



Mr Tony Schwartz  
c/o Back Schwartz Vaughan  
Level 1, 156 Edgecliff Road  
Woollahra NSW 2025

26 September 2016

Dear Mr Schwartz,

**APPLICATION NO:** 1-4048880299  
**APPLICATION FOR:** New Packaged Liquor Licence  
**PROPOSED TRADING HOURS:** Monday to Saturday 9:00AM – 9:00PM  
Sunday 10:00AM – 8:00PM

**APPLICANT:** Anthony Charles Leybourne Smith  
**PROPOSED LICENSED PREMISES  
NAME:** BWS – Beer Wine Spirits

**PREMISES LOCATION:** 254a Richardson Rd  
Spring Farm NSW 2570 (Premises)

**ISSUE:** Whether to grant or refuse an application for  
a new packaged liquor licence

**LEGISLATION** Sections 3, 29, 30, 31, 40, 45, 48 *Liquor Act  
2007*

**INDEPENDENT LIQUOR AND GAMING AUTHORITY DECISION - APPLICATION FOR  
NEW PACKAGED LIQUOR LICENCE – BWS – BEER WINE SPIRITS, SPRING FARM**

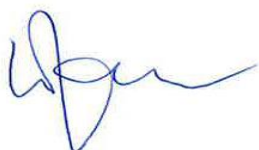
The Independent Liquor and Gaming Authority considered the Application at its meeting on 31 August 2016 and pursuant to section 45 of the *Liquor Act 2007* (Act), has decided to **grant** the Application number 1-4048880299 subject to the following conditions:

1. Trading Hours  
Monday to Saturday 9:00AM – 9:00PM  
Sunday 10:00AM – 8:00PM
2. Section 11A of the *Liquor Act 2007* applies to this licence. Liquor must not be sold by retail on the licensed premises for a continuous period of 6 hours between 3:00 AM and 9:00 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.

3. Retail Sales
  - Good Friday Not permitted
  - December 24<sup>th</sup> Normal trading Monday to Saturday, 8:00AM – 10:00PM Sunday
  - Christmas Day Not permitted
  - December 31<sup>st</sup> Normal trading
4. The licence cannot be exercised unless and until the Independent, Liquor & Gaming Authority has been provided with evidence that the premises at this location are complete and ready to trade.
5. The licensee or its representative must join and be an active participant in the local liquor accord.
6. 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.
7. The premises are to be operated at all times in accordance with the Liquor Store “House Policy” and “Woolworths’ Best Practice Policies and Interventions”.
8. The licence cannot be exercised unless and until Liquor and Gaming NSW has granted a transfer to the licence to a suitable qualified person or a manager is approved and appointed to manage the premises.

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 considerable amount of material and submissions before the Independent Liquor and Gaming Authority (Authority) for the purposes of publishing a statement of reasons, as soon as practicable, in a high volume jurisdiction.
2. In making this decision, the Authority has considered the application filed on 4 February 2016 (Application), 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) data pertaining to the local and broader communities sourced by licensing staff from publicly available sources. That material is listed and in some cases briefly summarised in the Schedule.

### Summary of Further Submissions

3. Submission from NSW Aboriginal Affairs dated 11 February 2016, advising that the agency has no objection to the Application provided that the NSW Aboriginal Land Council and the Local Aboriginal Land Council have been notified.
4. Submission from Mr Patrick Leahy, Clinical Operational Manager, Drug Health Services South Western Sydney Local Health District (SWSLHD) dated 15 February 2015. In this one page submission, SWSLHD advise that they do not support the Application on the basis of on-going concerns relating to alcohol consumption and the strong evidence linking liquor outlet concentrations and alcohol related harm including: increased social harms, such as higher assault rates, and motor vehicle injuries. SWSLHD contend that residents of South Western Sydney have “higher levels of alcohol consumption and deaths attributable to alcohol than the state average” and any increase in alcohol outlets is “unlikely to benefit this community”.
5. SWSLHD further contend that the Campbelltown Community Drug Action Team (CDAT), comprising representatives from local council, SWSLHD, non-government organisations and the Primary Care Network, have advised concerns relating to: secondary supply; underage drinking; public drinking; alcohol related violence; and neglect of children and need for community education around alcohol consumption. SWSLHD contend that Mrs Cordeiro, the Chair of the local CDAT, advises that she does not support “any new liquor licences proposed in this area”. [The Authority notes that no data was provided in support of this submission].
6. Submission from NSW Roads and Maritime Services (RMS) dated 15 February 2016 advising, *inter alia*, that data for the Camden Local Government Area (LGA) indicates that during 2013 there were eight alcohol-related crashes, resulting in three casualties.
7. Submission from Clare Donnellan, District Director of Family and Community Services (FACS) dated 23 February 2016 advising generally that FACS is concerned about the

