

Schedule 4 Special licence conditions for declared premises

(Section 11 (1A))

1 Definitions

(1) In this Schedule:

declared premises means the premises to which a level 1 or level 2 licence relates.

level 1 licence means a licence specified in Table 1 at the end of this clause.

level 2 licence means a licence specified in Table 2 at the end of this clause.

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.

(2) Any change in the name (as referred to in Table 1 or Table 2) of any declared premises does not affect the application of this Schedule to the licence for those premises.

Table 1—level 1 licences

Licence number	Name of licensed premises	Location
LIQH400118260	Mean Fiddler	Rouse Hill
LIQH400122403	Glasshouse Tavern	Wollongong
LIQC300241858	Penrith Rugby League Club	Penrith
LIQH400115199	The Valley Brewery	Maitland
LIQH400100078	Albion Hotel	Parramatta
LIQH400103972	Miranda Hotel	Miranda
LIQH424006252	Stonewall Hotel	Darlinghurst
LIQH400122810	The Woodport Inn	Erina
LIQH400109113	Coffs Harbour Hotel	Coffs Harbour
LIQH400104448	The Colombian Hotel	Darlinghurst
LIQH400117221	Warners Bay Hotel	Warners Bay
LIQO624006202	Flamingos Nitespot	Goulburn
LIQH400105770	Steyne Hotel	Manly
LIQH400101449	Coogee Bay Hotel	Coogee
LIQH400122187	Harp Hotel	Wollongong
LIQH400122489	Roxy Hotel	Parramatta
LIQH400119054	Embassy Hotel	Penrith
LIQH400101635	Northies—Cronulla Hotel	Cronulla
LIQH400101929	Taylor Square Hotel	Darlinghurst

Table 2—level 2 licences

Licence number	Name of licensed premises	Location
LIQH400120230	Imperial Hotel	Tamworth
LIQC300226301	Castle Hill RSL Club	Castle Hill
LIQH400106866	Towradgi Beach Hotel	Towradgi
LIQH400118147	Queens Wharf Brewery Hotel	Newcastle
LIQC300236005	Central Coast Leagues Club	Gosford
LIQH400111592	Establishment Hotel	Sydney
LIQH400117108	Fanny's of Newcastle	Newcastle

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LIQO624006608	The Gaff Restaurant, Bar & Nightclub	Darlinghurst
LIQH400118562	Standard Hotel	Orange
LIQH400110014	Terrigal Hotel	Terrigal
LIQH400118546	Royal Hotel	Orange
LIQC300240533	Doyalson-Wyee RSL Club	Doyalson
LIQH400121253	Victoria Hotel	Wagga Wagga
LIQO624006473	Wollongong Castros	Wollongong
LIQH400112785	Collaroy Beach Hotel	Collaroy
LIQH400102453	PJ Gallagher's Irish Pub	Parramatta
LIQH400106254	Unity Hall Hotel	Balmain
LIQH424006058	First Empire Hotel	Kings Cross
LIQH400101368	Collingwood Hotel	Liverpool
LIQH400102283	Ivy	Sydney
LIQO624006666	The Old Manly Boat Shed	Manly
LIQO624006134	AKA Nightclub Bar	Sutherland
LIQH400106068	Toongabbie Hotel	Toongabbie
LIQH400117434	King Street Hotel	Newcastle
LIQH400120184	Central Hotel	Tamworth
LIQH400122268	North Wollongong Hotel	Wollongong
LIQO624006255	Altitude Nightclub	Port Macquarie
LIQH400108400	New England Hotel	Armidale
LIQH400116225	Waratah Hotel	Mudgee
LIQH400102224	Exchange Hotel	Darlinghurst
LIQH400100809	Vegas Hotel	Kings Cross
LIQH400108168	The Bended Elbow	Albury
LIQH400109369	Royal Hotel Bowral	Bowral
LIQH400105967	Tea Gardens Hotel	Bondi Junction
LIQH400115997	Victoria Hotel	Moree
LIQH400108346	White Bull Hotel	Armidale
LIQH400102100	Epping Hotel	Epping
LIQO624006198	Club 209	Campbelltown
LIQH400114605	The Standard Hotel & Lounge Bar	Lismore
LIQO624006734	Dragonfly	Kings Cross
LIQH400105495	Shark Hotel	Sydney
LIQC300245934	St Marys RSL & Ex-Servicemans Club	St Marys
LIQH400102690	Grand Hotel	Bondi Junction
LIQO624006554	Down Under	Port Macquarie
LIQH400109946	Grand Hotel	Wyong
LIQO600702607	Sydney Turf Club (Rosehill & Canterbury Racecourses)	Canterbury / Rosehill
LIQH400116896	The Griffith Hotel Motel	Griffith

2 Special licence conditions

- (1) A level 1 licence is subject to each of the conditions specified in this Schedule.
- (2) A level 2 licence is subject to the conditions specified in clauses 4, 6 and 7 of this Schedule.
- (3) The conditions specified in this Schedule are in addition to any other conditions to which a level 1 or level 2 licence is subject.

