





 DEVELOPMENT ASSESSMENT REPORT				
Application No.	REV/2021/0020			
Address	2/467-469 Liverpool Road CROYDON NSW 2132			
Proposal	S8.2 Review of Development Application - Enclosure of existing balcony of Unit 2			
Date of Lodgement	12 November 2021			
Applicant	Mr Timothy J Page			
Owner	Mr Timothy J Page Mrs Angela M Page			
Number of Submissions	Initial: 0			
Value of works	\$5,000.00			
Reason for determination at Planning Panel	Previous application refused under delegation			
Main Issues	Impacts on the streetscape, bulk and scale and loss of amenity			
Recommendation	Refusal			
Attachment A	Reasons for refusal			
Attachment B	Plans of proposed development			
Attachment C	Conditions of consent (if approved)			
				
LOCALITY MAP				
Subject Site		Objectors		
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application submitted to Council pursuant to Section 8.2 of the Environmental Planning and Assessment Act 1979 for a review of Determination No. MOD/2021/0372, which refused the enclosure of the balcony with the installation of windows to Unit 2 at 467-469 Liverpool Road, Croydon. The application was refused for the following reasons:

- 1. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development does not comply with the aims of Clause 1.2(2)(a) of Ashfield Local Environmental Plan 2013. The proposed enclosure of the balcony would have a detrimental impact on the built environment and as such is contrary to promote the orderly and economic development of Ashfield in a manner that is consistent with the need to protect the environment.*
- 2. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development does not comply with the objectives of Clause 5.10 (1)(b) of Ashfield Local Environmental Plan 2013 as it does not conserve the heritage significance of the adjacent and nearby heritage items, including associated setting.*
- 3. In accordance with Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development does not comply with Chapter F Part 5 Design Solution DS11.5 and Performance Criteria PC2 of Comprehensive Inner West Development Control Plan 2016.*
- 4. 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.*
- 5. Pursuant to the provisions of Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, it is considered that the proposal would not be in the public interest*

A review of the determination under Section 8.2 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) has been requested. The application was notified to surrounding properties and nil submissions were received. The main issues that have arisen from the application include:

- Visual bulk impacts to the streetscape;
- Loss of outdoor amenity to the unit.

The proposal is not considered to satisfy the aims, objectives, and design parameters contained in the relevant State Environmental Planning Policies, Ashfield Local Environmental Plan 2011 (ALEP 2013), and Inner West Comprehensive Development Control Plan (IWCDCP 2016).

The application is considered unsupportable and in view of the circumstances, it is recommended that the original decision of refusal of the application be maintained.

2. Proposal

The application seeks a review of Determination No. DA/2021/0372 under Section 8.2 of the EP&A Act 1979. The original application was for the enclosure of the balcony by the installation of windows to Unit 2. The original application was refused under delegated authority by Council staff on 6 July 2021.

No design amendments have been made to the original proposal.

3. Site Description

The subject site is located on the northern side of Liverpool Road, close to the intersection of Wetherill Street. The site area is approximately 1,713.3sqm with a primary frontage to Liverpool Road and a secondary frontage to Wetherill Street. An existing three storey residential flat building is located on the site. Surrounding land uses are predominantly three storey residential flats and dwelling house uses.

