



NSW Department of Industry  
Liquor & Gaming NSW

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**APPLICATION NO:** APP-0006144671

**APPLICATION FOR:** On-Premises Liquor Licence for catering service, restaurant, accommodation, cooking school, hairdressing salon and health and beauty services

**TRADING HOURS:** **Restaurant, catering service, (Indoors-restaurant, indoors and outdoors-catering service)**  
Monday to Saturday: 10:00 AM to 12:00 PM  
Sunday: 10:00 AM to 10:00 PM  
**Hairdressing salon, health and beauty services, cooking school**  
Monday-Sunday: 10:00 AM to 08:00 PM  
**Accommodation class:**  
Monday to Sunday: 05:00 AM to 05:00 PM

**APPLICANT:** Gary Fishwick

**LICENCE NAME:** **Terrara House**

**PREMISES ADDRESS:** Terrara House 77 Millbank Road, TERARA, NSW 2540

**ISSUE:** Whether a delegated Liquor, Gaming & Racing employee on behalf of the Independent Liquor & Gaming Authority (ILGA) should grant or refuse an application for an on-premises liquor licence.

**LEGISLATION** Section 45(1) of the *Liquor Act 2007*

**ILGA DELEGATED DECISION – APPLICATION FOR  
On-Premises Liquor Licence  
Terrara House**

Under delegation issued by the Independent Liquor and Gaming Authority under section 13 of the Gaming and Liquor Administration Act 2007, a designated Public Service employee or

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other Public Service employee of Liquor & Gaming NSW in the Department of Customer Services has decided to grant the application for an on-premises liquor licence for catering service, restaurant, accommodation, cooking school, hairdressing salon, health and beauty services, application number APP-0006144671

On 07 November 2019 and after careful consideration of the application and other material, the delegate decided to approve the application, subject to the following conditions:

### Conditions imposed:

1. 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 04:00 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 & NYE

#### Consumption on premises

Good Friday                      12:00 noon - 10:00 PM (liquor can only be served with or ancillary to a meal in a dining area)

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 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.

3. Restricted trading & NYE

#### Consumption on premises-catering service

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

4. No drinks commonly referred to as shots, shooters, slammers, and/or bombs, or any drink designed for rapid consumption are to be sold or supplied.
5. This licence authorises the sale of liquor for consumption on the licensed premises only – at any time on any day to a resident (or a guest of a resident while in the resident's company) or to an employee of the licensee. Liquor must not be sold to a guest of a resident or to an employee of the licensee for consumption on the licensed premises, or to a resident for takeaway from the premises, between the hours of 4:00AM and 10:00AM. Liquor sold to a resident between the hours of 4:00AM and 10:00AM must only

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be sold or supplied for consumption in the room in which the resident is residing or staying.

### STATEMENT OF REASONS

#### 1. Material before the ILGA delegate (DF19/013633)

The decision made by the delegate having considered the application and other relevant material:

- (1) Application form lodged on 13 August 2019
- (2) Plan of proposed licensed area
- (3) Certification of Advertising
- (4) A Plan of management has been provided.
- (5) A National Police Certificate and copies of ID for the proposed licensee has been forwarded.
- (6) Development approval 80/2876 dated November 1980, for use of the existing building as a reception centre for weddings etc, has been forwarded. A subsequent development consent, DA07/1519, issued May 2007, for alterations and additions to guest accommodation and amenities to Terara House and associated buildings has also been provided.
- (7) Council have confirmed on 13 June 2019, that the property benefits from existing use rights under current the current development consents.
- (8) Email correspondence from Liquor & Gaming NSW to the applicant requesting additional information and consent to conditions.
- (9) Email response from the applicant which provides consent to the imposed conditions.
- (10) Evidence of completion of the relevant tiered industry training

#### 2. Legislative framework, statutory objects and considerations

In determining the application, the delegate has considered relevant provisions of the Act, including the objects and considerations that are prescribed by section 3, which state:

##### 3 Objects of Act

- (1) The objects of this Act are as follows: