






INNER WEST

DEVELOPMENT ASSESSMENT REPORT

Application No.	DA/2020/0583
Address	314 Liverpool Road ASHFIELD NSW 2131
Proposal	Demolition of existing structures and construction of a residential flat development with basement car parking
Date of Lodgement	24 July 2020
Applicant	Mr Tony Sukkar
Owner	Mr Tony Sukkar Mrs Mouna Sukkar
Number of Submissions	Initial: 12 After Renotification: 2
Value of works	\$11,511,060.00
Reason for determination at Planning Panel	Contentious Development – Over 10 submissions received
Main Issues	Impact on streetscape, unit amenity, site isolation
Recommendation	Refusal
Attachment A	Reasons for refusal
Attachment B	Plans of proposed development
Attachment C	Clause 4.6 Exception to Development Standards
Attachment D	Conditions



LOCALITY MAP

Subject Site		Objectors		
Notified Area		Supporters		

Note: Due to scale of map, not all objectors could be shown.

1. Executive Summary

This report is an assessment of the application submitted to Council for demolition of existing structures and construction of a residential flat development with basement car parking at 314 Liverpool Road, Ashfield.

The application was notified to surrounding properties and 12 submissions were received in response to the initial notification. Following the submission of amended plans the application was re-notified and 2 further submissions were received in response.

The main issues that have arisen from the application include:

- The applicant has not satisfied the requirements of the site isolation planning principle.
- The proposal is not considered to result in positive internal or external amenity for residents and neighbours and does not contribute to a positive living environment for residents.
- The current scheme does not re-enforce or respond to its context as a link to the Ashfield Town Centre on Liverpool Road and does not respond or contribute to the existing streetscape established by the Miller Avenue Heritage Conservation Area

These issues are not acceptable and therefore the application is recommended for refusal.

2. Proposal

The current application seeks consent for the demolition of existing structures and construction of a residential flat development with basement car parking. The proposed development accommodates 47 units over two separate buildings; Building A facing Liverpool Road and Building B facing Norton Street. Both Building A and B have been designed to accommodate the proposed units over three (3) storeys.

In particular the current proposal seeks consent for the following works/ uses:

Lower Ground Floor

- Building A – Construction of a basement car park accommodating 43 parking spaces, garbage rooms, services, residential storage areas and motorcycle parking spaces
- Building B - Construction of a Studio unit facing Norton Street, three at grade parking spaces, temporary bin enclosure and communal open space

Ground Floor

- Building A – Construction of 5 studio units, 2 x 1-bedroom units, 6 x 2-bedroom units and 1 x 3-bedroom unit. This level provided pedestrian access from Liverpool Road, and 426.51sqm of communal open space for residents.
- Building B – Construction of 2 studio units and 1 x 2 – bedroom unit

Level 1

- Building A – Construction of 5 x 1-bedroom units, 7 x 2-bedroom units, 1 x 3-bedroom units.
- Building B – Construction of 2 studio units, 1 x 2-bedroom unit

Level 2

- Building A - Construction of 5 1-bedroom units, 7 x 2-bedroom units, 1 x 3-bedroom units.
- Building B – Non-trafficable roof

Level 3

- Building A – Rooftop Communal Open Space

3. Site Description

The subject site is located on the southern side of Liverpool Road and northern side of Norton Street, between Miller Avenue and Lapish Avenue. The site consists of No. 4 allotments and is generally rectangular with a total area of 3116 sqm.

The site has a frontage to Liverpool Road of 31m and a secondary frontage of approximately 17.7m to Norton street. The site is not affected by easements.

The site currently supports four (4) single storey dwelling houses and a number of outbuildings, each located on the individual lots. The adjoining properties support single storey dwelling houses along Miller Avenue and a three-storey commercial building to the west along Liverpool Road.

The subject site is not listed as a heritage item and is not located within a heritage conservation area, but is directly adjoining both a heritage item and a heritage conservation area. The property is identified as a flood prone lot.

The following trees are located on the site and within the vicinity:

Botanical/Common Name & Location	Works
<i>Cupressus torulosa</i> (Bhutan Cypress) front No 320 - 322 Liverpool Road	Retain/ Protect
<i>Cupressus torulosa</i> (Bhutan Cypress) front No 320 - 322 Liverpool Road	Retain/ Protect
<i>Ulmus procera</i> (English Elm) rear No 320 - 322 Liverpool Road	Retain/ Protect
<i>Callistemon salignus</i> (Willow Bottlebrush) Rear No 320 - 322 Liverpool Road	Retain/ Protect
<i>Callistemon salignus</i> (Willow Bottlebrush) Rear No 320 - 322 Liverpool Road	Retain/ Protect
<i>Lagerstroemia indica</i> (Crepe Myrtle) Rear No 121 Norton Street	Retain/ Protect
<i>Thuja plicata</i> (Western Red Cedar)	Remove tree
<i>Cupressus sempervirens 'Stricta'</i> (Pencil Pine)	Remove tree
<i>Cedrus deodara</i> (Himalayan Cedar)	Remove tree
<i>Cupressus sempervirens</i> (Mediterranean Cypress)	Remove tree
<i>Cupressus torulosa</i> (Bhutan Cypress) #	Remove tree
<i>Ficus benjamina</i> (Weeping Fig)	Remove tree
<i>Allocasuarina sp.</i> (She Oak) #	Remove tree
<i>Casuarina sp.</i> (She Oak) #	Remove tree
<i>Cinnamomum camphora</i> (Camphor Laurel) #	Remove tree
<i>Eucalyptus scoparia</i> (Wallangarra White Gum)	Remove tree
<i>Callistemon viminalis</i> (Weeping Bottlebrush)	Remove tree
<i>Picea pungens</i> (Blue Spruce)	Remove tree
<i>Olea europaea</i> (European Olive)	Remove tree

The subject site is situated across two separate zones, with the majority of Building A being located within the B4 – Mixed Use zone and the whole of Building B and a partial section of Building A being located within the R3 – Medium Density Zone, as seen below within figure 1.

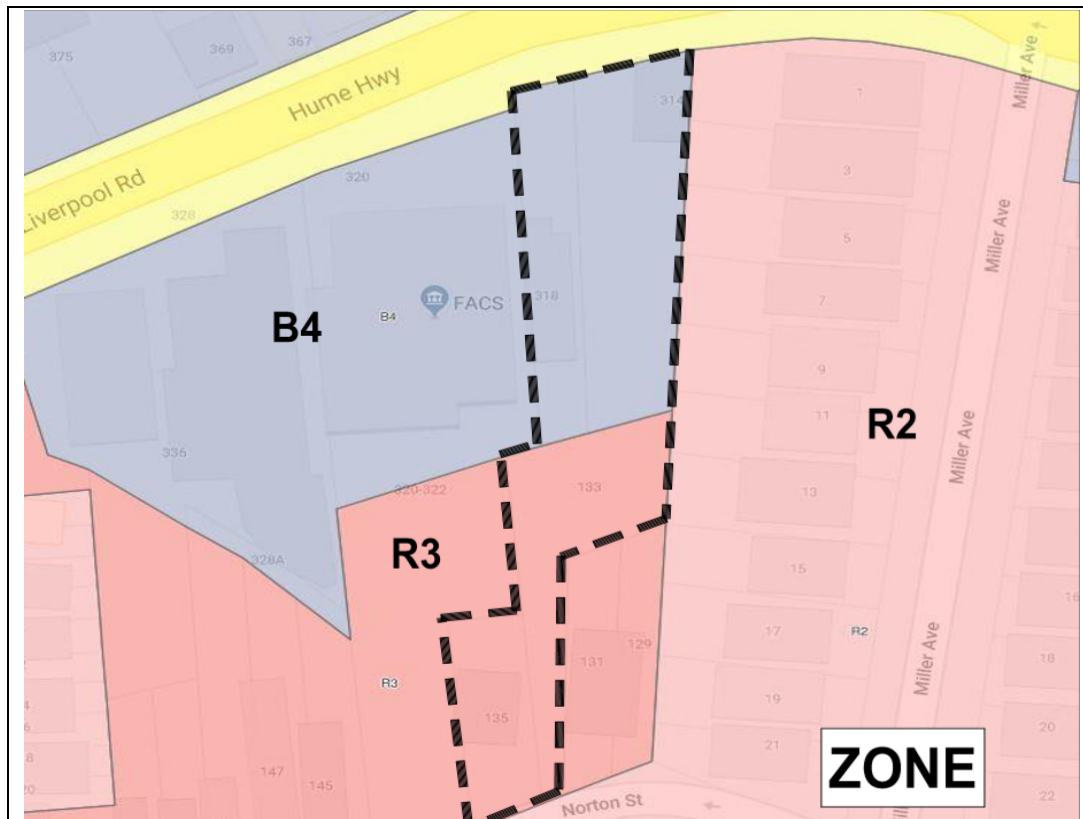


Figure 1 – Zoning Map, with subject site identified by black dotted line

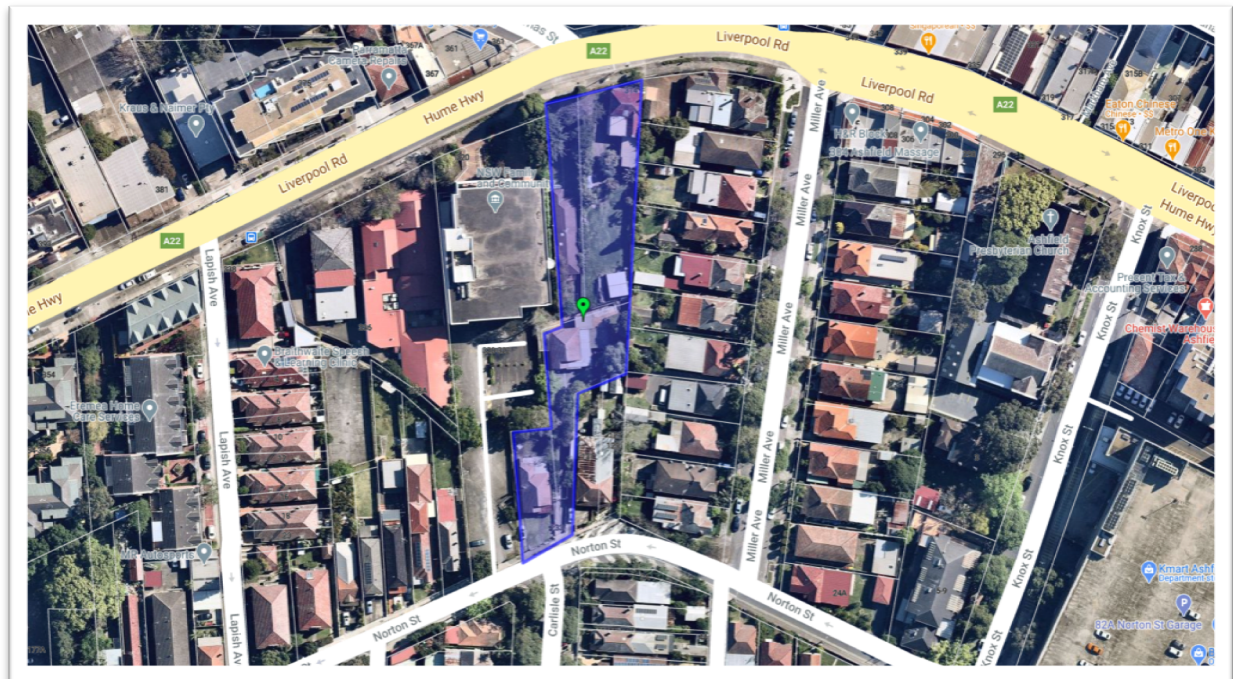


Figure 2: Aerial image showing site and surrounding context.



Figure 3: Photomontage of proposal.

4. Background

4(a) Site history

The following application outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

Subject Site

Application	Proposal	Decision & Date
09.2010.22	Pre-DA – for potential boarding house	Advice issued
09.2011.3	Pre-DA – for potential boarding house	Advice issued
09.2019.23	Pre-DA – Demolition of existing structures construction of a residential flat building	Advice issued

Surrounding properties – 336 Liverpool Road, Ashfield

Application	Proposal	Decision & Date
DA/2020/0051	Demolition of existing structures and construction of a 6 storey residential flat building with 73 units and 72 car parking spaces	Approved by IWLPP – 8 September 2020

Surrounding properties – 1 – 9 Thomas Street, Ashfield

Application	Proposal	Decision & Date
PDA/2020/0251	Prelodgement Application - Construction of a new mixed-use building, with basement car park and four residential flat buildings within a 9-storey built form.	Advice Issued – 4 August 2020

4(b) Application history

The following table outlines the relevant history of the subject application.

Date	Discussion / Letter / Additional Information
22/9/2020	Council issued a formal request for the submission of amended plans and additional information addressing the following: <ul style="list-style-type: none"> - Site isolation of the neighbouring 129 and 131 Norton Street - Amended plans detailing compliance with clause 4.3(2A) - Submission of Strata Subdivision Plans - Revised waste collection scheme - Amended plans detailing the removal of proposed building B - Amended plans detailing improved pedestrian entry off Liverpool Road for building A - Amended plans detailing improved privacy treatments for proposed building A - A revised material finishes scheme aligning more with the emerging streetscape character - Amended plans detailing ADG cross ventilation compliance - Submission of a revised heritage impact statement - Owners consent for the removal of neighbouring trees
13/10/2020	Applicant submitted additional information and amended plans in response to Councils letter.
15/10/2020 5/11/2020	– Application was placed on re-notification due to the extent of changes made within the amended plans.

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

5(a) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

- *State Environmental Planning Policy No. 55—Remediation of Land*
- *State Environmental Planning Policy No. 65—Design Quality of Residential Apartment Development*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 with a Disability) 2004*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*

The following provides further discussion of the relevant issues:

5(a)(i) Site Isolation

The current development is considered to result in the isolation of Nos. 129 and 131 Norton Street (seen below in figure 4) and is the driving factor for the poor amenity outcomes for the proposed Building B.

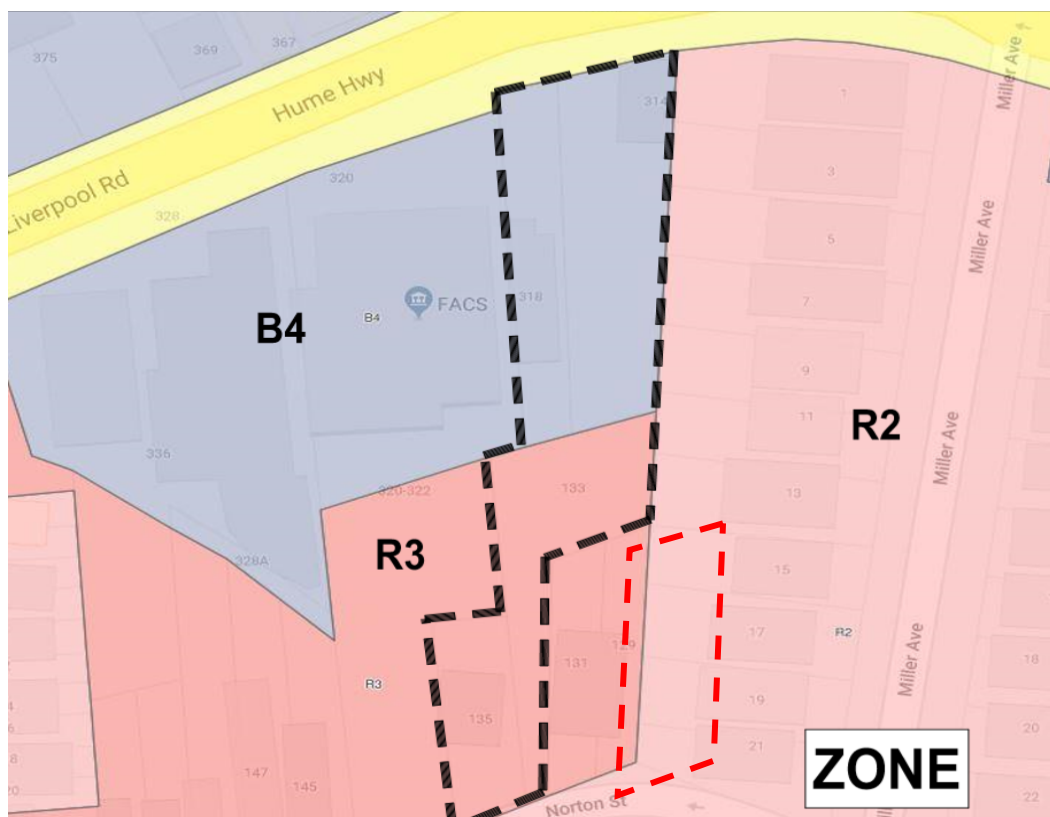


Figure 4 – Zoning Map, with subject site identified by black dotted line and isolated sites identified by red dotted box.

The consolidation of the lots would enable a proposal that would likely achieve a significant improvement to the amenity of Building B, be able to accommodate a larger basement to assist with waste management, access and servicing; thereby improving amenity and provide a clear separate though site link for residents pedestrian movements to either Norton Street or Liverpool Road. The lot consolidation would also result in a widened site frontage, allowing a more flexible and efficient approach to the scale, bulk and design of the development on Norton Street.

Whilst Council’s controls do not provide specific amalgamation requirements, it is considered prudent to consider the LEC planning principle regarding site isolation in order to assess the impact on the neighbouring lots and the appropriateness of leaving a smaller parcel ‘orphaned’ close to the Ashfield Centre.

In *Karavellas v Sutherland Shire Council* [2004] NSWLEC 251 consideration was given to the following questions when a site is to be isolated through redevelopment:

1. Is the amalgamation of the sites feasible?
2. Can orderly and economic use and development of the separate sites be achieved if amalgamation is not feasible?

The following considerations are to be applied when answering the above questions:

- **Negotiations for amalgamations** of sites commenced early, prior to the lodgement of a development application,
- If negotiations were not successful, details of the negotiations, including at least one recent **independent valuation** (which considers the property as being part of a complying amalgamated site) and include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property, and

- Where it has been shown that reasonable efforts have been undertaken to facilitate amalgamation of the isolated properties, and where no resolution can be reached between the parties, **applicants must include with their development application a plan of adjoining lots excluded from the amalgamation which shows a schematic design of how the site may be developed, for the orderly and economic development of the isolated site.** This should include an envelope for that site, indicating height, building form, setbacks and separations (building and basement) sufficient to understand the relationship between the proposed development and the isolated site and the streetscape implications.

The requirement for site amalgamation and documentation in accordance with the requirements of the site isolation principle was expressed to the applicant within the original pre-da discussion and within Councils additional information request. At the time of writing this report documentation submitted by the applicant has not satisfactorily addressed the requirements of the site isolation principle and it is considered that demonstration of lot amalgamation not being feasible has not been provided.

Current documentation submitted by the applicant to address the requirements of the site isolation planning principle is not considered satisfactory/ compliant with the planning principle requirements (outlined above) for the following reasons:

- Documentation submitted is dated 6/10/2020 and is post the lodgement of the current development application.
- The provided documentation does not provide detail on any negotiations between parties and does not include at least one recent independent valuation (which considers the property as being part of a complying amalgamated site) and include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property.

The applicant has provided a schematic design of how the isolated site may be developed should amalgamation not occur (replicated in figure 5 below). These schematics confirm that the isolated site and subsequent development would result in a poor amenity outcome for

occupants/neighbours and is highly likely to detrimentally impact the Miller Avenue Conservation Area.

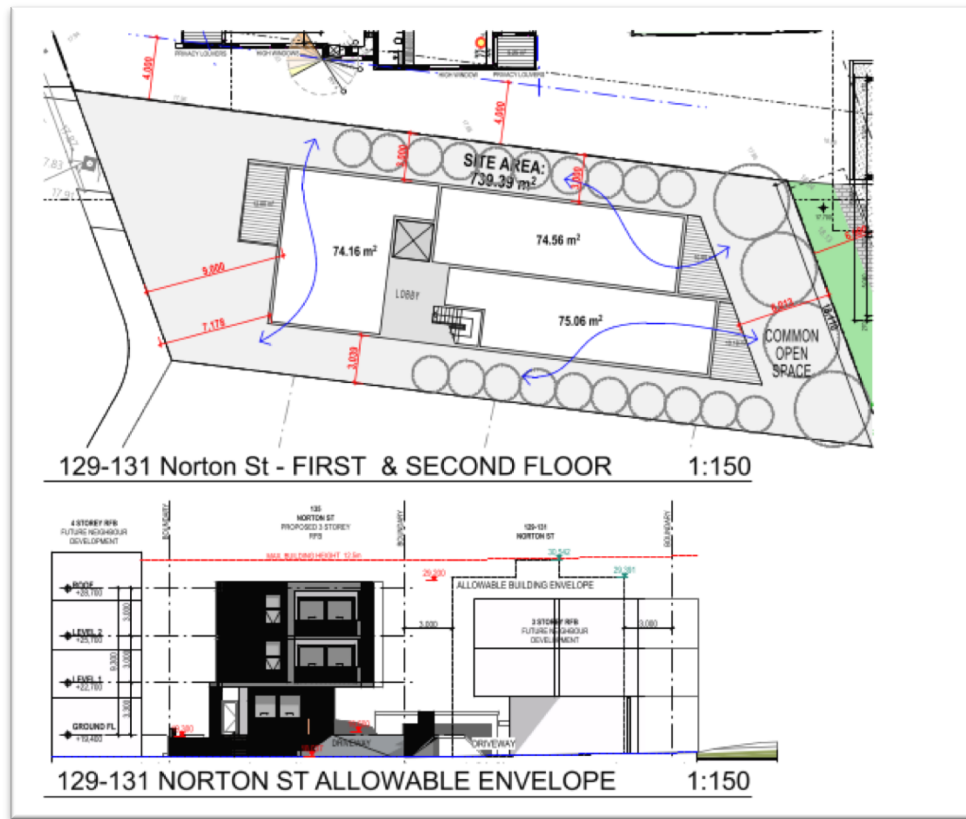


Figure 5 – Isolation Schematics provided by the applicant

The proposed isolated lot is expected to be developed with a three (3) storey RFB on 3m side boundary setbacks, similar to that currently proposed by Building B. This would not accord with the ADG building separation requirement on either property. Acceptance of such setbacks would force the subject development to accommodate only highlight windows or reduced glazing to ensure privacy, which would significantly impact the amenity of future occupants.

The isolated land is directly adjacent to the R3 – R2 zone boundary interface and the Miller Avenue HCA. The applicant’s schematics of a three (3) storey RFB on a 3m setback to the R2 – Low Density Residential Zone and a Heritage Conservation Area does not take into account the ADG requirement to increase setbacks to a lower density zone, or any meaningful architectural transition zone, and would significantly impact the heritage values of the Miller Avenue HCA. Likewise, the proposed 3m setback for a development of this size would result in severe impacts of bulk and scale when viewed from the POS of neighbouring properties at 15 -21 Miller Avenue. Such a scheme is unlikely to be supported on this basis.

Overall it is considered that the provided schematics for 129 – 131 Norton Street do not detail a development which would allow for the orderly and economic development of the isolated site. Instead the provided schematics detail the significant and lasting amenity impacts which result to the locality should site amalgamation not occur. The applicant has not satisfactorily demonstrated, in accordance with the planning principle, that site amalgamation is not

feasible, or that the residual sites are capable of being redeveloped in an orderly manner which would not unacceptably impact the character or amenity of the neighbouring properties.

The current application is therefore recommended for refusal based on the proposal not demonstrating compliance with the site isolation planning principle.

5(a)(ii) State Environmental Planning Policy No 55—Remediation of Land

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. Council's DCP provides controls and guidelines for remediation works. SEPP 55 requires the consent authority to be satisfied that "the site is, or can be made, suitable for the proposed use" prior to the granting of consent.

The site has not been used in the past for activities which could have potentially contaminated the site. It is considered that the site will not require remediation in accordance with SEPP 55.

5(a)(iii) State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

The development is subject to the requirements of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65). SEPP 65 prescribes nine design quality principles to guide the design of residential apartment development and to assist in assessing such developments. The principles relate to key design issues including context and neighbourhood character, built form and scale, density, sustainability, landscape, amenity, safety, housing diversity and social interaction and aesthetics.

A statement from a qualified Architect was submitted with the application verifying that they designed, or directed the design of, the development. The statement also provides an explanation that verifies how the design quality principles are achieved within the development and demonstrates, in terms of the Apartment Design Guide (ADG), how the objectives in Parts 3 and 4 of the guide have been achieved.

The development is not acceptable having regard to the nine design quality principles and is therefore recommended for refusal. The proposal is not considered to meet the following design quality principles:

Principle 1: Context and Neighbourhood Character

It is considered that the development does not respond to its context, does not respond to the built features of the area and does not contribute to the overall character of the streetscape and neighbourhood.

The current scheme does not re-enforce or respond to its context as a link to the Ashfield Town Centre on Liverpool Road and does not respond or contribute to the existing streetscape established by the Miller Avenue Heritage Conservation Area.

An initial review of the proposed by Council's Architectural Excellence Panel (AEP) recommended that the Liverpool Road Streetscape be amended to incorporate a design and building materials drawn from positive cues evident in the buildings within the adjacent heritage conservation area (HCA) and heritage item. The applicant's response to this request has been to amend the Liverpool façade with to display FC Cladding prefinished with dark

grey *ceñital* or similar. Such a response does not take cues from the HCA which largely incorporates face brick and tile/slate roofing.

Acceptance of the current material finishes is expected to sit the development in contrast with the HCA and Heritage Item and is not supported. Likewise, the proposed pedestrian entry awning facing Liverpool Road to be finished with Aluminium deluxe powder coated eastern gold is at odds with the adjacent HCA and heritage item.

The current proposal represents a substantial re-development of the site and provides a rare opportunity to substantially improve and re-enforce an emerging streetscape. This opportunity is one which will not be repeated within the immediate future and as such a high degree of emphasis to public domain, streetscape and urban design should be enforced. The current scheme does not take advantage of the significant re-development opportunity and therefore cannot be considered compliant with the principle of context and neighbourhood character.

Principle 6: Amenity

The proposal is not considered to result positive internal or external amenity for residents and neighbours and does not contribute to a positive living environment for residents. Plans currently submit detail a number of rooms which are considered to receive poor amenity and have poor accessibility and should not be supported because of the poor amenity outcomes expected to result. These concerns relate to the following units:

Unit	Reason for Concern
Studio 2 – Lower Ground Floor Building B	Relies on one south facing opening for light/ventilation. Opening is directly adjacent to the driveway and bin storage area.
Units on Level 1 and 2 in building B	In order to minimise amenity impacts to neighbouring sites resultant from significantly reduced setbacks these units incorporate highlight windows to all openings which do not lead to the POS. Where openings relate to the POS minimal solar access is expected to be received due to orientation or inclusion of privacy screens to avoid amenity impacts. Access to these units is also limited with pedestrian access only granted via stairs. This raises concerns regarding day to day servicing of units such as waste disposal.
G.6 – Ground Floor Building A	This unit incorporates minimal openings to ensure privacy for the neighbouring G.5 but subsequently very poor solar access and ventilation. The proposed layout results in the kitchen being at least 7m away from the nearest opening, which will force occupants to rely heavily on artificial light and ventilation.
1.5 – Level 1 Building A	The POS for this unit is entirely screened by privacy louvers to ensure no direct sightlines into neighbouring sites and subsequently results in poor outlook for occupants and poor solar access.
1.7 – Level 1 Building A	The orientation of POS and proximity to neighbouring units will result in significant privacy impacts for neighbouring units within the same development. This unit incorporates minimal openings to ensure privacy but subsequently very poor solar access and ventilation.

2.5 – Level 2 Building A	The POS for this unit is entirely screened by privacy louvers to ensure no direct sightlines into neighbouring sites and subsequently results in poor outlook for occupants and poor solar access.
2.7 – Level 1 Building A	The orientation of POS and proximity to neighbouring units will result in significant privacy impacts for neighbouring units within the same development. This unit incorporates minimal openings to ensure privacy but subsequently very poor solar access and ventilation.

The development is not compliant with the requirements of principle 6: Amenity and is therefore recommended for refusal.

Principle 9: Aesthetics

As outlined above under principle 1, has been determined to result in a poor visual appearance with a significant incongruency against the adjacent heritage conservation area. Acceptance of the proposal in its current form is expected to result in a development which does not respond to the existing or future local context and does not represent an acceptable outcome for the emerging streetscape. The proposal is not considered to be compliant with principle 9: Aesthetics.

Apartment Design Guide

The Apartment Design Guide (ADG) contains objectives, design criteria and design guidelines for residential apartment development. In accordance with Clause 6A of the SEPP certain requirements contained within Inner West Comprehensive DCP 2016 do not apply. In this regard the objectives, design criteria and design guidelines set out in Parts 3 and 4 of the ADG prevail.

The following provides further discussion of the relevant issues:

Visual Privacy/Building Separation

The ADG prescribes the following minimum required separation distances from buildings to the side and rear boundaries:

Building Height	Habitable rooms and balconies	Non-habitable rooms
Up to 12 metres (4 storeys)	6 metres	3 metres

Comment:

Building A

Analysis of the proposed building A has highlighted variations to the above building separation requirements along the proposed eastern and western boundaries, with the development seeking consent for the eastern boundary to have a 2m setback from non-habitable rooms and the western boundary to have a 3m setback from habitable rooms.

- Eastern Boundary

The proposed building A results in a minor portion (roughly 20m) of the north east corner of the subject site being non-compliant with the required 3m side boundary setback for non-habitable rooms. This portion of the site results in only a 2m setback and relates to units G.1, 1.1 and 2.3m. Analysis of the proposed eastern elevation has highlighted that this portion of building incorporates reduced glazing and openings to ensure privacy for occupants and neighbours. Where openings are proposed they have been appropriately designed to be of a highlight nature with window sills beginning 1.65m above finished floor level. This portion of building has been designed to incorporate a maximum height of 9.7m and assists to ensure minimal bulk/scale impacts for neighbouring sites. In this instance a requirement for strict compliance and a further 1m side boundary setback is expected to result in negligible amenity improvement for neighbouring sites or the subject site and the proposed setback reduction is acceptable.

- Western Boundary

The proposed 3m western boundary setbacks and built form is directly resultant from the proposal’s compliance with a site specific DCP built form control found within Chapter D – Precinct Guidelines of the Inner West Comprehensive DCP 2016. This site-specific built form requirement is replicated within figure 6 below and was created to ensure that any development upon the subject site maximises separation distances to neighbouring houses within the Miller Ave HCA.

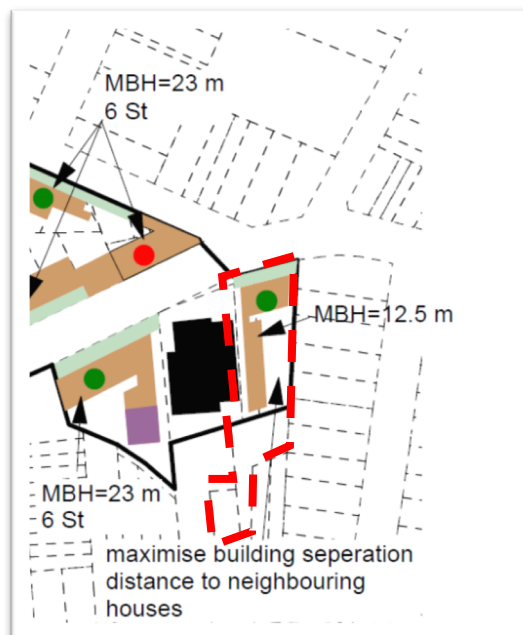


Figure 6 – Site Specific Built Form outlined in DCP, subject site highlighted by red dashes

In response to the reduced 3m western boundary setback the applicant has appropriately designed the western elevation to incorporate reduced glazing/window openings and POS. Where window openings are proposed they generally incorporate a high windowsill of 1.65m above the proposed finished floor level or have been treated by frosted glazing. Likewise, where the development does propose POS for units these spaces incorporate privacy screen treatments to avoid direct sightlines into neighbouring sites. The development proposes a maximum height of 11.6m (where it relates to lift over runs and common stairs) along the western boundary, with the majority of the building having a maximum height of 10.5m. This proposed building height is combined with the proposed 3m setback will assist to reduce impacts of visual bulk to the neighbouring site at 320 Liverpool Road.

