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11 September 2007

Our ref: 2048007

Mr Michael File
Director, Strategic Assessments
Department of Planning
GPO Box 39
Sydney NSW 2001

Dear Mr File

DAN LAND – PROPOSED MODIFICATION OF MAJOR PROJECT APPROVAL (MP 06_0031)

I refer to discussions with the Department's David Gibson in this matter and wish to formally propose a modification to the terms of the Major Project Approval for the Dan Land in the City of Newcastle.

Specifically, the proposed modification seeks to alter Condition B7 to enable the dedication of roads in the subdivision as public roads, following the issuing of a Compliance Certificate that confirms the roads and drainage have been constructed to the Council's public roads standards and in accordance with the Construction Certificate requirements for the works. The objective of the proposed modification is to streamline the Subdivision Certificate process by allowing the Principal Certifying Authority to issue the Compliance Certificate and thereby avoid possible delays through the need to involve the Council in this technical level of engineering detail.

In the absence on leave of the Council's Group Manager of Strategic Planning and Development, this matter was discussed with the Council's Lord Mayor and General Manager during the week beginning 27 August. The General Manager advised by phone on 30 August that she and the Lord Mayor supported Condition B7. This was confirmed in an email from the General Manager (Janet Dore) on 31 August (copy attached).

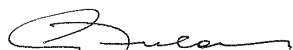
Accordingly, I would be grateful if Condition B7 could be amended as follows:

B7 Dedication of Roads

Prior to the issue of the Subdivision Certificate, the Principal Certifying Authority is to issue a Compliance Certificate that the roads and drainage have been constructed to the Council's public roads standards and in accordance with the Construction Certificate requirements.

Our client, Mr Bill McNamee of Northwest Residential Pty Ltd, will arrange payment to the Department of the \$750 Modification Fee by direct debit.

Yours sincerely



Garry Fielding
Director