

**HAWKESBURY CITY COUNCIL
GENERAL PURPOSE COMMITTEE**

Where People Make the Difference!

**BUSINESS PAPER
MINUTES**

DATE OF MEETING: 28 November 1995

LOCATION: Council Chambers

TIME: 9:30am

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Minutes of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 28 November 1995, commencing at 9.30am.

PRESENT: Councillor R P Stubbs, Mayor and Councillors L Allan, A W Baczynskyj, H J M Books, R G Calvert, M E Lawson, W J Mackay, P J Minturn, C A Paine, R Sahasrabuddhe, R D Searle and L C Sheather.

Councillor Paine arrived at 9.43am, Councillor Mackay arrived at 9.45am.

RESOLVED on the motion of Councillor Sheather and seconded by Councillor Allan that the Minutes of the General Purpose Committee Meeting held on the 31 October 1995, be confirmed.

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

76: STOCKPILING OF MANURE AND SAWDUST FROM POULTRY FARMS - LOT 4 DP239897 NO. 137 COMMERCIAL ROAD, VINEYARD (DA154/89/EVD)

Mr Haines, objector, addressed the Committee

A SITE INSPECTION be carried out.

The Committee inspected the site at 5.10pm. Councillors present at the inspection were Councillors Baczynskyj, Searle, Calvert, Paine, Allan, Lawson, Sahasrabuddhe and Books. Councillor Calvert was elected as Chairperson.

Mr Sultana, the applicant, addressed the Committee.

THAT THE APPLICATION be approved with appropriate conditions to be brought to the Ordinary meeting on 12 December 1995.

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77: HOME ACTIVITY - WHOLESALE VEHICLE DEALER'S LICENCE - LOT 11 DP248509
238 COMMERCIAL ROAD, OAKVILLE (DA237/95/EVD)

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

1. No advertising structures to be erected, displayed or affixed on any building or land without prior approval. Any unauthorised advertising structure will be removed at the expense of the advertiser.
2. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
3. Operating hours shall be limited to 8.00am to 6.00pm Mondays to Fridays. Any alteration of these hours will require the approval of the Director Environment and Development.
4. The development shall be carried out in accordance with the plan submitted with the application.
5. No motor vehicles are to be displayed for sale on the subject premises.
6. No more than 3 (three) vehicles associated with the Home Activity shall be stored on the property at any one time.
7. All vehicles purchased shall be stored within the existing shed.
8. The driveway to the shed shall be constructed of an all weather surface.
9. Compliance with the following requirements of a "Home Activity" as defined in HLEP, 1989:
the activity or pursuit does not -
 - (i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise;
 - (ii) involve exposure to view from any public place of any unsightly matter;
 - (iii) require the provision of any essential service main of a greater capacity than that generally available in the locality;

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- (iv) involve the employment of persons other than residents of the dwelling house or dwelling;
- (v) involve the exhibition of any notice, advertisement or sign (other than a notice or sign not exceeding 1 (one) metre by 0.6 (zero point six) metres exhibited on that dwelling house or dwelling to indicate the name and occupation of the resident thereof)."

10. The trucks are not to be used for any transport of goods when stored on site.

78: FUNCTION HALL - USE OF EXISTING BUILDING - LOT 12 DP834771 NO. 99 GADDS LANE, NORTH RICHMOND (DA154/95/EVD)

Ms Muriel Hillston and Mrs Movia, objectors, addressed the Committee

A. THAT THIS APPLICATION be approved subject to the following conditions:-

1. All vehicular access to and from the site to be via the end of Gadds Lane and the right of way is not to be used for bus and visitors vehicles.
2. Parking shall be provided on-site for 5 (five) vehicles and 1 (one) bus/coach in accordance with Council's Parking Policy with adequate space provided for vehicles and buses/coaches to turn around within the property to ensure all vehicles and bus/coaches enter and leave the site in a forward direction. Parking spaces, accessways and aisles to conform to Council's Development Control Plan No. 2 and to be constructed, drained, sealed and marked. Turning access to conform to the turning profiles recommended by the Roads and Traffic Authority. Full details of works and site layout to be submitted and approved before any works are commenced.
3. Submission of a building application, plans and specifications complying with the Building Code of Australia.
4. No advertising structures to be erected, displayed or affixed on any building or land without prior approval. Any unauthorised advertising structure will be removed at the expense of the advertiser.
5. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Director Environment and Development.

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6. Provision of toilets in accordance with the requirements of the Building Code of Australia.
 7. 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.
 8. No excavation or site works shall be commenced prior to the issue of the building permit.
 9. 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.
 10. The submission of an erosion and sedimentation control plan for approval prior to any works commencing.
 11. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
 12. 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.
 13. Operating hours shall be limited to 12.00noon to 5.00pm 7 (seven) days per week. Any alteration of these hours will require the approval of the Director Environment and Development.
 14. The development shall be carried out in accordance with 2 (two) plans dated 28 June 1995 and 29 June 1995 submitted with the application except where modified by the conditions of the consent.
 15. Provision of planting along the common boundaries with Lot 11 DP834771 No. 111 Gadds Lane to screen the development, buildings and parking areas from Lot 11, full details to accompany the building application.
 16. The function hall is not to be used as a reception venue for weddings, parties and the like.
- B. The objectors be advised of Council's decision.

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79: TENNIS COMPLEX - PROPOSED CONSTRUCTION - LOT 1 DP843500 NO. 42 CANOONA AVENUE, WINDSOR DOWNS (DA238/95/EVD)

Ms Sarah LLewellyn, for the applicant addressed the Committee.

Mrs S McGrath, objector, on behalf of the Windsor Downs Homeowners Association, Mr Dean Smith, Mr Allan Currell, Mr Ray Bray, objectors, addressed the Committee

THAT THIS ITEM not be approved and appropriate reasons be reported to the Ordinary Meeting.

80: RESIDENTIAL DEVELOPMENT STRATEGIES FOR LOCAL GOVERNMENTS IN THE GREATER METROPOLITAN REGION - DEPARTMENT OF URBAN AFFAIRS AND PLANNING (GT150/003 PT3/EVD)

1. THAT THE INFORMATION be received.
2. That a residential development strategy be prepared for the City.

81: HOME ACTIVITY - TUTORING, TRANSLATING, CONSULTANCY & ORGANISING THE EXPORT OF AGRICULTURAL GOODS - LOT 8 SP21885 NO. 8/5 PAGET STREET, RICHMOND (DA208/95/EVD)

Mr Ashley Senn, applicant, addressed the Committee

THAT THIS APPLICATION be approved, to be reassessed by Council in 12 (twelve) months.

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82: TRUCK DEPOT - PARKING OF THREE FURNITURE TRUCKS ON AN OVERNIGHT BASIS - PT POR 451 PARISH WILBERFORCE BURGESS ROAD, FREEMANS REACH (DA220/95/EVD)

Mrs Lisa Tyszyk, applicant, addressed the Committee
Mr Mario Tesoriero, objector, addressed the Committee

THAT THIS APPLICATION not be approved as:

1. The proposal is not in the public interest.
2. The use is against the Rural 7D1 zoning.
3. It will create unnecessary traffic generation.
4. Any further conditions necessary will be reported to the Ordinary Meeting.

83: TREE CLEARING PROPOSAL FOR A MARKET GARDEN - LOT 12 DP588380 NO. 133 TERRACE ROAD, NORTH RICHMOND (DA0155/95PT01; P2003/95PT01/EVD)

A SITE INSPECTION be carried out.

The Committee inspected the site at 3.28pm. Councillors present at the inspection were Councillor Stubbs, Mayor and Councillors Baczynskyj, Searle, Calvert, Paine, Allan, Lawson, Sahasrabuddhe, Books and Minturn.

Messrs Wilson, Richards and Sherriff addressed the Committee on behalf of the applicant.

Mrs Paynter, Mrs Corkhill and Mr Cirignano, objectors, addressed the Committee.

THAT THE APPLICATION for tree clearing not be approved but that the applicant be advised that a further application could be considered if and when the moratorium on tree clearing for intensive agriculture is lifted.

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84: CLEARING OF LAND FOR RABBIT AND FIRE CONTROL - LOT 12 DP846650 TIZZANA ROAD, EBENEZER (DA0115/95 PT01/GMA)

THAT THE PROPOSAL to undertake understorey clearing works be approved subject to:

1. The submission of a management plan prepared in conjunction with the Department of Agriculture that is to include:-
 - a. erosion and sediment control;
 - b. works being undertaken so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise;
 - c. indication of the areas to be cleared and method of clearing;
 - d. no trees or understorey being removed within six metres of the side boundaries;
 - e. retention of all significant shade trees
 - f. payment of a bond of \$1000 with an inspection fee of \$60 (sixty dollars)

85: TREE REMOVAL APPLICATION - LOT 1 DP743221 NO. 119 SHEPHERDS ROAD, GLOSSODIA - APPLICANT: MR & MRS P MIFSUD (P1904/100/EVD)

THAT THE APPLICATION for tree removal be approved subject to:-

1. The retention of all trees and vegetation along the length of the small natural water course to a width of 15 (fifteen) metres of either side of its banks as a means of providing a natural barrier for the containment of sedimentation produced when the soil is disturbed.
2. The substitute planting of 28 (twenty eight) super advanced trees along the rear boundary of the property. These trees to be native to the area.
3. Payment of a bond of \$1,000 (one thousand dollars) to be refunded on satisfactory completion of conditions.
4. That a report come back to the Ordinary Meeting with the condition of the trees.

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86: TREE REMOVAL AGRICULTURE - LOT 6 DP239897 NO. 153 COMMERCIAL ROAD, VINEYARD - APPLICANT: MR J SULTANA (P361/590/EVD)

A SITE INSPECTION be carried out.

The Committee inspected the site at 5.25pm. Councillors present at the inspection were Councillors Baczynskyj, Searle, Calvert, Paine, Allan, Lawson, Sahasrabuddhe and Books.

Mr Sultana, the applicant, addressed the Committee.

THAT THE MATTER be deferred to the Ordinary Meeting on 12 December 1995.

87: OUR CITY OUR FUTURE - RECOMMENDATION NO. 1 RURAL LANDS STUDY (GT225/013 PT02/EVD)

THAT:-

1. The information be received.
2. Council nominate 3 (three) Councillors to form part of the Steering Committee for the Rural Lands Study.
3. Council hold a workshop so that Councillors have an input into the brief for the Rural Lands Study and this to be held early in December.

88: FLOODPLAIN PLANNING (GC180/006PT02/EVD)

1. THAT THE INFORMATION concerning floodplain planning be received and that a report be brought forward reviewing Council's floor height standard, medium density housing policy and policy on urban rezonings given the information provided in this report.

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2. In the absence of comprehensive evacuation plans with dedicated access. That the NSW Government be advised that Hawkesbury City Council supports the raising of the existing Warragamba Dam wall by 23 (twenty three) metres as recommended by the Warragamba Dam Interdepartmental Committee (IDC) and the respected environmental consultants, ERM Mitchell McCotter.
3. The NSW Government be requested to place the EIS for the raising of the existing dam wall on public exhibition along with the now proposed side spillway to allow proper debate on the merits of the alternative schemes.
4. Council seek under the Freedom of Information Act, all documentation prepared by the Warragamba Dam Interdepartmental Committee, including minutes of all meetings (IDC) on the raising of the existing Warragamba Dam wall.

