

**HAWKESBURY CITY COUNCIL
GENERAL PURPOSE COMMITTEE**

Where People Make the Difference!

**BUSINESS PAPER
MINUTES**

DATE OF MEETING: 27 September 1994

LOCATION: Council Chambers

TIME: At the conclusion of the Special Meeting

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Report of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 27 September 1994, commencing at 10.30am.

PRESENT: Councillor R P Stubbs, Mayor and Councillor 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.

An apology for absence was received from Councillor Minturn.

RESOLVED on the motion of Councillor Keegan seconded by Councillor Sledge that the apology be accepted.

RESOLVED on the motion of Councillor Parsons seconded by Councillor Keegan that the Minutes of the General Purpose Committee Meeting held on the 30 August 1994, be confirmed.

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

58: ADDITIONS TO SHOPPING CENTRE - LOT 43 DP838321 AND LOT 3 DP777853 29 & 34 ELDON STREET, PITT TOWN - APPLICANT: IRONRACE PTY LTD (DA188/94/EVD)

Mr G Edds addressed the Committee on behalf of the applicant.

THAT THE APPLICATION be approved subject to:-

1. The development shall be carried out in accordance with Plan No. A5/27, dated July 1994.
2. Submission of a building application, plans and specifications complying with the Building Code of Australia.
3. Payment of a sewer headworks contribution to Council of \$1,352 (one thousand three hundred and fifty two). This contribution shall remain fixed for a period of 3 (three) months after which time it will be recalculated at the rate applicable at the time of payment. Payment shall be made prior to the release of the building approval.

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4. The construction of concrete kerb and gutter, brick paving to match that existing in the area including steps, retaining walls and including steps, retaining walls and safety rails and all necessary drainage, together with the full construction of the adjacent road shoulder of the frontage of the site where not already provided together with the construction of any works to make this effective.
5. Construction of Council's standard heavy duty footways and layback vehicular crossings to suit the access to the site.
6. Removal of the existing redundant layback crossings and replacement with concrete kerbs and gutters and the restoration of the footway areas.
7. Construction of road and drainage or sewer works are not to commence until 3 (three) copies of the plan or specifications of the proposed works are submitted to and approved by the Divisional Manager Engineering Operations and the Roads and Traffic Authority for Chatham Street.
8. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater/Detention Drainage Requirements for Commercial, Industrial and Medium Density Developments. Full details of works shall be submitted for approval with the building application.
9. A design checking and inspection fee of \$250 (two hundred and fifty) to Council plus RTA fees as requested must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 31 December, 1994.
10. Council shall be consulted regarding acceptable discharge limits to sewer prior to commencement of any works. Preliminary investigation may be required and results submitted to Council. A Trade Waste Agreement shall be entered into with Council prior to discharge of Trade Waste from the premises. Full details of the proposed waste stream, final treatment processes etc, are to accompany the Trade Waste Application. Details of all control devices are to be submitted for approval with the building application.
11. The construction of a new sewer line in Chatham Street and under shop 1 substantially as shown on the submitted plan. The line is to be concrete encased under the building. Council will pay for the line in Chatham Street from the existing manhole to and including the new manhole. Details of the quotation are to be submitted for approval of the cost prior to commencement of the works.
12. The sewer is to be a minimum of 150mm (one hundred and fifty) up to the connection to the existing house service sewer line.

