



Mr Tony Schwartz
Back Schwartz Vaughan

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7 December 2017

Dear Mr Schwartz

Application	1-5578197311 and 1-5578197806
Application for	Removal of Packaged Liquor Licence and Extended Trading Authorisation
Trading hours	Monday to Saturday 8:00 am – 9:00 pm Sunday 8:00 am – 8:00 pm
Applicant	Michelle Leandra Dand
Licence name	Nelson Bay IGA Plus Liquor
Current Premises	Shop 11 Lots 1-3 Austral St NELSON BAY NSW 2315
Proposed Premises	28 - 32 Stockton Street NELSON BAY NSW 2315
Issue	Whether to grant or refuse application for the removal of a packaged liquor licence and extended trading authorisation
Legislation	Sections 3, 11A, 29, 30, 31, 40, 45, 48, 49 and 59 <i>Liquor Act 2007</i>

Independent Liquor and Gaming Authority Decision

Application for the removal of a packaged liquor licence and extended trading authorisation – Nelson Bay IGA Plus Liquor

The Independent Liquor and Gaming Authority (“the Authority”) has considered your application on behalf of the Applicant for the removal of a packaged liquor licence and an extended trading authorisation (“the Application”). Pursuant to sections 49 and 59 of the *Liquor Act 2007* (“the Act”), the Authority has decided to **approve** the Application subject to the following conditions:

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 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 and NYE (std)

Retail Sales

Good Friday Not permitted
December 24th Normal trading Monday to Saturday, 8:00 am to 10:00 pm Sunday
Christmas Day Not permitted
December 31st Normal trading

3. The licensee or its representative must join and be an active participant in the local liquor accord.
4. 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 be reasonably expected from the information contained in the Community Impact Statement, application and other information submitted in the process of granting the removal of the licence, with an extended trading authorisation, to premises at 28-32 Stockton St Nelson Bay NSW 2315.
5. The premises is to be operated at all times in accordance with the Endeavour Drinks Group Liquor Store House Policy and Best Practice Policies and Interventions documents, as submitted to the Independent Liquor and Gaming Authority in support of the removal application and as may be varied from time to time after consultation with the Alcohol Licensing Enforcement Command of NSW Police. 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.
 - 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 six (6) 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
 - (iii) 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.

If you have any questions, please contact the case manager via email to michael.fabits@liquorandgaming.nsw.gov.au.

Yours faithfully



Philip Crawford
Chairperson

For and on behalf of the Independent Liquor & Gaming Authority

Statement of reasons

Decision

1. On 25 February 2017, the Independent Liquor & Gaming Authority (“the Authority”) received from the Applicant, through Liquor & Gaming NSW (“L&GNSW”), an application for the removal of a packaged liquor licence and an extended trading authorisation (“the Application”).
2. Pursuant to sections 49 and 59 of the *Liquor Act 2007* (“the Act”), the Authority has decided to grant the Application.
3. In reaching this decision, the Authority has had regard to the material before it, the legislative requirements under sections 3, 11A, 29, 30, 31, 40, 45, 48, 49 and 59 of the Act, and relevant provisions of the *Liquor Regulation 2008* (“the Regulation”).

Material considered by the Authority

4. The Authority has considered the Application, the accompanying community impact statement (“CIS”), and all submissions received in relation to the Application.
5. The Authority is satisfied that procedural fairness was afforded to the Applicant and interested parties regarding this decision, as all parties required to be notified of the Application were provided with the opportunity to make submissions.
6. In accordance with the Authority’s *Guideline 6*, the Authority has also had regard to relevant L&GNSW liquor licensing records, Bureau of Crime Statistics and Research (“BOCSAR”) crime data, HealthStats NSW data, and Australian Bureau of Statistics (“ABS”) socio-demographic data pertaining to the local and broader communities, sourced by L&GNSW staff from publicly available sources.
7. The material considered by the Authority is listed in the Schedule, with a summary where appropriate.

Legislative framework

8. The Authority has considered the Application in the context of the following legislative provisions.

Objects of the Act

9. The objects of the Act, as set out in section 3, are to regulate the supply of liquor in line with the expectations and needs of the community, and facilitate the balanced and responsible development of the liquor industry and related industries.
10. In the pursuit of these objectives, section 3 requires the Authority to, in determining a liquor licence application, have due regard to the need to minimise alcohol-related harm, encourage responsible liquor supply practices, and ensure that the supply of liquor does not detract from the amenity of community life.

Trading hours and 6-hour closure period

11. Section 12 of the Act sets out the standard trading period for different types of liquor licences. Additionally, section 11A imposes a condition on all licences prohibiting the sale of liquor by retail on the licensed premises for a continuous period of 6 hours during each consecutive period of 24 hours.

Minimum procedural requirements

12. Section 40 of the Act prescribes the minimum procedural requirements for a liquor licence application to be validly made to the Authority.

Fit and proper person, responsible service of alcohol, and development consent

13. Section 45 of the Act provides that the Authority may only grant a licence (or the removal of a licence) if it is satisfied that:
- the applicant is a fit and proper person to carry on the business to which the proposed licence relates,
 - practices will be in place to ensure the responsible service of alcohol and to prevent intoxication on the premises, and
 - the applicable development consent required for use of the premises for the proposed business is in force.

Community impact statement

14. Section 48 of the Act requires certain applications, including an application for the removal of a packaged liquor licence, to be accompanied by a CIS prepared in accordance with the relevant requirements.
15. Section 48(5) provides that the Authority may only grant the licence if it is satisfied that the overall social impact of doing so will not be detrimental to the well-being of the local or broader community, having regard to the CIS and any other matter brought to its attention.

Extended trading authorisation

16. Section 49 of the Act allows the Authority to authorise licensees of certain types of licences, including packaged liquor licences, to sell or supply liquor for consumption on the licensed premises during specified periods, including prior to 10:00am on a Sunday, on application by the licensee.
17. Subsection 49(8) provides that the Authority may only grant the authorisation if it is satisfied that:
- practices are and will remain in place to ensure the responsible service of alcohol and to prevent intoxication on the premises, and
 - the extended trading period will not result in undue disturbance of the quiet and good order of the neighbourhood of the premises.
18. Section 51 of the Act prescribes the minimum procedural requirements for a licensee to make a valid application for an extended trading authorisation.

Removal of liquor licence

19. Section 59 of the Act provides the legal requirements regarding the removal of a licence to another premises, and requires that such an application be dealt with and determined as if it were an application for the granting of a new licence.

Packaged liquor licence

20. Further legislative provisions specific to a packaged liquor licence are set out in sections 29, 30 and 31 of the Act.
21. Section 29 prescribes the period and manner in which a licensee can sell or supply liquor.
22. Section 30 requires a separate liquor sales area to be set up on the licensed premises if its primary business is not to sell liquor for consumption away from the premises.
23. Section 31 sets out certain restrictions on the granting of the licence to general stores, service stations and take-away food shops.

Key findings

24. Having regard to the information before it and relevant legislative requirements, the Authority makes the following findings in relation to the Application.

Validity, procedural and trading requirements

25. The Authority is satisfied that:

- the Application has been validly made and meets the procedural requirements under sections 40 and 59 of the Act,
- the approved trading hours for the Proposed Premises meet the requirements under sections 11A and 12 of the Act in respect of trading and 6-hour closure periods,
- liquor will be sold and supplied in accordance with the authorisation conferred by a packaged liquor licence, as required in section 29 of the Act, and
- sections 30 and 31 of the Act do not apply to the Application, as the Proposed Premises will not be operated as is contemplated in those sections.

Fit and proper person, responsible service of alcohol, and development consent

26. Pursuant to sections 45 and 59 of the Act, the Authority is also satisfied that:

- the Applicant is a fit and proper person to carry on the business to which the proposed licence relates, given that no concerns regarding the Applicant's probity were raised upon consultation with relevant law enforcement agencies, and the Applicant is an existing licensee,
- practices will be in place from the commencement of licensed trading at the Proposed Premises to ensure the responsible serving of alcohol, having regard to the Endeavour Drinks Group Liquor Store House Policy and Best Practice Policies and Interventions documents and the conditions to be imposed on the licence, and
- the requisite development consent is in force, based on the Notice of Determination of Modified Development Consent DA 16-2011-751-2 issued by Port Stephens Council on 13 January 2015.

Community impact statement

27. Pursuant to section 48 of the Act, the Authority finds that the CIS submitted with the Application was prepared in accordance with the relevant requirements. The Authority has taken into consideration the CIS and other available information in making the findings below about the social impact of the Proposed Premises on the local and broader communities.

28. For the purpose of this decision and consistent with its position in *Guideline 6*, the Authority is satisfied that the relevant "local community" is the community within the suburb of Nelson Bay, and the relevant "broader community" comprises Port Stephens Local Government Area ("the LGA").

Positive social impacts

29. The Authority notes that the density of packaged liquor licences per 100,000 of population in both Nelson Bay suburb and Port Stephens LGA is slightly higher than the corresponding NSW figure. The Authority also notes that the granting of the Application will not result in any increase in licence density in either the local or broader community,

given that the Application is to remove an existing packaged liquor licence from one location in Nelson Bay to another.

30. Notwithstanding the above, the Authority recognises that the removal of the licence to the Proposed Premises will see the licensed area significantly increase in size, from 70 to 187 square metres. This expanded scale increases the scope for the licence to contribute to alcohol-related adverse social impacts across the local and broader communities.
31. The Authority accepts the business owner Woolworths Limited's ("Woolworths") contention that the population of Nelson Bay and surrounds is growing at a higher than average rate, and that this is projected to continue into the foreseeable future. The Authority also acknowledges that Nelson Bay is a tourist destination, meaning that its residential population increases substantially during peak tourist season, as does the local demand for packaged liquor.
32. The Authority accepts Woolworths' contention that the Current Premises comprises a "tired and dated" packaged liquor facility, whereas the Proposed Premises will comprise a modern and well-presented store that will offer a preferable shopping experience for its customers. On the basis that the Proposed Premises will be larger in size, and will be operated as a BWS store, the Authority also accepts that the licence will be able to offer a more comprehensive range of liquor products and additional choice to residents of and visitors to Nelson Bay.
33. The Authority notes that the Current Premises provides a measure of convenience to customers of the IGA Supermarket to which it is attached, in that it allows them to purchase liquor and grocery items together. This measure of convenience is, however, limited by the small size of the Current Premises, which, together with the small supermarket it adjoins, is less likely to carry a comprehensive range of products. The Authority is satisfied that the Proposed Premises will provide a more significant measure of convenience given that, together with the adjoining Woolworths Supermarket, it will offer a more exhaustive selection of products.
34. The Authority is satisfied that the proposed operator of the Proposed Premises is an experienced operator of numerous BWS liquor stores located across NSW.
35. In recent years the Authority has approved opening hours for supermarket packaged liquor licences from 8.00am, at the very earliest, for the convenience of supermarket customers who wish to purchase grocery and liquor items at the same time and prior to 10.00am. The Authority has done so on this occasion, and has extended this to Sundays in accordance with what was sought in the extended trading authorisation request that formed part of the Application. The Authority is satisfied that trading during the Sunday extended trading period of 8:00am to 10:00am will not result in any undue disturbance to the neighbourhood, given its location in the heart of Nelson Bay's CBD and the fact that the adjoining Woolworths Supermarket is also open early on a Sunday morning.
36. The Authority is satisfied that no concerns have been raised by NSW Police in response to the Application, despite the fact that NSW Police strenuously objected to a similar application for the grant of a new packaged liquor licence for the same address in 2015.
37. Having regard to the above, the Authority is satisfied that the Proposed Premises will provide consumers in the local and surrounding areas with a more convenient and centrally located shopping experience enhanced by access to a larger selection of liquor products .
38. Accordingly, the Authority is satisfied that the Premises will contribute to the development of the liquor industry, and the related retail industry, to meet the needs and expectations of the local and broader communities.

Negative social impacts

39. The Authority has had regard to a decision made by a delegated committee in 2016 to refuse a similar application for the grant of a new packaged liquor licence for the same address as the Proposed Premises. Whilst a number of concerns raised in the previous application have arisen in the consideration of the Application, the Authority is satisfied that it can be distinguished from the previous application on various grounds, including the following:

- The previous application was for the grant of a new packaged liquor licence which would have operated in addition to the existing packaged liquor facilities in Nelson Bay, including the Current Premises.
- NSW Police provided two submissions in relation to the Application and did not object on either occasion, yet NSW Police strenuously objected to the previous application.
- The Authority has not received a submission from L&GNSW in response to the Application, yet L&GNSW objected to the previous application.
- There has been an overall reduction in the trading hours over the course of the week. Since lodging the Application, the Applicant has consented to a reduction in the trading hours sought on Monday to Saturday evenings to 9:00pm. The Authority notes that the Applicant initially sought to trade to 10:00pm on these evenings which was consistent with the previous application. The Applicant has applied to trade from 8:00am on Sunday morning, unlike the previous application, which is consistent with the trading hours currently endorsed on the licence.

40. The Authority notes the following information derived from BOCSAR data for the year ending March 2017:

- The Proposed Premises is located in a high density hotspot for alcohol-related assault and malicious damage to property and in a low density hotspot for domestic assault, and is in close proximity to a high density hotspot for non-domestic assault.
- Rates of alcohol-related domestic and non-domestic assault and malicious damage to property per 100,000 persons were higher for Nelson Bay suburb than the corresponding NSW figures.
- Rates of alcohol-related domestic assault and malicious damage to property per 100,000 persons were higher for Port Stephens LGA than the corresponding NSW figures, however the rate of alcohol-related non-domestic assault was lower.

41. The Authority notes that data provided by NSW Health indicates that, whilst residents of the LGA are being hospitalised as a result of alcohol-related health issues at a lower than average rate, they are dying from alcohol-related health problems at a higher than average rate.

42. The Authority accepts that there is some degree of local opposition to the Application, as evidenced by the four submissions received from members of the public objecting to the Application. Each of these submissions raised the issue of “need”. As noted above, the Authority does not consider the notion of “need” or density-related concerns to be especially relevant to the Application, given that the Application concerns the removal of an existing licence from one location in Nelson Bay to another. The granting of the Application will not result in the addition of a new packaged liquor licence to the area.

43. The Authority notes that some of the submissions received from members of the public report existing problems in respect of alcohol-related disturbances and anti-social behaviour in Nelson Bay. It is also suggested that the granting of the removal will further 'stretch' local NSW Police resources. The Authority notes that these concerns were not raised by NSW Police in its submissions.
44. The Authority notes that there appears to be some degree of local preference that the licence remains at the Current Premises, on the basis of the convenience this currently provides to residents of the Seabreeze Estate and given concerns as to the ongoing sustainability of the IGA Supermarket.
45. The Authority is satisfied that the removal of the licence to a location within the Nelson Bay CBD will increase its accessibility to the community generally, despite being further away from the Seabreeze Estate. Furthermore, no objective evidence has been made available to suggest that the removal of the licence will result in the IGA Supermarket being rendered unviable.
46. The Authority considers the submission received on behalf of Fostif Pty Ltd to be, at least in part, commercially motivated given that Fostif Pty Ltd is the licensee of a competing packaged liquor business, Nelson Bay Cellars, in close proximity to the Proposed Premises. Notwithstanding this, the Authority notes the various concerns raised in that submission, including the suggestion that the licence should not be moved to a location within an alcohol free zone ("AFZ"). The Authority notes that, on the one hand, the location of a packaged liquor licence within an AFZ might frustrate the objects of that AFZ. On the other hand, however, the operation of the AFZ in the environs of the Proposed Premises might work to prevent customers from loitering in the vicinity of the store and consuming liquor in what has evidently been identified by Port Stephens Council as a potentially problematic area. The Authority also notes that NSW Police is silent on this issue.
47. The Authority also notes the concerns raised regarding the staff employed at the Current Premises, however is comforted by Woolworths' commitment to staffing the Proposed Premises from within the local community.
48. The Authority notes the submitter's concerns in respect of the clustering of packaged liquor facilities within the CBD area, which, it is suggested, will result in competitive pricing practices. Based on the submissions made by Woolworths in response, the Authority is satisfied that BWS prices are centrally fixed, and that the prices charged at neighbouring facilities will have no impact on those charged at the Proposed Premises.
49. The Authority shares some of the concerns raised in the submission received from Hunter New England Local Health District, particularly concerns as to current rates of alcohol-related crime in Nelson Bay, and notes that NSW Health data provides objective evidence that persons in the Port Stephens LGA are experiencing health harms relating to the excessive consumption of alcohol.
50. The Authority is also concerned by the rates of alcohol-related crime attributable to Nelson Bay and Port Stephens LGA. Notwithstanding this, the Authority is satisfied that the removal of the existing packaged liquor licence from the Current Premises to the Proposed Premises will not be to the detriment of the local or broader communities. The Authority does not consider that the granting of the removal will exacerbate the alcohol-related harm being experienced by residents of and visitors to Nelson Bay and surrounds given that the licence is currently operating in Nelson Bay, albeit in a different location and on a smaller scale than what is proposed, and NSW Police did not raise concerns with the Application.

51. The Authority acknowledges that, over time, there may be a risk that liquor sold or supplied at the Proposed Premises will contribute to the prevailing levels of alcohol-related crime and health issues in the local and broader communities. The Authority is nevertheless satisfied that this risk and the negative social impacts are adequately mitigated by the following:

- the fact that the licence is already operating in the local community, and that the granting of the Application will relocate the licence from one location to another within the same local community, notwithstanding the proposed increased floor space of the licensed area;
- the revised closing time of 9:00pm Monday to Saturday;
- confirmation from NSW Police that it does not object to the Application; and
- the detailed procedures and practices set out in the Endeavour Drinks Group Liquor Store House Policy and Best Practice Policies and Interventions documents in respect of the responsible service of alcohol; and
- the imposition of conditions on the licence upon removal including the 6-hour closure period .

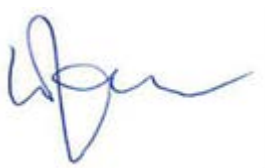
Overall social impact

52. The Authority has had regard to the ABS SEIFA data based on the 2011 Census indicating that the suburb of Nelson Bay ranked in the 5th decile within NSW on the Index of Relative Socio-Economic Advantage and Disadvantage, compared to other suburbs, and Port Stephens LGA ranked in the 6th decile compared to other local government areas.

53. Having considered the positive and negative impacts that are likely to flow from granting the removal application and extended trading authorisation, the Authority is satisfied that the overall social impact would not be detrimental to the well-being of the local and broader communities.

54. The Authority is also satisfied that a decision to grant the removal of the licence and extended trading authorisation would be consistent with the objects of the Act to regulate the supply of liquor and facilitate the responsible development of the liquor industry in line with community expectations and needs.

55. Accordingly, the Authority has decided to grant the removal of the packaged liquor licence and the extended trading authorisation.



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 <http://www.liquorandgaming.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. ABS SEIFA data based on the 2011 Census indicating that the suburb of Nelson Bay ranked in the 5th decile within NSW on the Index of Relative Socio-Economic Advantage and Disadvantage, compared to other suburbs, and Port Stephens LGA ranked in the 6th decile compared to other local government areas.
2. HealthStats NSW data relating to alcohol attributable deaths by local government area, 2001-2002 to 2012-2013, indicating that the Smoothed Estimate of Standardised Mortality Ratio was 113.70 for Port Stephens LGA for the period 2012-2013.
3. HealthStats NSW data relating to alcohol attributable hospitalisations by local government area, 2001-2003 to 2013-2015, indicating that the Smoothed Estimate of Standardised Separation Ratio was 75.90 for Port Stephens LGA for the period 2013-2015.
4. Notice of Determination of Modified Development Consent DA 16-2011-751-2 issued by Port Stephens Council on 13 January 2015.
5. Endeavour Drinks Group Liquor Store House Policy and Best Practice Policies and Interventions documents for the Proposed Premises, last updated June 2016.
6. A submission from a member of the public advising that he believed the Proposed Premises could adversely affect him, dated 7 November 2016.
7. An email from Aboriginal Affairs NSW advising that it has no objection to the Application provided that the NSW Aboriginal Land Council and relevant Local Aboriginal Land Council has been notified, dated 7 November 2016.
8. A letter from Nelson Bay Baptist Church requesting information about the consultation process undertaken by the Applicant, dated 25 November 2016.
9. An email from the Applicant to Nelson Bay Baptist Church, dated 1 December 2016.
10. A completed Category B CIS form, signed on behalf of Woolworths Limited and dated 9 January 2017, and additional information provided by the Applicant in support of the CIS.
11. Application forms for the removal of a packaged liquor licence and extended trading authorisation, lodged 25 February 2017.
12. Plan indicating the boundaries of the Proposed Premises, lodged with the Application on 25 February 2017.
13. Certification of Advertising Application signed on behalf of Woolworths Limited and dated 28 February 2017.
14. BOCSAR crime maps for the year to March 2017, indicating that the Proposed Premises is located in a high density hotspot for alcohol-related assault and malicious damage to property, and in a low density hotspot for domestic assault, and that there is a high density hotspot for non-domestic assault proximate to the Proposed Premises.
15. NSW crime statistics for the year ending March 2017, published by BOCSAR, indicating the following:
 - a. The rate of alcohol-related domestic assault incidents was:
 - i. 272.2 per 100,000 persons for Nelson Bay suburb
 - ii. 313.7 per 100,000 persons for Port Stephens LGA

- iii. 114.7 per 100,000 persons for NSW.
 - b. The rate of alcohol-related non-domestic assault incidents was:
 - i. 442.3 per 100,000 persons for Nelson Bay suburb
 - ii. 132.0 per 100,000 persons for Port Stephens LGA
 - iii. 133.9 per 100,000 persons for NSW.
 - c. The rate of malicious damage to property incidents was:
 - i. 2007.5 per 100,000 persons for Nelson Bay suburb
 - ii. 1084.5 per 100,000 persons for Port Stephens LGA
 - iii. 816.4 per 100,000 persons for NSW.
- 16. A letter from a member of the public objecting to the Application, dated 6 March 2017.
- 17. A letter from a member of the public objecting to the Application, dated 14 March 2017.
- 18. A letter from Hunter New England Local Health District objecting to the Application, dated 22 March 2017.
- 19. A letter from a member of the public objecting to the Application, dated 23 March 2017.
- 20. A letter from Mr Chris Kingston on behalf of Fostif Pty Ltd, the operator of an existing packaged liquor facility in Nelson Bay, objecting to the Application, dated 22 April 2017. This letter attaches an assessment of the Application prepared by BBC Consulting Planners.
- 21. Google maps showing the location of the Proposed Premises, extracted from Google on 8 May 2017.
- 22. An email from NSW Police advising that it does not object to the Application, dated 14 June 2017.
- 23. The Applicant's response to the submissions received and the assessment of the Application undertaken by L&GNSW, emailed on 14 June 2017.
- 24. Liquor licensing records provided by L&GNSW as at 19 June 2017, indicating that there were 2 packaged liquor licences in the suburb of Nelson Bay, including the Current Premises, and 24 in total in Port Stephens LGA.
- 25. Liquor licensing records from L&GNSW as at 19 June 2017 indicating:
 - Nelson Bay suburb had two packaged liquor licences, including the Current Premises, equivalent to 37.1 packaged liquor licences per 100,000 of population;
 - Port Stephens LGA had 24 packaged liquor licences, equivalent to 37.0 packaged liquor licences per 100,000 of population; and
 - NSW had 2,477 packaged liquor licences, equivalent to 35.8 packaged liquor licences per 100,000 of population.
- 26. A letter from the Applicant in response to the proposed imposition of a condition relating to CCTV, dated 27 July 2017.
- 27. Emails from the Applicant in respect of the trading hours to be imposed on the licence once removed to the Proposed Premises, dated 28 and 29 August 2017.

28. An email from the Applicant proposing to revise the trading hours sought in the Application, dated 4 September 2017.
29. An email from NSW Police providing additional crime data in response to a request from the Authority, dated 15 September 2017.
30. An email from the Applicant in response to various matters including the additional data provided by NSW Police, dated 22 September 2017.
31. An email from the Applicant notifying the Authority that the licence is ready to be moved to the Proposed Premises, dated 23 November 2017.