

IN THE LAND AND ENVIRONMENT
COURT OF NEW SOUTH WALES

of

Full Name of Applicant

Address

Telephone

Address of Subject Land

Address

Lot no, DP/MPS, vol/foi etc

Consent:

1. Original File No.
2. Date of Judgment/Order.
3. Name of Judge/Commissioner

Modification

Give details of manner and extent

GADENS LAWYERS
77 Castlereagh Street
SYDNEY 2000

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Tel 9931 4999
Fax 9931 4888
Ref 2209072 (FLR/DZF)

Application to modify consent
granted by the Court under the *Environmental Planning and Assessment Act 1979*-section 96

Australian Super Developments Pty Limited (ACN 058 626 761)

of Level 5, Nauru House, 80 Collins Street,
Melbourne VIC 3000

(03) 9639 0131

Cabbage Tree Road

Bayview NSW

Lot 20 in DP 632081

10431 of 1981

9 March 1982

Justice Bignold (then the Senior Assessor)

Summary of modification

The development consent was granted for a retirement village comprised of aged persons housing.

This application seeks to modify the development consent granted by the Court on 9 March 1982 as modified by the Court on 9 May 1985, 22 September 1986, 22 December 1986 and 27 March 2002.

The modification is sought in respect of stage 2 of the development consent. These are minor proposed changes as follows:

- small extensions to balconies;
- conversion of areas previously designated for storage into habitable floor area;
- alteration of the arrangement of upper and lower floor areas on two of the unit clusters.

These changes are accompanied by a reduction in the total number of self-care units for stage 2 from 112 to 73.

The expected impacts and intended effect of the modification are described in the report by URBIS JHD attached to this application and marked with the letter "A".

The plans showing the proposed modification are attached and identified with the letter "B".

Undertaking

The applicant undertakes that the development as proposed to be modified will remain substantially the same as the development originally approved.

Ownership of the subject land

The owner of the subject land is United Super Investments Pty Limited (USI) of which the applicant is a wholly owned subsidiary. A statement that USI consents to the making of this application is annexed to this application and marked with the letter "C".

A copy of this application has been lodged with Pittwater Council, successor to the consent authority that dealt with the original development application from which the development consent arose.

Signed, Applicant's
Solicitor

Frances Richards



Dated:

1/3/04

To Pittwater Council
11/5 Vuko Pl
WARRIEWOOD NSW 2102

A call-over will take place before the Registrar at the time and place specified below.

If there is no attendance before the Court or the Registrar by you, your barrister, solicitor or your agent authorised by you in writing, the call-over may take place and orders may be made in your absence.

Time 9am on

Place Windeyer Chambers, 225 Macquarie Street,
Sydney

Signed, Registrar