

SUPPLEMENTARY COUNCIL ASSESSMENT REPORT

Panel Reference	2016SYW083
DA Number	DA-377/2016
LGA	Liverpool City Council
Proposed Development	Demolition of existing structures, removal of trees and the construction of two residential flat buildings of 9 and 12-storey in height containing 96 Units, with 2 basement car parking levels, (52 residential Units in Building A – 12-storey, and 44 residential Units in Building B – 9-storey). The application is lodged pursuant to State Environmental Planning Policy (Affordable Rental Housing) 2009.
Street Address	LOT 48, DP 1083428, No. 24-26 George Street Liverpool
Applicant	Synergy Development Group
Assessing Officer	Brad Harris – Senior Development Planner

Purpose of Report

The above application is to be considered by the Panel at its meeting on 13 March 2017.

Council's assessment report dated 27 February 2017 recommended approval of the development application subject to conditions.

The purpose of this supplementary report is to address concerns raised by the applicant in relation to recommended condition of consent number 2 regarding amendments to the Plans.

Report

The assessment report addresses the non-compliance with the Liverpool Development Control Plan 2008 (LDCP2008) in respect of apartment mix.

The LDCP2008 states that:

to achieve a mix of living styles, sizes and layouts within each residential development, comply with the following mix and size:

- *studio and one bedroom units must not be less than 10% of the total mix of units within each development;*
- *three or more bedroom units must not to be less than 10% of the total mix of units within each development.*

The application assessed by Council provides for 4 x 3 bedroom units which equates to 4.16% of the total of 96 units. The applicant had not made a formal submission to vary the unit mix development control contained within the LDCP. That control requires 10% of the units to be 3 bedroom units.

To address the non-compliance, Council recommended the Panel impose the following condition:

Amendments to Plans

2. The following amendments shall be incorporated into the proposed development in order to achieve compliance with the provisions of the Liverpool Development Control Plan 2008 in respect to apartment mix. Details of these amendments shall be submitted to and approved by the Manager Development Assessment of Liverpool City Council prior to the issue of a Construction Certificate.
 - i. Unit 8 (a 1-bedroom apartment) on the first floor of Building A be deleted and transformed into part of Unit 5 (a 2-bedroom apartment) and part of Unit 7 (a 2-bedroom apartment). In doing so, Units 5 and 7 are transformed into 3-bedroom apartment each.
 - ii. Unit 9 (a 1-bedroom apartment) on the first floor of Building B be deleted and transformed into part of Unit 6 (a 2-bedroom apartment) and part of Unit 8 (a 2-bedroom apartment). In doing so, Units 6 and 8 are transformed into 3-bedroom apartment each.
 - iii. Unit 13 (a 1-bedroom apartment) on the second floor of Building A be deleted and transformed into part of Unit 10 (a 2-bedroom apartment) and part of Unit 12 (a 2-bedroom apartment). In doing so, Units 10 and 12 are transformed into 3-bedroom apartment each.
 - iv. Unit 14 (a 1-bedroom apartment) on the second floor of Building B be deleted and transformed into part of Unit 11 (a 2-bedroom apartment) and part of Unit 13 (a 2-bedroom apartment). In doing so, Units 11 and 13 are transformed into 3-bedroom apartment each.
 - v. Unit 18 (a 1-bedroom apartment) on the third floor of Building A be deleted and transformed into part of Unit 15 (a 2-bedroom apartment) and part of Unit 17 (a 2-bedroom apartment). In doing so, Units 15 and 17 are transformed into 3-bedroom apartment each.
 - vi. Unit 19 (a 1-bedroom apartment) on the third floor of Building B be deleted and transformed into part of Unit 16 (a 2-bedroom apartment) and part of Unit 18 (a 2-bedroom apartment). In doing so, Units 16 and 18 are transformed into 3-bedroom apartment each.