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General Manager

Mayor

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13. The redundant house service line and the manhole is to be removed and the sewer line capped off.
14. The creation of an easement for sewerage over the existing house service line through the site benefiting Council free of cost to Council.
15. The dedication of a 3m (three) x 3m (three) splay corner at the intersection of Chatham and Eldon Streets free of cost to Council.
16. All sewer from the site to be connected to the proposed manhole in the open yard.
17. No advertising structures are to be erected, displayed or affixed on any building structure or land without the prior approval of Council. Any such advertising structure erected or displayed without prior approval will be removed and disposed of at the expense of the advertiser.
18. Submission of a soil erosion and sedimentation control plan with the Building Application.
19. Compliance with Council's Code for the construction and fitting out of Food Premises.
20. Parking shall be provided for 20 (twenty) vehicles in accordance with Council's Regulations and Parking Policy. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and to be constructed, drained, sealed and marked. Full details of works shall be submitted for approval with the building application.
21. Access to the car park shall be restricted to the hours of 8.00am to 8.00pm daily.
22. A pool type fence shall be provided a minimum of 1.5m (one point five) in height to deny access to the car park outside of the car park operating hours. Details of fence style and colour shall be submitted for consideration with the Building Application.
23. Signage shall be displayed within the car park advising all users of the restricted hours. Details to be submitted with the Building Application.
24. The car park shall be cleaned at least daily within the hours access is available.
25. A detailed plan of landscaping shall be submitted and approved by the Divisional Manager Environment and Development prior to the approval of the building application. Such landscaping is to be completed prior to the occupation of the building and shall be maintained for the life of the development.

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26. New boundary fences shall be provided at the applicant's expense. Details to be submitted with the building application. Such fencing behind the building line shall be to a height of 1.8m (one point eight) reducing to 1.5m (one point five) in front of the building line and at least lapped and capped.
27. The external finishes of the development shall match the existing.
28. Development Consent shall be obtained for the use of each shop prior to occupation taking place.
29. All loading and unloading in relation to the use shall take place wholly within the property, and these loading areas shall be kept clear for loading/unloading at all times.
30. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
31. Registration of a plan of survey consolidating the site including the car parking into a single allotment. Documentary evidence to be submitted to Council prior to occupation of the building.

Further that appropriate lighting conditions be submitted to the Ordinary Meeting.

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ADDITIONAL INFORMATION

Discussions were held with the shopkeepers which revealed that each shop has individual opening hours, dependent upon customer needs. Generally, shops are open between the hours of 7.00am and 8.00pm daily.

The following additional conditions are considered appropriate:

32. The submission of a soil erosion and sediment control plan for consideration with the Building Application.
33. The provision of lighting to illuminate the car parking area from sunset to sunrise. Such lighting shall be of a style so that it does not cause the spillage of light onto adjoining properties. Details to be submitted with the Building Application.

59: FOUR VILLA UNITS - LOT 16 DP771223 626 GEORGE STREET, SOUTH WINDSOR - APPLICANT: W & K SALES (DA63/94/EVD)

Mr W Sales, the applicant, addressed the Committee.

THAT CONSENT BE granted subject to:-

The development shall be carried out generally in accordance with amended plans dated September 1994.

1. Submission of a building application, plans and specifications complying with the Building Code of Australia.
2. Payment of a sewer headworks contribution to Council of \$9,832 (nine thousand eight hundred and thirty two). This contribution shall remain fixed for a period of 3 (three) months after which time it will be recalculated at the rate applicable at the time of payment. Payment shall be made prior to the release of the building approval.
3. A contribution of \$6,438 (six thousand four hundred and thirty eight) being a contribution for recreational buildings, park improvements and community facilities as a consequence of medium density development (residential flats, villas, townhouses, dual occupancy etc). This contribution shall remain fixed for a period of 12 (twelve) months after which time it will be recalculated at the rate applicable at the time of payment. Payment shall be made prior to the release of the building approval.

