






INNER WEST

DEVELOPMENT ASSESSMENT REPORT

Application No.	DA 10.2019.146
Address	25 Alt Street, Ashfield
Proposal	Demolition of existing structures and construction of a 12 room Boarding House with basement carpark
Date of Lodgement	19 September 2019
Applicant	Moses Chami
Owner	Mr Zhimin Shi & Mrs Xiwan Song
Number of Submissions	Twelve (12)
Value of works	\$900,000.00
Reason for determination at Planning Panel	Number of submissions
Main Issues	Solar access, visual privacy
Recommendation	Approval with Conditions
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development



LOCALITY MAP

Subject Site		Objectors		 N
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 12 room Boarding House with basement carpark at 25 Alt Street, Ashfield. The application was notified to surrounding properties and twelve (12) submissions were received.

The main issues that have arisen from the application include:

- Visual Privacy
- Solar access

The non-compliances have generally been resolved through the submission of amended plans or are acceptable given the orientation of the site and built form of the development and therefore the application is recommended for approval.

2. Proposal

Pursuant to Clause 4.12 of the Environmental Planning and Assessment (EP&A) Act 1979, this application seeks Council's consent to demolish existing structures and construction of a two storey Boarding House with 12 rooms (24 lodgers), manager's residence and 7 car parking spaces with associated landscaping.

The proposed boarding house is to be constructed over two levels, with the ground floor incorporating 6 boarding rooms, a communal lodgers area, meeting room and bin area. Located upon level 1 of the proposal is six (6) boarding rooms. Located within the basement are seven (7) on-site parking spaces, 4 motorcycle parking spaces, bicycle parking and storage cages all accessed from Alt Street or internally from the boarding house.

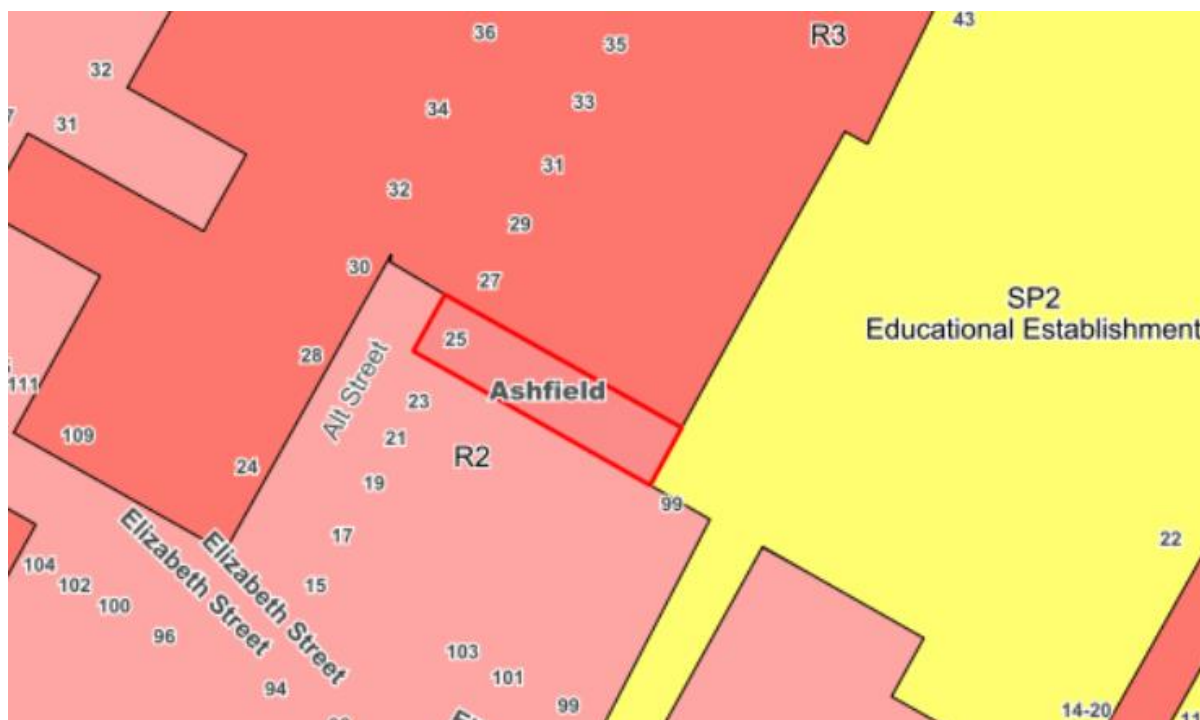
3. Site Description

The subject site is located on the south-east side of Alt Street, between Elizabeth Street and John Street. The site consists of one (1) allotment and is generally rectangular in shape with a total area of 891.8 sqm and is legally described as Lot 1 in D.P. 900204.

The site has a frontage to Alt Street of 14.63 metres and a maximum length of 60.96 metres. The site is immediately opposite a laneway to the south, which is utilised by a school adjoining the rear of the site to the east.

The site currently supports a single storey brick and tile dwelling house (which has been identified as potentially having heritage significance). The adjoining properties support a three storey brick and tile residential flat building to the north, three storey school building to the east utilised by Bethlehem College and a single storey brick and tile dwelling house to the south (which is identified as an item of local heritage significance). Located upon the opposite side of Alt Street is a number of three storey residential flat buildings.

The subject site is not listed as a heritage item and is not located within a heritage conservation area, however Council's Heritage Advisors have outlined that the existing dwelling may have some local heritage significance. The property is located directly opposite an item of local heritage significance located at No. 23 Alt Street. The property is not identified as a flood prone lot.



Picture 1 Zoning 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
10.2008.123	Demolition of existing single storey dwelling and construction of a single storey building to be used as a child care centre	Refused – 23/5/2008
10.2018.85	Construction of a detached dual occupancy with strata subdivision	14/5/2018 – Withdrawn
09.2019.3	Pre DA – Demolition of existing residence, proposed two storey boarding house consisting of 12 rooms and basement parking	18/6/2019 – Advice Issued
10.2019.146	Demolition of existing dwelling and construction of a 12 room boarding room with up to 24 lodgers (including manager) and 7 basement car parking spaces	Current Application.

Surrounding properties

23 Alt Street

Application	Proposal	Decision & Date
10.2014.335	Fence/wall replacement	8/12/2014

4(b) [Application history](#)

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

Date	Discussion / Letter / Additional Information
25 November 2019	<p>A request for amended plans/ additional information was sent to the applicant via a letter. In this letter the following points were made:</p> <ul style="list-style-type: none"> - Additional information in the form of elevations must be provided regarding the temporary waste storage area - All services associated with the development must be identified upon the plans. This includes fire hydrants, air conditioning units and any substations. - Submission of amended elevations which align with the proposed floor plans. - Relocation of proposed managers room to have a direct relationship with the proposed managers private open space. - Explanation of room usage, in particular the intention of the proposed meeting room and comms/elec room as these spaces are large and potentially unnecessary - Addition of skylights to first floor common hallway to enable greater natural light and reduce dependency on artificial lighting - Amendment to windows proposed along the first floor to incorporate privacy treatments and avoid direct sightlines into neighbouring sites.

The requested information was submitted on the 19 December 2019. The provided information resolves the concerns raised with the letter dated 25 November 2019 and forms the basis of the current assessment.

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 (Affordable Rental Housing) 2009*
- *Disability (Access to Premises — Buildings) Standards 2010*
- *Ashfield Local Environmental Plan 2013*
- *Comprehensive (Ashfield) Inner West DCP 2016 (former Ashfield LGA)*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
- *State Environmental Planning Policy No 55 – Remediation of Land*

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. Inner West Comprehensive Development Control Plan 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 (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 does not seek the removal of vegetation from within the site and on Council land.

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

5(a)(iii) State Environmental Planning Policy (Affordable Rental Housing) 2009

The development application has been made under the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009. Under this SEPP the development application is classified as a Boarding House. The development application is required to be assessed against the provisions outlined by Clauses 25 to 30A. These clauses dictate height and floor space ratio, and are also concerned with neighbourhood character, built form and scale, landscaping, amenity, safety and parking. The main, relevant design parameters are addressed below:

(i) Standards that cannot be used to refuse consent (Clause 29)

Clause 29 of the ARH SEPP prescribes that a consent authority must not refuse consent to a Development Application for a boarding house in the following circumstances:

(a) Density - Floor Space Ratio (Clause 29(1))

“A consent authority must not refuse consent to development to which this Division applies on the grounds of density or scale if the density and scale of the buildings when expressed as a floor space ratio are not more than:

- (a) the existing maximum floor space ratio for any form of residential accommodation permitted on the land, or*
- (b) if the development is on land within a zone in which no residential accommodation is permitted - the existing maximum floor space ratio for any form of development permitted on the land, or*
- (c) if the development is on land within a zone in which residential flat buildings are permitted and the land does not contain a heritage item that is identified in an environmental planning instrument or an interim heritage order or on the State Heritage Register - the existing maximum floor space ratio for any form of residential accommodation permitted on the land, plus:*
 - (i) 0.5:1, if the existing maximum floor space ratio is 2.5:1 or less, or*
 - (ii) 20% of the existing maximum floor space ratio, if the existing maximum floor space ratio is greater than 2.5:1.”*

The site is zoned R2 – Low Density Residential under the Ashfield Local Environmental Plan 2013. A boarding house is permissible within the zone with consent.

Under the LEP, a maximum FSR 0.7:1 is permissible. Within the R2 Low Density Residential Zoning, Residential Flat Buildings (RFB's) are not a permissible use, therefore the site is not able to benefit from the additional FSR granted by clause 29 (1)(c).

The development is therefore permitted to obtain a maximum floor space ratio of 0.7:1 or 624.3m². The development proposes to achieve a floor space ratio of 0.59:1 or 531m², which is compliant with the development standard. The proposal is within the floor space ratio set by the SEPP.

(b) Building Height (Clause 29(2)(a))

“If the building height of all proposed buildings is not more than the maximum building height permitted under another environmental planning instrument for any building on the land.”

A maximum building height of 8.5 metres applies to the site as indicated on the Height of Buildings Map that accompanies the LEP.

The drawings indicate that the proposal has a maximum height of 8.2 metres above existing ground level.

(c) Landscaped Area (Clause 29(2)(b))

“If the landscape treatment of the front setback area is compatible with the streetscape in which the building is located.”

The development proposes 8.5m front setback to Palace Street, which is to incorporate landscaped area. This introduction of landscaping to the front setback is in-line with the existing streetscape, which currently integrates similar front setbacks with landscaped front yards. The proposed landscaping to the front setback is compatible with the streetscape in which the building is located and is in line with the SEPP.

(d) Solar Access (Clause 29(2)(c))

“Where the development provides for one or more communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9.00am and 3.00pm in mid-winter.”

The communal lounge room on the ground floor has a northeast-facing window which will receive a minimum of 3 hours direct sunlight between 9.00am and 3.00pm in mid-winter.

(e) Private Open Space (Clause 29(2)(d))

“If at least the following private open space areas are provided (other than the front setback area):

- (i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers;*
- (ii) if accommodation is provided on site for a boarding house manager - one area of at least 8 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation.”*

The development provides a space over 20m² for the purpose of private open space for lodgers and is well over the minimum space required by the SEPP. The proposal also incorporates a private open space of at least 8m² to be utilised as the manager’s space, which is separate from other lodgers.

(f) Parking (Clause 29(2)(e))

“If:

- (i) in the case of development carried out by or on behalf of a social housing provider in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and*
- (ii) in the case of development carried out by or on behalf of a social housing provider not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and*
- (iia) in the case of development not carried out by or on behalf of a social housing provider—at least 0.5 parking spaces are provided for each boarding room, and*
- (iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site,*

The development is not carried out on behalf of a social housing provider and as such a parking rate of at least 0.5 parking spaces for each boarding room are required under the SEPP. To comply with the SEPP the development would be required to provide a minimum of 6 vehicular parking spaces.

The development proposes to provide 7 parking spaces (6 for lodgers and 1 for the manager). Council’s development assessment engineer has reviewed the proposed parking arrangement and outlined that the proposed parking layout is supportable in its current form. The proposal meets the minimum parking rates required by the SEPP.

(g) Accommodation Size (Clause 29(2)(f))

“If each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least:

- (i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or*
- (ii) 16 square metres in any other case.”*

The development proposes each room to be able to accommodate up to two lodgers, as such each room must be a minimum of 16m². The proposed rooms are at approximately 25m². The proposal is compliant with the requirements of the SEPP.

(ii) Standards for Boarding Houses (Clause 30)

Clause 30 of the ARH SEPP prescribes that a consent authority must not consent to a development to which this division applies unless it is satisfied of each of the following:

- (a) a boarding house has 5 or more boarding rooms, at least one communal living room will be provided.*

Communal living rooms have been provided on the ground floor.

- (b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres.*

No boarding room exceeds 25sqm (excluding private kitchens and bathrooms).

- (c) no boarding room will be occupied by more than 2 adult lodgers.*

All rooms are for two lodgers.

- (d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger.*

Adequate bathroom and kitchen facilities are provided within each boarding room.

