Subject	**DEVELOPMENT APPLICATION: 10.2009.155.1 89-93B LIVERPOOL ROAD ASHFIELD**
File Ref	10.2009.155.1
Prepared by	Andrew Johnston - Development Assessment Officer
Reasons	For Council to determine application prior to concurrence of Roads and Traffic Authority – report previously deferred
Objective	For Council to determine the application
Strategic Plan Link	N/A
Management Plan Activity	2.11 Development & Building Control, Strategic Planning

Overview of Report

Pursuant to Clause 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's consent to demolish the buildings and structures located at 89-93B Liverpool Road, Ashfield.

Background

1.0 Background

Pursuant to Clause 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's consent to demolish the buildings and structures located at 89-93B Liverpool Road, Ashfield. A total of seven (7) attached mixed-use buildings are proposed for demolition with this application.

Each of these properties is owned by the Roads and Traffic Authority (RTA) and the front portion of these sites are scheduled for road widening. No timeframe for the widening of this section of Liverpool Road has been provided, however, the RTA has advised that it will not occur in the next five (5) years.

The application is defined as Crown Development as it was lodged by a public authority.

A report on this matter was previously heard at Council's meeting of 8 December 2009. A copy of this report, recommending the approval of the application, is included as **Attachment 1**.

At its meeting held 8 December 2009 Council resolved:

1. *That the application be refused for the demolition of the building.*

2. *That Council write to the RTA to invite them to give a presentation to Council on its long-term plan for traffic management on this section of Liverpool Road*

and beyond.

The RTA was advised of this resolution on 14 December 2009 and was further requested to provide a presentation on their long-term plans for the site on 5 January 2010. In accordance with Council's resolution the RTA now wishes to address Council with respect to the subject site and the proposed road-widening works along this section of Liverpool Road.

2.0 Determination of Crown Development Applications

The RTA is defined as a 'public authority' under Clause 226(1)(a) of the Environmental Planning and Assessment (EP&A) Regulations 2000. As such the RTA may lodge applications under the Crown development provisions of Division 4 of Part 4 of the EP&A Act.

Section 89 of the EP&A Act states:

(1) A consent authority (other than the Minister) must not:

(a) refuse its consent to a Crown development application, except with the approval of the Minister, or
(b) impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.

Council is therefore unable to formally refuse this application without the approval of the Minister who has delegated this responsibility to the Joint Regional Planning Panel.

Should Council support the demolition of the buildings the previously prepared conditions would need to be referred to the RTA for concurrence pursuant to Clause 89(1)(b) of the EP&A Act.

3.0 Additional Information for the Consideration of Council

The RTA has lodged the following information in support of the demolition of the buildings:

- A concept plan for the future re-development of the site.
- A fire safety audit report outlining the upgrading works required for the existing buildings.
- A hazardous materials survey of the existing buildings.

This additional information is included at **Attachment 2**.

Financial Implications

Council's Section 94A Contributions Plan applies to all development with an estimated value-of-works in excess of $100,000.00 – with the exception of works defined under Section 3.6 of the Plan. Demolition works are not referred to under Section 3.6 of the Plan and as such a Section 94A Contribution would be payable even if no building works are proposed as a part of the application.

Therefore, based on the estimated value-of-works of $300,000.00, a contribution fee of $3,000.00 would be payable should this application be approved.

Section 94 or 94A Contributions would still be payable for any future developments of the site.

Other Staff Comments

Nil

Public Consultation

A single submission was received during the notification of the original application:

Submissions
Mr S French 12/93 Alt Street ASHFIELD NSW 2131

A copy of this submission and a discussion of the matters raised are included in **Attachment 1**.

Conclusion

This report has been submitted for the consideration of Council, in response to Council's resolution of 8 December 2010.

It is requested that Council note the provisions of Section 89(1) of the EP&A Act and either reaffirm its previous decision to not support the proposal or approve the application subject to the concurrence of the RTA for the imposition of conditions as recommended previously.

ATTACHMENTS

Attachment 1	Council Report dated 8 December 2009	31 Pages
Attachment 2	Additional Information for the consideration of Council	86 Pages

RECOMMENDATION

That the report be submitted for consideration.

PHIL SARIN
Director Planning & Environment

MIN NO **MINUTES OF ORDINARY MEETING TUESDAY 8 DECEMBER 2009**

Committee Tue 16 February. or Tue 16 March

RESOLVED Stott / Kelso

1/2 That the development application be refused for the demolition of the building.

2/2 That Council to write to the RTA to invite them to give a presentation to Council on its long-term plan for traffic management on this section of Liverpool Road and beyond.

The voting was as follows:-
For the Motion

Road widening plans RTA have Precinct plans.

Councillors McKenna, Rerceretnam, Stott, Wangmann, Cassidy, Drury, Kelso, Lofts, Adams, Wang, Mansour and Kennedy.

Against the Motion

Nil

The Motion was Carried

AMENDMENT TO PART C11 OF ASHFIELD DEVELOPMENT CONTROL PLAN 2007 - PARKING CONCESSION - CROYDON URBAN VILLAGE. Ron Sim - Manager Strategic Planning & Projects. Report Submitted with attachment 1.
(25/11/09) Planning & Building > Development Control Plan > Croydon Urban Village Part C11
h:\reports.bp\Council\Reports\CM081209SR_3.doc
CM 10.4 Attached

552/09 **RESOLVED** Wangmann / McKenna

1/4 That Part C11of the Ashfield Development Control Plan (DCP) 2007 be amended along the lines suggested in this report - i.e. inclusion of a statement in the DCP that no additional car parking be required for changes of building use that do not involve increases in gross floor area within the Croydon Urban Village area shown on the Map attached.

2/4 That adoption of the DCP amendment be notified in the press to comply with the requirements of the EPA Act 1979 (as amended).

3/4 That the Department of Planning be advised as required under the regulations to the EPA Act 1979 (as amended).

4/4 That a letter be forwarded by Council to all owners/tenants

Ashfield Council – Report to Ordinary Meeting held on Tuesday 08 December 2009

CM10.3

Subject	**DEVELOPMENT APPLICATION: 10.2009.155.1 89-93B LIVERPOOL ROAD, ASHFIELD**
File Ref	10.2009.155
Prepared by	Andrew Johnston - Development Assessment Officer
Reasons	For Council to determine application prior to concurrence of Roads and Traffic Authority – Demolition of prominent buildings along Liverpool Road
Objective	For Council to determine application
Strategic Plan Link	N/A
Management Plan Activity	2.11 Development & Building Control, Strategic Planning

Overview of Report

Pursuant to Clause 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's consent to demolish the buildings and structures located at 89-93B Liverpool Road, Ashfield.

Background

1.0 Description of Proposal

Pursuant to Clause 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's consent to demolish the buildings and structures located at 89-93B Liverpool Road, Ashfield. A total of seven (7) attached mixed-use buildings are proposed for demolition with this application.

Each of these properties are owned by the Roads and Traffic Authority (RTA) and the front portion of these sites are scheduled for road widening. No timeframe for the widening of this section of Liverpool Road has been determined, however, the RTA has advised that it will not occur in the next five (5) years.

Plans of the proposal are included at **Attachment 1**.

2.0 Summary Recommendation

Council generally requires details of any replacement building before it will consent to the demolition of an existing building, in particular when the site is located in such a prominent position. However, in this instance the site is owned by a public authority (the RTA) and Council cannot refuse the application without getting the concurrence of the public authority or the Minister of Planning.

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DEVELOPMENT APPLICATION: 10.2009.155.1
89-93B LIVERPOOL ROAD, ASHFIELD

Given that the proposal is defined as Crown development, and the site is affected by road widening, it is recommended that Council endorse the proposal and forward the prepared conditions for the concurrence of the RTA.

It should be noted that a condition has been recommended to consolidate the existing seven allotments (7) into a single allotment. This has been recommended given the narrow widths of the existing allotments and the limitations this may place on any future redevelopment. This will ensure a comprehensive redevelopment of the site instead of the piecemeal development of single sites.

Background

3.0 Application Details

Applicant	:	Roads and Traffic Authority NSW
Owner	:	Roads and Traffic Authority NSW
Value of work	:	$350,000.00
Lot/DP	:	LOT: 11 PRT: Lot SEC: 12 DP: 439 (89, 89A, 89B, 91A and 91B Liverpool Road) LOT: 12 PRT: Lot SEC: 12 DP: 439 (93A and 93B Liverpool Road)
Date lodged	:	17 September 2009
Date of last amendment	:	12 November 2009
Building classification	:	6 and 4
Application Type	:	Local
Construction Certificate	:	No
Section 94A Levy	:	Yes

4.0 Site and Surrounding Development

The subject site is located on the northern side of Liverpool Road, bounded by Bruce Street to the west (although this road has been closed off to create a park), Elizabeth Street to the west of the park and Pembroke Street to the east. Combined the properties have a site area of approximately 1,733m^2. Two and three-storey mixed-use buildings (ground floor commercial/retail premises with residential above) exist across these seven properties.

Surrounding development is mixed, with residential flat buildings, dwelling houses, a church, a car repair station and a motel existing along this section of Liverpool Road. Dwelling houses generally dominate to the rear (north) of the site. Further west of the site is the Ashfield town centre and the West Leagues Club.

Refer to **Attachment 2** for a locality map.

5.0 Development History

Previous consents were noted in the assessment of this application. Past approvals indicate that the properties have long been used for commercial and retail purposes at

ground floor level.

Assessment

6.0 Zoning/Permissibility/Heritage

- The site is zoned 3(c)-Neighbourhood Business / PART 9(c) County Road Widening Reserve under the provisions of Ashfield Local Environmental Plan (LEP) 1985.
- The property is located within the vicinity of the Draft Federal-Fyle Conservation Area.
- The property is located within the general vicinity of a draft heritage item at 11 Bruce Street.

The proposed demolition work is permissible with Council consent.

7.0 Section 79C Assessment

The following is an assessment of the application with regard to the heads of consideration under the provisions of Section 79C of the EP&A Act.

7.1 The provisions of any Environmental Planning Instrument

7.1.1 Local Environmental Plans

Ashfield Local Environmental Plan 1985 (as amended)

Council consent is required for the demolition of the buildings pursuant to Clause 10A(2)(b) of the Ashfield LEP.

Generally Council will not permit the demolition of buildings without also approving any replacement building. However, in this instance, the property is burdened by road widening, is somewhat dilapidated and has long been vacant. As the properties are owned by the RTA the submitted proposal would also be defined as Crown development.

Council is unable to refuse Crown development unless the consent of the Minister is obtained. The public authority, in this case the RTA, also has to agree with any conditions imposed by Council.

As the road widening will necessitate the demolition of the buildings in the future there would be little benefit in Council delaying the RTA's planned demolition. It is therefore recommended that Council support the demolition of the existing buildings across the seven properties.

A concept plan showing the potential redevelopment of the site is included at **Attachment 3**. Whilst this is only a concept and a development application would be needed in the future, it should be noted that any new building would be set back from the road widening reserve fronting Liverpool Road.

Until such time that the site is developed it is envisioned that the site will be turfed and

fenced off (see Section 9 of this report).

7.1.2 Regional Environmental Plans

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

It is considered that the carrying out of the proposed development is generally consistent with the objectives of the Plan and would not have any adverse effect on environmental heritage, the visual environment, the natural environment and open space and recreation facilities.

7.1.3 State Environmental Planning Policies

State Environmental Planning Policy No. 1 – Development Standards

Not applicable.

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

Not applicable to demolition works.

State Environmental Planning Policy No. 55 – Remediation of Land

Council's records do not indicate that the site is contaminated. Regardless, the remediation of the site would be a matter of consideration with the future development of the site.

State Environmental Planning Policy No. 64 – Advertising and Signage

Not applicable to demolition works.

7.2 The provisions of any Draft Environmental Planning Instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority.

Draft LEP Amendment No. 105 was prepared and exhibited by Council to ensure that development does not adversely affect the heritage significance and character of North Ashfield. The Department of Planning have advised that LEP Amendments made prior to March 2006 may no longer be considered in the assessment of development applications however Council has taken the position that Draft LEP Amendments should be considered as no formal legal instrument has been introduced at this stage to repeal them.

Draft LEP Amendment No. 105 seeks to include additional heritage items and conservation areas including the Federal-Fyle Conservation Area, which is an extension of the existing Oak Street Conservation Area. The subject site is located within the general vicinity of this draft conservation area.

The subject buildings are not located within the draft conservation area and therefore make no contribution to the significance of the area. As such the loss of the building will

not detract from the significance of the Draft Federal-Fyle Conservation Area. The appropriateness of any replacement building/s, and any potential impacts to the draft conservation area, would be a matter for consideration should a new application be submitted.

7.3 The provisions of any Development Control Plan.

The proposal has been considered against the provisions of the Ashfield Development Control Plan (DCP) 2007:

C1	ACCESS AND MOBILITY	Not applicable.
C2	ADVERTISEMENTS AND ADVERTISING STRUCTURES	Not applicable to demolition works.
C3	ASHFIELD TOWN CENTRE	The site is not located within the Ashfield town centre.
C4	ASHFIELD WEST AREA	The site is not located within the area covered by this Plan.
C5	MULTI-UNIT DEVELOPMENT IN RESIDENTIAL FLAT ZONES	Not applicable.
C10	HERITAGE CONSERVATION	Not applicable. See Section 7.2 of this report.
C11	PARKING	Not applicable. The consolidation of the allotments into a single allotment is recommended for provide adequate parking and loading facilities for any future redevelopment.
C12	PUBLIC NOTIFICATION IN THE PLANNING PROCESS AND ALL ASPECTS OF LAND MANAGEMENT	The proposal was notified as a 'major development' in accordance with the Public notification DCP.

7.4 Any matters prescribed by the regulations that apply to the land to which the development application relates.

The RTA is defined as a 'public authority' under Clause 226(1)(a) of the Environmental Planning and Assessment (EP&) Regulations 2000. As such the RTA may lodge applications under the Crown development provisions of Division 4 of Part 4 of the EP&A Act.

7.5 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality.

These matters have been considered as part of the assessment of the development application. It is considered that the proposed development will have no significant adverse environmental, social or economic impacts upon the locality.

The submitted application covers the demolition of all structures across seven allotments. It is considered that a comprehensive redevelopment of the sites would be needed. The redevelopment of individual allotments would be inappropriate given their narrow widths and inability to provide adequate vehicular access, parking and loading facilities. The shortcomings of the existing individual allotments is evident with the existing vacant buildings.

So that Council has greater certainty as to the future redevelopment of the site it is therefore recommended that Council impose conditions requiring the seven existing allotments to be consolidated into a single allotment. This is particularly important to ensure that adequate vehicular access, parking and loading facilities are provided to what is likely to be a mixed-use development.

7.6 The suitability of the site for the development

These matters have been considered as part of the assessment of the development application. There are no natural hazards or other site constraints that are likely to have a significant adverse impact upon the proposed development. The proposed development is considered suitable in the context of the locality.

7.7 Any submissions made in accordance with this Act or the regulations

The proposal was notified to all adjoining and nearby affected property owners, occupants and Councillors from 23 September until 16 October 2009.

7.7.1 Summary of submissions

One (1) submission (**Attachment 4**) was received during the notification of the development application:

Submissions
Mr S French 12/93 Alt Street ASHFIELD NSW 2131

The matters raised in these submissions are detailed below in italics, followed by a response from the assessing officer:

A Statement of Environmental Effects (SOEE) has not been submitted as required under Schedule 1 of the EP&A Act 1979.

Officer's comment: A SOEE was submitted with the application and formed a part of the bundle of documents available for viewing as a part of the notification.

The proposal does not provide adequate justification for the demolition of the existing buildings.

Officer's comment: The site is affected by road widening and, whilst the RTA has advised

that the road widening will not occur within the next five (5) years, it is still scheduled to occur. Indeed this reserve remains in existence after a recent review of road widening within the municipality (which saw the removal of road widening reserves over Park Avenue and sections of Queen and Holden Streets).

Given the road widening affectation over the front portion of the site, delaying or seeking to refuse the application is therefore seen to be merely putting off the inevitable demolition of the existing structures.

The existing buildings make a direct reference to the identity of Ashfield as an early residential suburb with local service industries and retail businesses. The demolition should not be supported on these grounds.

Officer's comment: Whilst the row of buildings appear to date from the Federation period and are prominently located, they are not heritage-listed or located within a heritage conservation area. As the front portion of the buildings are affected by a road widening reserve, and the existing parking and loading facilities are antiquated by today's standards, there appears to be few grounds to support their retention.

The building appears to be in good condition and should not be demolished.

Officer's comment: With the exception of the front awning, there appears to be little doubt that the restoration of the buildings is possible. However, finding tenants for the shops has been difficult over the years and the RTA's ongoing maintenance costs are recognised. As detailed above the demolition of the building is likely to occur in the future.

In accordance with Clause 61(2) of the EP&A Regulation the submission received during the notification of this proposal was referred to the RTA. A response prepared by the RTA to this submission is included at **Attachment 5.**

7.7.2 Mediation

Not applicable.

7.8 The public interest

The site is affected by road widening and as such there is little justification for the retention of the buildings onsite. The consolidation of the existing allotments into a single allotment will provide greater certainty for the future development of the site and will be in the public interest.

8.0 Referrals

8.1 Internal

Heritage Adviser – The subject buildings are not heritage-listed or located within a heritage conservation area. However, given the age of the buildings the proposal was referred to Council's Heritage Adviser for comment.

The Heritage Adviser has raised no objection to the demolition of the building. The Heritage Adviser has recommended that architectural plans and photographs be prepared to record the existing buildings and this may be conditioned should the application be approved.

Comments from Council's Heritage Adviser are included at **Attachment 6**.

Engineering – Council's Design and Development Engineer has raised no objection to the proposal subject to the imposition of conditions.

Building – No objection to the demolition of the buildings has been raised.

8.2 External

Roads and Traffic Authority

As the front portion of the properties fronting Liverpool Road are affected by a Road Widening Reserve, and the properties are located on a main road, the proposal was referred to the RTA under Clause 59(1) of the EP&A Regulation. Documentation provided by the RTA at this time indicated that both the Road Widening and Development Assessment Sections of the RTA raised no objection to the proposal.

Conditions from the relevant departments may be imposed with the concurrence of the RTA.

9.0 Other Relevant Matters

Determination of Crown development applications

Section 89 of the EP&A Act states:

> *(1) A consent authority (other than the Minister) must not:*
>
> *(a) refuse its consent to a Crown development application, except with the approval of the Minister, or*
> *(b) impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.*

Council is therefore in a difficult position should it wish to refuse the application, as the consent of the Minister of Planning would be required.

Given that the buildings are likely to be demolished in the future anyway, and to avoid further processing delays, it is recommended that Council agree to the demolition works at this stage. The prepared conditions may then be referred to the RTA for concurrence pursuant to Clause 89(1)(b) of the EP&A Act.

It is also recommended that Council give the General Manger delegated authority to determine the application upon the receipt of the RTA's concurrence and any relevant conditions.

Ongoing Maintenance and Appearance of the Site

After the completion of the demolition works it is recommended that conditions to be imposed requiring the installation of a security fence around the site to avoid the dumping of rubbish. The site should also be turfed.

Similar sites treated in this way and owned by the RTA exist on Frederick Street.

It is further recommended that conditions be imposed requiring the ongoing maintenance of the site with respect to the mowing of grass and the collection of rubbish.

Stormwater Pipes

Council's stormwater map does not indicate that the subject property is burdened by any Council or Sydney Water stormwater pipes.

10.0 Building Code of Australia (BCA)

A Construction Certificate is not required for demolition work.

Financial Implications

Council's Section 94A Contributions Plan applies to all development with an estimated value-of-works in excess of $100,000.00 – with the exception of works defined under Section 3.6 of the Plan. Demolition works are not referred to under Section 3.6 of the Plan and as such a Section 94A Contribution would be payable even if no building works are proposed as a part of the application.

Based on the estimated value-of-works of $300,000.00 a contribution fee of $3,000.00 would be payable in this instance.

Section 94A Contributions would still be payable for any future developments of the site.

Other Staff Comments

See Section 8.1 of this report.

Public Consultation

See Section 7.7 of this report.

Conclusion

The application has been assessed in accordance with the provisions of the EP&A Act with all matters specified under Section 79C (1) Clauses (a) to (e) having been taken into consideration. The subject properties are not heritage-listed or located within a heritage conservation area. As the proposal is defined as Crown development it is recommended that Council endorse the prepared conditions and forward them to the RTA for their

concurrence.

It is further recommended that Council give the General Manager delegated authority to finalise the determination the application should concurrence be received from the RTA.

ATTACHMENTS

Attachment 1	Plan of the proposal	1 Page
Attachment 2	Locality Map	1 Page
Attachment 3	Concept Plan	3 Pages
Attachment 4	Submission	1 Page
Attachment 5	RTA's Response to Submission	3 Pages
Attachment 6	Heritage Advice	1 Page

RECOMMENDATION

1/2 That Council forward the prepared conditions to the Roads and Traffic Authority (RTA) for concurrence pursuant to Clause 89(1)(b) of the Environmental Planning and Assessment Act 1979 (as amended); and

2/2 That upon the receipt of concurrence from the Roads and Traffic Authority (RTA) the General Manager be granted delegated authority to determine Development Application No. 10.2009.155.1 for the demolition of the buildings and structures located on Lot: 11 Prt: Lot Sec: 12 DP: 439 and Lot: 12 Prt: Lot Sec: 12 DP: 439, known as 89-93B Liverpool Road, Ashfield.

CONDITIONS

A General Conditions

(1) Approved plans stamped by Council

The development must be carried out only in accordance with the plans and specifications set out on drawing number A01 prepared by Caldis Cook Group12 November 2009 and date stamped by Council 12 November 2009 and any supporting documentation received with the application, except as amended by the conditions specified hereunder.

B Design Changes

Nil

DEVELOPMENT APPLICATION: 10.2009.155.1
89-93B LIVERPOOL ROAD, ASHFIELD

C ***Conditions that must be satisfied prior to issuing/releasing a Construction Certificate***

Nil

D ***Conditions that must be complied with before work commences***

(1) Consolidation of allotments

The seven (7) existing allotments at 89, 89A, 89B, 91A and 91B Liverpool Road (LOT: 11 PRT: Lot SEC: 12 DP: 439) and 93A and 93B Liverpool Road (LOT: 12 PRT: Lot SEC: 12 DP: 439) are to be consolidated into one (1) allotment.

A plan of consolidation prepared by a registered surveyor and six (6) paper copies are to be submitted to Council for signature prior to registration at the Department of Lands (formerly the Land Titles Office). Evidence of consolidation from the Department of Lands shall be submitted to Council or the Principal Certifying Authority prior to the commencement of demolition work.

(2) Section 94A Contribution

Pursuant to Section 80A(1) of the *Environmental Planning and Assessment Act 1979* and Ashfield Council's Section 94A Development Contributions Plan 2009 a contribution of **$3,000.00** shall be paid to Ashfield Council. This contribution fee is based on the supplied estimated value-of-works of $300,000.00.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of Ashfield Council's Section 94A Development Contributions Plan 2009.

The contribution is to be paid prior to the commencement of demolition and copies of receipts(s) confirming that the contribution has been fully paid are to be provided to the Council.

(3) Long service levy

Compliance with Section 109F of the *Environmental Planning and Assessment Act 1979* – payment of the long service levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or, where such a levy is payable by instalments, the first instalment of the levy) – is required. All building works in excess of $25,000.00 are subject to the payment of a Long Service Levy at the rate of 0.35%. This levy is to be paid prior to the commencement of work.

0.35% X $300,000.00 = **$1,050.00**.

(4) Damage deposit/footpath, road, kerb and gutter

A Damage Deposit of $7,000 is to be submitted prior to any demolition covering repair and/or replacement of adjoining footpath, road shoulder, road pavement, kerbing and

guttering both outside the subject site and the surrounding area. This is to be paid to Council and may be refunded subject to satisfactory completion of the demolition.

This Damage Deposit covers unforeseen damage to the above property by construction vehicles, skip bins, construction methods etc. Note: Should repair works or maintenance be required on Council land, a Road Opening Permit must be obtained before those works take place.

Bank Guarantees are accepted in lieu of any Council security deposit/bond subject to the following:

- A charge equal to the value multiplied by the current "overdue rates interest charge" be levied, per month or part thereof, with a minimum charge of three months is to be paid upon lodgement.
- Any remaining charge is to be calculated at the prevailing "overdue rates interest rate" for each month or part thereof beyond the original three months that the Bank Guarantee was held, and paid prior to its release.
- Any costs incurred in the acceptance, administration or release of such Bank Guarantees be on-charged to the entity claiming the release of such Bank Guarantee, and that these amounts be paid prior to its release.
- At the time of lodgement, Council will seek verification of the Bank Guarantee. Please provide contact details for the branch (phone number and officer) to assist with verification of the bona fides of the Bank Guarantee.

Until all items above are completed, no documents or usage sought from Council by the party lodging the Bank Guarantee can be issued. Please allow a minimum of 2 business days for this process.

(5) Footpath/roadway – Photographs to be submitted

Prior to the commencement of any demolition work, the applicant shall lodge with Council photographs of the roadway, footpath, kerb and gutter at the property indicating the state of the relevant pavements. At the completion of construction, again at the expense of the applicant, a new set of photographs is to be taken to determine the extent, if any, of any damage which has occurred to the relevant pavements. If any damage has occurred, the applicant shall meet the full cost to repair or reconstruct these damaged areas to Council's relevant standard.

(5) Recording of buildings

A record of the interior and exterior of the buildings to be demolished shall be undertaken in accordance with the Heritage Branch's publications 'How to Prepare Archival Records of Heritage Items' and 'Photographic Recording of Heritage Items using Film or Digital Capture'. At a minimum this recording shall satisfy the minimum requirements of Schedule A of 'How to Prepare Archival Records of Heritage Items'

Three (3) copies of this record shall be submitted to Council prior to any demolition work.

(6) Demolition work plan

Prior to demolition, the applicant shall submit a Work Plan prepared in accordance with AS 2601 by a person with suitable expertise and experience to Council. The Work Plan shall identify any hazardous materials, the method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.

(7) Public liability insurance – Works on Council/public lands

The applicant or any contractors carrying out works on public or Council controlled lands shall have public liability insurance cover to the value of $10 million and shall provide proof of such cover prior to carrying out the works.

(8) Erection of Safety Fences

The Safety fence to be erected along Liverpool Road and Bruce Street shall be totally contained on the footpath and clear of any road signage and traffic signals.

Prior to any demolition, written approval to erect a safety fence shall be obtained from Council as the local road authority. Included in this application the following information is to be submitted:

- A Traffic management plan which includes pedestrian movements in front and around the site.
- The proposed date and length of time this fence shall be erected for.
- Contact details of the company responsible for the site.

A copy of the Public Liability Insurance from the company responsible for the site (minimum $10,000,000) shall be required.

All appropriate fees to carry out this work are to be paid to Council.

(9) Protection of public places – Demolition

As the demolition of the buildings on site will cause pedestrian and/or vehicular traffic in a public place to be obstructed or rendered inconvenient or involves the enclosure of a public place; a hoarding or fence must be erected between the work site and the public place.

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

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

Any such hoarding, fence or awning is to be erected prior to works commencing and only with Council approval in accordance with Workcover requirements. The temporary structures are to be removed when the work has been completed.

(10) Construction and Site Management Plan

Prior to the commencement of any demolition work the applicant shall submit to Council or the accredited certifier a construction and site management plan that clearly sets out the following:

(a) what actions and works are proposed to ensure safe access to and from the site and what protection will be provided to the road and footpath area from building activities, crossings by heavy equipment, plant and materials delivery, or static loads from cranes, concrete pumps and the like,

(b) the proposed method of loading and unloading excavation machines, building materials, formwork and the erection of any part of the structure within the site,

(c) the 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

(d) how it is proposed to ensure that soil/excavated material is not transported on wheels or tracks of vehicles or plant and deposited on surrounding roadways.

Where it is proposed to:

- enclose a public place (hoarding), or
- pump concrete from within a public road reserve or laneway, or
- stand a mobile crane within the public road reserve or laneway,or
- use part of Council's road/footpath area,
- pump stormwater from the site to Council's stormwater drains, or
- store waste and recycling containers, skip, bins, and/or building materials on part of Council's footpath or roadway,

an Application for a construction zone, a pumping permit, an approval to stand a mobile crane or an application to pump water into a public road – together with the necessary fee – shall be submitted to Council and approval obtained.

(11) Haulage route information

Full details of proposed haulage routes, estimated number of vehicle movements and trip locations related to the demolition activities are to be submitted to the local road authority (that being Ashfield Council) prior to work commencing

(12) Site Controls

Sediment and erosion controls must be in place before work is commenced on the site. The control strategies must be consistent with the technical requirements set out in Landcom's *Managing urban stormwater: Solis and construction Vol. 1* (The 'Blue Book').

A sediment and erosion control plan must be prepared and identify appropriate measures for bunding and siltation fencing. Any such erosion and sedimentation controls shall include the protection of stormwater inlets and gutter systems within the immediate vicinity of the site, as well as protect neighbouring properties from runoff.

This sedimentation and erosion control plan must be submitted prior to the commencement of demolition.

Material from the site is not to be tracked onto the road by vehicles entering or leaving the site. At the end of each working day any dust/dirt or other sediment shall be swept off the road and contained on the site and not washed down any stormwater pit or gutter.

The sediment and erosion control measures are to be inspected daily and defects or system failures are to be repaired as soon as they are detected.

(13) Sanitary facilities – Demolition/construction sites

Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

(14) Sydney Water approval

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre 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. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site: www.sydneywater.com.au, see Your Business then Building & Developing then Building & Renovating or telephone Sydney Water 13 20 92.

(15) Inspections

Inspections shall be carried out at different stages of construction by Council:

(i)	Commencement of building works	$235.40
(ii)	After demolition work has been completed	$235.40
	Total Cost of Inspections	**$470.80**

Note: The above fees are only valid until 30 June 2010 following which the charges will be reassessed. If additional inspections are required, an additional fee is payable for each inspection. A minimum of 24 hours notice is required to be given to Council to obtain an inspection. Work is not to proceed until the works or activity covered by each inspection is approved.

(16) Notice of Commencement

Work must not commence until the person having the benefit of the development consent has given notification in writing to Council no later than two (2) days before the building work commences.

A 'Notice of Commencement' form is available from Council's website: www.ashfield.nsw.gov.au

E Conditions that must be complied with during construction or demolition

(1) Plans to be available on site

The Council stamped approved plans and Development Consent shall be held on site to be produced unobliterated to an authorised Council officer at any time when required.

(2) Signs to be erected on building and demolition sites

(1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

(a) stating that unauthorised entry to the work site is prohibited; and

(b) showing the name and address of the contractor for the building work and the person in charge of the work site and a telephone number at which the person may be contacted outside working hours; and

(c) showing the name, address and telephone number of the Principal Certifying Authority appointed for the building works.

(2) Any-sign shall be maintained and not removed until work has been finished.

(3) Demolition/excavation/construction – Hours of work

Demolition, excavation and construction work, including loading and unloading of materials and machinery, shall be restricted to between the hours of 7.00 am to 6.00 pm, Monday to Friday and from 7:00 am to 12:00 noon on Saturday. Work is prohibited on Sundays, and on public holidays.

(4) Spoil and building materials on road and footpath

Spoil and building materials shall not be placed or stored within any public roadway or footpath.

(5) Demolition requirements/standards

Demolition work is to be carried out in accordance with the following:

(a) Australian Standard AS 2601:2001 and any requirements of the WorkCover Authority.

(b) The property is to be secured to prohibit unauthorised entry.

(c) All precautions are to be exercised in the handling, removal and disposal of all asbestos materials. Licensed contractors are to be used and the disposal of asbestos is to be carried out in accordance with the requirements of the WorkCover Authority.

(d) All lead contaminated material is to be disposed of in accordance with the NSW Environment Protection Authority's requirements.

(e) Demolition is not to be performed during high winds that may cause dust to spread beyond the site boundaries without adequate containment.

(f) Hazardous dust must not be allowed to escape from the site or contaminate the immediate environment. The use of fine mesh dust proof screens, wet-lead safe work practices, or other measures is required.

(g) Any existing accumulations of dust (e.g. ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter and disposed of appropriately.

(h) All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Unclean water from the suppressant spray is not be allowed to enter the street gutter and stormwater systems.

(i) All contractors and employees directly involved in the removal of hazardous dusts and substances shall wear protective equipment conforming to AS 1716 'Respiratory Protective Devices' and shall adopt work practices in accordance with WorkCover requirements.

(6) Waste Management Plan – Compliance

All requirements of the approved Waste Management Plan must be implemented during the demolition and/or excavation and construction period of the development. Adequate measures need to be in place to ensure the ongoing waste management of the site.

Keep receipts of where waste will be taken to be treated or disposed. The receipts must be presented to the Principal Certifying Authority at the completion of the works.

(7) Footpath, kerb and gutter protection

The applicant is to take all precautions to ensure footpaths and roads are kept in a safe condition and to prevent damage to Council's property.

The applicant shall construct a temporary vehicular access crossing for vehicles entering and leaving the site across Council's footpath. Pedestrian access across this footpath

must be maintained in good order at all times during work. Any damage caused will be made good by Council at Council's restoration rates, at the applicant's expense.

(8) Pedestrian way to remain accessible

The public pedestrian way must be freely accessible at all times. The minimum width of unobstructed footpath shall be 1.5 metres.

(9) Finished ground levels at property boundary

Finished ground surface levels shall match existing levels at the property boundary.

(10) Surface water – Regraded areas

Any regraded areas must not direct surface water into adjoining properties.

(11) Road opening permit – Council controlled lands

A "road use-opening permit" shall be obtained for all works carried out in public or Council controlled lands. Contact Council's Works and Infrastructure Department for details.

(12) Footpath, kerb and gutter reconstruction

The public footpath and verge, outside the site shall be completely reconstructed to the requirements of Council's Works & Infrastructure Department at the applicant's expense. This work shall be carried out prior to the completion of the work and the final inspection.

(13) Traffic control on public roads

Where works are undertaken on public roads, adequate traffic control in accordance with AS 1742.3 1996 "Traffic Control Devices for work on Roads", particularly regarding traffic movement controllers, advance warning signs and directions to motorists, shall be provided. Where such measures are not satisfactorily provided to this Australian Standard, Council may provide such and recover the costs from any bonds held.

(14) Completion of Demolition

At the completion of demolition the following site restrictions shall be put in place until such time a Development Application to improve the site has been approved by Council:

- A perimeter chainmesh fence of at least 1.8 metres in height shall be installed.
- The full site shall be levelled to one grade matching the footpath and adjacent properties levels.
- The full site shall be turfed.
- The site shall be maintained on a regular basis.

F Conditions that must be complied with prior to installation of services

Nil

G Conditions that must be complied with before the building is occupied

(1) Final Inspection

At the completion of the demolition works a final inspection shall be undertaken by Council to ensure the site is stabilised and the conditions of this approval have been satisfied.

H Conditions that are ongoing requirements of development consents

Nil

I Advisory Notes

(1) Modifications to your consent - prior approval required

Works or activities other than those authorised by the approval including changes to building configuration or use will require the submission and approval of an application to modify the consent under Section 96 of the *Environmental Planning & Assessment Act 1979*. You are advised to contact Council immediately if you wish to alter your approved plans or if you cannot comply with other requirements of your consent to confirm whether a Section 96 modification is required.

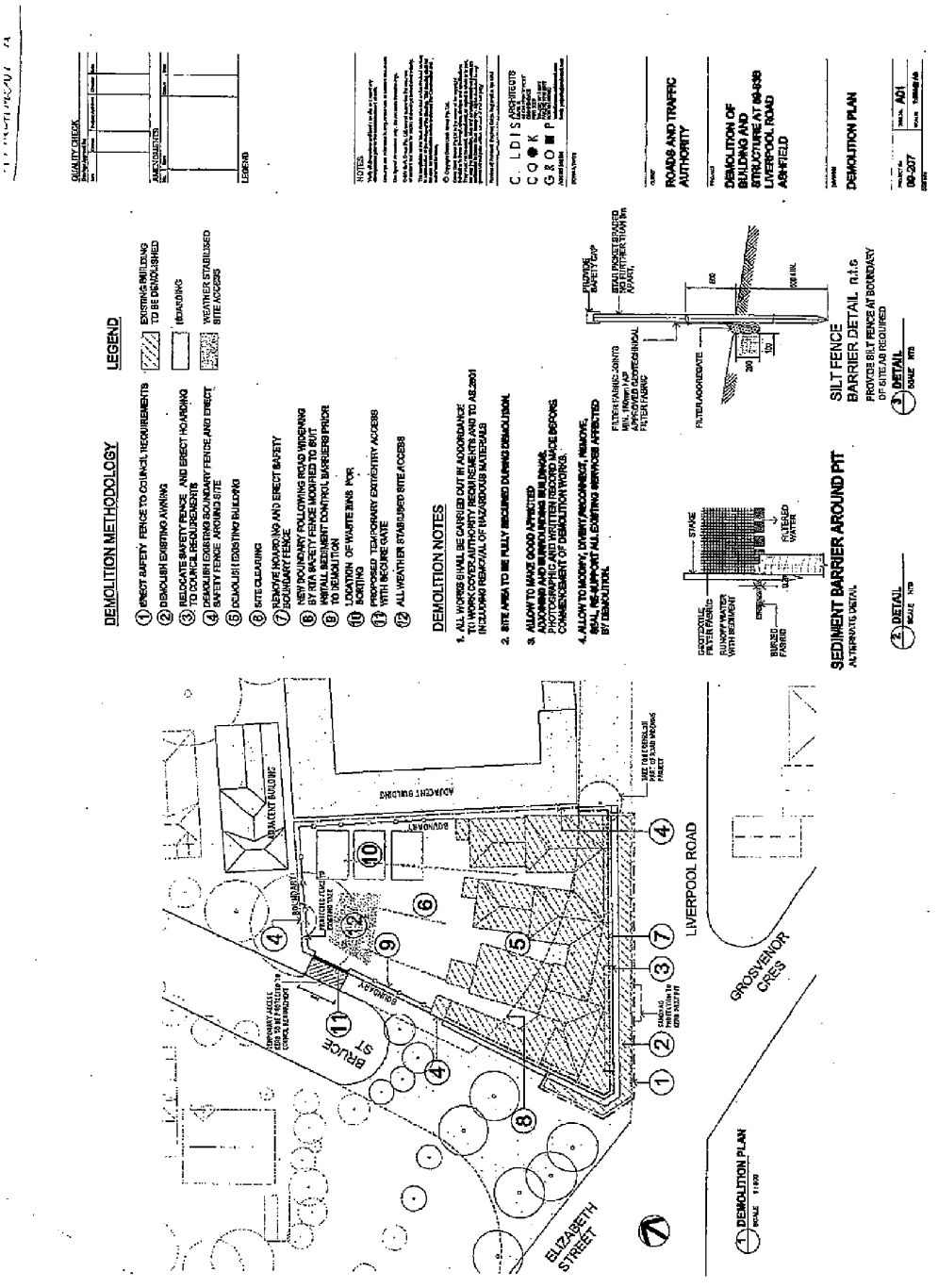
Warning: There are substantial penalties prescribed under the *Environmental Planning and Assessment Act 1979* for breaches involving unauthorised works or activities.

(2) Services adjustment or relocation

The applicant shall meet the full cost for Telstra, Sydney Electricity, Sydney Water or Natural Gas Company or other service authorities to adjust/relocate their services as required. The applicant shall make the necessary arrangements with the service authority.

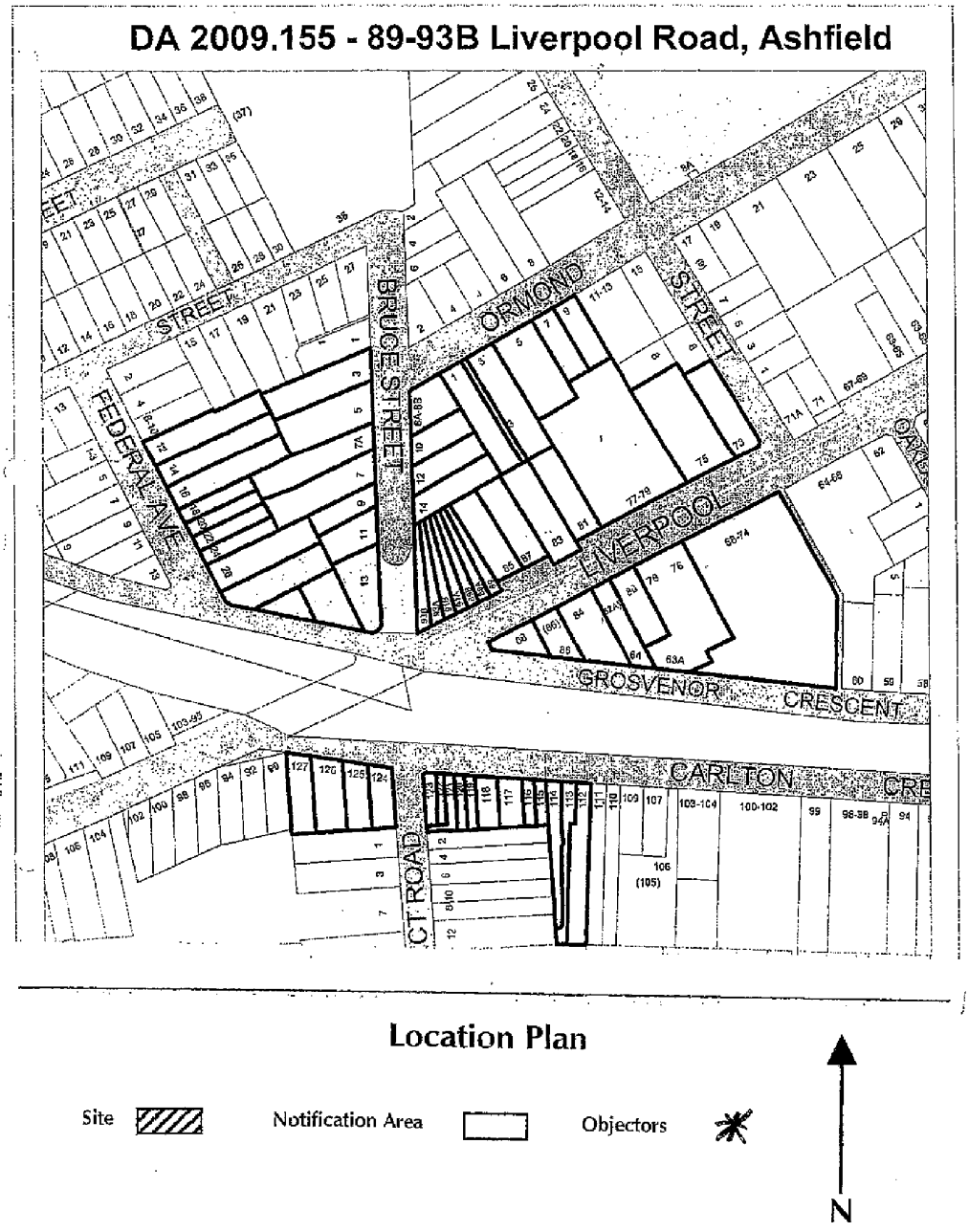
For information on the location of these services contact the "Dial before you Dig" service on 1100 or visit their website www.dialbeforeyoudig.com.au