increasing number of liquor outlets and hours of operation of licensed premises in South Western Sydney. However, FACS are “unable to determine” that this proposal would adversely affect the local community above and beyond the usual social impacts of increased alcohol consumption and as a result FACS “holds no legitimate grounds for concern”.

8. Report to the Authority dated 7 March 2016 from the Compliance Branch of LGNSW advising that the Application was assessed using the Environment and Venue Assessment Tool (EVAT). This means that LGNSW have not performed any specific assessment of the Application.
9. Local Consent Authority Notice provided by Camden Council (Council) undated advising that the notice was received on 12 April 2016 and that Development Application (DA) 541(3)/2013 is in place.
10. Decision on DA No. 541/2013 issued by Council on 26 November 2013 in which Council granted consent for the “construction of a shopping centre containing a supermarket, commercial/retail tenancies and associated site works” on the Premises. This material includes modification 541(2)/2013 issued on 26 June 2015 approving development consent for: reconfiguration of the car parking layout; reconfiguration of the internal building and the tenancies; alterations to the access arrangements; reduction in car parking spaces from 260 to 257; alterations to the internal layout and facades of the building; amendments to the signage and landscaping design; and the inclusion of a disabled ramp. This DA has been further modified by 541(3)/2013 issued on 12 January 2016 which modifies condition 1.0(1) to reference updated site and floor plans incorporating a fit out for a Woolworths supermarket and BWS.
11. Submission from Acting Detective Superintendent Commander Jayne Doherty of Camden Local Area Command (LAC) of NSW Police (Police) dated 26 May 2016 advising that Police do not object to the Application. A copy of a previous letter from Senior Constable Mario Pasalic of Camden LAC dated 19 October 2015 was also supplied, advising that Police would wait until they received a copy of the Application before forwarding a report.
12. Submission from the Applicant dated 27 May 2016. In this four-page letter the Applicant agrees to all of the conditions proposed by licensing staff in their email dated 26 May 2016 apart from proposed conditions requiring: operating the Premises in accordance with the Plan of Management; not exercising the licence unless and until LGNSW has granted a transfer of the licence to a suitable qualified person or a manager is approved and appointed and a request for the House Policy document to be amended to read Plan of Management. In this submission the Applicant also responds to SWSLHD and makes the following key contentions:
  - (a) The concerns raised by SWSLHD in relation to alcohol related consumption, the linking of outlet density and alcohol-related harm, and the levels of alcohol related consumption and deaths attributable to alcohol, “lack weight” and “credibility” as a result of being unsupported by evidence. The Applicant further contends that these claims are not supported by Police.

- (b) The evidence supplied in the statement of impact attached to the CIS points to the Application being of low risk, where the community is drinking responsibly.
  - (c) The rate of alcohol related hospitalisations in the Camden LGA are low compared with the State average and alcohol related deaths are not statistically different to the State average and as a result SWSLHD has not “drilled down” to the data that is relevant to this Application.
  - (d) There have been no opposing submissions received from any of the parties described in the SWSLHD submission.
  - (e) Council is not opposed to this Application.
  - (f) The claims submitted by SWSLHD are “unverified and unsupported by evidence” and are not “aligned” with the actual evidence relevant to this local and broader community that is contained in the Applicant’s statement of impact attached to the CIS.
13. In the two-page document “Review and Response to Submissions”, attached to the letter from the Applicant dated 27 May 2016, the Applicant discusses the submissions received from Aboriginal Affairs, RMS and FACS.

## **Legislative Framework**

14. 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.
15. 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.*

16. 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.
17. 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.
18. 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”.
19. 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 Spring Farm while the “broader community” comprises the responsible local government area, the Camden LGA.

