



New South Wales

# **State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) Amendment (Temporary Structures) 2009**

under the

Environmental Planning and Assessment Act 1979

Her 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 Planning. (S09/00325/PC)

KRISTINA KENEALLY, MP  
Minister for Planning

## **State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) Amendment (Temporary Structures) 2009**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Policy**

This Policy is *State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) Amendment (Temporary Structures) 2009*.

### **2 Commencement**

This Policy commences on 26 October 2009 and is required to be published on the NSW legislation website.

### **3 Repeal of Policy**

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

## **Schedule 1      Amendment of State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007**

- [1] Clause 1 Name of Policy**  
Omit “*and Places of Public Entertainment*”.
- [2] Clause 3 Aims of Policy**  
Omit “or places of public entertainment” from clause 3 (a).
- [3] Clause 3 (b)**  
Omit “places of public entertainment or”.
- [4] Clause 3 (d)–(f)**  
Omit the paragraphs.
- [5] Clause 5 Interpretation**  
Omit the definitions of *licensed premises*, *place of public entertainment* and *public entertainment* from clause 5 (2).
- [6] Clauses 9 and 10**  
Omit the clauses.
- [7] Part 3 Use of buildings as places of public entertainment**  
Omit the Part.
- [8] Clause 15 Exempt development**  
Omit clause 15 (4), (6) and (7).
- [9] Clause 16 Complying development**  
Omit clause 16 (4) and (5).
- [10] Schedule 1 Amendment of State Environmental Planning Policy No 4—  
Development Without Consent and Miscellaneous Exempt and  
Complying Development**  
Omit the Schedule.
- [11] Schedule 2 Exempt development**  
Omit “that does not involve the provision of public entertainment” wherever occurring in clauses 1 and 2.

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Schedule 1      Amendment of State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007

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- [12]    **Schedule 2, clause 3 (q)**  
Omit “event, and”. Insert instead “event.”.
- [13]    **Schedule 2, clause 3 (r)**  
Omit the paragraph.
- [14]    **Schedule 2, clause 4**  
Omit the clause.
- [15]    **Schedule 2, clause 5 (m)**  
Omit “event, and”. Insert instead “event.”.
- [16]    **Schedule 2, clause 5 (n)**  
Omit the paragraph.
- [17]    **Schedule 3 Complying development**  
Omit “*Wind actions*, and” from clause 1 (1) (h) (iii).  
Insert instead “*Wind actions*.”.
- [18]    **Schedule 3, clause 1 (1) (i)**  
Omit the subparagraph.
- [19]    **Schedule 3, clause 2 (1)**  
Omit “(whether or not for public entertainment)”.
- [20]    **Schedule 3, clauses 3 and 4**  
Omit the clauses.
- [21]    **Schedule 4 Conditions of complying development certificates**  
Omit “(excluding any part of the event involving the provision of public entertainment on licensed premises)” from clause 1 (e) (i).
- [22]    **Schedule 4, clause 1 (g)**  
Omit the paragraph.
- [23]    **Schedule 4, clauses 2–4**  
Omit the clauses.

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## **Schedule 2      Amendment of other environmental planning instruments**

### **2.1      Canada Bay Local Environmental Plan 2008**

#### **Part 2 Permitted or prohibited development**

Omit “Nightclubs;” from item 3 of the matter relating to Zone B3 Commercial Core in the Land Use Table.

### **2.2      Goulburn Mulwaree Local Environmental Plan 2009**

#### **[1]      Part 2 Permitted or prohibited development**

Omit “Nightclubs;” wherever occurring from item 4 of the matter relating to Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R5 Large Lot Residential, Zone IN1 General Industrial, Zone IN2 Light Industrial and Zone IN3 Heavy Industrial in the Land Use Table.

#### **[2]      Part 2, Land Use Table (Zones RU6, R1, R2, R5 and IN3)**

Omit “Places of public entertainment;” wherever occurring from item 4 of the matter relating to Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R5 Large Lot Residential and Zone IN3 Heavy Industrial.