As part of the current plans submitted to Council the applicant has provided a rough schematic of how the neighbouring 320 Liverpool Road could re-develop. This schematic details the neighbouring site incorporating a 6m setback along their eastern boundary (subject sites western boundary) and details a sufficient built form separation to allow for privacy and amenity to all parties. Overall it is considered that the currently proposed western setback is acceptable in its current form and has been designed to achieve a reasonable level of external and internal visual privacy.

Building B

The proposed building B currently seeks consent for 4m side setbacks along the eastern boundary and 3m side setbacks along the western boundary, a variation from the minimum 6m setbacks required by the ADG. In order to minimise amenity impacts to neighbouring sites (resultant from reduced setbacks) these units incorporate highlight windows to openings, which do not lead to the POS. Such an amenity outcome is not satisfactory and results in significant amenity loss for potential residents.

Further to this acceptance of the location and built form of the currently proposed building B requires neighbouring sites to also adopt reduced setbacks (as discussed under site isolation) and creates a lasting impact for the locality. As discussed above it is considered that the amalgamation of the neighbouring two sites at 129 and 131 Norton Street would allow for greater flexibility to the built form of building B and that no alternative design reliant on reduced setbacks should be considered until such a time that the planning principles for site isolation have been adequately addressed. The proposed setbacks for building B are not supported due to the poor amenity outcomes and the proposal is therefore recommended for refusal.

5(a)(iv) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate was submitted with the application and will be referenced in any consent granted.

5(a)(v) State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure 2007)

Development with frontage to classified road (Clause 101)

The site has a frontage to Liverpool Road, a classified road. Under Clause 101 (2) of *SEPP Infrastructure 2007*, the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that the efficiency and operation of the classified road will not be adversely affected by the development.

The application was referred to Roads and Maritime Services (RMS) for comment. RMS raised no objections to the application with regard to ingress and egress to the site. The application is considered acceptable with regard to Clause 101 of the *SEPP Infrastructure 2007*.

Impact of road noise or vibration on non-road development (Clause 102)

Clause 102 of the *SEPP Infrastructure 2007* relates to the impact of road noise or vibration on non-road development on land in or adjacent to a road corridor or any other road with an annual average daily traffic volume of more than 40,000 vehicle. Under that clause, a development for the purpose of a building for residential use requires that appropriate measures are incorporated into such developments to ensure that certain noise levels are not exceeded.

Liverpool Road has an annual average daily traffic volume of more than 40,000 vehicles. The applicant submitted a Noise Assessment Report with the application that demonstrates that the development will comply with the LAeq levels stipulated in Clause 102 of the SEPP. Conditions are included in the recommendation.

5(a)(vi) State Environmental Planning Policy (Vegetation in Non-Rural Areas) (Vegetation SEPP)

Vegetation SEPP concerns the protection/removal of vegetation identified under the SEPP and gives effect to the local tree preservation provisions of Council's DCP.

The application seeks the removal of vegetation from within the site. The application was referred to Council's Tree Management Officer who outlined no objection to the proposal, subject to suitable conditions of consent.

Overall, the proposal is considered acceptable with regard to the *Vegetation SEPP* and DCP subject to the imposition of conditions, which have been included in the recommendation of this report.

5(a)(vii) Ashfield Local Environment Plan 2013 (ALEP 2013)

The application was assessed against the following relevant clauses of the *Ashfield Local Environmental Plan 2011*:

- Clause 1.2 - Aims of Plan
- Clause 2.3 - Land Use Table and Zone Objectives
- Clause 2.7 - Demolition
- Clause 4.3 - Height of buildings
- Clause 4.4 - Floor space ratio
- Clause 4.5 - Calculation of floor space ratio and site area
- Clause 4.6 - Exceptions to development standards
- Clause 5.10 - Heritage Conservation
- Clause 6.1 - Earthworks
- Clause 6.2 - Flood Planning

(i) Clause 2.3 - Land Use Table and Zone Objectives

The site is zoned B4 – Mixed Use and R3 – Medium Density Residential under the *ALEP 2013*. The *ALEP 2013* defines the development as:

residential flat building means a building containing 3 or more dwellings but does not include an attached dwelling or multi dwelling housing.

The development is permitted with consent within both land use zones which the site straddles. The development is generally consistent with the majority of the objectives of the B4 zone and R3 Medium Density Residential Zone, however critically fails to satisfactorily address the last objective of the B4 zone:

To encourage the orderly and efficient development of land through the consolidation of lots

As such, the development is not considered an appropriate transition between zones or an rational use of land in the Ashfield Centre.

The following table provides an assessment of the application against the development standards:

Standard	Proposal	Non-compliance	Complies
Height of Building			
Maximum permissible R3: 12.5m	12m	N/A	Yes
Maximum permissible B4: 12.5m	12.75m	0.25m or 2%	No
Clause 4.3(2A) of ALEP applies to land in B4 and limits areas which may be counted towards FSR at a maximum height of 9.5m	Areas accommodating FSR within B4 zone limited to below 9.5m	N/A	Yes
Floor Space Ratio			
Maximum permissible R3: 0.7:1 (950sqm)	0.68:1 or 920m ²	N/A	Yes
Maximum permissible B4: 1.5:1 (2639.4sqm)	1.51:1 or 2,660.7m ²	21.3sqm or 0.8%	No

Clause 4.6 Exceptions to Development Standards

As outlined in table above, the proposal results in a breach of the following development standards:

- Clause 4.3 - Height of buildings
- Clause 4.4 - Floor space ratio

Height of Buildings

The applicant seeks a variation to the Height of Buildings development standard under Clause 4.3 of the Ashfield LEP by 2% (0.25 metres).

Clause 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes.

In order to demonstrate whether strict numeric compliance is unreasonable or unnecessary in this instance, the proposed exception to the development standard has been assessed against the objectives and provisions of Clause 4.6 of the Ashfield LEP below.

A written request has been submitted to Council in accordance with Clause 4.6(3) of the Ashfield LEP justifying the proposed contravention of the development standard which is summarised as follows:

- *The contravention results from the irregular and undulating topography of the site and would not have occurred on a flat site; and*
- *Compliance would result in an awkward and unwieldy distribution of levels which would not facilitate universal access.*
- *Given that the contravention would be located towards the central part of the site and of minimal scale, it would not alter exposure to sky or daylight for adjacent buildings or the public realm.*

- *The proposal would continue to provide an appropriate height transition between the lower density areas and conservation areas to the east and the higher density mixed use zone to the west notwithstanding the contravention which would have no perceptible impact upon the overall built form of scale of the proposal.*
- *The contravention would not create any additional overshadowing of existing buildings or public areas due to its central location and minimal scale.*

The applicant's written rationale adequately demonstrates compliance with the development standard is unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

It is not considered that the development is in the public interest because it is consistent with the objectives of the B4, in accordance with Clause 4.6(4)(a)(ii) of the Ashfield LEP. Although the proposal would integrate residential uses into the Ashfield Centre, and in doing so enhance the viability and vitality of Ashfield Centre, it fails to "encourage the orderly and efficient development of land through the consolidation of lots".

The development is considered to be consistent with the objectives of the height of buildings development standard, in accordance with Clause 4.6(4)(a)(ii) of the Ashfield LEP, as:

- The proposed height variation relates directly to a minor portion of the proposed lift overrun serving the rooftop communal open space of building A. The proposed variation will not result in no additional impacts of overshadowing or solar access loss for the public domain or neighbouring sites.
- Elements which result in the proposed variation are setback 15m from Liverpool Road, 10.2m from the eastern boundary and 16m from the western boundary and therefore will not be readily visible to the public domain. The proposed variation will not have an impact upon the built form transition to the lower density zone and neighbouring heritage item.

As such, the proposal fails to satisfy the objective in Clause 4.6(1)(b) and requirements of Clause 4.6(3)(b) of the Ashfield LEP. Although there are sufficient planning grounds to justify the departure from the height of buildings development standard, it is recommended the Clause 4.6 exception not be granted and that the proposal be refused as the overall development is not within the public interest, as the proposal does not satisfy the objectives of the zone in which the development is to be undertaken.

Floor Space Ratio

The applicant seeks a variation to the floor space ratio development standard under Clause 4.4 of the Ashfield local environmental plan by 0.8% (21.3sqm).

Clause 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes. In this instance the applicant has not provided a clause 4.6 for the variation to floor space ratio.

The proposed variation to floor space ratio relates directly to the enclosure of balconies facing Liverpool Road on levels 1 and 2 of building A to create "winter gardens" as detailed on the provided elevations. These spaces are entirely enclosed and must be counted towards the site's overall FSR. This is best demonstrated within figures 7 and 8 below which detail the proposed balcony enclosure.



Figure 7 – Photomontage detailing proposed balcony enclosure, balcony enclosure highlighted by red dashes



Figure 7 – Elevation detailing proposed balcony enclosure, balcony enclosure highlighted by red dashes

In this instance Council has not requested the applicant submit a clause 4.6 variation to FSR as the specific matter enclosure of the balconies is not supported, and neither is the overall development application more generally. Furthermore, it is recommended to the Panel that the a Clause 4.6 request would be difficult to sustain as set out above, given that the development fails to satisfy the zone objectives which require “the orderly and efficient development of land through the consolidation of lots”.

In a merits sense, the proposed enclosure of the balconies is not supported as it would present an inconsistent streetscape appearance as established by other recent approvals granted for the locality (see 336 Liverpool Road) and the neighbouring HCA. A review of the submitted acoustic report accompanying the current development application makes no reference to a requirement for enclosure of balconies for acoustic treatments in order to comply with the requirements of clause 102 of the Infrastructure SEPP. In this instance, the proposed balcony

enclosure results in a significant increase to visual bulk when viewed from Liverpool Street (as seen within figures 7 and 8) and is not supported.

In the event the application is supported it is recommended that a condition requiring the deletion of the balcony screening/ enclosure be imposed.

Clause 5.10 – Heritage Conservation

No. 314 Liverpool Road is not listed as a local or state heritage item, nor is it located within a Heritage Conservation Area, however the site is located adjacent to the Miller Street Heritage Conservation Area and adjacent to No. 1 Miller Street which is listed as a local heritage item, item 222 in the ALEP 2013. The application is supported by a Statement of Heritage Impact. Council's Heritage Officer has raised no objections to the proposal on heritage grounds subject to appropriate conditions of consent regarding salvaging of materials from structures to be demolished.

As discussed above, it is considered that the proposal does not respond or contribute to the existing streetscape established by the Miller Avenue Heritage Conservation Area.

Council's Architectural Excellence Panel (AEP) recommended that the Streetscape be amended to incorporate a design and building materials drawn from positive cues evident in the buildings within the adjacent heritage conservation area (HCA) and heritage item. The applicant's response does not take cues from the HCA which largely incorporates face brick and tile/slate roofing. The proposed materials and finishes are expected to contrast with the HCA and Heritage Item and are not supported.

6.1 Earthworks

A Geotechnical Report has been supplied which demonstrates that subject to the recommendations, the proposed that earthworks will not have a detrimental impact on environmental functions and processes, waterways and riparian land, neighbouring uses, cultural or heritage items or features of the surrounding land in accordance with the objective of this part of the plan.

6.2 Flood planning

The site is located on flood affected land. A Flood Certificate and Flood Study Report have been supplied which demonstrate that the proposal has been designed to minimise the flood risk to life and property associated with the use of land and avoid significant adverse impacts on flood behaviour and the environment in accordance with the objectives of this part of the plan. The proposal has been reviewed by Council's Engineers and suitable conditions of consent relating to flooding have been recommended and could be imposed in the event that the development were approved.

5(b) Draft Environmental Planning Instruments

Draft Inner West Local Environmental Plan 2020 (Draft IWLEP 2020)

The Draft IWLEP 2020 was placed on public exhibition commencing on 16 March 2020 and accordingly is a matter for consideration in the assessment of the application under Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979.

The Draft IWLEP 2020 contains provisions for the prohibition of Residential Flat Buildings within the R3 – Medium Residential Zone and B4 – Mixed Use Zone and results in the current development unable to be constructed.

At this time the IWLEP 2020 is not gazetted and as such permissible or prohibited land uses are not yet in effect.

5(c) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

IWCDCP2016	Compliance
Section 1 – Preliminary	
B – Notification and Advertising	Yes
Section 2 – General Guidelines	
A – Miscellaneous	
1 - Site and Context Analysis	Yes
2 - Good Design	No – see discussion
3 - Flood Hazard	Yes
4 - Solar Access and Overshadowing	Yes
5 - Landscaping	Yes
6 - Safety by Design	Yes
8 - Parking	Yes – Complaint with ADG
15 - Stormwater Management	Yes
B – Public Domain	
C – Sustainability	
1 – Building Sustainability	Yes
2 – Water Sensitive Urban Design	Yes
3 – Waste and Recycling Design & Management Standards	Yes
4 – Tree Preservation and Management	Yes
6 – Tree Replacement and New Tree Planting	Yes
D – Precinct Guidelines	
Ashfield West	No – see discussion
E1 – Heritage items and Conservation Areas (excluding Haberfield)	
1 – General Controls	No – see discussion

The following provides discussion of the relevant issues:

Good Design

The development application has been assessed against the provision of Chapter A section 2 – Good Design. These controls have been established to ensure that development:

- Responds and contributes to its context
- Contributes to the quality and identity of the area
- In areas of relatively stability, reinforces desirable element of established street and neighbourhood character
- In areas undergoing substantial change, contributes to the creation of the identified desired future character

As mentioned above under section 5(a)(iii) the proposal was referred to Council's Architectural Excellence Panel who reviewed the application against the principles of SEPP 65 and the Good Design Controls contained within the DCP. Following this review the AEP has outlined that the scheme should be amended to incorporate a design and building materials drawn from positive cues evident in the buildings within the adjacent heritage conservation area (HCA) and heritage item.

The applicant's response to this request has been to amend the Liverpool façade with to display FC Cladding prefinished with dark grey *cerital* or similar. Such a response does not take cues from the HCA which largely incorporates face brick and tile/slate roofing. Acceptance of the current material finishes is expected to put the development in contrast from the HCA and Heritage Item and is not supported.

The proposal is non-compliant with the requirements of the DCP which requires development to contribute to the quality and identity of the area and contribute to the creation of the desired future character. The current scheme is not reflective of the desired future character for the locality and is therefore recommended for refusal.

Overshadowing

The revised plans have been assessed against the provisions of Chapter A – Part 4 Solar Access and Overshadowing. Within this section residential flat buildings are required to:

- maintain existing levels of solar access to adjoining properties

Or

- ensures living rooms and principal private open space of adjoining properties receive a minimum of 2 hours direct sunlight between 9am and 3pm on 21 June.

The shadow impacts resultant from the proposed development application are compliant with the above controls. As detailed within the shadow diagrams provided by the applicant, impacts of overshadowing between 9am to 1pm are largely cast onto the neighbouring office building which does not currently have private open space.

Impacts of overshadowing onto properties which do have private open space is not realised until 2pm on June 21, ensuring that the neighbouring residential properties receiving existing levels of solar access for most of the day and are compliant with the requirements of the above control. In this instance the proposal has been designed to be situated roughly 9m from the eastern boundary (adjoining residential properties) and is largely compliant with the maximum height limits assisting to ensure any impacts of overshadowing are substantially minimised.

It is considered that the impacts of overshadowing on neighbouring sites is a product of the orientation of the site resultant from original subdivision and largely an outcome of the current planning controls. Council raises no objection to the proposed solar access impacts resultant from the development and considers the proposal compliant with the controls. However, the proposal is recommended for refusal due to other matters raised within the assessment section of this report not being adequately resolved.

Visual Privacy

Council has undertaken an assessment of the potential visual privacy impacts resultant from the proposal and notes that the applicant has appropriately amended the plans since initial lodgement to ensure sufficient privacy levels for future occupants/ neighbours when viewed from the north, south and west elevations of building A and all elevations of building B. With regards to the eastern elevation of building A it is considered that privacy impacts from the proposal are unavoidable, but that the development is generally designed to mitigate impacts.

Privacy impacts from the eastern elevation of building A are expected to result from the proposed levels 1 and 2 and relate to the proposed balconies and windows of units. In order to minimise the potential for direct sightlines the applicant has appropriately setback these units to be a minimum of 9m from the eastern boundary and as such is generally compliant with the visual privacy setback requirements outlined within the ADG. To further minimise potential for direct sightlines into neighbouring POS, the proposed balconies are to also incorporate partial floor to ceiling privacy screening, with the remainder made up of 1.2m glazed balustrades.

In order to further reduce potential sightlines and protect privacy for neighbours/future occupants a design change condition requiring the eastern elevation balcony balustrades to be treated with obscure glazing is recommended for the consent. The combination of privacy screening, setbacks and balustrade treatments are anticipated to be enough to mitigate substantial privacy impacts for neighbouring POS and ensure an appropriate balance between privacy for neighbours and amenity for future occupants.

While it is acknowledged that further privacy treatments could be required for openings along this elevation, imposition of such requirements would substantially and unreasonably impact the amenity for occupants of the development and is unreasonable in the circumstances of the case. Regardless the proposal is still recommended for refusal due to other matters raised within the assessment section of this report not being resolved.

Ashfield West DCP

The current proposal results in a variation to clause DS1.15 of Chapter D: Precinct Guidelines within the Inner West Comprehensive DCP 2016, which requires compliance with the built forms outlined within map 2 of the DCP. In this instance the proposal results in a variation to the requirement for 6m setback from Liverpool Road as it is proposed to incorporate balconies and elements of units within this 6m setback. The intention of this control is to ensure that developments give spatial definition to the roadway, ensure building scale is sympathetic to lower density properties and ensure that development does not compromise potential of adjoining land.

As discussed previously within the report the proposed balconies situated within the 6m setback requirement are currently proposed to be enclosed and are better characterised as a winter garden rather than a balcony. The proposed enclosure is not supported as it would present an alien element and inconsistent streetscape appearance in contrast to that established by other recent approvals granted for the locality (see 336 Liverpool Road) and the neighbouring HCA. The acceptance of this proposed balcony enclosure results in the development having a built form/visual bulk and scale which is substantially within the 6m setback requirement and does not align with the intention/objectives of the control.

This increase to the developments visual bulk/scale when viewed from the Liverpool Streetscape is best illustrated within figures 7 and 8 above and should not be supported. In this instance this uncharacteristic visual bulk and scale is readily resolved through the imposition of conditions (in the event the application were approved), requiring the opening of the balconies addressing Liverpool Road. However, the application is recommended for refusal based on other issues raised within this report.

Development in the vicinity of heritage items

The current application is considered to result in a variation to clause C5 of Chapter E1 – Heritage Items and Conservation Areas outlined within the Comprehensive Development Control Plan 2016, which requires new developments within the vicinity of heritage items to use materials, finishes and colours selected to avoid strong contrast with the heritage item in

order to retain the visual importance or significance of the heritage item. As discussed above, the proposed material finishes for the building façade addressing Liverpool Road (directly adjacent the neighbouring heritage item), of dark grey FC Cladding, does not take cues from the HCA which largely incorporates face brick and tile/slate roofing. Likewise, the entry awning facing Liverpool Road finished with Aluminium powder coated eastern gold is at odds with the adjacent HCA and heritage item. The application is therefore recommended for refusal based on the non-compliance with clause C5 of Chapter E1 within the IWCDCP 2016.

5(e) The Likely Impacts

The assessment of the Development Application demonstrates that the proposal will have an adverse impact on the locality in the following way:

Streetscape/ Relationship to Heritage Conservation Area or Heritage item

The proposed material finishes and building façade to Liverpool Road will result in a distinct and last anomaly to the streetscape and results in a significant contrast when compared to the neighbouring heritage conservation area.

Amenity

Plans currently submit detail a number of rooms in building A and building B which receive poor amenity and have poor accessibility and should not be supported because of the poor outcomes expected to result.

Site Isolation

The current proposal results in a lot amalgamation and subsequent isolation of neighbouring sites, which will negatively impact the built form and pattern of development along Norton Street. It is imperative that prior to any consent being issued, that the applicant satisfactorily demonstrate in accordance with the planning principles that site amalgamation is not feasible.

5(f) The suitability of the site for the development

Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(g) Any submissions

The application was notified in accordance with Inner West Comprehensive Development Control Plan (DCP) 2016 for a period of 21 days to surrounding properties. In response to this notification 12 submissions were received. Following the submission of amended plans the proposal was re-notified, where 2 submission was received in response.

The submissions raised the following concerns which are discussed under the respective headings below:

Issue: Overshadowing/ Loss of Solar Access

Comment: An assessment of the proposed overshadowing and loss of solar access has been undertaken above within the assessment section of the report. Overall the proposed rate of solar access loss for neighbouring residential properties is expected to occur for 1 hour between 2pm – 3pm on June 21. Such impacts

of overshadowing is compliant with the requirements of the DCP and ensures a sufficient rate of solar access for neighbouring sites.

Issue: Traffic and Parking

Comment: The proposals driveway location and driveway queuing has been reviewed by Council's Development Assessment Engineers who have outlined no objection to the location or proposed entry and exit design. No objection is raised with regards to the proposed driveway. The proposed parking rate is compliant with the requirements of the ADG and RMS guide for traffic generating developments and is sufficient to ensure appropriate servicing of the site should the application be approved.

Issue: Privacy Loss

Comment: An assessment of the potential privacy impacts has been undertaken above under the assessment section of the report.

Issue: Acoustic Impacts

Comment: The proposed openings of units along the eastern boundary have been setback 9m from the boundary and are situated roughly 20m from neighbouring dwellings within Miller Avenue. This separation distance, design of the proposed units and compliance with recommendations of the provided acoustic report is sufficient to ensure reasonable acoustic privacy for neighbours. Acoustic impacts resulting from the proposal are expected to be in-line with that of a residential development.

Issue: Waste Collection

Comment: The proposed method of waste collection has been reviewed by Councils Resource Recovery Team who outlined no objection to the proposed waste collection method. The development is to place bins awaiting collection within a temporary on-site collection area (addressing Norton Street) and not within the public domain. Once collected bins are to be moved back into the basement within the permeant collection area.

Issue: Proposed Vegetation Planting

Comment: The proposed vegetation planting has been reviewed by Councils Urban Forests Team who outlined no objection to the proposal subject to suitable conditions of consent regarding types of planting and protection of existing trees.

Issue: Impact to Heritage Conservation Area

Comment: The developments impact upon the heritage conservation area and neighbouring heritage item has been assessed within the assessment section of the report. The proposal has been designed to have minimal impact upon the Miller Avenue HCA when viewed from Miller Avenue, but that the façade facing Liverpool Road is not in keeping with the existing streetscape and is not supported.

Issue: Impact on property value

Comment: Impact on property prices is not a matter for consideration under the Environmental Planning and Assessment Act 1979 and can not be considered as part of the current development application.

Issue: Non-compliance with height of building requirements

Comment: The proposed non-compliance with the maximum height of building control has been assessed above within the assessment section of the report.

Issue: Non-compliance with parking rates required by DCP

Comment: In this instance the application is for the construction of a residential flat building consisting of three (3) storeys, because of this SEPP 65 and the ADG apply to the development. These planning policies outline requirements for carparking and override the DCP controls for car parking rates. The proposal has been assessed against the proposed parking rate outlined within the ADG and SEPP 65 and is compliant with the minimum required parking rate.

Issue: Asbestos

Comment: Appropriate conditions regarding demolition and asbestos removal will be recommended as conditions of consent should the application be approved.

Issue: Impacts from construction

Comment: Appropriate conditions regarding hours of construction and methods of construction are recommended for the consent should the application be approved.

Issue: Damage to property resulting from construction

Comment: A condition requiring the carrying out of dilapidation reports and construction methods is recommended to be included as part of any consent should the application be approved.

Issue: Radius of Notification

Comment: The proposal has been notified in accordance with Council's notification policy and a site sign placed on site. The application is considered to have been notified correctly.

5(h) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed. The proposal is contrary to the public interest, due to the streetscape, urban design and unit amenity concerns discussed within the report.

6 Referrals

6(a) Internal

The application was referred to the following internal sections/officers and issues raised in those referrals have been discussed in section 5 above.

- Urban Forests – No objection subject to suitable conditions of consent
- Architectural Excellence Panel (AEP) – Expressed a range of concerns as set out above
- Development Engineer - No objection subject to suitable conditions of consent
- Environmental Health - No objection subject to suitable conditions of consent
- Heritage Officer - No objection subject to suitable conditions of consent
- Resource Recovery - No objection subject to suitable conditions of consent

6(b) External

The application was referred to the following external bodies and issues raised in those referrals have been discussed in section 5 above.

- Roads Marine Services (RMS) - No objection subject to suitable conditions of consent

7. Section 7.11 Contributions

Section 7.11 contributions are payable for the proposal.

The carrying out of the proposed development would result in an increased demand for public amenities and public services within the area. A condition requiring that contribution to be paid should be imposed on any consent granted.

8. Conclusion

The proposal does not comply with the aims, objectives and design parameters contained in *Ashfield Local Environmental Plan 2013* and *Inner West Comprehensive Development Control Plan (DCP) 2016*.

The development would result in significant impacts on the amenity of the adjoining properties and the streetscape and is not considered to be in the public interest.

The application is considered unsupportable and in view of the circumstances, refusal of the application is recommended.

9. Recommendation

- A. The applicant has made a written request pursuant to Clause 4.6 to contravene Clause 4.3 – Height of Buildings of the *Ashfield Local Environmental Plan 2013*. After considering the request, and assuming the concurrence of the Secretary, although the Panel is satisfied with the applicant's submission that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient

environmental grounds to support the variation, it has not been adequately demonstrated that the proposed development will be in the public interest because the proposal is inconsistent with the objectives of the zone in which the development is to be carried out.

- B. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, refuse Development Application No. DA/2020/0583 for Residential flat development with basement car parking at 314 Liverpool Road ASHFIELD NSW 2131 for the following reasons.

Attachment A – Reasons for Refusal

The Inner West Local Planning Panel, as the responsible authority, hereby refuses Development Application No. DA/2020/0583 for demolition of existing structures and construction of a residential flat development with basement car parking at 314 Liverpool Road, Ashfield for the following reasons:

1. A Clause 4.6 request is required to vary the development standard for Floor Space Ratio, but has not accompanied the application.
2. The Clause 4.6 request to vary the development standard for Height of Buildings is not acceptable as, although the applicant has demonstrated sufficient environmental planning grounds to justify the variation, in this instance the overall development does not satisfy the objectives of the zone in which the development is to be carried out, in particular *“to encourage the orderly and efficient development of land through the consolidation of lots”*.
3. The proposal has not satisfactorily demonstrated compliance with Schedule 1 – Design Quality Principles as required by clause 30 (2) (a) & (b) of SEPP 65 – Design Quality of Residential Flat Buildings.
4. The proposal is inconsistent with the aims set out in clause 1.2(2) of the Ashfield Local Environmental Plan 2013 as the proposal does not enhance the amenity and quality of life for local communities, nor does it achieve a high quality form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of the subject locality.
5. The proposal is contrary to Performance Criteria PC1 of Chapter A, Part 2 of the Comprehensive Inner West Development Control Plan 2016 the proposal does not respond and contribute to its context or the quality or identify of the area.
6. The proposal is contrary to Performance Criteria PC6 of Chapter A, Part 2 of the Comprehensive Inner West Development Control Plan 2016 the proposal does not provide high quality amenity through physical, spatial and environmental design.
7. The proposal is contrary to Control C5 of Chapter E1, Part 1.8 of the Comprehensive Inner West Development Control Plan 2016 the proposal does not use materials and finishes which avoid strong contrast to heritage items.
8. In accordance with Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development would have adverse environmental impacts on both the natural and built environments, and social and economic impacts in the locality.
9. Pursuant to the provisions of Section 4.15(1)(d)(e) of the Environmental Planning and Assessment Act 1979, it is considered that the proposal would not be in the public interest.

Attachment B – Plans of proposed development

314 LIVERPOOL RD, ASHFIELD
RESIDENTIAL FLAT BUILDING, DEVELOPMENT APPLICATION

DRAWING LIST table with columns: DWG #, DRAWING NAME. Lists drawings from DA001 to DA6302 including coverage, location plans, site analysis, and various architectural drawings.



VIEW FROM LIVERPOOL ROAD

BASIC COMMITMENTS NOTES table detailing requirements for water, energy, and other building systems. Includes notes on water supply, energy efficiency, and accessibility.

WINDOW SCHEDULE table listing window specifications for various units (Units 1.1, 1.2, 2.1, 2.2). Columns include window type, frame, glazing, and dimensions.

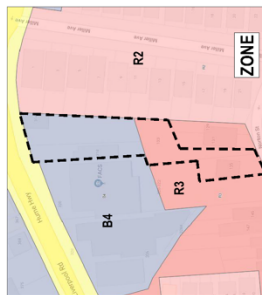
Table with 2 columns: WINDOW SCHEDULE and WINDOW SCHEDULE. Lists window specifications for Units 1.1, 1.2, 2.1, and 2.2.

Project information including drawing name (DA001), scale (AS SHOWN), date (29/04/2020), and drawing status (DRAWN, CHECKED, ISSUE).

Orientation map showing the project location relative to Liverpool St and Norton St, with a north arrow.

Project details: PROJECT: 314 LIVERPOOL RD, ASHFIELD; THROUGHY: RESIDENTIAL FLAT; CLIENT: LUMA PROJECTS.

Notes and contact information for P E A K ARCHITECTS, including address, phone, email, and website.