Submission by Applicant

Following a review of the recommended conditions of consent, the applicant submitted a request that the Panel support an alternative means of addressing the requirements of LDCP 2008 in respect of apartment mix. The applicant's submission is annexed to this report.

In summary, the applicant requests deletion of Condition 2 and acceptance of amended plans to substitute the following plans recommended for approval being:

Description	Drawing No.	Rev. No.	Date	Prepared by
Site Plan and Development Data	P2171 A03	F	01/02/2017	Algorry Zappia & Assoc. P/L
Level 8 and 9 Plan	P2171 A09	F	01/02/2017	Algorry Zappia & Assoc. P/L

Note: Plan Nos. and Revision Nos. remain unchanged.

The applicant proposes the reducing of two units and increasing the number of three bedroom units to 8.51% of the total.

Council has reviewed that applicant's submission and considers it to be an acceptable alternative solution to providing a more appropriate apartment mix.

It is noted that the applicant's amended proposal remains non-compliant with the LDGP 2008, however the proportion of three bedroom units has now increased from 4.16% to 8.51%, which is now considered acceptable.

The applicant's submission notes that the Apartment Design Guide does not specify a particular apartment mix requirement, rather it states that apartment mix should be determined by the current market demands and projected future demographic trends and the demand for social and affordable housing. The applicant has referenced data that supports the current market demand for primarily 2 bedroom units in the Liverpool LGA. It is also noted that the applicant proposes 20% of the units as "affordable rental housing".

Recommendation:

That:

1. The Panel notes Council's support of the applicants revised plans which vary the apartment mix as follows:
 - Reduce the number of apartment from 96 to 94 apartments with the following unit mix:
 - 1 Bedroom Units = 15 (8 adaptable) - 15.94%
 - 2 Bedroom Units = 71 (1 adaptable) - 75.53%
 - 3 Bedroom Units = 8 - 8.51%
2. The description of the development be amended to read:
 - Demolition of existing structures, removal of trees and the construction of two residential flat buildings of 9 and 12-storey in height containing 94 Units, with 2 basement car parking levels, (50 residential Units in Building A – 12-storey, and 44 residential Units in Building B – 9-storey). The application is lodged pursuant to State Environmental Planning Policy (Affordable Rental Housing) 2009.
3. That Condition 2 of the recommended conditions of consent be deleted.
4. That the plans (Site Plan and Development Data and Level 8 and 9 Plan) received by Council on 3 March 2017 be substituted for the previously submitted plans and referenced accordingly in Condition1.

3 March 2017



The General Manager
Liverpool City Council
33 Moore Street
LIVERPOOL, 2170

ATTN: Brad Harris

Dear Brad,

**RE: DA-377/2016 CONSTRUCTION OF RESIDENTIAL FLAT BUILDING AT 24-26
GEORGE ST LIVERPOOL**

I refer to our recent correspondence regarding the abovementioned development application and the recommended conditions of consent provided to the Applicant on the 28th of February 2017. Condition No. 2 specified that 6 x 1 bedroom apartments be deleted and transferred into part of 12 x 2 bedroom apartments to deliver an additional 12 x 3 bedroom apartments above the 4 x 3 bedroom apartments proposed in our scheme. This would deliver a total of 90 apartments with the proportion of 3 bedroom apartments being representative of 17.7% of the total apartment mix.

Condition No. 2 has serious implications in terms of the feasibility for delivering the development, sits in stark contrast to what has been proposed to date, and results in a development which well exceeds the minimum 10% requirement for 3 bedroom apartments under the Liverpool DCP 2008. The Applicant, Mr Amen Zaobi has since presented an alternative proposal for delivering an 8.5% proportion of 3 bedroom apartments which is considered more than reasonable and avoids significant implications in terms of redesigning floor plates and internal layouts. Our proposed changes are as follows:

- Combine Units 40, 42 and 43 on Level 8 of Building A to create 2 x 3 bedroom apartments; and
- Combine Units 45, 47 and 48 on Level 9 of Building A to create 2 x 3 bedroom apartments.

