

STATEMENT OF ENVIRONMENTAL EFFECTS

Lot 3 D.P. 260373
132-144 Mayfair Rd
Mulgoa
Penrith City Council

12th July 2021

Executive Summary

This Statement of Environmental Effects has been prepared as part of a development application for the development of a class 10a building on lot 3, DP 260373, otherwise known as 132-144 Mayfair Road Mulgoa.

The site is 10ha and is located south of Penrith near the Blue Mountains National Park.

The proposal is an appropriate response to the context of the area and in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

Accordingly, it is recommended that the application be recommended for approval for the construction of a single-story class 10a building for storage of cars and boats including an area for household workshop area.

This application

- Is compliant with Penrith LEP 2010
- Address relevant components of the Penrith DCP 2014
- Demonstrates no impact on the heritage significance of Fernhill House,
- Satisfies bushfire mitigation requirements
- Will not have a significant impact on local ecology and water catchment and
- Is compatible with local rural charact

1.0 Introduction

1.1 Propose of the Application.

This Statement of Environmental Effects has been prepared to support the development of a class 10a building and associated works on Allotment 3 DP 260373, otherwise known as 132-144 Mayfair Road Mulgoa.

This application seeks approval for the construction of a 1 storey class 10a building on the 10 hectare site, to provide additional storage for the occupants of the existing dwelling. The approval and associated works include

- Associated earthworks
- Addition of driveway to connect to the new building to the existing driveway

The use of a Class 10a building is permissible per:

- The land use zoning E3 Environmental management under Penrith LEP 2010,



Figure 1. Site Boundaries

1.2 Background.

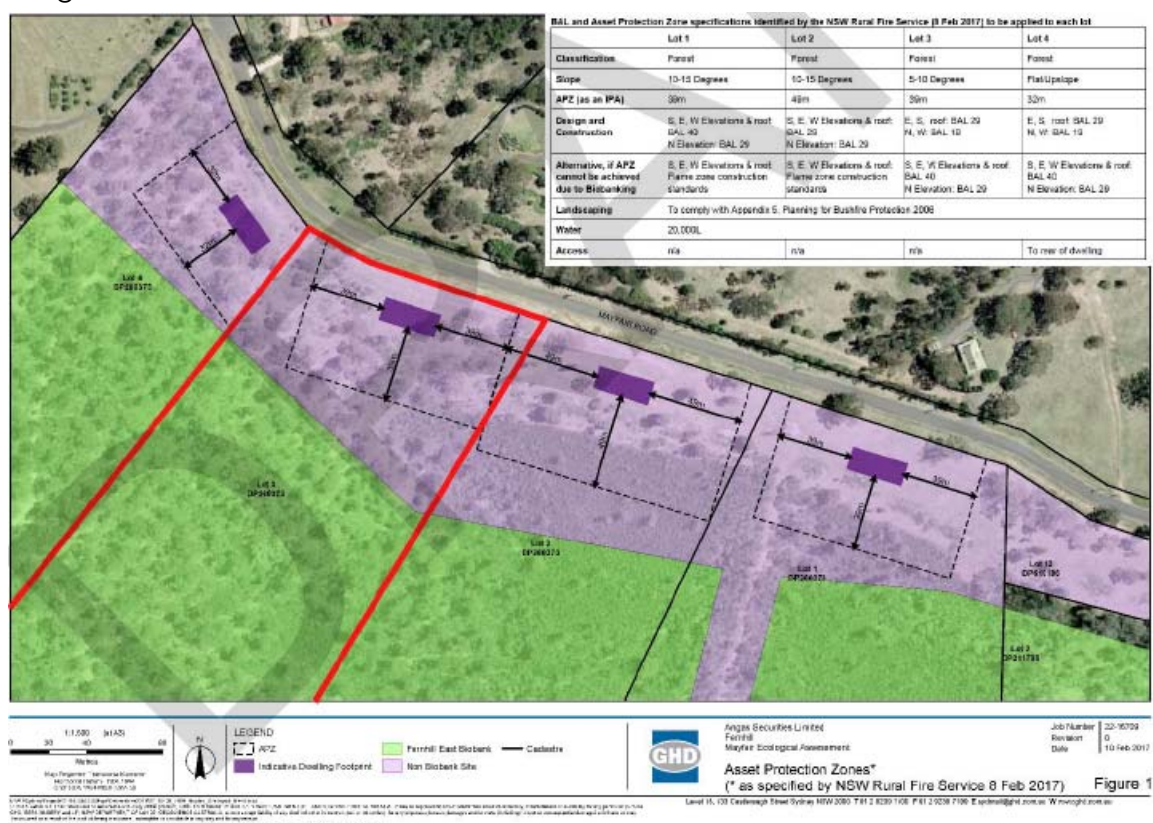
The Site has previous approvals including

- Approval for DA 16/0735 for dwelling house supporting APZ map prepared by GHD (2017)
- Approval for DA 17/0550 for a two story dwelling house and on site sewerage Management System (effective 20 November 2017)
- Approval for DA20/0416 for an in-ground swimming pool
- Approval for CC20/0063 for an in-ground swimming pool

The siting of the approved dwellings was supported by:

- Council letter dated 29 January 2017 accepting a reduced front setback of 15 metres to Mayfair Road, and
- 39 metre APZ, as negotiated between GHD (see Figure below) and RFS.
- 39 metre APZ as additionally identified in BAL Assessment of 132 Mayfair Rd. Mulgoa, signed and dated by D. B. Macarther . J. P. 23.9.17.

Therefore there is opportunity for the development of a dwelling house within the subject site with 15 metre setback, provided it incorporates appropriate bushfire mitigation measures.



1.3 Associated Documents.

The Documents listed below for part of this application

Description	Prepared by	Date
Architectural Plans	Better Built Homes	8.7.2021
Statement Of Environmental Effects	Better Built Homes	9.7.2021

2.0 Legislation & Policy

This section outlines the relevant state and local environmental planning controls applicable to this development

Key planning controls in relation to the site are contained within the Penrith Local Environmental Plan 2010 (PLEP2010) and the Penrith Development Control Plan 2014 (PDCP 2014)

2.1 Legislation

Penrith LEP 2010

The Site is subject to the following controls:

- Zoned E2 Environmental Conversation and E3 Environmental Management (see figure 3)
- Heritage item – General No. 873 “Fernhill” curtilage (see figure 4)
- Minimum lot size – AB2 20 hectares
- Within the Mulgoa Valley as per the Clause Application map

Building height and FSR controls do not apply to this site

The following provisions of the PLEP 2010 are address in this Statement of Environmental Effects:

- Clause 1.2 Aims of Plan
- Clause 2.3 Zone objectives and land use table – zone E3 Environmental Management
- Clause 5.10 Heritage conversation
- Clause 7.7 Servicing
- Clause 7.18 Mulgoa Valley

2.2 Policy

Penrith DCP 2014

The following relevant sections of the PDCP 2014 are addressed in this Statement of Environmental Effects:

- Part C Controls applying to all land Uses
- Part D Specific land use/Activities
- Part E key Precincts

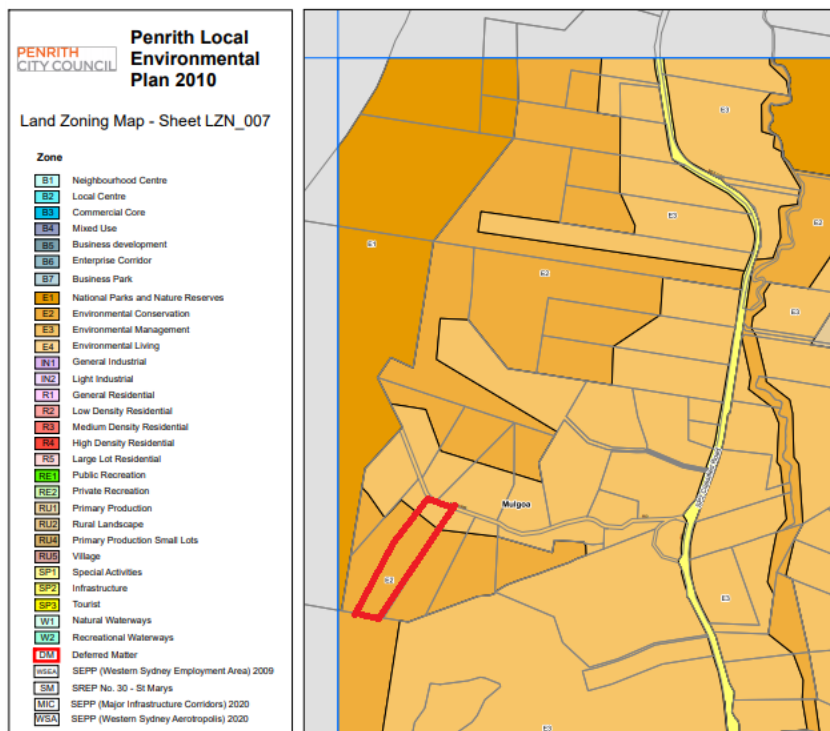


Figure 3. Excerpt land use Zoning Map LZN_007 (PLEP 2010) with subject site superimposed.