- (e) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager.*

The development provides a manager accommodation room at the rear of the site, this manager will be on the premises to manage the operation.

- (g) if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use.*

The site is located within the R2 – Low Density Residential zone, which is a zone utilised typically residential. This clause is not relevant to this assessment.

- (h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.*

The development provides 6 bicycle parking spaces and 4 motor bike parking spaces for the boarding rooms, this rate of parking has been assessed and is considered to be acceptable.

(iii) Character of Local Area (Clause 30A)

Under the provisions of Clause 30A of the ARH SEPP, applications for new boarding houses must satisfy a local character test which seeks to ensure developments proposed under the ARH SEPP are consistent with the design of the area.

The streetscape is defined by a mixture of building typologies, with a group of residential flat buildings (RFBs) to the north and single storey dwelling houses to the south. The three RFBs immediately to the north are all 3-storeys in height and have a clear front and rear setback pattern, with car parking and garages to the rear. To the immediate south, 23 Alt Street is single storey and is listed as a local heritage item (No. 19) under the ALEP 2013.

The subject development has the scale of a large dwelling and acts as a transition between the higher density buildings to the north and the lower density built form to the south. The proposed development respects the established streetscape and continues on the existing bulk/scale presentation to Alt Street.

The proposal incorporates a pitched roof similar to that employed on existing buildings to the north. The proposal is considered to meet the requirements of the local character test under clause 30A and is recommended for approval.

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 1.2 - Aims of Plan
- Clause 2.3 - Land Use Table and Zone Objectives
- Clause 2.5 - Additional permitted uses for land
- 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 5.10 - Heritage Conservation
- Clause 6.1 – Earthworks

(ix) 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:

Boarding House ... a building that:

- (a) is wholly or partly let in lodgings, and
 - (b) provides lodgers with a principal place of residence for 3 months or more, and
 - (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
 - (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,
- but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

The development is permitted with consent within the zone. The development is consistent with the objectives of the R2 Low Density Residential zone.

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

Standard	Proposal	Complies
Height of Building Maximum permissible: 8.5m	8.2m ²	Yes
Floor Space Ratio Maximum permissible: 0.7:1 or 624.2m ²	0.59:1 or 531m ²	Yes

The following provides discussion of the relevant issues:

Clause 5.10 Heritage Conservation

The proposal has been referred to Council's Heritage Advisor who outlined that No. 25 Alt Street is of a similar scale, character and high quality detailing as the Federation era housing stock that is protected from demolition in Heritage Conservation Areas throughout the Inner West. Council's Heritage Advisor has outlined that:

The demolition of a building of this scale and character cannot be supported on heritage grounds, as the Inner West is well known for the quality of its Federation era building stock. In particular it features the characteristic sun burst motif to the gable that is a characteristic of the Federation era, marking the new (Twentieth) century.

The demolition of housing stock of this quality is an unsustainable approach to development as it generates construction waste. A sustainable approach to the treatment of good quality building stock is to either continue to utilise the building as a residence or to adaptively reuse the dwelling for a complementary new use. There is substantial potential to retain the main portion of this house and erect a new rear addition that could allow the building to function as a boarding house. The rear of the building has already been altered, and is currently a self-contained flat. This could be replaced by a more substantial rear addition (potentially two storey).

The creation of boarding houses should not involve the demolition of substantial residential buildings within the LGA. Since at least the mid nineteenth century substantial residences have been minimally altered to operate as boarding houses, not demolished.

Council planners have reviewed this advice and outline that the subject site is not covered by a heritage conservation area protection and is not listed as an item of local heritage significance under the ALEP 2013.

The demolition of the existing dwelling is permissible, in this instance and although both desirable from a heritage perspective and a more sustainable approach to redevelopment of the site, there are no controls *requiring* the retention of the existing dwelling so Council is unable to insist upon the retention of the house.

The proposal will not impact the heritage significance of the neighbouring heritage item at No. 23 Alt Street and is recommended for approval. The proposal is considered to satisfactorily address the requirements of clause 5.10 of the Ashfield LEP.

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	Yes
4 - Solar Access and Overshadowing	No
5 - Landscaping	Yes
6 - Safety by Design	Yes
8 - Parking	Yes
11 - Fencing	Yes
15 - Stormwater Management	Yes
C – Sustainability	
1 – Building Sustainability	Yes
2 – Water Sensitive Urban Design	Yes
3 – Waste and Recycling Design & Management Standards	Yes
F – Development Category Guidelines	
6 – Boarding Houses and Student Accommodation	Yes

The proposed development has been appropriately designed to largely comply with the relevant DCP controls regarding development and on-going management of boarding houses. The proposal has designed usable spaces and provided an accompanying plan of management which ensure reasonable amenity for all occupants management of the premises on an on-going basis. This plan of management meets the requirements as outlined within the DCP and is sufficient to ensure amenity for all occupants and neighbours.

Solar Access/ Overshadowing

The proposal results in a variation to clause DS1.1 part 4 of Chapter A *Miscellaneous*, which requires new development to ensure living rooms and private open space of adjoining properties receive a minimum 2 hours direct sunlight between 9am and 3pm on 21 June.

In this instance, the proposal ensures compliant solar access for the private open space of the neighbouring 23 Alt Street, but results in non-compliant solar access for the northern boundary windows at number 23. This variation has been assessed and is considered to be unavoidable given the orientation of the site resultant from the original subdivision. The proposal has been designed to meet the maximum height and FSR controls of the LEP, incorporates 1.5m side boundary setbacks (beyond the minimum required 900mm) and has been designed to step down to single storey where it begins to relate to the private open space of 23 Alt Street. The subject development is roughly 5.6m set back from 23 Alt Street which represents a level of separation not typically seen within urban contexts such as Ashfield, which further assists to ensure increased solar access to 23 Alt Street.

In this instance, impacts of overshadowing are considered to be unavoidable due to the site orientation. The development is largely compliant with the relevant planning controls and does not propose a variation which contributes to additional overshadowing for neighbouring sites. In order to achieve a compliant rate of solar access the development would have to be limited to a single storey. It is considered that this would unreasonably hinder development potential. The proposal is recommended for support in its current form.

Visual Privacy

The proposal has been designed to ensure minimal opportunities for overlooking and direct sightlines from the proposed boarding rooms. Windows situated upon the ground floor are to be screened by boundary fencing and ensure minimal occasions for direct sightlines. The rear of the proposed boarding house has been constructed to be single storey and below the existing ground line. This ensures minimal impacts of bulk and scale and that the boundary fencing is of a sufficient height to effectively obscure sightlines.

The development has been designed to minimise glazing upon the first floor and has been amended since initial lodgement to improve privacy for occupants and neighbouring residents. Windows located upon the first floor side elevations have now been limited to only four openings per elevation. Of these four openings, two relate to bathrooms and have a high sill height to ensure privacy for occupants. The other two windows relate to boarding rooms and are proposed to have a sill height of 1.47m. These windows are the primary source of light and ventilation for the proposed boarding rooms and residents will be dependent upon the opening for amenity.

The proposed 1.47m sill height is sufficient to minimise opportunities for sightlines into neighbouring private open spaces and units while also ensuring reasonable amenity for occupants. Analysis of the neighbouring RFB to the north has highlighted extensive glazing along the elevations and minimal opportunities to avoid window alignment. The minimal extent of glazing along these side elevations along with the proposed sill heights results in acceptable privacy levels for occupants and neighbours. In this instance, any further reduction to window sizes which relate to boarding rooms will severely and unreasonably limit occupant amenity. Windows which relate to boarding rooms are therefore recommended for approval in their current form.

The first floor rear elevation incorporates two windows which relate to bathrooms of boarding rooms. These windows are of a highlight nature and are not anticipated to facilitate sightlines into the adjoining school at the rear of the site.

The proposal is anticipated to result in minimal visual privacy impacts and is recommended for support. The proposal has been designed with neighbours and occupants amenity in mind and is recommended for support.

5(d) The Likely Impacts

The assessment of the Development Application demonstrates that, subject to the recommended conditions, the proposal will have minimal impact in the locality.

5(e) 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(f) Any submissions

The application was notified in accordance with Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill for a period of 21 days to surrounding properties. A total of twelve submissions were received.

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

Issue: Driveway Location

Comment: The proposed driveway location has been assessed by Council's Development Assessment engineers who outlined no objection. The proposed driveway and location is considered to comply with Australian Standards and is sufficient to ensure adequate ingress and egress.

Issue: Traffic and Parking

Comment: The proposed parking rate of 7 parking spaces is compliant with the minimum requirements of the ARH SEPP. Given the sites proximity to the Ashfield Train Station it is considered unreasonable to require any additional parking above that required by the ARH SEPP. The applicant has provided a traffic report which has been reviewed by Council's Development Assessment Engineers who outlined no objection to the proposed parking scheme. The proposal is permissible under the Ashfield Local Environmental Plan and ARH SEPP and represents a density envisioned within the locality.

Issue: Concern over potential lodgers and children's safety

Comment: The character of future lodgers cannot be assumed during the assessment of the application. The proposal has been appropriately designed to provide surveillance both to the public domain and internal elements of the site. The proposal is considered to comply with the requirements of crime prevention through Environmental Design. The applicant has also provided a Plan of Management with the application, which has been assessed and is considered to be acceptable. A condition outlining requirements for compliance with the submitted plan of management has been included in the consent.

Issue: Development is out of character with streetscape

Comment: The development has been assessed against the provisions of the local character provision within the SEPP ARH and the relevant LEP and DCP controls. The proposal is considered to be compliant with the existing and desired future character. See assessment section of report.

Issue: Pedestrian/vehicular conflict resulting from new driveway/basement

Comment: The applicant has provided a traffic report which has been reviewed by Council's Development Assessment Engineers who outlined no objection to the proposed parking scheme. The proposed driveway design has also been reviewed by Council's Development Assessment Engineers who again outlined no objection to the design. A condition ensuring compliance with the Australian Standards for sightlines and driveways has been recommended for the consent.

Issue: Concerns over on-going operation and sanitation

Comment: The applicant has provided a Plan of Management and a waste management plan, which details the cleaning requirements and requirements for pest control at the premises. This information is sufficient for the purpose of assessment and outlines a minimum requirement for cleaning and sanitation during on-going operation.

Issue: Acoustic Impacts

Comment: The proposal has been designed to minimise openings within proximity to neighbouring sites and direct the outdoor communal areas to the rear of the site. This continues on the traditional location of private open space and aligns with the private open space of neighbours. The development has outlined curfews for occupants to ensure minimal environmental impact and has located the building manager within close proximity to all communal areas to ensure continued surveillance. The proposal has been designed to minimise acoustic impacts and is recommended for support.

Issue: The existing dwelling house has heritage value and should be protected/retained

Comment: As noted above within the assessment section of this report, the existing dwelling is noted to be of a significant historical period, however it is not statutorily protected as being within a conservation area or as a heritage item. Therefore Council does not have the ability to require the dwelling's retention.

Issue: Overdevelopment of the site/ oversupply of boarding houses in the locality.

Comment: The use as the premises as a boarding house is a permissible use within the locality, the rate of existing boarding houses is not a planning consideration for the assessment of this development application. The proposal is compliant with Council's requirements for height, FSR, setbacks and is compliant with the requirements for the ARH SEPP. The development is therefore reflective of a permissible built form and development intensity.

Issue: Concern that boarding house will not be registered and that the minimum 3 month occupancy will not be complied with.

Comment: Appropriate conditions requiring the registration of the boarding house with Council have been recommended. Likewise, a condition outlining the minimum rental period has also been recommended as well as being outlined with the provided plan of management. The imposition of these conditions is sufficient to ensure compliance with boarding house requirements and operation of the premises.

Issue: Insufficient space dedicated for communal areas

Comment: The proposed rate of communal spaces both internally and externally is compliant with the minimum rates required under the ARH SEPP. This rate of communal open space receives a compliant rate of solar access and amenity and is sufficient for day to day use of lodgers.

Issue: Misuse of SEPP ARH for commercial profit

Comment: This matter is not a planning consideration for the assessment of this development application. The development has been assessed against the provisions of the SEPP ARH above and is considered to generally comply.

5(g) 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 not contrary to the public interest.

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.

- Heritage Advisor – Council’s Heritage Advisor has reviewed the proposal and outlined that the existing dwelling proposed for demolition should be retained and adaptively reused. This recommendation was considered, however due to the existing dwelling not being protected by heritage controls or provisions it is considered that the existing dwelling cannot be retained and that removal is permissible.
- Development Assessment Engineer – Council’s Development Assessment Engineer has reviewed the proposal and outlined no objection to the parking space design and driveway design/location. Appropriate conditions regarding compliance with Australian Standards for these spaces have been recommended for consent.

7. Section 7.11 Contributions

Section 7.11 contributions are payable for the proposal.

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$12,697.13 would be required for the development under Ashfield Section 94 Contributions Plan 2014. This contribution has been calculated based off a boarding house development with 12 beds. A condition requiring that contribution to be paid is included in the recommendation.

8. Conclusion

The proposal generally complies 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 will not result in any significant impacts on the amenity of the adjoining premises/properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

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*, grant consent to Development Application No. 10.2019.146 for demolition of existing structures and construction of a 12 room boarding house

with basement carpark at 25 Alt Street, Ashfield subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

Conditions of Consent

Fees

1. 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 \$12,697.13 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 16 January 2019. This contribution has been calculated based off a boarding house development with 12 beds.

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	\$1,426.84
Local Public Transport Facilities	\$4,258.48
Local Public Car Parking	-
Local Open Space and Recreation	-
Local Community Facilities	\$3,609.25
Plan Preparation and Administration	\$3,402.56
TOTAL	\$12,697.13

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*.

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

2. 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.

3. Security Deposit - Standard

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:	\$8,056.50
Inspection Fee:	\$230.65

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.

General Conditions

4. 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
Sheet 01 Rev. 1	Site Plan	26/3/2019	Pinnacle Design Solutions
Sheet 02 Rev. 1	Basement	26/3/2019	Pinnacle Design Solutions
Sheet 3 Rev.1	Ground Floor	26/3/2019	Pinnacle Design Solutions
Sheet 4 Rev.1	First Floor	26/3/2019	Pinnacle Design Solutions
Sheet 5 Rev.1	Elevations	26/3/2019	Pinnacle Design Solutions
Sheet 6 Rev.1	Elevations	26/3/2019	Pinnacle Design Solutions
Sheet 7 Rev.1	Sections	26/3/2019	Pinnacle Design Solutions
Sheet 10 Rev.1	Roof Plan	26/3/2019	Pinnacle Design Solutions
Sheet 16 Issue 1	Front Fence	26/3/2019	Pinnacle Design Solutions
Drawing No. 501 Rev. A	Stormwater Plan	7/4/2019	MBC Engineering
R1.1	Access Report	2/4/2019	Access-I Pty Ltd
N1916106A	Traffic and Parking Impact Report	March 2019	Motion Traffic Engineers

-	Plan of Management	2 September 2019	Chapman Planning Pty Ltd
GEO341 Rev 0	Preliminary Geotechnical Report	10 April 2019	Epoch Geotechnical Services

As amended by the conditions of consent.

5. Car Parking

The development must provide and maintain within the site:

- a) Seven (7) car parking spaces must be paved and line marked.
- b) Two (2) car parking spaces, for persons with a disability must be provided and marked as disabled car parking spaces.
- c) Four (4) off-street motorcycle parking spaces must be provided, paved, line marked and maintained at all times.

6. Boarding House

The development must provide and maintain:

- a) All rooms within the boarding house must be connected to a centralised electricity, water and gas (if installed) service.

7. Design Change

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

- a) The proposed first floor glass balustrades facing Alt Street are to be amended to be of a solid form and not glazing.

8. Air Conditioning / Hot Water 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. Hot water systems are to be concealed so they are not visible from the street.

9. 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.

10. 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.

11. Works Outside the Property Boundary

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

12. Rock Anchors

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

13. 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.

14. 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.

15. 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.

16. Works Outside the Property Boundary

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

Prior to any Demolition**17. Dilapidation Report**

Prior to any works commencing (including demolition), the Certifying Authority and owners of 27 & 23 Alt Street Ashfield, 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 above identified properties 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.

18. 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.

19. 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 RMS accreditation. The CTMP must be approved by the Certifying Authority 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.

20. 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.

21. 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

22. 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.

23. 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 132092.

24. Dilapidation Report – Pre-Development – Major

Prior to the issue of a Construction Certificate or any demolition, the Certifying Authority must be provided with a dilapidation report on the visible and structural condition of the following public infrastructure:

- a) Full width of Alt Street, including road pavement, stormwater drainage infrastructure, kerb and gutter and footpath, in front of the property.
- b) Half-width of Alt Street in front of adjacent properties, including road pavement, stormwater drainage infrastructure, kerb and gutter and footpath.

The dilapidation report is to be prepared by a suitably experienced Civil and/or Structural Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng).

25. Parking Facilities – Major (including basement)

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably experienced 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) demonstrating that the design of the vehicular access, off-street parking facilities and associated vehicle standing areas comply with Australian Standard AS/NZS 2890.1-2004 Parking Facilities: Off-street car parking, Australian Standard AS 2890.2-2018 Parking Facilities: Commercial vehicle facilities, AS/NZS 2890.3-2015 Parking facilities: Bicycle Parking, AS/NZS 2890.6-2009 Parking facilities: Off-street parking for people with disabilities and the following specific requirements:

- a) The longitudinal profile across the width of the vehicle crossing, vehicular access and any ramps within the parking facilities must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004 and AS 2890.2-2018 for a B99 design vehicle.
- b) The driveway must rise within the property to be 170mm above the adjacent road gutter level and higher than the street kerb and footpath across the full width of the vehicle crossing.

- c) Minimum headroom of 2200mm must be provided throughout the access and parking facilities. Minimum headroom of 2500mm must be provided above any disabled parking space(s).
- d) The headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors. Headroom at a 'sag' type grade change must be measured in accordance with Figure 5.3 of AS/NZS 2890.1-2004.
- e) The layout and minimum dimensions of any standing area comply with clause 2.4 of AS/NZS 2890.1-2004 such that:
 - i. Car spaces and aisles adjacent to walls or fences are increased in width by an additional 300mm;
 - ii. End spaces are provided with an additional 1m aisle extension; and
 - iii. The location of columns within the carpark complies with figure 5.1 of AS/NZS 2890.1-2004;
- f) The relative surface levels of the internal access from the road being controlled so that:
 - i. The surface levels at the property boundary match "alignment levels";
 - ii. The change in grade for any 2m length of access way does not exceed 1 in 8 (12.5%) unless suitable transitions are provided in accordance with AS2890.1;
 - iii. The maximum grade at any point does not exceed 1 in 5 (20%) or in the case of ramps greater than 20m in length 1 in 6 (16.7%); and
 - iv. The maximum grade at the property boundary does not exceed 1 in 20 (5%) within 6m of the property boundary;
- g) The vehicle egress is designed such that there are no obstructions to lines of sight, along with the footpath and the roadway for drivers of egressing vehicles.
- h) The curved section of the ramp is designed in accordance with AS/NZS 2890.1-2004 with grades measured along the inside radius.
- i) The vehicular access must be designed to provide clear sight lines (triangles) to pedestrians in street frontage in accordance with the requirements of Clause 3.2.4(b) of AS/NZS 2890.1-2004.
- j) All parking bays are designed such that all vehicular movements to and from the proposed development are in a forward direction.
- k) A bicycle storage area must be provided to accommodate the numerical requirements of DCP and be designed in accordance with relevant provisions of AS 2890.3-2015.

- l) Provision of a Watts' profile speed hump or similar device and associated stop sign and holding line on the vehicular access, near the boundary to the lane to ensure exiting vehicles stop and give way to pedestrian traffic on the footpath.

26. Stormwater Drainage System – Major Developments (incl. pumps)

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 (CPEng) 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 submitted stormwater plan dated 7 April 2019 and prepared by MBC Engineering Pty Ltd shall be amended addressing the following items.
 - i. OSD volume and orifice size calculations.
 - ii. Dimension of the OSD tank.
 - iii. For basement car park, Council does not support site drainage discharge into the existing pit located on the laneway unless the basement car park is fully tanked.
- 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 overflow pipelines from any rainwater tank(s) by gravity to Council's piped drainage system (corner of Alt Street and Elizabeth Street) via the OSD/OSR tanks.
- 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 other than for the pump-out of subsurface flows and surface flows from the driveway from the basement.
- e) 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 storm water system limited to pre-development conditions with the maximum allowable discharge to Council's street gutter limited to 25 litres/second (100years ARI).
- f) Storage for the 1-year ARI storm event must be provided fully below ground;

- g) Details of the Height vs Storage and Height vs Discharge relationships must be submitted.
- h) Details of the 1 in 100-year ARI overflow route in case of failure\blockage of the drainage system must be provided.
- i) A 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:
 - i. Comply with all relevant Australian Standards.
 - ii. An overflow, flashing light and audible alarm is to be provided to warn of pump failure.
 - iii. A maintenance regime for the pump system must be provided, including provision for regular maintenance and servicing at least every 6 months.
 - iv. 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.
 - v. Where OSD facilities are required by this consent, the pump system must be discharged to the OSD storage tank.
 - vi. Subsurface flows must be collected at the point of ingress to the basement i.e. at the basement walls.
 - vii. The subsurface drainage system must have sufficient capacity to collect and convey all surface flows to the pump out system.
 - viii. 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. e.g.. isolate any subsurface drains at boundary walls, inspection pits with solid covers, etc.
- j) The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.
- k) No nuisance or concentration of flows to other properties.
- l) The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system.
- m) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.

- n) All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.
- o) 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 must be fully "tanked" so as not to allow the ingress of seepage or groundwater.

The stormwater plans shall be amended satisfying the following requirements.

- a) Modelling for the determination of the pollution load reductions must be undertaken in MUSIC (the Model for Urban Stormwater Improvement Conceptualisation) and in accordance with Marrickville Council's WSUD Reference Guideline.

Stormwater quality load reduction controls are:

- 90% reduction in the post development mean annual load of Gross Pollutants (greater than 5mm).
 - 85% reduction in the post development mean annual load of Total Suspended Solids (TSS).
 - 60% reduction in the post development mean annual load of Total Phosphorus (TP).
 - 45% reduction in the post development mean annual load of Total Nitrogen (TN).
- b) A WSUD Strategy Report must be provided to ensure the treatment measures proposed to meet Council's water quality targets. MUSIC model file (*.sqz file) must be included with the report;
 - c) 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.

27. 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 practising 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) The basement must be fully tanked to prevent the ingress of subsurface flows.

- b) 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.
- c) 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.
- d) All components of the basement, including footings and subsoil drainage, must be shown on the plans and be located entirely within the property boundary.
- e) No adverse impact on surrounding properties including Council's footpath and road.
- f) The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development.
- g) Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property.
- h) Provide relevant geotechnical/ subsurface conditions of the site, as determined by a full geotechnical investigation.

28. 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 suitably experienced 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 crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site;
- b) New concrete footpath and replacement of any damaged 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.
- 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.
- d) A new drainage line from the existing Council drainage system located at the corner of Alt Street and Elizabeth Street must be extended by an appropriately sized pipeline

(minimum 375mm diameter) to the frontage of the site, where a kerb inlet pit (minimum 2.4 m lintel) must be installed.

The pipeline must be designed to have the capacity to convey flows that would be collected at that section of street as generated by a 20-year Average Recurrence Interval storm event. Pipes must be Class 4 Steel Reinforced Concrete Pipe or approved equivalent and Pits must be cast in-situ. Plans, long sections and details must be provided including location of utility services.

29. 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.

During Demolition and Construction

30. Construction Hours

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:

8:00am to 12:00pm, Monday to Saturday; and

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.

31. 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

32. 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.

33. 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*.

34. Public Domain Works

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority 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. 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.
- 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".

35. No Encroachments

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority 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.

36. Protect Sandstone Kerb

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that any damaged stone kerb has been replaced including all kerb outlets in stone kerb must be carefully core drilled.

37. Heavy Duty Vehicle Crossing

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that heavy duty concrete vehicle crossing/s, in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" has been constructed at the vehicular access locations.

38. Redundant Vehicle Crossing

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that all redundant vehicular crossings to the site have been removed and replaced by kerb and gutter and footpath paving in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications". Where the kerb in the vicinity of the redundant crossing is predominantly stone the replacement kerb must also be in stone.

39. Parking Signoff – Major Development

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from 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 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.
- b) Sign(s) have been erected that clearly indicate(s) to the drivers of vehicles both on and off the property which driveway they are to use to enter or leave the subject land.
- c) Sign(s) have been erected that clearly indicate to the drivers of vehicles both on and off the property the location and means of access to the car parking area(s).

40. Public Domain - Major Developments

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority 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.

41. Dilapidation Report – Post-Development

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with a second Dilapidation Report addressing the public infrastructure identified in approved predevelopment dilapidation report, including a photographic survey and structural

condition 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.

42. Stormwater Drainage and Road Works – Certification

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with Certification by a suitably experienced 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.
- b) Video inspection (CCTV) in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia has been carried out of completed public stormwater drainage works that are to revert to Council by an accredited operator.
- c) 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.

43. Works as Executed – Site Stormwater Drainage System

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority 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.
- b) Works-as-executed plans of the stormwater drainage system certified by a Registered Surveyor, to verify that the drainage system has been constructed, and stormwater quality improvement device(s) and any pump(s) installed in accordance with the approved design and relevant Australian Standards have been submitted to Council. The works-as-executed plan(s) 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 Certifying Authority stamped Construction Certificate plans.

44. Basement 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.

45. Operation and Management Plan

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with an Operation and Management Plan has been prepared and implemented for the on-site detention, stormwater quality improvement device(s) and pump(s). 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.
- b) The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc.

46. Restrictions on the Use of Land and Positive Covenants

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with evidence that 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 to prevent the erection of any structures;
- b) Restrictions on the Use of Land related to on Site Stormwater Detention System or stormwater quality improvement devices;
- c) Positive Covenant related to on-site stormwater detention and/or retention system; and
- d) Positive Covenant related to stormwater quality improvement devices.

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

47. No Weep Holes

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

48. Redundant Vehicle Crossing

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must verify that all redundant vehicular crossings to the site must be removed and replaced by kerb and gutter and footpath paving in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications". Where the kerb in the vicinity of the redundant crossing is predominately stone, the replacement kerb must also be in stone.

On-going**49. Boarding House**

The use of the premises as a boarding house must comply at all times with the following:

- a) The use must comply at all times with the Plan of Management referred to in condition 4 above and as amended by the conditions in this Determination;
- b) A copy of the Plan of Management and House Rules must be annexed to each and every tenancy/occupation agreement for a room;
- c) A copy of the approved Plan of Management and House Rules must be clearly displayed within every common room in the building at all times;
- d) The Plan of Management must not to be amended without the prior consent of Council and must be made available to Council officers and the Police upon request;
- e) All tenancy/occupation agreements for rooms within the premises must be for a minimum period of three (3) months;
- f) The premises must be used exclusively as a boarding house containing a maximum total of 11 lodger's rooms and one on-site manager's room with not more than 22 adult lodgers and 2 adult on-site managers residing in the premises at any one time;
- g) Not more than two lodgers must occupy each boarding room;
- h) The premises must not be adapted for use as backpacker's accommodation, serviced apartments or a residential flat building;

- i) All common rooms/areas and recreation rooms/areas must be maintained at all times for the use of the lodgers; and
- j) Each self-contained room and shared kitchen must be fitted out with washing up facilities, a cooktop, oven, fridge and storage space with such utilities being maintained in working order at all times.

50. Operation and Management Plan

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

51. Vehicles Leaving the Site

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

52. Bin Storage

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

Advisory notes

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.

Subsurface drainage pump-out systems

Where it is demonstrated by detailed geotechnical investigation that the groundwater flows are minimal or intermittent, a pump out system for groundwater may be considered. An application for modification of development consent with supporting documentation must be submitted. Where this option is to be pursued dry-weather flows of any seepage water will not be permitted through kerb outlets and must be connected directly to a Council stormwater system in accordance with Council requirements.

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
- 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.

Public Domain and Vehicular Crossings

The vehicular crossing and/or public domain works are required to be constructed by your contractor. You or your contractor must complete an application for 'Design of Vehicle Crossing and Public Domain Works – Step 1' form and/or 'Construction of Vehicle Crossing and Public Domain Works – Step 2' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, before commencement of works.

You are advised that Council has not undertaken a search of existing or proposed utility services adjacent to the site in determining this application. 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 at no cost to Council

Any damage caused during construction to Council assets on the road reserve or on Council or Crown land must be repaired at no cost to Council.

Any driveway crossovers or other works within the road reserve must be provided at no cost to Council.

No consent is given or implied for any Encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, eaves, awnings, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever, including when open.

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, contours at 0.2-metre intervals 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

- i. A qualified practising Civil Engineer must certify on the completion of drainage works in respect of:
- ii. the soundness of the storage structure;
- iii. the capacity of the detention storage;
- iv. the emergency overflow system being in place;
- v. the works being constructed in accordance with the Development Application Consent and Council's Stormwater Management DCP/Code;
- vi. 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;
- vii. basement car park pumps are class one zone two;
- viii. 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.

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.
- 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
- 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.

Boarding House – Registration with Fair Trading

Boarding houses with two or more residents who have additional needs or five or more residents who do not have additional needs are required to register with the Department of Fair Trading.

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.

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 AS1 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 2005. All receipts detailing method and location of disposal must be submitted to Council as evidence of correct disposal.

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 Corporation	Payments 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.diySAFE.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 1300 651 116

Environmental Solutions

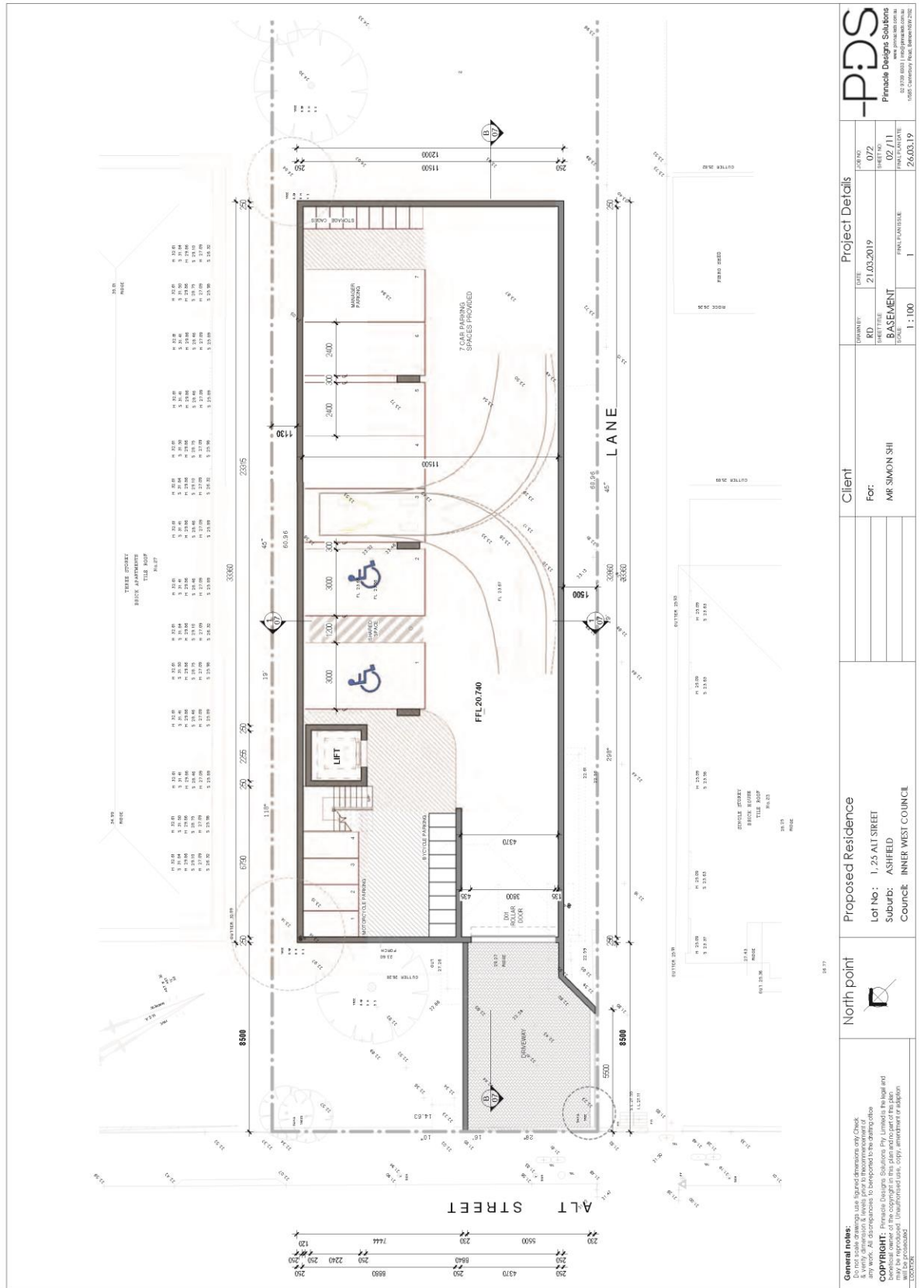
www.wasteservice.nsw.gov.au

Water Efficiency Labelling and Standards (WELS) 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.



Project Details

DATE	21.03.2019
PROJECT	BASEMENT
SCALE	1 : 100
DATE	07/2
PROJECT	02/11
SCALE	26.03.19

Client

For: MR SIMON SHI

Proposed Residence

Lot No: 1, 25 ALT STREET
 Suburb: ASHFIELD
 Council: INNER WEST COUNCIL



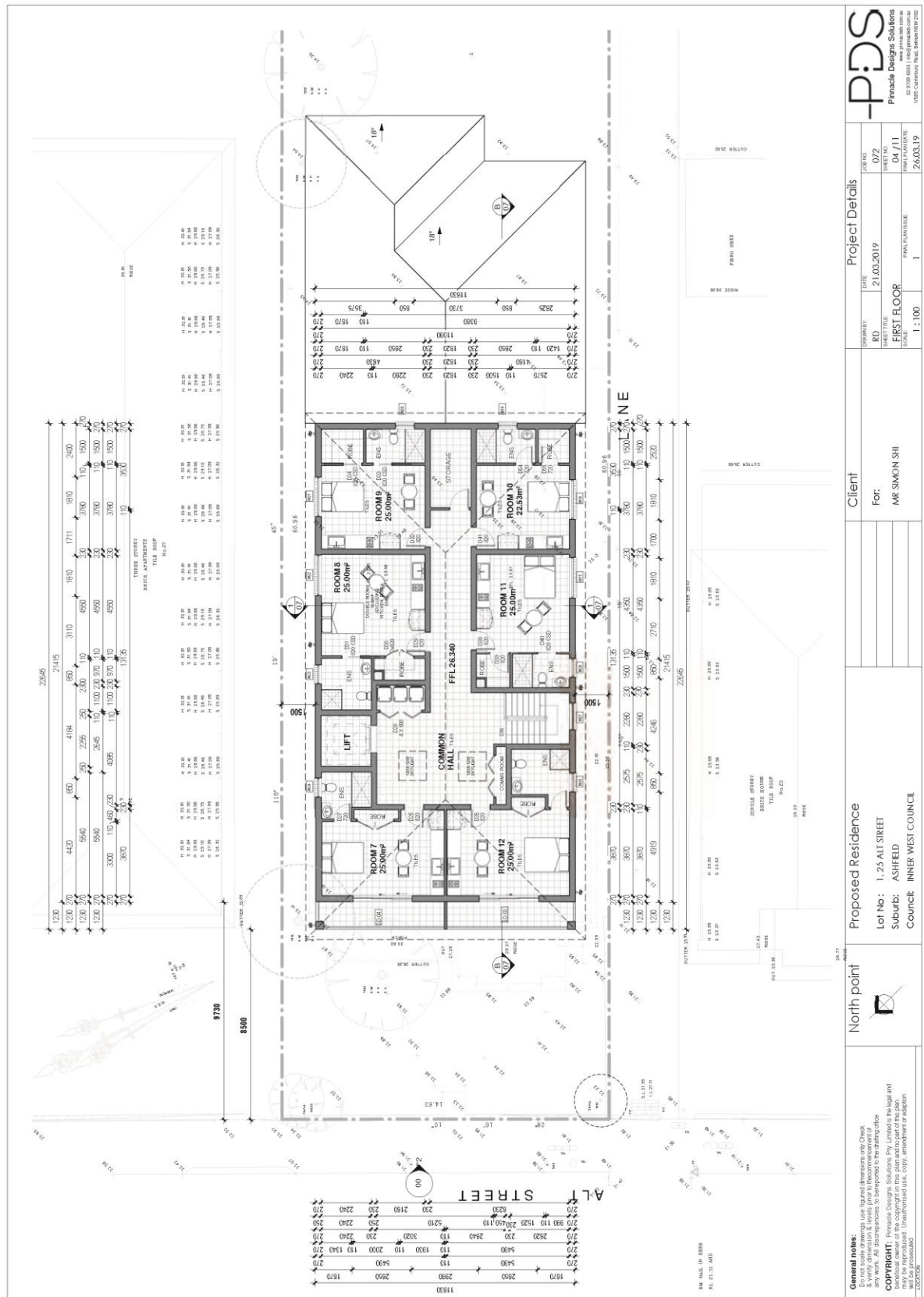
General notes: See site plan and elevations only/Check & verify dimensions & levels prior to commencement of any work. All discrepancies to be reported to the drawing office.

COPYRIGHT: All rights reserved. This drawing is the property of PDS and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of PDS.





General notes: The client has approved the use of this drawing for the purposes of the application only. It is not to be used for any other purpose without the written consent of the architect. Copyright: All rights reserved. No part of this drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior written permission of the architect.	North point 	Proposed Residence Lot No: 1, 29 ALT STREET Suburb: ASHFIELD Council: INNER WEST COUNCIL	Client For: MR SIMON SHI	Project Details	
				DRAWING NO: GROUND FLOOR SCALE: 1 : 100 DATE: 21.03.2019 DRAWN BY: [Name] CHECKED BY: [Name] PROJECT NO: 26,03,19	SHEET NO: 03/11 TOTAL SHEETS: 1 DATE: 21.03.2019 PROJECT NO: 26,03,19



General notes: See site plan and elevations. Check & verify dimensions & levels prior to commencement of any work. All discrepancies to be reported to the drawing office.

COPYRIGHT: All rights reserved. This drawing is the intellectual property of PDS. It may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without prior written permission from PDS.