Plan of the proposal

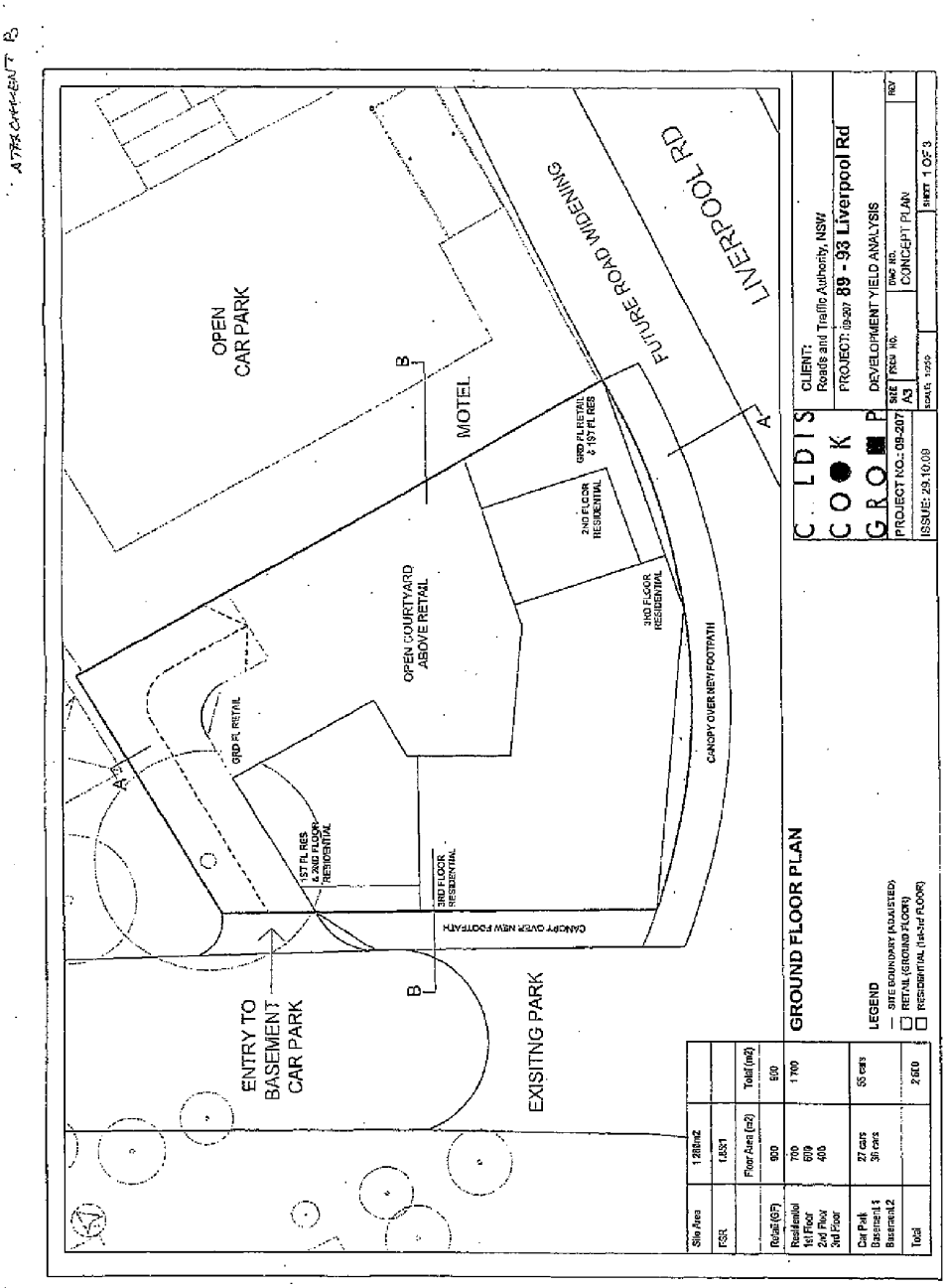


Attachment 1

Attachment 2 Locality Map

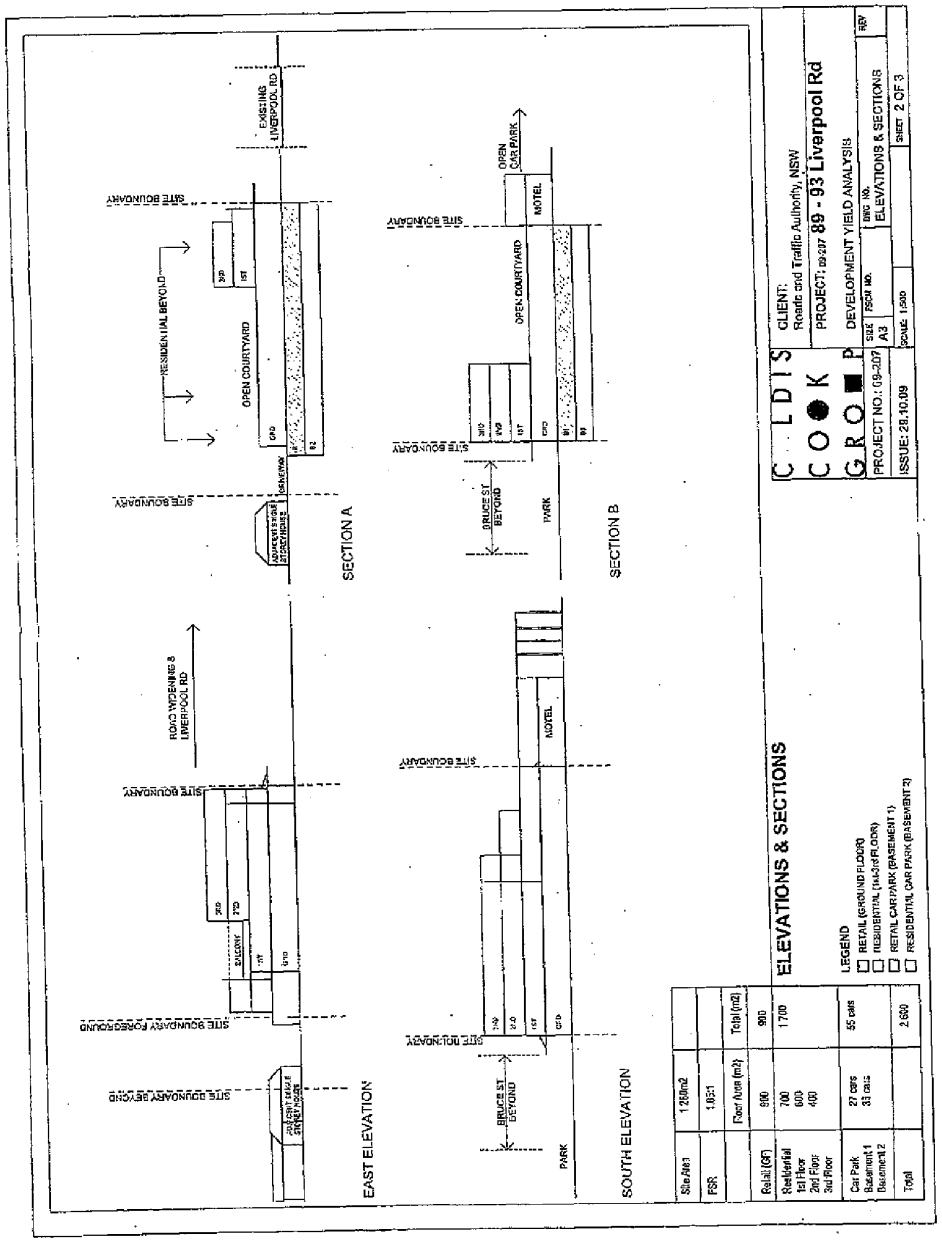


Concept Plan



Attachment 3

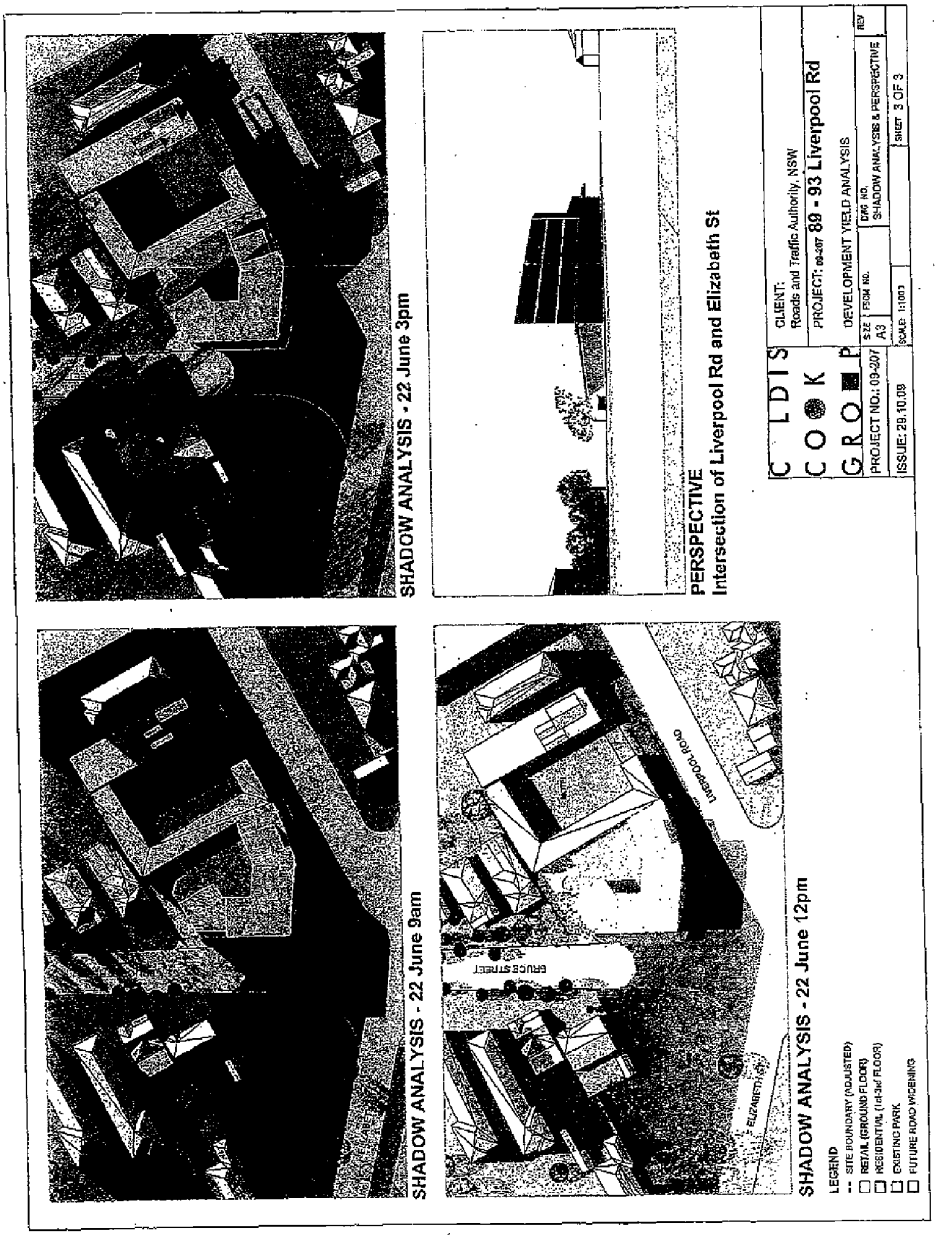
Concept Plan



Site Area	1,250m2	
FSR	1.65:1	
	Floor Area (m2)	Total (m2)
Retail (GF)	690	900
Residential 1st Floor	700	1,700
2nd Floor	600	
3rd Floor	400	
Car Park	27 cars	55 cars
Basement 1	31 cars	
Basement 2		
Total		2,650

Attachment 3

Concept Plan



Attachment 3

Submission to Ashfield Council in relation to development application no. 10.2009.155 for 89-93B Liverpool Rd, Ashfield
Submission author: Simon French (12/93 Alt Street, Ashfield)
16 October 2009

This is a submission in relation to the public exhibition of development application no. 10.2009.155 for 89-93B Liverpool Road, Ashfield. The development application seeks demolition of all buildings and structures on the site.

This submission is made in my capacity as a resident and citizen of Ashfield.

The *Environmental Planning and Assessment Regulation 2000* indicates, at Schedule 1, Part 1, 2(1)(c) that a development application must be accompanied by a statement of environmental effects. The development application is not accompanied by a statement of environmental effects, and makes no attempt to address the relevant parts of *Ashfield Local Environmental Plan 1985* (ALEP 1985) or *Ashfield Development Control Plan 2007* (ADCP 2007). On this basis, it would appear that the development application cannot be determined.

The development application provides no reasons as to why the existing building should be demolished; and no explanation as to what the site would be used for after the demolition. The proposal is, therefore, to replace the existing building with a vacant parcel of land.

It is suggested that the development application is inconsistent with the second aim/objective of ALEP 2005. Clause 2(b) states:

> *This plan aims to:*
> *retain and enhance the identity of the Ashfield area derived from its role as an early residential suburb with local service industries and retail centres...*

The development application seeks to demolish an existing, handsome, building which makes direct reference to the identity of the Ashfield area as an early residential suburb with local service industries and retail centres. The ground floor commercial space provides opportunities for local service industries and retail businesses which a vacant site would not.

It is suggested that the development application is inconsistent with the third objective of ADCP 2007, which states:

> *The objectives of this DCP are:*
> *(c) to develop a high quality urban environment and built form character;*

Although the existing building appears to be vacant, and although the existing awning along Liverpool Road is in a state of disrepair, the building appears to be in reasonably good condition. It is suggested that the posters currently attached to the ground floor windows have the effect of making the building appear more dilapidated than is actually the case.

With a new awning, and uncovered windows, the building would contribute to a high quality urban environment and built form character – and would certainly do so much more than a vacant site. The positive contribution which this building makes to the urban environment is increased when it is considered in conjunction with the service station building on the opposite side of Liverpool Road.

By way of example, the existing building makes a much more positive contribution to the quality of the urban environment and built form character than does the adjacent motel.

Furthermore, the decision made by the owner of the building (being the Roads and Traffic Authority) to allow the building to remain vacant, and to assume the appearance of being dilapidated, should not be rewarded by consent being granted for the demolition of the building.

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Attachment 5 RTA's Response to Submission

Contact: Aurora Moroney
Tel (02)85885338
Fax: (02)85884131

ASHFIELD COUNCIL
RECORDS SECTION
SCANNED
DATE 12/11/09
ASHFIELD COUNCIL
ORIGINAL SENT TO OFFICER

12 NOV 2009

10 November 2009

The General Manager
Ashfield City Council
P O Box 1145
ASHFIELD NSW 1800
Attention: Andrew Johnston

- CALLED 19 NOV 2009 - NOT IN. ADVISED COLLEAGUE I WOULD CALL BACK

Dear Sir

Re: Development Application No. 10.2009.155.1 for the proposed demolition of Building at 89-93B Liverpool Road, Ashfield NSW 2131

I am writing in response to Council's letters of 9 October 2009 and 22 October 2009 in relation to the above matter.

The Roads and Traffic Authority (RTA), as applicant and landowner in this instance, is providing the following information in relation to the current Development Application for the demolition of the building on the subject land.

REQUESTED ADDITIONAL INFO RE - FENCING TREATMENT OF SITE (GRASS?) + MAINTENANCE WORKS

- *Confirmation that the Road Widening and Development Assessment Sections within the RTA are supportive of the proposed development.*

20/11/09

The Network and Corridor Planning section of the RTA, responsible for managing the State road network and corridor was consulted regarding the proposed demolition, and on 30 October 2009, responded with the following advice via e-mail and requested for this advice to be included in this letter:

I wish to confirm that for the subject property an affectation exists along its frontage for the purpose of road widening. This reservation is strategically located and may be required for road based public transport purposes or traffic capacity enhancement.

The RTA raises no objection to the demolition works of the subject development subject to the conditions stipulated within Council's letter are met in conjunction with the works should comply to RTA road/lane closure standards (see attached pdf file).

Regards,
Chris Goudanas
Manager Network and Corridor Planning

- *Demolition Plan*: Caldis Cook Architects has prepared a demolition plan (Attachment A) that shows the methodology to be used in demolishing the building whilst ensuring the safety of the public and minimising damage to Council asset. Works will be carried out in accordance with Workcover

is considered to be the most appropriate solution from a public interest and health and safety perspective given the dilapidated state of the building.

It should also be emphasised that the RTA has examined various options for the building, including repairs and refurbishment to bring the structure up to a habitable state. However the costs for repairs and refurbishment far exceed the potential rental stream from a building that is partly affected by a road widening proposal and would eventually be demolished.

The proposed demolition is also consistent with the object of the Environmental Planning &Assessment Act, 1979, namely 'to allow the economic and orderly development of land.'

A duly completed Development Application and Statement of Environmental Effects accompanied the subject DA.

I trust the above information satisfies Council's request contained in its letters.

Thank you for your assistance in this matter. Should further information be required, please contact the writer on telephone number 85885338.

Yours faithfully,

Aurora Moroney
Portfolio Planner

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Ashfield Council

DEVELOPMENT SERVICES
HERITAGE ADVISOR'S REFERRAL COMMENTS

ADDRESS:	89-93 LIVERPOOL ROAD – PDA 2009.270
DATE:	~~17 August~~ 2009 – Bob Moore

07 Sept AM

The demolition of these buildings appears to be a consequence not only of the proposed road widening which requires their site, but also of their deteriorated condition which would appear to be a consequence of poor maintenance and vandalism.

The buildings have long made a distinctive contribution to their locality and their removal will greatly change the nature of the intersection which they have helped to formalise and visually enclose for many years. Their design and form may be a useful future reference in composing and accessing the proposals for the locality.

It is suggested that, as a condition of consent, a thorough photographic record be made of the buildings contribution to the streetscape and of their design as a small commercial and apartment complex.

Council archives might be checked to see if plans are still held of the buildings.

In my opinion, simple plan and elevation drawings of the buildings should be made and deposited in Council's local history collection.

Richard Moore

7/09/09

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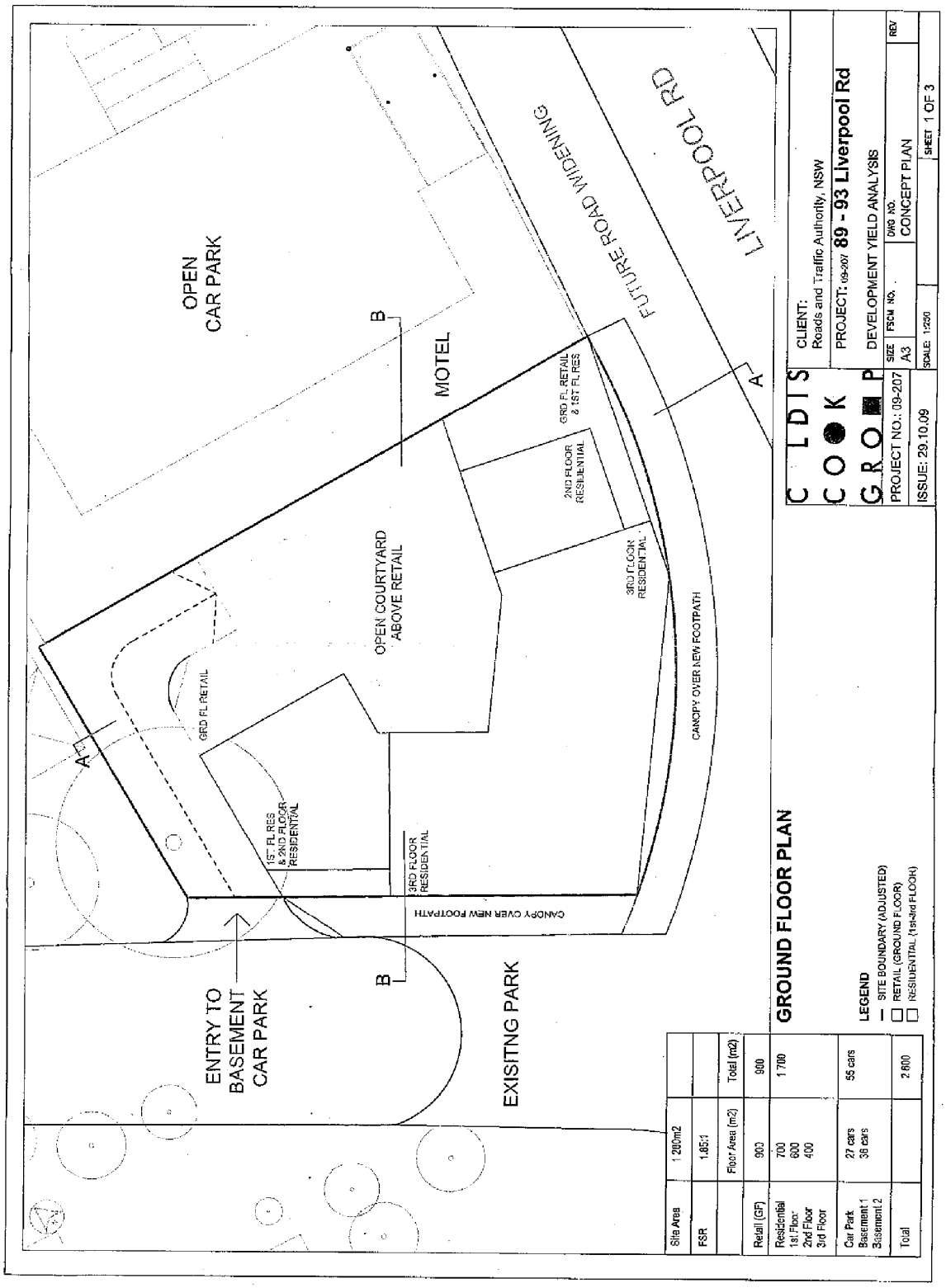
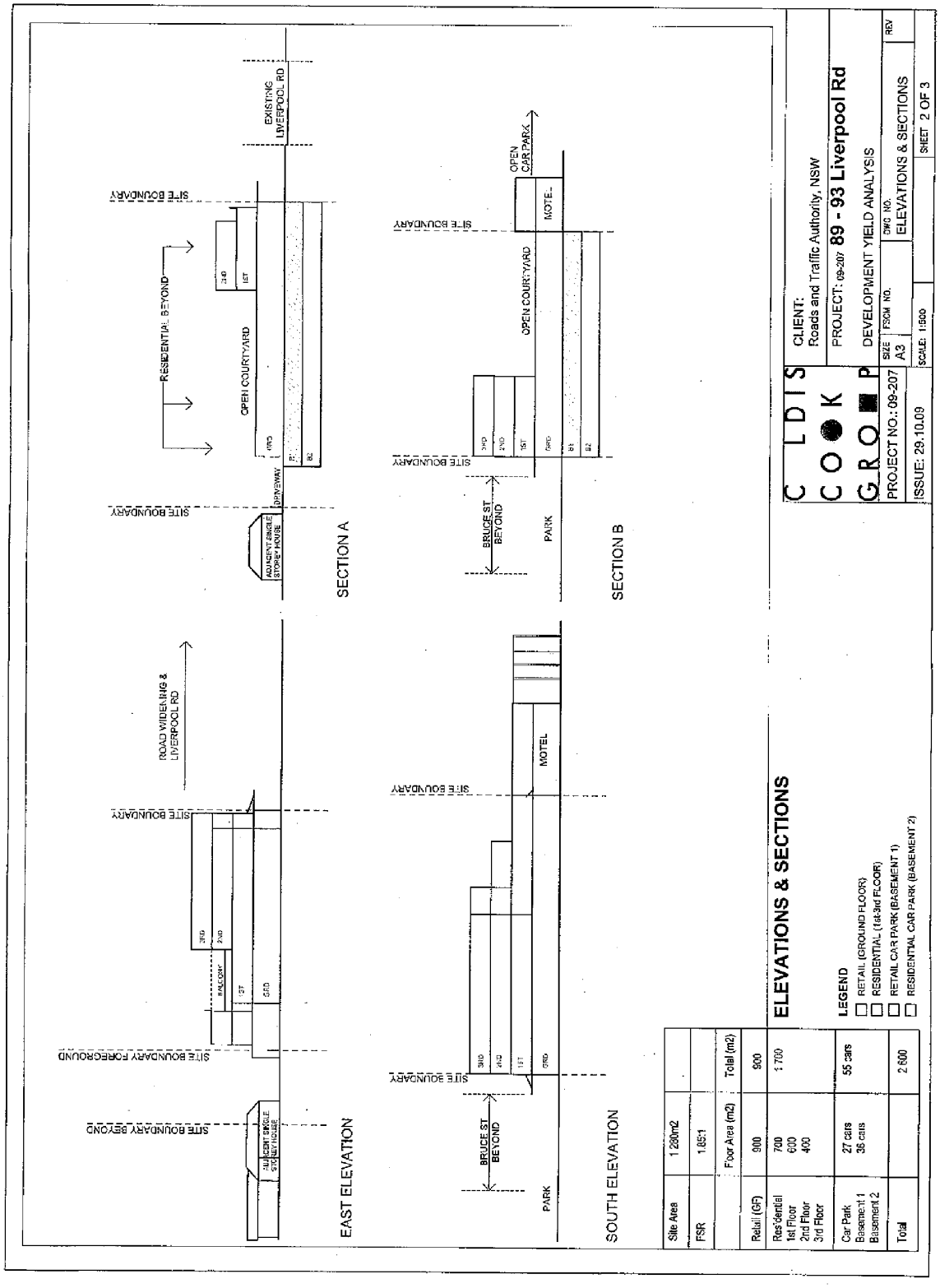
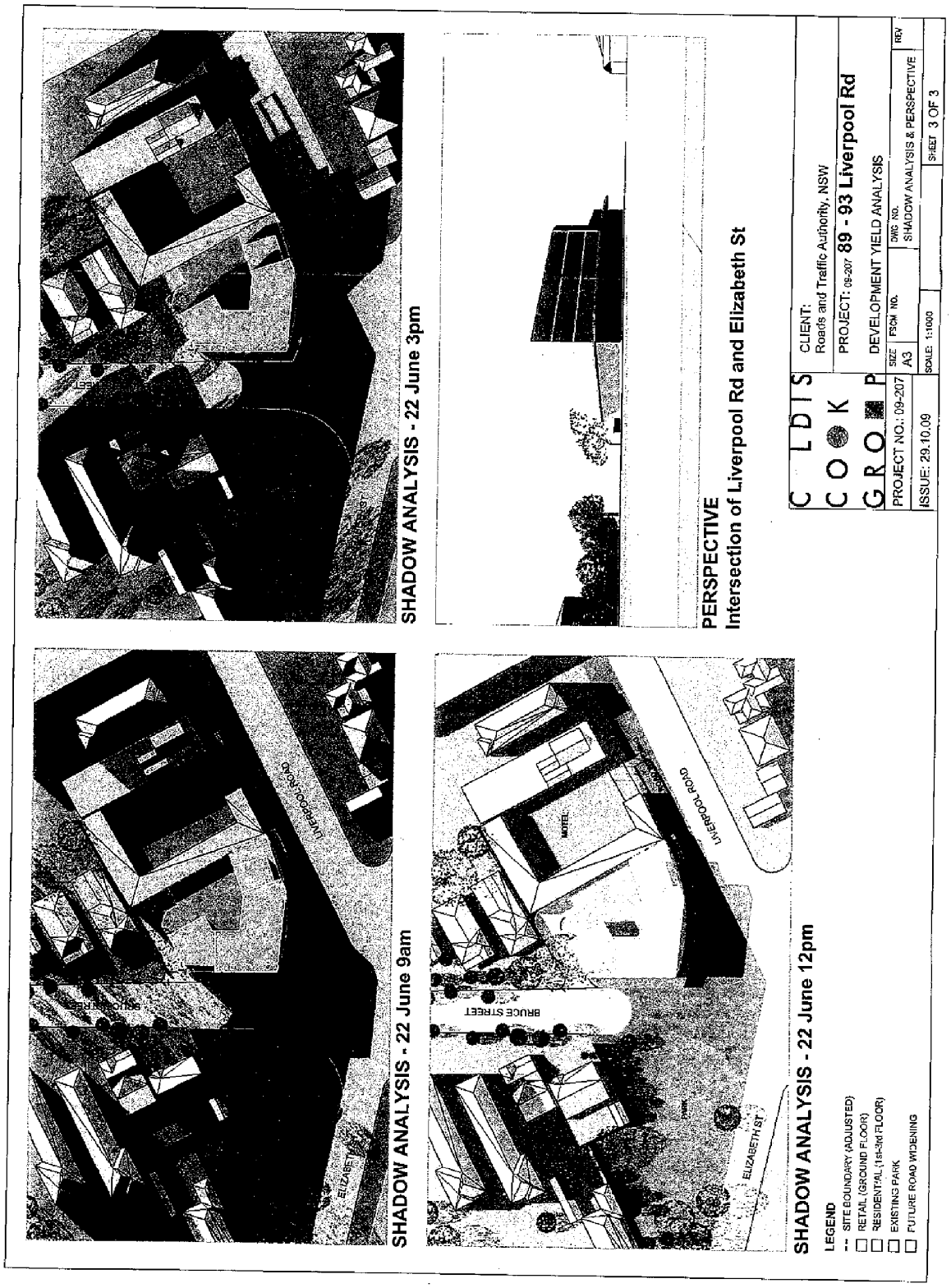
ATTACHMENT 5




EAST ELEVATION
SOUTH ELEVATION
SECTION A
SECTION B
ELEVATIONS & SECTIONS
LEGEND
RETAIL (GROUND FLOOR)
RESIDENTIAL (1st-3rd FLOOR)
RETAIL CAR PARK (BASEMENT 1)
RESIDENTIAL CAR PARK (BASEMENT 2)
CLIENT: Roads and Traffic Authority, NSW
PROJECT: 09-207 89 - 93 Liverpool Rd
DEVELOPMENT YIELD ANALYSIS
PROJECT NO.: 09-207
ISSUE: 29.10.09
SCALE: 1:500
SHEET 2 OF 3
ELEVATIONS & SECTIONS
SITE BOUNDARY
SITE BOUNDARY FOREGROUND
SITE BOUNDARY BEYOND
ROAD WIDENING & LIVERPOOL RD
EXISTING LIVERPOOL RD
RESIDENTIAL BEYOND
OPEN COURTYARD
DRIVEWAY
ADJACENT SINGLE STOREY HOUSE
OPEN CARPARK
MOTEL
BRUCE ST BEYOND
PARK
BALCONY
Site Area 1 280m2
FSR 1.85:1
Floor Area (m2) Total (m2)
Retail (GF) 900 900
Residential 1st Floor 700 1 700
2nd Floor 600
3rd Floor 400
Car Park 27 cars 55 cars
Basement 1 28 cars
Basement 2
Total 2 600


SHADOW ANALYSIS - 22 June 3pm
PERSPECTIVE
Intersection of Liverpool Rd and Elizabeth St
SHADOW ANALYSIS - 22 June 9am
SHADOW ANALYSIS - 22 June 12pm
LIVERPOOL ROAD
BRUCE STREET
ELIZABETH ST
MOTEL
LEGEND
SITE BOUNDARY (ADJUSTED)
RETAIL (GROUND FLOOR)
RESIDENTIAL (1st-3rd FLOOR)
EXISTING PARK
FUTURE ROAD WIDENING
CLDTS
COOK
GROUP
CLIENT:
Roads and Traffic Authority, NSW
PROJECT: 09-207 89 - 93 Liverpool Rd
DEVELOPMENT YIELD ANALYSIS
PROJECT NO.: 09-207
SIZE A3
DWG NO.
SHADOW ANALYSIS & PERSPECTIVE
REV
ISSUE: 29.10.09
SCALE: 1:1000
SHEET 3 OF 3

COPY

TREVOR R HOWSE & ASSOCIATES PTY LTD
ACN 003 753 839
ABN 24 003 753 839
Building Regulations Consultants

BCA FIRE SAFETY AUDIT REPORT

PREPARED FOR

Roads & Traffic Authority

BY

Trevor R Howse & Associates Pty Ltd

REGARDING

Lot 11 & 12 Liverpool Road, Ashfield

For the purpose of assessment for compliance with the Building Code of Australia 2004 incorporating the New South Wales variations.

