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Sent: 6/11/2024 11:47:58 AM
To: DA Submission Mailbox
Subject: TRIMMED: Online Submission

06/11/2024

MR Robert Urquhart
- 12 Yallumba CL
Forestville NSW 2087

RE: DA2024/1303 - 11 / 0 Melwood Avenue FORESTVILLE NSW 2087

I believe this DA has been submitted without the required authority to lodge the application and should be dismissed, or withheld, until such time the required authority to submit the application is presented.

The applicant for this DA is the Forestville Rsl Club Ltd. The club is a registered club that must conform to the Registered Clubs Act 1976 No 31 and specifically Section 41E that deals with disposal of core property.

The definition of disposal in the Act is as follows.

dispose of property means to sell, lease or licence the property or to otherwise deal with the property in such manner as may be prescribed by the regulations.

Clearly this DA requires the adherence to the Act which requires that the development proposal must be approved by the members at a general meeting.

(b) the disposal has been approved at a general meeting of the ordinary members of the club at which a majority of the votes cast supported the approval, and
This has not occurred.

Further, although the club will state that members have been kept informed of the proposed development, the first opportunity to see the detailed plans for this development were when they were posted on the council's website. There has been no detailed information on the business plans and proposed management of the Over 55's Independent Living Units or how the development of 55 units will benefit the club financially.

This is all contrary to the information provided in the Clubs NSW Guideline for Major Capital Works and Club Governance Code of Practice.

I believe the council should seek their own legal advice on whether any action on this DA should be taken by the council given that the Forestville RSL Club has not adhered to section 41E of the Registered Clubs Act.

Given all of the above I am opposed to this DA and any consideration of council to do any work on this DA, at ratepayers expense, until such time that the members of the club vote in favour of the development.