



Mr George Smith  
Design Collaborative Pty Ltd  
Level 3, 225 Clarence Street  
SYDNEY NSW 2000

17 May 2017

Dear Mr Smith,

**APPLICATION NO:** 1-4995657273  
**APPLICATION FOR:** New Packaged Liquor Licence  
**APPLICANT:** Kallin Pty Ltd  
**PROPOSED LICENSED PREMISES NAME:** Chambers Cellars  
**PREMISES LOCATION:** 12 Ennis Rd,  
MILSONS POINT, NSW 2061 (Premises)  
**ISSUE:** Whether to grant or refuse an application  
for a new packaged liquor licence  
**LEGISLATION:** Sections 3, 29, 40, 45, 48 of the *Liquor Act 2007*

**INDEPENDENT LIQUOR AND GAMING AUTHORITY DECISION – APPLICATION  
FOR NEW PACKAGED LIQUOR LICENCE – CHAMBERS CELLARS, MILSONS  
POINT**

The Independent Liquor and Gaming Authority considered application number 1-4995657273 for a new packaged liquor licence (Application) at its meeting on 19 April 2017 and, pursuant to section 45 of the *Liquor Act 2007* (Act), decided to **grant** the Application subject to the following conditions:

- 1. Trading Hours**  
Monday to Sunday 10:00AM – 10:00PM
- 2.** 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 6-hours between 4:00AM and 10:00AM 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.
- 3. Retail Sales**

Good Friday	Not permitted
December 24 <sup>th</sup>	Normal trading
Christmas Day	Not permitted

December 31<sup>st</sup>

Normal trading

4. 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 be reasonably expected from the information contained in the community impact statement, application and other information submitted in the process of obtaining this licence.
5. The premises are to be operated at all times in accordance with the Plan of Management dated 6 December 2016 as may be varied from time to time after consultation with the Local Area Commander of NSW Police.
6. The licensee or its representative must join and be an active participant in the local liquor accord.
7. The premises must not trade past 6:00PM on 31 December of any year.

If you have any enquiries about this letter please contact the case manager, Ms Santina Causa, via email to [kieran.mcsherry@justice.nsw.gov.au](mailto:kieran.mcsherry@justice.nsw.gov.au)

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Philip Crawford', written in a cursive style.

Philip Crawford

**Chairperson**

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

## STATEMENT OF REASONS

### DECISION

1. The Independent Liquor and Gaming Authority (Authority) is satisfied that procedural fairness was afforded to the Applicant and interested parties regarding the decision whether or not to grant the application lodged on 10 October 2016 (Application) for a new packaged liquor licence, as all of those parties required to be notified of the Application were provided with the opportunity to make written submissions and all submissions received were considered and helped inform this decision.
2. Having considered together the positive benefits and negative impacts that the Authority finds likely to flow from granting the Application, the Authority is satisfied, for the purposes of section 48(5) of the *Liquor Act 2007* (Act), that the overall social impact of granting this new packaged liquor licence would not be detrimental to the well-being of the local and broader communities. The Application is granted under section 45 of the Act.
3. In making this decision the Authority has had regard to all of the statutory objects prescribed by section 3(1) of the Act and all of the considerations to which it must have regard under section 3(2) of the Act.

### MATERIAL CONSIDERED BY THE AUTHORITY

4. In making this decision, the Authority has considered the Application, community impact statement (CIS) and all submissions received in relation to the Application. As foreshadowed in Authority *Guideline 6*, the Authority has also had regard to the relevant liquor licensing records and licence density data maintained by Liquor and Gaming NSW (LGNSW), Bureau of Crime Statistics and Research (BOCSAR) crime data and Australian Bureau of Statistics (ABS) socio-demographic data pertaining to the local and broader communities, sourced by licensing staff from publicly available sources. The material considered while making this decision is listed and, in some cases, briefly summarised in the Schedule.

