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Dear Mr Schwartz

**Application for Packaged Liquor Licence
BWS Wilton**

I am writing to you regarding an application made by your client, Mr Anthony Charles Leybourne Smith, on behalf of Woolworths Limited, which was received by the Independent Liquor and Gaming Authority on 18 February 2015.

As described in the Authority's Regulatory Delegations Manual, the Authority has delegated to the Licencing Co-ordinator (Delegate) the power to grant certain packaged liquor licence applications that fall within a designated risk threshold. This Application falls within the relevant threshold enabling the matter to be determined under delegation.

The Delegate considered the Application on the 24 June 2015 and has decided, pursuant to section 45 of the *Liquor Act 2007* to grant the Application.

Under section 36C of the *Gaming and Liquor Administration Act 2007*, the Authority is required to produce and publish statements of reasons with respect to those decisions prescribed by clause 6 of the Gaming and Liquor Administration Regulation 2008.

This letter attaches the Delegate's statement of reasons. It has been prepared in the context of a high volume liquor jurisdiction that requires the publication of statements of reasons as soon as practicable.

Yours faithfully

Micheil Brodie
Chief Executive

- 2 DEC 2015

STATEMENT OF REASONS

INTRODUCTION

1. On 18 February 2015 the Independent Liquor and Gaming Authority (Authority) received an application (Application) made by Anthony Smith on behalf of Woolworths Limited (Applicant).
2. The Application seeks the grant of a new packaged liquor licence within the meaning of section 29 of the *Liquor Act 2007* (Act) in respect of premises located at Shop T8, Bingara Shopping Village, Corner of Greenbridge Drive and Pembroke Parade, Wilton, 2571 (Premises).
3. The Premises are located within the Wollondilly Local Government Area (Wollondilly LGA). The owner of the Bingara Shopping Village is Bingara Wilton Holdings Pty Limited (Premises Owner). The Bingara Shopping Village is located within Bingara Gorge, a planned community that forms part of Wilton.
4. The proposed licensed trading hours sought for the new licensed business are:

Monday to Sunday 10:00am to 10:00pm.
5. While the Application as it was initially filed seeks an opening time of 8:00am from Monday to Saturday, this was subsequently amended to an opening time of 10:00am to align with the trading hours specified in the development consent permitting use of the Premises.
6. Similarly, the Application as it was initially filed seeks that the 6 hour closure period required by section 11A of the Act be fixed between 2:00am and 8:00am. However, this has been amended to between 4:00am and 10:00am to coincide with the amended opening time.

MATERIAL BEFORE THE DELEGATE

7. Application Form and Community Impact Statement (CIS) filed with the Authority on 10 July 2014. In the Application Form, the Applicant discloses that development consent for use and fit-out of a bottle shop has been approved for the Premises by Wollondilly City Council.
8. The Application as initially framed indicates that the proposed licensed trading hours sought for the Premises are between 8:00am and 10:00pm Monday to Saturday and 10:00am to 10:00pm Sunday. That document also proposes that the 6-hour closure daily period required by section 11A of the Act be fixed at between 2:00am and 8:00am.
9. However, these trading hours were later amended to correspond to the requirements of the Development Application, which stipulated trading hours of 10:00am to 10:00pm Monday to Sunday. Similarly the closure period required by section 11A of the Act has been amended to 4:00am to 10:00am to coincide with the new opening time.
10. The contentions made by the Applicant in the CIS document regarding the overall social impact of granting the Application are discussed in further detail below.
11. Information relating to the Applicant including a National Police Certificate (NPC). This document indicates that the Applicant has "no disclosable court outcomes or outstanding

matters". Also provided is a copy of the Applicant's Responsible Service of Alcohol (RSA) competency card, Drivers Licence, Medicare Card, and Credit Union Visa card.

