

Liquor & Gaming NSW

Application No.	APP-0013870265
Applicant	AHOY CLUB FLEET MANAGEMENT PTY LTD
Application for	Liquor - on-premises licence - Vessel
Application date	18/10/2024
Licence name	Rascal
Trading hours	N/A
Premises	Bert E05, Jones Bay Wharf, 26 Pirrama Road, PYRMONT, NSW 2009
Legislation	Section 45(1) of the <i>Liquor Act 2007</i>

Under delegation issued by the Independent Liquor and Gaming Authority under section 13 of the *Gaming and Liquor Administration Act 2007*, **an authorised person** of Liquor & Gaming NSW, has **considered** the application:
On-premises Liquor Licence (Vessel) – Rascal

I have determined to approve the application under the *Liquor Act 2007* (Act) — with the conditions set out in Schedule 1.

Statement of reasons

Having reviewed all the material, I am satisfied under section 48(3) of the Act that the overall impact of approving the application will not be detrimental to the well-being of the local or broader community.

Main findings

Impacted communities

For the purposes of this decision the local community is the suburb of Pyrmont. The broader community is the Local Government Area (LGA) of Sydney.

Analysis of Submissions and statutory requirements

1. A current Certificate of Survey, dated 26 March 2024, confirms the vessel is seaworthy.
2. Council advised that they have no objection to the application.
3. A Police submission was received and considered as summarised:
4. I am satisfied that the applicant has been provided with an opportunity to consider and comment upon the conditions contained in the licence document.
5. I am satisfied that all other statutory requirements have been met.

Positive social impacts

I am satisfied that the proposal would benefit the local and broader communities

The granting of the licence will enable the licensee to operate a chartered super-yacht service for affluent clientele, within the Sydney Harbour area for a maximum of sixty passengers. The vessel is permitted to operate after midnight.

Negative social impacts

I accept that the proposal could contribute to an increase in alcohol-related harm in the local and broader communities.

I am satisfied that the business model, conditions imposed, and any other information contained in the application will ensure that the lawful operation of the premises will not be detrimental to the local or broader community.

In particular, the Plan of Management and licence conditions will serve to mitigate any potential negative impacts.

The material that was considered

I considered the following material when making a decision:

- the application material — including evidence that stakeholders and the community were notified about the application
- the plan of the licensed premises and any authorisations
- a plan of management for the licensed business
- consent for the premises
- stakeholder submissions and the applicant's response to them.

This decision will be published in accordance with section 36C of the *Gaming and Liquor Administration Act 2007*.

Opportunity for review

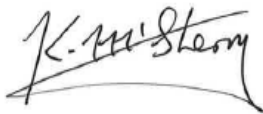
The applicant and anyone who was notified of the application and made a submission, may apply to [ILGA](#) for a review of the decision.

An application for review must be made no later 28 days after the decision is published on the website ([ILGA](#)). There is a fee to lodge the application.

If you have any questions

Please contact L&GNSW at: new.applications@liquorandgaming.nsw.gov.au

28 March 2025

A handwritten signature in black ink, appearing to read 'K. McSherry', with a horizontal line underneath.

