

Fact sheet FS3128

# Industry information: Changes to liquor regulations

The NSW Government has announced a range of liquor law reforms that will come into effect from 1 October 2017.

## Small bars in Sydney CBD and Kings Cross

The current post-midnight drink restrictions have been removed for venues with a small bar licence in the CBD and Kings Cross precincts, bringing them in line with other small bars across the state:

- any drink containing more than 50% spirits or liqueur,
- any ready-to-drink beverage with an alcohol content of more than 5%,
- any drink prepared on the premises that contains more than 30 ml of spirits or liqueur, or
- any drink (commonly referred to as a shot, shooter or bomb) that is designed to be consumed rapidly.

This also includes the restriction that prevents small bars from selling cocktails not advertised on a set menu, enabling them to continue showcasing the skills of their bartenders.

As part of this change, existing post-midnight drink limits have also been removed:

- one bottle of wine per person after midnight,
- four drinks per person between midnight and 2am, and
- two drinks per person after 2am.

This change helps ensure later trading small bars in these precincts can continue to operate in line with their usual business model and provide sophisticated and diverse offerings for the public – from small intimate cocktail bars to high-end whisky or wine bars.

## Liquor licence freeze in Kings Cross and Sydney CBD

The freeze has been applied in Kings Cross to align it with the current Sydney CBD freeze until 1 June 2018.

The freeze limits the proliferation of high impact venues by restricting the granting of licences for hotels, clubs, takeaway liquor outlets, various liquor-related authorisations such as extended trading, and development consents in the CBD and Kings Cross precincts.

A number of freeze provisions have been modified so consideration does not need to be given to whether an application is likely to result in an increase in people entering the precincts principally to consume alcohol. Other restrictions preventing the approval of applications likely to result in the patron capacity of a CBD or Kings Cross venue being increased will be retained.

These changes are intended to provide more certainty for applicants and decision-makers, while in particular, providing opportunity for established venues in the CBD and Kings Cross to refurbish.

## New Three Strikes disciplinary scheme

All strikes are now determined by the Independent Liquor & Gaming Authority, rather than a 1st strike being automatic or a 2nd strike being determined by the Secretary of the Department of Industry. Except for clubs, strikes are incurred by the licensee or approved manager. Clubs continue to incur strikes in respect of a club licence.

Breaches of minor licence conditions, including precinct conditions (other than the lockout and last drinks) will not trigger consideration of whether a strike should be imposed.

Applications can be made to the Authority for a strike to be removed after six months, based on improved management and compliance with liquor laws.

All strikes are reviewable by NSW Civil and Administrative Tribunal (NCAT).

### Minors Sanctions Scheme

The Independent Liquor & Gaming Authority now determines the suspension of a licence on a first offence, rather than the Secretary of the Department of Industry. This decision will be reviewable by the NSW Civil and Administrative Tribunal (NCAT).

#### More information

For more information and liquor law reform fact sheets visit [liquorandgaming.nsw.gov.au](http://liquorandgaming.nsw.gov.au)