

Minutes of the Development Control Unit Meeting of the Great Lakes Council held at the Council Chambers, Breese Parade, Forster on Thursday, 19 February 2009 commencing at 2.03 pm.

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

In Attendance Leasing/Caravan Parks Officer - Pat Powell.

Apologies Director Planning & Environmental Services - Glenn Handford

- 68 RESOLVED that the apologies from Director Planning & Environmental Services - Glenn Handford be accepted.

ADOPTION OF MINUTES - DEVELOPMENT CONTROL UNIT MEETING DATED 12 FEBRUARY 2009

- 69 RESOLVED that the Minutes of the Development Control Unit Meeting of 12 February 2009, copies of which were distributed among the Councillors, be taken as read and confirmed as a true record of proceedings.

DECLARATIONS OF PECUNIARY & NON-PECUNIARY CONFLICTS OF INTEREST

Nil.

DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES' REPORT ATTACHED DATED 19 FEBRUARY 2009

Item: D1

Subject: Demolish Existing Dwelling and Construct Two Storey Multiple Dwellings X 2 and Strata Subdivision X 2 : 54 Mirreen Street, Hawks Nest

It was noted that an email request for deferment had been received, with an amended drawing attached to address parking considerations.

- 70 RESOLVED that Development Application 202/2009 to demolish existing dwelling and construct two storey multiple dwellings x 2 and strata subdivision x 2 at 54 Mirreen Street, Hawks Nest be deferred and the applicant advised that the amended drawing submitted showing a car space on either side of the garages is not supported as:

1. it does not promote amenity in the area due to the extent of the driveways.
2. it does not preserve the streetscape as little area is available for landscaping.
3. it is Council Policy that no more than one driveway to one boundary be permitted.

Item: D2
Subject: Front Fence : 26 South Street, Tuncurry

Mr and Mrs Merhag (owners) addressed the meeting in support of the application.

- 71 RESOLVED that Development Application 273/2009 for the erection of a courtyard/front fence at No.26 South Street, Tuncurry, be approved as the proposed fence extends only approximately half the width of the block, subject to dense planting of shrubs in the garden area being carried out.

Item: D3
Subject: Proposed Replacement Retaining Wall : 167 Boomerang Drive, Boomerang Beach

- 72 RESOLVED that DA 547/2008 for the replacement retaining wall at SP 52185, 167 Boomerang Drive, Boomerang Beach, be approved subject to the following conditions:

The following condition/s have been applied to ensure that the development complies with the provisions of the Environmental Planning and Assessment Act and Regulations and Policies of Council:

1. The development being carried out in accordance with the details set out in the Development Application unless otherwise amended by these conditions of consent.
2. The building works are to be inspected during construction, by the principal certifying authority (or other suitably qualified person on behalf of the principal certifying authority subject to the provisions of the Environmental Planning and Assessment Act 1979 and Regulation 2000) to verify compliance with this consent and the standards of construction detailed in the Building Code of Australia, at not less than the following stages prior to proceeding to the subsequent stages of construction:
 - a) Commencement of works.
 - b) Pier holes before they are filled with concrete.
 - c) Footings.
 - d) Stormwater drains.
 - e) Final.
3. Work on any building shall not commence until a Construction Certificate, complying in all respects with the provisions of the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the Building Code of Australia, has been issued.
4. It is a condition of approval that all building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
5. Prior to commencement of construction and throughout the construction process until completion, adequate provision shall be made for the following measures (as applicable), to ensure compliance with the terms of the Consent:
 - a) Sediment control measures.

- b) Provision of perimeter fences or hoardings for public safety and restricted access to building sites.
 - c) Maintenance of the public place free from any unauthorised materials, waste containers or other obstructions.
6. Building work that involves residential building work (within the meaning of the Home Building Act, 1989) must not be carried out unless the principal certifying authority:
- a) in the case of work to be done by a licensed contractor:
 - (i) has been informed in writing of the licensee's name and contractor number; and
 - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act (in relation to insurance policies); or
 - b) in the case of work to be done by any other person:
 - (i) has been informed 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 market cost of the labour and materials involved in the work does not exceed \$5,000.
7. Structural drawings prepared by a suitably qualified and experienced Structural Engineer being submitted to and approved by the principal certifying authority prior to the issue of a construction certificate. The plans shall detail:
- a) All reinforced concrete floor slabs and/or beams or raft slab (having due regard to the possible differential settlement of the cut and fill areas.
 - b) Footings of the proposed structure.
 - c) Structural steel beams/columns.

Where it is proposed to use driven timber piles as part of any building footing system, the following certification from a professional engineer shall be provided prior to a footing inspection:

- i) The durability class (and/or chemical treatment grade) of all piles used within the footing system; and
- ii) That the driven piles have achieved the required bearing capacity.

Note: The inspections of the replacement retaining wall are to be undertaken in accordance with details as specified in Engineers letter dated 12 November 2008. In addition a final certificate is to be provided from a qualified structural engineer certifying that the replacement retaining wall is structurally adequate for anticipated loads.

8. All excavations and backfilling are to be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and protected to prevent them from being dangerous to life or property.
9. Public access to the site and building works, materials and equipment on the site is to be restricted, when building work is not in progress or the site is unoccupied.

The public safety provisions must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

10. A sign must be erected in a prominent position on any work site on which work involved in 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, address and telephone number of the principal certifying authority for the work; and
 - c) showing the name of the principal contractor and a telephone number at which that person may be contacted outside of working hours.

Any such sign is to be removed when the work has been completed.

11. The subject replacement retaining wall and associated footings are to be wholly constructed within the confines of No.167 Boomerang Drive, Boomerang Beach. A report from a registered surveyor is to be submitted to Council prior to pouring of footings, confirming the location of the replacement retaining walls.

The following condition/s have been applied to ensure that reasonable levels of health, safety and amenity for the occupants of the building, neighbouring properties and the locality are maintained after the erection of the proposed building:

12. Building materials, sand or waste materials shall not be placed on the footway or road reserve at any time.

The following group of condition/s have been applied to ensure that noise from the development does not create a nuisance and to ensure that reasonable levels of the amenity of the area are maintained during construction and after the erection of the building:

13. There is to be no construction and/or demolition works, including deliveries on or to the site prior to 7.00 am or after 6.00 pm Monday to Friday, prior to 8.00 am and after 6.00 pm Saturday, and prior to 9.00 am and after 4.00 pm Sunday.

The following conditions have been applied to ensure that adequate drainage is provided from the premises and to maintain adequate levels of health and amenity in the locality:

14. Surface water from the subject property is to be disposed of in accordance with the approved drainage plan.

The following condition/s have been applied to ensure compliance with Council's Erosion and Sediment Control Policy:

15. All erosion and sediment control measures undertaken on the site shall be undertaken to conform to the specifications and standards contained in Council's guidelines.
16. Stockpiles of construction and landscaping materials, and of site debris shall be located clear of drainage lines and in such a position that they are within the erosion containment boundary or are equivalently protected from erosion and do not encroach upon any footpath, nature strip or roadway.

- 17. Final site spoil shall be disposed of to the satisfaction of Council.
- 18. Vehicular access shall be controlled so as to prevent the tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy.

The meeting closed at 2.17 pm.

CHAIRMAN