
Draft Parramatta CBD Small Bars Policy

1.1 Introduction

The City's night-time economy is an integral part of its commercial, cultural and social fabric. Late night trading premises are an important part of social and street life that contribute to Parramatta's image as a city, and play an important role in the City's economic growth.

Residents, tourists and workers of the City are attracted to these places as a result of their diversity and vibrancy. Small bars can provide the diversity and intimate fine grain venues that Parramatta CBD is lacking. It can also provide employment and jobs with flexible hours, improve casual surveillance and increase after work offering.

1.2 Policy Statement

The policy provisions will provide greater certainty to the community and proponents of small bars in respect to appropriate operating hours and location.

Extended trading hours are considered by the City of Parramatta to be a privilege. Extended trading hours will only be approved in circumstances where an ongoing commitment to good management is evident through a series of successful trial periods. This commitment should be demonstrated both at the application stage and throughout the history of the operation of the premises. Guidelines for preparing plans of management addressing social impact are included as Appendices and should be referred to when preparing your application.

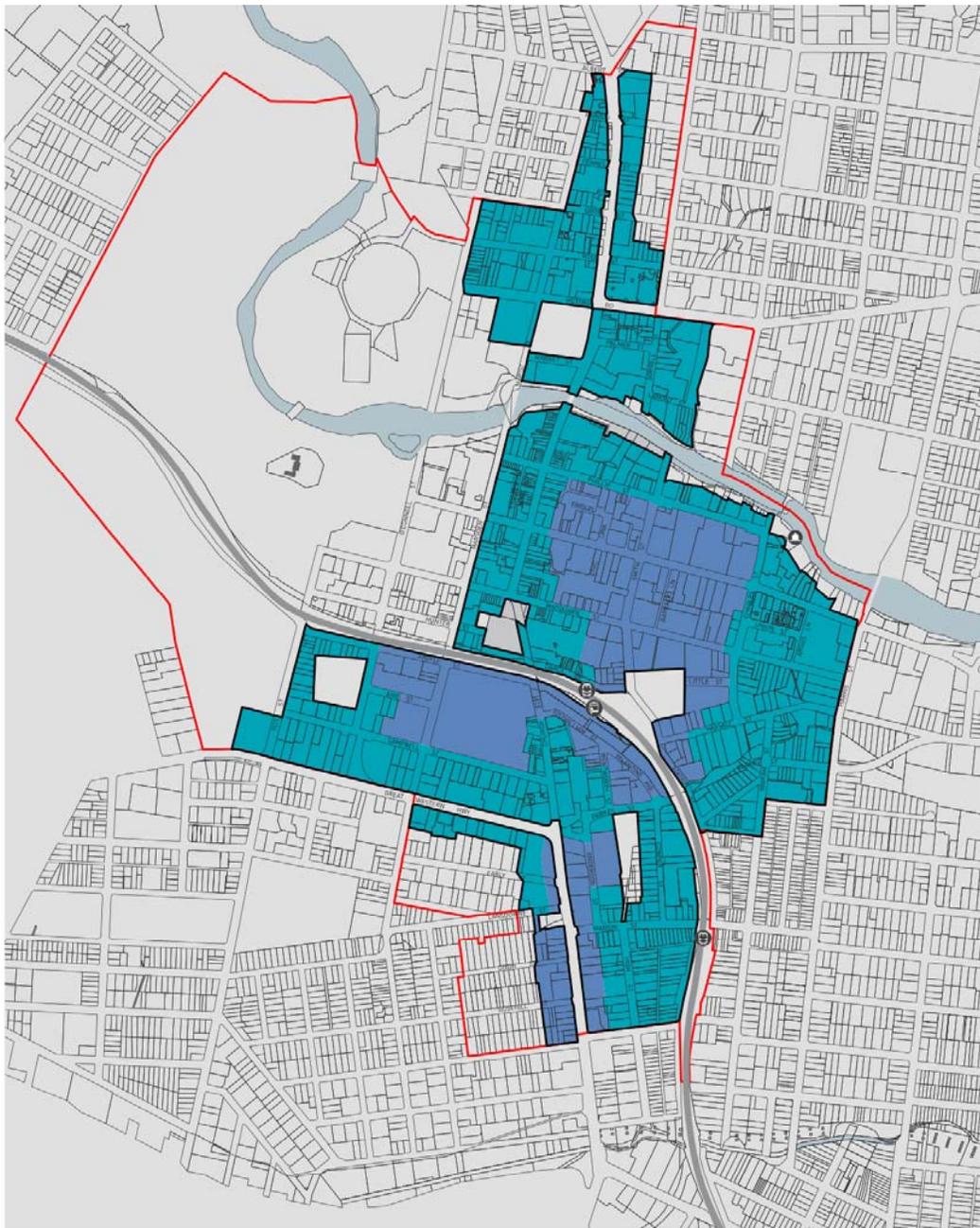
Approvals will be limited in time to enable Council to assess the ongoing management performance of a premises and its impact on neighborhood amenity.

