

DRAFT CONDITIONS OF CONSENT**DEVELOPMENT APPLICATION NO. 333.1/2018****SYDNEY WESTERN CITY PLANNING PANEL NO. PPSSWC-56****PROPERTY:****LOT 8 DP 713734 NO. 56 QUARRY ROAD, BOSSLEY PARK****DEVELOPMENT DESCRIPTION:**

PROPOSED DEMOLITION OF AN EXISTING RESIDENTIAL AGED CARE FACILITY, REMOVAL OF 28 TREES AND CONSTRUCTION OF A NEW PART 2-STOREY AND PART 3-STOREY RESIDENTIAL AGED CARE FACILITY ACCOMMODATING 134 BEDS WITH 112 ROOMS AND ASSOCIATED CAR PARKING FOR 33 VEHICLES AND ASSOCIATED EARTHWORKS AND LANDSCAPING.

APPROVED PLANS**1. Compliance with Plans**

The development shall take place in accordance with the approved;

Architectural Plans and Design Statement as prepared by Jackson Teece, Project Number 2017084			
Document	Reference	Revision	Dated
Cover Sheet	DA-001	F	07/11/2019
Site Analysis	DA-003	D	07/11/2019
Site Analysis – Neighbour Conditions	DA-006	A	07/11/2019
Area Plans	DA-010	C	01/11/2019
Existing Site & Demolition Plan	DA-050	D	07/11/2019
Proposed Site Plan	DA-060	D	07/11/2019
Floor Plan – Lower Ground	DA-100	D	07/11/2019

Floor Plan – Ground Floor	DA-101	F	07/11/2019
Floor Plan – First Floor	DA-102	D	07/11/2019
Floor Plan – Roof	DA-103	F	07/11/2019
Elevations	DA-300	E	07/11/2019
Elevations	DA-301	E	07/11/2019
Sections	DA-400	D	07/11/2019
Signage & Misc Works	DA-520	B	07/11/2019
Photomontage View 1	DA-900	A	07/11/2019
Photomontage View 2	DA-901	A	07/11/2019
8m SEPP Seniors Height Clearance	DA-910	A	07/11/2019
9m LEP Height Clearance	DA-911	A	07/11/2019
Detail Section	SK-037	A	07/11/2019
Photomontage	SK-038	A	07/11/2019
Photomontage	SK-039	A	07/11/2019
Photomontage	SK-040	A	07/11/2019
Stormwater Plans as prepared by Henry & Hymas, Project No. 17E04_DA			
Document	Reference	Revision	Dated
Cover sheet & Drawing Schedule	C000	05	09/10/2019
Site Detail Plan	C100	10	01/11/2019
Typical Sections 1 of 2	C110	05	09/10/2019
Typical Sections 2 of 2	C111	03	01/11/2019
Stormwater Miscellaneous Details and Pit Lid Schedule	C200	03	09/05/2019
OSD Details and Sections	C201	04	22/01/2019
Stormwater Longitudinal Sections 1 of 3	C210	01	09/05/2018
Stormwater Longitudinal Sections 2 of 3	C211	03	22/01/2019
Stormwater Longitudinal Sections 3 of 3	C212	03	22/01/2019
Stormwater Catchment Plan	C250	05	01/11/2019

Typical retaining Wall Details	C300	01	22/01/2019
Sediment and Erosion Control Plan and Notes	SE01	03	09/05/2019
Sediment and Erosion Control Details	SE02	03	09/05/2019
Cut and Fill Plan	BE01	02	06/06/2018
Concept Landscape Plan, as prepared by Taylor Brammer, Project Number 18-026s			
Document	Reference	Revision	Dated
Ground Floor	11	A	13/01/2020
Level 1 Plan and Roof Plan	12`	A	13/01/2020
Written submission as prepared by Willow Tree Planning, Reference No. WTJ19-350, dated 8 November 2019			
Traffic Report as prepared by Colston Budd rogers & Kafes Pty Ltd, Reference No. 10605, dated June 2018			
Traffic Report Addendum as prepared by Colston Budd rogers & Kafes Pty Ltd, Reference No. JH/10605/jj, dated 28 October 2019			
Acoustic Report as prepared by Acoustic Logic, Reference No. 20180000.1/1603A/R8/TT, Revision 8, dated 23 January 2020			

except as modified in red by Council and/or any conditions of this consent.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a Construction Certificate by a Certifier. The Certifier can be either Fairfield City Council or an Accredited Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a Construction Certificate.

2. Stormwater Drainage Certificate

Prior to the issue of a Construction Certificate, a certificate from a suitably qualified person shall be submitted to the Certifier certifying that:

- a. Satisfactory arrangements have been made for the disposal of stormwater;

- b. The proposed development and alterations to the natural surface contours will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties;
- c. The piped drainage system has been designed to an Average Recurrence Interval of not less than that in accordance with Council's Stormwater Management Policy 2017.

3. On-site Detention Design Certificate

Prior to the issue of an Engineering Construction Certificate, a certificate from a suitably qualified person shall be submitted to the Certifying Authority certifying that the drainage system has been designed to comply with Council's Stormwater Management Policy 2017. In particular, the certification shall ensure the on-site detention system has been designed:

- i. To restrict the total discharge from the site to current site discharge for all storms up to and including the 100 year storm events (Urban Zone only);
- ii. To restrict the peak discharge from the site for 100 year 9-hour storm event to 140 L/s/ha (Urban Zone only).
- iii. To restrict the peak discharge from the site for all storm durations to 78 L/s/ha (Rural Zone only).

Note: If Council is requested to issue the Construction Certificate, three copies of the plans and specifications giving full details of the design and calculations in the form of ILSAX/DRAINS input and output files and details as specified in Council's OSD handbook shall be submitted to the Council.

Note: Where Fairfield City Council is nominated to issue a Construction Certificate for on site detention, the following details will be required:

- a. Full details, as per Council's Stormwater Management Policy, of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels, etc.
- b. A plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regrading of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot

4. **Construction Certificate (Engineering Approval)**

Prior to the issue of a Building Construction Certificate, a Construction Certificate (Engineering Approval) shall be submitted to the Certifier for the construction of a connection into Council's existing kerb inlet pit in accordance with approved plans and specifications at no cost to Council.

For the issue of Construction Certificate (Engineering Approval), five (5) copies of plans and specifications giving full details of the design and construction shall be submitted with the application.

5. **Vehicular Crossing Application**

Prior to the issue of a Construction Certificate, a vehicular crossing application shall be submitted to and approved by Council. Access to the development shall be via a residential type vehicular crossing in accordance with Council's requirements. All vehicular crossings shall be located a minimum of one (1) metre from any utility pillar/pole.

6. **Final Stormwater Drainage Plan**

A Final Stormwater Drainage Plan with details suitable for construction prepared by a suitably qualified and experienced stormwater drainage consultant shall be submitted with the application for the construction certificate. Final Stormwater plan shall comply with AS3500 and Council's Stormwater Drainage Policy.

The following amendments shall be made to the stormwater drainage plan:

- Pit to capture overland flow from upstream catchment shall be extended within the subject site and discharged into Council's kerb and gutter as amended in red.
- Additional access points shall be provided within the OSD. All the access points shall be grated. As shown in red.
- A 450 diameter Class "3" Reinforced concrete or Fibre Reinforced concrete pipe shall be provided from pit B-1 into Council's existing kerb inlet pit. The proposed extensions shall be removed as shown in red.

7. **Erosion and Sediment Control Plan**

Prior to the issue of a Construction Certificate, an Erosion and Sediment Control Plan shall be submitted to and approved by the Certifier. The Erosion and Sediment Control Plan shall be prepared in accordance with the requirements of the Fairfield City Council's Erosion and Sediment Control Policy. The Erosion and Sediment Control Plan shall clearly show and demonstrate how erosion is to be minimised and how sediments are to be trapped on the site and prevented from escaping, transported, carried or discharged across and outside the boundaries of the site of the development or building activity.

8. **Sydney Water Consent**

The plans must be assessed by Sydney Water Tap in to determine whether the development will affect any Sydney Water asset and if any requirements need to be met. The plans will be appropriately stamped. All amended plans will require restamping.

Please refer to the web site <https://tap-in.sydneywater.com.au> for:

- See the Building plan approvals section on the Tap in site, and
- Guidelines for Building Over/Adjacent to Sydney Water Assets – see Building and developing then Building and renovating

Or telephone 13 20 92

9. **Long Service Levy Fee**

Prior to the issue of a Construction Certificate, a receipt for payment of the Long Service Levy (in accordance with the Building and Construction Industry Long Service Levy Payments Act 1986) shall be submitted to the Certifier.

