



CENTRAL COAST COUNCIL

DEVELOPMENT SUPPORT SPECIAL COMMITTEE

# Minutes

of Meeting

29 September 2008

Minutes subject to confirmation at  
a meeting of the Development Support Special Committee to be held on  
13 October 2008

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**Minutes of an ordinary meeting of the Development Support Special Committee held in the Council Chamber of the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 29 September 2008 commencing at 6pm**

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**Members attendance**

Cr Mike Downie (Mayor)  
Cr Ken Haines  
Cr Tony van Rooyen

Cr Jan Bonde  
Cr Terry McKenna  
Ms Sandra Ayton

**Employees attendance**

Director Development Services (Mr Michael Stretton)  
Land Use Planning Group Leader (Ms Theresia Williams)  
Town Planner (Mr Thomas Reilly)

**Public Attendance**

Two

**CONFIRMATION OF MINUTES OF THE COMMITTEE**

**35/2008 Confirmation of minutes**

The Land Use Planning Group Leader reported as follows:

“The minutes of the previous meeting of the Development Support Special Committee held on 8 September 2008 have already been circulated. The minutes are required to be confirmed for their accuracy.

The *Local Government (Meeting Procedures) Regulations 2005* provide that in confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.”

- Cr McKenna moved and Cr Bonde seconded, “That the minutes of the previous meeting of the Development Support Special Committee held on 8 September 2008 be confirmed.”

Carried unanimously

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## MAYOR'S COMMUNICATIONS

### 36/2008 Mayor's communications

The Mayor reported as follows:

"Under the terms of appointment of the Development Support Special Committee, it acts in agreed circumstances as if it were the Council and, accordingly, as a planning authority under the *Land Use Planning and Approvals Act 1993*.

Members are reminded that the *Local Government (Meeting Procedures) Regulations 2005* provide that the general manager is to ensure that the reasons for a decision by a council acting as a planning authority are recorded in the minutes.

In the event that items listed for consideration are referred, under the terms of the Committee's appointment, to the Council (e.g. any matter the Committee cannot determine unanimously), or if the Committee is unable to make a determination within the relevant statutory time limit, such items will be referred to a meeting of the Council for a decision."

- Cr Haines moved and Cr Bonde seconded, "That the Mayor's report be received."

Carried unanimously

## PECUNIARY INTEREST DECLARATIONS

### 37/2008 Pecuniary interest declarations

The Mayor reported as follows:

"Members are requested to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda."

The Land Use Planning Group Leader reported as follows:

"The *Local Government Act 1993* provides that a member must not participate at any meeting of a special committee in any discussion, nor vote on any matter, in respect of which the member has an interest or is aware or ought to be aware that a close associate has an interest.

Members are invited at this time to declare any interest they have on matters to be discussed at this meeting. If a declaration is impractical at this time, it is to be noted that a member must declare any interest in a matter before any discussion on

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that matter commences.

All interests declared will be recorded in the minutes at the commencement of the matter to which they relate.”

No interests were declared at this time.

### **ADJOURNMENT OF MEETING**

#### **38/2008 Adjournment of meeting**

The Mayor reported as follows:

“In order to effectively consider the reports before this meeting of the Committee it is appropriate that I adjourn the meeting to enable the related documents to be workshopped prior to resumption of the meeting and formal resolution of the agenda items.”

The workshop having been concluded, the Mayor resumed the meeting.

### **DEPUTATIONS**

#### **39/2008 Deputations**

The Land Use Planning Group Leader reported as follows:

“No requests for deputations to address the meeting or to make statements or deliver reports have been made.”

### **OPEN REPORTS**

#### **40/2008 Residential – Extension to house with variation to side setback, 4 Water Street, Ulverstone Application No. DEV2008.30**

The Director Development Services reported as follows:

“The Land Use Planning Group Leader has prepared the following report:

*‘DEVELOPMENT APPLICATION No.:*           DEV2008.30  
*APPLICANT:*                                   P Vlasich

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<i>LOCATION:</i>	4 Water Street, Ulverstone
<i>ZONING:</i>	Residential
<i>PLANNING INSTRUMENT:</i>	Central Coast Planning Scheme 2005 (the Scheme)
<i>ADVERTISED:</i>	3 September 2008
<i>REPRESENTATIONS EXPIRY DATE:</i>	17 September 2008
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	9 October 2008
<i>DECISION DUE:</i>	29 September 2008

#### *PURPOSE*

The purpose of this report is to consider:

- the merits of the representation; and
- whether the variations to the setbacks from the side boundaries perform in accordance with the criterion of P1 in Clause 6.3.3 of the Scheme. It should be noted that this is the only level of discretion conferred on the Council to consider.

