

SWPP Ref. No.:	2016SYW129
DA No.:	DA16/0649
PROPOSED DEVELOPMENT:	Demolition of Existing Structures & Construction of Three (3) x Six (6) Storey Residential Flat Buildings containing 119 Apartments & Two (2) Levels of Basement Car Parking - Lot 27 DP 32610, Lot 1 DP 33490, Lot 2 DP 33490, Lot 3 DP 33490, Lot 29 DP 152558, Lot 270 DP 1222613, Lot 28 DP 32610, Lot 16 DP 1002125,12 John Tipping Grove, PENRITH NSW 2750 1 De Vilnits Parade, PENRITH NSW 2750 2 De Vilnits Parade, PENRITH NSW 2750 3 De Vilnits Parade, PENRITH NSW 2750 14 John Tipping Grove, PENRITH NSW 2750 12 John Tipping Grove, PENRITH NSW 2750 10 John Tipping Grove, PENRITH NSW 2750 16 John Tipping Grove, PENRITH NSW 2750
APPLICANT:	Morson Group Pty Ltd
REPORT BY:	Clare Aslanis, Senior Environmental Planner, Penrith City Council

Assessment Report

Executive Summary

Council is in receipt of a development application for a residential flat building (119 units) at 10-16 John Tipping Grove, and 1-3 De Vilnits Parade, Penrith. Under the Penrith Local Environmental Plan (LEP) 2010 the subject site is zoned R4 - High Density Residential and the proposal is a permissible land use with Council consent.

The proposal will transform seven single dwelling allotments into three modern high-density residential flat buildings with a shared basement. The building will make a significant contribution to the streetscape of this area of Penrith and will contribute to the desired future character of the locality.

Key issues identified for the proposed development and site include:

Site Isolation

- The application was amended following negotiations with land owners to ensure that the potentially isolated site was incorporated into the subject development. Site isolation has been resolved through inclusion of No.16 John Tipping Grove.

Building Height

- The development is proposed to be 19.49m in total height (excluding lift overrun) which is 1.49m higher than the LEP's 18m maximum height of buildings control for the subject site. Given the similar height of the adjacent building and imperceptibility from the street, the proposed variation is deemed acceptable as assessed through the submitted Clause 4.6 variation request.

Streetscape Character

- The proposed building is not consistent with the established scale and type of existing development on the adjoining allotments as well as in the broader locality. However given the LEP's recent gazettal and resultant 'up-zoning' it is considered that the desired future character of the locality is significantly different to the character of today. Accordingly the impacts of the proposed development are considered to be acceptable given the most affected properties (those directly to the east) are likely to be developed in the very near future. Additionally the development has provided adequate setbacks from boundaries and other design responses to ensure that the impacts on the adjoining neighbours are minimized.

Overland Flow

- This issue has been satisfactorily addressed by way of the concept stormwater plans which ensure that the loss of flood storage area will not have a detrimental impact on the flood risk of the locality by directing flows from the subject site directly into Council's existing infrastructure and towards Mulgoa Road and beyond.

The application has been notified to adjoining properties and advertised for a period of 14 days between 18 July and 1 August 2016, and 14 April and 1 May 2017. Council received a total of 8 submissions in response. The content and response to these submissions is addressed within the body of this report.

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

Site & Surrounds

The site consists of 7 residential allotments located on the eastern side of John Tipping Grove and western side of De Vilnits Parade, Penrith with a combined frontage of 62.98m to John Tipping Grove and 57.57m to De Vilnits Parade. The site is known as 10-16 John Tipping Grove and 1-3 De Vilnits Parade, Penrith and is legally described as

Lot 16 DP1002125, Lot 270 DP1222613, Lot 29 DP 152558, Lot 28 DP32610 and Lots 1-3, DP33490, respectively. The seven properties are orientated generally in an east-west or west-east alignment and together create an area of 1294 sqm.

Each property previously contained a single dwelling and associated outbuildings and landscaping. Multi dwelling development adjoins the site to south with older style medium density residential flat building developments to the east and a new residential flat building to the north of the subject site. Mulgoa Road runs directly parallel to the west of John Tipping Grove.

The site is relatively level with a gradual fall from the street to the middle of the property. There are existing reticulated sewer, water and electricity services to the site.

There is direct vehicular access to the site for residents from De Vilnits Parade and a driveway for service vehicles with entry from John Tipping Grove and exit onto De Vilnits Parade, the subject site is situated at the head of each cul-de-sac. There is a pedestrian pathway across the road along Mulgoa Road connecting to Union Road, which is located north of the site with another pedestrian laneway linking Mulgoa Road to Vista Street to the south. There are bus stops within 500m from the site on Mulgoa Road and High Street providing services to Penrith Station and the wider area. Penrith CBD, the Nepean River, Nepean Village Shopping Centre and Penrith Panthers are within walking distance from the site. Penrith Railway Station is just over 1 km from the site.

Proposal

The proposed development is to construct three residential flat buildings with shared basement. A total of 119 units are proposed, comprising 1 x studio, 24 x 1 bedroom units, 90 x 2 bedroom units and 4 x 3 bedroom units, and associated basement car parking.

Vehicular access for residents is to be provided to the site via a common driveway servicing basement car parking with 154 spaces over two levels. There is a through driveway for service vehicles, entering from John Tipping Grove and exiting via De Vilnits Parade.

Communal open space is provided centrally to the three buildings and includes provision for bicycle parking for 28 bicycles.

Plans that apply

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy No 55—Remediation of Land
- State Environmental Planning Policy No 65—Design Quality of Residential Flat Development
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Planning Assessment

- **Section 23G - Sydney West Planning Panel (SWPP)**

Under Section 23G of the *Environmental Planning and Assessment Act 1979*, a regional panel is taken to be the Council whose functions are conferred on a regional panel.

Under Clause 3 of Schedule 4A of the *Environmental Planning and Assessment Act 1979*, a regional panel has the function of determining applications for development that has a capital investment value of more than \$20 million.

The application meets the above criteria and as such the Sydney West Planning Panel is the determining authority

- **Section 79C - Evaluation**

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

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

State Environmental Planning Policy No 55—Remediation of Land

The aims and objectives of State Environmental Planning Policy 55 (SEPP 55) are to provide a statewide planning approach to contaminated land remediation. It also promotes the remediation of contaminated land to reduce the risk of harm. SEPP 55 applies where consent is being sought for works on potentially contaminated land and/or where remediation works are proposed.

Clause 7 of SEPP 55 requires Council to consider prior to determination whether contamination may be present and if contamination is present if it is suitable for the proposed use. This assessment is applied through consideration of a contamination assessment as specified by SEPP 55.

There is no known contamination on the site. The use of the property previously and currently for residential development will unlikely generate contaminants that would hinder future development.

Although there has not been any site investigations directly testing contamination, the current use of the site is not identified as an activity that may cause contamination as identified in Table 1 of the SEPP55 Guidelines, therefore the provisions of the policy in that the existing land use does not identify a potential for contamination and the land can then be deemed suitable for the proposed continued residential occupation.