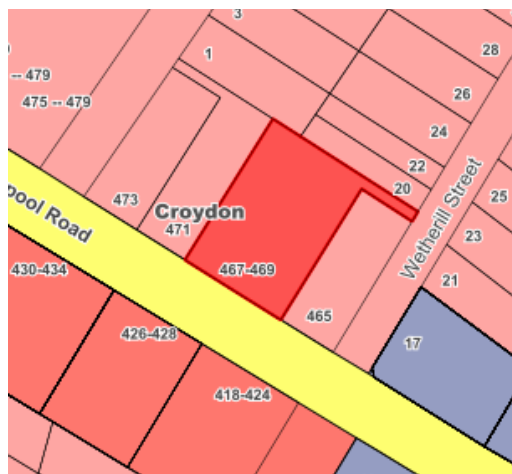


Figure 1: Zoning map

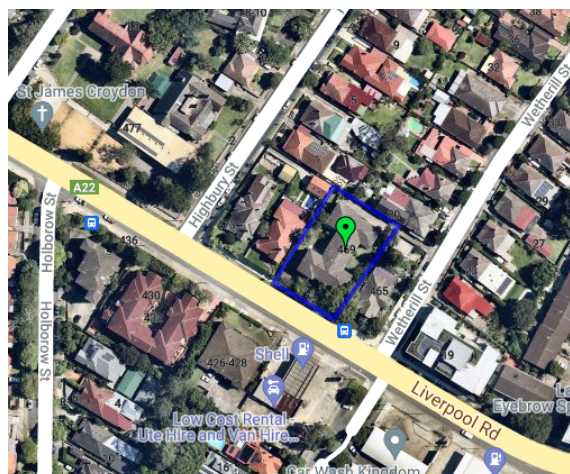


Figure 2: Aerial map

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
PDA/2021/0002	Enclosure of balcony to unit 2	Advice issued, 9 February 2020, not supported
DA/2021/0372	Enclosure of the balcony by the installation of windows to Unit 2	Refused, 6 July 2021

4(b) Application history

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

Date	Discussion / Letter / Additional Information
12/11/2020	Application lodged
2/02/2020-16/12/2022	Notification period
19/01/2022	Request to withdraw the application sent to the applicant.
24/01/2022	Council advised that the applicant did not wish to withdraw the application.

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 (Infrastructure) 2007*

The following provides further discussion of the relevant issues:

5(a)(i) *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. IWCDCP 2016 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)(ii) *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. The development is not acceptable having regard to the nine design quality principles as stated within Schedule 1:

Principle 1: Context and neighbourhood character. Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions. Responding to context involves identifying the desirable elements of an area’s existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.

Comment: All balconies that front Liverpool Road within the RFB are currently open, the enclosure of one or more balconies is out of context and will negatively impact the character of the existing building, streetscape and neighbourhood.

Principle 2: Built form and scale Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings. Good

design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

Comment: Although the proposal seeks to install clear aluminium sliding windows that will match the existing windows within the building, the enclosure of the balcony will negatively impact the Liverpool Road streetscape and will be inconsistent with the form and style of the existing 1970's RFB.

Principle 3: Density. Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.

Comment: The existing open balcony provides suitable outdoor amenity directly off the primary living area for the unit. The subject residential unit contains three bedrooms and is located on the second level of the three storey residential flat building. The owner's reasons for the enclosure of the balcony is due to air, noise pollution from Liverpool Road and children safety. The balcony is setback 9.4m from the front boundary fronting Liverpool Road. The proposed enclosure of the balcony will increase the size of the primary living areas and remove all outdoor amenity for the unit.

Principle 4: Sustainability Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.

Comment: The applicant has advised that the purpose of the proposal is to minimise traffic noise from Liverpool Road. With the enclosure of the balcony considered, the depth of the primary living area will be increase to 9.5m, and as such natural light and ventilation for the existing living space will be borrowed from the enclosed balcony which is not an acceptable method of ventilating a room under the Apartment Design Guide (ADG).

Principle 5: Landscape. Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood. Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks. Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.

Comment: No amendments are proposed to the existing landscaping on site.

Principle 6: Amenity. Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being. Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.

Comment: The existing RFB contains 10 residential units all of which have balconies that provide private open space off a living area to achieve good outdoor amenity as well as natural light and ventilation to each unit. The proposed enclosure of the balcony will have an adverse impact to the streetscape and character of the building as well as reducing the amenity for the unit.

Principle 7: Safety. Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety. A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.

Comment: The subject unit is located on the second floor of the building and as such allows for good passive surveillance of the public and private domain.

Principle 8: Housing diversity and social interaction Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.

Comment: There are 10 units in the building all with balconies and the current application is the first seeking approval to enclose a balcony.

Principle 9: Aesthetics Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures. The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.

Comment: All balconies that front Liverpool Road within the RFB are currently open, the enclosure of one or more balconies is out of context and will negatively impact the presentation of the existing building to Liverpool Road.

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 IWCDP 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.

