

CONDITIONS

DA 2011.67.1

113-115 Liverpool Road ASHFIELD 2131

Description of Work as it is to appear on the determination:

- Demolition of existing western car park;
- Alterations and additions to the existing club premises;
- Construction of an eight (8) storey building accommodating 10,141m² gross floor area and one-hundred and thirty-five (135) hotel rooms including a function room, gym and day spa;
- construction of four (4) basement car parking levels accommodating a total of four hundred and forty eight (448) car parking spaces; and
- consolidation of the allotments at 95-115 Liverpool Road, Ashfield.

On allotments:-

Lot: 1 DP: 529827 (95-103 Liverpool Road)
Lot: A DP: 17678 (105 Liverpool Road)
Lot: B DP: 17678 (107 Liverpool Road)
Lot: C DP: 17678 (109 Liverpool Road)
Lot: 10 DP: 1013464 (111 Liverpool Road)
Lot: D DP: 17678 (111A Liverpool Road)
Lot: E DP: 17678 (111B Liverpool Road)
Lot: 1 DP: 305206 (113-115 Liverpool Road)
Lots: A & B DP: 379301 (113-115 Liverpool Road)
Lots: 111 & 112 DP: 130232 (113-115 Liverpool Road)

A **General Conditions**

(1) Approved plans stamped by Council

The development must be carried out only in accordance with the approved plans and specifications listed below, prepared by Nettletontribe, Sitedesign Landscape Architects, M+G Consulting Engineers Pty Ltd and any supporting documentation received with the application, except as amended by the conditions specified hereunder:-

Job No	DWG No	Issue	Title
3370	DA001	A	Location Plan
3370	DA003	A	Site Analysis
3370	DA004	A	Basement 4 Plan
3370	DA005	D	Basement 3 Plan
3370	DA006	D	Basement 2 Plan
3370	DA007	D	Basement 1 Plan
3370	DA008	B	Ground Floor Plan
3370	DA009	B	Mezzanine Floor Plan
3370	DA010	B	Level 1 Floor Plan
3370	DA011	B	Level 2 Floor Plan
3370	DA012	B	Level 3 Floor Plan
3370	DA013	B	Level 4 Floor Plan
3370	DA014	B	Level 5 Floor Plan
3370	DA015	B	Roof Plan
3370	DA021	A	South Elevation
3370	DA022	B	West Elevation
3370	DA023	A	North Elevation
3370	DA024	B	East Elevation
3370	DA031	C	Section AA

3370	DA032	B	Section BB
3370	DA033	B	Section CC
3370	DA041	B	Winter Shadow Diagrams – Proposed building
3370	DA042	B	Winter Shadow Diagrams – Proposed building
3370	DA043	B	Equinox Shadow Diagrams – Proposed building
3370	DA044	A	Winter Shadow Diagrams – DCP Control
3370	DA045	A	Winter Shadow Diagrams – DCP Control
3370	DA081	A	Perspective 1
3370	DA082	A	Perspective 2
3370	DA083	A	Sample
10214	Landscape Plan	A	Level 1
10214	Landscape Plan	A	Level 2
10214	Landscape Plan	A	Sky Garden Terrace
3529	C01	3	Ground Floor Concept Stormwater Drainage, Erosion & Sediment Control Plan
3529	C02	3	Basement B3 Concept Stormwater Drainage Plan
3529	C03	3	Concept Stormwater Drainage Details
3529	S02	6	Shoring Notes
3529	S03	7	Shoring Plan & Part Capping Beam Plan
3529	S04	6	Shoring Elevations & Sections – Sheet 1
3529	S05	6	Shoring Elevations & Sections – Sheet 2
3529	S06	3	Shoring Elevations & Sections – Sheet 3
3529	S07	6	Shoring Elevations & Sections – Sheet 4
3529	S08	3	Shoring Elevations & Sections – Sheet 5
3529	S09	3	Shoring Details

Document	Prepared by	Date
Statement of Environmental Effects Pty Ltd	Moody & Doyle	
Pedestrian wind Environment Statement	WindTech	5 August 2010
Design Justification Report	Nettletontribe	11 March 2011
Wests Ashfield Sustainability Initiatives	Jones Nicholson Consulting Engineers	12 August 2011
BCA Capability Report	Vic Lilli & Partner	17 November 2010
Accessibility Review	Morris Goding Accessibility Consulting	1 March 2011
Construction Management Plan		
Transport report	Colston budd Hunt & Kafes PTY LTD	December 2010
Fire Safety Strategy Western Suburbs Leagues Club	Raw Fire	30 August 2010
Report on Geotechnical Investigation	Douglas Partners	October 2010
Acoustic Assessment	Koikas Acoustics PTY LTD	9 September 2010
Phase 1 Contamination Assessment	Douglas Partners	October 2010
NSW Transport RailCorp	Concurrence	26 April 2012
NSW Police	Conditions	30 May 2011

(2) Footpath Dedication

The current footpath area between the kerb and gutter on Liverpool Road and the current and proposed building lines which is now owned by West Leagues Club shall be dedicated to Council for purposes of public access.

(3) Design and construction of car parking bays and ramps

The layout of the proposed car parking areas, loading docks and access driveway associated with the subject development (including grades, turn paths, sight distance requirements, aisle lengths, loading bay dimensions and parking bay dimensions) should be in accordance with AS2890.1- 2004 and AS2890.2 – 2002 for large vehicles.

(4) Deletion of retail tenancies

Approval is not granted to any retail tenancies or retail uses and accordingly all proposed retail tenancies shall be deleted.

(5) Pedestrian safety along Liverpool Road

Pedestrian safety shall be ensured in the area, particularly with regard to the interaction of trucks and pedestrians along the Liverpool Road Street frontage of the site. Clear sight line measures shall be provided at the property line to the Liverpool Road driveway to ensure adequate visibility between vehicles leaving the car park and pedestrians on the frontage road footpath- reference section 3.2.4 AS2890.1-2004.

(6) Lodgement of separate Development application

A separate development application is to be submitted to Ashfield Council for the fit-out of the proposed function room, gym and day spa.

(7) Building work in compliance with BCA

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

(8) Provision of public Art

A public art feature shall be designed and constructed/installed at the applicants cost for the lower section (blank wall) elevation of the building along the western elevation. This feature shall provide visual interest for pedestrians and interpret or reflect the local setting and/or landscape character and/or the cultural setting of the area. The feature shall be designed to ensure long-term durability and be resistant to vandalism. Details shall be approved by Ashfield Council prior to issue of Occupation Certificate, and the applicant is advised to liaise with Council during design stages.

(9) Protection of street trees

No trees on public property (footpaths, roads, reserves, etc) shall be removed or damaged during construction including for the erection of any fence, hording or other temporary works. Street trees shall be protected during construction work at all times. Details of the method employed to preserve and protect street trees shall be submitted and approved by Ashfield Council prior to release of the Construction Certificate.

(10) Basement head height

The ceiling height for the internal waste and recycling collection areas shall be a minimum 4.3 metres and free from suspended pipes, ducts etc. Details are to be provided on revised plans with the submission of Construction Certificate.

(11) External finishes

External finishes shall be in accordance with the approved plans and not to be modified without further approval from Council.

B Design Changes

(1) Bicycle parking

A bicycle parking area shall be incorporated into the public car parking area without the loss of any public car parking spaces.

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

(1) Consolidation of allotments

The allotments are to be consolidated into one 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 Land Titles Office (Department of Information and Land Management). Evidence of consolidation from the Land Titles Office shall be submitted to Council or the Principal Certifying Authority prior to the release of a Construction Certificate.

(2) Cost of works Estimate

An accurate estimate of the proposed works, prepared and certified by a registered quantity surveyor or the like, must be provided to the satisfaction of Council's Assessment Officer, with or before the application for a construction certificate. The estimate should be based on recognised industry cost rates or the contract price, including the cost of labour. If the revised cost of works estimate exceeds the estimate supplied with the development application, an additional fee based on the revised estimate must be paid to Council prior to release of the Construction Certificate.

(3) Construction and Site Management Plan

Prior to the issue of a Construction Certificate 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;
- (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; and
- (e) the proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed by a chartered Civil Engineer or an accredited certifier.