12. Plan of the Premises. A diagram showing the Premises and the boundary of the proposed licensed area.
13. A document entitled "Woolworths Liquor Group Liquor Store House Policy", and a document entitled "Operational matters; security, harm minimisation and responsible service of alcohol practices adopted at BWS stores in NSW". These two documents address internal policies and procedures maintained by the BWS business regarding the prevention of persons under the age of 18 from purchasing liquor or having liquor purchased for them - primarily by requiring the presentation of identification (ID) in the form of a current driver or rider licence, a current passport or NSW Photo ID Card from any person who appears to be under the age of 25. The Policies also require refusal of service to any person who appears to be intoxicated; ensuring that liquor is not consumed on the Premises nor displayed outside the licensed area; ensuring that all staff involved in the sale and supply of liquor are RSA certified; ensuring that CCTV and other security measures are in place and requiring participation in local liquor accords.
14. Document entitled "Woolworths' experience with BWS stores". This document outlines an assessment that Woolworths has made about the effects of packaged liquor licence businesses and more specifically BWS upon the Applicant Defined Bingara Primary Trade Area and the Wollondilly LGA.
15. The document refer to statistics from the Australian Bureau of Statistics (ABS) from 2013 indicating that there was a 76% increase in the number of liquor licences issued across Australia during the period from 1997 to 2013 and despite this the levels of consumption of alcohol per person remained relatively stable.
16. This document also sets out what the Applicant contends will be the advantages to the community of licensing a new BWS store, including:
 - a) Increased competition for packaged liquor
 - b) Servicing a "legitimate community demand" for alcohol
 - c) Improvement to the visual presentation of the area and consequently the quality of life in the area
 - d) Enhancing economic viability of the area by increase patronage to the area
 - e) The provision of long term employment opportunities
 - f) Increased safety and security in the area through casual surveillance provided by sophisticated CCTV and security systems.
17. Notice of Determination of Application – Local Development Consent No. 010.2014.00000847 by Wollondilly Shire Council (Council) dated 6 March 2015 (DA). This document gives notice of development consent for the fit-out of Shop T8, as a bottle shop. It deals, *inter alia*, with the regulation of construction, fire safety, maintenance, and amenities. The DA specifies a condition limiting the hours of trade for the Premises to between 10am and 10pm Monday to Sunday.
18. Public Health statistics issued by the NSW Department of Health. The Applicant has submitted data from NSW Health pertaining to rates of alcohol related deaths and hospitalisations in NSW by LGA for 2011. The data indicates that in 2011 there were 18.6 *alcohol-attributable deaths* per 100,000 persons per year in the Wollondilly LGA. The Delegate notes that the data provided by the Applicant does not indicate state average at the time but it is noted within this data that this rate is "not significantly different from the NSW average". These statistics also indicate that there were 552.8 *alcohol-attributable hospitalisations* per 100,000 persons in the Wollondilly LGA, and indicate that this is significantly lower than the average of NSW.

