

Ms Nicole Beath

JDK Legal

By email to: n.beath@jdklegal.com.au

7 December 2023

Dear Ms Beath

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| Application No. | APP-0011141940 |
| Applicant | LIQUORLAND (AUSTRALIA) PTY LTD |
| Application for | New packaged liquor licence |
| Application date | 16 May 2023 |
| Decision date | 15 November 2023 |
| Proposed licence name | Liquorland |
| Proposed trading hours | Monday to Saturday 09:00 AM – 09:00 PM Sunday 10:00 AM – 09:00 PM |
| Proposed premises | Shops 01 and 02, Gladesville Shopping Centre 1-7 Flagstaff Street Gladesville NSW 2111 |
| Legislation | Sections 3, 11, 12, 29, 40, 44, 45, 48, and 114 of the <i>Liquor Act 2007</i> |

**Decision of the Independent Liquor & Gaming Authority
Application for a new packaged liquor licence – Liquorland**

We **approve** the application above under section 45 of the *Liquor Act 2007* — with the conditions set out in Schedule 1.

Trading on a Sunday that falls on 24 December

If a Sunday falls on 24 December, the 6-hour closure period overrides the statutory provision that would otherwise allow the licence to trade from 8:00 am. However, due to the 6-hour closure period for the licence, the premises must not trade earlier than 09:00 am.

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 Gladesville. The broader community is the Local Government Area (LGA) of Hunters Hill.

Positive social impacts

The applicant seeks approval to operate a standalone packaged liquor licence within an existing shopping centre, adjacent to a Coles supermarket. The outlet will offer a liquor delivery service, including same day delivery.

We note that the proposed premises is within Gladesville which has a low saturation of packaged liquor outlets and there were no objections received during the application process.

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:

- domestic assault hotspot identified in Gladesville (classified as high-density)
- malicious damage to property and alcohol-related assault hotspots identified in Gladesville (classified as medium density)
- higher rate of alcohol-attributable deaths in the Hunters Hill LGA compared to NSW.

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

- absence of any hotspots for non-domestic assault in Gladesville
- lower crime rates in both the Gladesville and the Hunters Hill LGA compared to NSW
- low saturation rate for packaged liquor licences in Gladesville compared to NSW
- lower rate of alcohol-attributable hospitalisations in the Hunters Hill LGA compared to NSW
- indication of an above-average level of relative socio-economic advantage and disadvantage in both Gladesville and the Hunters Hill LGA
- location of the proposed premises within an existing shopping centre, adjacent to a Coles supermarket
- 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, Zof El Hussein, at zof.el.husseini@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 Liquorland

| 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 03:00 AM and 09:00 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 | Retail sales Good Friday Not permitted December 24 th Normal trading Monday to Saturday, 8:00 AM to 12:00 midnight Sunday Christmas Day Not permitted December 31 st Normal trading Monday to Saturday 10:00 AM to 12:00 midnight Sunday |
| 3. | 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. |
| 4. | Liquor Accord | The licensee or its representative must join and be an active participant in the local liquor accord. |
| 5. | Plan of management | The premises is to be operated at all times in accordance with the Coles Liquor NSW Management Strategies and House Policy for the Responsible Service of Alcohol documents, as submitted to the Independent Liquor and Gaming Authority ("the Authority") in support of the licence application and as may be varied from time to time after consultation with the Authority. A copy of these documents 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 Authority. |
| 6. | CCTV | <ol style="list-style-type: none"> 1. The licensee must maintain a closed-circuit television (CCTV) system at the supermarket/general store in accordance with the following requirements: <ol 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: <ol 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. 2. The licensee must also: <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 clause 1(a), by at least one person able to access and fully operate |

| No. | Condition to be imposed | Description |
|-----|-------------------------|--|
| | | <p>the system, including downloading and producing recordings of CCTV footage, and</p> <p>(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.</p> |