



CENTRAL COAST COUNCIL

DEVELOPMENT SUPPORT SPECIAL COMMITTEE

Minutes

of Meeting

30 November 2009

Minutes subject to confirmation at
a meeting of the Development Support Special Committee to be held on
11 January 2009

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, 30 November 2009 commencing at 6.00pm

Members attendance

Cr Jan Bonde
Cr Philip Viney
Ms Sandra Ayton

Cr Tony van Rooyen

Cr John Deacon arrived at 6.05pm

Members apology

Cr Mike Downie (Mayor)

Employees attendance

Director Development & Regulatory Services (Mr Michael Stretton)
Land Use Planning Group Leader (Mr Ian Sansom)

Public Attendance

Two

CONFIRMATION OF MINUTES OF THE COMMITTEE

45/2009 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 26 October 2009 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.”

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- Cr van Rooyen moved and Ms Ayton seconded, “That the minutes of the previous meeting of the Development Support Special Committee held on 26 October 2009 be confirmed.”

Carried unanimously

MAYOR’S COMMUNICATIONS

46/2009 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 Viney moved and Cr van Rooyen seconded, “That the Mayor’s report be received.”

Carried unanimously

PECUNIARY INTEREST DECLARATIONS

47/2009 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 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

48/2009 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

49/2009 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.”

Cr John Deacon arrived at this time.

OPEN REPORTS

50/2009 **Residential outbuilding (variation to aggregate floor area, side wall and building height) at 18 Fulton Street, Ulverstone** **Application No. DEV2009.67**

The Director Development & Regulatory Services reports as follows:

“The Planning Officer has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DEV2009.67
<i>APPLICANT:</i>	Darrell Galpin
<i>LOCATION:</i>	18 Fulton Street, Ulverstone
<i>ZONING:</i>	Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Planning Scheme 2005</i> (the Scheme)
<i>ADVERTISED:</i>	4 November 2009
<i>REPRESENTATIONS EXPIRY DATE:</i>	18 November 2009
<i>REPRESENTATIONS RECEIVED:</i>	Two
<i>42-DAY EXPIRY DATE:</i>	9 December 2009
<i>DECISION DUE:</i>	9 December 2009

PURPOSE

This report considers an application that proposes a residential outbuilding with variations to the gross aggregate floor area, side wall and building height and the merits of the two objections received.

BACKGROUND

A copy of the application is provided at Annexure 1 and plans at Annexure 2. A location plan is provided at Annexure 3.

The applicant proposes an outbuilding with an overall aggregate gross floor area and wall and building height that exceeds the limits prescribed by the relevant Acceptable Solution of the Scheme. Therefore, the proposal requires assessment against the corresponding Performance Criteria. Any assessment against the Performance Criteria is discretionary according to s.57 of the *Land Use Planning and Approvals Act 1993* (the Act).

DISCUSSION

In determining compliance with the relevant standards and requirements of the Scheme, regard is given to:

- the objectives for planning as set out in Part A of the Scheme;
- the purpose of the Residential Zone;
- the objectives of the relevant Acceptable Solutions and Performance Criteria;
- representations received.

An assessment against the relevant Scheme provisions follows:

REFERENCE	SCHEME PROVISION
	PROVISION ASSESSMENT
6.3.3 A1	<p><i>A building must not exceed:</i></p> <p><i>(a) a maximum building height of 8m; and</i></p> <p><i>(b) a maximum wall height for residential building:</i></p> <p style="padding-left: 40px;"><i>(i) not exceeding 4m within 2m of a side boundary;</i> <i>or</i></p> <p style="padding-left: 40px;"><i>(ii) a minimum side boundary setback of ½ the height of a wall where the wall height is greater than 4m.</i></p> <p>Complies with all Acceptable Solutions.</p>
6.3.3 A2	<p><i>Site coverage for other than Utilities, multiple dwelling or cluster house must not exceed:</i></p> <p><i>(a) 45% for sites greater than 650m²; or</i></p> <p><i>(b) 50% for sites less than 650m².</i></p> <p>Complies with relevant Acceptable Solutions – well within site coverage percentage.</p>