### **Analysis of Relevant Facts**

20. The Authority is satisfied, on the basis of the Application and CIS 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.
21. The Authority is satisfied, for the purposes of section 45(3)(a) of the Act, that the Applicant is a fit and proper person to carry on the business of a packaged liquor licensed venue of the kind proposed in the Application material. The Authority notes that no probity issues were raised with regard to the Applicant company following consultation with law enforcement agencies including Police and LGNSW.
22. The Authority is satisfied, for the purposes of section 45(3)(b) of the Act, that responsible service of alcohol practices will be in place with the commencement of licensed trading. This finding is made on the basis of the *House Policy* and *Woolworths’ Best Practice Policies and Interventions* and submissions provided by the Applicant.
23. The Authority is satisfied, for the purposes of section 45(3)(c) of the Act, that the required development consent is in place, on the basis of DA No. 541/2013 issued by Council on 26 November 2013 and modified by 541(2)/2013 on 26 June 2015 and 541(3)/2013 on 12 January 2016.

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

24. The Authority is satisfied the Applicant has demonstrated that granting the licence will provide the local community with a substantial relative benefit convenience and choice from a well-appointed new retailer for those members of the local and broader community who wish to purchase packaged liquor from a BWS – Beer Wine Spirits at this shopping centre in this part of Spring Farm.
25. The Authority accepts the Applicant’s submission in the CIS that the local community of Spring Farm does not currently have any licenced premises. The considerable

range and choice to be provided is underscored by the substantial scale of the enterprise.

26. The Authority is satisfied on the basis of the CIS and the nature of responses and limited local opposition received in response to that consultation that the Applicant has established that granting the Application will be consistent with the “expectations, needs and aspirations of the community” in respect of the local community of Spring Farm, being an object of section 3(1)(a). Consistency with community expectations is not unequivocal, noting the response from local community groups referred to in the SWSLHD submission (which are addressed further below), but there is no evidence of substantial resident or business opposition to the proposal.
27. The Authority is satisfied that licensing the proposed business may also contribute to the development of the liquor industry in the local community for the purposes of section 3(1)(b) of the Act. This benefit is a modest one only in respect of the broader community, given the number and variety of incumbent licensees in the broader community and noting the Applicant’s submissions to the effect that BWS pricing is consistent across BWS stores.
28. The Authority makes the following findings on the Applicant’s further contended benefits:
  - (a) improved amenity – the Authority is satisfied that the Premises will be presented as a “state of the art” retail outlet located co-located with the Supermarket. The Authority accepts that the business will provide increased choice and convenience, and a modern Premises but it is not satisfied on the material before it that a major liquor business will “improve” local amenity.
  - (b) Product range/market leading range – the Authority is satisfied on the basis of the product list supplied by the Applicant that BWS provides a large product range. The benefit of choice and convenience for the local community has been noted above.
  - (c) responsible retail assurance – the Authority is satisfied that Woolworths has adequate policies and procedures in place to ensure that Responsible Service of Alcohol is taken “very seriously” by staff at the Premises. This is a factor that reduces negative impact rather than presenting a positive benefit for the communities.
  - (d) customer service – the Authority is satisfied, as contended and on the basis of the policy material provided, that Woolworths “invests heavily” in training programs to educate its staff on customer service and provides a loyalty program, which is likely to contribute to the object in section 3(1)(b) of the Act. The positive contribution from this major new business with regard to the responsible development of the industry has been noted above.
  - (e) staff career opportunities – the Authority is satisfied, on the basis of the Applicant’s contention in the CIS that staff will have opportunities to “progress throughout the wider Woolworths business”, but the Applicant has not made an

unequivocal commitment to sourcing staff from the relevant local or broader communities, and limited weight can be given to this benefit.