### LEGISLATIVE FRAMEWORK

5. The legal requirements for the making of a valid application for a new liquor licence are provided by section 40 of Act and the *Liquor Regulation 2008* (Regulation). The power to grant an application for a new liquor licence is provided by section 45 of the Act.
6. Section 48(5) of the Act requires the Authority, in certain circumstances, to consider a CIS (as well as any other matter the Authority is made aware of during the application process) in order to ensure that the overall impact of the licence, authorisation or approval being considered will not be detrimental to the local or broader community.
7. An application for a new packaged liquor licence is a “relevant application” within the meaning of section 48(2) of the Act for which a CIS is required.
8. Section 48(5) of the Act requires that the Authority must not grant an application unless satisfied 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”.
9. For the purposes of this decision and consistent with its longstanding practice and its position in *Guideline 6*, the Authority is satisfied that the relevant “local community” is the community within the State suburb of Milsons Point, while the broader community

population within the relevant local government area (LGA), being the North Sydney Council (North Sydney LGA). The Authority has also considered data for the suburb of Kirribilli which is an adjoining suburb in close proximity to the proposed licensed premises.

10. Any person exercising functions under the Act must also have regard to the objects and considerations set out in section 3 of the Act which states:
  - (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.*

## **KEY FINDINGS**

11. The Authority is satisfied, on the basis of the Application and CIS material before it, that, for the purposes of section 40 of the Act, the Application has been validly made and the minimum procedural requirements with regard to the Application, CIS and community consultation have been satisfied.
12. The Authority is satisfied, for the purposes of section 45(3)(a) of the Act, that the Applicant is a fit and proper person to carry on the business of a packaged liquor licensed venue of the kind proposed in the Application material. The Authority notes that no agency consulted on the Application, including Police and LGNSW, raised any probity concerns with the Applicant company.
13. The Authority is further satisfied, for the purposes of section 45(3)(b) of the Act, that responsible service of alcohol practices will be in place upon the commencement of licensed trading on the Premises. This finding is made on the basis of the Applicant's Plan of Management and House Policy dated 6 December 2016.
14. The Authority is also satisfied, for the purposes of section 45(3)(c) of the Act, that the proposed use of the Premises that is the subject of this Application falls within the scope of the development consent in force for the Premises. While this Application was delayed by reason of a dispute between the Applicant and Council as to whether a development consent from the 1990s (permitting use of the Premises as a video store) was sufficient in scope to permit use as a liquor store, that was resolved with Council's determination on 20 March 2017 of a further development application D445/16 expressly permitting fit out of the Premises "for a bottle shop".

## **Social Impact – Positive Benefits**

15. The Authority is satisfied, on the basis of the Application, CIS and additional material supplied by the Applicant that granting this new licence will provide some modest

benefit by way of increased *convenience* to those members of the local and broader community who wish to purchase takeaway liquor products in this part of Milsons Point.

16. The Authority is satisfied that the new business will provide an increase in convenience by reason of its location in an iconic tourist setting close to Sydney Harbour. The increased convenience will be available for those persons in the two communities who are commuting via nearby Milsons Point train station and/or dining at the numerous nearby (un-licensed) cafes in the local community.
17. Given the absence of opposition from local residents or businesses (noting the objection of local Police and the local health district, discussed below) this measure of increased convenience in Milsons Point, particularly for those who do not drive, advances the statutory object prescribed by section 3(1)(a) in that it is consistent with the “expectations, needs and aspirations of the community”. Granting the Application also serves to assist with development of the local liquor industry for the purposes of section 3(1)(b) of the Act and the responsible development of the related (hospitality) industry in the local community for the purposes of section 3(1)(c) of the Act.
18. The extent of those benefits are reduced by the number and location of the incumbent liquor businesses in the local and broader community but the Applicant’s detailed submissions from its planning consultant, Mr Smith, have established these modest positive community benefits.
19. The Applicant has not substantiated its claim that the new business will provide increased *choice*. There is little information or evidence indicating which products the Applicant will supply that are not readily available from the incumbent licensed businesses selling takeaway liquor in the local and broader communities. Little weight may be given to that purported community benefit.

