



H a w k e s b u r y C i t y C o u n c i l

ordinary
meeting
business
paper
supplementary

date of meeting: 9 February 1999

location: Council Chambers

time: 7.30pm

ORDINARY MEETING

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1. Citizen of the Year GC030/003

Council has presented Australia Day Awards, including Hawkesbury Citizen of the Year, since the early 1980's. Nominations are called through public advertising with Council's Australia Day Awards Committee determining the recipients.

Following the success of the Sportsman of the Year Award, the Richmond Club and Hawkesbury Gazette in December 1997 initiated their Citizen of the Year Award. Each month a Citizen is selected for outstanding contribution to the community and, at the end of the year, a dinner is held to recognise each of the monthly winners and announce the citizen of the Year. The recipient in 1998 was the Hawkesbury SES team members from the Thredbo Rescue.

The Richmond Club award has the advantage of giving broader recognition to the contribution of dedicated citizens to the community by selecting twelve finalists. However, it has resulted in two Hawkesbury Citizen of the Year Awards within one to two months.

Discussions have taken place with the Richmond Club and the Hawkesbury Gazette with a view to amalgamating the awards. It is proposed that the Richmond Club and Hawkesbury Gazette awards continue to be announced on a monthly basis and recipients be honoured at an annual dinner. All nominations received by the Richmond Club would be forwarded to the Australia Day Awards Committee of Council, which would be expanded to include a representative of the Hawkesbury Gazette and one to two representatives of the Richmond Club for determination of Citizen of the Year who would be recognised on Australia Day. Council would continue to publicly advertise for nominations as currently occurs.

The Richmond Club has written advising that it is in agreement with this proposal subject to Council approval.

It is recommended that the revised selection process for Citizen of the Year as contained within the report be adopted by Council.

oooO END OF MAYORAL MINUTES Oooo



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ITEM: 139 **Shop 6 - Glossodia Village Shopping Centre****FILE NUMBER:** GC283/152 PT1/CSV/ORB09LBX.C25

REPORT:

A submission has been received from Mr Joseph Esposito to open a Pizza, Pasta and Ribs Takeaway/Restaurant within Shop 6 at Glossodia Village Shopping Centre.

It is noted that Shop 6 is part of the extensions and Mr Esposito has had a number of years experience with restaurants and pizza bars, including stints as Manager of Maxwell's Table at Kurmond and Numero Uno Pizza at Kurrajong. Mr Esposito proposes to provide take away, eat in and home delivery services for 5 to 6 nights per week, with the general hours of operation being 12 noon to 10.00pm.

The rental for the shop is \$220 (two hundred and twenty dollars) per week plus 6.70% of annual outgoings and 4.69% of rates and taxes in respect of the centre, estimated to total \$1,300 (one thousand three hundred dollars) per annum. It is proposed that he be offered a three year Lease with an option to renew for a further three years, with rental to be reviewed to the Consumer Price Index for Sydney at the commencement of the option period.

It is considered that this proposal will further compliment the existing tenancy mix within the centre and Mr Esposito has indicated that if the eat in/restaurant side of the business proves to be popular, he may make an approach in the future to lease the adjoining Shop 5, if it is still vacant at the time.

RECOMMENDATION:

That Shop 6 Glossodia Village Shopping Centre be leased to Mr Joseph Esposito of 24 Campbell Street, North Richmond and the use of the shop will be a Pizza, Pasta and Ribs Takeaway/ Restaurant. The Lease will be for period of three years with an option to renew for a further three years, with a commencing weekly rental of \$220 (two hundred and twenty dollars) plus a contribution of 6.7% (six point seven percent) of outgoings in respect of the centre and 4.69% (four point six nine percent) of rates. Further, that the Seal of Council be affixed to the necessary documentation.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 139 Oooo

ITEM: 140 **Proposed Long Day Care Centre - Lot 13 DP 4906, Lot 2 DP 732475, Lot B DP 36830, Toxana Street, Richmond.**

FILE NUMBER: MA0617/98/EVD/ORB09LBX.V27

PREVIOUS ITEM: 58, GPC Section 1 - Environment (02.02.1999)

REPORT:

This matter was reported at the General Purpose Committee meeting of 2nd February 1999. There were several questions raised about this application and the report to the Committee. The following information is supplied:

1. The proposal occupies three different titles, one title for the building itself, one for the majority of the playground and a third for the car parking provisions. It was proposed at the General Purpose Committee that a condition be placed on the approval that should any of the lots be sold then consent will cease. However, it is considered prudent to also request that either the land be consolidated into one title with the rest of the RSL Club or an appropriate registration "Restriction As To User" be placed on the land to prevent the sale of the land without Council's consideration. This is similar to the manner in which the Go-Kart track at Wilberforce was treated.
2. The Long Day Care Centre will need to be licensed with the Department of Community Services as the exemption available under the Regulation for Centre Based and Mobile Child Care Services Regulation of 1996, as amended, does not apply to registered clubs.
3. It was recommended to the Committee that the use of the Day Care Centre be confined to employees or patrons of the Club. The principal reason for this is the lack of parking available for the facility.

Following the completion of the development plans for the Richmond Club, there will be a deficit of some 250 car parking spaces. This means that there will be no provision for parking for people to attend the Long Day Care Centre who are not already attending the Club. Further, it is also considered that the impact of patrons on the parking situation is understated for the following reasons:

- a) The application states that there will be a maximum of four staff in the building. This is unlikely as the Regulation will require two staff to be in attendance at all times in both rooms. Therefore, in order for them to leave at change of shift and at lunch time additional staff will be required.
- b) It will not be possible for the four staff to answer enquiries at the front desk during the time they are responsible for children inside each of the play rooms. Again, it is likely that additional staff will be needed.

- c) Given the hours of operation of the Centre, there would need to be multiple shifts of employees and, again, staff will need to come and go at change of shift. It is likely that at least seven staff may be required to operate the Centre at any one time or, at the very least, this will occur during periods of lunch breaks and shift changes. Therefore, the demand for parking would be higher than anticipated in the application.
 - d) Given the fact that the Centre operates for extended hours there will be most likely two exchanges of children during the day and into the evening. This will necessitate up to 26 parents arriving and departing for each of the groups of children. If this were to occur within a relatively short time frame then it can be possible for double the amount of parents to arrive at the Centre than anticipated in the application. It is considered that at least ten spaces would need to be set aside in the carpark.
4. The building has not been designed to allow for access for disabled persons. Council's policy requires access for disabled persons to be provided. This will mean the following works will need to be required.
- a) Access ramps will need to be provided at the front and north-western exits.
 - b) A unisex toilet facility for people with disabilities will be required. This will need to be accessed without crossing an area reserved for one sex only. Therefore, the toilet facility provided for the staff in the building will need to be modified to allow access for disabled. This will also require doors to swing out rather than swing in.
 - c) The toilet area for the children will need to have its floor level raised and the roof lifted to allow access to that area also for people with disabilities and an appropriate increase in the width of the doors.
 - d) Egress from the building, especially in the northwestern exit and the southwestern exit, will also be required to be confined within the childproof fencing.
5. The suggestion in the application that this Centre can cater for 26 children is also considered to be unlikely. The number of children is dictated by the floor area of playrooms and the applicant has appeared to have included areas of storage cupboards and door swings which are specifically excluded from the calculations. It is more likely that 12 children per room or 24 in total are likely to be achieved. This will not affect the number of staff required, however, viability of Long Day Care Centres below 25 children is unlikely.
6. The application also appears to not have allocated sufficient floor space for the following requirements:
- . Nappy change areas, bathing and contaminated waste disposal units.
 - . Areas for the storage of bedding.
7. A 1500mm high fence rather than the 1200mm proposed will be required around the site as the site adjoins a busy road.

8. Due to the availability of child care places in the Richmond area this Centre will not receive any fee relief.
9. There are a large number of vacant positions available in Long Day Care Centres in the Richmond area, together with vacant positions within the Family Day Care Service. The current Family Day Care Service provides child care for after hour requirements, whereas, the current Long Day Care system does not.

There appears to be a demand by the employees of the Club for Long Day Care. The restrictions of this building however would make the viability of such a small service questionable.

It may be more cost effective for the Club to purchase permanent positions in current Long Day Care facilities in the area or, indeed, subsidise their employees using Family Day Care.

It should be noted that if occasional child care is to be provided after normal hours, the Centre must be fully staffed regardless of the number of children that attend as it must be assumed the full number of licensed positions will be taken up. This makes the provision of Occasional Care with long hours very difficult to sustain financially.

