



New South Wales

Liquor Amendment (Special Licence Conditions) Regulation 2008

under the

Liquor Act 2007

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 2007*.

KEVIN GREENE, M.P.,
Minister for Gaming and Racing

Explanatory note

The object of this Regulation is to prescribe additional licence conditions in respect of certain licensed premises. The conditions are designed to reduce alcohol-related violence in or about the premises concerned.

This Regulation is made under the *Liquor Act 2007*, including sections 11 (1) (b) and 159 (the general regulation-making power).

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Clause 1 Liquor Amendment (Special Licence Conditions) Regulation 2008

Liquor Amendment (Special Licence Conditions) Regulation 2008

under the

Liquor Act 2007

1 Name of Regulation

This Regulation is the *Liquor Amendment (Special Licence Conditions) Regulation 2008*.

2 Commencement

This Regulation commences on 1 December 2008.

3 Amendment of Liquor Regulation 2008

The *Liquor Regulation 2008* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Part 5, Division 3

Insert after Division 2:

Division 3 Special licence conditions for declared premises**53A Definitions**

In this Division:

declared premises means the premises to which a relevant licence relates.*relevant licence* means a licence specified in Schedule 3.*restricted service period*, in relation to declared premises, means:

- (a) the period between midnight and such later time (if any) at which the premises are required to cease trading, or
- (b) in the case of declared premises that are not required to cease trading at any time after midnight—the period between midnight and 5 am.

53B Special licence conditions

- (1) A relevant licence is subject to the conditions specified in this Division.

Note. It is an offence under section 11 (2) of the Act if a licensee fails to comply with any conditions to which the licence is subject.

- (2) The conditions specified in this Division are in addition to any other conditions to which a relevant licence is subject. If there is an inconsistency between any such other condition and any condition specified in this Division, the condition that is, in the opinion of the Authority, more onerous prevails to the extent of the inconsistency.
- (3) Any change in the name (as referred to in Schedule 3) of any declared premises does not affect the application of this Division to the licence for those premises.

53C “Lock outs” for declared premises

- (1) The licensee of any declared premises must not permit patrons to enter the premises after 2 am or before 5 am (*the lock out period*).

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Schedule 1 Amendments

- (2) For the avoidance of doubt, patrons already present in declared premises immediately before the start of the lock out period may:
 - (a) leave the premises at any time, or
 - (b) remain on the premises while the premises are authorised to trade,but are not permitted to re-enter the premises during the lock out period.
- (3) This clause does not:
 - (a) prevent a resident of declared premises from entering the premises during the lock out period, or
 - (b) in the case of declared premises that are premises to which a club licence relates—prevent a full member or honorary member (within the meaning of the *Registered Clubs Act 1976*) of the registered club from entering the premises during the lock out period.

53D Glasses and breakable plastic containers prohibited during restricted service period

- (1) During the restricted service period, any drink (whether or not it contains liquor) sold or supplied for consumption on declared premises must not be served or supplied in a glass or breakable plastic container.
- (2) During the restricted service period, the licensee of declared premises must remove empty glasses and empty breakable plastic containers from patrons and from any area of the premises to which patrons have access.
- (3) This clause does not require empty glasses or other containers to be removed from the room in which a resident of declared premises is residing or staying.
- (4) In this clause:

glass means:

 - (a) a drinking vessel, or
 - (b) a container (such as a bottle or jug) from which drinks can be poured,that is made wholly or principally of glass.

53E Certain drinks prohibited during restricted service period

- (1) The following drinks must not be sold or supplied on declared premises during the restricted trading period:

- (a) any drink (commonly referred to a “shot”) that contains no more than 30 ml of spirits or liqueur and that is designed to be consumed rapidly,
 - (b) any drink containing more than 50% spirits or liqueur,
 - (c) any ready to drink beverage with an alcohol by volume content of more than 5%,
 - (d) any drink prepared on the premises that contains more than one 30 ml nip of spirits or liqueur.
- (2) During the restricted service period, no more than:
- (a) 4 alcoholic drinks (whether or not of the same kind), or
 - (b) the contents of one bottle of wine,
- may be sold or supplied on declared premises to the same person at any one time.
- (3) In this clause:
- ready to drink beverage* means an alcoholic mixed beverage that is prepared by the manufacturer.

53F “Time-outs” during restricted service period

The sale or supply of liquor on declared premises must cease for a continuous period of 10 minutes during each hour of the restricted service period.

