



Customer
Service

Liquor, Gaming & Racing

APPLICATION NUMBERS AND TYPE:

1-7621254939 Extended trading authorisation
1-7620575712 Primary service authorisation
1-7621322631 Change business type (*Catering service*)

CURRENT TRADING HOURS:

Restaurant: Consumption on premises - Indoor
Monday to Friday: 10:00AM to 12:00midnight
Saturday: 11:00AM to 12:00midnight
Sunday: 11:00AM to 10:00PM
Restaurant: Consumption on premises - Outdoor (Zones 1 & 4)
Monday to Friday: 10:00AM to 11:00PM
Saturday: 11:00AM to 11:00PM
Sunday: 11:00AM to 10:00PM
Restaurant: Consumption on premises - Outdoor (Zones 2 & 3)
Monday to Friday: 10:00AM to 10:00PM
Saturday & Sunday: 11:00AM to 10:00PM

NEW TRADING HOURS:

Restaurant: Consumption on premises - Indoor
Monday to Thursday: 10:00AM to 12:00midnight
Friday: 10:00AM to 01:00AM
Saturday: 11:00AM to 01:00AM
Sunday: 11:00AM to 10:00PM
Restaurant: Consumption on premises - Outdoor (Zones 1 & 4)
Monday to Friday: 10:00AM to 11:00PM
Saturday: 11:00AM to 11:00PM
Sunday: 11:00AM to 10:00PM
Restaurant: Consumption on premises - Outdoor (Zones 2 & 3)
Monday to Friday: 10:00AM to 10:00PM
Saturday & Sunday: 11:00AM to 10:00PM
Primary service authorisation: Consumption on premises - Indoor
Monday to Thursday: 10:00AM to 12:00midnight
Friday: 10:00AM to 01:00AM
Saturday: 11:00AM to 01:00AM
Sunday: 11:00AM to 10:00PM
Primary service authorisation: Consumption on premises - Outdoor (Zones 1 & 4)



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Monday to Friday: 10:00AM to 11:00PM

Saturday: 11:00AM to 11:00PM

Sunday: 11.00AM to 10.00PM

Primary service authorisation: Consumption on premises - Outdoor (Zones 2 & 3)

Monday to Friday: 10:00AM to 10:00PM

Saturday & Sunday: 11:00AM to 10.00PM

Catering service: Consumption on premises - Indoor

Monday to Thursday: 10:00AM to 12:00midnight

Friday: 10:00AM to 01:00AM

Saturday: 11:00AM to 01:00AM

Sunday: 11.00AM to 10.00PM

Catering service: Consumption on premises - Outdoor (Zones 1 & 4)

Monday to Friday: 10:00AM to 11:00PM

Saturday: 11:00AM to 11:00PM

Sunday: 11.00AM to 10.00PM

Catering service: Consumption on premises - Outdoor (Zones 2 & 3)

Monday to Friday: 10:00AM to 10:00PM

Saturday & Sunday: 11:00AM to 10.00PM

APPLICANT:

URBAN PURVEYOR GROUP PTY LTD

LICENCE NAME:

Beerhaus Featuring Pirate Life Tap Room

LICENCE NUMBER:

LIQO660035154

PREMISES ADDRESS:

Tenancy C1.01, Building C1 51A Hickson Road
BARANGAROO NSW 2000

ISSUE:

Whether a delegated Liquor Gaming & Racing employee on behalf of the Independent Liquor Gaming & Racing Authority (ILGA) should grant or refuse the applications for an extended trading authorisation, primary service authorisation and change business type (add *Catering Service*) for an on-premises licence.

LEGISLATION

Sections 3, 48, 49 and 51 of the *Liquor Act 2007*

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ILGA DELEGATED DECISION

Application for an extended trading authorisation, primary service authorisation and change business type (add *Catering Service*)

Beerhaus Featuring Pirate Life Tap Room

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 other Public Service employee of Liquor Gaming & Racing in the Department of Customer Service, has decided to grant the applications for an extended trading authorisation, primary service authorisation and change business type (add *Catering Service*).