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4. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m (six).
5. 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 up to the 1 : 100 year storm at predevelopment levels.
6. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and to be constructed, drained, sealed and marked. Full details of works shall be submitted for approval with the building application.
7. The driveway shall be constructed of pavers/earth toned coloured concrete or the like.
8. New boundary fences shall be provided at the applicant's expense. Details to be submitted with the building application. Such fencing behind the building line shall be to a height of 1.8m (one point eight) and at least lapped and capped.
9. Construction of piped drainage for the full length of the easement for drainage of water 3 (three) metres wide extended to the pit in Bradley Road just to the south of Bradley Road excluding that along the eastern boundary. The existing pipeline within this section of easement to be connected to the new pit to be constructed in the south eastern corner of the lot. The pipeline shall be 675mm (six hundred & seventy five) in diameter. All work to be carried out in accordance with plans approved by the Divisional Manager of Engineering Services.
10. Erosion control measures such as hay bales or geotextile silt traps are to be provided during construction to stop silt, rubbish or debris from leaving the property. Details shall be submitted for consideration prior to the works commencing.
11. All necessary works being carried out to ensure that flow from adjoining properties is not impeded.
12. All parking areas shall be designed so as to allow adequate manoeuvrability of vehicles.
13. The carport between units 3 and 4 shall be located to the front between the respective garages.
14. The existing sewer line under Unit 1 shall be concrete encased. Details to be submitted with the Building Application.

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15. All kerb and gutter if damaged shall be replaced at the applicant's expense.
16. Satisfactory arrangements being made with the Council for the provision of sewerage reticulation to serve the whole of the rear lot by extending a gravity line from Woods Road.

ADDITIONAL INFORMATION

With respect to Condition 10 the condition has been amended and should read:

"10. Construction of the final piped drainage within the 3.0m wide easement along the southern boundary of the site and through lot 4 DP24801 extending to the pit in Bradley Road just to the south of Woods Road. All work to be carried out in accordance with plans prepared by Council staff and with Council's Construction Specifications for Subdivisions and Developments dated January 1991. The existing pipeline along the rear boundary of the property is to be connected to the pit in the south-eastern corner of the property and is to be provided as part of the work above."

Components of the sewer headworks and sewer reticulation are outlined as follows:

Sewer headworks covers the major sewer infrastructure in treatment works, pumping stations, rising mains and major gravity carriers. The works are not specific to a particular lot but cover the total benefit area of the Council Sewer System. The cost for each development is calculated based on the proportion of the total discharge attributable to the development.

Sewer Reticulation is the smaller sewer lines (generally 150mm and 225mm in diameter) required to service specific lots. This is usually funded directly by the developer or, if Council reticulates a large area, by a local rate.

Whilst the developers are responsible, sewer reticulation costs are not off set against sewer headworks as different works are carried out for each.

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60: THREE BEDROOM DUPLEX AT REAR OF PROPOSED SUBDIVISION OF LOT 59 DP242486 26 MICHAEL STREET, NORTH RICHMOND - APPLICANT: J GODSELL (DA93/94/EVD)

THAT CONSENT BE granted subject to:-

1. The duplex shall be carried out generally in accordance with amended plans referenced 85994 and where modified by conditions.
2. A contribution of \$1,591 (one thousand five hundred and ninety one) being a contribution for recreational buildings, park improvements and community facilities as a consequence of medium density development (residential flats, villas, townhouses, dual occupancy etc). This contribution shall remain fixed for a period of 3 (three) months after which time it will be recalculated at the rate applicable at the time of payment. Payment shall be made prior to the release of the building approval.
3. Submission of a building application, plans and specifications complying with the Building Code of Australia.
4. No excavation or site works shall be commenced prior to the issue of the building permit.
5. The Building Permit shall not be issued until such time as registration of Subdivision Application No. 39/94 has taken place. Documentary evidence shall be submitted prior to release of the Building Permit.
6. 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.
7. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and are to be constructed with pavers/earth toned coloured concrete or the like, drained and marked. Details to be submitted with the building application.

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61: REZONING TO GENERAL INDUSTRIAL 4(A) - LOT 4 DP610341 & PART LOT 12 DP736138 Nos 84-112 MULGRAVE ROAD, MULGRAVE - APPLICANT: R N & N R TOLSON (LEP9/94/EVD)

Mrs N Saunders, objector, addressed the Committee on behalf of the Vineyard Action Group.

THAT COUNCIL PREPARE a draft local environmental plan to rezone 5.47 (five point four seven) hectares of the subject land from Rural 1(c) to Light Industrial 4(b).

