An applicant must demonstrate how any building's height, bulk and scale will avoid or minimise negative impacts on an area's landscape, scenic or rural character (where relevant) taking into account the topography of the area, the surrounding landscape and views to and from the site.</p> <p>Articulation: Where the dimension of the building is 20m or more, an applicant must demonstrate how the building or surface has been articulated (either through built form or materials) to minimise impact on bulk and scale.</p> <p>Overshadowing: Building locations, height and setbacks should seek to minimise any additional overshadowing of adjacent buildings and/or public spaces where there would be a significant reduction in amenity for users of those buildings/spaces.</p>	<p>The proposed development will provide a bulk and scale are consistent with similar residential buildings in adjoining lots. Examples of similar developments in the locality include 1-33 Farm Road, Mulgoa (DA14/1036 approved 2015) which consisted of the construction of a new second occupancy.</p> <p>The proposed development is consistent with the existing rural character of the area. The proposed height, bulk and scale are designed to minimise any impacts to the existing landscape. There are no significant views which the dwelling would impact.</p> <p>All elevations of significant length have been articulated through the provision of a variety of materials including brick corbelling, cladding, timber framing, windows, the garages and cement rendered columns.</p> <p>The proposed dwelling is located at a reasonable distance from the existing dwelling (approximately 113.78m) and from site boundaries which ensures there will be no overshadowing impacts.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>

	<p>Setbacks/Separations: Buildings should be sufficiently set back from property boundaries and other buildings to:</p> <ul style="list-style-type: none"> • Maintain consistency with the street context and streetscape character, especially street/front setbacks; • Maximise visual and acoustic privacy, especially for sensitive land uses; • Maximise deep root planting areas that will support landscape and significant tree plantings integrated with the built form, enhancing the streetscape character and reducing a building's visual impact and scale; • Maximise permeable surface areas for stormwater management; • Minimise overshadowing. <p>Building Façade Treatment: The aim is to ensure that any built form will:</p> <ul style="list-style-type: none"> • promote a high architectural quality commensurate with the type of building and land use; • adopt façade treatments which define, activate and enhance the public domain and street character; • ensure that building elements are integrated into the overall building form and façade design; • compose façades with an appropriate scale, rhythm and proportion that responds to the building's desired contextual character; • design façades to reflect the orientation of the site using elements such as sun shading, light shelves and appropriate glazing as environmental controls; • express important corners by giving visual prominence to parts of the façade, for example, a change in building articulation, material or colour, roof expression or building height, and 	<p>The proposed development maintain consistency with the existing context of the street by being designed to ensure that visual and acoustic privacy is maintained through building separation and screen planting in the landscaped area near the boundary. The lot provides an excess of landscaping which provides significant permeable area for both stormwater management and to provide adequate space which can support deep root planting.</p> <p>The proposed development provides articulated façades which is consistent with the character of the area. The façades are of an appropriate scale considering the size of the land and the overall design of the dwellings.</p>	<p>✓</p> <p>✓</p>
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	<ul style="list-style-type: none"> co-ordinate and integrate building services to improve the visual presentation. <p>Roof Design: The roof is an important architectural element of any building and:</p> <ul style="list-style-type: none"> the shape and form of the roof should respond to its surrounding context and minimise visual impact from any key viewpoints; and should consider opportunities for incorporating ‘green roofs.’ 	The roof shape and form of the development is designed to be compatible with similar existing roofs in the area. It minimises any visual impact.	✓
1.2.4. Responding to the Site's Topography and Landform	<p>Applicants must demonstrate how the development responds to the natural topography and landform of the site based on analysis drawings.</p> <p>The built form should respond to the natural topography by:</p> <ul style="list-style-type: none"> Avoiding steep slopes for buildings; Aligning the built form with the contours; and Utilising split level design on gentler slopes 	The site slopes down slightly to the east and west. The proposed development has been designed to respond to the natural topography of the site and includes minor fill to facilitate the construction of the structure.	✓
