

**MINUTES OF THE DEVELOPMENT COMMITTEE MEETING
HELD 28 APRIL, 2003, CIVIC CENTRE, OXLEY STREET
CAMDEN – 5.30PM**

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Present: Cr Corrigan (Mayor/Chairman), Cr Anderson, Cr Patterson, Cr Winn, Cr Batros, Cr Fekete, Cr McFadden, Cr Senise, Cr Campbell.

Staff: General Manager, Director Works & Services, Director Governance & Outcomes, Director Development & Environment, Senior Governance Officer.

DEVELOPMENT COMMITTEE PUBLIC ADDRESSES

There were no Public Addresses.

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1. Continuation of 2am Trading Licence at 187 [Lot 1 DP 783037] Argyle Street, Camden - Crown Hotel

File No: DA350.740-5 (Director, Development & Environment Division)

DA No: 230/2003

Zoning: 3(e) 'Town Centre' pursuant to Camden LEP 45

Purpose of Report

Council has previously granted consent for a 2 am trading licence at the subject premises. The consent was issued for an initial trial period of 2 years, after which the applicant was required to make a further application to Council for consideration. The trial period was imposed to ascertain whether the trading hours would have an impact on the amenity of the immediate area. During this trial period, no complaints have been received. Ongoing approval is now sought. The matter is referred to Council for determination.

Summary of Recommendation

It is recommended that the application be approved subject to standard conditions of consent.

Background

On the 26 February 2001, Council issued consent for the Crown Hotel to operate up to 2 am from Monday to Saturday. Conditions were placed upon the consent relating to security, type of entertainment and admission arrangements.

The consent was issued on the basis of a two-year trial period. The initial consent allowed the matter to be reconsidered upon expiration of the trial period.

The Site

The subject property is located on the northern side of Argyle Street adjacent to the AH & I Hall. A copy of the locality map forms **Tabled Document "DC 1"**.

The Proposal

The application seeks approval to continue the 2 am trading licence. The trading hours sought is:

- Monday to Saturday: 5 am to 2 am the next day.
- Sunday / Public Holiday: 10 am to midnight.

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The applicant has also asked that Council review the terms imposed upon the initial consent. In particular the applicant seeks approval to:

- Utilise only two security staff on Saturday nights [rather than three].
- Charge an admission fee on certain nights of the year.

Notification

The application has been extensively notified in accordance with Council's notification and mediation policy. No submissions have been received as a consequence of the notification exercise. Discussions were held with Camden Police in relation to the application.

Assessment

Extended trading hours

The extended operating hours relate to trade on Monday to Saturday. In reality however, the Hotel does not trade to 2 am on each of these nights. The NSW Police Service has indicated that there has not been any significant increase in anti-social behaviour as a consequence of the extended trading hours during the initial trial period. The 2 am licence is consistent with the operating hours of similar establishments in the area [ie Molly Maquires and the Merino Tavern]. The NSW Police Service has suggested that the 2 am trading licence will not impact greatly upon their ability to service the township and surrounding areas.

Admission [Door] Fee

The cover charge will apply on certain nights only such as the Hotel Birthday celebrations and Christmas/New Years eve. The applicant wishes to charge the door fee to cover the cost of employing additional security staff. The door charge will also assist the hotel to recoup lost revenue due to any likely property damage/glass breakage etc.

The applicant has indicated that it is not their intention to convert the Hotel into a nightclub with regular dance parties/band nights. The Hotel will continue to operate primarily as a restaurant and social gathering place, together with a substantial accommodation component. The applicant has stressed that a nightclub type operation is inconsistent with the ethos of the Hotel and in particular the accommodation component of the business.

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Security Arrangements

The applicant suggests that Saturday trading is much quieter than Friday nights hence the additional security guard is not warranted. Surveillance cameras used throughout the Hotel will ensure that the patron behaviour is recorded. It should be noted the NSW Police Service has stated that the Hotel has operated with very little disturbance or trouble to the community. The request to reduce the number of security guards on a Saturday is supported. This arrangement could be reviewed as part of the annual Place of Public Entertainment licence.

Conclusion

The application seeks approval to continue trading to 2 am on Monday to Saturday nights. Variation is also sought with respect to the number of security guards employed on a Saturday. The applicant also wishes to charge an entry fee on certain occasions.

The Hotel has operated up to 2 am for the past two years. During this period the NSW Police Service have not experienced any increase in anti-social behaviour from patrons of the Hotel. Extensive notification of the proposed development has not resulted in any objection to the continued trading hours.

(Cr Patterson declared a pecuniary interest in this matter as the Manager of the Merino Hotel within the Camden CBD. Cr Patterson took no part in discussion or voting on this matter and left the Chamber – the time being 5.35pm).

