

- 1.2 As Council would be aware, our client is a Christian not-for-profit organisation, providing housing and healthcare services for senior members of the community. More than 6,000 Australians currently reside in the villages provided by ARV or trust ARV's carers to help them at home with their everyday activities and healthcare. Our client's benevolent work has helped many seniors access housing at an affordable price through its 'Housing Assistance Program' for older people at risk of homelessness, and through the availability of accommodation on a rental basis for people of modest means.
- 1.3 ARV takes very seriously the matters raised by Council in the Stop Work Order. Our client wishes to reach agreement with Council in relation to the way forward so that building works may recommence as soon as possible. This is essential to ensure that ARV is able to complete this housing for those seniors wishing to move into the premises within the next few months, and that ARV's financial loss is mitigated so that it may continue its efforts to provide seniors housing to the community. Based on the current construction program and sales and marketing campaign, ARV anticipates residents moving into Stage 5 commencing in May/June 2016.
- 1.4 ARV's proposal in relation to the way forward is set out below, by reference to the 4 issues identified in the Stop Work Order. The proposal is made without admission as to any of the alleged non-compliances raised by Council in the Stop Work Order. ARV reserves its right to dispute the entirety of the matters alleged in the Stop Work Order.
- 1.5 Development Consent No N0267/13 (as modified) (**Development Consent**) applies to the development. Council will be aware that the plans and specifications issued by the accredited certifier with respect to construction certificates are deemed to be part of the Development Consent: s80(12) EP&A Act. Further, paramountcy is to be given to the plans and specifications referred to in the construction certificate: *Burwood Council v Ralan Burwood Pty Ltd (No 3) (2014) 206 LGERA 40* at [202]. As Council notes in the Stop Work Order, our client has the benefit of Construction Certificate Nos 142440/1 and 142440/2 issued by City Plan Services Pty Ltd, and all plans and specifications contained therein form part of the Development Consent.

2 Design and layout of dwellings (section 3 of the Stop Work Order)

- 2.1 Council contends in the Stop Work Order that a number of the dwellings located towards Macpherson Street have been constructed, or are in the process of being constructed, with layouts differing from the approved plans forming part of the Development Consent (which as set out in paragraph 1.5 include the plans referred to in the construction certificates) (**Layout Change**).
- 2.2 It appears to our client that this assertion potentially relates to dwelling no's 38, 39, 41, 42, 44, 45, 47, 48, 50, 51, 53, 54 and 55.

Proposal

- 2.3 To the extent that a Layout Change has occurred, or is proposed in relation to future works, our client proposes to lodge with Council:
- (1) an application for a building certificate under s149E of the EP&A Act in respect of any Layout Changes that have already been undertaken; and
 - (2) a modification application pursuant to s96 of the EP&A Act seeking authorisation for any Layout Changes proposed but not yet constructed.
- 2.4 Subject to Council's agreement to the matters set out in this letter, ARV undertakes not to continue any building work on dwellings 38, 39, 41, 42, 44, 45, 47, 48, 50, 51, 53, 54 and 55 until such time as the Layout Change has been regularised, or some other agreement has been reached with Council to enable such work to recommence. In relation to dwelling 55 this may include a decision by ARV not to proceed with any Layout Change.

3 Polycarbonate panels in roofs (section 1 of the Stop Work Order)

- 3.1 The Stop Work Order states that polycarbonate roof sheets have not been provided to the private open space of the dwellings as required by the Development Consent.
- 3.2 We are instructed that it was not possible for ARV to install polycarbonate roof sheeting and at the same time comply with the requirements of Condition B25 of the Development Consent. Notwithstanding its substantial efforts, our client was unable to obtain confirmation from any polycarbonate sheeting manufacturer that the product complies with the requirements of Australian Standard AS3959-2009 and has a Flammability Index of no greater than 5 when tested in accordance with the Australian Standard AS1530.2-1993, as required by Condition B25 of the Development Consent.
- 3.3 Accordingly, we are instructed that, on advice from its private certifier, an alternative design was installed in Stage 5 in dwelling no's 34, 35, 36, 38, 39, 41, 42, 44 and 45 in the form of proprietary framed glass skylights (**Alternative Design**) at significant additional cost, instead of the polycarbonate roof sheeting. **Enclosed** is confirmation received from the CSIRO and FPA Australia confirming that the Alternative Design meets the requirements of Condition B25.