North point

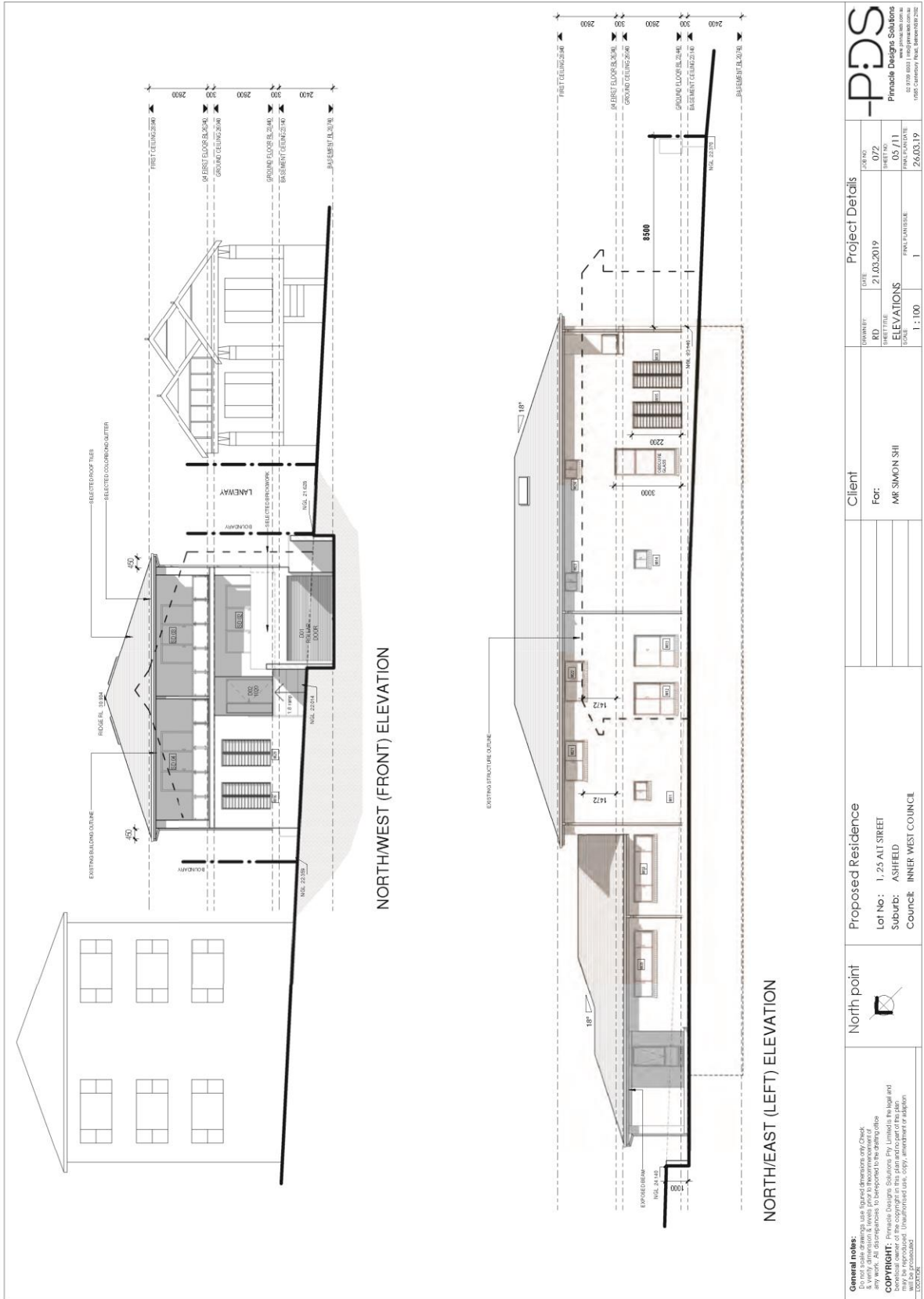
Proposed Residence
 Lot No: 1, 25 ALI STREET
 Suburb: ASHFIELD
 Council: INNER WEST COUNCIL

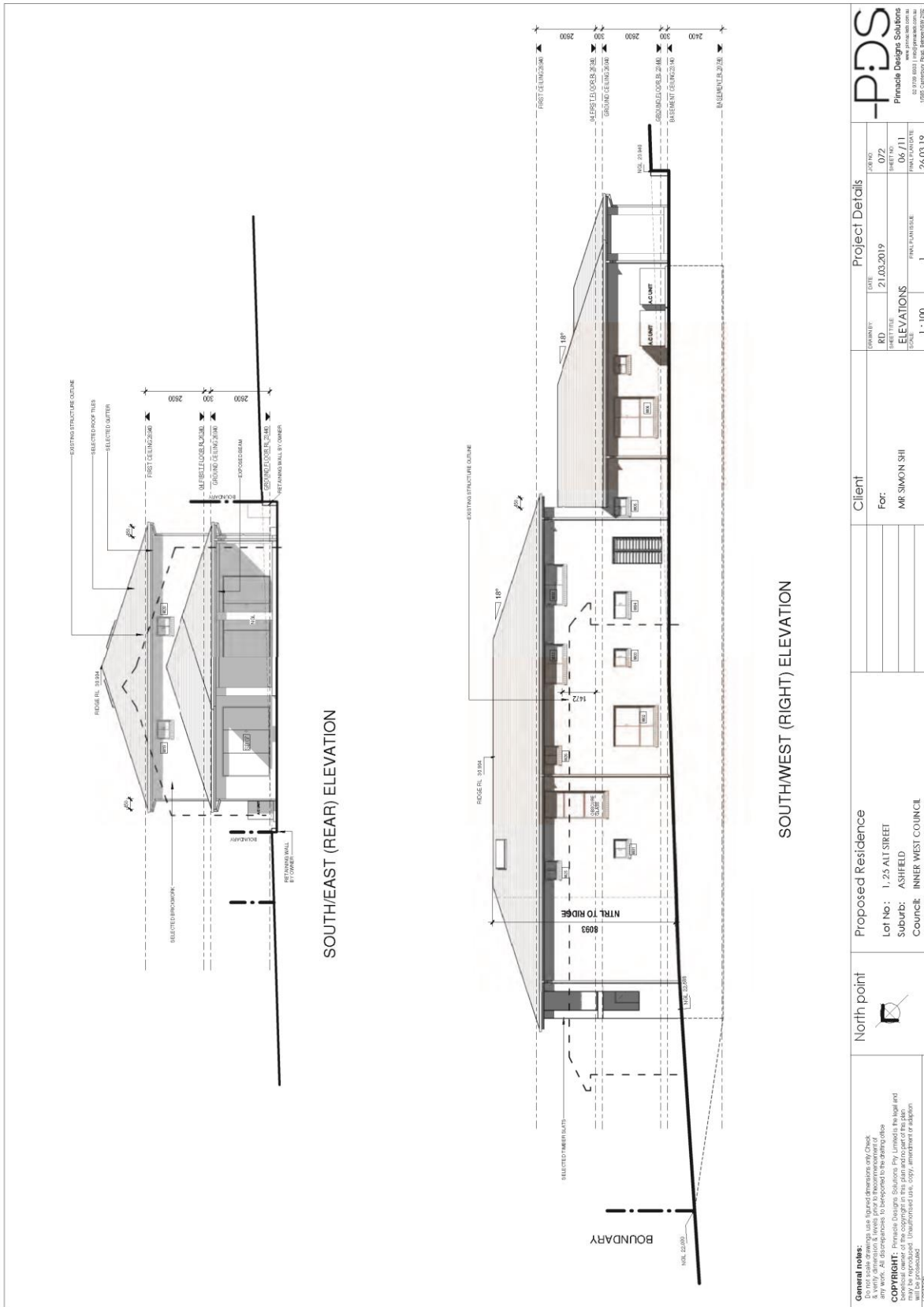
Client
 For: MR SIMON SHI

Project Details

UNIVERSITY	DATE	DESCRIPTION
PDS	21.03.2019	07/2
RD		04/11
FLOOR		FIRST FLOOR
SCALE		1 : 100
FINAL DATE		26.03.19

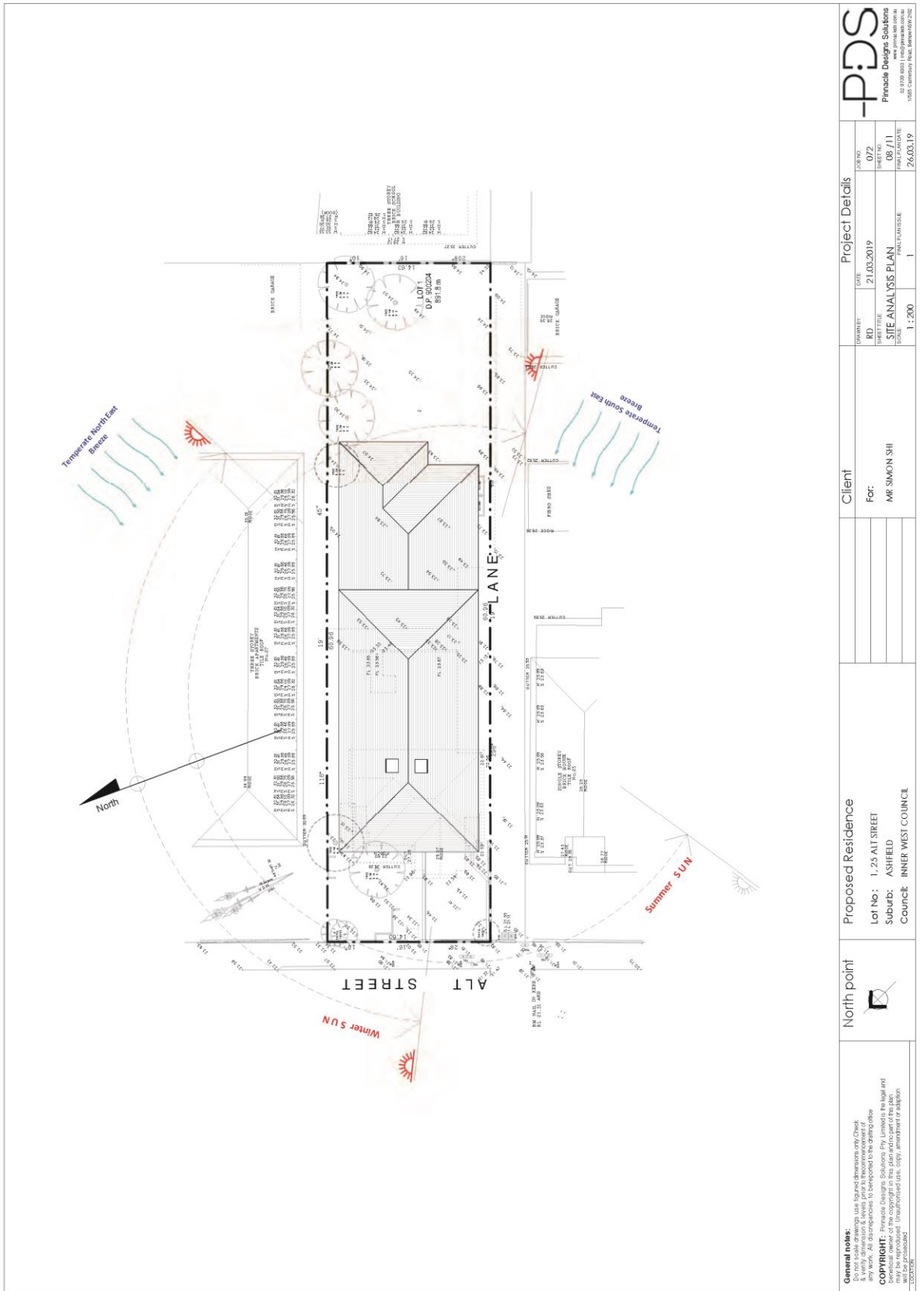
PDS
 Pinnacle Design Solutions
 02 9339 8833 | 180 2 22 22 22
 1105 Canterbury Road, Berridge NSW 2152





<p>General notes: Use the notes and dimensions on/Check & verify dimensions of levels prior to commencement of any work. All discrepancies to be reported to the drawing office.</p> <p>COPYRIGHT: All rights reserved. This drawing is the property of PDS and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of PDS.</p>	<p>North point</p>	<p>Proposed Residence</p> <p>Lot No: 1, 25 ALT STREET</p> <p>Suburb: ASHFIELD</p> <p>Council: INNER WEST COUNCIL</p>	<p>Client</p> <p>For:</p> <p>MR SIMON SHI</p>	<p>Project Details</p>			
				<p>UNIVERSITY</p> <p>NO</p>	<p>DATE</p> <p>21.03.2019</p>	<p>SHEET NO</p> <p>07/2</p>	<p>DATE</p> <p>06/11</p>





PDS
Pinnacle Designs Solutions
62/270/003 1100/1100/000
1100/1100/000/000/000/000