The Long Service Levy is calculated at 0.35% of the value of building works, as is in force at the date of this consent. The rate of calculation is subject to change and should be verified (and adjusted) at the date of payment. Payment can be made to Fairfield City Council or direct to the Long Service Levy Corporation.

10. **Section 7.12 Levy Development Contributions**

Prior to the issue of a Construction Certificate, a receipt for the payment to Fairfield City Council of Section 7.12 Levy Contributions shall be submitted to the Certifier.

The Section 7.12 Levy as determined at the date of this consent is **\$312, 800.00**.

The contribution amount payable may be adjusted at the date of payment. Any unpaid contributions will be adjusted on a quarterly basis to account for movements in the Australian Bureau of Statistics, Producer Price Index – Building Construction (New South Wales).

11. **Food Fit Out Certification**

Prior to the issue of a Construction Certificate, a design report shall be submitted to the Certifier, demonstrating that the proposed kitchen fit out meets all the requirements of Australian Standard 4674-2004 Construction and Fit out of Food Premises.

12. **Detailed Plant and Equipment Acoustic Assessment**

Prior to the issue of a Construction Certificate, a Detailed Plant and Equipment Acoustic Assessment plus acoustic accumulative affect report from a suitably qualified person shall be submitted to Council for review and approval.

Where noise predictions indicate that the relevant assessment criteria are exceeded, recommendations shall be provided in relation to how noise emissions can be satisfactorily reduced to comply with the assessment criteria.

Following written approval from Fairfield City Council, any recommendations provided above shall be implemented fully.

13. Groundwater Investigation Quality and Quantity

Prior to the issue of a Construction Certificate, a Detailed Groundwater Investigation Quality and Quantity report from a suitably qualified person shall be submitted to Council for review and approval.

Where groundwater seepage is indicated then a tanked approach will need to be utilised for managing groundwater seepage.

Note: Due to historical, groundwater and subsurface environs of the Fairfield LGA Sump and Pump systems are not favoured.

14. Irrigation of Landscaping

Landscaping is to be provided with an automatic trickle irrigation system that is installed below mulch level. Details are to accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

15. Landscaping

Landscaping is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'. Details are to accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. A Certifier can either be Fairfield City Council or an accredited certifier. All of these conditions are to be complied with prior to the commencement of any works on site.

16. Construction Certificate Required

Prior to the commencement of any building and construction works, a Construction Certificate is required to be issued by a Certifier.

Enquiries regarding the issue of a Construction Certificate can be made to Council's Customer Service Centre on 9725 0222.

17. Appointment of a Principal Certifier

Prior to the commencement of any construction works, the person having benefit of a Development Consent, must:

- a. appoint a Principal Certifier; and
- b. notify Council of the appointment.

18. Notify Council of Intention to Commence Works

The applicant must notify Council, **in writing** of the intention to commence works at least two (2) days prior to the commencement of any construction works on site.

19. Kerb and Gutter Status Form

Prior to the commencement of any construction works on site, the applicant shall return the attached footpath/kerb and gutter form to Council detailing the existence of, and the condition of, any foot paving, and/or kerb and gutter provided adjoining the site for checking against Council's records. Damage to footpaths, kerbs, stormwater systems and general streetscape will require restoration at the developer's expense.

20. Erosion and Sedimentation Control

Prior to the commencement of any construction works on site, controls in accordance with **Chapter 3.12 of the Fairfield City Wide DCP 2013** shall be implemented prior to clearing of any site vegetation, to ensure the maintenance of the environment and to contain soil erosion and sediment on the property. Erosion and sediment controls shall be maintained until all construction works are completed and all disturbed areas are restored by turfing, paving and revegetation.

The documented erosion and sediment control plan shall be available on-site for inspection by Council Officers and all contractors undertaking works on the site.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

21. Toilet Facility

Prior to the commencement of any construction works on site, a flushing toilet facility is to be provided on site. The toilet must be connected to either a public sewer, or an accredited sewage management facility or to an alternative sewage management facility (chemical closet) approved by Fairfield City Council.

22. Required Signage

For building, subdivision or demolition work that will affect the external walls of the building, signage shall be installed in a prominent position detailing:

- The name, address and telephone number of the principal Certifier for the work; and
- The name of the principal contractor (if any) of the building work and a telephone number on which that person may be contacted outside working hours; and
- Stating that unauthorised entry to the work site is prohibited.

