



Ms Marie Lee Kim  
16/305 Victoria Avenue  
Chatswood NSW 2067  
[mariekim2000@hotmail.com](mailto:mariekim2000@hotmail.com)

30 September 2016

Dear Ms Kim,

**APPLICATION NO:** APP-0001559761  
**APPLICATION FOR:** Liquor - packaged liquor licence  
**PROPOSED TRADING HOURS:** Monday to Sunday 8:00 – 20:00  
**APPROVED TRADING HOURS:** Monday to Saturday 8:00 – 20:00  
Sunday 10:00 – 20:00  
**PROPOSED LICENSED PREMISES  
NAME:** Gold Mart Chatswood  
**PREMISES LOCATION:** 165-167 Victoria Avenue, Chatswood  
(Premises)  
**ISSUE:** Whether to grant a new packaged liquor  
licence.  
**LEGISLATION:** Sections 3, 29, 30, 31, 40, 45, and 48 of the  
*Liquor Act 2007*

**INDEPENDENT LIQUOR AND GAMING AUTHORITY DECISION – APPLICATION FOR NEW  
PACKAGED LIQUOR LICENCE – GOLD MART CHATSWOOD**

The Independent Liquor and Gaming Authority considered the Application at its meeting on 14 September 2016 and pursuant to section 45 of the *Liquor Act 2007* (Act), has decided to **grant** the Application subject to the following conditions:

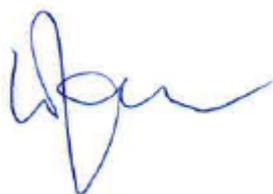
- Trading Hours  
Monday to Saturday 8:00 AM – 8:00 PM  
Sunday 10:00 AM – 8:00 PM

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 2:00AM and 8:00AM 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 24th	Normal trading Monday to Saturday, 8:00AM to 10:00PM Sunday
Christmas Day	Not permitted
December 31st	Normal trading
4. The licensee or its representative must join and be an active participant in the local liquor accord.
5. 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 obtaining this licence.
6. The premises are to be operated at all times in accordance with the Plan of Management dated 22 April 2016 as may be varied from time to time in consultation with the Local Area Commander.
7. The licensee will ensure the liquor sales area is adequately defined from the rest of the supermarket by means of a fixed, solid and permanent barrier.
8. The licensee will be only permitted to sell soju, beer and wine imported from Korea from the licensed premises.
9. The licensee will not sell refrigerated liquor products from the licensed premises.
10. The licence cannot be exercised unless and until the Independent Liquor & Gaming Authority has been provided with evidence that the premises at this location is complete and ready to trade.

If you have any enquiries about this letter please contact the case manager via email to [santina.causa@ilga.nsw.gov.au](mailto:santina.causa@ilga.nsw.gov.au)

Yours faithfully



Philip Crawford  
**Chairperson**

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

## STATEMENT OF REASONS

### Material Before the Authority

1. The following is a summary only of the material and submissions before the Independent Liquor and Gaming Authority (Authority) for the purposes of publication of a statement of reasons, as soon as practicable, in a high volume jurisdiction.
2. In making this decision, the Authority has considered the application for a packaged liquor licence, the accompanying 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 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-economic data pertaining to the local and broader communities sourced by licensing staff from publicly available sources. That material is listed and briefly summarised in the Schedule.

