
Bayside Planning Panel

13/06/2017

Item No	5.3
Application Type	Development Application
Application Number	DA-2017/236
Lodgement Date	9 January 2017
Property	20 Dunmore Street, North Bexley
Owner	Mr O Maksymow and Mrs V Maksymow
Applicant	Excell Design Consultants
Proposal	Alterations and additions to the Heritage item "Fairmont Aged Care Centre" including a front balcony, ensuites to existing rooms and extension to the rear
No. of Submissions	One (1)
Cost of Development	\$341,000
Report by	Marta Gonzalez-Valdes – Coordinator Major Assessments

Officer Recommendation

- 1 That the Bayside Planning Panel supports the variation to clause 40(c) in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in accordance with the C14.6 submission by the applicant.
 - 2 That the Development Application DA-2017/236 for alterations and additions to the heritage item "Fairmont Aged Care Centre" including a front balcony, ensuites to existing rooms and extension at the rear at 20 Dunmore Street North, Bexley be **APPROVED** pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.
 - 3 The the objector be advised of the Bayside Planning Panel's decision.
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Attachments

- 1 Planning Assessment Report (including draft conditions)
- 2 Proposed Site Plan
- 3 Proposed Elevations

Location Plan



Fig 1 – Location Plan

BAYSIDE COUNCIL

Planning Assessment Report

Application Details

Application Number:	DA-2017/236
Date of Receipt:	9 January 2017
Property:	20 Dunmore St Nth, BEXLEY NSW 2207 Lot B DP 322348
Owner:	Mr Oleg Maksymow
Applicant:	Fairmont NSW Pty Ltd
Proposal:	Alterations and additions to the Heritage item "Fairmont Aged Care Centre" including a front balcony, ensuites to existing rooms and extension to the rear
Recommendation:	Approved
No. of submissions:	One (1)
Author:	Marta M Gonzalez-Valdes
Date of Report:	29 May 2017

Key Issues

The key issues related to this application are:

- Privacy - the potential privacy impact on the rear neighbour has been resolved by requiring highlight or opaque window designs to the first floor facing this neighbour.
- Heritage - the proposed modification does not affect the heritage-listed original building on the site and is consistent with the existing modern extension. The proposal is supported by Council's heritage advisor subject to conditions
- Building height - the two storey building height extends into the rear 25% of the lot, which does not comply with the Senior Housing SEPP. However, there are existing two storey structures in this part of the site and the minor extension will not have a significant impact on overshadowing or privacy (subject to window amendments discussed above). The CI4.6 submission by the applicant has been assessed and is supported.

Recommendation

1. That the Bayside Planning Panel supports the variation to clause 40(c) in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in accordance with the CI4.6 submission by the applicant.
2. That the Development Application DA-2017/236 for alterations and additions to the heritage item "Fairmont Aged Care Centre" including a front balcony, ensuites to existing rooms and extension at the rear at 20 Dunmore Street North, Bexley be **APPROVED** pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to

this report.

3. The the objector be advised of the Bayside Planning Panel's decision.

Background

History

The following applications have previously been considered by Council in relation to the subject site:

DA-1985/215 for extension to patients living room, approved on 14 November 1985.

DA-1999/57 for aircraft noise insulation works, approved on 21 October 1998.

DA-2000/811 for installation of lift, approved on 27 March 2000.

DA-2002/508 for alterations and additions to existing laundry, approved on 13 February 2002.

DA-2002/880 for modification to laundry room, approved on 30 April 2002.

DA-2013/276 for alteration and addition to rear of aged care facility providing a recreation room and balcony at the rear first floor level, approved on 19 June 2013.

DA-2013/276/A for first floor rear office and modification to approved first floor balcony, approved on 19 February 2014.

DA-2013/276/B for modification to extend balcony and addition of window to existing aged care facility, approved on 10 June 2014.

Proposal

Council is in receipt of a development application DA-2017/236 at 20 Dunmore Street North Bexley, which seeks consent to carry out two-storey extensions to the rear of Fairmont Nursing Home. The proposal consists of:

- Extension of wards 7, 8, 9, 16, 17 and 18 towards the rear of the site.
- Installation of private bathrooms (toilet, basin and shower) to all wards in the Home.
- Door widenings for several wards.
- Installation of new ramp between wards 20 and 21.
- New first floor balcony to northeast façade of ward 20.

There are no new wards proposed.

Site location and context

The subject site is known as Lot B DP 322348, 20 Dunmore Street North, Bexley. The site is predominately a rectangular shape with a small additional parcel at the rear of the site. It has front and rear boundary widths of 25 metres. The side boundaries are 51m deep. The total site area is 1,312sq.m. The topography of the site is such that it is relatively flat.

The subject site contains a nursing home and associated ancillary development (office, laundry, shed). The site is located on the south eastern of Dunmore Street North between Monomeeth Street and Caledonian Street. Adjoining development to the sides includes a one storey dwelling on each of the properties. A one storey dwelling is situated on the rear property. There is a mix of one storey and two storey residential buildings within close proximity to the subject property.

Statutory Considerations

Environmental Planning and Assessment Act, 1979

An assessment of the application has been undertaken pursuant to the provisions of the *Environmental*

S.79C(1) - Matters for Consideration - General

S.79C(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

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

Standard	Requirement	Proposal	Complies
CI 7 – Suspension of Certain Agreements and Covenants	Any covenant imposing restrictions does not apply to the development	Not applicable	Yes
CI 11 – Residential Care Facilities	Residential Care Facility Definition	Meets definition	Yes
CI 26 - Location / Access to Facilities	Public transport (available minimum once between 8am – 12pm and 12-6pm daily Monday to Friday) and within 400m of site and accessible by suitable pathway	Bus service meeting these criteria has stop directly outside the site.	Yes
CI 28 – Water and Sewer	To be provided	Provided	Yes
CI 29 - Compatibility Criteria	The proposed development is compatible with the surrounding land uses	Proposal is an extension of an existing use and is compatible with the surrounding land uses.	Yes
CI 33 – Neighbourhood Amenity and Streetscape	New buildings to contribute to the quality and identity of the area	The extension is to the rear of the existing building and is consistent with the existing built form. The balcony to the street façade is set back from the street and screen by plantings. No impact on existing trees.	Yes

