



File ref: DF23/005275

Mr David Rippingill  
Design Collaborative Pty Ltd  
By email to: [david@designcollaborative.com.au](mailto:david@designcollaborative.com.au)

5 June 2023

Dear Mr Rippingill

<b>Application No.</b>	APP-0010713362
<b>Applicant</b>	Sporting Globe King Street Wharf Pty Ltd
<b>Application for</b>	New hotel liquor licence
<b>Application date</b>	26 October 2022
<b>Decision date</b>	15 March 2023
<b>Licence name</b>	Sporting Globe King Street Wharf Pty Ltd
<b>Proposed trading hours</b>	<b>Consumption on premises – Internal pub</b> Monday to Sunday 10:00 AM – 04:00 AM <b>Consumption on premises – Outdoor area</b> Monday to Sunday 10:00 AM – 02:00 AM <b>Take away</b> Monday to Saturday 10:00 AM to 12:00 AM Sunday 10:00 AM – 11:00 PM
<b>Premises</b>	Building 4, Ground Floor 22 The Promenade, King Street Wharf Sydney NSW 2000
<b>Legislation</b>	Sections 3, 11, 12, 14, 15, 40, 44, 45, 48, 49, 121 of the <i>Liquor Act 2007</i>

**Decision of the Independent Liquor & Gaming Authority**

**Application for a new hotel liquor licence – Sporting Globe King Street Wharf Pty Ltd**

We approve the application above under section 45 of the *Liquor Act 2007* — with the conditions set out in Schedule 1.

**Statement of reasons**

The statement of reasons 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, Wendy Yeung, at [wendy.yeung@liquorandgaming.nsw.gov.au](mailto:wendy.yeung@liquorandgaming.nsw.gov.au) if you have any questions.

Yours sincerely

Caroline Lamb

**Chairperson**

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

## STATEMENT OF REASONS

### Our decision

We have considered the objects of the *Liquor Act 2007* (the Act) and the relevant legislative provisions and have approved the application under section 45 of the Act.

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.

The decision achieves the aim of the Act to regulate the liquor industry to meet the community's expectations, needs, and aspirations, while also promoting 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 of (LGA) Sydney.

### Positive social impacts

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

The premises is located in a late-night tourism and entertainment precinct and will offer an array of services to the community including a range of food and beverage offerings, live music and entertainment, all located within modern new building.

The venue will focus on the provision of local and international sports via numerous large screens.

To mitigate risks associated with the liquor licence, the applicant has consented to a condition preventing the venue from operating gaming machines.

### Negative social impacts

We accept that the proposal could contribute to an increase in alcohol-related harm in the local and broader communities (such as violence, health problems or social and public amenity issues) because of the:

- large size of the licensed area at the premises;
- objections that were received from two members of the public citing concerns in relation to late-night trading, noise and anti-social behaviour by patrons leaving the premises;
- higher rate of alcohol related crimes across all areas within the Sydney local and broader communities, and
- higher density hotspot for domestic and non-domestic violence and malicious damage to property in the suburb.

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

- lack of any Government agency objections received during the application process
- venue has been operating for over 20 years under the on-premises liquor licence with a primary service authorisation and extended hours approved from 5:00 AM to 5:00 AM Monday to Sunday;
- proposed new licence will introduce a 6-hour liquor closure to the venue restricting trade between 4:00 AM and 10:00 AM;
- venue will have no gaming machines;

- Police approved the liquor plan of management to address the mitigation of associated risks;
- venue or manager have no records of non-compliance over the last five years, and
- harm-minimisation measures outlined in the licence conditions, 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, and
- 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 if we approved the application.

Yours sincerely



Caroline Lamb

**Chairperson**

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



## **Schedule 1 – Licence conditions to be imposed**

### **Sporting Globe King Street Wharf Pty Ltd**

<b>No.</b>	<b>Condition to be imposed</b>	<b>Description</b>
<b>1.</b>	<b>6-hour closure</b>	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 <b>04:00 AM</b> and <b>10:00 AM</b> 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
<b>2.</b>	<b>Consumption on premises</b>	Good Friday 12:00 noon - 10:00 PM Christmas Day 12:00 noon - 10:00 PM (liquor can only be served with or ancillary to a meal in a dining area) December 31st Normal opening time until normal closing time or 2:00 AM on New Year's Day, whichever is the later  Note: Trading is also allowed after midnight into the early morning of Good Friday and Christmas Day if authorised by an extended trading authorisation. Trading must cease at the time specified under the authorisation. The latest time that can be specified is 5:00 AM.
<b>3.</b>	<b>Restricted trading, NYE and t/away</b>	Good Friday Not permitted December 24th Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on a Sunday Christmas Day Not permitted December 31 <sup>st</sup> Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on a Sunday
<b>4.</b>	<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 12 months after the liquor licence is granted (or as may be extended from time to time), the trading hours of the premises will revert to:  <b>10:00 AM to 12:00 AM Monday to Sunday – Internal Pub and</b>  <b>10:00 AM to 10:00 PM Monday to Sunday – Outdoor area</b>  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>CCTV</b>	<ol style="list-style-type: none"> <li>1. The licensee must maintain a closed-circuit television (CCTV) system on the premises in accordance with the following requirements: <ol style="list-style-type: none"> <li>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),</li> <li>b) recordings must be in digital format and at a minimum of ten (10) frames per second,</li> <li>c) any recorded image must specify the time and date of the recorded image,</li> <li>d) the system's cameras must cover the following areas: all entry and exit points on the premises, <ol style="list-style-type: none"> <li>i. the footpath immediately adjacent to the premises, and</li> <li>ii. all publicly accessible areas (other than toilets) within the premises.</li> </ol> </li> </ol> </li> <li>2. The licensee must also: <ol style="list-style-type: none"> <li>a) keep all recordings made by the CCTV system for at least 30 days,</li> <li>b) ensure that the CCTV system is accessible at all times the system is required to operate pursuant to sub-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</li> <li>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.</li> </ol> </li> </ol>
6.	<b>Security and queuing</b>	<ol style="list-style-type: none"> <li>a) Security guards are to be provided at the premises on Friday nights, Saturday nights, special event nights (such as New Year's Eve, another late night event at Darling Harbour that may attract larger than expected crowds such as the grand final of the NRL, AFL, soccer or other sporting event which may finish late at night) or a night preceding a public holiday from 9.00pm at a minimum ratio of 1 security staff member to 100 patrons or part thereof. At least two security staff are to be provided on any special event days or when the expected patron numbers will be more than 100 persons.</li> <li>b) Security personnel must remain at the premises for at least 30 minutes after closing and must assist in ensuring that patrons leave quietly.</li> <li>c) All licensed security officers whilst employed at the</li> </ol>