Control	Standard	Proposed	Compliance
Ceiling height	Minimum Ceiling Height Habitable Rooms 2.7 metres	2.53m	No
Apartment layout requirements	Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.	Daylight and air is borrowed from the enclosed balcony.	No
Habitable room depths	Habitable room depths are limited to a maximum of 2.5 x 2.53 (ceiling height) = 6.32sqm	9.5m	No

Control	Standard	Proposed	Compliance
Room sizes	Living rooms or combined living/dining rooms have a minimum width of: 4 metres for 2 and 3 bedroom apartments.	Existing 3.6m	N/A
Private Open Space and Balconies	3 Bedroom apartments: 12sqm minimum area with 2.4m minimum width	With the enclosure of the balcony, nil POS is proposed.	No

As indicated above, the proposal will result in non-compliances with the ADG and this is not considered to satisfactory in terms of residential design.

5(a)(iii) 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.

It is considered that the efficiency and operation of the classified road will not be adversely affected by the development

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 proposed development will result in a new living room closer to Liverpool Road and the associated noise source. No measures have been included to address noise apart from enclosing the balcony which creates another living room closer to Liverpool Road. The plans show the balcony is 9.4metres from the front boundary to Liverpool Road.

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

The application was assessed against the following relevant clauses of the *Ashfield Local Environmental Plan 2013*:

Clause	Proposed	Compliance
Clause 1.2 Aims of Plan	The proposal is inconsistent with the Clause 1.2(2)(a) as follows: - The proposed development does not promote a high standard of design that is consistent with the pattern of development	No
Clause 2.3 Zone Objectives and Land Use Table	The development is not permitted within the land use table and relies on existing use rights. Furthermore, the proposal is not	No - refer to discussion below

Clause	Proposed	Compliance
	consistent with the objectives of the R2 – Low Density Zone as it is not low density development.	
Clause 4.4 Height of Building Maximum permitted: 8.5m	No change	N/A
Clause 4.4 Floor Space Ratio Maximum permitted: 0.7:1	0.54:1 (924.2sqm)	Yes
Clause 5.10 Heritage Conservation	The subject site is not located within a Heritage Conservation Area however is located adjacent to heritage Items at 471 and 473 Liverpool Road Croydon	Yes

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

The site is zoned R2 – Low 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, co-living housing or multi dwelling housing.”

The development is not permitted within the land use table. Furthermore, the proposal is not consistent with the objectives of the R2 – Low Density Zone as it is not low density development.

The history of the property reveals that the residential flat building was approved by Ashfield Council in or about 1977 (Plans prepared by MacDonald drafting in February 1977). Council records are not available to show the date development consent was granted. The building appears to have been used a residential flat building to current date.

The application relies on existing use rights, Clause 41 of the Environmental Planning and Assessment Regulation 2000 states the following:

- (1) *An existing use may, subject to this Division—*
- (a) *be enlarged, expanded or intensified, or*
 - (b) *be altered or extended,*

With the above considered, the relevant provisions for existing use rights are satisfied and as such the proposed works are permitted.

5(c) [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 amended provisions contained in the Draft IWLEP 2020 are not relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft IWLEP 2020.

5(d) 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 (IWCDCP) 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
15 - Stormwater Management	Yes
F – Development Category Guidelines	
5 – Residential Flat Buildings	
PC1 Character - Understands and appropriately responds to the defining characteristics of the site, its streetscape, community, and neighbourhood locality - has an architectural style that is suitable for the site and has a high standard of architectural composition - improves the streetscape and achieves a “green” garden setting for residential flat buildings	No. The proposed enclosure of the balcony is not an architectural style that compliments the existing building and subsequently has an adverse impact on the Liverpool Road streetscape.
PC2 Streetscape Development establishes a streetscape that: - Respects existing character, in particular defining built form elements, setbacks and building spacing, heritage and vegetation - Is well designed and responds to individual site characteristics - Activates the street - Softens the visual impact of buildings when viewed from the public domain	No. Given that the existing building has open balconies on each level facing Liverpool Street the proposed enclosure of the balcony is out of character with the existing facade and will have a negative visual impact when viewed from the public domain

It is considered the application does not comply with the parts as indicated and ultimately does not achieves the aims and objectives of 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 and established character

As discussed above, the proposal is considered to have a detrimental impact on the existing streetscape. The proposal is not in-keeping with the desired future character and has failed to meet the controls and objectives of the ALEP 2013 and IWCDCP 2016. The proposal is therefore recommended for refusal.