CI 34 – Visual and Acoustic Privacy	<p>Appropriate location and design of windows and balconies and the use of screening devices and landscaping</p> <p>Locating bedrooms away from driveways, parking areas and paths</p>	Windows have been appropriately sited, however the design requires amendment (such as frosting or highlight windows) to reduce the cumulative privacy impact on rear neighbour.	No - conditions will require amended window design.
CI 35 – Solar Access and Design for Climate	<p>Adequate daylight to main living area of neighbours and residents</p> <p>Adequate sunlight to substantial areas of private open space</p> <p>Reduce energy use and maximise natural ventilation, solar heating and lighting with provision of northern windows and living areas</p>	Solar access requirements have been met.	Yes
CI 36 – Stormwater	<p>Control and minimise disturbance and impacts of runoff on adjoining properties</p> <p>Provision of on site stormwater detention or reuse</p>	No change to stormwater management.	Yes
CI 37 – Crime Prevention	Provide security and encourage crime prevention	No change to existing security arrangements.	Yes
CI 38 – Accessibility	<p>To be provided to public transport services / local facilities</p> <p>To parking on site</p>	No change to parking or transport arrangements.	Yes
CI 39 – Waste Management	Appropriate facilities to be provided	No change to existing waste management arrangements.	Yes
40 (2) - Site Area	Min. 1000sq/m	1312sq.m	Yes
40 (3) - Site Frontage	20m wide at building line	24.95m	Yes
40 (4a) – Height	Max. 8m	Modification matches existing extension height of 7.195m. Heritage listed building at front of site is approximately 10m.	Yes
40 (4b) – Storeys	Max. 2	2	Yes

40 (c) - Height at Rear 25% of site	Max. 1 storey	Proposed first floor addition at the rear encroaches into 25% of site	No - Refer to Cl4.6 in RLEP 2011
48 (b) – Density and Scale	1:1	0.72:1	Yes
48 (c) - Landscaped Area	Min. 25sq/m per bed (30 beds = 750sq/m)	540sq.m	No - however no change to existing
48 (d) - Parking	1 per 10 beds 1 per 15 beds dementia 1 per 2 staff 1 ambulance bay Total Required = 78 spaces + 1 ambulance bay	5 spaces provided. No change to existing.	No - however no change to existing

Rockdale Local Environmental Plan 2011

Relevant clauses	Compliance with objectives	Compliance with standard/provision
2.3 Zone R2 Low Density Residential	Yes	Yes
4.3 Height of buildings	Yes	Yes
4.4 Floor space ratio - Residential zones	Yes	No - see discussion
4.6 Exceptions to development standards	Yes - see discussion	No - see discussion
5.9 Preservation of trees or vegetation	Yes - see discussion	Yes
5.9AA Trees or vegetation not prescribed by development control plan	Yes	Yes
5.10 Heritage conservation	Yes - see discussion	Yes
6.1 Acid Sulfate Soil - Class 5	Yes	Yes
6.2 Earthworks	Yes	Yes
6.3 On 25 ANEF (2033) contour	Yes - see discussion	Yes
6.4 Airspace operations	Yes	Yes - see discussion
6.7 Stormwater	Yes	Yes
6.12 Essential services	Yes	Yes

4.4 Floor space ratio - Residential zones

The permissible FSR under Rockdale LEP 2011 is 0.5:1. The proposed FSR is 0.72:1. However, this control is overridden by clause 48(b) of the Seniors Housing SEPP which permits a FSR of 1:1.

4.6 Exceptions to development standards

Clause 4.6 allows a variation to a development standard subject to a written request by the applicant justifying the variation by demonstrating:

- (3)(a) that compliance with the standard is unreasonable or unnecessary in the circumstances of the case, and
- (3)(b) that there are sufficient environmental planning grounds to justify the variation.