19. Socio Economic Index for Areas (SEIFA) data published by the Australian Bureau of Statistics (ABS) in 2011, indicating that the suburb of Wilton is ranked in the ninth decile on the Index of Relative Socio-economic Advantage and Disadvantage (IRSAD) for all suburbs in NSW. The Postcode 2571 (which includes the suburbs of Balmoral Village, Buxton, Couridjah, Maldon, Mowbray Park, Picton, Razorback, and Wilton) is ranked in the eighth decile on the IRSAD. The Wollondilly LGA falls within the ninth decile for all LGA's in NSW (with a ranking of 10 being the most advantaged).
20. Publically available BOCSAR crime data before the Authority for calendar year 2013 detailing rates of offences for the Wollondilly LGA compared to NSW as a whole. This data compares rates of both *alcohol-related incidents* and *non-alcohol related incidents*. It indicates that for calendar year 2013, the rate of *domestic-violence assault* incidents across the Wollondilly LGA as a whole was 397 per 100,000 persons, below the rate for NSW as a whole which was 410 per 100,000 persons. The rate of *non-domestic assault* incidents in this LGA was 277 per 100,000 persons, below the rate of 489 for the State as a whole. The rate of assault police incidents in this LGA was 12 per 100,000 persons, below the rate for NSW as a whole of 38. The rate of malicious damage to property incidents across this LGA was 789 per 100,000 persons, which is below the NSW rate of 1102.
21. With regard to alcohol related offences, the rate of *alcohol-related domestic assault* incidents across the Wollondilly LGA as a whole was 99 per 100,000 persons, below the rate for NSW as a whole which was 145 per 100,000 persons. The rate of *alcohol-related non-domestic assault* incidents in this LGA was 60 per 100,000 persons, below the rate of 191 for the State as a whole. The rate of *alcohol-related assault police* incidents in this LGA was 7 per 100,000 persons, below the rate for NSW as a whole of 24. The rate of alcohol-related malicious damage to property incidents across this LGA was 81 per 100,000 persons, which is below the NSW rate of 122.
22. Publically available BOCSAR crime mapping data before the Authority for January 2014 to December 2014. These maps indicate that the Premises is not located near any hot-spots for the concentration of all offences recorded within the Wollondilly LGA.
23. Authority licencing data indicating the liquor licence density for the population within postcode 2571. The density of *packaged liquor licences* within postcode 2571 (which includes the suburbs of Balmoral Village, Buxton, Couridjah, Maldon, Mowbray Park, Picton, Razorback, and Wilton) is 39.43 per 100,000 persons, substantially higher than the NSW rate as a whole of 32.85, while the density of packaged liquor licences across Wollondilly LGA as a whole is 30.06 per 100,000 persons, lower than the rate for NSW as a whole.
24. The density of *full hotel licences* (who may also sell take away liquor) within postcode 2571 is 78.86 per 100,000 persons, compared to the state wide average of 30.6 per 100,000 persons. The density of full hotel licences across the Wollondilly LGA is 23.12 per 100,000 persons, which is lower than the state wide average.
25. The density of *registered club licences* and *on-premises licences* within postcode 2571 are also higher than the state average as a whole. The density of registered club licences and on-premises licences across the Wollondilly LGA are lower than the state wide average.
26. Authority licensing records indicating the addresses of other liquor licenced premises within the State suburb of Wilton. There is currently only one (1) packaged liquor licenced premises in the suburb of Wilton and four (4) licenced premises in total.

27. Submission from NSW Police, Camden Local Area Command (LAC), dated 23 March 2015. This submission simply states that "Police do not object to the Application".
28. Submission from the NSW Family and Community Services (FACS), dated 19 December 2014. This submission states that having contacted the LAC and Council "there were no issues or concerns currently received". It also states that FACS "expects the Management of the proposed liquor shop will continue to consult and respond to any community concerns on the proposed liquor sale and...address the negative impact of changes in alcohol availability".
29. Submission from NSW Roads and Maritime Services (RMS), undated. This submission, apparently made during the CIS process, states that RMS does not object to the Application but recommends that the Applicant join the Southern Highlands Liquor Accord.

LEGISLATION

30. The power to grant a packaged liquor licence is provided by section 45 of the Act, which states:
 - 45 *Decision of Authority in relation to licence applications*
 - (1) *The Authority may, after considering an application for a licence and any submissions received by the Authority in relation to the application, grant the licence or refuse to grant the licence. The Authority may determine the application whether or not the Secretary has provided a report in relation to the application.*
 - (2) *...*
 - (3) *The Authority must not grant a licence unless the Authority is satisfied that:*
 - (a) *the applicant is a fit and proper person to carry on the business or activity to which the proposed licence relates, and*
 - (b) *practices will be in place at the licensed premises as soon as the licence is granted that ensure, as far as reasonably practicable, that liquor is sold, supplied or served responsibly on the premises and that all reasonable steps are taken to prevent intoxication on the premises, and that those practices will remain in place, and*
 - (c) *if development consent is required under the Environmental Planning and Assessment Act 1979 (or approval under Part 3A or Part 5.1 of that Act is required) to use the premises for the purposes of the business or activity to which the proposed licence relates – that development consent or approval is in force.*
31. Under section 48(5) of the Act, the Authority *must not* grant a licence, authorisation or approval of a kind prescribed by section 48(2) of the Act unless the Authority is satisfied, having regard to the CIS and any other matter the Authority is made aware of during the Application process, that the overall social impact of the licence, authorisation or approval in question being granted *will not be detrimental* to the local or broader community.
32. Section 48(5) of the Act states:
 - 48 *Community impact*
 - (5) *The Authority must not grant a licence, authorisation or approval to which a relevant application relates unless the Authority is satisfied, after having regard to:*
 - (a) *the community impact statement provided with the application, and*
 - (b) *any other matter the Authority is made aware of during the application process (such as by way of reports or submissions), that the overall social impact of the licence, authorisation or approval being granted will not be detrimental to the well-being of the local or broader community.*
33. An application for a packaged liquor licence is a type of licence prescribed by section 48(2) requiring a CIS and satisfaction of the overall social impact test.

