

**JOINT REGIONAL PLANNING PANEL
(Sydney West Region)**

JRPP No	2012SYW071
DA Number	642/2012
Local Government Area	Camden
Proposed Development	Demolition of an existing residential aged care facility at Carrington Centennial Care and replacement with a new 132 bed residential aged care facility, realigned internal access roads, construction of car parking, drainage, services, landscaping and tree removal
Street Address	90 Werombi Road, Grasmere Lot: 10, DP: 845472
Applicant/Owner	Carrington Centennial Care
Number of Submissions	0
Recommendation	Approve with conditions
Report by	Cassandra Cagney, Town Planner

Assessment Report and Recommendation

PURPOSE OF REPORT

The purpose of this report is to seek the Joint Regional Planning Panel's (the Panel) determination of a development application (DA) for the demolition of an existing residential aged care facility at Carrington Centennial Care and replacement with a new 132 bed residential aged care facility, realigned internal access roads, construction of car parking, drainage, services, landscaping and tree removal at 90 Werombi Road, Grasmere.

The Panel is the determining authority for this DA as, pursuant to Part 4, Schedule 4A of the *Environmental Planning and Assessment Act 1979*, the capital investment value (CIV) of this development is \$30 million which exceeds the CIV threshold of \$20 million for Council to determine the DA.

SUMMARY OF RECOMMENDATION

That the Panel determine DA 642/2012 for the demolition of an existing residential aged care facility at Carrington Centennial Care and replacement with a new 132 bed residential aged care facility, realigned internal access roads, construction of car parking, drainage, services, landscaping and tree removal pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained within this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for demolition of an existing residential aged care facility at Carrington Centennial Care and replacement with a new 132 bed residential aged care facility, realigned internal access roads, construction of car parking, drainage, services, landscaping and tree removal at 90 Werombi Road, Grasmere.

The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, relevant Environmental Planning Instruments, Development Control Plans and policies. The outcome of this assessment is detailed further in this report.

The DA was publicly exhibited for a period of 14 days in accordance with Camden Development Control Plan 2011. The exhibition period was from 11 July to 25 July 2012. No submissions were received.

The DA proposes a variation to a building height development standard stipulated by Clause 4.3 of Camden Local Environmental Plan 2010 (LEP). The LEP limits the height of buildings in this area to a maximum of 9.5m however the proposed building ranges in height from 6m to 16.5m high above existing ground level which is largely due to the slope of the land. Almost all of the entire height variation occurs in the south eastern section of the building where the highest point of 16.5m is achieved. A height variation is also proposed in part of the north western section of the building where the building reaches 10.8m above existing ground level.

Council staff have assessed the proposed variation and recommend that it be supported. The building has been designed to complement the sloping topography of the site and the building is substantially set back from Werombi Road, utilises a flat roof design to help reduce its visual impact and presents a mostly two storey building when viewed from Werombi Road to the west.

It is considered that the design of the building is appropriate for the site, having regard to its siting, the surrounding topography and landscape features and therefore strict compliance with the LEP's building height development standard is unreasonable and unnecessary in this circumstance.

This proposal development will replace a smaller, older aged care building with a larger, more modern aged care building that will provide valuable seniors housing and services to the elderly. The provision of additional seniors housing on this site and in this area is supported by Council staff.

Based on the assessment, it is recommended that the DA be approved subject to the conditions contained in this report.

AERIAL PHOTOS





THE SITE

The site is commonly known as 90 Werombi Road, Grasmere and is legally described as Lot 10, DP 845472.

The site has a frontage of approximately 1.3km to Werombi Road, an approximate depth of 930m and an overall site area of approximately 71ha. The entire site is identified as a local heritage item by Camden Local Environmental Plan 2010 and is known as “Carrington Centennial Care.”

The exact part of the site the subject of this DA is shown in red dashed lines on the above aerial photo. This part of the site contains an existing two storey residential aged care facility (known as “Paling Court”) with the single storey Grasmere cottage (which is a building of heritage significance) in front of it. Also present are ancillary car parking spaces, landscaping and an internal access road.

The overall site contains an extensive seniors living development including independent living units and residential aged care facilities. The site also contains a dam, native vegetation including remnant Cumberland Plain Woodland, introduced exotic landscaping and several buildings of heritage significance including:

- Carrington Hospital (late Victorian eclectic style brick building currently used for Carrington staff administration and training);
- Grasmere cottage (single storey brick cottage currently used for visitor accommodation);
- the Gardener's cottage (single storey brick cottage whose use is currently unknown);
- the Masonic cottage (single storey brick cottage currently used as an ancillary coffee shop); and
- the morgue building (brick rotunda style building currently whose use is currently unknown).

Internal access roads, which link to a roundabout at Werombi Road, weave through the site and provide access to the facilities.

The surrounding area is largely characterised by low density detached residential dwellings on large lots.

To the north lies the Nepean River and the Sydney Metro Airport (Camden). To the east lies the town of Camden, to the south the rural residential suburb of Grasmere and to the west the Wollondilly local government area.

HISTORY

The relevant development history of the site is summarised in the following table:

Date	Development
Circa 1870s onwards	The establishment of Carrington Hospital including the Grasmere cottage, the Gardener's cottage, the Masonic cottage and the morgue building
14 April 1993	Additions to an aged persons housing complex (50 bed hostel and 78 self contained units) approved by DA 250/1992
10 November 2011	Modification of the existing car park and landscape embellishment approved by DA 702/2011

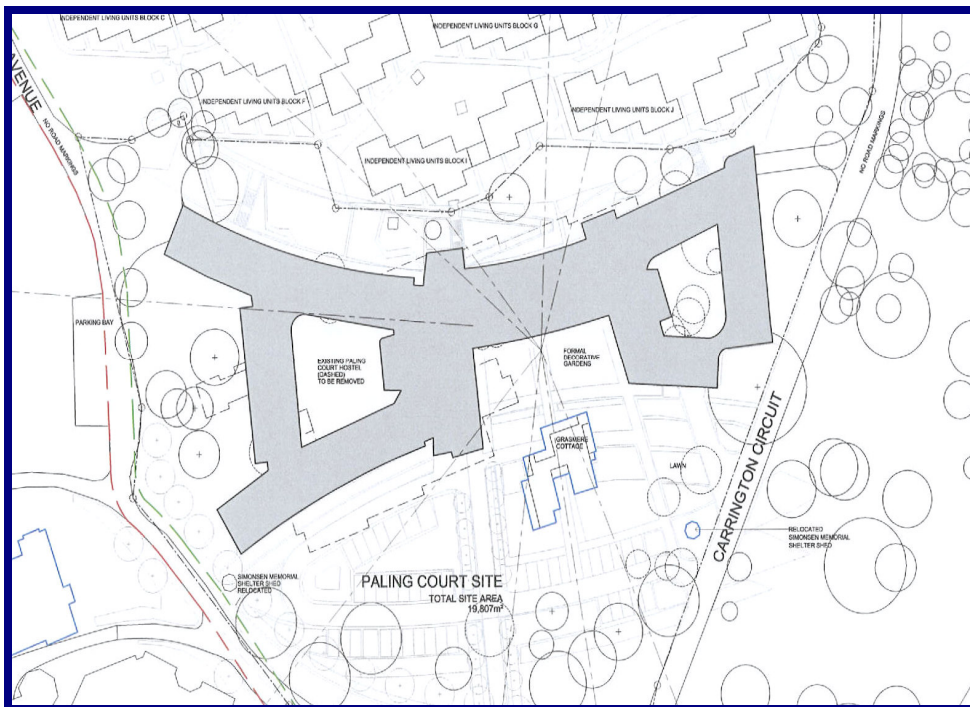
Council is currently assessing a Section 96 Modification to DA 702/2011 which, as detailed in the above table, was approved on 10 November 2011. This modification application proposes to modify the previously approved car parking and landscape embellishment works to be consistent with the subject DA for the replacement residential aged care facility.

THE PROPOSAL

DA 642/2012 seeks approval for the demolition of an existing residential aged care facility at Carrington Centennial Care and replacement with a new 132 bed residential aged care facility, realigned internal access roads, construction of car parking, drainage, services, landscaping and tree removal.

Specifically the proposed development involves:

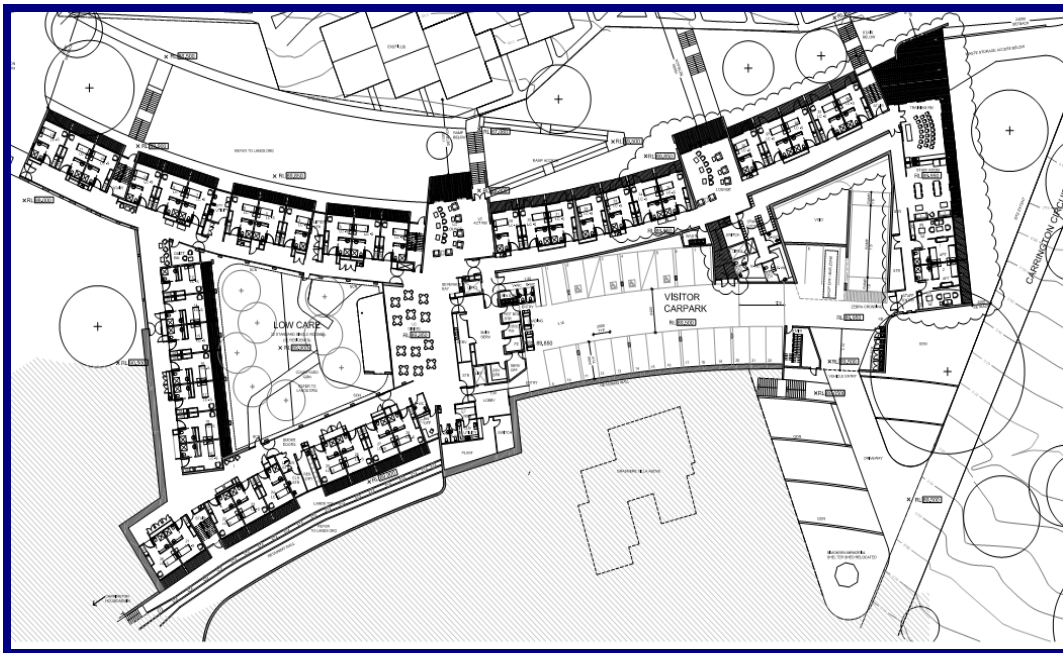
- demolition of an existing 50 bed low care residential aged care facility (RACF);
- construction of a new three storey (132 bed) RACF. The building will be constructed and finished in a mix of materials and finishes including concrete, metal and timber cladding, terracotta battens and glazing. On the upper ground floor and first floor levels, the building is split into two sections (north west and south east) with a glazed walkways linking the two together;
- the building will comprise of 40 low care rooms, 32 high care rooms (6 shared, 20 single), 17 memory care rooms, 24 deluxe low care rooms, 17 low care transitional rooms and 2 short stay accommodation rooms for families;
- 20 basement, 21 building and 39 at grade car parking spaces and 1 ambulance bay;
- an ancillary shop, pharmacy, coffee shop, beauty salon, allied health clinic, GP clinic and staff training rooms;
- realigned internal access roads, loading dock facilities and directional signage;
- associated earthworks, stormwater infrastructure, landscaping and lighting;
- the removal of 46 trees in the area of the proposed RACF; and
- the relocation of the Simonsen Memorial Shelter from the north western side of the Grasmere cottage to its south eastern side. This is a pedestrian shelter which was constructed as a memorial to a previous caretaker of the site.