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 the Community Engagement Framework for a period of 14 days to surrounding properties. Nil submissions were received in response to the initial notification.

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.

7. Section 7.11 Contributions/7.12 Levy

Section 7.11 contributions/7.12 levies are not 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 is inconsistent with the aims, objectives and design parameters contained in *Ashfield Local Environmental Plan 2013* and Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

The development would result in significant impacts on the amenity of the adjoining premises/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. 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. REV/2021/0020 for S8.2 Review of Development Application - Enclosure of existing balcony of Unit 2 at 2/467-469 Liverpool Road CROYDON NSW 2132 subject to the conditions listed in /for the following reasons.

Attachment A – Reasons for refusal

REASONS FOR REFUSAL

1. In accordance with Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposed development does not comply with State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development (2002 EPI 530) Schedule 1 –
 - a) Principle 1: Context and neighbourhood character: The proposal is not consistent with the character of the building and the established streetscape.
 - b) Principle 2: Built form and scale: The proposal creates excessive bulk to the building.
 - c) Principle 6: Amenity: The proposal does not contribute to positive living environments and resident well being including the amenity as natural light and ventilation to the bedrooms and living room is proposed to be borrowed from the enclosed balcony.
 - d) Principle 9: Aesthetics: The proposal does not respond to the existing local context, particularly desirable elements such as open balconies of the streetscape.
 - e) SEPP No. 65 adopts the Apartment Design Guide (ADG). The proposal does not comply with objective 4D-1 of ADG as natural light and ventilation to the bedrooms and living room will be borrowed from the enclosed balcony.
2. In accordance with Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, the proposed development does not comply with Comprehensive Inner West Development Control Plan 2016 Chapter F Part 5 Performance criteria (PC) 1 and 2 as the character of the building and the streetscape will be adversely affected.
3. 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.
4. Pursuant to the provisions of Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposal would not be in the public interest.
5. In accordance with Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposed development does not comply with the aims of Clause 1.2(2)(a) of Ashfield Local Environmental Plan 2013. The proposed enclosure of the balcony would have a detrimental impact on the built environment and as such is contrary to promote the orderly and economic development of Ashfield in a manner that is consistent with the need to protect the environment.

Attachment B – Plans of Proposed Development

Architectural Drawings

- A000 COVERSHEET
- A004 FLOOR PLAN
- A401 BUILDING ELEVATIONS

UNIT 2_467-469 LIVERPOOL ROAD

General Notes
1. The drawings have been prepared in accordance with the provisions of the Building Act 1975 and the Building Regulations 1992.
2. The drawings are intended to be used for the purpose of obtaining a building permit from the Council.
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Location Plan

Comments

Project: UNIT 2_467-469 LIVERPOOL ROAD
Project Address: 467-469 Liverpool Road, Cherrybrook
Proposed: []
Scale: A000 C
Drawn: []
Checked: []

WSGL
ARCHITECTS

01/17
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3.12.0000 - GENERAL NOTES

3.12.01.0001 - REFER TO ALL DRAWINGS FOR THE CURRENT IBC CODES AND REFER TO THE CITY OF SYDNEY WEBSITE FOR THE LATEST IBC CODES

