

Ms Nicole Beath  
JDK Legal

By email to: [n.beath@jdklegal.com.au](mailto:n.beath@jdklegal.com.au)

16 January 2024

Dear Ms Beath

<b>Application No.</b>	APP - 0011804228
<b>Applicant</b>	Boyded Industries Pty Ltd
<b>Application for</b>	New hotel (full) licence with minors area authorisation (MAA)
<b>Application date</b>	22 September 2023
<b>Decision date</b>	14 December 2023
<b>Licence name</b>	The Hudson Hotel
<b>Proposed trading hours</b>	<b>Consumption on premises &amp; Takeaway</b> Monday to Saturday 10:00 AM – 12:00 midnight Sunday 10:00 AM – 10:00 PM
<b>Premises</b>	206-220 Hume Highway Greenacre NSW 2190
<b>Legislation</b>	Sections 3, 11A, 12, 14, 15, 40, 44, 45, 48 and 121 of the <i>Liquor Act 2007</i>

**Decision of the Independent Liquor & Gaming Authority  
Application for a new hotel (full) licence with MAA – The Hudson Hotel**

We **approve** the application above under section 45 of the *Liquor Act 2007* (the Act) — 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 Greenacre. The broader community is the Local Government Area (LGA) of Canbury Bankstown.

### Positive social impacts

The applicant seeks approval to operate a new hotel with associated minors area authorisation in the suburb of Greenacre. 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:

- higher saturation of hotel licences in the LGA compared to NSW
- indication of a below average level of relative socio-economic advantage in the suburb compared to other communities in NSW.

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

- lower crime rates in both the suburb and the LGA compared to NSW across all incident categories usually considered by us
- proposed premises not being located in a crime density hotspot for non-domestic assault, malicious damage to property or alcohol-related assault.
- low saturation of hotel licences in the suburb 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 to 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



Caroline Lamb

**Chairperson**

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

**Schedule 1 – Licence conditions to be imposed**  
**The Hudson Hotel**

No.	Condition to be imposed	Description
1.	<b>Consumption on premises</b>	<p>Good Friday 12:00 noon - 10:00 PM  Christmas Day 12:00 noon - 10:00 PM (liquor can only be served with or ancillary to a meal in a dining area)  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>
2.	<b>Take away sales</b>	<p>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</p>
3.	<b>6-hour closure</b>	<p>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.</p>
4.	<b>Social impact</b>	<p>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.</p>
5.	<b>Plan of management</b>	<p>The premises is to be operated at all times in accordance with the Plan of Management dated <b>May 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.</p>
6.	<b>Liquor accord</b>	<p>The licensee or its representative must join and be an active participant in the local liquor accord.</p>
7.	<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) frames</b> per second,</li> <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> </ul> </li> </ul>

No.	Condition to be imposed	Description
		<p>(iii) all publicly accessible areas (other than toilets) within the premises.</p> <p>2) The licensee must also:</p> <p>(a) keep all recordings made by the CCTV system for at least 30 days,</p> <p>(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</p> <p>3) 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.</p>
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> <p>(a) any incident involving violence or anti-social behaviour occurring on the premises,</p> <p>(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,</p> <p>(c) any incident that results in a person being turned out of the premises under section 77 of the Act,</p> <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 inspector:</p> <p>(a) make any such incident register immediately available for inspection by a police officer or inspector, and</p> <p>(b) allow a police officer or inspector to take copies of the register or to remove the register from the premises.</p> <p>3) 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> <p>1) take all practical steps to preserve and keep intact the area where the act of violence occurred,</p> <p>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,</p> <p>3) make direct and personal contact with NSW Police to advise it of the incident, and</p> <p>4) comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred.</p> <p>5) In this condition, 'staff member' means any person employed by, or acting on behalf of, the licensee of the</p>

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		premises, and includes any person who is employed to carry on security activities (e.g. crowd controller or bouncer) on or about the premises.
10.	<b>Minors Area</b>	Minors Area Authorisation: whole of the licensed premises excluding the gaming room.