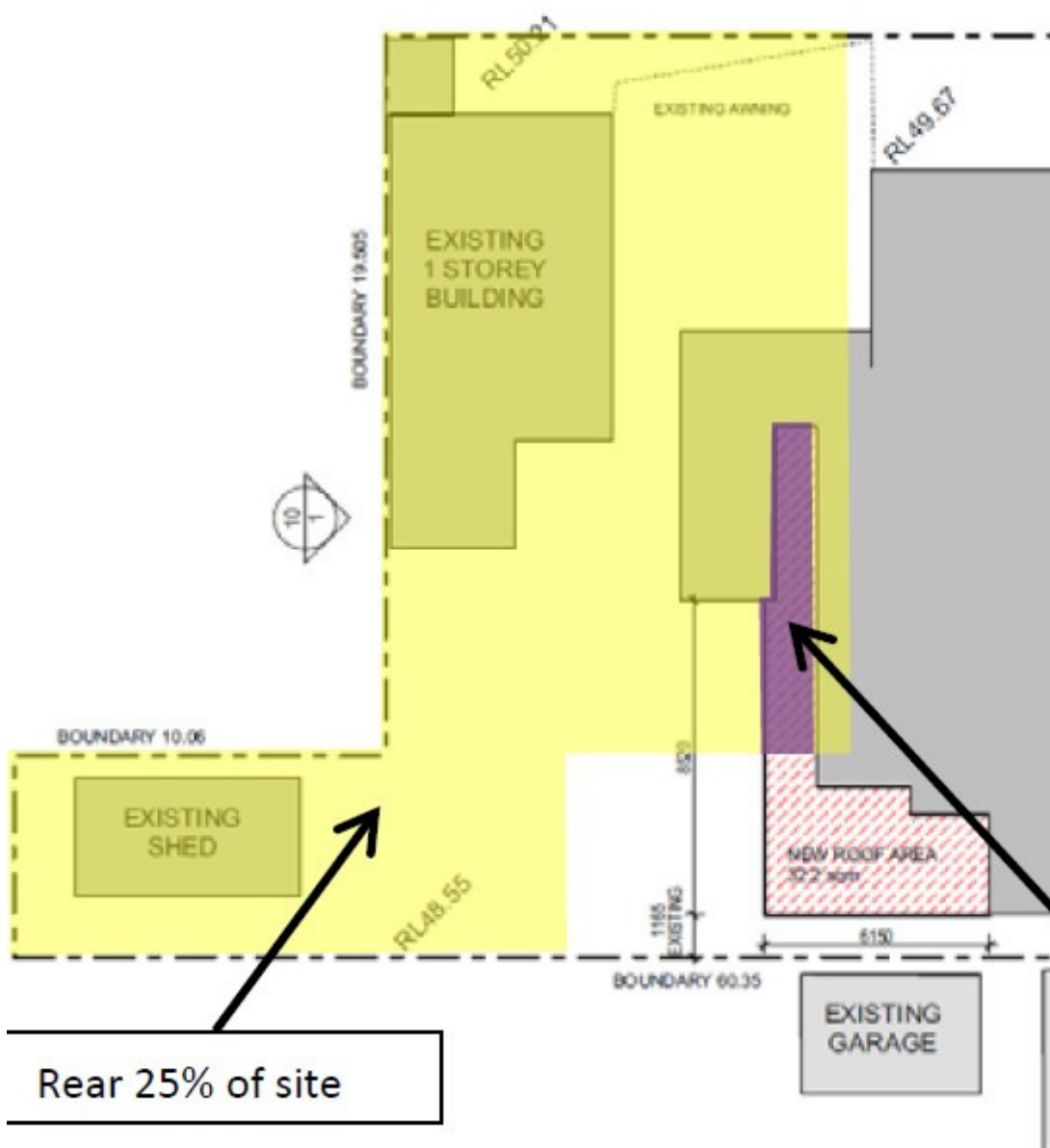
In considering the applicant's submission, the consent authority must be satisfied that:

- (i) the applicant's written request is satisfactory in regards to addressing subclause (3) above, 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 of the relevant zone.

5(a) The consent authority must also consider whether contravention of the development standard raises any matter of significance for State or Regional environmental planning, and

5(b) the public benefit of maintaining the development standard.

The proposed extension at first floor level encroaches into the 25% rear setback (as shown in purple below in diagram submitted by the applicant), therefore, the proposal does not comply with clause 40(c) of the SEPP, which requires that the height of the building within the 25% rear of the site be single storey.



The applicant has submitted a detailed justification to the proposed variation to the development standard. It is stated that the strict application of the development standard is unreasonable and

unnecessary for the following reasons:

The variation is limited to a minor extent of built form whereby the non-compliance would be indiscernible.

The extent of built form would have no adverse or unreasonable shadow impacts to any surrounding neighbour when compared with a compliant development. The shadow impacts to the south-eastern and south-western neighbours are not significant and do not affect any north-facing windows or private open space areas.

The primary orientation of the south-eastern neighbour is north-east – south-west (i.e. front and rear) with only secondary north-west side-facing windows. The proposed built form towards the rear of the site is therefore not within the primary outlook of the adjoining neighbour and thereby has no adverse visual impacts.

The proposed additions are suitably integrated with the existing built form which provides for a cohesive visual outcome which minimises the effect of the built form on surrounding properties.

The recessed nature of the built form from the streetscape and from the heritage components of the subject building ensure that the variation has no adverse visual bulk impacts from the public domain whilst also having no adverse heritage outcomes.

The built form towards the rear does not contain any elevated balconies or windows which would generate any adverse or unreasonable visual or acoustic privacy impacts.

The extent of built form at the rear is not responsible for any adverse view impacts to any surrounding neighbour.

The extended built form is associated with the upgrade of the residential care facility which has a positive social outcome.

The proposal is consistent with the objectives of the zone and the development standard.

The proposal is consistent with State and Regional planning policies.

The variation allows for a better planning outcome as it will provide better internal amenity.

The applicant submits that the proposal is consistent with the objectives of the development standard and the zone, therefore the objection is well founded and in the public interest.

For the above reasons the applicant argues that there are sufficient environmental planning grounds to permit the variation.

The applicant's submission has addressed the matters outlined in subclause (3) and is supported in the context of clause 4.6. Applying the principles established in *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90 it is considered that the development will be in the public interest as it is consistent with the objectives of the development standard in clause 40(c) of the SEPP and the objectives for development within the R2 zone.

5.9 Preservation of trees or vegetation

There are street trees listed as heritage item and trees in adjoining properties located in proximity to the site. Council's tree management officer has reviewed the proposal and recommends conditions of consent to ensure the protection of the existing trees during construction. The conditions have been incorporated into the draft Notice of Determination.

5.10 Heritage conservation

The proposal is listed as a heritage item in Schedule 5 of Rockdale Local Environmental Plan 2011.

The property is also in the vicinity of other heritage items at 18 Dunmore Street and the Dunmore Street North street plantings.

The statement of significance for the subject property is as follows:

Fairmont is historically significant as one of the early buildings of the Ocean View Estate. It provides evidence of the economic status of the settlers in the estate who chose to live in this growing area on the fringes of Sydney due to better transport connections. Fairmont's two storey Victorian Italianate character contributes to the streetscape qualities of Dunmore Street and reflects the aesthetic qualities of the original Ocean View subdivision. Fairmont is a good representative example of a Victorian Italianate villa in the Rockdale local government area. (SHI)

The proposal has been reviewed by Council's heritage advisor, who has recommended conditions of consent as below:

1. Photographic recording prior to commencement.
2. New windows to Wards 11 and 2 are to have a simplified version of the exterior window mouldings so as to be distinguishable from the original windows.
3. Architraves and skirtings to doorways proposed to be modified are to be carefully removed and reinstated in the new wider opening.
4. The ensuites to Wards 1, 2, 3, 11 and 12 must be completely encapsulated within the room. The walls are to be timber framed with a false ceiling below the original ceiling. Floors must be laid on a waterproof membrane over the original timber floor. No penetration into the exterior walls are permitted for ventilation. Additional ventilation may be provided through the roof providing it is not visible from the exterior. The existing walls and fireplaces to the ward must not be used as interior wall surfaces to the bathrooms. New walls must be built for the application of tiling and waterproofing.