89: SOLAR EFFICIENCY (DCP3/95/EVD)

1. THAT THE INFORMATION be received.
2. That the Development Control Plan for Solar Efficient Housing be placed on exhibition in accordance with the Environmental Planning and Assessment Regulations 1994.

90: DRAFT LOCAL ENVIRONMENTAL PLAN 15/94 - PT LOT 6 DP39166 & LOT 1 DP563924 CNR PITT TOWN & WOLSELEY ROADS, McGRATHS HILL - APPLICANT: GRAHAM PRICE PTY LTD (LEP15/94/EVD)

Mr Glenn Falson, for the applicant, addressed the Committee

THAT:

1. A clause be inserted in the Local Environmental Plan requiring the undertaking of necessary works with respect to soil contamination.
2. A clause be inserted in the Local Environmental Plan requiring consideration of adjoining agricultural activities in the assessment of applications.

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3. The Local Environmental Plan be referred to the Department of Urban Affairs and Planning for gazettal following preparation of the Deed of Agreement and logally binding endorsement by Graham Price Pty Ltd.
4. A clause be inserted in the Local Environmental Plan prohibiting any medium density housing, including dual occupancy.

91: GRAHAM PRICE PTY LTD - MUSHROOM COMPOSTING - 100 PITT TOWN ROAD, MCGRATHS HILL (CORNER WOLSELEY ROAD) (P1641/700 PT02/EVD)

Mr Glenn Falson, for the applicant, addressed the Committee

Mr Colin Wilson, Mr Kevin Symons, Mrs L MacMillan, objectors, addressed the Committee

THAT:

1. Hawkesbury City Council asks its solicitors to request the appeal by Graham Price Pty Ltd listed for hearing on the 6th December, 1995 against Justice Bannons order re the reduction of odour from compost production be adjourned to a date to be fixed after the decision by the Council to the application to the rezoning to residential the land at 100 Pitt Town Road, McGraths Hill and presently zoned for the production of compost and mushrooms.
2. A security of \$40,000 (forty thousand dollars) to be paid within 9 (nine) months of the gazettal of the local environmental plan which would be forfeited in the event that there is not cessation of composting within 12 months of the gazettal of the local environmental plan.

92: REZONING PROPOSAL TO ALLOW 36 RURAL/RESIDENTIAL LOTS, VINCENTS ROAD, KURRAJONG - TEERMAN & NEWTON PTY LTD (P2203/380 PT02/EVD)

The General Manager read a letter from Mr Bernard King.

THE APPLICATION FOR rezoning be deferred.

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93: NOISE CONTROL REGULATION 1975 - COMPLAINTS CONCERNING BARKING DOGS - DON STREET, KURRAJONG. (P413/50 PT01; P413/20 PT01; GE020/004/EVD)

THAT THE COMPLAINANT be advised that at this stage it is not proposed to take any further legal action but that the dogs which are the subject of the notices will continue to be monitored.

94: TWO LOT SUBDIVISION TO SEVER EXISTING DWELLINGS UNDER STATE ENVIRONMENTAL PLANNING POLICY NO.1 - LOT 16 DP 192412 1 MADDENS ROAD, NORTH RICHMOND. (SA0134/95PT01/EVD)

1. That the applicant be requested to increase the area of the proposed Lot 2 to one hectare with a suitable ratio of frontage to depth.
2. On the basis of the amendment of the application to increase the area of the proposed Lot 2 to one hectare, the objection under State Environmental Planning Policy be supported and the application be referred to the Department of Urban Affairs and Planning for concurrence.
3. Following receipt of concurrence, the subdivision application be approved subject to the following conditions:
 1. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the linen plan.
 2. Dedication of a 6m (six) by 6m (six) splay corner, free of cost to Council, at the corner of Maddens Road and Slopes Road.
 - 3 The submission of a plan showing all existing services on the lots including septic tank and effluent disposal area, sewer connections, water connections and stormwater disposal, where applicable, and the correction of any encroachments or defects to the requirements of the Divisional Manager Environment and Development.
 4. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.