27 January 2005

Our Ref: J24315.1.TS

FIRE SAFETY
BUILDING AUDIT
DESIGN ASSESSMENT
CERTIFICATION

Level 8, 210 George St
Sydney, NSW, 2000
PO Box N694
Grosvenor Place, NSW 1220
Telephone (02) 9251 4500
Facsimile (02) 9252 9022
Email trh@trh.com.au

REPORT REGISTER

The following report register documents the development and issue of this report and project as undertaken by this office, in accordance with the *Quality Assurance* policy of **Trevor R Howse & Associates Pty Ltd.**

Our Reference	Issue No.	Remarks	Issue Date
J24315.TS	-1	Report issued to client for comment	27.01.05

INDEX

CONTENTS PAGE

EXECUTIVE SUMMARY

The following report has been prepared at the request of the Roads & Traffic Authority Pty Ltd, for the purpose of assessing the existing building located at Lot 11 & 12 Liverpool Road, Ashfield and identifying the extent to which compliance is achieved with the current prescriptive "fire & life safety" provisions of the Building Code of Australia.

This report has been prepared as a BCA Fire Safety Audit Report, identifying specific prescriptive non-compliances and providing suitable recommendations through which it is considered that the circumstances may be upgraded, as required to achieve compliance with the intent and objectives of the Code.

Given the limitations associated with the existing status of the building, it has been recognised that upgrade to comply with the prescriptive provisions may not be practical in parts, such that Performance based recommendations have been included.

However, through the undertaking of the recommendations contained within this report, it is considered that an acceptable standard of fire and occupant life safety, for the regulatory authorities, shall be achieved.

In reviewing the following report, it is conveyed that –

(i) **Part 3** (of this report) provides a detail assessment of the prescriptive non-compliances identified during the inspection; and

(ii) **Part 4** provides recommendations through which it is considered that compliance may be achieved.

PART 1

INTRODUCTION

1.0 INTRODUCTION

1.1 General

The following report has been prepared at the request of the Roads & Traffic Authority Pty Ltd, for the purpose of assessing the existing building located at Lot 11 & 12 Liverpool Road, Ashfield and identifying the extent to which compliance is achieved with the current prescriptive "fire & life safety" provisions of the Building Code of Australia.

1.2 Report Basis

The content of this report reflects –

(a) The principles and provisions of the Building Code of Australia 2004, including the New South Wales variations;

(b) Visual inspection of available areas of the premises on 13 October 2004 (no inspection of concealed areas was permitted – ie Cavities, voids and the like).

1.3 Exclusions

It is conveyed that this report should not construed to infer that an assessment for compliance, with the following, has been undertaken –

(i) Structural adequacy and fire ratings;

(ii) Disability Discrimination Act (DDA) or AS 1428.1;

(iii) Mechanical, Hydraulic and Electrical services;

(iv) Operation capacity of general and fire services;

(v) The individual requirements of WorkCover and other service providers (ie Telstra, Sydney Water and the like); and

(vi) Those areas of the building inaccessible for inspection.

1.4 Report Purpose

This report has been prepared as a BCA Fire Safety Audit Report identifying those areas of non-compliance within, and provide suitable recommendations through which it is considered that the building may be upgraded to satisfy the intent and objectives of the BCA.

In providing suitable recommendations through which it is considered that areas of non-compliance may be upgraded, recognition has been given to the prescriptive provisions in the first instance.

Where it has been considered that prescriptive compliance is impractical given the existing status and use of the premises, application of the performance provisions and intent and objective of the BCA has occurred.

PART 2

BUILDING DESCRIPTION

2.0 BUILDING DESCRIPTION

2.1 General

For the purposes of the Building Code of Australia (BCA) the building (and parts) may be separated into two separate buildings as contained within Items 2.2 – 2.6 below.

2.2 Rise in Storeys (Clause C1.2)

- The building contains a rise in storeys of two (2);

2.3 Building Classification (Clause A3.2)

- The building contains the following classifications –

(i) Class 2 – Residential sole occupancy units

(ii) Class 6 – Retail

2.4 Effective Height (Clause A1.1)

- The building has an effective height of less than 25m

2.5 Type of Construction (Table C1.1)

- The building is required to be of Type B construction

2.6 General Floor Area Limitations (Table C2.2)

Class 6

Type B	*Fire Compartments*	–	Floor area	–	3,500m²
		–	Volume	–	21,000m³

Class 2

Not applicable to Class 2 buildings

PART 3

BCA FIRE SAFETY AUDIT

3.0 BCA FIRE SAFETY AUDIT

3.1 General

As contained within Item 1.4 above, the following assessment identifies the extent to which non-compliance with the "fire safety" prescriptive provisions of Sections C, D and E exists.

3.2 Section C – Fire Resistance

(a) *Clause C2.8 –Separation of classifications in the same storey*

The following non-compliance has been identified –

(i)	**Lot 11 and 12**	The inspection could not identify whether the walls bounding the retail tenancies with the residential sole occupancy units achieved an FRL of at least 180/180/180.

Refer Part 4 – Recommendations of this report.

(b) *Clause C2.9 –Separation of classifications in different storeys*

The following non-compliance has been identified –

(i)	**Lot 11 and 12**	The floors separating the residential sole occupancy units from the retail levels on the ground floor are not provided with an adequate level of fire protection.

Refer Part 4 – Recommendations of this report.

(c) *Clause C3.2 – Protection of openings in external walls*

The following non-compliance has been identified –

(i)	**Lot 11**	The doorways and windows within the side elevation of the building facing Bruce Street are less than 6m from the far boundary of a road and not protected.

(ii) **Lot 12** The doorways and windows within the side elevation of 89 Liverpool Road are within 3m of the side boundary and not protected.

Refer Part 4 – Recommendations of this report.

3.3 Section D – Access and Egress

(a) ***Clause D1.6 – Dimensions of exits and paths of travel to exits***

The following non-compliances have been identified –

(i) **Lot 11 and 12**

1. The unobstructed path of travel due to fixed furniture and / or the location of stock within each of the retail tenancies is less than 1m wide (750 –920mm); and
2. The stairways within each of the retail tenancies are less than 1m wide (770 – 880mm).

Refer Part 4 – Recommendations of this report.

(b) ***Clause D2.7 – Installation in exits and paths of travel***

The following non-compliances have been identified –

(i) **Lot 11 and 12** The electrical distribution switchboards within each of the retail tenancies are not enclosed by non-combustible construction and adequately smoke sealed.

Refer Part 4 – Recommendations of this report.

(c) ***Clause D2.8 – Enclosure of space under stairs and ramps***

The following non-compliances have been identified –

(i) **Lot 11 and 12** The space beneath each of the stairways within each of the retail tenancies have been enclosed to form cupboards and not fire rated.

Refer Part 4 – Recommendations of this report.

(d) *Clause D2.16 – Balustrades*

The following non-compliances have been identified –

(i)	**Retail tenancies**	1. The balustrades of each of the stairways within the retail tenancies are less than 1m above the landing areas (770 – 920mm); and
		2. The balustrades of each of the stairways within the retail tenancies are less than 865mm above the nosings of each of the stair treads;
(ii)	**Residential tenancies**	1. The balustrades within each of the stairways within the residential sole occupancy units are less than 1m above the landing areas; and
		2. The balustrades of each of the stairways within the residential tenancies are less than 865mm above the nosings of each of the stair treads.

Refer Part 4 – Recommendations of this report.

(j) *Clause D2.21 – Operation of Latch*

The following non-compliance has been identified –

(i)	**Shop 93A**	The door hardware provided to each of the door leafs within shop 93A are located at a height greater than 1.2m from the floor (1.4m).

Refer Part 4 – Recommendations of this report.

3.4 **Section E – Services and Equipment**

(a) *Clause E1.3 – Fire hydrants*

The following non-compliance has been identified –

(i)	**Lot 11 and 12**	The external street hydrant located outside the retail tenancies known as 91 – 93 Liverpool Road does not provide adequate coverage to all parts of the building.

Refer Part 4 – Recommendations of this report.

(b) *Clause E1.6 – Portable Fire Extinguishers*

The following non-compliance has been identified –

(i)	**Lot 11 and 12**	1. Portable fire extinguishers in accordance with AS 2444 have not been provided within the retail buildings to cover Class A fire risks; and 2. Signage in accordance with AS 2444 at a height of at least 2m has not been provided to the portable fire extinguishers.

Refer Part 4 – Recommendations of this report.

(c) *Clause E2.2 – General requirements*

The following non-compliance has been identified –

(i)	**Lot 11 and 12**	The building has not been provided with a smoke detection system in accordance with Specification E2.2a of the BCA.

Refer Part 4 – Recommendations of this report.

(d) *Clause E4.2 – Emergency Lighting Requirements*

The following non-compliance has been identified –

(i)	**Lot 11 and 12**	Emergency lighting has not been provided above the required non-fire isolated stairways within each of the retail tenancies.

Refer Part 4 – Recommendations of this report.

3.4 Section F – Health and Amenity

(a) *Clause F2.5 – Construction of sanitary compartments*

Comments:

The following non-compliance has been identified –

(i)	**Retail tenancies**	The doorways providing access to the toilets within each of the retail tenancies swing inwards and are not provided with a clear space between the doorway and the closet pan of at least 1.2m.

Refer Part 4 – Recommendations of this report.

PART 4

RECOMMENDATIONS

4.0 RECOMMENDATIONS

4.1 General

The following table has been complied to summarise the non-compliances contained within the building and provide suitable recommendations through which it is considered that compliance may be achieved.

This assessment has highlighted that, in accordance with the current building regulations, the premises contains significant and potentially expensive deficiencies.

Given the nature of these non-compliances and recognising the limitations associated with the existing status of the building, recommendations have been provided to negate the total upgrade of the building (particularly where the major items are discussed).

The pursuit of alternative building solutions may assist to defray the costs associated with upgrading all deficiencies to achieve deemed-to-satisfy compliance.

Where it is considered that a performance-based solution can not be formulated without major construction works, interim / temporary measures have been provided as solutions. It need be noted however, that such do not meet the performance requirements of each of the relevant BCA Clauses and are only provided to increase in the short term, the effectiveness of evacuating occupants from the building in the event of an emergency.

4.2 Upgrade Recommendations

DEFICIENCY / NON – COMPLIANCE	DESIGN SOLUTION	UPGRADE RECOMMENDTIONS
Clause C2.8 – Separation of classifications in the same storey		A suitably qualified structural engineer need be engaged to provide confirmation on whether the walls separating the retail parts of the building from the residential sole occupancy units achieve an FRL of at least 180/180/180. In the event that such does not occur, the following recommendations are provided –
	Deemed-to-satisfy	1. The walls need be lined with fire rated plasterboard to ensure an FRL of at least 180/180/180 is achieved; or
	Alternative building solution	2. In lieu of installing a deemed to satisfy smoke detection system as provided under Clause E2.2 within these recommendations, obtain an alternative building solution to install a smoke detection and alarm system throughout all parts of the building which – (i) Consist of smoke alarms complying with AS 1670 except for Clause 3.26 (f); and (ii) The system is interconnected between the retail and residential parts of the building in the two storey parts only so that if a detector is activated within the ground floor part of the building, occupants on the first floor part would ordinarily be signalled immediately.
Clause C2.9 – Separation of classifications in different storeys	Deemed-to-satisfy	The following Deemed to Satisfy solutions are provided with respect to the floors of the building that separate a residential sole occupancy unit from a retail tenancy and is specific only to the floor that separates such parts from a storey below – 1. The floor / ceiling system must incorporate a ceiling which has a resistance to the incipient spread of fire to the space above itself of not less than 60 minutes; or 2. Be provided with materials that achieve an FRL of at least 30/30/30; or

DEFICIENCY / NON – COMPLIANCE	DESIGN SOLUTION	UPGRADE RECOMMENDTIONS
Clause C2.9 – Separation of classifications in different storeys (Cont'd)	Alternative building solution	3. Be provided with a fire protective covering on the underside of the floor and include any beams incorporated within it. Furthermore, if alterations to each of the floors can not readily be undertaken an alternative building solution may be obtained (as also noted for Clause C2.8) to alleviate such requirement subject to the entire building be provided with a smoke detection and alarm system throughout all parts of the building which – 1. Consist of smoke alarms complying with AS 1670 except for Clause 3.26 (f); and 2. The system is interconnected between the retail and residential parts of the building in the two storey parts only, so that if a detector is activated within the ground floor part of the building, occupants on the first floor part would be automatically notified.
Clause C3.2 – Protection of openings in external walls	Alternative building solution Deemed-to-satisfy	The following Deemed-to-satisfy and Alternative building solutions are provided – 1. An alternative solution may be obtained to allow the existing windows and doorways within the side elevation of the building facing Bruce Street remain unprotected with consideration provided that whilst the park is not a public road as defined by the BCA, it is unlikely that any adjoining building will be constructed on such land by the local authority. A caveat on the existing title may be placed, whereby in the event that such adjoining land is built on, protection of such openings would need to be provided; and 2. The doorway that is located within 3m of the side elevation of 89 Liverpool Street need be provided with – (i) An external wall wetting sprinkler used with a door that is self closing or automatic closing; or

DEFICIENCY / NON – COMPLIANCE	DESIGN SOLUTION	UPGRADE RECOMMENDTIONS
Clause C3.2 – Protection of openings in external walls (Cont'd)	Deemed-to-satisfy	(ii) The door may be replaced with a self closing or automatic closing -/60/30 fire door set; and 3. The windows that are within 3m of the side elevation of 89 Liverpool Street need be provided with – (i) External wall wetting sprinklers that are used with windows that are automatically or permanently fixed in the closed position; or (ii) Be provided with -/60/- fire windows that are automatic or permanently fixed in the closed position; or (iii) Be provided with -/60/- automatic fire shutters.
Clause D1.6 – Dimensions of exits and paths of travel to exits	Alternative building solution Deemed-to-satisfy	The following Deemed-to-satisfy and Alternative building solutions are provided – 1. It is considered that an alternative building solution may be formulated to allow the reduced widths (750 – 920mm) within each of the existing non fire isolated stairways with consideration provided that access to each of the top storeys is limited to the staff for the purposes of ancillary uses to the retail stores below; and 2. The fixed furniture and / or the location of permanent displayed items within each of the retail tenancies need be altered so that a clear and unobstructed path of travel to the exit doorways is maintained at all times.
Clause D1.10 – Discharge from exits	Deemed-to-satisfy	The external path of travel from each of the residential sole occupancy units located within the rear of the building (accessed via Bruce Street) need be provided with – 1. A ramp or other incline having a gradient not steeper than 1:8 at any part for a unobstructed width of at least 1m; or 2. A stairway complying with the deemed to satisfy provisions of the BCA.

DEFICIENCY / NON – COMPLIANCE	DESIGN SOLUTION	UPGRADE RECOMMENDTIONS
Clause D2.7 – Installation in exits and paths of travel	Deemed-to-satisfy	The electrical distribution boards within each of the retail tenancies within the building need be enclosed by non combustible construction or a fire protective covering with doorways or openings suitably sealed against smoke spreading from each of the enclosures.
Clause D2.8 – Enclosure of space under stairs and ramps	Deemed-to-satisfy	The following recommendations are provided with respect to the enclosed spaces beneath each of the non fire isolated stairways within the retail parts of the building – 1. The area beneath each of the stairways should not be enclosed to form a cupboard or other enclosed space; or 2. The enclosing walls and ceiling must be provided with materials that have an FRL of not less than 60/60/60; and 3. The access doorways to the enclosed spaces need be fitted with self-closing -/60/30 fire door sets.
Clause D2.16 – Balustrades	Deemed-to-satisfy	The balustrades to the required internal non fire isolated stairways and the stairways serving the Class 2 parts of the building need be reconstructed so that – 1. The height is at least 1m above the landing areas; 2. The height is at least 865mm above the nosings of each of the stair treads; and 3. No opening should exist that would permit a sphere greater than 125mm be able to pass through any part of the balustrade when measured above the nosings of the stair treads.

DEFICIENCY / NON – COMPLIANCE	DESIGN SOLUTION	UPGRADE RECOMMENDTIONS
Clause D2.21 – Operation of latch	Deemed-to-satisfy	The door hardware provided to each of the door leaf within the tenancy known as Shop 93A need be altered so that they are of a single hand device always openable from the side facing a person seeking egress and located between 900mm and 1.2m from the floor.
Clause E1.3 – Fire hydrants	Deemed-to-satisfy	Whilst it is acknowledged that a street hydrant is located outside the retail tenancies known as 91 – 93 Liverpool Road, such does not provide adequate coverage to all parts of the building and therefore the recommendations are provided – 1. A suitably qualified hydraulics consultant need be engaged to design an additional external hydrant system to be located within the common parts to the rear of the property (accessed from Bruce Street); and 2. The design of the hydrant system need be in accordance with AS 2419.1 to ensure that adequate coverage is provided to all parts of the building and that it meets the operational requirements of the fire brigade with regard to operating flows and pressures; and 3. The existing street hydrant need be assessed to ensure the existing operating flows and pressures are adequate to meet the operational requirements of the fire brigade
Clause E1.6 – Portable fire extinguishers	Deemed-to-satisfy	Portable fire extinguishers need be provided within each of the retail tenancies in accordance with AS 2444 to cover Class A fire risks. The location of each of the portable fire extinguishers need be between 100mm and 1.8m from the floor and be identified by signage located at least 2m from the floor above each of the portable fire extinguishers.

DEFICIENCY / NON – COMPLIANCE	DESIGN SOLUTION	UPGRADE RECOMMENDTIONS
Clause E2.2 – General requirements	Deemed-to-satisfy	The residential parts of the building need be provide with an automatic smoke detection and alarm system that complies with Specification E2.2a of the Building Code of Australia and the smoke alarm system must – 1. Consist of smoke alarms complying with AS 3786; and 2. Be powered from the consumers main source; and 3. In the kitchen and other areas where the use of the area may result in smoke alarms causing spurious signals, heat alarms may be installed in lieu of smoke alarms or an alarm acknowledgement facility may be installed. The smoke alarms must be located near or on the ceiling and where bedrooms are contained between each part containing the bedroom and the remainder of the sole occupancy units and where the bedrooms are served by a hallway within that hallway.
Clause E4.2 – Emergency lighting requirements	Deemed-to-satisfy	An emergency lighting system above each of the internal required non fire isolated stairways serving the retail tenancies need be provided with an emergency lighting system in accordance with AS / NZS 2293.1. Furthermore, it need be noted that if additional openings are created between each of the ground floor tenancies to form a single sole occupancy unit with a floor area greater than 300sqm then emergency lighting need be provided to the entire sole occupancy unit.

DEFICIENCY / NON – COMPLIANCE	DESIGN SOLUTION	UPGRADE RECOMMENDTIONS
Clause F2.5 – Construction of sanitary compartments	Deemed-to-satisfy	The doorways providing access to each of the sanitary compartments with the retail tenancies that are not provided with a clear space between the doorway and the closet pan of at least 1.2m need be altered so that the doorways – 1. Open outwards; 2. Slide; or 3. be readily removable from the outside of the sanitary compartment.
Annual Fire Safety Certificate	Deemed-to-satisfy	An annual fire safety certificate should be obtained in respect of each of the fire safety system installed, with the system upgraded / repaired where found to be non-compliant.

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HAZARDOUS MATERIALS SURVEY:

89-93 LIVERPOOL ROAD, ASHFIELD

-

16-16A BRUCE STREET, ASHFIELD

Report prepared and conducted by Mr Dean Gleeson

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HAZARDOUS MATERIALS SURVEY:

89-93 LIVERPOOL ROAD, ASHFIELD
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HAZARDOUS MATERIALS SURVEY:

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1.0 GENERAL BACKGROUND

1.1 ASBESTOS

Asbestos is the generic term for a number of fibrous silicate minerals. There are two major groups of asbestos. The **serpentine** group contains chrysotile, commonly known as white asbestos. The **amphibole** group contains amosite (brown asbestos), crocidolite (blue asbestos) as well as some other less common types, which are tremolite, actinolite, and anthophyllite.

Chrysotile is the form of asbestos that has been used commercially from the serpentine group. In the past, chrysotile has been used in the manufacture of; asbestos cloth, tapes, ropes and gaskets for packing and in thermal and chemical insulation; asbestos cement sheets and pipes for construction, casing for water and electrical/telecommunication services; rubber, plastics, thermosetting resins, adhesives, paints, coatings, caulking compounds and sealants for thermal, electrical and insulation applications; fire-rated doors, equipment and structural beams of buildings; fillers and filters. Up until recently, chrysotile had been used almost exclusively in the manufacture of packing and friction material such as gaskets, brake and clutch linings.

Amosite and crocidolite were used in many products until the early 1980s. The use of all types of asbestos in the amphibole group was banned in the mid 1980s. These products were mainly; asbestos cement sheets and pipes for construction, casing for water and electrical/telecommunication services; thermal and chemical insulation ie, fire rated doors, limpet spray, lagging and gaskets.

Asbestos fibres are made up of many very fine fibrils, so that as asbestos is further processed or disturbed, the airborne fibres become progressively finer and more hazardous. The most dangerous fibres are the smallest ones which are invisible to the naked eye, but which penetrate the deepest part of the lungs.

Chrysotile fibres are curly and are less likely to become airborne to the same extent as the straight amphibole fibres such as amosite and crocidolite.

Breathing in the fibres brings a risk of asbestosis, lung cancer, and mesothelioma. There is evidence that asbestos causes gastrointestinal and laryngeal cancers in humans, but to a far lesser extent than lung cancer.

Asbestos-related diseases have a delay or lag period usually in the order of 20 to 40 years between first exposure and onset of symptoms and detection of the disease. Asbestos disease can appear or progress even after a person is no longer exposed.

1.2 SYNTHETIC MINERAL FIBRE

Synthetic mineral fibre (SMF) is a generic term used to collectively describe a number of amorphous (non-crystalline) fibrous materials including glassfibre, mineral wool and ceramic fibre.

Glassfibre and mineral wool have been used for many decades. The major application of SMF materials is in thermal and acoustic insulation, and as a reinforcing agent.

In some specialized instances, these materials have been used as a replacement for asbestos, especially where high temperature insulation properties are required. Ceramic fibre has also been used to replace refractory brick and mortar materials.

The results of epidemiological and animal studies into the health effects of synthetic mineral fibres have been reviewed and a slightly increased risk of lung cancer in workers employed in the early days of rockwool and slagwool manufacturing has been shown. A suggestive increase has also been indicated in the glasswool sector. This increased risk has not been

associated with the duration or intensity of exposure and is not anticipated under currently experienced working conditions.

Although the results in many instances are not conclusive, sufficient evidence exists to state that there is no risk of lung fibrosis or mesothelioma occurring due to synthetic mineral fibre exposure in the manufacturing or user industries.

Skin, eye and upper respiratory tract irritation is possible from non-respirable glassfibre and rockwool fibres.

Provided SMF work is carried out in accordance with the national code of practice and compliance is maintained with the exposure standards then there is a negligible health risk associated with exposure to SMF under present-day manufacturing and usage patterns.

1.3 POLYCHLORINATED BIPHENYLS (PCBs)

PCBs is the common name for polychlorinated biphenyls. These synthetic compounds are chemically stable, have good insulating properties and do not degrade appreciably over time or with exposure to high temperatures. These properties made PCBs very useful in electrical devices such as capacitors.