- (f) safe environment and crime prevention – the Authority is satisfied that use of surveillance, security and access control will help to ensure a safe shopping environment for patrons of this liquor outlet. This factor is more relevant to reducing the negative impacts of the liquor business than establishing net positive benefits;
- (g) meeting every aspect of the objects of the Act – the Authority is to some extent satisfied on the basis of the submission in the CIS that granting this Application will help to further the objects of the Act. The Authority’s findings on the extent to which granting this Application furthers the objects of the Act are set out in this decision;
- (h) strengthening the shopping precinct in the immediate vicinity of the Premises – while it is broadly credible to assert that a major outlet is likely to attract patrons from within the local and broader communities who may patronise other businesses, it is difficult to quantify the positive impact upon other businesses on the material before the Authority. The Authority gives this benefit limited weight.
- (i) less travel time and distance to purchase liquor – the Authority accepts that local residents of the suburb of Spring Farm will be able to engage in “one stop” shopping which will reduce the need to travel outside of the local community to purchase their liquor needs. The positive benefit of increased convenience has been noted above.
- (j) providing a neighbourhood landmark and centre for social activity – the Authority accepts that it is broadly credible that a new shopping centre will provide a centre for social activity but little evidence has been provided as to how this liquor business will of itself contribute to building a sense of place, identity, community and social cohesion. This benefit is given limited weight.

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

- 29. Having reviewed all the material, the Authority is satisfied that over time there will likely be some contribution from the liquor sold at the licensed business to alcohol related crime, disturbance or impact on amenity from a minority of customers who abuse packaged liquor purchased from the Premises.
- 30. The reasonably extensive trading hours sought by the Applicant and fairly substantial scale (204 metres in size) are factors that objectively increase the scope of this business to contribute, along with other licensed premises, to prevailing adverse social impacts. However, as discussed below, the local and broader communities perform relatively well by comparison to New South Wales as a whole on several indicia.
- 31. The Authority accepts that the concerns raised by SWSLHD about alcohol consumption and deaths attributable to alcohol are generally credible and that there is some correlation in the research between access to liquor, licenced premises density and alcohol related harm.



32. However, without supplying evidence or data to support these claims or their application to the circumstances of the local and broader communities, the weight the Authority can place on this submission is limited. The Authority accepts the concerns raised by SWSLHD that CDAT and Mrs Cordeiro (the Chair of CDAT) as generally credible, but there is insufficient local or broader community evidence to enable weight to be given to those concerns.
33. The Authority is satisfied on the licensing data that this new business will be the only licensed premises in the suburb of Spring Farm and the Camden LGA has a lower than state average packaged liquor, hotel and club licence density in categories that authorise the sale of take away liquor. Licence density per se is not a significant adverse factor on the information before the Authority.
34. The Authority is reassured by the BOCSAR Crime Maps for the period between January 2015 to December 2015 which indicate that the Premises is *not* located within any hotspots for incidents of *domestic assault, non-domestic assault and malicious damage to property*.
35. The Authority is satisfied that Camden LGA performs relatively well in so far as alcohol related crime is concerned, on the basis of the BOCSAR Report on Crime by LGA and Alcohol Related Status for the calendar year ending 2013 which indicates that Camden LGA has lower rates for incidents of *domestic violence related assault, non-domestic violence related assault; offensive conduct and malicious damage to property* per 100,000 persons compared to NSW as a whole.
36. The Authority is also satisfied on the basis of the Socio-Economic Indexes for Area (SEIFA) data from ABS that the local and broader community is on the whole very advantaged in socio-economic terms, with the suburb of Spring Farm ranking in the highest decile and the Camden LGA ranking in the second highest decile on the Index of relative Socio-Economic Advantage and Disadvantage.
37. The Authority is satisfied on the basis of the Application and material provided by the Applicant that there are well-developed business practices, CCTV measures and security practices and plans for the new business which will constrain the contribution this business may have on alcohol related crime and alcohol related hospitalisations. The Authority further notes that BWS – Beer Wine Spirits is a chain of packaged liquor licences and is an experienced operator.
38. The Authority is satisfied on the basis of the processes outlined in these documents that the Applicant is well placed to ensure that staff members will be adequately trained and will engage in steps that ensure staff can adequately constrain the extent of adverse impact arising from the abuse of liquor sold at the Premises.
39. By reason of the moderate scale of the enterprise (larger than many stand-alone liquor stores) and some cause for concern arising from the submissions on health related concerns in the local and broader community, the Authority has imposed a licence condition requiring the premises to operate in accordance with the liquor store *House Policy* and the *Woolworths' Best Practice Policies and Interventions*. This provides additional rigour to the regulation of this business over time.