6.3.3 A8	<p><i>Outbuildings must have:</i></p> <p>(a) <i>an aggregate gross floor area not exceeding 85m²;</i></p> <p>(b) <i>a wall height not exceeding 2.7m if the wall has less than 2m side setback; and</i></p> <p>(c) <i>a maximum building height not exceeding 4.5m.</i></p> <hr/> <p>The proposed development is non-compliant with 6.3.3A8(a), (b) and (c).</p> <p>The proposed extension to the existing garage makes a total aggregate gross floor area of 131.66m². The overall wall height on the side boundary is 5m and the overall building height is also 5m.</p> <p>As the development does not meet any of the Acceptable Solution it must be assessed against the Performance Criteria.</p>
6.3.3 P8	<p><i>Outbuildings may exceed any or all of the requirements of the AS if :</i></p> <p>(a) <i>the aggregate gross floor area does not exceed that of the associated dwelling unit;</i></p> <p>(b) <i>the maximum building height does not exceed 5m;</i></p> <p>(c) <i>their colour and design complement the associated dwelling unit; and</i></p> <p>(d) <i>there is no unreasonable shading of, or unreasonable loss of privacy to, adjoining properties.</i></p> <hr/> <p>Each Performance Criteria is assessed in turn:</p> <p>(a) the aggregate gross floor area does not exceed the dwelling unit which has an approximate floor area of 165m², therefore complies.</p> <p>(b) the maximum building height is 5m, therefore complies.</p> <p>(c) the colour and design will complement the</p>

	<p>associated dwelling unit, therefore complies.</p> <p>(d) The outbuilding is not a habitable space, and there are no windows overlooking the adjoining properties therefore there would be no unreasonable loss of privacy.</p> <p><u>Unreasonable shading:</u></p> <p>The Scheme defines Unreasonable Shading as:</p> <p><i>“...shading of an adjoining lot between the hours of 10.00am and 3.00pm on the 21st June that would be greater than caused by a building on the lot the subject of the application:</i></p> <p>(a) <i>of the same floor plan;</i></p> <p>(b) <i>built to the frontage and side setbacks in accordance with the relevant acceptable solutions; and</i></p> <p>(c) <i>the maximum building height of which at the setback from the boundary with the adjoining lot is at least 2m less than the maximum building height in accordance with the relevant acceptable solution...”</i></p> <p>To comply with the definition of unreasonable shading a shadow diagram has been drawn to demonstrate the shading caused by the proposed development (Annexure 4) and one showing the shading caused if the development complied with the Acceptable Solutions (Annexure 5).</p> <p>The difference between the two drawings shows that there will be unreasonable shading caused by the proposed development, therefore it does not comply.</p>
6.3.3 A9	<p><i>An outbuilding must be setback at least:</i></p> <p>(a) <i>4.5m from the frontage; or</i></p> <p>(b) <i>for a locality where the front setbacks of adjoining buildings are established at a greater or lesser</i></p>

	<p><i>setback than 4.5m, an outbuilding must be no closer than the greater setback of an adjoining building; or</i></p> <p><i>(c) for a rear lot, 4.5m from the boundary which abuts the access strip; and</i></p> <p><i>(d) 3m from a secondary frontage except that a garage or carport located to the rear of the associated dwelling unit can be built to a secondary frontage.</i></p>
	Complies with all Acceptable Solutions.
6.3.4 A1	<p><i>A1 The site must:</i></p> <p><i>(a) have 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;</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>
	Standard conditions can achieve compliance with these Acceptable Solutions.
CAR PARKING SCHEDULE	
S.10.3.2	<p><i>The number of car parking spaces to be provided on-site is 2 spaces per dwelling unit less the number of spaces provided in a garage or carport.</i></p>
	Complies with Acceptable Solutions.

OBJECTIVES OF THE ACT

The proposed development is consistent with the objectives of the Act which are:

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- “(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and
 - (b) to provide for the fair, orderly and sustainable use and development of air, land and water; and
 - (c) to encourage public involvement in resource management and planning; and
 - (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and
 - (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.”

The proposed development accords with the requirements of relevant State Policies.

CONSULTATION

In accordance with s.57(3) of the Act:

- A site notice was posted.
- Letters to adjoining owners were sent.
- An advertisement was placed in the Public Notices section of The Advocate.

The application was referred to the Council's Planning and Assessment Team.

