

2 December 2015



The Secretary  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001



Attention: Kate MacDonald

**S75w Modification Application (MP 06\_0309)  
Trinity Point Marina and Mixed Use Development**

Dear Kate,

Reference is made to the approval of modification of Concept Plan (MP 06\_0309) by the Planning Assessment Commission on 25 November 2015 (being Modification 5).

Amongst other matters, a new Term C22B was applied relating to Installation of Aboriginal and Historic Cultural Heritage Interpretation Devices.

Johnson Property Group (JPG) accepts the basis of this condition, but as it stands, would be unable to satisfy the condition as it relates to timing (being installation of devices prior to Construction Certificate). The devices will be installed as part of broader site works, such as pathways and landscaping, which are works that cannot occur until they are authorised under a Construction Certificate. The installation of the devices should occur prior to Occupation Certificate.

It is understood that the intent of the requirement was for the devices to be installed prior to Occupation Certificate and the reference to Construction Certificate is an administrative error.

As such, it is requested that Term C22B be modified to replace "prior to issue of any relevant Construction Certificate" with "**prior to issue of any relevant Occupation Certificate**".

Should you wish to discuss the contents of this correspondence please do not hesitate to contact me on 0408 991 888 or email [bryang@johnsonpropertygroup.com.au](mailto:bryang@johnsonpropertygroup.com.au).

Yours sincerely  
Johnson Property Group

A handwritten signature in black ink, appearing to read "Bryan Garland".

**Bryan Garland**  
Development Director

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