### **Social Impact – Negative Impacts**

20. Having reviewed all of the material before it, the Authority considers that over time there is a risk that the liquor sold from this new licensed business will contribute to the prevailing levels of alcohol related crime, disturbance or adverse impact upon amenity in the local and broader communities from a minority of customers who abuse packaged liquor.
21. The Applicant seeks for the Premises to be licensed from 10:00AM to 10:00PM Monday to Sunday. Those hours are quite extensive and this increases the scope for the new business to contribute to prevailing packaged liquor related social impacts in the local and broader community over time.
22. The scale of the licensed area of the proposed new Premises (93sqm) disclosed in the Application is moderate – when taken on a comparable scale to many other stand-alone packaged liquor stores across NSW.
23. The Authority notes, on the basis of LGNSW liquor licensing records, that the suburb of Milsons Point currently has **3** packaged liquor licensed premises, while the North Sydney LGA has **44** packaged liquor licensed premises.
24. Licence density in the local community is not, *per se*, a factor of concern. Licence density is elevated across the broader community. However, the Authority considers that the contribution of this new licence will be more diffuse at the level of that

community, given the number and location of other licensed premises authorised to sell takeaway liquor across the wider geographic area of the North Sydney LGA.

25. With regard to prevailing crime data, BOCSAR Crime Maps for the period between October 2015 to September 2016 indicate that the Premises is located within high density hotspots for incidents of *domestic assault* and for incidents of *malicious damage to property* and within a medium density hotspot for incidents of *non-domestic assault*.
26. However, those concentrations of crime are derived by reference to the *crime recorded at the level of the local government area as a whole* and the crime rates for the North Sydney LGA are quite favourable by comparison to State wide rates.
27. By reason of the licence type (a packaged liquor licence) the Authority is particularly concerned with prevailing rates of *alcohol related domestic violence* in the relevant communities, given that NSW wide BOCSAR data routinely demonstrates that most domestic violence occurs in private residences, where packaged liquor is usually expected to be consumed.
28. BOCSAR crime data for the 12 months to September 2016 indicate that the rate of *alcohol related domestic assault* across the North Sydney LGA was **77.4** per 100, 000 persons of population, while the rate for the State suburb of Milsons Point was **80.5** per 100,000 persons. Relevantly to the nearby Greenway Apartments social housing estate (Greenway Estate) in McDougall Street, Kirribilli that is discussed below, the rate for Kirribilli was **97.9** per 100,000 persons. All of these rates are substantially below the New South Wales wide rate of **118.1** per 100,000 persons recorded during the same period.
29. The rate of *alcohol related non-domestic assault* across the North Sydney LGA during the same 12 months period to September 2016 was **109.8** per 100,000 persons, substantially below the State wide rate of **137.9** per 100,000 persons.
30. By contrast, the rate of *alcohol related non-domestic violence* in the State suburb of Milsons Point was substantially above the State-wide rate at **281.8** per 100,000 persons. That evidence is plainly adverse to the Application, but the Authority accepts the Applicant's submissions regarding the relatively smaller population of Milson's Point (according to the ABS 2011 census data, only 2013 people) and finds that a seasonal analysis supports the position taken by Police and the Applicant that New Year's Eve is particularly problematic for alcohol related crime, by reason of the great many revellers drawn to Bradfield Park. Relevantly to the submissions regarding the Greenway Estate, the rate for nearby Kirribilli was **146.8** per 100,000 persons, only slightly above the State-wide rate.
31. The Authority accepts that public drinking and alcohol related anti-social conduct create major problems for Police on New Year's Eve. The Authority gives weight to the Applicant's consent to a Police proposal that the Premises not open beyond 6pm on that day. Early closing will provide a meaningful harm reduction measure that will reduce the capacity for *this* business to contribute to alcohol related anti-social conduct on New Year's Eve each year.
32. Finally, while BOCSAR advise caution as to the role of alcohol in malicious damage offences (by reason that it is often the case that no perpetrator is identified in property offences), the rate of malicious damage incidents recorded for North Sydney LGA for