Our proposal will deliver a total of 94 apartments with the following unit mix:

*1 Bedroom Units = 15 (8 adaptable) **15.94%***

*2 Bedroom Units = 71 (1 adaptable) **75.53%***

*3 Bedroom Units = 8 **8.51%***

Updated drawings prepared by Algorry Zappia & Associates Pty Ltd have been provided enclosed with this document to demonstrate the envisaged layouts, hence removing the need for a specific development consent condition.

Part 4 of the Liverpool DCP 2008 (cl 6.1) states the following:

To achieve a mix of living styles, sizes and layouts within each residential development, comply with the following mix and size:

- *studio and one bedroom units must not be less than 10% of the total mix of units within each development; and*
- *three or more bedroom units must not be less than 10% of the total mix of units within each development.*

The proposal complies with the first component of this control with one (1) bedroom apartments representing 15.94% of the total apartment mix.

The proposal now provides 8 x 3 bedroom apartments where nine are required to achieve the minimum 10% as per the second component of the development control. It is considered that this shortfall represents a minor non-compliance, and is deemed to be justified in the broader context of the development. In order to achieve one (1) additional three bedroom unit as required, additional one (1) and two (2) bedroom units would be lost, unnecessarily reducing the overall floor achievable floor space and number of apartments. Reductions in single bedroom units diminish the supply of smaller, affordable units in the Liverpool City Centre. These are critical for demographics that typically occupy modestly-sized dwellings, such young singles and couples. According to Experian Australia (2016), they are the largest demographic in the suburb of Liverpool, at 25.2% and would therefore be more susceptible to increased demand for one bedroom units.

It should also be noted that the proposed mix of 2 bedroom units represents three quarters of all dwellings within this development. This ensures that the development does not place a disproportionate focus on smaller 1 bedroom units, which are typically inappropriate for young families or downsizers. The development will provide a mix of units that overwhelmingly satisfies the 'middle ground' of housing mix. Two bedroom units have a broad degree of market interest, capable of attracting financially-motivated buyers who seek to downsize without the constraints of only having a single bedroom. As such, the development has prioritised their provision, and in doing so meets the needs of the community.

Further, the proposed development, as amended, satisfies the objectives outlined in the *State Environmental Planning Policy No 65- Design Quality of Residential Apartment Development* (SEPP 65). The SEPP sets out nine design quality principles to be met for all residential flat building developments. The Apartment Design Guide (ADG) provides design criteria for proposals to meet these principles. With respect to dwelling mix, the ADG states the appropriate composition of apartment types determined by:

- *the current market demands and projected future demographic trends; and*
- *the demand for social and affordable housing.*

It is submitted that the proposed mix achieves the above criteria and justifies the proposal. As statistics from Mosaic demographic data illustrate (Experian Australia, 2016), independent youth (25.2%) and maturing independents (18.4%) are the most common residents in Liverpool. The research has indicated they comprise couples, singles and homesharers. These growing demographics are best suited to affordable city centre dwellings, with good access to employment, public transport and education hubs. Requirements for social and affordable housing are also fully met, with 20% of the total gross floor area of the development specifically allocated as affordable housing.

The revised proposal has increased the number of three bedroom units as per the intent of Council's recommended amendments under Condition No. 2. The proposal still complies with the requirements for one bedroom units and two bedroom units and achieves a high design standard which has been delivered with the guidance of Council's Officers and the Liverpool Design Excellence Panel. The minor level of non-compliance now proposed relates to 1 x 3 bedroom apartment and represents a shortfall of 1.49% on the minimum 10% control. The variation sought to the DCP control will not significantly affect the planning outcomes of this development and is worthy of Council's support.

