



Hawkesbury City Council

general purpose committee minutes

date of meeting: 29 May 2001

location: Council Chambers

time: 9.00am

GENERAL PURPOSE COMMITTEE

Business

Meeting Date: 29 May 2001

AGENDA

- **APOLOGIES.**
- **CONFIRMATION OF MINUTES.**
- **SECTION 1 - ENVIRONMENT.**
- **SECTION 2 - INFRASTRUCTURE.**
- **SECTION 3 - ORGANISATION AND RESOURCES.**
- **NEXT MEETING.**

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Minutes of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 29 May 2001, commencing at 9.05am.

PRESENT: Councillor R P Stubbs, Mayor and Councillor L Allan, B J Calvert, K F Conolly, P F Davies, D Finch, G J Gilling, C A Paine, L C Sheather, L A Williams, and C J Woods.

Apologies for absence were received from Councillor P R Rasmussen.

RESOLVED on the motion of Councillor Allan and seconded by Councillor Calvert that the apologies be accepted.

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Finch that the Minutes of the General Purpose Committee Meeting held on 24 April 2001, be confirmed.

Councillor Rasmussen arrived at the meeting 9.07am

Councillor Calvert left at the meeting 11.00 pm

Councillor Davies left at the meeting 12.10 pm

Councillor Woods left at the meeting 1.30 pm

Councillor Finch left at the meeting 3.10 pm

Councillor Allan left at the meeting 3.10 pm

Councillor Woods returned at the meeting 3.10 pm

Councilor Allan returned at the meeting 3.50 pm

Councillor Allan left at the meeting 4.30 pm

Councillor Allan returned at the meeting 4.50 pm

Councillor Davies returned at the meeting 5.40 pm

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

41: Application for Dual Occupancy and Subdivision - Lot 1 DP396782 No. 119 Mileham Street, South Windsor (M338/01/EVD/ENE29NAX.V16)

Councillor Gilling excluded herself from this debate as her name had been mentioned and the matter was being politicised.

Councillor Paine declared an interest as she is a part owner of the property.

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Mr Paul Ryan, owner, addressed the Committee.

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Finch

That:

- A. The SEPP No. 1 objection to Clause 12 (1)(a) be supported.
- B. The application for dual occupancy and subdivision on Lot 1 DP 396782, No. 119 Mileham Street, South Windsor be approved subject to the following conditions:

General

- 1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by R E & P A Collis Design numbered 66401 Sheet 1 of 3, 2 of 3, 3 of 3, 3A of 3 and S/66401 Sheet 1 of 1 dated 23 January 2001) submitted with the application and any supportive documentation, except as otherwise provided by the conditions of this consent.
- 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).

- 5. No excavation or site works shall be commenced prior to the issue of the construction certificate.
- 6. Consent for the removal of any trees should be obtained from Council's Environment and Development Division under the provisions of the Tree Preservation Order applying to the land.

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7. The fence along the laneway is to be decorative and shall not exceed 900mm in height between the Campbell Street boundary and the building setback. The fence along the laneway is to be setback 1 metre from the boundary to provide landscaping.

Prior to Issue of Construction Certificate

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate. **The Construction Certificate shall be obtained prior to the commencement of any earth works or building works.**

8. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:

- | | | |
|-----|---------------------------|----------|
| (a) | Open Space and Recreation | (\$868) |
| (b) | Community Facilities | (\$1353) |

The above contributions have been determined in accordance with Hawkesbury Section 94 Contribution Plan. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

Contributions are to be paid prior to issue of the construction certificate.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics. In this respect the attached fee schedule is valid for 3 (three) months.

9. Details of the design of the fence bounding the laneway to be submitted for approval. Landscaping details for the 1m wide area adjoining the laneway and the courtyard section of the fence.
10. Separate practising Structural Engineer's details of all structural concrete and steelwork shall be lodged prior to issue of construction certificate.
11. Payment of a design checking and inspection fee of \$660 when submitting Engineering plans for approval. This amount is valid until 30 June 2001. Fees required if an accredited certifier is used will be provided upon request.

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12. The submission of engineering designs and calculations covering all works required by this consent.

Prior to Commencement of Works

13. Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be commenced unless the principal certifying authority for the development to which the work relates:
- (a) in the case of work to be done by a licensee under that Act:
 - (i) has been informed in writing of the licensee's name and contractor licence number, and
 - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, or
 - (b) in the case of work to be done by any other person:
 - (i) has been informed in writing of the person's name and owner-builder permit number, or
 - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of that Act

and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate purporting to be issued by an approved insurer under Part 6 of the *Home Building Act 1989* that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this condition sufficient evidence that the person has complied with the requirements of that Part.

14. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

- (a) must be a standard flushing toilet; and

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- (b) must be connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

15. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is being carried out:
- (a) stating that unauthorised entry to the work site is prohibited; and
 - (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

This condition does not apply to:

- (a) building work carried out inside an existing building; or
 - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
16. If the work involved in the erection or demolition of a building:

- (a) is likely to be dangerous to a person in a public place or adjoining property;
- (b) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
- (c) involves the enclosure of a public place,

a hoarding or protective barrier must be erected between the work site and the public place. such hoarding or barrier must be designed and erected in accordance with Council's *Local Approvals Policy* and WorkCover requirements/guidelines.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

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The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

The applicant is to provide drawings and details to Council's Building Surveyor for approval **prior** to such installation/erection.

17. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved ESCP or SWMP. In the absence of any approved plan the work is to be in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation.

Note: Measures may include the installation of geofabric fencing, staked straw bale walls located on the contour down-slope of the construction, sediment detention basins, earthen contour banks and the like. The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.

18. 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.
19. 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.
20. The building shall be set out by a Registered Surveyor and the Survey Certificate of the building shall be lodged with the Principal Certifying Authority upon completion of the footings and prior to the external wall construction proceeding above floor level.

During Construction

21. All building work must be carried out in accordance with provisions of the Building Code of Australia.
22. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) erosion controls, site works and site set out;
 - (b) piers;
 - (c) steel reinforcement;
 - (d) 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;

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- (e) wet area flashing, after the installation any bath and shower fixtures;
 - (f) external drainage lines, prior to backfilling;
 - (g) on completion of the structure.
23. 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.
24. 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.
25. No spoil, excavated or demolition material from the site being deposited on any public road, footpath, public place or Council owned property without the approval of this office.
26. To reduce nuisance to the surrounding properties, all demolished material and excess spoil from the site shall be disposed of to a location and in a manner to the approval of this office (Note: no material shall be burnt or buried on the site).
27. 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.
28. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
- (a) owner of site and address;
 - (b) person/company carrying out site works and phone number;
 - (c) consent number and date of approval; and
 - (d) approval duration of site works.
29. All work must be carried out in accordance with the provisions of Council's Subdivision Construction Specification.
30. The developer is responsible for full costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include, but are not limited to, water, sewerage, drainage, power, communication, footways, kerb and gutter.
31. All wastes removed from the site are to be taken to an approved waste depot. All hazardous materials are to be removed in a manner specified by WorkCover.

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Prior to Issue of Occupation Certificate

32. In order to ensure that the development complies with this consent, the approved use shall not commence until all conditions of this Development Consent have been complied with.
33. The submission of a Certificate from Telstra Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
34. 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 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.

Separate documentary evidence from Integral Energy shall be provided stating that the requirements of that Authority have been met with regard to the nearby high voltage transmission line.

35. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the Occupation Certificate.
36. Landscaping shall be completed in accordance with the approved landscaping plan and shall be maintained in perpetuity by the existing or future owners and occupiers of the property. In this respect a occupational certificate will not be granted on the application until the landscaping is complete.
37. In order to enhance the amenity of the development, new boundary fences shall be provided at the applicant's expense. Such fencing behind the building line shall be to a height of 1.8m.

Prior to Issue of Subdivision Certificate

38. The construction of the rear lane from Campbell Street to and over the frontage of the site with concrete kerb and gutter on the south eastern side, a 4.5m wide sealed pavement, any necessary drainage together with any works necessary to make this effective.
39. The construction of Council's standard layback vehicular crossing to the lot facing Mileham Street in accordance with Council's standard plan.
40. The provision of inter-allotment drainage covering all lots not draining directly to a public road and the creation of necessary easements free of cost to Council.

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41. The construction of sewerage reticulation, including junctions, to each lot in the subdivision where not already provided.
42. Dedication of a 3m by 3m splay corner free of costs to Council at Mileham Street and Campbell Street and at Campbell Street and the lane..
43. 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 Director Environment and Development.
44. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
45. The submission of a Surveyor's Certificate stating that all buildings on the lots comply with the Building Code of Australia in relation to boundary setbacks.
46. The submission of a Surveyor's Certificate stating that all pipelines are contained within the proposed/existing easements.
47. Payment of a contribution of \$5103.60 towards sewer headworks. This sum will remain fixed until 30 June 2001 after which it will be recalculated at the rate applicable at the time of payment.
48. Payment of a linen release fee of \$250. This amount is valid until 30 June 2001.
49. The completion of the second dwelling to above floor level.
50. The completion of all road and drainage works and payment of the sewer headworks contribution required by this consent for the subdivision.
51. Construction of Council's standard residential footway vehicular crossing to suit the access to the site.