Where it is proposed to:

- 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 Activity 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 before a Construction Certificate is issued.

Note: A separate application to Council must be made for the enclosure of a public place (hoarding).

(4) Soil and Water Management Plan

Prior to the issue of a Construction Certificate, the applicant shall submit to and obtain approval from Council or the accredited certifier of a Soil and Water Management Plan and Statement which clearly identifies site features, constraints and soil types together with the nature of proposed land disturbing activities and also specifies the type and location of erosion and sediment control measures and also rehabilitation techniques necessary to deal with such activities.

The Plan shall be compatible with any Construction and Site Management Plan and shall ensure the following objectives are achieved, namely:

- (a) to minimise the area of soils exposed at any one time
- (b) to conserve top soil
- (c) to identify and protect proposed stockpile locations
- (d) to preserve existing vegetation and identify revegetation techniques and materials
- (e) to prevent soil, sand, gravel, and any other sediment or spoil from leaving the site in an uncontrolled manner
- (f) to control surface water flows through the development construction site in a manner that:-

diverts clean run-off around disturbed areas
minimises slope gradient and flow distance within disturbed areas.
ensures surface run-off occurs at non-erodible velocities.
ensures disturbed areas are promptly rehabilitated

- (g) to ensure regular monitoring and maintenance of erosion and sediment control measures and rehabilitation works.

The plan is to be prepared in accordance with "*Managing Urban Stormwater: Soils and Construction Manual*" prepared by NSW Department of Housing (1998).

(5) Erosion & sedimentation control-management plan

Prior to issue of a construction certificate the applicant shall prepare an erosion and sedimentation control plan in accordance with Part 4 of the guidelines titled "*Pollution Control Manual for Urban Stormwater*", as recommended by the Environmental Protection Authority.

Any stormwater runoff collected from the site must be treated in accordance with the Guidelines, before discharge off the site to comply with the *Protection of the Environment Operations Act 1997* or other subsequent Acts.

Where sedimentation control basins are provided discharge shall be to the requirements of the Environmental Protection Authority.

Applicants are further advised to refer to the following publications for additional information:

- (a) “*Sedimentation and Erosion Control*” - Department of Conservation and Land Management.
- (b) “*Soil and Water Management for Urban Development*” - Department of Housing.

The plan must be submitted with the application for a construction certificate.

Further information may be obtained from:

Environment Protection Officer
Environment Protection Authority
Inner Sydney Region
Locked Bag 1502
BANKSTOWN NSW 2200

(6) Section 94 Development Contributions

In accordance with Section 80A(1) of the *Environmental Planning and Assessment Act 1979* and the Ashfield Council Development Contributions Plan, the following monetary contributions shall be paid to Council Prior to issue of a Construction Certificate to cater for the increased demand for community infrastructure resulting from the development:

	CONTRIBUTIONS (NEW DEVELOPMENT)		
	Hotels/ Motels/ Serviced Apartments	Commercial (per sqm)	Total
Number of Dwellings / Beds or GFA	270	3007	N/A
Number of deficient car parking spaces			0
Local Roads	\$24,972.84	\$9,270.78	\$34,243.62
Local Public Transport Facilities	\$91,472.21	\$20,103.49	\$111,575.71
Local Car Parking Facilities	\$0.00	\$0.00	\$0.00
Local Open Space and Recreation Facilities	\$0.00	\$783,288.25	\$783,288.25
Local Community Facilities	\$0.00	\$0.00	\$0.00
Plan Preparation and Administration	\$73,087.04	\$35,562.93	\$108,649.96
TOTAL	\$189,532.09	\$848,225.45	\$1,037,757.54

If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Ashfield Development Contributions Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment in the following manner:

$$\$C_c = \frac{\$C_p \times CPI_c}{CPI_p}$$

Where:

\$ C_c is the amount of the contribution for the current financial quarter

\$ C_p is the amount of the original contribution as set out in this development consent

CPI_c is the Consumer Price Index (Sydney – All Groups) for the current financial quarter as published by the ABS.

CPI_p is the Consumer Price Index for the financial quarter at the time of the original consent.

Prior to payment of the above contributions, the applicant is advised to contact Council's Planning Division on 9716 1800. Payment may be made by cash, money order or bank cheque.

Council's Development Contributions Plan may be viewed at www.ashfield.nsw.gov.au or a copy may be inspected at Council's Administration Centre.

(7) 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 Acts 1986 – is required. All building works in excess of \$25,000.00 are subject to the payment of a Long Service Levy fee. A copy of the receipt for the payment of the Long Service Levy shall be provided to the Principal Certifying Authority (PCA) prior to the issue of a Construction Certificate. Payments can be made at Long Service Payments Corporation offices or most Councils.

(8) Services infrastructure or relocation

The applicant shall meet the full cost for Telstra, Sydney Electricity, Sydney Water or Natural Gas Company 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.)

Documentary evidence from the public utility authorities confirming that all of their requirements have been satisfied shall be submitted to Council with the Construction Certificate under Section 68 of the Local Government Act, 1993, for construction of the development

(9) Category 2 - Remediation

Prior to the issue of a construction certificate the site is to be remediated in accordance with:

- *State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55)*, and
- The guidelines (if any) in force under the Contaminated Land Management Act.
- A Remedial Action Plan that has been prepared with consideration to the Detailed Investigation.

A Notice of Remediation must be given to Council at least 30 days before the commencement of remediation work unless the site is subject to a remediation order. This will allow Council to intervene if it considers the work to be Category 1 remediation work, as set out in SEPP 55. The Principle Certifying Authority must ensure professionals undertaking remediation are appropriately qualified and experienced.

The Notice of Remediation must be in writing and be consistent with clause 16 of SEPP 55. In addition to these requirements the notice will:

- provide two copies of the Remedial Action Plan for the subject site, and
- contact details for the remediation contractor and party responsible for ensuring compliance of remediation work with all relevant regulatory requirements (if different to remediation contractor).

Within 30 days after the completion of the remediation works, a notice of completion including a validation and/or monitoring report is to be submitted to Council. This notice must:

- be in writing prepared and signed by the person who carried out the work, and
- provide the person's name, address and business telephone number, and
- provide details of the person's qualifications to carry out the work, and
- specify, by reference to its property description and street address (if any), the land on which the work was carried out, and
- state when the work was completed, and
- specify the uses of the land, and the substances, that contaminated it in such a way as to present a risk of harm to human health or some other aspect of the environment, and

- specify the uses of the land immediately before the work started, and
- briefly describe the method of remediation used in the work, and
- specify the guidelines that were complied with in the work, and
- specify the standard of remediation achieved (in the light of the use proposed for the land), and
- state what action must be maintained in relation to the land after the completion of the remediation work if the standard of remediation achieved is to be maintained.

The validation and/or monitoring report is to be independently audited and a Site Audit Statement issued. The audit is to be carried out by an independent auditor accredited by the New South Wales Environment Protection Authority. Any conditions recorded on the Site Audit Statement are to be complied with.

(10) Lighting to basement/pedestrian routes-safety

Lighting which meets the relevant Australian Standard of 40 lux., spaced at appropriate intervals to provide the required surveillance shall be provided to the vehicular basement parking area and along pedestrian access routes for safety and security purposes during the evenings. The proposed lighting shall be at the highest energy efficient rating available.

Details to be shown on the construction certificate.

(11) Surveillance

A surveillance system, for the building, open space and basement car park is to be designed by a professionally recognised security firm, which include the following:

- o a closed circuit television (surveillance cameras);
- o the Manager's office having the relevant control panels; and
- o Tapes/digital data 'on disc' to be properly stored and retained on site for a minimum of twenty-one (21) days for the availability of Council or NSW Police.

Details to be shown on the construction certificate and provided to Ashfield Police prior to occupation.

(12) Access management plan for people with a disability

An Access Management Plan shall be submitted to Council or the accredited certifier before the issue of a Construction Certificate. Details for the Access Management Plan shall include:

- (a) Access to the building for people with disabilities in accordance with the provisions of AS4299 and AS 1428 Part 1 and the Ashfield Development Control Plan for Access and Mobility (tel. 9716 1800 for a free copy)
- (b) Sanitary facilities accessible to people with disabilities. Such facilities shall be accessible to all persons working in or using the building.

(13) Preparation of geotechnical report

To ensure that the structural integrity of the proposal and neighbouring buildings will be maintained, a full geotechnical report must be submitted to the Council or the PCA prior to the issue of a construction certificate and prior to the commencement of excavation works. The report must include an investigation of site and soil conditions as well as the proposed means of construction and must contain, where required, recommendations to ensure that excavation, backfilling and construction, including temporary works during construction, will not affect the structural integrity of neighbouring buildings or the structural stability of neighbouring public land, property or services. The report is to be prepared and certified by an appropriately qualified practicing geotechnical engineer.

All demolition, excavation, backfilling and construction must be undertaken in accordance with the recommendations of the geotechnical report.

(14) Vibration damage assessment

To minimise vibration damage and loss of support to buildings in close proximity, a report shall be prepared by a qualified Geo-technical engineer detailing the maximum size of hammer to be used where a hydraulic hammer is to be used within 30 metres of any building (other than a path or a fence). The report is to be submitted to Council prior the issue of a Construction Certificate.

(15) Levels of street alignment - RTA

The level of the street alignment must be obtained from the Roads and Traffic Authority. These levels must be obtained and incorporated into the design of the internal pavements, car parks, landscaping and stormwater drainage to be submitted in conjunction with the application. The applicant is to note that these levels shall be strictly adhered to.

(16) Plantation or recycled timbers

To minimise the damage to the environment, no rainforest timbers or timbers cut from old growth forests are to be used in the construction of buildings.

The Construction Certificate is to specify the timbers to be used. These are to be limited to plantation timbers grown on Australian farms, or State Forest Plantations, or recycled timbers.

(17) Water conservation

Water saving devices must be fitted to all showers and dual flush cisterns installed within all WC/ sanitary facilities provided throughout the development to reduce ongoing water consumption. Documentation to be shown on the plans to be provided with the Construction Certificate

(18) Noise from road and rail

To minimise the impact of noise from the adjoining major road or rail corridor on the occupants of the building it shall be acoustically designed and constructed to meet the requirements of AS 2107 - 1989.

Evidence from a qualified acoustic consultant that these design requirements have been met shall accompany the application for the Construction Certificate.

(19) Water efficient irrigation system

The communal open space areas shall be provided with a water efficient irrigation system to enable effective landscape maintenance. Details shall be included with the landscape plan to be submitted with the Construction Certificate.

(20) Advertising signs strategy

The applicant is to submit to Council an overall strategy to control advertising for the development. This strategy is to be submitted to Council for approval prior the issue of a Construction Certificate.

(21) Street numbering

An application for street numbering shall be lodged with Council for approval, prior to the release of a Construction Certificate, or Subdivision Certificate, which ever occurs first.

(22) Food Premises - plans

Two (2) copies of details of all kitchen fittings and fitments in food preparation and/or food storage areas, including the design and location of stoves, sinks, wash hand basins, benches, refrigerators and counters prepared in accordance with Ashfield Council's "Guidelines for Food Premises".

Details must be submitted to Council or the accredited certifier and approval obtained prior to the release of a Construction Certificate.

(23) Food Premises—compliance with Ashfield Council's "Guidelines for Food Premises"

Plans and specifications showing details of all food preparation and storage areas, layout disposition, construction and method of installation of all fittings and fixtures, together with floor, wall and ceiling finishes must be in accordance with Ashfield Council's "Guidelines for Food Premises".

Details are to be provided with the Construction Certificate.

(24) Grease Arrestor

Details and location of the proposed internal grease arrestor is to be submitted prior to the issue of a Construction Certificate. The Certificate will be subject to the following conditions:

- (a) The arrestor shall be installed in a separate room.
- (b) The floor, walls and ceiling of the room shall be constructed of solid material sealed to prevent the escape of odours; all angles are to be coved.
- (c) The design and installation shall meet the requirements of Sydney Water
- (d) The door shall be self closing and fitted with rubber or other approved gaskets to provide a seal when closed. Independent access to the arrestor for cleaning purposed shall be provided, where practicable, from outside the building

(25) Sydney Water - Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone Sydney Water 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the release of an occupation or subdivision certificate.

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

A Damage Deposit of **\$70,000** is to be submitted prior to the release of the Construction Certificate 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 construction or 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.

(27) Footpath/laneway- photographs to be submitted

Prior to the release of the Construction Certificate, the applicant shall lodge with Council photographs of all Council assets on the footpath at the property these assets shall included such things as parking signs, street trees and their surrounds garden beds etc. 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 Council asset. If any damage has occurred, the applicant shall meet the full cost to repair or reconstruct these damaged areas to Council's relevant standard. Failure to do this will result in the applicant being held accountable for the cost of all repair works in the area near / at the site.

(28) Stormwater disposal-calculations

- (a) Calculations and details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with **Council's Stormwater Management Code** and submitted to, and approved by, Council prior to the release of the Construction Certificate.

The Construction Certificate plan to be submitted to Council must consist of the following items:

Separate catchment areas within the site draining to each collection point or surface pit classified into the following categories:

- (i) Roof areas.
- (ii) Paved areas.
- (iii) Grassed areas.
- (iv) Garden areas.
- (v) The percentages of Pre-development and Post-development impervious areas

- (b) At each pit and or bend, a level of pipe is to be shown (the minimum grade for pipes is 1%).

- (c) All flowpaths both internal and external, which pass through or around the proposed development site, are to be shown on the Construction Certificate plan
- (d) Calculations and details are to be provided to Council showing that provisions have been made to ensure that the piped drainage system including pits have been sized to accept runoff from all storms up to the 100 year ARI.
- (e) All roof gutters and down pipes for the proposed building and the existing building are to be sized to cater for a 100 ARI.
- (f) The depth and location of all services within the area affected by the development (i.e. gas, water, sewer, electricity, Telstra, etc) shall be confirmed by the applicant on site prior to the release of the Construction Certificate.
- (g) All garbage and waste areas must drain to the sewer and not the stormwater system.

(29) Stormwater detention storage facility

- (a) On-site Stormwater Detention storage shall be provided in conjunction with the stormwater disposal. This storage shall be designed in accordance with Council's Stormwater Management Code the minimum Detention storage shall be a minimum 70m³ and the top of water level for the 1:20 ARI must be above RL 37.93 (surface level of the connecting Council pit). Details of the storage shall be submitted to and approved by Council prior to the release of the Construction Certificate.
- (b) All on-site stormwater detention pit must be located in an easily assessable area not in a seal off location.
- (c) Prior to the release of the Construction Certificate, a maintenance schedule is to be prepared which clearly outlines the routine maintenance necessary to keep the OSD system working, this information is to be included in the Positive Covenant required for this development. Some of the issues that will need to be addressed are:
 - where the storage and silt arrestor pits are located
 - which parts of the system need to be accessed for cleaning and how access is obtained
 - description of any equipment needed (such as keys and lifting devices) and where they can be obtained
 - the location of screens and how they can be removed for cleaning
 - who should do the maintenance (i.e. commercial cleaning company)
 - how often should it be done

The abovementioned maintenance schedule is to be submitted to and approved by Ashfield Municipal Council prior to the release of the Occupation Certificate.

(30) Compliance with NSW Police conditions

Conditions and requirements imposed by NSW Police in their letter dated 30 May 2011 shall be complied with at all times.

(31) Compliance with NSW Transport Railcorp conditions

Conditions and requirements imposed by NSW Transport RailCorp in their letter dated 26 April 2012 shall be complied with at all times.

D Conditions that must be complied with before work commences

(1) Notice of Commencement – Notification of Works

Work must not commence until the Principal Certifying Authority or the person having the benefit of the development consent has given Notification in Writing to Council no later than two days before the building work commences.

(2) Requirement for a Construction Certificate

In accordance with the provisions of Section 81A of the *Environmental Planning and Assessment Act 1979* the erection of a building and/or construction works must not commence until:

- (a) detailed plans and specifications of the building have been endorsed with a Construction Certificate by:
 - (i) Council; or
 - (ii) an accredited certifier; and
- (b) a principal certifying authority (PCA) has been appointed and the Council has been notified in writing of the appointment, and
- (c) at least two days notice, in writing, has been given to Council of the intention to commence work.