This sign shall be maintained while the building, subdivision or demolition work is being carried out and must be removed when the work has been completed.

PRIOR TO OCCUPATION OF THE DEVELOPMENT

The following conditions of consent must be complied with prior to the issue of an Occupation Certificate by the Principal Certifier.

23. Works on Adjacent Roads

Prior to the issue of an Occupation Certificate, the following works are to be completed:

- a. All redundant kerb laybacks shall be removed and replaced with Council's standard kerb and gutter. Any redundant crossings shall be removed and the footpath topsoiled and turfed.

All works to be carried out on adjacent lands under the control of Council, shall be in accordance with the standard requirements and specifications of Council.

24. Works-As-Executed Plans for Stormwater Drainage

Prior to the issue of an Occupation Certificate, Works-As-Executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved shall be submitted to the Principal Certifier.

25. On Site Detention – Works-As-Executed

On completion of the drainage works and prior to the issue of an Occupation, Works-As-Executed plans certified by a Registered Surveyor are to be submitted to the Certifying Authority to verify that the drainage works have been completed in accordance with the approved plans. The following details are to be on the Works-As-Executed plans and shall be marked in red on a copy of the original plan approved at the Construction Certificate stage.

- a. Sufficient levels and dimensions to verify the On-Site Detention storage volumes.
- b. Location and surface levels of all drainage pits, weir levels and dimensions.
- c. Invert levels of - the internal drainage lines.
- orifice plates.

- outlet control pit.

- d. Finished floor levels of structures such as units and garages.
- e. Verification that the orifice plates have been fitted and the diameter of the fitted plates.
- f. Verification that a trash screen is installed.
- g. Location and levels of any overland flow paths through the site.
- h. Details of any variations made from approved plans.

26. **Registration of Restriction and Covenant over OSD System**

Prior to the issue of an Occupation Certificate, proof of the creation of a “Restriction on Use of Land” and “Positive Land” over the On-Site Detention system in accordance with Council’s Stormwater Management Policy, September 2017 shall be submitted to the Principal Certifier.

27. **On-Site Detention – Certification of Works**

A Certificate shall be issued to the Principal Certifier upon completion of the drainage works and prior to issue of the Occupation Certificate certifying the following:

- a. That the on-site detention system will function in accordance with the approved drainage design.
- b. Any variations from the approved drainage design.
- c. That these variations will not impair the performance of the On-Site Detention system, or alternatively provide details of the remedial works required to make the system function according to design control standards.

28. **Interim Fire Safety Certificate**

Prior to the issue of an Occupation Certificate a fire safety certificate shall be submitted to and approved by the Principal Certifier.

Note: An Annual Fire Safety Statement for the building premises dealing with essential fire safety measures shall be submitted to Council in accordance with the requirements of Clauses 177 and 181 of the Environmental Planning and Assessment Regulation 2000.

29. **Adjustments to Public Utilities**

Prior to the issue of an Occupation Certificate, adjustments to any public utilities necessitated by the development are to be completed in accordance with the requirements of the relevant Authority. Any utility costs are to be at no cost to Council.

30. **Building in Saline Environments**

The whole of the Fairfield Local Government Area is potentially saline affected, and as such appropriate design features and building materials need to be incorporated into the construction of buildings, to minimise the risk of salt damage.

Prior to the issue of an Occupation Certificate, documentary evidence shall be submitted to the Principal Certifier, certifying that the building has been constructed in accordance with Fairfield City Council's 'Building in Saline Environments Policy'.

31. **OSD – Marker Plate**

Each on-site detention basin shall be indicated by fixing a standard marker plate, details of which are as follows:

Minimum size: 150mm x 100mm

Material: Non Corrosive metal or 4mm thick laminated plastic

Location: Fixed in a prominent position to the nearest concrete or permanent surface and be above the expected water level in the basin. If in doubt, contact Council on 9725-0222.

Wording: A minimum letter height of 5mm is required.
The wording is to consist of:-

**THIS IS AN ON-SITE DETENTION STRUCTURE
DO NOT TAMPER WITH,
CONTACT FAIRFIELD CITY COUNCIL PRIOR
TO ANY PROPOSED WORKS IN THIS AREA**

The marker plate is to be attached prior to occupation of the proposed development.