State Environmental Planning Policy No 65—Design Quality of Residential Flat Development

An assessment has been undertaken of the proposal against the relevant criteria within the State Environmental Planning Policy No. 65—Design Quality of Residential Apartment Development and the proposal is found to be satisfactory, subject to recommended conditions of consent. The proposal is considered to be acceptable when assessed against the nine Design Quality Principles of Schedule 1.

Table 2 below provides an assessment against the applicable provisions of the accompanying Apartment Design Guide (ADG).

Table 2: Assessment Against the Apartment Design Guide (ADG)			
Part 3	Required	Discussion	Complies

3A-1	Each element in the Site Analysis Checklist should be assessed.	A Site Analysis plan was submitted with the application and identifies applicable elements as required within the Checklist. A written description of the proposal and subject site are also included in the submitted Statement of Environmental Effects and accompanying plans and reports.	Yes.
3B-1	Buildings to address street frontages.	Each elevation adequately addresses the street frontages. Direct access is provided to the majority of ground floor apartments. The common entry and foyer areas are of an appropriate design and location.	Yes.
3B-2	Living areas, Private Open Space (POS) and Communal Open Space (COS) to receive compliant levels of solar access.	Refer discussion under Parts 3D and 4A.	N/A.
	Solar access to living spaces and POS of neighbours to be considered.	Due to the setback between buildings and limited building depth, acceptable levels of solar access can be maintained to the open spaces and living zones of neighbouring properties. Additional over shadowing attributed to the development will predominantly fall toward the south of the site with the building separations ensuring that solar access is provided to the development to the south at 2pm and 3pm.	Yes.
	If the proposal will significantly reduce the solar access of neighbours, building separation should be increased.	Acceptable levels of solar access is achieved between the primary daylight hours at the winter solstice. An increase in building separation is not required.	Yes.
3C-1	Courtyard apartments should have direct street access.	All ground floor apartments are provided with private access to either John Tipping Grove or De Vilnits Parade.	Yes.
	Changes in level between private terraces, front gardens and dwelling entries above the street level provide surveillance and improve visual privacy for ground level dwellings.	Ground floor units have finished floor levels relative to the street and are provided with landscaped areas and fencing to protect unit privacy and allow for opportunities for passive surveillance.	Yes.
	Upper level balconies and windows to overlook the street.	All apartments are provided with an outlook over the surrounding streets and common open space.	Yes.

	Length of solid walls should be limited along street frontages.	Walls are adequately articulated. No large expanses of blank wall are proposed.	Yes.
	Opportunity for concealment to be minimised.	Entryways are wide, straight and located to reduce opportunity for crime and concealment.	Yes.
3C-2	Ramping for accessibility should be minimised.	Ramping is proposed relative to the street.	Yes.
3D-1	Communal Open Space (COS) to have minimum area of 25% of site.	1,131m ² of COS is proposed to be provided at ground level which equates to 24.55% and does not comply with the ADG requirement for 25% of site to be provided as COS. Whilst this is not strictly compliant with the minimum, the variation is considered negligible and given the large space provided centrally to the three buildings, it is considered that the development is able to achieve a quality space to be used for outdoor recreation of residents.	No, however minor variation supported.
3D-4	Boundaries should be clearly defined between public open space and private areas.	The private open space areas of the development are clearly defined by the use of landscaping, walls, fencing and paving elements.	Yes.
3E-1	Deep soil is to be provided at a rate of 7% of site area with a min. dimension of 3m.	325m ² of the site is provided as deep soil which complies with the ADG minimum requirement of 7%.	Yes.
3F-1	Minimum required separation distances from the building to side and rear boundaries is to be achieved as follows: 1-4 Storeys – 6m habitable to habitable and 3m for non-habitable. 5-8 storeys – 9m habitable to habitable and 4.5m for non-habitable.	The development complies with the guideline separation distances as provided by the ADG. >18m is provided between habitable rooms and balconies of adjacent approved residential flat building to the north and multi dwelling development to the south.	Yes.
3G-1	Building entries to be clearly identifiable.	Lobby entryways are articulated with landscaping and high quality materials and finishes. Mail boxes are co-located adjacent to the entry points from De Vilnits Parade, which are accessible and are paved to the street front.	Yes.

3G-2	Building access ways and lift lobbies to be clearly visible from the public domain and communal spaces.	The main pedestrian entryways are visible from the surrounding streets and communal open spaces.	Yes.
	Steps and ramps to be integrated into the overall building and landscape design.	Steps and ramps are integrated into the design.	Yes.
3H-1	Carpark access should be integrated with the building's overall façade.	The car parking is adequately integrated into the design of the site with access along the western frontage to De Vilnits Parade.	Yes.
	Clear sight lines to be provided for drivers and pedestrians.	Adequate sight lines are provided for drivers and pedestrians at the street frontage. A condition of consent is also recommended in this regard.	Yes. Condition recommended.
	Garbage collection, loading and servicing areas are screened.	The waste collection area entry is located along the northern elevation adjacent the service vehicle driveway, accessed from John Tipping Grove with exit via the De Vilnits Parade.	Yes.
3J-1	The site is located within 800m of a railway station and as such car parking rates are set by the RMS (formerly RTA) Guide to Traffic Generating Developments document.	Refer discussion under Penrith DCP 2014.	N/A
3J-2	Secure undercover bicycle parking should be provided for motorbikes and scooters.	Secure bicycle and motorcycle parking is proposed adjacent the common open space area.	Yes.
3J-3	A clearly defined and visible lobby area or waiting area should be provided to lifts and stairs.	Lobby areas are clearly defined and appropriately located with sufficient safe manoeuvring areas provided.	Yes.
	Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas, and car wash bays can be accessed without crossing car parking spaces.	The basement areas are provided with storage cages, bicycle parking and building manager amenities that are accessed from common areas and do not rely on access through parking spaces.	Yes.

3J-6	Positive street address and active frontages to be provided at ground floor.	Wide and direct pedestrian access pathways are provided to the communal entries and lift lobby areas via the surrounding streets and internal common open space areas.	Yes.
4A-1	Living rooms and private open spaces of at least 70% of apartments to receive 2 hours direct sunlight between 9am and 3pm mid-winter.	Submitted documentation confirms that 61.4% of apartments are provided with compliant levels of solar access. An additional 21 east facing units are able to achieve direct sunlight when measured from 8am (rather than 9am). This would bring the development into compliance with 79% of units achieving a minimum of 2hrs direct sunlight. The variation is unlikely to have substantial detrimental impacts on the development nor neighbouring properties.	No, however variation supported.
4A-3	Sun shading devices are to be utilised.	Balconies are proposed to be covered by the levels over. Submitted elevations include sun shading devices and louvers.	Yes.
4B-3	60% of apartments are to be naturally ventilated and overall depth of cross-through apartments 18m maximum glass-to-glass line.	Submitted documentation confirms that 62% of apartments receive natural cross flow ventilation.	Yes.
4C-1	Finished floor to finished ceiling levels are to be 2.7m for habitable rooms, 2.4m for non-habitable rooms.	The proposal is for a minimum of 2.7m measured from finished floor to finished ceiling level for habitable rooms and 2.4m for non-habitable rooms.	Yes.
4D-1	Apartments are to have the following min. internal floor areas: 1 bed – 50sqm 2 bed – 70sqm 3 bed – 90sqm Additional bathroom areas increase minimum area by 5m².	All proposed apartment sizes comply with the ADG requirements.	Yes.
4D-2	In open plan layouts the maximum habitable room depth is 8m from a window.	All units comply with this requirement.	Yes
4D-3	Master bedrooms to be 10m² and other rooms 9m².	All units comply with this requirement.	Yes.
	Bedrooms to have a minimum dimension of 3m.	All units comply.	Yes

