



**KEMPSEY**  
Shire Council

**PLANNING VOTES OF THE WORKS INSPECTION COMMITTEE MEETING  
OF KEMPSEY SHIRE COUNCIL**

Monday 29<sup>th</sup> June 2009 commencing at 2.44 p.m.

**DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT**

<b>DSDS5</b>	<b>SECTION 82A REVIEW OF DETERMINATION</b>	<b>{Folio No. 400762}</b>
	<b>FILE: T6-07-76 PJC</b>	

**SUMMARY:**

Reporting that additional information has been lodged for a section 82A Review of determination for the continued use of a dwelling at 154 Hughes Access, Collombatti.

**SECTION 375A OF LOCAL GOVERNMENT ACT REQUIRES THAT A  
DIVISION BE CALLED IN RESPECT TO THIS REPORT**

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**2009. WI 13 RESOLVED:**

*Moved: Cl. Green  
Seconded: Cl. Campbell*

- A. That the application to review Development Consent No. T6-07-76 to delete condition no. 8 be declined.**
- B. That condition of consent no. 8 of Development Consent No. T6-07-76 be varied to read as follows:**

**Contribution to be paid towards provision or improvement of amenities or services within three (3) months from the date of this determination.**

**The particulars of the contributions levied pursuant to Section 94 of the Act are set out in the following table:**

<b>The specific public amenity or service in respect of which the condition is imposed.</b>	<b>The contributions plan under which the condition is imposed</b>	<b>Date of contributions plan</b>
<b>Rural Roads</b>	<b>Rural Roads Developer</b>	<b>May 2000</b>
<b>Open Space</b>	<b>Section 94 Contribution for Outdoor Recreation</b>	<b>Sep 2001</b>

The above plans may be viewed during office hours at the Council Customer First Centre located at 22 Tozer Street West Kempsey.

The following contributions are current at the date of this consent. The contributions payable will be adjusted in accordance with the relevant plan and the amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment. The contribution rates for specific dates are available from Council offices during office hours. Payments will only be accepted by cash or bank cheque.

**Schedule of Contributions pursuant to Section 94 of the Environmental Planning and Assessment Act 1979.**

Public amenity or service	Unit type	No. of Units	Contribution Rate (Amount per Unit)	Contribution Levied	Date until which Contribution rate is applicable
Arterial Road (Collombatti Road)	ET	1	\$9,836	\$9,836.00	30.6.09
Catchment Access Road (Hughes Access)	ET	1	\$2542	\$2,542.00	20.6.09
Outdoor Recreation	ET	1	\$441	\$441.00	20.6.09
<b>TOTAL</b>				<b>\$12,819.00</b>	

- C. That the applicant be advised that Council is prepared to consider further representations in respect a mutually agreeable schedule of payments to reduce the financial burden.

A Division on this decision resulted in the following votes.

F = Voted For  
A = Voted Against

Bowell	F	Campbell	F	Green	F	Gribbin	F	Hayes	-	Saul	F	Snowsill	F
Sproule	F	Walker	-										