32. **State Environmental Planning Policy – (Housing for Seniors or People with a Disability) - 2004 Restrictive Covenant (Restriction on Occupation)**

Prior to Occupation, a restrictive covenant shall be registered on the subject land which provides for the following restrictions (also restricted through this consent).

Only the following people referred to below may occupy any accommodation to which this application relates:

- a. Seniors or people who have a disability;
- b. People who live within the same household with seniors or people who have a disability; and

- c. Staff employed to assist in the administration of and provision of services to housing provided under SEPP (Housing for Seniors or People with a Disability) – 2004.

The operation of the site shall be in accordance with the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) – 2004.

In the State Environmental Planning Policy (Housing for Seniors or People with a Disability) – 2004 Seniors are defined as any of the following:

- a. People aged 55 or more years.
- b. People who are resident at a facility at which residential care (within the meaning of the Aged Care Act 1997 of the Commonwealth) is provided.
- c. People who have been assessed as be eligible to occupy housing for aged persons provided by a social housing provider.

33. Mechanical Ventilation Certification

Prior to the issue of an Occupation Certificate, a certificate shall be submitted to the Principal Certifier, certifying that:

- a. The mechanical ventilation exhaust system has been installed in accordance with Australian Standard AS1668 Part 1 and 2.
- b. The exhaust hood and air conditioning system has been installed in accordance with Australian Standard AS1668 (Mechanical Ventilation and Air Conditioning Code), and Australian Standard AS1055 (Acoustics – Description and Measurement of Environmental Noise).

34. Environmental Reports Certification

Prior to the issue of an Occupation Certificate, written certification from a suitably qualified person(s) shall be submitted to the Principal Certifier and Fairfield City Council, stating that all works/methods/procedures/control measures/recommendations approved by Fairfield City Council's Environmental Health Officer and the following reports have been completed:

- a. DA Stage Acoustic Assessment [Doc. Id. 20180000.1/1603A/R9/TT], prepared Acoustic Logic

35. Landscape Certificate

Prior to the issue of an Occupation Certificate, a Landscape Certificate from a qualified landscape architect, certifying that the completed landscape works on site are in accordance with the approved landscape plans shall be submitted to Principal Certifier.

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land. A Principal Certifier can either be Fairfield City Council or an accredited certifier.

36. Compliance with the Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia. Compliance with the performance requirements can only be achieved by:

- a. complying with the deemed-to-satisfy provisions; or
- b. formulating an alternative solution which:
 - i. complies with the performance requirements; or
 - ii. is shown to be at least equivalent to the deemed-to-satisfy provisions; or
- c. a combination of (a) and (b).

37. Administration Fee for the Lodgement of Certificates

Where a Principal Certifier has been appointed other than Council, an administration fee is charged by Council for the lodgement of Construction Certificates and Occupation Certificates.

38. Demolition, Building and other Works

When demolition, building and other works are being undertaken on site:

- a. A trade waste service must be provided so as to ensure that all debris and waste material is removed from the site; and
- b. Plant equipment, fencing or other materials of any kind must not be placed or stored upon any public footpath or roadway; and
- c. Such works must only be carried out within the following hours:

Monday - Friday between the hours of 7:00am to 6:00pm and Saturday between 8:00am and 1:00pm in all zones.

No work shall be carried out on Sundays or public holidays.

Note: *Council may issue a penalty infringement notice for the amount imposed under the Environmental Planning and Assessment Act 1979, for any non-compliance with this Development Consent.*

39. Hoarding / Fencing

During construction, a hoarding or site safety fence must be erected between the work site and a public place if the work involved in the development is likely to

cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place.

If necessary, overhead protection 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.

40. Method of Stormwater Drainage

The stormwater drainage generated from the development shall be directed to the existing street pipeline.

Note: Drainage lines across the footpath shall be of 75mm x 200mm galvanised R.H.S laid at a fall not exceeding 1:40 (A 100mm sewer grade pipe is an acceptable alternative for single lot residential applications).

Note: If a street outlet is required it shall be constructed using a 100mm x 50mm galvanised rectangular connector laid into the kerb with the invert of the connector to be 10mm above the invert of the gutter.

The complete roof guttering system must be operational as soon as the roof is clad. Surface stormwater shall not be directed or cause nuisance to adjoining properties.