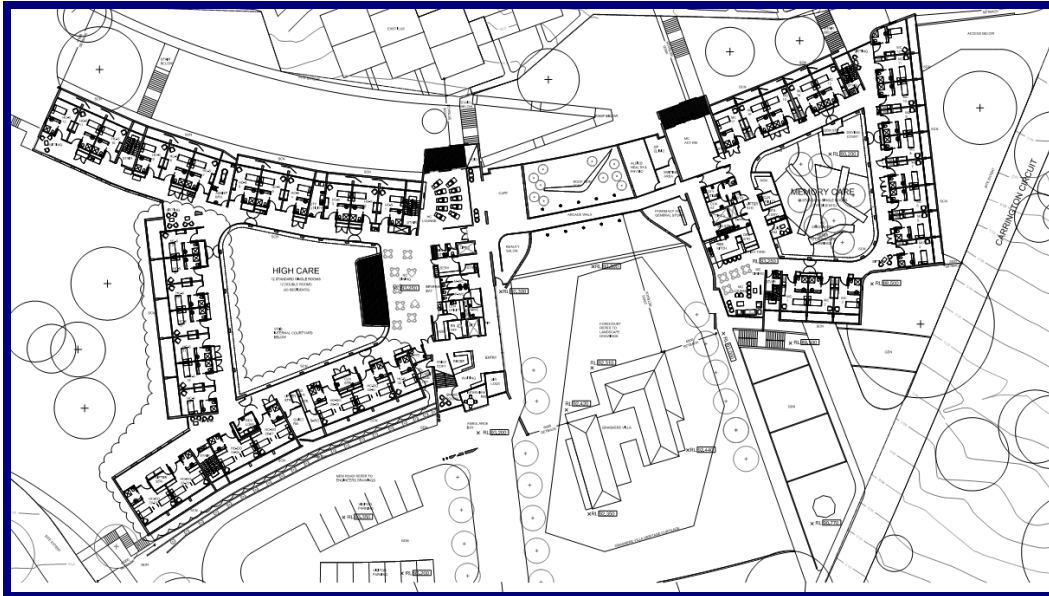
Site Plan



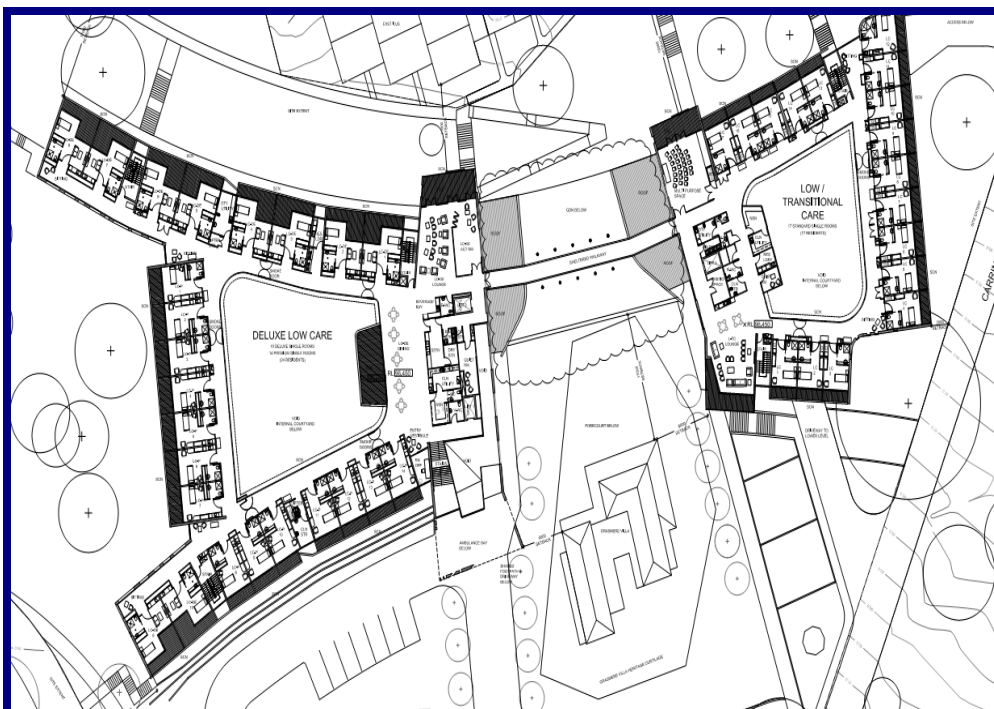
Basement Plan



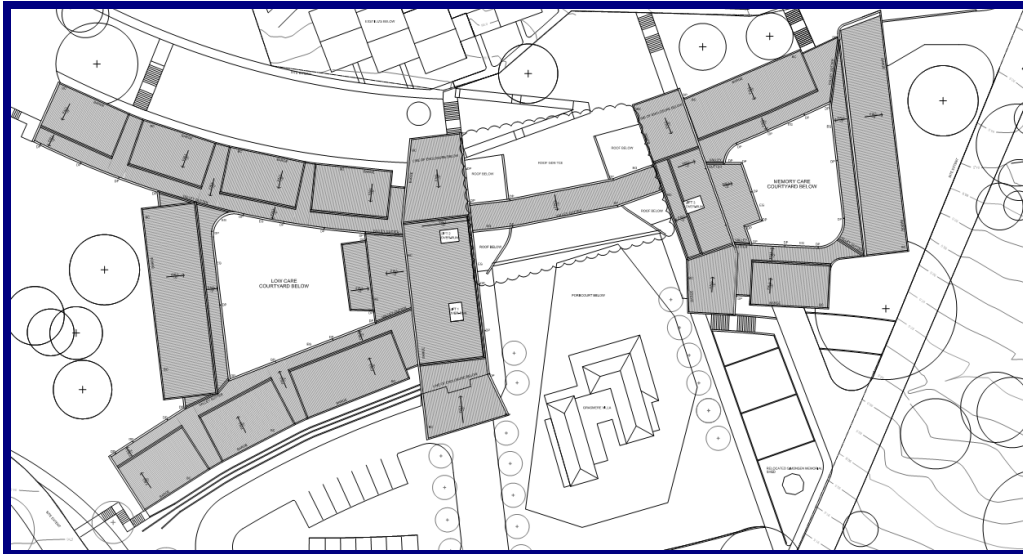
Lower Ground Floor Plan



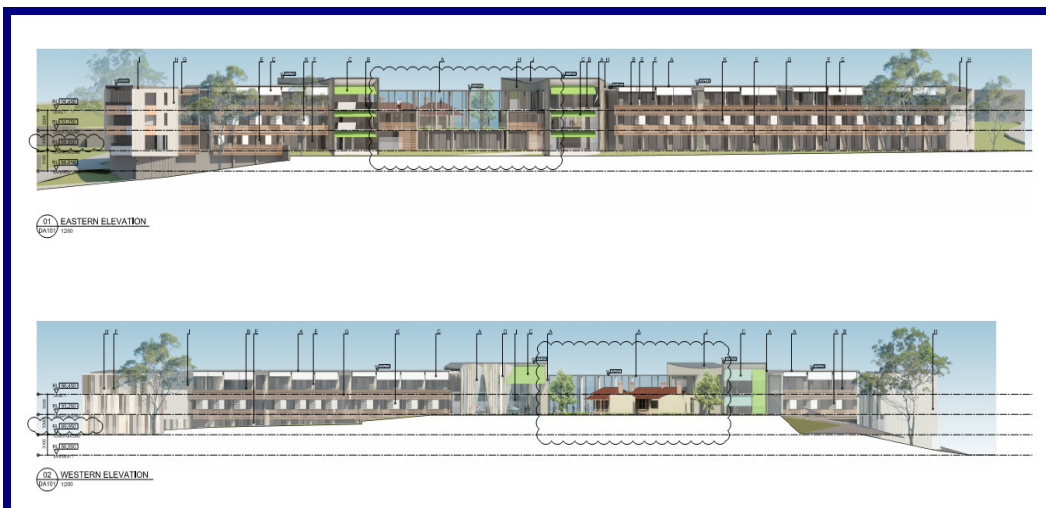
Upper Ground Floor Plan



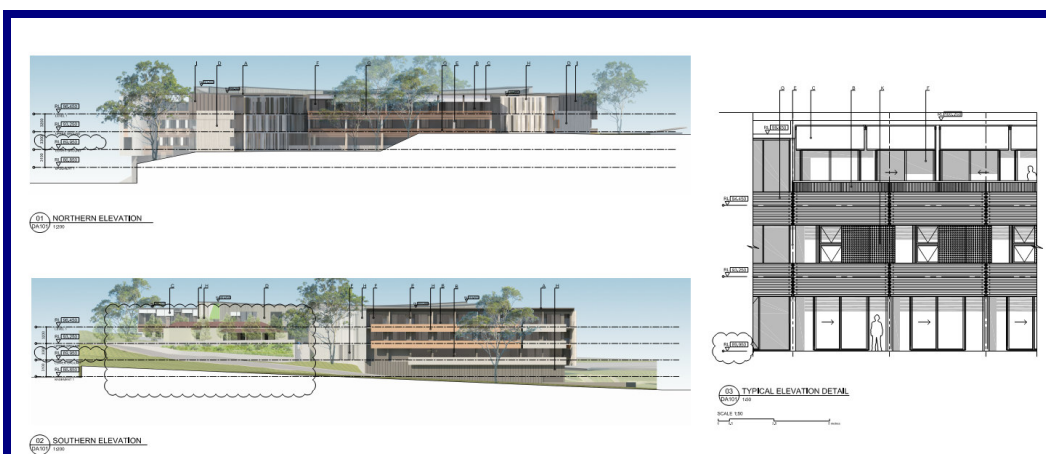
Level 1 Floor Plan



Roof Plan



Eastern and Western Elevations



Northern and Southern Elevations

ASSESSMENT

Environmental Planning and Assessment Act 1979 – Section 79(C)(1)

In determining a DA, the consent authority is to take into consideration the following matters as are of relevance in the assessment of the DA on the subject property:

(a)(i) The Provisions of any Environmental Planning Instrument

The Environmental Planning Instruments that relate to the proposed development are:

- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy No 55 – Remediation of Land
- Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River
- Camden Local Environmental Plan 2010

An assessment of the proposed development against these Environmental Planning Instruments is detailed below.

