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**Government opens the door to small bars**

Small bars are expected to open in town centres across NSW – helping create vibrant and interesting main streets – thanks to Statewide planning changes which support new liquor licensing laws.

“Small bars have proven popular in the Sydney CBD and surrounds and in some regional areas. They enhance the vitality of town and city centres across the State,” said the department’s Director-General Sam Haddad.

“Small bars will play an important role in improving the quality of life for the increasing number of people who want to live in town centres, close to jobs, transport, shops and entertainment venues.”

The Liquor Amendment (Small Bars) Act, which began on 1 July, paves the way for small bar development applications to be lodged in at least 108 council areas across the State.

This is because the new legislation makes it clear that, in the planning controls in these council areas, small bars are considered a form of “food and drink premises” which can open following development approval.

Councils will typically exhibit and assess development applications from small bars before they can begin operation and have the ability to set operating hours and other conditions.

Notice of a small bar development application must be provided to the local police and the NSW Office of Liquor, Gaming and Racing within two working days of the application being lodged with the local council.

Under the State’s liquor laws, small bars are not allowed to have more than 60 people, must serve food and cannot sell takeaway alcohol or have gaming machines or a TAB facility.

Applicants will be able to take advantage of new small bar licence category, with a reduced application fee and a streamlined public consultation process.

“Small bars are a good fit with the vision of the draft Metropolitan Strategy for Sydney to deliver well-designed, active centres, providing another opportunity for locals and visitors to relax and enjoy the atmosphere in our vibrant city,” Mr Haddad said.

“We are also seeing more people in our regional areas wanting to live in or close to town centres.

“The NSW Government looks forward to working closely with local councils to implement the small bar reforms across the State.”

The Department of Planning and Infrastructure has released advice to local councils on the issue, which is available at:

Small bars can initially be proposed in 108 out of the State’s 152 council areas because these areas have what is known as council-wide standard instrument LEPs whose definition of “food and drink premises” has been changed by the new legislation.

However, it is possible that small bars may already be permitted in some of the other 44 councils without a standard instrument LEP.

Furthermore, councils are also free to seek to update their planning controls at any time to permit small bars.

Councils with “standard instrument” LEPs are listed at:

Small bars could also be assisted through the proposed new planning system.

The NSW Government’s White Paper suggests that, in the future, small bars could be approved through a 25-day code-assessment process in appropriate zones, once planning ground-rules had been determined following community consultation.

This issue will be further examined as the new planning system is rolled out.

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