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62: TOURIST FACILITY - GARDEN DISPLAY - LOT 2 DP600918 91 MENIN ROAD, OAKVILLE - APPLICANT: MRS J CICCOLELLA (DA199/94/EVD)

Mr Ciccolella, applicant, addressed the Committee.

THE SITE BE inspected.

The Committee inspected the site at 2.00 pm. Councillors present at the site inspection were Councillors R P Stubbs, H J M Books, B N Keegan, M G Parsons, P E Rogers, L C Sheather and W J Sledge.

Mr Seltenrych and Miss Makim, objectors, addressed the Committee on site.

THAT THE APPLICATION be approved subject to the following conditions:-

1. The development shall be carried out in accordance with Plan dated July 1994.
2. Construction of a compacted crushed rock dust-free surface to the access drive and the carpark. The access is to be sealed if dust becomes a nuisance.
3. The development to be operated so as to avoid on-street parking and the proposed carparking is to be suitably signposted.
4. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.
5. Parking spaces, accessways and aisles to conform to Council's Development Control Plan.
6. Operating hours shall be limited to 8.30am (eight thirty) to 4.30pm (four thirty) daily. Any alteration of these hours will require the approval of the Divisional Manager Environment and Development.
7. The gardens shall be opened for display a maximum of 4 (four) days in any 1 (one) week.
8. Submission of a building application, plans and specifications complying with the Building Code of Australia.
9. Full details of wastewater treatment shall be submitted for consideration with the building application.

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10. A lapped and capped fence or treated pine and lattice fence or equivalent be provided on the boundary between the building line and the rear shed on Miss Makim's property.
11. Minchinbury sandstone be used on the access driveway.

63: REZONING PROPOSAL - MARCH STREET, RICHMOND (P1343/240 PT01/CSV)

THAT A DRAFT LEP be prepared for the rezoning of Lots 1, 2, 3 and 4 DP223656 March Street, Richmond from Residential 2(a) to Business General 3(a).

64: LOPPING OF TREES - LOT 36 - 37 DP200129 22 RAIN RIDGE ROAD, KURRAJONG HEIGHTS - APPLICANT: T M VAN DEN BERG (P1801.320, P1801.315/EVD)

THAT THE APPLICATION for lopping of the trees by one third be refused in that it would neither benefit the described problem of either branch, cone or leaf litter on the area and would be detrimental to the future health and shape of the trees.

65: PARADISE POINT - LOT 18 DP753784 AND PT POR 19 PARISH OF HAWKESBURY 79 GREENS ROAD, LOWER PORTLAND - APPLICANT: DAVID HOOKER (DA174/94/EVD)

Mr David Hooker, applicant, addressed the Committee.

THAT THIS APPLICATION be deferred until the next General Purpose Committee Meeting to enable a full report on all proposals to be brought to Council and for the applicant and other interested people to have the opportunity to address Council.

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**66: PROFESSIONAL CHAMBERS - PSYCHIATRIC GROUP TREATMENT - LOT 3
DP16852 43 PITT STREET, RICHMOND (DA164/93/EVD)**

Councillor Keegan declared an interest in this matter.

Mr S Olford and Ms S Jackel-Robinson, objectors, addressed the Committee.

THAT FURTHER DISCUSSIONS be held with the applicant before the Ordinary Meeting in regard to parking, privacy and hours of operation and appropriate conditions be brought forward to the Ordinary Meeting.

67: EQUESTRIAN VILLAGE - CLARENDON (LEP7/94/EVD)

Councillor Keegan declared an interest in this matter.

THAT COUNCIL PREPARE a draft local environmental plan over land generally adjacent to the Hawkesbury Race Course for an equestrian village and that a minimum allotment size of 5,000m² (five thousand) be included in the draft plan.

**68: STATUS OF DRAFT LOCAL ENVIRONMENTAL PLAN - PROHIBITING BURIAL OF
WHOLE MOTOR VEHICLE TYRES (LEP6/94/EVD)**

THAT THE INFORMATION be received.