Proposal

- 3.4 Our client proposes to lodge a modification application pursuant to s96 of the EP&A Act to amend Condition B25 and the approved plans to authorise the Alternative Design on some of the dwellings where they have not yet been installed in Stage 5, being dwelling no's 47, 48, 50, 51, 53, 54, 56, 57, 58 and 59. That s96 modification application will demonstrate that the Alternative Design meets all applicable planning controls, including in relation to solar access compliance.
- 3.5 Without conceding any contravention of the EP&A Act, our client proposes to apply for a Building Certificate in relation to dwellings 34, 35, 36, 38, 39, 41, 42, 44 and 45 in Stage 5 which have already been constructed with the Alternative Design. Given the documents referred to in paragraph 3.3 above, our client can see no proper basis for a building certificate to be refused.
- 3.6 Our client wishes to recommence construction whilst the s96 modification application and building certificate application outlined in the preceding two paragraphs are being assessed by Council. To enable construction to recommence without any prejudice to Council, our client is prepared to give an undertaking that:
- (1) it will recommence building works only on dwellings no's 34, 35, 36, 37, 40, 43, 46, 49, 52, 56, 57, 58 and 59 (which are dwellings not affected by the alleged Layout Change); and
 - (2) in carrying out those building works, our client will install an interim roofing solution in the form of solid roof sheeting (**Interim Roofing Solution**) on those dwellings identified in paragraph 3.4 above (being the dwellings in respect of which a s96 modification application will be made for the Alternative Design). If the s96 modification application is determined:
 - (a) by way of approval, our client would complete construction of the roofs of the dwellings in accordance with the approved plans as modified; and
 - (b) by way of refusal, our client would pursue with Council or the Court on appeal another acceptable alternative to the polycarbonate roofing material. In this regard, our client places Council on notice of the shortcomings of the polycarbonate roofing material set out in paragraph 3.2.
- 3.7 If work is not allowed to recommence promptly, this will put at risk the delivery of Stage 5 of the development within the proposed May/June 2016 timeframe.
- ### 4 Internal openings between the garage and dwellings (section 2 of Stop Work Order)
- 4.1 In relation to Council's assertions concerning the provision of internal openings between the garage and the entry halls of dwellings, we are instructed that the approved construction certificate drawings

require only the provision of a "intel for future alteration to sliding doors. 3080mm stud opening" (see Construction Certificate No. 142440/1 dated 25 March 2015, and the approved construction certificate drawings no. A101 Rev K, B101 Rev K, C101 Rev K, D101 Rev K, and S2101 Rev K).

- 4.2 Notwithstanding the alleged inconsistency between the development consent plans and the approved construction certificate drawings in relation to the treatment of the openings between the garage and dwellings, we direct Council to s80(12) of the EP&A Act and recent Court of Appeal authority which establishes that:¹
- (1) the approved plans and specifications issued with respect to a construction certificate form part of the approved development, such that it cannot be a contravention of the EP&A Act to carry out development in accordance with the construction certificate plans and specifications; and
 - (2) to the extent that there is an inconsistency between plans and specifications in the construction certificate, and the plans and specifications approved in the development consent, the former prevail. That is, the construction certificate is paramount over the development consent drawings and specifications.
- 4.3 We are instructed that our client will ensure that all dwellings in Stage 5 that are required to be provided with a 'intel for future alteration to sliding doors' will be built (or retrofitted) so that the work actually carried out in relation to the openings between the garages and entry halls of the dwellings will not be inconsistent with the plans and specifications forming part of the construction certificates. Accordingly the relevant work, once completed, will not be non-compliant with the Development Consent as is alleged in the Stop Work Order.
- 4.4 In further response to allegations made in the Stop Work Order, we are instructed that in accordance with Condition C25 of the Development Consent, the drawings referred to in paragraph 4.1 were provided to Ms Rebecca Englund of Council by email on 14 March 2015, being 7 days prior to the issue of a construction certificate. A further copy of that email is enclosed.

Proposal

- 4.5 We are instructed that our client will continue to ensure that the internal openings between the garage and dwellings are constructed in accordance with the approved construction certificate drawings, by providing "intel for future alteration to sliding doors. 3080mm stud opening" where required in accordance with the construction certificate plans and specifications.
- 4.6 We are instructed that:
- (1) to the extent that a 'intel for future alteration to sliding doors' is required and has not been provided for any dwellings already constructed within Stage 5, that ARV proposes to take steps to retrofit the relevant areas to include the intel in accordance with the construction certificate; and
 - (2) for future work on dwellings in Stage 5 which have not yet been constructed, lintels will be provided in accordance with the construction certificate plans and specifications.
- 4.7 The work set out in paragraph 4.6 is proposed to be undertaken only for dwellings 34, 35, 36, 37, 40, 43, 46, 49, 52, 56, 57, 58 and 59 which are not affected by the Layout Change referred to in paragraph 2.2 above.
- 4.8 Given the above proposal, the internal openings once completed will not have been constructed in contravention of the EP&A Act. Accordingly, we request that Council vary the Stop Work Order to delete section 2 in its entirety.

