



New South Wales

State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (State-wide Trading Hours on New Year's Eve) 2017

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*.

ANTHONY ROBERTS, MP
Minister for Planning

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1 Name of Policy

This Policy is *State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (State-wide Trading Hours on New Year's Eve) 2017*.

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- (1) This Policy is repealed on the day following the day on which this Policy commences.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 2.131A Specified development—extended trading hours on new year's eve for licensed premises in Kings Cross and Sydney CBD Entertainment precincts

Omit clause 2.131A (2) (b). Insert instead:

- (b) the development is authorised under section 14 (2) (b), 18 (2) (b), 25 (5) or 50 (2) (b) of the *Liquor Act 2007* or by an extended trading authorisation or is otherwise permitted in accordance with an exemption under that Act.

[2] Clause 2.131B

Insert after clause 2.131A:

2.131B Specified development—extended trading hours on 2017 new year's eve for licensed premises across the State

- (1) Despite clause 2.131 and without limiting the operation of clause 2.131A, the operation of licensed premises during the 2017 new year's eve trading period is development specified for this code if:
 - (a) there is a development consent under which the development may be carried out at times other than the 2017 new year's eve trading period, and
 - (b) the development is authorised under section 14 (2) (b), 18 (2) (b), 25 (5) or 50 (2) (b) of the *Liquor Act 2007* or by an extended trading authorisation.
- (2) This clause does not limit the operation of any extended trading authorisation that applies in relation to licensed premises.
- (3) In this clause:
 - 2017 new year's eve trading period*, in relation to licensed premises, means the period from the end of the standard trading period on 31 December 2017 to 2 am on the next succeeding day.
 - extended trading authorisation* has the same meaning as in the *Liquor Act 2007*.
 - standard trading period* has the same meaning as in the *Liquor Act 2007*.

[3] Clause 2.132 Development standards

Omit clause 2.132 (1). Insert instead:

- (1) The standards specified for any development referred to in clause 2.131, 2.131A or 2.131B are that the development must not contravene any terms of a development consent that are applicable to the development when carried out at times other than during the extended trading hours under clause 2.131, the new year's eve trading period referred to in clause 2.131A or the 2017 new year's eve trading period referred to in clause 2.131B (as the case requires).