Part C2 – Vegetation Management			
2.1 Preservation of Trees and vegetation	A person must not remove, clear, prune or otherwise cause harm to any tree or other vegetation prescribed by this Plan without an appropriate approval.	No trees are proposed to be removed as part of this application.	✓
2.3 Bushfire Management	<p>Planning for Bushfire Protection</p> <p>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 '<i>Planning for Bushfire Protection 2006 (PBP)</i>'.</p>	The site is identified as being bushfire prone and is classified as Vegetation Category 2 (BAL-19and BAL-12.5). A Bushfire Report prepared by Bushfire Planning and Design has been provided with this application (Appendix E).	✓

	<p>Bushfire Assessment Report</p> <p>A Bushfire Assessment Report, prepared in accordance with the PBP, must accompany all development applications on land identified as bush fire prone land. (For report requirements, see Appendix F3 – DA Submission Requirements).</p>	<p>The report concludes that the proposal is compliant with relevant bushfire protection controls including Planning for Bush Fire Protection 2019 subject to the implementation of a number of recommendations. These recommendations included: the continued maintenance of the existing APZ, provision of adequate site access via the public road for emergency response vehicles, the installation and maintenance of any bottled gas to be conducted in accordance with the relevant Australian Standards and the regular inspection of any above ground electrical lines.</p>	<p>✓</p>
<p>Part C3 – Water Management</p>			
<p>3.5 Flood Planning</p>	<p>Submission Requirements</p> <p>Where relevant, a comprehensive flood study, incorporating:</p> <ul style="list-style-type: none"> • a survey of the main watercourse; • a survey of the site; and • a detailed flood and drainage investigation which establishes the estimated 1% AEP (100 year ARI) flood level; • is to be submitted with any development application on land identified as fully or partially flood affected. The levels on the survey are required to be verified during construction by a survey certificate. <p>Flood Hazard Classifications</p> <ul style="list-style-type: none"> • Council will consider development on land subject to the flood planning provisions of the LEP but will not grant consent to new development in floodways or in high hazard areas. <p><i>Flood hazard (high) or high flood hazard occurs when there is possible danger to life and limb; evacuation by trucks is difficult;</i></p>	<p>As outlined in Section 2.4 of the Statement of Environmental Effects, the site is not identified as flood prone in a flood study area. The proposed development will not create a flood hazard or cause any risk to other properties.</p> <p>The site is not located in a floodway or high hazard area. The development area is not flood affected.</p>	<p>✓</p> <p>✓</p>

	<p>there is potential for structural damage; and social disruption and financial losses could be high.</p> <ul style="list-style-type: none"> • Consideration will be given to such matters as depth and nature of flood waters, whether the area forms flood storage, the nature and risk posed to the development by flood waters, the velocity of floodwaters and the speed of inundation, and whether the development lies in an area classed as a ‘floodway’, ‘flood fringe area’ or ‘flood storage area’. <p>Residential - New Developments - Single Dwellings</p> <ul style="list-style-type: none"> • Residential – upper storey additions will not be considered as ‘New Development’ provided; the first-floor additions are above the Flood Planning level and the additions and alterations do not increase the building footprint at ground level beyond 35m². (Ground floor additions include all non-habitable buildings such as garages, storage areas, carports and the like). • Floor levels of habitable rooms shall be at least 0.5m above the 1% AEP (100 year ARI) flood; i.e. the flood planning level. • The lowest floor level of habitable rooms shall be not more than 3.0m above ground level. • Any portion of buildings subject to inundation shall be built from flood compatible materials. • Flood safe access and emergency egress shall be provided to all new developments and for dwelling replacements where practicable. 	<p>The proposal involves the erection of one new additional dwelling to form a dual occupancy with the existing dwelling onsite. No part of the development area is below the 1% AEP level and all floor levels are at least 0.5m above the 1% AEP level. The lowest floor level of the proposed dwelling is no higher than 3m above ground level.</p>	<p>✓</p>
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	<p>Rural Uses</p> <ul style="list-style-type: none"> Applications for minor extensions to existing buildings and new buildings associated with rural uses that are below the 1% AEP (100-year ARI) flood (other than residential buildings) will be considered on their merits having regard to the proposed use and the potential for property loss. 	The proposed development sits above the 1% AEP flood level.	✓
