

HAWKESBURY CITY COUNCIL

SPECIAL MEETING

Where People Make the Difference!

SPECIAL BUSINESS PAPER MINUTES

DATE OF MEETING: 20 June 1995

LOCATION: Council Chambers

TIME: 7:30pm

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Minutes of the Special Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 20 June 1995, commencing at 7.30pm.

PRESENT: Councillor R P Stubbs, Mayor and Councillors R G Calvert, H J M Books, B N Keegan, W J Mackay, C A Paine, M G Parsons, P E Rogers, L C Sheather, W J Sledge, and H Williams.

Councillor W J Mackay left the meeting at 11.50pm.

An apology for absence was received from Councillor Minturn.

- 1283 RESOLVED on the motion of Councillor Parsons and seconded by Councillor Paine that the apology be accepted.
- 1284 RESOLVED on the motion of Councillor Calvert seconded by Councillor Paine that speakers be restricted to 5 (five) minutes with no extensions.

SECTION 4 - REPORTS FOR DETERMINATION

**260: PROPOSED RICHMOND MARKETPLACE SHOPPING CENTRE
(DA0056/95Pt02;LEP18/93Pt02/EVD)**

- 1285 RESOLVED on the motion of Councillor Paine seconded by Councillor Books that questions be asked of each speaker after they address the Council.

Speakers in support of the application

Mr Sam Restifa, applicant; Mr Chris Hallam, Traffic Consultant; Mr Alex O'Grady; Mr Grant Hirst, General Manager Property, Woolworths; Mr Wayne King, State Property Manager NSW Fire Brigade; Superintendent Darryl Leggett, Zone Commander NSW Fire Brigade; Ms Lorna Allan, President, Richmond & District Chamber of Commerce; Ms Joyce Butler, on behalf of tenants of the 16 aged units at 32-38 East Market Street, Richmond; and Mr Chris Delkou, resident of Lennox Street, Richmond.

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Speakers objecting to the application

Mr Rob Tolson; Mr Bob Hirst, Retail Consultant; Mr Rob Varga, Traffic Consultant, Project Planning Association; Mr Allan Currall on behalf of Bowdens; Mr Tom Lonsdale, Bligh Park; Mr Dennis Bradshaw, Consulting Engineer; Ms Irene Alexander, resident of East Market Street, Richmond; Mr John Kelly, resident 11 College Street, Richmond; Mr Roy Rotherham; Mr McCoy of Windsor Lock and Key; and Mr Webster, investor.

Moved on the motion of Councillor Keegan seconded by Councillor Books that Council not support the recommendation in Clauses A and B of the Special Meeting of 20th June 1995.

The motion was lost.

Councillor Mackay left the meeting at this stage, the time being 11.50pm.

1286 RESOLVED on the motion of Councillor Sheather seconded by Councillor Rogers that:-

- A. That Council support the draft local environmental plan for the Richmond Marketplace shopping centre and refer it to the Department of Urban Affairs and Planning for final gazettal.
- B. That Council provide a deferred commencement approval to the construction of the Richmond Marketplace shopping centre generally in accordance with the plans and documentation contained in the Development Application Submission prepared by Restifa & Partners Pty Limited and dated 20 March 1995 subject to the gazettal of the local environmental plan.

Further the following conditions be attached to the deferred commencement approval:-

Lapsing of Consent

- 1. Unless there is substantial commencement, this consent will lapse two (2) years from the date the deferred commencement requirement is met, ie two (2) years from the date of gazettal of the local environment plan.

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Building Application

2. Submission of a building application, plans and specifications complying with the Building Code of Australia.

Waste Materials

3. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
4. Adequate and suitable solid garbage/trade waste storage facilities shall be provided on the premises. Separate details indicating the location, type and construction of such facilities shall be lodged with Council concurrently with the Building Application.

Provision of Toilets

5. Provision of toilets in accordance with the requirements of the Building Code of Australia.

Food storage and handling

6. Any building or part thereof to be used for the purpose of storage, preparation or sale of food for human consumption shall be constructed in accordance with the requirements of the Food Act 1989 and Regulations thereunder and Council's Food Premises Code.

Site Works

7. No excavation or site works shall be commenced prior to the issue of the building permit.

Signage

8. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.

Access crossings and footpaths

9. Construction of full width path paving along the southern side of March Street between East Market Street and Paget Street.

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10. Construction of Council's standard heavy duty footway and layback vehicular crossings to suit the accesses to the site and splayed as necessary to provide adequate turning area to the dock entrances.
11. Removal of the existing redundant layback crossing and replacement with concrete and gutter and the restoration of the footway area.
12. Retention of all existing sandstone kerbing.
13. Provision of 1.2 (one point two) metre path paving along the East Market Street, Lennox Street and Paget Street frontages.

Roads

14. Reconstruction of the road shoulder along the southern side of March Street between East Market Street and Paget Street to the requirements of the Divisional Manager Engineering Operations.