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP)

Relevant Clauses

The DA was assessed against the following relevant clauses of the SEPP:

Clause	Requirement	Provided	Compliance
2 Aims of this Policy	The aim of the SEPP is to encourage the provision of housing that is well designed to meet the needs for seniors and people with disabilities whilst utilising existing infrastructure and services	The proposal is well designed and will utilise existing infrastructure that services the site to ensure that the needs of residents will be met	Yes
4.2 Land to which this Policy Applies	This policy applies to land within New South Wales that is zoned primarily for urban purposes.	The proposed site is zoned R5 Large Lot Residential. The SEPP identifies such land as non-urban land, however permissibility for the proposed development is established under Camden Local Environmental Plan 2010	N/A
18 Restrictions on occupancy of	Development may only be carried out for the	A condition is recommended to require that a covenant is	Yes

Clause	Requirement	Provided	Compliance
seniors housing allowed under this chapter	accommodation of seniors or people who have a disability, people who live within the same household with seniors or people who have a disability or staff employed to assist in the administration of and provisions of services to housing provided under this policy	registered against the title of the property limiting the use of the residential component of the proposed development in accordance with this clause	
25 Application for site compatibility certificate	The consent authority must consider Clauses 5 (b) i, iii and v. This clause requires that the natural environment and existing uses on site and surrounding area are considered, adequate access to services and infrastructure is available or can be made available to meet the needs of the proposal, the impact of the bulk, scale, built form and character from the proposal and the potential future impacts on the site or the surroundings as a result	The proposed development is compatible with its surroundings (being on a site that already contains an extensive seniors living development) and will complement the site. It is not considered that the development will produce any negative impacts on existing character or services available to the site nor will it have any potential future negative impacts	Yes
26 Location and Access to Facilities	The consent authority needs to be satisfied that the development provides for access to services and facilities	The application proposes services including a GP clinic, pharmacy, coffee shop, beauty salon and an allied health clinic. Access to other services in the nearby town of Camden will be provided by the operation of a village bus service	Yes
27 Bush Fire Prone Land	The proposal must be designed to comply with "Planning for Bush Fire Protection 2006"	A bush fire protection assessment formed part of the application and was referred to the Rural Fire Service (RFS). The	Yes

Clause	Requirement	Provided	Compliance
		RFS have reviewed the assessment and issued General Terms of Approval that specify requirements including standards for asset protection zones, utilities and evacuation and emergency management. Subject to the imposition of these conditions this clause is satisfied	
28 Reticulated Water and Sewer	The consent authority must be satisfied that the development has access to reticulated water and adequate facilities for the disposal of sewerage	The site has access to reticulated water and Sydney Water has confirmed that they can accept sewerage at a rate of 27 litre per second into their existing system (this is achieved via a pumping station) from the development which is acceptable	Yes
29 Consent authority to consider certain site compatibility criteria for development applications to which Clause 24 does not apply	In determining an application to this clause applies must consider the criteria referred to in clause 25 (5) (b) (i), (iii) and (v).	The proposed development has been assessed against Clause 25 above and it is considered that the site is suitable for it	Yes
30 Site Analysis	The consent authority must not grant consent unless they are satisfied that a site analysis has been undertaken	A site analysis has been prepared including an assessment of the site topography, existing vegetation, existing heritage and other built structures	Yes
33 Neighbourhood Design and Streetscape	Maintain and recognise reasonable local character, neighbourhood amenity and appropriate residential character whilst complementing any heritage items in the vicinity	The proposal has been designed and sited to ensure minimal impact on the existing local character whilst maintaining neighbourhood amenity. The proposal has been designed to limit any impact on the local heritage items on the site	Yes

Clause	Requirement	Provided	Compliance
34 Visual and Acoustic Privacy	Development needs to consider visual and acoustic privacy for neighbours and residence.	<p>The proposal is sited in a location that will result in only minimal overlooking on the adjacent independent living units. Sliding shade structures and blinds will be provided on this building to enhance the privacy of residents</p> <p>The applicant has prepared acoustic reports addressing aircraft, road traffic, construction and operational noise and placed plant and equipment (where possible) in the basement to reduce the potential noise transmission through the development</p>	Yes
35 Solar Access and Design for Climate	Ensure adequate daylight to main living areas and open space. Building to be designed to be energy efficient	The building is designed to maximise the use of natural daylight and ventilation and is consistent with the requirements of this clause	Yes
36 Stormwater	Control and minimise impacts from storm water run off due to development on site	The proposed development provides stormwater plans identifying how stormwater run-off will be managed post development. The site provides on site detention with water to be reused on site where possible	Yes
37 Crime Prevention	Design that encourages/allows for observation approaches, safety and secure of both residence and visitors	The DA was referred to Camden Local Area Command who have undertaken a "Safer by Design" evaluation. This evaluation has identified the site as a low crime risk and no objections were raised or conditions recommended. The proposed development is	Yes

Clause	Requirement	Provided	Compliance
		considered to be consistent with Safer by Design principles and achieves the objectives of this clause.	
38 Accessibility	Provide links for pedestrians to access public transport or local facilities that are both attractive and safe. Provide access to parking for both visitors and residents	The development proposes to formalise access through this part of the site and provide a legible network for pedestrians and vehicles. Sufficient parking is provided both at grade and within the basement, with a village bus service also available to residents	Yes
39 Waste Management	Manage waste in appropriate facilities and maximise recycling	The proposed development provides for adequate facilities to store waste. A collection bay is located in the basement and provides opportunities for recycling to occur. A condition is recommended to ensure recycling occurs in this development.	Yes
40 Development Standards – Minimum sizes and Building Heights	The site must have a minimum lot size of 1,000m ² The proposal must provided a minimum frontage 20m at the building line	The site area is approximately 71 hectares in area The site has a frontage of approximately 1.3km to Werombi Road	Yes Yes
48 Standards that cannot be used to refuse development consent for residential aged care facilities	The proposed building is 8m high or less The proposal does not exceed a density and scale 1:1 or less A minimum of 25m ² landscaped area per bed is provided	The building proposed ranges in height from 6m to 16.5m above existing ground level The proposal has a floor space ratio of 0.6:1 The proposal requires a 3,150 m ² landscaped area. 3,300m ² is provided	No – however the DA is recommended for approval Yes Yes

Clause	Requirement	Provided	Compliance
	The proposal must provide car parking spaces at a rate of 1 space per 10 beds, 1 space for each 2 persons employed, and 1 parking space suitable for an ambulance	<p>132 beds /10 = 13.2 Staff 26/2 = 13 Total = 26.2 (27)</p> <p>Ambulance bay = 1</p> <p>The proposed building requires 27 spaces (including 1 ambulance bay)</p> <p>The proposal provides 41 spaces in the basement and building, 39 spaces at grade and 1 ambulance bay at grade</p> <p>This is in excess of the SEPP's requirements</p>	Yes

State Environmental Planning Policy No 55 – Remediation of Land (SEPP)

The SEPP requires the consent authority to be satisfied that the proposed site is suitable for its intended use (in terms of contamination) prior to granting consent.

This land has been subject to a phase 1 contamination assessment. The contamination assessment concludes that the risk of potential contamination is low.

Council staff are satisfied with the findings of the assessment and therefore consider the site to be suitable for the proposed development.

Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River (SEPP)

The proposed development is consistent with the aim of the SEPP (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.

There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development. A condition is recommended to provide water pollution control devices as part of the development including gross pollutant traps.

Camden Local Environmental Plan 2010 (LEP)

Permissibility

The site is zoned R5 Large Lot residential under the provisions of the LEP. The proposed development is defined as “residential care facility.”

Pursuant to Schedule 1, Clause 8 of the LEP, seniors housing (which includes residential aged care facilities) is an additional permitted use on this site.

Zone Objectives

The objectives of the R5 Large Lot Residential zone are as follows:

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.

Officer comment:

The proposal is for a senior housing development and it is not considered that it will have a negative impact on environmentally sensitive locations and scenic quality as described throughout this report.

- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.

Officer comment:

This objective is not relevant to the proposed development as the proposal is for seniors housing.

- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.

Officer comment:

The proposed development will not result in an unreasonable increase in required public facilities and it will provide a range of on-site services to residents.

- To minimise conflict between land uses within this zone and land uses within adjoining zones.

Officer comment:

The proposal is consistent with this objective as it provides a largely self contained development that will not produce negative impacts on other development in this or in adjoining zones.

Relevant Clauses

The DA was assessed against the following relevant clauses of the LEP. Discussion of any variations of the standards is provided after the compliance table.

Clause	Requirement	Provided	Compliance
2.7 Demolition Requires development consent	Demolition requires consent	The proposed demolition of the existing building forms part of this DA	Yes
4.3 Height of Buildings	Maximum building height of 9.5m	The proposed building ranges in height from 6-16.5m	No – LEP variation 1
4.6 Exceptions to Development	Written justification from applicant for variation to LEP	Written justification has been provided. The variation is considered to	Yes

Clause	Requirement	Provided	Compliance
Standards	development standard, variation to be in the public interest and not contravene zone objectives	be in the public interest and doesn't contravene any objectives of the R5 zone	
5.9 and 5.9AA Trees or Vegetation	Maintain amenity and biodiversity values through the preservation of trees	The proposal was accompanied by an ecological assessment and tree report. Council staff have reviewed these reports and it is considered that the site's amenity and biodiversity values will be achieved by compliance with their recommendations which include the retention of hollow bearing trees.	Yes
5.10 Heritage Conservation	Conserve environmental heritage, including views, sitting and fabrics. The site is identified as local heritage Item I118	The proposed development has been designed to limit impact on existing heritage structures, heritage fabrics and view corridors. A statement of heritage impact has been prepared and the design of the proposed development will ensure that significant heritage features such as Carrington Hospital and Grasmere cottage located in the direct vicinity of the building are maintained. A schedule of works for the maintenance of the villa has also been provided and compliance with it is a recommended condition.	Yes
7.1 Flood Planning	To minimise flood risk to life and property	The site is identified as being flood affected, however the proposed development area is located above the probable maximum flood level. It is not considered that the development will generate any additional risk to life or property on the site	Yes
7.2 Airspace Operations	Before granting consent to development	The proposed development is located within the OLSM. Reports have been	Yes

Clause	Requirement	Provided	Compliance
	shown on the Obstacle Limitations Surface Map (OLSM) the consent authority must notify the authority of the proposal and take into account any comments received. The consent authority also needs to be satisfied that the proposal will not interfere with operations of Camden airport	submitted assessing the proposed building and tree plantings. The reports have been referred to Sydney Metro Airport (Camden) who raise no objections subject to the recommendations put forward by the reports regarding the proposed landscaping and lighting. Subject to compliance with these recommendations, it is not considered that the proposed development will interfere with the operations of Camden airport	
7.3 Development in Areas subject to Airport Noise	Limit sensitive developments being located near Camden Airport, development can not hinder airports operations, whilst minimising aircraft noise from the flight paths through attenuation measures on site	The proposal is outside the ANEF (Aircraft Noise Exposure Forecast) however is within the airport movements plan. Acoustic reports, a building assessment report and a wildlife strike hazard assessment have been completed and referred to Sydney Metro Airport (Camden) who have raised no objections subject to compliance with the recommendations put forward by the assessments regarding the proposed landscaping and lighting. Noise impacts from the airport and associated aircraft will not impact upon the proposed development subject to several recommendations including glazing and wall/roof construction materials	Yes
7.4 Earthworks	Consider the likely disturbance and impact on existing drainage, vegetation, amenity and adjoining developments	The proposed development will require minor earthworks to facilitate the development. Sediment and erosion controls will be in place to reduce any sediment impacts. Subject to the conditions contained	Yes

Clause	Requirement	Provided	Compliance
		within this report, all other development impacts, including construction noise, dust and stormwater run-off will be minimised	

LEP Variation 1 – Building Height

LEP Development Standard

Pursuant to Clause 4.3 of the LEP, the maximum building height permitted on this site is 9.5m.

The proposed building ranges in height from 6m to 16.5m above natural ground level. The height variation is in the south eastern section of the building where the highest point of 16.5m is achieved. A height variation is also proposed in part of the north western section of the building where the building reaches 10.8m above existing ground level.

Variation Request

Pursuant to Clause 4.6 (Exceptions to Development Standards) of the LEP, the applicant has submitted a written request seeking a variation to the building height development standard (Clause 4.3) on the basis that:

- the restriction in height on this site is considered to be unreasonable as the natural topography of the site falls gradually downwards away from Werombi Road. The building has been designed to conform to the topography to minimise the need to cut and fill and provide for set plate levels for the building;
- the site is self contained with the ability to limit potential negative impacts to development both in and outside of the site due to its location and allotment size. Strict compliance with the standard would reduce the ability to provide a quality facility that is in high demand; and
- the visual impacts of the development are not considered to be unreasonable and will only have minimal impacts upon solar access and limited disruption of views.

Council Staff Assessment

Council staff have reviewed this variation request and recommend that it be supported for the following reasons:

- the building has been designed to complement the sloping topography of the site, minimising its bulk and scale when viewed from Werombi Road to the west by only presenting a two storey building;
- the building will utilise a flat roof form, integrated mounding, landscaping and the retention of existing mature trees to further help reduce its visual impact;
- the additional height will be softened by the proposed set back (approximately 145m from the entrance to the site off Werombi Road) and the mature vegetation

that exists on the south west of the site will provide suitable softening for the building when viewed by pedestrians and cars on Werombi Road; and

- the overall visual impact of the proposed development will be minimal given the above factors.

It is acknowledged that the proposed building height variation, particularly in the south eastern section of the building, is substantial.

Council has previously varied Clause 4.3 in relation to building heights on different sites within the Camden LGA. A notable example was when at the Ordinary Council meeting of 28 February 2012, Council approved a commercial development at 78 and 80 John Street, Camden that involved a building height variation of 1.8m. This height variation was supported due to the sloping topography of the site, the set back of the development from the site's primary road frontage and the lack of impact on solar access and visual amenity.

Another example of a significant building height variation was when at the Ordinary Council meeting of 11 October 2011, Council approved a 17m high industrial building at 22-33 Dunn Road, Smeaton Grange where the site was subject to a 11m building height development standard.

The proposed development is consistent with the approach taken for the development at 78 and 80 John Street, Camden. Despite this development proposing a much greater height variation than the above example, the sloping topography of the site serves to minimise its bulk and scale when viewed from outside of the site, a substantial building set back of 145m from the site entrance has been provided to minimise its visual impacts and there will only be minimal impacts upon solar access or visual amenity given the building's siting and design.

It is not considered that approving a building height variation of the scale proposed here will set an undesirable precedent for future developments to not comply with Clause 4.3 in that there are specific site and design conditions, as outlined above, that justify the proposed variation and that would distinguish it from other developments on other sites.

Strict compliance with the LEP's building height development standard is considered to be unreasonable and unnecessary in this circumstance.

Clause 4.6 (Exceptions to Development Standards) of the LEP has been satisfied in the following regards:

- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

Officer comment:

The applicant has provided a written request that provides adequate justification that compliance with this development standard would be unnecessary and unreasonable given the sloping topography and size of the site, the minimal impacts upon solar access and visual amenity. Council staff have considered this written request as described in this report.

(4) Development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

- (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

Officer comment:

Council staff have considered the applicant's written request to vary this development standard and are satisfied that this request has adequately address the matters required to be demonstrated by subclause (3). It is considered that the proposed development is within the public interest in that it will provide a seniors housing development on a long established seniors housing site with only minimal environmental impacts and service demands upon the surrounding area.

Despite the proposed variation to the building height development standard, the objectives of Clause 4.3 have still been met in that the proposed development is compatible with the height, bulk and scale of the existing and desired future character of the locality, only minimal impacts upon visual amenity, views and solar access will result from it and there will be no adverse impacts upon the site which is itself a local heritage item.

It is therefore recommended that the Panel support this proposed variation to this LEP development standard.

(a)(ii) The Provisions of any Draft Environmental Planning Instrument (that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)).

There is no draft Environmental Planning Instruments applicable to the proposed development.

(a)(iii) The Provisions of any Development Control Plan

Camden Development Control Plan 2011 (DCP)

The following is an assessment of the proposal's compliance with the controls in the DCP. Discussion of any variations of the controls is provided after the compliance table.

Control	Requirement	Provided	Compliance
B1.1 Erosion and Sedimentation	Erosion and sediment control measures	Appropriate erosion and sedimentation controls measures have been provided	Yes
B1.2 Earthworks	To ensure development takes into account the topography of the site and minimises disturbance	The proposed building and associated works are designed to minimise the need for cut and fill on site and respond to the natural topography to ensure minimal disturbance	Yes
B1.3 Salinity Management Plan	Soil and water management plans, salinity resistant construction	The application provided a salinity report which has been reviewed by council staff. The site is non to slightly saline and salinity construction measures are recommended	Yes
B1.4 Water management	Demonstrate how stormwater will be managed in accordance with Council's Engineering Specifications	The proposal has provided stormwater plans and a report outlining how stormwater will be managed on site including the proposed storage, reuse and collection procedures to be undertaken	Yes
B1.5 Trees and Vegetation	Protect trees and vegetation that contribute to the ecological, botanical, cultural, heritage and aesthetic amenity of Camden	The proposal was accompanied by an ecological assessment and tree report. Council staff have reviewed the report and it is not considered that the amenity, aesthetics or character of the site will be lessened by the proposed tree removal	Yes
B1.6 Environmentally Sensitive Land	Ensure that new development considers and maximises the protection of existing natural features, protects, manages, restores and enhances as much environmentally	The proposal was accompanied by an ecological assessment and tree report. Council staff have reviewed the reports and it is considered that the development maximises the protection of significant trees and vegetation on	Yes

Control	Requirement	Provided	Compliance
	sensitive land as possible	the site	
B1.7 Riparian Corridors	Assist in providing and maintaining water quality and habitat resources for species and residents	The development will not impact upon any riparian corridors on the site	Yes
B1.9 Waste minimisation and management	A waste management plan (WMP) be provided outlining how waste will be managed through out the demolition, construction and operation stage of the development	The DA was accompanied by a WMP addressing demolition, construction and operational waste generation by outlining how waste will be managed, stored and transported	Yes
B1.10 Bush Fire Risk Management	Prevent loss of damage to life, property and the environment and ensure that future development does not increase bushfire risk	A bush fire protection assessment formed part of the application and was referred to Rural Fire Service (RFS). The RFS have reviewed the assessment and issued General Terms of Approval that specify requirements including standards for asset protection zones, utilities and evacuation and emergency management. Subject to compliance with these measures, this control has been satisfied	Yes
B1.11 Flood hazard Management	To minimise flood risk to life and property	The site is identified as flood affected, however the proposed development area is located above the probable maximum flood level. It is not considered that the development will generate any additional risk to life or property on the site	Yes
B1.12 Contaminated and Potentially	To evaluate the risk to public health and the environment	A phase 1 contamination report was submitted with the	Yes

Control	Requirement	Provided	Compliance
contaminated land management	and that the site is suitable for the intended use.	application identifying the potential for contamination on the site to be low. Based on this report Council staff consider the site to be suitable for it intended use	
B1.15 Development near Camden Airport	Ensure the operation of Camden Airport is not hindered or compromised. Protect internal acoustic comfort to new residents	The proposal is outside the ANEF (Aircraft Noise Exposure Forecast) however is within the airport movements plan. The site is also within the obstacle limitation surface map. Acoustic reports, a building assessment report and a wildlife strike hazard assessment have been completed and referred to Sydney Metro Airport (Camden) who have raised no objections subject to compliance with the recommendations put forward by the assessments regarding the proposed landscaping and lighting. Noise impacts from the airport and associated aircraft will not impact upon the proposed development subject to several recommendations including glazing and wall/roof construction materials.	Yes
B1.16 Acoustic Amenity	To ensure the acoustic amenity of residents is mitigated (existing and new residents) both during construction and operation of developments	The applicant supplied to Council acoustic reports for aircraft, road traffic, construction and operational noise. Council staff have reviewed these reports and subject to the conditions contained within this report, the acoustic amenity of	Yes

Control	Requirement	Provided	Compliance
		existing and residents will be protected	
B2 Landscaping	Landscaping is to be designed to integrate new development within the existing character of the street and be sensitive to site attributes, existing landscape features, street scape views and vistas	The DA was accompanied by a landscape plan demonstrating the integration of the new building with existing vegetation and proposed landscaping whilst not obstructing views or vistas	Yes
B3 Environmental heritage	To retain and conserve heritage items and their significant elements and settings	The proposal is designed to limit impact on existing heritage structures, heritage fabrics and view corridors. A statement of heritage impact has been prepared and the design of the proposed development will ensure that significant heritage features such as Carrington Hospital and Grasmere cottage located in the direct vicinity of the building are maintained. A schedule of works for the maintenance of the villa has also been provided and compliance with it is a recommended condition.	Yes
B5 Off-street Car Parking Rates and Requirements	As per the Seniors SEPP: Car parking spaces at a rate of 1 space per 10 beds, 1 space for each 2 persons employed, and 1 parking space suitable for an ambulance	132 beds /10 = 13.2 Staff 26/2 = 13 Total = 26.2 (27) Ambulance bay = 1 The proposed building requires 27 spaces (including 1 ambulance bay). The proposal provides 41 spaces in the basement and building, 39 spaces at grade and	Yes

Control	Requirement	Provided	Compliance
		1 ambulance bay at grade This is in excess of the DCP's requirements	

(a)(iia) The Provision of any Planning Agreement that has been entered into under Section 94F, or any draft Planning Agreement that a developer has offered to enter into under Section 93F

No relevant agreement exists or has been proposed as part of this application.

(a)(iv) The Regulations

The Regulations prescribe several matters that are addressed in the conditions contained within this report.

(b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality

As demonstrated by the above assessment, the proposed development is unlikely to have a significant impact on both the natural and built environments, and the social and economic conditions of the locality.

Heritage Impacts

This entire site is identified as a local heritage item by Camden Local Environmental Plan 2010. The site also contains several buildings of heritage significance including Carrington Hospital, Grasmere cottage, the Gardener's cottage, the Masonic cottage and the morgue building. The proposed RACF will be located directly behind Grasmere cottage.

A statement of heritage impact has been submitted by the applicant. Following assessment by Council staff, it is considered that the design of the proposed development will not negatively impact upon the heritage values of the site.

The proposed development has been designed to limit impact on the site's buildings of heritage significance and view corridors to Grasmere cottage in particular. To achieve this, above the lower ground floor, the building will be visually split into two sections with a glazed walkway linking them together. This will ensure that important views to Grasmere cottage will be maintained.

A schedule of works for the maintenance of Grasmere cottage, including repointing brickwork, repairing chimney capping and rebuilding a collapsed portion of a verandah, has been provided and compliance with it is a recommended condition.

Section 94 Contributions

At the Ordinary Council meeting of 27 November 2012, Council resolved not to apply Section 94 contributions to this development. In Section 94 contributions terms, the proposed development would best be described as a nursing home. Camden Contributions Plan 2011 (CP) does not provide for this contributions to be applied to this type of development. The CP provides that seniors housing in the form of

independent living units can be levied however the proposed development has no independent living units component but rather is a residential aged care facility.

Consequently Section 94 contributions have not been applied to this development in accordance with the CP and this resolution of Council.

(c) *The suitability of the site*

As demonstrated by the above assessment, the site is considered to be suitable for the development.

(d) *Any submissions made in accordance with this Act or the Regulations*

The DA was publicly exhibited for a period of 14 days in accordance with the DCP. The exhibition period was from 11 July to 25 July 2012.

No submissions were received.

(e) *The public interest*

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, Environmental Planning Instruments, Development Control Plans and policies. Based on the above assessment, subject to the imposition of development consent conditions the proposed development is consistent with the public interest.

EXTERNAL REFERRALS

Rural Fire Service

The DA was referred to the Rural Fire Service (RFS) pursuant to Clause 100B of the *Rural Fires Act 1997* as the development is Integrated Development in that it is classified as a special bush fire protection purpose. The RFS has reviewed the assessment and issued General Terms of Approval that specify requirements including asset protection zones, standards for utilities and evacuation and emergency management. Compliance with these general terms of approval is a recommended condition.

Sydney Metro Airport (Camden)

The proposal is outside the aircraft noise exposure forecast however is within the airport movements plan. The site is also within the obstacle limitation surface map. Acoustic reports, a building assessment report and a wildlife strike hazard assessment have been completed and referred to Sydney Metro Airport (Camden) who have raised no objection subject to compliance with the recommendations put forward by the assessments regarding the proposed landscaping and lighting. Noise impacts from the airport and associated aircraft will not impact upon the proposed development subject to several recommendations including glazing and wall/roof construction materials.

Camden Local Area Command (NSW Police)

The DA was referred to Camden Local Area Command (NSW Police) for a “Safer by Design” Evaluation. The Police have identified the development as a low crime risk with no objections raised or conditions recommended.

Department of Infrastructure and Asset Services (Ambulance Service of NSW)

The DA was referred to the Ambulance Service of NSW for comment. No comments were received.

CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA No 642/2012 is recommended for approval subject to the conditions listed in this report.

Details of Conditions:

1.0 - General Requirements

The following conditions of consent are general conditions applying to the development.

- (1) **Development in Accordance with Plans** – The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

Plan / Development No.	Description	Prepared by	Dated
DA002 Issue B	Site Plan	Jackson Teece	08.10.2012
DA050 Issue B	Demolition Plan	Jackson Teece	08.10.2012
DA100 Issue B	Basement Plans	Jackson Teece	08.10.2012
DA101 Issue C	Lower Ground Floor Plan	Jackson Teece	26.11.2012
DA102 Issue C	Upper Ground Floor Plan	Jackson Teece	26.11.2012
DA103 Issue B	Level 1 Floor Plan	Jackson Teece	08.10.2012
DA104 Issue B	Roof Plan	Jackson Teece	08.10.2012
DA300 Issue B	Elevations	Jackson Teece	08.10.2012
DA301 Issue B	Elevations	Jackson Teece	08.10.2012
DA400 Issue D	Sections	Jackson Teece	26.11.2012
DA401 Issue E	Sections	Jackson Teece	28.11.2012
MMD-304720-C-DR-DA-02 Rev E	Paling Court RACF Camden, NSW Civil Services General Arrangement plan	Mott MacDonald	19.11.12
MMD-304720-C-DR-DA-15 Rev B	Paling Court RACF Camden, NSW Civil Services Stormwater Drainage plan	Mott MacDonald	19.11.12
LA 002 Issue C	Landscape Concept Master plan	AECOM	25 June 2012
Assessment Report for Jackson Teece	Paling Curt Aged Care Facility Development	Aviation Solutions Ltd, Captain Brian J Greeves	August 2012

AVISURE Mitigating Bird Strike Risk	Preliminary Wildlife strike hazard assessment, Paling Court Residential Aged Care Facility – Final Report	AVISURE	August 2012
Report Number 610.11787-R2	Operational Noise Impact Assessment	SLR	13 November 2012
Ref: JC12114A-r2	Salinity and Phase 1 Contamination Assessment	GeoEnviro Consultancy Pty Ltd	October 2012
Statement of Heritage Impact	Statement of Heritage Impact Proposed redevelopment of Paling Court	Jackson Teece	Revised October 2012
Report no. 610.07939.06075	Aircraft and Road Traffic Noise Assessment	SLR	22 June 2012
Report number 610.11781-R1, Revision 0	Construction Noise Management Plan	SLR	4 October 2012
All other Documents submitted as part of this application	All other Documents submitted as part of this application	Various	Various

Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions of this consent override the approved plans/documentation to the extent of the inconsistency.

- (2) **Building Code Of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (3) **Demolition Australian Standard** - Demolition of the existing building shall be carried out in accordance with the requirements of Australian Standard *AS2601:2001 - Demolition of Structures*.
- (4) **Demolition WorkCover NSW Notifications and Permits** - All demolition work must be undertaken in accordance with the current requirements of WorkCover NSW.

Demolition work must not begin until a WorkCover NSW stamped copy of the notification has been received and is displayed on site for inspection by any interested party.

- (5) **Demolition WorkCover NSW Licence** - Persons undertaking demolition work shall be licensed under the *Occupational Health and Safety Regulation 2001*.

A copy of this licence must be obtained from WorkCover NSW and displayed on the site where demolition work is carried out.

- (6) **Landscaping Maintenance and Establishment Period** -

Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The 12 month maintenance and establishment period includes the Applicant's responsibility for the establishment, care and repair of all landscaping elements.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation and mulching.

It is the Applicant's responsibility to arrange a site inspection with the Principal Certifying Authority (PCA), upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

At the completion of the 12 month landscaping maintenance and establishment period, all hard and soft landscaping elements must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth

At the completion of the maintenance and establishment period, the landscaping works must comply with the approved Landscaping Plans. i.e. Landscaping Plans prepared by AECOM, dated 25th June 2012, Issue C, Project reference No 60268075, draw nos LA 000 to LA 004 inclusive.

At the completion of the 12 month maintenance and establishment period, the landscaping works must comply with the approved site existing Tree Report. i.e. Tree Report prepared by Eco Logical Australia, dated 21 June 2-12, Project reference No 12WOLECO-0005.

(7) Protect Existing Vegetation and Natural Landscape Features.

Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this Consent.

The following procedures shall be strictly observed:

- (a) no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval,
- (b) pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

- (8) **Tree Pruning** - The pruning of trees must be completed in accordance with the standards, specified in the "Australian Standard of Pruning Amenity Trees. AS 4373-2007."

This work should only be carried out by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for preparing any Hazard or Risk Assessments or Tree Health Reports.

- (9) **Wildlife Hazard Mitigation** – The proponent must conform to the tree species recommended in Part 4 of the Wildlife Hazard Mitigation, to ensure no impact on airport operations

- (10) **Glazing** - Clear glazing must be used in the two level sheltered walkway. This shall remain see-through (i.e. no obscuring film or the like shall be adhered to the glass) to ensure that the view to and from Grasmere Cottage through the walkway can always be appreciated.

- (11) **Aboriginal Items** - The discovery of Aboriginal items must be reported immediately to the NSW Office of Environment and Heritage and any relevant permits be obtained in accordance with the National Parks and Wildlife Act 1974.

- (12) **Heritage** - In accordance with Section 147 of the NSW Heritage Act 1977 the discovery of archaeological relics must be reported immediately to the NSW Office of Environment and Heritage.

- (13) **Requirements of Rural Fire Service** – The development shall be carried out in accordance with the General Terms of Approval issued by the NSW Rural Fire Service on 1 August 2012 and attached to this consent.

- (14) **Lighting** – All lighting must comply with AS 1158 and AS 4282.

- (15) **Housing Of Refuse Bins** - The refuse storage area must be roofed and the floor graded and drained to the sewer. The enclosure must be provided with a hosecock and hose for ready cleansing.

Provision must also be made for recycling bins.