## Conclusion

40. 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 FACS and all other parties required to be consulted under the legislation.
41. Having considered together the positive benefits and negative impacts that the Authority are satisfied are likely to flow from granting the Application, the Authority is satisfied for the purposes of section 48(5) of the Act that the overall social impact of granting this licence would not be detrimental to the well-being of these local and broader communities.
42. The Application is granted pursuant to section 45 of the Act.
43. In making this decision the Authority has had regard to all of the statutory objects prescribed by section 3(1) of the Act and all of the considerations to which it must have regard under section 3(2) – including (a) the need to minimise harm associated with misuse and abuse of liquor (including harm arising from violence and other anti-social behaviour), (b) the need to encourage responsible attitudes and practices towards the promotion, sale, supply, service and consumption of liquor, and (c) the need to ensure that the sale, supply and consumption of liquor contributes to, and does not detract from, the amenity of community life.

Decision Date: 31 August 2016



Philip Crawford  
**Chairperson**

## SCHEDULE

### Material Before The Authority

1. Application Form lodged on 4 February 2016.
2. Copies of stakeholder notices notifying the Application to various stakeholders.
3. CIS document and supporting material lodged on 4 February 2016.
4. List of Stakeholders and special interest groups notified of the Application attached to the CIS lodged on 4 February 2016.
5. Statement of Impact dated 28 January 2016 and attached to the CIS lodged on 4 February 2016. This 45-page document addresses the Applicant's submissions on the overall social impact of granting the licence. It outlines the analysis performed by the Applicant itself in support of the submission that overall social impact of granting the Application will not be detrimental to the well-being of the relevant community for the purposes of the test under section 48 of the Act. In this document the Applicant discusses, by apparent reference to the factors identified in Authority Guideline 6, the proposal, demographic, socio economic status and density information relevant to the Application, at-risk groups, outlet density, SEIFA, potentially sensitive facilities near the Premises, neighbourhood amenity and alcohol related crime and alcohol related harm.
6. The Applicant also discusses the community consultation process by contending that there were no submissions or replies received from neighbouring premises or special interest groups who were notified of the Application. The Applicant also contends that on 19 October 2015 the Applicant's solicitor telephoned Police and spoke to Senior Constable Pasalic who advised that Police: are aware of the Application; will not provide a formal response until the Application is lodged; are aware that Spring Farm, is a significant population growth area and the Centre will cater to their household shopping requirements; and there have been no significant concern with crime in this location in the past and there are no places of concern to the Police with respect to public drinking near the Premises.
7. The Applicant makes the following key contentions on overall social impact in the CIS:
  - (a) Spring Farm is currently will experience significant population growth and there is an under-provision of licensed premises in the broader community and no licensed premises in Spring Farm or the trade area of the new store.
  - (b) The Premises will have a positive social and economic effect for current and future residents of Spring Farm by reducing travel and distances, generating permanent employment and construction jobs and providing a neighbourhood landmark.
  - (c) None of the existing hotels and packaged liquor licences in the broader community can cater to the reasonable requirements of shoppers to this Supermarket and in the future when the Centre is complete there will be an unmet need/expectation for the new store in this location.
  - (d) It is common occurrence that a BWS is available as part of a customer's daily or weekly shopping requirements at a Woolworths supermarket rather than making a

customer undertake additional trips elsewhere which would impose unreasonable difficulty and inconvenience.

