



New South Wales

Liquor Amendment (Airports) Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Liquor Act 2007* (*the Act*) to make provision for the regulation of liquor at airports in New South Wales and certain related places.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Liquor Act 2007 No 90

Schedule 1[1] amends the definition of *airport* to mean a public airport.

Schedule 1[3] inserts proposed Part 7A into the Act comprising proposed sections 130A–130E.

Schedule 1[2] makes a consequential amendment.

Proposed section 130A defines *food court* and *passenger terminal*.

Proposed section 130B provides that licensed premises in passenger terminals at an airport—

- (a) have trading hours the same as the operating hours of the airport unless reduced hours are prescribed by the regulations or approved by the Secretary of the Department of Creative Industries, Tourism, Hospitality and Sport (the *Secretary*), and
- (b) have no restricted trading days, and
- (c) are not subject to a 6-hour closure period each day, and

(d) are not required to be open to the general public.

For licensed premises in the passenger terminal authorised to sell liquor for consumption on the licensed premises, the licence is also taken to authorise the sale of liquor for consumption in a food court in the passenger terminal or a seating area associated with the licensed premises.

The food court or seating area must be treated as a part of the licensed premises for liquor sold or supplied under the licence in relation to offences—

- (a) preventing the excessive consumption of alcohol, or
- (b) relating to the sale or supply of liquor to minors.

The proposed section also makes it an offence for a licensee to sell liquor for consumption in a food court or seating area without displaying a notice on the licensed premises that specifies where the liquor may be consumed.

Proposed section 130C applies to licensed premises in a passenger terminal at an airport that have an area—

- (a) related to a packaged liquor licence, or
- (b) dedicated to the sale of liquor by retail in sealed containers for consumption away from the licensed premises.

The following requirements of the Act do not apply to the licensed premises—

- (a) the requirement that the area be separated from other parts of the licensed premises,
- (b) requirements that prevent a minor entering or remaining in the area if the minor is not in the company of a responsible adult.

Proposed section 130D enables the Secretary to modify the application of proposed Part 7A to licensed premises in response to a contravention of the Act or the regulations under the Act.

The modification by the Secretary may—

- (a) reduce the trading hours for the licensed premises, or
- (b) remove or reduce exemptions relating to minors being permitted to enter the licensed premises, or
- (c) remove or reduce the ability to sell liquor for consumption in a food court or seating area.

The proposed section makes it a condition of a licence that the licensee comply with proposed Part 7A as modified by the Secretary.

Proposed section 130E—

- (a) defines *Western Sydney Airport*, and
- (b) provides that for certain licensed premises surrounding Western Sydney Airport, the Secretary may decide the following—
 - (i) the trading hours for the licensed premises,
 - (ii) whether restricted trading days apply to the licensed premises,
 - (iii) whether a 6-hour closure period each day applies to the licensed premises, and
- (c) requires the Independent Liquor and Gaming Authority to give effect to a decision of the Secretary.



New South Wales

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This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council

Clerk of the Parliaments



New South Wales

Liquor Amendment (Airports) Bill 2025

No. _____, 2025

A Bill for

An Act to amend the *Liquor Act 2007* in relation to liquor licensing at airports and related places.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.

Legislative Assembly

Clerk of the Legislative Assembly

Tabling copy

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Liquor Amendment (Airports) Act 2025*.

3

2 Commencement

4

This Act commences on a day or days to be appointed by proclamation.

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Schedule 1	Amendment of Liquor Act 2007 No 90	1
[1] Section 4 Definitions		2
	Omit “established and maintained by a local council” from section 4(1), definition of <i>airport</i> .	3 4
[2] Section 4(1)		5
	Insert in alphabetical order—	6
	<i>food court</i> , for Part 7A—see section 130A.	7
	<i>passenger terminal</i> , for Part 7A—see section 130A.	8
[3] Part 7A		9
	Insert after Part 7—	10
	Part 7A Airports—special provisions	11
130A Definitions		12
	In this part—	13
	<i>food court</i> , for a passenger terminal, means a part of the passenger terminal that—	14 15
	(a) is not part of licensed premises, and	16
	(b) is set up as—	17
	(i) a food court, or	18
	(ii) an area for the consumption of food and drinks, other than an area associated with a single vendor for the consumption of food and drinks from that vendor.	19 20 21
	<i>passenger terminal</i> , at an airport, means the parts of the buildings at an airport used for the following—	22 23
	(a) check-in areas,	24
	(b) arrival or departure areas,	25
	(c) areas where passengers wait after security screening and before boarding a flight.	26 27
130B Licensed premises in passenger terminals		28
(1)	This section applies to licensed premises in a passenger terminal at an airport.	29
(2)	Despite the provisions of Part 3—	30
	(a) the trading hours of the licensed premises are the lesser of—	31
	(i) the operating hours of the airport, or	32
	(ii) if the regulations prescribe reduced trading hours—the reduced trading hours, or	33 34
	(iii) if the Secretary, on the application of the licensee, approves reduced trading hours—the reduced trading hours, and	35 36
	Note— The Secretary may also reduce trading hours under section 130D for contraventions of this Act or the regulations.	37 38
	(b) there are no restricted trading days for the licensed premises, and	39
	(c) section 11A does not apply to the licensed premises, and	40