41. Driveway Gradient

The internal driveways and parking areas are to be designed in accordance with AS 2890 part 1.

42. OSD Construction

The on-site detention drainage system shall be constructed in accordance with the approved design and Council's On-Site Detention Handbook – February 1997 / Council's On-Site Detention Guidelines for Rural Areas.

43. Protection of Trees on Development Sites

The carrying out of the development including the construction and ongoing operation of the development shall comply with Australian Standard (AS 4970-2009) Protection of Trees on Development Sites to ensure that no trees are damaged as part of the completion of proposed works. This includes the protection of trees on the private development site land and Council's road reserve, parks and any adjoining public lands. Council requires that the applicant shall ensure compliance with the standard, including all required establishment of tree protection zones.

44. Switchboards

Switchboards for utilities must not be attached to the front elevations of the building(s).

45. Fencing

A 1.8 metre high masonry, brushwood or lapped and capped timber or colourbond fence shall be erected on the site's side and rear boundaries behind the front building alignment and between each required courtyard at the sole cost of the developer. **COLORBOND FENCES ARE NOT PERMITTED WITHIN THE FRONT SETBACK OF THE SITE AND WITHIN ANY BOUNDARY THAT IS VISIBLE FROM THE PUBLIC DOMAIN, STREET OR RESERVES.** In this case, no colourbond fencing shall be erected in front of the approved building line.

46. Carparking - General

- i. The provision and maintenance of the following number of car parking spaces in accordance with Fairfield City Wide Development Control Plan, 2013 – Car Parking, Vehicle and Access Management - Chapter 12:
 - a. Thirty-three (33) off-street car parking spaces for staff and visitors, and
 - b. Two (2) off-street accessible car space in accordance with AS 2890.6.

Each space shall be permanently line marked and maintained free from obstruction at all times. Staff, company and visitors vehicles shall be parked in the spaces provided on the subject premises and not on adjacent footway or landscaping areas.
- ii. All car parking spaces shall be made available to staff and visitors to the premises and shall remain free from any storage or other obstructions at all times.

47. State Environmental Planning Policy (Housing for Seniors or People with a Disability) – 2004

The occupation of the subject premises shall be restricted to the following persons:

- a. Seniors or people who have a disability;
- b. People who live within the same household with seniors or people who have a disability; and
- a. Staff employed to assist in the administration of and provision of services to housing provided under SEPP (Housing for Seniors or People with a Disability) – 2004.

The subject site shall operate in accordance with SEPP (Housing for Seniors or People with a Disability) – 2004 – provisions at all times.

In the State Environmental Planning Policy (Housing for Seniors or People with a Disability) – 2004 Seniors are defined as any of the following:

- a. People aged 55 or more years.
- b. People who are resident at a facility at which residential care (within the meaning of the Aged Care Act 1997 of the Commonwealth) is provided.
- c. People who have been assessed as be eligible to occupy housing for aged persons provided by a social housing provider.

48. State Environmental Planning Policy - (Housing for Seniors or People with a Disability) – 2004 – Compliance with Standards

The subject development shall comply with all requirements set out in SEPP (Housing for Seniors or People with a Disability) – 2004.

49. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.
- b. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads
- c. All deliveries to the premises shall be made within the loading bay provided.
- d. The largest vehicle to service the site shall have a maximum length of 9.9 metres.
- e. No articulated vehicles shall be used for the servicing or operations of this development.
- f. Delivery/Service operations are to be conducted between the hours of 7am to 6pm Monday to Saturdays and 8am to 6pm Sundays and Public Holidays.

50. Schedule of Finishes

The development is to be constructed and finished in the materials and colours contained with the approved architectural plans as prepared by Jackson Teece, Project No. 2017084.

51. Use of Premises

The use of the premises shall comply with the following requirements:

- a. The operation of the aged care facility shall be conducted so as to avoid unreasonable noise and cause no interference to adjoining or nearby residences.
- b. The use of the premises shall not give rise to “offensive noise” as defined under the Protection of the Environment Operations Act, 1997.

- c. Emission of sound from the premises shall be controlled at all times so as not to unreasonably impact upon nearby owners/occupants.
- d. Appropriate signage shall be located outside the building to encourage patrons to minimise noise when leaving the premises.
- e. The use of the premises is not to interfere with the amenity of the residential area.
- f. If an intruder alarm is installed on the premises it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act, 1997.
- g. The premises shall be maintained in a clean and tidy state at all times. In this regard, cleaning shall be carried out as required to ensure that the premises is maintained in an environmentally satisfactory manner.

52. Storage of Goods

All storage shall be contained wholly within the building.

53. Unreasonable Noise and Vibration

The aged care facility, including operation of vehicles, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like. In the event of a noise or vibration problem arising at the time, the person in charge of the premises shall when instructed by Council, cause to be carried out, an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to Council's satisfaction.

54. Internal Traffic Requirements

The development shall comply with the following traffic requirements at all times:

- a. The gradients of driveways and manoeuvring areas shall be designed in accordance with AS 2890.2:2002.
- b. The internal driveways and parking areas are to be designed in accordance with AS 2890.1:2004.
- c. The size of the car parking spaces shall comply with AS/NZS 2890.1:2004 and AS 2890.6:2009.
- d. Wheel stops shall be provided to limit the travel of a vehicle into parking spaces.

55. Lighting

Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282_2019 *Control of the obtrusive effects of outdoor lighting* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.

56. Public Address System

No public address system or sound amplifying equipment shall be installed so as to permit the emission of offensive noise, as defined by the *Protection of the Environment Operations Act 1997*, onto any private premises or public place.

57. Mechanical ventilation system noise complaint

A noise assessment report shall be submitted to Council if any complaints are lodged with Council in relation to the noise emissions generated by the mechanical ventilation system. The report must be prepared by a suitably qualified acoustic consultant and shall include details of the noise assessment and necessary works that are required to reduce the noise to a satisfactory level.

58. NSW Protection of the Environment Operations Act 1997

The use of the premises shall operate in accordance with the *Protection of the Environment Operations Act (POEO) 1997*. All activities and operations carried out shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined under the *Protection of the Environment Operations Act 1997*.

59. Buried Waste

Should buried materials/wastes or the like be uncovered during the excavation of footings or trenches on site works, Council's Environmental Management Section is to be contacted immediately for advice on the treatment/removal methods required to be implemented.

60. Acoustic Report

An acoustic report is to be prepared and submitted to Council for its assessment and approval following six (6) months of operation and no later than nine months (9) months operation of the development. The report shall include but is not limited to the following information:

- a. Noise measurements taken at the nearing noise sensitive locations as indicated in the Acoustic Assessment: DA Stage Acoustic Assessment [Doc. Id. 20180000.1/1603A/R9/TT], prepared Acoustic Logic.
- b. Verification that noise levels at the nearest potentially affected receiver comply with all relevant assessment criteria detailed in the abovementioned report and relevant guidelines and regulations;

- c. All complaints received from local residents in relation to the operation of the premises/development.
- d. Where noise measurements required under point a) above indicate that the relevant assessment criteria are exceeded, recommendations shall be provided in relation to how noise emissions can be satisfactorily reduced to comply with the assessment criteria.

Following written approval from Fairfield City Council, any recommendations provided under point d) above shall be implemented fully.

61. Noise Notices

Prominent notices shall be placed to remind patrons that a minimum amount of noise is to be generated whilst within these outdoor areas during the night (10pm to 7am), and staff should be managed, to ensure noise generation is minimised. Special precautions must be taken to avoid nuisance to neighbouring residential areas.

62. Community Bus Hours

The community bus shall service the site within the following hours only:

Monday to Friday:	7am to 10pm
Saturday:	7am to 10pm
Sunday and Public holidays:	8am to 10pm

63. Compliance with Approved Operational Waste Management Plan

The operational Waste Management Plan submitted to and approved by Council must be adhered to at all times.

Note: Any non-compliance with this requirement will result in penalties being issued.

64. NSW Rural Fire Service

The attached NSW Rural Fire Service – General Terms of Approval, Reference No. DA-2018-02735-CL55-1, dated Tuesday 11 February 2020, shall be complied with at all times.

65. Landscaping to be Completed

The provision and maintenance of landscaping in accordance with the approved landscape plan as prepared by Taylor Brammer, Project Number 18-026s, dated 13 January 2020 including the engagement of a suitably qualified landscape consultant/contractor for landscaping works.

66. Window Treatment

The north facing window at the northern end of the NW Corridor 2 shall be obscured and have a raised sill height of 1.7 metres above the finished floor level of the first floor in order to minimise overlooking.