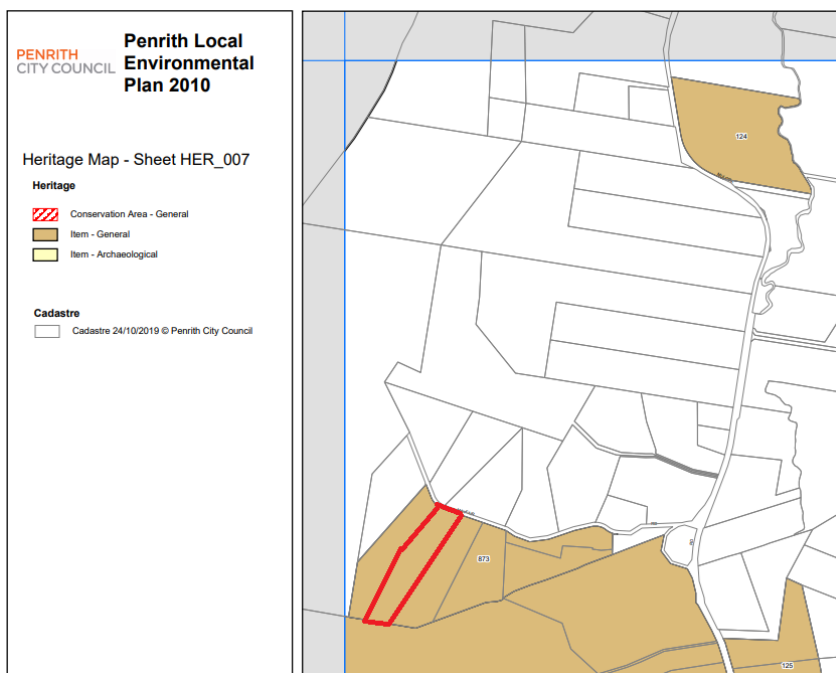


Figure 4. Excerpt Heritage Map HER_007 (PLEP 2010) with subject site superimposed.

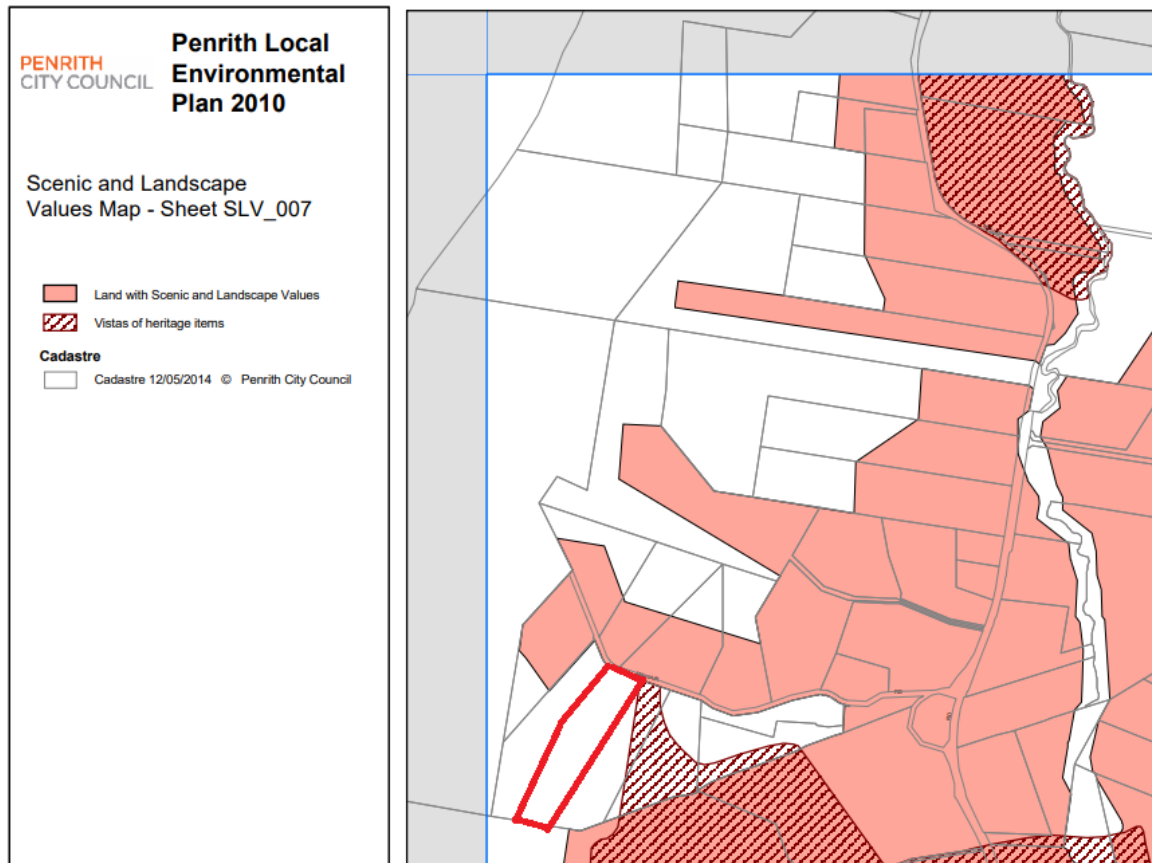


Figure 5. Excerpt Scenic and Land Value Map SLV_007 (PLEP 2010) with subject site superimposed.

3.0 Context

3.1 Sydney's Peri-Urban Area

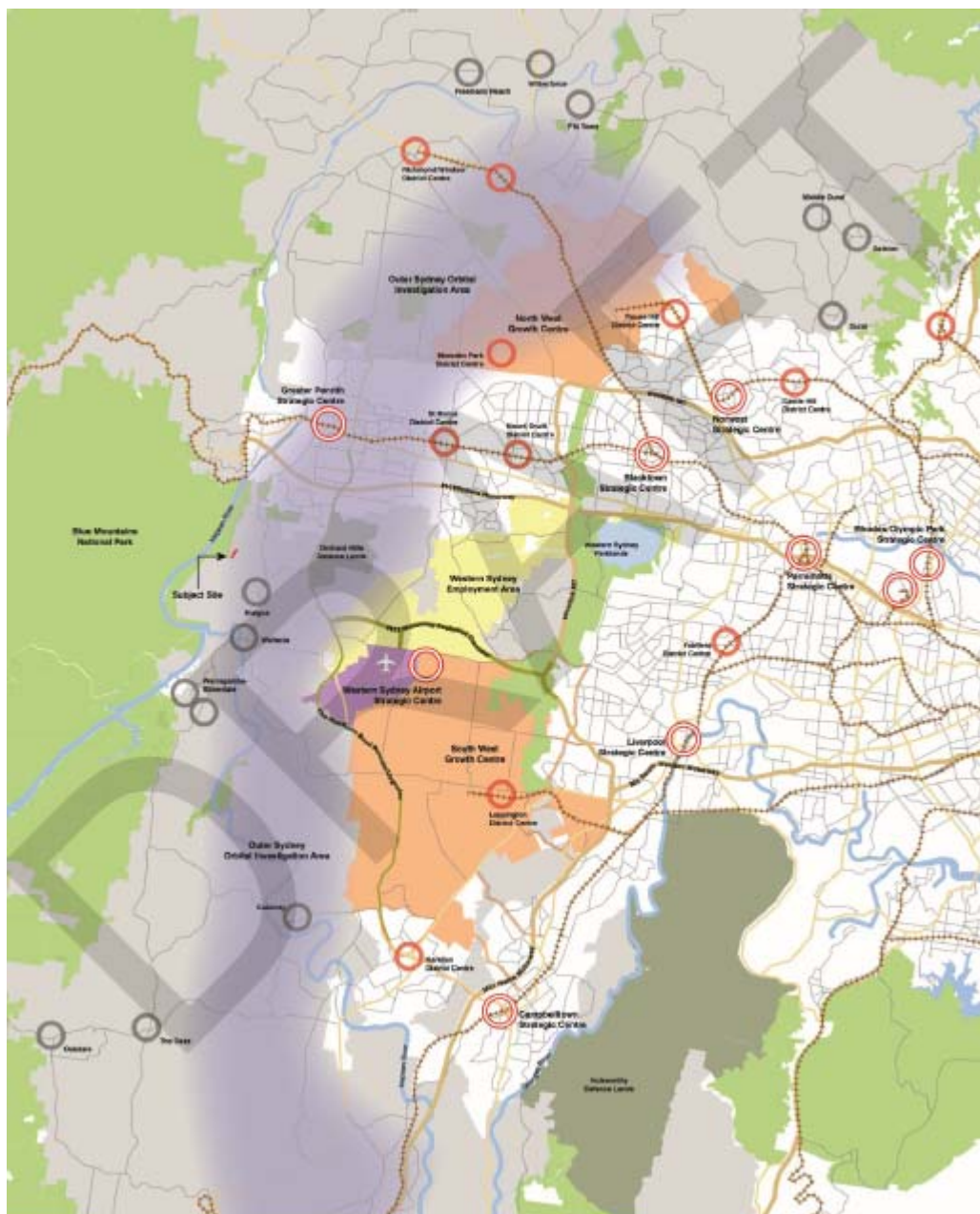


Figure 6. Sydney's Metropolitan Rural Area with subject site superimposed.

There is an opportunity for development of a class 10a building, additional to the approved DA 17/0550 dwelling which is built and occupied, providing additional storage area to support the rural lifestyle.