the year ending September 2016 (**498.4** per 100,000 persons) and the Milsons Point suburb (**281.8** per 100,000 persons) were well below the New South Wales wide rate of **838.1** for that period. This does not suggest that either community have a particular problem with this type of anti-social conduct.

33. The alcohol related health data for the broader community presents a mixed picture. NSW Department of Health *Healthstats* data records a Smoothed Estimate of Standardised Separation Ratio (SSSR) for *alcohol attributable hospitalisations* for the North Sydney LGA between the 2001-2002 and 2013-2015 years at **128.6** (with the State-wide ratio fixed at **100**). That is an adverse risk factor of some concern for this Application - although the impact of this licence is likely to be more diffuse at the level of that broader community as a whole - by reason of the many packaged liquor outlets, hotels and clubs capable of selling takeaway liquor throughout that geographical area.
34. By contrast, the SSSR for *alcohol attributable deaths* for the North Sydney LGA between 2001-2002 and 2013-2015 was 73.1, substantially *below* the State-wide rate.
35. The Authority has considered the concerns raised by Police and NSLHD arising from the proximity of the Premises, which is located within walking distance from the Greenway Estate. The Authority accepts the analysis provided by the Applicant's planning consultant, Mr Smith that this estate is situated around 150 metres away from the Premises and that it houses around 600 low income persons in 308 dwellings. NSLHD describes the residents as predominantly over 55 years age, while the Applicant concedes that many of the residents are "elderly". The Authority accepts that many of the residents are older persons.
36. NSLHD and Police contend that persons from that estate will walk past the Premises when walking to or from Milsons Point railway station. The Authority accepts that this estate will house very disadvantaged persons and that low socio economic status is a compounding risk factor when assessing the scope for a new liquor business have negative impacts upon the community that it services. The Authority accepts that the Premises is situated between the estate and the railway station and residents will likely walk past the Premises when walking to or from the station.
37. The Authority is satisfied that the social housing areas identified by Police and NSLHD (the latter not only referring to the Greenway Estate but also other social housing within 1km of the Premises) establish that there are pockets of acute social disadvantage in the what are highly advantaged local and broader communities.
38. The ABS Socio-Economic Indexes for Areas (SEIFA) data, that both the suburb of Milsons Point and the North Sydney LGA are on the whole very advantaged compared to other local government areas and State suburbs in NSW on the Index of Relative Socio-Economic Advantage and Disadvantage, with both Milsons Point and the North Sydney LGA ranked in the 10<sup>th</sup> decile on the Index (with a decile ranking of 10 being the most advantaged). That is, socio economic disadvantage is *not* a compounding risk factor for these communities *on the whole* – which are well-resourced to deal with any alcohol related impacts when they occur.
39. While there is always the potential for a particular estate or neighbourhood within an advantaged community to be so problematic that it moves a decision maker to reject a licence application, the available evidence and information regarding social housing before the Authority is not sufficient to refuse the licence in this case.

