



Ms Carolyn McNally  
Secretary  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

26 November 2014

Dear Ms McNally

**Subject: Thomas Street carpark site Modification 15**

I refer to the Department's letter dated 25 November 2014 referring the abovementioned modification application to the Planning Assessment Commission for determination. I constituted the Commission to consider and determine the application.

The modification application seeks to amend several conditions in relation to the timing when these conditions are required to be met to allow the occupation of the public car park on the site.

I note the Roads and Maritime Services (RMS) raised concerns about the proposal to install a temporary barrier to prevent right turn from Albert Avenue into the car park and right turn out of the car park to Albert Avenue. The concern was that the required permanent concrete median island may not be constructed once the temporary barrier is installed. To address the RMS concern, the Department recommended the condition (C47) be amended to allow the temporary traffic barrier to be installed but requires it to be replaced by the median island prior to the issue of the occupation certificate or use of the above ground development. Willoughby City Council raised no objection to the temporary provision subject to its removal when the permanent median island is constructed. I consider the Department's recommended amendment to Condition C47 reasonable.

Council raised no objection to the proposed amendments to other conditions (E35, E37, E41, E42 and E45) subject to its comments. I consider the Department's recommended conditions adequately addressed Council's comments and the recommendation for approval is reasonable.

The signed instrument of modification and file (14/17177 Part 1) are returned herewith.

Yours sincerely

Lynelle Briggs AO  
Chairperson  
Planning Assessment Commission

cc. The Hon. Pru Goward, MP  
Minister for Planning, and Minister for Women  
GPO Box 5341  
SYDNEY NSW 2001