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## SPECIAL SUPPLEMENT



New South Wales

# Liquor Amendment (Special Licence Conditions) Regulation 2008

under the

Liquor Act 2007

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 2007*.

KEVIN GREENE, M.P.,  
Minister for Gaming and Racing

### Explanatory note

The object of this Regulation is to prescribe additional licence conditions in respect of certain licensed premises. The conditions are designed to reduce alcohol-related violence in or about the premises concerned.

This Regulation is made under the *Liquor Act 2007*, including sections 11 (1) (b) and 159 (the general regulation-making power).

Clause 1           Liquor Amendment (Special Licence Conditions) Regulation 2008

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## **Liquor Amendment (Special Licence Conditions) Regulation 2008**

under the

Liquor Act 2007

### **1 Name of Regulation**

This Regulation is the *Liquor Amendment (Special Licence Conditions) Regulation 2008*.

### **2 Commencement**

This Regulation commences on 1 December 2008.

### **3 Amendment of Liquor Regulation 2008**

The *Liquor Regulation 2008* is amended as set out in Schedule 1.

Liquor Amendment (Special Licence Conditions) Regulation 2008

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Part 5, Division 3

Insert after Division 2:

### Division 3 Special licence conditions for declared premises

#### 53A Definitions

In this Division:

*declared premises* means the premises to which a relevant licence relates.

*relevant licence* means a licence specified in Schedule 3.

*restricted service period*, in relation to declared premises, means:

- (a) the period between midnight and such later time (if any) at which the premises are required to cease trading, or
- (b) in the case of declared premises that are not required to cease trading at any time after midnight—the period between midnight and 5 am.

#### 53B Special licence conditions

- (1) A relevant licence is subject to the conditions specified in this Division.

**Note.** It is an offence under section 11 (2) of the Act if a licensee fails to comply with any conditions to which the licence is subject.

- (2) The conditions specified in this Division are in addition to any other conditions to which a relevant licence is subject. If there is an inconsistency between any such other condition and any condition specified in this Division, the condition that is, in the opinion of the Authority, more onerous prevails to the extent of the inconsistency.
- (3) Any change in the name (as referred to in Schedule 3) of any declared premises does not affect the application of this Division to the licence for those premises.

#### 53C “Lock outs” for declared premises

- (1) The licensee of any declared premises must not permit patrons to enter the premises after 2 am or before 5 am (*the lock out period*).

## Liquor Amendment (Special Licence Conditions) Regulation 2008

## Schedule 1 Amendments

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- (2) For the avoidance of doubt, patrons already present in declared premises immediately before the start of the lock out period may:
- (a) leave the premises at any time, or
  - (b) remain on the premises while the premises are authorised to trade,
- but are not permitted to re-enter the premises during the lock out period.
- (3) This clause does not:
- (a) prevent a resident of declared premises from entering the premises during the lock out period, or
  - (b) in the case of declared premises that are premises to which a club licence relates—prevent a full member or honorary member (within the meaning of the *Registered Clubs Act 1976*) of the registered club from entering the premises during the lock out period.

**53D Glasses and breakable plastic containers prohibited during restricted service period**

- (1) During the restricted service period, any drink (whether or not it contains liquor) sold or supplied for consumption on declared premises must not be served or supplied in a glass or breakable plastic container.
- (2) During the restricted service period, the licensee of declared premises must remove empty glasses and empty breakable plastic containers from patrons and from any area of the premises to which patrons have access.
- (3) This clause does not require empty glasses or other containers to be removed from the room in which a resident of declared premises is residing or staying.
- (4) In this clause:  
*glass* means:
  - (a) a drinking vessel, or
  - (b) a container (such as a bottle or jug) from which drinks can be poured,that is made wholly or principally of glass.

**53E Certain drinks prohibited during restricted service period**

- (1) The following drinks must not be sold or supplied on declared premises during the restricted trading period:

## Liquor Amendment (Special Licence Conditions) Regulation 2008

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- (a) any drink (commonly referred to a “shot”) that contains no more than 30 ml of spirits or liqueur and that is designed to be consumed rapidly,
  - (b) any drink containing more than 50% spirits or liqueur,
  - (c) any ready to drink beverage with an alcohol by volume content of more than 5%,
  - (d) any drink prepared on the premises that contains more than one 30 ml nip of spirits or liqueur.
- (2) During the restricted service period, no more than:
- (a) 4 alcoholic drinks (whether or not of the same kind), or
  - (b) the contents of one bottle of wine,
- may be sold or supplied on declared premises to the same person at any one time.
- (3) In this clause:
- ready to drink beverage* means an alcoholic mixed beverage that is prepared by the manufacturer.