The documentation required under this condition shall show that the proposal complies with all development consent conditions and the *Building Code of Australia*.

Note: If the principal certifying authority is the Council, the appointment will be subject to the payment of a fee for the service to cover the cost of undertaking building work and / or civil engineering inspections.

WARNING: Failure to obtain a Construction Certificate prior to the commencement of any building work is a serious breach of Section 81A(2) of the *Environmental Planning & Assessment Act 1979*. It is a criminal offence that attracts substantial penalties and may also result in action in the Land and Environment Court and orders for demolition.

(3) Inspections required by Principal Certifying Authority

Inspections shall be carried out at different stages of construction by Council or an accredited certifier. If Council is selected as the Principal Certifying Authority (PCA) the inspection fees must be paid for in advance which will be calculated at the rate applicable at the time of payment.

(4) 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.

(5) Building location - check survey certificate

To ensure that the location of the building satisfies the provision of the approval, a check survey certificate shall be submitted to the Principal Certifying Authority either prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, indicating the: -

- (i) location of the building with respect to the boundaries of the site;
- (ii) level of the floor in relation to the levels on the site (all levels are to be shown relative to Australian Height Datum);

- (iii) site coverage of the buildings on the site.

(6) Crane permit

Should the applicant need to use a crane during the course of building, it will be necessary to first obtain a "Crane Permit" from Council's One Stop Shop. A fee is payable for the permit. The approval of other authorities (eg Police Department, RTA) may be required for the use of a crane.

(7) Protection of public places - erection or demolition of building

- If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient or involves the enclosure of a public place; 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.

(8) Site fencing/security

The site must be appropriately secured and fenced to the satisfaction of Council during demolition, excavation and construction work to ensure there are no unacceptable impacts on the amenity of adjoining properties. Permits for hoardings and or scaffolding on Council land must be obtained and clearly displayed on site.

(9) Dilapidation Reports

A Dilapidation Report on the current structural condition of the existing neighbouring buildings and Council roadway at the site boundaries must be prepared by a practicing structural engineer. The Dilapidation Report must be completed and submitted to the owner of the subject property and to Council prior to the commencement of any demolition, excavation or construction works. At the completion of the works, a second Dilapidation Report recording the structural condition must be prepared. That Report must be submitted to the owner of the subject property and to Council.

(10) Support for neighbouring buildings and notice to adjoining owners

- (1) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - (a) must preserve and protect the building from damage, and
 - (b) if necessary, must underpin and support the building in an approved manner, and
 - (c) must at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

- (2) The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

Notes:

- (i) Details of underpinning works, prepared and certified by a practicing structural engineer shall be submitted to and approved by the Principal Certifying Authority prior to the commencement of any works.
- (ii) allotment of land includes a public road and any other public place.

(11) Asbestos sheeting removal - EPA/Workcover Authority

Asbestos removal is to be carried prior to principal works commencing in accordance with Environmental Protection Authority and Workcover Authority requirements. Proper procedures shall be employed in the handling and removal of asbestos and products containing asbestos so as to minimise the risk to personnel and the escape of asbestos particles in the atmosphere. Work is only to be carried out with the prior consent of the Work Cover Authority.

Note: There are substantial penalties for non-compliance with the above requirements.

(12) Asbestos and/or lead removal certification

The existing structures/land on the site potentially contain asbestos and/or lead. Following removal of any asbestos/lead located on site a clearance must be provided to the Principal Certifying Authority certifying that no such asbestos/lead remains on site from a suitably qualified person.

A copy of the clearance Certificate must be forwarded to Council before any other demolition work is commenced.

(13) Garbage skips on Council land - Council approval

Bulk refuse bins or garbage skips shall not be placed on grass verge, footpath or roadway without Council permission. Application forms and details of applicable fees are available from Council's Customer Service on telephone 9716 1800.

(14) Haulage route information

Full details of proposed haulage routes, estimated number of vehicle movements and trip locations related to demolition/construction activities are to be submitted to Ashfield Council prior to work commencing.

(15) 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.

(16) Works zone application to Council - construction vehicles

The applicant is to apply to Council for a "works zone" along the site frontages for construction vehicles prior to work commencing. Contact Council's Customer Service on 9716 1800 for details and the necessary fees you need to pay..

Note: A minimum of 2 months notice to Council is required.

(17) Structural Engineering Details

Structural engineer's details prepared and certified by a practising structural engineer for all reinforced concrete and structural members is to be submitted to the Principal Certifying Authority for approval.

(18) 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.

(19) On site detention system – check survey

REQUIREMENTS DURING CONSTRUCTION:

Prior to the construction of an on-site detention system involving permanent construction work (eg construction of concrete slabs, walls, pipe-systems or pits etc, and prior to the placement of any concrete for ground floor, car park or garages) a “check survey from a registered surveyor” must be forwarded to the Council indicating compliance with the approved plans before any concrete pour is approved by the relevant Council building surveyor or Authorised Certifier.

(20) Erosion, dust, topsoil and sediment control (Non Standard Condition)

Temporary measures shall be provided during construction eg. bunding, shade cloth to prevent dust leaving the site, sandbags around Council/private stormwater pits etc. in order to prevent sediment, dust, topsoil and polluted waters discharging from the site. Plans showing such measures shall be submitted to Council and approved prior to the release of the Construction Certificate.

E Conditions that must be complied with during construction or demolition

(1) Plans to be available on site

The Council stamped approved plans, Development Consent and Construction Certificate shall be held on site to be produced unobliterated to Council's officer at any time when required.

(2) Advertisements on hoardings prohibited

No advertisements of any kind shall be affixed to the hoarding except a board which may show the builder's or architect's name or any particulars regarding the subject building.

(3) Billposters - sign on hoarding

A sign “Billposters Will Be Prosecuted” shall be attached to or printed upon the front of the hoarding.

(4) Trees to be protected - Ashfield Tree Preservation and Landscape Policy

Trees to be preserved are to be protected in accordance with Part 5 of Ashfield Council's Tree Preservation and Landscape Policy.

(5) Encroachment on Council property prohibited

No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

(6) Waste Management Plan – compliance

- (a) 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.
- (b) Keep receipts of where waste will be taken to be treated or disposed. The receipts must be presented to the Principal Certifying Authority prior to issue of the occupation certificate.

(7) Building materials and equipment - storage/placement on footpath/roadway - Council approval

All building materials and equipment shall be stored wholly within the property boundaries and shall not be placed on the footpath, grass verge or roadway without prior written approval of Council.

Bulk refuse bins shall not be placed on the grass verge, footpath or roadway without Council permission. Application forms and details of applicable fees are available from Council's One Stop Shop telephone 9716 1800.

(8) 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.

(9) 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 1.00 pm on Saturday. Work is prohibited on Sundays, and on public holidays.

(10) Dust control

Adequate measures are to be implemented,. including, for example, water spraying/mesh barriers, to prevent dust from causing any nuisance.

(11) Site vehicles - mud/debris

You are to ensure that ALL vehicles leaving the site are free of mud and debris. Loads are to be fully covered and vehicles/wheels washed down to ensure that no nuisance occurs.

(12) Demolition requirements/standards

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

- (a) Australian Standard 2601 and any requirements of the Workcover Authority.

