

Minutes of the Development Control Unit Meeting of the Great Lakes Council held at the Council Chambers, Breese Parade, Forster on Thursday, 5 March 2009 commencing at 2pm.

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 26 FEBRUARY 2009

76 RESOLVED that the Minutes of the Development Control Unit Meeting of 26 February 2009, copies of which were distributed among the committee members, be taken as read and confirmed as a true record of proceedings subject to the following amendment:

Minute No. 75 - Item D1 : Dwelling And Detached Garage : 8 Gannet Place, Tea Gardens, amendment of Condition B 4 to read as follows:

4. Prior to the issuing of the Occupation Certificate, the registered proprietor shall erect a post and wire mesh fence on the rear, southern boundary of this Lot to delineate the private landholding from the adjoining Council Reserve. This fence shall be appropriately maintained and replaced if lost. The erection of the fence shall not cause any harm or clearing of native flora from within the Council Reserve. There shall be no use of any barbed wire fencing anywhere on this land.

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
Director Engineering Services – Ron Hartley	Planning & Environmental Services, D2 – Storage Area - Bunnings Loading Dock : Stocklands Shopping Centre, Breese Parade, Forster	Non – Pecuniary Conflict – The owner of the complex, Stocklands, is the sponsor of his surfboat for Forster Surf Lifesaving Club. He elected to leave the meeting and take no part in discussion or decision.

**DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES' REPORT
ATTACHED DATED 5 MARCH 2009**

Item: D1
Subject: Five (5) Lot Subdivision : 10 & 39-43 Coolabah Close, Tea Gardens

Mr N Webber (objector/adjoining neighbour) addressed the committee raising concerns in relation to the rear fence adjoining the proposed development and loss of privacy.

Mr Bob Landa of Tattersall Surveyors Pty Ltd (applicant) addressed the committee in support of the application.

Item: D2
Subject: Storage Area - Bunnings Loading Dock : Stocklands Shopping Centre, Breese Parade, Forster

Director Engineering Services - Ron Hartley, declared a non pecuniary conflict of interest and left the meeting at 2.15pm and took no further part in discussion.

Mr T Thorne of King & Campbell Pty Ltd (applicant) addressed the committee in support of the application and tabled photographs. Mr Thorne raised issues in regard to Condition A 6 requiring the fence to be extended, and requested that recommendation B be deleted.

Item: D3
Subject: Proposed Demolition Of Existing Dwelling To Allow For The Construction Of A Two Storey Dwelling And Swimming Pool : 29 Newman Avenue, Blueys Beach

Director Engineering Services - Ron Hartley, returned from temporary absence at 2.35pm.

Mr P Gesling (objector) addressed the committee raising concerns in relation to the bulk and scale of the development.

Ms P Kelly (wife of Mr P Murphy, objector/adjoining neighbour) addressed the committee raising concerns in relation to the loss of views, and the bulk and scale of the development.

Mr Bob Landa of Tattersall Surveyors Pty Ltd (applicant) addressed the committee in support of the application.

Item: D4
Subject: Proposed Demolition Of Existing And Erection Of A New Dwelling : 10 Toby Street, Forster

Mr Graeme Roberts of RGR Design (applicant) addressed the committee in support of the application and tabled an amended plan.

Mr C Arthurson (owner) addressed the committee in support of the application.

Item: D1
Subject: Five (5) Lot Subdivision : 10 & 39-43 Coolabah Close, Tea Gardens

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RESOLVED:

- A. That DA 395/07 for the Torrens Title subdivision of Lot 78 DP 1063829, 10 and 39 to 43 Coolabah Close Tea Gardens into five (5) lots be approved subject to the conditions attached to the report.
- B. That the Plan of Management for the Council Drainage Reserve adjacent to the subject site be amended to recognise the current cleared distances of vegetation (ie. APZ) from proposed lot 784 and as referred to in the NSW Rural Fire Services letter dated 8 March 2007.

And the following addition:

Add Condition 11 to read as follows:

11. That a fence be maintained to a minimum height of 1.5m to the rear of proposed lots 781 to 784.

Item: D3
Subject: Proposed Demolition Of Existing Dwelling To Allow For The Construction Of A Two Storey Dwelling And Swimming Pool : 29 Newman Avenue, Blueys Beach

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RESOLVED that DA705/2008 for the Proposed Demolition of Existing Dwelling to allow for the Construction of a Two Storey Dwelling and Swimming Pool at Lot 56 Sec D DP 21465, 29 Newman Avenue, Blueys Beach be:

- 1) Deferred for a period of 60 days to permit the applicant an opportunity to submit an amended plan which indicates a reduction of two metres to the length of the dwelling.
- 2) Should no amended plan be received in accordance with recommendation 1), the application be refused due to adverse impacts on the amenity of the locality in regard to privacy impacts and bulk and scale.

Item: D4
Subject: Proposed Demolition Of Existing And Erection Of A New Dwelling : 10 Toby Street, Forster

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RESOLVED:

- A. That development application No.68/2009 is deferred to permit the submission of an amended plan reflecting the following changes to the proposal:
- Reduce the height of the front pavilion of the building by 0.3m.
 - Increase the setback of the rear pavilion of the building by 0.2m to a total of 1.5m from the southern boundary.
 - Alter windows within the western wall of the building, at first floor level to either highlight windows with a sill height of 1.5m above the floor of the room or provide glass blocks or similar un-openable glazing that prevents overlooking.

- Alter the proposed privacy screen provided along the eastern side of the first floor deck so that screening begins at floor level and extends to a minimum height of 1.8m from floor level. Where this screen also act as a balustrade the screen shall be of sufficient strength and durability to comply with the requirements of a balustrade under the Building Code of Australia.

In addition the screen structure shall have no individual opening more than 0.030m wide and all total openings less than 30% of the surface area of the screen.

- B. Where the amended plan is not submitted within a period of 60 days of this meeting that the application is refused for the following reasons:
- The proposed dwelling is not consistent with the character of the locality in that the building is of considerable bulk and scale and will tend to appear overbearing and dominant within the existing streetscape and to adjacent properties.
 - Reasonable privacy is not afforded to adjoining properties.
 - The pavilion at the rear of the premises extending to within 1.086m of each side boundary and 1.3m of the rear boundary will tend to dominate the back yard of the adjoining premises to the south and impact on the enjoyment of the north facing backyard area.
- C. Where an amended plan is submitted in the terms mentioned above in recommendation A that delegation be granted to the Manager Building Assessments to approve the application subject to the conditions as outlined in the report.

Item: D2
Subject: Storage Area - Bunnings Loading Dock : Stocklands Shopping Centre, Breese Parade, Forster

Director Engineering Services - Ron Hartley declared a non pecuniary conflict of interest and left the meeting at 3.05pm and took no further part in discussion or decision on this item. Director Engineering Services did not return to the meeting.

- 80 RESOLVED that DA 181/20908 for the use of Bunnings Delivery area for permanent and temporary goods storage associated with the retail activity of the Bunnings store, on lot 1 DP 1099420 Breese Parade Forster be deferred to the Development Control Unit meeting on 2 April 2009, to enable the applicant to consult further with the owner.

The meeting closed at 3.15 pm.

CHAIRMAN