

Modification of Development Consent

Section 4.55(2) of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning under delegation dated 11 October 2017, I approve the modification application referred to in Schedule 1, subject to the conditions in Schedule 2.



David McNamara
Director
Key Sites Assessments

Date: 6 December 2018 Sydney

SCHEDULE 1

Development Approval: SSD 6513 granted by the Secretary on 25 August 2016

For the following: Construction of Building R1, Barangaroo South, fitout and use as a pub

Applicant: The Barangaroo Partnership

Consent Authority: Minister for Planning

The Land: 51A Hickson Road, Barangaroo (Part Lot 100 in DP 1204948)

Modification: SSD 6513 MOD 4: continuation of existing trial period for extended hours of operation until 6 December 2020.

SCHEDULE 2

The above approval is modified as follows:

1. Condition A5 – Hours of operation is amended by the insertion of the **bold and underlined** words/numbers and deletion of ~~struck-out~~ words/numbers as follows:

A5 HOURS OF OPERATION

The hours of operation are regulated as follows:

- 1) The hours of operation must be restricted to between 7am and 11pm for internal areas and 10pm for outdoor areas Mondays to Sundays;
- 2) Notwithstanding (a) above, the use of the premises may operate between 11pm and 12 midnight for indoor areas and 10pm and 12 midnight for outdoor areas for a further trial period of ~~one year from the date of issue of the Occupation Certificate. The Secretary is to be informed in writing of the date of commencement of the trial hours~~ **2 years ending on 6 December 2020;**
- 3) A modification or development application may be lodged to continue any trial period specified in these conditions no earlier than 120 days before the end of the trial period and no later than 60 days before the end of the trial period. The consideration of a proposed continuation and/or extension of a trial will be based on, among other things, the performance of the operator in relation to the compliance with the development consent conditions, any substantiated complaints received and any views expressed by the NSW Police Force;
- 4) Provided that:
 - a) any application to continue a trial period is lodged no earlier than 120 days before the end of the trial period and no later than 60 days before the end of the trial period; and
 - b) the applicant provides any additional information that the consent authority reasonably requests to assess the application within 7 days of receipt of that request; and
 - c) the applicant diligently prosecutes the application and any appeal in respect of the application;

then the activity the subject of the application for extension may continue until such time as the application is finally determined.

End of Modification to SSD 6513 MOD 4