
c2024-061B
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LEGISLATIVE COUNCIL

Environmental Planning and Assessment Amendment (Vibrancy Reforms) Bill 2024

First print

Proposed amendment

No. 1 **Review by Minister of refusal of extended hours of operation**

Page 4, Schedule 1[2]. Insert after line 14—

Review of decisions about extended hours of operation

- (1) This clause applies if—
 - (a) either of the following happens in relation to an extended hours of operation application—
 - (i) for a development application that includes a proposal for extended hours of operation—the consent authority refuses the extended hours of operation in the application but otherwise grants consent to the application,
 - (ii) for an application to modify a development consent to allow extended hours of operation—the consent authority refuses the application, and
 - (b) under Division 8.2, the applicant for the application requests the consent authority to review the determination made by the consent authority.
- (2) The Minister administering the *24-Hour Economy Commissioner Act 2023* (the **Minister**) may, under Division 8.2, review the determination as if the Minister were the consent authority for the application.
- (3) If, after conducting a review of the determination, the Minister determines extended hours of operation are appropriate in relation to the relevant food and drink premises, the Minister may—
 - (a) under section 8.4, change the determination by approving the extended hours of operation the Minister considers appropriate, and
 - (b) if the Minister considers it appropriate, also change the determination to include a further condition under section 4.17(10B).
- (4) The Minister may delegate the exercise of the Minister's powers under this clause, other than this power of delegation, to the Secretary of, or another Public Service employee employed in, the Department in which the *Liquor Act 2007* is administered.