

Mr Brett Tobin  
Hatzis Cusack Lawyers  
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4 December 2023

Dear Mr Tobin

|                               |  |
|-------------------------------|--|
| <b>Application No.</b>        | 1-8608531807 - Hotel (full) removal<br>1-8608531955 - ETA<br>SR0001030037 – MAA<br>1-8732214714 - GMT increase<br>1-8732214756 - GME transfer<br>1-8732214760 - PMP transfer                             |
| <b>Applicant</b>              | Lewis Taylor   |
| <b>Application for</b>        | Hotel removal with extended trading authorisation and minors area authorisation, gaming machine threshold increase with associated gaming machine entitlement transfer and poker machine permit transfer |
| <b>Application date</b>       | 10 & 13 March 2023   |
| <b>Decision date</b>          | 14 November 2023   |
| <b>Proposed licence name</b>  | Station Hotel  |
| <b>Current licence name</b>   | Collector Hotel  |
| <b>Proposed trading hours</b> | Consumption on premises<br>Monday to Saturday 10:00 AM – 04:00 AM<br>Sunday 10:00 AM – 12:00 midnight<br>Takeaway<br>Monday to Saturday 10:00 AM – 12:00 midnight<br>Sunday 10:00 AM – 11:00 PM          |
| <b>Current trading hours</b>  | Consumption on premises<br>Monday to Saturday 10:00 AM – 04:00 AM<br>Sunday 10:00 AM – 12:00 midnight<br>Takeaway<br>Monday to Saturday 10:00 AM – 12:00 midnight<br>Sunday 10:00 AM – 11:00 PM          |
| <b>Proposed premises</b>      | 136 Church Street<br>Parramatta NSW 2150   |
| <b>Current premises</b>       | 100 George Street<br>Parramatta NSW 2150   |
| <b>Legislation</b>            | Sections 3, 11A, 12, 14, 15, 40, 45, 48, 49, 59, and 121 of the <i>Liquor Act 2007</i><br>Sections 3, 19, 34, and 37B of the <i>Gaming Machines Act 2001</i>   |

**Decision of the Independent Liquor & Gaming Authority  
Application for a hotel removal with extended trading authorisation and minors area  
authorisation, gaming machine threshold increase with associated gaming machine  
entitlement transfer and poker machine permit transfer – Station Hotel**

We first considered this application at the meeting of 19 July 2023 and, following the handing down of the Whitebull judgement appeal, and provision of submissions in relation to proposed conditions, decided on 14 November 2023 to **approve** this application under section 59 of the *Liquor Act 2007* — with the conditions set out in Schedule 1.

## **Trial period for extended hours**

The applicant must notify Liquor & Gaming NSW in writing when consent has been provided by local council for a continuation of the trial period for extended 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.

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 Parramatta. 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 proposed premises will offer a dining area, lounge, sports bar and gaming room

### **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:

- premises being located in a high density hotspot for all categories usually considered by the Authority
- higher crime rates in Parramatta for incidents of alcohol-related non domestic assault, malicious damage to property, and disorderly conduct compared to NSW rates
- higher rates of alcohol-attributable hospitalisations in the Parramatta LGA compared to NSW
- long licensed trading hours
- band 2 (SA2) location

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

- lower crime rate in Parramatta for incidents of alcohol-related domestic assault; and lower crime rates in the Parramatta LGA across all incident categories compared to NSW rates
- licence removal being within the same LGA; and the saturation of hotel (full) licences in the suburb and LGA remaining unchanged.
- lower rate of alcohol-attributable deaths in the Parramatta LGA compared to NSW
- indication of an above-average level of relative socio-economic advantage in both the suburb and LGA
- total patron capacity at the proposed premises being significantly less than the current premises (450 patrons compared to 650 patrons); and the patron capacity after 12:00 midnight at the proposed premises will be reduced by 50% (200 patrons compared to 400 patrons).
- below average gaming intensity at the venue compared to other venues in the Parramatta LGA and the same SA2
- harm-minimisation measures outlined in the liquor and gaming plans of management and modernised licence conditions, including imposition of a no post 02:00AM gaming condition, 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](mailto:Leonie.Jennings@liquorandgaming.nsw.gov.au) if you have any questions.

Yours sincerely



Sarah Dinning

**Deputy Chairperson**

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

## Schedule 1 – Licence conditions to be imposed Station Hotel

| 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 six (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>Consumption on premises</b>         | <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 31<sup>st</sup> 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.  | <b>Takeaway sales</b>                  | <p>Good Friday: Not permitted</p> <p>Christmas Day: Not permitted</p> <p>December 31st: Normal trading</p>   |
| 4.  | <b>Social impact</b>                   | 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 removing this licence to the premises at 136 Church Street, Parramatta NSW 2150.   |
| 5.  | <b>Plan of management</b>              | The premises is to be operated at all times in accordance with the Plan of Management dated <b>April 2023</b> 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.  |
| 6.  | <b>Liquor Accord</b>                   | The licensee or its representative must join and be an active participant in the local liquor accord.  |
| 7.  | <b>Trial period for extended hours</b> | <p>The licensee must provide satisfactory evidence to Liquor &amp; Gaming NSW that the licensed trading hours continue to be authorised by the local consent authority after the trial period specified in the relevant development consent ends on <b>29/11/2023</b> (or as may be extended from time to time).</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 &amp; Gaming inspector, or any other person authorised by the Independent Liquor &amp; Gaming Authority.</p> |

