

Minutes of the Development Control Unit Meeting of the Great Lakes Council held at the Council Chambers, Breese Parade, Forster on Thursday, 12 February 2009 commencing at 2 pm.

Present            Clr Jan McWilliams (Chairman), Director Planning & Environmental Services - Glenn Handford, Director Engineering Services - Ron Hartley, Manager Development Assessments - Wayne Burgess, Manager Building Assessments - Gary Mead.

In Attendance    Administrative Officer – Yvette Ellis.

**ADOPTION OF MINUTES - DEVELOPMENT CONTROL UNIT MEETING DATED 5 FEBRUARY 2009**

65            RESOLVED that the Minutes of the Development Control Unit Meeting of 5 February 2009, copies of which were distributed among the committee members, be taken as read and confirmed as a true record of proceeding.

**DECLARATIONS OF PECUNIARY & NON-PECUNIARY CONFLICTS OF INTEREST**

The following Non-Pecuniary Conflict of Interest was declared:

Staff Member	Division, Item No. and Subject	Nature of Interest
Manager Building Assessments - Gary Mead	Planning & Environmental Services, D1 – Use Of Building For Dual Occupancy Dwelling And Strata Subdivision: 29 Bent Street, Tuncurry.	Non – Pecuniary Conflict – Personal friend of applicants' son and daughter-in-law.

**DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES' REPORT ATTACHED DATED 12 FEBRUARY 2009**

**Item:            D2**  
**Subject:        Alterations To An Existing Dwelling & Building Work Without Consent: 35 King George Parade, Forster Keys**

Clr Jan McWilliams stated that any recommendation to issue an infringement notice must be included in the "Summary of Recommendation" in the business paper report.

66            RESOLVED that Development Application No. 183/2009, at Lot 51 DP245073, 35 King George Parade, Forster to permit works without consent to remain and to approve a portico at the front of the dwelling to be constructed is:

1.    Approved subject to the conditions of consent attached to the report; and
2.    That an infringement notice, under section 125 of the Environmental Planning and Assessment Act, for carrying out building work without consent is issued to the owner of the building.
3.    That a building certificate is issued for the property.

*Manager Building Assessments - Gary Mead, left the meeting at this stage (2.06pm).*

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**Item: D1**  
**Subject: Use of Building For Dual Occupancy Dwelling And Strata**  
**Subdivision: 29 Bent Street, Tuncurry**

Mr Gavin Maberley Smith (for the owners) addressed the committee in support of the application.

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RESOLVED that:

- A. The application for the use of the outbuilding as a dwelling and strata subdivision of the site at 29 Bent Street Tuncurry into two strata lots be refused for the following reason:
  - 1. The proposal fails to comply with the general requirements of Council's Flood Management Policy as there is insufficient freeboard above the floor level of the proposed Unit 2.
- B. Council issue a Notice of Intention to Issue an Order under Section 121B of the Environmental Planning and Assessment Act 1979 to cease using the building as a separate dwelling and to demolish the unauthorised kitchen facilities and partition wall that have been erected without the prior consent of Council.

*The meeting closed at 2.18 pm.*

CHAIRMAN