- (16) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with: -

- (a) Camden Council's current Engineering Specifications, and
- (b) Camden Council's Development Control Plan 2011

It should be noted that designs for line marking and regulatory signage associated with any proposed public road within this subdivision MUST be submitted to and approved by the Roads and Maritime Services, Camden Council prior to the issue of any Construction Certificate

- (17) **Traffic Signage** – Appropriate directional traffic signage must be installed within the parking area of Road 3 to facilitate one-way movement as shown on plan MMD-304720-C-DR-DA-02 Rev E, prepared by Mott MacDonald on 19.11.2012.

2.0 - Construction Certificate Requirements

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Protection for Existing Trees and Other Landscape Features On-Site** - The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All procedures for the protection of existing trees and landscape features as detailed in AS 4970-2009, must be installed.

The works and procedures involved with the protection of existing trees and other landscape features are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for preparing any Tree Health Reports and Hazard and Risk Assessments.

- (2) **Air Conditioning/Mechanical Ventilation** – Any room or area not provided with natural ventilation in accordance with the provisions of Clause F4.5 of the *Building Code of Australia* must be provided with a system of mechanical ventilation that complies with the requirements of *Australian Standard 1668 Parts 1 & 2*.
- (3) **Food Areas Fit-out Plans** – The proposed food preparation and services areas are required to be constructed to a commercial standard and a set of drawn to scale fit-out plans must be provided to reflect this standard. The plans must also demonstrate full compliance with Council's Food Premises Code, The Food Act 2003 and the Food Regulations 2010, (incorporating the Food Safety Standards Code) and approved by, the Principal Certifying Authority. The fit-out plans must

be received prior to the issue of the Construction Certificate. A copy of the plans must be submitted to Council for information.

- (4) **Drainage Design** - A stormwater management plan is to be prepared prior to the issue of a Construction Certificate to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This Plan must be submitted and approved by the Principal Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.
- (5) **Stormwater Disposal** - Stormwater runoff from the whole development must be properly collected and discharged to the Council drainage system. Surface discharge across the footpath to the road gutter is not permitted. Provision must be made to cater for existing stormwater overland flow from adjoining properties.
- (6) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following:
 - (a) all matters associated with Council's Erosion and Sediment Control Policy;
 - (b) all matters associated with Occupational Health and Safety;
 - (c) all matters associated with Traffic Management/Control; and
 - (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (7) **Location of Drainage Pits** – Shall be in accordance with Camden Council's current Engineering Design Specifications and Engineering Construction Specifications.
- (8) **Public Risk Insurance Policy** - Prior to the issue of the Construction Certificate, the owner or contractor is to take out a Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.
- (9) **Turning Facilities** – All turning and manoeuvring facilities, including turning heads, cul-de-sac, etc. shall be designed in accordance with the current edition of AS 2890.2 and in accordance with Camden Council's current Engineering Specifications.

- (10) **Civil Engineering Details** - The developer must submit details of all engineering works on engineering plans to the Certifying Authority for approval prior to a Construction Certificate being issued.
- (11) **Stormwater Detention** - The capacity of the existing stormwater drainage system must be checked to ensure its capability of accepting the additional runoff from this development. If necessary an on-site detention system must be provided to restrict stormwater discharges from the site to pre-development flows in accordance with Camden Council's current Engineering Design Specifications.

On completion of the on-site detention system, Works-as-Executed plans are to be prepared by a Registered Surveyor or the Design Engineer and submitted to the Principal Certifying Authority. If Camden Council is not the Principal Certifying Authority, a copy is to be submitted to the Council prior to the issue of the Occupation Certificate. The plans are to be certified by the Designer and are to clearly make reference to:

- (a) the works having been constructed in accordance with the approved plans,
- (b) actual storage volume and orifice provided,
- (c) the anticipated performance of the system with regard to the design intent.

The developer must prepare a Section 88b Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:

- (a) Restriction as to user indicating that the on-site detention basin must be maintained at all times to a level sufficient to ensure efficient operation of the basin, and that the Consent Authority (ie Camden Council) must have the right to enter upon the burdened lot with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time and without notice in the case of an emergency) to:
 - (i) view the state of repair of the basin;
 - (ii) to execute any work required to remedy a breach of the terms of this covenant if the proprietor has not within fourteen (14) days of the date of receipt by the proprietor of written notice from the Council requiring remedy of a breach of the terms of this covenant, taken steps to remedy the breach, and without prejudice to the Council's other remedies the Council may recover as a liquidated debt the cost of such remedial work from the proprietor forthwith upon demand.

- (b) Restriction as to user indicating that the on-site detention basin must not be altered, or removed in part, or structures erected thereon without the prior consent of Council.
- (12) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with the relevant Development Control Plan and Engineering Specifications, and are to be submitted for approval to the Principal Certifying Authority prior to the Construction Certificate being issued.

Note:

- (a) Under the *Roads Act 1993*, only the Council can issue a Construction Certificate for works within an existing road reserve.
 - (b) Under section 109E of the *Environmental Planning and Assessment Act 1997*, Council must be nominated as the Principal Certifying Authority for subdivision work and has the option of undertaking inspection of physical construction works.
- (13) **Pre-Treatment Of Surface Water** - The external ground surface of the site must be graded to a collection system and covered with a suitable hard surface. The drainage system must flow to a suitable pre-treatment device prior to discharge. The applicant is advised to contact the Appropriate Regulatory Authority for the design criteria.

Such pre-treatment devices/strategy shall prohibit the discharge of hydrocarbons and heavy metals to Council's stormwater system at all discharge points and also it shall be kept in good order with regular removal of pollutants and maintenance.

- (14) **Parking Spaces** - 41 spaces in the basement/building, 39 at grade spaces and 1 ambulance parking space must be provided. These spaces and associated access driveways and manoeuvring areas must conform with Camden Council's Car Parking Code (Camden Development Control Plan (DCP) 2011), and must be designed in accordance with a pavement design prepared by a Geotechnical Engineer and the Consent Authority's (ie Camden Council) standard. Documentary evidence of compliance from an Accredited Certifier/Suitably qualified person must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued.
- (15) **Car Parking Design** - The design, construction details of the parking spaces, access thereto and all other external hardpaved areas must conform to the Consent Authority's (ie Camden Council) standard, and documentary evidence of compliance of above condition must be submitted by an Accredited Certifier/suitably qualified person/Council or

the Principal Certifying Authority prior to the Construction Certificate being issued.

A work-as-executed plan and/or documentary evidence of compliance with the above conditions must be provided by an Accredited Certifier or Council prior to the Occupation Certificate being issued.

For the purpose of this condition a parking space must only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.

- (16) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, foot paths,, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council prior to the issuing of the Construction Certificate.

The survey must include descriptions of each photo and the date when each individual photo was taken.

- (17) **Section 68** - The applicant must submit to Council an Application under section 68 Local Government Act 1993 detailing the proposed method of on-site wastewater management for the collection and conveyance of all wastewater generated within the Paling Court catchment to Sydney Water Corporation reticulated sewer. This application must be approved prior to the issue of a Construction Certificate.
- (18) **Beauty Salon** - Details of the Beauty needed to be provided prior to Construction certificate that demonstrate compliance with the following:

- **Hand Basin** - A hand basin shall be located in the procedure area and have:
 - (a) an adequate supply of potable water at a temperature of at least 40°C mixed from a hot and cold water supply through a single outlet;
 - (b) hands free taps;
 - (c) soap, or other substance for the cleaning of hands, located next to it; and
 - (d) single-use towels or other suitable hand drying equipment located next to it.

Hand basins are in addition and separate to kitchen, equipment washing and cleaners sinks.

- **Equipment Sink** - The premises must have a sink, for the cleaning of equipment, which has an adequate supply of potable water at a temperature of at least 40°C mixed from a hot and cold water supply.

Equipment sinks are in addition to and separate from hand basins and kitchen and cleaners sinks.

- **Cleaners Sink** – Premises where floors are wet washed shall have a suitable cleaners sink.

Cleaners sinks are in addition to and separate from hand basins, kitchen and equipment sinks.

- **Walls In Wet Area** - The wall(s) adjacent to all basins and sinks must be constructed of, or covered with, a material that is durable, smooth, impervious to moisture and capable of being easily cleaned. This material must comply with the following dimensions:

- (a) from floor level or from the top of the wash basin and extend to a height of 450mm above the top of the wash basin; and
- (b) from the centre of the wash basin and extend to a distance of 150 mm beyond each side of the basin.

- **Fixtures and Fittings** – Surfaces of all fixtures and fittings (including but not limited to treatment tables, chairs, shelving, benches and cupboards) shall be:

- (a) Finished with materials that are smooth, impervious and able to be easily cleaned;
- (b) Free from open joints, gaps, cracks and crevices and kept in good repair.

- **Finishes** – All floors, walls and ceilings throughout the premises shall be:

- (a) Constructed of materials that are smooth, impervious and able to be easily cleaned;
- (b) Free from open joints, gaps, cracks and crevices and kept in good repair.

- (19) **Consulting Rooms Construction and Fit-out** - The construction and fit-out of the GP clinic and Physio/Allied Health rooms must comply with the requirements of The Medical Board of Australia and NSW Health.

3.0 - Prior To Works Commencing

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of

Building Code of Australia. Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.

- (2) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water.
- (3) **Erection of Signs** – Shall be undertaken in accordance with Clause 98A of the *Environmental Planning and Assessment Regulation 2000*.
- (4) **Toilet Facilities** - Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
 - (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
 - (c) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (5) **Notice Of Commencement Of Work and Appointment of Principal Certifying Authority** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act 1979* and clauses 103 and 104 of the *Environmental Planning and Assessment Regulation 2000* shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building or subdivision works.
- (6) **Soil Erosion And Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

Soil erosion and sediment control measures must be maintained during construction works and must only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

Where a soil erosion and sediment control plan (or details on a specific plan) has been approved with the development consent, these measures must be implemented in accordance with the approved plans. In situations where no plans or details have been approved with the development consent, site soil erosion and sediment controls must still be implemented where there is a risk of pollution occurring.

Provide a stabilised entry/exit point. The access should be a minimum of 2.5m wide and extend from the kerb to the building line. The access should consist of aggregate at 30-40mm in size.

Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

- (7) **Hoardings and Security Fencing** - The site must be enclosed with a suitable temporary hoarding or security fence of a type approved by Camden Council.

No site or demolition works must commence before the hoarding or fence is erected. Public thoroughfares must also not be obstructed in any manner whatsoever during demolition works.

All demolition works must comply with the requirements of AS2601:2001 - Demolition of structures.