		<p>premises are to wear clearly identifiable security attire at all times, with the word "SECURITY" clearly identifiable in bold print at least 100mm high, on the front and back.</p> <p>d) When more than one security guard is on duty, security officers and management must communicate by hand held radios at all times.</p>
7.	<b>Minors Area</b>	Minors Area Authorisation: whole of the licensed premises – as marked on the premises plan
8.	<b>Extended Trading</b>	Extended Trading Authorisation: whole of the licensed premises, as marked on the premises plan.
9.	<b>Liquor plan of management</b>	The premises is to be operated at all times in accordance with the Plan of Management dated <b>February 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.
10.	<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 obtaining the licence.
11.	<b>Neighbourhood Amenity</b>	<p>a) The management of the premises:</p> <p>i. Shall ensure patrons do not crowd or loiter in the vicinity of the premises in such manner that pedestrian movement is obstructed or hindered.</p> <p>ii. Shall ensure that the manner in which the business of the premises is conducted and/or the behaviour of persons entering and leaving the premises does not cause undue disturbance to the amenity of the neighbourhood. In this regard, the management shall be responsible for the control of noise and litter generated by persons and/or premises operations. If so, directed by Council, the Management is to employ private security staff to ensure that this condition is complied with.</p> <p>iii. Shall record in a Register full details of any disturbance complaint/s made by a person to management or staff in respect to the manner in which the business of the premises is conducted and/or the</p>

		<p>behaviour of persons entering or leaving the premises. Such recording will include time, date, nature of the complaint/s and any complainant details if provided.</p> <p>iv. Shall respond to any disturbance complaint/s in a timely and effective manner.</p> <p>All actions undertaken by management / staff to resolve such complaint/s shall be recorded in the Register.</p> <p>b) An adequate queuing system for patrons must be implemented at the main entrance of the licensed restaurant so as to ensure that if patrons are queuing to gain entry they do not obstruct or impede pedestrian traffic flow.</p>
<b>12.</b>	<b>Liquor Accord</b>	The licensee or its representative must join and be an active participant in the local liquor accord.
<b>13.</b>	<b>LA10 Noise levels</b>	<p>The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre (31.5Hz – 8 kHz inclusive) by more than 5dB between 07:00am and 12:00 midnight at the boundary of any affected residence.</p> <p>The LA10 noise level emitted from the licensed premise shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz – 8Khz inclusive) between midnight and 7:00am 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 07:00am.</p> <p>For the purposes of this condition the LA10 can be taken as the average maximum deflection of the noise emission from the licensed premises (A-weighted).</p>
<b>14.</b>	<b>Crime scene preservation</b>	<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"> <li>1. take all practical steps to preserve and keep intact the area where the act of violence occurred,</li> <li>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 and Gaming NSW website,</li> <li>3. make direct and personal contact with NSW Police to advise it of the incident, and</li> </ol>

		<ol style="list-style-type: none"> <li>4. comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred.</li> <li>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.</li> </ol>
15.	<b>Requirement to maintain an incident register</b>	<ol style="list-style-type: none"> <li>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"> <li>a) any incident involving violence or anti-social behaviour occurring on the premises,</li> <li>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,</li> <li>c) any incident that results in a person being turned out of the premises under section 77 of the Liquor Act 2007,</li> <li>d) any incident that results in a patron of the premises requiring medical assistance.</li> </ol> </li> <li>2. The licensee must, if requested to do so by a police officer or Liquor &amp; Gaming NSW inspector: <ol style="list-style-type: none"> <li>a) make any such incident register immediately available for inspection by a police officer or Liquor &amp; Gaming NSW inspector, and</li> <li>b) allow a police officer or Liquor &amp; Gaming NSW inspector to take copies of the register or to remove the register from the premises.</li> </ol> </li> </ol> <p>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.	<b>No gaming</b>	No gaming machines may be operated on the licensed premises.
17.	<b>Complaints register</b>	<p><b>Complaints register</b></p> <ol style="list-style-type: none"> <li>1. A complaints register is to be maintained at the premises at all times which records the following: <ol style="list-style-type: none"> <li>a) the name and number of the complainant</li> <li>b) the time and date on which the complaint was received</li> <li>c) the nature of the complaint, and</li> </ol> </li> </ol>



		<p>d) the measures taken to resolve the complaint.</p> <p>2. Details of complaints received, either in person or over the phone, must be:</p> <p>a) recorded in the complaints register, and</p> <p>b) reported to the duty manager.</p> <p>3. A mobile or dedicated contact number for the duty manager is to be published on the hotel's website, and on a sign to be posted at the premises entrance. If requested, the duty manager's contact details must be provided to complainants. A messaging service must be in place if the dedicated contact number is unattended.</p>
--	--	---