If these chemicals are released into the environment, they do not readily break down and can accumulate in fatty tissues of animals. The longevity of PCBs and their affinity for fatty tissue can result in PCBs moving up and concentrating through the food chain.

PCBs can enter the body in three ways; absorption through the skin, inhalation of vapour, or ingestion. The likelihood of becoming sick from PCB exposure increased with the length of time and the amount of material that a person might come in contact with. The most commonly observed symptom in people exposed to high levels of PCBs is an acne-like rash known as chloracne. PCBs may also cause damage to the liver and nervous system, with the possibility of causing cancer.

The major use of PCBs in the electrical industry has been as an insulating fluid inside transformers and capacitors. These transformers and capacitors have ranged in size from the very large transformers, which contain several thousand litres of PCBs and were typically used by electrical supply businesses and heavy industries, to the small capacitors, which may only contain several milliliters of PCBs and were used in farming equipment and on commercial premises. Capacitors containing PCBs were installed in various types of equipment including fluorescent light fittings during the 1950's, 60's and 70's.

1.4 LEAD PAINT

Lead in any form is toxic to humans when ingested and inhaled. Repeated inhalation or ingestion of lead dust or paint particles may produce the cumulative effects of lead poisoning.

White lead (lead carbonate) was once the principal white pigment in paints for houses and public buildings.

Lead paint, as defined by the Australian Standard *AS4361.2 - 1998 Guide to Lead Paint Management – Part 2: Residential and Commercial Buildings*, is that which contains in excess of 1% Lead by weight.

Many older homes and buildings still contain lead paint, even though it may be covered with layers of more recent paint. It was used mainly on exterior surfaces and to a lesser extent on interior doors and architraves, especially in undercoats and primers where concentrations of up to 20% lead were commonly used. Interior walls were not commonly painted with paint containing white lead, but some colours did contain red, yellow or orange lead-chrome pigments.

Although all paints manufactured for Australian dwellings from the 1980s onwards will have contained less than 1% lead, it is possible that industrial paints, having higher concentrations of lead, may have been applied to housing and commercial buildings.

Lead paint removal methods give rise to two potential health problems, i.e. inhalation or ingestion of lead paint by the workers and public in the vicinity of the structure and the deposition of lead paint on nearby footpaths, streets or soil where they may be resuspended, tracked into houses or buildings where it can be inhaled or ingested.

1.5 LEAD IN CEILING DUST

Lead in any form is toxic to humans when ingested and inhaled. Repeated inhalation or ingestion of lead dust or paint particles may produce the cumulative effects of lead poisoning.

The presence of lead deposits within ceiling spaces may result from renovation of that building or may emanate from other external sources such as; atmospheric deposits caused by leaded petrol used in motor vehicles; residues from nearby industrial sites, such as smelters; or other lead paint removal projects being performed in the vicinity of the building.

Health based investigation levels as cited in *EPA NSW: Guidelines for the NSW Site Auditor Scheme (June 1998)* state areas of accessible dust should not exceed 300 mg/kg (Column 1 – NEHF A).

2.0 INTRODUCTION

2.1 AUTHORISATION

This inspection and report was authorised by Mr Tom Sherington of Sherington Project Management Pty Ltd. It was conducted and prepared by Mr Dean Gleeson between the 5th and 14th of November 2008.

2.2 CONSULTANTS BRIEF

Airsafe was requested to inspect the above premises and provide a report detailing the location and condition of hazardous materials.

All recommendations are in accordance with:

- *Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (2005)].*
- *National Code of Practice for the Safe Use of Synthetic Mineral Fibres [NOHSC: 2006(1990)].*
- *National Strategy for the Management of Scheduled Waste, Polychlorinated Biphenyls Management [November, 1996].*
- *Guide to Lead Paint Management Part 2: Residential and Commercial Buildings [AS 4361.2].*

2.3 METHODOLOGY

The assessment took the form of a visual inspection by one of our consultants.

Samples were taken as appropriate and analysed for asbestos using stereobinocular and polarised light microscopy. A total of ten (10) samples were taken and analysed for asbestos content.

This report broadly identifies materials containing SMF located during the visual inspection.

Representative fluorescent light fittings were inspected and details noted for cross referencing with the ANZECC Identification of PCB Containing Capacitors – 1997 database.

Flaking paint or surfaces suspected of containing lead paint were tested for the presence of lead. The sampling program was representative of the various types of paints found on site, concentrating on areas where lead-based paints may have been used such as gloss paints, window and door frames, and skirting boards. A total of thirteen (13) paint samples were taken and analysed for lead content. All paint samples were analysed by SGS Laboratories method SEP-033 Digestion of paint chips using aqua regia. SGS Laboratories are accredited by NATA to perform this test.

One (1) dust sample was taken from the ceiling space and analysed for lead content. The dust sample was analysed by SGS Laboratories method SEM-010 Metals – Determination of various metals by ICP-AES following aqua regia digest.

The future risk of exposure to hazardous materials was assessed based on the current condition of in situ materials and the likelihood of these being disturbed by workers in the course of installation, maintenance and repair operations.

2.4 PRIORITY RATING CRITERIA EXPLANATORY NOTES

The risk associated with particular occurrences of asbestos within a building are dependent on a number of factors.

Friability:

Friable materials such as sprayed on fireproofing readily release fibres if disturbed, while products such as vinyl floor tiles and to a lesser extent bituminous membrane materials may contain asbestos, the asbestos is well bonded within the matrix and fibre release is minimal.

Accessibility:

Asbestos products which are inaccessible or removed from traffic areas present less risk than does asbestos in areas where disturbance is more probable.

Activity or Movement:

Areas that are subjected to constant movement or vibration can increase the risk of fibre release.

Condition:

Material where the sheathing or covering has deteriorated, or the matrix embedding the asbestos has been broken down by use or weathering, will increase the probability of fibre release.

Water Damage:

This type of deterioration will have a great effect on the potential for fibre release. Exposure to the weather or constant/intermittent contact with water may remove the matrix and relocate fibres.

Exposed Surfaces:

Fibre release from an exposed asbestos material is far more likely than from an asbestos material which has been sealed or painted.

Air Plenum or Movement:

Asbestos products within an air plenum, air conditioning or ventilation system may be moved by the air current and widely distributed.

Asbestos Type and Percentage:

Crocidolite (blue) asbestos is far more hazardous than chrysotile (white) asbestos. Amosite (brown) is considered to be less hazardous than crocidolite but requires similar precautions to be taken as crocidolite.

2.4.1 Hazard Rating Criteria

Hazard Rating	Explanation
0	No asbestos present.
1	Asbestos present in well sealed condition.
2c	There is exposed friable asbestos and associated debris due to minor surface damage. No normal physical contact with asbestos, however there is possible exposure to airborne asbestos fibres.
2b	There is exposed friable asbestos due to extensive surface damage. No normal physical contact with asbestos, however there is possible exposure to airborne asbestos fibres.
2a	Gross contamination due to extensively damaged asbestos material. This is a confined work area. There is unavoidable physical contact with loose or friable asbestos and possible exposure to airborne asbestos fibres.

2.5 PRIORITY RATING AND RECOMMENDATIONS

2.5.1 Priority 1

Gross contamination due to extensively damaged asbestos material. This is a confined work area. There is unavoidable physical contact with loose or friable asbestos and possible exposure to airborne asbestos fibres.

This material should be removed as soon as practicable.

Interim measures such as personal protective equipment (half face respirator with 'P1' filters and coveralls, footwear coveralls), personal decontamination by showering, record of entry (logbook), signposting, control of air movement and restriction of access to the area is required.

2.5.2 Priority 2

There is exposed friable asbestos due to extensive surface damage. No normal physical contact with asbestos, however there is possible exposure to airborne asbestos fibres.

The removal of this material should be planned.

Interim measures such as personal protective equipment (half face respirator with 'P1' filters), record of entry (logbook), signposting, control of air movement and restriction of access to the area is required.

The area should be repaired and sealed. Any loose asbestos debris should be removed and this area suitably decontaminated.

All renovations or alterations must take into account the presence of asbestos in this area. Prior to renovations or alterations this asbestos must be removed by a licensed asbestos contractor in accordance with the Code of Practice for the Safe Removal of

Asbestos [NOHSC: 2002 (2005)] and the NSW Occupational Health and Safety Regulation 2001.

2.5.3 Priority 3

There is exposed friable asbestos due to minor surface damage. No normal physical contact with asbestos, however there is possible exposure to airborne asbestos fibres.

The material shall be encapsulated and stabilised.

Interim measures such as personal protective equipment (half face respirator with 'P1' filters), record of entry (logbook), signposting, control of air movement and restriction of access to the area is required.

The area should be repaired and sealed. Any loose asbestos debris should be removed and this area suitably decontaminated.

All renovations or alterations must take into account the presence of asbestos in this area. Prior to renovations or alterations this asbestos must be removed by a licensed asbestos contractor in accordance with the Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (2005)] and the NSW Occupational Health and Safety Regulation 2001.

2.5.4 Priority 4

This asbestos should not be allowed to deteriorate and regular in-house assessment is required.

All renovations or alterations must take into account the presence of asbestos in this area. Prior to renovations or alterations this asbestos must be removed by a licensed asbestos contractor in accordance with the Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (2005)] and the NSW Occupational Health and Safety Regulation 2001.

2.6 LIMITATIONS OF SURVEY

Every effort has been made to locate and identify any hazardous materials in the designated installations. However, without substantial building demolition it is not possible to guarantee that every material containing asbestos has been located.

The inspection entailed lifting random areas of flooring to discover any underlying materials. However, as not all flooring could be removed, Airsafe cannot guarantee that all materials have been located.

Walls cavities may be present throughout the buildings. Care should be taken when undertaking works that may breach any such wall cavities. If suspect materials are encountered, work should cease until the material has been analysed.

As the power remained connected throughout the buildings, samples could not be taken from electrical distribution boards. Care should be taken, as bituminous electrical backing boards and fibrous wire insulation may contain **asbestos**. If suspect materials are encountered, work should cease until the material has been analysed.

Access to ceiling spaces was limited due to the structural integrity of the buildings. As such unidentified hazards may be present in ceiling spaces. Care should be taken when entering ceiling spaces. If suspect materials are encountered, work should cease until the materials has been analysed.

Airsafe takes no responsibility for any asbestos or other contamination found within the soil, the sub surface, areas of the building where access was not available, or areas of the building not covered by this report.

AIRSAFE

3.0 INSPECTION DETAILS

3.1 COMMMERCIAL TENANCIES – 89-93 LIVERPOOL ROAD, ASHFIELD

3.1.1 Asbestos

Location	Material	Sample No.	Sample Status	Photo No.	Form	Hazard Rating	Priority Rating	Action Required
All Tenancies – External – street side awnings – ceiling	Fibrous cement sheeting	14322-1	Positive	1	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89 – External – street front entrances – ceilings	Fibrous cement sheeting	Similar to 14322-1	Assumed positive	2	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89 – External – rear entrances - ceilings	Fibrous cement sheeting	Similar to 14322-1	Assumed positive	3	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89 – Internal – northern main room and back room – ceiling	Fibrous cement sheeting	Similar to 14322-1	Assumed positive	4	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89 – Internal – southern main room – southern wall – electrical backing board	Bituminous backing board	No access – live board	Assumed positive	5	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91 – External – street front entrances – ceilings	Fibrous cement sheeting	Similar to 14322-1	Assumed positive	2	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91 – External – rear entrances – ceilings	Fibrous cement sheeting	Similar to 14322-1	Assumed positive	3	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment

Location	Material	Sample No.	Sample Status	Photo No.	Form	Hazard Rating	Priority Rating	Action Required
Tenancy 91 – Internal – second room from northern end – cupboard on northern wall – electrical backing board	Bituminous backing board	No access – live board	Assumed positive	5	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91 – Internal – second room from southern end – southern wall – electrical backing board	Bituminous backing board	No access – live board	Assumed positive	5	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 93 – External – front entry and corner display window – ceiling	Fibrous cement sheeting	Similar to 14322-1	Assumed positive	6	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 93 – Internal – northern wall – electrical backing board	Bituminous backing board	No access – live board	Assumed positive	5	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment

3.1.2 Synthetic Mineral Fibre (SMF)

Location	Form	Risk Status	Control Recommendation
No synthetic mineral fibre identified in accessible areas			

3.1.3 Polychlorinated Biphenyls (PCBs)

Location	Specifications	Comments
No light fittings suspected of containing PCB's found		

3.1.4 Lead Paint

Location	Analysis Results	Photo No.	Comments
All Tenancies – External – street side awnings – white paint	8%	1	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.
Tenancy 89 – Internal – ceilings and front lintel – white paint	12%	7	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.
Tenancy 91 – Internal – northern room – ceiling – blue paint	4%	8	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.
Tenancy 91 – Internal – second most southern room – ceiling – white paint	7%	9	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.
Tenancy 93 – Internal – toilet walls – beige paint	17%	10	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.

3.1.5 Lead Dust

Location	Analysis Results	Comments
No ceiling spaces in commercial tenancies		

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3.2 RESIDENTIAL TENANCIES – 89-93 LIVERPOOL ROAD & 16-16A BRUCE STREET, ASHFIELD

3.2.1 Asbestos

Location	Material	Sample No.	Sample Status	Photo No.	Form	Hazard Rating	Priority Rating	Action Required
Rear Carpark – debris on soil surface	Fibrous cement sheet debris	14322-2	Positive	11	Friable	2b	2	Plan removal. Restrict access & use PPE in interim
Tenancy 89D – External – entrance ceiling	Fibrous cement sheeting	14322-3	Positive	12	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89D – External – laundry extension – rear eave and wall cladding	Fibreboard	14322-4	Negative	-	-	-	-	-
Tenancy 89D – Internal – stairwell – ceiling and cladding below stairs	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	13	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89D – Internal – kitchen – ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	14	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89D – Internal – kitchen – floor – beige floor tiles	Vinyl floor tile	14322-5	Positive	15	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89D – Internal – ground floor toilet - ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	16	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89D – Internal – laundry – ceiling and wall cladding	Fibreboard	Similar to 14322-4	Assumed negative		-	-	-	-

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Location	Material	Sample No.	Sample Status	Photo No.	Form	Hazard Rating	Priority Rating	Action Required
Tenancy 89C – External – entrance ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	12	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89C – External – outside toilet – ceiling, internal and external wall cladding	Fibrous cement sheeting	14322-6	Positive	17	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89C – External – northern wall cladding at rear of residence	Fibreboard	Similar to 14322-4	Assumed negative	-	-	-	-	-
Tenancy 89C – Internal - stairwell – cladding below stairs	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	13	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89C – Internal – kitchen – ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	14	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89C – Internal – laundry - ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	18	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89C – Internal – ground floor toilet - ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	16	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89B – External – entrance ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	12	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89B – Internal - stairwell – cladding below stairs	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	13	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment

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Location	Material	Sample No.	Sample Status	Photo No.	Form	Hazard Rating	Priority Rating	Action Required
Tenancy 89B – Internal – kitchen – ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	14	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89B – Internal – laundry - ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	18	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89B – Internal – ground floor toilet - ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	16	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89A – External – rear wall cladding	Fibrous cement sheeting	14322-7	Positive	19	Friable	2c	3	Seal exposed edges, label & maintain. Remove before demolition / refurbishment
Tenancy 89A – External – entrance ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	12	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89A – Internal – stairwell – cladding below stairs	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	13	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89A – Internal – kitchen – ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	14	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89A – Internal – laundry - ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	18	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 89A – Internal – ground floor toilet - ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	16	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment

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Location	Material	Sample No.	Sample Status	Photo No.	Form	Hazard Rating	Priority Rating	Action Required
Tenancy 91B – External – roof level – laundry wall cladding	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	20	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91B – External – roof level – below Astroturf – waterproof membrane	Bituminous membrane	14322-8	Negative	-	-	-	-	-
Tenancy 91B – External – ground floor - rear entrance ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	12	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91B – Internal – second floor – laundry – ceiling and wall cladding	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	21	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91B – Internal – first floor – cladding below laundry stairs	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	22	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91B – Internal – first floor – kitchen – beige floor tiles	Vinyl floor tile	Similar to 14322-5	Assumed positive	23	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91B – Internal – first floor – rear tenancy – front room – above ceiling tiles	Fibreboard	Similar to 14322-4	Assumed negative	-	-	-	-	-
Tenancy 91B – Internal – ground floor – rear tenancy – cladding below stairs	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	13	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91B – Internal – ground floor – rear tenancy – laundry – ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	18	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment

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Location	Material	Sample No.	Sample Status	Photo No.	Form	Hazard Rating	Priority Rating	Action Required
Tenancy 91B – Internal – ground floor – rear tenancy – toilet – ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	16	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91A – External – roof level – laundry wall cladding	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	20	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91A – External – roof level – below Astroturf – waterproof membrane	Bituminous membrane	Similar to 14322-8	Assumed negative	-	-	-	-	-
Tenancy 91A – External – ground floor – rear entrance ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	12	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91A – External – ground floor – rear extension – wall cladding	Fibreboard	Similar to 14322-4	Assumed negative	-	-	-	-	-
Tenancy 91A – Internal – second floor – laundry – ceiling and wall cladding	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	21	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91A – Internal – first floor – cladding below laundry stairs	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	22	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91A – Internal – ground floor – rear tenancy – cladding below stairs	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	13	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91A – Internal – ground floor – rear tenancy – laundry – ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	18	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment

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Location	Material	Sample No.	Sample Status	Photo No.	Form	Hazard Rating	Priority Rating	Action Required
Tenancy 91A – Internal – ground floor – rear tenancy – toilet – ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	16	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 91A – Internal – ground floor – rear room – black floor tiles	Vinyl floor tile	14322-9	Positive	24	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 16 – External – roof level – below Astroturf – waterproof membrane	Bituminous membrane	Similar to 14322-8	Assumed negative	-	-	-	-	-
Tenancy 16 – Internal – second floor – laundry – ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	25	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 16 – Internal – first floor – bathroom – ceiling	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	26	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 16 – Internal – first floor – kitchen and landing – beige floor tiles	Vinyl floor tile	Similar to 14322-5	Assumed positive	27	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment
Tenancy 16 – Internal – ground floor – linoleum under carpet at bottom of stairs – backing paper	Fibrous backing paper	14322-10	Negative	-	-	-	-	-
Tenancy 16A – Internal – ground floor – cladding below stairs	Fibrous cement sheeting	Similar to 14322-3	Assumed positive	28	Bonded	1	4	Leave, label & maintain. Remove before demolition / refurbishment

3.2.2 Synthetic Mineral Fibre (SMF)

Location	Form	Risk Status	Control Recommendation
No synthetic mineral fibre identified			

3.2.3 Polychlorinated Biphenyls (PCBs)

Location	Specifications	Comments
No light fittings suspected of containing PCB's found		

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3.2.4 Lead Paint

Location	Analysis Results	Photo No.	Comments
Tenancy 89D – Internal –ceilings – white paint	8%	29	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.
Tenancy 89D – Internal – walls – green paint	2%	30	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.
Tenancy 89C – External – outside toilet, doors and window frames – white paint	3%	17	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.
Tenancy 89C – Internal – ceilings – white paint	6%	31	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.
Tenancy 89C – Internal – walls – beige/orange paint	16%	32	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.
Tenancy 91B – External – rear drain pipe – red paint	10%	33	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.
Tenancy 91A – Internal – ceilings – white paint	33%	34	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.
Tenancy 91A – Internal – walls – blue paint	25%	35	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.

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3.2.5 Lead Dust

Location	Analysis Results	Comments
Internal – Ceiling Space – adjacent to man hole	7.556 mg/m^2	Above health based Investigation levels as cited in EPA NSW: Guidelines for The NSW Site Auditor Scheme (June 1998) refer to Appendix A.

4.0 RECOMMENDATIONS

Asbestos containing materials should be treated in accordance with Recommendation A.

Lead containing materials should be removed in accordance with Recommendation B.

4.1 RECOMMENDATION A: ASBESTOS CONTAINING MATERIALS

Airsafe recommends a licensed asbestos contractor be engaged to do all works related to asbestos containing materials.

4.1.1 Priority Rating 4

The Occupational Health and Safety Regulation 2001 defines bonded asbestos materials as "any asbestos material other than friable asbestos material". **Asbestos cement sheeting** (in complete sheets), **vinyl floor tiles containing asbestos** and **bituminous backing boards containing asbestos** are classified as bonded asbestos materials.

All asbestos containing materials with Priority Rating 4 may remain in situ provided they are re-inspected every 12 months to ensure the condition of the item is not deteriorating or otherwise contributing to an unacceptable health risk.

The asbestos containing materials should be removed prior to refurbishment or demolition. Any removal work of bonded asbestos materials in excess of $10m^2$ must be conducted by a licensed bonded asbestos removal contractor. During the removal of bonded asbestos materials, disposable overalls shall be worn which are made from a mixed natural/synthetic fabric capable of providing adequate protection against fibre penetration and dust contact. The workers shall wear the minimum requirement of an approved half face respirator fitted with a Class P3 filter.

The removal area shall be isolated from all others areas with physical barriers and warning signs. This should be at a distance of 10 metres around the removal area. Warning signs at the entrance to the work area should be labelled "ASBESTOS WORKING AREA - NO UNAUTHORISED ENTRY".

Airsafe recommends air monitoring during the removal of bonded asbestos as a prudent measure. This monitoring shall be conducted by a NATA accredited company in all relevant areas.

The job will not be deemed completed until a successful inspection has been conducted.

All work carried out shall be in accordance with:

Code of Practice for the safe removal of Asbestos [NOHSC: 2002 (2005)]

NSW Occupational Health and Safety Act 2000

NSW Occupational Health and Safety Regulation 2001

NSW Waste Disposal Act

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4.1.2 Priority Rating 3

Exposed edges and surfaces of asbestos containing materials such as asbestos cement products and membranes, with Priority Rating 3 should be sealed with a thick fibre-bonding agent. Exposed edges of fibrous insulation such as pipe lagging should be encapsulated in a manner suitable to the particular application. A method that does not disturb the matrix of the asbestos material should be used. Under no circumstances should asbestos products be water blasted or dry sanded in preparation for painting, coating, or sealing.

Work shall be carried out in accordance with the following points:

1. Protective clothing should be made from material capable of providing adequate protection against fibre penetration. Disposable coveralls with fitted hoods and cuffs should be worn and disposed of as asbestos waste at the completion of the task. Laceless boots are preferred where practicable, and boot covers should be worn where necessary. A class P1 or P2 half face respirator will be adequate for this task, provided the recommended safe work procedure is followed.

2. Segregate the asbestos work area to ensure unauthorised personnel are restricted from entry (e.g. close door and/or use warning signs and/or barrier tape at all entry points). The distance for segregation should be determined by a risk assessment.

3. Wipe dusty surfaces with a damp cloth. If using a bucket of water, do not resoak used rags in the bucket, as this will contaminate the water. Instead, either fold the rag so a clean surface is exposed or use another rag.

4. When using a brush or roller to seal exposed surfaces, it should be done lightly to avoid abrasion or further damage.

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5. Place debris, used rags and other waste in asbestos waste bags. Dispose of all waste as asbestos waste in accordance with the NOHSC *Code of Practice for the Safe Removal of Asbestos* [NOHSC: 2002 (2005)] and relevant Sate legislation.

When suitably encapsulated as described in the above method, asbestos cement products with a Priority Rating 3 may be removed in accordance with the procedures outlined in Recommendation 4.1.1.

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4.1.3 Priority Rating 2

Asbestos containing materials with Priority Rating 2 should be removed as soon as possible. If removal is not immediately practicable, short-term control measures such as restricting access to affected areas and the use of PPE should be employed.

All friable asbestos materials, which include **asbestos cement sheet debris** must be removed by a licensed asbestos contractor who may obtain a 'Permit to Remove Friable Asbestos Material' under the Occupational Health and Safety Regulation 2001. This regulation requires the licensed asbestos removalist to apply for, and obtain a work permit before any friable asbestos removal work is carried out and to pay the prescribed fee of $500 for work over $5000.

Asbestos cement sheet debris should be removed from identified areas by way of a 'sparrow-pick'. All asbestos cement sheet debris works should be in accordance with the following points:

1. The removal area shall be isolated from all others areas with physical barriers and warning signs. This should be at a distance of 10 metres around the removal area. Warning signs at the entrance to the work area should be labelled "ASBESTOS WORKING AREA - NO UNAUTHORISED ENTRY"

2. A decontamination unit shall be adjacent to the removal area. This shall consist of a dirty shower, buffer zone, clean shower, buffer zone and a clean change area. Each area of the decontamination unit shall be separated by an air lock in the case of a caravan decontamination unit and plastic strips in the case of portable decontamination units. Both hot and cold water shall be provided. All wastewater from the decontamination unit shall be filtered before disposal to sewer.

