

# Modification of Development Consent

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

As delegate of the Minister for Planning, 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 Assessments**

Sydney: 4 October 2022

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## SCHEDULE 1

|                             |   |
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| <b>Development consent:</b> | <b>SSD 7683</b> granted by the Minister for Planning on 25 August 2017  |
| <b>For the following:</b>   | The use of Tenancy 5 of the Overseas Passenger Terminal (OPT) as a restaurant and: <ul style="list-style-type: none"><li>• external alterations to the OPT building;</li><li>• new elevated micro-brewery pod to the north of the OPT;</li><li>• outdoor dining area to the north of the site; and</li><li>• business identification signage.</li></ul> |
| <b>Applicant:</b>           | Jimmy's on the Mall Pty Ltd   |
| <b>Consent Authority:</b>   | Minister for Planning   |
| <b>The Land:</b>            | Overseas Passenger Terminal (Tenancy 5), Circular Quay Way, The Rocks (Lots 1-3 DP 876516)  |
| <b>Modification:</b>        | <b>SSD 7683 MOD 3:</b> Extension to the indoor and outdoor hours of operation   |

## SCHEDULE 2

1. Schedule 2, Part F – Post Occupation – During Operation is amended by the deletion of ~~struck out~~ words and the insertion of **bold and underlined** words as follows:

### Hours of Operation

- F1 The hours of operation are restricted as follows:

#### Indoor Areas

- a) 6 am to **2 am** ~~12 midnight Monday to Thursday (inclusive);~~
- b) ~~6 am to 1 am Friday and Saturday (inclusive); and~~
- c) ~~6 am New Year's Eve to 2 am New Year's Day (inclusive)~~

#### Outdoor Areas

- d) & **7** am to 10 pm Monday to Sunday (inclusive)

### **Trial Hours of Operation – Outdoor Areas**

- F2 Notwithstanding **Condition F1**(d) above, the use of the outdoor areas of the premises may operate between 6 am to & **7** am and 10 pm to 1 am Monday to Sunday; and between 10 pm on New Year's Eve to 2 am on New Year's Day for a trial period **until 21 May 2022 of 2 years, from the date of the determination of modification application SSD-7683-MOD-3.**

~~The Secretary must be informed in writing of the date of commencement of the trial hours.~~

### Plan of Management

- F5 The use of the premises as a restaurant must operate at all times in accordance with the approved Plan of Management required by Condition E2 **and as amended by Condition F5A.**

- F5A Prior to the commencement of the extended hours of operation approved under modification application SSD-7683-MOD-3, an updated Plan of Management must be prepared and submitted to the Planning Secretary and include the amended hours of operation and trial hours as approved under SSD-7683-MOD-3.**

End of modification  
(SSD-7683-MOD-3)