#### *BACKGROUND*

This section of Water Street, Ulverstone is an established residential area. The land has an existing house on site. To the north is the road, and to the east and west are houses.

A location plan is appended as Annexure 1.

#### *DISCUSSION*

The Scheme provides that the proposal is for the following use:

“Residential”, defined as “use of land for one or more dwellings providing long term accommodation”.

The proposed development is for an extension to the existing house and falls within the definition of Residential.

The application documentation is provided as Annexure 2.

As per Section 4.9 of the Scheme, in determining an application for a permit, the Council must:

- (a) seek to further the objectives of the *Land Use Planning and Approvals Act 1993*;

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- (b) act in accordance with the requirements of a State Policy;
  - (c) give effect to any direction from the (Resource Planning and Development) Commission under s.28(1)(a) or s.41(a) of the Act in accordance with s.51(3)(b) and (c) of the Act; and
  - (d) give effect to all relevant standards and any other requirements specified in the Scheme;

and must have regard to:

- (e) the objectives for planning as set out in Part A;
- (f) the purpose of the relevant zone;
- (g) the purpose of the relevant schedule;
- (h) any advice, information or recommendation with respect to the application that it seeks from a person who has the necessary qualifications or experience; and
- (i) any representations received as a result of notification under s.57 of the Act.

An application for a planning permit requires that the above considerations be addressed. The Discussion is divided into two sections: "Objectives of the Act" and the "Specifics of the Scheme". The individual State Policies are not discussed in this report as these have been incorporated into the Scheme.

As highlighted above, the only aspect of discretion is that of the setback from the side boundaries.

#### Objectives of the Act

This section provides the Objectives of the Resource Management and Planning System of Tasmania and an assessment of the proposal against these objectives:

- (a) *to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;*

The proposal is for an extension of an existing residential use. Stormwater drainage and waste can be appropriately managed. The proposed development will not result in the removal of any significant vegetation. The proposal complies with this objective.

- (b) *to provide for the fair, orderly and sustainable use and development of air, land and water;*

Section 6.0 and the Schedules of the Scheme provide specifics on how to assess this Objective for this proposal.

- (c) *to encourage public involvement in resource management and planning;*

The proposal is subject to advertising required under the Act, and has received one representation. Relevant public involvement also occurred at the time of the writing of the Scheme.

- (d) *to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c);*

Guidance on how to assess this is provided by the detail in the Scheme, assessed later in this report.

- (e) *to promote the sharing of responsibility for resource management and planning between the different spheres of government, the community and industry in the State;*

In this case, the sharing of responsibility has occurred in the writing of the Scheme, the approval of the Scheme by a State Government body and the participation of the community throughout this process as provided for by the Act.

Given the framework of the planning system in Tasmania, much of the assessment in relation to the Objectives has been completed by the certification of the Scheme by the Resource Planning and Development Commission. The detail of the certified Scheme is assessed later in this report.

#### Specifics of the Scheme

REFERENCE	DETAIL AND COMMENT (WHERE REQUIRED)
2.1	<p>To achieve the purpose of this planning scheme the following objectives apply:</p> <p>(a) <i>Residential, commercial, industrial and community facilities are to be concentrated in the existing urban areas;</i></p> <p>The proposed development is situated within the township of Ulverstone and operates as infill development. The Scheme provides for assessment of residential development under the specific zone provisions, which are addressed later in this report.</p>