	Living rooms to have minimum width of 3.6m for a 1 bedroom unit and 4m for 2 & 3 bedrooms.	All units comply.	Yes
4E-1	All units to have the following primary balcony areas: 1 bed – 8sqm (2m deep) 2 bed – 10sqm (2m deep) 3 bed – 12sqm (2.4m deep)	All units comply.	Yes.
4E-3	Downpipes and balcony drainage are integrated with the overall facade and building design.	A condition of consent is recommended in this regard.	Yes. Condition recommended.
	Air-conditioning units should be located on roofs, in basements, or fully integrated into the building design.	A condition of consent is recommended in this regard.	Yes. Condition recommended.
4F-1	Daylight and natural ventilation to be provided to all common circulation spaces.	Natural light is provided to the central lobby and lift core circulation spaces.	Yes.
4G-1	In addition to storage in kitchens, bathrooms and bedrooms, the following storage is to be provided: 1 bed – 4m ³ 2 bed – 6m ³ 3 bed – 10m ³ With 50% of the above to be provided within the Units.	Adequate storage is provided within each unit in addition to storage cages located with the basement carpark.	Yes.

4K-1	Flexible apartment configurations are provided to support diverse household types.	<p>The development proposes a range of unit sizes, configurations and number of bedrooms to accommodate change over time and cater for differing households. Unit mix is proposed as follows:</p> <p>1 x Studio apartments (0.84%) 24 x 1 bedroom apartments (20.17%) 90 x 2 bedroom apartments (75.63%) 4 x 3 bedroom apartments (3.36%)</p> <p>A condition of consent is recommended to require that 10% of apartments (12) are to be constructed as adaptable. Adaptable apartments are to be allocated an accessible car parking space. It is noted that 11 accessible car parking spaces for residents are proposed in the basement.</p>	Yes. Conditions recommended.
4L-1	Direct street access should be provided to ground floor apartments.	Complies.	Yes.
4M-1	Building facades to be well resolved with an appropriate scale and proportion to the streetscape and human scale.	<p>The proposal was subject to a review by Council's Urban Design Review Panel and was supported, subject to additional information being received with regard to presentation to De Vilnits Parade.</p> <p>Amended plans and perspectives were received and are considered to address the concerns raised.</p> <p>Ground floor dwellings facing De Vilnits Parade present as two storey townhouses.</p>	Yes.
4O-1	Landscape design to be sustainable and enhance environmental performance.	The submitted landscape plan prepared by Concept indicates a selection of trees, shrubs and ground covers appropriate for the site.	Yes.
4Q-2	Adaptable housing is to be provided in accordance with the relevant Council Policy.	A condition requiring 10% of apartments to be designed as adaptable is recommended.	Yes. Condition recommended.
4U-1	Adequate natural light is provided to habitable rooms.	All habitable rooms are provided with appropriate levels of natural light. Apartment depths and open floor plan arrangements allow light into kitchens, dining and living areas.	Yes.
4V-2	Water sensitive urban design systems to be designed by suitably qualified professional.	The application has been referred to Council's internal Environmental Waterways Unit with no objections raised.	Yes.
4W-1	A Waste Management Plan is to be provided.	A Waste Management Plan has been submitted.	Yes.

	Circulation design allows bins to be easily manoeuvred between storage and collection points.	The waste collection area located with entry from an internal service vehicle driveway. The design is considered to be adequate and has the ability to accommodate the number of bins required to service the site and manoeuvring area. Dual chute systems are proposed in each building to cater for recycling and residual waste.	Yes.
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Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

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

Local Environmental Plan 2010 (Amendment 4)

Provision	Compliance
Clause 1.2 Aims of the plan	Complies
Clause 2.3 Permissibility	Complies - See discussion
Clause 2.3 Zone objectives	Complies
Clause 4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings	Complies
Clause 4.3 Height of buildings	Does not comply - See discussion
Clause 4.4 Floor Space Ratio	N/A
Clause 4.6 Exceptions to development standards	Complies - See discussion
Clause 5.6 Architectural roof features	Complies
Clause 5.9 Preservation of trees or vegetation	Complies
Clause 7.4 Sustainable development	Complies
Clause 7.5 Protection of scenic character and landscape values	Complies
Clause 7.6 Salinity	Complies
Clause 7.7 Servicing	Complies

Clause 2.3 Permissibility

The site is zoned R4 High Density Residential and residential flat buildings are permitted with consent within the zone. It is noted the residential flat building is identified within the group term residential accommodation.

Clause 4.3 Height of buildings

The proposal exceeds the maximum height of 18m for the main building by a range of 0.93m - 1.49m. The lift overruns exceed the height limit further being 2.2m above the height limit. See Clause 4.6 for further discussion.

Clause 4.6 Exceptions to development standards

Clause 4.6 provides flexibility in the application of planning controls operating by virtue of development

standards in circumstances where strict compliance with those standards would, in any particular case be unreasonable or unnecessary. The proposal exceeds the development standard in relation to the height of building in this regard.

The applicant has requested flexibility in applying the 18m height of buildings limit and the proposal achieves a better development outcome addressing overland flow flooding, and topography (natural dip). Addressing the environmental impacts the site still provides for six storeys, which is consistent with the adjacent building and other approved buildings for this area. By allowing flexibility to the height limit in this particular case it allows the development to address and respond to the development outcomes and produce the planning outcomes for the site in the expected housing delivery for the area and in close proximity to services and facilities.

The proposed development is consistent with the objectives for the zoning in that:

- The proposed residential apartment building provides for the community's housing needs in an emerging high density residential environment. The site location maximizes public transport usage and encourages walking and cycling, particularly to the Penrith City Centre and wider recreational areas including the Nepean River.
- The proposal provides for a mix of bedroom and apartment styles and arrangements. This mix of housing would suit a range of household types in close proximity to the City Centre.
- A high level of residential amenity is provided for in the design of the proposal through the provision of high architectural design, private courtyards, terraces and balconies and common open space area in a landscaped setting.
- The proposed apartment mix provides affordable housing options within the building that are in walking distance to service and facilities and employment.
- The proposal provides for a residential apartment building which is the type of development emerging in the area as a result of recent zone changes on the area to permit this type of development.

The proposal meets the general intent of clause 4.3 Height of Buildings and complies with the objectives of this development standard as follows:

- The proposal is compatible with the height, bulk and scale of the emerging and desired future character of the locality and with the surrounding development.
- The proposal does not negatively impact on the visual amenity, reduces views or minimises loss of privacy or solar access.
- There is no heritage item on the site or in the vicinity of the site.

