

**ITEM-25 LMM 26/10/21 - SUPPORTING ALFRESCO OUTDOOR DINING IN
NEWCASTLE**

MOTION

That City of Newcastle:

1. Notes that the NSW Government has announced a new policy, and grant funding, to support local businesses to expand their footprint to new outdoor spaces through the Alfresco Outdoor Dining initiative, aimed at supporting local businesses with the recovery from the economic effects of the COVID-19 global pandemic;
2. Enacts the appropriate measures through our Regulatory, Planning and Assessment Team to allow local businesses to take advantage of the Alfresco Outdoor Dining initiative;
3. Expedites the public consultation notification process, from 14 days to 7 days (in line with other local Councils), if required, to ensure that small businesses can take advantage of the scheme in a timely manner;
4. Notifies local businesses about our support for the Alfresco Outdoor Dining initiative, providing information about how we can assist in the recovery from the pandemic, including facilitating the implementation of expanded alfresco outdoor dining policy.

BACKGROUND:



Alfresco outdoor dining

It's now easier for councils and businesses to offer outdoor dining

Food and beverage businesses have greater ability to expand their footprint to new outdoor space giving customers across the state more opportunities to dine outdoors.

The Alfresco Restart Package supports food, beverage, entertainment, arts and cultural businesses to recover from the COVID-19 pandemic and enjoy a COVID safe summer 2021.

The initiatives that will be rolled out include:

- temporary alfresco measures for outdoor dining in parks or on private land (for example bowling greens and carparks), with the landowner's consent
- Festival of Place – a series of consumer events in and around the CBD such as Long Summer Nights Program at the Rocks, Darling Harbour and The Domain, Streets as Shared Spaces and Open Streets Program
- \$5,000 grants for hospitality businesses to establish new alfresco settings

- permanent outdoor dining as exempt development for pubs and small bars state-wide. This is now active and follows the successful trial that started last year.

NSW Government processes now ongoing

In 2020, we made changes as part of the Alfresco Dining Trial to streamline the approval process for licensed venues applying for outdoor dining.

These changes supported food, beverage, entertainment, arts and cultural businesses to expand their outdoor dining onto footpaths and public spaces.

The trial introduced measures to fast-track the outdoor dining approval process for a licensed premise wanting to change their licensed boundary to include new outdoor space. These changes included:

- A fast-track approval process for premises wanting to temporarily change their liquor licence boundary to include new outdoor space. Liquor & Gaming NSW (L&GNSW) approved applications within three days and application fees were waived.
- The State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) was [amended](#) so that pubs and small bars were considered exempt development for outdoor dining purposes. This is consistent with existing arrangements in place for cafes and restaurants.
- Improvements to the NSW Planning portal so that councils could use the service to further streamline the approval process. Councils could also choose to use their own application systems, if preferred.

The NSW Government is continuing to offer these temporary measures.

Venues that have been operating with a temporary liquor licence boundary change, for a period deemed appropriate by L&GNSW, will be eligible for a fast-tracked permanent liquor licence approval for outdoor dining. More information about the process will be made available soon.

New outdoor dining changes

In addition to the trial measures put in place, we are now also supporting temporary approvals on land other than footpaths and public spaces to be used in a similar way until 18 April 2022. For example, a venue's car space or a bowling club's green.

- The Department of Planning, Industry and Environment (DPIE) has also amended the Codes SEPP to allow additional outdoor dining areas as exempt development on public and private land, and land associated with a registered club. It will apply to all local government areas until 18 April 2022, after this point the measures will cease to operate. More information about these changes can be found on [DPIE's website](#).

- Because these new type of outdoor dining approvals will not involve council approval, businesses wanting to take advantage of these changes will need to come directly to L&GNSW.