- (8) **Disconnection of Services** - All services (such as sewer, telephone, gas, water and electricity) must be disconnected prior to the commencement of demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (9) **Erosion and Sediment** – Erosion and Sediment Controls are to be maintained throughout the demolition and construction works, and that they must also remain onsite and continue to be maintained until the site is suitably stabilised to minimise the potential for water pollution.
- (10) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point
- (11) **Demolition and Construction Noise – Mitigation Measures** – Noise mitigation measures as detailed in Section 8 of the Construction Noise Management Plan prepared by SLR Australia Pty Ltd, reference 610.11787-R1, dated 4 October 2012 shall be implemented by the lead contractor.
- (12) **Services** - All services affected due to the proposed work shall be adjusted in consultation with the appropriate Service Authority at no cost to Council.

4.0 - During Construction

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Hours of Work** – The hours for all construction and demolition work are restricted to between:
 - (a) 7.00am and 6.00pm, Monday to Friday (inclusive);
 - (b) 7.00am to 4.00pm on Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8.00am to 4.00pm;
 - (c) work on Sunday and Public Holidays is prohibited.
- (2) **Shoring and Adequacy of Adjoining Property** - Shall be in accordance with Clause 98E of the *Environmental Planning and Assessment Regulation 2000*.
- (3) **Protection of Public Places** – If the work involved in the erection or demolition of a building:
 - (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (b) building 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 removed when the work has been completed.
- (4) **Burying and Burning of Demolition Materials** - No demolition materials shall be buried on the site, other than with the consent of Council. The burning of any demolition material on the site is also not permitted.
- (5) **Prevention of Nuisance to Inhabitants** - All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding_neighbourhood from wind blown dust, debris, noise and the like.
- (6) **Asbestos Safe Disposal** - The procedures in the WorkCover NSW publication “*Working with Asbestos – Guide 2008*” are to be adhered to.
- (7) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:

- (a) the delivery of material shall only be carried out between the hours of 7.00am and 6.00pm, Monday to Friday, and between 8.00am and 4.00pm on Saturdays;
 - (b) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site;
 - (c) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
 - (d) waste must not be burnt or buried on site, nor should wind-blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot;
 - (e) a waste control container shall be located on the development site.
- (8) **Tree Protection** – Any trees that have been identified onsite as being retained and requiring protection during demolition and construction activities with suitable measures such as barrier fencing. This must be clearly identified as exclusion zones on any site maps and that the parking of any plant equipment or work vehicles is also prohibited in these exclusion zones.
- (9) **Approved Plans to be On-site** - A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, Council or the PCA.
- (10) **Site Management (No Nuisance Creation)** - The developer must carry out work at all times in a manner which will not cause a nuisance to owners and occupiers of adjacent properties by the generation of unreasonable noise dust or other activity.
- (11) **Fill Material** – For importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be submitted to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- (a) be prepared by a person with experience in the geotechnical aspects of earthworks, and

- (b) be endorsed by a practising Engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- (c) be prepared in accordance with:

For Virgin Excavated Natural Material (VENM):

- (i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
- (ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- (d) confirm that the fill material:
 - (i) provides no unacceptable risk to human health and the environment;
 - (ii) is free of contaminants;
 - (iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
 - (iv) is suitable for its intended purpose and land use; and
 - (v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- (e) less than 6000m³ - 3 sampling locations,
- (f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

For (e) and (f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m ³)
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

Note 1: Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (12) **Vehicles Leaving the Site** - The demolisher shall ensure that motor lorries leaving the site with demolition material and the like are have

their loads covered. Wheels of vehicles leaving the site are also not to track soil and other waste material onto the public roads adjoining the site.

- (13) **Removal of Hazardous and/or Intractable Wastes** - Hazardous and/or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of the relevant Statutory Authorities, and receipts submitted to Council.
- (14) **Asbestos Removal** - All works/demolition works involving the removal and disposal of asbestos over 10m² must only be undertaken by contractors who hold an appropriate and current WorkCover Asbestos Licence.
- (15) **Salinity Management Plan** - All proposed construction works that includes earthworks, imported fill, landscaping, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the management strategies as contained within section 9.2 - Salinity Assessment, in the report titled Salinity and Phase 1 Contamination Assessment prepared by GeoEnviro Consultancy Pty Ltd, reference JC12114A-r2, dated October 2012.
- (16) **Demolition and Construction Noise – Noise and Vibration Monitoring** – Continuous noise and vibration monitoring, as detailed in Section 12 of the Construction Noise Management Plan prepared by SLR Australia Pty Ltd, reference 610.11787-R1, dated 4 October 2012 shall be carried out for the duration of demolition and construction works.

Where monitoring shows exceedences of the noise and vibration criteria contained in Section 5.4 of the report, the lead contractor is to immediately implement mitigation measures to reduce noise and vibration levels to below the relevant criteria.
- (17) **Demolition and Construction Noise – Complaints Handling** – A complaints handling process as detailed in Section 12 of the Construction Noise Management Plan prepared by SLR Australia Pty Ltd, reference 610.11787-R1, dated 4 October 2012 shall be implemented by the lead contractor.
- (18) **Compaction (Roads)** - All filling on roadways must be compacted in accordance with Camden Council's current Engineering Construction Specifications.
- (19) **Compaction** - Any filling up to a 1.0m on the site must be compacted in accordance with Camden Council's current Engineering Design Specifications.

- (20) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with Camden Council's current Engineering Design Specifications.
- (21) **Vehicles Leaving the Site** - The contractor/demolisher/construction supervisor must ensure that:
- (a) all vehicles transporting material from the site, cover such material so as to minimise sediment transfer;
 - (b) the wheels of vehicles leaving the site:
 - (i) do not track soil and other waste material onto any public road adjoining the site,
 - (ii) fully traverse the Stabilised Access Point (SAP).
- (22) **Drainage Patterns Not to be Affected** - Filling must be undertaken in accordance with the approved plans and in such a manner that the drainage pattern on the site and on adjoining properties is not altered.
- (23) **Excavation And Backfilling** – All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- (24) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (25) **Grasmere Cottage** - During demolition of the path adjoining Grasmere cottage and construction work, care must be taken to ensure that appropriate measures are in place to ensure that the heritage fabric of the cottage are not altered or damaged.
- Additional care must be taken after the demolition of the path adjoining Grasmere cottage to ensure the soil levels leading into the villa are graded appropriately to not cause dampness to the cottage.
- (26) **Simonsen Memorial** – The relocation of Simonsen Memorial Shelter is to be undertaken with care to ensure that the structure is preserved and secured at it final destination in accordance with any relevant standard.
- (27) **Dust Control** - Potential dust sources on-site must be minimised through the maintenance of vegetation cover and the use of water sprays to suppress dust from exposed areas during periods of dry and/or windy weather.

- (28) **Unexpected Finds Contingency (General)** - Should any further suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material etc) be encountered during any stage of earthworks/site preparation/construction, then such works must cease immediately until a qualified Environmental Consultant has been contacted and has conducted a thorough assessment. In the event that contamination has been identified as a result of this assessment and remediation is required, site works must cease in the vicinity of the contamination and the Consent Authority must be notified immediately.

5.0 - Prior To Issue Of Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate** – An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) prior to occupation or use of the development. In issuing an Occupation Certificate, the PCA must be satisfied that the requirements of Section 109H of the *Environmental Planning and Assessment Act 1979* have been satisfied.

The PCA must submit a copy of the Occupation Certificate to Camden Council (along with the prescribed lodgement fee) within two (2) days from the date of determination and include all relevant documents and certificates that are relied upon in issuing the certificate.

The use or occupation of the approved development must not commence until such time as all conditions of this development consent have been complied with.

- (2) **Fire Safety Certificates** – A Fire Safety Certificate is to be submitted to the Principal Certifying Authority (PCA) prior to the issue of an Occupation Certificate in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*. The Fire Safety Certificate is to certify that each fire safety measure specified in the current fire safety schedule for the building to which it relates:

- (a) has been assessed by a properly qualified person; and
- (b) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

As soon as practicable after the Final Fire Safety Certificate has been issued, the owner of the building to which it relates:

- (a) must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of Fire & Rescue New South Wales, and
 - (b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.
- (3) **Seniors Living Covenant** - A covenant prepared pursuant to Section 88E of the Conveyancing Act shall be placed on the title of the land occupied by the seniors living development to prohibit the occupation of the premises by residents other than:
 - a) persons over 55 years of age;
 - b) residents of a residential care facility (within the meaning of the Commonwealth Aged Care Act 1997);
 - c) people eligible to occupy aged housing provided by a social housing provider; or
 - d) persons of any age who have, either permanently or for an extended period, one or more impairments, limitations or activity.
- (4) **Compliance Certification** - A Compliance Certificate must be obtained verifying that the following works have been installed in accordance with their respective Australian Standards and performance standards and presented to the Consent Authority (ie Camden Council) prior to the Occupation Certificate being issued:
 - (a) Aircraft Noise Reduction measures contained in section 4.4 of *Aircraft and Road Traffic Noise Assessment* prepared by SLR Australia Pty Ltd, dated 22 June 2012, reference 610.07939.06075

Where remediation work is required, the Applicant will be required to comply fully with Council's Policy - Management of Contaminated Lands with regard to obtaining consent for the remediation works.

- (5) **Business Registration** - Prior to commencement of trade, the proprietor must forward to Camden Council, the following information, to allow the business to be registered:
 - (a) name of proprietor, business address and contact phone number;
 - (b) the type of procedures to be carried out within the premises.
- (6) **Skin Penetration Business Registration** - Prior to commencement of trade, the proprietor/s of a skin penetration business are required to notify Camden Council. Proprietors must complete and forward to Camden Council, a Skin Penetration Registration Form, with the following information, to allow the business to be notified:

- (a) name of proprietor, business address and contact phone number;
 - (b) the type of skin penetration procedures to be carried out within the premises.
- (7) **Needle Safe To Be Provided** - Where disposable instruments are used, a sharps container must be provided for the disposal of sharp instruments used in any skin penetration procedure. Sharps waste containers must comply with the following Australian Standard:
 - (a) AS 4031-1992 Non-reusable containers for the collection of sharp items used in health care areas.

Note: The sharps waste container(s) shall be stored in such a manner as to prevent access by visitors and small children.

