

From: Joshua Brandon
Sent: Wednesday, 10 December 2014 4:01 PM
To: 'LMurtas'
Cc: Lisa Foley;
Subject: RE: Hopman Avenue/Bromwich Place Menai Development Application (2014SYE074 - Sutherland DA14/0602)

Dear Luke

Further to our letter to Council dated 5 December 2014, we have further considered the matter regarding Section 94 contributions and will be putting forward the following draft condition to the JRPP in lieu of Council's draft conditions 19 and 20:

SECTION 94 CONTRIBUTIONS

Pursuant to Section 94 of the Environmental Planning and Assessment Act 1979 and Sutherland Shire Council's Contributions Plan – Shire Wide Open Space and Recreation Facilities 2005 and Community Facilities, Shire Wide 2003 Plan, no monetary contributions under Section 94 are required in the following circumstances:

- i) A concession be granted for the 6 dwellings that existed;
- ii) The remaining 12 dwellings to have a Section 88 restriction for 10 years requiring the subject dwellings be used for affordable housing;
- iii) Council has the power to release, vary or modify the restriction.

Kind regards

Joshua Brandon

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