



Mr John Karacan
Hutchison Lawyers

By email to: jkaracan@hutchisonlawyers.com.au

16 April 2024

Dear Mr Karacan

Application No.	APP-0011740250
Applicant	Ghassan Hammou
Application for	New packaged liquor licence
Application date	1 August 2023
Decision date	20 March 2024
Licence name	Johnnos General Store
Trading hours	Monday to Saturday 10:00 AM – 06:00 PM Sunday 10:00 AM – 05:00 PM
Premises	4239 Oallen Ford Road Windellama NSW 2580
Legislation	Sections 3, 11A, 12, 29, 30, 31, 40, 44, 45, 48, and 123 of the <i>Liquor Act 2007</i>

**Decision of the Independent Liquor & Gaming Authority
Application for a new packaged liquor licence – Johnnos General Store**

We **approve** the application above under section 45 of the *Liquor Act 2007* — with the conditions set out in Schedule 1. The 6-hour closure period overrides any condition of the licence.

Mixed-use checkouts must be closed outside licensed hours

Under section 103(2) of the Act, any counter or place used to sell or supply liquor under the licence, including any mixed-use checkouts in the liquor sales area, must be closed to the public outside the licensed trading hours.

Statement of reasons

Overall, we are satisfied that the social impact of approving the application will not be harmful to the well-being of the local or broader community, while also promoting a balanced and responsible development of the industry.

Our main findings

The local community for the purposes of this decision is Windellama. The broader community is the Local Government Area (LGA) of Goulburn Mulwaree.

Positive social impacts

The application proposed to operate a new packaged liquor licence with a liquor sales area that sits wholly within an existing general store known as 'Johnnos General Store'.

Although the premises is located within a band 2 area, there are no crime density hotspots in Windellama, and no objections or contentious issues were raised in relation to the application. The grant of the licence could mitigate drink driving associated with road travel to other areas to purchase liquor.

We are satisfied that the proposal would benefit the local and broader communities by providing increased convenience and choice.

Negative social impacts

We accept that the proposal could contribute to an increase in alcohol-related harm in the local and broader communities because:

- it could increase alcohol related crime in a community with higher crime rates compared to NSW for all offence categories we considered
- Windellama and the Goulburn Mulwaree LGA experience below average and average level of relative socio-economic advantage and greater availability of alcohol could result in increasing disadvantage.

However, we are satisfied that these risks are balanced by the:

- absence of crime density hotspots in Windellama
- absence of incidents of alcohol-related domestic assault, alcohol-related non-domestic assault, and alcohol-related disorderly conduct, and one incident of malicious damage to property in Windellama between September 2022 and September 2023
- potential to reduce rates of drink driving by making alcohol available closer to home
- saturation rate of packaged liquor licences being zero in Windellama and lower in the Goulburn Mulwaree LGA, compared to NSW
- licence condition which restricts the sale of liquor at the premises to beer and wine only
- harm-minimisation measures outlined in the plan of management and licence conditions, as set out in Schedule 1.

The material we considered

We considered the following material when making our decision:

- the application material — including evidence that stakeholders and the community were notified about the application
- a community impact statement (CIS)
- the plan of the licensed premises and any authorisations
- a plan of management for the licensed business
- a development consent for the premises
- statistics from Liquor & Gaming NSW, Bureau of Crime Statistics and Research, NSW Health and Australian Bureau of Statistics on the socio-economic status, liquor licence density, alcohol-related crimes rates and health issues in the local and broader communities
- stakeholder submissions and the applicant's response to them.

We also considered [Guideline 6](#) to assess the likely social impact to the local and broader community.

This decision will be published on the [Liquor & Gaming NSW website](#) in accordance with section 36C of the *Gaming and Liquor Administration Act 2007*.

If you have any questions

Please contact the case manager, Max Costa, at max.costa@liquorandgaming.nsw.gov.au if you have any questions.

Yours sincerely



Caroline Lamb
Chairperson

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

Schedule 1
Licence conditions to be imposed
Johnnos General Store

No.	Condition to be imposed	Description
1.	6-hour closure	Section 11A of the <i>Liquor Act 2007</i> applies to this licence. Liquor must not be sold by retail on the licensed premises for a continuous period of six (6) hours between 04:00 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.	Restricted trading & NYE	<p>Good Friday Not permitted</p> <p>December 24th Normal trading Monday to Saturday, 8:00 AM to 12:00 midnight Sunday</p> <p>Christmas Day Not permitted</p> <p>December 31st Normal trading Monday to Saturday 10:00 AM to 12:00 midnight Sunday</p>
3.	Restricted trading on public holidays	The sale and supply of liquor at the licensed premises must cease by 05:00 PM on public holidays, and customers must not be permitted to access the liquor sales area outside those hours.
4.	Social impact	The business authorised by this licence must not operate with a greater overall level of social impact on the wellbeing of the local and broader community than what could reasonably be expected from the information contained in the Community Impact Statement, application and other information submitted in the process of obtaining this licence.
5.	Plan of management	The premises is to be operated at all times in accordance with the Plan of Management dated 26 January 2024 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.
6.	CCTV	<p>1. The licensee must maintain a closed-circuit television (CCTV) system at the general store in accordance with the following requirements:</p> <ul style="list-style-type: none"> (a) the system must record continuously from opening time until one hour after the supermarket/general store is required to close, (b) recordings must be in digital format and at a minimum of ten (10) 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: <ul style="list-style-type: none"> (i) all entry and exit points to the supermarket/general store, and (ii) all publicly accessible areas (other than toilets) within the liquor sales area. <p>2. The licensee must also:</p> <ul style="list-style-type: none"> (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

No.	Condition to be imposed	Description
		(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.
7.	Crime scene preservation	<p>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:</p> <ol style="list-style-type: none"> 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 and 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. <p>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 (eg. crowd controller or bouncer) on or about the premises.</p>
8.	Adequate separation	The liquor sales area must be adequately defined from the rest of the general store in accordance with the premises plan as approved by the Independent Liquor and Gaming Authority on 20 March 2024 or any premises plan subsequently approved by the Authority.
9.	Liquor Accord	The licensee or its representative must join and be an active participant in the local liquor accord.
10.	Specialised liquor products	The sale of liquor for consumption away from the licensed premises is restricted to beer and wine only.