The proprietor must enter into a service contract with a licensed contractor for the safe collection, removal and disposal of the sharps waste generated within the premise. A copy of the service agreement must be forwarded to Council Prior To The Commencement Of Trade.
- (8) **Final Inspection Required** - In regard to a final inspection of the completed work, the Consent Authority must be given 48 hours notice prior to the intention to occupy the premises and commence trade.
- (9) **Compliance Letter** - Where the consent authority is not the Principal Certifying Authority (PCA) an additional inspection of the hairdresser or beauty premises must be undertaken involving an Environmental Health Officer from that authority. In this circumstance a consent authority certification is required showing that the beauty/hairdressing salon complies with the relevant Acts, Regulations, and where applicable Guidelines/Codes of Best Practice.
- (10) **Food Areas Compliance Letter** – Where the consent authority is not the Principle Certifying Authority (PCA) an additional inspection of the food preparation and service areas must be undertaken by the Consent Authority (involving an Environmental Health Officer from the Consent Authority) prior to the issuing of an Occupation Certificate. A letter is to be issued from the Consent Authority certifying that the kitchen complies with the Food Codes and Regulations.
- (11) **Works As Executed Plan** - Prior to the Occupation Certificate being issued, a works-as-executed drawing must be submitted in accordance with Camden Council's current Engineering Construction Specifications to the Principal Certifying Authority.
- (12) **Section 73** - The applicant must submit to Council a Section 73 Certificate and Notice of Requirements from Sydney Water Corporation

for the upgrading of the wastewater service provisions necessary for the Paling Court redevelopment.

6.0 - Operational Conditions

The following conditions of consent are operational conditions applying to the development.

- (1) **Maintenance** – The Statement of Heritage Impact prepared by Jackson Teece, Proposed development of Paling Court Dated May 2012, Revised October 2012, section 6.2 provides a maintenance schedule of essential conservation work for Grasmere Cottage. These items require yearly maintenance and some repair work to be completed by October 2014 (2 years of the report date of the Heritage Report of October 2012). This essential conservation work must be carried out in accordance with the schedule.
- (2) **Operation Requirement** - The use and operation of the premises shall comply with the requirements of the NSW Health Infection Control Policy.
- (3) **Operational Noise** – Noise generated from the operation of the facility, such as mechanical and plant noise and loading dock noise shall not exceed the following criteria at the nearest affected sensitive receivers:
 - Day time – an $LA_{eq(15 \text{ minute})}$ of 40 dB(A);
 - Evening time – an $LA_{eq(15 \text{ minute})}$ of 35 dB(A); and
 - Night time – an $LA_{eq(15 \text{ minute})}$ of 35 dB(A)

Note: Sensitive receivers includes the existing residences within the Carrington complex.
- (4) **Noise Compliance Report** - Operational Noise - Within 1 month of the issue of the Occupation Certificate, the applicant shall submit to Council a compliance report that verifies that noise levels experienced at the nearest sensitive receivers within the Carrington complex do not exceed the following criteria:
 - Day time - an $LA_{eq(15 \text{ minute})}$ of 40 dB(A);
 - Evening time - an $LA_{eq(15 \text{ minute})}$ of 35 dB(A); and
 - Night time - an $LA_{eq(15 \text{ minute})}$ of 35 dB(A)
- (5) **Traffic** – A convex mirror must be placed on the internal access road adjacent to the waste loading access entry as shown on plan DA100 Rev B Basement Plans prepared by Jackson Teece dated 08.10.2012 to give proper visibility for reversing trucks of north bound vehicles on the internal access road.
- (6) **Beauty Salon** - compliance with the following:

- **Hand Basin** - A hand basin shall be located in the procedure area and have:
 - (a) an adequate supply of potable water at a temperature of at least 40°C mixed from a hot and cold water supply through a single outlet;
 - (b) hands free taps;
 - (c) soap, or other substance for the cleaning of hands, located next to it; and
 - (d) single-use towels or other suitable hand drying equipment located next to it.

Hand basins are in addition and separate to kitchen, equipment washing and cleaners sinks.

- **Equipment Sink** - The premises must have a sink, for the cleaning of equipment, which has an adequate supply of potable water at a temperature of at least 40°C mixed from a hot and cold water supply.

Equipment sinks are in addition to and separate from hand basins and kitchen and cleaners sinks.

- **Cleaners Sink** – Premises where floors are wet washed shall have a suitable cleaners sink.

Cleaners sinks are in addition to and separate from hand basins, kitchen and equipment sinks.

- **Walls In Wet Area** - The wall(s) adjacent to all basins and sinks must be constructed of, or covered with, a material that is durable, smooth, impervious to moisture and capable of being easily cleaned. This material must comply with the following dimensions:
 - (a) from floor level or from the top of the wash basin and extend to a height of 450mm above the top of the wash basin; and
 - (b) from the centre of the wash basin and extend to a distance of 150 mm beyond each side of the basin.
- **Fixtures and Fittings** – Surfaces of all fixtures and fittings (including but not limited to treatment tables, chairs, shelving, benches and cupboards) shall be:
 - (a) Finished with materials that are smooth, impervious and able to be easily cleaned;
 - (b) Free from open joints, gaps, cracks and crevices and kept in good repair.
- **Finishes** – All floors, walls and ceilings throughout the premises shall be:

- (a) Constructed of materials that are smooth, impervious and able to be easily cleaned;
 - (b) Free from open joints, gaps, cracks and crevices and kept in good repair.
- **Foot Spas (Baths)** – Foot baths shall be emptied and cleaned after each client using a mild detergent and warm water followed by swabbing with a commercial grade disinfectant. After each days usage the foot spa (bath) should be thoroughly cleaned with a proprietary spa bath cleaner which contains a disinfectant and solvent to remove accumulated body grease and then draining until dry.
 - **Hazardous Substances** - Information shall be made readily available to staff on the safe use of hazardous substances such as bleaches, dyes, perming solutions and nail products. Staff shall be trained how to safely use and store these chemicals Prior To Commencement Of Work.
- Note:** Material Safety Data Sheets (MSDS) must be obtained from the manufacturer(s) of each hazardous substance and kept on the premise.
- **First Aid Kit** - A first aid kit shall be provided on the premises at all times for use by the staff.
 - **Linen Storage** -
 - (a) Clean linen, garments or towels shall be used on each client;
 - (b) Used and clean linen shall be stored separately;
 - (c) All linen including towels, capes, garments and other washable fabrics shall be washed with laundry detergent and water, rinsed, dried and stored in a dust free location.
 - **Chemical Storage** – The storage of chemicals on-site shall be:
 - (a) In a cool, dry and well ventilated cabinet at or near ground level to minimise the possibility of chemicals being accidentally dropped or spilled;
 - (b) Out of reach of visitors;
 - (c) In their original containers and not in diluted forms.
 - **Refuse Containers** - The premises must be provided with suitable waste receptacles with tight fitting lids. Such receptacles must be smooth and impervious to moisture.
 - **Waste Disposal** - All non-sharps waste shall be double bagged, tied and sealed before being disposed.

Note: Waste bags and containers must not be overfilled as this prevents closure and increases the risk of rupture.

- **Cleanliness of premises** – Premises must be maintained in a clean and sanitary condition at all times.
- **Skin Penetration Equipment** – All equipment used to penetrate the skin must be sterilised.

Reusable Skin Penetration Equipment:

Where reusable skin penetration equipment is used (ie, cuticle cutters) a bench top autoclave shall be provided, to adequately sterilise equipment in accordance with the NSW Department of Health's Code of Best Practice.

Bench top autoclaves must meet the requirements of Australia Standard AS 2182 – 'Sterilisers - steam – benchtop' and are recommended to be operated in accordance with Australian Standards AS 4815:2001 – 'office – based health care facilities – cleaning disinfection and sterilisation of reusable medical and surgical instruments and equipment and maintenance of the associated environment'.

Alternately, reusable equipment can be autoclaved off site at another establishment if available. Details of location of business, type of autoclave and records of operation shall be submitted to Council.

Single-Use Skin Penetration Equipment:

Use of pre-sterilised single-use disposable equipment is highly recommended.

- **Sterilisation Record Keeping** – When sterilising a piece of equipment for a skin penetration procedure in a bench top autoclave, the following information must be recorded at the completion of each batch processed:
 - (a) time and date
 - (b) the length of time held at maximum pressure and temperature
 - (c) maximum pressure and temperature achieved.
- **Single Use Disposable Gloves** - An appropriate stock of single use gloves must be provided on the premises at all times for use by staff. These gloves must be correctly sized and fit for purpose of use and be worn for all skin penetration procedures where there is a risk of blood contamination.

- **Sterile Gloves** - An appropriate supply of sterile gloves must be provided and worn where direct contact with sterilised items will occur during a procedure.
- **Client Records** - The operator shall keep client records, including the name and address of the client, date of attendance and procedure(s) performed. These records are to be made available to Councils officers upon request.
- **Additional Services** - Council shall be notified and approval sought prior to additional services being offered and provided to members of the public from within the establishment.

(7) **Operation Requirements -**

Hairdresser shops

That the use and operation of the premises shall comply with the requirements of Schedule 2 (Standards for hairdressers shops) of the *Local Government (General) Regulation 2005 under the Local Government Act 1993*.

New - Emissions

That the use of the premises shall not give rise to the emission into the surrounding environment of offensive odours, gases, vapours, dusts or other impurities which are a nuisance, injurious or prejudicial to health.

Beauty Salons

That the use and operation of the premises shall comply with the requirements of Schedule 2 (Standards for Beauty Salons) of the *Local Government (General) Regulation 2005 under the Local Government Act 1993*.

Skin Penetration

That the use and operation of the premises shall comply with the requirements of the *Public Health Act 1991, the Public Health (Skin Penetration) Regulation 2000*; Note: Guidance may also be obtained from the NSW Department of Health's:

- (a) Guidelines on Skin Penetration;
- (b) Skin Penetration Code of Best Practice;
- (c) Guidelines on Blood Cholesterol and Glucose Measurement;
- (d) Blood Cholesterol and Glucose Measurement Code of Best Practice;
- (e) Nail Technician's Tips for Health and Safety;
- (f) Skin penetration Fact Sheets:
 - (i) Acupuncture;

- (ii) Beauty Treatments;
- (iii) Body Piercing;
- (iv) Colonic Lavage;
- (v) Cosmetic enhancement;
- (vi) Ear Piercing;
- (vii) Hairdressing and Barbers;
- (viii) Manicure and Pedicure Treatments
- (ix) Nose Piercing;
- (x) Tattooing.

Include NSW Department of Health's webpage www.health.nsw.gov.au

- (8) **Ancillary Services** – The use of the ancillary services (beauty salon, newsagency, coffee shop, GP clinic, allied health clinic, shop and pharmacy) provided by this development is restricted to use only by residents, guests of residents and employees working on the subject site at all times.
- (10) **Offensive Noise** - The use and occupation of the premises including all plant and equipment must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*.
- (11) **General Waste Service Contract** - The business proprietor shall enter into a commercial contract for the collection of waste. A copy of this agreement shall be held on the premises at all times.

RECOMMENDED

That the Panel approve DA 642/2012 for the demolition of an existing residential aged care facility building at Carrington Centennial Care and replacement with a new 132 bed residential aged care facility, realigned internal access roads, construction of car parking, drainage, services, landscaping and tree removal at 90 Werombi Road, Grasmere subject to the conditions listed above.