3. During any work prior to final clearance, disposable overalls shall be worn which are made from a mixed natural/synthetic fabric capable of providing adequate protection against fibre penetration. Workers shall wear the

minimum requirement of an approved half face respirator fitted with a Class P3 filter.

4. The asbestos shall be placed and double bagged in approved plastic bags marked "Caution – Asbestos: Do Not Inhale Dust: Do Not Open Bag".

5. Asbestos is classified as a special waste and shall be tipped at approved sites. Copies of the tipping receipts shall be provided to the client.

During all friable removal works, a NATA accredited company shall conduct air monitoring in all relevant areas.

If at any point during asbestos removal procedures results of background air monitoring for asbestos dust exceeds the detection limit for control monitoring of 0.01 fibres/mL by the Membrane Filter Method for Estimating Airborne Asbestos Fibre [NOHSC: 3003 (2005)], the cause of the reading should be investigated and asbestos workers should be advised to check procedures. If airborne asbestos fibre levels are equal to or above 0.02 fibres/mL work should cease and a full review of work practices shall be undertaken. Appropriate measures shall be put into place to rectify the problem and work should not recommence until air tests return to less than 0.01 fibres/mL.

The job will not be deemed complete until a successful visual inspection has been conducted.

All work carried out shall be in accordance with:

Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (2005)]

NSW Occupational Health and Safety Act 2000

NSW Occupational Health and Safety Regulation 2001

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4.2 RECOMMENDATION B: LEAD MATERIALS

4.2.1 Lead in paint

The least hazardous way of dealing with lead paint is by replacement of the painted article where this is appropriate. In this process components with lead paint on them are removed in large pieces and replaced with new materials. This may be a viable option for articles such as timber architraves, doors and windows, cupboards, gutters and downpipes, and exterior cladding weatherboards.

If circumstances do not allow for the removal of building materials or components, recommended methods for the removal of lead paint that minimize the quantities of dust generated include the following:

(a) *Wet scraping and wet sanding* These are the safest methods for the removal of lead paint.

Wet scraping involves moistening the paint with water from an atomising bottle or similar device and then removing it from the surface using a scraper, usually hand-held. Drop-sheets of thick, impervious plastic are used to catch the debris for collection and disposal. This method generates a minimum of dust. Scraping can be slow and further cleaning or smoothing may be needed to remove residues or to feather edges. Scraping may also lead to damage of soft substrates such as plaster or softwood.

Wet sanding is accomplished by dipping the abrasive paper in water before use. Only manual sanding can be performed and care should be taken near electrical outlets.

The run-off from wet sanding sand scraping will carry suspended particles, which should be collected with sponges or mops. If run-off is allowed to

escape between floorboards, into or under floor coverings or behind architraves, it will dry out and regenerate the dust hazard.

(b) *On-site chemical stripping* Chemical paint strippers will soften and swell the paint, allowing it to be easily removed with a scraper. The residue is usually a gel-like paste that is easily contained and handled. Stripping is suitable for most surfaces such as timber, render or steel.

Some water-borne strippers are caustic and require skin, face and eye protection during use, as well as protection of non-target surfaces. Some chemical strippers contain flammable or hazardous volatile solvents and most require good ventilation through open windows and exhaust fans. Strippers containing methylene chloride should only be used in well ventilated areas. Some chemical strippers can cause surface damage to particular substrates. Stripped wastes should not be allowed to enter the sewer or stormwater drains.

The safe removal procedures for lead paint shall be in accordance with the following points:

1. A regulated area should be established at the work site to identify areas, outside of which airborne concentrations of lead can reasonably be expected not to exceed the Exposure Standard. The regulated area should be identified by appropriate signs and barriers.

2. Disposable polyethylene ground sheets, large enough to contain all the paint debris generated, shall be placed below the work area.

3. All work shall be carried out in such a way as to minimize dust and fume generation and the transfer of debris away from the immediate work area.

4. A particulate dust respirator appropriate for the airborne contaminants produced shall be worn. Disposable overalls, gloves and booties shall be used within the work area, ensuring these items are removed before leaving the area. Operatives involved in paint removal work shall not eat or smoke in the

work area. Hands should be washed before eating, drinking, personal hygiene or smoking.

5. Accumulated dust shall be removed frequently to prevent it spreading from the immediate work area. As a minimum, this should be done on a daily basis using a vacuum cleaner fitted with a HEPA filter for dust and particulate removal.

6. Following vacuum removal, all surfaces shall be wiped down with a damp cloth and detergent, which is disposed after use.

7. Ensure that water from wet processing is collected and is not disposed of to the sewer or storm water outlet. All process water should be handled as hazardous waste.

8. Movement of waste from the job site is to be performed by a properly licensed carrier, ensuring containers are labelled as to their contents. All waste should be disposed of at a hazardous waste disposal facility.

The job will not be deemed completed until a successful inspection has been conducted.

All work carried out shall be in accordance with:

1. Guide to Lead Paint Management Part 2: Residential and Commercial Buildings (AS 4361.2).

2. NSW Waste Disposal Act.

3. NSW Occupational Health and Safety Act and Regulations.

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4.2.2 Lead in Ceiling Dust

All ceiling spaces identified as containing dust with elevated levels of lead shall be cleaned and decontaminated in accordance with the following points:

1. The area shall be completely sealed with plastic so no leakage of air is possible.

2. During any work prior to final clearance, disposable overalls, gloves and booties shall be used within the work area, ensuring these items are removed before leaving the area. Operatives involved in removal work shall not eat or smoke in the work area. Hands should be washed before eating, drinking, personal hygiene or smoking.

3. A regulated area should be established at the work site to identify areas, outside of which airborne concentrations of lead can reasonably be expected not to exceed the Exposure Standard. The regulated area should be identified by appropriate signs and barriers.

4. The ceiling space should be vacuumed and all dust removed using a vacuum cleaner fitted with a HEPA filter for dust and particulate removal.

5. Movement of waste from the job site is to be performed by a properly licensed carrier, ensuring containers are labeled as to their contents. All waste should be disposed of at a hazardous waste disposal facility.

During removal works, a NATA accredited company shall conduct air monitoring in all relevant areas.

The job will not be deemed completed until a successful inspection followed by clearance air monitoring, in all areas, has been conducted.

All work carried out shall be in accordance with:

Australian Standard; '*Guide to Lead Paint Management Part 2: Residential and Commercial Builders*' AS 4361.2

NSW Occupational Health and Safety Act and Regulations.

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We trust our report meets your requirements. Please do not hesitate to contact the writer should you have need of any further information.

Inspected and reported by;

Dean Gleeson B. Sc. Hons.
Airsafe Occupational Health Consultants

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APPENDIX A - ANALYSIS RESULTS

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TEST REPORT

November 11, 2008

Sherington Project Management Pty Ltd
151 Foveaux Street
SURRY HILLS NSW 2010

Your Reference:	89-93 Liverpool Road & 16-16A Bruce Street, Ashfield
Job Number:	14322

Attention: Tom Sherington

Dear Tom,

The following samples were processed on the dates indicated.

Samples:	5 Fibrous Cement Sheet Samples, 1 Fibreboard Sample 2 Vinyl Floor Tile Samples, 1 Bituminous Membrane Sample 1 Fibrous Backing Paper Sample
Date Sampling:	11/11/08
Date of Analysis:	11/11/08
Date Preliminary Report Sent:	Not Issued

These samples were analysed in accordance with your instructions.

The results and associated quality control are contained in the following pages of this report.

Should you have any queries regarding this report please contact the undersigned.

Yours faithfully
AIRSAFE OCCUPATIONAL HEALTH CONSULTANTS

Kieran White
Manager

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PROJECT: **89-93 Liverpool Road & 16-16A Bruce Street, Ashfield** **JOB NO:** **14322**

Sample No	Location/Reference	Description of sample	Asbestos ID in material
14322-1	All Tenancies – External – street side awnings – ceiling	35x19x4mm fibrous cement sheet fragment	Chrysotile asbestos detected Crocidolite asbestos detected
14322-2	Rear Carpark – debris on soil surface	27x18x4mm fibrous cement sheet fragment	Chrysotile asbestos detected
14322-3	Tenancy 89D – External – entrance ceiling	30x19x2mm fibrous cement sheet fragment	Chrysotile asbestos detected
14322-4	Tenancy 89D – External – laundry extension – rear eave and wall cladding	17x8x2mm fibreboard fragment	No asbestos detected
14322-5	Tenancy 89D – Internal – kitchen – floor – beige floor tiles	42x21x2mm vinyl floor tile fragment	Chrysotile asbestos detected
14322-6	Tenancy 89C – External – outside toilet – ceiling, internal and external wall cladding	12x6x2mm fibrous cement sheet fragment	Chrysotile asbestos detected
14322-7	Tenancy 89A – External – rear wall cladding	22x7x4mm fibrous cement sheet fragment	Chrysotile asbestos detected
14322-8	Tenancy 91B – External – roof level – below Astroturf – waterproof membrane	74x56x4mm bituminous membrane fragment	No asbestos detected
14322-9	Tenancy 91A – Internal – ground floor – rear room – black floor tiles	52x32x2mm vinyl floor tile fragment	Chrysotile asbestos detected
14322-10	Tenancy 16 – Internal – ground floor – linoleum under carpet at bottom of stairs – backing paper	73x22x3mm fibrous backing paper fragment	No asbestos detected

Method: AS102 - Method for the Qualitative Identification of Asbestos in Bulk Samples. Samples have been analysed using polarized light microscopy including dispersion staining.

Sampling: All samples have been taken by Airsafe personnel in accordance with sampling plan detailed in Method AS102.

Quality Control: A duplicate is a separate portion of a sample being analysed which is treated the same as the other samples in the batch. A duplicate is prepared at least every 10 samples.

Note: The results relate only to the samples tested.

Result Codes:

[INS] : Insufficient Sample for this test
* : Not part of NATA Accreditation
[N/A] : Not Applicable

Environmental Conditions: N/A

Comment: Even after disintegration of certain bulk samples (vinyl tiles and bituminous type materials), the detection of fibres may be difficult when using Polarised Light Microscopy and Dispersion Staining Techniques. This may be due to the matrix of the sample (uneven distribution), or fine fibres that are difficult to detect and positively identify.

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TEST REPORT

November 11, 2008

Sherington Project Management Pty Ltd
151 Foveaux Street
SURRY HILLS NSW 2010

Your Reference:	89-93 Liverpool Road & 16-16A Bruce Street, Ashfield
Job Number:	14322

Attention: Tom Sherington

Dear Tom,

The following samples were taken on the date indicated.

Samples:	13 Paints
Date of Sampling:	11/11/08
Date of Analysis:	11/11/08
Date Preliminary Report Sent:	Not Issued

These samples were analysed in accordance with your instructions.

The results and associated quality control are contained in the following pages of this report.

Should you have any queries regarding this report please contact the undersigned.

Yours faithfully
AIRSAFE OCCUPATIONAL HEALTH CONSULTANTS

Dean Gleeson
B. Sc. Hons.

AIRSAFE

PROJECT: **89-93 Liverpool Road & 16-16A Bruce Street, Ashfield** **JOB NO:** **14322**

Sample No	Location/Reference	Lead in paint %
14322-11	All Tenancies – External – street side awnings – white paint	8%
14322-12	Tenancy 89 – Internal – ceilings and front lintel – white paint	12%
14322-13	Tenancy 91 – Internal – northern room – ceiling – blue paint	4%
14322-14	Tenancy 91 – Internal – second most southern room – ceiling – white paint	7%
14322-15	Tenancy 93 – Internal – toilet walls – beige paint	17%
14322-16	Tenancy 89D – Internal –ceilings – white paint	8%
14322-17	Tenancy 89D – Internal – walls – green paint	2%
14322-18	Tenancy 89C – External – outside toilet, doors and window frames – white paint	3%
14322-19	Tenancy 89C – Internal – ceilings – white paint	6%
14322-20	Tenancy 89C – Internal – walls – beige/orange paint	16%
14322-21	Tenancy 91B – External – rear drain pipe – red paint	10%
14322-22	Tenancy 91A – Internal – ceilings – white paint	33%
14322-23	Tenancy 91A – Internal – walls – blue paint	25%

Method: Paint analysed by SGS [NATA accredited laboratory 2562 (4354)] using method SEP-033 – Digestion of paint chips using aqua regia.

Sampling: All samples have been taken by Airsafe personnel in accordance with the sampling plan outlined in the Guide to Lead Paint Management Part 2: Residential and Commercial Buildings [AS 4361.2-1998].

Quality Control: N/A

Note: The results relate only to the samples tested.

Result Codes:
[N/A] : Not Applicable
[INS] : Insufficient Sample for this test

Environmental Conditions: N/A

Comment: Paint with more than 1% lead require careful and immediate measures to control the hazard as stated in the Guide to Lead Paint Management Part 2: Residential and Commercial Buildings [AS 4361.2-1998].

AIRSAFE

TEST REPORT

November 11, 2008

Sherington Project Management Pty Ltd
151 Foveaux Street
SURRY HILLS NSW 2010

Your Reference:	89-93 Liverpool Road & 16-16A Bruce Street, Ashfield
Job Number:	14322

Attention: Tom Sherington

Dear Tom,

The following samples were taken on the date indicated.

Samples:	**1** Dust Sample
Date of Sampling:	**11/11/08**
Date of Analysis:	**11/11/08**
Date Preliminary Report Sent:	Not Issued

These samples were analysed in accordance with your instructions.

The results and associated quality control are contained in the following pages of this report.

Should you have any queries regarding this report please contact the undersigned.

Yours faithfully
AIRSAFE OCCUPATIONAL HEALTH CONSULTANTS

Dean Gleeson
B. Sc. Hons.

AIRSAFE

PROJECT: **89-93 Liverpool Road & 16-16A Bruce Street, Ashfield** **JOB NO:** **14322**

Sample No	Location/Reference	Lead in swab µg/swab	Sample area m^2	Lead loading mg/m^2
14322-24	Internal – Ceiling Space – adjacent to manhole	680	0.09	7.556

Method: Dust analysed by SGS [NATA accredited laboratory 2562 (4354)] using method NIOSH 7105 – Determination of Lead in Filter by ICP. Filter digested using Nitcric Acid and Hydrogen Peroxide. Deviation of method – AAS replaced by ICP. The result, when received from the laboratory, is converted to milligrams and divided by the area samples to give a lead loading in mg/m^2.

Sampling: All samples have been taken by Airsafe personnel in accordance with the sampling plan outlined in the Guide to Lead Paint Management Part 2: Residential and Commercial Buildings [AS 4361.2-1998].

Quality Control: N/A

Note: The results relate only to the samples tested.

Result Codes:
[N/A] : Not Applicable
[INS] : Insufficient Sample for this test

Environmental Conditions: N/A

Comment: Acceptance limits for surface dust lead loadings stated in the Guide to Lead Paint Management Part 2: Residential and Commercial Buildings [AS 4361.2-1998] are as follows:

(i) Interior floors; 1 mg/m^2 (as lead).
(ii) Interior window sills; 5 mg/m^2 (as lead).
(iii) Exterior surfaces; 8 mg/m^2 (as lead).

Where surface dust lead loadings are above these figures, additional clean up should be carried out and retesting should be performed to verify surface lead loadings have fallen below these limits.

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APPENDIX B - PHOTOGRAPHS

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Photo 1: Asbestos cement sheeting located on the underside of the street awnings. Also shown is flaking white paint containing elevated levels of lead.

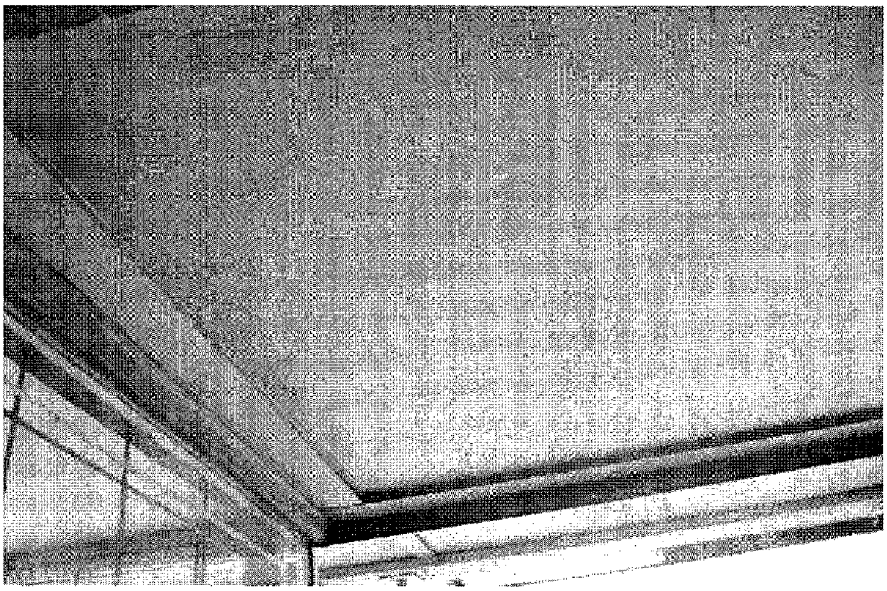

Photo 2: Example of asbestos cement sheeting located on the ceilings of the entrances to the street front commercial tenancies.

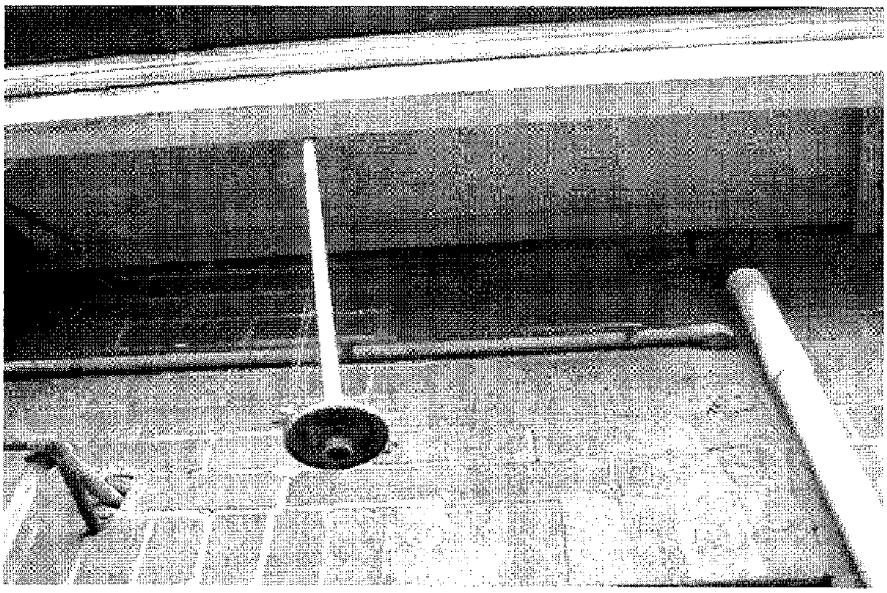

Photo 3: Example of asbestos cement sheeting located above the rear entrances to the commercial tenancies.

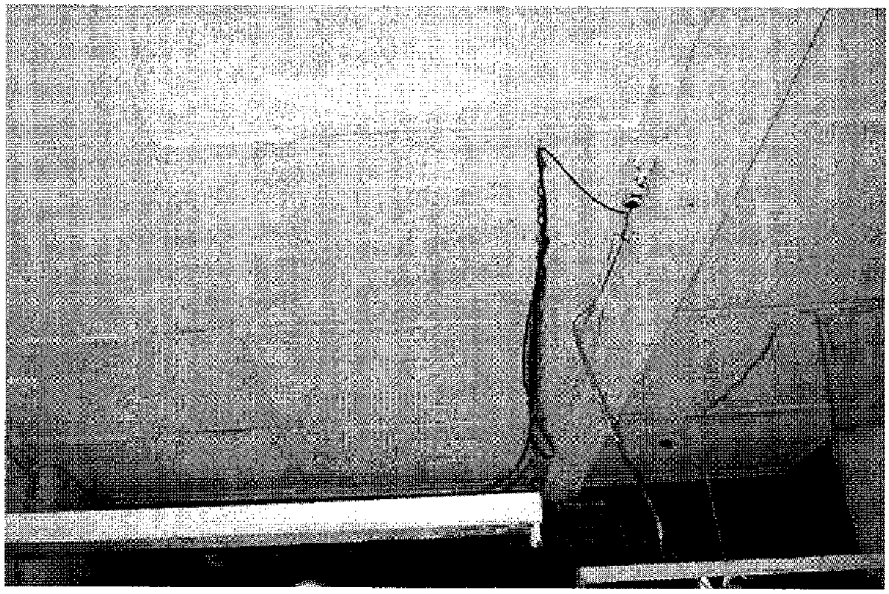

Photo 4: Example of asbestos cement sheeting located on the ceilings of the northern most rooms of the commercial tenancy at 89 Liverpool Road.

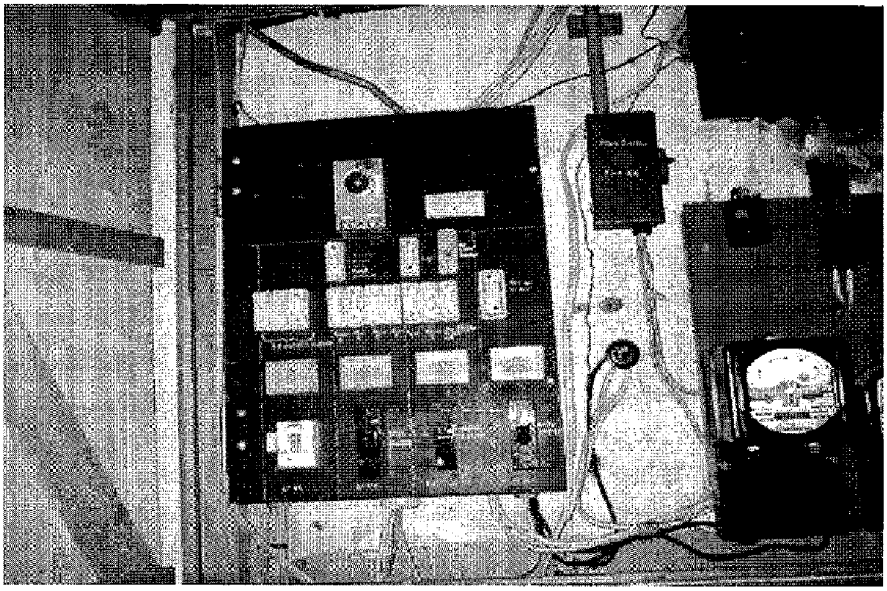

Photo 5: Example of a bituminous backing board suspected of containing asbestos located throughout the properties.

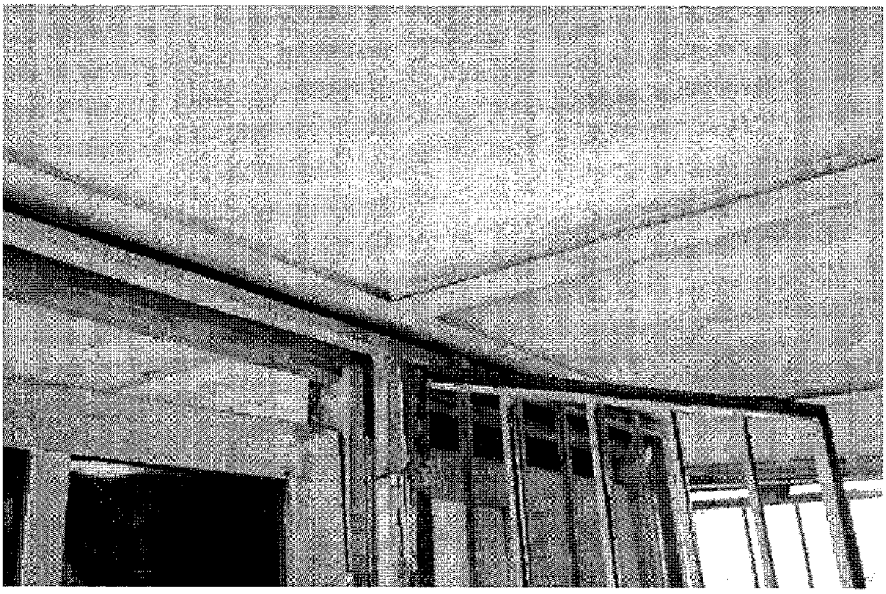

Photo 6: Asbestos cement sheeting located on the ceiling of the corner window display and the entrance to 93 Liverpool Road.

