

Ms Rebecca Pope
Liquor and Gaming Solutions

By email to: Admin@lgsgroup.com.au

12 January 2024

Dear Ms Pope

Application No.	APP-0011964936
Applicant	Krinklewood Estate Pty Ltd
Application for	New packaged liquor licence
Application date	11 September 2023
Decision date	14 December 2023
Licence name	Krinklewood Estate Pty Ltd
Trading hours	Monday to Saturday 10:00 AM – 11:00 PM Sunday 10:00 AM – 10:00 PM
Premises	Krinklewood Vineyard 712 Wollombi Road Broke NSW 2330
Legislation	Sections 3, 11A, 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 – Krinklewood Estate Pty Ltd**

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 premises must not trade earlier than 10:00 am.

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 Broke. The broader community is the Local Government Area (LGA) of Singleton.

Positive social impacts

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

The liquor proposed to be sold will be of a boutique nature, primarily wine, and biodynamic or organic liquor produced in the Krinklewood Vineyard.

Negative social impacts

We accept that the proposal could contribute to an increase in alcohol-related harm in the local and broader communities in an area with higher crime rates in the LGA compared to NSW for incidents of alcohol-related domestic assault, alcohol-related non-domestic assault, and malicious damage.

We note that the business model will also offer a delivery service (not same day) and accept that the proposal may also contribute to alcohol-related harm in other areas of the State.

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

- fact that there are no crime density hotspots in the suburb for alcohol related domestic and non-domestic assault
- the fact that there is only one other packaged liquor licence operating in the suburb
- harm-minimisation measures outlined in the plan of management and licence conditions, as set out in Schedule 1.

In addition we recognise that Broke forms part of the extensive wine producing area in the Hunter region which is an important contributor to the NSW economy.

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, Max Costa, at Max.Costa@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
Krinklewood Estate Pty Ltd**

No.	Condition to be imposed	Description
1.	6-hour closure period	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 04:00 AM and 10:00 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.	Retail sales	<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.	Social impact	The business authorised by this licence must not operate with a greater overall level of social impact on the well-being 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 the licence.
4.	Participation in the local liquor accord	The licensee or its representative must join and be an active participant in the local liquor accord.
5.	Liquor plan of management	The premises is to be operated at all times in accordance with the Plan of Management dated November 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.
6.	Specialised Liquor Products	<ol style="list-style-type: none"> 1) The licensee must ensure that only the following liquor products are sold or supplied by the licensed business ("Business"), except as provided by sub-clause 2: <ol style="list-style-type: none"> a) boutique wines (including sparkling wines and champagne) b) organic and natural liquor products c) liquor products packaged under labels owned by the Business d) wine produced in the Hunter wine region in which the premises is located 2) Other complementary liquor products, provided that those other products do not exceed more than 10% of the total product lines or 10% of the total products stocked on the premises at any one time, are also permitted. For liquor products available for sale under this sub-clause, the licensee must maintain documentation that stock levels do not exceed either of the specified 10% thresholds. 3) The licensee must ensure that a list of the product lines and products stocked by the Business at any one time is kept at the premises and made available for inspection on the request of a police officer, Liquor & Gaming NSW inspector, or any other person authorised by the Independent Liquor and Gaming Authority. 4) For every liquor product (except products packaged under labels owned by the Business that is available for sale under sub-clause

No.	Condition to be imposed	Description
		<p>1, the licensee must maintain and make available for inspection on the premises documentation from the supplier confirming the location of production, and/or that the product meets the relevant definition specified in this condition.</p> <p><u>Definitions</u></p> <p>For the purposes of this condition:</p> <ol style="list-style-type: none"> 1) Boutique wine is defined as wine (other than sparkling wine or champagne) that is manufactured by or on behalf of a boutique wine company which crushes and bottles 250 tonnes or less annually under its own label and is independently owned (i.e. not owned by a larger wine company at the time wine is supplied to the Business). 2) Boutique champagne and sparkling wine is defined as champagne or sparkling wine that is not generally considered to be mainstream champagne or sparkling wine, that is, champagne or sparkling wine that is not commonly sold by major liquor retailers. 3) Organic and natural liquor products are defined as: <ol style="list-style-type: none"> a) Organic liquors (including organic wines) that bear a recognised organic certification logo; b) Wine that is labelled or marketed as organic wine, and is produced from vineyards and farms that are farmed organically or to organic standards, typically with little or no additions in wine-making (whether or not the wine is certified as organic); c) Wine that is labelled or marketed as natural wine, and is produced from vineyards that are farmed organically or bio-dynamically, and then produced with no additions (additives) in wine-making, including MegaPurple, tartaric acid, enzymes, malabugs, and bottled with lower levels of sulphur or without sulphur (preservative 220); and d) Boutique wines that are marketed as organic, bio-dynamic or natural wines (including sparkling wine), and manufactured by or on behalf of a boutique wine company which crushes and bottles 250 tonnes or less annually under its own label and is independently-owned (ie not owned by a larger wine company at the time the licensee purchases wine wholesale from the supplier).