

Our ref: DF24/001917

Ms Nicole Beath  
JDK Legal

By email to: [n.beath@jdklegal.com.au](mailto:n.beath@jdklegal.com.au)

14 February 2024

Dear Ms Beath

<b>Application No.</b>	1-8893181332 - Removal 1-8893181485 - ETA
<b>Applicant</b>	JEAN-CHARLES ANDRE MAHE
<b>Application for</b>	Small bar removal with extended trading authorisation
<b>Application date</b>	10 November 2023
<b>Decision date</b>	24 January 2024
<b>Licence name</b>	Jimmy's
<b>Trading hours</b>	Monday to Sunday 12:00 midday – 04:00 AM
<b>Current premises</b>	312 George Street Sydney NSW 2000
<b>Proposed premises</b>	330D George Street Sydney NSW 2000
<b>Legislation</b>	Sections 3, 11A, 12, 20, 40, 44, 45, 48 and 49 of the <i>Liquor Act 2007</i>

**Decision of the Independent Liquor & Gaming Authority  
Application for a small bar removal with extended trading authorisation – Jimmy's**

We **approve** the application above under section 59 of the *Liquor Act 2007* — with the conditions set out in Schedule 1.

**Statement of reasons**

Overall, we are satisfied that the social impact of approving the application will not be harmful to the well-being of the local or broader community, and will promote a balanced and responsible development of the industry.

**Our main findings**

The local community for the purposes of this decision is Sydney. The broader community is the Local Government Area (LGA) of City of Sydney.

**Positive social impacts**

The applicant requests a small bar licence removal to a premises in which the licence has been operating temporarily for 12 months without any recorded incidents.

We are satisfied that the proposal would benefit the local and broader communities by providing increased convenience and choice.

**Negative social impacts**

We accept that the proposal could contribute to an increase in alcohol-related harm in the local and broader communities because of the:

- venue location in a high-density crime hotspot for all crime categories considered by the Authority
- higher crime rates in both Sydney and the City of Sydney across all incident categories compared to NSW rates
- high saturation rates of small bar licenses in both Sydney and the City of Sydney compared to NSW.

However, we are satisfied that these risks are reduced by the:

- unchanged trading hours and patron capacity; the licensee has been operating at the venue for the past 12-months without recorded incident
- proposed venue being located within the Sydney CBD which attracts visitors both locally and internationally; crime statistics may therefore be skewed when considering the population size compared to the number of transient visitors
- unchanged small bar saturation rates
- data indicating that Sydney and the City of Sydney communities may be considered advantaged communities compared to the rest of NSW
- experienced and well-established operator
- harm-minimisation measures outlined in the plan of management and licence conditions, as set out in Schedule 1.

### **The material we considered**

We considered the following material when making our decision:

- the application material — including evidence that stakeholders and the community were notified about the application
- a community impact statement (CIS)
- the plan of the licensed premises and any authorisations
- a plan of management for the licensed business
- a development consent for the premises
- statistics from Liquor & Gaming NSW, Bureau of Crime Statistics and Research, NSW Health and Australian Bureau of Statistics on the socio-economic status, liquor licence density, alcohol-related crimes rates and health issues in the local and broader communities
- stakeholder submissions and the applicant's response them.

We also considered [Guideline 6](#) to assess the likely social impact to the local and broader community.

This decision will be published on the [Liquor & Gaming NSW website](#) in accordance with section 36C of the *Gaming and Liquor Administration Act 2007*.

### **If you have any questions**

Please contact the case manager, Leonie Jennings, at [leonie.jennings@liquorandgaming.nsw.gov.au](mailto:leonie.jennings@liquorandgaming.nsw.gov.au) if you have any questions.

Yours sincerely



Caroline Lamb

**Chairperson**

For and on behalf of the **Independent Liquor & Gaming Authority**

**Schedule 1**  
**Licence conditions to be imposed**  
**Jimmy's**

No.	Condition to be imposed	Description
1.	<b>Social impact</b>	The business authorised by this licence must not operate with a greater overall level of social impact on the well-being of the local and broader community than what could reasonably be expected from the information contained in the Community Impact Statement, application and other information submitted in the process of process of removing this licence to the premises at 330D George Street, SYDNEY NSW 2000 and obtaining an extended trading authorisation on 24 January 2024.
2.	<b>Participation in local liquor accord</b>	The licensee or its representative must join and be an active participant in the local liquor accord.
3.	<b>Extended Trading</b>	Extended Trading Authorisation: whole of the licensed premises.
4.	<b>Trial period for extended hours</b>	If the local consent authority does not approve the continuation of the trial period in the development consent after one year from the date of issue of the Occupation Certificate (or as may be extended from time to time), the trading hours of the premises will revert to the following trading hours: 12:00 midday – 02:00 AM (Monday to Sunday). A copy of the relevant development consent is to be kept on the premises and made available for inspection on the request of a police officer, council officer, Liquor & Gaming inspector, or any other person authorised by the Independent Liquor & Gaming Authority.
5.	<b>Plan of management</b>	The premises is to be operated at all times in accordance with the Plan of Management dated <b>December 2023</b> as may be varied from time to time after consultation with NSW Police. 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, Liquor and Gaming NSW inspector, or any other person authorised by the Independent Liquor and Gaming Authority.

**Licence conditions to be revoked**  
**Jimmy's**

Condition to be revoked	Description
<b>Condition 3040</b>	Liquor licence number LIQS220000168 is being exercised as a temporary licensed premises at 330D George Street, SYDNEY NSW 2000. The approval of Liquor & Gaming NSW for temporary licensed premises will lapse on 15 February 2024 or any later date subsequently approved.
<b>Condition 3010</b> (replaced by updated condition #5)	<b>Liquor plan of management</b> The premises is to be operated at all times in accordance with the Plan of Management dated <b>07 October 2022</b> as may be varied from time to time after consultation with NSW Police. 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, Liquor and Gaming NSW inspector, or any other person authorised by the Independent Liquor and Gaming Authority.