REPRESENTATION

Two representations were received within the prescribed time. A copy of the representations is provided at Annexure 6. The representors have concerns in relation to the height of the building and the effect of shading on their properties and loss of morning sun. They were also concerned about the commercial nature of the development. These directly relate to the assessment of 6.3.3 A8 and 6.3.3 P8 above.

IMPACT ON RESOURCES

This report has no impact on resources other than the usual resources in assessment of the application and preparation of a report. Additional resources required in the event of an appeal are unknown.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2009–2014 includes the following strategies and key actions:

The Shape of the Place

- Adopt an integrated approach to land use planning

The Environment and Sustainable Infrastructure

- Contribute to a safe and healthy environment

The proposal is consistent with these strategies and key actions.

CONCLUSION

The purpose of the Residential Zone is to provide for a range of dwelling types and densities and to also achieve a high standard of residential amenity across the range of dwellings. Some of the objectives of the building design and siting clause are to ensure that the height, setbacks, siting and design of buildings complement the streetscape and also provide adequate privacy, separation, open space and sunlight for residential use.

Outbuildings may exceed any or all of the Acceptable Solution if they meet all the Performance Criteria and in the case of this development it fails to meet the unreasonable shading criteria as demonstrated by the shadow diagrams provided by the applicant.

The adjoining properties will both be subjected to unreasonable shading during the period between 9.00am and 3.00pm.

The representations address the only relevant issue for consideration and have sufficient merit in which to justify refusal of the application. The proposed development complies with most of the relevant Acceptable Solutions and Performance Criteria of the Scheme except Clause 6.3.3P8(d).

RECOMMENDATION

It is recommended that the application be refused based on the loss of amenity and sunlight.’

The report is supported.”

The Director Development & Regulatory Services reported as follows:

“Copies of the annexures referred to in the Planning Officer’s report have been circulated to all members.”

- Cr van Rooyen moved and Cr Viney seconded, “That Application No. DEV2009.67 be refused based on the loss of amenity and sunlight.”

Carried unanimously

**51/2009 Two lot subdivision at 4 Moore Street, Ulverstone
Application No. SUB2009.7**

The Director Development & Regulatory Services reported as follows:

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

<i>‘DEVELOPMENT APPLICATION NO.:</i>	SUB2009.7
<i>APPLICANT:</i>	Glenn Deegan
<i>LOCATION:</i>	4 Moore Street, Ulverstone
<i>ZONING:</i>	Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Planning Scheme 2005</i> (the Scheme)
<i>ADVERTISED:</i>	28 October 2009
<i>REPRESENTATIONS EXPIRY DATE:</i>	12 November 2009
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	26 November 2009 (extension granted to 30 November 2009)
<i>DECISION DUE:</i>	30 November 2009

PURPOSE

The purpose of this report is to consider an application for subdivision of the property at 4 Moore Street, Ulverstone.

Readers should use the Scheme as a reference when considering this report.

BACKGROUND

A copy of the application documents are appended as Annexure 1. A location plan is appended as Annexure 2.

The site is known as Brigadoon Holiday Units and is currently made up of four holiday units, a dwelling and a shed. The proposed subdivision will divide the dwelling and shed from the holiday units. The application does not involve a change of use of the holiday units or the dwelling.

DISCUSSION

The following table is an assessment of the relevant Scheme provisions. Irrelevant Scheme provisions are omitted:

CLAUSE	ASSESSMENT AND COMMENT
2.0 Objectives for Planning	Complies. Residential and Tourist Accommodation activities are consistent with the surrounding land uses.
ZONE CRITERIA	
6.1 Purpose of Residential Zone	Complies. Residential and Tourist Accommodation is consistent with the purpose of the Residential Zone.
6.2 Table of Use	Complies. Both Residential and Tourist Accommodation are permitted uses in the Residential Zone.
SUBDIVISION CRITERIA	
6.3.1 A1 Minimum lot size	Complies. The front lot has adequate size, frontage, dimensions and setbacks from existing buildings.
6.3.1 A2 Services to lot	Complies. Permit can be conditioned for compliance.