3.6 Stormwater Management and Drainage	<p>Drainage</p> <p>Council's Stormwater Drainage Specification for Building Developments provides details on drainage requirements including on-site detention, new drainage systems and the like.</p>	A stormwater plan prepared by Pyramid Design and Drafting has been submitted with this application under Appendix B .	✓
Part C4 – Land Management			
4.1 Site Stability and Earthworks	<p>In accordance with the earthworks provisions of the LEP, development consent is required for any earthworks unless the work is exempt development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008; or the work is ancillary to other development for which development consent has been given.</p> <p>Earthworks to create a building platform shall not be undertaken where excavation and/or filling would exceed 1m from the existing natural ground level of the site.</p> <p>All retaining walls proposed for the site are to be identified in the development application for the proposed development. Retaining walls are to be kept to a minimum to reduce earthworks. Use of materials that complement the natural environment is encouraged.</p>	<p>Minor earthworks are proposed to facilitate the proposed development.</p> <p>A maximum of 1m, from the natural ground line, of fill is proposed.</p> <p>No retaining walls are proposed.</p>	<p>✓</p> <p>✓</p> <p>✓</p>

<p>4.3 Erosion and Sedimentation</p>	<p>All applications for subdivision and development which involve site disturbance must be accompanied by an Erosion and Sediment Control Plan (ESCP)</p>	<p>An Erosion and Sediment Control Plan has been prepared by Pyramid Design and Drafting in support of the proposed development and is provided in Appendix B.</p>	<p>✓</p>
<p>4.4 Contaminated Lands</p>	<p>Under the <i>Environmental Planning and Assessment Act 1979</i>, Council has a duty of care, when considering development proposals, to fully consider the possibility of land contamination and the implications it has for any proposed future use of land.</p>	<p>The subject site currently contains a dwelling house, and ancillary structures. Satellite imaging shows that the location where the dwellings are proposed to sit has been used only for residential purposes for at least the past 10 years and therefore the site is considered suitable for its intended use and no further investigations are required.</p>	<p>✓</p>
<p>Part C5 – Waste Management</p>			
<p>5.1 Waste Management Plans</p>	<p>Applicants are to submit a Waste Management Plan when lodging a development application for demolition or construction of buildings.</p>	<p>A Waste Management Plan has been prepared by Justin Farrugia and is provided in Appendix D.</p>	<p>✓</p>
<p>5.2.2 Residential Development Controls</p>	<p>The kitchen of each dwelling should be designed with sufficient space (or an alternate location) for the interim storage of organic waste, other recyclable waste and non-recyclable waste. It should be of sufficient size to hold at least a single day's waste and to enable source separation of garbage, recyclables and compostable materials.</p> <p>Waste containers are to be stored in a suitable and easily accessible location on site:</p> <ul style="list-style-type: none"> • with unobstructed access to Council's usual collection point; and • to avoid vandalism, nuisance and visual clutter. 	<p>The proposed kitchen of both dwellings has been designed to provide sufficient space for waste storage.</p> <p>The site allows for waste containers to be stored in a location accessible to the collection point and avoids visual clutter.</p>	<p>✓</p> <p>✓</p>
<p>5.3.1 Site Management</p>	<p>Proposals involving demolition and/or construction (including earthworks) are to include a Waste Management Plan.</p>	<p>A Waste Management Plan has been prepared by Justin Farrugia and is provided in Appendix D.</p>	<p>✓</p>

Part C6 – Landscape Design			
6.1.1 Development Process	Landscape plans must be prepared by a suitably qualified consultant. Landscape design consultants who are members of accredited organisations should be engaged to ensure professional standards are achieved. Accredited organisations include Australian Institute of Landscape Architects and Australian Institute of Landscape Designers and Managers.	A Landscape Plan has been prepared by Pyramid Design and Drafting which is provided in Appendix G .	✓
6.1.2 Protection of the Environment	<p>Environmentally Sustainable Design</p> <ul style="list-style-type: none"> a) Planting deciduous trees - These are best planted on northern and western aspects. This will allow the sun in during winter, and provide shelter from the sun in summer and morning sun year-round adding to energy efficiency; b) Selecting low water/low maintenance plants, including drought tolerant species; c) Planting native or indigenous plants – These plants have lower water requirements and have evolved to cope best with the existing conditions, hence reducing maintenance, fertilising, and watering requirements; d) Using irrigation systems that utilise drip irrigation systems; e) Using recycled and biodegradable products in the landscape design - Such elements could include recycled soils and other hard paving features; f) Allowing for composting, mulching and worm farms on site; g) Using quality, long lasting materials; and <p>Using soils and mulches manufactured with recycled waste</p>	<p>A Landscape Plan has been prepared by Pyramid Design and Drafting which is provided in Appendix G.</p> <p>Proposed trees include Leighton Green Trees, Magnolia Teddy Bear and Buxus Microphylla.</p>	✓
