

September 2020

The exhibition of SEPP amendment to Newcastle LEP for Newcastle night time economy trial

This document answers frequently asked question regarding the proposed State Environmental Planning Policy (SEPP) changes to the *Newcastle Local Environmental Plan 2012* (Newcastle LEP).

What is this exhibition about?

The Department is exhibiting an Explanation of Intended Effect (EIE) for public comment. The EIE proposes a temporary amendment to the trading hours of 26 participating small bars and restaurants in the Newcastle local government area. This amendment will assist the City of Newcastle Council (Council) to promote the recovery of the Newcastle night time economy.

What is the trial about?

The NSW Government, working with Council, has proposed a six-month trial to extend trading hours for small bars and restaurants. The trial aims to support local businesses and rejuvenate the night time economy in Newcastle.

What is the proposed amendment?

The Department has been asked by Council to facilitate an amendment to the Newcastle Local Environmental Plan 2012 (Newcastle LEP) to temporarily align trading hours with those permitted in the *Liquor Act 2007* for certain licence types.

A SEPP will amend the Newcastle LEP, inserting an exempt development provision to allow extended trading hours for participating venues for six months, to coincide with the dates of the trial. After the six-month trial period, the amendment will cease to have effect.

When will the exhibition close?

The EIE is on exhibition until Thursday 17 September 2020.

How long will the trial run for?

The trial is proposed to run for six months.

Which venues are eligible to participate in the trial?

The trial, which is being run by Council and the Office of Liquor and Gaming NSW, will operate on an opt-in basis and is only open to venues with an existing small bars licence or on-premise restaurant licence that have been approved by the Council, NSW Police and Liquor and Gaming NSW.

Liquor and Gaming NSW and Council have identified and invited eligible restaurants (with on-premise restaurant licence) and small bars (with small bar licence) in the suburbs of Newcastle, Newcastle East, Newcastle West, and Cooks Hill to participate. The Department has not been involved in this process. The trial excludes larger venues (such as clubs and hotels) and certain 'high risk' venues.

How will I know which venues are participating in the trial?

26 premises have expressed their interest in participating in the trial and are identified by name in the EIE.

The participating venues in the trial will be listed in the Newcastle LEP amendment. For further details of the venues please contact Council at mail@ncc.nsw.gov.au or Liquor and Gaming NSW (L&GNSW) at contact.us@liquorandgaming.nsw.gov.au.

What trading hours are allowed for participating venues?

The proposed extension in trading hours reflects the standard trading hour period for small bar licences and restaurants with an on-premise licence specified under the *Liquor Act 2007*. It will bridge the gap between that time and what is specified as the trading (or operating hours) for the venue as a condition of their development consent. This means that:

- a participating small bar can trade until 2am (as per the *Liquor Act 2007*).
- a participating restaurant can trade until midnight (Monday-Saturday) or until 10pm on Sunday (as per the *Liquor Act 2007*).
- normal public holiday restrictions apply as per the *Liquor Act 2007*.

What happens after the trial ends? Will the restrictions come back?

The proposed amendments to trading hours will not apply after the six-month trial ends. The existing conditions for trading hours will recommence.

Council and Liquor and Gaming NSW will evaluate the outcomes at the end of the trial and any future changes will be subject to the evaluation results.

Who is the best contact if I have questions about the trial?

If you have any questions about the trial, please email Council at mail@ncc.nsw.gov.au.

For liquor licence related matters, please email Liquor and Gaming NSW at contact.us@liquorandgaming.nsw.gov.au. Please use the subject line: 'Newcastle liquor trial'.