3.2 Mayfair Road

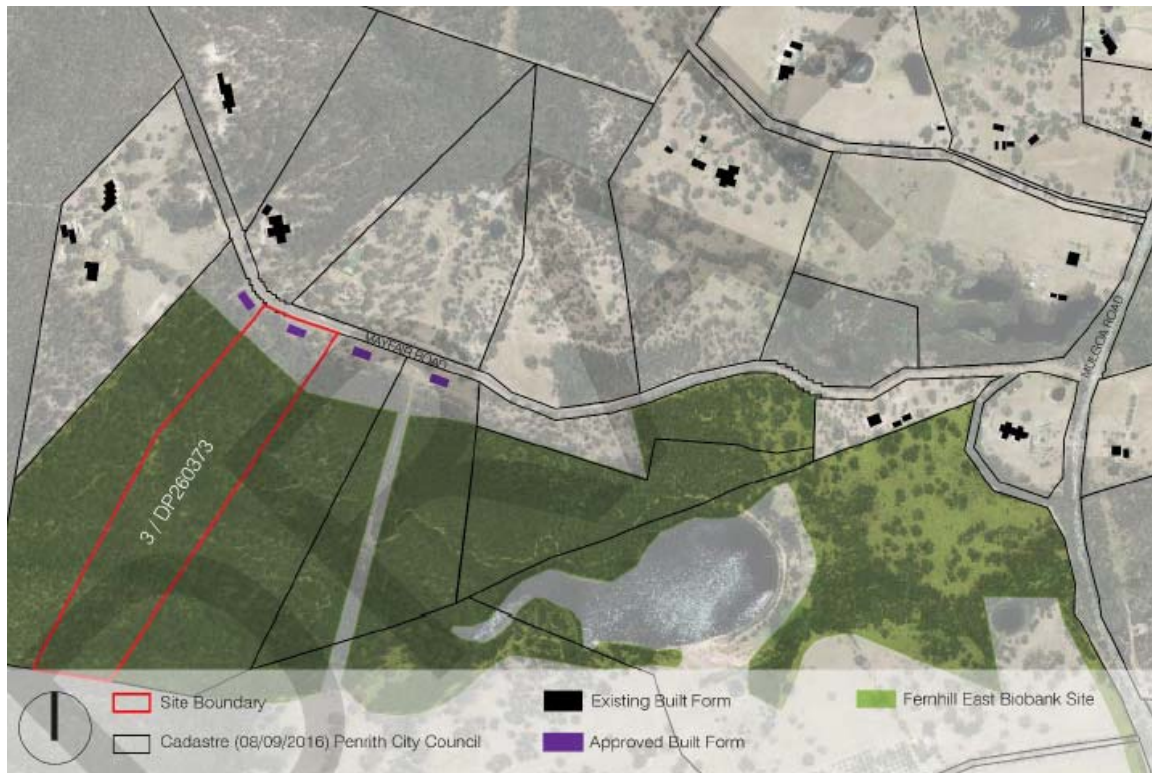


Figure 7. Mayfair Road Figure Ground Diagram

As shown in Figure 7, Mayfair Road has rural character arising from:

- Single story dwellings on lots approximately 4-10 hectares, and
- Native vegetation (Ecological Assessment Report prepared by GHD 2016)
 - Low conditions directly adjacent to Mayfair road
 - Moderate/good conditions adjacent to the Fernhill East Biobank

There is an opportunity for further development of the subject site with the additional of a class 10a building to further support the need for residential accommodation within a rural setting.

3.3 Site Analysis

The Subject site is described as the following:

- Single frontage to Mayfair Road approximately 130m
- Site area approximately 10.11 ha
- Slopes 5° – 10° north to south
- Southern portion occupied by vegetation protection in perpetuity under biobanking agreement No.112
- Existing two story dwelling with 15m setback to primary boundary along Mayfair Road
- Existing in ground swimming pool behind the dwelling

As proven by the previous DA17/0550 and DA20/0416

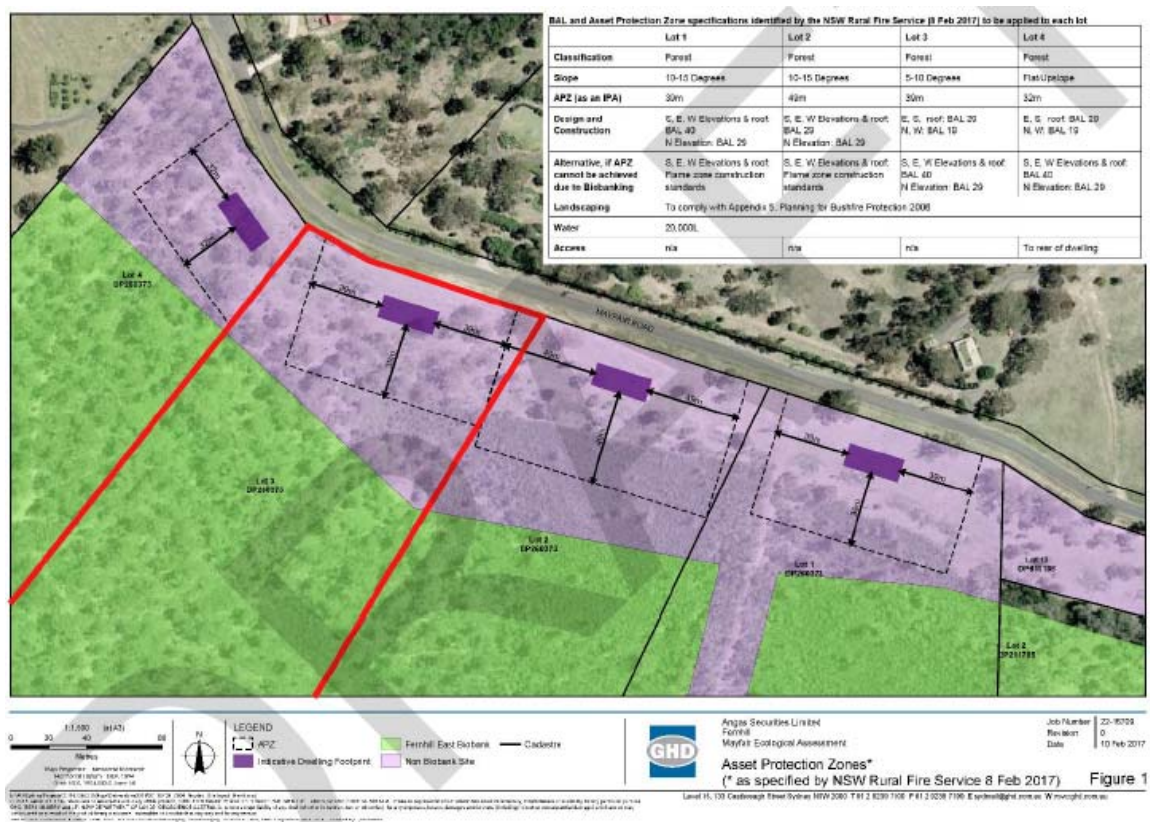


Figure 8. Site analysis of approved building envelopes from previous application

4.0 Desired Future Character

The desired future character is for the development of a suitable storage shed with in the subject site:

- To provide additional storage area within a rural setting along Mayfair Road
- With reduced front setback of 15m, as approved under DA17/0550 supported by a council letter dated 29 January 2017.
- With sufficient APZs to ensure satisfactory mitigations of bushfire impacts

5.0 The Proposal

The proposal seeks the development of a single story shed, (Class 10a) building on the site at 132-144 Mayfair Road Mulgoa, defined as a "Farm building" under Penrith LEP 2010

The dwelling is to be located in the northern section of the site to retain vegetation protected by biobanking Agreement no. 112 to the south.

The proposal of a single story shed, with primary frontage to Mayfair Road includes

- 2x Garage area for machinery storage such as tractor, slasher, mowers, trailers for floating
- Storage area for additional storage away from dirty machines and vehicles
- Workshop area for tool storage to maintain machinery.
- Flat roof and façade that matches existing dwelling,
- External finishes and colours that match existing dwelling

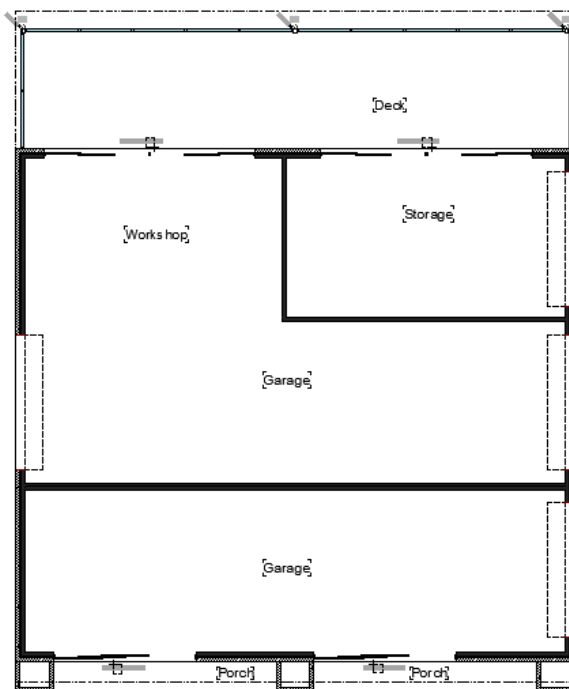


Figure 9. Floor plan

6.0 Environmental Assessment

6.1 Desired Future Character

Development is compatible with the desired context of the locality:	Comments	Compliance
1. To provide additional storage area within a rural setting along Mayfair Road	The proposal seeks development for a storage shed on the northern section of a 10 Ha allotment to Mayfair Road	✓
2. With reduced front setback of 15m, as approved under DA17/0550 supported by a council letter dated 29 January 2017.	The Farm building will have a 15m front setback to Mayfair road	✓
3. With sufficient APZs to ensure satisfactory mitigations of bushfire impacts	A 35m APZ will be applied to the farm building, consistent with the BAL assessment that accompanied DA17/0550	✓

6.2 Infrastructure, Stormwater and Waste

- The proposed farm building is not expected to have any significant impact on infrastructure and services to the subject site. There is no waste water to be generated from proposal.
- Stormwater impacts are to be mitigated through development in accordance with the Stormwater Management Plan forming part of the Architectural Plans (Better Built Homes Revision C Dated 8.7.21, sheet 5).
- No Wastewater is designed to the Farm building thus there is no wastewater mitigation required.