Use of Site

52. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.

An **amendment** was moved by Councillor Calvert seconded by Councillor Williams

That determination be deferred until the Ordinary Meeting at which time this matter will be further reported.

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The amendment was lost

The motion was put and carried.

42: Alterations and Additions to Existing Residence for Restaurant - Lot 1 DP581544 No. 1186 Bells Line of Road (Cnr Old Bells Line of Road), Kurrajong Heights (DA37/97/EVD/ENE29NAX.V04)

Mr John Stafford and Ms Lesley Buckett, objectors, addressed the Committee

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Paine

That a site inspection be carried out.

An **Amendment** was moved by Councillor Sheather seconded by Councillor Calvert

That this matter be refused with appropriate reasons to be reported to the Ordinary Meeting.

The amendment was lost

The motion was put and carried.

43: Two Storey Dwelling House at Lot 31 DP211789 133 Coromandel Road, Ebenezer (M1793/00/EVD/ENE29NAX.V06)

Mr Peter Graham, consultant surveyor, addressed the Committee

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Paine

That a site inspection be carried out

An **Amendment** was moved by Councillor Allan seconded by Councillor Conolly

That the objection under SEPP 1 to the provisions of clause 25 of Hawkesbury Local Environmental Plan 1989 be declined, and the development application be refused for the following reasons:

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1. The proposal is contrary to the objectives of the 7 (d1) (Environmental Scenic Protection zone applying to the land, as it will detract from the scenic significance the area.
2. The proposed development is prohibited as it does not comply with the provisions of clause 25 of Hawkesbury Local Environmental Plan 1989.
3. The residential development of flood prone land is not in the public interest.
4. The proposed development would set an unacceptable precedent for the development of other vacant flood prone land in the area.
5. The proposed development is inconsistent with the objectives and provisions of Sydney Regional Environmental Plan 20.

The amendment was lost

The motion was put and carried.

44: Modification of Development Consent DA218/90 - Construction of 21 Tunnels - Lot 12 DP736138 and Lot 4 DP610341 84 and 112 Mulgrave Road, Mulgrave (DA218/90/EVD/ENE29NAX.V11)

Councillor Paine declared an interest in Elf Mushrooms due to son-in-law's employment with the company.

Mr Terry Perram, on behalf of Elf Mushrooms, addressed the Committee.

Mr Neville Diamond and Mr Sneddon, objectors, addressed the Committee.

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Conolly

That the modification the subject of this report be approved and Condition 8 of Development Consent DA218/90 be amended to read:

"The development shall be carried out in accordance with the Statement of Environmental effects prepared by R A Cole Town Planning Pty Ltd dated June , 1990 and drawings numbered 10/SD116A Sheets 1,2,3 ,7,8 dated 12 February 2001, 10/SD116A Sheets 6 dated 30 January 2001, 10/SD116A Sheets 9 dated 16 February 2001".

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45: Proposed Skateboard Park, Lot 47 DP 787272, 3 Bells Line of Road, North Richmond (MA0265/01/EVD/ENE29NAX.V18)

Councillor Allan declared an interest as she is a resident in Flinders Place.

Senior Constable Brett Barnes, Ms Susan Upton, Mrs Dianne Taite, Mrs Therese Conlon, addressed the Committee in support of the Skateboard Park.

Mr Darren Cole and Mr Robert Jones, objectors, addressed the Committee.

A motion was moved by Councillor Williams seconded by Councillor Paine

That the proposal for a skateboard park at No.3 Bells Line of Road, North Richmond, proceed with the investigations and expert reports outlined in the business paper be undertaken.

An **AMENDMENT** was moved by Councillor Conolly seconded by Councillor Rasmussen

That:

1. The proposal for a skateboard park at No.3 Bells Line of Road, North Richmond be deferred pending the outcome of item 2.
2. Investigation be carried out regarding the use of Hanna Park for this facility.

The amendment carried.

The amendment then became the motion which was put and carried.

46: Application for a Two Lot Subdivision - Lot 38 DP250171 No. 3 Glenn Place, North Richmond (M255/01/EVD/ENE29NAX.V08)

This item was dealt with in conjunction with Item 58 of the Environment section of the Supplementary Business Paper.

Mr Tony Rendoph, objector, addressed the Committee

RECOMMENDED on the motion of Councillor Conolly seconded by Councillor Gilling

That the application for subdivision of Lot 938 DP 250171, No. 3 Glenn Place, North Richmond be approved subject to the following conditions:

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Advisory

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by G J Monaghan & Associates Pty Ltd numbered 00086-DA1 dated 2 March 2001) submitted with the application and any supportive documentation, except as otherwise provided by the conditions of this consent.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979.
3. No excavation or site works shall be commenced prior to the issue of the Construction Certificate.

Prior to Issue of Construction Certificate

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate. **The Construction Certificate shall be obtained prior to the commencement of any earth works or building works.**

4. Payment of a design checking and inspection fee of \$200 when submitting Engineering plans for approval. This amount is valid until 30 June 2001. Fees required if an accredited certifier is used will be provided upon request.
5. The submission of engineering designs and calculations covering all works required by this consent.

Prior to Commencement of Works

6. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved ESCP or SWMP. In the absence of any approved plan the work is to be in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation.

Note: Measures may include the installation of geofabric fencing, staked straw bale walls located on the contour down-slope of the construction, sediment detention basins, earthen contour banks and the like. The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.

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7. 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.
8. 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.
9. The developer is responsible for full costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include, but are not limited to, water, sewerage, drainage, power, communication, footways, kerb and gutter.

During Construction

10. Submission of proof of the creation of the drainage easement over all downstream properties in favour of Lot 381.
11. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

An application form is available from Council or Sydney Water (call 13 20 93). Following application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please contact Sydney Water early, since building of water/sewer extensions can be time consuming and impact on other services and building, driveway or landscape design.

12. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
13. Submission of a Certificate from an approved telecommunications provider that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
14. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:

- | | | |
|-----|---------------------------|--------|
| (a) | Open Space and Recreation | \$1106 |
| (b) | Community Facilities | \$2973 |

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The above contributions have been determined in accordance with Hawkesbury Section 94 Contribution Plan. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics. In this respect the attached fee schedule is valid for 3 (three) months.

15. The construction of Council's standard layback vehicular crossing to Lot 382 in accordance with Council's standard plan.
16. The provision of inter-allotment drainage covering all lots not draining directly to a public road and the creation of necessary easements free of cost to Council.
17. 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.
18. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
19. The submission of a Surveyor's Certificate stating that all buildings on the lots comply with the Building Code of Australia in relation to boundary setbacks.
20. Payment of a linen release fee of \$250. This amount is valid until 30 June 2001.
21. In order to enhance the amenity of the development, new boundary fences shall be provided at the applicant's expense. Such fencing behind the building line shall be to a height of 1.8m and at least lapped and capped.

47: Proposed Legal Proceedings in Relation to Odours - 84 Mulgrave Road, Mulgrave (P136/445/EVD/ENE29NBX.V01)

Councillor Paine declared an interest in Elf Mushrooms due to son-in-law's employment with the company.

Mr Terry Perram, on behalf of Elf Mushrooms, addressed the Committee.

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Ms Kim Smith and Mr Neville Diamond, objectors, addressed the Committee.

RECOMMENDED on the motion of Councillor Conolly seconded by Councillor Woods

Council's solicitors be instructed to commence appropriate Class 4 proceedings in the Land and Environment Court.

48: General Amendments to Hawkesbury Local Environmental Plan 1989
(GT150/004/EVD/ENE29NBX.V13)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That:

1. A draft local environmental plan be prepared in accordance with the Department of Urban Affairs and Planning Best Practice Guidelines to incorporate the following amendments as outlined above:
 - (a) Acid sulphate soils.
 - (b) Corrections of heritage provisions.
 - (c) Deletion of 57 East Market Street, Richmond from Schedule 1 of HLEP 1989.
 - (d) Anomalies along the 8(a) National Park and Nature Reserve boundaries
2. A local environmental study not be prepared.
3. Council exercise its delegation in respect of Sections 65 and 69 of the Environmental Planning and Assessment Act 1979.

49: Policy Formation for Waste Carts issued by Council
(GW010/002/EVD/ENE29NBX.V10)

RECOMMENDED on the motion of Councillor Conolly seconded by Councillor Rasmussen

A That Council's current policy in relation to stolen waste carts (No.PET0002Z) be replaced with the following:

1. Replacement of a waste cart that is stolen or destroyed whilst left out for servicing will be replaced free of charge if the theft or destruction is reported to Council within 48 (forty eight) hours of the scheduled servicing time or two working days of Council, for those

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properties that are serviced on a Friday or where public holidays prevent notification within 48 (forty eight) hours.

If the theft or destruction is not reported as above, then the cost for replacement will be the responsibility of the owner of the premises. Where the replacement cost is paid by the property owner, the waste cart still remains the property of Council and will need to remain with the property it is assigned to, should the property change hands.

