

1994—No. 512

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
STATE ENVIRONMENTAL PLANNING POLICY No. 41—
CASINO ENTERTAINMENT COMPLEX**

NEW SOUTH WALES



[Published in Gazette No. 125 of 22 September 1994]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Environmental Planning and Assessment Act 1979, has been pleased to make the State Environmental Planning Policy set forth hereunder in accordance with the recommendation made by the Minister for Planning.

ROBERT WEBSTER MLC
Minister for Planning.

Sydney, 21 September 1994.

Citation

1. This Policy may be cited as State Environmental Planning Policy No. 41—Casino Entertainment Complex.

Aims, objectives etc.

2. This Policy aims:

- (a) to promote the social and economic welfare of the State through the generation of employment and other long term economic benefits; and
- (b) to further the development of Sydney, in particular as a world class tourist destination; and
- (c) to improve and enhance the cultural and recreational facilities of Sydney for the people of New South Wales; and

- (d) to promote the orderly and economic use and development of land, in particular strategic land within the City of Sydney which is vested in the Crown; and
- (e) to promote the development of the City West precinct of Sydney, by enabling land, including the site specified by Ministerial direction under section 7 (1) of the Casino Control Act 1992 as the permissible location for a casino, to be developed for the purpose of a casino entertainment complex with the consent of the Minister for Planning.

Definitions

3. In this Policy:

“casino” means a casino operated or proposed to be operated under the Casino Control Act 1992;

“casino entertainment complex” means a facility or set of facilities having a casino (whether permanent or temporary) as its principal feature and including complementary development;

“complementary development” means development for any of the following purposes:

- car and coach parking
- community facilities
- conference and convention centres
- cultural and entertainment facilities
- hotels
- public recreation areas
- public transport purposes and interchange facilities
- restaurants, bars and cafes
- residential development
- retail shops
- serviced apartments
- sporting and recreation facilities (such as a health centre, gymnasium, swimming pool and tennis courts)
- theatres

and any other purposes that are ancillary to development for the purpose of a casino.

Land to which this Policy applies

4. This Policy applies to the land shown by heavy black edging on the map marked “State Environmental Planning Policy No. 41—Casino Entertainment Complex”, deposited in the office of the Department of Planning.

Consent authority

5. The consent authority for development for which consent may be granted under this Policy is the Minister for Planning.

Development permissible with development consent

6. (1) A person may, with the consent of the consent authority, carry out development for the purpose of a casino entertainment complex or complementary development on the land to which this Policy applies.

(2) In determining a development application, the consent authority must have regard to, but is not bound by, any Ministerial directions in force under section 7 (1) of the Casino Control Act 1992.

(3) The consent authority must not grant consent to a development application to carry out complementary development unless the consent authority is of the opinion that the complementary development will comprise a part of or addition to a casino entertainment complex.

Relationship to other environmental planning instruments

7. (1) In the event of an inconsistency between this Policy and another environmental planning instrument, this Policy prevails to the extent of the inconsistency.

(2) Sydney Regional Environmental Plan No. 26—City West applies to development on the land to which this Policy applies for any purpose other than a casino entertainment complex or complementary development.

Application of this Policy to certain development applications

8. This Policy extends to any development application made to any person, but not finally determined, before the commencement of this Policy for consent to carry out development for the purpose of a casino entertainment complex or complementary development, or both, on the land to which this Policy applies.

NOTES

TABLE OF PROVISIONS

1. Citation
 2. Aims, objectives etc.
 3. Definitions
 4. Land to which this Policy applies
 5. Consent authority
 6. Development permissible with development consent
 7. Relationship to other environmental planning instruments
 8. Application of this Policy to certain development applications
-