- (e) The new store will deliver convenience, choice, range and value to shoppers, as well as providing a modern facility with employment opportunities for those in the local and broader community. The new store will meet an identified need for improved access to consumer goods and retail services in Spring Farm.
  - (f) Alcohol related crime in the local community of Spring Farm and the broader community of Camden LGA is low and despite the availability of packaged liquor services in the broader community, the community has demonstrated an ability to consume alcohol responsibly.
  - (g) Woolworths stores do not increase alcohol related crime.
  - (h) Although there is a higher than state average proportion of young people in the local and broader community and indigenous people in the local community, this has not produced any particular concern expressed by the local agencies or law enforcement or the SEIFA data overall.
  - (i) There are no potentially sensitive facilities near the Premises which could result in the at-risk groups identified being adversely impacted by the operations of this licence in this location.
  - (j) There was no opposition to this proposal by anyone.
  - (k) The SEIFA data for Spring Farm and the broader community of Camden LGA confirms that the location is advantaged indicating that these communities that are likely to be serviced by this licence do not presently exhibit particular vulnerability to adverse social impacts associated with the abuse of alcohol.
  - (l) The public are entitled to a modern, contemporary bottle shop facility as part of their shopping experience;
  - (m) Council has given consideration to the appropriate level of traffic and parking on and around the Centre. Through the town planning approval process parking, traffic (vehicular and pedestrian), litter and noise related matters are found to be satisfactory or manageable through conditions of consent.
  - (n) The level of risk that an alcohol related hospitalisation may occur in the broader community is lower than the rate of NSW.
  - (o) This store is not the first BWS in this region, with 5 BWS stores in the broader community of Camden LGA and 1 Dan Murphy's store at Narellan. The product range and price of products sold to the wider community will remain unchanged as "the same product lines stocked at other BWS stores in this broader community will be stocked" at the new store and price structure will also be "identical".
8. The Applicant contends that granting the Application would result in the following positive benefits: improved amenity; convenience; product range; market leading range; the brand; loyalty program; responsible retail assurance; customer service; staff career opportunities; safe environment; crime prevention through environmental design leading to reduced opportunities for and the likelihood of crime; meeting every

aspect of the objects of the Act; improved choice and convenience; meeting the one stop supermarket shopping requirement; less road traffic; improved neighbourhood safety and security; meets consumer demand; reduced travel time and distance; additional shopping facilities and a wide range of retail products, choices and price competition in the Camden LGA; generates permanent employment; generates construction employments; and provides a neighbourhood landmark and centre for social activity that contributes to building a sense of place, identity, community and social cohesion.

9. A Masterplan of Spring Farm issued by the Cornish Group and attached to the CIS dated 4 February 2016.
10. A document provided with the CIS describing Woolworths “operating experience to date” with its retail association with a Woolworths Supermarket (no specific stores are specified). In this 15-page document the Applicant discusses background information regarding the assessment process; at-risk indicators; packaged liquor licences versus other types of liquor licences; potential for adverse change to the character of the local community of Spring Farm; noise; litter and pollution related concerns; traffic (both vehicular and pedestrian) and parking; alcohol consumption by the population of the local and broader community; contended public interest benefits; potential for increased levels of alcohol related anti-social behaviour; alcohol related hospital admissions and deaths; and sales and consumption of alcohol.
11. A document provided with the CIS dated 4 February 2016, addressing Woolworths Liquor Group policies and procedures adopted at BWS – Beer Wine Spirits stores in NSW including: Operational Matters, Security and the Specific Harm Minimisation and Responsible Service of Alcohol Practices; House Policy; Woolworths’ Best Practice Policies and Interventions; Responsibilities; School Uniform Policy, Refusal of Service – Intoxication policy, ID25 policy and secondary supply policy.
12. Health statistics, provided with the CIS dated 4 February 2016, issued by the NSW Department of Health depicting Alcohol Attributable Deaths by LGA, NSW 2011 and Alcohol Attributable Hospitalisations by LGA, NSW 2012-13 to 2013-14.
13. A document provided with the CIS dated 4 February 2016 providing the details for the licensed premises in the broader community of Camden LGA and noting that there are no licensed premises in Spring Farm or the Applicant’s defined “Trade Area” of the Premises.
14. Geographical Map provided with the CIS dated 4 February 2016 depicting what the Applicant describes as the “Trade Area” of the Premises.
15. Geographical Map provided with the CIS dated 4 February 2016 depicting the location of other licensed premises in postcode 2570 and providing details of these premises.
16. The operating experience of BWS Stores, provided with the CIS dated 4 February 2016, in regards to alcohol related crime. In this document the Applicant provides a table providing a demographic and socio-economic review of the relevant LGA’s (Blacktown, Cessnock, Goulburn Mulwaree and Wollongong) compared to NSW and a table indicating the SEIFA comparison at a suburb level. The Applicant also discusses

a review of alcohol related crime by providing BOCSAR data on incidents of alcohol related non-domestic violence related assault, alcohol related domestic violence related assault, alcohol related assault police, liquor offences and malicious damage to property (for the LGA's listed above) between 2008 to 2015 (at the times when BWS stores opened in Cessnock, Goulburn, Dapto and Quakers Hill).