6.1.3 Neighbourhood Amenity and Character	Landscape design should reinforce the identified natural attributes of the site including, but not limited to, watercourses, landmark elements, landforms, views and vistas, significant trees, vegetation patterns and historic buildings.	The proposal reinforces the natural attributes of the site by maintaining significant landscaping in the front, side and rear setbacks and retaining existing trees. The proposal is designed to maintain the rural landscape and	✓

	<p>Remnant native vegetation should be retained, managed and incorporated into landscape designs to conserve the natural biodiversity across the landscape.</p> <p>Landscape design should enhance the amenity and visual quality of the site. Landscaping solutions are to be used to screen and enhance visually obtrusive land uses or building elements within their setting.</p> <p>All sites make a contribution to the streetscape by way of the design of any structures or vegetation. Therefore, any landscape submission must include an assessment of the streetscape.</p> <p>Landscape designs must comply with the safety and crime prevention controls in the 'Site Planning and Design Principles' section of this DCP.</p> <p>Landscape designs must comply with fencing controls required by this DCP.</p> <p>All retaining walls are to be constructed of masonry or concrete material. Timber retaining walls are not permitted.</p>	<p>environmental sensitivity of the area and minimise any conflict between residential and other land uses.</p> <p>Native vegetation has been retained.</p> <p>The proposed landscaping will enhance the visual setting of the proposed development and accentuate the proposed built form, as demonstrated in the Landscape Plans provided as Appendix G.</p> <p>The proposed dwellings make a significant contribution to the streetscape by introducing substantial landscaped area and retaining native trees.</p> <p>The public and private open spaces of the development incorporate appropriate landscaping that maximise opportunities for casual surveillance whilst providing adequate privacy, solar access and shade.</p> <p>The existing approved fence is retained.</p> <p>N/A. No retaining walls are proposed.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
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<p>6.1.4 Site Amenity</p>	<p>Landscape designs should seek to screen development, particularly from the sides and rear of an allotment.</p> <p>Landscape design should maximise the area of a deep soil zone, especially around existing trees to provide sufficient soil depth for roots.</p>	<p>Significant landscaping to be retained and enhanced, particularly at the rear and front of the dwelling as well as at the boundary.</p> <p>The landscape design proposed provides significant deep soil area for the planting of trees.</p>	<p>✓</p> <p>✓</p>
<p>Part C10 – Transport, Access and Parking</p>			
<p>10.5.1 Parking, Access and Driveways</p>	<p>Dual Occupancy: 2 spaces per dwelling (2 or more bedrooms) – stack or tandem parking acceptable.</p> <p>For all residential development at least one car parking space for each dwelling shall be covered the second space may be "stacked" or "tandem" or located on a driveway.</p>	<p>Proposed dwelling comprises of a four-car garage.</p> <p>All four car parking spaces are covered.</p>	<p>✓</p> <p>✓</p>
<p>10.5.2 Access and Driveways</p>	<p>The road access to the site should provide for safe entry to and exit from the site. All vehicles must enter/exit the site in a forward direction.</p> <p>The entry and exit from the site should provide for appropriate traffic sight distance in both directions, in accordance with the provisions of AS2890.1 and 2 - 2004 for car parking and commercial vehicles, respectively.</p> <p>Driveway widths must comply with the relevant Australian Standards.</p>	<p>Compliant access and driveway designs have been prepared by Pyramid Design and Drafting which is provided in Appendix B.</p> <p>Proposed driveway is capable of providing appropriate traffic sight distance in both directions, in accordance with the provisions of AS2890.1 and 2 - 2004</p> <p>Driveway widths have been designed to comply with the relevant Australian Standards</p>	<p>✓</p> <p>✓</p> <p>✓</p>

	<p>All driveways (including in rural and environmental zones) are to be sealed from the point of the public road up to and including the hard-stand parking areas</p> <p>The design of rural driveways shall ensure that stormwater is not impounded, concentrated, or redirected onto adjoining properties.</p>	<p>Proposed driveway and turning bay will be sealed.</p> <p>Proposed driveway will not result in stormwater being impounded, concentrated or redirected onto adjoining properties.</p>	<p>✓</p> <p>✓</p>
Part D1 – Rural Land Uses			