2. The use of waste carts other than Hawkesbury City Council embossed and number identified carts is not permitted. Waste carts are registered to a particular property by the use of registration numbers. This practice reduces the risk of theft of waste carts from other Local Government areas for use in the City area. It also allows Council staff to investigate alleged theft of Hawkesbury City carts by other users of the Hawkesbury City Council service.

Users of unregistered waste carts will be left notification on the waste cart on two concurrent service weeks to replace the cart with a "Hawkesbury City Waste Cart", at their cost. On the third and subsequent service visits, the foreign waste cart will not be emptied if presented for servicing.

3. Where the owner of a property elects to change the size of the waste cart from large to small or small to large, this change will remain in place for a minimum period of 12 (twelve) months. The only exception to this is where a new owner takes possession of the property in the 12 (twelve) month period. The new owner can choose the size that best suits their needs for the next 12 (twelve) months. Waste service charges will be adjusted on a pro-rata basis for the remaining rate period.

B That appropriate steps be taken to inform residents of these arrangements.

50: Windsor Leagues Club - Prosecution for Unauthorised Rodeo at 698 George Street, South Windsor (M1388/00/EVD/ENE29NBX.V05)

Mr Chris Carl, Secretary/Manager Windsor Leagues Club, addressed the Committee.

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Gilling

That the information be received and Council discontinue any action, subject to Windsor Leagues Club paying legal costs.

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51: Plan First - Review of Plan Making in New South Wales
(GM001/034/EVD/ENE29NBX.V12)

Mr Neville Diamond, addressed the Committee.

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That Council write to the Department of Urban Affairs and Planning to make a submission on the White Paper raising the following issues:

1. It disagrees with the ability for the Minister of Planning of the day to prepare and amend local environmental plans.
2. That the form and content of local plans should be determined by council in accordance with the Regional Strategy and not be based solely on place-base management.
3. There is a need for comprehensive State Plans to direct major development issues for the State as a whole and not just polices dealing with individual items of development.
4. Regional State Policies should become plans again and not just policy statements and objectives. State Government must make decisions to plan development rather than just require councils to carry out its policies. Many issues cross council boundaries and the vision of major infrastructure cannot be determined by local plans alone.
5. DUAP be invited to address Council allow:
 - (a) Councillors to have the opportunity to ask questions on the White Paper.
 - (b) Provision of any guidance that DUAP might be able to provide for the future planning of the City.

52: Open Area Test Site - 714 Upper Colo road, Upper Colo - Notice of Appeal
(DA90/98/EVD/ENE29NBX.V03)

A motion of Councillor Williams seconded by Councillor Rasmussen

That Council assist Ms Bongers in her appeal against the findings of the Land and Environment Court.

The motion was lost.

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RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Conolly

That Council not defend the appeal and Council's solicitors be given a watching brief to attend the appeal.

53: Genetically Engineered or Genetically Modified Food Free Zone - Presentation to Council (GE020/009 PT02/EVD/ENE29NCX.V17)

Professor Barry Richardson, Dr Paul Holford, Dr Judyth Mcleod and Ms Ievan Gay addressed Council concerning genetically engineered or a genetically modified food free zone.

A motion was moved by Councillor Williams seconded by Councillor Rasmussen

That Council resolves to:

1. Adopt a precautionary approach to the introduction of GMO's (genetically modified organisms) until the long-term benefits and risks are resolved by:
 - (a) Amending HLEP 1989 and any other planning instruments required to prohibit the growing, field trialing or any other use of GMO products or crops with the exception of approved medicines within the City of Hawkesbury;
 - (b) Urging the relevant Federal Minister and Opposition Spokesperson to legislate for the mandatory labelling of all GMO products, such labelling to be extensive and detailed and to be the responsibility of the Ministers for Health, not Ministers for Agriculture;
 - (c) Maintaining this precautionary approach until the following safeguards are in place:
 - An office of Gene Regulator General is established and strong national laws are in place;
 - Satisfactory labelling of all products using gene technology is mandatory;
 - GE free zones have been established where GE free crops can be grown safely;
 - Independent research results show GMO's are harmless to health and the environment;
 - A strong enforceable liability and insurance regime is in place for GMO products.

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2. (a) Write to contractors providing food to council services and functions seeking their cooperation in supplying only GM free produce;
- (b) Require all new contracts for the provision of food to council services and functions to specify that all produce supplied shall be GM free.
3. The location of the growing of all GE crops to be publicly notified.
4. This policy does not apply to approved research conducted at the university.