The greatest exceedance of the height limit is where the lift over runs are located, which from ground level these encroachments will be imperceptible as they are located centrally to the each of the building roof spaces.

The height encroachment is able to maintain an appropriate bulk and scale and also maintains the objectives of the clauses within the LEP that relate to the zone and the height of building. The objects of the Act are not hindered through the proposed variation being supported.

It has been assessed that complying with the height would not improve the outcome in relation to visual bulk, scale, amenity and solar access, as it is consistent with the existing development at No. 6 John Tipping Grove. Visually, the height variation will have little impact on the locality.

It is considered that the proposed variation to support an increase in the height limit in this case is warranted as the proposed design and development provides a better planning outcome, providing for finished floor levels appropriate to the overland flow affectation, and any height variation is imperceptible when viewed from a public place. Compliance with the development standard in relation to height of building is unnecessary and unreasonable in the circumstances of this development and there are sufficient

planning grounds to justify the variation.

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

There are no draft Environmental Planning Instruments that apply to the proposal.

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

Development Control Plan 2014

Provision	Compliance
DCP Principles	Complies
C1 Site Planning and Design Principles	Complies
C2 Vegetation Management	Complies
C3 Water Management	Complies
C4 Land Management	Complies
C5 Waste Management	Complies
C6 Landscape Design	Complies
C7 Culture and Heritage	N/A
C8 Public Domain	Complies
C9 Advertising and Signage	N/A
C10 Transport, Access and Parking	Complies - see Appendix - Development Control Plan Compliance
C11 Subdivision	Complies
C12 Noise and Vibration	Complies
C13 Infrastructure and Services	Complies
D2.1 Single Dwellings	N/A
D2.2. Dual Occupancies	N/A
D2.3 Secondary Dwellings	N/A
D2.4 Multi Dwelling Housing	N/A
D2.5 Residential Flat Buildings	Complies
D2.6 Non Residential Developments	N/A

Section 79C(1)(a)(iiia) The provisions of any planning agreement

There are no planning agreements applying to this application.

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

Fire Safety

Under Part 9 of the Environmental Planning and Assessment Regulation 2000 owners of buildings must provide the FRNSW Commissioner with a copy of the Fire Safety Certificate for the building (along with the current Fire Safety Schedule). The Fire Safety Certificate is issued when essential fire safety measures have been assessed by a qualified person as being capable of performing to the standard defined by the Schedule. A condition of consent has been imposed to ensure that this occurs on an annual basis.

Prescribed Conditions

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

Advertising/Notification

Advertising and neighbour notification were carried in accordance with the requirements of the Regulations and Council Policy.

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

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

Context and Setting

The proposed development will contribute to the emerging higher densities expected in the surrounding residential area. As has been previously noted, the proposed development in form and scale is different from some of the existing development yet is consistent with the desired future character of the area and the adjacent residential flat building. In this regard and given compliance with the zoning objectives of the area, the proposed development is regarded as being appropriate.

Amenity

The proposed residential flat building will not result in any unacceptable impact on the locality. The site is considered quite suitable for a use of this nature and is compatible with nearby and adjoining development. The site is also well suited to the planning directions intended for this area with the provision of higher density residential housing in close proximity to the Penrith City Centre.

Access, Parking and Traffic

The proposal will have no adverse traffic generation impacts on the local road system. All parking, loading and unloading of vehicles associated with the construction of the development will be catered for on site. Refer to the DCP section of this report for detailed discussion on parking and access issues.

Natural Environment

The proposed provisions for appropriate management and disposal of waste. Appropriate stormwater drainage measures are proposed by the development and have been deemed acceptable by Council's Engineering and Waterways officers. Additionally erosion and sediment control measures are to be implemented during construction.

Overland Flow

The subject site is identified as being subject 1% AEP overland flow path. This issue has been satisfactorily addressed by way of the concept stormwater plans which ensure that despite the loss of flood storage area the development will not have a detrimental impact on the flood risk of the locality by providing adequate infrastructure to direct flows from the subject site directly into Council's existing infrastructure and towards Mulgoa Road and beyond which will ensure that the flow path is not altered or concentrated onto adjoining residential properties.

Social and Economic Impacts

The proposal poses no potential for significant adverse social or economic impacts.

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

The subject site is deemed suitable for the following reasons:

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

Section 79C(1)(d) Any Submissions

Community Consultation

In accordance with Clause 4.4 of Appendix F4 of Penrith Development Control Plan 2010, the proposed development was advertised and notified to nearby and adjoining residents.

Council notified all adjoining and adjacent residences in the area and placed an advertisement in the local newspaper inviting residents to lodge a submission or view the full application between 18 July and 1 August 2016. Council received seven (7) submissions in response. Following amendments to the proposal, the application was re-advertised and notified between 14 April and 1 May 2017. One (1) submission was received in relation to the amended proposal.

Submissions

Issue Raised:	Comment:
Site Isolation	The revised plans have included No. 16 John Tipping Grove as part of the development. The proposal no longer results in site isolation.
Traffic Report	A traffic report was submitted with the development application, which has been reviewed by Council's Traffic Engineer. Council's Traffic Engineer concluded that the traffic generated by the development can be accommodated within the local road network. It is also noted that the subject site is in close proximity to Penrith's CBD and within 800m of Penrith rail station, easing the reliance on private vehicles within the area.
Lack of suitable on-street parking	The proposed development's car parking provision is considered to be adequate by virtue of the development's proximity to the city centre and compliance with the RMS guidelines for car parking. Additionally the development will include the reopening of the adjacent footpath linking De Vilnits Parade and John Tipping Grove further enhancing and encouraging pedestrian links to the city centre and beyond.
Solar access to No. 16 John Tipping Grove	Solar access impacts were considered through the assessment of the development application. The amended proposal retains compliant levels of solar access for all properties during the winter solstice when sunlight is at its lowest. As the submission referred to impacts on No. 16 John Tipping Grove, which now forms part of the subject proposal the solar access to this site is no longer a point of contention.
Impacts associated with demolition and construction especially traffic disruption	The applicant will be required to prepare traffic management documentation to ensure that adequate controls are in place at all times during demolition and construction works to maintain free and clear access for the allotments to the south of the development site. A condition of consent will restrict the hours work and ensure compliance relevant Australian Standards.
Tree planting	The amended landscaping plans incorporate a variety of tree species and tree heights with other plantings along De Vilnits Parade, John Tipping Grove, communal areas and the adjacent pedestrian through link. A minimum of ten (10) street trees facing De Vilnits Parade will contribute to the established streetscape, which is consists generally of mature trees.

It is noted that one submission was in support of the application and another was later withdrawn upon the inclusion of No. 16 John Tipping Grove and amended plan being lodged.

Referrals

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

Referral Body	Comments Received
Building Surveyor	No objections - subject to conditions
Development Engineer	No objections - subject to conditions
Environmental - Waterways	No objections - subject to conditions
Waste Services	No objections - subject to conditions
Traffic Engineer	No objection subject to conditions
Community Safety Officer	No objections

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

The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning regime and in accordance with the prevailing planning controls. The proposed works are considered to be consistent with the relevant planning provisions and represent a suitable development of the site in terms of the desired character for the locality.

