



Mr Jon Martin
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20 April 2021

Dear Mr Martin

Application No.	1-7835192910
Applicant	LIQUORLAND (AUSTRALIA) PTY. LTD.
Application for	Removal of a packaged liquor licence
Licence number	LIQP700353899
Licence name	Liquorland
Current premises	The Hills Shopping Centre Shop 7A Seven Hills Road Seven Hills NSW 2147
Current trading hours	Monday to Saturday 5:00 am – 12:00 midnight Sunday 10:00 am – 10:00 pm
Proposed premises	Tenancy 2, Schofields Town Centre 227 Railway Terrace Schofields NSW 2762
Proposed trading hours	Monday to Wednesday 9:00 am – 9:00 pm Thursday and Friday 9:00 am – 10:00 pm Saturday 8:00 am – 10:00 pm Sunday 10:00 am – 8:00 pm
Legislation	Sections 3, 11A, 12, 29, 30, 31, 40, 45, 48 and 59 of the <i>Liquor Act 2007</i>

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

The Independent Liquor & Gaming Authority considered the application above, and decided on 1 April 2021 to **approve** the application under section 59 of the *Liquor Act 2007*, subject to imposing conditions as set out in Schedule 1.

Removal of the licence

Notwithstanding the approval of the application, the subject licence (LIQP700353899) remains at The Hills Shopping Centre, Shop 7A Seven Hills Road, Seven Hills subject to the same conditions and trading hours in force immediately before the approval of this application, until Liquor & Gaming NSW is notified that the licence has been removed.

Approved manager or individual licensee

The licence cannot be exercised unless and until the Authority or Liquor & Gaming NSW has been notified of the appointment of an approved manager to the licence, or the licence has been transferred to an individual licensee.

Concise statement of reasons

A concise statement of reasons for this decision is attached at the end of this letter.

In the interest of efficient finalisation of determined matters in a high-volume liquor and gaming jurisdiction, the Authority will only produce a detailed statement of reasons for applications which are refused, partially approved or the subject of stakeholder objections.

A concise statement of reasons is produced for non-contested applications that have been approved by the Authority, in cases where a statement of reasons is required to be published for the application under section 36C of the *Gaming and Liquor Administration Act 2007*.

The concise statement of reasons briefly sets out the material considered by the Authority, the legislative requirements, and the Authority's key findings.

If you have any questions, please contact the case manager, Glenn Barry, at glenn.barry@liquorandgaming.nsw.gov.au.

Yours faithfully

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Philip Crawford

Chairperson

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

Concise statement of reasons

Key facts

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Proposed trading hours	Monday to Wednesday 9:00 am – 9:00 pm Thursday to Saturday 9:00 am – 10:00 pm Sunday 10:00 am – 8:00 pm
Decision	Approved under section 59 of the <i>Liquor Act 2007</i>
Decision date	1 April 2021

Material considered by the Authority

The Authority has considered the following material in determining the application:

- application material, including evidence of notification to specified stakeholders and the community about the application
- Category B community impact statement
- premises plan setting out the proposed boundaries of the licensed premises
- plan of management for the licensed business at the premises
- development consent for the premises
- Liquor & Gaming LiveData report for the premises
- stakeholder submissions in relation to the application, and the applicant's response to those submissions.

Legislative requirements

The Authority has considered the application in the context of the following sections of the *Liquor Act 2007* ("the Act"), and the associated clauses of the Liquor Regulation 2018:

- section 3: Statutory objects of the Act and relevant considerations
- sections 11A and 12: Standard trading period for liquor licences and a mandatory 6-hour period during which liquor cannot be sold
- sections 29-31: Specific provisions in respect of a packaged liquor licence
- section 40: Minimum procedural requirements for a liquor licence application to be validly made
- section 45: Criteria for granting a liquor licence
- section 48: Requirements in respect of a CIS, including a requirement that the Authority must not approve the application unless it is satisfied, having regard to the CIS and other available information, that the overall social impact of doing so will not be detrimental to the well-being of the local or broader community

- section 59: Requirements for an application to remove a liquor licence to another premises and the determination of such an application.