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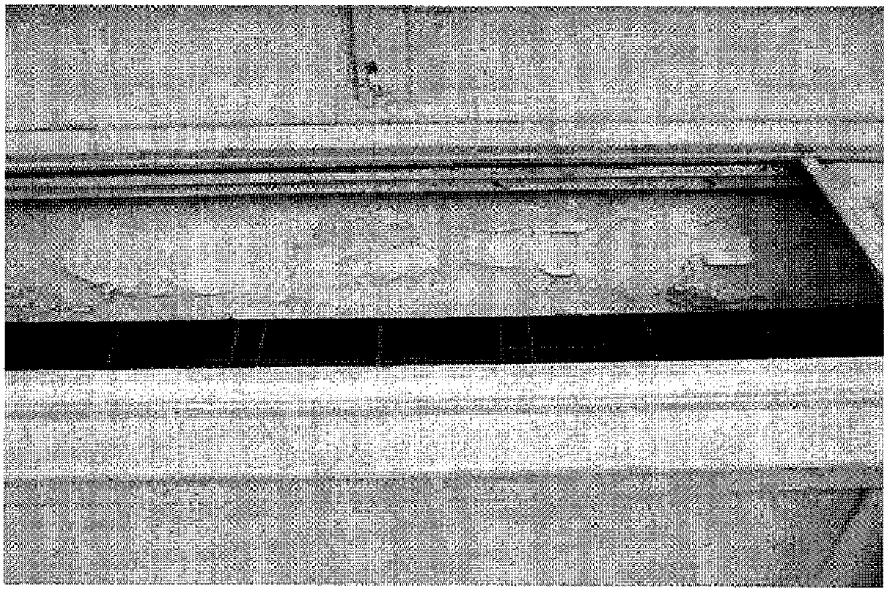

Photo 7: White paint with elevated levels of lead on the lintel and ceilings of the commercial tenancy at 89 Liverpool Road.

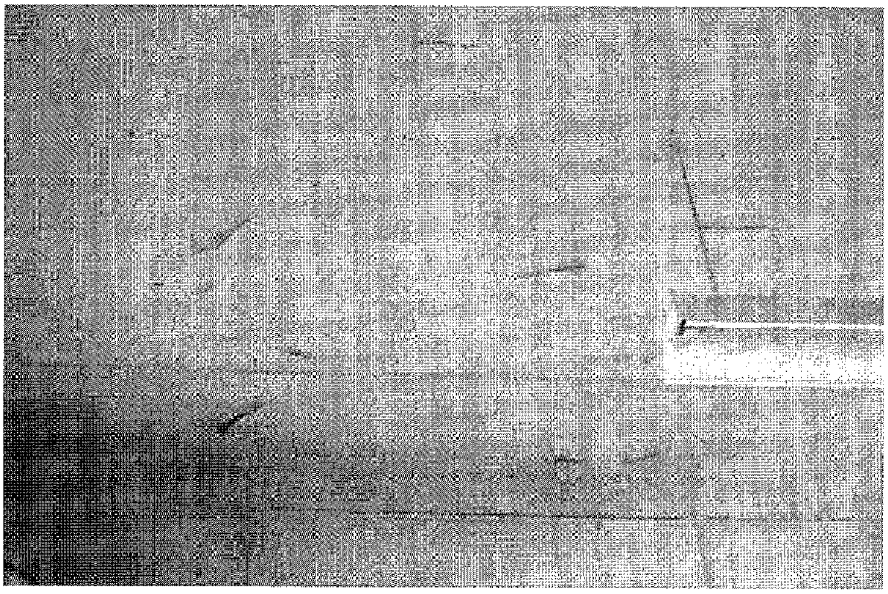

Photo 8: Blue paint with elevated levels of lead on the ceiling of the northern room of the commercial tenancy at 91 Liverpool Road.

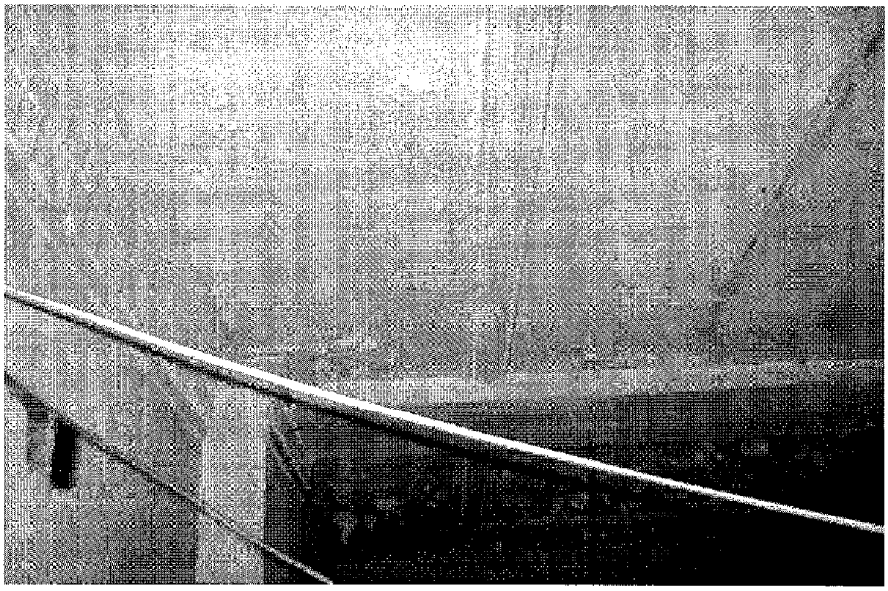

Photo 9: White paint with elevated levels of lead on the ceiling of the southern room of the commercial tenancy at 91 Liverpool Road.

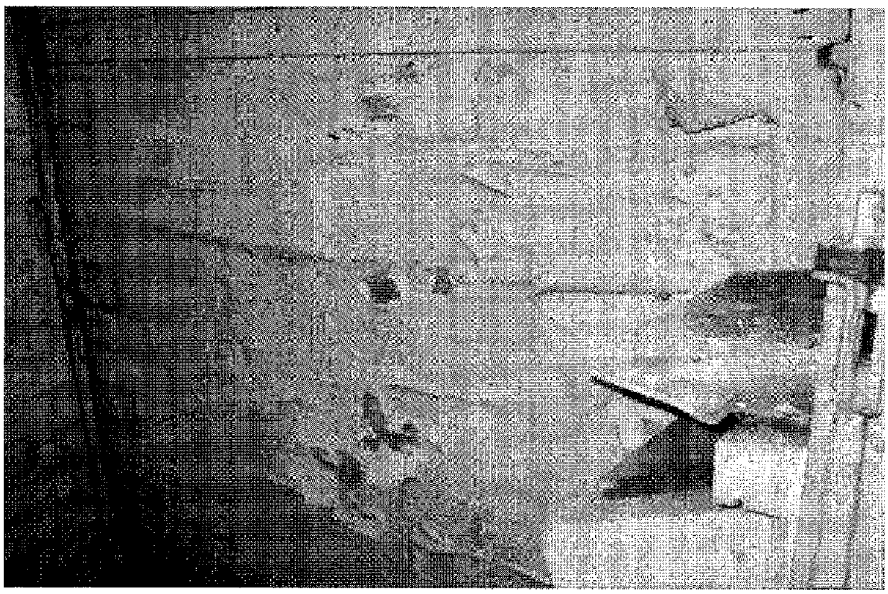

Photo 10: Beige paint with elevated levels of lead on the walls of the toilet of the commercial tenancy at 93 Liverpool Road

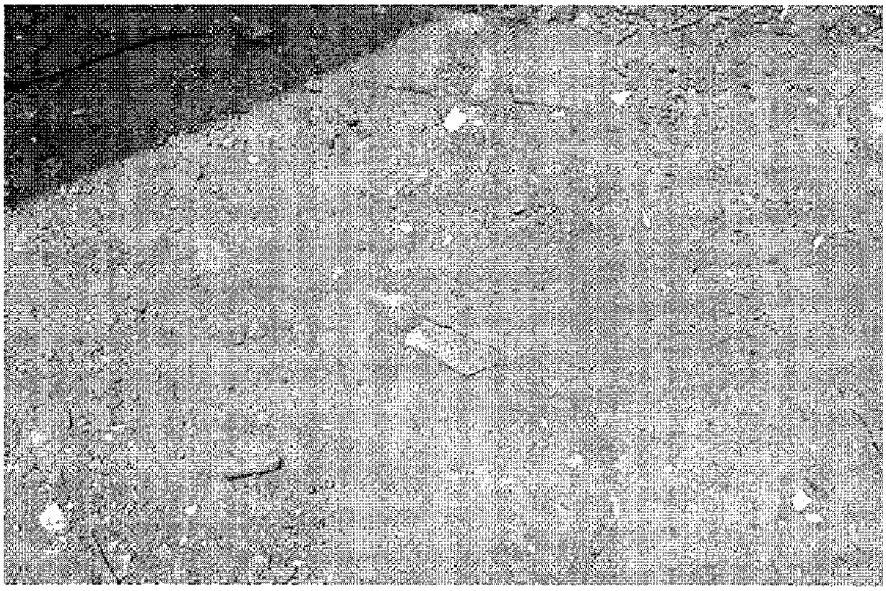

Photo 11: Asbestos cement sheet debris on the soil surface of the carpark at the rear of the property.

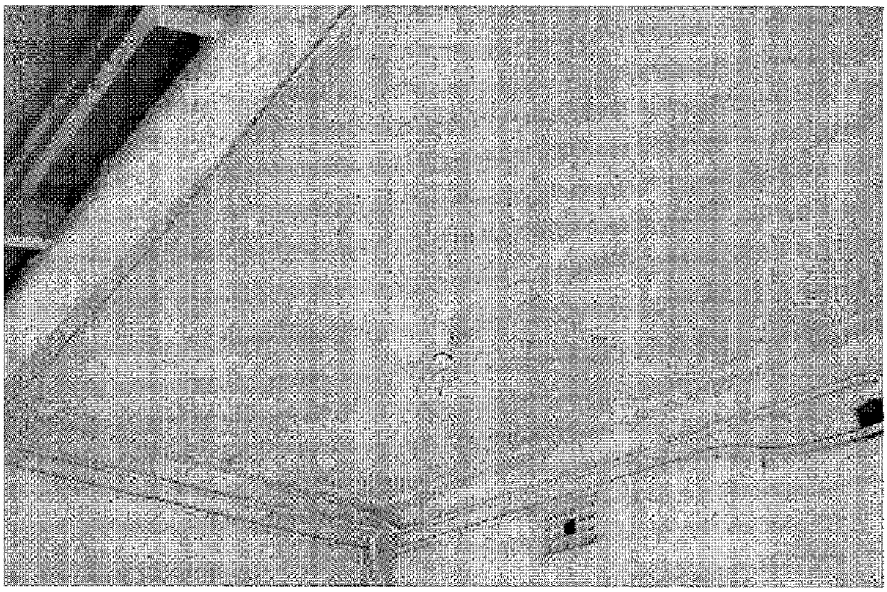

Photo 12: Example of asbestos cement sheeting located above the rear entrances to residential tenancies 89A-D and 91A-B.

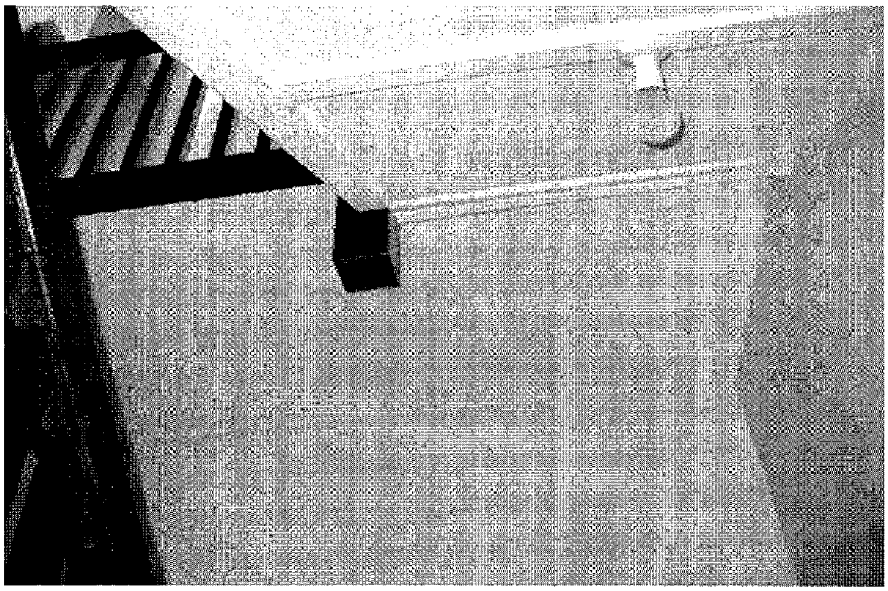

Photo 13: Example of asbestos cement sheeting located below the stairs on the ground floors at the rear of residential tenancies 89A-D and 91A-B Liverpool Road.

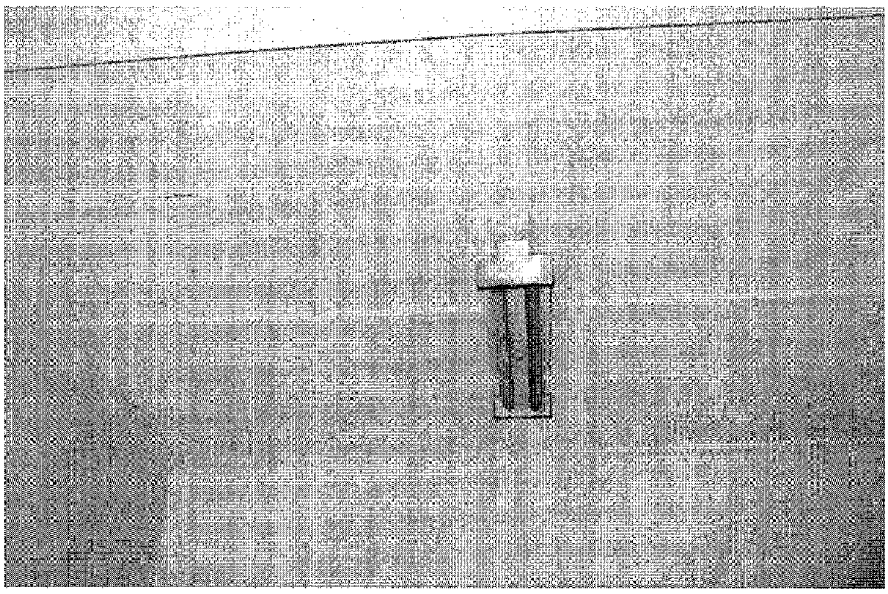

Photo 14: Example of asbestos cement sheeting located on the ceilings of the kitchens on the ground floors at the rear of residential tenancies 89A-D and 91A-B Liverpool Road.

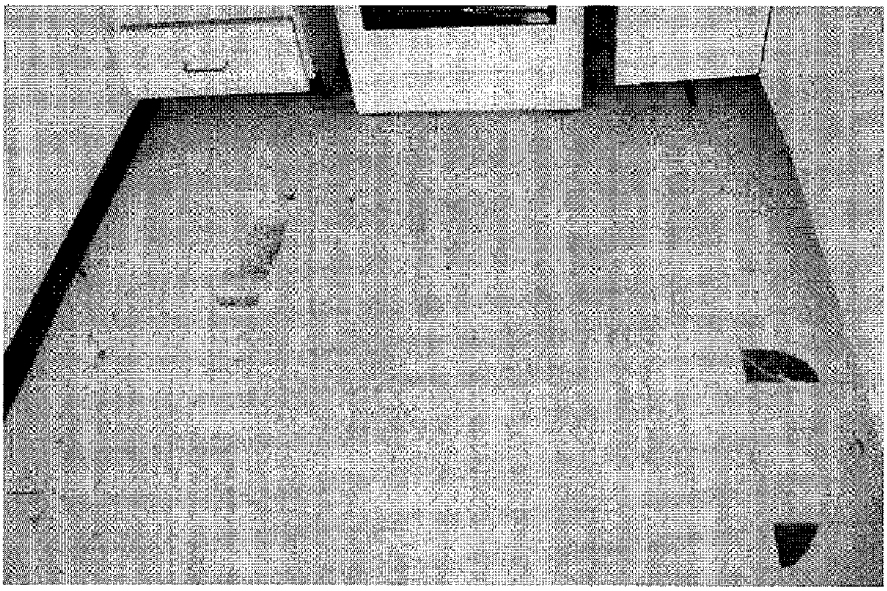

Photo 15: Beige vinyl floor tiles containing asbestos located in the kitchen of residential tenancy 89D Liverpool Road.

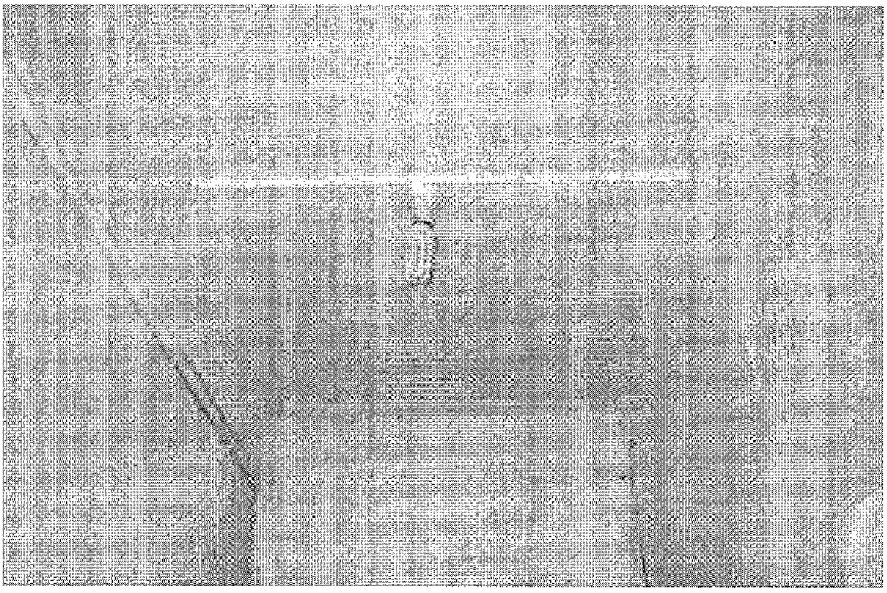

Photo 16: Example of asbestos cement sheeting located on the ceilings of the toilets on the ground floors at the rear of residential tenancies 89A-D and 91A-B Liverpool Road.

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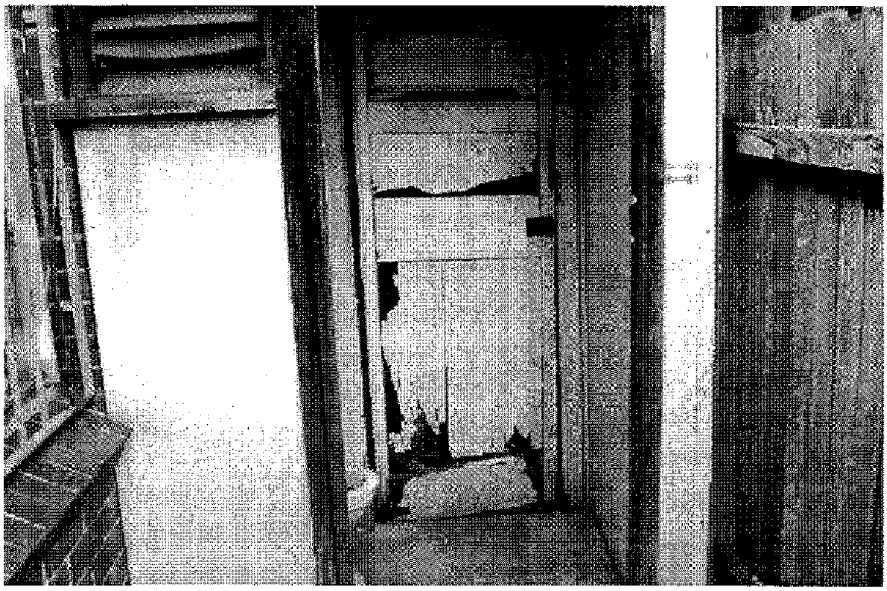

Photo 17: Asbestos cement sheeting located in the ceiling and internal and external wall cladding of the outside toilet of residential tenancy at 89C Liverpool Road. Also shown is white paint with elevated levels of lead.

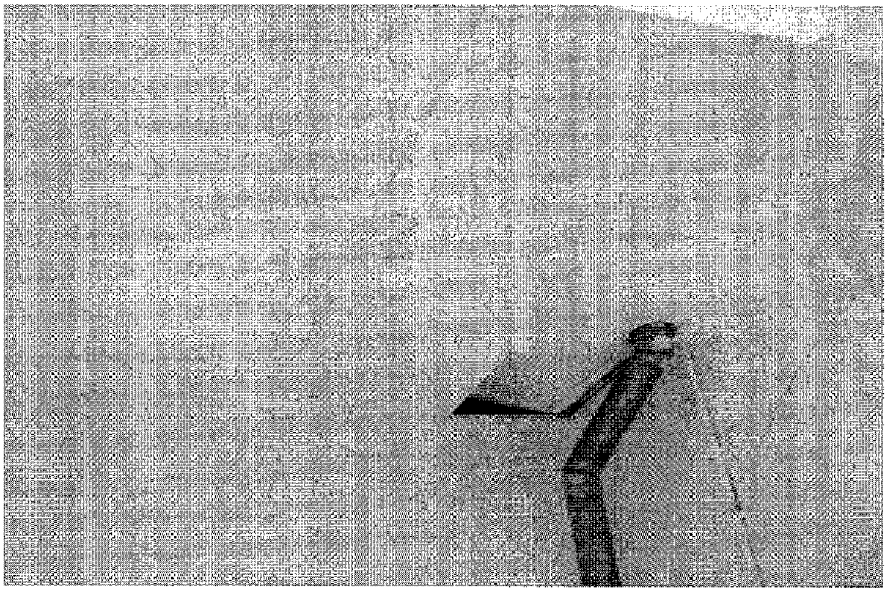

Photo 18: Example of asbestos cement sheeting located on the ceilings of the laundry's on the ground floors at the rear of residential tenancies 89A-C and 91A-B Liverpool Road.

Photo 19: Asbestos cement sheeting located on the external wall cladding at the rear of residential tenancy at 89A Liverpool Road.

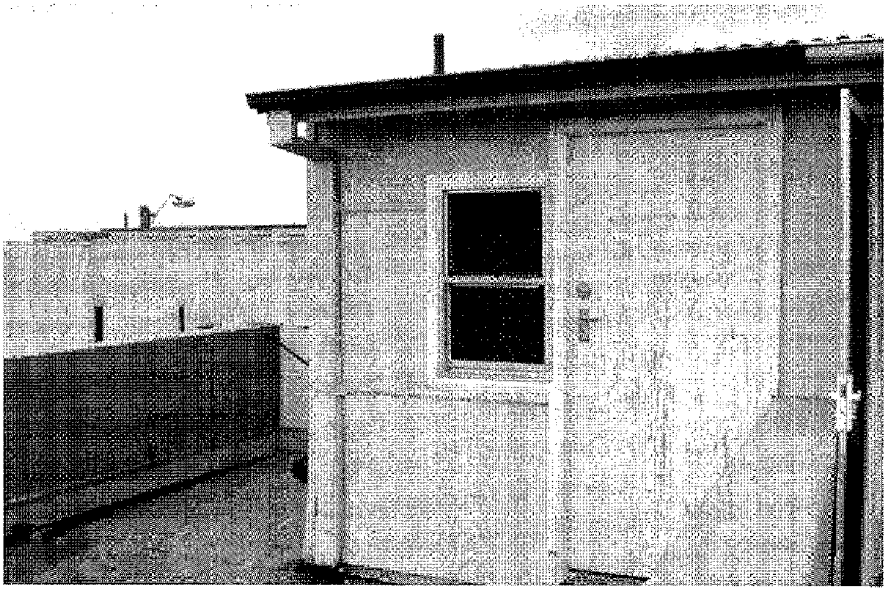

Photo 20: Example of asbestos cement sheeting located on the external wall cladding of the roof top laundry's of residential tenancies at 91A-B Liverpool Road.

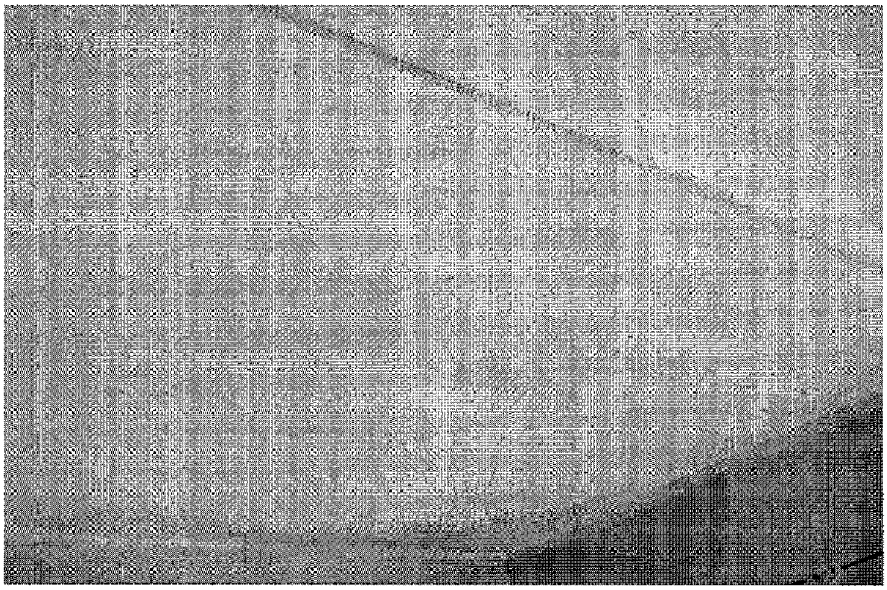

Photo 21: Example of asbestos cement sheeting located on the ceiling and internal wall cladding of the roof top laundry's of residential tenancies at 91A-B Liverpool Road.