The above conditions have been incorporated into the Draft Notice of Determination. Subject to compliance with these conditions, the proposal is supported on heritage grounds.

6.3 On 25 ANEF (2033) contour

Cl6.3(3) requires the consent authority to consider whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021- 2000, and whether the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021—2000.

The site is located in the 25 ANEF (2033) contour for aircraft noise. However the proposed development does not involve an increase to the number of residents in the existing facility. Therefore given this and the minor nature of the proposed additions, additional acoustic measures to address aircraft noise are not required. The proposal complies with this clause.

6.4 Airspace operations

The proposed extension would be the same height as the existing two-storey extension at the rear of the facility. It is 3.68 metres lower than the highest point of the main building. Therefore there would be no additional impact on the Limitation or Operation Surface.

S.79C(1)(a)(ii) - Provisions of any Draft EPI's

No relevant proposed instruments are applicable to this proposal.

S79C(1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

Rockdale Development Control Plan 2011

The application is subject to Rockdale DCP 2011. A compliance table for the proposed development is

provided below:

Relevant clauses	Compliance with objectives	Compliance with standard/provision
4.1.1 Views and Vista	Yes	Yes
4.1.2 Heritage Conservation	Yes	Yes
4.1.3 Water Management	Yes	Yes
4.1.4 Soil Management	Yes	Yes
4.2 Streetscape and Site Context - General	Yes	Yes
4.4.2 Solar Access - General Controls	Yes	Yes - see discussion
4.4.3 Natural Lighting and Ventilation - Residential	Yes	No - see discussion
4.4.4 Glazing - General Controls	Yes	Yes
4.4.5 Visual privacy	Yes - see discussion	Yes - see discussion
4.4.5 Acoustic privacy	Yes	Yes
4.4.6 Noise Impact	Yes	Yes
4.7 Air Conditioning and Communication Structures	Yes	Yes
4.7 Waste Storage and Recycling Facilities	Yes	Yes

4.4.2 Solar Access - General Controls

The applicant has provided shadow diagrams which demonstrate a minor increase in overshadowing as a result of the extension. However, the solar access standards are achieved at the site and all adjacent properties.

4.4.3 Natural Lighting and Ventilation - Residential

The ground floor ceiling height is 2.68m, which is 0.2m below the required ceiling height. However, this is a minor non-compliance and is the result of the existing ceiling height in this part of the building. The objectives of this clause are satisfied.

4.4.5 Visual privacy

The proposed extension includes new southwest-facing windows for wards 7, 8, 9, 16, 17 and 18. The first floor windows are approximately 9 metres from the property boundary and overlook the rear yard of 23 Monomeeth Street. To address this privacy impact, the recommended conditions of consent require the southwest-facing windows on the first floor to either have sill heights of 1.7m above floor level or have fixed obscure glazing in any part of the window below 1.7m above floor level.

The proposed first floor balcony on the northeast façade is adequately separated and screened from the habitable rooms and private open space of 20A Dunmore Street.

S.79C(1)(b) - Likely Impacts of Development

Potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls. The impacts that have not already been addressed are as follows:

Building Code of Australia (BCA) / Fire Safety

Council's building surveyor has reviewed the information submitted and advised as follows:

The use of the building is Class 9a (nursing home) under the BCA. It is a 2 storey building with Type B construction. New windows and door openings at less than 3 metres from the side boundaries will need to be fire protected. As the proposed modification to the existing building within the past 3 years is less than 50%, it is not necessary to upgrade the fire safety measures of the existing building.

Conditions have been incorporated into the Notice of Determination to address the above BCA requirements.

Social Impact

The proposal will provide improved facilities to the existing residents and staff.

Safety and Security

There are current security measures to ensure the safety of residents. The proposal does not alter this aspect of the development.

Waste

The development application has been accompanied by a waste management plan showing that most materials will be recycled. The proposal is consistent with Council's policy for waste management.

S.79C(1)(c) - Suitability of the site

The relevant matters pertaining to the suitability of the site for the proposed development have been considered in the assessment of the proposal. Additional conditions of consent are proposed to further minimise any impacts on neighbouring properties. There are no known major physical constraints, environmental impacts, natural hazards or exceptional circumstances that would hinder the suitability of the site for the proposed development.

S.79C(1)(d) - Public submissions

The development has been notified in accordance with the provisions of Rockdale DCP 2011 and one submission has been received. The issues raised in the submission are discussed below:

Issue 1: Privacy - Specifically overlooking from the rear first floor windows onto an adjacent yard.

Comment: The Assessment Officer visited the submitter's property to assess the level of privacy impacts and agrees that the proposed modification would impact the privacy of the rear yard. To address this impact a condition of consent has been recommended to require highlight windows on the rear first floor of the proposed modification. This would be consistent with the first floor highlight window approved under DA-2013/276 and would improve privacy in the submitter's yard.

Issue 2: The proposal does not comply with the 0.5:1 FSR requirement

Comment: As stated in the report, the proposal is subject to an FSR of 1:1 under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. The total FSR is 0.72:1. The proposal complies with this requirement.

S.79C(1)(e) - Public interest

The proposed development is considered satisfactory having regard to the objectives and requirements of Rockdale Local Environmental Plan 2011 and Development Control Plan 2011. Impacts on adjoining properties have been considered and addressed. As such it is considered that the proposed development is in the public interest.

S94 Contribution towards provision or improvement of amenities or services

A Section 94 Contribution Payment does not apply as the proposal does not involve an increase to the number of rooms.

Civil Aviation Act, 1988

The site is within an area that is subject to the Civil Aviation (Building Controls) Regulations 1988 made under the *Civil Aviation Act, 1988*.

