



Mr Brett Tobin  
Hatzis Cusack Lawyers

By email to: [bt@hatziscusack.com.au](mailto:bt@hatziscusack.com.au)

30 October 2023

Dear Mr Tobin

<b>Application No.</b>	1-8746893062
<b>Applicant</b>	James Kospetas Pty Ltd
<b>Application for</b>	Removal – hotel (full) licence
<b>Application date</b>	27 June 2023
<b>Decision date</b>	20 September 2023
<b>Licence name</b>	Bar 333
<b>Proposed trading hours</b>	<b>Consumption on premises</b> Monday to Saturday 10:00 AM – 12:00 midnight Sunday 10:00 AM – 10:00 PM <b>Takeaway</b> Monday to Saturday 10:00 AM – 12:00 midnight Sunday 10:00 AM – 10:00 PM
<b>Current trading hours</b>	<b>Consumption on premises</b> Monday – Sunday 5:00 AM – 5:00 AM <b>Takeaway</b> Monday to Sunday 5:00 AM – 12:00 midnight
<b>Proposed premises</b>	Part Shops T24-T27, Commonwealth Bank Place 11 Harbour Street Sydney NSW 2000
<b>Current premises (removals)</b>	333 George Street Sydney NSW 2000
<b>Legislation</b>	Sections 3, 11, 12, 14, 15, 40, 44, 45 and 48 of the <i>Liquor Act 2007</i>

### **Decision of the Independent Liquor & Gaming Authority Application for a Removal – hotel (full) licence – Bar 333**

We **approve** the application above under section 59 of the *Liquor Act 2007* — with the conditions set out in Schedule 1.

#### **Statement of reasons**

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 (LGA) of Sydney.

### Positive social impacts

The applicant seeks to remove the existing hotel (full) licence (which has been in 'cease to trade' status since 2014) into a small unlicensed area of another hotel, the Darling Pavilion (LIQH400101589) where it will remain in a dormant capacity, and may not be exercised until an appropriate site for the licence is found in the future.

### Social impacts

The licence may not be exercised at the proposed address. Accordingly no negative social impacts are associated with the removal. The licence remains subject to the 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 notice of determination - approval
- 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
- stakeholder submissions and the applicant's response them.

This decision 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, Glenn Barry, at [Glenn.Barry@liquorandgaming.nsw.gov.au](mailto:Glenn.Barry@liquorandgaming.nsw.gov.au) if you have any questions.

Yours sincerely



Caroline Lamb

**Chairperson**

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

**Schedule 1 – Licence conditions to be imposed  
Bar 333**

No.	Condition to be imposed	Description
1.	<b>6-hour closure</b>	Section 11A of the <i>Liquor Act 2007</i> 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 and 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.
2.	<b>Take away sales</b>	Good Friday: Not permitted December 24th: Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on Sunday Christmas Day: Not permitted December 31st: Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on Sunday
3.	<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 removing this licence to the premises at <b>Part Shops T24-T27, Commonwealth Bank Place, 11 Harbour Street, SYDNEY, NSW 2000.</b>
4.	<b>Licence not to be exercised</b>	The licence must not be exercised at <b>Part Shops T24-T27, Commonwealth Bank Place, 11 Harbour Street, SYDNEY, NSW 2000.</b>
5.	<b>No gaming activities</b>	No Gaming machines may be operated on the licensed premises of <b>Part Shops T24-T27, Commonwealth Bank Place, 11 Harbour Street, SYDNEY, NSW 2000.</b>