(d)	a requirement that the licensed premises must be open to the general public does not apply, and	1 2
(e)	a licence that authorises the sale of liquor for consumption on the licensed premises is taken to also authorise the sale of liquor for consumption—	3 4 5
(i)	in a food court in the passenger terminal, or	6
(ii)	in a seating area associated with the licensed premises, whether inside the passenger terminal or outside.	7 8
(3)	For section 73 or 117, the food court or seating area must be treated as a part of the licensed premises in relation to liquor sold or supplied under the licence.	9 10
(4)	A licensee who relies on subsection (2)(e) to sell liquor for consumption in a food court or seating area must ensure that a notice is displayed on the licensed premises—	11 12 13
(a)	in a position that is readily able to be read by persons purchasing the liquor, and	14 15
(b)	that specifies where the liquor may be consumed.	16
	Maximum penalty for subsection (4)—20 penalty units.	17
130C	Duty free and other take-away liquor sales	18
(1)	This section applies to licensed premises in a passenger terminal at an airport that has—	19 20
(a)	an area related to a packaged liquor licence, or	21
(b)	an area dedicated to the sale of liquor by retail in sealed containers on the licensed premises for consumption away from the licensed premises.	22 23 24
(2)	Sections 30, 123(1)(d) and 124(1)(d) do not apply to the licensed premises.	25
130D	Contraventions—powers of Secretary	26
(1)	The Secretary may modify the application of this part to licensed premises in a passenger terminal at an airport to do one or more of the following—	27 28
(a)	reduce the trading hours for the licensed premises,	29
(b)	remove or reduce exemptions in this part that relate to minors being permitted to enter licensed premises,	30 31
(c)	remove or reduce the ability to sell liquor for consumption in a food court or seating area.	32 33
(2)	The modification may occur if the Secretary is satisfied—	34
(a)	there has been a contravention of this Act or the regulations in relation to the licensed premises, and	35 36
(b)	the modification is a reasonable response to the contravention.	37
(3)	The Secretary must not make the modification unless the licensee has been given—	38 39
(a)	written notice of the proposed modification, and	40
(b)	a reasonable opportunity to make submissions to the Secretary about the proposed modification.	41 42
(4)	A modification is made when the Secretary gives written notice of the modification to the licensee.	43 44

(5)	The modification commences—	1
(a)	when the notice is given to the licensee, or	2
(b)	if a later date for commencement is specified in the notice—on the later date.	3
(6)	It is a condition of the licence that the licensee comply with this part as modified by the Secretary.	5
130E	Powers of Secretary—Aerotropolis	7
(1)	This section applies to licensed premises on land surrounding Western Sydney Airport if the land is prescribed by the regulations.	8
(2)	The Secretary may decide the following despite another provision of this Act—	9
(a)	the trading hours for the licensed premises,	10
(b)	the restricted trading days, if any, for the licensed premises,	11
(c)	whether section 11A applies to the licensed premises.	12
	Note— This section does not affect gaming machine shutdowns under the <i>Gaming Machines Act 2001</i> .	13
(3)	The Authority must give effect to a decision of the Secretary as soon as practicable after being notified of the decision.	14
(4)	A decision of the Secretary may apply to—	15
(a)	particular licensed premises, or	16
(b)	to all or a class of licensed premises.	17
(5)	In this section—	18
	Western Sydney Airport means the land comprising the Sydney West Airport as determined in accordance with the <i>Airports Act 1996</i> of the Commonwealth and the regulations under that Act.	19
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