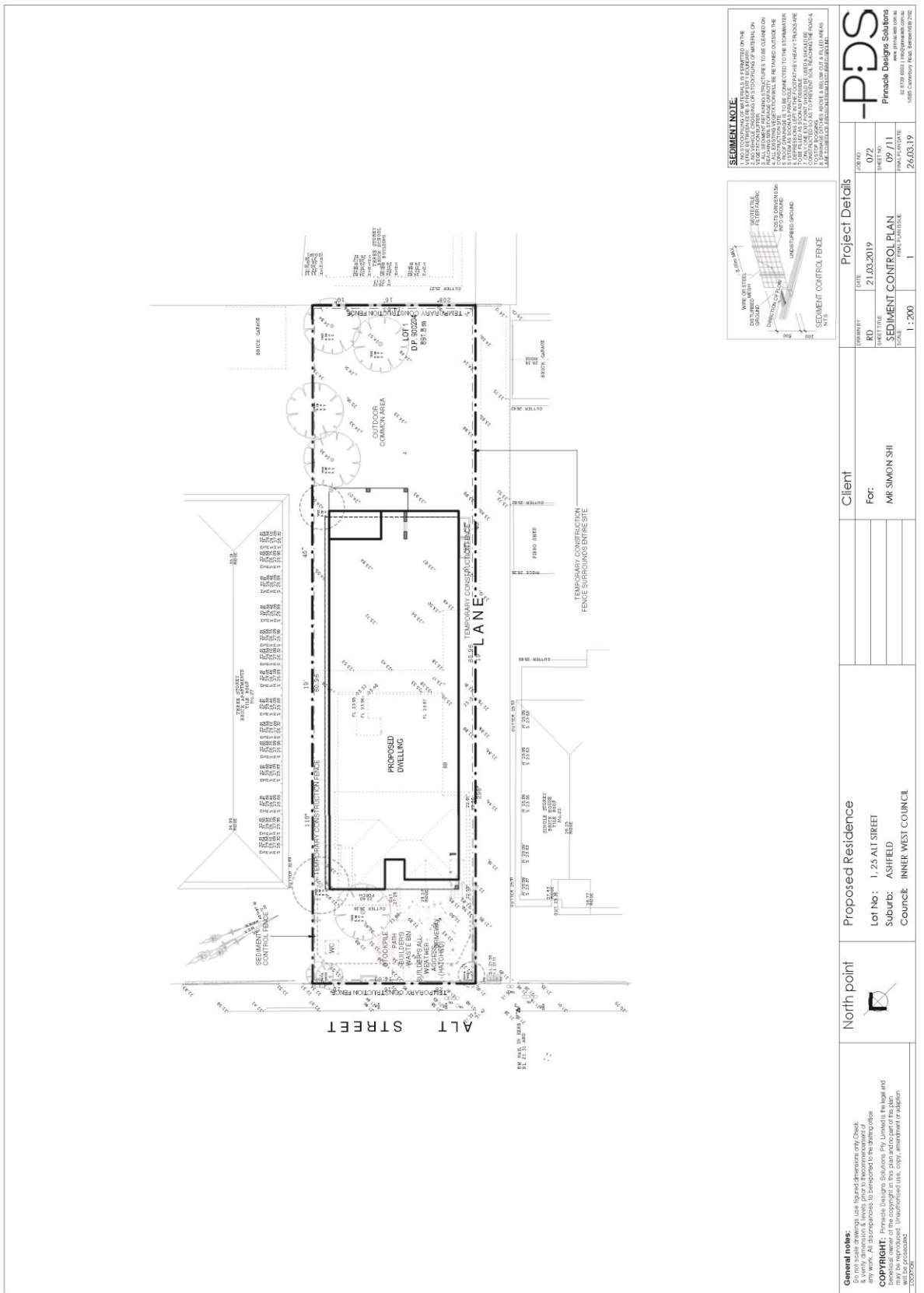
Project Details	
DATE	21.03.2019
JOB NO	072
SCALE	1:200
PROJECT NAME	SITE ANALYSIS PLAN
FINAL DATE	08/11
FINAL DATE	26.03.19

Client
For:
MR SIMON SHI

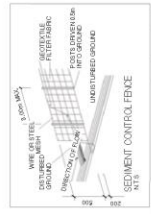
Proposed Residence
Lot No: 1, 25 ALT STREET
Suburb: ASHFIELD
Council: INNER WEST COUNCIL

North point

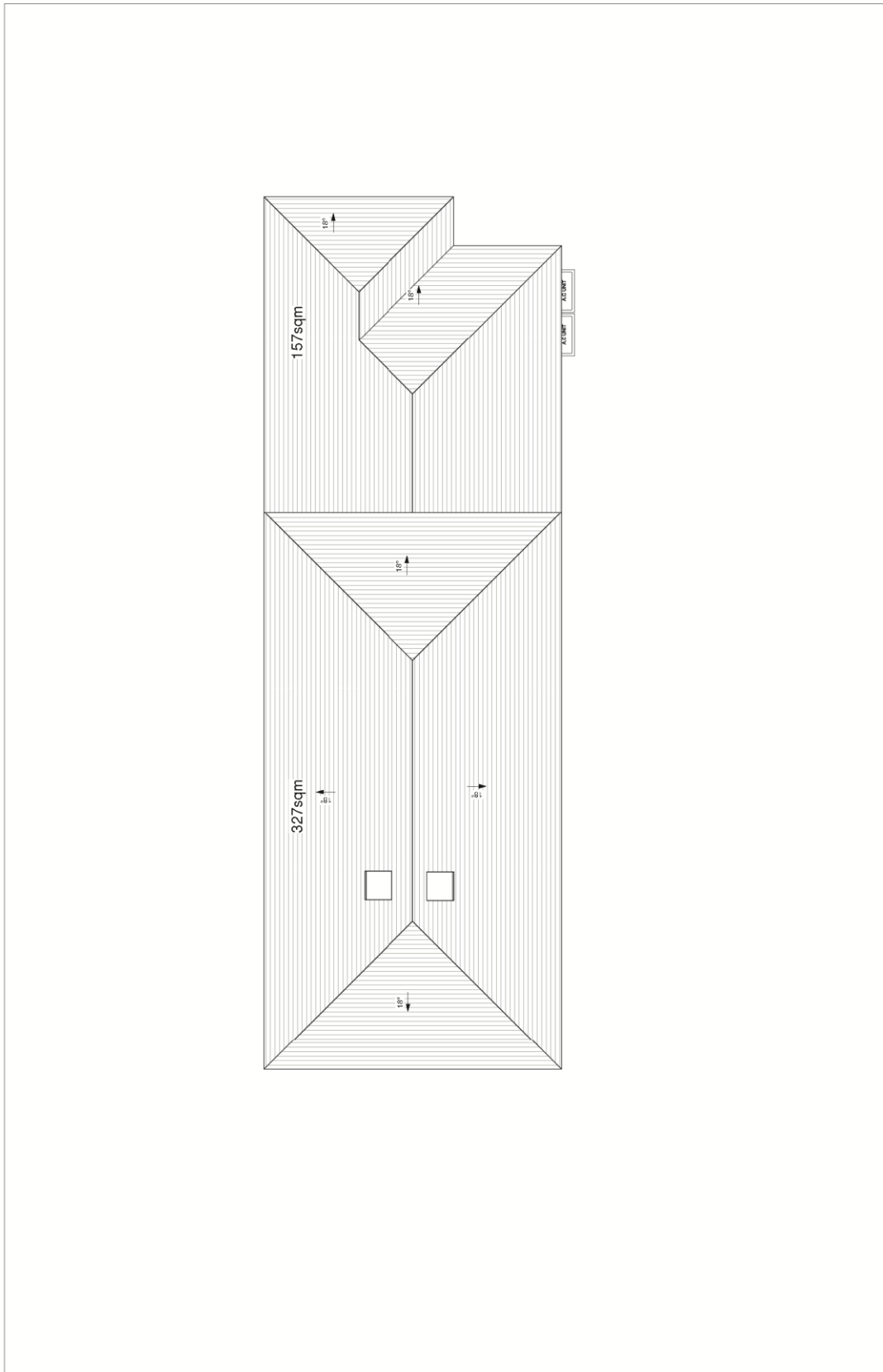
General notes:
1. All dimensions are in millimeters unless otherwise stated.
2. Verify all dimensions & levels prior to commencement of any work. All discrepancies to be reported to the drawing office.
COPYRIGHT: All drawings, designs and specifications are the property of PDS. No part of this drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of PDS.




SEDIMENT NOTE:
 1. ALL EXCAVATION AND REMOVAL OF MATERIALS IS PERMITTED ON THE SITE.
 2. ALL EXCAVATION AND REMOVAL OF MATERIALS IS TO BE LIMITED TO THE EXCAVATION OF MATERIALS TO BE REMOVED FROM THE SITE.
 3. ALL EXCAVATION AND REMOVAL OF MATERIALS IS TO BE LIMITED TO THE EXCAVATION OF MATERIALS TO BE REMOVED FROM THE SITE.
 4. ALL EXCAVATION AND REMOVAL OF MATERIALS IS TO BE LIMITED TO THE EXCAVATION OF MATERIALS TO BE REMOVED FROM THE SITE.
 5. ALL EXCAVATION AND REMOVAL OF MATERIALS IS TO BE LIMITED TO THE EXCAVATION OF MATERIALS TO BE REMOVED FROM THE SITE.
 6. ALL EXCAVATION AND REMOVAL OF MATERIALS IS TO BE LIMITED TO THE EXCAVATION OF MATERIALS TO BE REMOVED FROM THE SITE.
 7. ALL EXCAVATION AND REMOVAL OF MATERIALS IS TO BE LIMITED TO THE EXCAVATION OF MATERIALS TO BE REMOVED FROM THE SITE.
 8. ALL EXCAVATION AND REMOVAL OF MATERIALS IS TO BE LIMITED TO THE EXCAVATION OF MATERIALS TO BE REMOVED FROM THE SITE.
 9. ALL EXCAVATION AND REMOVAL OF MATERIALS IS TO BE LIMITED TO THE EXCAVATION OF MATERIALS TO BE REMOVED FROM THE SITE.
 10. ALL EXCAVATION AND REMOVAL OF MATERIALS IS TO BE LIMITED TO THE EXCAVATION OF MATERIALS TO BE REMOVED FROM THE SITE.



<p>General notes: 1. All dimensions are to be taken from the centre of the line unless otherwise stated. 2. All dimensions are to be taken from the centre of the line unless otherwise stated. 3. All dimensions are to be taken from the centre of the line unless otherwise stated. 4. All dimensions are to be taken from the centre of the line unless otherwise stated. 5. All dimensions are to be taken from the centre of the line unless otherwise stated. 6. All dimensions are to be taken from the centre of the line unless otherwise stated. 7. All dimensions are to be taken from the centre of the line unless otherwise stated. 8. All dimensions are to be taken from the centre of the line unless otherwise stated. 9. All dimensions are to be taken from the centre of the line unless otherwise stated. 10. All dimensions are to be taken from the centre of the line unless otherwise stated.</p>	<p>North point</p>	<p>Proposed Residence</p> <p>Lot No: 1, 25 ALT STREET</p> <p>Suburb: ASHFIELD</p> <p>Council: INNER WEST COUNCIL</p>	<p>Client</p> <p>For: MR SIMON SHI</p>	<p>Project Details</p> <p>DATE: 21.03.2019</p> <p>PROJECT: SEDIMENT CONTROL PLAN</p> <p>SCALE: 1:200</p> <p>DATE: 09/11</p> <p>DATE: 26.03.19</p>
	<p>Copyright: All rights reserved. This drawing is the property of PDS and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of PDS.</p>	<p>UNIVERSITY: PDS</p> <p>ID: PDS</p> <p>DATE: 07/2</p> <p>DATE: 09/11</p> <p>DATE: 26.03.19</p>		



<p>General notes: See file and drawings only/Check & verify dimensions & levels prior to commencement of any work. All discrepancies to be reported to the drawing office.</p> <p>COPYRIGHT: All rights reserved. This drawing is the property of PDS and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of PDS.</p>	<p>North point</p> 	<p>Proposed Residence</p> <p>Lot No: 1, 25 ALT STREET</p> <p>Suburb: ASHFIELD</p> <p>Council: INNER WEST COUNCIL</p>	<p>Client</p> <p>For: MR SIMON SHI</p>	<p>Project Details</p>			
				<p>UNIVERSITY: DATE: 21.03.2019</p> <p>JOB NO: 072</p> <p>RD: ROOF PLAN</p> <p>SCALE: 1 : 100</p> <p>FINAL DATE: 10/11</p> <p>FINAL DATE: 26.03.19</p>			





PDS
Pinnacle Designs Solutions
02 9378 8833 | 1100 Pinnacle Way
1105 Canterbury Road, Berala NSW 2152