Section 94 - Developer Contributions Plans

The following Section 94 plans apply to the site:

- District Open Space Facilities
- Penrith City Local Open Space
- Cultural Facilities

The following Section 94 calculations apply to the proposed development.

Calculation for Residential Flat Building					
Open Space					
No. of units	x	Rate	-	Credit for existing dwelling/s	Contribution rate
119	x	2.0	-	21.7 (7 x 3.1 for single dwellings)	264.6
City wide					
No. of units	x	Rate	-	Credit for existing dwelling/s	Contribution rate
119	x	2.4	-	21 (7 x 3 for single dwellings)	216.3
AMOUNT					
S.94 Contribution Plan		Contribution Rate x Calculation Rate		Total	
District Open Space		216.3 x \$1885.00		\$407,726.00	
Local Open Space		216.3 x \$682.00		\$147,517.00	
Cultural Facilities		264.6 x \$154.00		\$40,748.00	
		NET TOTAL		\$595,991.00	

Conclusion

Subject to the recommended conditions of consent the proposal is considered to be consistent with the relevant sections of the Environmental Planning and Assessment Act 1979, the relevant Local Environmental Plan, relevant State Environmental Planning Policies and the Penrith Development Control Plan because it represents a form of development that is acceptable.

The proposal will have a positive impact on the surrounding character of the area through the provision of additional housing variation and choice within an area characterised by traditional single detached dwellings.

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

Recommendation

1. That DA16/0649 for Demolition of Existing Structures & Construction of Three (3) x Six (6) Storey Residential Flat Buildings containing 119 Apartments & Two (2) Levels of Basement Car Parking at 12-16 John Tipping Grove and 1-3 De Vilnits Parade, Penrith, be approved subject to the attached conditions;
2. That the submitted variation to a development standard under clause 4.6 of the standard instrument be supported;
3. That those making submissions are notified of the determination.

CONDITIONS

General

1 [A001](#)

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

Description	Reference Number	Date	Author
Site and Ground Floor Plan	DA06 (Issue 9)	28 June 2017	Morson Group
Basement Plan	DA07 (Issue 5)	27 June 2017	Morson Group
Level 1 Floor Plan	DA08 (Issue 5)	28 June 2017	Morson Group
Level 2 Floor Plan	DA09 (Issue 5)	28 June 2017	Morson Group
Level 3 Floor Plan	DA10 (Issue 5)	28 June 2017	Morson Group
Level 4 Floor Plan	DA11 (Issue 5)	28 June 2017	Morson Group
Level 5 Floor Plan	DA12 (Issue 5)	28 June 2017	Morson Group
Roof Plan	DA13 (Issue 2)	18 April 2017	Morson Group
North and East Elevations Plan	DA14 (Issue 3)	18 April 2017	Morson Group
West and South Elevations Plan	DA15 (Issue 3)	18 April 2017	Morson Group
Sections Plan AA-BB	DA16 (Issue 3)	18 April 2017	Morson Group
Sections Plan CC-DD	DA17 (Issue 3)	18 April 2017	Morson Group
Sections Plan EE-FF	DA17A (Issue 2)	18 April 2017	Morson Group
3D Views	DA18, DA18A, DA18B (Issue 2)	18 April 2017	Morson Group
Landscape Plans	LPDA 16 - 507 1-3 (Revision D)	18 April 2017	Conzept
Waste Plan	—	--	--

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

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

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

3 [A009 - Residential Works DCP \(no specific section\)](#)

All construction works shall be in accordance with Penrith Development Control Plan-Residential Construction Works.

4 [A014 - LOT CONSOLIDATION](#)

Lot 16 DP 1002125, Lot 270 DP 1222613, Lot 29 DP 152558, Lot 28 DP 32610 and Lots 1-3, DP 33490 are to be consolidated as one lot. Written evidence that the request to consolidate the lots has been lodged with Land and Property Information division of the Department of Lands is to be submitted to the certifying authority before the Construction Certificate for the development can be issued by the certifier.

A copy of the registered plan of consolidation from the Land and Property Information division of the Department of Lands is to be submitted to the Principal Certifying Authority (PCA) and Penrith City Council, if Council is not the PCA, prior to the issue of the Occupation Certificate for the development.

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

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

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

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

7 [A CPTED - 01 Basement 02](#)

A security system (swipe card, intercom, sensors) must be installed on any pedestrian and vehicle entry/exit points to the car park, including the lifts and stairwells, to minimise opportunities for unauthorised access.

All areas of both levels of the car park (including lift lobbies, stairwells, bicycle racks, storage areas and garbage areas) must be well-lit, with consistent lighting to prevent shadowing or glare. All surfaces in the car park should be painted in light coloured paint or finished in light coloured concrete to reflect as much light as possible.

Signage must be in place to clearly identify exit and access points, the location of lifts and stairwells.

8 [A CPTED - 01 Communal Areas 03](#)

Communal open space area shall be well lit and free of any obstructions including landscaping that may impede an onlooker's view of the space. Access to communal areas must be restricted to residents and their authorised visitors only. This could be through access control measures, such as signage, gates and/or swipe card systems.

9 [A CPTED - 01 Entrances 04](#)

Entrances to the apartment blocks and the ground floor apartments with street level access need to be clearly visible and legible to users through design features and signage. Each building entry shall clearly state the unit numbers accessed from that entry.

10 [A CPTED - 01 Graffiti 06](#)

Procedures must be in place to ensure the prompt removal and/or repair of graffiti or vandalism to the building, fencing, and common areas. This includes reporting incidents to police and/or relevant authorities. Graffiti resistant coatings must be used to external surfaces where possible, including front fencing, retaining walls, and solid panel surfaces at the ground level which may be a target for graffiti vandalism.

11 [A CPTED - 01 Lighting 01](#)

Areas throughout the development that are intended to be used at night must be lit to allow appropriate levels of visibility. These include:

- All footpaths;
- Pedestrian entrance/egress points;
- Fire egress path;
- All levels of the car park;
- Garbage bin storage area;
- Communal open space;
- Entries to elevators and stairwells.

Lighting shall be consistent in order to reduce the contrast between shadows and illuminated areas, be vandal resistant and take into account all vegetation and landscaping that may act as an entrapment spot.

12 **A Special (BLANK)**

Prior to the issue of a Construction Certificate a lighting strategy shall be provided to Council for approval for the pedestrian link at the southern end of the site.

13 **A Special (Design Verification Statement)**

Prior to the issue of a Construction Certificate, a design verification statement from a qualified designer shall be submitted. The design verification statement shall verify that the Construction Certificate plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.

14 **A Special (Design Verification Statement)**

Prior to the issue of an Occupation Certificate, a design verification statement from a qualified designer shall be submitted. The design verification statement shall verify that the development achieves the design quality shown in the approved Construction Certificate plans and specifications, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.

15 **A Special (Screening for rooftop plant)**

Any plant or unsightly structures installed on the external facades or rooftop must be screened from view.