This is Page of the Minutes of the SPECIAL ORDINARY No 9 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 20 June 1995.

General Manager

Mayor

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Electricity

15. The provision of underground electricity along the March Street frontage of the site between East Market Street and Paget Street to the requirements of Prospect Electricity. The provision of reticulated supply to properties on the northern side of March Street is to be subject to negotiation.
16. The provision of conduit/ducts under new driveways to the requirements of Prospect Electricity, in accordance with Prospect Electricity drawing 049759H dated 14/7/1987. Conduit and ducting material is available from Prospect Electricity.

Drainage

17. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments. Full details of works shall be submitted for approval with the building application. On-site detention shall be provided to maintain all stormwater discharges to the design discharge used to size the proposed Council drainage system for the area.

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18. All stormwater from the site shall be discharged to the proposed drainage system in Paget Street.
19. No work on the site that will significantly increase the percentage of impervious area or runoff from the site shall be commenced until Council's proposed drainage system to the site is functional.
20. Payment of a contribution of \$318,980 (three hundred and eighteen thousand nine hundred and eighty) in accordance with Council's Section 94 development contribution plan for the provision of drainage to the site. The contribution is based on that proportion of the site within the benefit area at the rate of \$10.48/m² (ten dollars & forty eight cents). The contribution has to be paid within one (1) month of the date of this deferred commencement approval. In the event that the rezoning of the land does not proceed the contribution will be refunded in full plus the interest on investment.

Construction Site Noise

21. There is to be no work on site between 6pm and 6.30am Monday to Friday or or before 7.00am or after 4.00pm on Saturdays without the approval of the Divisional Manager Environment and Development.

No construction work is to take place on Sundays or Public Holidays except with the approval of the Divisional Manager Environment and Development.

Noise from Loading Docks & Air Conditioning Units

22. The loading docks and air conditioning units are to be designed and operated so as not interfere with the amenity of residents in the area.

In particular the hours of operation of loading dock 1 are to be limited to 7am to 8pm.

Provision of a Masonry Wall

23. Provision be made for the attenuation of noise and security at the aged housing units to the satisfaction of the Department of Housing.

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Parking

24. Off street parking is to be provided generally in accordance with the plans submitted.
25. Two (2) percent of off street car spaces shall be disabled spaces and be sized and marked accordingly. The location, size and arrangement of the spaces to be approved by Council's Access Forum.

Provision for Nursing Mothers and Baby Care

26. Provision is to be made on the site for a baby care room for use by parents and nursing mothers for baby care. The design of the room is to be certified by the Nursing Mothers' Association of Australia as a "Baby Care Room" and a copy of the certification is to be submitted with the building application.

In selecting a design for the provision of facilities for nursing mothers and baby care, provision be made for the use of the room by men. Further, that consideration be given to the provision of harnessed fold down children's seats in toilets.

Access for the Disabled

27. Provision for access by the disabled is to be incorporated in all aspects of the building design. The building plans are to be submitted for consideration by Council's Access Forum with any comments to be considered in the assessment of the building application.

Potentially Contaminated Site

28. The former bus depot on the corner of Paget and Lennox Streets is a potentially contaminated site and is to be tested in accordance with Environment Protection Authority guidelines and any contaminated soil is to be treated or disposed of in a manner approved by the Environment Protection Authority.

Heritage

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29. All existing buildings on the site as shown on plan R2/93/25 dated 12/4/95 and prepared by Aloha Designs are to be retained in the locations shown. Further a plan for the conservation of each of these buildings is to be submitted for approval by Council's Heritage Adviser prior to the submission of a building application. All work is to be carried out in accordance with established conservation practices as outlined in the Burra Charter of ICOMOS and to the satisfaction of Council's Heritage Adviser.
30. An archaeological assessment of the site be prepared by a recognised consultant and submitted for consideration prior to the submission of a building application.
31. The site is to be appropriately photographically recorded to the levels specified by the Department of Planning in their publication; How to prepare archival records of Heritage Items. The record is to be lodged with the Council's library.
32. A site survey is to be undertaken to locate the position of all existing buildings, property boundaries, fences and plantings on the site prior to disturbance by the proposed development.
33. Detailed design drawings of the two (2) proposed corner buildings be submitted for approval by Council's Heritage Adviser prior to the submission of a building application. The design shall accurately identify materials, colours, details and landscape works proposed for the site.
34. A detailed and comprehensive landscape master plan for the whole site indicating soft and hard landscaping, materials, fixtures, lighting and planting species shall be submitted for approval by Council's Heritage Adviser prior to the commencement of landscaping.
35. A detailed list of materials and colours for the proposed new shopping centre shall be submitted with the building application.
36. A detailed elevational study of the blank wall sections of the shopping centre buildings shall be submitted for consideration by Council's Heritage Adviser before submission of a building application. Council will be anticipating some form of treatment eg, the creation of recesses or the use of banding, to reduce the apparent bulk of these walls.