| No. | Condition to be imposed         | Description  |
|-----|---------------------------------|--|
| 8.  | <b>Incident register</b>        | <p>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:</p> <ul style="list-style-type: none"> <li>(a) any incident involving violence or anti-social behaviour occurring on the premises,</li> <li>(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,</li> <li>(c) any incident that results in a person being turned out of the premises under section 77 of the Liquor Act 2007,</li> <li>(d) any incident that results in a patron of the premises requiring medical assistance.</li> </ul> <p>2) The licensee must, if requested to do so by a police officer or Liquor &amp; Gaming NSW inspector:</p> <ul style="list-style-type: none"> <li>(a) make any such incident register immediately available for inspection by a police officer or Liquor &amp; Gaming NSW inspector, and</li> <li>(b) allow a police officer or Liquor &amp; Gaming NSW inspector to take copies of the register or to remove the register from the premises.</li> </ul> <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.  | <b>Crime scene preservation</b> | <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> <ul style="list-style-type: none"> <li>1) take all practical steps to preserve and keep intact the area where the act of violence occurred,</li> <li>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,</li> <li>3) make direct and personal contact with NSW Police to advise it of the incident, and</li> <li>4) comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred.</li> </ul> <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>  |
| 10. | <b>CCTV</b>                     | <p>1) The licensee must maintain a closed-circuit television (CCTV) system on the premises in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>(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),</li> <li>(b) recordings must be in digital format and at a minimum of <b>ten (10)</b> frames per second,</li> </ul>  |

| No. | Condition to be imposed  | Description   |
|-----|--|---|
|     |  | <ul style="list-style-type: none"> <li>(c) any recorded image must specify the time and date of the recorded image,</li> <li>(d) the system's cameras must cover the following areas:               <ul style="list-style-type: none"> <li>(i) all entry and exit points on the premises,</li> <li>(ii) the footpath immediately adjacent to the premises, and</li> <li>(iii) all publicly accessible areas (other than toilets) within the premises.</li> </ul> </li> </ul> <p>2) The licensee must also:</p> <ul style="list-style-type: none"> <li>(a) keep all recordings made by the CCTV system for at least 30 days,</li> <li>(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</li> <li>(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.</li> </ul> |
| 11. | <b>Extended trading</b>  | Extended Trading Authorisation: whole of the first floor and ground floor.  |
| 12. | <b>Minors area</b>   | Minors Area Authorisation: whole of the first floor.  |
| 13. | <b>Gaming plan of management</b>                               | The premises is to be operated at all times in accordance with the Gaming Plan of Management dated <b>April 2023</b> 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.  |
| 14. | <b>Security</b>  | <p>One security officer is to be present at the hotel from 06:00 PM until the last customer has left the immediate vicinity of the hotel post cessation of trade.</p> <p>From 10:00 PM a staff 'member or security officer will be assigned to ensure patrons leaving the hotel do so promptly and as quietly as possible.</p>  |
| 15. | <b>Patron capacity after 12:00 midnight</b>                    | No more than 200 patrons are to be in the hotel at any time when the hotel trades after 12:00 midnight.   |
| 16. | <b>Restrictions on the sale of liquor after 12:00 midnight</b> | <p>The following restrictions and conditions will apply upon the sale of alcohol after 12:00 midnight:</p> <ul style="list-style-type: none"> <li>(a) No drinks commonly known as shots, shooters, slammers or bombs or any other drinks that are designed to be consumed rapidly;</li> <li>(b) No mixed drinks with more than 30mls of spirits or liqueur and that is designed to be consumed rapidly;</li> <li>(c) No RTD drinks with an alcohol by volume greater than 5%;</li> </ul>  |

| No. | Condition to be imposed  | Description   |
|-----|--------------------------|---|
|     |                          | (d) No alcoholic drink mixed with an energy drink;<br>(e) No more than two (2) alcoholic drinks, or one bottle of wine, may be served to any patron at one time.  |
| 17. |                          | The venue is to make a financial contribution of \$75,907.87 to the Responsible Gambling Fund over the next five years in five equal instalments of \$15,181.57, commencing within 28 days of the approval and then annually thereafter.  |
| 18. | <b>Late night gaming</b> | No gaming machines will be operated on the licensed premises after 02:00 AM.  |
| 19. |                          | The removal of the licence to 136 Church Street, Parramatta (application number 1-8608531807) is granted but does not take effect until evidence has been provided to Liquor & Gaming NSW (with 7 days written notice) that the construction and fit out of the premises has been complete. The licence shall continue to trade at its existing licensed premises pursuant to the hours and conditions that currently apply to the licence. |