	<p><i>(b) The residential settlement strategy is to reinforce the existing residential pattern and any new residential development is to be the infill or orderly extension of existing urban areas;</i></p> <p>Comments as per (a) above.</p> <p><i>(c) The development of a range of housing types is to be encouraged;</i></p> <p>The proposal is a house in the Residential Zone. The relevant zone provisions provide more specific guidance on what is acceptable in this zone and are addressed later in this report.</p> <p><i>(d) A safe vehicular and pedestrian network throughout the planning area is to be encouraged;</i></p> <p>The proposal accesses an existing Council-maintained road. Assets &amp; Engineering staff have provided comments on the safe vehicular access to and from the site. This is discussed in further detail below.</p> <p><i>(e) Infrastructure services are to be used and extended in an efficient manner;</i></p> <p>The Lot will utilise existing services provided by the Council.</p> <p><i>(f) Sufficient land and facilities for recreational and open space purposes are to be reserved for the community;</i></p> <p>The proposal has no impact on this Objective.</p> <p><i>(g) The physical and biological quality of surface and groundwater is to be maintained and enhanced;</i></p> <p>Stormwater and wastewater will be appropriately disposed of via existing Council infrastructure.</p> <p><i>(h) Important flora and fauna habitats are to be protected from inappropriate use and development;</i></p> <p>There is no significant vegetation on the site.</p> <p><i>(i) The environmental qualities of the coastal and river systems are to be protected;</i></p> <p>Refer to comments in (g) above.</p>
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	<p><i>(j) Development of land and its use is to be carried out in a way so as to minimise environmental harm;</i></p> <p>The site is zoned for Residential use and the proposal would be an extension of an existing residential use.</p> <p><i>(k) Rural land is to be primarily used for resource development and conservation purposes;</i></p> <p>The proposal has no impact on this Objective.</p> <p><i>(l) Rural land is to be protected from inappropriate residential, industrial and commercial development;</i></p> <p>The proposal has no impact on this Objective.</p> <p><i>(m) Residential use or development in the rural areas is to be encouraged in the existing settlements of North Motton, South Riana and Sprent. The compact and limited growth of these settlements is to occur only within those areas that are zoned Mixed Use;</i></p> <p>The proposal has no impact on this Objective.</p> <p><i>(n) Infill and consolidation of development within the Rural Living Zone is to be encouraged;</i></p> <p>The proposal has no impact on this Objective.</p> <p><i>(o) The cultural heritage, including Aboriginal relics, protected site and objects and registered places are protected.</i></p> <p>No known Aboriginal relics or values are known of for this site.</p>
6.7	Purpose of Residential Zone.
6.1.1	<p><i>To provide for Residential use or development that accommodates a range of dwelling types and densities where full infrastructure services are available, including access to educational, recreational, transport and community services.</i></p> <p>The proposed development is consistent with Clause 6.1.1 as it is for an extension of an existing house in an existing residential area. The lot is appropriately serviced by infrastructure.</p>

6.1.2	<p><i>To achieve a high standard of residential amenity across the range of dwelling types.</i></p> <p>The proposal is for a double storey extension of an existing house. The Acceptable Solutions provide the relevant guidance on the standard of residential amenity.</p>
6.1.3	<p><i>To provide for limited Tourist accommodation.</i></p> <p>The proposal has no impact on 6.1.3.</p>
6.1.4	<p><i>To ensure that energy conservation principles apply to all development.</i></p> <p>This is further addressed in 6.3.3 A12.</p>
6.3.1	<p><i>N/A 6.3.1 relates to subdivision only.</i></p>
6.3.2	<p><i>Not relevant 6.3.2 relates to Strata schemes only.</i></p>
6.3.3	<p><i>Building design and siting</i></p> <p><i>Objective: To ensure that the height, setbacks, siting and design of buildings:</i></p> <ul style="list-style-type: none"> <li><i>(1) complement the streetscape;</i></li> <li><i>(2) provide adequate privacy, separation, open space and sunlight for residents;</i></li> <li><i>(3) minimise the opportunity for crime to occur; and</i></li> <li><i>(4) complement energy efficient development.</i></li> </ul> <p>The proposal complies with all development standards other than 6.3.3 A1(b).</p>
6.3.3 A1	<p><i>A1 A building must not exceed:</i></p> <ul style="list-style-type: none"> <li><i>(a) a maximum building height of 8m; and</i></li> <li><i>(b) a maximum wall height for residential building;</i> <ul style="list-style-type: none"> <li><i>(i) not exceeding 4m within 2m of a side boundary; or</i></li> <li><i>(ii) a minimum side boundary setback of ½ the height of the wall where the wall height is greater than 4m.</i></li> </ul> </li> </ul>

