



New South Wales

State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (City of Sydney Special Events) 2010

under the

Environmental Planning and Assessment Act 1979

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

TONY KELLY, MLC
Minister for Planning

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1 Name of Policy

This Policy is *State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (City of Sydney Special Events) 2010*.

2 Commencement

This Policy commences on the day on which it is 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- (1) This Policy is repealed on the day following the day on which this Policy commences.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 (Exempt and Complying Development Codes) 2008

[1] Clause 1.4 Land to which Policy applies

Insert after clause 1.4 (3):

- (4) Despite any other provision of this clause, this Policy applies to land in so far as development referred to in clause 2.83 is carried out on that land.

[2] Clause 1.9 Relationship with local environmental plans and development controls

Insert “(other than Division 2 of Part 2)” after “this Policy” where firstly occurring in clause 1.9 (4).

[3] Clause 1.16 General requirements for exempt development

Insert after clause 1.16 (3):

- (4) This clause does not apply to development specified as exempt development in Division 2 of Part 2.

[4] Clause 1.19 Land on which exempt development and complying development may not be carried out

Insert after clause 1.19 (1):

- (1A) Subclause (1) does not apply to development specified as exempt development in Division 2 of Part 2.

[5] Part 2 Exempt Development Codes

Insert after Division 1:

Division 2 City of Sydney Special Events Code

2.83 Specified development

The operation of, and trading on, premises to which a hotel licence or club licence under the *Liquor Act 2007* relates during the periods prescribed by clause 38B of the *Liquor Regulation 2008* (the *extended trading hours*), if the premises:

- (a) are situated on land within the City of Sydney for which there is a development consent or an approval under Part 3A of the Act under which the development may be carried out at times other than the extended trading hours, and

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- (b) are not situated wholly or partly within a freeze precinct (within the meaning of Division 1A of Part 4 of the *Liquor Act 2007*) while the freeze period (as referred to in that Division) applies to that precinct.

2.84 Development standards

- (1) The standard specified for that development is that the development must not contravene any terms of a development consent, or approval under Part 3A of the Act, that is applicable to the development when carried out at times other than during the extended trading hours.
- (2) This clause does not apply to any term of a consent or approval that sets out or restricts the hours of operation of or trading on premises.