- (b) The Waste Management Plan submitted with the Development Application.
- (c) The property is to be secured to prohibit unauthorised entry.
- (d) All precautions are to be exercised in the handling, removal and disposal of all asbestos materials. Licensed contractors and the disposal of asbestos is to be carried out in accordance with the requirements of the Work Cover Authority.
- (e) All other materials and debris is to be removed from the site and disposed of to approved outlets.
- (f) Any demolition on the site is to be conducted in strict accordance with, but not limited to, sections 1.5, 1.6, 1.7, 3.1 and 3.9 of the AS 2601 - 1991, demolition of structures. The following measures must be undertaken for hazardous dust control:
- (g) 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 the Principal Certifying Authority. 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.
- (h) 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.
- (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 WorkSafe Requirements (in particular the WorkSafe standard for the *Control of Inorganic Lead At Work* (NOHSC: 1012, 1994) and AS 2641, 1998).
- (j) Any existing accumulations of dust (eg; 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.
- (k) 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.
- (l) Demolition is not to be performed during high winds that may cause dust to spread beyond the site boundaries without adequate containment.
- (m) All lead contaminated material is to be disposed of in accordance with the NSW Environment Protection Authorities requirements.
- (n) Construction and demolition waste, particularly timber, bricks and tiles, concrete and other materials need not be disposed of- they can be recycled and resold if segregated properly from any hazardous waste contamination.
- (o) Following demolition activities, soil must be tested by a person with suitable expertise to ensure the soil lead levels are below acceptable health criteria for residential areas. Full certification is to be provided for approval by the Principal Certifying Authority.

(13) Materials and colour schemes

Materials of construction are to be as specified in the schedule of finishes submitted with the development application and on the approved plans, except where amended by the conditions hereunder.

(14) Work to comply with Ashfield Council's "Guidelines for Food Premises"

All work shall comply with Ashfield Council's "*Guidelines for Food Premises*" and Australian Standard 4674-2004 "*Design, construction and fitout of food premises*".

(15) Safety Glazing - BCA

Safety glazing complying with B1 of the Building Code of Australia (BCA) is to be used in every glazed door or panel that is capable of being mistaken for a doorway or unimpeded path of travel. The glazing must comply with AS 1288:2006 'Glass in Buildings – Selection and Installation'.

Framed panels or doors enclosing or partially enclosing a shower or bath shall be glazed with "A" or "B" grade safety glazing material in accordance with AS 1288 and Part 3.6.4 of the BCA.

(16) Footpath, kerb and gutter reconstruction

The public footpath and verge outside the site shall be completely reconstructed using the type of pavers and pattern that have already been used within Town Centre on Liverpool Road. (i.e a paver which is similar to Pebblecrete pavers 400 x 400 x 60 honed, acid etched PPX540:400D and PPX49:400D) these pavers shall be laid to the requirements of Council's Works & Infrastructure Department at the applicant's expense. This work shall be carried out prior to the release of the Occupation Certificate.

The footpath shall be constructed so that it has a minimum 2.5% crossfall from the property boundary to the existing kerb.

(17) 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.

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

(18) Finished ground surface levels at property boundary

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

(19) 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.

(20) 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.

(21) Engineering staff to inspect roadworks/drainage (Non Standard Condition)

An inspection by Council's staff will be required for (footpath reconstruction, stormwater connection etc) at the following stages:

- (i) After excavation.
- (ii) After the erection of formwork and the placement of reinforcement and prior to pouring of concrete.
- (iii) After placement of road base course.
- (iv) After completion of any pits.
- (v) After pipes have been laid and prior to backfilling.
- (vi) On completion of works.

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 the inspection is approved.

(22) Spoil and building materials on road and footpath

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

(23) Design and construction of car parking bays and ramps

Design of car parking bays and ramp-driveways shall be in accordance with Australian Standards AS 2890.1 2004 "Off Street Car Parking".

(24) Stormwater runoff-collection/discharge

Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe system to the nearest appropriate Council stormwater pit at a maximum Permissible Site Discharge of 139 L/s for the 1:100 ARI.

(25) Stormwater runoff

Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties.

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

(1) Pumpout system specifications

A pumpout system may be permitted to discharge small volumes of stormwater from the basement car parking area. Full details of the pump size, capacity, performance curves, friction losses etc from the manufacturer's specifications must be submitted with the stormwater drainage calculations demonstrating that the pump will function in accordance with the manufacturer's specifications for the required volume of stormwater at the subject total head. Minimum pump capacity allowable is for a 5 minute 1 in 20 ARI storm.

The drainage sump storage area for the pump shall be a bunded area able to cater for a 1 hour 1 in 20 ARI storm to minimise flooding in the event of a power blackout during a storm.

A dual pumpout arrangement will be necessary, these pumps will be required to be connected in parallel and alternate automatically, with each pump being capable of emptying the holding tank or holding area at the permissible site discharge rate. (All pumps must be Class 1 Zone 2, if the pumps are located within a building (i.e. in the basement)).

The stormwater volumes discharged from the pumpouts are to be included in the permissible limited amount of stormwater discharged from the site as stated in other relevant conditions.

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

(1) Approval to use/occupy building

The building or any part thereof must not be used or occupied until an Occupation Certificate has been obtained from the Principal Certifying Authority.

Note: If Council is chosen as the Principal Certifying Authority a fee is applicable prior to the release of the Construction Certificate.

(2) Engineering conditions to be satisfied prior to the issue of occupation certificate

Prior to the release of the Occupation Certificate when the on-site building works are completed there are three (3) conditions that must be satisfied.

They are:

(a). Work-As-Executed Plans

A "Work-as-Executed" plan prepared and signed by a registered surveyor is to be submitted to Council's Engineering Department at the completion of the works showing the location of the detention basin with finished surface levels, contours at 0.2 metre intervals and volume of storage available. Also the outlet pipe from the detention basin to its connection to Council's drainage system, is to be shown together with the following information:

- location
- pipe diameter
- gradient
- pipe material i.e. PVC or EW etc
- orifice size
- trash screen at orifice
- all buildings (including floor levels) and finished ground and pavement surface levels

(b) Engineer's Certificate

A qualified practising Civil Engineer shall certify on the completion of drainage works in respect of:

- * the soundness of the storage structure;
- * the capacity of the detention storage;
- * the emergency overflow system being in place;
- * the works being constructed in accordance with the Council approved plans; and
- * the freeboard from maximum water surface level to the finished floor and garage levels are at or above the minimum required in Council's Stormwater Code.
- * basement car park pumps are class one zone two.

(c) Restriction-As-To-User

A "Restriction-as-to-User" is to be placed on the title of the subject property to indicate the location and dimensions of the detention area. This is to ensure

that works, which could affect the function of the stormwater detention system, shall not be carried out without the prior consent in writing of the Council.

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

(3) Positive Covenant-stormwater detention/surface flow paths-occupation certificate

A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the

- (a) surface flow path
- (b) finished pavement and ground levels
- (c) prevent the erection of any structures or fencing
- (d) on-site stormwater detention system

The wording in the Instrument shall be submitted to and approved by Ashfield Municipal Council prior to lodgement at the Land Titles Office and prior to the release of the Occupation Certificate. The Instrument shall be registered prior to the completion of development.

H Conditions that are ongoing requirements of development consents

(1) Approved use

The premises shall not be used for any purpose other than that stated in the Development Application, i.e. without the prior consent of the Council.

I Advisory Notes

Reason for the imposition of conditions

Unrestricted consent would be likely to cause injury:

- a) to the amenity of the neighbourhood
- b) to the heritage significance of the area
- c) to the heritage significance of the property
- d) to the amenity of the neighbourhood due to the emission of noise
- e) to the amenity of the neighbourhood due to the creation of a traffic hazard

and further, would not be in the public interest.

Compliance with Building Code of Australia

- (1) All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate or complying development certificate was made).
- (2) This clause does not apply to the extent to which an exemption is in force under clause 187 or 188 of the Environmental Planning and Assessment Regulation 2000, subject to the terms of any condition or requirement referred to in clause 187 or 188.

NOTES

- (i) This approval does not relieve an applicant of the obligation to obtain any other approval required under Section 68 of the Local Government Act, 1993 and Ordinances or Section 78A of the Environmental Planning & Assessment Act, 1979 or any other Act or Regulation.

- (ii) Further approval(s) – see above, may be required in addition to this development consent. Plans and specifications submitted for building works must comply with the Building Code of Australia, any relevant condition of development consent and/or other code or requirement of Council at the time of approval.

Ask Council if you are unsure of what procedures you need to follow.

SECTIONS 82A, 97 AND 95 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

You are advised that:

- Under the provisions of Section 82A of the Environmental Planning and Assessment Act, 1979, an applicant may request Council to review a determination of the applicant's development application, other than an application for designated development. Any request for a review must be made within six (6) months of the date on which the applicant received notice, given in accordance with the regulations, of the determination of the application and be accompanied by the fee prescribed in Section 257 of the Regulations.
- If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act, 1979, gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.
- Under the provisions of Section 95 of the Environmental Planning and Assessment Act, 1979, unless the development, which is the subject of this consent, is commenced within five (5) years from the date of determination, the consent will lapse.