	<p>The maximum building height of the house is 7.6m. The proposed side boundary walls will be 7.3m in height, requiring a setback of 3.65m to comply with the Acceptable Solution. Setbacks of 2m (eastern boundary) and 3m (western boundary) are proposed. Thus the application is dependent upon compliance with the Performance Criteria 6.3.3 P1.</p>
6.3.3 P1	<p><i>P1 Buildings for:</i></p> <p><i>...(c) Residential... must:</i></p> <p>(i) <i>not cause unreasonable shading of or unreasonable loss of privacy to, adjoining properties used for residential purposes;</i></p> <p>(ii) <i>have a design that is reasonably in keeping with the streetscape character; and</i></p> <p>(iii) <i>for residential building not exceed a maximum building height of 10m.</i></p> <p>The proposal complies with (iii) as it does not exceed 10m.</p> <p>In relation to (ii), the proposed setbacks are no less than those existing, and are similar to those on adjoining land. The proposal complies with (ii).</p> <p>In relation to (i), the Scheme provides some additional information regarding “unreasonable shading”. In short, the proposal includes a case for the setback variations, stating that the proposed extension will have no significant difference in terms of overshadowing when compared to the existing house and is deemed to comply with 6.3.3 P1.</p>
6.3.3 A2	<p><i>Site coverage for other than Utilities, multiple dwelling or cluster house must not exceed:</i></p> <p>(a) <i>45% for site greater than 650m<sup>2</sup>; or</i></p> <p>(b) <i>50% for sites less than 650m<sup>2</sup>.</i></p> <p>The site will be over 650m<sup>2</sup> and thus site coverage must not exceed 45%, which it will not. The proposal complies with 6.3.3 A2.</p>
6.3.3 A3	<p><i>The external area of a dwelling unit adjacent to its front door must be:</i></p> <p>(a) <i>visible from:</i></p>

	<p>(i) a part of a road within 50m of that door; or</p> <p>(ii) the inside of another dwelling unit within 20m of that door;</p> <p>(b) provided with artificial lighting operated by a sensor or from within the dwelling unit; and</p> <p>(c) visible from within the dwelling unit while the main front door is closed which may be achieved through:</p> <p>(i) nearby windows;</p> <p>(ii) transparent glass in the main front door or adjoining panels;</p> <p>(iii) a security keyhole viewing device in the main front door;</p> <p>(iv) a security door on the outside of the main front door; or</p> <p>(v) any other manner that is as effective as any of the above.</p> <p>The proposal complies with A3, Clause 6.3.3 by design and / or by standard condition.</p>
6.3.3 A4	<p><i>Residential (except cluster houses) and Tourist accommodation buildings must be setback at least:</i></p> <p>(a) 4.5m from the frontage; or</p> <p>(b) for a rear lot, 4.5m from the boundary which abuts the access strip; and</p> <p>(c) 3m from a secondary frontage; and</p> <p>(d) 1.5m from a side boundary; and</p> <p>(e) 4.5m from the rear boundary.</p> <p>The proposal complies with these provisions. It is noted that 6.3.3 A4 (d) is overridden by 6.3.3 A1.</p>
6.3.3 A5	N/A
6.3.3 A6	<i>A garage or carport built under the same roof as the building it serves may be built to any boundary except frontages.</i>

	No changes are proposed to the garage.
6.3.3 A7	<i>N/A proposal includes a garage already.</i>
6.3.3. A8	<i>N/A No outbuildings proposed.</i>
6.3.3 A9	<i>As for A8.</i>
6.3.3 A10	<i>N/A No Utilities proposed.</i>
6.3.3 A11	<i>N/A no other buildings proposed.</i>
6.3.3 A12	<p><i>Residential development must provide a north facing room as a living area.</i></p> <p>The proposal includes an extensive area of living space that is north facing.</p>
6.3.4	<p><i>Building access and services</i></p> <p><i>Objective: To ensure that the access to the road servicing the site and services to the site are appropriate for the proposed use.</i></p> <p>The Assets &amp; Engineering Department has indicated that a house can be appropriately serviced, with standard conditions. The proposal complies with this Objective.</p>
6.3.4 A1	<p><i>A1 The site must:</i></p> <p><i>(a) be serviced by an access constructed to Central Coast Council Municipal Standard Drawing No. SD-1003;</i></p> <p><i>(b) be connected to a reticulated water supply of 200kPa pressure at 10l per second;</i></p> <p><i>(c) be connected to a reticulated sewerage system; and</i></p> <p><i>(d) be connected to a reticulated stormwater system; and</i></p> <p><i>(e) be connected to telecommunications and electricity supply by either underground service or in a manner consistent with the supply to which it is connected.</i></p> <p>Standard conditions are recommended to achieve this Acceptable Solution.</p>

