

Lithgow City Council

Scanned



11 DEC 2012

Daniel Collins and Deanna Johnson  
20 Maple Crescent  
LITHGOW NSW 2790

Doc. No.....

GDA Ref.....

Years.....

5<sup>th</sup> December, 2012.

The General Manager  
Lithgow City Council  
Council Chambers  
Mort Street  
LITHGOW NSW 2790

Dear Sir,

**Re: Development Application 119/12 and Lot 51 DP1103004  
22 Kirkley Street, South Bowenfels NSW 2790**

We refer to previous correspondence and discussions, and wish to make a submission to Council for exemption from the s94A Development Contribution which has been levied in respect of the above Development Application.

Due to this levy, we are finding ourselves incurring an unexpected expense of \$2,760.00 for which we had not budgeted.

A Building Application was signed by us on 9<sup>th</sup> June, 2012, and left with our builder, M & M Building Contractors on 9<sup>th</sup> June, 2012.

On 19<sup>th</sup> July, 2012, Council's new s94A Development Contribution Plan came into effect. Our builder advises that to his knowledge there was no advance public notification of the implementation of the Contribution Plan, nor was there any direct notification of the Contribution Plan sent to builders in the district. Our builder advises that he did not receive any advance notification.

Accordingly, our builder was unaware of the need for urgency in lodging our application, and in fact did not lodge it with Council until 27<sup>th</sup> July, 2012, 10 days after the Development Contribution Plan came into force.

Had we, or our builder, been aware of the impending implementation of the Development Contribution Plan, our Building Application would have been lodged with Council prior to 19<sup>th</sup> July, 2012.

Council's Resolution on 3<sup>rd</sup> September, 2012 that Council exempt all Development Approvals made and with a building contract predating 19<sup>th</sup> July, 2012 does not assist us as our Building Application was not lodged until 29<sup>th</sup> July, 2012. However, this situation arose because Council had not adequately pre-warned the public, and builders, of its intention to introduce the Development Contribution Plan.

Therefore, we request Council to consider our individual case under Section C7(n) of its s.94A Development Contribution Plan, which specifically allows Council to grant exemption for “any other development for which Council considers an exemption is warranted”.

We believe that our case is precisely the type of case for which Section C7(n) is intended.

Yours faithfully,

**Daniel Collins and Deanna Johnson**