17. Exclusive product range list and benefits policy for Woolworth's retail liquor stores provided with the CIS dated 4 February 2016.
18. Application in support of a 6-hour closure period supplied with the Application and CIS dated 4 February 2016. In this six-page document the Applicant discusses *inter alia*: the mode of operation; the needs of patrons and interests of the local community of Spring Farm; local Police and Council; and the police elements of section 3(2) of the Act.
19. Plan or diagram of the licensed area of the Premises supplied with the CIS dated 4 February 2016.
20. Geographical Map depicting the neighbouring premises supplied with the CIS dated 4 February 2016.
21. Google geographical map depicting the location of the Premises.
22. BOCSAR Crime Maps based upon data from January 2015 to December 2015 detailing hotspots for the concentration of offences near the location of the Premises which is publically available on the BOCSAR website. This data indicates that the Premises:
  - (a) Is *not* located within any hotspot for incidents of *domestic assault*
  - (b) Is *not* located within any hotspot for incidents of *non-domestic assault*
  - (c) Is *not* located within any hotspot for incidents of *malicious damage to property*
23. Liquor licensing records from LGNSW indicating that the Camden LGA already has 2 registered club licences, 5 full hotel licences and 4 packaged liquor licences.
24. Liquor licence density data from LGNSW indicating that the Camden LGA as a whole recorded:
  - (a) A rate of **22.92 packaged liquor licences** per 100,000 persons, which is well below the NSW state wide rate of **32.85**.
  - (b) A rate of **8.81 registered club licences** per 100,000 persons, which is well below the NSW state wide rate of **20.48**.
  - (c) A rate of **17.63 full hotel licences** per 100,000 persons, which is well below the NSW state wide rate of **30.36**.
25. Report on *Crime by LGA and Alcohol Related Status* obtained from published BOCSAR sources for calendar year 2013. This data indicates that:
  - (a) The rate of *domestic violence related assault* incidents recorded by reporting Police as *alcohol related* across the Camden LGA was **65** per 100,000 persons, well below the New South Wales rate of **145** per 100,000 persons.

- (b) The rate of *non-domestic violence related assault* incidents flagged by reporting Police as *alcohol related* in the Camden LGA for 2013 was **71**, well below the State wide rate of **191**.
  - (c) The rate of *offensive conduct* offences flagged by reporting Police as *alcohol related* across this LGA was **37** per 100,000 persons, well below the State wide rate of **83**.
  - (d) The rate of *assault police* incidents flagged by reporting Police as alcohol related across the Camden LGA was **26**, slightly higher than the rate of **24** per 100,000 for New South Wales as a whole.
  - (e) The rate of *malicious damage to property* incidents flagged by reporting Police as alcohol related across the Camden LGA was **78**, well below the rate of **122** per 100,000 for New South Wales as a whole.
- 26. ABS SEIFA data prepared on the basis of the 2011 census indicating that the suburb of Spring Farm ranked in the 10<sup>th</sup> decile and the Camden LGA ranked in the 9<sup>th</sup> decile, compared to other local government areas and state suburbs in NSW in the state on the Index of Relative Socio-Economic Advantage and Disadvantage (with a decile ranking of 10 being the most advantaged).
  - 44. Submission from Aboriginal Affairs dated 11 February 2016.
  - 45. Submission from Patrick Leahy, Clinical Operational Manager, Drug Health Services SWSLHD dated 15 February 2015.
  - 46. Submission from RMS dated 15 February 2016.
  - 47. Submission from Clare Donnellan, District Director of FACS dated 23 February 2016.
  - 48. Report to the Authority dated 7 March 2016 from the Compliance Branch of the Office of LGNSW.
  - 49. Local Consent Authority Notice provided by M Kramer, Community Safety Officer on behalf of Council.
  - 50. DA No. 541/2013 issued by Council on 26 November 2013.
  - 51. Submission from Acting Detective Superintendent Commander Jayne Doherty of Camden LAC of Police dated 26 May 2016 attaching a copy of the previous letter from Senior Constable Mario Pasalic, Licensing officer of Camden LAC dated 19 October 2015.
  - 52. Submission from the Applicant dated 27 May 2016 attaching a document titled "Review and Response to Submissions".