1.3 Purpose

The purpose of this policy is to provide provisions for trading hours and trial hours for "*Small bars*" within the City of Parramatta's Local Government Area.

1.4 Scope

- a. This policy applies to the B3 Commercial Core and B4 Mixed Use zones identified within Parramatta CBD (outlined in black in the image below).
- b. It does not apply to any other zones or any area outside of the Parramatta CBD.



- KEY**
- PROPOSED CITY CENTRE BOUNDARY
 - LAND TO WHICH THIS POLICY APPLIES
 - AREA 1 - COMMERCIAL CORE
 - AREA 2 - MIXED USE



1.5 Definitions

Term	Meaning

Small bar	A “small bar” within the meaning of the Liquor Act 2007 Note: Outdoor seating is included in patron capacity calculations
Base hours	Are the standard range of trading hours that a late night trading premises is entitled to if an application is approved
Extended hours	Means trading hours that may be approved above base hours on a trial basis
Patron capacity	Means the maximum number of patrons permitted in development consent. Outdoor seating is included in patron capacity calculations

1.6 Relevant Legislation

Environmental Planning and Assessment Act 1979
Local Government Act 1993
Liquor Act 2007

1.7 Relationship to other policies/procedures/guidelines

Parramatta Development Control Plan 2011
Public Domain Guidelines
Parramatta Lanes Policy
Social Impact Assessment Guidelines
Flood Risk Management Policy
Building Code of Australia

1.8 Application of Policy

This policy applies to new and existing small bars premises identified within 1.4 Scope that:

- a. Seek approval for trading hours between 12noon – 2am the following day
- b. Premises that currently trade between 12noon -2am the following day and seek refurbishment that will not result in a breach of the maximum capacity for ‘small bars’ under the Liquor Act 2007
- c. Seek an extension or renewal of trial trading hours

1.9 Commencement

[to be included once it has been adopted]

1.10 Review

This policy is scheduled to be reviewed 3 years after its adoption

2 AIMS

- a. Ensure a consistent approach to the assessment of applications for small bar premises.
- b. Establish acceptable trading hour and trial provisions by which Council will consider small bars within Parramatta CBD.

3 OBJECTIVES

The objectives of this policy are to:

- a. Identify appropriate locations and trading hours for small bars

- b. Encourage late night trading *small bars* that contribute to vibrancy
- c. Encourage a safe and inclusive night time economy
- d. Ensure that applications are accompanied by sufficient information so that proposal for small bars can be fully and appropriately assessed

4 DEVELOPMENT PROVISIONS

The following development provisions provide the basis for a consistent approach to the assessment of trading hours and trials for small bars within Parramatta CBD.

4.1 General Provisions

- a. These provisions apply to applications made under Part 4 of the Environmental Planning and Assessment Act 1979, which includes development applications and applications to review a determination or modify consent.
- b. Compliance with relevant legislation, The Building Code of Australia, Parramatta Development Control Plan, Council Policies and Guidelines.
- c. All bars and food preparation areas are constructed, fitted out and finished in compliance with Food (General) Regulations 1992, The National Code for the Construction and Fit out of Food Premises.

4.2 Late Night Trading Areas

- a. These provisions identify a hierarchy of two late night trading areas located throughout the City of Parramatta. Late night trading areas include:
 - i. Area 1 – Commercial Core
 - ii. Area 2 – Mixed Use

4.3 Trading Hours and trial

Trading hours beyond base hours may be permitted at the initial DA stage, but only where Council has determined that the premises have been (or will be) well managed, including compliance with a Plan of management.