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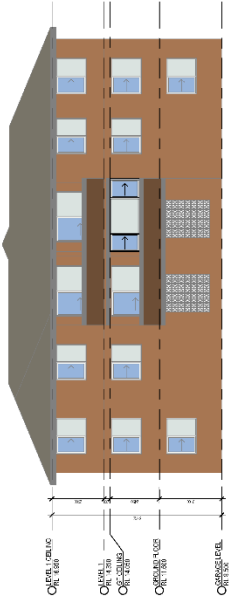
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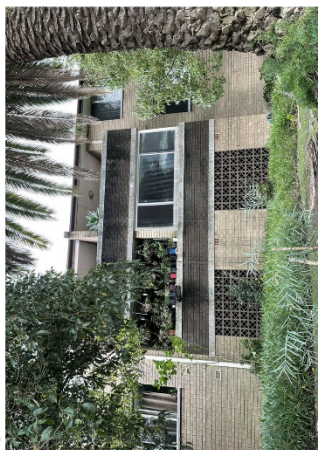
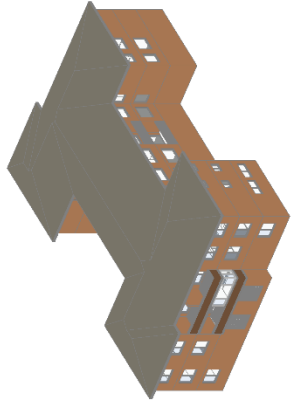
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3.12.01.0039 - REFER TO ALL DRAWINGS FOR THE CURRENT IBC CODES AND REFER TO THE CITY OF SYDNEY WEBSITE FOR THE LATEST IBC CODES

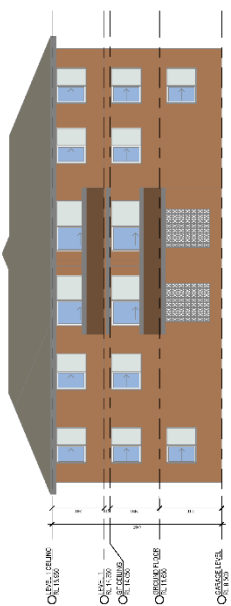
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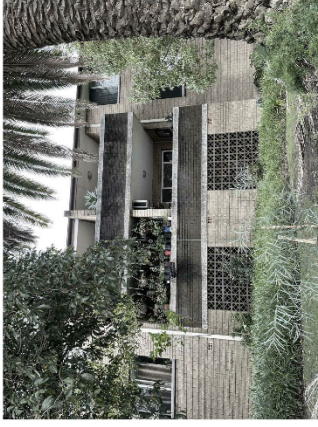
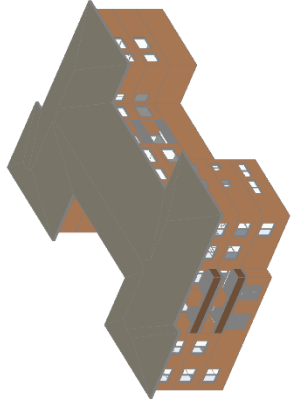
2.04.00.0001 PROPOSED FRONT FACADE



PROPOSED PHOTO MONTAGE OF FRONT FACADE



2.04.00.0001 EXISTING FRONT FACADE



EXISTING PHOTO OF FRONT FACADE

FOR DA	
MATERIAL USE INFORMATION	
1. WALLS	BRICK
2. ROOFING	CONCRETE
3. GLAZING	GLASS
4. FINISHES	CONCRETE
5. FLOORING	CONCRETE
6. CEILING	CONCRETE
7. PAINTS	CONCRETE
8. FIXTURES	CONCRETE
9. EQUIPMENT	CONCRETE
10. LIGHTING	CONCRETE
11. SANITARYWARE	CONCRETE
12. MECHANICAL	CONCRETE
13. ELECTRICAL	CONCRETE
14. PLUMBING	CONCRETE
15. OTHER	CONCRETE

UNIT 2.04.00.0001 LEBRON ROAD
ADDRESS
401-405 Lebronn Road
Sydney
NSW 1500
CITY OF SYDNEY
SUBJECT CODE
C0288 A401 C
DATE
15/08/2023

WSGI
ARCHITECTURE

Date/Time: 14/09/2020 6:14:08 PM

QUOTATION

Page No: 1



CUSTOM
ALUMINIUM WINDOWS
NSW PTY. LTD.