6.3.1 A3	<p>Complies.</p> <p>The rear lot has adequate size, frontage, dimensions and setbacks from existing buildings. The access strip will result in two adjoining access strips which is permitted.</p>
BUILDING DESIGN AND SITING CRITERIA	
6.3.3 A1 Wall height relative to setback	<p>Complies.</p> <p>A building must be setback half the height of the wall. The wall of the dwelling, which is 5.2m in height, is proposed to be 2.6m from the proposed new boundary to the immediate south.</p> <p>The wall height of the unit is less than 4m. Therefore, 6.3.3 A1 does not apply to the units.</p>
6.3.3 A2 Site coverage	<p>Complies.</p> <p>All buildings well within site coverage percentage.</p>
6.3.3 A4 & P4 Building setbacks	<p>Complies.</p> <p>The relevant boundary for consideration of setbacks is the one that is proposed to be between the dwelling and the shed, which will form the rear boundary of the proposed Lot 1 and the side boundary of the proposed Lot 2.</p> <p>The required rear setback of this boundary to the northern unit is 4.5m and the proposed setback is between 4m and 4.5m. Note that the northern unit has a carport to the north which, according to 6.3.3 A6, may be on any boundary except frontages.</p> <p>As it is less than 4.5m, the rear setback for the unit must be assessed against the Performance Criteria.</p> <p>The Performance Criteria allows a variation to the rear boundary setback where there is no unreasonable shading of, or unreasonable loss of privacy to adjoining properties.</p>

	<p>The unit is located directly to the south of the relevant boundary. Due to the sun angles between the hours of 10:00am and 3:00pm on 21 June, the proposed Lot 2 will not be significantly shaded. Therefore, there can be no unreasonable shading.</p> <p>The unit is single storey and does not overlook the main body of Lot 2 in any way. Therefore there is no unreasonable loss of privacy.</p> <p>The eaves of the dwelling are 1.6m from the proposed new boundary. Therefore 6.3.3A4 does not apply to the dwelling.</p>
<p>RELEVANT SCHEDULES</p>	
<p>Car Parking</p>	<p>Complies.</p> <p>The Car Parking Schedule requires Lot 1 to have one on site car parking spaces per accommodation unit (4 units = 4 spaces) plus one space for each employee (1 employee = 1 space). Therefore the required number of spaces for Lot 1 is five. Each unit has a carport and there is ample remaining space for the other required car park.</p> <p>Lot 2 is required to have two on site car parking spaces per dwelling (1 dwelling = 2 spaces). There is ample space for parking both under cover and outside.</p>

CONSULTATION

In accordance with s.57(3) and of the *Land Use Planning and Approvals Act 1993*:

- a site notice was posted;
- letters to adjoining owners were sent;
- an advertisement was placed in the Public Notices section of The Advocate newspaper.

The application 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.

One representation was received and is appended as Annexure 3 of this report.

Each point of the representation is addressed in turn:

ISSUES	CONSIDERATIONS
Noise from possible long term rental flats.	No long term rental flats are proposed. This would be a change of use. The application relates only to the continuation of the dwelling as a dwelling and the holiday accommodation as holiday accommodation.
Effect of driveways on "overall look" and value of adjoining property.	See assessment of 6.3.1 A3. There is no provision in the Scheme to consider "overall look" of the property, nor is there capacity to consider consequential value of the property.
Downgrading of property values in the area.	There is no provision in the Scheme to consider the consequential values of property in the area.
Compliance with the <i>Building Code</i> .	There are no residential units proposed and there is no provision in the Scheme to consider compliance with the <i>Building Code of Australia</i> .
Sewer adequacy.	Matter considered by Services Engineer and dealt with in the proposed permit conditions below.

IMPACT ON RESOURCES

This report has no impact on resources other than the usual resources in assessment of the application and preparation of a report. Additional resources required in the event of an appeal are unknown.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2009–2014 includes the following strategies and key actions:

The Shape of the Place

- Adopt an integrated approach to land use planning

The Environment and Sustainable Infrastructure

- Contribute to a safe and healthy environment

The proposal is consistent with these strategies and key actions.

CONCLUSION

The proposed development complies with all the relevant Acceptable Solutions and Performance Criteria of the Scheme.