Civil Aviation (Building Control) Regulations 1988

The Regulations require a separate approval from the Civil Aviation Safety Authority if a building or structure exceeds a prescribed height limit.

Section 5 Prohibition of the construction of buildings of more than 50 feet in height in specified areas

The proposed development is affected by the 15.23m Building Height Civil Aviation Regulations, however the proposed building height at 10.21m will have minimal impact upon the height requirement in the regulations.

Schedule 1 - Draft Conditions of consent

General Conditions

The following conditions restrict the work to the detail provided in the Development Application and are to ensure that the development is complete.

1. The term of this consent is limited to a period of five (5) years from the date of the original approval. The consent will lapse if the development does not commence within this time.
2. The development must be implemented substantially in accordance with the plans listed below, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Plan/Dwg No.	Drawn by	Dated	Received by Council
Site Plan / DA-02 Issue C	Excell Design Consultants	10 May 2017	18 May 2017
Proposed Ground Floor Plan / DA-05 Issue B	Excell Design Consultants	6 January 2017	9 January 2017
Proposed First Floor Plan / DA-06 Issue B	Excell Design Consultants	6 January 2017	9 January 2017

Proposed North Elevation / DA-07 Issue B	Excell Design Consultants	6 January 2017	9 January 2017
Proposed East Elevation / DA-08 Issue B	Excell Design Consultants	6 January 2017	9 January 2017
Proposed West Elevation / DA-09 Issue B	Excell Design Consultants	6 January 2017	9 January 2017
Proposed South Elevation / DA-10 Issue B	Excell Design Consultants	6 January 2017	9 January 2017
Proposed Section A / DA-11 Issue B	Excell Design Consultants	9 January 2017	9 January 2017

3. All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
4. **A Construction Certificate must be obtained from Council or an Accredited Certifier prior to any building work commencing.**
5. Further alterations and/or additions to the subject building shall not be undertaken without first obtaining approval. This includes the fitting of any form of doors and/or walls.
6. The balcony shall not be enclosed at any future time without prior development consent.
7. This approval is not to be construed as permission to erect any structure on or near a boundary contrary to the provisions of the Dividing Fences Act.

Development specific conditions

The following conditions are specific to the Development Application proposal.

8. The use of mechanical plant including air conditioners, fans, compressors, condensers, freezers, swimming pool or spa pumps (whether commercial or domestic) shall not cause sound pressure levels in excess of the criteria given in the NSW Industrial Noise Policy – 2000.
9. All existing and proposed lights shall comply with the Australian Standard AS4282 - 1997 "Control of the Obtrusive Effects of Outdoor Lighting". In this regard, the lighting of the premises shall be directed so as not to cause nuisance to the owners or occupiers of adjacent/adjoining premises or to motorists on adjoining or nearby roads.
10. Colours and textures of materials used in the extension shall be compatible with the existing building.
11. Where natural ventilation fails to comply with the provisions of the Building Code of Australia, mechanical ventilation shall be provided in accordance with Australian Standard, 1668, Part 2.
12. This consent does approve an increase to the number of residents or staff within the facility. The number of residents and staff shall remain as per previous development consents.
13. All first floor windows on the southwest façade must either have a sill height of 1700mm above floor level or be fixed opaque glazing below 1700mm above floor level. Details shall be submitted to the Principal Certifying Authority

prior to the issue of the Construction Certificate.

14. Heritage conditions

The following conditions are recommended to mitigate the loss of heritage significance due to the proposed works:

a) Prior to any works commencing, a photographic record of 20 Dunmore Street North, Bexley shall be carried out and lodged with Council for approval. This photographic record shall be submitted in electronic form on a USB, CD or DVD, containing the following:

- i) a layout plan of the existing building, to 1:100 scale, identifying rooms and features shown in the photographs and indicating on the plan where each photo was taken from;
- ii) colour photographs of the interior, exterior and streetscape view of the building. Interior and exterior photographs should include any original features, decorations or fittings in Wards 1, 2, 3, 11 and 12. Photographs must be in either TIFF or JPEG format with a minimum resolution of 4 megapixels. Each photograph must be file-named to describe it and indicate its location.

b) The following shall be implemented during construction:

- i) New windows to Wards 11 and 2 are to have a simplified version of the exterior window mouldings so as to be distinguishable from the original windows.
- ii) Architraves and skirtings to doorways proposed to be modified are to be carefully removed and reinstated in the new wider opening.
- iii) The ensuites to Wards 1, 2, 3, 11 and 12 must be completely encapsulated within the room. The walls are to be timber framed with a false ceiling below the original ceiling. Floors must be laid on a waterproof membrane over the original timber floor. No penetration into the exterior walls are permitted for ventilation. Additional ventilation may be provided through the roof providing it is not visible from the exterior. The existing walls and fireplaces to the ward must not be used as interior wall surfaces to the bathrooms. New walls must be built for the application of tiling and waterproofing.

The above is to be reflected in the Construction Certificate drawings. A progress report is to be provided to the Principal Certifying authority at each stage of construction confirming that the above requirements have been implemented.

Prior to the issue of the Construction Certificate, documentation shall be submitted to Council's heritage adviser demonstrating compliance with (a) and (b) above. The Final Occupation Certificate shall not be issued until Council's heritage adviser is satisfied with the works listed in this condition.

Prior to issue of the construction certificate

The following conditions must be completed prior to the issue of the Construction Certificate.

15. The following fees shall be paid to Council prior to the issue of a Construction Certificate. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.