1.1 Rural Character	<p>To preserve the rural character of the City of Penrith, all major development should seek to retain and protect the scenic, landscape and rural character of the City (where the relevant land uses are permissible within the zone and in accordance with the controls in Penrith LEP 2010 and this DCP). Major development applications may be required to provide more detailed studies including, but not limited to, a Visual Impact Assessment</p>	<p>The subject land is identified as a Village Bookend Gateway. The proposed works is not considered to be a major development and thus does not warrant a Visual Impact Assessment. An analysis of visual impacts can be referred to in section 5.1 of the Statement of Environmental Effects.</p>	<p>✓</p>
1.2.1 Sitting and Orientation of Dwellings and Outbuildings	<p>Dwellings and associated buildings should be sited to maximise the natural advantages of the land in terms of:</p> <ul style="list-style-type: none"> • Protecting the privacy of proposed and existing buildings; • Providing flood-free access to the dwelling and a flood-free location for the dwelling itself; • Minimising risk from bush fire by considering slope, orientation and location of likely fire sources; 	<p>The proposed dwelling is situated to take advantage of the land. The privacy of both dwellings is ensured by providing considerable distance from the boundaries and by taking advantage of natural vegetation and the use screen planting.</p> <p>The dwellings will not be constructed on any land which is identified on the flood planning map and provide a floor level that sits above the 1% AEP Flood level.</p> <p>The proposed dwelling has been designed to minimise the risk of bush fire and has taken the sites slope, orientation, and location of likely fires into consideration. Additionally, a bush fire report has been prepared by Bushfire Planning and</p>	<p>✓</p> <p>✓</p> <p>✓</p>

	<ul style="list-style-type: none"> ● Maximising solar access; ● Retaining as much of the existing vegetation as possible; and ● Minimising excavation, filling and high foundations by avoiding steep slopes (greater than 1 in 6). ● The design of the development must consider all components including fencing, outbuildings, driveways and landscaping. ● 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. 	<p>Design (Appendix E) in support of this application which provides additional recommendations to be incorporated into the design and maintenance of the proposed dwelling. These recommendations include the continued maintenance of the existing APZ, provision of adequate access, the installation and maintenance of any bottled gas to be conducted in accordance with the relevant Australian Standards and the regular inspection of any above ground electrical lines.</p> <p>Solar access of dwellings on neighbouring properties will not be impacted from the proposal. Additionally, both the proposed dwelling and existing dwelling on site have been designed and situated to ensure they will not impact the solar access of the other dwelling on the site. The proposal itself provides significant solar access through the provision of windows on all elevations and sky lights on the proposed dwelling.</p> <p>No removal of vegetation is proposed.</p> <p>The proposal involves minor earthworks to accommodate the development.</p> <p>The proposal clusters the proposed dwelling with the existing structures on site to ensure the visual setting of the development is reduced. Separation between the existing dwelling and proposed dwelling ensures the development will not detract from the streetscape or character of the area, ensures privacy is maintained for both the dwellings, is consistent with similar approved developments in the</p>	<p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p>
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	<ul style="list-style-type: none"> • Buildings on sloping land should be sited (where natural features permit) so they do not intrude into the skyline. • Buildings should not be placed on the ridgeline or peak of any hill unless there are no alternative locations possible. • 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. • 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. • Simple rooflines should be used to minimise the likelihood of twigs and leaves building up in valleys and presenting a bushfire hazard. 	<p>area and is suitable given the context of the site and scope of the proposal.</p> <p>The proposal consists of a single storey structure which will not intrude into the skyline and is not located on top of a hill. It is consistent in design to similar dwellings in the local area.</p> <p>The dwelling takes advantage of existing vegetation and does not propose to remove any of the trees on the site. Instead, these trees are incorporated as part of the landscape plan (see Appendix G). This creates an environment which provides privacy and a pleasant living environment.</p> <p>The proposed roof is simple in design and proposes a pitch of 30 degrees which is characteristic of the area. This also ensures that it will not become a fire hazard as a result of twigs and leaves building up.</p>	<p>✓</p> <p>✓</p> <p>✓</p>
<p>1.2.2 Setbacks and Building Separations</p>	<p>A minimum setback of 15m from public roads is required for all dwellings and outbuildings. Formal parking areas are not permitted within the setback.</p> <p>A variety of setbacks will be encouraged to prevent rigidity in the streetscape.</p>	<p>The proposed dwelling provides a front setback of 42m. No formal parking spaces are proposed within the setback.</p> <p>The proposed front setback ranges from 42-45.47m.</p>	<p>✓</p> <p>✓</p>

