



New South Wales

State Environmental Planning Policy No 41—Casino Entertainment Complex (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

His Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Urban Affairs and Planning.

ANDREW REFSHAUGE MP

Minister for Urban Affairs and Planning

Sydney, 5 JANUARY, 2000.

2000 No 6

Clause 1 State Environmental Planning Policy No 41—Casino Entertainment Complex (Amendment No 1)

1 Name of Policy

This Policy is *State Environmental Planning Policy No 41—Casino Entertainment Complex (Amendment No 1)*.

2 Principal Policy

In this Policy, *State Environmental Planning Policy No 41—Casino Entertainment Complex* is referred to as the Principal Policy.

3 Aims of Policy

This Policy aims to amend the Principal Policy:

- (a) to promote the orderly and appropriate use of land in the vicinity of the Casino Entertainment Complex, and
- (b) to protect the long-term viability of the Casino Entertainment Complex by ensuring that inappropriate uses are not developed on land in the vicinity of that Complex, and
- (c) to minimise adverse environmental amenity impacts between the Casino Entertainment Complex and uses on land in the vicinity of that Complex, and
- (d) to ensure that the economic, tourism and recreational values for the State generated by the Casino Entertainment Complex are optimised.

4 Land to which Policy applies

This Policy applies to land to which the Principal Policy, as amended by this Policy, applies.

5 Amendment of Principal Policy

The Principal Policy is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 5)

[1] Clause 2 Aims, objectives etc

Omit “Minister for Planning”.

Insert instead “Minister for Urban Affairs and Planning”.

[2] Clause 3 Definitions

Omit “residential development” from the definition of *complementary development*.

[3] Clause 4

Omit the clause: Insert instead:

4 Land to which this Policy applies

This Policy applies to the land shown by heavy black edging on the map marked “State Environmental Planning Policy No 41 (Amendment No 1)—Sheet 1”, deposited in the office of the Department of Urban Affairs and Planning.

[4] Clause 5

Omit clause 5. Insert instead:

5 Consent authority

The consent authority for development for which consent may be granted under this Policy is:

- (a) except as provided by paragraph (b)—the Minister for Urban Affairs and Planning, and
- (b) in respect of the land shown hatched on the map marked “State Environmental Planning Policy No 41 (Amendment No 1)—Sheet 2” deposited in the office of the Department of Urban Affairs and Planning—the Sydney City Council.

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Schedule 1 Amendments

[5] Clause 6 Development permissible with development consent

Insert “on the land bounded by Pirrama Road, Jones Bay Road, Pymont Street and Edward Street” before “unless” in clause 6 (3).

[6] Clause 7 Relationship to other environmental planning instruments

Insert “whether made before or after this Policy,” after “instrument,” in clause 7 (1).

[7] Clause 7 (3)

Insert after clause 7 (2):

- (3) However, nothing in *Sydney Regional Environmental Plan No 26—City West* or any other environmental planning instrument permits development for residential purposes on the land to which this Policy applies.

[8] Clause 8 Application of this Policy to certain development applications

Insert at the end of clause 8:

- (2) This Policy, as amended by *State Environmental Planning Policy No 41—Casino Entertainment Complex (Amendment No 1)*, extends to any development application made to the consent authority, but not finally determined, before the commencement of *State Environmental Planning Policy No 41—Casino Entertainment Complex (Amendment No 1)* in relation to the land to which this Policy, as so amended, applies.
- (3) For the purposes of this clause, a development application is not to be regarded as finally determined merely because the application is taken to be refused under section 82 of the *Environmental Planning and Assessment Act 1979*.

BY AUTHORITY