6.3 Heritage

Notwithstanding the subject site is forming part of Heritage Item No. 873 ("Fernhill" curtilage) under Penrith Local Environmental Plan 2010 (see figure 4) development of a farm building within the subject site is acceptable on the following grounds:

- Views to Fernhill House are precluded by dense native vegetation protected in perpetuity under Biobanking Agreement 112.
- Per Penrith Local Environmental Plan 2010 'Scenic and Landscape Values' map (see Figure 5), the subject site is not identified as having scenic or landscape values.
- The proposal does not impact the relationship between Cox's Cottage, Thomas's Church and Fernhill.
- No heritage structures, features or gardens are located on the subject site.

6.4 Bushfire Assessment

The site is identified Bushfire Prone Vegetation Category 1, per Rural Fire Service (RFS) Australia and New Zealand Land Information Council (ANZLIC).

In accordance with a RFS BAL self-assessment forming part of this development application, the proposed dwelling will have a 35 metre APZ on the site that were determined in DA17/0550 approval. (see Figure 11).

If RFS is of the mind, increased APZs can be provided to ensure bushfire risks are appropriately managed.

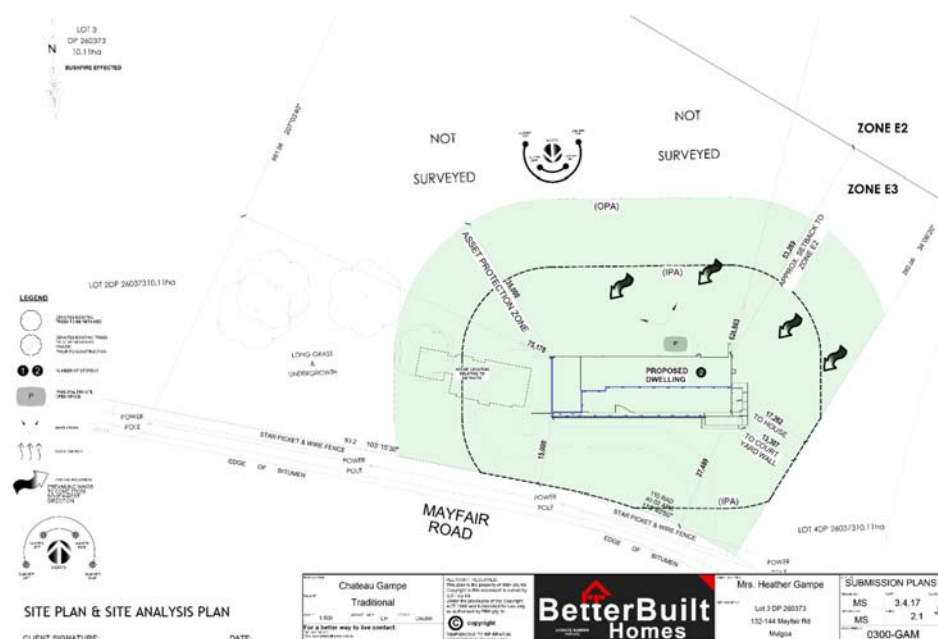


Figure 11. Site Plan for Lot 3 DP 260373 prepared by Better Built Homes 2017.

6.5 Vegetation Impact

The Weed Management Plan prepared by Hunter Land Management (2017) states:

"the site contains a monoculture of Lantana (*Lantana camara*) as an understory under the Cumberland Plain Mitchell Landscape (DECC, 2008a) vegetation community as described in detailed in the GDH Ecological Assessment for the subdivision completed in 2016.

On this site, no examples of the native understorey were present as expected in the defined flora

community. See example photo below. No other weeds were found on site."(p.5)
It is recommended that:

"Ongoing maintenance including mowing and spraying using the details on page 10 [of the Weed Management Plan] will be required to keep the weed infestation under control in the long term." (Weed Management Plan by HLM 2017, p.11)

7.0 Environmental Planning Assessment

7.1 Penrith Local Environmental Plan 2010

The proposed development and associated works at 132-144 Mayfair Road Mulgoa is assessed under Part 4 of the Environmental Planning & Assessment Act 1979. Cl. 2.3 Zone Objectives and Land Use Table

Cl. 2.3 Zone Objectives and Land Use Table – Zone E2 Environmental Conservation

Land zoned E2 Environmental Consideration is occupied by dense vegetation protected in perpetuity under BioBanking Agreement No. 112.
No development is proposed within the E2 zone.

Cl. 2.3 Zone Objectives and Land Use Table – Zone E3 Environmental Management

OBJECTIVES	COMPLIANCE	COMMENTS
To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.	✓	The site is not classified as being within the vistas of heritage items or being land with scenic and landscape values according to the Penrith LEP 2010 Scenic and Landscape Values Map (see Figure 5). The southern portion of the subject site is occupied by vegetation protected in perpetuity under Biobanking Agreement No.112.
To provide for a limited range of development that does not have an adverse effect on those values.	✓	Proposal will not significantly impact on the ecological, scientific, cultural or aesthetic values of the area. The southern portion of the subject site is occupied by vegetation protected in perpetuity under Biobanking Agreement No.112.
To minimise conflict between land uses within the zone and land uses within adjoining zones.	✓	Development of a dwelling house is permissible under the current land use zoning of E3 Environmental Management.

		Dense vegetation location within land located in the portion of the site zoned E2 Environmental Consideration is protected in perpetuity under Biobanking Agreement No. 112.
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.	✓	A farm building will not unreasonably increase the demand for public services and facilities in either Mulgoa Village or Penrith. The proposed dwelling will not create demand for services and facilities greater than that which was approved under existing DA.
To preserve and improve natural resources through appropriate land management practices.	✓	A 35m Asset Protection Zone is identified around the dwelling house to mitigate bushfire impacts per RFS BAL self-assessment. Outside of the Asset Protection Zone, existing vegetation is retained. If the RFS is of the mind, increased APZs can be provided to ensure bushfire risks are appropriately

Cl. 5.10 Heritage Conservation

Notwithstanding the subject site forming part of Heritage Item No. 873 ("Fernhill" curtilage) under Penrith Local Environmental Plan 2010 (see Figure 4), development of a farm building within the subject site is acceptable on the following grounds:

- Development of dwelling houses within the northern portion of the heritage curtilage was approved under DA 16/0735 and DA17/0550.
- Views to Fernhill House are precluded by dense native vegetation protected in perpetuity under Biobanking Agreement 112.
- Per Penrith Local Environmental Plan 2010 'Scenic and Landscape Values' map (see Figure 5), the subject site is not identified as having scenic or landscape values.
- The proposal does not impact the relationship between Cox's Cottage, Thomas's Church and Fernhill.
- No heritage structures, features or gardens are located on the subject site.

Cl. 7.7 Servicing

OBJECTIVES	COMPLIANCE	COMMENTS
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1) The objective of this clause is to ensure that development of land to which this Plan applies reflects the availability of services.	✓	The proposed farm building will not create demand for services and facilities greater than that which was approved under existing DA 16/0735 and DA17/0550.
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	✓	A 120,000Lt rainwater tank is existing onsite with a 20,000Lt minimum capacity for Fire Tanker refill.
b) the development will have adequate facilities for the removal and disposal of sewage, and	N/A	Development does not generate wastewater
c) if the development is for seniors housing, the development can be connected to a reticulated sewerage system, and	N/A	Development is not for seniors housing
d) the need for public amenities or public services has been or will be met.	N/A	Public amenities and services are not required.
3) Subclause (4) applies to land in Zone RU5 Village or Zone R5 Large Lot Residential that is not connected to a reticulated sewerage system provided by Sydney Water or licensed by the Council or the Environment Protection Authority.	N/A	The site is not zoned RU5 Village or R5 Large Lot Residential
4) Development consent must not be granted to a subdivision of land referred to in subclause (3) unless each resulting lot will have an area of at least 1 Ha	N/A	The proposal is not for a subdivision.

Cl. 7.18 Mulgoa Valley		
OBJECTIVES	COMPLIANCE	COMMENTS
1) The objectives of this clause are as follows:		
a) To establish specific planning controls for land in the Mulgoa Valley (the valley),	✓	Noted.
b) to protect and enhance the rural landscape of the valley, including its agricultural qualities, cultural heritage values and the setting of the villages of Mulgoa and Wallacia,	✓	The proposal is consistent with the rural residential landscape of the locality. Mulgoa Village is 2.8km from the subject site. Views to Heritage Item No. 128 "Fernhill House" are precluded by dense native vegetation protected in perpetuity under BioBanking Agreement 112.
c) to ensure development in the valley (including rural living opportunities) protects and utilises its tourism and recreational potential and is consistent with conserving its rural and natural landscape, heritage and agricultural qualities,	✓	The proposal will have minimal impact on the rural and natural landscape of the locality. It will not impact on the agricultural or heritage qualities of the landscape. Views to Fernhill House are precluded by dense native vegetation protected in perpetuity under Biobanking Agreement 112. Per Penrith Local Environmental Plan 2010 'Scenic and Landscape Values' map (see Figure 5), the subject site is not identified as having scenic or landscape values.
d) to ensure traffic generating development is suitably located so as not to adversely affect the safety, efficiency and rural character of roads, particularly Mulgoa Road.	✓	The proposed development will not have significantly greater traffic impacts than that which was approved under DA 16/0735 and DA17/0550.