### Summary of Further Submissions

3. Letter from Willoughby City Council (Council), to Mr Jin Hee Hong, Panacea Lawyers (the Applicant's legal representatives) dated 30 October 2015, advising no objection to the Application subject to compliance with the conditions of Development Application (DA) DA-2015/183 for change of use and fitout of the Premises and associated signage requirements for the Premises.
4. Letter from Roads & Maritime Services NSW (RMS) to Mr Hong dated 20 November 2015 advising that between 2009 and 2013, alcohol impairment was a factor in 2.6% of all road crashes in Sydney, with 50% of alcohol-related crashes resulting in a fatality. There were two alcohol-related crashes, resulting in one casualty, within the Willoughby Local Government Area (LGA) during that period. RMS request *inter alia* that if the Application is granted, the licensee attend the LGA's Liquor Accord and that public education material focused on drink driving and pedestrian-alcohol issues be supported and/or displayed by the business on the Premises.
5. Letter from Mr Hong to RMS dated 24 November 2015 indicating the Applicant's intention to implement RMS' recommended measures.
6. Surrender of Liquor Licence form signed by Ms Marie Lee Kim (the Applicant) dated 30 November 2015 in respect of licence no. LIQO660010500 for Gold Mart Chatswood at 28-30 Anderson Street, Chatswood, stating that the Applicant is the licensee in respect of those premises and that those licensed premises "are permanently closed".
7. Application form (Form) seeking new packaged liquor licence for Gold Mart Chatswood, located at 165-167 Victoria Avenue, Chatswood (Premises), lodged online by the Applicant on 11 January 2016. In this form, the Applicant contends that the Premises has a "separate space" designated for the purchase of liquor, to be monitored by a Responsible Service of Alcohol (RSA) accredited employee to ensure that no sale of liquor is made to underage or intoxicated persons; that there will be no consumption of alcohol on the Premises; that the Applicant intends to attend LGNSW's Liquor Accord to maintain awareness of local alcohol-related issues; that public education material regarding drink driving and pedestrian alcohol-

related issues will be provided on the Premises and that a “safe party kit” will be obtained from local Police to be displayed on the Premises.

8. The Form further contends that practices will continue to be in place to ensure that alcohol is sold responsibly to prevent and mitigate “alcohol-related issues and accidents that negatively impact the Chatswood Community and the wider Willoughby City Council area”; that the capacity of the Premises is 50 persons; that development consent is in force and permits the proposed activity to be conducted on the Premises (DA-2015/183 granted on 28 July 2015); and that the proposed licensed trading hours are from 8:00AM to 8:00PM Monday through Sunday.
9. In the CIS accompanying the Application form dated 30 November 2015, the Applicant contends that the new venue will benefit the community by enhancing convenience and providing “cultural benefits” in the form of Korean liquor products sold at a place where Korean groceries, personal care and food items are sold; catering to the multicultural population of the local and broader community and fostering a sense of belonging for Korean residents who are “experiencing difficulties settling in”.
10. The Applicant acknowledges that potential negative impacts of the licence include contributing to alcohol-related motor vehicle injuries and “general anti-social behaviour as a result of intoxication”, but contends that these impacts can be effectively mitigated through “strict adherence” to the responsible service of alcohol and strategies to promote the responsible consumption of alcohol. The Applicant submits that the nature of the proposed Premises, primarily selling “mostly Korean groceries, personal care products and butcher’s products among other items and services”, limits the risks associated with the sale of liquor, and suggests that most patrons will likely purchase alcohol along with other domestic grocery items for consumption at the patron’s home. The Applicant contends that her “qualification and prior experience” and the “proactive assumption of initiatives” at the Premises will mitigate potential negative impacts.
11. *Plan of Management and House Policy* for Gold Mart Chatswood provided with the Application and CIS. This two-page internal business planning document sets out policies devised by the Applicant to mitigate the “potential harm caused by its service” including prohibition on sale of packaged liquor to any patron unable to produce ID showing proof of age; prohibition on sale of liquor to an unduly intoxicated person in any circumstances; removal of intoxicated persons from the Premises; management of the licensed area and sale of liquor from the Premises by RSA-accredited employees only; prohibition on outside seating for patrons or consumption of liquor on the Premises; and signage at the point of sale advising that liquor is not to be consumed within the near vicinity of the Premises. The Plan also states that patrons found to be consuming alcohol in the near vicinity of the Premises will be asked to leave immediately and “employees may record their identity” so that “repeat offenders will be refused service entirely”.
12. Letter from Applicant to the Aboriginal Land Council dated 13 January 2016, enclosing a Notice of Intention to apply for a liquor licence. This notice states that the Applicant’s proposed liquor-related activity is the sale of specified varieties of packaged Korean liquor from a Korean supermarket; that trade will operate from 8:00AM to 8:00PM seven days per week; and that the maximum patron capacity of the Premises is estimated at 50 persons.

13. Report to the Authority dated 16 March 2016 from a Delegate of the Secretary of the Department of Justice via the Compliance Branch, LGNSW. LGNSW reports that a “general assessment” has been carried out in respect of the Application and advises that three compliance notices and one penalty notice have been issued in respect of Gold Mart Chatswood for “selling liquor contrary to authority” in 2011, *prior to* the Applicant’s appointment as licensee. LGNSW states that there are no violent incidents recorded in relation to the Premises; that Gold Mart Chatswood was previously licensed at 28-30 Anderson Street, Chatswood, but this licence was cancelled due to non-payment of licensing fees and that a review of Compliance Branch records *did not* disclose any adverse information regarding the Applicant.
14. LGNSW submits, on the basis of BOCSAR data for the period from October 2014 to September 2015 indicating that rates of alcohol-related assaults and disorderly conduct incidents per 100,000 persons of population in Chatswood were significantly lower than the rates for New South Wales as a whole, that Chatswood “does not appear to have significant issues regarding alcohol related assaults or anti-social behaviour”. LGNSW notes however that the radial density of licensed premises in Chatswood is rated as high.
15. LGNSW contends that given the location of the Premises within walking distance of a drug and alcohol rehabilitation facility “the necessity for another packaged liquor outlet may be easily disputed” and that the “emerging trend” of patrons consuming liquor within the immediate vicinity of packaged liquor outlets is a “real concern”, particularly in circumstances where the Applicant has submitted that the sale of Korean products will assist in “fostering a sense of belonging” (the Authority notes that no data was provided by LGNSW or is apparent on the material before the Authority to indicate that public consumption of liquor is occurring at an elevated rate in Chatswood). However, LGNSW submits that this perceived risk may be mitigated by the condition that the licensee not sell refrigerated liquor products from the Premises.
16. Applicant letter to the Authority dated 22 April 2016 in response to the Authority’s request for further information. Mr Hong states that the Applicant notes the conditions proposed to attach to the licence should it be granted and accepts the proposed 10:00AM commencement of trading hours on Sundays; that the information provided in the Applicant’s CIS has been revised and consequently the Aboriginal Land Council has been identified as a stakeholder and notified of the Application by letter (which is attached and dated 22 April 2016); that the licensed area within the Premises has yet to be constructed but will be “flanked on either side by shelves” and is planned to accommodate a refrigerator, however the Applicant has “been discussing changing the plans with their architect” upon notification that refrigerated alcohol cannot be sold on the Premises and will “provide more concrete details” as to the configuration of the licensed area when these plans have been finalised.
17. Letter from the Applicant to NSW Department of Justice and emailed to the Authority, dated 10 June 2016. Mr Hong explains that the notification letter from Panacea Lawyers to the Aboriginal Land Council (attached to his previous letter to the Authority of 22 April 2016) was also dated 22 April 2016 due to “the auto-date function of our letterhead”, and that notification was in fact given on 13 January 2016 (the Authority notes that pursuant to clause 8(1A) of the *Liquor Regulation 2008*, notification of the Application was required to be given to the Aboriginal Land Council no later than 2 days after the Application was made, that is, by 13 January 2016 at the latest). A copy of a letter from Panacea Lawyers to the Aboriginal

Land Council dated 13 January 2016 is attached to this letter, along with copies of a further letter dated 21 January 2016 and an email from the Authority to Panacea Lawyers dated 12 January 2016 highlighting the need for evidence that the Aboriginal Land Council has been notified of the Application.

18. The Applicant contends through her solicitor, Mr Hong that there will be a “small push-gate” installed to provide access to the licensed area within the Premises to “RSA-holding staff” and that patrons will not be allowed direct access to liquor, but rather will ask staff at the counter for the liquor products they wish to purchase, which will only be provided once staff confirm that the patron is not a minor or “otherwise unsuitable”. The Applicant states that the “initial plans for a refrigerator have been removed” and that the Applicant is “entirely willing to take on board any suggestions or requirements” the Authority may have as conditions for granting the Application.
19. The Applicant further states through her solicitor that the Applicant has been “attempting to surrender” the licence previously held in respect of the former Gold Mart business at 28-30 Anderson Street, Chatswood but has not been able to “locate and receive the consent of the landlord”, and provides correspondence attesting to this. The Applicant submits that this outstanding licence should “not form any prejudice against the current application” and that the Applicant’s *Plan of Management and House Policy* “adequately addresses” LGNSW’s concerns regarding the risk of patrons consuming liquor in the vicinity of the Premises.
20. Submission from Detective Inspector Simon Jones and Senior Constable Norris, North Shore Local Area Command (LAC) of NSW Police (Police) dated 15 August 2016. Police submit that the North Shore LAC has closely reviewed the crime statistics for the past two years pertaining to alcohol-related crime within the Chatswood area and have no grounds for objection to the Application.
21. Email from Ms Kate Ro, Panacea Lawyers to the Authority dated 22 August 2016. In this email, the Applicant addresses the issue of how customers will access the licensed area, contending that the area on the Plan marked “counter” can be lifted so that salespersons may access the indicated licensed area while “customers will buy the liquors in front of the counter”.

## **Legislative Framework**

22. The legal requirements for the making of a valid application for a liquor licence are provided by section 40 of the *Liquor Act 2007* and the *Liquor Regulations 2008* (Liquor Regulations). The power to grant an application for a new liquor licence is provided by section 45 of the Act.
23. 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.*
24. 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.
25. 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.
26. Section 48(5) of the Act requires that the Authority must not grant the 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”.
27. 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 Chatswood while the “broader community” comprises the responsible local government area, the Willoughby LGA.

## **Analysis of Relevant Facts**

28. The Authority is satisfied, on the basis of the Application material before the Authority that, for the purposes of section 40 of the Act, the Application has been validly made and minimum procedural requirements with regard to the Application, CIS and community consultation have been satisfied. This finding is made on the basis of the Application and CIS material and Certification of Advertising provided by the Applicant. The Authority is satisfied that while it initially appeared that the Applicant had failed to notify the local Aboriginal Land Council of the Application within the period required under Division 1 of the *Liquor Regulation 2008* (the Regulation) and that the Application would on this basis be invalid, the Applicant has provided evidence in the form of a copy of a letter addressed to the Aboriginal Land Council dated 13 January 2016, attaching a Notice of Intention to apply for a liquor licence, which meets the minimum procedural requirements under clause 8 (1A) of the Regulation.
29. 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. This finding has been made having regard to the submissions from Police and LGNSW.
30. In making this finding, the Authority has considered the information from LGNSW provided in relation to the Applicant. The Authority is satisfied on the basis of the information before it and further enquiries made with LGNSW that of the two matters raised in connection with the Applicant, one penalty notice was issued against a former business in relation to conduct that occurred before she held the licence and has not been taken into account when assessing the Applicant’s probity. A second matter involved a penalty notice that was issued against the

Applicant five years ago involving an incident of trading outside the authorisation provided by a licence. That penalty notice was paid by the Applicant. Having considered that incident and accepting that it occurred five years ago and the notice was paid, the Authority is satisfied that the Applicant is a fit and proper person to hold a liquor licence at the time of this decision. The Authority accepts the Applicant's explanation as to the administrative delay in formally cancelling the now dormant licence for the former business premises of Gold Mart.

31. The Authority is satisfied, for the purposes of section 45(3)(b) of the Act that responsible service practices will be in place with the commencement of licensed trading. This finding is made on the basis of the *Plan of Management and House Policy* provided by the Applicant.
32. The Authority is satisfied, for the purposes of section 45(3)(c) of the Act that the required development consent is in force for the proposed activity to be conducted on the Premises pursuant to this licence during the proposed licensed trading hours. This finding is made on the basis of DA-2015/183 issued by Council on 28 July 2015.

### **Social Impact – Positive Benefits**

33. The Authority is satisfied, on the basis of the CIS and the submissions made by the Applicant in the *Plan of Management and House Policy* that granting the Application will provide convenience and choice to the local and broader community, particularly the Korean population living in those communities as well as other persons in those communities who wish to purchase speciality Korean liquor products.
34. The Authority accepts, as submitted by the Applicant in the CIS, that Korean liquor is an integral part of Korean culture and (noting the lack of opposition from the local or broader community) is satisfied that granting the Application will to some extent positively contribute to the multicultural character of Chatswood, consistent with the object in section 3(1)(a) of the Act 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”.
35. Notwithstanding the number of licensed premises in the Willoughby LGA, the type of proposed licensed premises, being a speciality Korean supermarket selling a small range of Korean liquor products, will provide a specialised offering to patrons of this Korean supermarket rather than simply operating as another mainstream liquor store. In this respect, there is a degree of difference apparent from the business model and the Authority is satisfied that granting the licence will promote the balanced development, in the public interest, of the liquor industry, which is an object of section 3(1)(b) of the Act.

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

36. The Authority notes, on the basis of the photographs and the plan of the Premises supplied by the Applicant, that the licensed area within the Premises is very small, comprising approximately 6.55 square metres. The photographs and plans provided indicate that the licensed area will be adequately separated from the rest of the supermarket.
37. The Authority notes that the BOCSAR crime maps for the period between April 2015 and March 2016 indicate that the Premises is located within low density hotspots for incidents of *domestic assault* and *malicious damage to property* incidents.
38. The domestic violence hotspots and *BOCSAR Report on Crime by LGA and Alcohol Related Status* provide some cause for concern with regard to the impact of alcohol related domestic

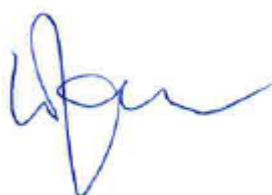
violence in the local and broader communities and the contribution this business may play, along with the incumbent licensees, to that social problem.

39. However, those hotspots are derived from data at the level of the local government area and the Authority finds considerable comfort, when assessing adverse social impact, in the fact that the BOCSAR Report on *Crime by LGA and Alcohol Related Status*, as at March 2016, indicates that the broader community of the Willoughby LGA has substantially lower rates of *domestic and non-domestic assault* incidents compared with NSW as a whole. Notably, the rates of alcohol-related assault in the suburb of Chatswood are also well below the New South Wales rates.
40. The Authority notes advice from Police in a submission dated 15 August 2016 that they have no objection to the Application, having considered crime data for the past two years.
41. The Authority is further satisfied that prevailing licence density does not give rise to any particular cause for concern with regard to the relevant communities, on the basis of the licence density data which indicates that the Willoughby LGA has lower rates of *packaged liquor licences, registered club licences and full hotel licences* per 100,000 persons compared to NSW as a whole.
42. The Authority notes the concerns raised by LGNSW about the “necessity” for a packaged liquor licence within walking distance of a drug and rehabilitation facility. While this is relevant information the Authority notes that no adverse submissions were received from those facilities and that the licence will not operate a full service street facing liquor store, but enable specialist liquor purchases within a speciality supermarket.
43. The Authority is satisfied on the basis of the *Plan of Management and House Policy* provided by the Applicant that strategies will be implemented at the Premises which will objectively constrain the potential negative impacts that this licence may have on alcohol-related crime in the local and broader communities.
44. The Authority is further satisfied that the enforceable condition restricting the sale of liquor to alcoholic beverages to those imported from Korea both reinforces the speciality nature of the business while reducing the scope for this business to operate in the manner of a mainstream liquor business with a broader range of products. The small scale, limited range and absence of any opposition to the proposal from Police, LGNSW or members of the public provide some further assurance that there are no particular concerns identified with regard to the location of the Premises.
45. The Authority is satisfied on the basis of the ABS Socio-Economic Indexes For Areas (SEIFA) scores that the local and broader communities are relatively advantaged in socio demographic terms. The SEIFA data indicates that the Willoughby LGA ranked in the 10<sup>th</sup> decile while postcode 2067 ranked in the 9<sup>th</sup> decile on the Index of Relative Socio-Economic Advantage and Disadvantage.
46. The Authority is satisfied on the basis of the consented licence conditions that the licensed business will not engage in late trading and its licensed hours will be less extensive than those available under the standard hours permitted by section 12 of the Act. The Authority is further satisfied, on the basis of the Applicant’s submissions that the Applicant has accepted the imposition of a number of conditions upon the liquor licence and which will further constrain adverse social impact.

## Conclusion

47. 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 include NSW Police, the Licensee, Council, RMS, neighbouring occupiers, NSW Health and Family and Community Services and all other parties required to be consulted under the legislation.
48. Considering together the demonstrated positive benefits and the factors which objectively constrain or reduce the extent of likely negative impacts that would otherwise arise from the liquor supplied or sold from the proposed business to be conducted on the Premises, the Authority is satisfied, on the material before it, that the overall social impact of granting this Application for a new packaged liquor licence will not be detrimental to the well-being of the local or broader community for the purposes of section 48(5) of the Act.
49. The Application is granted pursuant to section 45 of the Act.
50. 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.
51. In making this decision, the Authority has determined the 6-hour daily closure period required by section 11A of the Act to be fixed at the standard period from 2:00am to 8:00am.

Decision Date: 14 September 2016



Philip Crawford  
**Chairperson**

## SCHEDULE

### Material Before the Authority

1. Liquor licence application form – lodged online on 11 January 2016.
2. CIS dated 30 November 2015 and lodged on 11 January 2016, including supporting material comprising:
  - (a) Google Maps showing the location of the Premises and surrounding retail premises and restaurants;
  - (b) Letter from Council, Planning Branch dated 30 October 2015;
  - (c) Letter from RMS dated 20 November 2015;
  - (d) Letter from Mr Hong to RMS on behalf of the Applicant in response to its letter of 20 November 2015, dated 24 November 2015;
  - (e) Responsible Service of Alcohol certificate for Mrs Marie Lee Kim dated 27 December 2012;
  - (f) Copies of a NSW Driver Licence and LGNSW Competency Card (expiry 26 December 2017) for the Applicant;
  - (g) OneGov liquor licence details for premises trading as “Gold Mart Chatswood” located at 28-30 Anderson St, Chatswood as at 28 March 2013.
3. List of liquor products to be sold at the Premises consisting of 2 varieties of soju, 3 varieties of beer, and 6 varieties of wine.
4. Plan depicting the proposed licensed area within the Premises as an area of 6.55 square metres, enclosed by the counter and 3 shelves, with no customer access.
5. DA number 2015/183 issued by Council dated 28 July 2015.
6. National Police Certificate No. NCHRC-2016-57045 dated 9 June 2016 stating that there are no disclosable court outcomes or outstanding matters recorded against the Applicant within the records of Police in Australia.
7. Copies of identification for the Applicant, including a Medicare card for the Applicant and three family members valid to June 2013; Australian passport valid to 18 October 2020; NSW Driver Licence and LGNSW Competency Card.
8. Letter dated 3 December 2015 from Mr Hong to the Premises Owner, 28-30 Anderson Street, Chatswood, stating that the Applicant previously held a liquor licence for that address and seeking consent from the current premises owner to surrender the licence. Mr Hong provides contact details to provide such consent.
9. Two emails from Kate Ro, Panacea Lawyers to LGNSW dated 22 August 2016.
10. Email from LGNSW to Kate Ro dated 19 August 2016.
11. Email from Kate Ro to LGNSW dated 26 July 2016.
12. Letter from Mr Hong, Panacea Lawyers to the Authority dated 10 June 2016, attaching:
  - (a) Letter from Panacea Lawyers to the Aboriginal Land Council dated 13 January 2016 enclosing a notice of intention to apply for a liquor licence dated 16 October 2015;

- (b) Letter from Panacea Lawyers to the Aboriginal Land Council dated 21 January 2016 enclosing a public consultation notice signed by the Applicant and dated 11 January 2016 and a certificate of advertising application signed by the Applicant and dated 21 January 2016;
  - (c) Email from the Authority to the Applicant requesting further information dated 12 January 2016;
  - (d) Email from Panacea Lawyers on behalf of the Applicant to the Authority dated 22 January 2016 attaching the requested documents;
  - (e) Diagram of the Premises showing the proposed “new liquor counter” and the licensed area as accessible only to staff;
  - (f) Nine photographs of the Premises façade, interior, stock, and counter area;
  - (g) Letter from the Applicant to the Authority dated 22 April 2016, with attachments;
  - (h) Letter from Panacea Lawyers to Chatswood Police dated 8 April 2016;
  - (i) Gold Mart Chatswood Plan of Management and House Policy.
13. Email from Tiffany Yang, Panacea Lawyers to the Authority dated 22 April 2016;
  14. Letter from Mr Hong, Panacea Lawyers to the Authority dated 22 April 2016 enclosing:
    - (a) Gold Mart Chatswood *Plan of Management and House Policy*;
    - (b) Letter to the Aboriginal Land Council dated 22 April 2016 enclosing a notice of intention to apply for a liquor licence dated 16 October 2015 and public consultation notice signed by the Applicant and dated 11 January 2016;
    - (c) Plan of the Premises;
    - (d) Certification of advertising application signed by the Applicant and dated 14 April 2016;
    - (e) Letter from Mr Hong, Panacea Lawyers to the Authority dated 3 December 2015 regarding the surrender of a liquor licence application on behalf of the Applicant in relation to a site which has been “demolished and is undergoing construction”, attaching photographs of the site; a Surrender liquor licence application form signed by the Applicant and dated 30 November 2015; and correspondence with the Authority relating to the licence surrender application.
    - (f) Letter from Mr Hong, Panacea Lawyers to Chatswood Police dated 8 April 2016.
  15. Email from Tiffany Yang, Panacea Lawyers to the Authority dated 22 January 2016.
  16. Letter from Mr Hong, Panacea Lawyers to the Aboriginal Land Council dated 13 January 2016, enclosing a notice of intention to apply for a liquor licence dated 16 October 2015.
  17. Report to the Authority dated 16 March 2016 from a Delegate of the Secretary of the Department of Justice via the Compliance Branch, LGNSW.
  18. Environment and Venue Assessment Tool (EVAT) Report in relation to the Application.
  19. List of liquor licence applications made on 11 January 2016.
  20. Letter from Mr Hong to Police dated 8 April 2016.