Recommended: That Development Application No 230/2003 for extension of the trading hours at the 'Crown Hotel' - 187 [Lot 1 DP 783037] Argyle Street, Camden be approved subject to appropriate conditions of consent which form **Tabled Document "DC 2"**.

Resolved on the Motion of Cr McFadden, seconded Cr Winn that Development Application No 230/2003 for extension of the trading hours at the 'Crown Hotel' - 187 [Lot 1 DP 783037] Argyle Street, Camden be approved subject to appropriate conditions of consent which form **Tabled Document "DC 2"**.

DC041/03

THE MOTION WAS **CARRIED**.

(Cr Campbell and Cr Winn voted against the Motion).

(Cr Patterson returned to the Chamber – the time being 5.41pm).

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Recommended: That:

- (i) Council exhibit the proposal to name the tennis court facility at Harrington Park after the Late John Mack.
- (ii) The reserve name Fairfax Reserve be allocated to the park shown on **Tabled Document “DC 3”**.
- (iii) The subject names be forwarded to the Geographical Names Board for gazettal once finalised.

Resolved on the Motion of Cr Winn, seconded Cr McFadden that:

- (i) Council exhibit the proposal to name the tennis court facility at Harrington Park after the Late John Mack.
- (ii) The reserve name Fairfax Reserve be allocated to the park shown on **Tabled Document “DC 3”**.
- (iii) The subject names be forwarded to the Geographical Names Board for gazettal once finalised.

DC042/03 THE MOTION WAS **CARRIED.**

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**3. Proposal to Name Part of Cut Hill Reserve After the
Late Frederick L Small**

File No: 4235/1 (Director, Development and Environment
Division)

Purpose of Report

The purpose of this report is to advise Council of a request to name part of Cut Hill Reserve, Cobbitty after the Late Frederick L Small. A copy of the location plan forms **Tabled Document “DC 4”**. The family of Frederick Small has been contacted and supports the request. This report recommends that the proposed name change be placed on public exhibition to gauge community interest to the request.

Background

Council has received a request to name the cricket fields in Cut Hill Reserve after the Late Frederick L Small, who passed away recently at the age of 92. A copy of the request forms **Tabled Document ‘DC 5’**. The reasons given for the request are because of Mr Small’s lifetime devotion to local cricket clubs in Cobbitty, having been an active member of two clubs for over 60 years. His linkage to polo is also relevant to the proposed naming in view of the previous use of the land as a polo ground. Letters have been sent to Cobbitty Park Cricket Club, Camden Cricket Club, Camden District Cricket Association, Catherine Field Cricket Club and Cobbitty Narellan Cricket Club to advise them of the request for the renaming of part of Cut Hill Reserve. Three submissions (**provided separately to Councillors**) were received; all submissions were in support of the renaming. The submission from the Cobbitty Park Cricket Club provides further information in relation to the work of Mr Small.

The proposal before Council is to recognise the community involvement and dedication Frederick Small had for the sport of cricket and the local region. Council has had several reserves named in memory to local people with a history in the area or for their community commitment and contribution to the area.

Council endorsed the naming of Cut Hill Reserve in April 1997. The reserve was named after the slope of the hill. Council’s policy, Naming of Reserves & Parks Policy No 4.2.22, allows for a specific part of a park or reserve to be named as a memorial for example Oval, Field, Playground or Memorial Garden. This policy follows specific guidelines, which include notification to surrounding residents and the Geographical Names Board. If Council is of mind to support the naming proposal for the purposes of public comment, the matter will then be referred back to Council for endorsement following public exhibition.

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Recommended: That Council exhibit the proposal to name the cricket fields at Cut Hill Reserve, Cobbitty "Frederick L Small Memorial Fields".

Resolved on the Motion of Cr Batros, seconded Cr Winn that Council exhibit the proposal to name the cricket fields at Cut Hill Reserve, Cobbitty "Frederick L Small Memorial Fields".

DC043/03 THE MOTION WAS **CARRIED.**

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4. Extension to Clubhouse to Provide Amenities – Ron Dine Memorial Reserve

File No: 5300.390/1-4 (Director, Development & Environment Division)
DA No: 482/2003
Owner: Camden Council -Community Land
Applicant: Camden Soccer Club Inc
Zoning: Open Space 6(a1) Existing pursuant to CLEP 46

Purpose of Report

The purpose of this report is to enable Council to determine an application to carry out extensions to the Camden Soccer Clubhouse located at Ron Dine Memorial Reserve. The extensions are minor in nature and are to provide additional amenities. Council staff do not have delegated authority to approve such applications on flood affected land.

Summary of Recommendation

This report recommends that the application be approved.

Background

The club has operated from the grounds for a number of years. Council in the past has approved minor extensions to the building in order to provide improved facilities.

The Proposal

The proposal is to construct an extension to the existing clubhouse on the northern side of the building. The extensions consist of a disabled toilet, men's toilet and change room, with a proposed floor area of 60m². Plans of the proposal form **Tabled Document "DC 6"**.

The Site

The site is located in Ron Dine Reserve, McCrae Drive, Camden South. A location plan of the site forms **Tabled Document "DC 7"**. The site is affected by the 1% AEP flood line. This matter will be addressed in the report.

Notification

The application was not notified given the location of the building from adjoining residential properties, the minor nature of the extensions and the use.

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Planning Controls

The following documentation has been considered with respect to Council's assessment of the subject application:

- Camden Local Environmental Plan No 46
- Camden 2025
- Sydney Regional Environmental Plan 20 – Hawkesbury-Nepean River
- Safer By Design Guidelines
- Upper Nepean River Floodplain Management Study and Plan

Assessment

The subject application has been assessed in accordance with section 79C of the Environmental Planning and Assessment Act 1979. The following points are provided in relation to the critical aspects of Council's determination:

(a) The provision of any planning instrument, Development Control Plan or matter prescribed by the Regulations

Camden 2025

Camden 2025 seeks to manage urban growth to ensure that 'growth occurs in a planned and orderly way' and to ensure that 'equitable and easy access by everyone to all facilities, services and infrastructure in our community'. The proposed development achieves this by providing access to facilities to disabled persons that are currently not available or readily accessible.

Camden Local Environmental Plan No 46

The land is zoned Open Space 6 (a1) Existing under the provisions of the Plan. The proposed development is consistent with the objectives of the zone in that provision is to be made for adequate open space to meet the needs of all residents and to identify land for public recreational purposes.

Clause 21 states that Council may refuse an application to carry out any development that is subject to flooding if in their opinion it will:

- Affect the flood level at any point above or below the development;
- Increase, to a substantial degree, the flow of water on any adjoining flood liable lands;

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- Cause soil erosion, siltation or destruction of river bank vegetation;
- Affect the water table of any adjoining land; and
- Adversely affect river bank stability.

Assessment of the application, with consideration to Clause 21 in the LEP, is discussed further in the report.

Sydney Regional Environmental Plan No 20

The provisions of this Plan apply to the property. The Plan provides an overall protection of the environment of the river. Sediment and erosion control measures will be implemented during the construction phase to minimise erosion and soil loss from the site.

Upper Nepean River Floodplain Management Study and Plan

The site is affected by the 1% AEP flood event, located at RL 71.3. Generally the land surrounding the clubhouse is flood affected and is categorised as low hazard – flood storage. However, the floor level of the building is at RL 72.37 or 1m above this flood event. The subject property has flood free access to McCrae Drive, and given the use of the land it is considered that the proposed development will not have an impact on those matters required to be considered under Clause 21 of LEP No 46.

Safer By Design

The proposal has been assessed in accordance with Council's policy on Safer by Design. Whilst the building is isolated from adjoining residential properties, these properties are positioned so as to provide casual surveillance of the building and the grounds are reasonably open to provide same. Therefore the development is acceptable in terms of safer by design.

Conclusion

The proposed development is a minor extension to the existing clubhouse to provide additional amenities required for the use of the grounds. The 1% AEP flood line affects the subject land, but the existing building is 1m above this flood level. The Probable Maximum Flood affects the building, but there are no constraints to the subject development that would warrant refusal of the application.

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Recommended: That Development Application 482/2003 for the erection of additions to the existing clubhouse at Ron Dine Reserve, 39A McCrae Drive, Camden South be approved subject to conditions which form **Tabled Document "DC 8"**.

Resolved on the Motion of Cr Campbell, seconded Cr Winn that Development Application 482/2003 for the erection of additions to the existing clubhouse at Ron Dine Reserve, 39A McCrae Drive, Camden South be approved subject to conditions which form **Tabled Document "DC 8"**.

DC044/03 THE MOTION WAS CARRIED.

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5. Dual Naming of South Creek

File No: **4235/1** (Director, Development & Environment
Division)

Purpose of Report

The purpose of this report is to advise Council that the Geographical Names Board has advised that the names South Creek and Wianamatta were assigned as dual names on 28 March 2003, being the date that the names appeared in the NSW Government Gazette.

Background

Council at a meeting in 2001 considered a report in respect of a request from the Geographical Names Board to rename South Creek to Wianamatta Creek. The Council resolved to object to the renaming, mainly on the basis that South Creek was a long standing name and should not be lost in a historical context.

Main Report

The Geographical Names Board has advised that after considering submissions from a number of organisations, it has gazetted the dual names of South Creek and Wianamatta.

Recommended: That the information be noted.

Resolved on the Motion of Cr Winn, seconded Cr Batros that the information be noted.

DC045/03 THE MOTION WAS **CARRIED.**

The meeting closed at 5.54pm.