¹ *Burwood Council v Ralan Burwood Pty Ltd (No. 3)* (2014) 206 LGERA 40.

5 Bowling Green (section 4)

- 5.1 Works in relation to the Bowling Green have already been completed. Further, we note that Schedule 1 does not specify any matter in relation to the Bowling Green.
- 5.2 Our client does not concede that any of the works carried out at the Bowling Green are in contravention of the EP&A Act given the plans and specifications contained in the construction certificates which form part of the Development Consent. Our client is undertaking an audit of the completed Bowling Green works against the approved plans to determine whether there are any discrepancies.
- 5.3 Once the audit is completed, we will communicate further with Council. In the meantime, in the event that Council is considering whether it may have grounds to issue an order under s121B of the EP&A Act in respect of the Bowling Green, we request that Council refrain from taking steps in relation to any such proposed order. Further, we request that Council delete Section 4 from the Stop Work Order as there is no further construction work in respect of the Bowling Green.

6 Proposed next steps

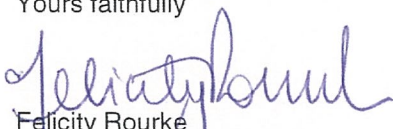
- 6.1 Our client anticipates that it will be in a position to lodge its application for a building certificate and s96 modification application, foreshadowed in this letter, within 2-3 weeks of the date of this letter. In the meantime we seek Council's urgent confirmation that it will vary the Stop Work Order:
- (1) so that it applies only to dwelling no's 38, 39, 41, 42, 44, 45, 47, 48, 50, 51, 53 and 54, being those dwellings potentially affected by the Layout Change;
 - (2) to delete sections 2 (internal openings) and 4 (bowling green) having regard to the representations set out in this letter; and
 - (3) to reflect our client's proposal, including its proposed undertaking, in relation to the roof panels (section 1 of the Stop Work Order).
- 6.2 We request Council's written response by close of business on **Wednesday 24 February 2016**.

7 Other matters

- 7.1 By letter dated 9 February 2016 (received by our client on 12 February 2016), Council has modified the Development Consent (**February Modification**). Our client is considering its position in relation to the new conditions which Council has purported to insert through the February Modification. We will correspond with Council separately in relation to the February Modification and our client's rights in relation to it.

We would be pleased to meet to further discuss the matters raised in this letter if that would be of assistance.

Yours faithfully


Felicity Rourke
Partner and Head of Office
Norton Rose Fulbright Australia
Contact: Rebecca Fleming

Encls:

- Letter from CSIRO dated 6 July 2012.
- Letter from FPA dated 9 December 2015.
- Email from Martin Moore to Rebecca Englund of Council dated 14 March 2015.



14 Julius Avenue, North Ryde NSW 2113
PO Box 310, North Ryde NSW 1670, Australia
T (02) 9490 5444 • ABN 41 687 119 230

6 July 2012

Our Ref: FCO-2075/4156

Natural Lighting Products Pty Ltd
Unit 1 / 28 Vore Street
SILVERWATER NSW 2128

Attention: Mr Doug Moore

GLASS SKYLIGHT SYSTEMS
Assessment Number FCO-2075
Your email dated 18 May.

INTRODUCTION

We have re-examined the information referenced by you on the likely compliance of your glass skylights in accordance with the requirements of the Building Code of Australia and AS 3959-2009. The information included

- your Natural lighting Products catalogue;
- your drawing entitled "N.C.S.L. Glass Skylight Non Combustible", dated 8 February 2002;
- the Building Code of Australia; and
- AS 3959-2009: Construction of buildings in bushfire-prone areas.

We have retained these documents.

ANALYSIS

The proposed system is a galvanised or zincanneal steel framed skylight with external cladding of 0.08-mm gauge galvanised steel or 0.80-mm zincannealed steel. The skylight is glazed with a laminated glass sheet weather sealed with 3-mm thick PVC glazing tape.