COMPLIANCE		CONTROL	PROPOSED	COMPLIANCE
HEIGHT	13m	3589.4m²	14.5m	YES
GFA	15.1 & 0.7:1	3489.4m²	3489.4m²	YES
FSR	1.46:1 & 0.7:1	7% OR 218m²	1.46:1 & 0.7:1	YES
DEEP SOIL	7% OR 218m²	779.0m²	19.5% OR 611m²	YES
COMMON OPEN SPACE	779.0m²	846.0m²	846.0m²	YES
SOLAR	75	75	76.6%	YES
CROSS-FLOW	60	60	66.0%	YES
ADAPTABLE UNITS	10% / 5 Units	10% / 5 Units	10% / 5 Units	YES
ADAPTABLE PARKING	5 SPACES	5 SPACES	5 SPACES	YES

UNIT MIX		STUDIO	1 BED	2 BED	3 BED	NUMBER OF UNITS
LEVEL		1	12	22	3	1
BASEMENT / LG		1	2	3	1	17
GROUND FL		2	3	7	1	16
LEVEL 1		3	7	1	1	13
LEVEL 2						
TOTAL		10	12	22	3	47
PERCENTAGE %		21.3%	25.5%	46.8%	6.4%	100.0%

GFA CALCULATIONS		SITE B4	SITE R3	TOTAL	NUMBER OF UNITS	SOLAR ACCESS	CROSS-FLOW
SITE AREA		1759.6m²	137.2m²	1896.8m²	47	36	31
LEVEL		0.0m²	39.6m²	39.6m²	1	0	1
GROUND		829.6m²	351.7m²	1172.3m²	17	13	11
LEVEL 1		855.6m²	349.8m²	1205.4m²	16	11	10
LEVEL 2		854.7m²	177.8m²	1032.5m²	13	12	9
ROOFTOP		41.6m²		41.6m²			
TOTAL GFA		2570.5m²	918.9m²	3489.4m²	47	36	31
ALLOWABLE GFA		2039.4m²	950.0m²	2989.4m²		76.6%	66.0%
TOTAL FSR		1.46:1	0.68:1	1.07:1			
ALLOWABLE FSR		1.50:1	0.70:1	1.10:1			
DIFFERENCE GFA		-468.875		-468.875			

PARKING CALCS (ADG)		10	12	22	3
TOTAL		0.0	0.6	0.9	1.4
PARKING REQ.		0.0	7.2	19.8	4.2
VISITORS		0.0	0.0	0.0	0.0
ACCESSIBLE CP		0.0	0.0	0.0	0.0
PARKING REQ. PROVIDED		5	5	5	5
PARKING PROVIDED		40.6	40.6	40.6	40.6

REVISIONS

NO.	DATE	DESCRIPTION
A	14/01/2024	FOR INFORMATION ONLY
B	14/01/2024	NOT FOR CONSTRUCTION
C	14/01/2024	FOR INFORMATION ONLY
D	14/01/2024	FOR INFORMATION ONLY
E	14/01/2024	FOR INFORMATION ONLY
F	14/01/2024	FOR INFORMATION ONLY

PROJECT INFORMATION

PROJECT: 314 LIVERPOOL RD, ASHFIELD
 TYPE: RESIDENTIAL FLAT
 CLIENT: LUMIA PROJECTS
 DRAWING NO: DA1001
 PROJECT NO: 18-013
 DATE: 28/04/2020
 SCALE: AS SHOWN
 ISSUE: F

NOTES

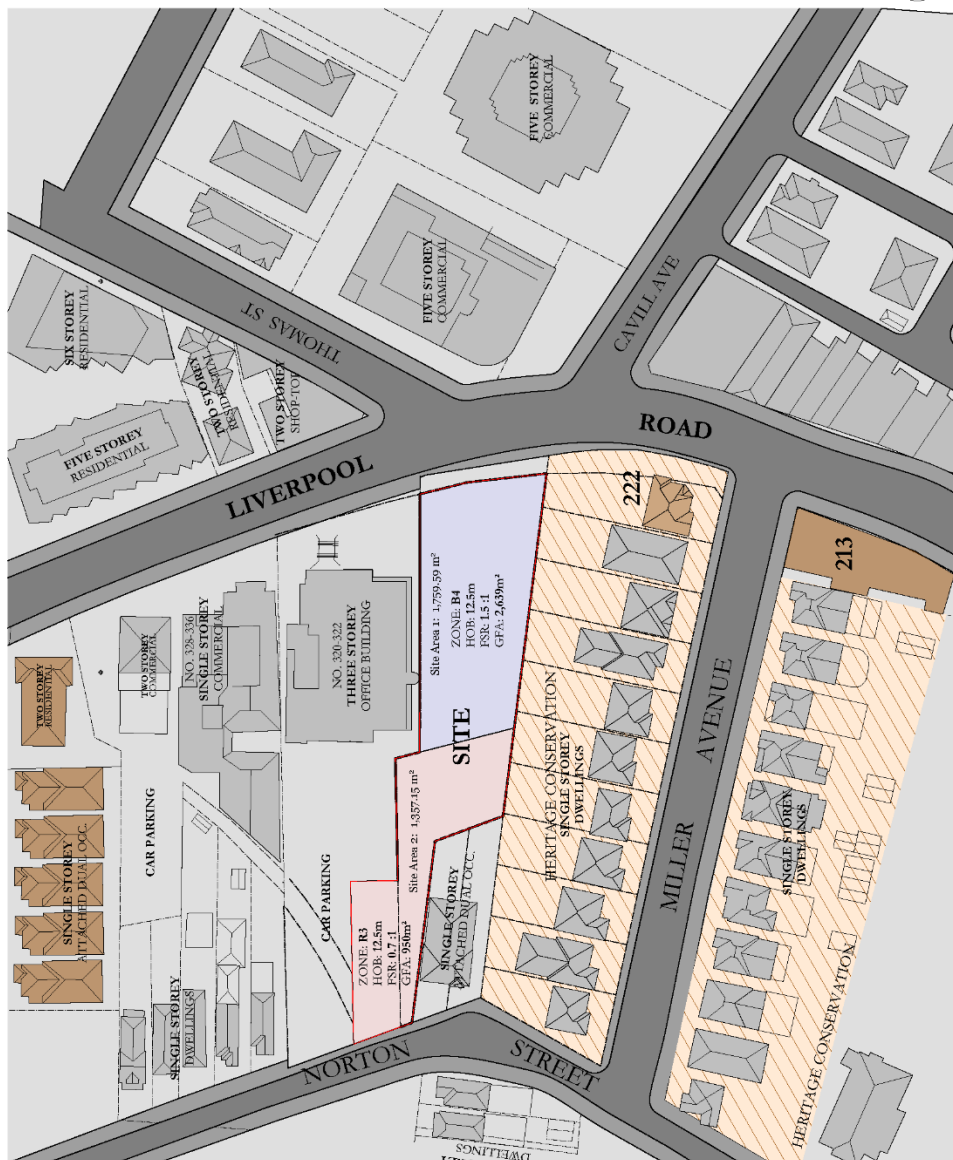
28-15 Borman Street, Burwood NSW 2134
 Tel: 02 9339 4100
 Email: info@peakarchitects.com.au
 Website: www.peakarchitects.com.au

FOR INFORMATION ONLY
 NOT FOR CONSTRUCTION

Notwithstanding to whomsoever this plan may be issued, it remains the property of Peak Architects and shall not be used for any other purpose without the written consent of Peak Architects.

LOCATION PLAN & LEP CONTROLS

DRAWING NAME: DA1001
 DEVELOPMENT APPLICATION
 PROJECT NO: 18-013
 DATE: 28/04/2020
 SCALE: AS SHOWN
 ISSUE: F



CONTEXTUAL PLAN 1:500

LUMIA PROJECTS

PROJECT: 314 LIVERPOOL RD, ASHFIELD
 PROPOSY: RESIDENTIAL FLAT
 CLSHT: LUMIA PROJECTS

DATE: 29/04/2020

SCALE: AS SHOWN

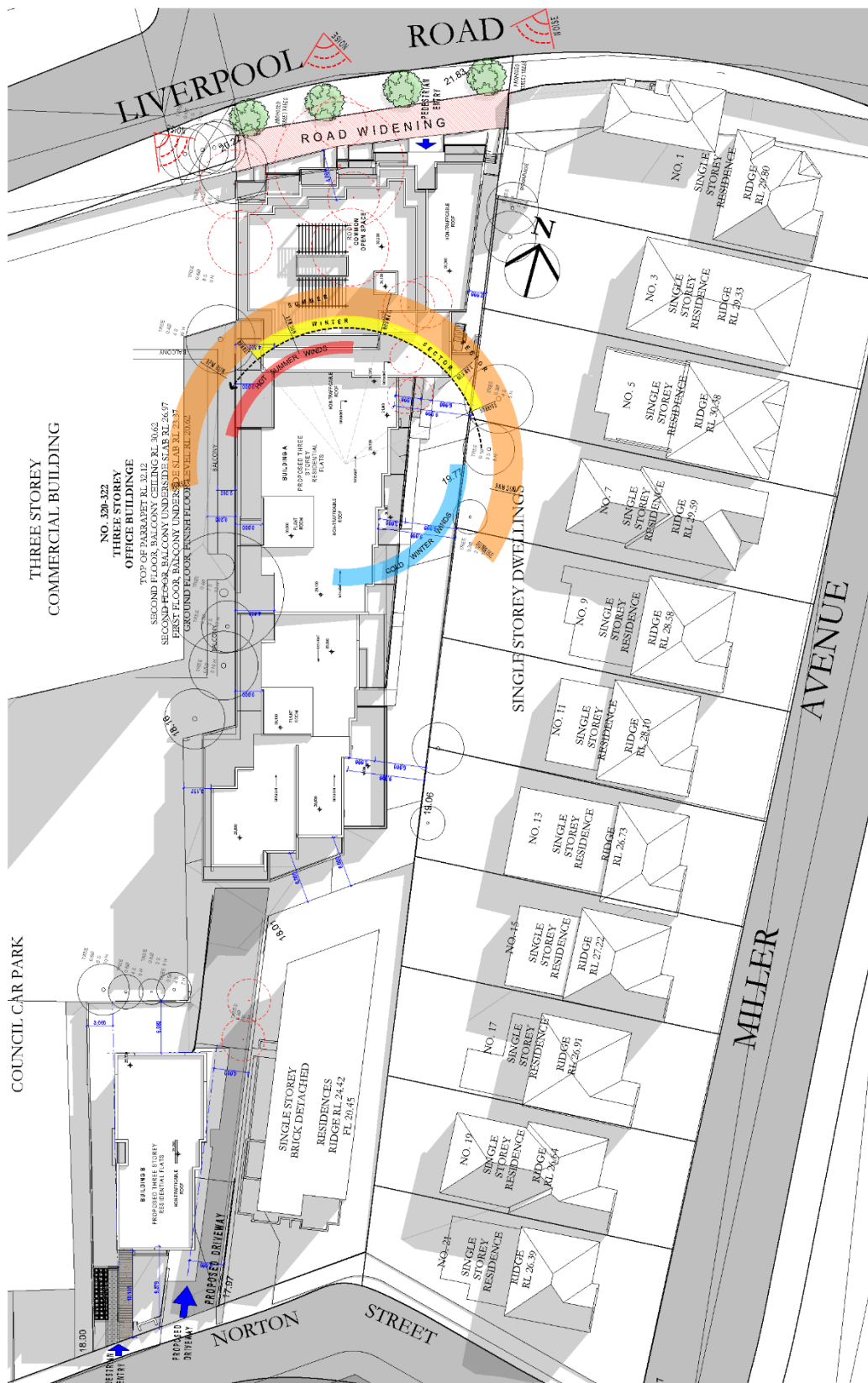
DATE: 29/04/2020

ER TS F

PEAK ARCHITECTS

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DATE: 29/04/2020
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: 314 LIVERPOOL RD, ASHFIELD



SITE ANALYSIS PLAN

DRAWING NAME: DA-1004
 DEVELOPMENT APPLICATION: 18-013
 PROJECT NO: 18-013
 DATE: 20/04/2020
 DRAWN: ER
 CHECKED: TS
 ISSUE: F

PROJECT: 314 LIVERPOOL RD, ASHFELD
700/001 RESIDENTIAL PLAT

CLIENT: LUMIA PROJECTS
CLUB: LUMIA PROJECTS

DATE:
 PREPARED BY:
 CHECKED BY:
 APPROVED BY:

REV. DESCRIPTION:
 1. 18-013 (18-013) (18-013) (18-013) (18-013)
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**FOR INFORMATION ONLY
 NOT FOR CONSTRUCTION**

Scale: 1:200

PEAK ARCHITECTS

LUMIA PROJECTS



STREET (NORTH) ELEVATION: 1:50



9 18 Belmont Street, Berrigambi NSW 2154
 02 9312 2023
 info@peakarchitects.com.au
 @peak_architects
 peakarchitects.com.au

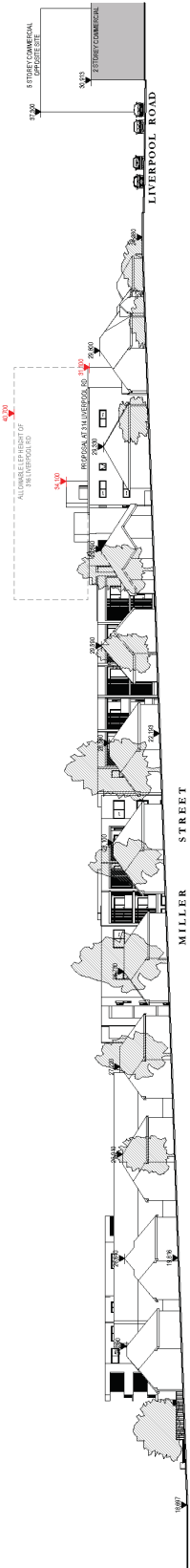
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 FOR INFORMATION ONLY
 NOT FOR CONSTRUCTION
 Normalized Building Line: 1:1000
 Design Architect: Eastman Hillier Architects Pty Ltd
 1/20/2020

REV	DESCRIPTION	DATE
A	ISSUE FOR PERMIT	15/03/2020
B	FOR INFORMATION ONLY	23/06/2020
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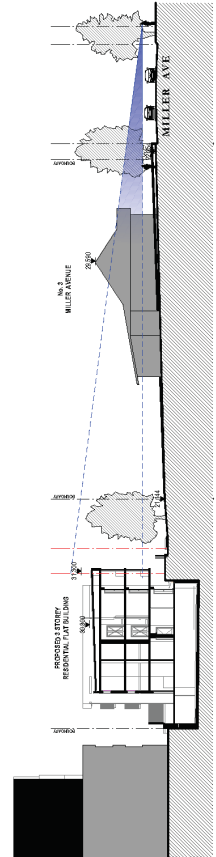
PROJECT: 314 LIVERPOOL RD, ASHFIELD
 TYPOLOGY: RESIDENTIAL FLAT
 CLIENT: LUMIA PROJECTS



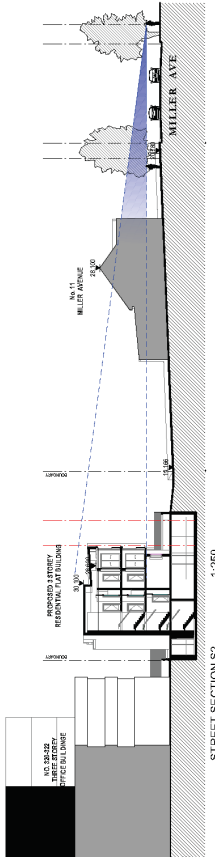
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PROJECT NO.	18-013	DATE	28/04/2020	ER	TS
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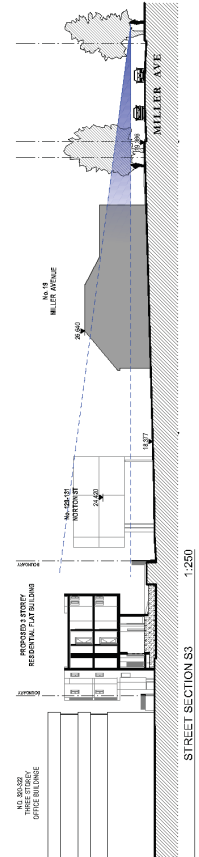
SECTION A 1:250



STREET SECTION S1 1:250



STREET SECTION S2 1:250



STREET SECTION S3 1:250



SITE PLAN 1:500

HERITAGE IMPACT, SECTIONAL VIEW ANALYSIS
 THE NATURAL GROUND LEVEL OF THE PROPOSED DEVELOPMENT IS APPROXIMATELY 20m LOWER THAN THE STREET LEVELS OF MILLERS AVENUE. VISUALLY THE PROPOSED DEVELOPMENT RECESSES BEHIND THE TREES AND HOUSES ON MILLER AVENUE.
 THREE CROSS SECTIONS SHOW THE RELATIONSHIP WHEN VIEWED FROM THE STREET, NOTING THE SIZES OF THE EXISTING STREET TREES ARE ALSO DEPICTED ACCURATELY.
 ON THE FOLLOWING PAGE THERE ARE 3 PHOTOMONTAGES THAT SHOW THE PROPOSAL AS IT WOULD BE SEEN WITHIN CONTEXT.

 PEAK ARCHITECTS 20/15 Belmore Street, Burwood NSW 2154 02 9475 8472 0468 094 416 info@peakarchitects.com.au 11 Belmore Avenue, Burwood NSW 2154 02 9475 8472 0468 094 416 info@peakarchitects.com.au	DATE: 26/03/2020 DRAWN: ER CHECKED: TS ISSUE: F
CLIENT: LUMIA PROJECTS PROJECT: 314 LIVERPOOL RD, ASHFIELD TYPE: RESIDENTIAL FLAT DRAWING NAME: DA11006	PROJECT NO: 18-013 DATE: 26/04/2020 DRAWN: ER CHECKED: TS ISSUE: F
DATE: 26/03/2020 DRAWN: ER CHECKED: TS ISSUE: F	DATE: 26/03/2020 DRAWN: ER CHECKED: TS ISSUE: F



HERIAGE IMPACT - VIEW ANALYSIS
 THE ABOVE PHOTO MONTAGES SHOW THAT THE PROPOSAL AS IT WOULD BE SEEN WITHIN CONTEXT WOULD NOT BE VISIBLE IN MOST VIEWS DUE TO THE SITE BEING LOWER THAN THE HOUSES ON THE HERIAGE CONSERVATION AREA.
 WHERE IT CAN BE SEEN BETWEEN HOUSES THE MATERIAL FINISHES OF THE DEVELOPMENT USE DARK COLOURS AND TIMBER TO RESPECT THE HOUSES AND ACT AS A BACKDROP TO THEM.

REV.	DESCRIPTION	DATE
A	CLIENT REVIEW	16/03/2020
B	FINAL PLAN FOR LOCAL COUNCIL COMMENT	20/03/2020
C	FINAL PLAN FOR LOCAL COUNCIL COMMENT	20/03/2020
D	FOR INFORMATION	20/03/2020
E	FOR INFORMATION	20/03/2020
F	APPROVED TO CONCLUDE BY LOCAL COUNCIL	18/03/2020

NOTES:
 28-15 Belmore Street, Burwood NSW 2154
 02 9717 5872 0605 004 418
 info@peak-architects.com.au
 www.peak-architects.com.au
 Design Architect: Ewan Hamner AHS NSW 10560
 Project Architect: Ewan Hamner AHS NSW 10560
 (EPLANARCHITECTS.COM.AU)

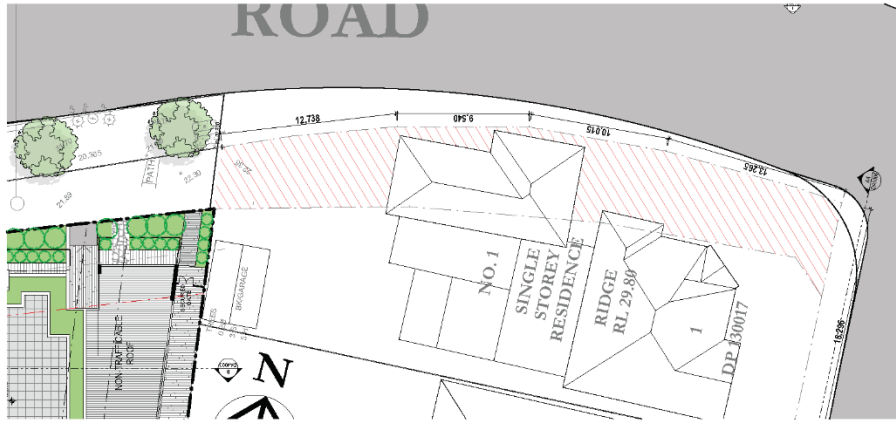
FOR INFORMATION ONLY
 NOT FOR CONSTRUCTION
 Normalised Architect: Lisa Salam AHS NSW 4172
 Design Architect: Ewan Hamner AHS NSW 10560
 Project Architect: Ewan Hamner AHS NSW 10560
 (EPLANARCHITECTS.COM.AU)

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 www.peak-architects.com.au
 Design Architect: Ewan Hamner AHS NSW 10560
 Project Architect: Ewan Hamner AHS NSW 10560
 (EPLANARCHITECTS.COM.AU)

CONTEXTUAL ANALYSIS
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 SCALE: AS SHOWN
 PROJECT NO: 18-013
 DATE: 20/03/2020
 DRAWN: ER
 CHECKED: TS
 ISSUE: F

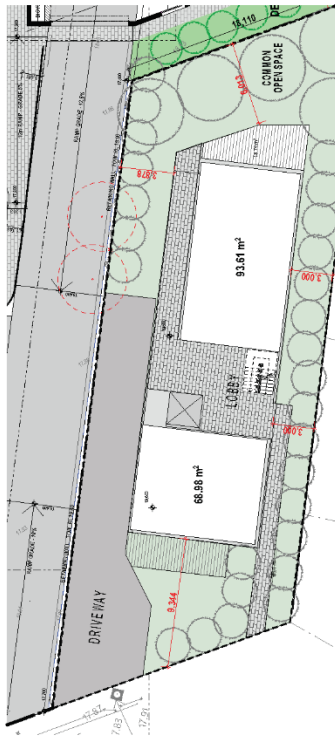
LIVERPOOL ST
 NORTON ST
 KEY MAP

LUMIA PROJECTS
 LUMIA PROJECTS

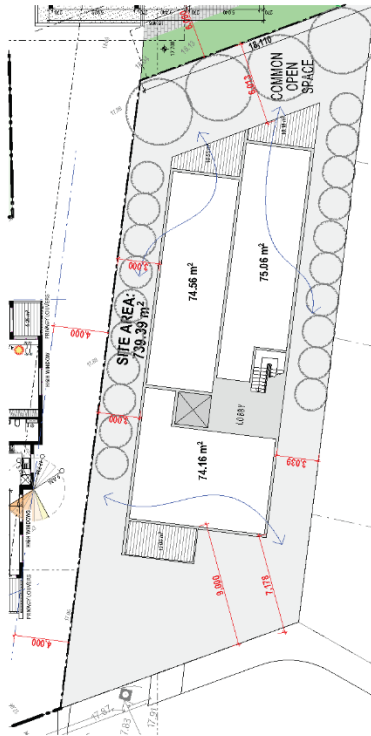


No1 MILLER AVE
BUILDING FOOTPRINT: 1 MILLER STREET, ASHFIELD
1:150
 THE BUILDING FOOTPRINT OF THE SITE ADJACENT TO 314 LIVERPOOL RD IS 46.8% OR 387.18m² OF A 782.1m² SITE.
 SITE AREA: 782.1m²

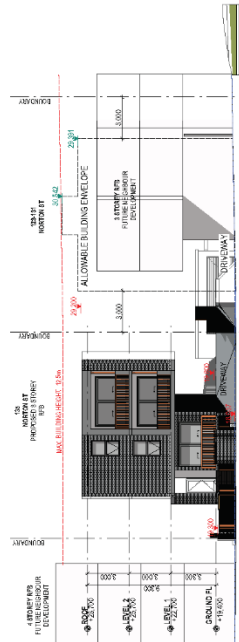
DEVELOPMENT POTENTIAL: 129-131 NORTON STREET
 CAN ACHIEVE ITS FULL DEVELOPMENT POTENTIAL WHETHER BY BUILDING OF RESIDENTIAL FLATS (APPROX 4-5 UNITS) OR 2-3 STOREY TOWNHOUSES.
 SHOWN HERE IS THE AN OPTION OF 5 RESIDENTIAL UNITS WITH SUFFICIENT SETBACKS COMFORTABLY ACHIEVING WELL OVER THE ALLOWABLE FSR 0.7 : 1.
SITE AREA: 739.4m²
ALLOWABLE FSR: 0.7 OR 517m²
GFA ACHIEVED: WITH JUST 2 LEVELS A GFA OF 388m² IS ACHIEVED,
WITH A THIRD LEVEL CAN ACHIEVE WELL OVER ITS ALLOWABLE GFA OF 517m².



129-131 Norton St - GROUND FLOOR 1:150



129-131 Norton St - FIRST & SECOND FLOOR 1:150



129-131 NORTON ST ALLOWABLE ENVELOPE 1:150

DATE: 18/01/20
CLIENT: LUMIA PROJECTS
PROJECT: 314 LIVERPOOL RD, ASHFIELD
TITLE: RESIDENTIAL FLAT
SCALE: AS SHOWN

DATE: 28/04/2020
PROJECT NO.: 18-013
DATE: 28/04/2020
SCALE: AS SHOWN

REVISIONS:

REV.	DESCRIPTION
A	AS SHOWN
B	FOR INFORMATION ONLY
C	NOT FOR CONSTRUCTION
D	FOR INFORMATION ONLY
E	FOR INFORMATION ONLY
F	FOR INFORMATION ONLY

NOTES:
 FOR INFORMATION ONLY
 NOT FOR CONSTRUCTION
 Not to be used for construction purposes
 Design Authority: Council of the City of Parramatta
 Date: 18/01/20

25-27 BROWN STREET, DUNMURRI NSW 2128
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 100/100 BROWN STREET, DUNMURRI NSW 2128
 02 9608 6418
 info@peakarchitects.com.au

CONTEXTUAL ANALYSIS
DRAWING NAME: CONTEXTUAL ANALYSIS
DATE: 28/04/2020
SCALE: AS SHOWN

PROJECT: 314 LIVERPOOL RD, ASHFIELD
TITLE: RESIDENTIAL FLAT
CLIENT: LUMIA PROJECTS

DATE: 18/01/20
PROJECT NO.: 18-013
DATE: 28/04/2020
SCALE: AS SHOWN

REVISIONS:

REV.	DESCRIPTION
A	AS SHOWN
B	FOR INFORMATION ONLY
C	NOT FOR CONSTRUCTION
D	FOR INFORMATION ONLY
E	FOR INFORMATION ONLY
F	FOR INFORMATION ONLY

NOTES:
 FOR INFORMATION ONLY
 NOT FOR CONSTRUCTION
 Not to be used for construction purposes
 Design Authority: Council of the City of Parramatta
 Date: 18/01/20

25-27 BROWN STREET, DUNMURRI NSW 2128
 02 9608 6418
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 100/100 BROWN STREET, DUNMURRI NSW 2128
 02 9608 6418
 info@peakarchitects.com.au

CONTEXTUAL ANALYSIS
DRAWING NAME: CONTEXTUAL ANALYSIS
DATE: 28/04/2020
SCALE: AS SHOWN



NEIGHBOURING FUTURE DEVELOPMENTS 1:200



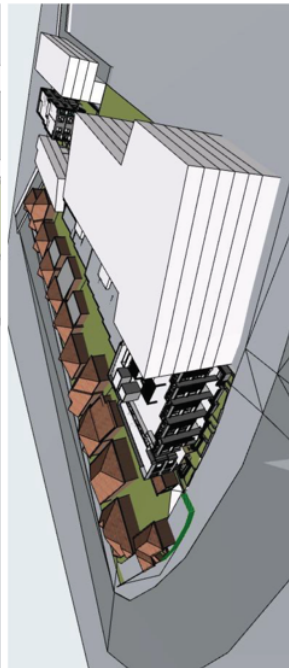
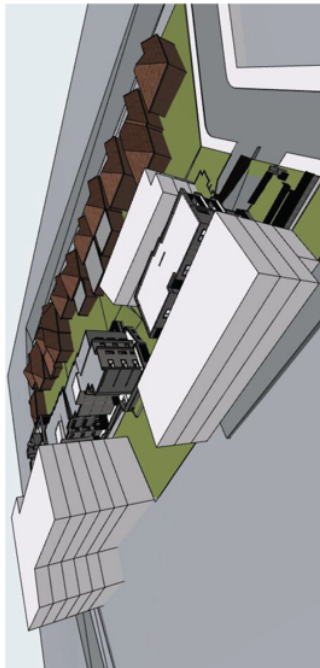
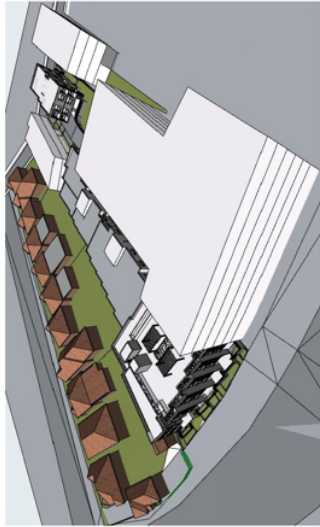
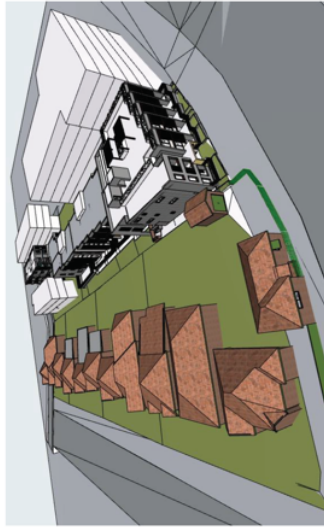
 28-15 Fabian Street, Burwood NSW 2134
 02 9717 8372 6100 06118
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 @peakarchitects peakarchitects.com.au

NOTES
 1. ALL WORKS TO BE IN ACCORDANCE WITH THE LATEST NSW BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.
 2. ALL WORKS TO BE IN ACCORDANCE WITH THE LATEST NSW BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.
 3. ALL WORKS TO BE IN ACCORDANCE WITH THE LATEST NSW BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.
 4. ALL WORKS TO BE IN ACCORDANCE WITH THE LATEST NSW BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.
 5. ALL WORKS TO BE IN ACCORDANCE WITH THE LATEST NSW BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.

DATE
 DATE: 25/04/2020
 DRAWN: TS
 CHECKED: ER
 APPROVED: F

PROJECT
 PROJECT: 314 LIVERPOOL RD, ASHFIELD
 TYPE: RESIDENTIAL FLAT
 CLIENT: LUMIA PROJECTS
 ARCHITECT: LUMIA PROJECTS

CONTEXUAL ANALYSIS
 DRAWING NAME: DA1009
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 PROJECT NO: 190415 DATE: 25/04/2020
 DRAWN: TS
 CHECKED: ER
 APPROVED: F



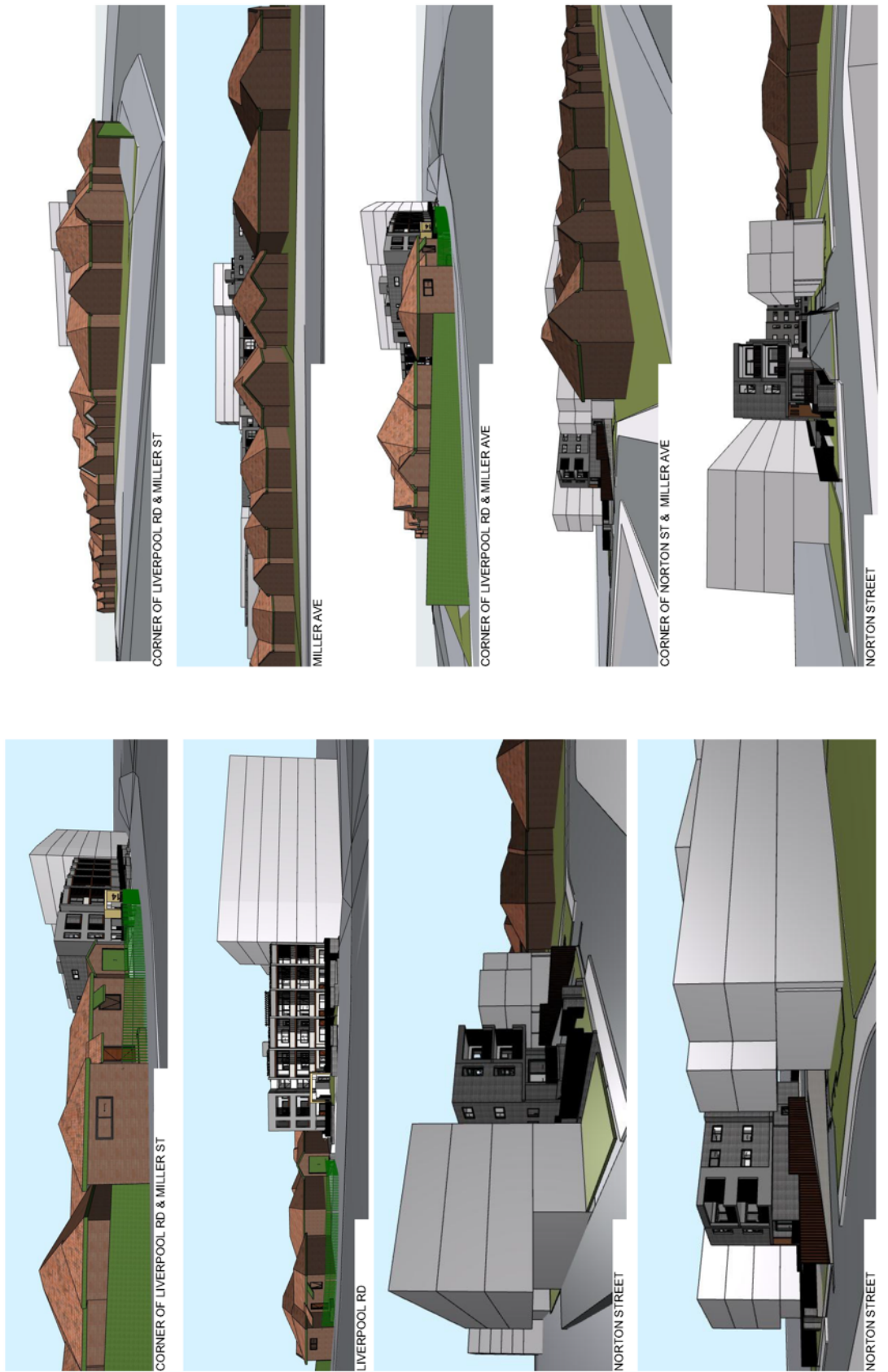
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DA1/010	16/03/2020	AS SHOWN
PROJECT NO:	2014/2020	ER
		TS
		F



REF.	DESCRIPTION	DATE
1	ISSUED FOR TENDERS	16/03/2020
2	REVISED FOR TENDERS	16/03/2020
3	REVISED FOR TENDERS	16/03/2020
4	REVISED FOR TENDERS	16/03/2020
5	REVISED FOR TENDERS	16/03/2020
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7	REVISED FOR TENDERS	16/03/2020
8	REVISED FOR TENDERS	16/03/2020
9	REVISED FOR TENDERS	16/03/2020
10	REVISED FOR TENDERS	16/03/2020

NOTES:
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 2. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION
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 9. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION
 10. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION

28/11 Station Street, Burwood NSW 1534
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 info@peakarchitects.com.au
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NOTE:
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 Not to be used for construction
 Design Architect: Egan Rutman ASDN NS24 1099
 PROJECT NO: 2019/04/2220

PROJECT: 314 LIVERPOOL RD, ASHFIELD
 TYPE: RESIDENTIAL FLAT
 CLIENT: LUMA PROJECTS

DATE: 28/11/2017
 REVISIONS:
 1. 28/11/2017
 2. 02/12/2017
 3. 05/12/2017
 4. 06/12/2017
 5. 06/12/2017
 6. 06/12/2017
 7. 06/12/2017
 8. 06/12/2017
 9. 06/12/2017
 10. 06/12/2017

DATE: 28/04/2020
 SCALE: AS SHOWN
 DRAWN: ER
 CHECKED: IS
 ISSUE: F

CONTEXTUAL ANALYSIS

DRAWING NO: DA1011
 PROJECT NO: 2019/04/2220

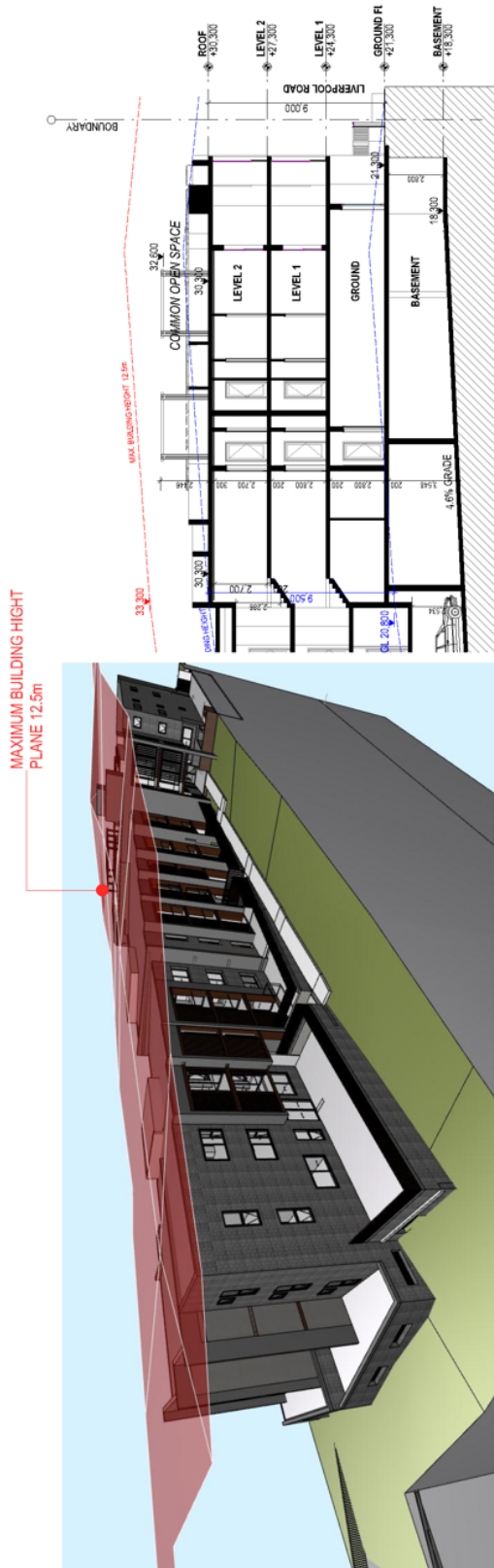
LUMA PROJECTS

P EAK ARCHITECTS

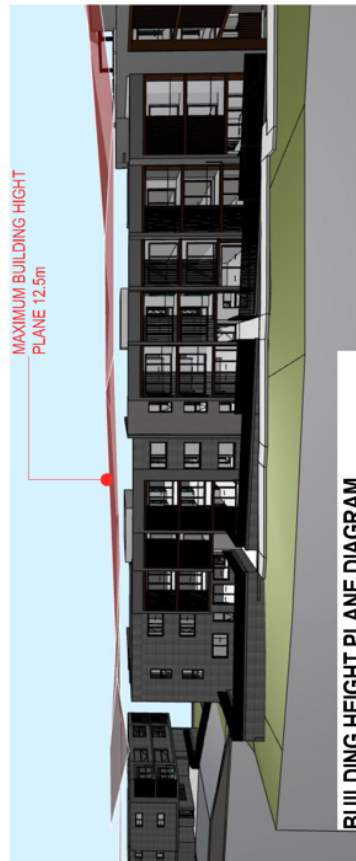
28/15 Bellevue Street, Burwood NSW 2134
 02 917 9272 0400 924 474
 info@peakarchitects.com.au
 @peakarchitects peakarchitects.com.au

KEY MAP
 LIVERPOOL ST
 NORTON ST

TRUE NORTH



SECTION A 1:100



BUILDING HEIGHT PLANE DIAGRAM

BUILDING HEIGHT PLANE SHOWS THAT AT THE BUILDING'S HIGHEST POINT THE MAXIMUM BUILDING PROPOSED IS RL 12.16 WHICH IS WELL BELOW THE MAXIMUM ALLOWABLE HEIGHT UNDER THE LEP.

NOTES

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Author: [Redacted]
Checked: [Redacted]
Date: [Redacted]

PROJECT: 314 LIVERPOOL RD, ASPHELD
TYPOLOGY: RESIDENTIAL FLAT

CLIENT: LUMA PROJECTS

DATE: [Redacted]

REV. DESCRIPTION

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2015 Belconn Street, Ennawhill NSW 2114
Tel: 02 9397 1234
Fax: 02 9397 1234
Email: info@peakarchitects.com.au
Web: www.peakarchitects.com.au

PROJECT: 314 LIVERPOOL RD, ASPHELD
TYPOLOGY: RESIDENTIAL FLAT

CLIENT: LUMA PROJECTS

DATE: [Redacted]

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PROJECT: 314 LIVERPOOL RD, ASPHELD
TYPOLOGY: RESIDENTIAL FLAT

CLIENT: LUMA PROJECTS

DATE: [Redacted]

REV. DESCRIPTION

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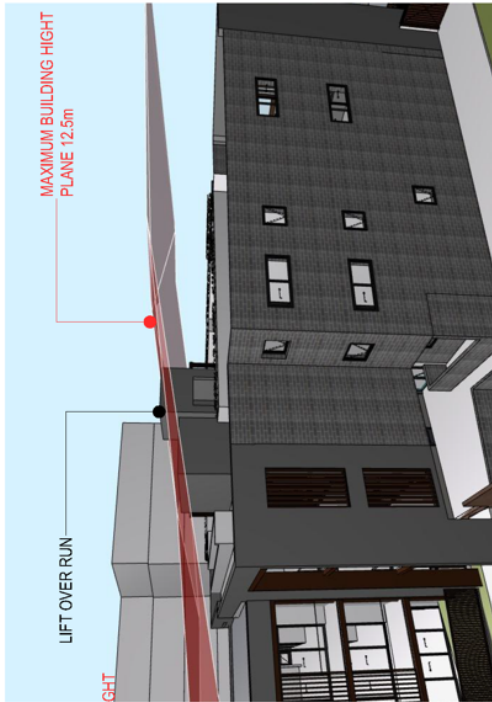
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TYPOLOGY: RESIDENTIAL FLAT

CLIENT: LUMA PROJECTS

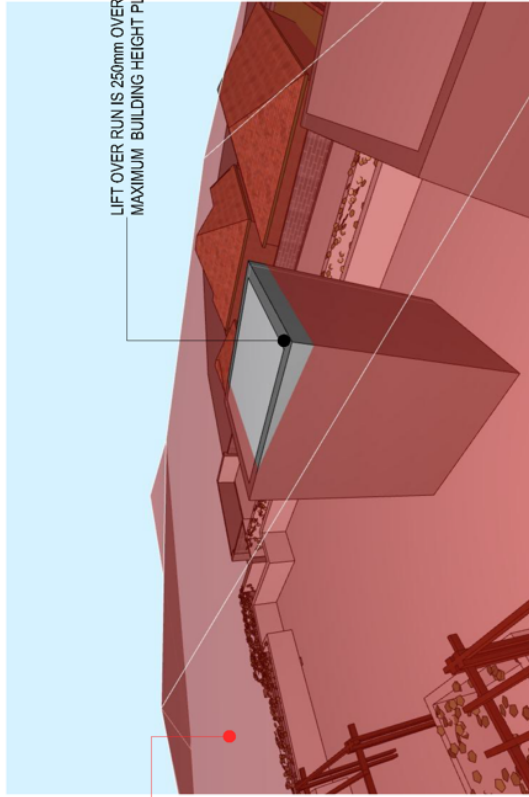
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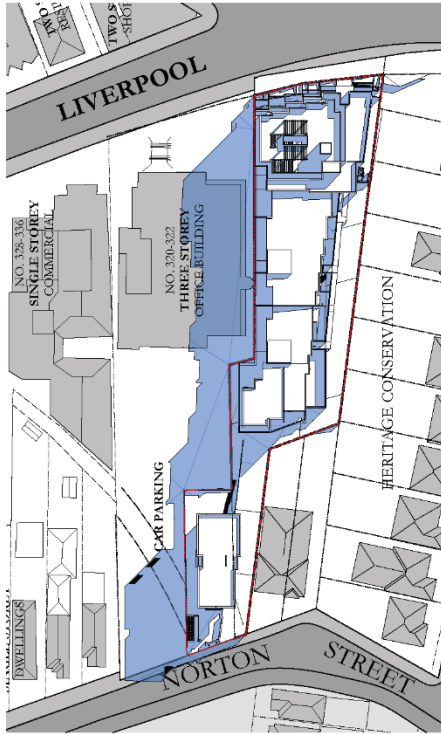


BUILDING HEIGHT PLANE DIAGRAM

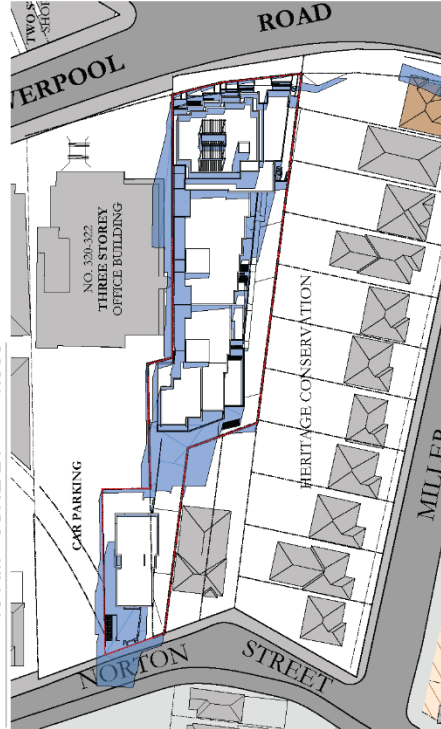


CONCLUSION: BUILDING HEIGHT.
 BUILDING HEIGHT PLANE SHOWS THAT THE ONLY PART OF THE BUILDING THAT BREACHES THE HEIGHT IS A LIFT OVER-RUN WHICH EXCEEDS THE HEIGHT BY 250mm.

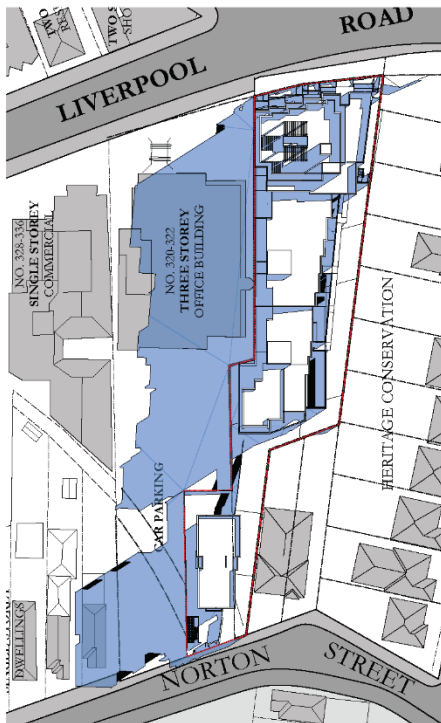
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DATE: 29/04/2020		SCALE: AS SHOWN	
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99. AS NOTED		DRAWN: TS CHECKED: TS DATE: 29/04/2020	
100. AS NOTED		SCALE: AS SHOWN	



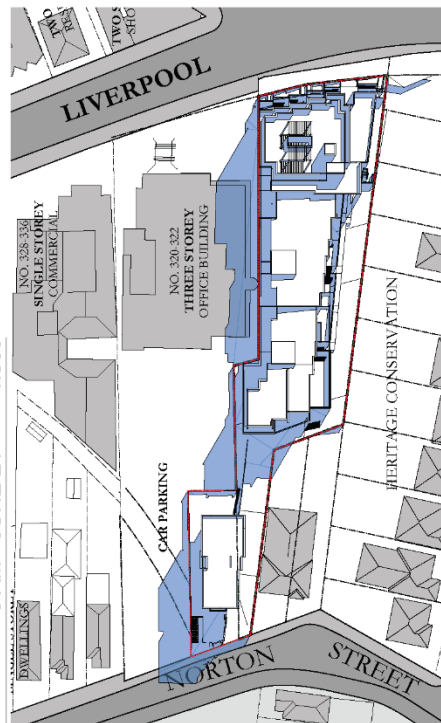
10 AM - JUNE 21 1:500



12 PM - JUNE 21 1:500



9 AM - JUNE 21 1:500



11 AM - JUNE 21 1:500

SHADOW STUDIES
JUNE 21st

PEAK ARCHITECTS

201 Fildes Street, Sydney NSW 2154
 02 9221 8272 9398 084 010
 info@peakarchitects.com.au
 100 Pitt Street, Sydney NSW 2000
 02 9221 8272 9398 084 010
 info@peakarchitects.com.au

NOTE:
 FOR INFORMATION ONLY
 NOT FOR CONSTRUCTION
 DRAWINGS ARE THE PROPERTY OF PEAK ARCHITECTS
 They are to be used only for the project and site for which they are prepared.

REF: DESCRIPTION
 A. PROJECT NAME
 B. PROJECT ADDRESS
 C. PROJECT NUMBER
 D. PROJECT DATE
 E. PROJECT SCALE
 F. PROJECT STATUS

DATE:
 Issued: 20/06/2020
 Revised: 20/06/2020

PROJECT: 314 LIVERPOOL RD, ASHFIELD
 TOWNLEY RESIDENTIAL FLAT

CLIENT: LUMA PROJECTS

DRAWING NAME: HOURLY SHADOW STUDIES - PROPOSED

DEVELOPMENT APPLICATION: DA 0/14

PROJECTING: TP-013

SCALE: AS SHOWN

DATE	BY	REVISION
20/06/2020	TP	ISSUED FOR PERMIT

PROJECTING: TP-013

SCALE: AS SHOWN

DATE: 20/06/2020

BY: TP

REVISION: ISSUED FOR PERMIT

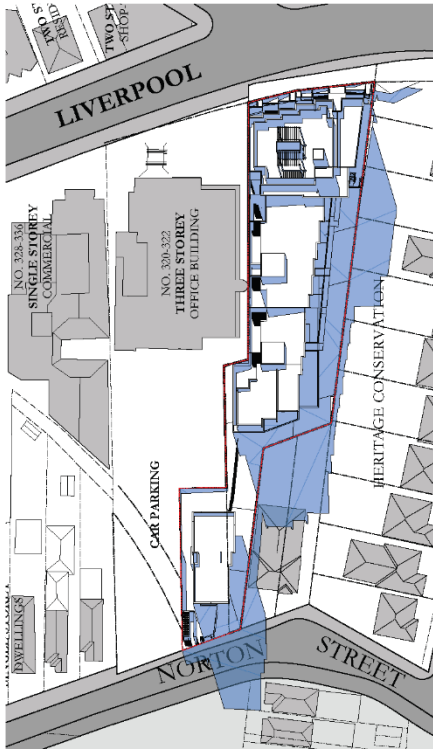
PROJECTING: TP-013

SCALE: AS SHOWN

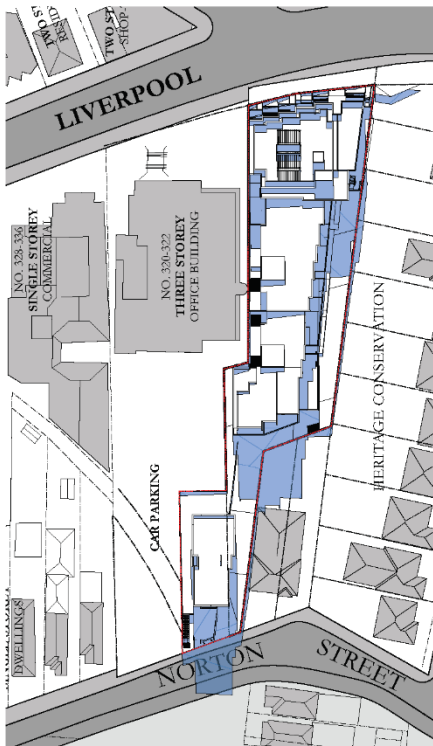
DATE: 20/06/2020

BY: TP

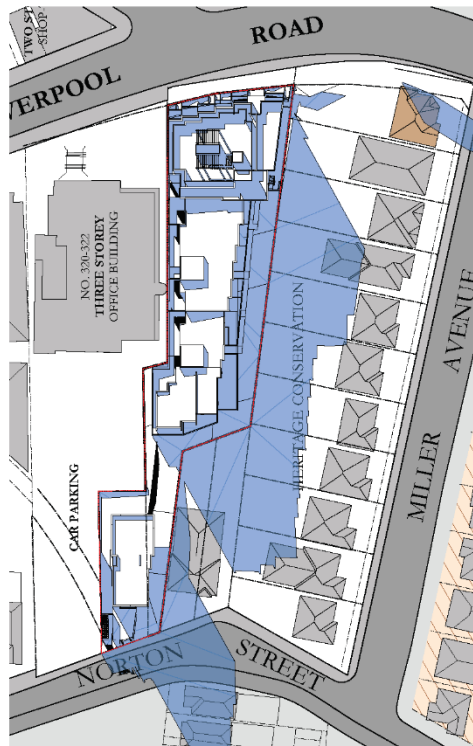
REVISION: ISSUED FOR PERMIT



2 PM - JUNE 21 1:500



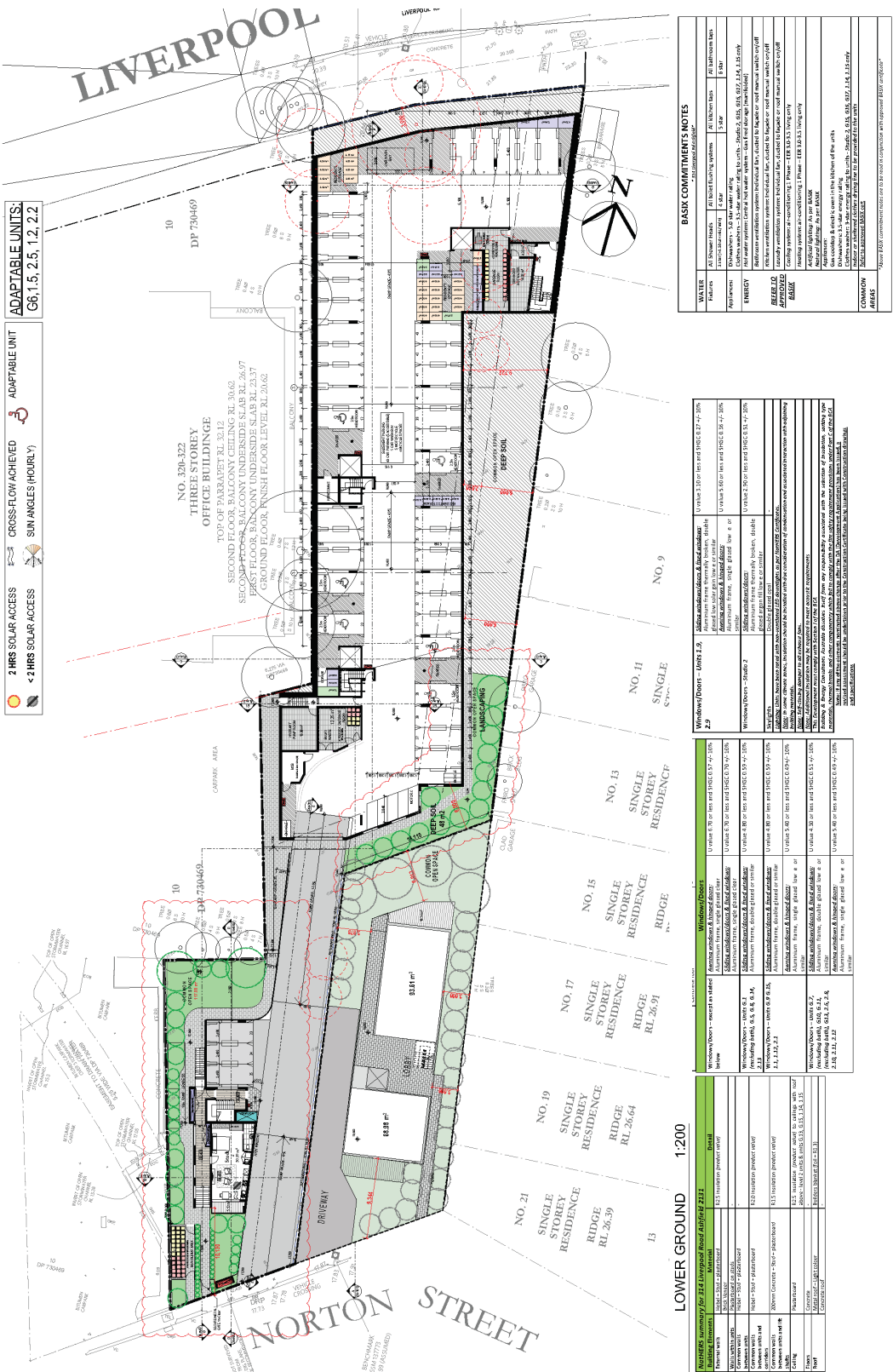
1 PM - JUNE 21 1:500



3 PM - JUNE 21 1:500

SHADOW STUDIES
JUNE 21st

 25-15 Millers Street, Liverpool NSW 2174 02 944 5172 0416 04 418 info@peakarchitects.com.au @peak_architects peakarchitects.com.au		PROJECT: 34 LIVERPOOL RD, ASFIELD TYPLOGY: RESIDENTIAL FLAT CURT: LUMIA PROJECTS	PROJECT NO: BA-113 DATE: 20/04/2020 DRAWN: ER CHECKED: TS ISSUE: F
DATE: 20/04/2020 TIME: 10:00 AM DRAWN: ER CHECKED: TS ISSUE: F		PROJECT: 34 LIVERPOOL RD, ASFIELD TYPLOGY: RESIDENTIAL FLAT CURT: LUMIA PROJECTS	PROJECT NO: BA-113 DATE: 20/04/2020 DRAWN: ER CHECKED: TS ISSUE: F
DATE: 20/04/2020 TIME: 10:00 AM DRAWN: ER CHECKED: TS ISSUE: F		PROJECT: 34 LIVERPOOL RD, ASFIELD TYPLOGY: RESIDENTIAL FLAT CURT: LUMIA PROJECTS	PROJECT NO: BA-113 DATE: 20/04/2020 DRAWN: ER CHECKED: TS ISSUE: F



ADAPTABLE UNIT
 CROSS-FLOW ACHIEVED
 SUN ANGLES (HOURLY)
 2 HRS SOLAR ACCESS
 < 2 HRS SOLAR ACCESS

ADAPTABLE UNITS:
 G6, 1.5, 2.5, 1.2, 2.2

NO. 328-322
 THREE STOREY
 OFFICE BUILDING
 TOP OF PARANET FL 31.2
 SECOND FLOOR BALCONY UNDER SLAB RL 26.60
 SECOND FLOOR BALCONY UNDER SLAB RL 23.37
 GROUND FLOOR FINISH FLOOR LEVEL RL 20.62

NO. 9
 SINGLE
 STOREY
 RESIDENCE
 RIDGE
 RL 26.39

NO. 11
 SINGLE
 STOREY
 RESIDENCE

NO. 13
 SINGLE
 STOREY
 RESIDENCE

NO. 15
 SINGLE
 STOREY
 RESIDENCE

NO. 17
 SINGLE
 STOREY
 RESIDENCE

NO. 19
 SINGLE
 STOREY
 RESIDENCE

NO. 21
 SINGLE
 STOREY
 RESIDENCE

LOWER GROUND 1:200

WATER	AT Tower tanks	PL Backflow preventer	PL Backflow preventer
PL Backflow preventer	1:200	PL Backflow preventer	PL Backflow preventer
PL Backflow preventer	1:200	PL Backflow preventer	PL Backflow preventer

EMERGENCY	PL Backflow preventer	PL Backflow preventer
PL Backflow preventer	PL Backflow preventer	PL Backflow preventer
PL Backflow preventer	PL Backflow preventer	PL Backflow preventer

Window/Door	Window/Door	Window/Door	Window/Door
Window/Door - Unit 2.9	Window/Door - Unit 2.9	Window/Door - Unit 2.9	Window/Door - Unit 2.9
Window/Door - Unit 2.9	Window/Door - Unit 2.9	Window/Door - Unit 2.9	Window/Door - Unit 2.9

Window/Door	Window/Door	Window/Door	Window/Door
Window/Door - Unit 2.9	Window/Door - Unit 2.9	Window/Door - Unit 2.9	Window/Door - Unit 2.9
Window/Door - Unit 2.9	Window/Door - Unit 2.9	Window/Door - Unit 2.9	Window/Door - Unit 2.9

BASIC COMMITMENTS NOTES

1. All construction to be in accordance with the relevant Australian Standards and NSW Council Regulations.

2. All materials to be used shall be of good quality and suitable for the intended purpose.

BASIC COMMITMENTS NOTES

3. All construction to be in accordance with the relevant Australian Standards and NSW Council Regulations.

4. All materials to be used shall be of good quality and suitable for the intended purpose.

BASIC COMMITMENTS NOTES

5. All construction to be in accordance with the relevant Australian Standards and NSW Council Regulations.

6. All materials to be used shall be of good quality and suitable for the intended purpose.

BASIC COMMITMENTS NOTES

7. All construction to be in accordance with the relevant Australian Standards and NSW Council Regulations.

8. All materials to be used shall be of good quality and suitable for the intended purpose.

PROJECT: 344 LIVERPOOL RD, ASHFIELD
THROUGH RESIDENTIAL FLAT
CLIENT: LUMIA PROJECTS

DATE: 11/06/2020

REVISIONS:

REV.	DESCRIPTION	DATE
1	ISSUE FOR CONSTRUCTION	11/06/2020
2	ISSUE FOR CONSTRUCTION	11/06/2020
3	ISSUE FOR CONSTRUCTION	11/06/2020

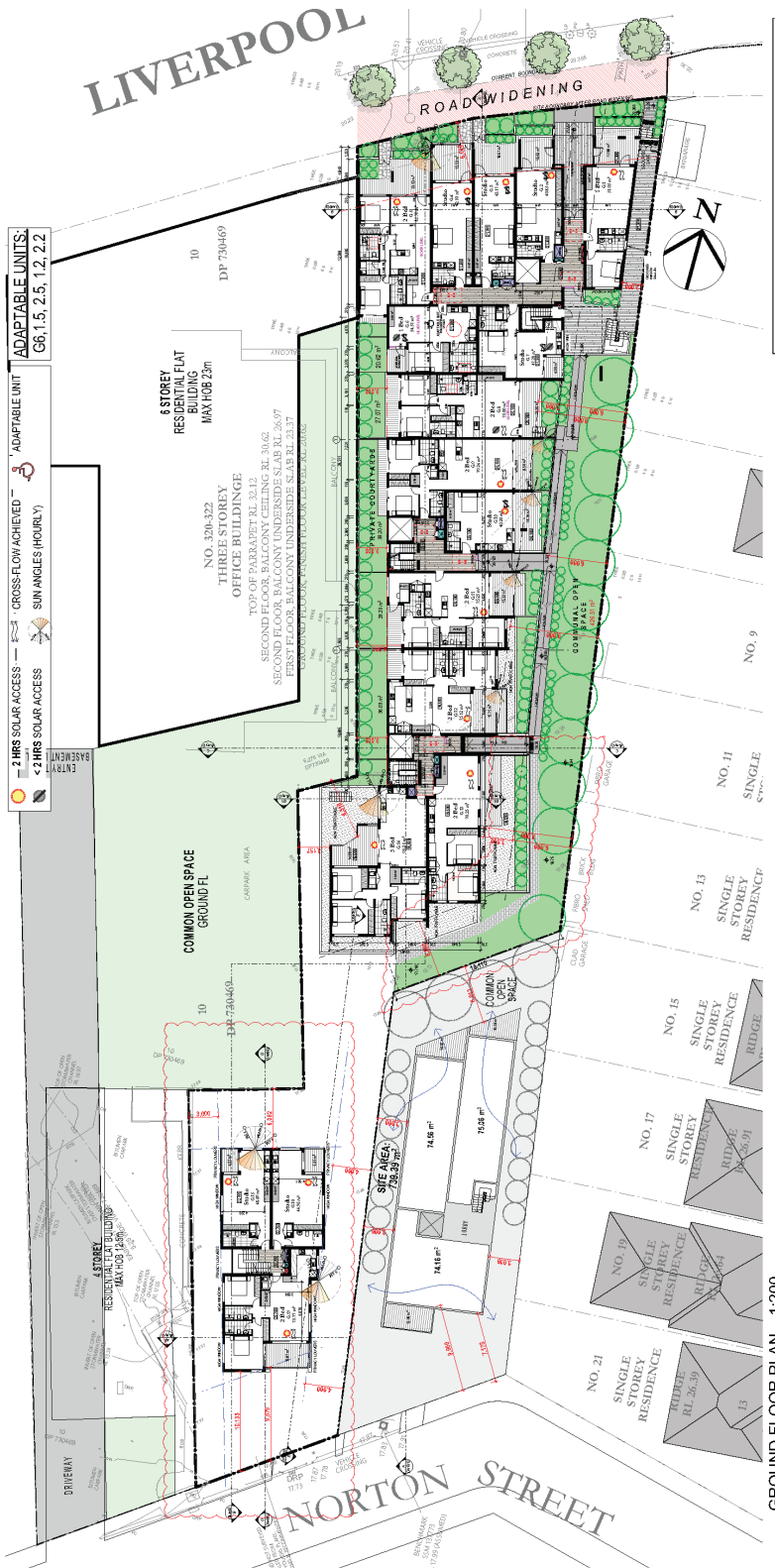
NOTES:

1. ALL WORK TO BE IN ACCORDANCE WITH THE RELEVANT AUSTRALIAN STANDARDS AND NSW COUNCIL REGULATIONS.

2. ALL MATERIALS TO BE USED SHALL BE OF GOOD QUALITY AND SUITABLE FOR THE INTENDED PURPOSE.

3. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE RELEVANT AUSTRALIAN STANDARDS AND NSW COUNCIL REGULATIONS.