40. The Applicant has contested many of the social impact assertions made by Police and NSLHD as to the extent of social problems generated by or the vulnerability of, the residents on the Greenway Estate. Licensing staff have pressed Police and NSLHD for any more refined data or evidence disclosing the nature and extent of any alcohol related social impacts generated by this estate. Limited further evidence or data has been forthcoming.
41. NSLHD refer to research, including the Australian Health Survey 2011-2012 identifying a correlation between highest socio economic disadvantage and average daily intake of liquor. Information provided by the Applicant and NSLGD indicates that the residents of this estate are disadvantaged and include many older persons. The Authority accepts that residents of this estate are very disadvantaged and that there is broader evidence establishing a correlation between socioeconomic disadvantage and higher liquor intake.
42. The Authority accepts the further information provided by NSLHD in its submission dated 16 February 2017 that *of the 150 residents who access the Tenant's Wellbeing Service*, 23% have alcohol problems and a further 12% have drug problems. The Authority notes that if 35% of those 150 residents have drug and alcohol problems, that equates to around 50 persons.
43. As to the extent of any crime or disturbance on the Greenway Estate, Police briefly note in their email submission of 26 October 2016 that residents include persons with drug and alcohol problems. In a further 5 paragraphs email submission dated 2 March 2017 Police refer to BOCSAR crime data for the relevant communities and contend that they "regularly" attend incidents on the estate, including alcohol related "domestic violence, assault, mental health and intoxicated persons" events. In this second submission Police defer to NSW Health as best placed to provide information on any vulnerable persons on the estate and advise that raw data for Police incidents pertaining to the estate "cannot be released".
44. Police do not explain why such evidence, if presented in an anonymised form, could not be provided to the Authority. Police advise that they contacted the Dee Why office of NSW Department of Housing to make a submission but note that no submission was forthcoming from that agency.
45. The Authority accepts that Police attend the Greenway Estate for a range of incidents but Police have not provided any more specific data as to how often these call outs occur, nor records of such events- whether in the form of Computerised Operational Policing System (COPS) reports, Computer Aided Dispatch (CAD) records, Computerised Incident Dispatch System (CIDS) records or otherwise. Such further evidence or data may have enabled the Authority to better appreciate *how* this estate is problematic with respect to *alcohol related conduct* and whether the nature and frequency of adverse events warrants refusal of this Application.
46. The Applicant makes the bare contention that it will not sell "cheap" liquor (and thus be attractive to disadvantaged persons), but has provided little by way of information or analysis to substantiate that claim. There is insufficient data about the Applicant's proposed pricing structure to find whether this new licensed business will be relatively cheaper, more expensive or of little difference to the incumbent licensed businesses.



47. What the LGNSW licensing data shows is that there are already several licensed premises in Milsons Point and nearby Kirribilli that are authorised to sell takeaway liquor. That is, there is an established market competing for takeaway liquor business in the local community.
48. Another adverse factor pertaining to the Application was raised by Police and NSLHD regarding proximity of the Premises to Bradfield Park (some 7 minutes' walk away), which is an Alcohol Prohibited Area. The Premises is located within a group of streets that are declared to be an Alcohol-Free Zone and the Authority finds it credible for Police to be concerned that this Park, which faces onto Sydney Harbour, will be attractive to those who abuse liquor through public drinking, pre-fuelling on packaged liquor before attending licensed premises or underage drinking.
49. NSLHS describe the park as a "hotspot" for anti-social conduct and Police make the brief comment that they "regularly" have to speak to people in the park about such matters but again, there is little evidence or data provided to enable the Authority to gain a sense of the nature and frequency of those issues across the course of the year - aside from New Year's Eve, which is plainly problematic. The Authority gives these submissions some weight, but it cannot give them decisive weight on the evidence before it.
50. The Authority further notes the concerns raised by Police and NSLHD regarding proximity of the Premises to Milsons Point railway station. NSLHD makes the brief assertion, without much by way of elaboration, that "alcohol consumption is already apparent" at the station. The Authority accepts that when such conduct occurs it poses an adverse impact on public amenity. While this contention is generally credible, in the absence of information as to how (and how often) this conduct manifests, the Authority is unable to give this submission substantial weight.
51. In conclusion, the location of the Premises near a large public housing estate, Bradfield Park and Milsons Point railway station are all adverse factors that call for careful scrutiny of the Application. However, those concerns have not been decisive on the evidence or material before the Authority.
52. Another social impact issue raised by NSLHD is the risk that school children from several named schools using Milsons Point station will be exposed to alcohol related advertising from the new business. While the Authority accepts the proposition that alcohol related advertising poses a general risk in attracting young persons to liquor consumption, there is insufficient evidence or analysis specific to the circumstances of this Application to discern how the operation of advertising by this new business will contribute to adverse social outcomes in these communities - noting the number and location of the incumbent licensed businesses in the communities and the prevalence of liquor advertising. This is a relevant submission, but the Authority is unable to give this submission great weight on the material before it.
53. The Authority has also had regard to the Plan of Management and House Policy dated 6 December 2016 which include policies and practices for the responsible service of alcohol, measures designed to ensure minors do not gain access to liquor and security measures (including CCTV). By reason of the adverse environmental factors that have been accepted above, the Authority has determined that the Plan of Management and