Attachment 1: NSW Transport RailCorp Conditions



RailCorp Property
PO Box K349
Haymarket NSW 1238
Tel: (02) 89221987 Fax: (02) 89224816
Email: jim.tsirimiagos@railcorp.nsw.gov.au

26 April 2012

The General Manager
Ashfield Council
PO Box 1145
Ashfield NSW 1800

ATTENTION: Andrew Johnston

Dear Sir/Madam,

**STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007
DEVELOPMENT APPLICATION – DA-10.2011.67.1
113-115 Liverpool Road, Ashfield (West's Leagues)**

I refer to the above application referred to RailCorp for concurrence in accordance with Clause 86(1) of the above SEPP.

RailCorp advises that the proposed development has been assessed in accordance with the requirements of Clause 86(4) being:

- a) the potential effects of the development (whether alone or cumulatively with other development or proposed development) on:
 - (i) the safety or structural integrity of existing or proposed rail infrastructure facilities in the rail corridor, and
 - (ii) the safe and effective operation of existing or proposed rail infrastructure facilities in the rail corridor, and
- b) what measures are proposed, or could reasonably be taken, to avoid or minimise those potential effects.

In this regard, RailCorp has taken the above matters into consideration and has decided to grant its concurrence to the development proposed in development application DA 10.2011.67.1, subject to Council imposing the conditions listed in Attachment A. Should Council choose to not impose the conditions in Attachment A, as written, then RailCorp's concurrence has not been granted for the proposed development.

Should you have any enquires about this matter further please contact Mr Jim Tsirimiagos on 8922 1987. Finally, RailCorp requests that a copy of the Notice of Determination and conditions of consent be forwarded to RailCorp.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "I. Glavinic", with a long horizontal flourish extending to the right.

Ivan Glavinic
A/General Manager Property

Attachment A.

- All excavation and construction works are to be undertaken in accordance with the following documentation:
 - Geotechnical Investigation Report prepared by Douglas Partners Ref 72012.00 dated October 2010
 - Numerical Analysis Report prepared by Douglas Partners Ref 72012.01 dated February 2011
 - Numerical Analysis Report prepared by Douglas Partners Ref 72012.03 dated January 2012
 - Construction Management Plan dated 30 October 2010

Subject to the following modification:

- No rock anchors/bolts are to be placed within RailCorp's property or easements.
- The shoring wall along the northern elevation of the site will be changed to a 600mm diameter contiguous pile shoring wall

Prior to the issuing of a Construction Certificate, the Applicant is to submit Final Construction/Shoring plans consistent with the above requirements to RailCorp for endorsement. The Principle Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.

- Prior to the commencement of works the Applicant is to submit to RailCorp a track/ground/retaining wall movement Monitoring Plan for endorsement. Works shall not commence until RailCorp has issued its written endorsement to the Monitoring Plan. The monitoring plan is to be in place until the end of construction works. Monitoring results are to be assessed by a geotechnical consultant and submitted to RailCorp for review on a two weekly basis during excavation and monthly during construction phases.
- Prior to the commencement of works and prior to the issue of the Occupation Certificate, a joint inspection of the rail infrastructure and property in the vicinity of the project (including RailCorp's retaining wall) is to be carried out by representatives from RailCorp and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by RailCorp.
- An acoustic assessment is to be submitted to Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".
- Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the

Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

- *Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows and other external features (eg roof terraces and external fire escapes) that are within 20m of, and face, the rail corridor, the Applicant is required to install measures (eg awning windows, louvres, enclosed balconies etc) which prevent the throwing of objects onto the rail corridor. The Principle Certifying Authority shall not issue the Construction Certificate until it has confirmed that these measures are to be installed and have been indicated on the Construction Drawings.*
- *The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of RailCorp.*

The Principle Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.

- *Prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to RailCorp for review and comment on the impacts on rail corridor. The Principle Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.*
- *No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.*
- *Prior to the issuing of a Construction Certificate the Applicant is to submit to RailCorp a plan showing all craneage and other aerial operations for the development and must comply with all RailCorp requirements. The Principle Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.*
- *During all stages of the development, environmental legislation and regulations will be complied with.*
- *During all stages of the development extreme care shall be taken to prevent environmental harm within railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.*
- *During all stages of the development extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.*
- *Given the site's location next to the rail corridor, drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from RailCorp.*
- *No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an Agreement has been entered into with RailCorp. Where the Applicant proposes to enter the rail corridor, the Principle Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from RailCorp confirming that its approval has been granted.*

- *The proponent must provide a plan of how future maintenance of the development facing the rail corridor is to be undertaken. The maintenance plan is to be submitted to RailCorp prior to the issuing of the Occupancy Certificate. The Principle Certifying Authority shall not issue an Occupancy Certificate until written confirmation has been received from RailCorp advising that the maintenance plan has been prepared to its satisfaction.*
- *Prior to the commencement of works and on completion of works appropriate fencing shall be installed along the rail corridor to prevent unauthorised access to the rail corridor during construction. Details of the type of fencing and the method of erection are to be to RailCorp's satisfaction prior to the fencing work being undertaken. RailCorp may provide supervision, at the applicant's cost, for the erection of the new fencing.*
- *Prior to the issuing of an Occupancy Certificate appropriate permanent fencing shall be installed along the rail corridor to prevent unauthorised access to the rail corridor. Details of the type of fencing and the method of erection are to be to RailCorp's satisfaction prior to the fencing work being undertaken. RailCorp may provide supervision, at the applicant's cost, for the erection of the new fencing.*
- *No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an Agreement has been entered into with RailCorp. Where the Applicant proposes to enter the rail corridor, the Principle Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from RailCorp confirming that its approval has been granted.*

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Attachment 2: NSW Police Force Comments & Conditions

ASHFIELD LAC

D/2011/91547

Introduction

On 12th May 2011 a Safer by Design Evaluation was conducted on the proposed site Wests Ashfield Leagues Club, 113-115 Liverpool Road, Ashfield. The following recommendations have been made as a result of this evaluation.

In April 2001 the NSW Minister for Planning introduced Crime Prevention Guidelines to Section 79C of the Environmental Planning and Assessment Act, 1979. These guidelines require consent authorities to ensure that development provides safety and security to users and the community. 'If a development presents a crime risk, the guidelines can be used to justify modification of the development to minimize crime risk, or, refusal of the development on the grounds that crime risk cannot be appropriately minimised'.

The Guidelines contain two parts. Firstly, it details the need for a formal crime risk assessment (Safer by Design Evaluation) to be done in conjunction with trained police, and secondly it outlines basic Crime Prevention Through Environmental Design (CPTED) principles and strategies that can be used by consent authorities to justify the modification proposals to minimize risk.

Crime Prevention Through Environmental Design (CPTED)

Crime Prevention Through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ingredients from intersecting in time and space.

Predatory offenders often make cost-benefit assessments of potential victims and locations before committing crime. CPTED aims to create the reality (or perception) that the costs of committing the crime are greater than the likely benefits. This is achieved by creating environmental and social conditions that:

- Maximise risk to offenders (increasing the likelihood of detection, challenge and apprehension).
- Maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime)
- Minimise the actual and perceived benefits of crime (removing, minimizing or concealing crime attractors and rewards) and
- Minimise excuse making opportunities (removing conditions that encourage/facilitate rationalization of inappropriate behaviour)

CPTED employs four key strategies. These are **surveillance, access control and lighting, territorial re-enforcement and space/activity management**.

Site Description

The proposed development relates to the existing Wests Ashfield Leagues Club at 95-115 Liverpool Road, Ashfield. The proposal involves alterations and additions to the existing club premises including a new underground car park, new multi storey building allowing a variety of retail and commercial outlets and 135 room hotel. The site is bordered by Liverpool Road and the inner western railway line and is within close proximity to Summer Hill and Ashfield Railway Stations. The site is also serviced by public transport along the Liverpool Road corridor. The Ashfield Shopping Mall and town centre is located approximately 500 metres to the West of the site.