An **AMENDMENT** was moved by Councillor Gilling seconded by Councillor Conolly

That the information be received.

The amendment was carried

The amendment then became the motion which was put and carried.

54: Class 4 Proceedings Against Approval of a 6 Shed Poultry Farm - Lot 4602 DP1006929 481 Creek Ridge Road, Glossodia (M1375/99/EVD/ENE29NCX.V02)

Mr Neville Diamond, objector, addressed the Committee.

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Conolly

That the information be received..

55: Price Morris Cottage - 37 Upper MacDonald Road, St Albans (GG021/196 PT01/EVD/ENE29NCX.V09)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That the information be received.

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Supplementary Reports

- 56: Meeting with Ms V Turner and Council - Stannix Park Road Ebenezer (P1911/8 PT03, MA0906/99 PT02/EVD/ENE29LCX.V15)**

Ms Vicki Turner addressed the Committee.

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Woods

That the information be received.

- 57: Proposed Extensions to the John Moroney Correctional Centre, the Northern Road, Londonderry. (GT090/003Pt10/EVD/ENE29LCX.V20)**

Councillor Sheather declared an interest as his son is an employee of the John Moroney Correctional Centre.

Ms Lyn Davie and Ms Tracy Willow, opposing the proposed womens prison, addressed the Committee.

RECOMMENDED on the motion of Councillor Williams and seconded by Councillor Allan

That:

1. Council inform the State Government that Hawkesbury City Council is opposed to the construction of a new women's prison at the John Moroney Centre, and urges the State Government to implement instead the alternatives to incarceration as recommended in July 2000 by the NSW Parliament Select Committee, in particular a moratorium on the building of any more cells for women and a cost benefit analysis on the proposed prison against the alternatives to incarceration.
2. Council hold meeting with both our State Members of Parliament regarding this issue.

- 58: Application for a Two-Lot Subdivision - Lot 38 DP 250171 No.3 Glenn Place, North Richmond (MA255/01/EVD/ENE29LCX.V19)**

This item was dealt with in conjunction with Item 46 of the Environment section

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SECTION 2 - INFRASTRUCTURE

- 21: Yarramundi Reserve** (DA0144/93 PT4, P825/145 PT2, P825/105 PT2/END/INE29NBX.E03)

Councillor Rasmussen declared an interest as an adjoining land owner.

Mr Peter Graham addressed the Committee

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That Council support Mr Graham's offer to formulate a draft plan of management for Yarramundi Reserve.

- 22: Draft Landscape Design for Pool Park, South Windsor** (PK/288/ENG/INE29NBX.E10)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Davies

That the draft landscape design, as amended, be adopted.

- 23: Richmond Park Draft User Policy** (PK/202 PT9/ENG/INE29NBX.E09)

Mr Norman Jones and Ms Marjorie Hood-Jones from the Lions Club, Richmond addressed the Committee.

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Conolly

That a public meeting be held, scheduled for late June 2001 to discuss the issues and develop possible solutions with concerned parties and the matter be further reported to Council.

- 24: Federal Black Spot Program Funding** (GG021/171 PT1/END/INE29NBX.E01)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That representations be made to the local federal member of parliament to express support for the Federal Road Safety Black Spot Program and request extension past the 2001/2002 financial year.

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25: Upgrading Richmond Park War Memorial (PK/202/ENG/INE29NBX.E08)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Rasmussen

That:

1. The design plan be referred to the Heritage Committee for comment.
2. Funding be considered in future budget allocations.

26: 2001-2002 Natural Heritage Trust Grants - Greening Australia (NSW) (GG021/205, GG021/206/ENG/INE29NBX.E06)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That in kind support of the project be provided through provision of:

- Regional target species list
- Seed collection target area information
- Stakeholder communication and networking
- Seed storage facilities/record keeping facilities (at community nursery)
- Promotion of the project through newsletters and local media.

27: Capital Assistance Program 2001-2002 - Department of Sport, Recreation and Racing (GG021/172/ENG/INE29NCX.E07)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That the information be received.

28: Mulgrave Road - Pedestrian Access from Windsor High School to Mulgrave Railway Station (1362/R PT2/ENG/INE29NCX.E02)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That the information be received.

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29: **Playground Equipment** (GP010/015/ENG/INE29NCX.E04)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That the information be received.

Supplementary Reports

30: **Bligh Park - South Windsor road link** (GT230/011, GC281/076/ENG/INE29LBX.E11)

Mr Trevor Devine addressed the Committee

That the Committee exercising its delegation as whole of Council

225 RESOLVED on the motion of Councillor Conolly seconded by Councillor Gilling

That:

1. The residents of Bligh Park and South Windsor be consulted regarding the proposal; and,
2. The matter be further reported to the next General Purpose Committee.