GROUND FLOOR PLAN 1:200

WATER	WATER SUPPLY	WATER TREATMENT	WATER DISTRIBUTION	WATER STORAGE	WATER TREATMENT	WATER STORAGE
Water	Water supply system	Water treatment system	Water distribution system	Water storage tank	Water treatment system	Water storage tank
Water	Water supply system	Water treatment system	Water distribution system	Water storage tank	Water treatment system	Water storage tank

WATER	WATER SUPPLY	WATER TREATMENT	WATER DISTRIBUTION	WATER STORAGE	WATER TREATMENT	WATER STORAGE
Water	Water supply system	Water treatment system	Water distribution system	Water storage tank	Water treatment system	Water storage tank
Water	Water supply system	Water treatment system	Water distribution system	Water storage tank	Water treatment system	Water storage tank

WATER	WATER SUPPLY	WATER TREATMENT	WATER DISTRIBUTION	WATER STORAGE	WATER TREATMENT	WATER STORAGE
Water	Water supply system	Water treatment system	Water distribution system	Water storage tank	Water treatment system	Water storage tank
Water	Water supply system	Water treatment system	Water distribution system	Water storage tank	Water treatment system	Water storage tank

WATER	WATER SUPPLY	WATER TREATMENT	WATER DISTRIBUTION	WATER STORAGE	WATER TREATMENT	WATER STORAGE
Water	Water supply system	Water treatment system	Water distribution system	Water storage tank	Water treatment system	Water storage tank
Water	Water supply system	Water treatment system	Water distribution system	Water storage tank	Water treatment system	Water storage tank

PROJECT NO:	18-413
DATE:	20/04/2020
SCALE:	AS SHOWN
ISSUE:	F

PROJECT:	314 LIVERPOOL RD, ASHFIELD
TYPLOGY:	RESIDENTIAL FLAT
CURT:	LUMA PROJECTS

DATE:	20/04/2020
SCALE:	AS SHOWN
ISSUE:	F

28-15 Balmora Street, Balmora NSW 2124

 02 947 5782 6096 09 418

 info@peakarchitects.com.au

 @peakarchitects

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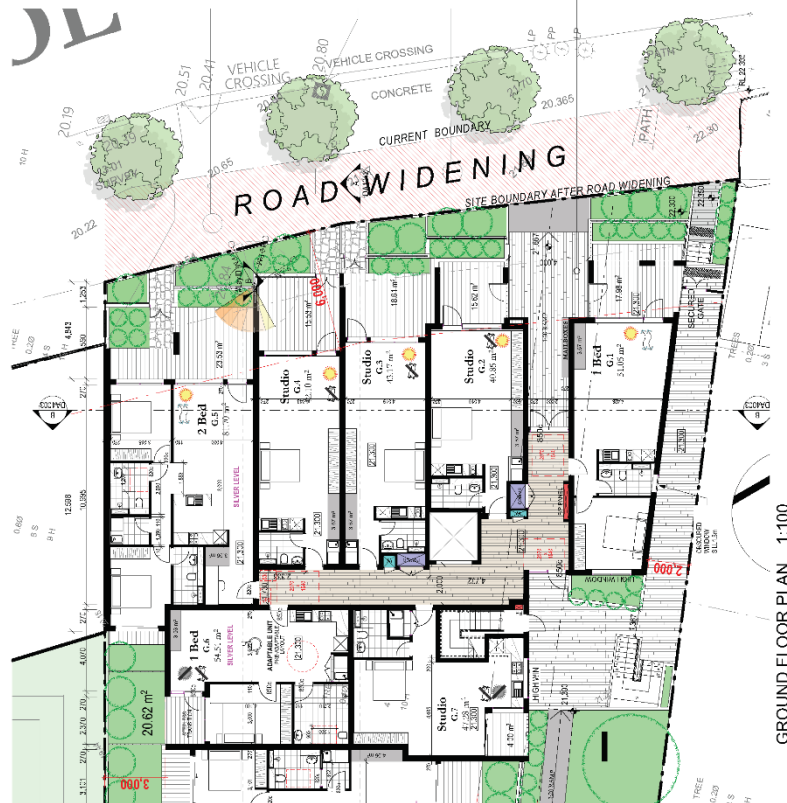
BASIC COMMITMENTS NOTES	
WATER	All Council Building Systems All fixtures taps
Electricity	Electricity
Plumbing	Plumbing
Fire	Fire
Energy	Energy
Accessibility	Accessibility
Other	Other

Code	Description	Notes
1
2
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50

FEATURE MATERIAL
VITRACORE G2 - GOLD
METALIC



VIEW OF ENTRY FROM LIVERPOOL ROAD



GROUND FLOOR PLAN 1:100

PEAK ARCHITECTS
28-58 Moore Street, Moore NSW 2128
Tel: 02 957 8822 Fax: 02 957 8849
info@peakarchitects.com.au
110 Pitt Street, Sydney NSW 2000
02 957 8822 peakarchitects.com.au

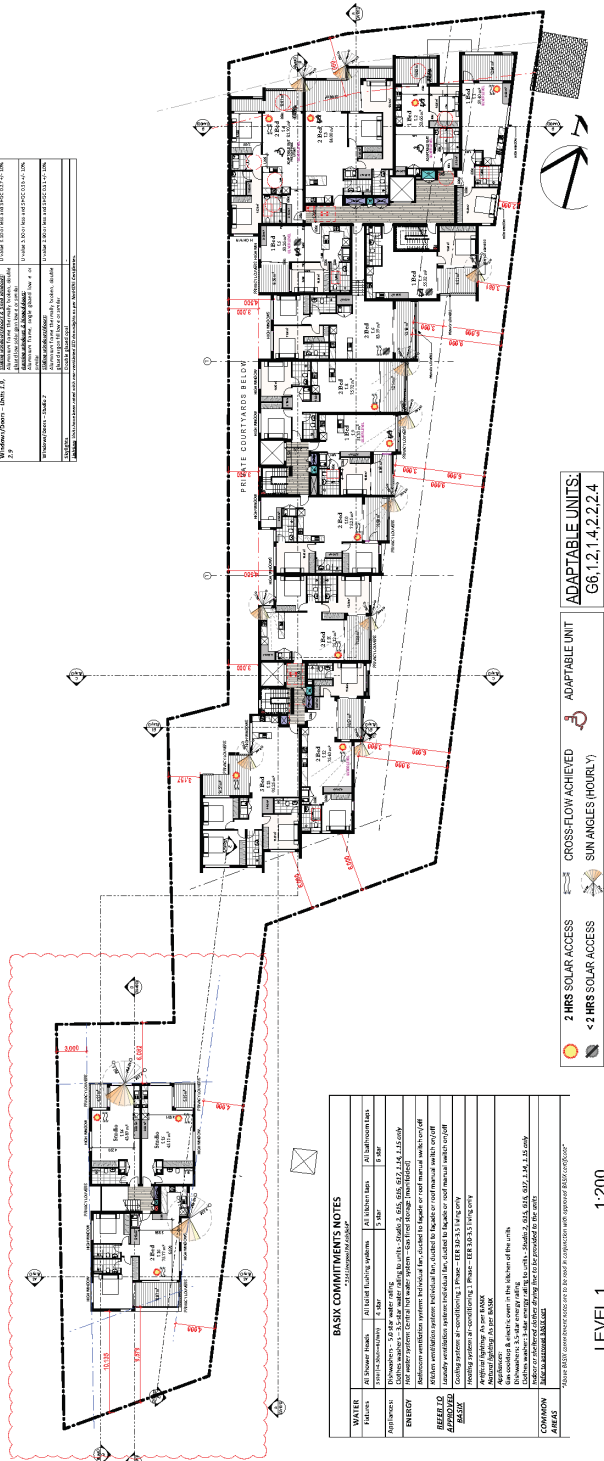
LUMIA PROJECTS
PROJECT: 314 LIVERPOOL RD, ASHFIELD
"73.00" RESIDENTIAL FLAT
CLIENT: LUMIA PROJECTS

DATE: 14/05/2020
BY: JESSIE WILSON
SCALE: 1:100
PROJECT NO.: 73.00
PROJECT NAME: 314 LIVERPOOL RD, ASHFIELD
DESIGNER: PEAK ARCHITECTS
CLIENT: LUMIA PROJECTS

DATE: 28/04/2020
SCALE: AS SHOWN
DATE: 28/04/2020
DATE: 28/04/2020
DATE: 28/04/2020

GROUND FLENTRY
DRAWING NO.: 73.00
PROJECT NO.: 73.00
DATE: 28/04/2020
SCALE: AS SHOWN
DESIGNER: PEAK ARCHITECTS
CLIENT: LUMIA PROJECTS

NO.	REVISION	DATE	BY	CHECKED	ISSUE
1	ISSUED FOR PERMIT	20/04/2020	ER	TS	F
2	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
3	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
4	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
5	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
6	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
7	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
8	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
9	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
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11	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
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13	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
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16	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
17	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
18	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
19	REVISIONS TO PERMIT	20/04/2020	ER	TS	F
20	REVISIONS TO PERMIT	20/04/2020	ER	TS	F



WALLS	AS SHOWN	AS NOTED	AS SHOWN	AS NOTED
100mm	100mm	100mm	100mm	100mm
150mm	150mm	150mm	150mm	150mm
200mm	200mm	200mm	200mm	200mm
250mm	250mm	250mm	250mm	250mm
300mm	300mm	300mm	300mm	300mm
350mm	350mm	350mm	350mm	350mm
400mm	400mm	400mm	400mm	400mm
450mm	450mm	450mm	450mm	450mm
500mm	500mm	500mm	500mm	500mm
550mm	550mm	550mm	550mm	550mm
600mm	600mm	600mm	600mm	600mm
650mm	650mm	650mm	650mm	650mm
700mm	700mm	700mm	700mm	700mm
750mm	750mm	750mm	750mm	750mm
800mm	800mm	800mm	800mm	800mm
850mm	850mm	850mm	850mm	850mm
900mm	900mm	900mm	900mm	900mm
950mm	950mm	950mm	950mm	950mm
1000mm	1000mm	1000mm	1000mm	1000mm

ADAPTABLE UNITS:
G6, 1.2, 1.4, 2.2, 2.4

SILVER LEVEL UNITS

UNIT G.6, G.8

UNITS 1.1, 1.2, 1.4, 1.5, 1.9, 1.12

UNITS 2.1, 2.2, 2.4, 2.5, 2.9, 2.12

TOTAL: 15x SILVER LEVEL LIVEABLE UNITS

POST ADAPTABLE UNITS

UNIT G.6

UNITS 1.2, 1.4

UNITS 2.2, 2.4

ADAPTABLE UNIT

G6, 1.2, 1.4, 2.2, 2.4

UNIT G6
1:100

UNIT 1.2 & 2.2
1:100

UNIT 1.4 & 2.4
1:100

PROJECT: 314 LIVERPOOL RD, ASHFIELD
RESIDENTIAL FLAT

CLIENT: LUMIA PROJECTS

DATE: 20/04/2020

SCALE: AS SHOWN

ISSUE: F

PROJECT: 314 LIVERPOOL RD, ASHFIELD
RESIDENTIAL FLAT

CLIENT: LUMIA PROJECTS

DATE: 20/04/2020

SCALE: AS SHOWN

ISSUE: F

REYMP

LIVERPOOL ST
HORTON ST

REV: DESCRIPTION

1. 20/04/2020: ISSUED FOR PERMIT

2. 20/04/2020: REVISIONS TO PERMIT

3. 20/04/2020: REVISIONS TO PERMIT

4. 20/04/2020: REVISIONS TO PERMIT

5. 20/04/2020: REVISIONS TO PERMIT

6. 20/04/2020: REVISIONS TO PERMIT

7. 20/04/2020: REVISIONS TO PERMIT

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9. 20/04/2020: REVISIONS TO PERMIT

10. 20/04/2020: REVISIONS TO PERMIT

11. 20/04/2020: REVISIONS TO PERMIT

12. 20/04/2020: REVISIONS TO PERMIT

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15. 20/04/2020: REVISIONS TO PERMIT

16. 20/04/2020: REVISIONS TO PERMIT

17. 20/04/2020: REVISIONS TO PERMIT

18. 20/04/2020: REVISIONS TO PERMIT

19. 20/04/2020: REVISIONS TO PERMIT

20. 20/04/2020: REVISIONS TO PERMIT

NOTES:

1. 20/04/2020: ISSUED FOR PERMIT

2. 20/04/2020: REVISIONS TO PERMIT

3. 20/04/2020: REVISIONS TO PERMIT

4. 20/04/2020: REVISIONS TO PERMIT

5. 20/04/2020: REVISIONS TO PERMIT

6. 20/04/2020: REVISIONS TO PERMIT

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11. 20/04/2020: REVISIONS TO PERMIT

12. 20/04/2020: REVISIONS TO PERMIT

13. 20/04/2020: REVISIONS TO PERMIT

14. 20/04/2020: REVISIONS TO PERMIT

15. 20/04/2020: REVISIONS TO PERMIT

16. 20/04/2020: REVISIONS TO PERMIT

17. 20/04/2020: REVISIONS TO PERMIT

18. 20/04/2020: REVISIONS TO PERMIT

19. 20/04/2020: REVISIONS TO PERMIT

20. 20/04/2020: REVISIONS TO PERMIT



NO.	DESCRIPTION	DATE
1	PRELIMINARY DESIGN	10/10/2020
2	REVISIONS	10/10/2020
3	REVISIONS	10/10/2020
4	REVISIONS	10/10/2020
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47	REVISIONS	10/10/2020
48	REVISIONS	10/10/2020
49	REVISIONS	10/10/2020
50	REVISIONS	10/10/2020

BASIC COMMITMENTS NOTES	
WATER	As shown on drawings.
SEWERAGE	As shown on drawings.
POWER	As shown on drawings.
TELEPHONE	As shown on drawings.
ROADS	As shown on drawings.
ADDITIONAL NOTES:	As shown on drawings.

PROJECT: 34 LIVERPOOL RD, ASHFIELD
TYPOLOGY: RESIDENTIAL FLAT
CLIENT: LUMA PROJECTS

DATE: 10/10/2020

REVISIONS:

NOTES:

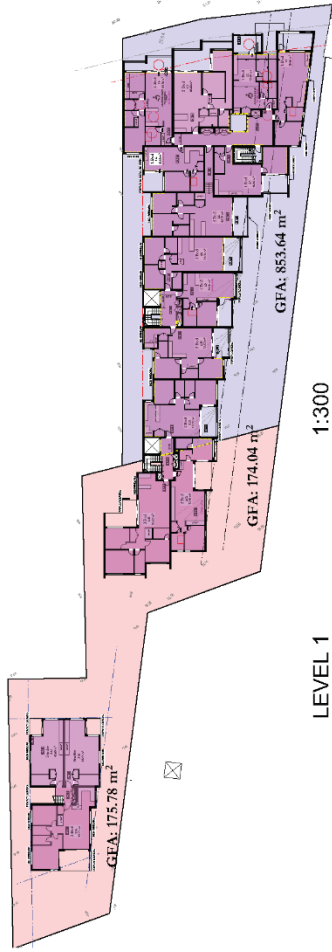
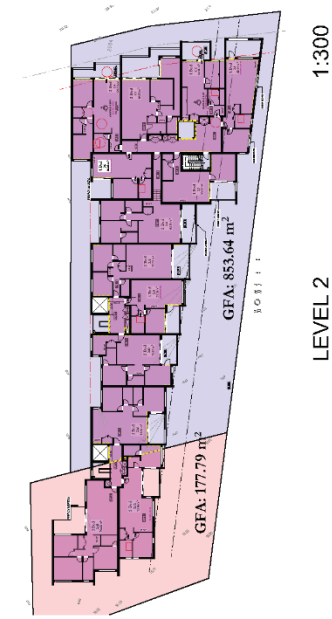
FOR INFORMATION ONLY
 NOT FOR CONSTRUCTION
 Design Author: East Suburban Area S801 15905
 Design: 10/10/2020

DRAWING #: DA2008
DEVELOPMENT APPLICATION:
PROJECT NO.: 191015
DATE: 20/04/2020

DRAWING NAME: ROOF PLAN
SCALE: AS SHOWN
OWNER: ER
DESIGNER: TS
DATE: F

LUMA PROJECTS

PEAK ARCHITECTS



GFA CALCULATIONS					
SITE BA	SITE AREA	AREA	NUMBER OF UNITS	SOLAR ACCESS	CROSS-FLOW
LEVEL					
LOWER GROUND	0.00m ²	39.59m ²	1	0	1
GROUND FL	175.78m ²	175.78m ²	17	13	11
LEVEL 1	175.91m ²	175.91m ²	12	9	9
LEVEL 2	820.62m ²	820.62m ²	33	12	9
ROOF	41.69m ²	41.69m ²			
TOTAL GFA	270.52m²	918.21m²	67	36	31
ALLOWABLE GFA	259.45m²	850.87m²		76.6%	66.6%
TOTAL ENL	1.66:1	0.68:1			
ALLOWABLE ENL	1.50:1	0.72:1			
DIFFERENCE GFA:	-68.73	-31.05			

NOTES

FOR INFORMATION ONLY
NOT FOR CONSTRUCTION

Submitted to: Inner West Council 10/12/23
For Project: Commercial Res 100

20-15 Silver Birch, Bundoora Vic 3086
Tel: (03) 9464 4118
www.peakarchitects.com.au
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peakarchitects.com.au

REV. DESCRIPTION

1	DATE
2	DATE
3	DATE
4	DATE
5	DATE

PROJECT: 314 LIVERPOOL RD, ASHFIELD
TITLE: RESIDENTIAL FLAT
CLIENT: LUMA PROJECTS

DATE: 20/12/23
SCALE: 1:300
REVISIONS: 10/12/23

DATE: 14/12/23
SCALE: 1:300
REVISIONS: 10/12/23

PEAK ARCHITECTS

LUMA PROJECTS

TRUE NORTH

314 LIVERPOOL RD, ASHFIELD
RESIDENTIAL FLAT
CLIENT: LUMA PROJECTS

PROJECT: 314 LIVERPOOL RD, ASHFIELD
TITLE: RESIDENTIAL FLAT
CLIENT: LUMA PROJECTS

DATE: 20/12/23
SCALE: 1:300
REVISIONS: 10/12/23

PEAK ARCHITECTS

LUMA PROJECTS

TRUE NORTH

314 LIVERPOOL RD, ASHFIELD
RESIDENTIAL FLAT
CLIENT: LUMA PROJECTS

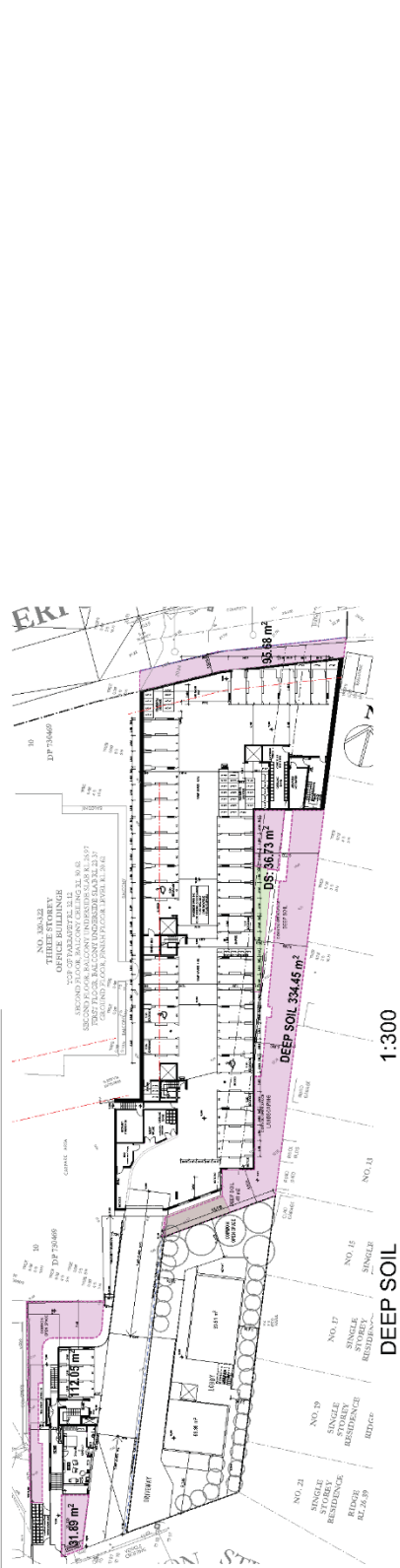
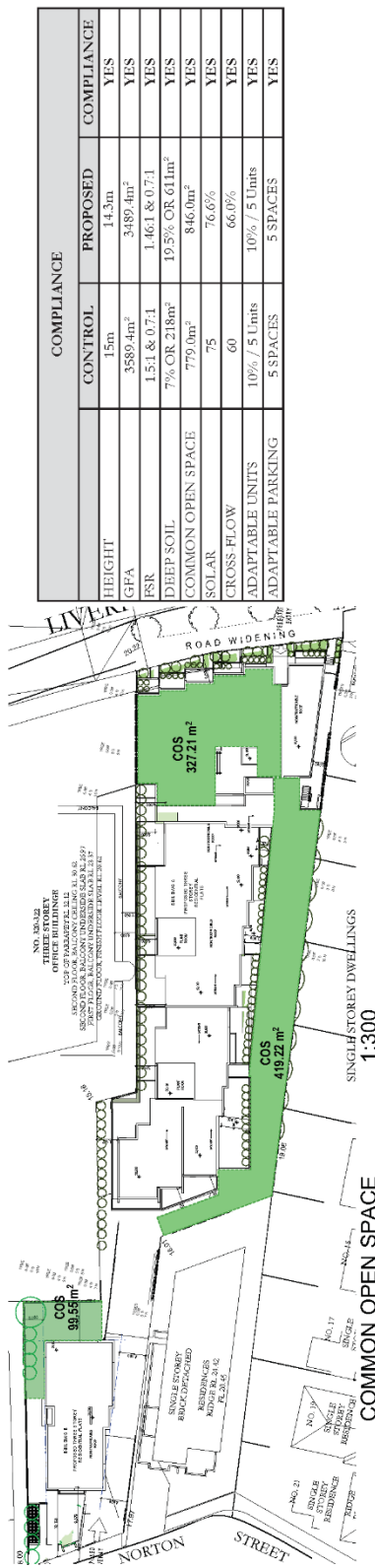
PROJECT: 314 LIVERPOOL RD, ASHFIELD
TITLE: RESIDENTIAL FLAT
CLIENT: LUMA PROJECTS

DATE: 14/12/23
SCALE: 1:300
REVISIONS: 10/12/23

PEAK ARCHITECTS

LUMA PROJECTS

TRUE NORTH



COMPLIANCE			
HEIGHT	CONTROL	PROPOSED	COMPLIANCE
	15m	14.3m	YES
GFA	3589.4m ²	3489.4m ²	YES
FSR	1.5:1 & 0.7:1	1.46:1 & 0.7:1	YES
DEEP SOIL	7% OR 218m ²	19.5% OR 611m ²	YES
COMMON OPEN SPACE	779.0m ²	846.0m ²	YES
SOLAR	75	76.6%	YES
CROSS FLOW	60	66.0%	YES
ADAPTABLE UNITS	10% / 5 Units	10% / 5 Units	YES
ADAPTABLE PARKING	5 SPACES	5 SPACES	YES

NOTES

1. 20/15/2018/1000 - Eased Easement 215

2. 20/15/2018/1000 - Eased Easement 215

3. 20/15/2018/1000 - Eased Easement 215

4. 20/15/2018/1000 - Eased Easement 215

5. 20/15/2018/1000 - Eased Easement 215

6. 20/15/2018/1000 - Eased Easement 215

7. 20/15/2018/1000 - Eased Easement 215

8. 20/15/2018/1000 - Eased Easement 215

9. 20/15/2018/1000 - Eased Easement 215

10. 20/15/2018/1000 - Eased Easement 215

DATE

20/15/2018

DESCRIPTION

RESIDENTIAL FLAT

CLIENT

LUMA PROJECTS

PROJECT

341 LIVERPOOL RD, ASHFIELD

PROJECT NAME

RESIDENTIAL FLAT

DATE

20/15/2018

DESCRIPTION

RESIDENTIAL FLAT

CLIENT

LUMA PROJECTS

PROJECT

341 LIVERPOOL RD, ASHFIELD

PROJECT NAME

RESIDENTIAL FLAT

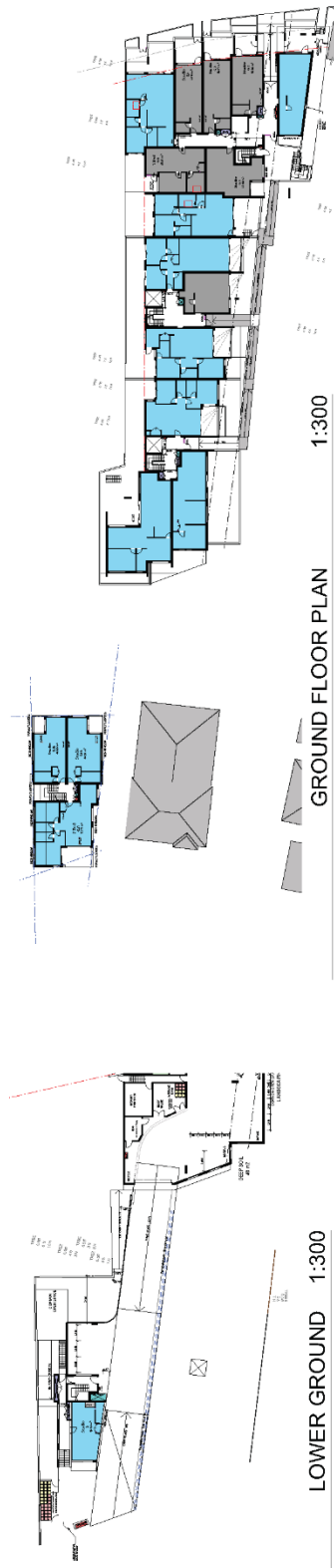
LUMA PROJECTS

PEAK ARCHITECTS

DATE: 20/15/2018

SCALE: AS SHOWN

ISSUE: BR TS F



LOWER GROUND 1:300
GROUND FLOOR PLAN 1:300

LEVEL 1 1:300
LEVEL 2 1:300

GFA CALCULATIONS

SITE AREA	SITE B4	SITE B3	TOTAL AREA	NUMBER OF UNITS	SOLAR ACCESS	CROSS-FLOW
	1799.6m ²	1457.2m ²				
LEVEL						
LOWER GROUND	0.0m ²	42.0m ²	42.0m ²	1	0	1
GROUND FL.	870.6m ²	888.0m ²	1758.6m ²	17	13	11
LEVEL 1	853.6m ²	340.2m ²	1193.8m ²	15	11	10
LEVEL 2	257.0m ²	177.8m ²	434.8m ²	13	12	9
CCCP	-14.6m ²					
TOTAL GFA	2570.3m ²	4483.1m ²		46	36	31
ALLOWABLE GFA	2639.4m ²	3503.0m ²			78.9%	67.4%
TOTAL FSR	1.06:1	0.70:1				
ALLOWABLE FSR	1.50:1	0.70:1				
DIFFERENCE GFA	-68.875	-1.025				

NOTES

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THIS DRAWING IS THE PROPERTY OF PEAK ARCHITECTS
Design Authority: East Sutherland Shire Council (ESR)

DATE: 18/04/2020

PROJECT: 314 LIVERPOOL RD, ASHFIELD
TOWN: RESIDENTIAL FLAT
CLIENT: LUMIA PROJECTS

DATE: 18/04/2020

PROJECT: 16/015
DATE: 20/04/2020

DESIGNER

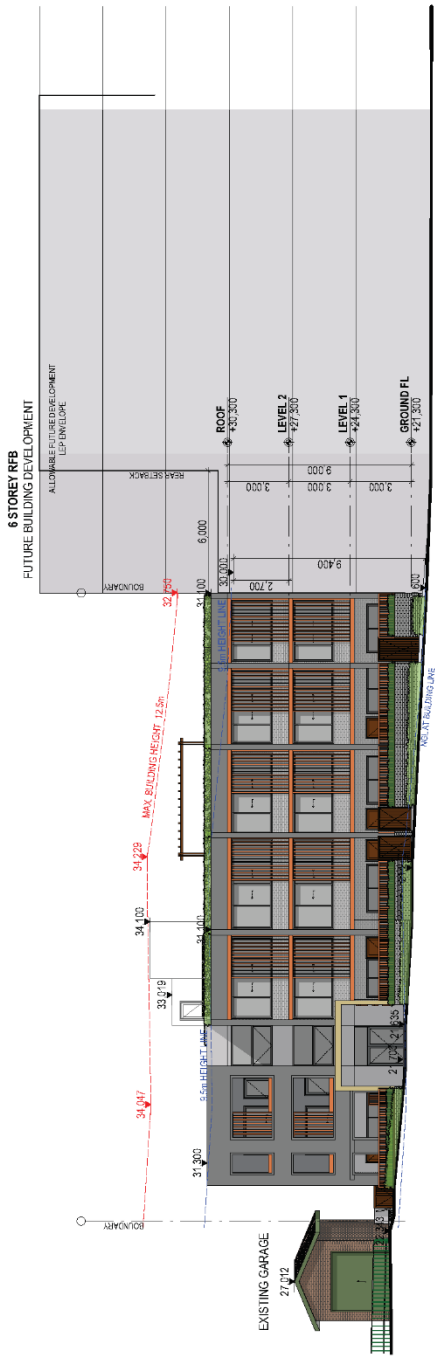
20/17 Balfour Street, Burwood NSW 2154
02 9571 5272 0438 004 418
16/015-ashfield-res-flat-16/015
@peak.architects
peakarchitects.com.au

ARCHITECTS

PROJECT: 314 LIVERPOOL RD, ASHFIELD
TOWN: RESIDENTIAL FLAT
CLIENT: LUMIA PROJECTS

DATE: 18/04/2020

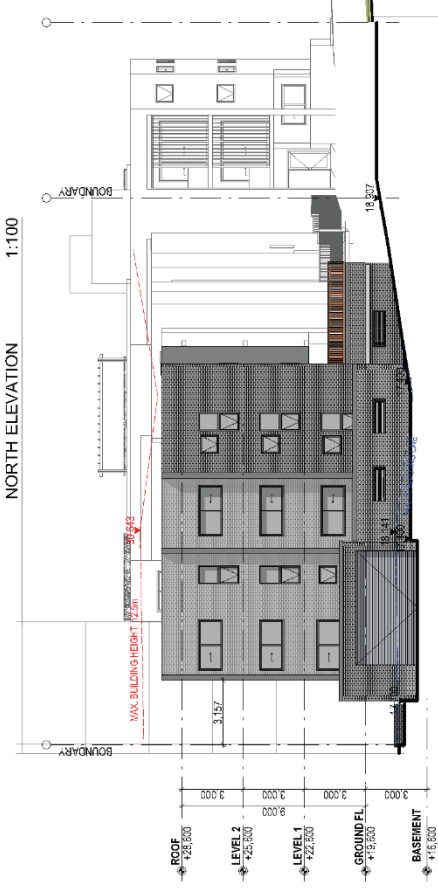
PROJECT: 16/015
DATE: 20/04/2020



Window Schedule

Window ID	Window Type	Height	Width	Quantity
W01	Awning Wind	900	500	1
W01	Awning Wind	900	2,000	1
W02	Sliding Wind	900	1,200	1
W02	Sliding Wind	900	2,200	2
W03	Sliding Wind	2,600	2,200	2
W04	Sliding Wind	1,200	1,600	2
W05	Sliding Wind	900	2,000	2
W06	Sliding Wind	1,200	2,000	2
W06	Sliding Wind	1,200	2,500	2
W07	Sliding Wind	1,500	2,400	7
W10	Awning Wind	900	2,000	1
W10	Awning Wind	900	1,200	3
W10	Awning Wind	2,000	2,000	14
W10	Awning Wind	2,000	900	21
W10	Awning Wind	2,000	1,282	1
W11	Awning Wind	2,000	1,571	1
W11	Awning Wind	1,000	2,000	2
W11	Awning Wind	2,000	1,100	2
M14	Awning Wind	1,000	1,000	6

Window Schedule



SOUTH ELEVATION (BUILDING A) 1:100

BASK COMMITMENTS NOTES

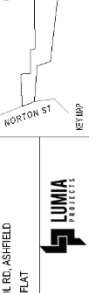
As per BASK Schedule

WATER	AT Power Finish	At final building system	At 100mm level	At 100mm level
W01	W01	W01	W01	W01
W02	W02	W02	W02	W02
W03	W03	W03	W03	W03
W04	W04	W04	W04	W04
W05	W05	W05	W05	W05
W06	W06	W06	W06	W06
W07	W07	W07	W07	W07
W10	W10	W10	W10	W10
W11	W11	W11	W11	W11
M14	M14	M14	M14	M14

Window Schedule

Window ID	Window Type	Height	Width	Quantity
W01	Awning Wind	900	500	1
W01	Awning Wind	900	2,000	1
W02	Sliding Wind	900	1,200	1
W02	Sliding Wind	900	2,200	2
W03	Sliding Wind	2,600	2,200	2
W04	Sliding Wind	1,200	1,600	2
W05	Sliding Wind	900	2,000	2
W06	Sliding Wind	1,200	2,000	2
W06	Sliding Wind	1,200	2,500	2
W07	Sliding Wind	1,500	2,400	7
W10	Awning Wind	900	2,000	1
W10	Awning Wind	900	1,200	3
W10	Awning Wind	2,000	2,000	14
W10	Awning Wind	2,000	900	21
W10	Awning Wind	2,000	1,282	1
W11	Awning Wind	2,000	1,571	1
W11	Awning Wind	1,000	2,000	2
W11	Awning Wind	2,000	1,100	2
M14	Awning Wind	1,000	1,000	6

DATE	12/11/2019
PROJECT	314 LIVERPOOL RD, ASHFLED
DRAWING NAME	DA3001 NORTH & SOUTH ELEVATION (BUILDING A)
PROJECTING	18/01/19
DATE	20/04/2020
PROJECTING	18/01/19
DATE	20/04/2020
PROJECTING	18/01/19



REV	DESCRIPTION	DATE
1	ISSUE FOR CONSTRUCTION	12/11/2019
2	ISSUE FOR CONSTRUCTION	12/11/2019
3	ISSUE FOR CONSTRUCTION	12/11/2019
4	ISSUE FOR CONSTRUCTION	12/11/2019
5	ISSUE FOR CONSTRUCTION	12/11/2019
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FOR INFORMATION ONLY
NOT FOR CONSTRUCTION

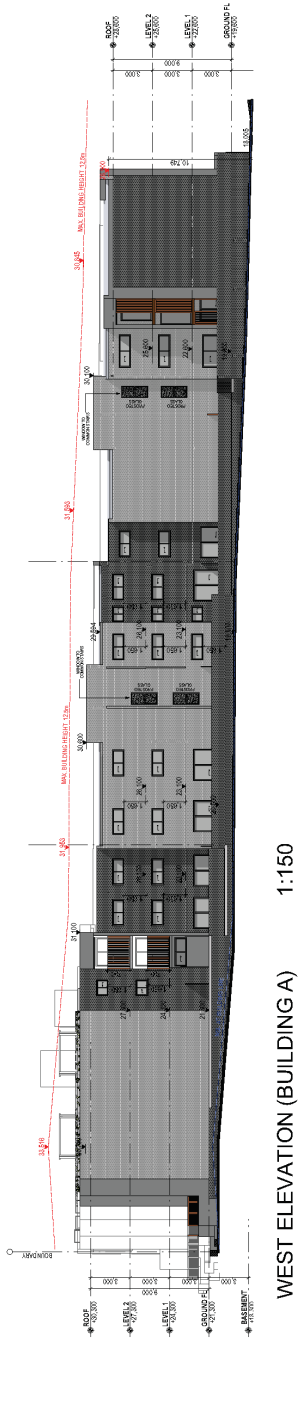
Business Address: 134/138 Liverpool Road, Ashfield NSW 2134
Group Address: 134/138 Liverpool Road, Ashfield NSW 2134

Website: www.polarpeak.com.au
Phone: 02 8625 2345
Email: info@polarpeak.com.au

Instagram: @polarpeak
Facebook: polarpeak.com.au

PEAK ARCHITECTS

PROJECT: 314 LIVERPOOL RD, ASHFLED
 TOWN: RESIDENTIAL FLAT
 CLIENT: LUMA PROJECTS



BASIC COMMENT NOTES

1. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED.