2) This clause applies to land identified as "Mulgoa Valley" on the Clause Application Map.	✓	The Subject site is located within 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 proposed dwelling is located down-slope of Mayfair 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	✓	Views to Heritage Item No. 128 "Fernhill House" are precluded by dense native vegetation protected in perpetuity under Biobanking Agreement 112. The proposal will not detract from heritage significance of Fernhill.
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 development incorporates a range of materials which reflect the rural character of the area as well as contribute to a modern appearance: <ul style="list-style-type: none"> • Black La Paloma Gaudi Bricks with Black Mortar • White Painted Brickwork • Brown Cedar Battens • Stone Cladding TBC External Colour Schedule required.

d) that the proposed development will not detract from the "Vistas of heritage items" specified on the Scenic and Landscape Values Map,	N/A	The site is not identified within significant vistas according to the PLEP 2010 Scenic Landscape Values Map.
e) that extensive areas of vegetation will not be cleared for the proposed development,	✓	Vegetation clearing will be considered to the APZ, as required by the BAL self-assessment forming part of this application. Dense vegetation within the southern portion of the site is protected in perpetuity under Biobanking Agreement No 112
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,	✓	Vegetation outside the APZ will be retained. Dense vegetation within the southern portion of the site is protected in perpetuity under Biobanking Agreement No. 112.
g) that the agricultural viability of holdings and potential of the land will not be adversely affected,	✓	The land was identified as suitable for the development of a dwelling house under DA 16/0735 and DA17/0550.
h) that Aboriginal and non-Aboriginal cultural heritage resources on the land will not be adversely affected,	✓	The site is not identified as having Aboriginal cultural heritage significance under Penrith LEP 2010. Views to Heritage Item No. 128 "Fernhill House" are precluded by dense native vegetation protected in perpetuity under Biobanking Agreement 112.
i) that the view from Mulgoa Road and the rural setting of the villages of Mulgoa and Wallacia will not be adversely affected,	✓	The proposal will not be visible from Mulgoa Road or Mulgoa Village. The dwelling is: <ul style="list-style-type: none"> • 1.4 km from Mulgoa Road • 2.8 km from Mulgoa Village.

j) that the safety and efficiency of Mulgoa Road will not be adversely affected	✓	The proposed development will not have significantly greater traffic impact than that which was approved under DA 16/0735 and DA17/0550.
k) that any upgrading required to maintain safety and efficiency will not detract from the present rural character of Mulgoa Road.	N/A	No upgrades will be required.
4) Before granting development consent for the subdivision of land to which this clause applies, the consent authority must be satisfied that consent for a building could be granted in accordance with subclause (3) on each lot proposed to be created.	N/A	The proposal is not for a subdivision.

7.2 Penrith Development Control Plan 2014

Cl. 7.18 Mulgoa Valley		
OBJECTIVES	COMPLIANCE	COMMENTS
a) Ensure that the site's context has been analyzed and considered to ensure that development is designed on a 'whole of building' approach; and	✓	The context of the site within Mulgoa Valley has been analyzed and considered, as demonstrated by strategic and local context analysis in Section 3.2 and Section 3.3, and this assessment against DCP controls set out below.
b) Protect and enhance areas with high scenic and landscapes values that contribute to the character of the City of Penrith.	N/A	The site is not identified as having scenic and landscape values according to the Penrith LEP 2010. C1.2
DESIGN PRINCIPLES		
OBJECTIVES	COMPLIANCE	COMMENTS
a) To ensure that development is undertaken in a sustainable manner, demonstrating this through the application	✓	BASIX certificate attached in Architectural Plans

of the Building Sustainability Index (BASIX), Green Star and/or Australian Buildings Greenhouse Ratings certification system, where appropriate;		forming part of this application (Sheet No. 1).
b) Ensure that development is designed on a 'whole of building' approach by:		
i) responding to the site's context, the desired scale and character of an area, and minimising impacts on key views, scenic values and where applicable, rural character;	✓	The proposal seeks development for a dwelling house on the northern section of a 10 Ha allotment to Mayfair Road. Views to Heritage Item No. 128 "Fernhill House" are precluded by dense native vegetation protected in perpetuity under Biobanking Agreement 112. Per Penrith Local Environmental Plan 2010 'Scenic and Landscape Values' map (see Figure 5), the subject site is not identified as having scenic or landscape values.
ii) responding to climatic and contemporary environmental conditions by: <ul style="list-style-type: none"> • encouraging passive solar building design; • allowing reasonable daylight access to all developments and the public domain; • reducing the necessity for, or improve the control of, mechanical heating and cooling; • reducing the energy consumed by installed appliances and equipment; • improving the indoor environmental quality of occupants; • minimising greenhouse gas emissions; 	✓	BASIX certificate attached in Architectural Plans forming part of this application (Sheet No. 1).
iii) minimising likely bulk and scale impacts of a building	✓	The proposed dwelling comprises of a single storey, with the exception of a minor second storey element

		<p>(master bedroom).</p> <ul style="list-style-type: none"> • Bulk and scale impacts of the proposed development are minimised through: • 15 metre setback from Mayfair Road (as approved under DA 16/0735 and DA17/0550.) • Proposed dwelling being located down-slope of Mayfair Road. • Two-storey component of proposed dwelling is setback over 27 metres from Mayfair Road. • Existing vegetation is used to screen the dwelling.
iv) considering the natural topography and landform and minimise excavation and likely visual impacts of the development;	✓	<p>The proposed dwelling comprises of a single storey, with the exception of a minor second storey element (master bedroom).</p> <p>Bulk and scale impacts of the proposed development are minimised through:</p> <ul style="list-style-type: none"> • 15 metre setback from Mayfair Road (as approved under DA 16/0735 and DA17/0550) • Proposed dwelling being located down-slope of Mayfair Road. • Designed with internal split through slap to respond to the

		natural grade of the land Existing vegetation is used to screen the dwelling. Dense vegetation located south of the proposed dwelling is protected in perpetuity under Biobanking Agreement No. 112.
v) ensuring that the development (including the public domain): <ul style="list-style-type: none"> has incorporated the Crime Prevention Through Environmental Design (CPTED) principles of surveillance, access control, territorial management and space management into its design; and is accessible and useable for all members of the community 	N/A	the proposed development does not include public domain or land otherwise accessible for all members of the community.
C2 VEGETATION MANAGEMENT		
C2.1 PRESERVATION OF TREES AND VEGETATION		
A 35m APZ exists for the development as per the existing DA17/0550		
C2.2 BIODIVERSITY CORRIDORS AND AREAS OF REMNANT INDIGENOUS VEGETATION IN NON-URBAN AREAS		
Controls within C2.2 do not apply as the subject site is not identified as Natural Resources Sensitive Land within the Natural Resource Sensitive Land Map (PLEP 2010)		
C2.3 Bushfire Management		
Bushfire management is as per DA17/0550. No further mitigation is applied.		
C3 Water Management		
C3.1 THE WATER CYCLE/WATER CONSERVATION		
120,000 Lt rainwater tank, with a 20,000 Lt minimum capacity for fire tanker refill exists on the site.		
C3.6 STORMWATER MANAGEMENT AND DRAINAGE		
Stormwater is to be managed according to council requirements. Refer to Stormwater Management Plan prepared by Better Built Homes for further detail.		
C3.8 RAINWATER/STORAGE TANKS		
A 120,000Lt rainwater, with 20,000 Lt minimum capacity for fire tanker refill exists on the site. The objectives and controls of this section have been considered in its location and design.		
C5 WASTE MANAGEMENT		
The proposal does not generate ongoing waste.		
C6 LANDSCAPE DESIGN		
Per DA17/0550, 35 metre APZs are provided, creating limited opportunity for landscape treatment. Dense vegetation within the southern portion of the site is protected in perpetuity under BioBanking Agreement No. 112.		
C7 CULTURE AND HERITAGE		
Notwithstanding the subject site forming part of Heritage Item No. 873 ("Fernhill" curtilage) under Penrith Local Environmental Plan 2010 (see Figure 4), development of a dwelling house		

within the subject site is acceptable on the following grounds:

- Development of dwelling houses within the northern portion of the heritage curtilage was approved under DA 16/0735 and DA17/0550.
- Views to Fernhill House are precluded by dense native vegetation protected in perpetuity under Biobanking Agreement 112.
- Per Penrith Local Environmental Plan 2010 'Scenic and Landscape Values' map (see Figure 5), the subject site is not identified as having scenic or landscape values.
- The proposal does not impact the relationship between Cox's Cottage, Thomas's Church and Fernhill.
- No heritage structures, features or gardens are located on the subject site.

C13 Infrastructure and services

- The proposed farm building is not expected to have significantly greater infrastructure and services requirements than that of the dwelling which was approved under DA 16/0735 and DA17/550 applying to the subject site.
- Stormwater impacts are to be mitigated through development in accordance with the Stormwater Management Plan forming part of the Architectural Plans.

