

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin
Director
Key Sites and TOD Assessments

Sydney 8 April 2025

SCHEDULE 1

Development consent:	MP 11_0001 granted by the Planning Assessment Commission on 26 March 2014.
For the following:	Charter and tourism boating facility for the mooring of 22 vessels for a temporary period, including: • Land component: demountable office building, storage compound, shipping containers, car and bicycle parking spaces, public open space and landscaping. • Water component: fixed wharf, floating pontoons, publicly accessible walkway, and piling.
Applicant:	All Occasion Cruises Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
The Land:	Lot 107 DP1076596, Part Lot 5 DP 1209992, Part Lot 19 DP 803159, Part Lot 20 DP 803159, Lot 21 DP 803159, Lot 22 DP 803159
Modification:	Modification 4: delete Condition A8 and insert new conditions to extend the use of the site, insert a new Condition E23 requiring a new Operational Management Plan, and insert a new Condition E24 requiring a complaints register.

SCHEDULE 2

1. Schedule 2, Part A – Administrative Conditions – Condition A8 is amended by the deletion of the ~~struck out words~~ and new Conditions A8.1 and A8.2 are inserted by the **bold and underlined words** as follows:

Limits on Approval

~~A8. The operation of this approval from the commencement of the operation of this use is restricted to a maximum of five years.~~

Limits of Consent

A8.1 This consent limits the use of the land component of the approved development until 11 August 2026.

A8.2 Where required, separate approvals must be obtained from the relevant consent authority (except where exempt and/or complying development applies) for temporary structures.

2. Schedule 2, Part E – Post Occupation or During Use – insert a new Condition E23 and Condition E24 by the insertion of the **bold and underlined words** as follows:

Operational Plan of Management

E23. The Applicant must update the Operational Management Plan (Condition D3) addressing any adaptations required to the charter and tourism boating facility operations during and after the construction of Bank Street Park (SSD 53386706). The Operational Management Plan must be endorsed by Infrastructure NSW and Transport for NSW and the Operational Management Plan must be approved by the Planning Secretary within six months of the determination of Modification 4 (MP 11 0001 MOD 4), or at a time agreed by the Planning Secretary in writing.

Complaints Management

E24. For the duration of the use, the Applicant must maintain a complaints register containing the following information:

- (a) The date and time of the complaint and how the complaint was received (telephone/ email/ letter/ face-to-face)**
- (b) The name of the team member receiving the complaint**
- (c) The name and contact details of the inquiry (if consent to record personal details is not provided, the complaint will be recorded but will not include personal details)**
- (d) The team member to whom the contact was referred (if needed) and the referral date**
- (e) The action taken to address the complaint**
- (f) The completion date of the action taken**
- (g) Where no further action is taken, why no action was required, and**
- (h) Steps undertaken to prevent a re-occurrence of the issue.**

The Applicant must submit a copy of the complaints register to the Planning Secretary no less than every six months for the first three years from the date of the determination of Modification 4 (MP 11 0001 MOD 4).

Note: All post-approval documents are to be submitted via the Major Projects website. The Department is no longer accepting lodgement via compliance@planning.nsw.gov.au. For further guidance, see here: <https://www.planningportal.nsw.gov.au/major-projects/help/how-guides>

End of modification
(MP 11_0001 MOD 4)