



Mr Tony Schwartz
Back Schwartz Vaughan
By email to: tschwartz@bsv.com.au

25 October 2023

Dear Mr Schwartz

Application No.	APP-0011263017
Applicant	URBNSURF Group Pty Ltd
Application for	Hotel licence with minors area authorisation
Application date	6 June 2023
Decision date	20 September 2023
Licence name	URBNSURF GROUP PTY LTD
Trading hours	Consumption on premises: Ground Level café (internal/external areas), Level 1 restaurant (internal/external areas) and multifunction room Monday to Saturday 10:00 AM – 12:00 midnight Sunday 10:00 AM – 10:00 PM Consumption on premises: Cabanas and Cabana Lawns (outdoor areas) Monday, Tuesday, Wednesday, Thursday, and Sunday: 10:00 AM – 10:00 PM Friday and Saturday 10:00 AM – 12:00 midnight
Premises	Pod B, P5 Carpark Hill Road [Lot 71, DP 1191648] Sydney Olympic Park NSW 2027
Legislation	Sections 3, 11, 12, 14, 15, 16, 40, 44, 45, 48, and 121 of the <i>Liquor Act 2007</i>

Decision of the Independent Liquor & Gaming Authority

Application for a hotel licence with minors area authorisation – URBNSURF Group Pty Ltd

We **approve** the application above under section 20 September 2023 of the *Liquor Act 2007* — with the conditions set out in Schedule 1.

Approved manager or individual licensee

The licence cannot be exercised until the Authority or Liquor & Gaming NSW is notified that:

- the licence is transferred to an individual licensee, or an approved manager is appointed; and
- the licensee or approved manager is a suitable and qualified person.

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 Olympic Park. The broader community is the Local Government Area (LGA) of Parramatta.

Positive social impacts

We are satisfied that the proposal would benefit the local and broader communities by providing increased convenience and choice.

The premises will be the only general bar hotel operating in the suburb and will include both indoor and outdoor areas, to be operated within standard trading hours. The licence type does not permit take-away liquor or the provision of gaming at the premises.

Although some public objections were received, there were more public submissions in support of the application, no agency objections, and there was nothing controversial about the proposal.

Negative social impacts

We accept that the proposal could contribute to an increase in alcohol-related harm in the local and broader communities because of the:

- higher crime rates for incidents of alcohol-related domestic assault, alcohol-related non-domestic assault and alcohol-related disorderly conduct in Sydney Olympic Park compared to NSW
- higher rate of alcohol-attributable hospitalisations in the Parramatta LGA compared to NSW.

However, we are satisfied that these risks are reduced by the:

- premises not being located in crime hotspots for all offence categories considered by the Authority
- lower crime rates for incidents of alcohol-related domestic assault, alcohol-related non-domestic assault, and alcohol-related disorderly conduct in the Parramatta LGA compared to NSW
- lower crime rates for malicious damage in Sydney Olympic Park compared to NSW
- lower rate of alcohol-attributable deaths in the Parramatta LGA compared to NSW
- indication of above average level of socio-economic advantage and disadvantage in Sydney Olympic Park and the Parramatta LGA compared to NSW
- lower saturation of hotel (general bar) liquor licences in Sydney Olympic Park and the Parramatta LGA compared to the NSW
- lower rate of alcohol-attributable deaths in the Parramatta LGA compared to NSW
- harm-minimisation measures outlined in the plan of management and licence conditions, as 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 plan of management for the licensed business
- a development consent for the premises
- 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.

We also considered [Guideline 6](#) to assess the likely social impact to the local and broader community.

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, Max Costa, at max.costa@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
URBNSURF Group Pty Ltd**