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37. A detailed design of the main entry from March Street shall be submitted for approval by Council's Heritage Adviser before submission of a building application.
38. A detailed submission on signage shall be made prior to the submission of a building application.

Limitation on Number of Specialty Shops and Commercial Premises

39. There is to be a maximum of 48 (forty eight) specialty shops and commercial outlets in the Marketplace centre exclusive of floorspace outside the centre being the heritage cottages and the centres on the two corners for a period of 5 (five) years.

Contribution for Traffic Control Facilities

40. A. A security of \$80,000 (eighty thousand) is to be lodged for the implementation of necessary traffic control facilities in Richmond as a consequence of the shopping centre. This includes the provision of parking restriction signs and likely adjustment to traffic light phasing.
- B. That a traffic study update be completed 12 (twelve) months after the shopping centre is opened by an independent firm at the applicant's expense.

Provision of a Raised Median in East Market Street between March and Lennox Streets

41. A raised central median strip is to be provided in East Market Street between March Street and Lennox Street at no expense to Council to the requirements of Council's Divisional Manager Engineering Operations. Alternatively a contribution of \$20,000 (twenty thousand) be provided to Council for the construction of the raised median.

Contribution for Provision of a Roundabout at the intersection of Paget Street and March Street

42. The provision of a roundabout within the road reservation at the intersection of Paget Street and March Street which was identified by the Regional Traffic Committee to control traffic movements and reduce accident potential.

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Redesign of Loading Docks

43. Prior to submission of the building application, an alternative design for the loading docks is to be submitted to mitigate the concerns raised by the Regional Traffic Committee. In particular this redesign should attempt to reduce the number of access points onto Lennox Street.

Removal of Dirt and Debris from Roads during Construction

44. Dirt and debris which is tracked off the site onto roads is to be removed

Destination of Fill Removed from the Site during Construction

45. Council is to be advised of the destination of all fill removed from the site prior to its removal. In the event that the fill is being deposited within the City of Hawkesbury, Council will require the submission and approval of a development application for the recipient site. Council would be seeking a reasonable contribution under Section 94 of the Act for the use of any local roads in the transport of that fill material.

Repair of Roads Adjacent to the Site

46. Any damage to roads as a consequence of the construction of the shopping centre is to be rectified to the satisfaction of the Divisional Manager Engineering Operations at no cost to Council.

Widening of Driveways

47. The driveways to the underground carpark are to be widened to a minimum of 8 (eight) metres with a minimum of 1 (one) metre separation being provided between the entry and exit driveways at the property boundary.

Provision of a Subdivider/Developer Certificate from Sydney Water

48. A subdivider/developer certificate from Sydney Water is to be provided prior to the release of building plans.

Internal finishes

49. A schedule of internal finishes shall be submitted with the building application.

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Telecom

50. The submission of a certificate from Telecom Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.

Protection of Amenity

51. The development shall be conducted in such a manner so as not to interfere with the amenity fo the neighbourhood, in respect of light, noise, vibration, smell, dust, waste water, waste products or otherwise.

That the following conditions of development consent be incorporated in any development approval and that the advice be brought to the attention of the applicant:

Application for Demolition

52. Application being made under the Local Government Act for the demolition of the existing building. Such application shall address noise attenuation, dust control, safety of the public, disconnection of services, reuse/recycling of materials and disposal of any residual materials.

Silencing of Equipment

53. Demolition and construction equipment shall be silenced in accordance with manufacturer's recommendations.

Waste Management Plan

54. A waste management plan shall be submitted for consideration with the building application. Such plan shall address any builder's waste and waste generated during day to day operations and shall include types and quantities, recycling, reuse, storage and disposal.

Air Handling Systems

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55. The air handling system installed on the premises shall be registered with Council in accordance with Part 6 of the Public Health Act 1991, Microbial Control.

Erosion and Sedimentation Control

56. The submission of an erosion and sedimentation control plan for approval prior to any works commencing.

Covering of Loads

57. All loaded trucks entering or leaving the site shall have their loads suitably covered to prevent spillage.

Mechanical Ventilation

58. Full details of the mechanical ventilation shall be submitted with the building application. Such details shall include anticipated air quality in the underground carpark under the highest use conditions and the methods of advising motorists when this carpark is full.

Dust Suppression

59. Appropriate arrangements are to be made for the suppression of dust during excavation and construction so that it does not constitute a nuisance to nearby properties.

SUPPLEMENTARY REPORTS

**261: PROPOSED RICHMOND MARKETPLACE SHOPPING CENTRE
(DA0056/95PT02;LEP18/93PT02/EVD/EVD)**

1287 See Minute No 1286.

The meeting terminated at 12.22am.

Submitted to and confirmed at the meeting of Council on July 11, 1995.

.....Mayor

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General Manager

Mayor