SECTION 3 - ORGANISATION AND RESOURCES

36: **Monthly Financial Report - April 2001** (GF011/005/FNC/OGE29NBX.F09)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That the information be received

37: **Cultural Facilities Development** (GC130/032/GMA/OGE29NAX.G11)

RECOMMENDED on the motion of Councillor Allan seconded by Councillor Gilling

That:

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1. Council reaffirm the resolution of the Special meeting of Council held on 17 April, 2001 and outlined as points 1-6 in this report being:
 1. *By mid 2003 provide separate art gallery facilities in the new building proposed on the former hospital site or other suitable Council owned buildings, comprising exhibition space of not less than 350sqm, meeting rooms, storage rooms, kitchen facilities and toilet facilities and that such facilities be fitted out to regional art gallery standards.*
 2. *Leave the museum in its current location and provide extensions as proposed in 1988 with these to be completed by the end of 2002.*
 3. *There be further meetings and consultation with the Friends of the Hawkesbury Art Collection and reported to the May General Purpose Committee.*
 4. *The valuations and costings be sought.*
 5. *A study be undertaken to explore a reduction in running costs of the existing library building.*
 6. *A new separate art gallery, to the requirements provided by Council, would see a building of not less than 700sqm (seven hundred square metres) that, with site costs including car parking and landscaping, would be likely to cost (excluding land) approximately \$1.1 million (one point one million dollars).*
2. Council receive a further report on the total costs of this project and a management plan.

38: Australian Local Government Association - Federal Budget Submission (GG010/001 PT3/GMA/OGE29NCX.G02)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That the information be received.

39: Extension of Interim Auspice - Hawkesbury Community Transport Service (GC200/002/CSV/OGE29NBX.C04)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

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1. The information be received.
2. Council to advise the Department of Transport of its willingness to agree to a further extension of the interim auspice period for the Hawkesbury Community Transport Service until 30 June 2002.
3. Council to delegate responsibility for the day-to-day operation of the Hawkesbury Community Transport Service to Peppercorn Services Inc.

40: Windsor Function Centre (GC283/045 PT11/CSV/OGE29NBX.C01)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That:

1. Council support the assignment of the Lease Agreement of the Windsor Function Centre from Firefeast Pty Ltd to Mr Peter Payne of A1 Penrith Catering Services Pty Ltd.
2. Council agree to a reduction in the turnover component from 8% to 6%, for the first year of the term.
3. The Seal of Council be affixed to any necessary documentation including the transfer of the liquor licence from Ms Karen Lebsanft to Mr Peter Payne..
3. Firefeast Pty Ltd be offered a rebate of \$500 (five hundred dollars) per annum for the 6 (six) years they have operated the Centre, as reimbursement for electricity expenses associated with the carpark and surrounds of the premises and the Basement area.

41: Tourism Infrastructure Investment Project (GM001/021 PT15/CSV/OGE29NBX.C06)

RECOMMENDED on the motion of Councillor Allan seconded by Councillor Gilling

That Council support the proposed Regional Tourism Infrastructure Investment Project being developed by the North West Sydney GROW Committee and the allocation of up to \$10,000 (ten thousand dollars) from the current year's budget provision for Hawkesbury Economic Development Advisory Committee, towards the project.

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42: International Year of Volunteers (GG21/217/CSV/OGE29NBX.C10)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather
That:

1. Council show support of the United Nations International Year of Volunteers by supporting the conduct of recognition activities being morning teas for groups with older volunteer membership, a family day for those with young families as members and a dance party or similar for those involving youth, with funding being provided from the 2001/2002 Budget.
2. Council call for nominations for the Premier's Awards for Active Citizenship and these be short listed by the Australia Day Awards Committee.

43: Homelessness in the Hawkesbury (GC130/001/CSV/OGE29NBX.C08)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That:

1. The information be received.
2. Council refer the *Local Government Model Policy on Homelessness* to the Hawkesbury Housing Forum to facilitate the development of a draft homelessness policy for the Hawkesbury LGA.

44: Grants and Donation Policy (GF008/001/CSV/OGE29NBX.C12)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That the Grants and Donation Policy be adopted, to come into effect on 1 July 2001 and that a communication plan be put in place to ensure that potential applicants are informed of Council's Policy.

45: North Richmond Child Care Centre - Update (GC050/009/CSV/OGE29NCX.C05)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

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That the information be received.

46: Westpool - HIH Insurance Group (GI011/002/CSV/OGE29NBX.C03)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That the report be received and noted and that any significant development be reported to Council.