RECOMMENDATION

It is recommended that the application is approved, with the conditions and notes listed below:

General

- 1 The Final Plan must be substantially in accordance with the plan of subdivision by G A Deegan submitted as part of the application for this permit;
- 2 When the Final Plan is submitted for sealing, payment of cash in lieu of the provision of land for Public Open Space must be made equal to 5% of the undeveloped value of Lot 1 as determined by a registered valuer;

Engineering

- 3 The developer must:
 - (a) provide water supply reticulation and a connection and meter to each lot;
 - (b) provide sewer reticulation and a connection point to each lot;

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- (c) provide stormwater reticulation and an underground (storm water) connection point to each lot;
 - (d) provide a concrete vehicular access to each lot in accordance with Standard Drawing SD-1003 Urban Roads - Typical Vehicle Crossing;
 - (e) provide (where necessary) water supply and drainage easements;
 - (f) relocate (where necessary) existing Council services along lot boundaries;
 - (g) relocate (where necessary) existing house connection drains and services to within respective lot boundaries;
 - (h) provide separate power supply mains and services to each lot;
 - (i) advise Telstra in relation to the provision of services to the lots;
 - (j) provide, upgrade, re-route or extend Council infrastructure and services, required as a result of the development, to the satisfaction of the Council's Director Engineering Services, noting that this work will be done by the Council at the owner's/developer's/applicant's expense, unless alternative arrangements are approved by the Council;
 - (k) endorse the Final Plan to show any area that cannot be serviced by the existing or new reticulated sewer, stormwater or water;
 - (l) rectify any damage or disturbance caused to kerb and channel, footpaths, roads, naturestrips, stormwater infrastructure or existing Council services, to the satisfaction of the Council's Director Engineering Services, noting that this work will be done by the Council at the owner's/developer's/applicant's expense, unless alternative arrangements are approved by the Council.

Please note:

- A This permit expires two years from this date unless the development has been substantially commenced. An extension of time to this

period may be granted once only, but only if the request is received prior to the expiry of this permit.

- B Substantial commencement is the submission and approval of engineering drawings and the physical commencement of infrastructure works on the site, or the arrangement of a Private Works Authority (PWA) or bank guarantee to undertake such works. Any arrangement for a PWA or bank guarantee will be at the sole discretion of the Council and/or Cradle Mountain Water.
- C Prior to the sealing of the Final Plan, the applicant/developer/owner must either demonstrate that the proposed new boundary is 900mm or greater from the existing structures or include certification from a building surveyor that the structures in proximity of the new boundary likely comply with the *Building Code of Australia* and corresponding *Regulations*.
- D Cradle Mountain Water should be consulted in respect to the provision, upgrading, re-routing or extension of water and/or sewer services as a result of the development, or any water and sewerage infrastructure/services that may exist on the property.
- E Any works undertaken within the road reservation require a Road Reserve Permit to be issued prior to the commencement of construction. An application form can be obtained from the Engineering Services Department. A fee applies.
- F Any works associated with existing kerb and channel, footpaths, roads or stormwater infrastructure will be undertaken by the Council at the developer's cost, unless alternative arrangements are approved by the Council.
- G Please contact the Council's Engineering Services Department if you wish to discuss or arrange any infrastructure work requirements.
- H Please contact Cradle Mountain Water (13 6992) to discuss any of the Cradle Mountain Water requirements on this permit.'

The report is supported."

The Director Development & Regulatory Services reported as follows:

"Copies of the annexures referred to in the Town Planner's report have been circulated to all members."

■ Cr Deacon moved and Cr van Rooyen seconded, "That Application No. SUB2009.7 is approved, with the conditions and notes listed below:

General

- 1 The Final Plan must be substantially in accordance with the plan of subdivision by G A Deegan submitted as part of the application for this permit;
- 2 When the Final Plan is submitted for sealing, payment of cash in lieu of the provision of land for Public Open Space must be made equal to 5% of the undeveloped value of Lot 1 as determined by a registered valuer;

Engineering

- 3 The developer must:
 - (a) provide water supply reticulation and a connection and meter to each lot;
 - (b) provide sewer reticulation and a connection point to each lot;
 - (c) provide stormwater reticulation and an underground stormwater connection point to each lot;
 - (d) provide a concrete vehicular access to each lot in accordance with Standard Drawing SD-1003 Urban Roads - Typical Vehicle Crossing;
 - (e) provide (where necessary) water supply and drainage easements;
 - (f) relocate (where necessary) existing Council services along lot boundaries;
 - (g) relocate (where necessary) existing house connection drains and services to within respective lot boundaries;
 - (h) provide separate power supply mains and services to each lot;
 - (i) advise Telstra in relation to the provision of services to the lots;
 - (j) provide, upgrade, re-route or extend Council infrastructure and services, required as a result of the development, to the satisfaction of the Council's Director Engineering Services, noting that this work will be done by the Council at the owner's/developer's/applicant's expense, unless alternative arrangements are approved by the Council;
 - (k) endorse the Final Plan to show any area that cannot be serviced by the existing or new reticulated sewer, stormwater or water;