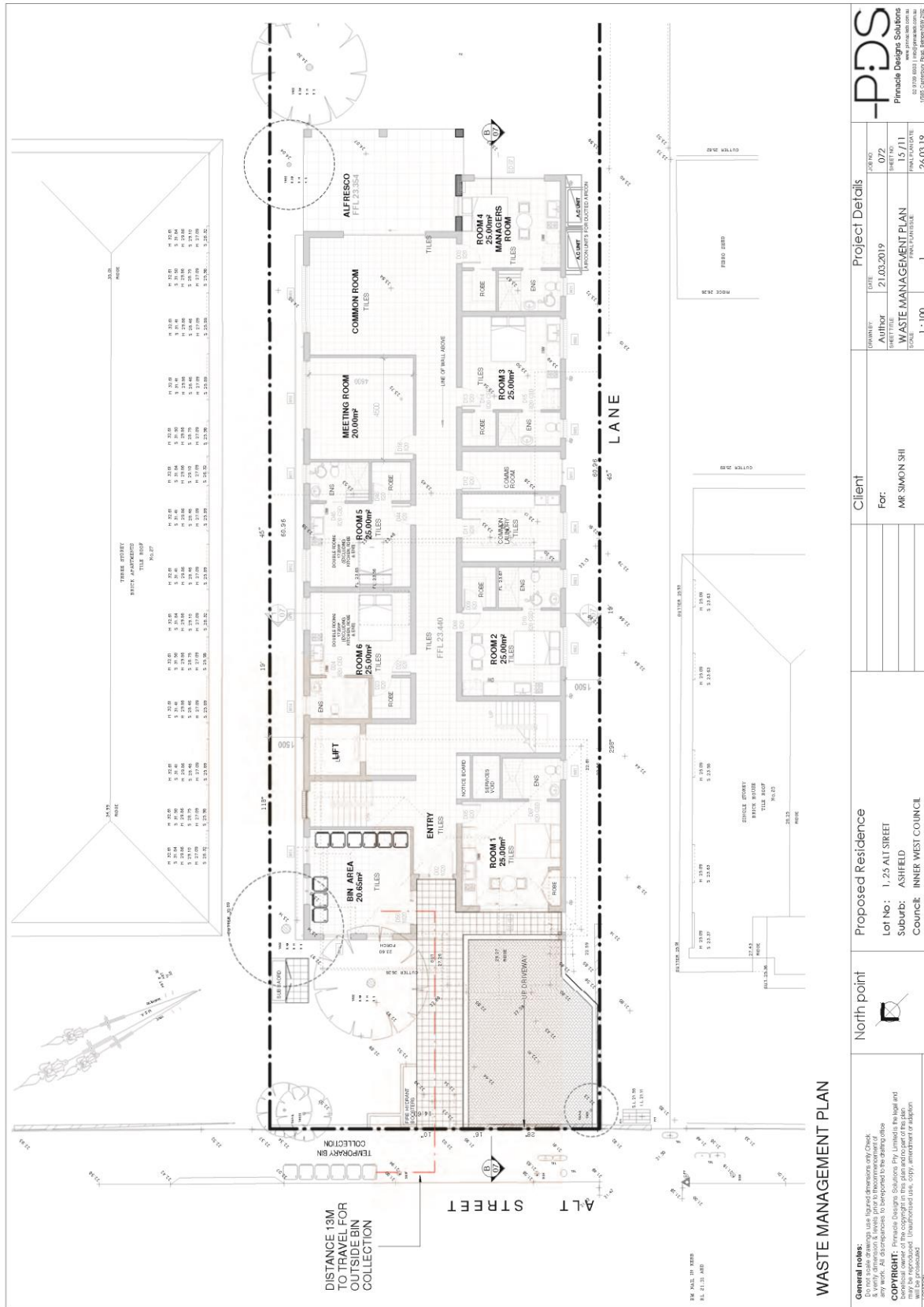
Project Details	
DATE	21.03.2019
JOB NO	072
DATE	11/11
FINAL DATE	26.03.19
SCALE	1:200
FINAL DATE	

Client	
For:	MR SIMON SHI

Proposed Residence	
Lot No:	1, 25 A11 STREET
Suburb:	ASHFIELD
Council:	INNER WEST COUNCIL

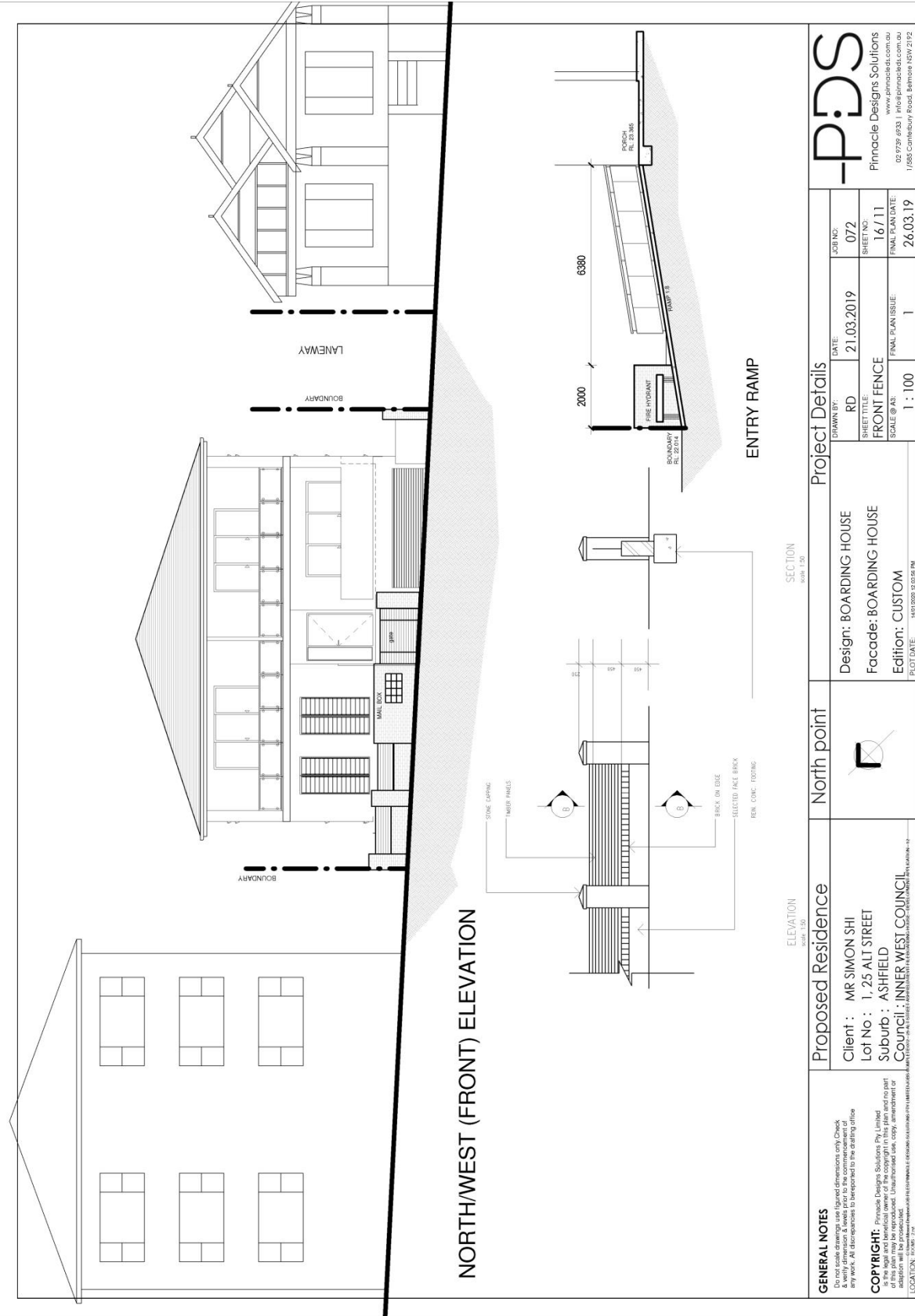
North point

General notes: See file and drawings, etc/Check & verify dimensions & levels prior to commencement of any work. All discrepancies to be reported to the drawing office.
COPYRIGHT: All rights reserved. This drawing is the property of PDS and may not be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of PDS.



WASTE MANAGEMENT PLAN

<p>General notes: Check all dimensions, levels and elevations and verify dimensions & levels prior to commencement of any work. All discrepancies to be reported to the drawing office. COPYRIGHT: All drawings are the property of PDS and may be reproduced in any form without the written consent of PDS.</p>	<p>North point</p>	<p>Proposed Residence Lot No: 1, 25 ALT STREET Suburb: ASHFIELD Council: INNER WEST COUNCIL</p>	<p>Client For: MR SIMON SHI</p>	<p>Project Details</p> <table border="1"> <tr> <td>DATE</td> <td>21.03.2019</td> </tr> <tr> <td>DESIGNER</td> <td>Author</td> </tr> <tr> <td>PROJECT</td> <td>WASTE MANAGEMENT PLAN</td> </tr> <tr> <td>SCALE</td> <td>1 : 100</td> </tr> <tr> <td>DATE</td> <td>15/11</td> </tr> <tr> <td>PROJECT</td> <td>WASTE MANAGEMENT PLAN</td> </tr> <tr> <td>SCALE</td> <td>1 : 100</td> </tr> <tr> <td>DATE</td> <td>26.03.19</td> </tr> <tr> <td>PROJECT</td> <td>WASTE MANAGEMENT PLAN</td> </tr> <tr> <td>SCALE</td> <td>1 : 100</td> </tr> </table>	DATE	21.03.2019	DESIGNER	Author	PROJECT	WASTE MANAGEMENT PLAN	SCALE	1 : 100	DATE	15/11	PROJECT	WASTE MANAGEMENT PLAN	SCALE	1 : 100	DATE	26.03.19	PROJECT	WASTE MANAGEMENT PLAN	SCALE	1 : 100
	DATE	21.03.2019																						
DESIGNER	Author																							
PROJECT	WASTE MANAGEMENT PLAN																							
SCALE	1 : 100																							
DATE	15/11																							
PROJECT	WASTE MANAGEMENT PLAN																							
SCALE	1 : 100																							
DATE	26.03.19																							
PROJECT	WASTE MANAGEMENT PLAN																							
SCALE	1 : 100																							
<p>PDS Pinnacle Designs Solutions 52/578 6033 1100 James Street 1100 James Street, North Sydney NSW 1585</p>																								



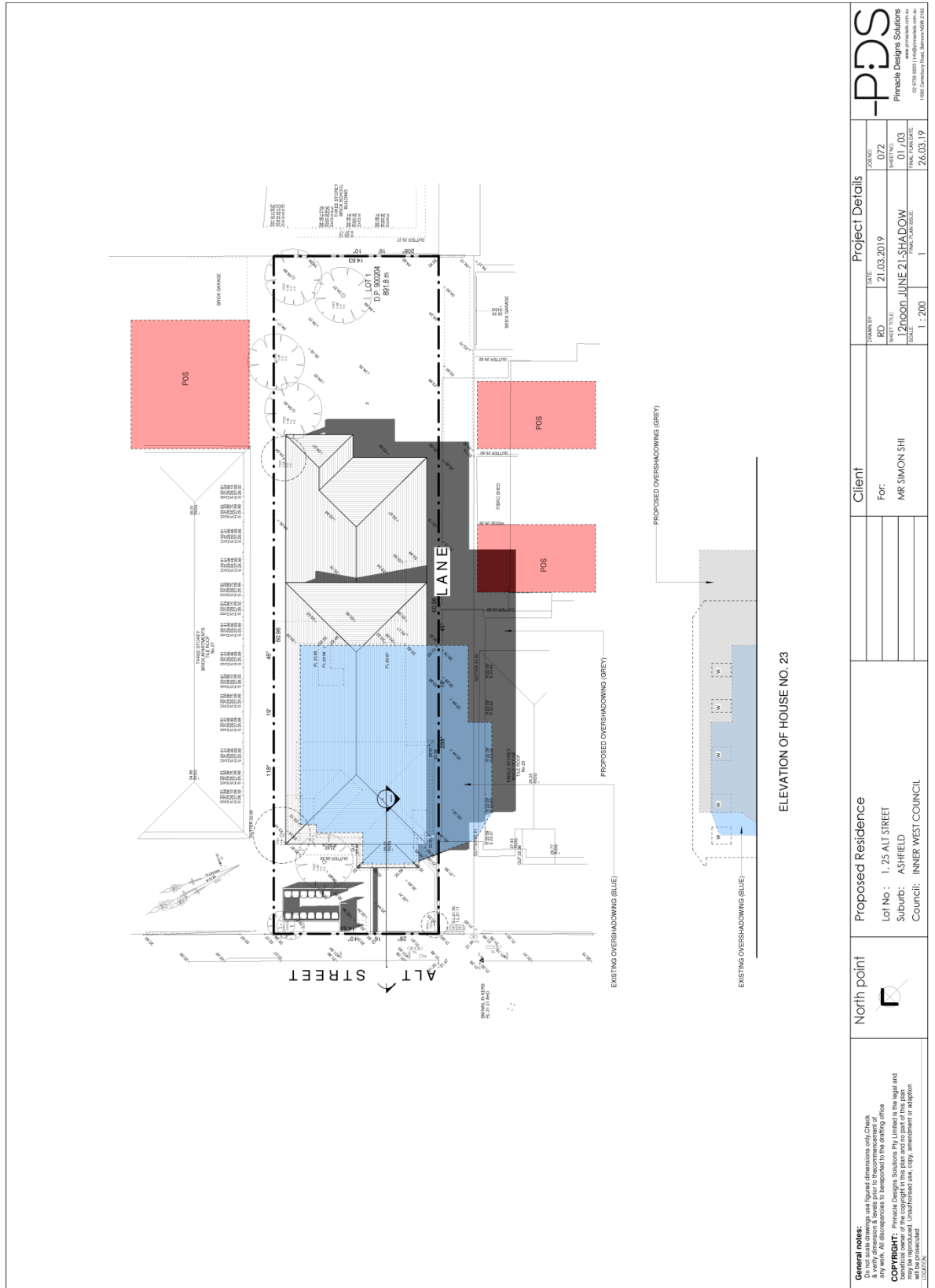
DESIGNER:	DATE:	JOB NO.:
RD	21.03.2019	072
SHEET TITLE:	SCALE @ A3:	SHEETS:
FRONT FENCE	1 : 100	16 / 11
	FINAL PLAN ISSUE:	FINAL PLAN DATE:
	1	26.03.19

Design:	BOARDING HOUSE
Facade:	BOARDING HOUSE
Edition:	CUSTOM
PLOT DATE:	14.01.2020 12:03:06 PM



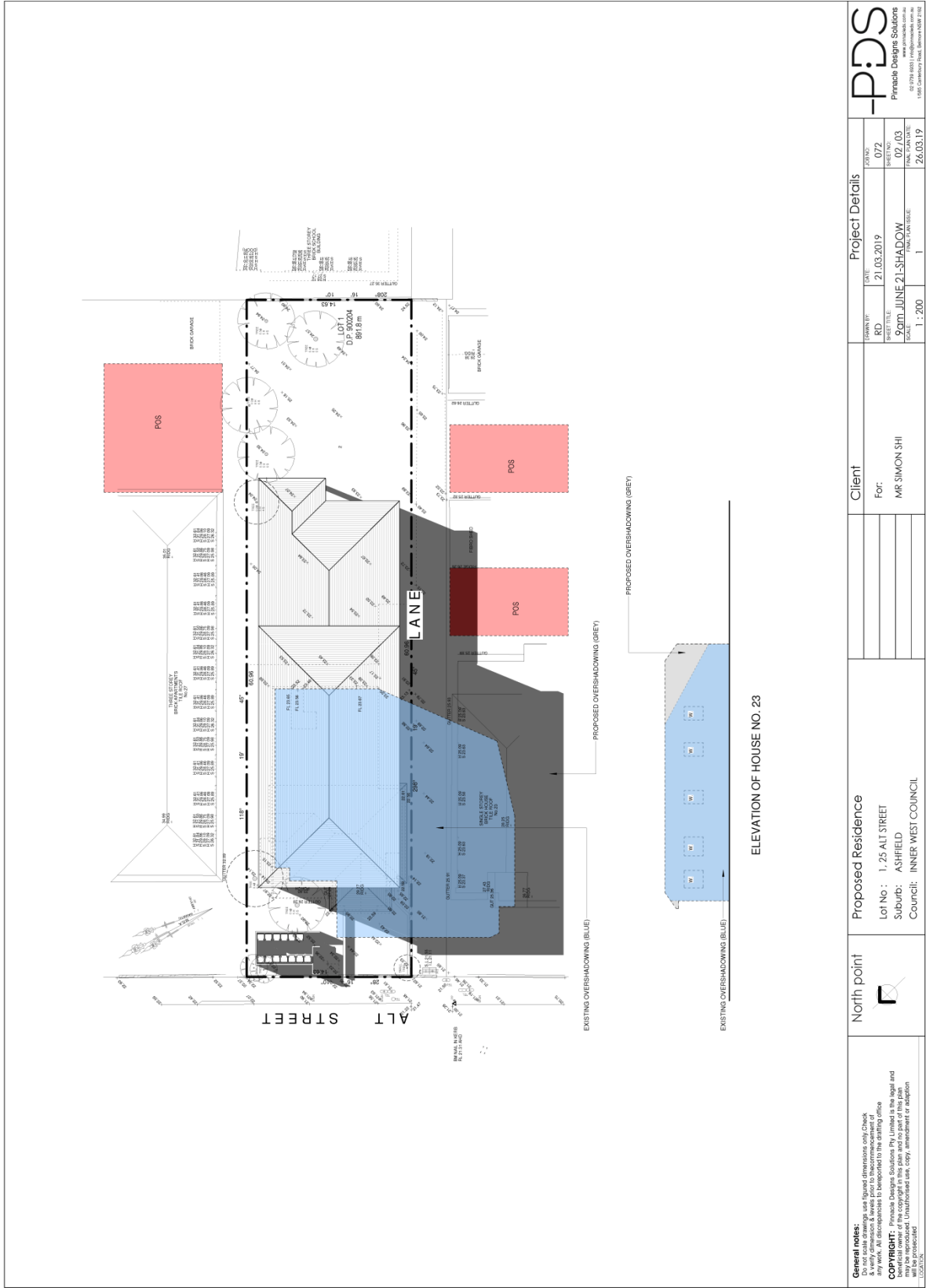
Proposed Residence	Client :	MR SIMON SHI
	Lot No :	1, 25 ALT STREET
	Suburb :	ASHFIELD
	Council :	INNER WEST COUNCIL

GENERAL NOTES
 Do not scale drawings. Use figured dimensions only. Check & verify dimension & levels prior to the commencement of any work. All discrepancies to be reported to the drafting office.
COPYRIGHT: Pinnacle Designs Solutions Pty Limited. All rights reserved. No part of this drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage or retrieval system, without the prior written permission of Pinnacle Designs Solutions Pty Limited.
 LOCATION: 1/885 CAMBERBURY ROAD, BELMONT NSW 2192

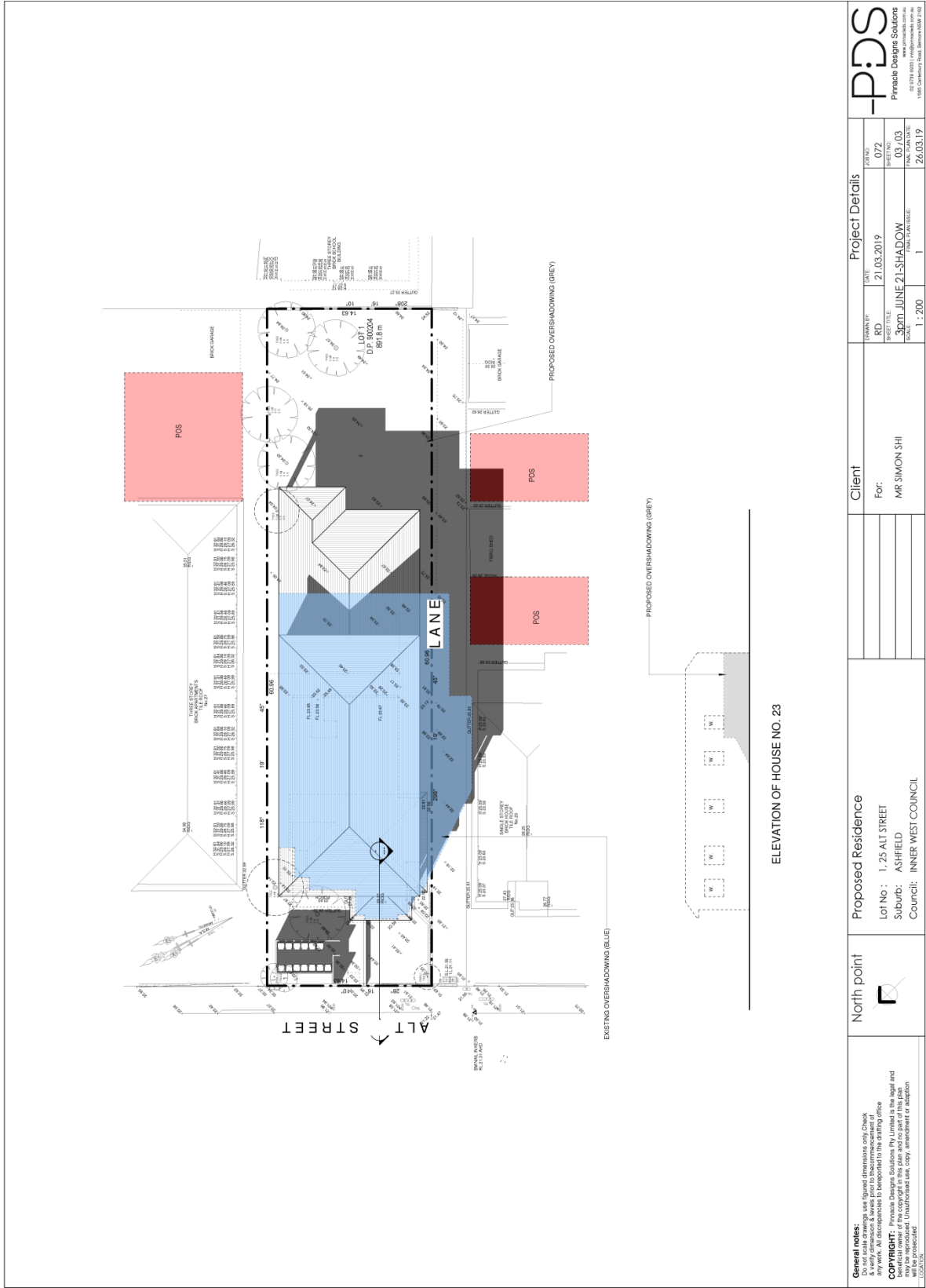


ELEVATION OF HOUSE NO. 23

<p>General notes: All drawings are prepared in accordance with the relevant standards and codes of practice. Check and verify dimensions & levels prior to commencement of any work. All discrepancies to be reported to the drafting office.</p> <p>COPYRIGHT: Pinnacle Designs Solutions Pty Limited is the legal and copyright owner of this drawing. All rights reserved. This drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without prior written permission from Pinnacle Designs Solutions Pty Limited.</p>	<p>North point</p>	<p>Proposed Residence</p> <p>Lot No : 1, 25 ALT STREET Suburb: ASHFIELD Council: INNER WEST COUNCIL</p>	<p>Client</p> <p>For: MR SIMON SHI</p>	<p>Project Details</p> <p>DATE: 21.03.2019 DRAWN BY: RD CHECKED BY: JZ PROJECT: 121000N JUNE 21 SHADOW SCALE: 1 : 200 DATE: 01 / 03 FINAL PLAN DATE: 26.03.19</p>	<p>PDS</p> <p>Pinnacle Designs Solutions www.pds.com.au 02 9794 8003 1188 Conventry Road, Berrimba NSW 2152</p>
--	---------------------------	--	--	--	---



<p>General notes: All drawings are prepared in accordance with the relevant standards and codes of practice. All drawings are to be checked and verified by the architect prior to the commencement of any work. All discrepancies to be reported to the drafting office.</p> <p>COPYRIGHT: Pinnacle Designs Solutions Pty Limited is the legal and copyright owner of this drawing. All rights reserved. This drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Pinnacle Designs Solutions Pty Limited.</p>	<p>North point</p>	<p>Proposed Residence</p> <p>Lot No : 1, 25 ALT STREET</p> <p>Suburb: ASHFIELD</p> <p>Council: INNER WEST COUNCIL</p>	<p>Client</p> <p>For:</p> <p>MR SIMON SHI</p>	<p>Project Details</p> <p>DATE: 21.03.2019</p> <p>RD NO: 90m JUNE 21-SHADOW</p> <p>SCALE: 1:200</p> <p>DATE: 07.03</p> <p>DATE: 26.03.19</p>	<p>PDS</p> <p>Pinnacle Designs Solutions</p> <p>1100 Conventry Road, Berrimba NSW 2152</p> <p>02 9794 8003</p> <p>www.pinnacle.com.au</p>
--	--------------------	---	---	--	---



ELEVATION OF HOUSE NO. 23

<p>General notes: All drawings are prepared in accordance with the relevant standards and codes of practice. All drawings are to be read in conjunction with the specification and any other documents referred to in the drawings. All dimensions are to be taken from the finished face of the work unless otherwise stated. All discrepancies to be reported to the drafting office immediately.</p> <p>COPYRIGHT: Pinnacle Designs Solutions Pty Limited is the legal and copyright owner of this drawing. All rights are reserved. This drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Pinnacle Designs Solutions Pty Limited.</p>	<p>North point</p>	<p>Proposed Residence</p> <p>Lot No : 1, 25 ALT STREET Suburb: ASHFIELD Council: INNER WEST COUNCIL</p>	<p>Client</p> <p>For: MR SIMON SHI</p>	<p>Project Details</p> <p>DRAWN BY: [Name] DATE: 21.03.2019 PROJECT NO: 30m JUNE 21-SHADOW SCALE: 1 : 200 DATE: 03/03 DRAWN BY: [Name] DATE: 26.03.19</p>
	<p>PDS Pinnacle Designs Solutions 1100 Conventry Road, Berrimba NSW 2152 www.pds.com.au 02 9794 8003</p>			