

Mr Grant Cusack
Hatzis Cusack Lawyers

By email to: gc@hatziscusack.com.au

14 February 2024

Dear Mr Cusack

Application No.	APP-0012051722
Applicant	RICHMOND MART PTY LTD
Application for	New packaged liquor licence
Application date	12 October 2023
Decision date	24 January 2024
Licence name	Centro IGA Local Grocer North Richmond
Trading hours	Monday to Saturday 08:00 AM – 10:00 PM Sunday 10:00 AM – 10:00 PM
Premises	61 Yobarnie Avenue North Richmond NSW 2754
Legislation	Sections 3, 11A, 12, 29, 30, 31, 40, 44, 45, 48, 114 and 123 of the <i>Liquor Act 2007</i>

Decision of the Independent Liquor & Gaming Authority
Application for a new packaged liquor licence – Centro IGA Local Grocer North Richmond

We **approve** the application above under section 45 of the *Liquor Act 2007* — with the conditions set out in Schedule 1. The 6-hour closure period overrides any condition of the licence.

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.

Mixed-use checkouts must be closed outside licensed hours

Under section 103(2) of the Act, any counter or place used to sell or supply liquor under the licence, including any mixed-use checkouts in the liquor sales area, must be closed to the public outside the licensed trading hours.

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, while also promoting a balanced and responsible development of the industry.

Our main findings

The local community for the purposes of this decision is North Richmond. The broader community is the Local Government Area (LGA) of Hawkesbury.

Positive social impacts

The applicant seeks to operate a liquor sales area that sits wholly within a new supermarket to be known as 'Centro IGA Local Grocer North Richmond'

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

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:

- medium-density hotspot in North Richmond for domestic assault
- low density hotspot in North Richmond for malicious damage to property
- higher saturation rate of packaged liquor licences in North Richmond and the Hawkesbury LGA compared to NSW
- higher crime rates in the Hawkesbury LGA for alcohol-related domestic assault compared to NSW
- higher indigenous population in North Richmond and the Hawkesbury LGA compared to NSW.

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

- size of the liquor sales area being relatively small and within a new supermarket
- absence of crime hotspots in North Richmond for non-domestic assault or alcohol related assault
- lower crime rates in North Richmond compared to NSW rates across all categories we considered
- lower crime rates in the Hawkesbury LGA compared to NSW rates for alcohol-related non-domestic assault, malicious damage to property and alcohol-related disorderly conduct
- indication of an average level of relative socio-economic advantage and disadvantage in North Richmond, and an above-average level in the Hawkesbury LGA, compared to other communities in 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, Leonie Jennings, at leonie.jennings@liquorandgaming.nsw.gov.au if you have any questions.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Caroline Lamb'.

Caroline Lamb

Chairperson

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

Schedule 1
Licence conditions to be imposed
Centro IGA Local Grocer North Richmond

No.	Condition to be imposed	Description
1.	6-hour closure	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 six (6) hours between 02:00 AM and 08:00 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 Not permitted</p> <p>December 24th Normal trading Monday to Saturday, 8:00 AM to 12:00 midnight Sunday</p> <p>Christmas Day Not permitted</p> <p>December 31st Normal trading Monday to Saturday 10:00 AM to 12:00 midnight Sunday</p>
3.	Liquor Accord	The licensee or its representative must join and be an active participant in the local liquor accord.
4.	CCTV	<p>1. The licensee must maintain a closed-circuit television (CCTV) system at the supermarket 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 supermarket/general store is required to close, (b) recordings must be in digital format and at a minimum of ten (10) 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 to the supermarket/general store, and (ii) all publicly accessible areas (other than toilets) within the liquor sales area. <p>2. The licensee must also:</p> <ul 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 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.
5.	Adequate separation	The liquor sales area must be adequately defined from the rest of the supermarket in accordance with the premises plan as approved by the Independent Liquor and Gaming Authority on 24 January 2024 or any premises plan subsequently approved by the Authority.
6.	Social impact	The business authorised by this licence must not operate with a greater overall level of social impact on the wellbeing 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 this licence.

No.	Condition to be imposed	Description
7.	Plan of management	The premises is to be operated at all times in accordance with the Plan of Management dated September 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.