**53F “Time-outs” during restricted service period**

The sale or supply of liquor on declared premises must cease for a continuous period of 10 minutes during each hour of the restricted service period.

**53G Service of alcohol to cease 30 minutes before closing time**

If declared premises are required to cease trading on any day, the licensee must cease selling or supplying liquor on the premises 30 minutes before the premises are required to cease trading.

**53H Exemptions**

- (1) The Director may, by order in writing served on the licensee of declared premises, exempt the declared premises from any specified provision of this Division.
- (2) The Director may exempt declared premises only if the Director:
  - (a) is satisfied that conditions other than the specified provision to which the exemption relates will be more effective in reducing the risk of alcohol-related violence in or about the declared premises concerned, and
  - (b) has imposed those other conditions on the licence for the premises.

## Liquor Amendment (Special Licence Conditions) Regulation 2008

## Schedule 1 Amendments

- (3) An exemption under this clause has effect only while the other conditions imposed by the Director to replace the specified provision to which the exemption relates remain in force.

**[2] Schedule 3**

Insert after Schedule 2:

### **Schedule 3 Licences subject to special conditions**

(Clause 53A)

<b>Licence number</b>	<b>Name of licensed premises</b>	<b>Location</b>
LIQH424007134	Pontoon Bar	Sydney CBD
LIQH400104413	Orient Hotel	Sydney CBD
LIQH400115733	Cargo Bar	Sydney CBD
LIQH400110200	Scruffy Murphy's	Sydney CBD
LIQH400108818	Home Nightclub	Darling Harbour
LIQH400104480	Oxford Hotel	Darlinghurst
LIQH400102224	Exchange Hotel	Darlinghurst
LIQH400110154	ARQ Sydney	Darlinghurst
LIQH424006252	Stonewall Hotel	Darlinghurst
LIQH400101929	Taylor Square Hotel	Darlinghurst
LIQH400100809	Vegas Hotel	Potts Point
LIQH400104731	Piccadilly Hotel	Potts Point
LIQH424006058	First Empire Hotel	Potts Point
LIQH400101449	Coogee Bay Hotel	Coogee
LIQH400100612	Bondi Hotel	Bondi
LIQH400100620	The Eastern	Bondi Junction
LIQH400105770	Steyne Hotel	Manly
LIQH400103980	Mona Vale Hotel	Mona Vale
LIQH400118260	Mean Fiddler	Rouse Hill
LIQC300241858	Penrith Rugby League Club	Penrith
LIQH400119054	Embassy Hotel	Penrith

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<b>Licence number</b>	<b>Name of licensed premises</b>	<b>Location</b>
LIQH400100078	Albion Hotel	Parramatta
LIQH400102453	PJ Gallagher's Irish Pub	Parramatta
LIQH400122489	Roxy Hotel	Parramatta
LIQH400111444	One World Sport Parramatta	Parramatta
LIQH400102100	Epping Hotel	Epping
LIQC300241866	Rooty Hill RSL Club	Rooty Hill
LIQH400101635	Northies-Cronulla Hotel	Cronulla
LIQO624006185	Fusion	Cronulla
LIQO624006134	AKA Nightclub Bar	Sutherland
LIQC300244695	Campbelltown Catholic Club	Campbelltown
LIQH400104642	Peakhurst Inn	Peakhurst
LIQH400112084	Commercial Hotel	Dubbo
LIQH400118562	Standard Hotel	Orange
LIQH400120230	Imperial Hotel	Tamworth
LIQH400108893	Oxford Tavern	Bathurst
LIQH400122403	Glasshouse Tavern	Wollongong
LIQH400109911	Crowne Plaza Terrigal	Terrigal
LIQH400110014	Terrigal Hotel	Terrigal
LIQC300236005	Central Coast Leagues Club	Gosford
LIQH424009773	Iguana Joe's Waterfront Bar	Gosford
LIQH400115067	Club House Hotel	Maitland
LIQH400117116	Beachcomber Resort & Conference Centre	Toukley
LIQO624006255	Altitude Nightclub	Port Macquarie
LIQO624006658	Capital Nightclub	Wagga Wagga
LIQO624006202	Flamingos Nitespot	Goulburn
LIQH400121024	Roi Bar	Albury
LIQH400114567	Mary Gilhooley's Irish Pub & Restaurant	Lismore

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