The Building Code of Australia (BCA) requires that such constructions would be required to be non-combustible under certain exposure conditions. Such a requirement also applies to steel roof structures where the roof lining, i.e. the steel sheeting or tiling, is required to be non-combustible.



Building Code & Bushfire Hazard Solutions

(Pty. Limited) ABN 19 057 337 774
PO Box 124, Berowra NSW 2081
Telephone: (02) 9457 6530 Facsimile: (02) 9457 6532
www.bushfirehazardsolutions.com.au



PBS Building (NSW) Pty Ltd
Unit 18, 11 – 21 Underwood Road
HOMEBUSH NSW 2140

9th December 2015
Our Ref. 130164c

Attn: Mr Roi Cifti
Email: roi.ciftci@pbsbuilding.com.au

**Re: APPROVED SENIORS LIVING / AGED CARE COMPLEX
STAGE 4 ANGLICAN RETIREMENT VILLAGE
MACPHERSON STREET, WARRIEWOOD NSW
BUSHFIRE OCCUPATION CERTIFICATION COMMENT**

Dear Roi,

Thank you for allowing us to undertake this assessment for you.

The purpose of this certification comment is to ascertain compliance or otherwise of the completed works with condition 25 of the Conditions of Approval issued by Warringah Council dated 20th February 2014, ref N0267/13 for Stage 4 which involved the demolition, earthworks, and construction of a seniors housing development consisting of 33 self-contained seniors dwellings with a community building, landscaping and car parking at 6-14 Macpherson Street, Warriewood (Lots 1, 2, 3, 4 and 5 DP 1161389).

I have inspected the subject site and retain any certificates relied upon for this assessment on file.

As a suitable qualified bushfire consultant (FPAA BPAD Scheme No 9399 L3) it is my opinion that the completed works comply with condition 25 of the Conditions of Approval issued by Warringah Council dated 20th February 2014, ref N0267/13.

Should you have any enquiries regarding this project please contact me at our office.

Prepared by,

Prepared by
Building Code & Bushfire Hazard Solutions

Wayne Tucker

G. D. Design in Bushfire Prone Areas.
Certificate IV Fire Technology
Ass Dip Applied Science
Manager - Bushfire Section
Building Code and Bushfire Hazard Solution
Fire Protection Association of Australia BPAD – L3 Accredited Practitioner
Certification number – BPD – 9399



Robert Player

From: Martin Moore <IMCEAEX-R@nortonrose.com>
Sent: Saturday, 14 March 2015 10:05 AM
To: pittwater_council@pittwater.nsw.gov.au
Cc: Robert Player; Peter Magnisalis; Ian.Vallentine@arv.org.au; Charles Kevin; Brendan Bennett
Subject: DA N0267/13 Condition C25
Attachments: 14032015085925-0001.pdf

Attention: Rebecca Englund

Please find attached the following drawings as required by Condition C25 of the above consent:

A101K, B101K, C101K, Ca101G, D101K, D1 101K, D1a 101G and S2 101K

Regards

Martin Moore

*Morgan Moore & Associates,
PO Box 777
ST IVES NSW 2075
Phone: (02) 9957 6188
Fax: (02) 9957 3043
Mobile: 0417 370 357
Email: martin@morganmoore.com.au
Web: www.morganmoore.com.au*

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(20150313)

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<http://www.eset.com>

Information from ESET NOD32 Antivirus, version of virus signature database 12710
(20151211)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

can be appropriately maintained while work is carried out. ARV will bear the full costs of that further work.

- 1.4 ARV's residents are aware of the fact that additional work is proposed to be carried out within Stage 4, including possibly to some occupied dwellings.

2 Audit of Stage 4 – Bowling Green

- 2.1 As stated in our letter dated 21 February 2016, ARV has undertaken an audit of the completed Bowling Green works against the approved plans. This audit has identified the following matters.

Fence

- 2.2 A fence has been constructed along the full north-eastern length of the Bowling Green, and to a small extent along the northern and eastern boundaries of the Bowling Green, rather than for part only of the length of the Bowling Green as shown on approved construction certificate (CC) drawings. The fence has been finished in white.
- 2.3 Proposal: ARV wishes to retain the fence for its full length along the north-eastern side and considers that the fence is necessary for safety reasons given the change of level at the relevant location. Our client is prepared to repaint the fence in dark tones. Without conceding any contravention of the EP&A Act, our client proposes to make an application for a building certificate under s149E of the EP&A Act for this aspect of the Bowling Green.