**69: TYRE LANDFILL - LEVEL CROSSING/RAILWAY ROAD SOUTH, VINEYARD -
APPLICANT: N E PEARE PTY LTD (DA19/92/EVD)**

THAT THE INFORMATION be received.

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70: MAJOR RETAIL CENTRE PROPOSAL INCORPORATING A DISCOUNT DEPARTMENT STORE - SITE OF THE PRESENT WASTE DEPOT - BLACKTOWN ROAD, WINDSOR (GW001/002 PT03, GM001/019 PT01/EVD)

THAT COUNCIL NOT support any retail development on the existing tip site.

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SECTION 2 - INFRASTRUCTURE

25: CLOSURE OF EXISTING ACCESS - CAR PARK BELLS LINE OF ROAD, NORTH RICHMOND (GT230/025 PT1/ENG)

THE EXISTING DRIVEWAY to Bells Line of Road at the State Bank Plaza be closed.

Sign posting and pavement marking be modified to provide two way access throughout the main North Richmond Car Park with the exception of the service lane on the western end of the main shopping centre.

The work estimated to cost \$2,500 (two thousand five hundred) be funded from the car park reserve.

26: REFLECTIVE STREET NUMBERING (GR120/009 PT11, GT120/012 PT02/ENG)

THAT THE INTRODUCTION of reflective house numbering on kerb and gutter in residential areas not be supported at this time.

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SECTION 3 - ORGANISATION AND RESOURCES

24: MONTHLY FINANCIAL STATEMENTS (GF001/004 PT4/ENC)

THAT THE INFORMATION be received.

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25: LEASE OF PART SOUTH WINDSOR WASTE WATER TREATMENT PLANT (GC283/103/PT02/CSV)

1. Council lease to Telstra Corporation Ltd the area it currently occupies within the South Windsor Waste Water Treatment Plant for a period of 5(five) x 5(five) years;
2. Commencing annual rental shall be \$7,000 (seven thousand) which shall be increased by 3% (three) at each annual anniversary during the lease term or any subsequent holding over period;
3. Telstra Corporation Ltd shall be responsible for the payment of outgoings associated with and/or separately metered to the site; and
4. The Common Seal of Council be affixed to all necessary documents.

26: PROPOSED SALE OF 1A GREENWAY CRESCENT, WINDSOR (P740/15 PT2/CSV)

THAT THE INFORMATION be received and a further detailed report be provided for the Ordinary Meeting.

ADDITIONAL INFORMATION

Some concerns were raised at the General Purpose Committee meeting regarding the proposed sale of 1A Greenway Crescent, Windsor, in particular the method of sale and the valuation.

The site was acquired from the Anglican Church of Australia in 1985 for a purchase price of \$59,160, which is reflective of the market value at the time. The then zoning was Open Space Recreation Proposed 6(b) with an underlying zoning of Residential 2(a). However, the site was rezoned Environmental Protection (Scenic) 7(b) with the gazettal of Hawkesbury LEP 1989, due to the proliferation of open space in the vicinity. Subsequent to the purchase of the land, the Council in 1986 agreed to lease the property to Mr Ghantous for an initial term of two years with the agreement to be reviewed on an annual basis thereafter. The current annual rental for the site is \$210, with the lessee also responsible for outgoings on the site including rates ie \$313 for 1994/1995 and maintaining the property and fences. Since that time Mr Ghantous has made a number of informal enquiries regarding the purchase of the site, with a formal approach being received recently to purchase the whole or part of the property.

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Mr Ghantous was advised that the matter would not be proceeding any further until such time as a market valuation report was commissioned. On receipt of the Valuation report, it was indicated in terms of the report that the site has a current market value in the order of \$250,000. Mr Ghantous subsequently formally offered to purchase the property in this amount. As Mr Ghantous had been the only interested party in acquiring the property to date and was prepared to offer the full market price, it was recommended that the sale to him proceed by private treaty. Alternatively, to market the property via an agent for sale by private treaty or auction, commission, marketing costs and/or auction fees would be payable in the range between \$7,500 and \$10,000 thus reducing the return to Council.