34. In determining the Application, the Delegate also considered relevant provisions of the Act, including the objects and considerations that are prescribed by section 3, which states:

3 *Objects of Act*

- (1) *The objects of this Act are as follows:*
- (a) *to regulate and control the sale, supply and consumption of liquor in a way that is consistent with the expectations, needs and aspirations of the community.*
 - (b) *to facilitate the balanced development, in the public interest, of the liquor industry, through a flexible and practical regulatory system with minimal formality and technicality,*
 - (c) *to contribute to the responsible development of related industries such as the live music, entertainment, tourism and hospitality industries.*
- (2) *In order to secure the objects of this Act, each person who exercises functions under this Act (including a licensee) is required to have due regard to the following:*
- (a) *the need to minimise harm associated with misuse and abuse of liquor (including harm arising from violence and other anti-social behaviour),*
 - (b) *the need to encourage responsible attitudes and practices towards the promotion, sale, supply, service and consumption of liquor,*
 - (c) *the need to ensure that the sale, supply and consumption of liquor contributes to, and does not detract from, the amenity of community life.*

APPLICANT CASE ON OVERALL SOCIAL IMPACT

35. In the CIS statement dated 6 February 2015, the Applicant addresses issues relevant to the assessment of the social impact of granting this Application including the presence of "at-risk groups", liquor outlet density, SEIFA data, "potentially sensitive facilities", community stakeholders, alcohol-related crime, and alcohol-related harm. The Applicant also addresses the contended benefits granting the Application for the local and broader community.
36. The Applicant has defined the broader community as the trade area as the Wollondilly LGA while defining the local community by reference to the "Bingara Gorge Primary Trading Area" a map of which has been provided in the CIS indicating the boundaries of the Applicant's defined local community. [The Delegate refers to this area in the discussion below as the "Applicant Defined Trade Area"].
37. The Delegate notes that pursuant to Authority Guideline 6 the Authority will usually defined the "local community" for the purposes of the social impact test by reference to the state Suburb or town in which the business is located, not by reference to the Applicant's proposed trade catchment area.
38. With regard to "at-risk groups" the Applicant notes, within its SEIFA data contained in the CIS data, that the percentage of all "at-risk groups". [The Delegate notes that "at risk groups are a reference to demographic groups who are usually identified in the research including the research known to the Authority that is listed in Guideline 6, as vulnerable to higher adverse alcohol related outcomes].
39. The Applicant data indicates that young persons are "slightly overrepresented" in the Applicant Defined Trade Area (13.7%) compared to NSW as a whole (12.0%).
40. The Applicant submits that within the broader community of the Wollondilly LGA labourers (9.6%) were overrepresented compared to NSW as a whole (8.7%) as were young persons (13.5%).
41. The Applicant contends that although there were overrepresentations of some "at risk groups" the only group that was "substantially higher than the NSW average" was labourers, who are only overrepresented across the broader community.