Site Risk Rating

The NSW Police Safer by Design Evaluation process is based upon Australia and New Zealand Risk Management Standard ANZS4360:1999. It is a contextually flexible, transparent process that identifies and quantifies crime hazards and location risk. Evaluation measures include crime likelihood (statistical probability), consequence (crime outcome), distributions of reported crime (hotspot analysis), socio-economic conditions (relative disadvantage), situational hazards and crime opportunity.

After conducting this process the rating for this development has been identified as, **low crime risk**.

With this in mind the following Crime Prevention Through Environmental Design (CPTED) treatments should be considered for the development in order to reduce opportunities for crime.

Natural

Organised (low)

Technical/Mechanical (low)

Natural CPTED treatment levels include: Clear site design, territorial definition and design, natural surveillance, strategically located windows doors and vantage points, open building and landscaping sightlines and natural access control measures including symbolic and real barriers, clearly defined vehicle/pedestrian routes and channelling systems.

Organised CPTED treatment levels include: Low level organised guardianship eg. the strategic placement of employee workstations and the use of managed activity (community and private) and routine environmental maintenance. Organised strategies built upon natural measures.

Technical/mechanical CPTED treatments levels include: Basic target hardening. Good quality access control hardware. Corridors, mirrors and public address systems, help phones, motion detectors etc. Low level technical strategies built upon low level organised and natural treatment measures.

Surveillance

Natural surveillance is achieved when normal space users can see and be seen by others. This highlights the importance of building layout, orientation and location; the strategic use of design; landscaping and lighting. Natural surveillance is a by-product of well-planned, well-designed and well-used space. Technical/mechanical Surveillance is achieved through mechanical/electronic measures such as CCTV, help points and mirrored building panels. Technical/mechanical surveillance is commonly used as a 'patch' to supervise isolated, higher risk locations. Formal (or Organised) Surveillance is achieved through the tactical positioning of guardians. An example would be the use of on-site supervisors at higher risk locations.

General Comments in Design for Surveillance:

- Buildings facing 'outward' towards public and semi public areas provide natural surveillance and informal supervision (eyes on the street).
- Entry points should be designed so as to maximize surveillance opportunities to and from these areas from both inside as well as outside.
- The placement and orientation of common entry areas should maximize opportunities for natural supervision by staff and other guardians.
- Laminated glass walls and windows facilitate supervision of common entry areas.
- Surveillance equipment can enhance the physical security of your business and assist in the identification of people involved in anti-social or criminal behaviour.
 - Cameras should be installed both within and around the premises.
 - Cameras should monitor those areas with poor natural supervision within the premises such as entry and exit points.
 - TV monitors should enable staff to monitor activities on the camera.

Recommendations

- It is recommended that the surveillance system include a 24 hour digital, multi camera network with 30 day storage capacity and high resolution images to better assist police with offender identification.
- Surveillance cameras should be installed both in and around the club premises most particularly in and around the basement car park areas.
- Monitors should be placed to enable staff to monitor activities with minimum effort. Staff should be trained in the correct use of the surveillance system. Ensure that requirements of the Surveillance Devices Act 2007 (NSW) are adhered to.

Lighting and Access Control

There is a proven correlation between poor lighting, fear of crime, the avoidance of public places and crime opportunity. Good lighting can assist in increasing the usage of an area. Studies show that effective lighting can reduce fear, increase community activity, improve visibility and increase the likelihood offenders will be detected and apprehended.

It is recommended that special attention be paid to lighting of pedestrian access areas to avoid opportunities for concealment and entrapment. Furthermore, walking from overly bright places into dark places or dark to light places can lessen a person's ability to see and recognise people, objects and colours.

Access control is used to increase the time and effort required to commit crime and to increase the risk to criminals. *Natural access control* includes the tactical use of landforms and waterways features, design measures including building configuration; formal and informal pathways, landscaping, fencing and gardens. *Technical/Mechanical access control* includes the employment of security hardware and *Formal (or Organised) access control* includes on-site guardians such as employed security officers.

General Comments in Design for Lighting and Access Control:

- Access control treatments restrict, channel and encourage people and vehicles into, out of and around the development. Way-finding, desire-lines and formal/informal routes are important crime prevention considerations.
- Natural ladders are design features, trees or nearby structures that help criminals to climb onto balconies, rooftops, ledges and windows.
- Lighting should be designed to the Australian and New Zealand Lighting Standards.
- Australia and New Zealand Lighting Standard 1158.1 – Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels.
- Lighting needs to eliminate opportunities for concealment and avoid shadowing as well as enable effective use of surveillance equipment throughout the development site.

Recommendations

- Install a monitored intruder alarm system designed to Australian Standards. It is suggested that you consider a supplementary system such as Global Satellite Mobile (GSM) system to transmit alarm systems. Thieves have been known to cut telephone lines to prevent access to security monitoring companies.

- Consider installing a duress facility to enable staff to activate the system manually in the event of an emergency. The system should be tested regularly and all staff trained in its correct use. Install stickers warning of intruder alarm.
- Locks fitted to electric power board to prevent unauthorised access.
- Front and rear doors should be locked and secured when approaching closing times.
- Access control devices to restrict entry/exit to underground car park
- Ensure the basement car park is well illuminated and provides good orientation and even light distribution.
- Ensure lighting enhances visibility around all entry/exit points and ensure that illumination supports picture quality and compliments the CCTV surveillance system without glare, shadowing or blind spots.
- Consider lighting timers and sensor lighting as required to illuminate potential loitering zones.

Territorial Re-enforcement

Criminals rarely commit crime in areas where the risk of detection and challenge are high. People who have guardianship or ownership of areas are more likely to provide effective supervision and to intervene in crime than passing strangers. Effective guardians are often ordinary people who are spatially 'connected' to a place and feel an association with, or responsibility for it. *Territorial Re-enforcement* uses actual and symbolic boundary markers, spatial legibility and environmental cues to 'connect' people with space, to encourage communal responsibility for public areas and facilities, and to communicate to people where they should/not be and what activities are appropriate.

General Comments in Design for Territorial Re-enforcement:

- Boundaries of the development should be reasonably well defined.
- All doors should be kept closed and locked when not in use and regularly maintained to assist with the protection of the property.
- Effective signage and directions will provide guidance to visitors/residents in locating main areas and keep them away from restricted areas.
- Signs can also assist in controlling activities and movements throughout the premises.
- Consider the use of graffiti resistant materials in the building design.

Recommendations

- Ensure adequate perimeter fencing around the property
- Ensure "Park smarter" signage is displayed within the car park to warn motorists to secure their vehicle and property.
- Upgrade the signage around the premises reflecting the security environment within. Warning signs can help deter and warn intruders of consequences of their actions. Particularly to identify surveillance measures in use.

Space/Activity Management

Space/Activity management strategies are an important way to develop and maintain *natural* community control. Space management involves the formal supervision, control and care of the development. All space, even well planned and well-designed areas need to be effectively used and maintained to maximize community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

General Comments on Space/Activity Management

77% of all public order incidents are alcohol related. Street offences, public violence and vandalism often occur within eyesight of pubs and other licensed premises. Shops and businesses located near existing licensed premises are at greater risk of crime than other areas.

Recommendations

- Consider locating a security office in or near the basement car park
- Ensure public areas and restricted areas are clearly delineated to reduce opportunities for unauthorised access and trespass.
- A graffiti management plan should be incorporated into the maintenance plan for the development. Research has shown that the most effective strategy for reducing graffiti attacks is the quick removal of such material generally with a forty-eight hour period.
- A landscaping maintenance program should be implemented to provide routine maintenance of all garden beds, outdoor structures and external surfaces of the premises.