Kieran McSherry

Coordinator

Liquor & Gaming NSW

Schedule 1: Licence conditions - Rascal

No.	Condition imposed
1.	6-hour closure period Section 11A of the Liquor Act 2007 applies to this licence. Liquor must not be sold by retail on the licensed premises for a continuous period of 6 hours between 4:00 AM and 10:00 AM during each consecutive period of 24 hours. The licensee must comply with this 6-hour closure period along with any other limits specified in the trading hours for this licence.
2.	Restricted trading days and NYE Consumption on premises Good Friday: Normal trading Christmas Day: Normal trading December 31st: Normal opening time until normal closing time or 2:00 AM on New Year's Day, whichever is the later.
3.	Liquor plan of management The premises is to be operated at all times in accordance with the Plan of Management dated October 2024 as may be varied from time to time after consultation with the NSW Police Marine Area Commander. A copy of the Plan of Management is to be kept on the premises and made available for inspection on the request of a police officer, council officer, or Liquor, Gaming and Racing inspector.
4.	Liquor must be sold/supplied with another product or service Liquor may only be sold or supplied for consumption on the licensed premises with, or ancillary to, another product or service that is sold, supplied or provided to people on the licensed premises. Note: This requirement does not apply if a primary service authorisation has been approved by ILGA.
5.	Requirement to provide food on licensed premises Food of a nature and quantity consistent with the responsible sale, supply and service of alcohol must be available whenever liquor is sold or supplied.
6.	Drinking water to be available free of charge The licensee must ensure that free drinking water is available at all times at or near the bar areas.
7.	Sydney CBD entertainment precinct The licensee must not cause or permit any passengers to board from or disembark to any part of the Sydney CBD entertainment precinct (whether from the berthed vessel or by a tender or other means) during the general late trading period (after midnight). The restriction does not apply in relation to the period between midnight and 3am on 1 January in any year (New Year's Eve).
8.	No liquor to be removed from the vessel The licensee must ensure liquor is not removed from the licensed premises.
9.	Special provisions relating to licensed vessels The licensee is authorised to sell liquor by retail to passengers on board the vessel, for consumption on board the vessel only between the period commencing one hour before

No.	Condition imposed
	the vessel starts any voyage or passage and ending 30 minutes after the voyage or passage is completed.
10.	<p>Crime scene preservation</p> <p>Immediately after the person in charge of the licensed premises becomes aware of an incident involving an act of violence causing injury to a person on the premises, the person must:</p> <p>take all practical steps to preserve and keep intact the area where the act of violence occurred, and retain all material and implements associated with the act of violence in accordance with the Crime Scene Preservation Guidelines issued by NSW Police, and</p> <p>make direct and personal contact with the NSW Marine Area Command Supervisor or his/her delegate, and advise the Supervisor or delegate of the incident, and comply with any directions given by the Supervisor or delegate to preserve or keep intact the area where the act of violence occurred.</p>
11.	<p>Staff not to consume liquor</p> <p>The licensee must not permit staff to consume liquor on the licensed premises while engaged in the sale or supply of liquor (including during any meal or other break).</p>
12.	<p>No dance parties</p> <p>The licensee must not permit dance party events to be conducted on the premises. For the purpose of this condition a dance party event means an event, whether a ticketed event or otherwise, which is open to the public and where the primary activity is entertainment provided by live DJ/DJ's and/or other live performances for the purpose of dancing. This includes the vessel being part of a group of vessels or part of a land-based activity which involves an event that could be described as a "Dance Party" or where amplified music is the main reason for the event or gathering.</p> <p>Note: The above condition is not intended to include wedding ceremonies/receptions, corporate events, and school formals at which DJ entertainment or other live performances of electronic dance music is provided ancillary to the event.</p>
13.	<p>Identification of bar staff</p> <p>The licensee must ensure that all staff will wear clothing that clearly identifies them as employees of the Licensee.</p>
14.	<p>Liquor accord (Sydney Harbour)</p> <p>The licensee or their representative is to join and be an active participant in the Vessels Liquor Accord.</p>
15.	<p>Incident register</p> <ol style="list-style-type: none"> 1) The licensee must maintain a register, in which the licensee is to record the details of any of the following incidents and any action taken in response to any such incident <ol style="list-style-type: none"> (a) any incident involving violence or anti-social behaviour occurring on the premises, (b) any incident of which the licensee is aware that involves violence or anti-social behaviour occurring in the immediate vicinity of the premises and that involves a person who has recently left, or been refused admission to, the premises, (c) any incident that results in a person being turned out of the premises under section 77 of the Act, (d) any incident that results in a patron of the premises requiring medical assistance 2) The licensee must, if requested to do so by a police officer or inspector