Shade structures

- 2.4 The shade structures as constructed are shown on, and authorised by, the CC drawings.
- 2.5 Proposal: Our client would prefer to retain the shade structures and is entitled to do so, however ARV is willing to engage with Council to explore alternative ways of providing shelter for users of the Bowling Green if Council wants the structures to be removed.

Batter/retaining wall

- 2.6 The Bowling Green has been constructed with finished floor level (FFL) at RL 5.1, which was the level used in the flood modelling carried out by GHD and is included in GHD's letter titled 'ARV Warriewood Stages 4 – 6 Flooding' dated 27 August 2013 which forms part of the Development Consent. This necessitated the construction of a retaining wall along the long north-eastern edge of the Bowling Green. The approved CC drawings show a retaining wall for some but not all of that location.
- 2.7 Proposal: Without conceding any contravention of the EP&A Act, our client proposes to make an application for a building certificate in relation to this aspect of the Bowling Green. That application will be supported by reports from appropriately qualified experts.

Ramp/path to fire trail

- 2.8 The approved CC drawings show a 1.8 metre concrete path to the fire trail along the edge of the Bowling Green, which has not yet been constructed. Due to the constructed FFL of the Bowling Green, it is not possible to construct the path in this location.
- 2.9 Proposal: ARV does not wish to construct the path in this location and proposes to apply to modify the Development Consent to delete reference to the path. Alternatively, ARV is prepared to discuss Council's views on whether a path should now be constructed in an alternative location.

3 Stage 4 works – other matters

- 3.1 In this section of our letter, we make representations in relation to other aspects of the Stage 4 works, having regard to the discrepancies Council has previously identified in relation to Stage 5, and in relation to other matters.

Installation of skylights rather than polycarbonate sheeting

- 3.2 ARV confirms that polycarbonate roof sheeting has not been installed in any dwellings within Stage 4. For the reasons previously given in our letter dated 21 February 2016 concerning Stage 5 dwellings, we are instructed that it was not possible for ARV to install polycarbonate roof sheeting and at the same time comply with the requirements of Condition B25 of the Development Consent. Notwithstanding its substantial efforts, our client was unable to obtain confirmation from any polycarbonate sheeting manufacturer that the product complies with the requirements of Australian Standard AS3959-2009 and has a Flammability Index of no greater than 5 when tested in accordance with the Australian Standard AS1530.2-1993, as required by Condition B25 of the Development Consent.
- 3.3 Accordingly, we are instructed that, with approval from ARV's certifier, an alternative design was installed in a number of dwellings in Stage 4 in the form of proprietary framed glass skylights (**Alternative Design**) at significant additional cost, instead of the polycarbonate roof sheeting. Enclosed with our 21 February 2016 letter were copies of correspondence received from the CSIRO and FPA Australia confirming that the Alternative Design meets the requirements of Condition B25.
- 3.4 Our client is preparing a schedule of the relevant dwellings in Stage 4 affected by the Alternative Design which will be separately provided to Council.
- 3.5 Proposal: Without conceding any contravention of the EP&A Act, our client proposes to make an application for a building certificate in respect of the Stage 4 dwellings which have already been constructed with the Alternative Design. Given the documents referred to in paragraph 3.3 above, our client can see no proper basis for a building certificate to be refused.

Lintels

- 3.6 In relation to Council's assertions concerning the provision of internal openings between the garage and the entry halls of dwellings, we are instructed that the approved construction certificate drawings require only the provision of a "lintel for future alteration to sliding doors. 3080mm stud opening" rather than the provision of an internal opening between the garage and the entry halls of relevant dwellings.
- 3.7 As Council is aware, all of the Stage 4 dwellings have now been constructed and accordingly it is not now possible for our client to verify that all of the relevant dwellings have been constructed with the lintel in place. In every case where the stud wall has been installed, however, we are instructed that the relevant wall is non-load bearing and can be adapted whether or not a lintel is in place. Our client is in the process of obtaining a letter from its structural engineers confirming this position.
- 3.8 Proposal: No further work is required by ARV in relation to this matter and there is no proper basis for Council to issue an order under s121B.

