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Central Coast Council

Planning Sub- Committee Charter

June 2023

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1 PURPOSE

Section 23 of the *Local Government Act 1993* gives the Council authority to establish a council committee to assist in carrying out its functions under any Act. The establishment of the Planning Sub-Committee (the Sub-Committee) enables land use planning and development determinations to be made in a more timely and responsive manner than under the constraints of monthly ordinary meetings of the Council.

The principal objectives of the Sub-Committee are to add support for the Council's planning responsibilities and to deal with the amendment of sealed plans.

The purpose of the Sub-Committee is to:

- (a) Act as a planning authority in accordance with the Council's responsibilities under the *Land Use Planning and Approvals Act 1993*;
- (b) Consider all discretionary matters where a refusal is being recommended and/or where representations are received in opposition to a development; and
- (c) Consider any issue referred to it by the General Manager.

2 FUNCTIONS AND POWERS

The Sub-Committee is delegated such functions and powers of the Council that enable it to effectively conduct its affairs in line with the Sub-Committee's purpose.

Notwithstanding the delegated authority referred to above, the following matters are to be referred to a meeting of the Council for a decision:

- (a) Any matters the General Manager considers would be more appropriately considered by the Council;
- (b) Any matters which are included on the agenda of the Sub-Committee and in respect of which the General Manager has received, prior to the commencement of the meeting, a written request from a Councillor that the matter be considered by the Council; and
- (c) Any matter the Sub-Committee cannot determine unanimously.

In relation to amendment of sealed plans under Section 104 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* (the Act):

- (d) The Sub-Committee is to conduct any hearings required;
- (e) The Sub-Committee is to comply with the provisions of the Act; and
- (f) All matters coming before the Sub-Committee are to be dealt with by the Sub-Committee as if the Sub-Committee is a council committee.

3 MEMBERSHIP

The Sub-Committee is to consist of five members appointed by the Council, comprising the Mayor and four Councillors.

Two proxy members are to be appointed and may be called to attend at any time if a Councillor has given notice of absence in advance.

The Mayor will be appointed as chairperson of the Sub-Committee. The Deputy Mayor will chair the meetings of the Sub-Committee in the absence of the Mayor, if already a member of the Sub-Committee; the Deputy Mayor is otherwise elected as a substitute member of the Sub-Committee in the event of the Mayor's absence.

Four Councillors in attendance at a Sub-Committee meeting is considered a quorum.

4 COMMITTEE MEETINGS

Unless otherwise expressed in this Charter, meetings of the Sub-Committee are to be conducted in accordance with the *Local Government Act 1993* and the *Local Government (Meeting Procedures) Regulations 2015* so far as they relate to the establishment and operation of the Sub-Committee.

Meetings of the Sub-Committee are to be held on a Monday evening commencing at 6.00pm and subject to the following conditions:

- (a) That meetings be scheduled on the first, second, fourth and fifth Monday of each month;
- (b) Where a meeting falls on a public holiday, the meeting be moved to the next working day, or a day previously approved by the Council;
- (c) Although scheduled, meetings are only held if required, at the discretion of the General Manager, in consultation with the Director Community Services;
- (d) If a meeting is to be held, public notice is to be given at least four days prior to the meeting; and
- (e) Members of the Sub-Committee are to attend the meeting at least fifteen minutes prior to commencement to allow for any staff updates or briefings.

5 AGENDAS AND MINUTES

The agenda and associated reports and documents are to be provided to all Councillors and made available for public inspection on the Council's website and at the Administration Centre, Ulverstone and the Service Centre, Penguin at least four days before a Sub-Committee meeting.

Minutes of Sub-Committee meetings are to be circulated as soon as practicable and confirmed at the next ordinary Council meeting.

6 STANDARDS (INCLUDING RELEVANT LEGISLATION)

Local Government Act 1993

Local Government (Meeting Procedures) Regulations 2015

Local Government (Building and Miscellaneous Provisions) Act 1993

Land Use Planning and Approvals Act 1993

7 REVIEW

This Charter will be reviewed every three years, unless organisational and legislative changes require more frequent modification.

SANDRA AYTON
GENERAL MANAGER

Date of approval: 19 / 06 / 2023

Approved by:

