

ProvidenceProjectsPtyLtd

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3rd of July 2007

Mr. Jim Bruton
Senior Town Planner
Gosford City Council
49 Mann Street
GOSFORD NSW 2260

Your Ref: DA 30216/2006

Dear Jim,

**RE: GOSFORD DA NO: 30216/2006 & 30219/2006 Consent on 14th of May
2007 Senior Living Housing and Ancillary Facilities**

Please find enclosed our Section 96 (1) Application form for your consideration as discussed earlier.

This application simply aims to clarify some of the conditions of consent as clarified and agreed with GCC at the meeting held on 21st of May 2007.

The clarification of the following clauses as already agreed with GCC relate to
DA 30216/2006:

- Condition 1 & 5 are duplicated.
- Condition 8 is confirmed as requiring that no services from the school site are to be located within the new allotment of Lot 20.
- Condition 13 only requires confirmation that the appropriate certified and qualified ecologist is appointed to supervise the works within the conservation area and fully implement the Bush Management Plan.
- Condition 12, as discussed with GCC, is limited to the scope and works within the SIS and the Bush Management Plan within the conservation area of the new lot 20. As per our letter of 8th of March 2007, the contributions to the Environment Trust Fund are in place of any work stipulated in the SIS and the BMP that falls outside lot 20. Consequently we confirm that the Bush Management Plan is now implemented to the new lot 20 conservation area. (Attached is the new Figure 8 and Final Bush Management Plan in accordance with GCC requirements)
- Condition 14, as discussed with GCC, is limited to the scope and works within the SIS and the Bush Management Plan within the conservation area of the new lot 20. As per our letter of 8th of March 2007, the contributions to the Environment Trust Fund are in place of any work stipulated in the SIS and the BMP that falls outside lot 20. Consequently we confirm that the Bush Management Plan is now implemented to the new lot 20 conservation area. (Attached is the new Figure 8 and Final Bush Management Plan in accordance with GCC requirements)

The clarification of the following clauses as already agreed with GCC relate to
DA 30219/2006:

- Condition 1 refers to building works only and demolition and clearing scope is not bound by this clause as discussed with GCC.

- Condition 68 clarifies that permanent fence may be low fence or effective landscape barrier and this will be established in consultation with the ecologist implementing the Bush Management Plan.
- It has been confirmed that the wording of the sign is to be amended to replace..."NSW Protection of the Environment Operations Act 1997"...with ..."NSW Threatened Species Conservation Act 1995"...and the font is to fit in a sign approx. 800X600mm in size.
- Condition 66 applies to the area in New Figure 8 (Attached)
- Condition 80 as discussed with GCC, is limited to the scope and works within the SIS and the Bush Management Plan within the conservation area of the new lot 20. As per the agreement at the meeting with GCC and DEC representatives during the assessment process and our letter of 8th of March 2007 the contributions to the Environment Trust Fund are in place of any work stipulated in the SIS and the BMP that falls outside lot 20. Consequently we confirm that the Bush Management Plan is now implemented to the new lot 20 conservation area. (Attached is the new Figure 8 and Final Bush Management Plan in accordance with GCC requirements) We note that this implies the same as clause 14 of DA 30216/2006.
- Condition 82 and in general when any condition makes reference to the SIS and Bush Management Plan the comments as per condition 80 apply.

We note in relation to conditions 14, 80 & 82 above the aim of this Section 96(1) amendment is simply to verify and confirm the agreement with GCC and the Department of Environment & Conservation. Notwithstanding this agreement, Providence Projects Pty. Ltd. will also be providing approx. 0.5Ha of Biomass (Soil seed bank of Umina Coastal Sandplain Woodlands) and will be delivering and placing this in an approved location by GCC on the Dulkara Rd Reserve.

Further to this, we also commit to Have 1 day a month dedicated to manage weed control over this approved area for a period of 12 months.

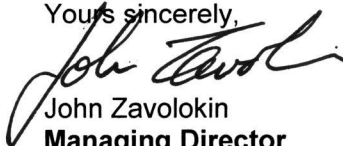
We note that the overall result requires no modification of the approved DA plans. Pursuant to Section 96(1) of the Environmental Planning and Assessment Act, 1979, Council is requested to modify development consent No. 30216/2006 & 30219/2006 to include the above clarification of the particular clauses discussed above.

In accordance with the requirements of the Act, this is a modification of no environmental impact and the development is not modified in any way.

These conditions are simply aimed at clarifying what has been agreed.

We trust that the attached is to your satisfaction and await your consideration and offer our assistance should you require any further information or clarification.

Kind regards,
Yours sincerely,



John Zavolokin
Managing Director
Providence Projects Pty. Ltd

Attachments:

Letter from GCC dated 4th of June 2007

Section 96(1) form completed.

New Figure 8

BMP BY Clemments and Associates dated 15th of June 2007.