<i>Schedules</i>	Schedule 1: Not applicable
	Schedule 2: No applicable
	Schedule 3: Not applicable
	Schedule 4: Not applicable
	Schedule 5: Not applicable
	Schedule 6: Not applicable
	Schedule 7: Not applicable
	Schedule 8: Not applicable
	Schedule 9: Not applicable
	Schedule 10: Complies
	Schedule 11: Not applicable
	Schedule 12: Not applicable
	Schedule 13: Not applicable.

#### *CONSULTATION*

The application was subjected to the required 14-day public scrutiny process required by s.57 of the *Land Use Planning and Approvals Act 1993*. This requires advertising of the development by a notice on site and also by a notice placed once in a daily local newspaper. Correspondence to the adjoining owners inviting them to view the application was also undertaken.

The application as a matter of procedure was referred to the Council's Planning and Assessment Team. Any relevant comments received from the Planning and Assessment Team are included in the recommendation of the application.

#### *Representation*

One representation was received within the prescribed time.

The representation is appended as Annexure 3.

The issues raised in the representation are detailed as follows and have been numbered as per the representation for ease of reference:

ISSUE#	CONCERN (PARAPHRASED)	COMMENT
1	Shadow diagram is incorrect, and provides photographs as evidence.	The Scheme provides dates on which the shadow implications must be considered. The shadow diagrams are consistent with those dates. The photos are not.
2	Drawing is inaccurate with regard to the new and existing building.	No evidence provided to assess this statement.
3	Devaluation of the property.	The proposal is within the provisions of the Scheme with the exception of the setback from the side boundaries. There is no capacity within the Scheme to consider the issues raised by the representation.
4	Unreasonable loss of privacy.	It is recognised that the proposed dwelling will have a greater impact on the neighbours' privacy than the existing house on the land. However, if the proposal were built to comply with the Scheme, it would be 3.65m from the boundary, rather than the proposed 2m. This is not considered significant enough of a difference to demonstrate an unreasonable loss of privacy.
5	Unreasonable loss of shading.	Refer to assessment under 6.3.3 P1.

In summary, the development complies with the all aspects of the planning scheme via the exercise of discretion. The issues raised by the representor are covered by the Scheme's Performance Criteria, which the proposal complies with, or are not relevant to the legislated assessment.

#### *IMPACT ON RESOURCES*

This report has no impact on resources notwithstanding the usual resources in assessment of the application and preparation of a report. Additional resourcing of time in the event of a Planning Appeal are unknown.

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*CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2004–2009 includes the following objectives:

- Meet our statutory and regulatory obligations
- Plan for and develop a sustainable community
- Create a municipal area that is productive and socially and aesthetically attractive.

*CONCLUSION*

The only aspect of this proposal where the Council has discretion is the setback from the side boundaries. There are performance criteria available for the Council to consider in exercise of this discretion and these have been submitted and reported on.

*Recommendation*

It is recommended that neither the representation nor the variation to the setbacks are deemed to have merit in this particular application to warrant refusal and that Application No. DEV2008.30 be approved subject to the following conditions and restrictions:

General:

- 1 The development generally conforming with the documents submitted with this application by Paul Vlasich, labelled as:
  - (a) Proposed Extension, 4 Water Street, Ulverstone, Job No 0708–014 (Sheets 1–4), dated 23/04/2008; and
  - (b) Proposed 2 storey extension @ 4 Water St, Ulverstone, Job No. 0708–014, Dated 26–08–08,unless otherwise altered by subsequent conditions of this permit;
- 2 The external area of the dwelling unit adjacent to its front door must be:
  - (a) provided with artificial lighting operated by a sensor or from within the dwelling unit; and
  - (b) visible from within the dwelling unit while the main front door is closed which may be achieved through:
    - (i) nearby windows;



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- (ii) transparent glass in the main front door or adjoining panels;
  - (iii) a security keyhole viewing device in the main front door;
  - (iv) a security door on the outside of the main front door;  
or
  - (v) any other manner that is as effective as any of the above;

Engineering:

- 3 The developer shall:
  - (a) upgrade or provide where necessary, an appropriately sized stormwater connection point to the property; and
  - (b) connect the existing dwelling to the Council stormwater system;
- 4 Any damage or disturbance to roads, nature strips or existing services is to be rectified to the satisfaction of the Council's Director Assets & Engineering;

and that the applicant be further requested to note:

- A The Permit expires two years from the date of advice of this decision is received unless the development has been substantially commenced. An extension of time to this period can be granted once only but only if the request is received prior to the expiry of the specified time.
- B The Council only permits one 6.0m or two 3.6m vehicle accesses to a lot within the road reserve. Any other arrangement is discretionary and subject to the approval of the Council's Director of Assets & Engineering.
- C Any works associated with the connection to existing (live) Council water, sewer and stormwater services will be undertaken by the Council at the developers cost, unless alternative arrangements are approved by the Council.
- D Any works associated with existing kerb & channel, footpath or roads will be undertaken by the Council at the developers cost, unless alternative arrangements are approved by the Council.
- E Any works undertaken within the Road Reservation requires a Road Permit to be issued prior to the commencement of construction. An

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application form can be obtained from the Assets & Engineering Department. A fee applies.

- F Building and Plumbing permits are required for the proposed development.

Please contact the Council's Assets & Engineering Department if you wish to discuss or arrange any infrastructure work requirements.'

The report is supported."

The Director Development Services reported as follows:

"Copies of the annexures referred to in the Land Use Planning Group Leader's report have been circulated to all members."

■ Cr Bonde moved and Cr Haines seconded, "That neither the representation nor the variation to the setbacks are deemed to have merit in this particular application to warrant refusal and that Application No. DEV2008.30 be approved subject to the following conditions and restrictions:

General:

1 The development generally conforming with the documents submitted with this application by Paul Vlasich, labelled as:

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- (a) provided with artificial lighting operated by a sensor or from within the dwelling unit; and
- (b) visible from within the dwelling unit while the main front door is closed which may be achieved through:
  - (i) nearby windows;
  - (ii) transparent glass in the main front door or adjoining panels;
  - (iii) a security keyhole viewing device in the main front door;
  - (iv) a security door on the outside of the main front door; or

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- (v) any other manner that is as effective as any of the above;

Engineering:

- 3 The developer shall:
- (a) upgrade or provide where necessary, an appropriately sized stormwater connection point to the property; and
  - (b) connect the existing dwelling to the Council stormwater system;
- 4 Any damage or disturbance to roads, nature strips or existing services is to be rectified to the satisfaction of the Council's Director Assets & Engineering;

and that the applicant be further requested to note:

- A The Permit expires two years from the date of advice of this decision is received unless the development has been substantially commenced. An extension of time to this period can be granted once only but only if the request is received prior to the expiry of the specified time.
- B The Council only permits one 6.0m or two 3.6m vehicle accesses to a lot within the road reserve. Any other arrangement is discretionary and subject to the approval of the Council's Director of Assets & Engineering.
- C Any works associated with the connection to existing (live) Council water, sewer and stormwater services will be undertaken by the Council at the developers cost, unless alternative arrangements are approved by the Council.
- D Any works associated with existing kerb & channel, footpath or roads will be undertaken by the Council at the developers cost, unless alternative arrangements are approved by the Council.
- E Any works undertaken within the Road Reservation requires a Road Permit to be issued prior to the commencement of construction. An application form can be obtained from the Assets & Engineering Department. A fee applies.
- F Building and Plumbing permits are required for the proposed development.
- G Please contact the Council's Assets & Engineering Department if you wish to discuss or arrange any infrastructure work requirements."

Carried unanimously

**Closure**

There being no further business, the Mayor declared the meeting closed at 6.09pm.

CONFIRMED THIS            DAY OF            , 2008.

**Chairperson**

(ms:kaa)

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## QUALIFIED PERSON'S ADVICE

The *Local Government Act 1993* provides (in part) as follows:

. A general manager must ensure that any advice, information or recommendation given to the council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

. A council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the council.

I therefore certify that with respect to all advice, information or recommendation provided to the Development Support Special Committee within these minutes:

(i) the advice, information or recommendation was given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and

(ii) where any advice was directly given by a person who did not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

Sandra Ayton  
GENERAL MANAGER