53G Service of alcohol to cease 30 minutes before closing time

If declared premises are required to cease trading on any day, the licensee must cease selling or supplying liquor on the premises 30 minutes before the premises are required to cease trading.

53H Exemptions

- (1) The Director may, by order in writing served on the licensee of declared premises, exempt the declared premises from any specified provision of this Division.
- (2) The Director may exempt declared premises only if the Director:
 - (a) is satisfied that conditions other than the specified provision to which the exemption relates will be more effective in reducing the risk of alcohol-related violence in or about the declared premises concerned, and
 - (b) has imposed those other conditions on the licence for the premises.

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- (3) An exemption under this clause has effect only while the other conditions imposed by the Director to replace the specified provision to which the exemption relates remain in force.

[2] Schedule 3

Insert after Schedule 2:

Schedule 3 Licences subject to special conditions

(Clause 53A)

| Licence number | Name of licensed premises | Location |
|----------------|---------------------------|-----------------|
| LIQH424007134 | Pontoon Bar | Sydney CBD |
| LIQH400104413 | Orient Hotel | Sydney CBD |
| LIQH400115733 | Cargo Bar | Sydney CBD |
| LIQH400110200 | Scruffy Murphy's | Sydney CBD |
| LIQH400108818 | Home Nightclub | Darling Harbour |
| LIQH400104480 | Oxford Hotel | Darlinghurst |
| LIQH400102224 | Exchange Hotel | Darlinghurst |
| LIQH400110154 | ARQ Sydney | Darlinghurst |
| LIQH424006252 | Stonewall Hotel | Darlinghurst |
| LIQH400101929 | Taylor Square Hotel | Darlinghurst |
| LIQH400100809 | Vegas Hotel | Potts Point |
| LIQH400104731 | Piccadilly Hotel | Potts Point |
| LIQH424006058 | First Empire Hotel | Potts Point |
| LIQH400101449 | Coogee Bay Hotel | Coogee |
| LIQH400100612 | Bondi Hotel | Bondi |
| LIQH400100620 | The Eastern | Bondi Junction |
| LIQH400105770 | Steyne Hotel | Manly |
| LIQH400103980 | Mona Vale Hotel | Mona Vale |
| LIQH400118260 | Mean Fiddler | Rouse Hill |
| LIQC300241858 | Penrith Rugby League Club | Penrith |
| LIQH400119054 | Embassy Hotel | Penrith |

| Licence number | Name of licensed premises | Location |
|-----------------------|---|-----------------|
| LIQH400100078 | Albion Hotel | Parramatta |
| LIQH400102453 | PJ Gallagher's Irish Pub | Parramatta |
| LIQH400122489 | Roxy Hotel | Parramatta |
| LIQH400111444 | One World Sport Parramatta | Parramatta |
| LIQH400102100 | Epping Hotel | Epping |
| LIQC300241866 | Rooty Hill RSL Club | Rooty Hill |
| LIQH400101635 | Northies-Cronulla Hotel | Cronulla |
| LIQO624006185 | Fusion | Cronulla |
| LIQO624006134 | AKA Nightclub Bar | Sutherland |
| LIQC300244695 | Campbelltown Catholic Club | Campbelltown |
| LIQH400104642 | Peakhurst Inn | Peakhurst |
| LIQH400112084 | Commercial Hotel | Dubbo |
| LIQH400118562 | Standard Hotel | Orange |
| LIQH400120230 | Imperial Hotel | Tamworth |
| LIQH400108893 | Oxford Tavern | Bathurst |
| LIQH400122403 | Glasshouse Tavern | Wollongong |
| LIQH400109911 | Crowne Plaza Terrigal | Terrigal |
| LIQH400110014 | Terrigal Hotel | Terrigal |
| LIQC300236005 | Central Coast Leagues Club | Gosford |
| LIQH424009773 | Iguana Joe's Waterfront Bar | Gosford |
| LIQH400115067 | Club House Hotel | Maitland |
| LIQH400117116 | Beachcomber Resort & Conference Centre | Toukley |
| LIQO624006255 | Altitude Nightclub | Port Macquarie |
| LIQO624006658 | Capital Nightclub | Wagga Wagga |
| LIQO624006202 | Flamingos Nitespot | Goulburn |
| LIQH400121024 | Roi Bar | Albury |
| LIQH400114567 | Mary Gilhooley's Irish Pub & Restaurant | Lismore |