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5. Payment of a linen release fee of \$180 (one hundred and eighty). This amount is valid until 30 June 1996.
6. The subdivision shall be in general accordance with the submitted plan.

95: SUBDIVISION TO CREATE FIVE ALLOTMENTS WITH BUILDING ENTITLEMENTS PLUS A SIXTH COMMUNITY LOT - LOT 18 DP 30468, 26 CLIFF ROAD, FREEMANS REACH. (SA0106/95/EVD)

A SITE INSPECTION be carried out.

The Committee inspected the site at 4.30pm. Councillors present at the inspection were Councillor Stubbs, Mayor and Councillors Baczynskyj, Searle, Calvert, Paine, Allan, Lawson, Sahasrabudde, Books and Minturn.

THAT ADJOINING AND nearby property owners be notified prior to further consideration by Council.

96: TOURIST/RECREATION RESORT AND COMMUNITY TITLE SUBDIVISION PROPOSAL - "THE RIDGE", WISEMANS FERRY ROAD, CATTAI (GT090/003PT07/EVD)

THAT THE INFORMATION be received.

97: TREE CLEARING PROPOSAL FOR A MARKET GARDEN - LOT 12 DP588380 133 TERRACE ROAD, NORTH RICHMOND - MICALLEF (DA0155/95PT01:P2003/95PT01/EVD)

See Item 83.

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SECTION 2 - INFRASTRUCTURE

13: MACQUARIE STREET, WINDSOR - CLEARWAY RESTRICTION (1341/R PT03/ENG)

THAT THE ROADS and Traffic Authority be requested to install "No Standing: 3.00pm-7.00pm" parking restriction north bound on Macquarie Street, Windsor, between Suffolk and Bridge Streets.

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SECTION 3 - ORGANISATION AND RESOURCES

18: MONTHLY FINANCIAL STATEMENTS - OCTOBER 1995 (GF011/005 PT04/FNC)

THAT THE INFORMATION be received.

19: MASONIC LODGE PROPERTY - WEST MARKET STREET, RICHMOND (P2338/105 PT01/CSV)

THAT THE INFORMATION be received and expressions of interest be invited in terms of the possible future use of the Masonic Lodge buildings located in West Market Street, Richmond, as outlined in this report.

QUESTIONS WITHOUT NOTICE:

1. Councillor Searle -
 - a. From the Rural Action Group, a question about penalties imposed on people who deliberately destroy trees - how are they policed?
 - b. Could he have a clear definition between clear felling and selective culling

The Director Environment & Planning advised that Council would need to get advice and he will supply a written report to Councillor Searle.

2. Councillor Searle - Wilberforce Park area - could there be an upgrade of this area.

The Director Assets & Recreation will look into this matter.

3. Councillor Baczynskyj - could the first meeting in January be brought forward a week.

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This to be decided at the Ordinary Meeting

4. Councillor Sahasrabuddhe - could dual flushes on toilets be made compulsory.

The Director Assets & Recreation will bring a report to the Ordinary Meeting.

5. Councillor Sahasrabuddhe - re: the roots of a tree on the Western side of Richmond Park are preventing the mowing of the grass.

The Director Assets & Recreation will make an assessment and take appropriate action.

6. Councillor Books - What is the situation if someone bulldozes down a whole lot of trees.

The General Manager advised.

7. Councillor Allan - from the Rural Action Group re the availability of Business Papers -can organisations be supplied with them.

The General Manager advised.

8. Councillor Paine - Would like a report on the feasibility of recording the votes.

The General Manager advised that this was reported to the last meeting.

9. Councillor Paine asked about Council's policy on supplying the names of objectors.

The General Manager advised that he will advise Councillor Paine on this matter.

The meeting terminated at 6.45pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 30 January 1996.

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Mayor

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