No.	Condition to be imposed	Description
1.	6-hour closure	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	<p>Good Friday 12:00 noon – 10:00 PM</p> <p>Christmas Day 12:00 noon – 10:00 PM (liquor can only be served with or ancillary to a meal in a dining area)</p> <p>December 31st Normal opening time until normal closing time or 2:00 AM on New Year’s Day, whichever is the later</p> <p>Note: Trading is also allowed after midnight into the early morning of Good Friday and Christmas Day if authorised by an extended trading authorisation. Trading must cease at the time specified under the authorisation. The latest time that can be specified is 5:00 AM.</p>
3.	Liquor plan of management	The premises is to be operated at all times in accordance with the Plan of Management dated 17 August 2023 as may be varied from time to time after consultation with NSW Police. A copy of the Plan of Management is to be kept on the premises, and made available for inspection on the request of a police officer, council officer, Liquor and Gaming NSW inspector, or any other person authorised by the Independent Liquor and Gaming Authority.
4.	Social impact	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 obtaining the licence.
5.	Liquor accord	The licensee or its representative must join and be an active participant in the local liquor accord.
6.	CCTV	<p>1. The licensee must maintain a closed-circuit television (CCTV) system on the licensed premises in accordance with the following requirements:</p> <ul style="list-style-type: none"> a. the system must record continuously from opening time until one hour after the premises is required to close (or, in the case of a premises that is not required to cease trading, continuously at all times), b. recordings must be in digital format and at a minimum of <i>ten (10)</i> frames per second, c. any recorded image must specify the time and date of the recorded image, d. the system’s cameras must cover the following areas: <ul style="list-style-type: none"> i. all entry and exit points on the premises, ii. the footpath immediately adjacent to the premises, and

No.	Condition to be imposed	Description
		<p style="text-align: right;">iii. all publicly accessible areas (other than toilets) within the premises.</p> <p>2. The licensee must also:</p> <ol style="list-style-type: none"> a. keep all recordings made by the CCTV system for at least 30 days, b. ensure that the CCTV system is accessible at all times the system is required to operate pursuant to sub-clause 1(a), by at least one person able to access and fully operate the system, including downloading and producing recordings of CCTV footage, and c. provide any recordings made by the system to a police officer or Liquor and Gaming NSW inspector within 24 hours of any request by the police officer or Liquor and Gaming NSW inspector to provide such recordings.
7.	Crime scene preservation	<p>Immediately after the person in charge of the licensed premises or a staff member becomes aware of any incident involving an act of violence causing injury to a person on the premises, the person in charge of the licensed premises and/or staff member must:</p> <ol style="list-style-type: none"> 1. take all practical steps to preserve and keep intact the area where the act of violence occurred, 2. retain all material and implements associated with the act of violence in accordance with the crime scene preservation guidelines issued by NSW Police, as published from time to time on the Liquor and Gaming NSW website, 3. make direct and personal contact with NSW Police to advise it of the incident, and 4. comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred <p>In this condition, 'staff member' means any person employed by, or acting on behalf of, the licensee of the premises, and includes any person who is employed to carry on security activities (eg. crowd controller or bouncer) on or about the premises.</p>
8.	Incident register	<ol style="list-style-type: none"> 1. The licensee must maintain a register, in which the licensee is to record the details of any of the following incidents and any action taken in response to any such incident: <ol style="list-style-type: none"> a. any incident involving violence or anti-social behaviour occurring on the premises, b. any incident of which the licensee is aware that involves violence or anti-social behaviour occurring in the immediate vicinity of the premises and that involves a person who has recently left, or been refused admission to, the premises, c. any incident that results in a person being turned out of the premises under section 77 of the Liquor Act 2007,

No.	Condition to be imposed	Description
		<p>d. any incident that results in a patron of the premises requiring medical assistance.</p> <p>2. The licensee must, if requested to do so by a police officer or Liquor & Gaming NSW inspector:</p> <ul style="list-style-type: none"> a. make any such incident register immediately available for inspection by a police officer or Liquor & Gaming NSW inspector, and b. allow a police officer or Liquor & Gaming NSW inspector to take copies of the register or to remove the register from the premises <p>The licensee must ensure that the information recorded in the incident register under this condition is retained for at least 3 years from when the record was made.</p>
9.	Minors Area	Minors Area Authorisation: whole of the licensed premises, excluding the kitchen and back-of-house facilities.
10.	Trial period for extended hours – Cabanas and Cabana Lawn	<p>If the local consent authority does not approve the continuation of the trial period in the development consent, two years from the date of the occupation certificate being issued (or as may be extended from time to time), the trading hours of the cabanas and cabana lawn will revert to 10.00 PM on Friday and Saturday.</p> <p>A copy of the relevant development consent is to be kept on the premises, and made available for inspection on the request of a police officer, council officer, Liquor & Gaming inspector, or any other person authorised by the Independent Liquor & Gaming Authority.</p>