2. ALL DIMENSIONS IN MILLIMETERS UNLESS OTHERWISE SPECIFIED.

3. ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.

4. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE SPECIFIED.

5. ALL DIMENSIONS TO FINISH UNLESS OTHERWISE SPECIFIED.

6. ALL DIMENSIONS TO EXISTING UNLESS OTHERWISE SPECIFIED.

7. ALL DIMENSIONS TO NEW UNLESS OTHERWISE SPECIFIED.

8. ALL DIMENSIONS TO BE KEPT UNLESS OTHERWISE SPECIFIED.

9. ALL DIMENSIONS TO BE TAKEN FROM THE SURFACE UNLESS OTHERWISE SPECIFIED.

10. ALL DIMENSIONS TO BE TAKEN FROM THE CENTERLINE UNLESS OTHERWISE SPECIFIED.

11. ALL DIMENSIONS TO BE TAKEN FROM THE FINISH UNLESS OTHERWISE SPECIFIED.

12. ALL DIMENSIONS TO BE TAKEN FROM THE EXISTING UNLESS OTHERWISE SPECIFIED.

13. ALL DIMENSIONS TO BE TAKEN FROM THE NEW UNLESS OTHERWISE SPECIFIED.

14. ALL DIMENSIONS TO BE TAKEN FROM THE SURFACE UNLESS OTHERWISE SPECIFIED.

15. ALL DIMENSIONS TO BE TAKEN FROM THE CENTERLINE UNLESS OTHERWISE SPECIFIED.

16. ALL DIMENSIONS TO BE TAKEN FROM THE FINISH UNLESS OTHERWISE SPECIFIED.

17. ALL DIMENSIONS TO BE TAKEN FROM THE EXISTING UNLESS OTHERWISE SPECIFIED.

18. ALL DIMENSIONS TO BE TAKEN FROM THE NEW UNLESS OTHERWISE SPECIFIED.

19. ALL DIMENSIONS TO BE TAKEN FROM THE SURFACE UNLESS OTHERWISE SPECIFIED.

20. ALL DIMENSIONS TO BE TAKEN FROM THE CENTERLINE UNLESS OTHERWISE SPECIFIED.

21. ALL DIMENSIONS TO BE TAKEN FROM THE FINISH UNLESS OTHERWISE SPECIFIED.

22. ALL DIMENSIONS TO BE TAKEN FROM THE EXISTING UNLESS OTHERWISE SPECIFIED.

23. ALL DIMENSIONS TO BE TAKEN FROM THE NEW UNLESS OTHERWISE SPECIFIED.

24. ALL DIMENSIONS TO BE TAKEN FROM THE SURFACE UNLESS OTHERWISE SPECIFIED.

25. ALL DIMENSIONS TO BE TAKEN FROM THE CENTERLINE UNLESS OTHERWISE SPECIFIED.

26. ALL DIMENSIONS TO BE TAKEN FROM THE FINISH UNLESS OTHERWISE SPECIFIED.

27. ALL DIMENSIONS TO BE TAKEN FROM THE EXISTING UNLESS OTHERWISE SPECIFIED.

28. ALL DIMENSIONS TO BE TAKEN FROM THE NEW UNLESS OTHERWISE SPECIFIED.

29. ALL DIMENSIONS TO BE TAKEN FROM THE SURFACE UNLESS OTHERWISE SPECIFIED.

30. ALL DIMENSIONS TO BE TAKEN FROM THE CENTERLINE UNLESS OTHERWISE SPECIFIED.

PROJECT INFORMATION

PROJECT: 314 LIVERPOOL RD, ASHFIELD
TYPHOON RESIDENTIAL PLAT

CLIENT: LUMA PROJECTS

DATE: 20/04/2020

SCALE: AS SHOWN

DRAWN / CHECKED: ER / TS

ISSUE: F

PROJECT LOCATION

PROJECT: 314 LIVERPOOL RD, ASHFIELD
TYPHOON RESIDENTIAL PLAT

CLIENT: LUMA PROJECTS

DATE: 20/04/2020

SCALE: AS SHOWN

DRAWN / CHECKED: ER / TS

ISSUE: F

NOTES FOR CONSTRUCTION

NOT FOR CONSTRUCTION

DESIGN ARCHITECT: PEAK ARCHITECTS

PROJECT ADDRESS: 314 LIVERPOOL RD, ASHFIELD

CLIENT: LUMA PROJECTS

DATE: 20/04/2020

SCALE: AS SHOWN

DRAWN / CHECKED: ER / TS

ISSUE: F

KEY

DESCRIPTION: LUMA PROJECTS

DATE: 20/04/2020

SCALE: AS SHOWN

DRAWN / CHECKED: ER / TS

ISSUE: F

CONTACT INFORMATION

PROJECT: 314 LIVERPOOL RD, ASHFIELD
TYPHOON RESIDENTIAL PLAT

CLIENT: LUMA PROJECTS

DATE: 20/04/2020

SCALE: AS SHOWN

DRAWN / CHECKED: ER / TS

ISSUE: F

PEAK ARCHITECTS

28-15 Belmore Street, Belmore NSW 2114
02 9747 8472 | 048 094 4118
info@peakarchitects.com.au
@peakarchitects
peakarchitects.com.au

PROJECT LOCATION

LIVERPOOL ST
NORTON ST

PROJECT: 314 LIVERPOOL RD, ASHFIELD
TYPHOON RESIDENTIAL PLAT

CLIENT: LUMA PROJECTS

DATE: 20/04/2020

SCALE: AS SHOWN

DRAWN / CHECKED: ER / TS

ISSUE: F

NOTES FOR CONSTRUCTION

NOT FOR CONSTRUCTION

DESIGN ARCHITECT: PEAK ARCHITECTS

PROJECT ADDRESS: 314 LIVERPOOL RD, ASHFIELD

CLIENT: LUMA PROJECTS

DATE: 20/04/2020

SCALE: AS SHOWN

DRAWN / CHECKED: ER / TS

ISSUE: F

KEY

DESCRIPTION: LUMA PROJECTS

DATE: 20/04/2020

SCALE: AS SHOWN

DRAWN / CHECKED: ER / TS

ISSUE: F

CONTACT INFORMATION

PROJECT: 314 LIVERPOOL RD, ASHFIELD
TYPHOON RESIDENTIAL PLAT

CLIENT: LUMA PROJECTS

DATE: 20/04/2020

SCALE: AS SHOWN

DRAWN / CHECKED: ER / TS

ISSUE: F



SECTION A
1:200

REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUE FOR CONSTRUCTION	20/04/2020
2	REVISED FOR CONSTRUCTION	20/04/2020
3	REVISED FOR CONSTRUCTION	20/04/2020
4	REVISED FOR CONSTRUCTION	20/04/2020
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6	REVISED FOR CONSTRUCTION	20/04/2020
7	REVISED FOR CONSTRUCTION	20/04/2020

PROJECT: 314 LIVERPOOL RD, ASHFIELD
TRELODY RESIDENTIAL FLAT
CURT
LUMIA PROJECTS

DATE: 20/04/2020
SCALE: 1:200
PROJECT NO.: 18-013
DATE: 20/04/2020

SECTION A

DEVELOPMENT APPLICATION

DATE AS SHOWN: ER TS F

REVISIONS

DATE: 20/04/2020

SCALE: 1:200

PROJECT NO.: 18-013

DATE: 20/04/2020

SECTION A

DEVELOPMENT APPLICATION

DATE AS SHOWN: ER TS F

REVISIONS

DATE: 20/04/2020

SCALE: 1:200

PROJECT NO.: 18-013

DATE: 20/04/2020

REVISIONS

DATE: 20/04/2020

SCALE: 1:200

PROJECT NO.: 18-013

DATE: 20/04/2020

SECTION A

DEVELOPMENT APPLICATION

DATE AS SHOWN: ER TS F

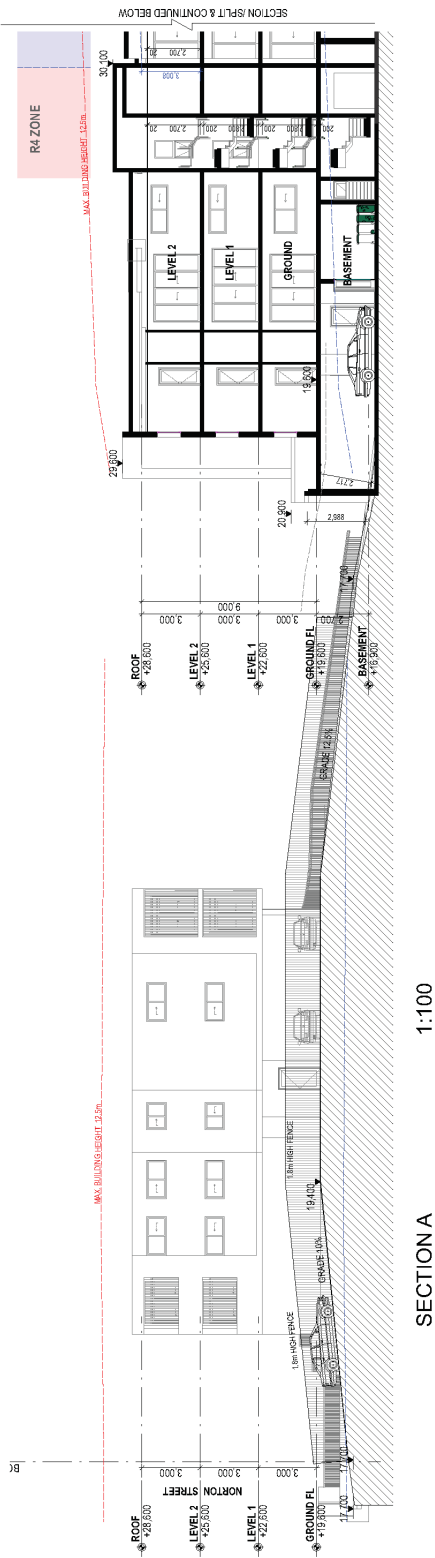
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DATE: 20/04/2020

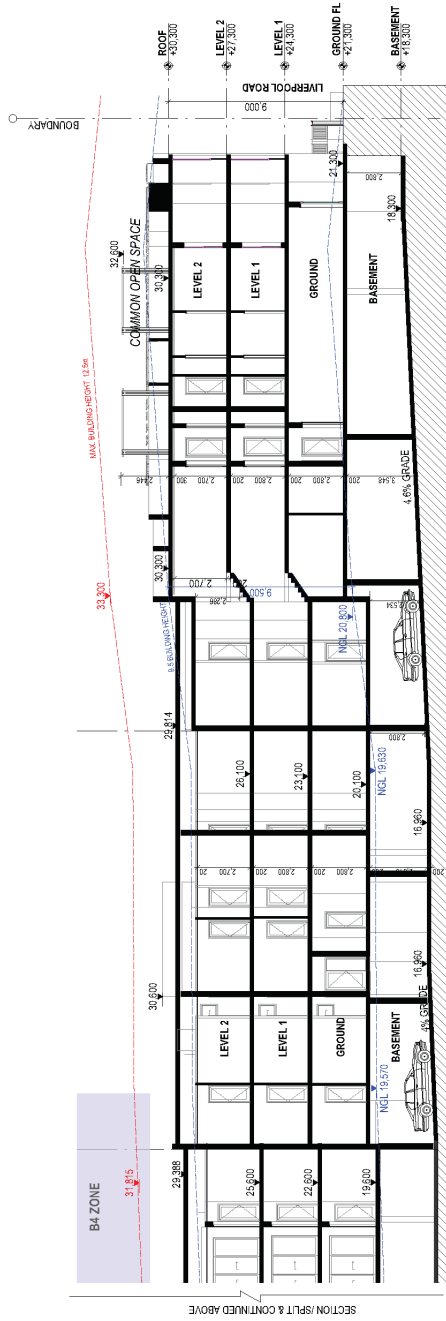
SCALE: 1:200

PROJECT NO.: 18-013

DATE: 20/04/2020



SECTION A
1:100



SECTION A
1:100



20/15 Belmore Street, Burwood NSW 2134
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info@peakarchitects.com.au
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NOTES:
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4. PEAK ARCHITECTS IS THE DESIGNER OF RECORD FOR THIS PROJECT
5. ANY CHANGES TO THIS DOCUMENT MUST BE APPROVED BY PEAK ARCHITECTS
6. ANY CHANGES TO THIS DOCUMENT MUST BE APPROVED BY PEAK ARCHITECTS

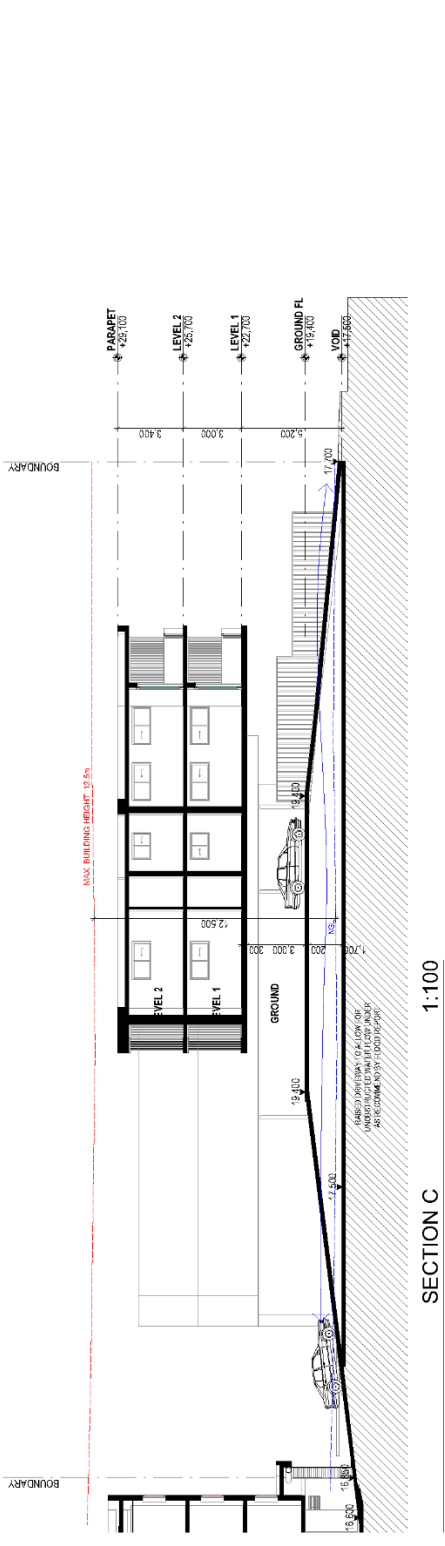
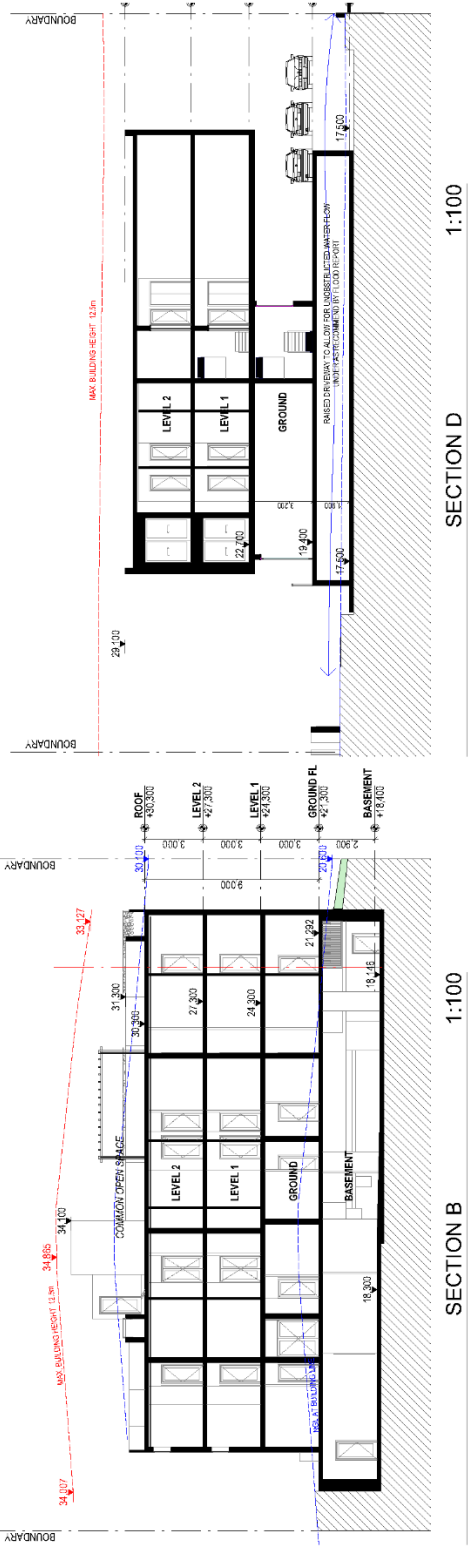
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7. 15/10/2020
8. 15/10/2020

DATE: 15/10/2020
DRAWN: [Name]
CHECKED: [Name]
DATE: 15/10/2020
PROJECT NO: 18/018

CLIENT: LUMA PROJECTS
PROJECT: 314 LIVERPOOL RD, ASHFIELD
TYPOLGY: RESIDENTIAL FLAT

PROJECT: 314 LIVERPOOL RD, ASHFIELD
TYPOLGY: RESIDENTIAL FLAT
CLIENT: LUMA PROJECTS

DRAWING NAME: SECTION A
DEVELOPMENT APPLICATION: SECTION A
SCALE: AS SHOWN
DATE: 26/04/2020
PROJECT NO: 18/018
DRAWN: [Name]
CHECKED: [Name]
ER: [Name]
TS: [Name]
F: [Name]



P EAK ARCHITECTS

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 (03) 924 8372 (048) 004 410
 190 Brudenell Street, Melbourne
 (03) 9525 2900
 peakarchitects.com.au

NOTES

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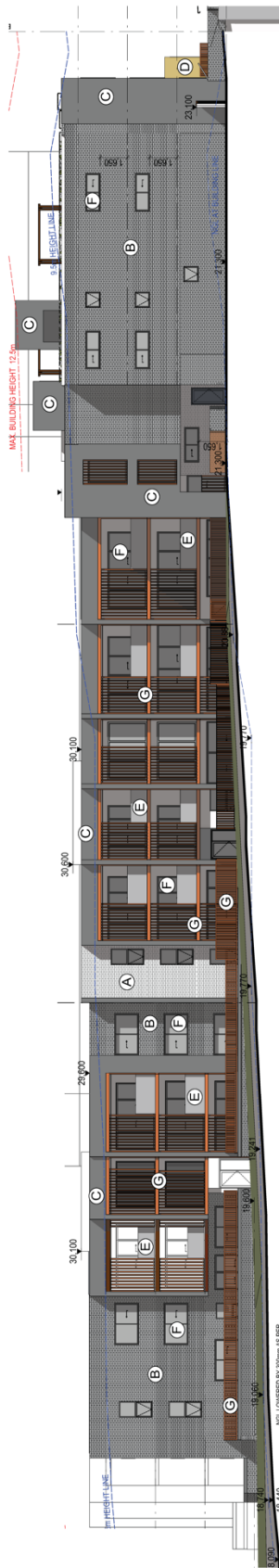
ALL DIMENSIONS TO FACE UNLESS SPECIFIED OTHERWISE

BASED ON REAR TO ALLOW FOR UNOCCUPIED WATER FLOW - IMPACT ON NEAR BY LOT TO BE CONFIRMED BY LOT 1500 REPORT

DATE: 29/03/2020
 DRAWN: TS
 CHECKED: TS
 DESIGNED: F

PROJECT		DRAWING NAME		SECTION	
314 LIVERPOOL RD, ASHFIELD		DA4003		B, C, D	
TYPED: RESIDENTIAL FLAT		DEVELOPMENT APPLICATION		DATE	
LUMIA PROJECTS		PROJECT NO: 18403		29/03/2020	
LUMIA PARTNERS		DRAWN		ER	
LUMIA PARTNERS		CHECKED		TS	
LUMIA PARTNERS		DESIGNED		F	

DATE: 29/03/2020
 DRAWN: ER
 CHECKED: TS
 DESIGNED: F



EAST ELEVATION (BUILDING A)



A	POB BRICK SILVER OR SIMILAR	B	POB BRICKS BLACK PAINTED OR SIMILAR	C	FC CLADDING BLACK PAINTED DARK GREY CEMENTAL OR SIMILAR
D	ALUMINIUM (ENTRY AWNING) EASTERN GOLD OR SIMILAR	E	METAL BALUSTRADE EASTEN GOLD OR SIMILAR	F	ALUMINIUM FRAMED WINDOWS, DOORS & MOVING TRACKS OR SIMILAR
G	FENCE & LOUVERS WOOD GRAIN FOR ALUMINIUM RENDERING				

FINISHES & MATERIAL SCHEDULE

NOTES:
 FOR INFORMATION ONLY
 NOT FOR CONSTRUCTION
 ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED
 DESIGN ARCHITECT: PEAK ARCHITECTS - EAST RICHMOND VIC 3103
 PROJECT NO: 15-013

2015 Belmore Street, Richmond VIC 3124
 02 9147 9172 0438 024 416
 info@peakarchitects.com.au
 @peak.architects
 peakarchitects.com.au

DATE: 15/01/20
 REV: 1
 DESCRIPTION: FINISHES SCHEDULE
 FOR LOCAL USE COORDINATION
 APPROVED BY CLIENT
 APPROVED BY ARCHITECT
 APPROVED BY ENGINEER

PROJECT: 314 LIVERPOOL RD, ASHFIELD
 TYPOLOGY: RESIDENTIAL FLAT
 CLIENT: LUMIA PROJECTS
 LUMIA PROJECTS

DRAWING #:
 DA6301
 DEVELOPMENT APPLICATION
 PROJECT NO: 15-013
 DATE: 29/04/2020

FINISHES SCHEDULE
 SCALE: AS SHOWN
 DRAWN: ER
 CHECKED: TS
 ISSUE: F

TRUE NORTH
 KEY MAP
 LIVERPOOL ST
 NORTON ST

LUMIA PROJECTS




VIEW FROM NORTON STREET

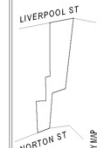


 28-15 Bellevue Street, Bondi NSW 2114
 Tel: 02 9550 4416
 www.peakarchitects.com.au
 @peakarchitects
 peakarchitects.com.au

NOTES:
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 NOT FOR CONSTRUCTION
 Approved Applicant: **LUMIA PROJECTS**
 Design Project: **Lumia Residential Flat**
 DRAWING NO: 18-013

REV.	DESCRIPTION	DATE
A	ISSUE FOR REVIEW	20/04/2020
B	FOR INFORMATION ONLY - NOT FOR CONSTRUCTION	20/04/2020
C	FOR INFORMATION ONLY - NOT FOR CONSTRUCTION	20/04/2020
D	FOR INFORMATION ONLY - NOT FOR CONSTRUCTION	20/04/2020
E	FOR INFORMATION ONLY - NOT FOR CONSTRUCTION	20/04/2020
F	FOR INFORMATION ONLY - NOT FOR CONSTRUCTION	20/04/2020

PROJECT: 314 LIVERPOOL RD, ASHFIELD
 PROJECT: RESIDENTIAL FLAT
 CLIENT: LUMIA PROJECTS




DRAWING #	DRAWING NAME	PHOTOMONTAGE
DA6302	DEVELOPMENT APPLICATION	SCALE AS SHOWN
PROJECT NO: 18-013	DATE: 20/04/2020	DATE: 20/04/2020
	PROJECT NO: 18-013	DATE: 20/04/2020
	PROJECT NO: 18-013	DATE: 20/04/2020



COMMON OPEN SPACE - VIEW FACING LIVERPOOL ROAD SIDE

PEAK ARCHITECTS

28-11 Eubank Street, Epping NSW 2134
 Tel: 02 947 8872 Fax: 02 947 8716
 145 @peakarchitects.com.au
 @peakarchitects peakarchitects.com.au

NOTES:
 FOR INFORMATION ONLY
 NOT FOR CONSTRUCTION
 Revision Schedule: **LUMIA PROJECTS**
 Change Protocol: **Client Issued RFP Rev 02/20**
 Approved by: **Client Issued RFP Rev 02/20**

DATE DESCRIPTION

1	18-01-21	REVISED
2	18-01-21	REVISED
3	18-01-21	REVISED
4	18-01-21	REVISED
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49	18-01-21	REVISED
50	18-01-21	REVISED

PROJECT: 314 LIVERPOOL RD, ASHFIELD
TYPLOGY: RESIDENTIAL FLAT
CLIENT: LUMIA PROJECTS

LUMIA PROJECTS

KEY MAP
 NORTON ST
 LIVERPOOL ST

PHOTOMONTAGE
DRAWING NAME: DAB3003
DRAWING #: DAB3003
DEVELOPMENT APPLICATION: 18-013
PROJECT NO.: 18-013
DATE: 25/04/2020
SCALE: AS SHOWN
ISSUE: F



VIEW FROM LIVERPOOL ROAD

PEAK ARCHITECTS

181 River Street, Liverpool NSW 2174
 02 944 5322 • 0438 244 418
 info@peakarchitects.com.au
 @peak.architects • peakarchitects.com.au

NOTES:
 FOR INFORMATION ONLY
 NOT FOR CONSTRUCTION
 DRAWING: 314 LIVERPOOL RD ASHFIELD
 TYPE: 007 RESIDENTIAL FLAT
 CLIENT: LUMIA PROJECTS

REV.	DESCRIPTION	DATE
A	ISSUE FOR INFORMATION ONLY	20/04/2020
B	FOR INFORMATION ONLY	20/04/2020
C	FOR INFORMATION ONLY	20/04/2020
D	FOR INFORMATION ONLY	20/04/2020
E	FOR INFORMATION ONLY	20/04/2020
F	FOR INFORMATION ONLY	20/04/2020

PROJECT: 314 LIVERPOOL RD ASHFIELD
 TYPE: 007 RESIDENTIAL FLAT
 CLIENT: LUMIA PROJECTS

LUMIA PROJECTS

PROJECT NO: 184713
 SCALE: AS SHOWN
 DATE: 20/04/2020

DATE: 20/04/2020
 DRAWN: ER
 CHECKED: TS
 ISSUE: F

PHOTOMONTAGE

DRAWING NAME: DA6304
 DEVELOPMENT APPLICATION

TRUE NORTH

LIVERPOOL ST
 NORTON ST
 KEY MAP

Attachment C- Clause 4.6 Exception to Development Standards

REQUEST TO CONTRAVENE A DEVELOPMENT STANDARD UNDER CLAUSE 4.6

Cl 4.3, Ashfield LEP 2013: Height of Buildings



314-318 Liverpool Road, 133-135 Norton Street, Ashfield NSW

Demolition of Existing Structures and Construction of a Residential Flat
Building with Strata Subdivision

2 July 2020 | P105

**Weir
Phillips**
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1.0 INTRODUCTION

This request to contravene a development standard in respect of height of buildings under Clause 4.3 of Ashfield Local Environmental Plan 2013 (ALEP 2013) is submitted to accompany a development application for:

Demolition of Existing Structures and Construction of a Residential Flat Building with Strata Subdivision

at 314-318 Liverpool Road and 133-135 Norton Street, Ashfield NSW.

It has been prepared with particular reference to the decisions of the Court in respect of:

- Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118;
- Four2Five Pty Limited v Ashfield Council [2015] NSWLEC 90;
- Wehbe v Pittwater Council [2007] NSWLEC 827;

and other relevant case law.

2.0 THE DEVELOPMENT STANDARD

2.1 The applicable planning instrument which specifies the development standard:

Ashfield Local Environmental Plan 2013 (ALEP 2013)

2.2 The number of the relevant clause:

Clause 4.3 – Height of buildings.

2.3 The provisions of the relevant clause:

Clause 4.3 – Height of buildings.

The development standard to which this request for contravention relates is Clause 4.3 of ALEP 2013 – Height of buildings, which specifies that:

The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

The nominated height on the map is 12.5m.