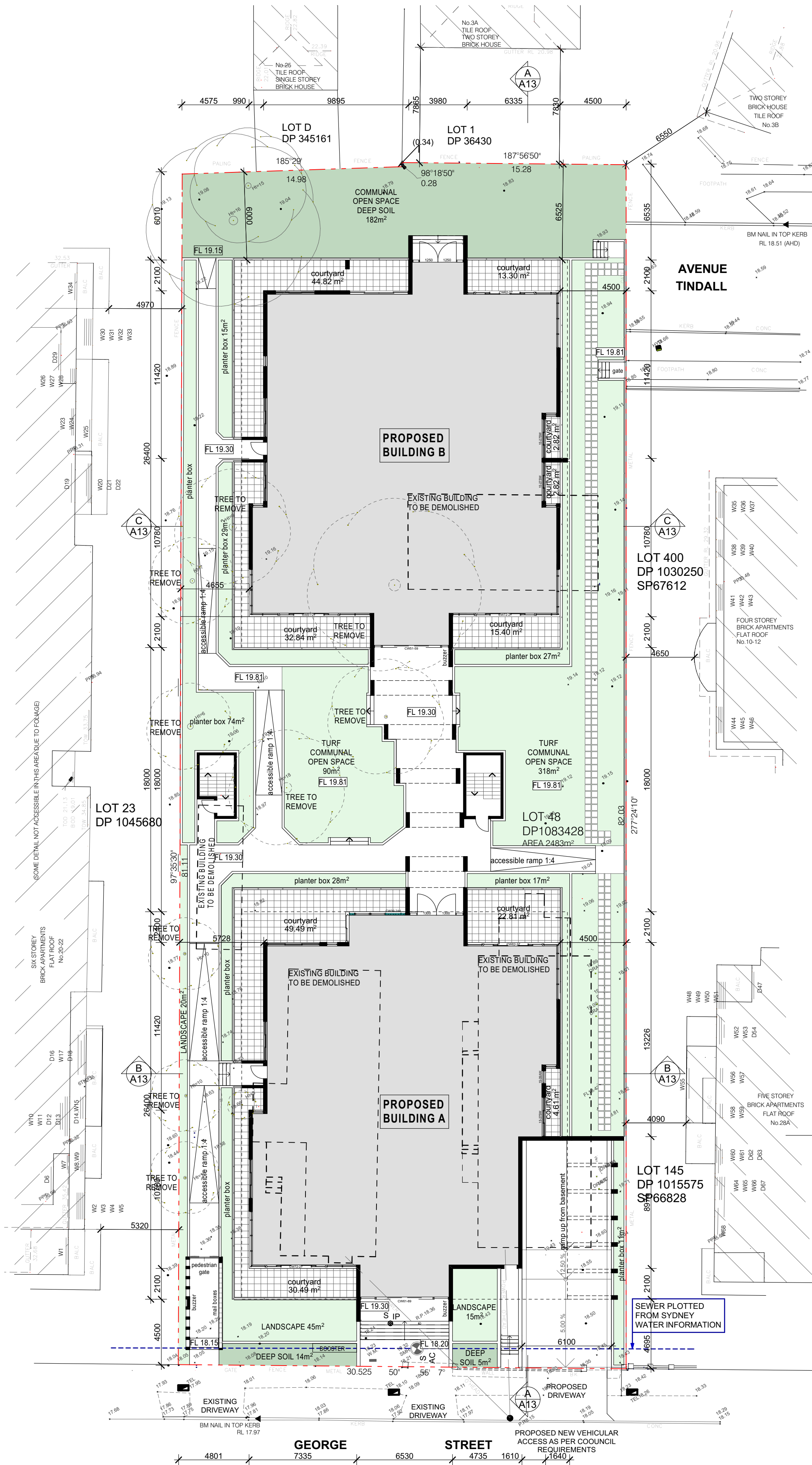
In summation, in our opinion, approval of a very minor variation will better serve both the current and future demographic needs of the Liverpool City centre, and achieves ADG compliance. The representation of one bedroom units, at 15.94% of the total number of apartments complies with the relevant DCP provision, and further evidences a general compliance with the controls.

