

State Environmental Planning Policy No 41—Casino Entertainment Complex (1994 EPI 512)

[1994-512]



New South Wales

Status Information

Currency of version

Repealed version for 25 May 2005 to 13 December 2012 (accessed 5 December 2023 at 16:40)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Policy was repealed by cl 1.8 (1A) of the [Sydney Local Environmental Plan 2012 \(628\)](#) (LW 14.12.2012) with effect from 14.12.2012.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 14 December 2012

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State Environmental Planning Policy No 41—Casino Entertainment Complex (1994 EPI 512)



New South Wales

1 Name of Policy

This Policy may be cited as *State Environmental Planning Policy No 41—Casino Entertainment Complex*.

2 Aims, objectives etc

This Policy aims:

- (a) to promote the social and economic welfare of the State through the generation of employment and other long term economic benefits, and
- (b) to further the development of Sydney, in particular as a world class tourist destination, and
- (c) to improve and enhance the cultural and recreational facilities of Sydney for the people of New South Wales, and
- (d) to promote the orderly and economic use and development of land, in particular strategic land within the City of Sydney which is vested in the Crown, and
- (e) to promote the development of the City West precinct of Sydney,

by enabling land, including the site specified by Ministerial direction under section 7 (1) of the *Casino Control Act 1992* as the permissible location for a casino, to be developed for the purpose of a casino entertainment complex with the consent of the consent authority.

3 Definitions

In this Policy:

casino means a casino operated or proposed to be operated under the *Casino Control Act 1992*.

casino entertainment complex means a facility or set of facilities having a casino

(whether permanent or temporary) as its principal feature and including complementary development.

complementary development means development for any of the following purposes:

car and coach parking

community facilities

conference and convention centres

cultural and entertainment facilities

hotels

public recreation areas

public transport purposes and interchange facilities

restaurants, bars and cafes

retail shops

serviced apartments

sporting and recreation facilities (such as a health centre, gymnasium, swimming pool and tennis courts)

theatres

and any other purposes that are ancillary to development for the purpose of a casino.

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.

5 Consent authority

The consent authority for the purposes of this Policy is the relevant council, except as provided by the Act.

6 Development permissible with development consent

- (1) A person may, with the consent of the consent authority, carry out development for the purpose of a casino entertainment complex or complementary development on the land to which this Policy applies.
- (2) In determining a development application, the consent authority must have regard to, but is not bound by, any Ministerial directions in force under section 7 (1) of the

Casino Control Act 1992.

- (3) The consent authority must not grant consent to a development application to carry out complementary development on the land bounded by Pirrama Road, Jones Bay Road, Pyrmont Street and Edward Street unless the consent authority is of the opinion that the complementary development will comprise a part of or addition to a casino entertainment complex.

7 Relationship to other environmental planning instruments

- (1) In the event of an inconsistency between this Policy and another environmental planning instrument, whether made before or after this Policy, this Policy prevails to the extent of the inconsistency.
- (2) *Sydney Regional Environmental Plan No 26—City West* applies to development on the land to which this Policy applies for any purpose other than a casino entertainment complex or complementary development.
- (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 Application of this Policy to certain development applications

- (1) This Policy extends to any development application made to any person, but not finally determined, before the commencement of this Policy for consent to carry out development for the purpose of a casino entertainment complex or complementary development, or both, on the land to which this Policy applies.
- (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*.