House Policy should be made enforceable through a licence condition and that the licensee should be required to join the local liquor accord.

## Conclusion

54. The Authority is satisfied that procedural fairness was afforded to the Applicant and interested parties regarding the decision whether or not to grant the Application, as all of those required to be notified of the Application were provided with the opportunity to make written submissions and all submissions received were considered and helped inform this decision. The interested parties, including Police, Council, NSLHD, Roads and Maritime Services (RMS) and all other parties were consulted as required by the legislation.
55. Having considered together the positive benefits and negative impacts that the Authority is satisfied are likely to flow from granting the Application, the Authority is satisfied, for the purposes of section 48(5) of the Act, that the overall social impact of granting this licence would not be detrimental to the well-being of these local and broader communities.
56. The Application is granted pursuant to section 45 of the Act.
57. In making this decision the Authority has had regard to all of the statutory objects prescribed by section 3(1) of the Act and all of the considerations to which it must have regard under section 3(2) – including (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; and (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.

Decision Date: 19 April 2017



Philip Crawford  
Chairperson

### Important Information:

In accordance with section 13A of the *Gaming and Liquor Administration Act 2007* a relevant person (the Applicant or a person who was required to be notified of the prescribed Application and who made a submission to the Authority or the Secretary in respect of the prescribed Application) who is aggrieved by this decision may apply to NCAT for an administrative review under the *Administrative Decisions Review Act 1997*.

An application to NCAT must be made within 28 days of notice of this decision being published on the liquor and gaming website <https://www.liquorandgaming.justice.nsw.gov.au/Pages/ilga/decisions-of-interest/decisions-of-interest.aspx> and be accompanied by the fee prescribed by the regulations.

For more information please contact the NCAT Registry at Level 10 John Maddison Tower, 86-90 Goulburn Street Sydney. The NCAT website is at <http://www.ncat.nsw.gov.au/>