- i. A Footpath Reserve Restoration Deposit of \$10084.50. This is to cover repair of any damages, or other works to be done by Council. This includes construction, removal, or repair as required to: kerb and guttering, existing or new driveways; paved areas and concrete footpaths. The deposit may be lodged with Council in the form of a Bank Guarantee (Any proposed Bank Guarantee must not have an expiry date). The deposit will not be returned by Council until works are completed and all damage is restored and all specified works are completed by Council.
 - ii. An environmental enforcement fee of 0.25% of the cost of the works.
 - iii. A Soil and Water Management Sign of \$17.50.
16. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.
 17. A certificate from a practising Structural Engineer shall be submitted prior to the issue of the construction certificate confirming that the existing building elements are structurally adequate to support all proposed additional loads.
 18. To ensure the proposed extension is in line with existing side setbacks, a current check survey is to be submitted to the principal certifying authority prior to the issue of the construction certificate.
 19. A list of the proposed and existing essential services to be installed in the building shall be submitted to Council in accordance with the relevant requirements.
 20. Prior to the issue of the Construction Certificate, the approved plans must be submitted to Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

Sydney Water's Tap in™ online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

Prior to commencement of works

The following conditions must be completed prior to the commencement of works.

21. A Soil and Water Management Plan shall be prepared. The Plan must include details of the proposed erosion and sediment controls to be installed on the building site. A copy of the Soil and Water Management Plan must be kept on-site at all times and made available on request.

Soil and sedimentation controls are to be put in place prior to commencement of any work on site. The controls are to be maintained in effective working order during construction.

Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign shall be erected prior to commencement of works and shall be displayed throughout construction.

22. A sign must be erected at the front boundary of the property clearly indicating the Development Approval Number, description of work, builder's name, licence number and house number before commencement of work. If owner/builder, the Owner/Builder Permit Number must be displayed.

23. A sign must be erected at the front boundary of the property clearly indicating the Development Approval Number, description of work, builder's name, licence number and house number before commencement of work. If owner/builder, the Owner/Builder Permit Number must be displayed.
24. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - i. stating that unauthorised entry to the work site is prohibited, and
 - ii. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours. Any such sign is to be removed when the work has been completed. This condition does not apply to:
 - iii. building work carried out inside an existing building or
 - iv. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
25. Prior to the commencement of work, Tree Protection Zones shall be established in accordance with AS4970-2009 (Protection of trees on Development Sites) with protective fences at least 1.8 metres high erected outside the drip lines where possible around each tree or group of trees which is required to be retained. The protective fences shall consist of chain wire mesh temporary fence panels securely mounted and braced to prevent movement, shall be in place prior to the commencement of any work on site and shall remain until the completion of all building and hard landscape construction. Excavations for services, waste bins, storage of materials and equipment, site residue, site sheds, vehicle access or cleaning of tools and equipment are not permitted within the Tree Protection Zones at any time.
26. Prior to the commencement of any work on site, a sign shall be placed in a prominent position on each protective fence identifying the area as a Tree Protection Zone and prohibiting vehicle access, waste bins, storage of materials and equipment, site residue and excavations within the fenced off area.
27. The site shall be secured by a 1800 mm (minimum) high temporary fence for the duration of the work. Gates shall be provided at the opening points.
28. 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 additional toilet for every 20 persons employed at the site.

During demolition / excavation / construction

The following conditions must be complied with during demolition, excavation and or construction.

29. A copy of the Construction Certificate and the approved plans and specifications must be kept on the site at all times and be available to Council officers upon request.
30. Hours of construction shall be confined to between 7 am and 6.30 pm Mondays to Fridays, inclusive, and between 8 am and 3.30 pm Saturdays with no work being carried out on Sundays and all public holidays.
31. Ground water shall only be pumped or drained to Council's stormwater system if the water is clean and unpolluted. The standard used to determine the acceptability of the quality of the water is the 'Australian and New Zealand Environment and Conservation Council - Australian Water Quality Guidelines for Fresh and Marine

Waters 1992'.

Note: Prior treatment and/or filtration of the water may be necessary to achieve acceptable quality, including a non-filterable residue not exceeding 50 milligrams/litre or small quantities may be removed by the services of a Licenced Liquid Waste Transporter. It is an offence under the provisions of the Protection of the Environment Operations Act 1997 to pollute the stormwater system.

32. All waste generated on site shall be disposed of in accordance with the submitted Waste Management Plan.
33. All excavation and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards and guarded and protected to prevent them from being dangerous to life or property.

When excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building or an adjoining allotment of land, you shall:

- i. preserve and protect the building from damage and
- ii. underpin and support the building in an approved manner, if necessary and
- iii. give notice of intention to excavate below the level of the base of the footings of a building on an adjoining allotment of land to the owner at least 7 days prior to excavation and furnish particulars of the excavation to the owner of the building being erected or demolished.

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

In this conditions allotment of land includes a public road and any other public place.

Works shall not encroach onto or over adjoining properties, including retaining walls, fill material or other similar works. Soil shall not be lost from adjoining sites due to construction techniques employed on the subject site.

34. If groundwater is encountered during construction of the pool the pumped discharge from temporary dewatering shall be reinjected by either of the following methods:
 - Discharge to the approved absorption system for the development site, or
 - Discharge to a temporary absorption system designed and certified by a qualified Engineer. The absorption system must comply with Rockdale Technical Specification Stormwater Management and be designed for rainfall over the excavated area and the expected pump rate for the dewatering operation.
35. All demolition work shall be carried out in accordance with AS2601 – 2001: The Demolition of Structures and with the requirements of the WorkCover Authority of NSW.
36. Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction. A copy of the sign is available from Council.
37. No trees located within the site, adjoining properties or Council's nature strip shall be removed or pruned without the prior written consent of Council in the form of a Permit issued under Council's Development Control Plan 2011.

38. Where drainage or paving works are proposed to be constructed in the area below the dripline of trees, the proposed works and construction methods must not damage the tree. Where either the trees or works were not shown in detail on the approved plans, then Council approval must be obtained by contacting Council's Tree Management Officer.
39. Underground Services such as pipelines or cables to be located close to trees, must be installed by boring or by such other method that will not damage the tree rather than open trench excavation. The construction method must be approved by Council's Tree Management Officer.
40. Existing soil levels within the drip line of trees to be retained shall not be altered without reference to Council's Tree Management Officer.
41. Building materials, site residue, machinery and building equipment shall not be placed or stored under the dripline of trees required to be retained.