42. Furthermore, the Applicant contends that it is not clear that overrepresentation of these groups can be considered tantamount to risk rather these statistics have to be viewed in conjunction with other statistical evidence, such as crime and health data.
43. With regard to the issue of licence density, the Applicant contends that the broader community and the suburb of Wilton have an "under-provision of licensed premises". The Applicant refers to licensing information that it has obtained from OLGR which compares the number of people to the number of hotels and packaged liquor licenced premises.
44. The Applicant submits that across the State of NSW as a whole there are 1,525 people for each of these two licence categories combined (hotels and packaged liquor). Whereas the Applicant submits that the broader community of the Wollondilly LGA had 1,730 people for each of these licences combined, less than for NSW as a whole. The Applicant Defined Trade Area had 1,476 people for each of these two licences combined, more than for NSW as a whole.
45. The Applicant submits that the suburb of Wilton had 1,890 people for each of these licences combined, less than for NSW as a whole.
46. With regard to socio-economic factors, the Applicant contends that the suburb of Wilton is an "advantaged community". The Applicant has included SEIFA data for both the suburb of Wilton (with a rating of 9 on IRSAD) and the broader community of the Wollondilly LGA (also with a rating of 9 on IRSAD) which indicates relative advantage.
47. Furthermore, the Applicant submits that the median weekly household income for the state suburb of Wilton, the broader community and the Applicant Defined Trade Area were higher than the NSW state average.
48. The Applicant has identified a number of "potentially sensitive facilities" located within 100 meters of the store. These are the Wilton Public School, Skoolzout@Bingara Gorge (before and after school care centre), and Bingara Gorge Community Preschool. The Applicant notes that the above facilities were given notice of the Application and the only response was from Wilton Public School.
49. The Applicant notes that Wilton Public School contacted the Applicant's solicitors to express concern about additional traffic that would be attracted to the area by the operation of the Premises during the peak traffic times for the school, being 9:30am and 10:00am on school days.
50. The Applicant contends that Woolworths has "provided an undertaking that it will extend the period when delivery trucks will not attend this site (ie, between 9:30am and 10:00am)".
51. With regard to other community stakeholders, the Applicant notes that although a number of submissions were received, including a letter from FACS, a letter from RMS, a letter from NSW Police, and a phone call from Wilton Public School, none of these submissions objected to the Application.
52. With regard to rates of alcohol-related crime, the Applicant contends that the suburb of Wilton "enjoys low levels of crime" and has "demonstrated an ability to consume alcohol responsibly".
53. The Applicant has included BOCSAR data for the broader community of Wollondilly LGA in 2014 in the CIS statement. The Applicant notes that the rates of *alcohol-related domestic violence assault* was 110.3 incidents per 100,000 persons (compared to 135.3 incidents per 100,000 persons for NSW as a whole). The Applicant notes that *alcohol-*

related non-domestic violence was 92.7 incidents per 100,000 persons (compared to 164.6 incidents per 100,000 persons for NSW as a whole).

54. The Applicant notes that the rate of *alcohol-related disorderly conduct* was 26.5 incidents per 100,000 persons (compared to 104.7 incidents per 100,000 persons for NSW as a whole), and that the rate of *alcohol-related Assault Police* was 15.4 incidents per 100,000 persons (compared to 21.2 incidents per 100,000 persons for NSW as a whole).
55. The Applicant submits that all of these crime rates are below the rates for NSW as a whole. Furthermore, the Applicant notes that BOCSAR crime hotspot maps indicate that there are no hotspots for domestic violence assault, or non-domestic violence assault near the Premises.
56. With regard to alcohol related harm in the communities, the Applicant has supplied statistics from the NSW Department of Health for the broader community indicating that alcohol-related hospitalisation rates are significantly lower than the average of NSW as a whole, and alcohol-related death rates are not significantly different from the average of NSW as a whole.
57. The Applicant contends that the BWS store would provide a number of public interest benefits to the communities, and these include:
 - a) employment opportunities for the Applicant Defined Trade Area with regard to the fit-out and operation of the BWS
 - b) improved "choice and convenience
 - c) "providing a well-placed venue that meets the requirement of the current and future population of Wilton/Bingara Gorge"
 - d) improved neighbourhood safety through the implementation of policies, procedures and CCTV systems
 - e) the ability for the new store to contribute to local groups and organisations.