On 5 February 2020 and after careful consideration of the application and other material, the delegate decided to approve the applications, subject to the following conditions:

Conditions imposed:

1. 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

STATEMENT OF REASONS

1. Material considered by the ILGA delegate (DF19/019130)

The decision made by the delegate had the application, the accompanying community impact statement (Category B) and other relevant material:

- (1) Application form dated 11 November 2019
- (2) Category B Community Impact Statement ("CIS") dated 7 November 2019
- (3) Additional information during CIS stage
- (4) Copies of submissions provided to the Applicant during CIS stage
- (5) Floor plan for the premises setting out the licensed area and the proposed area to which the Authorisations are to apply.
- (6) Signed Certification of Advertising dated 5 December 2019
- (7) Plan of Management dated September 2019
- (8) Submission from the City of Sydney Council dated 26 September 2019
- (9) Submission from the Transport Roads & Maritime Services dated 2 October 2019

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- (10) Submission from the NSW Police dated 15 October 2019
- (11) Development Approval from the City of Sydney Council issued 17 September 2019
- (12) Submission from a local resident dated 9 December 2019

2. Legislative framework, statutory objects and considerations

In determining the application, the delegate has considered the relevant provisions under the Act including:

- a) Section 3: Statutory objects of the Act and relevant considerations.
- b) Section 48: Requirements in respect of a CIS.
- c) Section 49: General provisions in respect of an Authorisation.
- d) Section 51: General provisions relating to licence-related Authorisations.

3. Development consent

- (1) The requisite development consent is in force to allow the premises to trade the proposed hours, based on advice from City of Sydney Council.

4. Community impact statement

- (1) Pursuant to section 48 of the Act, the delegate finds that the Category B CIS submitted with the Application was prepared in accordance with the relevant requirements. The delegate has taken into consideration the CIS and other available information in making the findings below about the social impact of the premises on the local and broader communities
- (2) Local and broader community - for the purposes of this decision, the delegate is satisfied that the relevant "local community" is the community within the suburb of Sydney, and the "broader community is Sydney LGA"

5. Analysis of Submissions and other Materials

- (1) Having reviewed all the material, I am satisfied that this application for an Extended Trading Authorisation is unlikely to result in any significant increase in alcohol related harm in the local community.
- (2) There are no objections from Transport, Sydney City Council and NSW Police. L&GNSW Compliance Branch did not provide a submission.
- (3) A local resident had objected to the application. The applicant has satisfactorily addressed the issues raised, the Plan of Management is in place and implemented by the licensee to ensure control of the premises includes controlling noise levels.

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- (4) Council approval is in place.
- (5) I am satisfied that the statutory advertising requirements have been met

6. Overall social impact

(1) Positive benefits

The granting of the Authorisation will complement and enhance the services already offered by the business.

(2) Negative impacts

The nature of the licence and the relatively small increase in the trading hours sought means that there are unlikely to be any amenity impacts on the local community.

7. Conclusion

- (1) I am satisfied that procedural fairness was afforded to the applicant and interested parties regarding the decision whether to approve the application, as all of those required to be notified of the application were provided with the opportunity to make written submissions and all submissions received were considered and helped inform this decision.
- (2) Having considered the positive and negative impacts that are likely to flow from approving the Application, I am satisfied that the overall social impact of approving the Authorisation would not be detrimental to the well-being of the local and broader communities.
- (3) I am satisfied that the other legislative criteria for the granting of the Authorisation have been met.
- (4) In making this decision under delegation from the Authority, I have decided to approve the variation to the Authorisation under section 49 of the Act.

Decision Date: 6 February 2020



Peter Wicks

Liquor & Gaming NSW

Delegate of the Independent Liquor & Gaming Authority



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Important Information:

In accordance with Clause 5 of the Gaming and Liquor Administration Regulation 2008, this decision is reviewable by ILGA.

The licence applicant and persons who were required to be notified of the application and who made a submission can apply for an application for review. An application for a review must be lodged with ILGA within 28 days of the date of the publication of this decision. An application fee applies. For original applicants, the review application fee is the same as the initial application fee. For non-original applicants, the application fee is \$100.

For ILGA reviews of delegated decisions, make an application for review via the Liquor and Gaming Application Noticeboard at: <https://www.liquorandgaming.nsw.gov.au/Pages/public-consultation/online-application-noticeboard/online-application-noticeboard.aspx>. The Review Application form can be accessed on line via the Application Number hyperlink.

Further information can be obtained from the Reviews page on the Liquor & Gaming website at: <https://www.liquorandgaming.nsw.gov.au/Pages/ilga/decisions-of-interest/reviews-of-decisions/reviews-of-liquor-and-gaming-decisions.aspx>