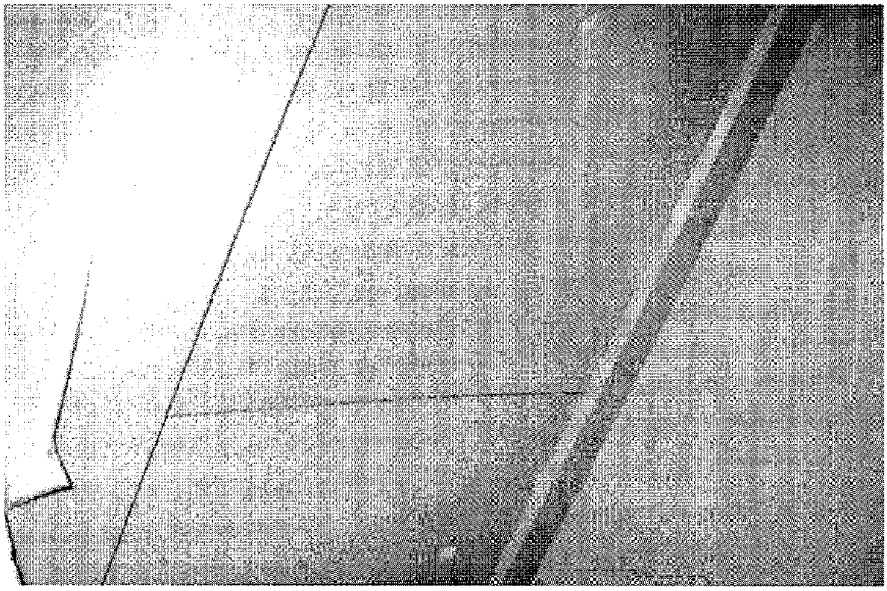

Photo 22: Example of asbestos cement sheeting located below the stairs to the roof top laundry's of residential tenancies at 91A-B Liverpool Road.

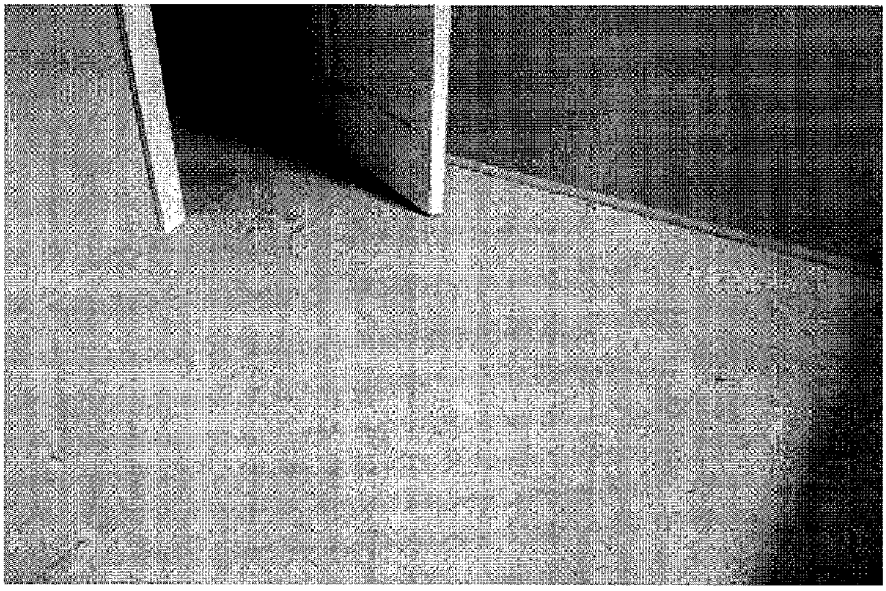

Photo 23: Beige vinyl floor tiles containing asbestos located in the kitchen on the first floor of the residential tenancy at 91B Liverpool Road.

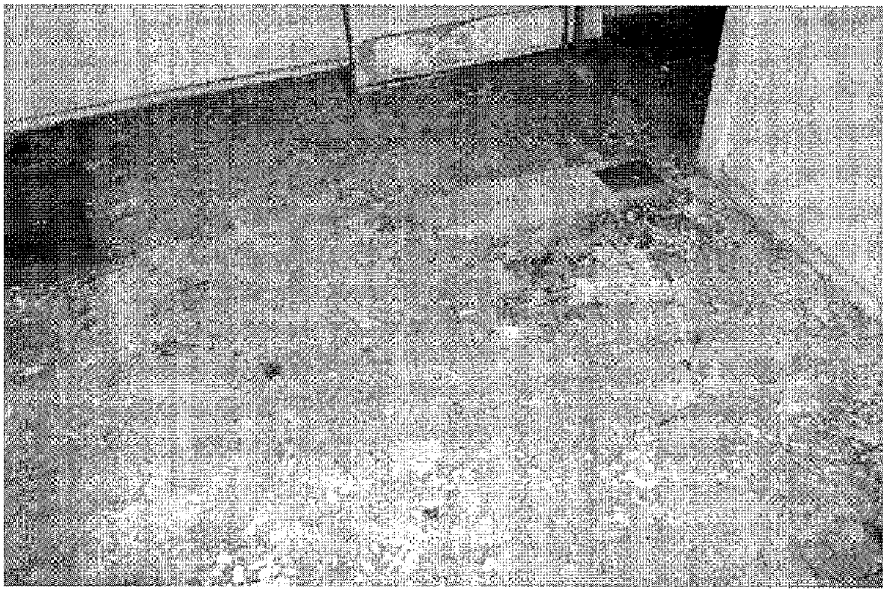

Photo 24: Vinyl floor tiles containing asbestos located in the back room of the ground floor residential tenancy at 91A Liverpool Road.

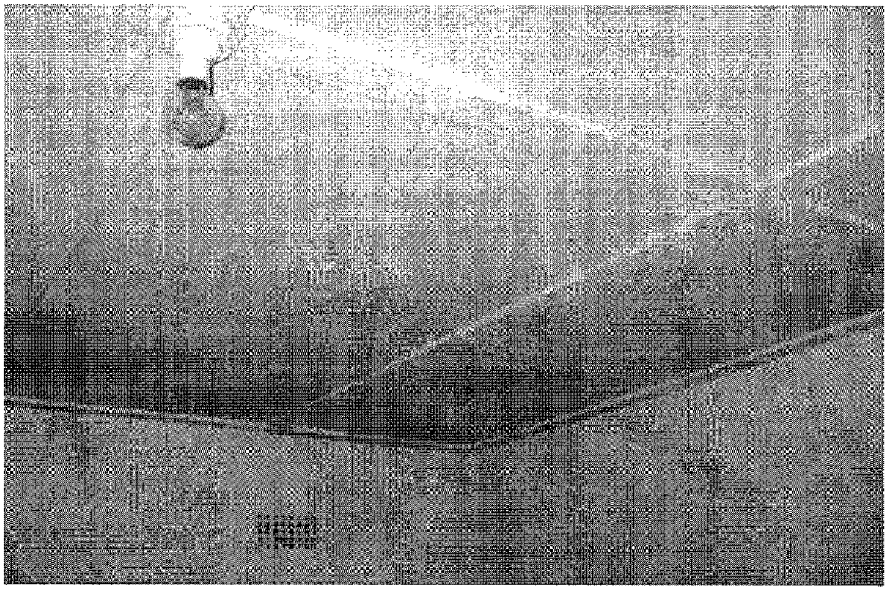

Photo 25: Asbestos cement sheeting located on the ceiling of the laundry of the residential tenancy at 16 Bruce Street.

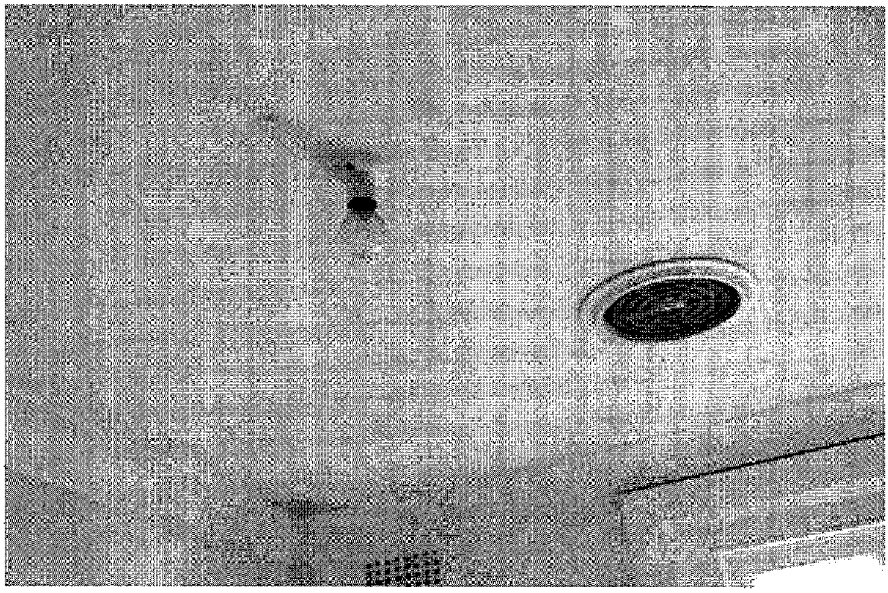

Photo 26: Asbestos cement sheeting located on the ceiling of the toilet of the residential tenancy at 16 Bruce Street.

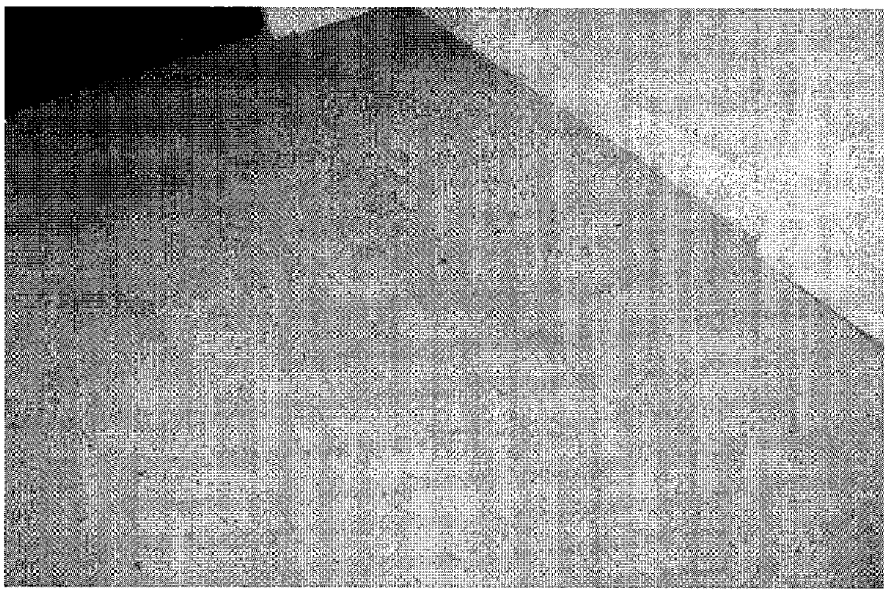

Photo 27: Vinyl floor tiles containing asbestos located on the first floor landing and kitchen of the residential tenancy at 16 Bruce Street.

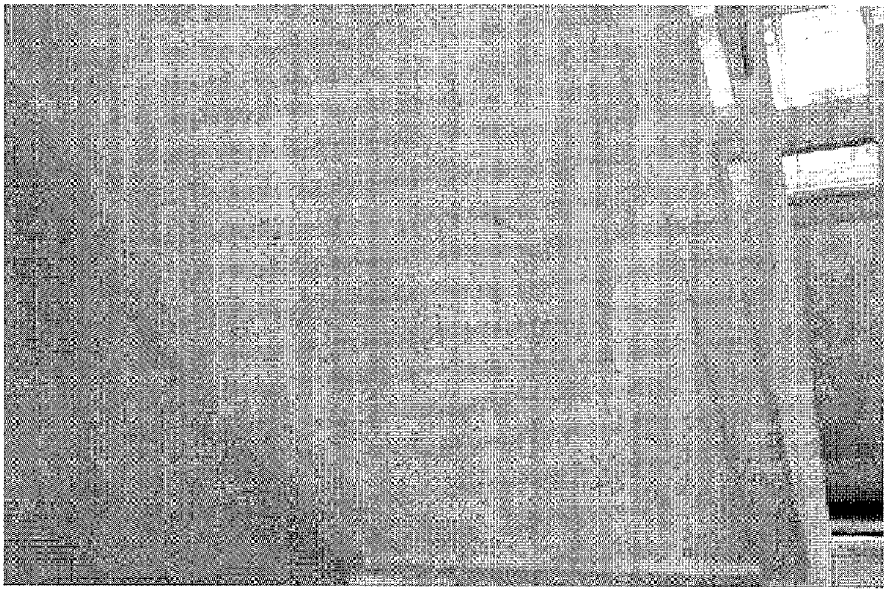

Photo 28: Asbestos cement sheeting located under the stairs of residential tenancy 16A Bruce Street.

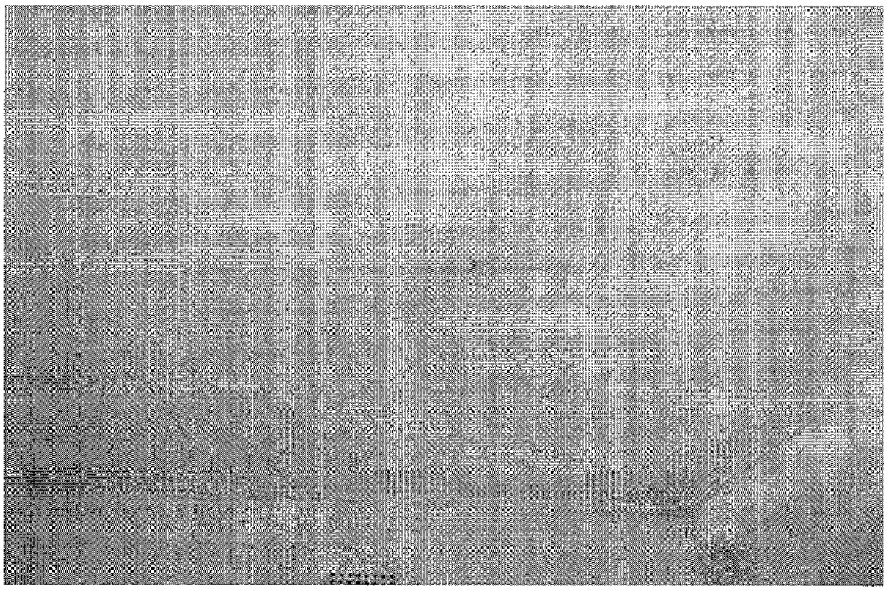

Photo 29: White paint with elevated levels of lead located on the ceilings of residential tenancy 89D Liverpool Road.

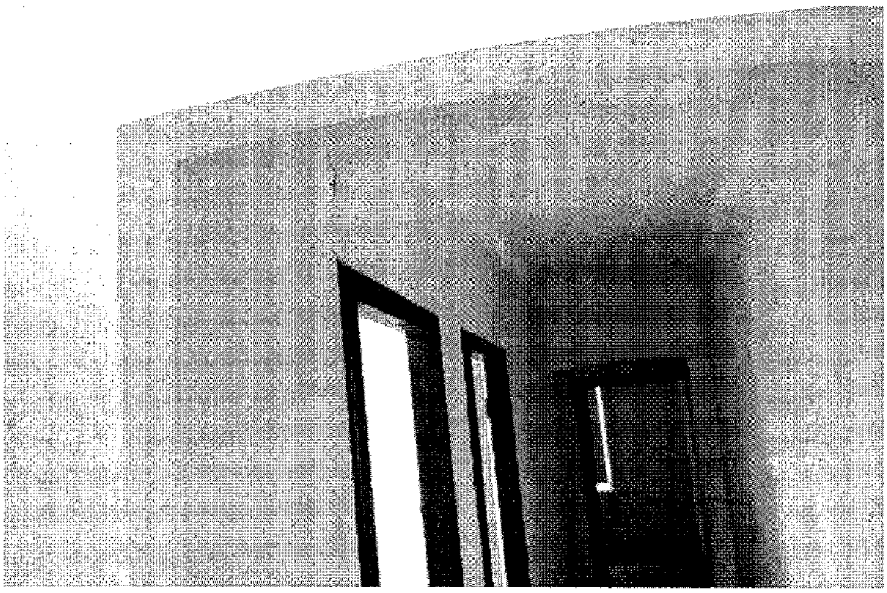

Photo 30: Green paint with elevated levels of lead located on the walls of residential tenancy 89D Liverpool Road.

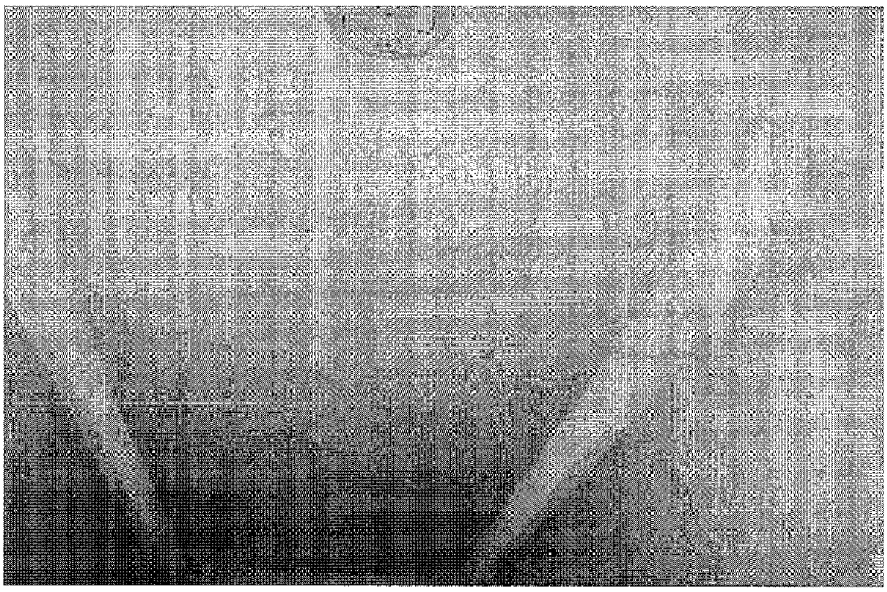

Photo 31: White paint with elevated levels of lead located on the ceilings of residential tenancy 89C Liverpool Road.

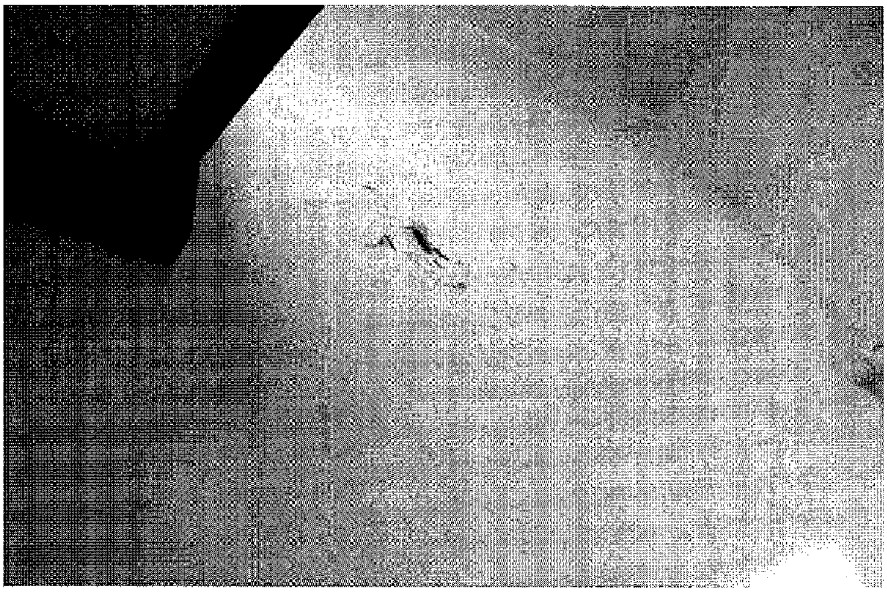

Photo 32: Beige paint with elevated levels of lead located on the walls of residential tenancy 89C Liverpool Road.

Photo 33: Red paint with elevated levels of lead located on the drainpipe at the rear of residential tenancy 91B Liverpool Road.

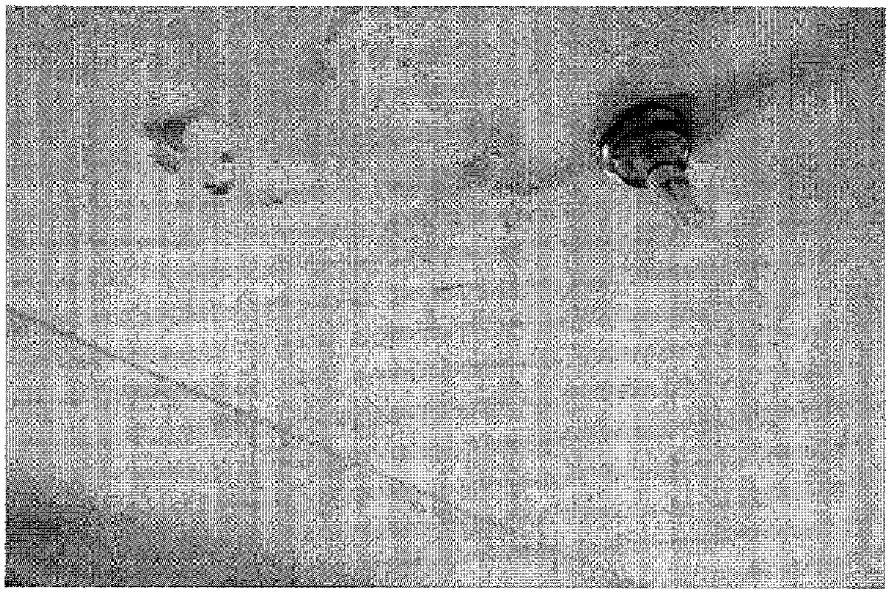

Photo 34: White paint with elevated levels of lead located on the ceilings of residential tenancy 91A Liverpool Road.

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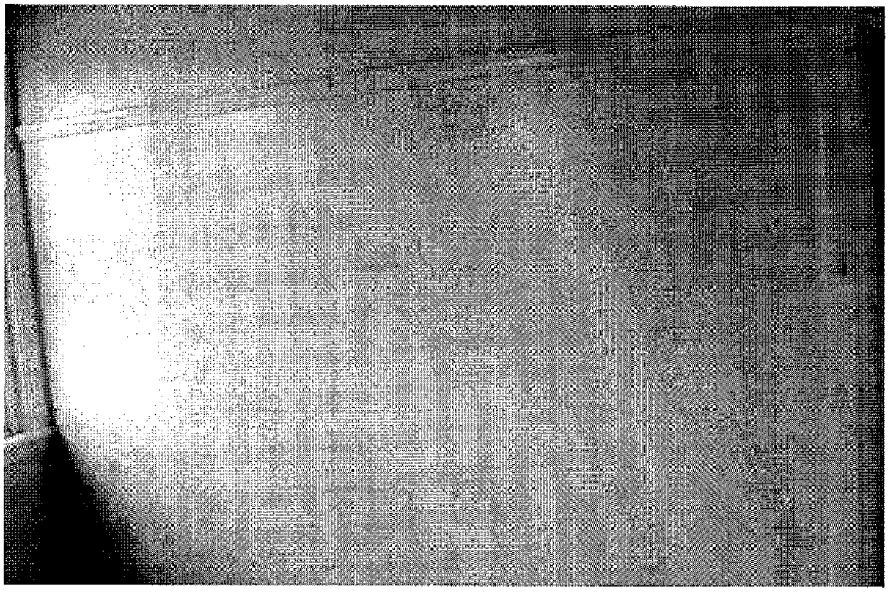

Photo 35: Blue paint with elevated levels of lead located on the walls of residential tenancy 91A Liverpool Road.