



16 January 2012

Mr Sam Haddad
Director General
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr Haddad,

**S96 Modification to change operation hours
120-122 Jones Bay Wharf, Pyrmont (Alira Restaurant)**

I refer to your letter dated 10 January 2012 referring the above modification application to the Planning Assessment Commission for determination.

Ms Gabrielle Kibble AO, the Chair of the Commission, nominated me to consider and determine the application.

I have considered the application, submissions from nearby residents and the City of Sydney Council, the Department's assessment report and its recommendation.

I noted the Council's strong objection to the proposed modification and nearby residents shared similar concern. Before making a determination of the application, the Commission contacted Council and sought its view on the Department's recommendation which restricts internal hours of operation to 9am to 11.30pm for Monday to Thursday and 9am to 12 midnight for Friday and Saturday subject to a plan of management being submitted for Council's approval. There is no change to the external hours of operation. Council advised that it supports the Department's recommendation.

I am satisfied that issues raised by residents and the City of Sydney Council have been adequately addressed in the Department's assessment report and the recommended conditions of consent. The modification application is approved subject to the Department's recommended conditions.

The files and signed instrument of approval are returned with this letter.

Yours sincerely

Garry Payne AM
Planning Assessment Commission