REASONS

58. The Delegate is satisfied, for the purposes of section 40 of the Act, that the Application and CIS material establishes that the Application has been validly made and relevant consultation and advertising requirements of the legislation were observed.
59. The Delegate is satisfied, for the purposes of section 45(3)(a), that the Applicant company has previously established that it is a fit and proper person from a probity perspective and that no probity concerns have been raised in submissions from the other stakeholders, particularly NSW Police or OLGR, in this regard. The Delegate notes that the Applicant's company is a repeat applicant for packaged liquor licences and that there are numerous licensed Woolworths liquor stores currently operating across New South Wales.
60. The Delegate is satisfied that that the Applicant is experienced in operating a packaged liquor business and that the Applicant's documents "Woolworths Liquor Group Liquor Store House Policy", and "Operational matters; security, harm minimisation and responsible service of alcohol practices adopted at BWS stores in NSW" disclose that detailed policies and a comprehensive risk mitigation regime has been devised by the Applicant and will be in place at the Premises. There is no adverse information before the Delegate as to the Applicant's company's fitness in response to consultation on this Application with relevant law enforcement agencies including Police and OLGR.
61. The Delegate is satisfied, for the purposes of section 45(3)(b), that responsible service practices will be in place with the commencement of licensed trading, on the basis of the detailed business planning material provided with the Application including the

"Woolworths Liquor Group Liquor Store House Policy", and "Operational matters; security, harm minimisation and responsible service of alcohol practices adopted at BWS stores in NSW" submissions provided by the Applicant and noting an absence of adverse submission from OLGR or from Police with regard to the Applicant in this regard.

62. The Delegate is satisfied, for the purposes of section 45(3)(c) of the Act, that the required development consent is in place for conduct of a retail packaged liquor business on the Premises, on the basis of the DA dated 6 March 2015 from Wollondilly Shire Council provided by the Applicant.

Overall Social Impact

63. With regard to the overall social impact test prescribed by section 48(5) of the Act, the Applicant has proposed that the local community be defined by reference to the Applicant Defined Catchment Area.
64. The Delegate notes that "local community" is not defined by the Act and that Authority policy, as identified in Authority Guideline 6, is to define the local community by reference to the town or State suburb in which the Premises is located.
65. While the Applicant may well expect to receive patronage from a wider trade catchment area, the Authority considers that defining the local community beyond the immediate town or suburb in question runs the risk of positing a local community that loses any real sense of locality. The Delegate finds that the local community is the community in the State suburb of Wilton while the Delegate is satisfied, as proposed by the Applicant, that the broader community comprises the Wollondilly LGA.
66. Applying the overall social impact test requires a degree of speculation, albeit speculation informed by the particular proposal and the prevailing circumstances in the relevant local and broader community.

Positive Benefits

67. The Delegate accepts the Applicant's contention that granting the Application will meet some of the requirements of the members of the local and broader community who wish to purchase liquor by retail for consumption off the Premises at the same time as shopping in the Bingara Shopping Village.
68. The Delegate is satisfied that given that there is only one current packaged liquor store in the State suburb of Wilton and only two packaged liquor licences within the Applicant Defined Catchment Area - according to Authority licensing records and OLGR record supplied by the Applicant - granting the Application will provide further competition and increased consumer choice to the local and broader community. Customers will gain the benefits of a range of competitively priced mainstream liquor products and the convenience of purchasing those products with groceries at the Bingara Shopping Village.
69. In this respect the Delegate is satisfied that by granting the Application, the enhanced choice and convenience for customers of the Bingara Shopping Village will be consistent with promoting the "expectations, needs and aspirations" of the local and broader community which is a statutory object of section 3(1)(a) of the Act. It may also be said to advance the reasonable development of the liquor industry in the local and broader communities which is a statutory object of section 3(1)(b) of the Act.

70. The Delegate accepts as generally credible the Applicant's submission that granting the Application may, to some extent, provide employment opportunities, in terms of extra staff needed to service the Premises, and strengthen the viability of the shopping at the Bingara Shopping Village as customers will be encouraged to undertake other shopping in that area, having been saved the need to travel elsewhere to purchase packaged liquor. However, these contentions have not been specified or substantiated to any great extent and less weight is given to these contended benefits in the absence of a clear or binding undertaking that staff will actually be sourced from within the local or broader community.