The following is a list of additional security treatments that can also be considered to reduce the risk of crime from occurring and enhancing the four key strategies relating to CPTED. They include:

Security Guards

General comments

- Security Industry Act 1957 No. 157
- A person must be licensed to carry on a security activity. In general this would apply to general duties police in two ways.
 1. Acting as a bodyguard, crowd controller or bouncer.
 2. Patrolling, protecting, watching or guarding any property (including cash in transit)
- The holder of a security licence must, at all times while carrying on a security activity, wear on his or her person so as to be clearly visible their security licence.
- An exemption to wearing the licence can be granted by the commissioner but if performing the duties above, the licence holder must display at all times a laminated card which includes a recent photograph, the name of the company, and a unique and easily decipherable identifying number.
- If you identify a person performing a security activity without displaying their licence records their details and the circumstances and forward information to licensing who will breach the person.
- Extra security should be provided on nights where there is extra activity. Security guards should actively patrol through the venue as well as monitor the access/egress doors.
- Security should be able to provide assistance to a person at risk/victim of crime if required. Even if this simply to know that it may be appropriate to contact police and not handle a situation themselves. It is recommended that female security is also employed to provide assistance to female patrons when required. This includes regular checks of female toilets for intoxication and drug issues.
- Security should be employed to monitor activities outside the venue for up to 30 minutes after closing. This will assist in deterring anti-social behaviour by encouraging exited patrons to move on, and it will also provide added surveillance for the business in the prevention of armed robberies after close whilst the night's takings are usually being counted.

Staff Training

General comments:

- Provide training and information so everyone is prepared and show employees how to deal with customers politely, how to deal with intoxicated persons and to be aware of signs of anger and tension.
- Inform staff that their own safety is paramount and that they should not put their own safety at risk to order to protect goods or property.
- Train staff in non-violent responses to threatening situations, in what they should do in the event of a robbery or shoplifting incident.
- Make sure staff is familiar with cash handling procedures, credit checks and knowing how to raise the alarm and how to operate security equipment.
- Personal protection devices such as personal duress alarms can be used as an additional safe guard to the measures above to enable staff to activate the alarm manually in the event of an emergency such as a robbery.
- 'Bizsafe' is a project that exists for all small to medium sized businesses to help identify crime risks and provide recommendations on how to reduce that risk. Seminars are run throughout the state by the project co-coordinators, NSW Police and NRMA Business Insurance. For further information regarding this project, please contact your local Crime Prevention Officer.

Intruder Alarm Systems

General Comments:

- Intruder Alarm Systems should be designed and installed to the Australian Standard – Domestic & Commercial Alarm Systems to enhance the physical security of the property.
- As a number of premises have had telephone lines cut to prevent alarms being reported to the security monitoring company, a supplementary system such as Global Satellite Mobile (GSM) or Radio Frequency (RF) systems should be used to transmit alarm signal by either mobile telephone or radio frequency.
- It is recommended that any existing intruder alarm system be upgraded.
- Consideration should also be given to incorporating duress facility into the system to enable staff to activate the system manually in the event of an emergency.
- Staff should be aware that duress devices should only be used when it is safe to do so.
- LED's (Lighting Emitting Diodes) within the detectors should be deactivated, to avoid offenders being able to test the range of the system.
- The system should be tested on a regular basis to ensure that it is operating effectively.

- Test alarm system and duress facility to ensure that the system is fully operational.
- Conduct practice 'LOCKDOWN' procedures at the premises during operational hours and break periods to ensure program is working efficiently.

Cash handling/Safes

General Comments:

- It is recommended that there is established cash handling procedures for the maintaining and transportation of cash to reduce the opportunities of crime.
- Limit the amount of money carried at any time and ensure that this limit is executed and maintained by staff.
- Limit the amount of money carried in the cash drawer at any time
- Lock cash drawers when not in use, and clear money from the cash drawer on a regular basis, e.g. to a safe.
- Use a minimum of two staff, or security services, when transferring money to financial institutions, or consider using a reputable security company especially when transferring large amounts of money.
- Avoid counting cash in clear sight of patrons.
- Ensure that the safe installed is designed to the Australian Standards and utilised to provide additional security to all valuables, including money and pharmaceutical items.
- The safe should be anchored to the floor or wall or both to prevent easy removal.
- The safe should have a drop-chute facility installed within the safe to enable staff to deposit money without having to open it.
- The safe should be locked at all times when not in use to restrict access.
- Further consideration should also be given to using time delay facilities to restrict access to the safe.
- The safe should be installed in an area away from public view where access is limited.

Key and valuable control

General Comments:

- The control of keys and valuables is very important and should be closely monitored by management.
- A key register should be used to list which staff members have been issued with keys, the type of keys issued and what areas they have access to.
- The control of valuables is just as important and a register should also be used to record which staff members have been issued with valuable items such as laptop computers, mobile phone, etc. These registers should be detailed and regularly maintained and audited.

- In addition, all valuables should be clearly marked with the business details where possible and the serial numbers and other details should be recorded and stored in a safe place.

Telephones

- Telephones should be pre-programmed with the security number, emergency number '000' and your local police number, Ashfield Police phone number 97974099, for quick reference by any one using the facility.
- Telephone lines or boxes should be secured to avoid unlawful tampering.

General

- Sensitive materials, including confidential records, should be appropriately destroyed or secured, e.g. confidential records should be shredded or disposed of through security destruction services.
- Computer and access passwords should be changed regularly to restrict access and avoid misuse by past and present staff.
- Emergency evacuation plans should be implemented and maintained to assist staff and emergency services in the event of an emergency. This plan should be prominently displayed.
- Staff should be suitably trained and updated regularly with refresher training in evacuation procedures.

Occupational Health & Safety Act 2000 – No. 40

- Duties of Employer:
 - An employer must ensure the health, safety and welfare at work of all employees.
 - That duty extends (without limitation) to the following:
 - Ensuring that any premises controlled by the employer where the employees work (and the means of access to or exit from the premises) are safe and without risk to health;
 - Ensuring that any plant or substance provided for use by the employees at work is safe and without risks to health when properly used;
 - Ensuring that systems of work and the working environment of the employees are safe and without risks of health;
 - Providing such information, instruction, training and supervision as may be necessary to ensure the employee's health and safety at work;
 - Providing adequate facilities for the welfare of the employee's place of work.
 - An employer must ensure that people (other than the employees of the employer) are not exposed to risks to their health or safety arising from the conduct of the employer's undertaking while they are at the employer's place of work.

Victim Support

- If you or your staff have:
 - Experienced a situation where violence or the threat of violence has occurred;
 - Received an injury as a result of violence;
 - Suffered a loss or adverse effects as a result of experienced violence; or
 - Experienced domestic violence or sexual assault,
- You can contact the Victims of Crime Bureau by telephoning Sydney 02 9384 3000 or Toll Free 1800 633 063. Victims of Crime Bureau staff can provide or put you in contact with services you may require such as:
- Counselling (telephone or face to face)
 - Information about other support services
 - Information about legal processes
 - Information about applying for victims compensation
- The Victims of Crime Bureau's assistance line operates 24 hours a day, 7 days a week. The Bureau in conjunction with Sydney City Mission operates the telephone counselling and referral service.

Conclusion

The New South Wales Police have a vital interest in ensuring the safety of members of the community and their property. Consideration of the potential impact on local residents, community resources, Police and Ashfield Council needs to be observed. By using the recommendations contained in this evaluation, any person who does so acknowledges that:

1. It is not possible to make areas evaluated by the NSW Police absolutely safe for members of the community or their property
2. It is based upon the information provided to the NSW Police at the time the evaluation was made,
3. The evaluation is a confidential document and is for use by the consent authority or organizations referred to on page 1 only,
4. The contents of this evaluation are not to be copied or circulated otherwise than for the purposes of the consent authority or organization referred to on page 1.

The NSW Police hopes that by using the recommendations contained in this document, criminal activity will be reduced and the safety of members of the community and their property will be increased. However, it does not guarantee that all risks have been identified, or that the area evaluated will be free from criminal activity if its recommendations are followed.

Factors considered in determining this assessment include:

1. Review of architect's drawings (submitted with proposal)
2. Assess current crime trends
3. Identify current problems
4. Review of Statement of Environmental Effects (submitted with proposal)
5. Review of similar sites in the area.

Should you require any further information on the subjects mentioned within this report please feel free to contact Constable Sean Brennan, Crime Prevention Officer, Ashfield Local Area Command, phone 97974051.

Yours sincerely



Sean Brennan
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Crime Prevention Officer
Ashfield Local Area Command
30 May 2011