If you have any questions regarding the matters raised in this letter, please do not hesitate to contact me on 0428 819 780.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Josh Owen', with a stylized flourish at the end.

Josh Owen
APP CORPORATION PTY LIMITED
Associate Planner



SITE PLAN

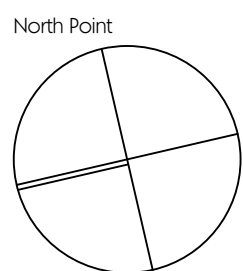
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Issue	Description	Date	Drawn	Issued
A	ISSUE FOR DA	22.04.2016	D.R.	CZ
B	ISSUE FOR DA	22.04.2016	D.R.	CZ
C	ISSUE FOR DA	23.05.2016	D.R.	CZ
D	AMENDED FOR DA	07.09.2016	D.R.	CZ
E	AMENDED BASIX	22.09.2016	D.R.	CZ
F	AMENDED FOR DA	01.02.2017	D.R.	CZ

General Notes:

- All dimensions and floor areas are to be verified by the Builder prior to the commencement of any building work. Any discrepancies are to be brought to the attention of the designer.
- Levels shown are approximate unless accompanied by reduced levels.
- Figured dimensions must be taken in preference to scaling.
- All boundary clearances must be verified by the surveyor prior to commencement of any building work.
- Where engineering drawings are required such as take preference to this drawing.
- Stormwater to be discharged to Council's requirements and AS 3500.3:1990.
- All services to be located and verified by the Builder with relevant authorities before any building work commences.

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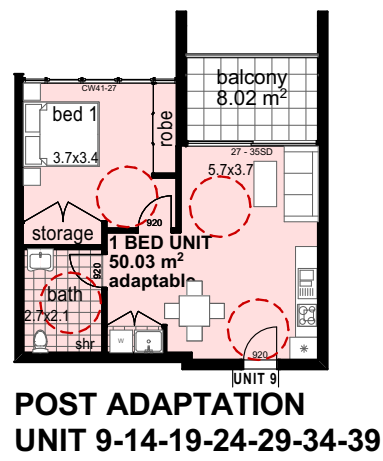
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UNITS DATATABLE

