



New South Wales

Liquor Amendment (Outdoor Dining) Regulation 2021

under the

Liquor Act 2007

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 2007*.

VICTOR DOMINELLO, MP
Minister for Customer Service

Explanatory note

The object of this Regulation is to facilitate temporary boundary changes for licensed premises relating to the proposed use of certain land for outdoor dining.

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1 Name of Regulation

This Regulation is the *Liquor Amendment (Outdoor Dining) Regulation 2021*.

2 Commencement

This Regulation is required to be published on the NSW legislation website and commences on the day that is the later of the following—

- (a) the day on which *State Environmental Planning Policy (Exempt and Complying Development Codes) Further Amendment (Outdoor Dining) 2021* commences,
- (b) the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Liquor Regulation 2018

[1] Clause 130B(3A)

Insert after clause 130B(3)—

- (3A) However, the application need not meet the requirement in subclause (3) if it relates to a use of land (the *outdoor dining land*) that constitutes exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, Part 2, Division 1, Subdivision 20B or 20C.

[2] Clause 130B(4)

Omit “or an allowed open space”. Insert instead “, allowed open space or outdoor dining land”.

[3] Clause 130B(6)

Omit “or allowed open space”. Insert instead “, allowed open space or outdoor dining land”.

[4] Clause 130B(7A)

Insert after clause 130B(7)—

- (7A) Despite subclause (1), the Authority is not exempted from giving the Commissioner of Police a reasonable opportunity to make submissions in relation to the proposed change if an application mentioned in subclause (3A) is made.