Demolition

16 **B002 - AS FOR DEMOLITION AND DISPOSAL TO APPROVED LANDFILL SITE**

All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 "The Demolition of Structures". **Prior to demolition**, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All demolition and excavated material shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location(s) of all excavated material from the development site shall be provided to the Principal Certifying Authority **prior to commencement of demolition**.

17 **B003 - ASBESTOS**

You should read Council's Fact Sheet titled "Handling and Disposal of Fibrous Cement Products" **before any demolition works commence on the site**.

Prior to commencement of demolition works on site, a portaloo with appropriate washing facilities shall be located on the site and the Principal Certifying Authority is to be satisfied that:

- Measures are in place so as to comply with the WorkCover Authority's "Short Guide to Working with Asbestos Cement" and
- The person employed to undertake the works is a licensed asbestos removal contractor and is holder of a current WorkCover Asbestos Licence.

Any demolition works involving the removal of all asbestos shall only be carried out by a licensed asbestos removal contractor who has a current WorkCover Asbestos Licence.

All asbestos laden waste, including asbestos cement flat and corrugated sheeting must be disposed of at a tipping facility licensed by the Environmental Protection Authority to receive asbestos wastes.

18 **B004 - Dust**

Dust suppression techniques are to be employed during demolition to reduce any potential nuisances to surrounding properties.

19 **B005 - Mud/Soil**

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

20 **B006 - Hours of work**

Demolition works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

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

In the event that the demolition relates to works inside the building and do not involve external walls or the roof, and do not involve the use of equipment that emits noise then the demolition works are not restricted to the hours stated above.

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

Environmental Matters

21 **D001 - Implement approved sediment& erosion control measures**

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

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

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

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

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

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

23 [D009 - Covering of waste storage area](#)

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

24 [D010 – Appropriate disposal of excavated or other waste](#)

All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

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

25 [D Special BLANK](#)

The current waste infrastructure provided within the development is to remain in accordance configurations specified in the Proposed Ground Floor and Proposed Basement Level plans labelled issue 8, drawing number DA06 (issue 8) and DA07 (issue 5) respectively. On-site waste infrastructure permissible to change only in accordance with conditions stipulated by Council.

26 [D Special BLANK](#)

All waste infrastructure within the development including the Waste Collection Room, Bulky Waste Room, Chute Rooms and Truck Access Gate to be lockable through an abloy key system to permit access to Councils Waste Collection Contractors.

27 [D Special BLANK](#)

The waste collection vehicle to be given priority access within the site during the designated collection periods as determined by Council.

28 [D Special BLANK](#)

Adequate and unobstructed clearance to be provided during all entry and exit manoeuvres with a minimum 0.5m clearance on either side of the vehicle during all manoeuvres.

29 [D Special BLANK](#)

Each of the three chute cupboards located on each residential level to be of sufficient size to permit two chute inlets (residual and recycling) to be safely stored, concealed and permit unobstructed resident access.

30 [D Special BLANK](#)

All 1100L bins to be stored within the waste collection room by the sites designated caretaker on the allocated day of collection. Once emptied the bins to be washed and placed and stored within the respective chute rooms located in the basement.

31 **D Special BLANK**

All waste infrastructure rooms located within the development to address light, ventilation, wash rooms and height provisions in accordance with the Building Code of Australia.

BCA Issues

32 **E009 - Annual fire safety-essential fire safety (Class 2-9 buildings)**

The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:

- (a) deal with each essential fire safety measure in the building premises, and
- (b) be given:

within 12 months after the last such statement was given, or

if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.

As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.

33 **E01A - BCA compliance for Class 2-9**

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

- (a) complying with the deemed to satisfy provisions, or
- (b) formulating an alternative solution which:

- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/ statement for the building.

Utility Services

34 **G002 - Section 73 (not for**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's website at www.sydneywater.com.au then the "e-developer" icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate

35 [G004 - Integral Energy](#)

Prior to the issue of a Construction Certificate, a written clearance is to be obtained from Endeavour Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

In the event that a pad mounted substation is necessary to service the development, Penrith City Council shall be consulted over the proposed location of the substation before the Construction Certificate for the development is issued as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council.

36 [G005 - Rainwater tank- Plumbing](#)

A completed *Permit Application* for *Plumbing and Drainage Work* is to be submitted to Sydney Water at least two working days before the rainwater tank is installed and associated plumbing work is started on the site.

Construction

37 [H001 - Stamped plans and erection of site notice](#)

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

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

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

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

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

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

38 [H002 - All forms of construction](#)

Prior to the commencement of construction works:

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

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

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

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

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

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

if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,

the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and

any such hoarding, fence or awning is to be removed when the work has been completed.

39 [H033 – Clothes line](#)

Clothes drying facilities are to be positioned and screened from public view.

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

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

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

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

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

Roads Act Requirements

41 [I Special BLANK](#)

Prior to the issue of any Construction Certificate the Certifying Authority shall ensure that the plans include dimensions of driveways, ramps, aisles, parking spaces, columns and obstructions, car park headroom, accessible parking, bicycle parking, footpaths, waste services vehicle manoeuvring and loading areas complying with AS 2890, AS 1428, Council Development Control Plan (DCP) C5, DCP C10 and Council's Multi-Unit Dwelling Waste Management Guidelines. These details shall include DCP C10 minimum car space width of 2.5 metres, minimum headroom for waste service vehicles of 4.5 metres, minimum turning swept path clearances for waste service vehicles of 0.6 metres, minimum headroom of 2.3 metres to accessible parking and minimum head room of 2.5 metres above accessible parking spaces, swept turn path clearances at driveways (including accordance with AS 2890.1 Table 2.2 and Figure 2.9), curved car park ramp dimensions (including accordance with AS 2890.1 Table 2.2 and Figure 2.9), car park ramp headroom clearances including at grade transitions, car park aisle widths, service vehicle loading areas, car park column locations and clearances (including accordance with AS 2890.1 Figure 5.1 and 5.2) and additional car space clearances from obstructions (including accordance with AS 2890.1 B4.1 minimum additional clearance of 0.3 metres).

42 [I Special BLANK](#)

All vehicle are to enter and leave in a forward direction.

43 [I Special BLANK](#)

Prior to Occupation Certificate, appropriate signage, visible from the public road and on-site shall to be installed to reinforce designated vehicle circulation and to direct staff / delivery vehicle drivers / service vehicle drivers / visitors to on-site parking, delivery and service areas to the satisfaction of the Principal Certifying Authority.

Engineering

44 [K101 - Works at no cost to Council](#)

All roadworks, stormwater drainage works, associated civil works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.

45 **K201 - Infrastructure Bond**

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

An application form together with an information sheet and conditions are available on Council's website.

Contact Penrith City Council's City Works Department on (02) 4732 7777 or visit Penrith City Council's website for more information.