- a. It is considered appropriate for *Area 1 – Commercial Core* to have longer base trading hours for the following reasons:
 - i. Residential accommodation is prohibited in the B3 Commercial Core Zone
 - ii. Concentration of late night trading venues will increase natural surveillance in the Parramatta Core after hours.
- b. It is considered appropriate for *Area 2 – Mixed Use* to have slightly shorter base trading hours for the following reasons:
 - i. Mix of uses and slightly longer distance from Parramatta Train station and other public transportation
 - ii. Close proximity to places where the primary land use is residential in character
- c. Base trading hours based on the precinct location within the CBD are outlined in the table below:

Area	Hours	Indoor Trading hours
Parramatta CBD "Area 1" – Commercial Core	Base Hours	12 noon to 12 midnight
	Extended Hours *granted as a 1 year trial	12 noon to 2am the following day
Parramatta CBD "Area 2" – Mixed Use	Base Hours	12 noon to 11pm
	Extended Hours *granted as a 1 year trial	12 noon to 1am

- d. i. First trial – 1 year
 - ii. Second trial – 3 years
 - iii. Third and subsequent trials – 5 years
- e. Once the full range of extended trading hours is reached a DA must be lodged every 5 years to renew trading hours.
 - f. Applications for a renewal or extension of trial trading hours should be lodged within 90 days of the expiry period.
 - g. A renewal or extension of trading hours may only be permitted if Council is satisfied that the small bar has demonstrated good management performance and compliance with the Development Consent and plan of management following a satisfactory trial period.
 - h. Any proposed extension of trading hours (beyond the base hours outlined) will require a Social Impact Assessment as a separate document to the Statement of Environmental Effects to be completed by a qualified Social Planner.

4.4 Matters of Consideration for trading hours

Appropriate trading hours for small bars will be determined by taking into account:

- a. Location and context of the premises including proximity to residential and other sensitive land uses and other late night trading premises.
- b. Appropriate measure to ensure acoustic amenity to neighbouring properties
- c. Existing hours of operation of surrounding business uses
- d. The size and patron capacity of the premise
- e. The impact of the premise on the mix, diversity and possible concentration of late night uses in the locality
- f. Detailed submission of a Plan of Management that demonstrates a strong commitment to good management of the operation of the business, particularly in relation to managing potential impacts on adjoining and surrounding land uses and premises, as well as the public domain (see 4.5 Plan of Management)
- g. Measures to be used for ensuring adequate safety, security and crime prevention both on the site of the premises and in the public domain immediately adjacent to and generally surrounding the premises
- h. The accessibility and frequency of public transport during late night trading hours
- i. The social impact of the proposed development to be considered.

4.5 Plan of Management

- a. A Plan of Management must accompany a development application for any new small bar or intensification of an existing small bar. The Plan of management must be completed in accordance with **Appendix 1** of this policy.

4.6 Monitoring and Review

- a. At the termination of a trial period applicants shall consider changes in the nature of the operation of a premises that have given rise to unforeseen impacts on the amenity of the area or have been the basis for substantiated complaint made to Council or the Licencing authority against the premises.
- b. Council will undertake its own review on the level of compliance with the Development Consent, Plan of Management and whether the current operation has been successful on any application to extend a trial period or on any review. Matters for consideration will include (but not be limited to):
- i. Assessment of inspections by Council officers during the trial period
 - ii. Consideration of police complaints
 - iii. Consideration of formal customer complaints to Council
 - iv. Crime statistics from BOSCAR

Appendix 1 – Plan of Management Guideline

Preparation

- 1) Applicants must submit a *Plan of Management*. The Plan of Management for small bars must refer to Section 77 of the Liquor Act 2007 and:
 - a. Describe measures that will be taken to minimise internal and external noise impacts on adjoining properties and how such measures will be implemented;
 - b. Outline the procedures for minimising and managing waste that is generated on site and how and when waste will be collected (eg. disposal of bottles, waste removal etc.);
 - c. Provide details of type and number of staff that will be employed on the premises at any one time;
 - d. Describe any steps that will be taken to manage patron behaviour when leaving the premises late at night
 - e. Describe any procedures for managing patrons who have been asked to leave or have been refused service
 - f. Describe any methods for controlling and managing crowds within and outside the premises;
 - g. Describe measures will be taken to manage large groups of people during peak trading periods;
 - h. Provide a copy of a house policy that describes the measures to minimise harm associated with alcohol consumption to ensure the responsible service of alcohol (refer to *NSW Justice - Prevention of Intoxication Guidelines March 2015*);
 - i. State the maximum capacity of the premises and the maximum number of patrons that will be standing and/or sitting at any one time;
 - j. State the operating and/or trading hours of the premises;
 - k. Describe any measures to increase patron awareness of public transport availability in the locality;
 - l. Describe when and how the site will be cleaned and generally serviced;
 - m. Provide details of the trading hours of other late night trading premises currently operating within a 50 metre radius (ie. commercial premises that operate after 10pm)
- 2) The operators of small bars are required to provide a Plan of Management and make revisions necessary to maintain a level of amenity and safety in the vicinity of the premises which is at an acceptable community standard