

Liquor & Gaming NSW

Application No.	APP-0014141168
Applicant	Enrico Sini
Application for	On-premises liquor licence for restaurant class with primary service authorisation (PSA) and takeaway sales authorisation (TSA)
Application date	19 December 2024
Licence name	Sale Pepe Pizzeria
Trading hours	<i>Restaurant and primary service authorisation</i> Monday to Saturday 10:00 AM – 12:00 AM Sunday 10:00 AM – 11:00 PM <i>Takeaway sales authorisation</i> Monday to Saturday 10:00 AM – 12:00 AM Sunday 10:00 AM – 10:00 PM
Premises	UNIT 44 9 POWELLS RD, BROOKVALE, NSW 2100
Legislation	Section 45(1) of the <i>Liquor Act 2007</i> Section 24 (PSA) 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 for restaurant class with primary service authorisation (PSA) and takeaway sales authorisation (TSA) – Sale Pepe Pizzeria

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 Brookvale.

The broader community is the Local Government Area (LGA) of Northern Beaches.

Analysis of Submissions and statutory requirements

1. Appropriate consent is in place for the use of the premises for use as a food and drink venue which includes a restaurant.
2. A Police submission was received and considered as summarised: No objection. Conditions requested as noted in Schedule 1. I have imposed the Liquor Accord condition but not the patron seating, licensed defined boundaries and themed conditions as these are not normally added for similar business models.
3. L&GNSW Compliance have confirmed no concerns with the grant of this licence as the main priority is to ensure the venue operates according to Responsible Services of Alcohol (RSA) measures and guidelines.
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 proposed liquor licence is for a pizza and pasta restaurant. A primary service authorisation has been approved to allow patrons to consume liquor without the requirement for ordering food, however food will always be the primary purpose. A takeaway sales authorisation allows for delivery of liquor with a genuine takeaway meal.

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
- a Statement of Risks and Potential Effects (SoRPE)
- the plan of the licensed premises and any authorisations
- a plan of management for the licensed business
- a development 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

1 April 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 – Sale Pepe Pizzeria

No.	Condition imposed
1.	<p>6-hour closure period</p> <p>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.</p>
2.	<p>Restricted trading & NYE (except airport, catering, other public entertainment venue, vessel - std)</p> <p>Consumption on premises</p> <p>Good Friday 12:00 noon - 10:00 PM (liquor can only be served with or ancillary to a meal in a dining area)</p> <p>Christmas Day 12:00 noon - 10:00 PM (liquor can only be served with or ancillary to a meal in a dining area)</p> <p>December 31st Normal opening time until normal closing time or 2:00 AM on New Year's Day, whichever is the later</p> <p>Note: Trading is also allowed at other times on Good Friday and Christmas Day if authorised by an extended trading authorisation. Liquor can only be served with or ancillary to a meal in a dining area after 5:00 AM on Good Friday and Christmas Day.</p>
3.	<p>Restricted trading & NYE (std-T/AWAY)</p> <p>Take away sales</p> <p>Good Friday: Not permitted</p> <p>December 24th: Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on a Sunday</p> <p>Christmas Day: Not permitted</p> <p>December 31st: Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on a Sunday</p>
4.	<p>Liquor plan of management</p> <p>The premises is to be operated at all times in accordance with the Plan of Management dated February 2025 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.</p>
5.	<p>Crime scene preservation condition</p> <p>Immediately after the person in charge of the licensed premises or a staff member becomes aware of any incident involving an act of violence causing injury to a person on the premises, the person in charge of the licensed premises and/or staff member must:</p> <ol style="list-style-type: none"> 1) take all practical steps to preserve and keep intact the area where the act of violence occurred, 2) retain all material and implements associated with the act of violence in accordance with the crime scene preservation guidelines issued by NSW Police, as published from time to time on the Liquor & Gaming NSW website,

No.	Condition imposed
	<p>3) make direct and personal contact with NSW Police to advise it of the incident, and</p> <p>4) comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred.</p> <p>5) In this condition, 'staff member' means any person employed by, or acting on behalf of, the licensee of the premises, and includes any person who is employed to carry on security activities (e.g. crowd controller or bouncer) on or about the premises.</p>
6.	<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, continuously at all times),</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,</p> <p>(d) the system's cameras must cover the following areas:</p> <p>(i) all entry and exit points on the premises,</p> <p>(ii) the footpath immediately adjacent to the premises, and</p> <p>(iii) all publicly accessible areas (other than toilets) within the premises.</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 accessible at all times 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 & Gaming NSW inspector within 24 hours of any request by the police officer or Liquor & Gaming NSW inspector to provide such recordings.</p>
7.	<p>Liquor Accord</p> <p>The licensee must join and be an active participant in the Local Liquor Accord.</p>

No.	Condition not imposed
1.	<p>Patron Seating</p> <p>All Patrons must be seated while consuming liquor. Consuming liquor includes holding or exercising control of a container of liquor.</p>
2.	<p>Defined Boundary</p> <p>A defined boundary must be established around the outdoor dining area.</p>
3.	<p>Theme's</p> <p>The Licensed Premise are not to be themed or operated as a Nightclub. No DJ styled booth, no disco lighting systems and no dance floor area are to be utilised at any time in the premises.</p>