2A Additional security measures

- (1) In this clause:

additional security measure means a security measure that comprises or relates to any of the following:

- (a) providing security staff,
- (b) training for security staff,
- (c) closed-circuit television,
- (d) digital video and audio recording devices,
- (e) electronic ID scanning,
- (f) systems for recording and retaining patron particulars,
- (g) inter-venue communication network.

(2) The licensee of any declared premises must:

- (a) within 14 days of the commencement of this clause, or
- (b) in the case of premises that become declared premises at any time after the commencement of this clause—within 14 days of the premises becoming declared premises,

notify the Director-General, in the form approved by the Director-General, of the details of one or more additional security measures that the licensee proposes to implement in relation to the premises.

(3) The Director-General may, after considering the notice provided by the licensee under subclause (2), decide:

- (a) to approve the additional security measure or measures as notified by the licensee without any variations, or
- (b) to approve the additional security measure or measures as notified by the licensee with such variations as are determined by the Director-General, or
- (c) to approve a different additional security measure in relation to the declared premises.

(4) The Director-General is to notify the licensee in writing of the Director-General's decision and of the date on and from which the licensee is required to implement the additional security measure or measures approved by the Director-General. Any such implementation date must be at least 14 days after the date on which the Director-General is notified by the licensee under subclause (2).

(5) The licensee must implement the approved additional security measure or measures in accordance with the Director-General's notice.

3 “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***).

(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.

4 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.

5 Certain drinks prohibited during restricted service period

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

- (a) any drink (commonly referred to as 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.

6 Other requirements during restricted service period

For a continuous period of 10 minutes during each hour of the restricted service period:

- (a) the sale or supply of liquor on declared premises must cease, or
- (b) the licensee must:
 - (i) distribute free drinking water or food (or both) to patrons, and
 - (ii) actively encourage patrons to consume water.

7 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.

7A Standard trading period incident register

(1) The licensee of any declared premises must maintain a register, in the form approved by the Authority, in which the licensee is to record the details of any incident referred to in section 56 (or the regulations made under that section) that occurs during the standard trading period and any action taken in response to any such incident.

(2) The register under this clause may be maintained as part of any incident register that the licensee is required to maintain under section 56.

(3) This clause has effect on and from 1 December 2009.

8 Exemptions

(1) The Director-General may, by order in writing served on the licensee of declared premises, exempt the declared premises from any specified provision of this Schedule.

(2) The Director-General may exempt declared premises only if the Director-General:

- (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) imposes those other conditions on the licence for the premises under any relevant provision of this Act.

(3) Any such relevant provision applies except to the extent that it prevents the imposition of conditions that are inconsistent with this Schedule.

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

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(5) Without limiting any other provision of this clause, an exemption under this clause may, if the relevant order so provides, apply in relation to a specified part of declared premises.

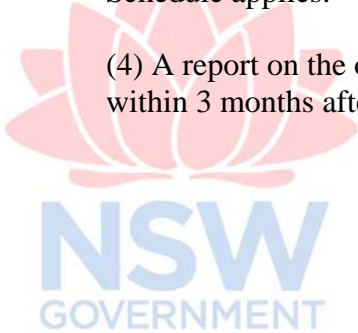
9 Review of Schedule

(1) The Minister is to review this Schedule to determine whether the policy objectives remain valid and whether the terms of this Schedule remain appropriate for securing those objectives.

(2) The review is to be undertaken no later than at the end of the period of 12 months immediately following the date of assent to the [*Liquor Amendment \(Special Licence Conditions\) Act 2008*](#).

(3) In undertaking the review, the Minister is to consult with the Bureau of Crime Statistics and Research of the Attorney General's Department and take into consideration any information and advice provided by the Bureau in relation to the incidence of alcohol-related violence in or about the licensed premises to which this Schedule applies.

(4) A report on the outcome of the review is to be tabled in each House of Parliament within 3 months after the completion of the review.



Communities