



Mr Rohan Johnston
Salvestro Planning
16 Fitzmaurice Street
WAGGA WAGGA
rohan@salvestroplanning.com.au

21 June 2018

Dear Mr Johnston

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|------------------------|---|
| Application No. | 1-6710167826 |
| Applicant | Mrs Vicki Lee Keogh |
| Application for | New small bar liquor licence |
| Licence name | Rabbit Books Arthouse Studio Gallery Art School |
| Trading hours | <u>Monday to Sunday 6:00 PM – 10:00 PM</u> |
| Premises | 42 Fitzmaurice Street Wagga Wagga NSW 2650 |
| Issue | Whether to grant a new small bar licence |
| Legislation | Sections 3, 11A, 12, 20A, 20B, 20C, 40, 45 and 48 of the <i>Liquor Act 2007</i> |

**Decision of the Independent Liquor and Gaming Authority
Rabbit Books Arthouse Studio Gallery Art School**

At its meeting on 13 June 2018 the Independent Liquor and Gaming Authority (“Authority”) decided, pursuant to section 45 of the *Liquor Act 2007* (“Act”), to grant an application for a new small bar liquor licence to be known as Rabbit Books Arthouse Studio Gallery Art School, 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 4:00 AM and 10:00 AM during each consecutive period of 24 hours. The licensee must comply with this 6-hour closure period along with any other limits specified in the trading hours for this licence.
2. Consumption on premises
Good Friday Not permitted
Christmas Day Not permitted
December 31st Normal trading

Note: Trading is allowed after midnight into the early morning of Good Friday and Christmas Day if authorised by an extended trading authorisation. Trading must cease at the time specified under the authorisation. The latest time that can be specified is 5.00 AM.

3. The premises is to be operated at all times in accordance with the Plan of Management dated 24 April 2018 as may be varied from time to time after consultation with NSW Police. A copy of the Plan of Management is to be kept on the premises and made available for inspection on the request of a police officer, council officer, Liquor and Gaming NSW inspector, or any other person authorised by the Independent Liquor and Gaming Authority.
4. Closed-circuit television system
 - 1) The licensee must maintain a closed-circuit television (CCTV) system on 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 (or, in the case of a premises that is not required to cease trading, continuously at all times),

- (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,
 - (ii) the footpath immediately adjacent to 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.
5. Immediately after the person in charge of the licensed premises or a staff member becomes aware of any incident involving an act of violence causing injury to a person on the premises, the person in charge of the licensed premises and/or staff member must:
- 1) take all practical steps to preserve and keep intact the area where the act of violence occurred,
 - 2) retain all material and implements associated with the act of violence in accordance with the crime scene preservation guidelines issued by NSW Police, as published from time to time on the Liquor & Gaming NSW website,
 - 3) make direct and personal contact with NSW Police to advise it of the incident, and
 - 4) comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred.
- In this condition, 'staff member' means any person employed by, or acting on behalf of, the licensee of the premises, and includes any person who is employed to carry on security activities (e.g. crowd controller or bouncer) on or about the premises.
6. The licensee must join and be an active participant in the local liquor accord.

If you have any questions, please contact beatrice.pitpaiaac@liquorandgaming.nsw.gov.au the case manager for this Application.

Yours faithfully



David Armati
Deputy Chairperson
For and on behalf of the Independent Liquor and Gaming Authority

Statement of reasons

Decision

1. On 8 March 2018 the Independent Liquor and Gaming Authority (“Authority”) received from Mrs Vicki Lee Keogh (“Applicant”), through Liquor and Gaming NSW (“LGNSW”), an application for a new small bar licence (“Application”) in respect of premises located at 42 Fitzmaurice Street, Wagga Wagga NSW 2650 (“the Premises”) to be known as “Rabbit Books Arthouse Studio Gallery Art School”.
2. Pursuant to section 45 of the *Liquor Act 2007* (“Act”), the Authority has decided to grant the Application.
3. A preliminary notification of this decision was sent to the Applicant on 15 June 2018 together with the licence document for the Premises.
4. In reaching this decision, the Authority has had regard to the material before it, the legislative requirements under sections 3, 11A, 12, 20A, 20B, 20C, 40, 45 and 48 of the Act, and relevant provisions of the *Liquor Regulation 2008* (“Regulation”).

Material considered by the Authority

5. The Authority has considered the Application and the accompanying Community Impact Statement (“CIS”), and all submissions received in relation to the Application.
6. 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.
7. As foreshadowed in the Authority’s *Guideline 6*, the Authority has also had regard to relevant LGNSW liquor licensing records, Bureau of Crime Statistics and Research (“BOCSAR”) crime data, NSW Department of Health data, and Australian Bureau of Statistics (“ABS”) socio-demographic data pertaining to the local and broader communities, obtained by LGNSW staff from publicly available sources.
8. The material considered by the Authority is listed in the Schedule and briefly described, where appropriate.

Legislative framework

9. The Authority has considered the Application in accordance with the following legislative provisions.

Objects of the Act

10. The objects of the Act, as set out in section 3(1), are 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, to facilitate the balanced development, in the public interest, of the liquor industry, and to contribute to the responsible development of related industries such as the live music, entertainment, tourism and hospitality industries.
11. In pursuit of these objectives, section 3(2) requires the Authority to have due regard to the need to minimise harm associated with misuse and abuse of liquor (including harm

arising from violence and other anti-social behaviour), the need to encourage responsible attitudes and practices towards the promotion, sale, supply, service and consumption of liquor and the need to ensure that the sale, supply and consumption of liquor contributes to, and does not detract from, the amenity of community life.

Trading hours and 6-hour closure period

12. Section 12 of the Act sets out the standard trading period for liquor licences. Additionally, section 11A imposes a condition on certain 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

13. Section 40 of the Act and the Regulation prescribe the minimum procedural requirements for the making of a valid application for a liquor licence

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

14. The Authority may only grant a licence application if satisfied, under section 45(3) of the Act, that:
 - (a) the applicant is a fit and proper person to carry on the proposed business,
 - (b) practices will be in place to ensure the responsible service of alcohol, and to prevent intoxication on the premises, and
 - (c) the applicable development consent required for use of the premises for the proposed business is in force.

Community impact statement

15. Section 48 of the Act requires certain applications, including an application for a small bar licence, to be accompanied by a CIS prepared in accordance with requirements specified by the Act and Regulation.
16. However, pursuant to section 48(3A) of the Act, if development consent is required to use the proposed licensed premises as a small bar or to sell liquor during the times to which the liquor application relates *and* the Applicant has notified both the local police and the Secretary of that development consent (or variation to that development consent) no more than 2 working days after the application for development consent (or any variation to that development consent) is made, then the licence application is not required to be accompanied by a CIS. Pursuant to clause 9A of the Regulation, if the Applicant has performed these steps, the advertising requirements in Part 3 Division 1 of the Regulation do not apply. However, pursuant to clause 9A(2) of the Regulation, the applicant is still required to notify the local police of the making of the application no later than 2 working days after the application is made.
17. Section 48(5) provides that the Authority may only grant a licence, authorisation or approval to which section 48 applies if 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 the Authority becomes aware of during the application process.

Provisions specific to a small bar licence

18. The substantive requirements pertaining to a small bar licensed premises are specified in sections 20A, 20B and 20C of the Act and in the Regulation.
19. Pursuant to section 20A of the Act, a small bar licence authorises the licensee to sell liquor by retail on the licensed premises for consumption on the licensed premises only.
20. Section 20B(1) permits trading between the standard trading period or at any such times as may be authorised by an extended trading authorisation. Pursuant to section 20B(2) of the Act, in the case of a small bar situated in an area that is not a prescribed precinct, an extended trading authorisation is, on the granting of the licence, taken to be in force authorising the sale or supply of liquor on the licensed premises between midnight and 2:00 am on any day of the week.
21. Pursuant to section 20C(1) of the Act, liquor must not be sold or supplied in a small bar if the number of patrons on the premises exceeds 60 or such greater number as may be prescribed by the regulations. Clause 17A of the Regulation prescribes the maximum number of patrons in a small bar licensed venue as 100.
22. Pursuant to section 20C(2) of the Act, small bars must be open to the general public in that the business carried out under a small bar licence must not be, or include, a business that is limited to the sale or supply of liquor only to persons who have been invited to use or attend the small bar, or to a particular class, or particular classes, of persons using or attending the small bar.
23. Pursuant to section 20C(4) of the Act, liquor may only be sold or supplied in a small bar if food of a nature and quantity consistent with the responsible sale, supply and service of alcohol is made available whenever liquor is sold or supplied on the premises.

Key findings

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

Validity, procedural and trading requirements

25. The Authority finds that the Application has been validly made and meets the minimum procedural requirements under section 40 of the Act. This finding is made on the basis of the Application and CIS material before the Authority and the certificate of advertising signed by the Applicant and dated 2 May 2018.
26. The Authority notes that the notice to Police, notice to local consent authority and site notice specified the street address (being a major road in Wagga Wagga) but not the suburb. In a submission dated 4 May 2018 the Applicant advised that they have re-distributed amended notices to Police and Council. The Authority has exercised its discretion under clause 9C(2) of the Regulation by determining that this was a failure of a minor or technical nature and as a result, this failure to comply with the requirements of Part 3 Division 1 of the Regulation, is to be disregarded.

27. The Authority finds that the proposed trading hours and six-hour closure period, as agreed by the Applicant in submissions dated 24 April 2018, 26 April 2018 and 4 May 2018, meet the requirements under sections 11A, 12 and 20B of the Act in respect of licensed trading and 6-hour closure periods.

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

28. Pursuant to section 45 of the Act, the Authority is satisfied that:
- (a) for the purposes of section 45(3)(a), the Applicant is a fit and proper person to carry on the proposed business or activity to which the licence relates, on the basis that no issues of concern were raised regarding the probity of the Applicant following consultation with law enforcement agencies including NSW Police (“Police”) and LGNSW. The Applicant has also provided a copy of National Police Certificate NCHRC-2018-33964 for the Applicant dated 13 April 2018 advising no disclosable court outcomes or outstanding matters,
 - (b) for the purposes of section 45(3)(b), practices will be in place from the commencement of licensed trading at the Premises to ensure the responsible serving of alcohol and prevent intoxication, having regard to the Applicant’s Venue Management Plan dated 24 April 2018 and the undated House Policy (provided by the Applicant in their submission dated 28 May 2018), and
 - (c) for the purposes of section 45(3)(c), the requisite development consent permitting use of the Premises as a small bar licensed business is in force. This finding is made on the basis of a determination of the City of Wagga Wagga (“Council”) dated 30 April 2018 for DA17/0734.01 permitting “Change of Use to Art Gallery, Art Studio, Small Bar & Café & Fitout – Modification hours of operation”. Condition 12 of this development consent permits trading between 7:00 am and 12:00 midnight on any day of the week. A deed of agreement between Council and the Applicant dated 19 March 2018 was also before the Authority which states that “The Licensee is permitted to provide liquor in the designated area”, being the part of the public footpath in front of the building.

Community Impact Statement

29. In the Application form, the Applicant has advised that it has not notified Police and the Secretary of the development consent application (including any application to vary the development consent) within 2 days of lodging the application for development consent and any application to vary that consent. It follows that the exemptions provided by section 48(3A) of the Act and clause 9A of the Regulation do not apply, and the Applicant is required to provide a CIS and observe all advertising requirements specified in the Regulation. The Authority is satisfied, on the basis of the Application and CIS material, that the Applicant has met these requirements.
30. The Authority has taken into account the CIS and the following additional information in making the findings set out below on the overall social impact of granting the Application on the local and broader communities.
31. For the purposes of this decision and consistent with its position in *Guideline 6* and longstanding practice, the Authority is satisfied that the relevant “local community” is

the community within the State suburb of Wagga Wagga, and the “broader community” comprises the relevant local government area (“LGA”), which at the time of this decision is the City of Wagga Wagga Council (“Wagga Wagga LGA”).

Provisions specific to a small bar licence

32. The Authority is satisfied, on the basis of the Application and CIS material, that the proposed licensed business will sell liquor for consumption on the licensed premises only.
33. The licensed trading hours sought, (between 6:00 pm and 10:00 pm) as amended by the Applicant in submissions dated 24 April 2018 and 26 April 2018 fall within the standard trading times permitted by section 20B(1) of the Act. Although section 20B(2) has the effect of authorising this venue to trade between midnight and 2:00 am the Applicant has only applied for licensed trading between 6:00 pm and 10:00 pm.
34. The Authority is satisfied, on the basis of the Application Form that the patron capacity is 100, which is the maximum number of patrons prescribed by clause 17A of the Regulation for a small bar licensed venue.
35. The Authority is satisfied on the basis of the Application, CIS material and extracts of the website for the business sourced by licensing staff that the business will be open to the general public and that food will be available whenever liquor is sold and supplied on the Premises for the purpose of sections 20C(2) and (4) of the Act.

Positive social impacts

36. The Authority accepts the information provided by the Applicant on 4 May 2018 that the business will run as a “combination of elements”. The predominant uses are for an art gallery, book shop and small café serving predominantly café beverages. The Authority accepts that liquor is predominantly to be served during art gallery events and in the hours after art classes.
37. The Authority accepts that the licensed business proposed by the Applicant will increase choice and convenience to members of the local and broader communities who wish to patronise an intimate alternative style of premises to the existing licensed venues within Wagga Wagga.
38. Noting that the LGNSW list of licensed premises as at 20 May 2018 indicates that the suburb of Wagga Wagga and the Wagga Wagga LGA both have no small bar licensed premises, the Authority is satisfied that granting this Application will diversify the choice of licensed venues available to service the local and broader communities.
39. Noting that no adverse submissions were made from any public agencies or members of the public who were notified of the Application, the Authority finds that granting the Application will be consistent with the “expectations, needs and aspirations of the community” in respect of the local and broader community, being an object of section 3(1)(a) of the Act.
40. The Authority further notes that a submission in support of the Application was received on 7 February 2018 from a local business advising that this is a facility that they will use

regularly for social gatherings and for entertaining clients. The writer contends that the Premises will be a great facility that will add to the vibrancy of this part of the CBD.

41. The Authority is satisfied having regard to the nature of the licensed venue detailed in the Application and CIS that this new style of licensed premises will facilitate the balanced development, in the public interest, of the liquor industry that serves the local and broader communities, for the purposes of section 3(1)(b) of the Act. In addition, the use of the Premises to host exhibitions and other small functions will contribute to the responsible development of related industries, including the entertainment industries, for the purposes of section 3(1)(c) of the Act.

Negative social impacts

42. The Authority considers that over time there is a risk that liquor sold at this small bar 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 liquor and engage in alcohol related misconduct.
43. With regard to the licence type, a small bar licence reduces the capacity for adverse social impact upon the communities. It is a more intimate style of licensed venue enabling a lower risk of persons interacting in large numbers and increasing scope for proper monitoring and management of patrons consuming liquor. Section 20A of the Act authorises a small bar premises to sell liquor for consumption on the licensed premises while clause 17 of the Regulation prohibits a small bar licence from conducting a totalizator, any betting activity and public lottery.
44. The scale of the Premises is modest, at around 151 square metres (including an outdoor area) and the maximum patronage is limited by clause 17A of the Regulation to 100 persons.
45. The licensed trading hours sought by the Applicant are very limited, between 6:00 pm and 10:00 pm Monday to Sunday. This factor, in addition to the style of business with liquor being sold in the context of an art gallery space, reduce the scope for alcohol related harm to arise from the sale or supply of liquor on the Premises.
46. Prevailing hotel licence density, calculated on the basis of LGNSW licensed premises as at 20 May 2018 and ABS 2016 Census population data, indicates that:
 - The suburb of Wagga Wagga recorded a rate of **197.07** hotel licences per 100,000 persons compared to **43.28** per 100,000 persons for Wagga Wagga LGA and **28.37** per 100,000 persons for New South Wales.
 - The suburb of Wagga Wagga recorded a rate of **70.38** club licences per 100,000 persons compared to **12.82** per 100,000 persons for Wagga Wagga LGA and **17.45** per 100,000 persons for New South Wales.
 - The suburb of Wagga Wagga recorded a rate of **957.21** on-premises licences per 100,000 persons compared to **133.04** per 100,000 persons for Wagga Wagga LGA and **113.71** per 100,000 persons for New South Wales.
47. Alcohol related crime data is already elevated in both communities and is a factor that is adverse to the Applicant. BOCSAR crime data sourced by the Authority Reviews and Secretariat Unit for the 12 months to March 2018 indicates that:

- The suburb of Wagga Wagga recorded a rate of **286.0** incidents of *alcohol related domestic assault* per 100,000 persons compared to **199.7** per 100,000 persons for Wagga Wagga LGA and **114.4** per 100,000 persons for New South Wales.
 - The suburb of Wagga Wagga recorded a rate of **667.3** incidents of *alcohol related non-domestic assault* per 100,000 persons compared to **201.3** per 100,000 persons for Wagga Wagga LGA and **130.4** per 100,000 persons for New South Wales.
 - The suburb of Wagga Wagga recorded a rate of **3173.1** incidents of *malicious damage to property* per 100,000 persons compared to **1515.2** per 100,000 persons for Wagga Wagga LGA and **779.5** for New South Wales.
48. BOCSAR hotspot maps for April 2017 to March 2018 sourced by the Authority Reviews and Secretariat Unit further indicate that the Premises is:
- located on the edge of a low-density hotspot for *alcohol related assault* that connects to a high density hotspot to the South of the Premises;
 - not located within any hotspots for *domestic assault* but there is a significantly large high density hotspot in the local community;
 - located on the edge of a low density hotspot for *non-domestic assault*. There is also a high density hotspot to the South of the Premises;
 - located within a high density hotspot for *malicious damage to property*.
49. The Authority is somewhat reassured by the 2016 Socio-economic Indexes For Areas (“SEIFA”) data which demonstrates that crime is occurring within local and broader communities that are relatively advantaged. Noting that the Premises is located in a rural area, ABS SEIFA data ranks the suburb of Wagga Wagga in the 5th decile on the Index of Relative Socio-Economic Advantage and Disadvantage while the Wagga Wagga LGA ranks in the 7th decile.
50. NSW Department of Health HealthStats data records that the Wagga Wagga LGA recorded a smoothed estimate of standardised alcohol related mortality ratio of 103.9 (2012-2013) and a smoothed estimate of standardised alcohol related hospital separation ratio of 93.1 (2013-2015).
51. It is notable that Police, Council and LGNSW Compliance (agencies with a law enforcement capacity) have not objected to the Application on social impact grounds. LGNSW Compliance raised concerns regarding minors not being permitted to enter a small bar but this was resolved when the Applicant confined its proposed licensed hours to between 6:00 pm and 10:00 pm Monday to Sunday, which would permit minors to attend the business during the day time, outside of licensed hours.
52. The Authority has also taken into account the conditions to which the licence will be subject (which include CCTV requirements, crime scene preservation and membership of the local liquor accord) and the harm minimisation measures set out in the Applicant’s Venue Management Plan endorsed by Police signature on 24 April 2018 which will be enforceable through a licence condition mandating compliance with the Plan. The Plan includes measures requiring the maintenance of an incident register, ensuring the quiet and good order of the neighbourhood, measures for addressing

community complaints, the promotion of safe transport options, the clearing of rubbish and compliance with the LA10 noise level.

53. In conclusion the licence type, smaller scale, limited patron capacity and very limited trading hours reduces the scope for social impact concerns that may otherwise arise from a new bar given the local crime data in and around the location of the Premises.

Overall social impact

54. Having considered the positive and negative impacts that 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 new small bar licence would not be detrimental to the well being of the local and broader communities.
55. The Application is granted pursuant to section 45 of the Act.



David Armati
Deputy 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 in 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. Small Bar Licence Application Form (“Application”) lodged on 8 March 2018. This document is signed by Mrs Vicki Lee Keogh (“the Applicant”), dated 8 March 2018 and accompanied by a diagram of the proposed licensed premises with Notices to Consent Authority, Police and the Site Notice signed by the Applicant and dated 8 March 2018.
2. Community Impact Statement Category B lodged with the Application on 8 March 2018. This document is signed by the Applicant’s representative, Mr Rohan Johnston of Salvestro Planning, dated 8 March 2018 and accompanied by an email submission to the Applicant’s representative (name and address redacted) dated 7 February 2018 providing support for the Application and a geographical map depicting the 100 metres within which notification of the Application was distributed.
3. Email from City of Wagga Wagga Council (“Council”) to Liquor and Gaming NSW (“LGNSW”) dated 14 March 2018 attaching a one-page letter dated 13 March 2018 advising that Council has no objection to the Application, that development consent is required and is in place and that proposed activities must comply with DA17/0734.
4. Email from the Applicant to licensing staff dated 18 April 2018 asking staff to confirm that notices are only required to be distributed to NSW Police (“Police”) and Council.
5. Email from LGNSW Compliance to licensing staff dated 23 April 2018 advising that they do not intend to make a formal submission and noting that it is an offence under the *Liquor Act 2007* (“Act”) to permit minors to enter a small bar during trading hours. Attached to this submission is a Facebook page extract indicating that kids art classes will be conducted from 1 May 2018 at the premises (“Premises”) from 4:00 pm to 6:00 pm and an extract of section 124 of the Act.
6. Email from the Applicant to licensing staff dated 24 April 2018 responding to the submission from LGNSW Compliance and confirming that the Applicant is happy to restrict trading hours to between 6:00 pm and 10:00 pm 7 days a week.
7. Email from the Applicant to licensing staff dated 26 April 2018 confirming that the Applicant seeks licensed trading hours between 6:00 pm and 10:00 pm.
8. Email submission to LGNSW from Senior Constable Luke O’Hara, Riverina District Licensing – Wagga Wagga of Police dated 1 May 2018 advising no objection and requesting a condition relating to compliance with the venue management plan and that trading hours be restricted to 6:00 pm and 10:00 pm every day. Police have provided a copy of the Venue Management Plan signed by the Applicant and Police and dated 24 April 2018 which was prepared by Police and negotiated as part of the application for development consent.
9. Email from the Applicant to licensing staff dated 1 May 2018 advising that the Applicant consents to the conditions proposed (an apparent reference to the Police submission dated 1 May 2018).
10. Two-page submission from the Applicant dated 4 May 2018 sent to licensing staff via email of the same date. In this submission the Applicant responds to an email from

licensing staff dated 10 April 2018 and attaches: Certificate of Advertising signed by the Applicant dated 2 May 2018; decision on development approval DA17/0734.01 issued by Council on 30 April 2018; Deed of Agreement between Council and Applicant dated 19 March 2018; National Police Certificate NCHRC-2018-33964 for the Applicant issued on 13 April 2018; LGNSW competency card CCH10761479 for the Applicant with an expiry date of 15 February 2023; Identification documents for the Applicant including an Australian passport, NSW drivers licence and birth certificate.

11. Licence density calculations for NSW, the local government area (“LGA”) and the suburb, performed by licensing staff on the basis of the population data from the Australian Bureau of Statistics QuickStats 2016 Census data and the LGNSW list of licensed premises as at 20 May 2018.
12. LGNSW List of Licensed Premises in Wagga Wagga LGA and the suburb of Wagga Wagga as at 20 May 2018.
13. Google geographical maps depicting the location of the Premises, sourced by licensing staff on 24 May 2018.
14. Google street view photograph depicting the location of the Premises sourced by licensing staff on 24 May 2018.
15. Bureau of Crime Statistics and Research (“BOCSAR”) data for Wagga Wagga LGA for 2017 depicting the proportion of incidents by offence type, day of week and time of day, sourced by licensing staff on 24 May 2018.
16. Socio-Economic Indexes for Areas data for the suburb and LGA based on the 2016 Census data, sourced by licensing staff on 24 May 2018.
17. NSW Department of Health HealthStats alcohol attributable deaths (2012-2013) and alcohol attributable hospitalisations (2013-2015) data for the Wagga Wagga LGA, sourced by licensing staff on 24 May 2018.
18. Email from the Applicant to licensing staff dated 28 May 2018 providing a copy of the undated House Policy.
19. An extract of the website for the Applicant business sourced by licensing staff on 28 May 2018.
20. Email from the Applicant dated 29 May 2018 in response to an email from licensing staff dated 28 May 2018 clarifying that the website has been constructed in advance of the licence being issued.
21. BOCSAR hotspot maps for the local community from April 2017 to March 2018 outlining any concentrations for incidents of *alcohol related assault*, *domestic assault*, *non-domestic assault* and *malicious damage to property* sourced by the Authority Reviews and Secretariat Unit on 8 June 2018.
22. BOCSAR crime data for NSW, the suburb and the LGA for the year to March 2018 for incidents of *alcohol related domestic assault*, *alcohol related non-domestic assault* and *malicious damage to property* sourced by the Authority Reviews and Secretariat Unit on 8 June 2018.