The Authority has also had regard to its Guideline 6 in considering the overall social impact of approving the application pursuant to section 48 of the Act.

Key findings

Local and broader community

In accordance with its Guideline 6, the Authority finds that the relevant local community for the purposes of this decision is the suburb of Schofields, and the broader community is the Local Government Area ('LGA') of Blacktown.

Positive social impacts

The Authority notes that the applicant proposes to remove the licence to the new Schofield Town Centre development, once built, which the applicant submits will "form an important development within the North West Growth Corridor, which anticipates population growth in Schofields to expand by an average of 2,000 people per year until 2030."

The Authority has had regard to the applicant's contention that "The proposed Liquorland store will adjoin the new Coles Supermarket and is intended to offer full-line, convenient, modern and pleasant shopping facilities to service the needs of the local and broader community."

Accordingly, the Authority considers that the removal of the packaged liquor licence to the proposed premises would likely benefit the local community through the continued provision of increased liquor access, choice and convenience at that location.

Negative social impacts

The Authority accepts that the proposal may, over time, contribute to an increase in alcohol-related harm in the local and broader communities, including alcohol-fuelled violence, health problems and/or social and amenity issues, having regard to the following:

- higher than average saturation of packaged liquor licences in the local community (noting, however, that there is a lower than average saturation of outlets authorised to sell packaged liquor (this includes bottle shops, clubs and hotels) in the local and broader communities)
- elevated incident rates for alcohol-related domestic assault and malicious damage to property in the local and broader communities (noting, however, that the rates of alcohol-related domestic assault in the suburb were lower than the NSW average for the seven years prior to 2020. NSW Police attribute the elevated rate of alcohol-related domestic assault in 2020 to population increase, COVID lockdown and delayed Police reporting)
- the removal of the licence to the new premises will result in an increase in scale by 60m².

The Authority is nevertheless satisfied that these risk factors are sufficiently mitigated by the following:

- the removal of the licence within the same suburb and LGA will not increase the density of packaged liquor licences in the broader community
- the removal of the licence to the new premises will result in a reduction in authorised trading hours by some 40 hours per week
- absence of any objections from agency stakeholders or members of the community
- lower than average level of alcohol-attributable hospitalisations in the broader community
- relative socio-economic advantage in the local and broader communities
- experience of the applicant as an operator of multiple licensed premises with sound compliance records
- harm minimisation measures set out in the Plan of Management and licence conditions as set out in Schedule 1.

Overall social impacts and conclusion

Having considered the positive and negative social impacts that are likely to flow from the applicant's proposal, the Authority is satisfied that the overall social impact of approving the application will not be detrimental to the well-being of the local or broader community.

The Authority is also satisfied that the other legislative requirements for the approval of the application have been met.

The Authority finds, having regard to the above, that approving the application is consistent with the statutory objects and considerations of the Act to regulate the liquor industry in line with the community's expectations, needs and aspirations, and facilitate the balanced and responsible development of the liquor industry and related industries.

Accordingly, the Authority approves the application under section 59 of the Act.

A handwritten signature in blue ink, appearing to read 'Philip Crawford', is enclosed in a thin black rectangular box.

Philip Crawford
Chairperson

Schedule 1 – Licence conditions to be imposed Liquorland, Schofields

1. Section 11A of the *Liquor Act 2007* applies to this licence. Liquor must not be sold by retail on the licensed premises for a continuous period of six (6) hours between 2:00 AM and 8:00 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 (std)
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
3. 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 Tenancy 2, Schofields Town Centre, 227 Railway Terrace, Schofields NSW 2762.
4. 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.
5. The licensee or its representative must join and be an active participant in the local liquor accord.
6. Closed-circuit television system
 - 1) The licensee must maintain a closed-circuit television (CCTV) system on the licensed premises (“the premises”) in accordance with the following requirements:
 - (a) the system must record continuously from opening time until one hour after the premises 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:
 - (i) all entry and exit points on the premises, and
 - (ii) all publicly accessible areas (other than toilets) within the premises.
 - 2) The licensee must also:
 - (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.