Address: 5 Narang Place, St Marys NSW 2760
Phone: (02) 9623 5833 Fax: (02) 9833 2195

Quote Title: ZACH CLEMENTSON - NO BASIX, NO BAL RATING
Quote No: -10192- -Ver 1
Job Ref:
Valid Until Date: 14/10/2020

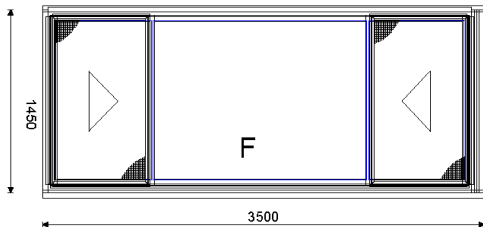
Customer Name: ZACH CLEMENTSON
Contact Details: PETESHAM
Phone: 0407 726 979 Email: zach_clemo@outlook.com
Sales Person: Craig Brotherstone
Phone: 02 96235833 Email: info@customaluminiumwindows.com

Size are aluminium frame sizes only and EXCLUDE reveal thickness.

Quote Comments: Delivery is one man ONLY and onsite help is required. Doors, Strikers, Fly Screens & Louvres Blades are all supplied loose to be fitted by Customer.

Item No 1. 400 CentreGLAZE Medium Framing Quantity 1

VIEWED FROM OUTSIDE



Zone: N2 SLS: 400 pa ULS: 900 pa Pw: 150 pa

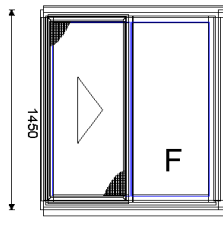
Item Comments: ** 100MM POST AS RIGHT HAND JAMB ... ITEM 2 TO COUPLE AS A 90 DEGREE RETURN. HEIGHT SHOWN INCLUDES SUB HEAD AND SILL

Accepted Customer Signature:

Code: 400-NC-MEDIUM
Framing: 400 CentreGLAZE Medium Framing
Dimension: 1,450 mm x 3,500 mm
Hand: NONE
Finish: AWS Clear Anodised 20um MS14
Window Glass: 6.38mm VLam Clear
Lowlight Glass: NONE
Door Glass: NONE
Hardware Type: ANDO Mortice Lock with Cover Plate (93273 & 93275)
Hardware Colour: Custom Black
Reveals: No Reveals
Screens: Flyscreen, Fibre Mesh
Trims: NONE (Not Required)
Protection: NONE (Not Required)
Damp Course: NONE (Not Required)

Item No 2. 400 CentreGLAZE Medium Framing Quantity 1

VIEWED FROM OUTSIDE



Zone: N2 SLS: 400 pa ULS: 900 pa Pw: 150 pa

Item Comments: ** POCKET AS LEFT JAMB TO COUPLE TO RHS OF ITEM 1 AS A 90 DEGREE RETURN. HEIGHT SHOWN INCLUDES SUB HEAD AND SILL

Accepted Customer Signature:

Code: 400-NC-MEDIUM
Framing: 400 CentreGLAZE Medium Framing
Dimension: 1,450 mm x 1,310 mm
Hand: NONE
Finish: AWS Clear Anodised 20um MS14
Window Glass: 6.38mm VLam Clear
Lowlight Glass: NONE
Door Glass: NONE
Hardware Type: ANDO Mortice Lock with Cover Plate (93273 & 93275)
Hardware Colour: Custom Black
Reveals: No Reveals
Screens: Flyscreen, Fibre Mesh
Trims: NONE (Not Required)
Protection: NONE (Not Required)
Damp Course: NONE (Not Required)

Custom Aluminium Windows

5 Narang Place St Marys, NSW 2760

(02) 9623 5833

Quote: -10192- -Ver 1

Attachment C- Conditions of consent (if approved)

CONDITIONS OF CONSENT

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
A204, Rev C	Floor Plan	9/05/2021	WSGL
A401, Rev C	Building Elevations	9/05/2021	WSGL
10192, Ver 1	Window quotation specs	14/09/2020	Custom Aluminium Windows

As amended by the conditions of consent.

DURING DEMOLITION AND CONSTRUCTION

2. 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.

PRIOR TO OCCUPATION CERTIFICATE**3. Smoke Alarms - Certification of upgrade to NCC requirements**

Prior to the issue of any Occupation Certificate, the Principal Certifier is required to be satisfied the existing building has been upgraded to comply with the provisions of the National Construction Code (Building Code of Australia) in relation to smoke alarm systems.

ADVISORY NOTES**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.

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.

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.

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

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.