Conclusion

It is concluded therefore that there are a number of changes required to the conditions recommended to Council's General Purpose Committee. These changes will include conditions to require:

- . access for disabled
- . raising of the floor level in the children's toilet and lifting the roof level to allow access for disabled
- . the extension of the child proof fencing to include all egress points from the building
- . the provision of ten carparking spaces in the adjacent carpark for this service and the expansion of the condition regarding the consolidation of the title or Restriction as to User to be placed on the title

Also, the hours of operation were incorrectly reported to the General Purpose Committee . These changes have been carried out in the recommended conditions below.

RECOMMENDATION:

- A.** Approval of the application subject to the following conditions.

Advisory

1. To confirm and clarify the terms of this approval, the development shall take place in accordance with the plans submitted with the application excepting as modified by these further conditions.

2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. The applicant is advised to consult with:
 - (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (c) Natural Gas Company
 - (d) a local telecommunications carrier

regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s). Sydney Water Corporation Limited may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made of the Corporation's requirements for the eventual operation of the approved use.

5. The building must comply with the Category 1 fire safety provisions (as defined in part 7B of the *Environmental Planning and Assessment Regulation 1994*) applicable to the proposed new use.

Note: The obligation under this condition to comply with the Category 1 fire safety provisions may require building work to be carried out even though none is proposed or required by other conditions of this consent.

Prior to Issue of Construction Certificate

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. Details of compliance with these Regulations is to be provided.
7. The building is to have access for disabled people. This will require:
 - i) entrance gates that enable appropriate access
 - ii) entrance ramps to the front door
 - iii) ramps to replace stairs at northwest exit point
 - iv) extension of child proof fencing to include all egress points
 - v) the raising of the floor of the toilet area to remove the entrance steps (Note: this will necessitate the lifting of the roof of this area and its integration with the current roof).
 - vi) the provision of one (1) unisex toilet for disabled with outward opening doors.
8. The building design shall incorporate components that will provide aircraft noise mitigation in accordance with AS 2021. Details prepared by an accredited acoustical consultant submitted with the construction certificate.

9. Detailed engineering plans and specifications relating to the work shall be submitted.
10. The following documentary evidence is to be obtained prior to the issue of any Construction Certificate, whether by Council or an accredited certifier:
 - (a) A Section 73 Certificate issued by the Sydney Water Corporation Limited or other evidence of Sydney Water's non-objection to the commencement of work on the basis of service availability.
 - (b) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.
11. Lighting to be adequately provided from the car park to the child care centre. Details of lighting to be submitted to Council for approval.

Prior to Commencement of Work

12. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
13. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.
14. As far as practicable all trees and shrubs on the site are to be preserved and integrated with the plan of landscaping. No trees over 4m in height shall be removed without the approval of the Council. Such approval to be sought prior to commencement of works.
15. The approved and stamped plans shall be submitted to Sydney Water for Approval. Failure to submit the plans may render the owner liable to a penalty and may result in the demolition of the work at the expense of the owner or builder. Sydney Water has a number of business offices, including Blacktown, Katoomba, Parramatta and Penrith.

During Construction

16. All building work must be carried out in accordance with provisions of the Building Code of Australia.
17. The building site is to be adequately protected and drainage controlled to ensure that erosion and sediment movement is restricted to the site. The applicant will be responsible for restoration of any erosion and removal of sediment from the stormwater drainage system.
18. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:

- (a) steel reinforcement;
 - (b) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - (c) wet area flashing, after the installation any bath and shower fixtures;
 - (d) on completion of the structure;
19. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.
20. The site shall be kept clean and tidy during the construction period and all rubbish shall be removed from the site upon completion of the project to the satisfaction of this office.
21. Emergency lighting shall be installed within the building in accordance with the requirements of Part E4 of the BCA.
22. An automatic fire detection and alarm system shall be installed within the building in accordance with Part 3.7.2 of the BCA for class 1A and 1B dwellings and F2.2a of the BCA for Class 2, 3, 4, 5, 6, 7, 8 9a and 9b. Alarms and Detectors shall be installed by a licensed electrician and multiple alarms shall be interconnected, a certificate of the installation shall be provided prior to occupation of the building or addition; (Note: refer to approved plans, for location marked in red ink).
23. Exit signs complying with the requirements of Part E4 of the BCA shall be provided
24. All doors providing egress from the building shall conform with the requirements of Part D2.19 and D2.20 of the BCA.
25. All ramps shall comply with the construction and gradient requirements of Parts D2 and D3 of the BCA.
26. Any material or component used in the building shall comply with the early fire hazard indices stipulated in Specification C1.10 of the BCA. A separate schedule detailing such materials and their respective indexes and approved in writing prior to the acquisition, installation or fitting of such materials.
27. During construction, at least one fire extinguisher to suit Class A, B and C fires and electrical fires shall be provided on each storey adjacent to each required exit, temporary stairway or exit in accordance with Part E1.9 of the BCA.