It is pointed out that other uses for the site have been considered including a residential subdivision which was rejected by the Heritage Branch of the Department of Planning and the property was also considered as a potential site for the Fitzgerald Homes Trust home. The property was not included in the recently prepared Property Development Strategy as negotiations were proceeding with Mr Ghantous at the time and it was intended to report the matter separately.

It is noted that in the recent sale of the former shale pit in Kurmond Road, it was determined that sale by tender to be the most appropriate method of sale due to the genuine interest shown by three parties in the property. The benefits of auction and or sale by tender of the land in Greenway Crescent at this stage, would be somewhat negated by the market value being already publicly disclosed in this report.

It is felt that direct sale to Mr Ghantous is appropriate and that the sale price represents a good return to Council.

27: SALE OF LAND FOR UNPAID RATES (GR010/024 PT02/CSV)

THAT CONSIDERATION BE given to the purchase of land for unpaid rates with each block being considered on its own merits having regard to the potential benefits and requirements of Council.

28: HAWKESBURY SPORTS COUNCIL (GR030/030 PT03/FNC)

THE INFORMATION BE received.

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QUESTIONS WITHOUT NOTICE:

1. Councillor Rogers sought an update as to the report in relation to the recommendation for the consultative appointments to Council to be put to public tender etc.

The General Manager advised that there are detailed specifications for the calling of tenders for legal services available and undertook to take the matter up with the Mayor as to a meeting date.

Councillor Rogers asked if the report could be made available to the next Legal Consultative Committee meeting.

2. Councillor Sheather referred to his previous request regarding the sign erected at Wilberforce as being parallel to the street and not turned, and stated that the one at Pitt Town is exactly the same. He asked if all signs could be looked at to see that cars passing could read without having to brake or stop which could create a problem.
3. Councillor Keegan referred to the lighting in Greenway Crescent adjacent to St. Matthews Parish Centre. He stated that it is a terribly dark spot. The request is to discourage vandalism to the cemetery and to provide additional safety for persons using the Centre. He asked if this could be expedited.

The Divisional Manager Engineering Operations advised that a number of requests for street lighting had been received, and that these requests generally arise following developments. It is generally suggested that lighting be incorporated as part of the building. If Council wishes a street light to be erected adjacent to the St. Matthew's Parish Centre, Prospect Electricity would be approached to carry out this work.

The Mayor stated that a report to Council would be arranged so that Council can officially resolve on the matter.

4. Councillor Keegan asked if something could be done about the barbecues in Peninsula Park. Barbecue No. 2 does not work at all and the elbow cover has been removed off the connections to Barbecue No. 1 which does work quite well, but the cables are exposed. He asked if something could be done in this regard as quickly as possible and also in view of what is happening over the forthcoming long weekend, if Barbecue No. 2 could be made operational as well.

The Mayor stated that the Divisional Manager Engineering Operations would have a look at this as a matter of urgency.

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5. Councillor Books tabled a letter and petitions from people at East Kurrajong about the old East Kurrajong Road and the problem with the dust. He stated that there are 130 signatures on the petition and asked for a report to be brought back as to the possibility of tarsealing some time in the future or in the Estimates next year.
6. Councillor Books stated that at the intersection of Old Pitt Town Road and Cattai Road near the Brinsley Park Oval there is a bad pothole that needs attention, right on the edge of the road. He stated that traffic coming up on to the Main Road cannot get around it. It is very dangerous.
7. Councillor Paine asked when the lighting issue is being carried out, could all the problem areas be examined.
8. Councillor Paine asked if the cricket nets could be fixed up in Pound Paddock.

The Mayor advised that arrangements are in hand to handle this matter.
9. Councillor Paine advised that Jan Cottell, Council's gardener at the Council Chambers and in The Mall is desperately ill in Westmead Hospital and asked if Council could send her some flowers.

The Mayor advised that this has already been done.

The meeting terminated at 2.30 pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on November 1, 1994.

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Mayor