	<p>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.</p> <p>The minimum side setback for dwellings is 10m where the allotment is 2 hectares or larger.</p> <p>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.</p>	<p>The location of dwellings on adjacent sites has been taken into consideration. The proposed dwelling is located so that the privacy of all existing dwellings is maintained.</p> <p>A side setback ranging from 17.01 – 20.02m is provided along the northern boundary and a side setback of 21.36m has been provided along the southern boundary.</p> <p>There are no structures on the site or adjoining sites which generate noise. The proposed dwelling is therefore able to maintain privacy and maintain the rural character of the area.</p>	<p>✓</p> <p>✓</p> <p>✓</p>
<p>1.2.3 Site Coverage, Bulk and Massing</p>	<p>Dwellings shall have a maximum ground floor footprint of 500m² (including any undercover car parking areas).</p>	<p>The proposed dwelling has a building footprint of 721.18m². The proposed development has been designed in accordance with Clause 1.2.5 Dual Occupancy Dwellings of the DCP. As detailed in Clause 1.2.5 of the DCP dual occupancy developments are to be designed must comply with the requirements for rural dwellings (Clause 1.2.3) relating to:</p> <ul style="list-style-type: none"> ○ Siting and orientation; ○ Setbacks and building separations; ○ Bulk and massing (excluding site coverage); and ○ Height, scale and design. <p>The maximum ground and floor footprint controls of Clause 1.2.3 relate to site coverage and therefore are not applicable</p>	<p>✓</p>

		<p>to dual occupancy developments in accordance with Clause 1.2.5 of the DCP.</p> <p>Despite the fact it does not apply, the development proposal has been designed with the intent of the controls to ensure the development provides an appropriate bulk and scale and does not adversely impact the streetscape or rural character of the area.</p> <p>The objectives of Clause 1.2.3 are as follows:</p> <ul style="list-style-type: none"> • <i>To ensure the size of rural dwellings is appropriate considering the size of the site and the character of the area; and</i> • <i>To ensure the area of the site covered by rural dwellings and associated structures and facilities is appropriate considering the size of the site and the character of the area.</i> <p>The proposed design meets the relevant numerical controls including front, rear and side setbacks, and building height, and ensures that the existing dwelling is wholly behind the proposed dwelling. Hence, the proposed development does not result in excessive bulk and scale or adverse impacts on the streetscape or character of the surrounding area. The proposed development is of an appropriate scale with regard to the size of the site and surrounding character and is therefore consistent with the objectives of Clause 1.2.3.</p>	
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	<p>Dwellings shall have a maximum overall ground floor dimension of 45m, with a maximum of 18m at any one point.</p> <p>No more than three (3) undercover car parking spaces shall face towards a public road or place. Any additional garages shall be setback behind the building line and screened.</p> <p>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 other parts of this chapter.</p>	<p>The proposed dwelling has a maximum overall ground floor dimension of 40m.</p> <p>Proposed garage is located behind the building line and is not visible from any public road or place.</p> <p>The total ground floor foot print proposed is 1016.97m². The proposed development has been designed in accordance with Clause 1.2.5 Dual Occupancy Dwellings of the DCP. As detailed in Clause 1.2.5 of the DCP dual occupancy developments are to be designed must comply with the requirements for rural dwellings (Clause 1.2.3) relating to:</p> <ul style="list-style-type: none"> ○ Siting and orientation; ○ Setbacks and building separations; ○ Bulk and massing (excluding site coverage); and ○ Height, scale and design. <p>The maximum ground floor footprint controls of Clause 1.2.3 relate to site coverage and therefore are not applicable to dual occupancy developments in accordance with Clause 1.2.5 of the DCP.</p> <p>Despite the fact it does apply the proposed development complies with the objectives relevant to the site coverage development standards and that consideration to larger buildings is reasonable due to the high quality and innovation of the architectural design of the proposed dwelling.</p>	<p>✓</p> <p>✓</p> <p>✓</p>
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		Furthermore, the design incorporates wall and roof articulation to reduce building scale and bulk and provides an easily accessible entrance. The proposed dwelling's size is of contemporary standards and is suitable for a growing family with reasonable sized rooms in all areas. Therefore, merit should be considered as the proposed design provides essential living areas on entry level and well-integrated access to and within key habitable living spaces.	
