



New South Wales

Environmental Planning and Assessment Amendment (Vibrancy Reforms) Bill 2024

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Environmental Planning and Assessment Act 1979* to provide for certain decisions in relation to extended hours of operation for particular food and drink premises.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 **Amendment of Environmental Planning and Assessment Act 1979 No 203**

Schedule 1[2] inserts proposed Schedule 8, Part 3. The proposed part provides that the Secretary of the Department of Planning and Environment (the *Planning Secretary*) may, after consultation with the 24-Hour Economy Commissioner under the *24-Hour Economy Commissioner Act 2023*, issue guidelines (*vibrancy guidelines*). The vibrancy guidelines may provide for matters to be considered in determining extended hours of operation applications to enable venues to operate in a way that achieves their full social, business and cultural potential as part of the night-time economy. An extended hours of operation application includes—

- (a) a development application that includes a proposal for extended hours of operation, and
- (b) an application to modify a development consent to allow extended hours of operation.

The vibrancy guidelines must be considered by a consent authority in determining an extended hours of operation application.

Schedule 1[1] inserts a transitional provision that provides that proposed Schedule 8, Part 3 only applies to an extended hours of operation application made after the commencement of the proposed part.