D1 Rural Land Uses		
Objective	Compliance	Comments
a) To reinforce Penrith's urban growth limits and promote a compact City by identifying and promoting the intrinsic rural values, character and functions of the City's rural lands;	✓	subject site was identified as a suitable for the development of a dwelling under DA 16/0735 and DA17/550
b) To sustain healthy and diverse rural lands in Penrith by conserving their biodiversity, maintaining the integrity of their ecosystems, maintaining their natural capital, and promoting the social wellbeing of rural communities;	✓	Dense vegetation located south of the proposed dwelling is protected in perpetuity under Biobanking Agreement No. 112.
c) To promote agriculture and other rural land uses that are sustainable in the longer term, through the use of appropriate resource and environmental management policies, plans, guidelines and practices;	✓	The subject site was identified as suitable for development of a dwelling house approved under DA 16/0735 and DA17/550
d) To promote a sustainable economic environment that fosters economically viable rural development, employment, transport and future investment opportunities;	✓	Dense vegetation located south of the proposed dwelling is protected in perpetuity under Biobanking Agreement No. 112. The subject site was identified as suitable for development of

		<p>a dwelling house approved under DA 16/0735 and DA17/550</p> <p>Future residents of the proposed dwelling will benefit from a high level of accessibility to employment and services offered by:</p> <ul style="list-style-type: none"> □ Western Sydney Airport: 11 km from subject site. □ Western Sydney Employment Area: 15 km from subject site. □ Penrith Strategic Centre: 9 km from subject site. □ Mulgoa Village: 2.8 km from subject site.
e) To increase the awareness of ecologically sustainable rural land use practices amongst landholders, land-users and the community generally, and promote responsible stewardship of Penrith's rural lands;	✓	<p>Dense vegetation located south of the proposed dwelling is protected in perpetuity under Biobanking Agreement No. 112.</p> <p>Appropriate bushfire mitigation measures are to be applied through a 35 metre APZ.</p>
f) To consider the impacts of development on sustainable agriculture and ensure development will not unreasonably increase agricultural land values or incrementally reduce the size of agricultural holdings;	✓	<p>The subject site was identified as suitable for development of a farm building</p>
g) To consider the potential for conflicts between various land uses, including rural living allotments, small holding subdivision, tourism, extensive and intensive agriculture and mining;	✓	<p>The subject site was identified as suitable for development of a dwelling house approved under DA 16/0735 and DA 17/550 therefore there are no issues for a farm building</p>

h) To consider land capability, including soils, erosion potential, slope, and hazards (contamination, salinity, bushfire and flooding);	✓	The subject site was identified as suitable for development of a dwelling house approved under DA 16/0735 and DA 17/550, therefore there is no issue with a Farm building
i) To consider water resources, including impacts on water catchments, adequacy of water supply, access to water entitlements, and location of effluent disposal;	✓	A 120,000 Lt rainwater tank exists on site with a 20,000Lt minimum capacity for Fire Tanker refill. See Stormwater Management Plan prepared by <i>Better Built Homes</i> . (Sheet No. 2.3) No wastewater will be generated from the farm building.
j) To maintain and improve the water quality of watercourses within the City;	✓	See Stormwater Management Plan prepared by Better Built Homes.
k) To minimise the impacts of development on biodiversity, including threatened species, habitat, natural ecosystems and wildlife corridors	✓	Dense vegetation located south of the proposed dwelling is protected in perpetuity under Biobanking Agreement No. 112.
l) To consider existing infrastructure, including the capacity of the existing road network and utility services to meet the expected needs of proposed development;	✓	The proposed farm building will not have significantly greater impact on existing infrastructure that that which was approved under DA 16/0735 and DA 17/550.
m) To promote rural residential development where it is consistent with the conservation of the rural, agricultural, heritage and natural landscape qualities of the area; and	✓	The subject site was identified as suitable for development of a dwelling house approved under DA 16/0735 and DA17/550 therefore there is no issue for a farm building.
n) To ensure that traffic generating developments are suitably located so that the	✓	The proposed dwelling will not

safety and efficiency of roads is not adversely affected by development on adjacent land.		have significantly greater impact on existing infrastructure that that which was approved under DA 16/0735 and DA17/550 therefore there is no issue for a farm building.
D1.1 RURAL CHARACTER		
Objective	Compliance	Comments
a) To preserve the rural character of the City of Penrith, including its scenic and landscape qualities;	✓	The proposed farm building comprises of a single storey, Bulk and scale impacts of the proposed development are minimised through: <ul style="list-style-type: none"> □ 15 metre setback from Mayfair Road (as approved under DA 16/0735 and DA17/550) □ Proposed farm building being located down-slope of Mayfair Road. □ Retention of existing vegetation beyond the APZ
b) To retain and protect each of the elements that make up the rural character of Penrith; and	✓	A farm building is consistent with the rural character of Mayfair Road: <ul style="list-style-type: none"> □ Mayfair Road has rural character arising from dwellings and associated farm buildings on lots approximately 4-10 hectares. o The proposed farm building comprises of a single storey, □ Native Vegetation o Dense vegetation located south of the proposed farm building is protected in perpetuity under Biobanking Agreement No. 112.

c) To address the visual impact assessment requirements for major applications, as required	✓	he subject site was identified as suitable for development of a dwelling house approved under DA 16/0735 and DA17/550 therefore there is no issue for a farm building.
Controls	Compliance	Comments
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 (See section on 'Site Planning and Design Principles' and Appendix F3 'Submission Requirements').	N/A	This development is not a major development.
D1.2 Rural Dwellings and Outbuildings		
Objective	Compliance	Comments
a) To ensure that development does not detract from the rural landscape, scenic quality, heritage value, nature conservation significance or agricultural productivity of rural areas;	✓	The proposed farm building comprises of a single storey, Bulk and scale impacts of the proposed development are minimised through: <ul style="list-style-type: none"> • 15 metre setback from Mayfair Road (as approved under DA 16/0735 and DA17/550) • Proposed farm building being located down-slope of Mayfair Road. • Retention of existing vegetation beyond the APZ.
b) To provide separation between residential uses and noise generating sources	✓	The proposed farm building has sufficient separation from dwellings within neighbouring sites. Mayfair Road is unlikely

		to be a significant source of noise due to being a cul-de-sac servicing a limited number of rural dwellings.
c) To provide buffers between residential buildings and land uses to minimise the potential for land use conflict and additional pressure on agriculture or other rural activities;	✓	The subject site was identified as suitable for development of a dwelling house approved under DA 16/0735.
d) To ensure that external finishes used have minimal detrimental impact on the visual amenity of an area;	✓	The proposed development incorporates a range of materials which reflect the rural character of the area as well as contribute to a modern appearance: <ul style="list-style-type: none"> • Black La Paloma Gaudi Bricks with Black Mortar • White Painted Brickwork
e) To encourage consideration of all the rural components of development such as fencing, outbuildings, driveways and landscaping in the design of the proposed development; and	✓	As above
f) To encourage a diversity of interesting rural dwellings and outbuildings, which respect the inherent character of the locality.	✓	As above
D1.2.1 SITING AND ORIENTATION OF DWELLINGS AND OUTBUILDINGS		
Objective	Compliance	Comments
a) The specific objective of this section is to ensure dwellings and outbuildings are sited in accordance with the general objectives listed above.	✓	Noted
Controls	Compliance	Comments
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,	✓	Privacy of the proposed and approved neighbouring dwellings is protected through: <input type="checkbox"/> Sufficient separation between dwellings. <input type="checkbox"/> Retention of existing vegetation beyond the APZ.
ii) Providing flood-free access to the dwelling and a flood free location for the dwelling itself;	✓	The subject site was identified as suitable for development of a dwelling house approved under DA 16/0735 and DA17/550
iii) Minimising risk from bush fire by considering slope, orientation and location of likely fire sources;	✓	A 35 metre Asset Protection Zone exists for this site in accordance with RFS BAL self-assessment of DA 17/550
iv) Maximising solar access;	N/A	NA
v) Retaining as much of the existing vegetation as possible; and	✓	Existing vegetation outside the Asset Protection Zone is to be retained. Dense vegetation located south of the proposed dwelling is protected in perpetuity under BioBanking Agreement No. 112
vi) Minimising excavation, filling and high foundations by avoiding steep slopes (greater than 1 in 6).	✓	The site is located to minimise cut and fill. The proposal includes a split in the slab to respond to the topography, along with a deck in Lieu of a slab verandah as to not increase the cut and fill.
b) The design of the development must consider all components including fencing, outbuildings, driveways, and landscaping.	✓	The Farm house has been designed with materials and finishes to match the existing dwelling approved under DA17/550, along with a similar façade. Fencing, driveways and landscaping design have been considered.
c) Where practical, all buildings on a site, including dwellings and outbuildings, should be	✓	The proposed Farm building is located