21. Letter from Detective Inspector Simon Jones and Senior Constable, Licensing Co-ordinator Damian Norris of North Shore LAC, NSW Police to the Authority dated 15 August 2016.
22. Email from Police to the Authority dated 28 May 2016 seeking more time to make submissions.
23. Email from the Authority to Police dated 21 June 2016.
24. Email from Police to the Authority dated 21 June 2016.
25. OneGov liquor licence details showing that the licence premises trading as “Gold Mart Chatswood” located at 28-30 Anderson St, Chatswood is “cancelled” as at 19 August 2016.
26. BOCSAR Crime Maps based upon data from April 2015 to March 2016 detailing hotspots for the concentration of offences near the location of the Premises which is publicly available on the BOCSAR website. This data indicates that the Premises:
  - (a) Is located within a *low density* hotspot for incidents of *domestic assault*;
  - (b) Is located within a *low density* hotspot for incidents of *malicious damage to property*.
27. Liquor licensing records indicating that within the suburbs of Chatswood, Roseville, Roseville Chase, Artarmon, Willoughby, North Willoughby, Crows Nest, St Leonards and Castle Cove there are currently 12 registered club licences; 106 on-premises licences; and 19 packaged liquor licences.
28. Liquor licence density data derived from licensing records that are publicly available from LGNSW indicating that the Willoughby LGA as a whole recorded:
  - (a) A rate of **14.84 full hotel licences** per 100,000 persons, below the NSW state wide rate of **30.36**;
  - (b) A rate of **19.29 packaged liquor licences** per 100,000 persons, below the NSW state wide rate of **32.85**; and
  - (c) A rate of **7.42 registered club licences** per 100,000 persons, significantly lower than the NSW state wide rate of **20.48**;
  - (d) A rate of **16.33 on-premises licences** per 100,000 persons, significantly lower than the NSW state wide rate of **121.31**; and
29. Liquor licence density data derived from licensing records that are publicly available from LGNSW indicating that within the suburb of Chatswood, there are currently a total of 108 liquor licences, comprising 6 club licences; 5 full hotel licences; 4 limited licences; 76 on-premises licences; 10 packaged liquor licences; and 7 producer wholesaler licences.
30. ABS SEIFA data prepared on the basis of the 2011 census for Chatswood and the Willoughby LGA. This data shows that on the Index of Relative Socio-Economic Advantage and Disadvantage:
  - (a) The suburb of Chatswood ranked in the 9<sup>th</sup> decile for suburbs within the State (with a decile ranking of 10 being the most advantaged);
  - (b) The postcode 2067 ranked in the 9<sup>th</sup> decile for suburbs within the State;
  - (c) The Willoughby LGA ranked in the 10<sup>th</sup> decile for LGAs within the State.

31. Data on *Crime by LGA and Alcohol Related Status* obtained from published BOCSAR sources for incidents occurring between April 2015 and March 2016. This data indicates that during this period:
- (a) The rate of *non-domestic violence related assault* incidents flagged by reporting Police as *alcohol related* in the suburb of Chatswood was **47.5** per 100,000 persons, above the rate for the Willoughby LGA of **29.7** and below the New South Wales rate of **137.4** per 100,000 persons;
  - (b) The rate of *domestic violence related assault* incidents flagged by reporting Police as *alcohol related* in the suburb of Chatswood was **56.1** per 100,000 persons, above the rate for the Willoughby LGA of **39.1** and below the State wide rate of **120.2** per 100,000 persons;
32. Crime data sourced obtained from published BOCSAR sources for incidents occurring between April 2015 and March 2016. This data indicates that during this period:
- (a) The rate of overall reported *non-domestic violence assault* incidents in the suburb of Chatswood was **319.3** per 100,000 persons, above the rate for the Willoughby LGA of **179.3** and below the New South Wales rate of **410.4** per 100,000 persons;
  - (b) The rate of overall reported *domestic violence assault* incidents in the suburb of Chatswood was **176.9** per 100,000 persons, above the rate for the Willoughby LGA of **118.7** and below the New South Wales rate of **388.7** per 100,000 persons;
  - (c) The rate of overall reported *malicious damage to property* incidents in the suburb of Chatswood was **591.2** per 100,000 persons, above the rate for the Willoughby LGA of **442.3** and below the New South Wales rate of **849.7** per 100,000 persons; and
  - (d) The rate of overall reported *disorderly conduct* incidents in the suburb of Chatswood was **198.5** per 100,000 persons, above the rate for the Willoughby LGA of **111.9** and below the New South Wales rate of **290.0** per 100,000 persons.