No.	Condition imposed
	<p>(a) make any such incident register immediately available for inspection by a police officer or inspector, and</p> <p>(b) provide police or inspectors with an electronic extract of liquor-related incidents recorded in the Incident Register.</p> <p>3) The licensee must ensure that the information recorded in the incident register under this condition is retained for at least 3 years from when the record was made.</p>
16.	<p>Closed-circuit television system</p> <p>1) The licensee must maintain a closed-circuit television (CCTV) system on the premises in accordance with the following requirements.</p> <p>(a) The system must record continuously from opening time until one hour after the premises is required to close (or, in the case of a premises that is not required to cease trading, working continuously always),</p> <p>(b) Recordings must be in digital format and at a minimum of ten (10) frames per second,</p> <p>(c) Any recorded image must specify the time and date of the recorded image; the system's cameras must cover the following areas:</p> <p>(i) all entry and exit points on the premises vessel,</p> <p>(ii) areas of the vessel, and</p> <p>(iii) any liquor service area.</p> <p>2) The licensee must also:</p> <p>(a) Keep all recordings made by the CCTV system for at least 30 days,</p> <p>(b) Ensure that the CCTV system is always accessible, and the system is required to operate pursuant to clause 1(a), by at least one person able to access and fully operate the system, including downloading and producing recordings of CCTV footage, and</p> <p>(c) provide any recordings made by the system to a police officer or Liquor and Gaming NSW inspector within 24 hours of any request by the police officer or Liquor and Gaming NSW inspector to provide such recordings.</p> <p>If CCTV is not serviceable the licensee must notify the NSW Police Marine Area Command in writing upon becoming aware of the issue.</p>
17.	<p>A.I.S. Activated</p> <p>A vessel that is a Licensed Commercial Charter Vessel over 24 metres MUST have the Automatic Identification System (AIS) <u>installed</u> and <u>activated</u> during operation with patrons onboard.</p>
18.	<p>No Live Amplified Music/Noise while at anchor:</p> <p>The Licensee must ensure live entertainment involving amplified music/noise is only conducted while making way and not conducted when the vessel is at anchor.</p> <p>** This does not include the vessels sound system</p>

No.	Condition not imposed
1.	<p>Round the Clock Register:</p> <p>of the following incidents and any action taken in response to any such incident: (a) any incident involving violence or anti-social behaviour occurring on the premises, -social behaviour occurring in the immediate vicinity of the premises and that involves a person who has recently left, or been refused admission to, the premises, the Act,</p>

No.	Condition not imposed
	<p>incident register immediately available for inspection by a police officer or inspector, and from the premises.</p> <p>condition is retained for at least 3 years from when the record was made</p>
2.	<p>No Shooters:</p> <p>No drinks designed to be consumed rapidly, for example 'shots,' 'shooters,' 'slammers,' bombs, are to be sold at any time</p>
3.	<p>Bucks & Hens:</p> <p>The Licensee must not permit events to be conducted on the premises that would be considered 'Bucks' or 'Hens' parties or any event where 'adult entertainment' is provided. Adult entertainment may include, not limited to, events involving nudity, simulated sex and/or audience participation</p>
4.	<p>The licensee must not permit any person to enter the premises, or to remain on the premises, if the person is wearing or carrying any clothing, jewellery or accessory displaying:</p> <ul style="list-style-type: none"> a. the name of any of the following motorcycle-related and similar organisations: Bandidos, Black Uhlans, Brothers for Life, Coffin Cheaters, Comanchero, Finks, Fourth Reich, Gladiators, Gypsy Jokers, Hells Angels, Highway 61, Iron Horsemen, Life & Death, Lone Wolf, Mongols, Mongrel Mob, Mobshitters, No Surrender and Outlaws, Nomads, Notorious, Odin's Warriors, Outcasts, Outlaws, Phoenix, Rebels, Rock Machine, Satudarah, Scorpions, or any "declared organisation" within the meaning of the Crimes (Criminal Organisation Control) Act 2012. 2) Any incident where a person is refused entry or removed from the premises in relation to this condition must be recorded in the incident register b. the colours, club patch, insignia or logo of any such organisation, or c. the "1%" or "1%er" symbol, or <p>any image, symbol, abbreviation, acronym or other form of writing that indicates membership of, or an association with, any of the organisations specified in point 1(a)</p>
5.	<p>The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz ± 8kHz inclusive) by more than 5dB between 07:00 am and 12:00 midnight at the boundary of any affected residence.</p> <p>The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz ± 8kHz inclusive) between 12:00 midnight and 07:00 am at the boundary of any affected residence.</p> <p>Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 07:00 am.</p>