clustered to improve the visual appearance of the development in its landscape setting and reduce the need for additional access roads and services.		adjacent to the existing dwelling, utilising the same driveway to access Mayfair road. Visual appearance is provided at the highest quality by mirroring the materials, colours and design to match the existing dwelling.
2. Landscape/Scenic Character		
a) Buildings on sloping land should be sited (where natural features permit) so they do not intrude into the skyline.	✓	The proposed farm building is located down-slope of Mayfair Road.
b) Buildings should not be placed on the ridgeline or peak of any hill unless there are no alternative locations possible.	✓	As above.
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	✓	Existing vegetation on the site is used to provide privacy from passing traffic and existing dwellings. The entire length of the front boundary was planted with hedge planting as part of DA 17/550.
d) Roads should be designed and located to run with the contours of the land.	✓	No new roads are proposed.
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.	✓	Flat roof design façade is proposed.
f) Simple rooflines should be used to minimise the likelihood of twigs and leaves building up in valleys and presenting a bushfire hazard.	✓	Flat roof design is proposed.
D1.2.2 SETBACKS AND BUILDING SEPARATIONS		
Objective	Compliance	Comments
Dwellings and outbuildings are to be sufficiently setback from roads, property boundaries and watercourses:		
a) To maintain sight distances for vehicular safety; and	✓	The farm building is setback 15 metres from the front boundary line, as approved under DA 16/0735 and DA17/550
b) To preserve trees and other vegetation, and provide adequate areas for landscaping.	✓	Existing vegetation outside of the 35 metre Asset Protection Zone will be retained. Opportunities for landscaping are

		provided at the front of the farm building
Controls	Compliance	Comments
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.	✓	The dwelling is setback 15 metres from the front boundary line, as agreed under DA 16/0735 and DA 17/550
b) A variety of setbacks will be encouraged to prevent rigidity in the streetscape	✓	The dwelling is setback 15 metres from the front boundary line, as agreed under DA 16/0735 and DA 17/550
c) A minimum setback of 30 metres is required to all classified roads (except Mulgoa Road), Luddenham Road, Greendale Road and Park Road. In some cases, larger setbacks may be required. Please contact Council to discuss	N/A	Mayfair Road is not identified as a classified road under RMS schedule of classified roads. The dwelling is setback 15 metres from the front boundary line, as approved under DA 16/0735 and 17/550
d) A minimum setback of 100 metres is required to Mulgoa Road for all dwellings and outbuildings (except in the Mulgoa Village).	N/A	The site is not located within 100 metres of Mulgoa Road.
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.	N/A	The site is not located within 100 metres of the Nepean River.
b) A minimum setback of 75 metres is required from South Creek for all dwellings and outbuildings.	N/A	The site is not located within 75 metres of South Creek.
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.	N/A	The site is not located within 40 metres of a natural 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.	✓	Sufficient separation is provided between the proposed dwelling and approved dwellings in adjoining lots to the east and west. o Lot 4 DP 260373 o Lot 2 DP 260373 o Lot 1 DP 260373

b) The minimum side setback for dwellings is 10 metres where the allotment is 2 hectares or larger	✓	The side setbacks are greater than 10 metres.
c) The minimum side setback for dwellings is 5 metres where the allotment is less than 2 HA	N/A	The site is greater 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 Sections 1.4 'Agricultural Development' and 1.5 'Non-Agricultural Development' of this chapter.	N/A	The subject site was identified as suitable for development of a dwelling house approved under DA 16/0735 and 17/550 therefore there is no issue with a F building.

D1.2.3 SITE COVERAGE, BULK AND MASSING

Objective	Compliance	Comments
a) To ensure the size of rural dwellings is appropriate considering the size of the site and the character of the area; and	✓	<p>The proposed farm building is consistent to that of a rural storage shed.</p> <p>Bulk and scale impacts of the proposed development are minimised through:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 15 metre setback from Mayfair Road (as approved under DA 16/0735 and DA 17/550) <input type="checkbox"/> Proposed farm building being located down-slope of Mayfair Road. <input type="checkbox"/> Retention of existing vegetation beyond the APZ.
b) 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.	✓	The proposal is for one farm building. This is considered appropriate for the 10 hectare allotment. The subject site was identified as suitable for development of a dwelling house

		approved under DA 16/0735 and DA 17/550
Controls	Compliance	Comments
1) Dwellings shall have a maximum ground floor footprint of 500m2 (including any undercover car parking areas).	N/A	Farm buildings are not Dwellings. N/A.
2) Dwellings shall have a maximum overall ground floor dimension of 45m, with a maximum of 18m at any one point.	N/A	Farm buildings are not Dwellings. N/A.
3) The maximum floor space of any second storey is to be 70% of the floor space of the lower storey of the dwelling.	N/A	Farm buildings is of single story.
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 proposed parking spaces within the farm building do not face the street.
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.	N/A	Farm buildings are excluded.
D1.2.4 HEIGHT, SCALE AND DESIGN		
Objective	Compliance	Comments
a) An appropriate height and scale for the size of the site and character of the area; and	✓	The proposed farm building comprises of a single storey. Bulk and scale impacts of the proposed development are minimised through: <input type="checkbox"/> 15 metre setback from Mayfair Road (as approved under DA 16/0735 and DA 17/550) <input type="checkbox"/> Proposed farm building being located down-slope of Mayfair Road. <input type="checkbox"/> Retention of existing vegetation beyond the APZ.
b) A high quality of design that is sympathetic to the rural character but also promotes innovation.	✓	The design is consistent with the façade of the existing dwelling, approved in DA 17/550
Controls	Compliance	Comments
1. Height and Scale		
a) Dwellings shall be no more than two storeys in height, including garage and storage areas.	N/A	The proposal does not include a dwelling..

b) If liveable rooms are located in the area immediately below the roof then this level will be counted as a storey.	N/A	N/A
c) The maximum height of the ceiling of the top floor of all buildings should not exceed 8 metres above natural ground level.	✓	The proposed farm building does not exceed a maximum ceiling height of 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 1 metre 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 is located down-slope from Mayfair Road. The slab has been split to maintain 1m cut and fill.
D1.2.7 MATERIALS AND COLOURS		
Objective	Compliance	Comments
a) Use materials that are durable and of high quality; and	✓	The proposed development incorporates a range of materials which reflect the rural character of the area as well as contribute to a modern appearance: <input type="checkbox"/> Black La Paloma Gaudi Bricks with Black Mortar <input type="checkbox"/> White Painted Brickwork
b) Use colours that are sympathetic to the rural character and minimise any visual impact from the development.	✓	Colours are to match those approved for DA 17/550, which also addressed this objective.
Controls	Compliance	Comments
1) Colours of external finishes should be in keeping with the natural surroundings, be non-reflective and utilise earthy tones, unless it can be demonstrated that the proposed colours and finishes will have no visual impact or will complement the rural character.	✓	As above.
2) Building materials with reflective surfaces such as large expanses of glass, unpainted corrugated iron, concrete blocks, sheet cladding or similar finishes should be avoided. Where these materials are unavoidable, they should be screened with landscaping to minimise visual impact.	✓	Existing vegetation on the site is used to screen the building.

3) Re-sited dwellings may be considered in rural areas, however, the external finishes may be required to be upgraded to Council's satisfaction.	N/A	The proposal is not a re-sited dwelling.
E9 Mulgoa Valley		
Objective	Compliance	Comments
a) To conserve the rural landscape of the Mulgoa Valley;	✓	The proposal is consistent with the rural residential landscape of the locality. Mulgoa Village is 2.8km from the subject
b) To protect the setting of the villages of Mulgoa and Wallacia within the rural landscape;	✓	The proposal is consistent with the rural residential landscape of the locality. The dwelling is: □ 2.8 km from Mulgoa Village. □ 5.4 km from Wallacia Village.
c) To conserve heritage items and vistas within the Valley;	✓	The subject site forms part of Heritage Item No. 873 ("Fernhill" curtilage). Views to the site from Fernhill House are interrupted by dense native vegetation that is preserved through Biobanking Agreement No. 112. Per Penrith LEP 2010 Scenic and Landscape Values map (see Figure 5), the subject site is not identified as having scenic and landscape
d) To protect natural ecological elements within the Valley;	✓	Existing vegetation beyond the Asset Protection Zone is to be retained. Dense vegetation located south of the proposed dwelling is protected in

		perpetuity under BioBanking Agreement No. 112.
e) To protect the agricultural capability of prime agricultural land; and	✓	The proposal will have minimal impact on the rural and natural landscape of the locality. It will not impact on the agricultural or heritage qualities of the landscape. Views to Fernhill House are precluded by dense native vegetation protected in perpetuity under Biobanking Agreement 112. Per Penrith Local Environmental Plan 2010 'Scenic and Landscape Values' map (see Figure 5), the subject site is not identified as having scenic or landscape values.
f) To ensure that development in the Valley is consistent with conserving its rural and natural landscape, heritage and agricultural qualities.	✓	As above
E9.1 SITING AND BUILT FORM CONTROLS		
E9.1.1 HERITAGE ITEMS AND VISTAS		
<p>Notwithstanding the subject site forming part of Heritage Item No. 873 ("Fernhill" curtilage) under Penrith Local Environmental Plan 2010 (see Figure 4), development of a farm building within the subject site is acceptable on the following grounds:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Development of dwelling houses within the northern portion of the heritage curtilage was approved under DA 16/0735 and DA 17/550 therefore a farm building has no issue. <input type="checkbox"/> Views to Fernhill House are precluded by dense native vegetation protected in perpetuity under Biobanking Agreement 112. <input type="checkbox"/> Per Penrith Local Environmental Plan 2010 'Scenic and Landscape Values' map (see Figure 5), the subject site is not identified as having scenic or landscape values. <input type="checkbox"/> The proposal does not impact the relationship between Cox's Cottage, Thomas's Church and Fernhill. <input type="checkbox"/> No heritage structures, features or gardens are located on the subject site. 		
E9.1.2 Siting		
Objective	Compliance	Comments
To ensure that buildings are sited to protect and enhance the rural and natural landscape	✓	Bulk and scale impacts of the

of the Valley, particularly when viewed from roads and other public places		<p>proposed development are minimised through:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 15 metre setback from Mayfair Road (as approved under DA 16/0735 and DA 17/550) <input type="checkbox"/> Proposed dwelling being located down-slope of Mayfair Road. <input type="checkbox"/> Two-storey component of proposed dwelling is setback over 27 metres from Mayfair Road. <input type="checkbox"/> Retention of existing vegetation beyond the APZ. Existing vegetation is used to screen the dwelling. Dense vegetation located south of the proposed dwelling is protected in perpetuity under Biobanking Agreement No. 112.
Controls	Compliance	Comments
1) Buildings are to be located on mid-slopes to avoid visual impact on ridges and to avoid the banks of watercourses.	✓	The farm house is located down-slope of Mayfair Road. The general topography continues to rise to the west.
2) Buildings are to be setback at least 30 metres from public roads and at least 100 metres from Mulgoa Road. This control may be varied depending on the topography of the site.	✗	<p>The farm house is setback 15 metres from the front boundary line, as approved under DA 16/0735 and DA 17/550.</p> <p>Risk of damage during a bushfire is minimised through the creation of an APZ, per BAL self-assessment forming part of the report</p>