Prior to issue of occupation certificate or commencement of use

The following conditions must be complied with prior to issue of the Occupation Certificate or Commencement of Use.

42. An Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of the building.
43. Tactile differentiation on floor surfaces indicating change of gradient shall be provided to those buildings where access and facilities for people with disabilities has been provided. This includes the external parts of the building, eg. access walkways and ramps. Such differentiation shall have regard to the provisions of AS1428.4.
44. Where Council's park/reserve is damaged as a result of building work or vehicular building traffic, this area shall be restored by Council at the applicant's expense. Repairs shall be completed prior to the issue of the Occupation Certificate.
45. Prior to the issue of the Final Occupation Certificate, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

It is recommended that applicants apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

46. A certificate is to be provided to Council that all wet areas have been effectively waterproofed (prior to tiling) in accordance with AS3740 and the product manufacturer's recommendations.

Development consent advice

- a. If Council is appointed as the Principal Certifying Authority (PCA), a fee shall be paid before a Construction Certificate is issued. If the fee is paid after the end of the financial year, it will be adjusted in accordance with Council's adopted fees and charges. The fees charged encompass all matters related to ensuring that the proposed development is carried out in accordance with the approved plans and any post inspection issues that may arise.

- b. 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 (NSW WorkCover Authority and the NSW Environment Protection Authority), together with the relevant regulations, including:
- Work Health and Safety Act 2011
 - Work Health and Safety Regulation 2011
 - Protection of the Environment Operations (Waste) Regulation 2005.
- c. The removal, cleaning and disposal of lead-based paint shall conform with the requirements of the NSW Environment Protection Authority's guideline - "Lead Alert - Painting Your Home".
- d. All site works shall comply with the occupational health and safety requirements of the NSW WorkCover Authority.
- e. In the event of any inconsistency between conditions of this approval and the drawings/documents referred to in condition 2, the conditions of this approval prevail.



Issue:	Date:	Amendment:

PROPOSED ALTERATIONS &
ADDITIONS TO AGED CARE
FACILITY
20 DUNMORE ST NORTH, BEXLEY
FAIRMONT AGED CARE

PROPOSED NORTH
ELEVATION

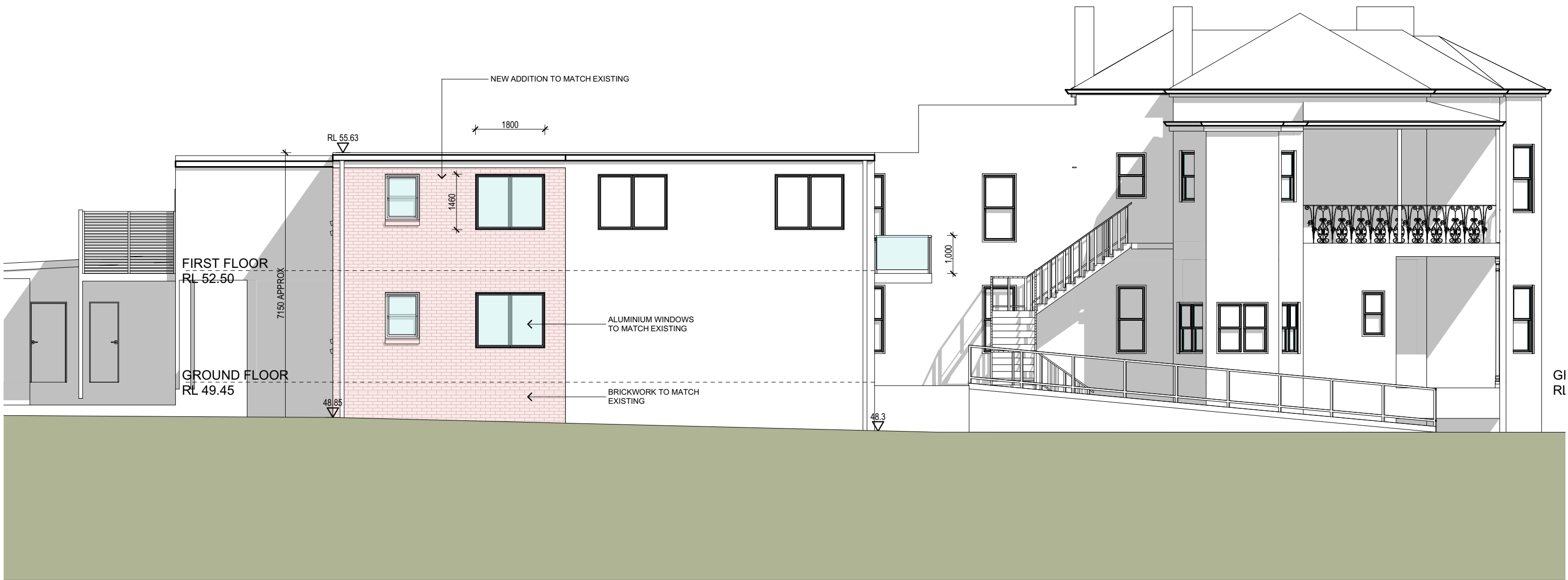
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Date: 06-Jan-17	Job No: 16073
Scale: 1:100	Dwg No: DA-07
Drn By: NS	Issue: B



Issue:	Date:	Amendment:

PROPOSED ALTERATIONS &
ADDITIONS TO AGED CARE
FACILITY
20 DUNMORE ST NORTH, BEXLEY
FAIRMONT AGED CARE

PROPOSED EAST
ELEVATION

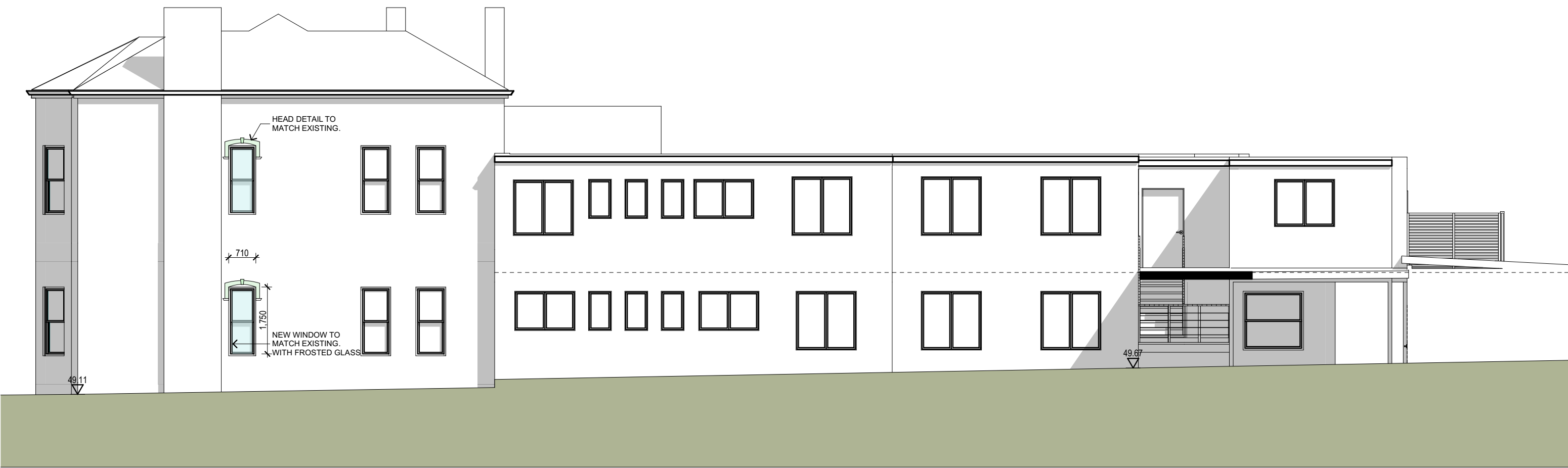
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Date: 06-Jan-17	Job No: 16073
Scale: 1:100	Dwg No: DA-08
Drn By: NS	Issue: B



Issue:	Date:	Amendment:

PROPOSED ALTERATIONS &
ADDITIONS TO AGED CARE
FACILITY
20 DUNMORE ST NORTH, BEXLEY
FAIRMONT AGED CARE

PROPOSED WEST
ELEVATION

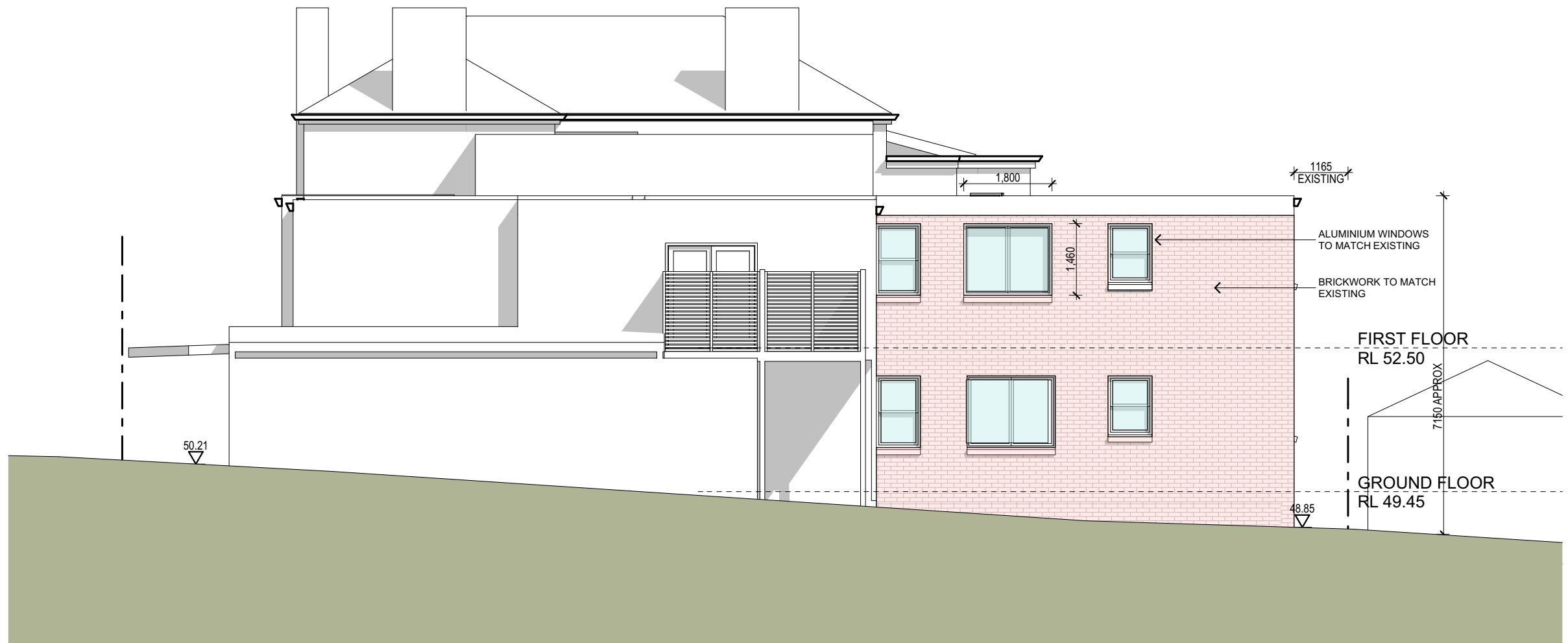
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Scale: 1:100	Dwg No: DA-09	Issue: B
Drn By: NS		



Issue:	Date:	Amendment:

PROPOSED ALTERATIONS &
ADDITIONS TO AGED CARE
FACILITY
20 DUNMORE ST NORTH, BEXLEY
FAIRMONT AGED CARE

PROPOSED SOUTH ELEVATION

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bda
BUILDING
DESIGNERS
AUSTRALIA



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