Negative Impacts

71. The Delegate accepts that over time there will likely be some contribution from the liquor sold at this new licensed business to alcohol related crime, disturbance or adverse impacts on amenity in the local or broader community from a minority of customers who abuse packaged liquor purchased from the Premises.
72. A minority of patrons of the new business may also contribute to a variety of other likely adverse impacts upon local amenity associated with the abuse of packaged liquor, including drinking in public, and underage drinking before attending licensed premises or alcohol related litter.
73. However, the extent of concern as to the extent of such impacts is not found to be pronounced in this instance, having regard to the absence of any adverse submissions indicating concerns with localised alcohol related crime or disturbance from local residents, Police, OLGR, Council.
74. The lower prevailing rates of crime recorded within the Wollondilly LGA when compared with NSW State averages are another factor that reduce concern as to the contribution that this new business will make to prevailing adverse social impacts.
75. The Delegate is also satisfied that SEIFA data for the suburb of Wilton as well as the broader community of Wollondilly indicate relative socio-economic advantage, which is a further, albeit more general factor indicating that the communities that are likely to be serviced or impacted by the operation by this business over time do not presently exhibit particular vulnerability to adverse social impacts associated with the abuse of alcohol.
76. The Delegate notes the absence of adverse submissions from other stakeholders as to problems arising from the location of the Premises.
77. The hours sought by the Applicant are extensive, trading to the maximum time permitted in New South Wales (10pm) seven days per week. This is an adverse incident of the Application that objectively increases the potential for liquor sold by this business to contribute to prevailing adverse outcomes in the local or broader community.
78. The scale of the Premises is also a factor of concern, as it occupies approximately 120 square meters, which is larger than many of its competitor stand-alone liquor stores. A venue of this size is harder to monitor for security purposes and is capable of housing and selling a substantial volume of liquor over time. This increases the relative contribution that this particular outlet may make to packaged liquor related social problems in the relevant communities over time. The Delegate notes that there are some "at risk" groups overrepresented in the broader community, including young persons and labourers in the Wollondilly LGA.
79. While licence density statistics indicate that there is some concentration with regard to overall liquor licences in the local community compared to licence density for the State

as a whole, the Delegate is satisfied that this level of licence density has not translated into relatively poor social outcomes by reference to the available crime and health data.

80. The Delegate notes the higher than State average proportion of the population employed as labourers in the broader community (9.6%, compared to NSW as a whole 8.7%) and the higher than average population of young persons in the broader community (13.5% compared to 12.9% for NSW as a whole) as potential factors going to the relative vulnerability of the community to adverse alcohol related impacts, but again this has not translated into any particular cause for concern expressed by the local agencies or law enforcement or the SEIFA data overall. These *potentially* adverse socio demographic factors are not persuasive adverse factors in the context of these two communities, having considered all of the evidence before the Delegate.
81. The comprehensive harm minimisation measures outlined in the documents "Woolworths Liquor Group Liquor Store House Policy", and "Operational matters; security, harm minimisation and responsible service of alcohol practices adopted at BWS stores in NSW" provided by the Applicant as part of the Application, including installation of CCTV surveillance, also satisfy the Delegate that steps will be taken by the Applicant and its staff to ensure that the extent of adverse impact arising from the abuse of liquor sold from the Premises is constrained. These are further factors that may assist in minimising the social impact that the operation of a packaged liquor business of this scale and trading hours may otherwise have in the local or broader community.

CONCLUSION

82. Considering together the positive benefits found in this case and the factors which may objectively constrain the extent of likely negative impacts that may otherwise arise from the sale of liquor from this proposed new business, the Delegate is satisfied that the overall social impact of granting this Application for a packaged liquor licence will not be detrimental to the well-being of the local or broader community.
83. In making this decision the Delegate has had regard to all of the statutory objects of section 3(1) and has taken into account all of the considerations prescribed by section 3(2).



Micheil Brodie
Chief Executive

- 2 DEC 2015