UNIT N.	N. OF BEDROOMS	AREA M²			STORAGE M³			CAR SPACES	CROSS VENTILATION	3H SUN MID WINTER	2H SUN MID WINTER
		INTERNAL	BALCONY	TOTAL	INTERNAL	OVERHEAD BASEMENT	TOTAL				
BUILDING A - LEVEL G											
1	2	84.80	30.49	115.29	6.50	2.70	9.20	1	YES	YES	YES
2	2	77.62	27.42	105.04	5.30	2.70	8.00	1	YES	YES	YES
3	2	83.11	49.49	132.60	9.20	2.70	11.90	1	YES	YES	YES
BUILDING B - LEVEL G											
1	2 AFF.	77.84	32.84	110.68	5.40	2.70	8.10	1	YES	YES	YES
2	2 AFF.	70.02	18.22	88.24	5.40	2.70	8.10	1	YES	YES	YES
3	2 AFF.	76.26	16.12	92.38	5.40	2.70	8.10	1	YES	YES	YES
4	2 AFF.	81.98	44.82	126.80	7.20	2.70	9.90	1	YES	YES	YES
BUILDING A - LEVEL 1											
4	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
5	2	80.23	12.69	92.92	6.90	2.70	9.60	1	YES	YES	YES
6	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
7	2	70.99	12.19	83.18	5.40	2.70	8.10	1	YES	YES	YES
8	1	50.02	8.10	58.12	4.90	2.70	7.60	1	NO	YES	YES
BUILDING B - LEVEL 1											
5	2	75.51	16.07	91.58	5.40	2.70	8.10	1	YES	YES	YES
6	2	79.39	12.69	92.08	6.90	2.70	9.60	1	YES	YES	YES
7	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
8	2	70.80	12.19	82.99	5.40	2.70	8.10	1	YES	YES	YES
9	1 AFF.	50.03	8.02	58.05	3.40	2.70	6.10	1	NO	YES	YES
BUILDING A - LEVEL 2											
9	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
10	2	80.23	12.69	92.92	6.90	2.70	9.60	1	YES	YES	YES
11	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
12	2	70.99	12.19	83.18	5.40	2.70	8.10	1	YES	YES	YES
13	1	50.02	8.10	58.12	4.90	2.70	7.60	1	NO	YES	YES
BUILDING B - LEVEL 2											
10	2 AFF.	75.51	16.07	91.58	5.40	2.70	8.10	1	YES	YES	YES
11	2 AFF.	79.39	12.69	92.08	6.90	2.70	9.60	1	YES	YES	YES
12	2 AFF.	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
13	2 AFF.	70.80	12.19	82.99	5.40	2.70	8.10	1	YES	YES	YES
14	1 AFF.	50.03	8.02	58.05	3.40	2.70	6.10	1	NO	YES	YES
BUILDING A - LEVEL 3											
14	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
15	2	80.23	12.69	92.92	6.90	2.70	9.60	1	YES	YES	YES
16	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
17	2	70.99	12.19	83.18	5.40	2.70	8.10	1	YES	YES	YES
18	1	50.02	8.10	58.12	4.90	2.70	7.60	1	NO	YES	YES
BUILDING B - LEVEL 3											
15	2	75.51	16.07	91.58	5.40	2.70	8.10	1	YES	YES	YES
16	2 AFF.	79.39	12.69	92.08	6.90	2.70	9.60	1	YES	YES	YES
17	2 AFF.	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
18	2 AFF.	70.80	12.19	82.99	5.40	2.70	8.10	1	YES	YES	YES
19	1	50.03	8.02	58.05	3.40	2.70	6.10	1	NO	YES	YES
BUILDING A - LEVEL 4											
19	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
20	2	80.23	12.69	92.92	6.90	2.70	9.60	1	YES	YES	YES
21	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
22	2	70.99	12.19	83.18	5.40	2.70	8.10	1	YES	YES	YES
23	1	50.02	8.10	58.12	4.90	2.70	7.60	1	NO	YES	YES
BUILDING B - LEVEL 4											
20	2 AFF.	75.51	16.07	91.58	5.40	2.70	8.10	1	YES	YES	YES
21	2 AFF.	79.39	12.69	92.08	6.90	2.70	9.60	1	YES	YES	YES
22	2 AFF.	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
23	2 AFF.	70.80	12.19	82.99	5.40	2.70	8.10	1	YES	YES	YES
24	1 AFF.	50.03	8.02	58.05	3.40	2.70	6.10	1	NO	YES	YES
BUILDING A - LEVEL 5											
24	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
25	2	80.23	12.69	92.92	6.90	2.70	9.60	1	YES	YES	YES
26	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
27	2	70.99	12.19	83.18	5.40	2.70	8.10	1	YES	YES	YES
28	1	50.02	8.10	58.12	4.90	2.70	7.60	1	NO	YES	YES
BUILDING B - LEVEL 5											
25	2	75.51	16.07	91.58	5.40	2.70	8.10	1	YES	YES	YES
26	2 AFF.	79.39	12.69	92.08	6.90	2.70	9.60	1	YES	YES	YES