1.2.4 Height, Scale and Design	<p>Dwellings shall be no more than two storeys in height, including garage and storage areas.</p> <p>If liveable rooms are located in the area immediately below the roof, then this level will be counted as a storey.</p> <p>The maximum height of the ceiling of the top floor of all buildings should not exceed 8m above natural ground level.</p> <p>The design of dwellings and associated structures should be sympathetic to the rural character of the area.</p> <p>Fencing is to be of an open rural nature consistent in style with that normally found in rural areas. Internal courtyard fencing or entry fencing should be sensitive to the rural environment.</p>	<p>The proposed dual occupancy is a maximum of one storey in height.</p> <p>No liveable rooms are proposed immediately below the roof.</p> <p>The proposed dwelling has a maximum ridge height of 9.6m and a maximum ceiling height of 5.1m above natural ground level has been proposed.</p> <p>The proposed dwelling has been designed to be sympathetic to the existing rural character of the area.</p> <p>Existing approved fencing is to be retained.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
1.2.5 Dual Occupancy Dwellings	Dual occupancies should be designed in accordance with the policies in this DCP for dwellings and dwelling design.	The proposed dwelling will form a detached dual occupancy on site with the existing dwelling and is generally designed	✓

	<p>The second dwelling should take into account the principles in the sections on 'Site Planning and Design Principles', 'Vegetation Management' and 'Landscape Design' (with particular attention to protecting existing trees and vegetation on the site) of this DCP.</p> <p>The second dwelling should be located within the curtilage (proximity) of the existing dwelling house on the same lot (and preferably within its garden area).</p> <p>The second dwelling must be located behind the building line of the existing dwelling house.</p> <p>The preference is for the second dwelling to be detached from the first dwelling with a minimum separation of 10m.</p> <p>The second dwelling must be significantly smaller than the existing dwelling house (approximately 50% in floor area). Consideration, however, will be given to varying this control where the existing house has a floor area of less than 200m².</p> <p>The development should be designed so that the dwellings complement each other and the rural character. In this regard, external finishes should be similar or compatible. Council may require upgrading of the existing dwelling where considered necessary.</p>	<p>in accordance with the policies in this DCP for dwellings and dwelling design.</p> <p>The proposed dwelling considers the relevant sections of this DCP.</p> <p>The proposed dwelling will be located in proximity to the existing dwelling on site. The proposed location of the dwelling ensures the privacy of the other dwelling and takes advantage of the orientation and size of the lot. The proposed location of the dwellings will minimise conflicts between land uses and maintains the rural landscape and environmental sensitivity of the land.</p> <p>The existing dwelling will sit wholly behind the building line of the proposed dwelling.</p> <p>A separation of 113.784m is proposed between the existing dwelling and proposed dwelling.</p> <p>The proposed dwelling has site coverage of 721.18 m² and the existing dwelling has a site coverage of 120.59m² which is less than 50% of the proposed primary building.</p> <p>The proposal is designed so that the dwellings compliment the rural character and environmental sensitivity of the area. The proposed dwellings utilise brickwork and a similar colour palette to ensure they complement each other.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
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DCP Compliance Table – 120-134 Farm Road, Mulgoa (Lot 8, DP 229785)

	<p>Access to dual occupancies is to be via a common driveway to both dwellings.</p> <p>At least one accessible and covered off-street parking space shall be provided on site behind the building line for each dwelling.</p> <p>There should only be one electricity line and meter on the property servicing both dwellings.</p>	<p>Access to both dwellings is provided off one driveway that is accessed from Farm Road.</p> <p>Both the garage for the proposed dwelling and existing covered carport for the existing dwelling are provided behind the dwelling line for each dwelling.</p> <p>Only one electricity line and meter are proposed on the property servicing both dwellings.</p>	<p>✓</p> <p>✓</p> <p>✓</p>
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