Fencing to areas of private open space, service courts and certain retaining walls

- 3.9 For dwellings which are shortly to be occupied, temporary arrangements have been and will be put in place (such as planter boxes with shrubs or hedging, and temporary safety fencing) to delineate private open space and service court zones.
- 3.10 ARV wishes to construct picket fencing to areas of private open space and/or service courts (depending on layout) for all dwellings in Stage 4, and is prepared to provide that fencing in 'dark tones'. Additionally, ARV wishes to construct picket fencing in 'dark tones' on top of the retaining walls located on the eastern side of dwellings 10 – 14 and 34 – 36 to ensure the safety of residents and visitors at the site.
- 3.11 However, the Development Consent as modified on 9 February 2016 imposes a number of conditions which restrict the height and location of fencing within Stage 4, and also confines the number of dwellings and other areas within the site at which such fencing can be constructed.

- 3.12 Proposal: ARV is not satisfied with those restrictions and is in the course of preparing a further application to modify the Development Consent to seek approval for ARV's desired fencing proposal. That modification application will specify the proposed fencing treatments and locations, and will demonstrate why conditions B32 and B35 as currently drafted should be modified.

Balustrade along path behind dwellings 15-17

- 3.13 A retaining wall has been constructed behind dwellings 15 – 17 in the location of the constructed and approved concrete path.
- 3.14 ARV wishes to construct a balustrade along the retaining wall and the path behind dwellings 15-17. Our client is currently installing temporary fencing in this location, which will be completed prior to occupation of Stage 4.
- 3.15 Proposal: ARV is in the course of preparing an application to modify the Development Consent to seek approval for this balustrade. Without conceding any contravention of the EP&A Act, to the extent that the retaining wall was not identified on the approved plans ARV will include the retaining wall within its application for a building certificate.

Other changes

- 3.16 ARV has identified a number of instances where work carried out in Stage 4 is not identical to the plans and specifications forming part of the construction certificates (which form part of the Development Consent). As Council will be aware, the law does not require work to be 'identical' – rather it requires that it be 'not inconsistent with' the Development Consent and incorporated construction certificate plans and specifications.
- 3.17 The question whether any or all of these instances are, or are not, inconsistent with the Development Consent is a question of fact and degree having regard to the overall context of this large and complex development. Without conceding any contravention of the EP&A Act, ARV does not consider that it would be productive to engage in debate with Council on this issue, and would prefer to address any concerns which Council may have in relation to these instances through applying for a Building Certificate which would wholly resolve matters.
- 3.18 Accordingly, ARV intends to prepare a Building Certificate application in respect of a number of miscellaneous items within Stage 4. A high level description of those items appears in the Schedule to this letter.
- 3.19 ARV has instructed its design team to generate a detailed set of drawings depicting any variances between the Development Consent (incorporating the approved CC plans and specifications) and the as-built forms. These plans are still in the course of preparation, and will form the basis of the proposed Building Certificate application foreshadowed in this letter. That application will be supported by the technical assessments from appropriately qualified experts.

4 Proposal to lodge Building Certificate Application and Modification Application

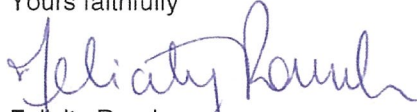
- 4.1 Our client anticipates that it will be in a position to lodge its application for a building certificate and s96 modification application, foreshadowed in this letter, within 2-3 weeks of the date of this letter.
- 4.2 Given the matters set out in this letter, we request that Council confirm:
- (1) its agreement to the proposals set out in this letter, by **Wednesday 2 March 2016** (noting that Council is yet to undertake an assessment of the foreshadowed building certificate and modification applications and that the agreement we request is not intended to fetter Council's exercise of its statutory functions in this regard); and
 - (2) that it will not take any steps to issue a Notice of Proposed Order under s121B of the EP&A Act in relation to the matters addressed in this letter while the steps outlined in this letter are being undertaken by ARV.

26 February 2016

 NORTON ROSE FULBRIGHT

We would be pleased to meet to further discuss the matters raised in this letter if that would be of assistance.

Yours faithfully



Felicity Rourke
Partner and Head of Office
Norton Rose Fulbright Australia
Contact: Rebecca Fleming

Schedule

Stage 4 item	Description	Proposal
Adjusted window configuration in some dwellings (two narrow windows converted to one window)	Already constructed	Building Certificate
Minor adjustments to landscaped areas and some paths	Already constructed	Building Certificate
Adjusted location of approved water tanks for certain dwellings	Already constructed	Building Certificate
Boundary fence near ILU 1-3, constructed as shown on CC drawings and powder coated white as shown in CC drawings	Already constructed	ARV proposes to repaint existing fence in dark tone
Low retaining wall to resolve level change between dwellings 24-33 and pathway	Already constructed	Building Certificate

YH