Supplementary Reports

**47: Transfer of On-Street Parking from State Government to Local Government.
(GP001/004 PT1/CSV/OGE29LAX.C13)**

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Rasmussen

That subject to the State Government's acceptance of the provisions set down by the Local Government and Shires Association of NSW that the transfer of street parking enforcement to Local Government be supported.

QUESTIONS WITHOUT NOTICE:

1. Councillor Gilling tabled the Wollemi National Park Management Plan.
2. Councillor Gilling enquired whether Council had allocated \$30,000 in relation to the new shelter at Sackville Lookout, with the old shelter being repainted.

The General Manager advised the matter would be investigated.

3. Councillor Gilling enquired as to the General Manager's investigations concerning threats from Mr Zammit of Oakville to his neighbours.

The General Manager advised there was a memo on file from a staff member who went to Oakville and issued an order to two members of the family in the absence of Mr Daniel Zammit. During the ensuing conversation comments were passed by an elderly gentleman to the staff member. As a consequence the General Manager advised the staff member to report the matter to the Police, with a file update which would bring the matter to a conclusion as far as Council is concerned.

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4. Councillor Gilling enquired whether Council had to maintain Mountain Lagoon Road in the National Park area to the Upper and Lower Colo.

The General Manager indicated Council had maintained the fire trail previously. It was normally maintained at the start of the fire season with money from the District Fire Committee.

5. Councillor Sheather questioned, with regard to the report on Mulgrave, whether the conditions are appropriate and noted the site inspections.

The Mayor noted that a time would be set for the two site inspections.

6. Councillor Rasmussen enquired as to the progress on the RAAF Economic Impact Study with regard to timing and representation.

The General Manager advised he was in receipt of documentation that was provided in confidence with the proposed objectives of the study. Additionally the air force had called a meeting next month, with representation from Council, to discuss the objectives before releasing a report on the matter.

7. Councillor Rasmussen noted that under the water allocation the vegetable farms will receive 11 mega litres.

The Mayor noted this information

8. Councillor Williams enquired with regard to the Ordinary Meeting of 10 April 2001 and the action taken in relation to Item 111, relating to a resolution to write to the Minister noting Blaxland Ridge was an inappropriate site for mushroom composting and resubmitting Clause 47 Amendment 110.

The General Manager indicated the letter had been sent and a copy would be supplied to Councillor Williams.

9. Councillor Williams enquired whether clause 47 of 110 been resubmitted

The General Manager indicated it was in the same letter.

10. Councillor Williams enquired whether a letter had been sent to the Minister concerning the abolition of the trust, as resolved in Item 158 of the same meeting.

The General Manager believed it had and would supply a copy.

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11. Councillor Williams expressed concern regarding the PA system before proceeding to enquire about current action on the Ponds.

The General Manager responded that it was still internally within the EPA.

12. Councillor Williams made an enquiry concerning official invitations to the commemoration of the Greater Blue Mountains World Heritage area which he attended.

The General Manager indicated that he and the Mayor were unable to attend due to their acceptance of earlier invitations on that date.

13. Councillor Williams tabled a letter from Mr Max Bates, South Windsor concerning a skate park in South Windsor. Councillor Williams also raised the possibility of investigating an additional skate park site in South Windsor for inclusion in the next budget.

The Mayor noted from Dianne Taite's comments that the Sports Council were investigating Colonial Reserve, North Bligh Park.

14. Councillor Paine tabled three letters: the Windsor Pre-School Association dated 14 May 2001 concerning air conditioning; William and Beryl Colvin dated 16 April 2001 regarding a truck depot in Evans Road and Bill Anderson dated 23 April 2001 concerning road side clearing.

The General Manager advised the matters would be investigated.

15. Councillor Paine enquired, as a result of the pedestrian death of an elderly lady in March Street, if it would be possible to put a pedestrian crossing or age signs in place to notify motorists.

The Director of Asset Services and Recreation enquired whether Councillor Paine particularly required aged pedestrian signs erected as the accident was approximately 50 metres from a traffic activated pedestrian crossing.

Councillor Paine noted there are quite often signs where there are aged facilities just noting that fact.

16. Councillor Paine requested a report back to Council concerning an annual pick up of rubbish throughout the community.

The General Manager advised it would only be possible with associated costs but that the matter would be investigated.

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17. Councillor Rasmussen enquired as to the progress being made with Kurrajong Heights School.

The Director of Asset Services and Recreation advised that he had responded with a copy to everyone.

The meeting terminated at 8.40pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 26 June, 2001.

.....
Mayor