



Hon Tony Kelly MLC  
Minister for Planning  
Minister for Infrastructure  
Minister for Lands  
Deputy Leader of the Government in the Legislative Council  
Leader of the House in the Legislative Council

## MEDIA RELEASE

15 December, 2010

### **CITY OF SYDNEY LATE NIGHT TRADING DEVELOPMENT PLAN REVOKED**

The NSW Government has today revoked the City of Sydney's new development control plan (DCP) for late-night trading.

Minister for Planning, Tony Kelly, said he had done so because it's an inappropriate use of planning powers and had caused uncertainty in the community.

"The proposed changes would have allowed the council to review conditions for operating hours and patron capacity at 14 days' notice, along with subjecting premises to potentially endless rolling trial periods for operating hours beyond 'base' approved hours," the Minister said.

"Operators of licensed premises and other businesses say this would result in the loss of thousands of jobs and investment in the city.

"I can understand the council's desire to ensure community amenity but I believe that can be done in a more co-operative way with venue operators and respects Sydney's global city status."

"The council's 'one size fits all' DCP didn't do this."

Recent NSW Police figures have shown central Sydney no longer has any Level 1 (venues with 19 or more incidents a year), following the introduction of tough NSW Government restrictions on such venues.

These restrictions include 2am lockouts and no shots or doubles after midnight.

Mr Kelly said, following this revocation, a taskforce of key stakeholders will undertake a comprehensive review of the management of the impacts of late night trading premises in the City of Sydney.

"Given the success of the NSW Government's restrictions, and the police work managing liquor hot-spots, I am keen to establish a whole of government taskforce to look at the issue of late night trading," the Minister said.

"It is considered that this would be more effective in ensuring community safety and amenity concerns are addressed whilst providing certainty of regulation of industry."

Stakeholders invited to be part of this process will include NSW Police, NSW Communities (including Office of Liquor Gaming and Racing), Department of Planning, the City of Sydney, National Drug Research Alliance, local community representatives and industry.

The council's existing DCP for late night trading will remain in place while this review takes place.

Reviewable conditions were introduced through amendments to the Environmental Planning and Assessment Act 1979, as part of the recent NSW planning reforms to deal with noise and capacity issues associated with licensed premises.

Councils can impose reviewable conditions in relation to hours of operation and patron capacity on licensed premises where the impacts of the use of the development may be difficult to predict.

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