		<p>approved in DA 17/550.</p> <p>If the farm building were to be setback 30 metres from Mayfair Road, the APZ would breach the biobanking area causing both safety and environmental issues.</p> <p>The site is not within 100 metres of Mulgoa</p>
3) Buildings are to minimise excavation, filling and high foundations by avoiding slopes greater than 1 in 6.	✓	Proposed farm building is located to minimise cut and fill. The slab is split to provide almost flat driveways to address the slope of the site.
4) The longest façade of a building is to be parallel to the contours of the land.	✗	The longest façade is not along the contours. This is specifically designed as to not provide a street scape that is dominated by the farm building. Although the longest façade of the farm building goes across the contours , it has been designed to address the topography as noted above.
5) Buildings are to be grouped to minimise the visual impact of buildings in an open rural landscape	N/A	The subject site is not within an open rural landscape
E9.1.3 BUILDING FORM, MATERIALS AND COLOURS		
Objective	Compliance	Comments
a) To ensure building forms are in keeping with the traditional buildings of the Mulgoa Valley;	✓	<p>The proposal of a farm building is consistent with the rural character of Mayfair Road:</p> <p><input type="checkbox"/> Mayfair Road has rural character</p>

		<p>arising from single storey dwellings on lots approximately 4-10 hectares.</p> <ul style="list-style-type: none"> o The proposed farm building comprises of a single storey, <input type="checkbox"/> Native Vegetation o Dense vegetation located south of the proposed dwelling is protected in perpetuity under Biobanking Agreement No. 112.
b) To ensure building materials match or complement those of older rural buildings and heritage items; and	✓	<p>The proposed development incorporates a range of materials which reflect the rural character of the area as well as contribute to a modern appearance:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Black La Paloma Gaudi Bricks with Black Mortar <input type="checkbox"/> White Painted Brickwork
c) To ensure building colours are derived from the local natural landscape, especially the stone and soil, and from the traditional colours of the historic buildings of the Valley.	✓	As above.
Controls	Compliance	Comments
1) Buildings are to be a maximum of two storeys in height.	✓	The proposed farm building is single story.
2) Pitched roofs are preferable with a slope of between 30 and 45 degrees. Skillion roofs by themselves are to be avoided except as verandahs or for extensions.	✗	<p>The roofs of the proposal have a 2°pitch with a flat roof façade.</p> <p>This is consistent with DA 17/550</p>
3) Large elements, especially flat surfaces, are to be avoided. Building façades and roof lines are to be broken into small elements. Garden structures, such as trellises and pergolas, can assist in breaking up large elements.	✓	<p>Flat surfaces are avoided in the façade design.</p> <p>Windows, doors and verandahs break up the facades.</p>

4) Buildings are to be designed with a horizontal rather than vertical emphasis. For example, elements such as verandahs and wide eaves can add a horizontal	✓	The dwelling has a horizontal emphasis and includes a front porch.
5) Windows and doors, expressed as openings in solid walls, are to have a vertical rather than a horizontal emphasis, and large unbroken glazed panels are to be avoided.	✓	The windows and doors have a vertical emphasis. Partial compliance with glazed panels to the front and rear facades.
6) Building materials are to match or complement those of older rural buildings and heritage items. Examples of appropriate materials are:		
a) Walls – Dressed Hawkesbury sandstone, rendered brickwork, rendered concrete blockwork, pise, mud brick, earth wall construction, painted weatherboard (horizontal), corrugated iron and timber slab construction; and	✗	The walls are proposed to be white painted brickwork. This is an acceptable outcome on the grounds that it will reflect rural character as well as contribute to a modern appearance.
b) Roofs – Slate, timber shingles, clay tiles of traditional shape and colour, corrugated iron and ribbed sheet metal.	✗	The roof is proposed to be Klip Lock Roof at a 2° pitch with an Anti-Con Blanket. This is an acceptable outcome on the grounds that it will reflect rural character as well as contribute to a modern appearance.
7) Building colours are to be derived from the local natural landscape, especially the stone and soil, and from the traditional colours of the historic buildings of the Valley. Examples are: a) Walls – Light Indian Red, Biscuit, Light Stone, Drab, Light Red/Brown, Light Cream, Pink Beige and Brown Pink. Lighter colours are also acceptable, but avoid white and variegated and mottled colours in brickwork; b) Roofs – Unpainted iron, Light Olive Green, Paynes Grey, slate grey and blue/grey; and	✓	The proposed development incorporates a range of materials which reflect the rural character of the area as well as contribute to a modern appearance: <input type="checkbox"/> Black La Paloma Gaudi Bricks with

c) Trim – Bold rich deep colours such as Maroon, Terracotta and Brunswick		Black Mortar □ White Painted Brickwork
E9.1.5 ACCESS, PARKING AND SERVICES		
Objective	Compliance	Comments
a) To ensure the visual impact of access roads, parking areas and services is minimised.	✓	Existing vegetation is used to screen the dwelling.
Controls	Compliance	Comments
1) Driveways and access roads shall follow the contours of the land as much as possible and be of the minimum width.	✓	The driveway will be of minimum width and follows the contours of the site.
2) Driveways and access roads shall be constructed of compacted gravel, or paved or sealed in a dark coloured material if located on steep slopes.	✓	Utilise existing Concrete driveway from road to adjacent to existing dwelling, with extension to new farm building.
3) Parking areas shall be separated from access roads and from the buildings they serve by planting and other landscaping.	✓	No other parking areas are proposed besides the parking within the farm building proposed. Existing parking are incorporated within the existing building.
4) Large parking areas shall not be visible from public roads.	✓	The proposal does not include a large parking area
5) Services should be appropriately located and screened by walls and vegetation to form part of a coherent group.	✓	Existing vegetation is used to screen the dwelling. This includes hedge planting along the primary boundary as approved in DA 17/550.
E9.1.6 FENCES AND ENTRANCES		
Objective	Compliance	Comments
To ensure fences, gates and entrances are in harmony with the existing landscape and character of the Mulgoa Valley Precinct.	✓	No Additional fencing required with this proposal.
Controls	Compliance	Comments
a) If practicable, avoid fences on road frontage boundaries.	✓	There is an existing metal wire fence along the front boundary of the site.

		This fence is to be maintained for the proposal. New fences are not proposed on the Mayfair Road frontage boundary.
b) Fences should be simple and unpretentious, and in keeping with traditional forms; e.g. unpainted timber post and rail, timber post and wire, or steel post and wire. Masonry fences, such as brick, blockwork or stone, should be	✓	The existing fence on the site is steel post and wire.
c) Gates and entrances should also be simple, and in keeping with traditional forms. Examples are: i) Rendered and pointed brickwork, blockwork, sandstone, painted timber or post and rail; ii) Decorated gateposts with the property name carved or painted onto the gatepost or painted onto a wide timber top rail; and iii) Decorated iron, steel or timber gates.	✓	No gates are proposed in this development.
d) Gates and entrances should relate to the materials and colours of the building to which they belong.	✓	No gates are proposed in this development.
E9.1.7 SIGNAGE		
Advertising and signage does not form part of the proposal.		
E9.2 OTHER CONTROLS		
E9.2.1 MULGOA ROAD		
The subject site is not located along Mulgoa Road is not visible from Mulgoa Road.		

8.0 Conclusions and Recommendations

This application seeks for development of a farm building on Lot 3 DP 2607373, otherwise known as 132-144 Mayfair Road Mulgoa, and is recommended for approval on the following grounds:

- Development of farm building within the northern portion of the heritage curtilage was approved under DA 16/0735 and DA 17/550
- Development of a farm building on the subject site successfully meets the desired future character including:
 - o Development for a farm building on the northern section of a 10 Ha allotment to Mayfair Road.
 - o The farm building will have a 15 metre front setback to Mayfair Road, as approved under DA 16/0735 and DA17/550.
 - o A 35 metre APZ will be applied to the dwelling, per RFS BAL self-assessment approved in DA 17/550.

It is considered that the proposal is an appropriate response to its context, relevant local planning instruments and the matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and thereby recommended for approval.