46 **K202 - S138 Roads Act – Works and Structures - Minor Works in the public road DRIVEWAYS ROAD OPENINGS**

Prior to the issue of any Construction Certificate, a Section 138 Roads Act applications, including payment of application and inspection fees, shall be lodged and approved by Penrith City Council (being the Roads Authority for any works required in a public road). These works may include but is not limited to the following:

- a) Road opening for utilities and stormwater (including stormwater connection to Penrith City Council roads and other Penrith City Council owned drainage)
- b) Road occupancy or road closures
- c) The placement of hoardings, structures, containers, waste skips, signs etc. in the road reserve
- d) Temporary construction access

All works shall be carried out in accordance with the Roads Act approval, the development consent, including the stamped approved plans, and Penrith City Council's specifications, guidelines and best engineering practice.

Contact Penrith City Council's City Works Department on (02) 4732 7777 or visit Penrith City Council's website for more information.

Note:

- a) Where Penrith City Council is the Certifying Authority for the development, the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.
- b) Separate approvals may also be required from the Roads and Maritime Services for classified roads.
- c) All works associated with the Roads Act approval must be completed prior to the issue of any Occupation Certificate or Subdivision Certificate as applicable.
- d) On completion of any awning over the road reserve, a certificate from a practising structural engineer certifying the structural adequacy of the awning is to be submitted to Council before Council will inspect the works and issue its final approval under the Roads Act

47 **K203 - S138 Roads Act – Works and structures - Roadworks requiring approval of civil drawings. CIVIL CONSTRUCTION IN THE ROAD RESERVE**

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that a Section 138 Roads Act application, including payment of application and inspection fees, has been lodged with, and approved by Penrith City Council (being the Roads Authority under the Roads Act), for the following works:

- a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
- b) Concrete footpaths within John Tipping Grove (including connection to existing cycleway and laneway), De Vilnits Parade and Vista Street
- c) Stormwater works within John Tipping Grove and/or any upgrade works of Council's stormwater assets downstream of the development site.

Engineering plans are to be prepared in accordance with the development consent, Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works, Austroads Guidelines, and best engineering practice.

Contact Penrith City Council's Development Engineering Department on (02) 4732 7777 or visit Penrith City Council's website for more information.

Note:

- a) Where Penrith City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.
- b) Separate approvals may also be required from the Roads and Maritime Services for classified roads.
- c) All works associated with the Roads Act approval must be completed prior to the issue of any Occupation Certificate or Subdivision Certificate as applicable.

48 **K209 - Stormwater Concept Plan**

The stormwater management system shall be provided generally in accordance with the concept plan/s and MUSIC Modelling lodged for development approval, prepared by (Donovan Associates Pty Ltd), Job number E284542 drawing Numbers, D1-D10, Issue C, dated 11/4/2017.

Engineering plans and supporting calculations for the stormwater management systems are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater management system has been designed in accordance with Council's Stormwater Drainage for Building Developments and Water Sensitive Urban Design Policy.

49 **K210 - Stormwater Management**

The stormwater management system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Donovan Associates, reference number E284542, drawing no D1 - D10, revision C, dated 11/04/17.

Engineering plans and supporting calculations for the stormwater management systems are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that the stormwater management system has been designed in accordance with Penrith City Council's Stormwater Drainage for Building Developments and Water Sensitive Urban Design (WSUD) policies.

50 **K211 - Stormwater Discharge – Basement Car parks**

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that the stormwater drainage system for the basement car park has been designed in accordance with the requirements for pumped systems in AS3500.3 (or as amended) (Plumbing and Drainage – Stormwater Drainage).

51 **K217 - Flooding – Flood Compatible Materials**

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that the structure/s below RL 27.5m AHD (standard flood level + 0.5m freeboard) have been detailed with flood compatible building components in accordance with the publication 'Reducing the Vulnerability of Buildings to Flood Damage' produced by the Hawkesbury-Nepean Floodplain Management Steering Committee.

52 **K218 - Flooding – Structural Adequacy**

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that the structure/s can withstand the forces of floodwater including debris and buoyancy up to the 1% Annual Exceedence Probability Event in accordance with the requirements of the Building Code of Australia (BCA).

53 **K219 - Flooding - Flood Proofing**

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that all electrical services associated with the proposed building works are adequately flood proofed in accordance with Penrith City Council's Development Control Plan relating to flood liable land. Flood sensitive equipment (including electric motors and switches) shall also be located above RL 27.5m AHD (standard flood level + 0.5m freeboard).

54 **K220 - Overland Flow Report Recommendations**

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that the proposed development is compatible with the recommendations of the Overland Flow Flood Report prepared by Donovan Associates, reference number E284542, revision A, dated 11/04/17.

55 **K221 - Overland Flow - General**

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that:

- a) All habitable floor levels are in accordance with the stamped approved plans with a minimum floor level of RL 27.5m AHD.
- b) The proposed development will not concentrate, dam or divert overland flows onto adjoining properties.
- c) Overland flows are conveyed through the site towards John Tipping Grove.
- d) The crest in the access ramp to the basement car park is a minimum of RL 27.5m AHD.
- e) All proposed penetrations and access points into the basement carpark area are a minimum of RL 27.5m AHD.
- f) That all new fencing within the overland flowpath is open style to allow the free passage of overland flows.

Details prepared by a qualified person, demonstrating compliance with these requirements, shall form part of any Construction Certificate issued.

56 **K222 - Access, Car Parking and Manoeuvring – General**

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Penrith City Council's Development Control Plan.

57 [K224 - Construction Traffic Management Plan](#)

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that a Construction Traffic Management Plan (CTMP) has been submitted to and approved by Penrith City Council. Approval of the CTMP may require endorsement from the Local Traffic Committee. The CTMP shall include, but not limited to the following: vehicle routes, number of construction vehicles, hours of operation, access arrangements, pedestrian management, turning templates for narrow streets and intersections and parking management for workers. The CTMP shall be certified by an appropriately accredited person and/or Roads and Traffic Authority Traffic Controller for patrons. The CTMP shall be certified by an appropriately accredited person and/or Roads and Traffic Authority Traffic Controller. The CTMP shall ensure that adequate parking is provided for the development and not severely impacted by the construction of this development.

The TMP shall be supported by a traffic control plan, designed in accordance with the requirements of the Roads and Traffic Authority's Manual, Traffic Control at Work Sites Version 2, and the current Australian Standards, Manual of Uniform Traffic Control Devices Part 3, 'Traffic Control Devices for Works on Roads'.

The traffic control plan must be prepared by a suitably qualified and RTA accredited Work Site Traffic Controller.

58 [K225 - Performance Bond](#)

Prior to the issue of a Roads Act Approval, a Performance Bond is to be lodged with Penrith City Council for any stormwater works within John Tipping Grove and/or any upgrade works of Council's stormwater assets.

The value of the bond shall be determined in accordance with Penrith City Council's adopted Fees and Charges.

Note:

Contact Penrith City Council's Development Engineering Department on (02) 4732 7777 for further information relating to bond requirements.

59 [K301 - Sediment & Erosion Control](#)

Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997.

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

60 [K401 - Flooding – Surveyor Verification of floor levels](#)

A certificate by a registered surveyor verifying that all habitable floor levels are at or above RL 27.5m AHD (standard flood level + 0.5m freeboard) shall be submitted upon completion of the building to that level. No further construction of the building is to be carried out until approval to proceed is issued by the Principal Certifying Authority.