## **SCHEDULE**

### **Material before the Authority**

1. RMS submission dated 1 July 2016.
2. Council submission from Mr Martin Ellis, Director, Community and Library Services, dated 19 July 2016.
3. Council Licensed Premises Community Impact Statement Feedback dated 19 July 2016.
4. Email from Mr George Smith, Consultant at Design Collaborative, to Council dated 22 July 2016.
5. Email from Mr Gavin McConnell, Executive Planning Advisor, Council to Mr Smith dated 2 August 2016.
6. Email from Mr Smith, Consultant at Design Collaborative, to Mr McConnell, Executive Planning Advisor, Council dated 3 August 2016.
7. Application form for a packaged liquor licence lodged 10 October 2016.
8. CIS form and supporting material lodged with the Application. The supporting material includes:
  - (a) Australian Securities and Investments Commission (ASIC) Current Organisation Extract for Kallin Pty Ltd dated 22 October 2015.
  - (b) Certification of Advertising Applications dated 16 November 2016 and 6 December 2016.
  - (c) Public Consultation Site Notice, Police Notice and Local Consent Authority Notice
  - (d) Plans of the Alcohol-Free Zones (160786/1), the Extent of Area Notified (160786/2), the State Suburb and North Sydney LGA (160786/3) and the Extent of Business Frontages (160786/4) prepared by Design Collaborative.
  - (e) List of interested parties notified of the Application.
  - (f) Photograph of the Premises along the Western side of Ennis Rd, prepared by Design Collaborative.
  - (g) List of retail and allied premises in Kirribilli and Milsons Point.
  - (h) List of Stores Trading as Chambers Cellars.
  - (i) 2011 Census Data for the suburbs of Kirribilli and Milsons Point, the North Sydney LGA and NSW as a whole.
  - (j) Summary page of BOSCAR Hotspot Mapping for April 2015 to March 2016 prepared by Design Collaborative.
  - (k) NSW Crime Statistics for April 2011 to March 2016 for Kirribilli, Milsons Point and NSW, downloaded on 31 August 2016.
  - (l) Development Consent number 1213/91 dated 25 July 1991 issued by Council.
9. Submission from Sergeant Brendan Smith of the Harbourside Local Area Command (LAC) of New South Wales Police dated 26 October 2016 opposing the Application.
10. Submission from NSW Health Northern Sydney Local Health District (NSLHD) dated 31 October 2016 objecting to the Application.
11. Email from licencing staff to Mr Smith dated 10 November 2016.

12. Plan of Management and House Policy dated 6 December 2016.
13. Email from Mr Smith to licensing staff dated 6 December 2016 responding to Police concerns about development consent DA1213/91, information on the Greenway Estate Tenant's Group website and submissions in response to NSLHD's social impact concerns, noting liquor stores established near other City train stations, BOCSAR crime data, other liquor stores in Kirribilli and the Applicant's measures for New Year's Eve.
14. Three Google Maps (including one street view) downloaded 14 January 2017.
15. Floor plan or diagram of the licensed area and layout of the Premises.
16. NSW Department of Health *HealthStats* Selected Reports for the North Sydney LGA dated 14 January 2017.
17. 2011 Census *QuickStats* information downloaded from the ABS website on 14 January 2017.
18. NSW BOCSAR Crime Statistics for October 2014 to September 2016.
19. BOCSAR Crime Maps based upon data from October 2015 – September 2016 detailing hotspots for the concentration of offences near the location of the Premises.
20. LGNSW liquor licensing records for premises in the suburb of Milsons Point and the North Sydney LGA.
21. ABS SEIFA data prepared on the basis of the 2011 census for the suburb of Milsons Point and the North Sydney LGA.
22. Submission from the Harbourside LAC Police submission from Sergeant Brendan Smith dated 2 March 2017 pressing their opposition to the Application.
23. Submission from North Sydney Local Health District (NSLHD) dated 16 February 2017 providing further information about the Greenway Estate and other social housing within 1km. NSLHD provide information, *inter alia*, about the residents on the estate, the findings of the Australian National Health Survey on social disadvantage and other research on alcohol related social impacts. The agency also discusses BOCSAR crime and crime mapping data for the communities.
24. Email from the Applicant's consultant Mr Smith dated 9 February 2017 in response to an email from licensing staff of the same date enclosing correspondence from Council taking issue with the existing development consent.
25. Email from Mr Smith to licensing staff dated 23 March 2017 responding to an email from licensing staff dated 22 March 2017 and attaching a new development consent D445/16 for the fit out of the Premises as a "bottle shop" that was granted by North Sydney Council on 20 March 2017.
26. Email from Mr Smith to licensing staff dated 27 March 2017, responding to the further submissions received from Council, NSLHD and Police which were forwarded to the Applicant on 23 March 2017. Attached is BOCSAR NSW Crime Statistics from October 2011 to September 2016 for incidents of domestic assault, alcohol-related domestic assault, non-domestic assault, alcohol-related non-domestic assault and a Google geographical map depicting the location of the Greenway Estate, the Premises and Kirribilli Hotel.