28. The sub-slab or sub-floor ground area, all walls and structures, poles etc., shall be treated for termites in accordance with the Building Code of Australia and AS3660.1 by a recognised pest controller and proof of treatment shall be securely affixed to the formwork or steel reinforcement at the slab steel inspection stage. A formal certificate of treatment shall be lodged with the Principle Certifier prior to requesting a final inspection of the building (hand sprayed systems shall also incorporate a physical barrier to penetrations, control joints and footings/slab joints).
29. Warning signs are to be erected on either side of the service driveway warning people of vehicles entering and leaving the site. These signs are to comply with any relevant Australian Standard.

Prior to Issue of Occupation Certificate

30. An occupation certificate is to be obtained on completion of all works and prior to commencement of the approved use. The occupation certificate will not be issued if any conditions of this consent are outstanding.
31. To ensure parking necessary for the development is provided and kept clear and available, ten (10) off-street car parking spaces shall be line marked and signposted on Lot B DP 368301, to reserve the parking spaces for Kindy Time employees and patrons only.
32. Portable fire extinguisher/s containing an extinguishing agent suitable for the risk being protected shall be installed in accordance with AS 2444 E1.6.

Such fire extinguishers shall be certified upon installation and a FIRE SAFETY CERTIFICATE lodged with Council.

(Locations shall be approved PRIOR to installation) and such fire extinguisher (access, location, pressure and suitability for the expected risk) shall be certified annually and a copy of the ANNUAL FIRE SAFETY CERTIFICATE delivered to Council.

33. The following services are subject to the provisions of the Environmental Planning and Assessment Act Regulation (Section 80E and Section 80G) and shall be certified by the owner as complying within three months of the completion of the building or prior to the issue of an occupation certificate and be certified on an annual basis from the date of the original certificate.
- (a) Fire blanket
 - (b) Automatic fire detection and alarm systems
 - (c) Emergency lifts
 - (d) Portable fire extinguishers

The Use of the Site

34. The approved child care centre is to be used by employees and members of Richmond Club Limited only. An attendance register is to be kept at all times and made available to Council officers on request.

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35. The area to be used for the approved development being limited to the area shown on the submitted plans.
 36. Operating hours shall be limited to 7.30am to 11.00pm Mondays to Fridays, and 11.00am to 11.00pm Saturdays to Sundays.
 37. The development shall be conducted in such a manner that noise levels measured at any boundary do not exceed 5dB(A) above background noise levels.
 38. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
 39. All food shall be stored at the following temperatures (as applicable):

Cold Food	-	Below 5°C
Hot Food	-	Above 60°C
 40. Should any one (1) of the three lots containing this development be sold and/or used for another purpose then this consent shall cease to operate and a restriction as to use of the land be placed over the three (3) titles involved preventing the land from being sold without Council being informed.
- B.** That Council inform The Department of Family and Community Services that the approved development is restricted to use by employees and patrons of Richmond Club Limited.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 140 Oooo



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ITEM: 141 **Tyre Landfill - 62 Level Crossing Road, Vineyard**

FILE NUMBER: MA805/98/EVD/ORB09LCX.V26

PREVIOUS ITEM: 59, GPC Section 1 - Environment (02.02.1999)

REPORT:

At Council's General Purpose Committee meeting of 2 February, 1998 it was resolved that this matter be deferred pending further consultation with the applicant.

A meeting was conducted with the applicant, Mr Bill Peare, and Council officer, Stephen Enders, on 5 February, 1999 to discuss the issue regarding the requirement for the preparation of an Environmental Impact Statement for the proposed tyre landfill site.

It was explained to Mr Peare that as the new proposal is well separated from the existing landfill site it is considered to be a new development and would be designated development. It was explained that even if the existing lots were consolidated so that the new proposal and existing proposal were on the same lot the development would still be considered designated development due to the physical separation.

The process of preparing an Environmental Impact Statement was explained to Mr Peare who indicated he would speak to his consultant regarding the preparation of the document.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 141 Oooo



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