61 [K501 - Penrith City Council clearance – Roads Act/ Local Government Act](#)

Prior to the issue of any Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with a S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Penrith City Council.

62 **K502 - Works as executed – General and Compliance Documentation**

Prior to the issue of an Occupation Certificate, works-as-executed drawings, final operation and maintenance management plans and any other compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments.

An original set of works-as-executed drawings and copies of the final operation and maintenance management plans and compliance documentation shall also be submitted to Penrith City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

63 **K503 - Stormwater Compliance**

Prior to the issue of an Occupation Certificate the Principal Certifying Authority shall ensure that the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)
 - Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
 - Have met the design intent with regard to any construction variations to the approved design.
 - Any remedial works required to been undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

64 **K503 - Works as executed – General and Compliance Documentation**

Prior to the issue of a Subdivision Certificate, works-as-executed drawings, final operation and maintenance management plans and any other compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments.

An original set of Works As Executed drawings and copies of the final operation and maintenance management plans and compliance documentation shall also be submitted to Penrith City Council with notification of the issue of the Occupation and / or Subdivision (Strata) Certificate where Penrith City Council is not the Principal Certifying Authority.

65 **K504 - Stormwater Compliance**

Prior to the issue of any Occupation Certificate, the Principal Certifying Authority shall ensure that the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)
- b) Overland flowpath works
- Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
- Have met the design intent with regard to any construction variations to the approved design.
- Any remedial works required to been undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the Works As Executed drawings.

66 [K505 - Restriction as to User and Positive Covenant](#)

Prior to the issue of any Occupation Certificate, a restriction as to user and positive covenant relating to the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)
- b) Overland flowpath works

Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Stormwater and Drainage for Building Developments policy.

67 [K511 - Directional signage](#)

Prior to the issue of any Occupation Certificate, directional signage and linemarking shall be installed indicating directional movements and the location of parking areas to the satisfaction of the Principal Certifying Authority.

68 [K515 - Maintenance Bond](#)

Prior to the issue of any Occupation Certificate, a Maintenance Bond is to be lodged with Penrith City Council for any stormwater works within John Tipping Grove and/or any upgrade works of Council's stormwater assets.

The value of the bond shall be determined in accordance with Penrith City Council's adopted Fees and Charges.

Note:

Contact Penrith City Council's Engineering Services Department on (02) 4732 7777 for further information relating to bond requirements.

69 [K601 - Stormwater Management system operation and maintenance](#)

The stormwater management systems shall continue to be operated and maintained in perpetuity for the life of the development in accordance with the final operation and maintenance management plan.

Regular inspection records are required to be maintained and made available to Penrith City Council on request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the stormwater management systems.

70 [K - Waterways - Stormwater Management system operation and maintenance](#)

The stormwater management systems shall continue to be operated and maintained in perpetuity to the satisfaction of Council in accordance with the final operation and maintenance management plan. Regular inspection records are required to be maintained and made available to Council upon request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the treatment measure/s

71 [K Special \(BLANK\)](#)

All car spaces and loading areas are to be sealed / line marked and dedicated for the parking of vehicles only and not to be used for storage of materials / products / waste materials etc.

72 [K Special \(BLANK\)](#)

Subleasing of car parking spaces is not permitted by this Consent.

73 **K Special (BLANK)**

Prior to the issue of an Occupation Certificate, secure bicycle parking is to be provided at convenient locations in accordance with AS 2890.3 Bicycle Parking Facilities to the satisfaction of the Principal Certifying Authority.

74 **K Special (BLANK)**

The required sight lines around driveway entrances and exits are not to be obstructed by street trees, landscaping or fencing.

75 **K Special Condition BLANK**

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that a detailed assessment, including a hydraulic grade line (HGL) analysis, has been undertaken of all downstream stormwater systems demonstrating adequate capacity to cater for stormwater drainage from the site. Any necessary stormwater upgrade works shall be clearly identified. The assessment and any identified upgrade works shall accompany the application for Roads Act Approval and shall be undertaken in consultation with Council's Engineer.

Landscaping

76 **L001 - General**

All landscape works are to be constructed in accordance with the Landscape Plan required by the condition above and Penrith Council's Development Control Plan.

Landscaping shall be maintained:

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

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

77 **L002 - Landscape construction**

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

78 **L003 - Report requirement**

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

i. Implementation Report

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

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

ii. Maintenance Report

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

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

iii. 3 Year Landscaping Report

3 years after an Occupation Certificate was issued for the development, a suitably qualified and experience landscape professional shall prepare a Landscaping Report for Council's consideration and approval, certifying to one of the following:

- (a) The landscaping on site has matured and is in accordance with the original landscape approval.
- (b) The landscaping on site has not matured in accordance with the original design philosophy and requires significant restoration.

In this case, restoration plans are to be submitted to Council for its consideration and approval. The approved plans shall be implemented at the expense of the property owners.

79 **L005 - Planting of plant**

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

80 **L006 - Aust Standard**

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

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

81 **L007 - Tree protection measures—no TMP with DA**

All trees that are required to be retained as part of the development are to be protected in accordance with the minimum tree protection standards prescribed in Council's Development Control Plan.

82 [L008 - Tree Preservation Order](#)

No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.

Development Contributions

83 [N001 - Section 94 contribution \(apply separate condition for each Contribution Plan\)](#)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for Cultural Facilities. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$40,748.00 is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for Cultural Facilities may be inspected at Council's Civic Centre, 601 High Street, Penrith.

84 [N001 - Section 94 contribution \(apply separate condition for each Contribution Plan\)](#)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for District Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$407,726.00 is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for District Open Space may be inspected at Council's Civic Centre, 601 High Street, Penrith.

85 [N001 - Section 94 contribution \(apply separate condition for each Contribution Plan\)](#)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for Local Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$147,517.00 is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for Local Open Space may be inspected at Council's Civic Centre, 601 High Street, Penrith.

Payment of Fees

86 [P001 - Costs](#)

All roadworks, dedications and drainage works are to be carried out at the applicant's cost.

87 **P002 - Fees associated with Council land (Applies to all works & add K019)**

Prior to the commencement of any works on site, all fees associated with Penrith City Council-owned land and infrastructure shall be paid to Council. These fees include Road Opening fees and Infrastructure Restoration fees.

Certification

88 **Q006 - Occupation Certificate (Class 2 - 9)**

An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the occupation of the building/tenancy and commencement of the approved use. The Occupation Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding, and the development does not comply with the provisions of the Environmental Planning and Assessment Act and Regulation.

Before the Occupation Certificate can be issued for the development, Fire Safety Certificates issued for the building are to be submitted to Penrith City Council and the New South Wales Fire Brigades.

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

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

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

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

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

Information to accompany the Notice of Commencement

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

Appendix - Development Control Plan Compliance

Development Control Plan 2014

Part C - City-wide Controls

C10 Transport, Access and Parking

<u>Control</u>	<u>Required</u>	<u>Provided</u>
1 space per 1 or 2 bedroom unit	114	130
2 spaces per 3 or more bedrooms	8	
1 visitor space per 5 dwellings	24	24
1 space per 40 units for service vehicles	4	4
1 space for car washing for every 50 unit	2	4