3.0 THE CONTRAVENTION SOUGHT:

3.1 Description of the contravention:

The proposed development would contravene the development standard as follows:

- Maximum height: 12.5m
- Proposed height: 12.75m
- Contravention: 0.25m

3.1.1 Description of contravention:

The contravention would relate entirely to a small wedge of the top of the lift overrun closest to Liverpool Road to a maximum of 0.25m. This is illustrated in Figures 1 and 2 below:

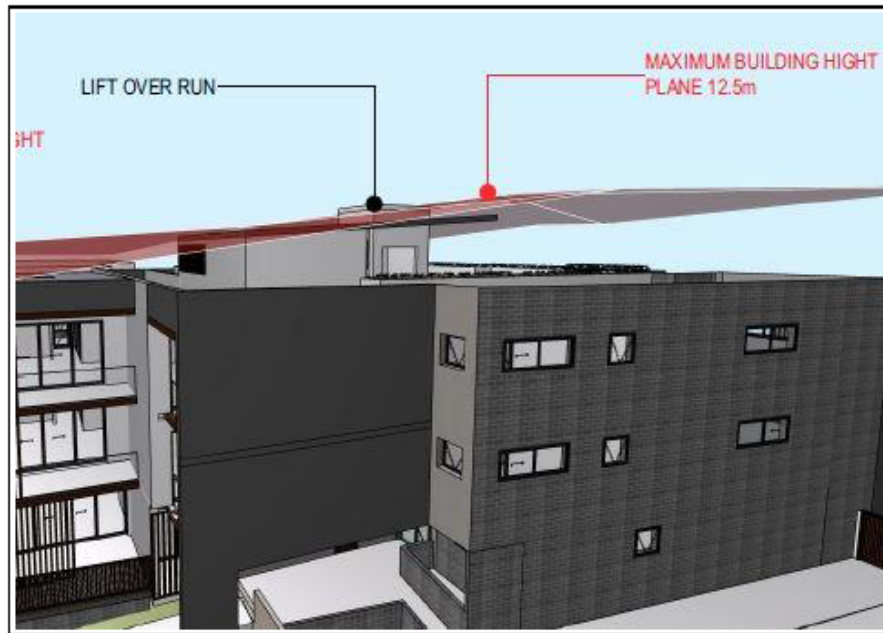


Figure 1: Illustration of contravention in 3D

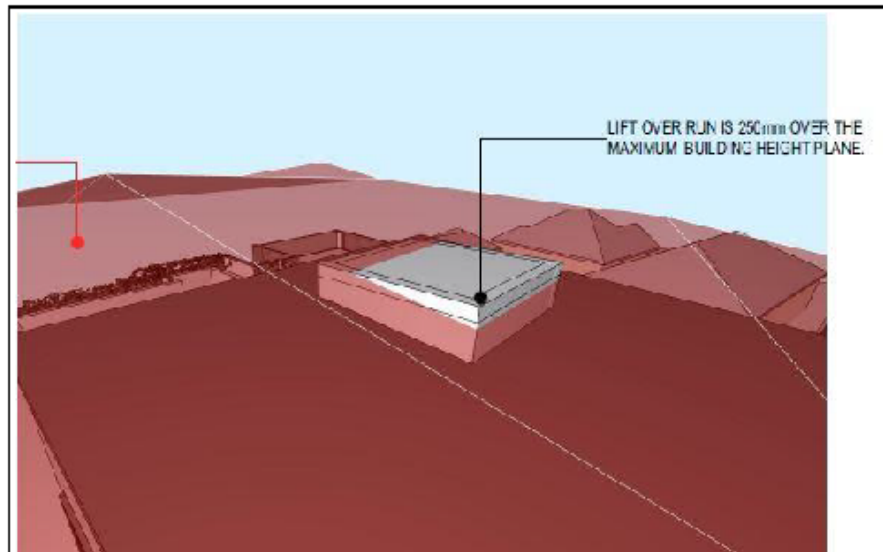


Figure 2: Illustration of contravention in 3D (detail)

3.1.2 Causes of the contravention:

The contravention is associated with a portion of the lift overrun and is a result of a combination of the following factors:

- Provision of rooftop communal open space and, specifically, lift access to it (in addition to only stair access);
- The natural undulating topography of the site; and
- The technical requirements for providing lift access.

4.0 PROVISIONS OF CLAUSE 4.6

4.1 Cl. 4.6(1): Objectives

Clause 4.6 seeks to provide appropriate flexibility to the application of development standards in order to achieve better planning outcomes both for the development and from the development. The objectives of Clause 4.6 are as follows:

Cl. 4.6(1) Objectives of Clause		
Clause	Control	Justification
(1)(a)	to provide an appropriate degree of flexibility in applying certain development standards to particular development	The proposal contravenes the standard which sets a maximum building height. It seeks to utilise this clause to provide appropriate flexibility in application of the standard to permit approval.
(1)(b)	to achieve better outcomes for and from development by allowing flexibility in particular circumstances	The proposal would achieve better outcomes: <ul style="list-style-type: none"> • For the development: The contravention would permit: <ul style="list-style-type: none"> ○ Greater use of part of the rooftop; ○ Universal access to the rooftop communal open space; ○ More efficient utilisation of the site; ○ Environmental benefits; and ○ Additional variety and provision of fully accessible communal open space. • From the development: The contravention would result in: <ul style="list-style-type: none"> ○ The environmental and social benefits of a universally accessible rooftop communal area.

4.2 Cl. 4.6(3): Justification of the Contravention of the Development Standard

Under the provisions of clause 4.6(3) – Exceptions to development standards of ALEP 2013, the consent authority must consider a written request from the applicant that seeks to justify the contravention of the development standard. This justification is summarised in the table below:

Cl. 4.6(3) Justification of Contravention		
Clause	Control	Justification
4.6(3)	Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:	This written request addresses this clause.
4.6(3)(a)	That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and	Compliance with the development standard is unnecessary given that: <ul style="list-style-type: none"> • The objectives of the development standard are met (see below); and • The objectives of the zone are met;

		notwithstanding the non-compliance. Compliance with the development standard is unreasonable given that: <ul style="list-style-type: none"> • The contravention results from the irregular and undulating topography of the site and would not have occurred on a flat site; and • Compliance would result in an awkward and unwieldy distribution of levels which would not facilitate universal access.
4.6(3)(b)	That there are sufficient environmental planning grounds to justify contravening the development standard.	The contravention would permit: <ul style="list-style-type: none"> • Universal access to the rooftop communal open space; • More efficient utilisation of the site; and • Additional variety and provision of communal open space.

4.3 Cl. 4.6(4)(a): Objectives of the Zone & Development Standard

Under the provisions of clause 4.6(4) – Exceptions to development standards of ALEP 2013, the consent authority must be satisfied that contraventions of development standards are consistent with the objectives of both the development standard itself and the zone in which the development is proposed. This assessment is summarised in the table below:

Cl. 4.6(4): Justification of contravention against development standard and zone objectives		
Clause	Objectives	Justification
4.3(1)	Height of buildings	
(a)	to achieve high quality built form for all buildings,	The built form of the proposal would remain appropriate to the context notwithstanding the contravention which would not visibly alter the built form as it would be: <ul style="list-style-type: none"> • Small; • Located in a discrete location; and • Not visible from any public area or readily visible from surrounding properties.
(b)	to maintain satisfactory sky exposure and daylight to existing buildings, to the sides and rear of taller buildings and to public areas, including parks, streets and lanes,	Given that the contravention would be located towards the central part of the site and of minimal scale, it would not alter exposure to sky or daylight for adjacent buildings or the public realm.
(c)	to provide a transition in built form and land use intensity between different areas having particular regard to the transition between heritage items and other buildings,	The proposal would continue to provide an appropriate height transition between the lower density areas and conservation areas to the east and the higher density mixed use zone to the west notwithstanding the contravention which would have no perceptible impact upon the overall built form of scale of the proposal.
(d)	to maintain satisfactory solar access to existing buildings and public areas.	The contravention would not create any additional overshadowing of existing buildings or public areas due to its central location and minimal scale.
2.3	Zone B4 – Mixed use	
	To provide a mixture of compatible land uses.	The contravention would not alter the already compatible provision of residential use proposed.
	To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.	The proposal would provide residential accommodation in close proximity to the Ashfield Town Centre and other nearby commercial uses in close proximity to bus services along Liverpool Road and Ashfield Railway Station. The contravention would not alter this.
	To enhance the viability, vitality and amenity of Ashfield town	The proposal, which provides in excess of the minimum requirement for adaptable dwellings, would allow universal

	centre as the primary business activity, employment and civic centre of Ashfield.	access to all of its communal open space as a result of the contravention.
	To encourage the orderly and efficient development of land through the consolidation of lots.	The proposal would consolidate 4 lots to allow for more orderly and coordinated development of the land.

4.4 cl. 4.6(4)(b): Concurrence

Under the provisions of clause 4.6(4)(b) – Exceptions to development standards of ALEP 2013, the consent authority must be satisfied that the concurrence of the Secretary (of the Department of Planning and the Environment) has been obtained before it can exercise the power to grant development consent for development that contravenes the development standard.

Under cl 64 of the Environmental Planning and Assessment Regulation 2000, the Secretary has given written notice dated 21 February 2018, attached to the Planning Circular PS 18-003 issued on 21 February 2018, to each consent authority, that it may assume the Secretary’s concurrence for exceptions to development standards in respect of applications made under cl 4.6, subject to the conditions in the table in the notice.

4.5 Cl. 4.6(5): Criteria for Concurrence

Under the provisions of clause 4.6(5) – Exceptions to development standards of ALEP 2013, the Council or the Secretary, as the concurrence authority, is required to consider the following matters:

Cl. 4.6(5) Criteria for Concurrence		
Clause	Control	Justification
(a)	whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and	The contravention of the development standard is not associated with state or regional development. As such, it would not raise any matter of significance for State or regional environmental planning.
(b)	the public benefit of maintaining the development standard, and	There would be no public benefit derived from the maintenance of the development standard given that the objectives of the zone and standard are achieved. Further, maintenance of the development standard would prevent universal access to the rooftop communal open space which would not be in the public interest.
(c)	any other matters required to be taken into consideration by the Secretary before granting concurrence.	The matters requiring consideration are addressed above.

5.0 THE FIVE PART TEST

In *Wehbe v Pittwater Council* [2007] NSWLEC 827, Preston CJ established five potential tests for determining whether a development standard could be considered to be unreasonable or unnecessary. These are examined below:

The Five Part Test: (in accordance with Preston CJ in <i>Wehbe v Pittwater Council</i> [2007] NSW LEC 827)		
Part	Test	Discussion
1.	The objectives of the standard are achieved notwithstanding non-compliance with the standard.	The objectives of the development standard are achieved. See discussion under 3(c) above.
2.	The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.	The objectives of the standard are relevant to the proposal and an assessment of compliance is provided above. It is considered that the objectives of the standard are achieved.
3.	The underlying object or purpose would be defeated or thwarted if compliance	The underlying object of the development standard would not be thwarted if compliance were required.

	was required and therefore compliance is unreasonable.	
4.	The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable	There is no evidence that the development standard has been abandoned under the current planning controls.
5.	the zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone.	The zoning of the land is considered appropriate.

6.0 CONCLUSION

This Clause 4.6 contravention request to clause 4.3 – Height of buildings of Ashfield LEP 2013 should be supported on the basis that strict application of the development standard is unnecessary and unreasonable given that:

- a) The development meets the stated objectives of clause 4.3, specifically:
 - a) to achieve high quality built form for all buildings,
 - b) to maintain satisfactory sky exposure and daylight to existing buildings, to the sides and rear of taller buildings and to public areas, including parks, streets and lanes, to provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure,
 - c) to provide a transition in built form and land use intensity between different areas having particular regard to the transition between heritage items and other buildings,
 - d) to maintain satisfactory solar access to existing buildings and public areas.
- b) The development meets the zone objectives of the General Industrial zone, specifically:
 - To provide a mixture of compatible land uses.
 - To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
 - To enhance the viability, vitality and amenity of Ashfield town centre as the primary business activity, employment and civic centre of Ashfield.
 - To encourage the orderly and efficient development of land through the consolidation of lots.
- c) There are sufficient environmental planning grounds to justify contravening the development standard, specifically:
 - Significantly reduce the degree of an existing contravention;
 - Reduce the existing fragmented subdivision pattern; and
 - Result in the more orderly development of the land.

For the reasons set out above, the development may be granted consent notwithstanding the contravention of the development standard in respect of floor space ratio in clause 4.3 of ALEP 2013.

Attachment D – Conditions

CONDITIONS OF CONSENT

The following is a Deferred Commencement condition imposed pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*. This Consent will not operate and may not be acted upon until the Council is satisfied as to the following matter(s):

A. Balcony Glazing

The enclosing balcony glazing proposed for units within Building A addressing Liverpool Road is to be deleted and the balconies converted back to traditional open forms.

Evidence of the above matter(s) must be submitted to Council within 2 years otherwise the Consent will not operate.

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

The development must be carried out in accordance with plans and documents listed below:

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
DA1003 Rev F	Site Plan	08/10/2020	Peak Architects
DA2001 Rev F	Lower - Ground Floor Plan	08/10/2020	Peak Architects
DA2002 Rev F	Ground Floor Plan	08/10/2020	Peak Architects
DA2003 Rev F	Ground Floor Entry	08/10/2020	Peak Architects
DA2004 Rev F	Level 1 Plan	08/10/2020	Peak Architects
DA2005 Rev F	Level 2 Plan	08/10/2020	Peak Architects
DA2006 Rev F	Roof Plan	08/10/2020	Peak Architects
DA3001 Rev F	North and South Elevation (Building A)	08/10/2020	Peak Architects
DA3002 Rev F	East and West Elevations (Building A)	08/10/2020	Peak Architects
DA3003 Rev F	Building B Elevations	08/10/2020	Peak Architects
DA4003 Rev F	Section A	08/10/2020	Peak Architects
DA4002 Rev F	Section A	08/10/2020	Peak Architects
DA4003 Rev F	Section B, C, D	08/10/2020	Peak Architects
DA6301 Rev F	Finishes Schedule	08/10/2020	Peak Architects

As amended by the conditions of consent.

DESIGN CHANGE

2. Design Change

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating the following:

- a. Balcony balustrades along the eastern elevation of building A are to be treated with obscure glazing.

FEES

3. Security Deposit - Custom

Prior to the commencement of demolition works or prior to the issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit:	\$30,000.00
Inspection Fee:	\$236.70

Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date.

The inspection fee is required for the Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.

Should any of Council's property and/or the physical environment sustain damage during the course of the demolition or construction works, or if the works put Council's assets or the environment at risk, or if any road, footpath or drainage works required by this consent are not completed satisfactorily, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all of the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.

A request for release of the security may be made to the Council after all construction work has been completed and a final Occupation Certificate issued.

The amount nominated is only current for the financial year in which the consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

4. Section 7.11 (Former Section 94) Contribution

Prior to the issue of a Construction Certificate works written evidence must be provided to the Certifying Authority that a monetary contribution of \$488,292.03 indexed in accordance with Ashfield Development Contributions Plan/ Developer Contributions Plan No.1 – Open Space and Recreation; 'Developer Contributions Plan No.2 – Community Facilities and Services (2005); has been paid to the Council.

The above contribution is the contribution applicable as at 2/11/2020.

***NB** Contribution rates under Ashfield Development Contributions Plan are indexed quarterly (for the method of indexation refer to Section 2.6 of the Plan).

The indexation of the contribution rates occurs in the first week of the months of February, May, August and November each year, following the release of data from the Australian Bureau of Statistics.

The contribution payable has been calculated in accordance with the CP and relates to the following public amenities and/or services and in the following amounts:

Community Infrastructure Type:	Contribution \$
Local Roads	\$15,278.65
Local Public Transport Facilities	\$25,237.06
Local Public Car Parking	\$0.00
Local Open Space and Recreation	\$406,222.16
Local Community Facilities	\$21,389.55
Plan Preparation and Administration	\$20,164.62
TOTAL	\$488,292.03

A copy of the CP can be inspected at any of the Inner West Council Services Centres or viewed online at:

<https://www.innerwest.nsw.gov.au/develop/planning-controls/section-94-contributions>

The contribution must be paid either in cash, by unendorsed bank cheque (from an Australian Bank only), via EFTPOS (Debit only) or credit card*. Prior to payment contact Council's Planning Team to review charges to current indexed quarter, please allow a minimum of 2 business days for the invoice to be issued before payment can be accepted.

*NB A 0.75% credit card transaction fee applies to all credit card transactions.

5. Long Service Levy

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid at the prescribed rate of 0.35% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more.

GENERAL CONDITIONS

6. Noise – Consultant's Recommendations

The recommendations contained in the acoustic report prepared by Acoustic, Vibration & Noise, reference Reference No.: 2020-028 dated 2 July 2020 must be implemented.

7. Hazardous Materials Survey

Prior to any demolition or the issue of a Construction Certificate (whichever occurs first), the Certifying Authority must provide a hazardous materials survey to Council. The survey shall be prepared by a suitably qualified Occupational Hygienist and is to incorporate appropriate hazardous material removal and disposal methods in accordance with the requirements of SafeWork NSW.

A copy of any SafeWork NSW approval documents is to be included as part of the documentation.

8. Boundary Alignment Levels

Alignment levels for the site at all pedestrian and vehicular access locations must match the existing back of footpath levels at the boundary.

9. Dry-weather Flows

Dry-weather flows of any seepage water including seepage from landscaped areas will not be permitted through kerb outlets and must be connected directly to a Council stormwater system. Alternatively, the basement or any below ground structure must be designed to be “tanked” preventing the ingress of seepage or groundwater.

10. Rock Anchors

This consent does not grant consent for any rock anchors on the road reserve or Council land.

11. Tree Protection

No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent or marked on the approved plans for removal.

Prescribed trees protected by Council’s Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent.

Any public tree within five (5) metres of the development must be protected in accordance with Council’s *Development Fact Sheet—Trees on Development Sites*.

No activities, storage or disposal of materials taking place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council’s Tree Management Controls at any time.

12. Project Arborist

Prior to the commencement of any demolition or construction works within close proximity to protected trees a Project Arborist must be engaged for the duration of the site preparation, demolition, construction and landscaping to supervise works. Details of the Project Arborist must be submitted to the Certifying Authority before work commences.

13. Works to Trees

Approval is given for the following works to be undertaken to trees on the site after the issuing of a Construction Certificate:

Tree No /Tree Species	Approved works
6. <i>Thuja plicata</i> (Western Red Cedar)	Remove tree

8. <i>Cupressus sempervirens</i> 'Stricta' (Pencil Pine)	Remove tree
9. <i>Cedrus deodara</i> (Himalayan Cedar)	Remove tree
10. <i>Cupressus sempervirens</i> (Mediterranean Cypress)	Remove tree
13. <i>Cupressus torulosa</i> (Bhutan Cypress) #	Remove tree
14. <i>Ficus benjamina</i> (Weeping Fig)	Remove tree
15. <i>Allocasuarina</i> sp. (She Oak) #	Remove tree
16. <i>Casuarina</i> sp. (She Oak) #	Remove tree
17. <i>Cinnamomum camphora</i> (Camphor Laurel) #	Remove tree
18. <i>Eucalyptus scoparia</i> (Wallangarra White Gum) #	Remove tree
22. <i>Callistemon viminalis</i> (Weeping Bottlebrush)	Remove tree
23 <i>Picea pungens</i> (Blue Spruce)	Remove tree
25 <i>Olea europaea</i> (European Olive)	Remove tree
# Trees approved for removal by owner 320 Liverpool Road.	

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved and shall be retained and protected in accordance with Council's *Development Fact Sheet—Trees on Development Sites*.

14. Salvage Strategy

Prior to the issue of a Construction Certificate, the Certifying Authority is required to be provided with amended documentation that includes:

A demolition plan that outlines all of the existing structures proposed to be demolished, including noting the need for building elements to be salvaged as per the Salvage Strategy.

A revised Waste Management Plan is also to be prepared that takes into account the extent of salvage of building components required by the Salvage Strategy.

The Salvage Strategy is also to be updated include the fibrous plaster ceilings and is to make provision for samples to be provided to Sydney Living Museums for their collection, along with other of the more decorative building elements such as lead light windows.

15. Salvage Compliance

Prior to the issue of an Occupation Certificate, the Certifying Authority is required to be provided with a report that details the extent to which original building elements such as joinery, lead light windows, ceilings, picture rails and fireplaces have been salvaged. This report is to include a record of discussions with Sydney Living Museums regarding the provision of the more decorative of the salvaged elements including fibrous plaster ceilings for their collection.

16. Car Parking

The development must provide and maintain within the site:

- a. 43 car parking spaces must be paved and line marked;

- b. 6 car parking spaces, for persons with a disability must be provided and marked as disabled car parking spaces;
- c. 12 visitor car parking spaces must be provided and marked as visitor car parking spaces. A sign legible from the street must be permanently displayed to indicate that visitor parking is available on site;
- d. 5 off-street motorcycle parking spaces must be provided, paved, line marked and maintained at all times;
- e. 1 Carwash bays; and

17. Residential Flat Buildings – Hot Water Systems

Where units or dwellings are provided with separate individual hot water systems, these must be located so they are not visible from the street.

18. Residential Flat Buildings – Air Conditioning Systems

Where units or dwellings are provided with separate individual air conditioning systems, these must be located so they are not visible from the street.

19. Residential Flat Buildings – Adaptable Dwellings

Prior to the issue of a Construction Certificate, the Certifying Authority, must be provided with plans that demonstrate 5 units are Adaptable units.

No works are to occur to the premises that would prevent the Adaptable units from being adapted for persons with a disability.

20. Waste Management Plan

Prior to the commencement of any works (including any demolition works), the Certifying Authority is required to be provided with a Recycling and Waste Management Plan (RWMP) in accordance with the relevant Development Control Plan.

21. Erosion and Sediment Control

Prior to the issue of a commencement of any works (including any demolition works), the Certifying Authority must be provided with an erosion and sediment control plan and specification. Sediment control devices must be installed and maintained in proper working order to prevent sediment discharge from the construction site.

22. Standard Street Tree Protection

Prior to the commencement of any work, the Certifying Authority must be provided with details of the methods of protection of all street trees adjacent to the site during demolition and construction.

23. Verification of Levels and Location

Prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, the Principal Certifier must be provided with a survey levels certificate prepared by a Registered Surveyor indicating the level of the slab and the location of the building with respect to the boundaries of the site to AHD.

24. Works Outside the Property Boundary

This development consent does not authorise works outside the property boundaries on adjoining lands.

25. RMS Condition 1

The subject property is affected by a Road Widening Order under Section 25 of the Roads Act, 1993 as published in Government Gazette No. 8 of 28 January 1977; Folio 401 as shown by pink colour on the attached Aerial – “X” and DP 252502. As such, any new buildings or structures, together with any improvements integral to the future use of the site, are erected clear of the land reserved for road widening (unlimited in height or depth).

26. RMS Condition 2

The redundant driveway on Liverpool Road should be replaced with kerb and gutter to match existing. The design and construction of the kerb and gutter on Liverpool Road shall be in accordance with TfNSW requirements.

Details of these requirements should be obtained by email to DeveloperWorks.Sydney@rms.nsw.gov.au.

Detailed design plans of the proposed kerb and gutter are to be submitted to TfNSW for approval prior to the issue of a Construction Certificate and commencement of any road works. Please send all documentation to development.sydney@rms.nsw.gov.au. A plan checking fee and lodgement of a performance bond is required from the applicant prior to the release of the approved road design plans by TfNSW.

27. RMS Condition 3

Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to TfNSW for approval, prior to the commencement of any works. Please send all documentation to development.sydney@rms.nsw.gov.au. A plan checking fee will be payable and a performance bond may be required before TfNSW approval is issued.

28. RMS Condition 4

The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime. Please send all documentation to development.sydney@rms.nsw.gov.au

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) day notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

29. RMS Condition 5

The existing Traffic Control Signal (TCS) site at the intersection of Liverpool Road / Thomas Street will need to be modified in accordance with TfNSW requirements. The TCS plans shall be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner.

The submitted design shall be in accordance with Austroads Guide to Road Design in association with relevant TfNSW supplements (available on www.rms.nsw.gov.au). The certified copies of the TCS design and civil design plans shall be submitted to TfNSW for consideration and approval prior to the release of a Construction Certificate and

commencement of road works. Please send all documentation to development.sydney@rms.nsw.gov.au.

TfNSW fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.

The developer will be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works.

30. RMS Condition 6

Sight distances from any proposed vehicular crossings are to be in accordance with the Austroads Guide to Road Design: Part 4A: Unsignalised and Signalised Intersections (Section 3 – Sight Distance) and AS 2890. Vegetation and proposed landscaping/fencing must not hinder sight lines to and from the vehicular crossings to motorists, pedestrians and cyclists.

31. RMS Condition 7

All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Liverpool Road.

32. RMS Condition 8

A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Liverpool Road during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>

PRIOR TO ANY DEMOLITION

33. Resource Recovery and Waste Management Plan - Demolition and Construction

Prior to any demolition works, the Certifying Authority must be provided with a Resource Recovery and Waste Management Plan - Demolition and Construction that includes details of materials that will be excavated and their proposed destination or reuse.

34. Hoardings

The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.

Separate approval is required from the Council under the *Roads Act 1993* to erect a hoarding or temporary fence or awning on public property.

35. Construction Traffic Management Plan – Detailed

Prior to Any Demolition, the Certifying Authority, must be provided with a detailed Construction Traffic Management Plan (CTMP), prepared by an appropriately qualified Traffic Management Consultant with Transport for NSW accreditation. The Certifying Authority must approved by the CTMP prior to the commencement of any works, including demolition. The Certifying Authority must ensure that the CTMP instructs vehicles to use State and Regional and

Collector Roads to the maximum extent with the use of Local Roads as final approach to the development site via the most suitable direct route.

The following matters should be addressed in the CTMP (where applicable):

- a. Description of the demolition, excavation and construction works;
- b. Site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- c. Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- d. Proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- e. Impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- f. Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- g. Proposed hours of construction related activities and vehicular movements to and from the site;
- h. Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- i. Any activities proposed to be located or impact upon Council's road, footways or any public place;
- j. Measures to maintain public safety and convenience;
- k. Any proposed road and/or footpath closures;
- l. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- m. Locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- n. Location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- o. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- p. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- q. On-site parking area for employees, tradespersons and construction vehicles as far as possible;
- r. Proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- s. How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.
- t. Swept Paths for the proposed construction vehicles to demonstrate that the needed manoeuvres can be achieved without causing any nuisance.

36. Dilapidation Report

Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the adjoining **property/ies** to the Certifying Authority's satisfaction. In the event that the consent of

the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

37. Advising Neighbors Prior to Excavation

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.

38. Construction Fencing

Prior to the commencement of any works (including demolition), the site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property.

PRIOR TO CONSTRUCTION CERTIFICATE

39. Noise General – Acoustic Report

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an acoustic report demonstrating that noise and vibration from the operation of the premises will satisfy the relevant provisions of the *Protection of the Environment Operations Act 1997* and Regulations and relevant state and local policies and guidelines. The acoustic report is to be prepared by a suitably qualified and experienced acoustic consultant and any recommendations must be consistent with the approved plans.

40. Light Spill

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with details demonstrating that any lighting of the premises complies with Australian Standard AS4282:1992: Control of Obtrusive Effects of Outdoor Lighting.

41. Car Wash Bay – Design

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with certification confirming that all wastewater generated from the car wash bay will be discharged to the sewerage systems in accordance with the requirements of Sydney Water.

42. Bin Storage Area - Residential

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a report detailing the ongoing waste generation requirements of the development and demonstrate that the bin storage area is to be provided within the site that will fully accommodate the number of bins required for all waste generated by a development of this type and scale. The number of bins required must be calculated based on a weekly collection of garbage, and a fortnightly collection of recycling.

The area must also include 50% allowance for manoeuvring of bins. The bin storage area is to be located away from habitable rooms, windows, doors and private useable open space, and to minimise potential impacts on neighbours in terms of aesthetics, noise and odour.

The bin storage area is to meet the design requirements detailed in the Inner West Comprehensive Development Control Plan (DCP) 2016 and must include doorways/entrance points of 1200mm.

43. Bulky Waste Storage Area – Residential

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans demonstrating that the bulky waste storage area must meet the floor area requirements as per the Inner West Comprehensive Development Control Plan (DCP) 2016 and have minimum doorways of 1200mm wide to accommodate large items.

44. Waste Transfer Route

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a plan demonstrating that the path of travel between the bin storage area/bulky waste storage area and the designated waste/recycling collection point is has a minimum 1200mm wall-to-wall clearance, be slip-proof, of a hard surface, be free of obstructions and at no point have a gradient exceeding 1:12.

45. Each Residential Level is to have Access to a Disposal Point for All Waste Streams

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a plan demonstrating that the disposal point is to be within 30m of the dwelling access (distance covered by lifts excluded). Any bins stored on residential floors are to have the capacity to store, at minimum, all waste generated by that floor over a 24 hour period.

46. Stormwater Drainage System – Major Developments

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans incorporating on site stormwater detention and/or on site retention/ re-use facilities (OSR/OSD) and Stormwater Quality Improvement Devices (SQIDS), certified by a suitably experienced Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that the design of the site drainage system complies with the following specific requirements:

- a. The design must be generally in accordance with the stormwater drainage concept plan on Drawing Nos. SW100 to SW400 prepared by SGC Consulting Engineers and dated 19 June 2020, as amended to comply with the following;
- b. Stormwater runoff from all surface areas within the property must be collected in a system of gutters, pits and pipelines and be discharged together with overflow pipelines from any rainwater tank by gravity directly to Council's piped drainage system via the OSD/OSR tank;
- c. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP;
- d. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage;
- e. The Drainage Plan must detail the proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes;
- f. The on-site detention system must be designed for all storm events from the 1 in 5 years to the 1 in 100 year storm event, with discharge to a Council controlled stormwater pipe system limited to fully pervious (state of nature) conditions with the maximum allowable discharge equivalent to Council's pipe capacity equivalent to ARI (Average Recurrence Interval) event flow rate;
- g. Details of the 1 in 100-year ARI overflow route in case of failure/blockage of the drainage system must be provided;

- h. Any pump-out system for drainage of surface flows from the basement ramp is permitted for the basement area only and must be designed in accordance with the following criteria:
 - 1. Comply with all relevant Australian Standards;
 - 2. An overflow, flashing light and audible alarm is to be provided to warn of pump failure;
 - 3. A maintenance regime for the pump system must be provided, including provision for regular maintenance and servicing at least every 6 months;
 - 4. The proposed pump system must consist of two (2) pumps, connected in parallel, with each pump being capable of emptying the holding tank at a rate equal to the rate of inflow for the one-hour duration, 100-year Average Recurrence Interval (ARI) storm event. The holding tank must be capable of holding one hour's runoff from one-hour duration 20-year ARI storm event;
 - 5. The pump system must be discharged to the OSD storage tank;
 - 6. Subsurface flows must be collected at the point of ingress to the basement;
 - 7. The subsurface drainage system must have sufficient capacity to collect and convey all surface flows to the pump out system; and
 - 8. Inlet pits and drains for subsurface drainage must be designed to minimise potential for pollutants from cars or other sources to enter the subsurface drainage system.
- i. The design must make provision for the natural flow of stormwater runoff from adjacent properties;
- j. No nuisance or concentration of flows to other properties;
- k. The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system;
- l. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;
- m. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated;
- n. Stormwater quality improvement devices must be installed such that stormwater flows leaving the site meet the following environmental targets:

o.

Pollutant	Baseline Pollution (kg/ha/yr)	Annual Load	Retention Criteria
Gross Pollutants, including trash, litter and vegetation matter greater than 5mm	500		90% reduction of average annual load
Total Suspended solids, including sediment and other fine material less than 5mm	900		85% reduction of average annual load
Total Phosphorous	2		65% reduction of average annual load
Total Nitrogen	15		45% reduction of average annual load
Hydrocarbons (Oil and Grease)			90% reduction of average annual load – no visible discharge

Toxicants		100% containment of toxicants
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- p. A water balance model must be submitted to accompany the water re-use proposal;
- q. A WSUD Strategy Report must be provided to ensure the treatment measures proposed to meet Council's water quality targets;
- r. A detailed WSUD maintenance plan outlining how all elements of the water quality treatment facility will be maintained and to record annual inspections/maintenance works to be undertaken; and
- s. Dry-weather flows of any seepage water including seepage from landscaped areas will not be permitted through kerb outlets and must be connected directly to a Council stormwater system.

