

Mr Tony Schwartz  
Back Schwartz Vaughan  
By email to: [tschwartz@bsv.com.au](mailto:tschwartz@bsv.com.au)

12 September 2023

Dear Mr Schwartz

<b>Application No.</b>	APP-0011229768
<b>Applicant</b>	ANTHONY SMITH
<b>Application for</b>	New packaged liquor licence
<b>Application date</b>	3 May 2023
<b>Decision date</b>	16 August 2023
<b>Licence name</b>	BWS – Beer Wine Spirits
<b>Trading hours</b>	Monday to Saturday 08:00 AM – 10:00 PM Sunday 10:00 AM – 10:00 PM
<b>Premises</b>	2 Mandala Parade Castle Hill NSW 2154
<b>Legislation</b>	Sections 3, 11, 12, 29, 31, 40, 44, 45, 48, 114 of the <i>Liquor Act 2007</i>

**Decision of the Independent Liquor & Gaming Authority  
Application for a new packages liquor licence – BWS – Beer Wine Spirits**

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

**Statement of reasons**

The statement of reasons will be published on the [Liquor & Gaming NSW website](https://www.liquorandgaming.nsw.gov.au) 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](mailto: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**

## STATEMENT OF REASONS

### Our decision

We have considered the objects of the *Liquor Act 2007* (the Act) and the relevant legislative provisions and have approved the application under section 45 of the Act.

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 Castle Hill. The broader community is the Local Government Area (LGA) of The Hills Shire.

#### Positive social impacts

The applicant seeks approval to operate a standalone liquor store, within the Showground Shopping Centre at Castle Hill. The store will be adjoining, but separate from, a Woolworths supermarket. There were no objections received by any member of the public.

The licence hours align with the trading hours of the shopping centre providing customers with the opportunity for one-stop shopping.

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

#### Negative social impacts

We note the objection from the NSW Police in relation to the licence conditions, however the Authority considers the licence conditions imposed are appropriate.

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 and alcohol related assault hotspots identified in Castle Hill (which were classified as medium density)
- non-domestic assault and malicious damage hotspots identified in Castle Hill (which were classified as high density).

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

- location of the store within a shopping centre (with no direct street frontage or appeal)
- low crime rates in both Castle Hill and The Hills Shire for all offence categories usually considered by the Authority
- low rate of alcohol-attributable deaths and hospitalisations in The Hills Shire compared to NSW
- indication of above average socio-economic advantage/disadvantage in both Castle Hill and The Hills Shire compared to NSW
- low saturation of packaged liquor licences in Castle Hill and The Hills Shire 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 them.

We also considered [Guideline 6](#) to assess the likely social impact to the local and broader community.

Yours sincerely



Caroline Lamb

**Chairperson**

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

## Schedule 1 – Licence conditions to be imposed BWS – Beer Wine Spirits

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>02:00 AM and 08:00 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>Restricted trading &amp; NYE</b>	<p>Good Friday      Not permitted</p> <p>December 24<sup>th</sup>    Normal trading Monday to Saturday, 8:00 AM to 12:00 midnight Sunday</p> <p>Christmas Day    Not permitted</p> <p>December 31<sup>st</sup>    Normal trading Monday to Saturday 10:00 AM to 12:00 midnight Sunday</p>
3.	<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 obtaining this licence.
4.	<b>Liquor Accord</b>	The licensee or its representative must join and be an active participant in the local liquor accord.
5.	<b>Plan of management</b>	The premises is to be operated at all times in accordance with the policies and procedures of the Endeavour Group Limited, 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 Independent Liquor and Gaming Authority.
6.	<b>CCTV</b>	<p>1) The licensee must maintain a closed-circuit television (CCTV) system on the licensed premises ("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,</li> <li>(b) recordings must be in digital format and at a minimum of ten (10) frames 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, and</li> <li>(ii) 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>