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- (l) rectify any damage or disturbance caused to kerb and channel, footpaths, roads, naturestrips, stormwater infrastructure or existing Council services, to the satisfaction of the Council's Director Engineering Services, noting that this work will be done by the Council at the owner's/developer's/applicant's expense, unless alternative arrangements are approved by the Council.

Please note:

- A This permit expires two years from this date unless the development has been substantially commenced. An extension of time to this period may be granted once only, but only if the request is received prior to the expiry of this permit.
- B Substantial commencement is the submission and approval of engineering drawings and the physical commencement of infrastructure works on the site, or the arrangement of a Private Works Authority (PWA) or bank guarantee to undertake such works. Any arrangement for a PWA or bank guarantee will be at the sole discretion of the Council and/or Cradle Mountain Water.
- C Prior to the sealing of the Final Plan, the applicant/developer/owner must either demonstrate that the proposed new boundary is 900mm or greater from the existing structures or include certification from a building surveyor that the structures in proximity of the new boundary likely comply with the Building Code of Australia and corresponding Regulations.
- D Cradle Mountain Water should be consulted in respect to the provision, upgrading, re-routing or extension of water and/or sewer services as a result of the development, or any water and sewerage infrastructure/services that may exist on the property.
- E Any works undertaken within the road reservation require a Road Reserve Permit to be issued prior to the commencement of construction. An application form can be obtained from the Engineering Services Department. A fee applies.
- F Any works associated with existing kerb and channel, footpaths, roads or stormwater infrastructure will be undertaken by the Council at the developer's cost, unless alternative arrangements are approved by the Council.
- G Please contact the Council's Engineering Services Department if you wish to discuss or arrange any infrastructure work requirements.
- H Please contact Cradle Mountain Water (13 6992) to discuss any of the Cradle Mountain Water requirements on this permit."

Carried unanimously

52/2009 Development Support Special Committee meeting dates for 2010

The Land Use Planning Group Leader reports as follows:

"PURPOSE

To determine meeting dates for the Development Support Special Committee (DSSC) for the calendar year 2010.

BACKGROUND

DSSC meetings are usually held on the second and last Mondays of each month.

DISCUSSION

There is one Monday in 2010 where it will be difficult to hold the scheduled DSSC meetings – 8 March (Public Holiday).

The usual practice in such cases is to defer the meeting to the next available day or the next Monday.

Due to a conflict in dates with the 25 January Ordinary Council meeting and the 13 December Ordinary Council meeting, if there are any agenda items that would normally go to the DSSC meeting on these dates, they will now go to the Ordinary Council Meeting.

CONSULTATION

Consultation is not required for this matter.

IMPACT ON RESOURCES

There is no impact on resources other than staff labour.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2009–2014 includes the following strategies and key actions:

Council Sustainability and Governance

- . Improve corporate governance
- . Improve service provision
- . Effective communication and engagement

CONCLUSION

It is recommended that the following dates be set for 2010 DSSC meetings (all Mondays unless otherwise noted):

11 January	25 January – Council meeting
8 February	22 February
9 March (Tues)	29 March
12 April	26 April
10 May	31 May
7 June	28 June
12 July	26 July
9 August	30 August
13 September	27 September
11 October	25 October
8 November	29 November
13 December – Council meeting”.	

- Cr van Rooyen moved and Cr Viney seconded, “That the following dates be set for 2010 Development Support Special Committee meetings (all Mondays unless otherwise noted):

11 January	25 January – Council meeting
8 February	22 February
9 March (Tues)	29 March
12 April	26 April
10 May	31 May
7 June	28 June
12 July	26 July
9 August	30 August
13 September	27 September
11 October	25 October
8 November	29 November
13 December – Council meeting”.	

Closure

There being no further business, the Mayor declared the meeting closed at 6.14pm.

CONFIRMED THIS DAY OF , 2009.

Chairperson

(ms:kaa)

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