47. Structural and Geotechnical Report

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an integrated structural and geotechnical report and structural plans that address the design of the proposed basement, prepared certified as compliant with the terms of this condition by a qualified practicing Structural and Geotechnical Engineer(s) who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng). The report and plans must be prepared/ amended to make provision for the following:

- a. Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve adjacent to the property boundary to the depth of the proposed structure;
- b. Any existing or proposed retaining walls that provide support to the road reserve must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment, based on a design life of not less than 50 years;
- c. All components of the basement, including footings, must be located entirely within the property boundary;
- d. No adverse impact on surrounding properties including Council's footpath and road;
- e. The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development;
- f. Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property; and
- g. Provide relevant geotechnical/ subsurface conditions of the site, as determined by a full geotechnical investigation.

48. Public Domain Works – Prior to Construction Certificate

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a public domain works design, prepared by a qualified practising Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) and evidence that the works on the Road Reserve have been approved by Council under Section 138 of the *Roads Act 1993* incorporating the following requirements:

- a. The construction of heavy duty vehicular crossing and removal of all redundant vehicular crossings to the site;

- b. New concrete footpath and kerb and gutter along the frontage of the site. The kerb type (concrete or stone) must be consistent with the majority of kerb type at this location as determined by the Council Engineer; and
- c. Cross sections are to be provided at the boundary at a minimum distance of every 5m and at all pedestrian and vehicular access locations. Note, the cross fall of the footpath must be set at 2.5%. These sections will set the alignment levels at the boundary.

All works must be completed prior to the issue of an Occupation Certificate.

49. Flood Affected Site

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer that the works comply with the following specific requirements:

- a. All habitable floor levels and protection to the underground carpark must be set above RL 19.20 m AHD (flood level plus 500mm freeboard). All structures below RL 19.20 m AHD must be constructed from flood compatible materials;
- b. Entry crest to any underground carpark must be set at RL 19.40 m AHD;
- c. All electrical equipment and wiring must be waterproofed or installed at or above RL 19.20 m AHD;
- d. A structural engineer's certificate must be submitted stating that the proposed building has been designed to withstand the forces of flood water, debris and buoyancy up to the 1 in 100-year flood level;
- e. The existing ground levels throughout the site must be maintained so as not to alter the existing overland flow path. Details of all obstructions or changes in level within the overland flow paths must be detailed on the plan;
- f. All buildings and driveways over the overland flow path and floodway shall be on piers and open under the slab; and
- g. All fencing within the overland flow path must be of an open type so as to allow for the free flow of water throughout the site so as to maintain existing flows.

50. Flood Risk Management Plan

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a Flood Risk Management Plan prepared and certified by a suitably qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng). The Plan must be prepared/amended to make provision for the following:

- a. The plan must be generally in accordance with the recommendations of the Flood Study Report - Issue C prepared by SGC Consulting Engineers and dated 19 June 2020;
- b. Recommendations on all precautions to minimise risk to personal safety of occupants and the risk of property damage for the total development. Such recommendations must be consistent with the approved development. The flood impacts on the site must be assessed for the 100-year ARI and Probable Maximum Flood (PMF) storm events. The precautions must include but not be limited to the following:
 - i. Types of materials to be used to ensure the structural integrity of the building to immersion and impact of velocity and debris;
 - ii. Waterproofing methods, including electrical equipment, wiring, fuel lines or any other service pipes or connections;

- iii. Flood warning signs/depth indicators for areas that may be inundated;
 - iv. A flood evacuation strategy; and
 - v. On-site response plan to minimise flood damage, demonstrating that adequate storage areas are available for hazardous materials and valuable goods above the flood level.
- c. All works must be designed to comply with the Standard for Construction of Buildings in Flood Hazard Areas in accordance with Section 3.10.3 of the Building Code of Australia. Note that some terms defined in this standard have equivalent meaning to terms used in Council's Development Control Plan as listed below:
- i. Building Code of Australia;
 - ii. Defined flood level (DFL) 100-year Average Recurrence Interval flood level;
 - iii. Defined flood event (DFE) 100-year Average Recurrence Interval flood; and
 - iv. Flood hazard level (FHL) Flood Planning Level (FPL).

51. Amended Architectural Plans to Reflect Flood Risk Management Plan

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended architectural plans that incorporate the recommendations of the Flood Risk Management Plan. The design must be prepared to make provision for the following:

- a. Specification of materials; and
- b. Waterproofing works, where applicable.

No changes to the external form or appearance of the development contrary to the approved plans must occur except as identified by this condition. Any changes to such must be subject to separate approval.

52. Engineering Design - Structural Engineer Plans and Certification

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans prepared and certified by a suitably qualified Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that incorporate the following recommendations of the Flood Risk Management Plan.

The design must be prepared to make provision for the following:

- a. Structural integrity of all structures from immersion and/or impact of velocity and debris; and
- b. Waterproofing works, where applicable.

53. Enclosure of Fire Hydrant

Prior to the issue of a Construction Certificate, the Certifying Authority is to be provided with plans indicating that all fire hydrant and sprinkler booster valves and the like are enclosed in accordance with the requirements of AS 2419.1 2005.

54. Sydney Water – Tap In

Prior to the issue of a Construction Certificate, the Certifying Authority is required to ensure approval has been granted through Sydney Water's online 'Tap In' program to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

Note: Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 13 20 92

55. Fibre-ready Facilities

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that arrangements have been made for:

- a. The installation of fibre-ready facilities to all individual lots and/or premises the development so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.
- b. The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises the development demonstrated through an agreement with a carrier.

56. Consolidation of Lots

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that the separate lots comprising the development have been consolidated into one lot and under one title and registered at NSW Land Registry Services.

57. Green Roofs, Walls and Facades Report

Prior to the issue of Construction Certificate, the Certifying Authority is to be provided with a report prepared by a suitably qualified person demonstrating that the proposed landscape plan and details of any green roofs, wall and facades are consistent with [Inner West Councils Green Roof, Walls and Facades Technical Guidelines](#) including but not limited to using species selected from the suggested species list, water proofing and drainage.

DURING DEMOLITION AND CONSTRUCTION

58. Contamination – New Evidence

Any new information revealed during demolition, remediation or construction works that have the potential to alter previous conclusions about site contamination must be immediately notified to the Council and the Certifying Authority.

59. Imported Fill Materials

All imported fill on the site shall be validated as Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM), in accordance with NSW Environment Protection Authority guidelines, 'Consultants Reporting on Contaminated Sites' (August 2011) to ensure the imported fill is suitable for the proposed land use.

All fill imported onto the site shall be validated by either one or both of the following methods:

- a. Imported fill be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- b. Sampling and analysis of the fill material be conducted in accordance with NSW Environment Protection Authority's Sampling Design Guidelines (September 1995).

60. Documentation of Demolition and Construction Waste

All waste dockets from the recycling and/or disposal of any demolition and construction waste generated from the works must be retained on site.

61. Tree Protection Zone

To protect the following tree/s, no work must commence until its/their Protection Zone is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area in accordance with Council's *Development Fact Sheet—Trees on Development Sites*. The fence/s (including existing boundary fencing) must be maintained intact until the completion of all demolition/building work on site.

Tree No.	Botanical/Common Name	Radius in metres
11	<i>Cupressus torulosa</i> (Bhutan Cypress) front No 320 - 322 Liverpool Road	3 metres on 2 sides
12	<i>Cupressus torulosa</i> (Bhutan Cypress) front No 320 - 322 Liverpool Road	3 metres on 2 sides
19	<i>Ulmus procera</i> (English Elm) rear No 320 - 322 Liverpool Road	3 metres on 3 sides
20	<i>Callistemon salignus</i> (Willow Bottlebrush) Rear No 320 - 322 Liverpool Road	Along site boundary
21	<i>Callistemon salignus</i> (Willow Bottlebrush) Rear No 320 - 322 Liverpool Road	Along site boundary
24	<i>Lagerstroemia indica</i> (Crepe Myrtle) Rear No 121 Norton Street	Along 2 site boundaries

62. Inspections by Project Arborist

The trees to be retained must be inspected, monitored and treated by the Project Arborist during and after completion of development works to ensure their long-term survival. Regular inspections and documentation from the Project Arborist to the Certifying Authority are required at the following times or phases of work:

Tree No./ Botanical/ Common Name/ Location	Time of Inspection	Key stage/ Hold point
11 <i>Cupressus torulosa</i> (Bhutan Cypress) front No 320 - 322 Liverpool Road 12 <i>Cupressus torulosa</i> (Bhutan Cypress) front No 320 - 322 Liverpool Road 19 <i>Ulmus procera</i> (English Elm) rear No 320 - 322 Liverpool Road 20 <i>Callistemon salignus</i> (Willow Bottlebrush) Rear No 320 - 322 Liverpool Road 21 <i>Callistemon salignus</i> (Willow Bottlebrush) Rear No 320 - 322 Liverpool Road 24 <i>Lagerstroemia indica</i> (Crepe Myrtle) Rear No 121 Norton Street	Prior to commencement of works	<ul style="list-style-type: none"> Inspection and sign off installation of tree protection measures.
	During Works	<ul style="list-style-type: none"> Supervise all site preparation and demolition works within the TPZ Supervise all excavation, trenching works within the TPZ

Recommendations to ensure the tree/s long term survival must be carried out immediately upon receipt of the report.

63. Limited Root Pruning

No tree roots of 30mm or greater in diameter located within the specified radius of the trunk/s of the following tree/s must be severed or injured in the process of any works during the construction period:

Tree No.	Botanical/Common Name	Radius in metres
11	<i>Cupressus torulosa</i> (Bhutan Cypress)	4 metres
12	<i>Cupressus torulosa</i> (Bhutan Cypress)	3 metres
19	<i>Ulmus procera</i> (English Elm)	5 metres
20	<i>Callistemon salignus</i> (Willow Bottlebrush)	5 metres
21	<i>Callistemon salignus</i> (Willow Bottlebrush)	5 metres
24	<i>Lagerstroemia indica</i> (Crepe Myrtle)	3 metres

All excavation within the perimeter line of the site being hand dug using either pneumatic or hydraulic tools only (e.g. *Airspade®* or hydro excavation) to a depth of one (1) metre under direct supervision of the Project Arborist and then by mechanical means as agreed by the Project Arborist. If tree roots less than 30mm diameter are required to be severed for the purposes of constructing the approved works, they must be cut cleanly using a sharp and *fit for purpose tool*. The pruning must be undertaken by a practicing Arborist.

64. Aboriginal Heritage – Unexpected Finds

If unexpected archaeological deposits or Aboriginal objects are found during the works covered by this approval, work must cease in the affected area(s) and the Office of Environment & Heritage must be notified. Additional assessment and approval pursuant to the *National Parks and Wildlife Act 1974* may be required prior to works continuing in the affected area(s) based on the nature of the discovery. Council’s Aboriginal Programs Supervisor is also to be notified.

65. Construction Hours – Class 2-9

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work must only be permitted during the following hours:

- a. 7:00am to 6.00pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
- b. 8:00am to 1:00pm on Saturdays with no demolition works occurring during this time; and
- c. at no time on Sundays or public holidays.

Works may be undertaken outside these hours where they do not create any nuisance to neighbouring properties in terms of dust, noise, vibration etc. and do not entail the use of power tools, hammers etc. This may include but is not limited to painting.

In the case that a standing plant or special out of hours permit is obtained from Council for works in association with this development, the works which are the subject of the permit may be carried out outside these hours.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent risk to life or environmental harm.

Activities generating noise levels greater than 75dB(A) such as rock breaking, rock hammering, sheet piling and pile driving must be limited to:

- a. 8:00am to 12:00pm, Monday to Saturday; and
- b. 2:00pm to 5:00pm Monday to Friday.

The person acting on this consent must not undertake such activities for more than three continuous hours and must provide a minimum of one 2 hour respite period between any two periods of such works.

“Continuous” means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.

66. Survey Prior to Footings

Upon excavation of the footings and before the pouring of the concrete, the Certifying Authority must be provided with a certificate of survey from a registered land surveyor to verify that the structure will not encroach over the allotment boundaries.

PRIOR TO OCCUPATION CERTIFICATE

67. Noise – Acoustic Report

Prior to the issue of an Occupation Certificate, the Certifying Authority must be provided with an acoustic report prepared by suitably qualified acoustic consultant which demonstrates and certifies that noise and vibration emissions from the development comply with the relevant provisions of *the Protection of the Environment Operations Act 1997*, NSW Environment Protection Authority’s Noise Policy for Industry and Noise Control Manual and conditions of Council’s approval, including any recommendations of the acoustic report referenced in the conditions of the approval. The acoustic report is to be prepared by a suitably qualified and experienced acoustic consultant and any recommendations must be consistent with the approved plans.

68. Noise From Road, Rail & Aircraft – Compliance

Prior to the issue of an Occupation Certificate, the Certifying Authority must be provided with an acoustic report prepared by suitably qualified acoustic consultant, confirming that the development complies with the requirements of the:

- a. *State Environmental Planning Policy (Infrastructure) 2007*;
- b. NSW Planning, Development near Rail Corridors and Busy Roads – Interim Guideline;
- c. Australian Standard 2021-2000: Acoustics - Aircraft noise intrusion - Building siting and construction;
- d. conditions of development consent; and
- e. Recommendations of Acoustic, Vibration & Noise, reference Reference No.: 2020-028 dated 2 July 2020.

69. Contamination – Disposal of Soil

Prior to the issue of an Occupation Certificate, the Certifying Authority must be provided with a validation report confirming that all off site disposal of soil has been classified, removed and

disposed of in accordance with the NSW DECC Waste Classification Guidelines, Part 1: Classifying Waste (EPA 2014), Protection of the Environment Operations (Waste) Regulation 2014 and the *Protection of the Environmental Operations Act 1997*.

70. Car Wash Bay – Trade Waste Agreement

Prior to the issue of an Occupation Certificate, the Certifying Authority must be provided with a copy of the Sydney Water Trade Waste Agreement for the disposal of wastewater from the premises.

71. Road Widening

Prior the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence which establishes that a plan of subdivision has been registered with NSW Land and Registry Services which results in the following road widening:

- a. Widening of Liverpool Road in accordance with Transport for NSW requirements.

72. Public Domain Works

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with written evidence from Council that the following works on the Road Reserve have been completed in accordance with the requirements of the approval under Section 138 of the *Roads Act 1993* including:

- a. Heavy duty concrete vehicle crossing at the vehicular access location;
- b. The redundant vehicular crossing to the site must be removed and replaced by kerb and gutter and footpath in accordance with Transport for NSW. Where the kerb in the vicinity of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb must also be in stone;
- c. The existing concrete footpath across the frontage of the site must be reconstructed; and
- d. Other works subject to the *Roads Act 1993* approval.

All works must be constructed in accordance with Council's standards and specifications and AUS-SPEC#2-"Roadworks Specifications".

73. No Encroachments

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any encroachments on to Council road or footpath resulting from the building works have been removed, including opening doors, gates and garage doors with the exception of any awnings or balconies approved by Council.

74. Protect Sandstone Kerb

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any damaged stone kerb has been replaced.

75. Undergrounding Power – Major development

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that the existing overhead power cables along Liverpool Road & Norton Street frontage of the site have been relocated underground with appropriate street lighting and new steel standard poles. The street lighting must be designed in accordance with Australian Standard AS1158-Road Lighting and the Network Standards of Ausgrid and must meet the lighting category required by Council and RMS. In addition the design must also comply with AS4282 to ensure

that no injury is caused to the amenity of the surrounding area by light overspill or obtrusive light.

76. Parking Signoff – Major Development

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with certification from a qualified practising Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that the vehicle access and off street parking facilities have been constructed in accordance with the development consent and relevant Australian Standards and the following has been implemented within the property.

- a. The car park has been completed, line marked and all signage relating to car parking erected; and
- b. A notice has been clearly displayed at the Liverpool Road frontage to indicate that visitor parking is available within the property with access from Norton Street.

77. Public Domain - Major Developments

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with the works-as-executed plan(s), certified by a Registered Surveyor, that show the as built details in comparison to those shown on the plans approved with the public domain and Roadworks Permit with all relevant levels and details indicated must be marked in red on a copy of the Council stamped plans.

78. Dilapidation Report – Post-Development

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a second Dilapidation Report addressing the public infrastructure identified in approved predevelopment dilapidation report, including a photographic survey, structural condition and CCTV inspections which was compiled after the completion of works. As the report details public infrastructure, a copy is to be furnished to Council at the same time.

79. Stormwater Drainage and Road Works – Certification

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with Certification by a qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that:

- a. All works required to be undertaken on public roads must be designed and constructed in accordance with Council's approved plans; and
- b. Full works-as-executed plans in PDF and CAD format (dwg or dxf files), prepared and signed by a Registered Surveyor have been submitted to Council.

80. Works as Executed – Site Stormwater Drainage System

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with Certification by a suitably qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that:

- a. The stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards; and

- b. Works-as-executed plans of the stormwater drainage system certified by a Registered Surveyor, to verify that the drainage system has been constructed, OSD/OSR system commissioned and stormwater quality improvement device and any pump installed in accordance with the approved design and relevant Australian Standards have been submitted to Council. The works-as-executed plans must show the as built details in comparison to those shown on the drainage plans approved with the Construction Certificate. All relevant levels and details indicated must be marked in red on a copy of the Principal Certifier stamped Construction Certificate plans.

81. Operation and Management Plan

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with an Operation and Management Plan has been prepared and implemented for the on-site detention and/or on-site retention/re-use facilities and stormwater quality improvement device and any pumps. The Plan must set out the following at a minimum:

- a. The proposed maintenance regime, specifying that the system is to be regularly inspected and checked by qualified practitioners; and
- b. The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc.

82. Easements, Restrictions on the Use of Land and Positive Covenants

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence that Easements, Restrictions on the Use of Land and Positive Covenants under Section 88B or 88E, whichever is relevant to the subject development, of the *Conveyancing Act 1919*, has been created on the title of the property detailing the following :

- a. Restrictions on the Use of Land related to on Site Stormwater Detention System and stormwater quality improvement devices;
- b. Restrictions on the Use of Land related to Stormwater Surface Flow Paths;
- c. Positive Covenant related to on-site stormwater detention and/or retention system;
- d. Positive Covenant related to stormwater quality improvement devices; and
- e. Positive Covenant related to Stormwater Surface Flow Paths.

The wording in the Instrument must be in accordance with Councils Standard wording.

83. No Weep Holes

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence that any weep holes to Council road or footpath resulting from the building works have been removed.

84. Basement/Retaining Wall Signoff – Major Development

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from a suitably experienced structural and geotechnical engineer, who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng), that the basement and driveway has been constructed in accordance with the development consent and relevant Australian Standards and that the basement is fully tanked construction such that pump-out of subsurface flows is not required.

85. Flood Risk Management Plan - Certification

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with Certification by a qualified practising Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that all aspects of the flood risk management plan have been implemented in accordance with the approved design, conditions of this consent and relevant Australian Standards.

86. Project Arborist Certification

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with evidence from the project arborist that the Landscape Plan prepared by Michael Siu, Landscape Architects, 20/05/2020, has been updated and the role of the project arborist and tree protection has been complied with.

The Landscape Plan is to be updated to include a minimum of six (6) x 75 litre size replacement tree/s on the southern boundary of the property 320 Liverpool Road. The tree/s shall each attain a minimum mature height of seven (7) metres, planted at a minimum of 1.5 metres from the boundary or any structure, allowing for future tree growth. The tree stock is to conform to AS2303—*Tree stock for landscape use*. Trees listed as exempt species from Council's Tree Management Controls, palms, fruit trees and species recognised to have a short life span will not be accepted as suitable replacements.

If the replacement trees are found to be faulty, damaged, dying or dead within twelve (12) months of planting then they must be replaced with the same species (up to 3 occurrences). If the trees are found dead before they reach a height where they are protected by Council's Tree Management Controls, they must be replaced with the same species.

87. Section 73 Certificate

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a Section 73 Certificate under the *Sydney Water Act 1994*.

88. Verification and Maintenance of Green Roofs, Walls and Facades Works

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority is to be provided with written evidence demonstrating that the works have been carried out in accordance with the Green Roofs, Walls and Facades Report that was submitted at Construction Certificate Stage and a maintenance plan that is consistent with the [Inner West Councils Green Roof, Walls and Facades Technical Guidelines](#).

ON-GOING**89. Noise General**

The proposed use of the premises and the operation of all plant and equipment must not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997* and Regulations, NSW EPA Noise Policy for Industry and NSW EPA Noise Guide for Local Government.

90. Bin Storage

All bins are to be stored within the site. Bins are to be brought back onto the property within 12 hours of having been emptied.

91. Operation and Management Plan

The Operation and Management Plan for the on-site detention and/or on-site retention/re-use , stormwater quality improvement devices and any Pump facilities, approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.

92. Vehicles Leaving the Site

All vehicles must enter and exit the site in a forward direction.

93. Loading/unloading on site

All loading and unloading are to be conducted within the site at all times. Any designated loading bay/dock area is to remain available for loading/unloading purposes at all times. No storage of goods or parking of cars is to be carried out in these areas.

94. Flood Risk Management Plan

The Flood Risk Management Plan approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.

95. Tree Establishment

The tree/s planted as part of this consent is/are to be maintained in a healthy and vigorous condition for 12 months from the issue of an Occupation Certificate. If any of the tree/s is/are found faulty, damaged, dying or dead within 12 months of the issue of an Occupation Certificate it/they must be replaced with the same species within one (1) month (up to 3 occurrences).

96. Green Roofs, Walls and Facades Establishment

The plantings within the Green Roofs, Walls and Facades as part of this consent are to be maintained in a healthy and vigorous condition for 12 Months from the issue of an Occupation Certificate. If any of the planting are found faulty, damaged, dying or dead within 12 months of the issue of an Occupation Certificate they must be replaced with the same species within one (1) month (up to 3 occurrences).

ADVISORY NOTES**Mechanical Ventilation System Certification**

The mechanical ventilation systems are to be designed, constructed and operated in accordance with the following:

- a. Australian Standard AS 1668 Part 1 – 1998;
- b. Australian Standard AS 1668 Part 2 – 2012;
- c. Australian Standard 3666.1 – 2011;
- d. Australian Standard 3666.2 – 2011; and
- e. Australian Standard 3666.3 - 2011.

The system must be located in accordance with the approved plans and/or within the building envelope, design and form of the approved building. Any modifications to the approved plans required to house the system must be the subject of further approval from Council.

Asbestos Removal

A demolition or asbestos removal contractor licensed under the Work Health and Safety Regulations 2011 must undertake removal of more than 10m² of bonded asbestos (or otherwise specified by WorkCover or relevant legislation).

Removal of friable asbestos material must only be undertaken by a contractor that holds a current Class A Friable Asbestos Removal Licence.

Demolition sites that involve the removal of asbestos must display a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos has been removed from the site to an approved waste facility.

All asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations (Waste) Regulation 2014. All receipts detailing method and location of disposal must be submitted to Council as evidence of correct disposal.

Notice to Council to deliver Residential Bins

Council should be notified of bin requirements three weeks prior to the occupation of the building to ensure timely delivery.

Council will place an order for the required bins. Delivery will occur once the applicant has completed a Request for New Service.

Recycling / Garbage / Organics Service Information and Education

The building manager / strata title manager or body corporate is responsible for ensuring all tenants are kept informed regarding Council's services, and best practice waste and recycling source separation.

Electrical Substations

Should the proposed development require the provision of an electrical substation, such associated infrastructure must be incorporated wholly within the development site and may be the subject of an application for modification of consent.

Permits

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip Bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street veranda over the footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

If required contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. Applications for such Permits must be submitted and approved by Council prior to the commencement of the works associated with such activity.

Rock Anchors

If you are seeking to use temporary anchors, you must make a request for approval for a Permit under Section 138 of the Roads Act 1993. The submission would need to be supported by an engineering report prepared by a suitably qualified Structural Engineer, with supporting details addressing the following issues:

- a. Demonstrate that any structures within the road reserve are of adequate depth to ensure no adverse impact on existing or potential future service utilities in the road reserve. All existing services must be shown on a plan and included on cross-sectional details where appropriate.
- b. Demonstrate how the temporary anchors will be removed or immobilised and replaced by full support from structures within the subject site by completion of the works.
- c. The report must be supported by suitable geotechnical investigations to the efficacy of all design assumptions.

Easement and Covenant Process

The following documents must be submitted to Council as part of the Easement and Covenant process and requirements, for the site on-site detention/on-site retention/reuse facilities (OSD/OSR) and stormwater quality improvement devices (SQIDS):

- a. **Work-As-Executed Plans**
A "Work-as-Executed" plan prepared and signed by a Registered Surveyor must be submitted to the Council's Development Assessment Engineer at the completion of the works showing the location of the detention basin and SQIDS with finished surface levels and volume of storage available. Also, the outlet pipe from the detention basin to its connection to the Council's drainage system must be shown together with the following information: location; pipe diameter; gradient; pipe material, i.e. PVC or RCP etc.; pits sizes; orifice size; trash screen at orifice; emergency overflow dimensions and RL; all buildings (including floor levels) and finished ground and pavement surface levels and full details of SQIDS.
- b. **Engineer's Certificate**
A qualified practising Civil Engineer must certify on the completion of drainage works in respect of:
 - c. The soundness of the storage structure;
 - d. The capacity of the detention storage;
 - e. The emergency overflow system being in place;
 - f. The works being constructed in accordance with the Development Application Consent and Council's Stormwater Management DCP/Code;
 - g. The freeboard from maximum water surface level to the finished floor and garage levels are at or above the minimum required in Council's Stormwater Management DCP/Code;
 - h. Any basement car park pumps are class one zone two; and
 - i. Any OSR pumps and SQIDS have been installed and commissioned.
- c. **Restriction-As-To-User**
A "Restriction-as-to-User" must be placed on the title of the subject property to indicate the location and dimensions of the detention area and stormwater quality

improvement device(s) (SQIDS). This is to ensure that works, which could affect the function of the stormwater detention system and SQIDS, must not be carried out without the prior consent in writing of the Council.

Such restrictions must not be released, varied or modified without the consent of the Council.

A typical document is available from Council's Development Assessment Engineer.

- d. A Maintenance Schedule.

Insurances

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Consent of Adjoining property owners

This consent does not authorise the applicant, or the contractor engaged to do the tree works to enter a neighbouring property. Where access to adjacent land is required to carry out approved tree works, Council advises that the owner's consent must be sought. Notification is the responsibility of the person acting on the consent. Should the tree owner/s refuse access to their land, the person acting on the consent must meet the requirements of the *Access To Neighbouring Lands Act 2000* to seek access.

Arborists standards

All tree work must be undertaken by a practicing Arborist. The work must be undertaken in accordance with AS4373—*Pruning of amenity trees* and the Safe Work Australia Code of Practice—*Guide to Managing Risks of Tree Trimming and Removal Work*. Any works in the vicinity of the Low Voltage Overhead Network (including service lines—pole to house connections) must be undertaken by an approved Network Service Provider contractor for the management of vegetation conflicting with such services. Contact the relevant Network Service Provider for further advice in this regard.

Tree Protection Works

All tree protection for the site must be undertaken in accordance with Council's *Development Fact Sheet—Trees on Development Sites* and AS4970—*Protection of trees on development sites*.

Tree Pruning or Removal (including root pruning/mapping)

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved and must be retained and protected in accordance with Council's *Development Fact Sheet—Arborist Reports*.

Historic Archaeology – Unexpected Findings

If unexpected archaeological deposits are found during the works covered by this approval, work must cease in the affected area(s) and the Office of Environment & Heritage must be notified. Additional assessment and approval pursuant to the *Heritage Act 1977* may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2000*.

Notification of commencement of works

At least 7 days before any demolition work commences:

- a. the Council must be notified of the following particulars:
 - i. the name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - ii. the date the work is due to commence and the expected completion date; and
- b. a written notice must be placed in the letter box of each directly adjoining property identified advising of the date the work is due to commence.

Storage of Materials on public property

The placing of any materials on Council's footpath or roadway is prohibited, without the prior consent of Council.

Toilet Facilities

The following facilities must be provided on the site:

- a. Toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees; and
- b. A garbage receptacle for food scraps and papers, with a tight fitting lid.

Facilities must be located so that they will not cause a nuisance.

Infrastructure

The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be undertaken before occupation of the site.

Other Approvals may be needed

Approvals under other acts and regulations may be required to carry out the development. It is the responsibility of property owners to ensure that they comply with all relevant legislation. Council takes no responsibility for informing applicants of any separate approvals required.

Failure to comply with conditions

Failure to comply with the relevant provisions of *the Environmental Planning and Assessment Act 1979* and/or the conditions of this consent may result in the serving of penalty notices or legal action.

Other works

Works or activities other than those approved by this Development Consent will require the submission of a new Development Application or an application to modify the consent under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

Obtaining Relevant Certification

This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, such as (if necessary):

- a. Application for any activity under that Act, including any erection of a hoarding;
- b. Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*;
- c. Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*;
- d. Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed;
- e. Application for Strata Title Subdivision if strata title subdivision of the development is proposed;
- f. Development Application for demolition if demolition is not approved by this consent;
or
- g. Development Application for subdivision if consent for subdivision is not granted by this consent.

Disability Discrimination Access to Premises Code

The *Disability Discrimination Act 1992* (Commonwealth) and the *Anti-Discrimination Act 1977* (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.

National Construction Code (Building Code of Australia)

A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out. All building works approved by this consent must be carried out in accordance with the requirements of the National Construction Code.

Notification of commencement of works

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the PCA (not being the council) has given the Council written notice of the following information:

- a. In the case of work for which a principal contractor is required to be appointed:
 - i. The name and licence number of the principal contractor; and
 - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
- b. In the case of work to be done by an owner-builder:
 - i. The name of the owner-builder; and
 - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

Dividing Fences Act

The person acting on this consent must comply with the requirements of the *Dividing Fences Act 1991* in respect to the alterations and additions to the boundary fences.

Permits from Council under Other Acts

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street verandah over footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

Contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. A lease fee is payable for all occupations.

Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

Amenity Impacts General

The use of the premises must not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

Fire Safety Certificate

The owner of the premises, as soon as practicable after the Final Fire Safety Certificate is issued, must:

- a. Forward a copy of the Final Safety Certificate and the current Fire Safety Schedule to the Commissioner of Fire and Rescue New South Wales and the Council; and
- b. Display a copy of the Final Safety Certificate and Fire Safety Schedule in a prominent position in the building (i.e. adjacent the entry or any fire indicator panel).

Every 12 months after the Final Fire Safety Certificate is issued the owner must obtain an Annual Fire Safety Certificate for each of the Fire Safety Measures listed in the Schedule. The Annual Fire Safety Certificate must be forwarded to the Commissioner and the Council and displayed in a prominent position in the building.

Construction of Vehicular Crossing

The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for *Construction of a Vehicular Crossing & Civil Works* form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, prior to commencement of works.

Lead-based Paint

Buildings built or painted prior to the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe.

Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned prior to occupation of the room or building.

Dial before you dig

Contact "Dial Prior to You Dig" prior to commencing any building activity on the site.

Useful Contacts

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	13 32 20 www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100 www.dialprior toyoudig.com.au
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diyasafe.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92 www.sydneywater.com.au
Waste Service - SITA Environmental Solutions	1300 651 116 www.wasteservice.nsw.gov.au
Water Efficiency Labelling and Standards (VELS)	www.waterrating.gov.au
WorkCover Authority of NSW	13 10 50 www.workcover.nsw.gov.au Enquiries relating to work safety and asbestos removal and disposal.

Street Numbering

If any new street numbers or change to street numbers (this includes unit and shop numbers) are required, a separate application must be lodged with and approved by Council's GIS Team before being displayed.