27	2 AFF.	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
28	2 AFF.	70.80	12.19	82.99	5.40	2.70	8.10	1	YES	YES	YES
29	1	50.03	8.02	58.05	3.40	2.70	6.10	1	NO	YES	YES
BUILDING A - LEVEL 6											
29	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
30	2	80.23	12.69	92.92	6.90	2.70	9.60	1	YES	YES	YES
31	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
32	2	70.99	12.19	83.18	5.40	2.70	8.10	1	YES	YES	YES
33	1	50.02	8.10	58.12	4.90	2.70	7.60	1	NO	YES	YES
BUILDING B - LEVEL 6											
30	2	75.51	16.07	91.58	5.40	2.70	8.10	1	YES	YES	YES
31	2	79.39	12.69	92.08	6.90	2.70	9.60	1	YES	YES	YES
32	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
33	2	70.80	12.19	82.99	5.40	2.70	8.10	1	YES	YES	YES
34	1	50.03	8.02	58.05	3.40	2.70	6.10	1	NO	YES	YES
BUILDING A - LEVEL 7											
34	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
35	2	80.23	12.69	92.92	6.90	2.70	9.60	1	YES	YES	YES
36	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
37	2	70.99	12.19	83.18	5.40	2.70	8.10	1	YES	YES	YES
38	1	50.02	8.10	58.12	4.90	2.70	7.60	1	NO	YES	YES
BUILDING B - LEVEL 7											
35	2	75.51	16.07	91.58	5.40	2.70	8.10	1	YES	YES	YES
36	2	79.39	12.69	92.08	6.90	2.70	9.60	1	YES	YES	YES
37	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
38	2	70.80	12.19	82.99	5.40	2.70	8.10	1	YES	YES	YES
39	1	50.03	8.02	58.05	3.40	2.70	6.10	1	NO	YES	YES
BUILDING A - LEVEL 8											
39	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
40	3	97.42	22.75	120.17	5.90	2.70	8.60	1	YES	YES	YES
41	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
42	3	95.18	21.79	116.97	5.40	2.70	8.10	1	YES	YES	YES
BUILDING B - LEVEL 8											
40	2	75.51	16.07	91.58	5.40	2.70	8.10	1	YES	YES	YES
41	2	79.39	12.69	92.08	6.90	2.70	9.60	1	YES	YES	YES
42	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
43	2	70.80	12.19	82.99	5.40	2.70	8.10	1	YES	YES	YES
44	1	50.03	8.02	58.05	3.40	2.70	6.10	1	NO	YES	YES
BUILDING A - LEVEL 9											
43	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
44	3	97.42	23.51	120.93	5.90	2.70	8.60	1	YES	YES	YES
45	2	70.02	14.19	84.21	5.40	2.70	8.10	1	YES	YES	YES
46	3	95.18	22.34	117.52	5.40	2.70	8.10	1	YES	YES	YES
BUILDING A - LEVEL 10											
49	47	114.46	33.10	147.56	8.10	2.70	10.80	2	YES	YES	YES
50	48	99.84	31.28	131.12	9.20	2.70	11.90	2	YES	YES	YES
BUILDING A - LEVEL 11											
51	49	114.46	33.10	147.56	8.10	2.70	10.80	2	YES	YES	YES
52	50	99.84	31.28	131.12	9.20	2.70	11.90	2	YES	YES	YES
LOBBIES		1148.73			VISITORS			10			
TOTALS		7949.20		8230.58				108		84%	
								100%		100%	



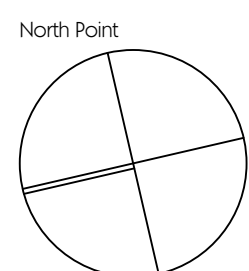
PRELIMINARY
DATE: 01.03.17



General Notes:

- 1) All dimensions and floor areas are to be verified by the Builder prior to the commencement of any building work. Any discrepancies are to be brought to the attention of the designer.
- 2) Levels shown are approximate and subject to local ground conditions.
- 3) Figured dimensions must be taken in preference to scaling.
- 4) All boundary clearances must be verified by the surveyor prior to commencement of any building work.
- 5) Where engineering drawings are required such must take preference to this drawing.
- 6) Refer to the 'Notes to Council' requirements and AS 3500.3-1990.
- 7) All services to be located and verified by the Builder with relevant authorities before any building work commences.

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SYNERGY
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