



New South Wales

# **State Environmental Planning Policy Amendment (Newcastle Restaurants and Small Bars) 2020**

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

ROBERT STOKES, MP  
Minister for Planning and Public Spaces

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### **1 Name of Policy**

This Policy is *State Environmental Planning Policy Amendment (Newcastle Restaurants and Small Bars) 2020*.

### **2 Commencement**

This Policy commences on the day on which it is published on the NSW legislation website.

### **3 Repeal of Policy**

This Policy is repealed on the day following the day on which this Policy commences.

## Schedule 1 Amendment of Newcastle Local Environmental Plan 2012

### Clause 6.8

Insert after clause 6.7—

#### 6.8 Temporary use of restaurants and small bars for extended hours

- (1) During the trial period, the use of nominated premises as a restaurant or small bar during the late trading period is exempt development if—
  - (a) there is a development consent under which the nominated premises may be used as a restaurant or small bar at times other than during the late trading period, and
  - (b) there is a small bar licence or on-premises licence under the *Liquor Act 2007* in force for the nominated premises, and
  - (c) the use does not contravene a term or condition of the development consent that applies at times other than during the late trading period, not including a term or condition that specifies or restricts the trading hours of the restaurant or small bar.
- (2) This clause does not affect the application of the *Liquor Act 2007* to the sale, supply and consumption of liquor on nominated premises.
- (3) In this clause—

**late trading period** for a restaurant or small bar for a particular day means the period between—

  - (a) the end of the period during which the nominated premises may be used as a restaurant or small bar under the development consent on the particular day, and
  - (b) the end of the period during which liquor may be sold for consumption on the premises under the *Liquor Act 2007* on the particular day, including a period authorised by an extended trading authorisation under that Act.

**nominated premises** means the premises specified in the Table to this clause.

**trial period** means the period commencing on 1 October 2020 and ending on 31 March 2021.

<b>Name of premises</b>	<b>Location</b>
Dockyard Hotel	Lot 31, DP 1136586
Civic Theatre	Lot 4, DP 1250295
Scratchley's on the Wharf Restaurant	Lot 1, DP 1229407
Moneypenny Newcastle	SP 80990
Harbour Bar & Grill	SP 80990
The Landing (Newcastle)	SP 101583
The Edwards Parry Street Pty Ltd	Lots 75 and 76, section B, DP 32593
The Beehive Honeysuckle	SP 80986
Meet Restaurant	Lot 51, DP 39357
The Falcon Restaurant	Lot 1, DP 503043

<b>Name of premises</b>	<b>Location</b>
Babylon Newcastle	Lot 1, DP 995712
Honeysuckle Social	SP 80985
Zinc on Darby (operating as Beach Burrito)	Lot 2, section H, DP 60745
Three Bears Kitchen	Lot 2, DP 790643
The Newcastle Signal Box	Lot 3, DP 1226551
Valerie's Pizza Parlour	Lots 1 and 2, DP 152682
Milky Lane Newcastle	Lot 50, section D, DP 39357
The Grain Store	Lots 1 and 2, section D, DP 382
Kitami Japanese Restaurant	Lot A, DP 153958
Itch Social (operating as Koutetsu)	Lot 1, DP 1101230
Coal & Cedar	Lot 1, DP 79523
Big Poppys (operating as Uptowns Bar)	SP 31575
Blue Kahunas	Lot 3, SP 62138
Basement on Market Street	Lot 2, DP 790643