

# NSW Independent Liquor & Gaming Authority

Our ref: DF24/010208

Ms Nicole Beath

JDK Legal

7 June 2024

Dear Ms Beath

|                  |  |
|------------------|--|
| Application No.  | SR0001170537   |
| Applicant        | Mr Paul Bradley Holmes   |
| Application for  | Change of licence boundaries   |
| Application date | 28 February 2024   |
| Decision date    | 15 May 2024  |
| Licence name     | Liquorland   |
| Trading hours    | Monday to Saturday 05:00 AM – 12:00 midnight<br>Sunday 10:00 AM – 10:00 PM |
| Premises         | 128-149 Belmore Road,<br>Randwick NSW 2031                                 |
| Legislation      | Sections 3, 12, 29, 40, 44, 45, 48, 114, and 123 of the Liquor Act 2007    |

## Decision of the Independent Liquor & Gaming Authority Application for a change of licence boundaries – Liquorland

We **approve** the application above under section 94 of the *Liquor Act 2007* – with the conditions set out in Schedule 1.

### 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 Randwick. The broader community is the Local Government Area (LGA) of Randwick.

### *Positive social impacts*

The applicant seeks a change of boundaries to extend the licence boundary of an existing packaged liquor store that sits within a shopping plaza.

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 of the:

- high density crime hotspots in the suburb for domestic assault, non-domestic assault, and malicious damage to property, and the medium density hotspot in the suburb for alcohol-related assault
- higher crime rate for incidents of alcohol-related disorderly conduct in both the suburb and LGA compared to NSW
- higher rate of alcohol-attributable hospitalisations in the LGA compared to NSW.

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

- lower crime rate for incidents of alcohol-related domestic assault, alcohol-related non-domestic assault, and malicious damage to property in the suburb compared to NSW
- lower saturation rates of packaged liquor licences in both the suburb and LGA compared to NSW
- indication of an above-average level of relative socio-economic advantage and disadvantage in both the suburb and LGA compared to other communities in NSW
- lower rate of alcohol-attributable deaths in the LGA compared to NSW
- premises being located inside a shopping plaza with no street facing entrances
- 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
- exempt 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 ILGA website in accordance with section 36C of the *Gaming and Liquor Administration Act 2007*.

**If you have any questions**

Please contact the case manager, Leonie Jennings, at Liquor & Gaming NSW if you have any questions.

Yours sincerely

A handwritten signature in black ink that reads "Sarah Dinning". The signature is written in a cursive style with a large initial 'S' and 'D'.

Sarah Dinning

**Deputy Chairperson**

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

## Schedule 1: Licence conditions to be imposed - Liquorland

| No. | Condition to be imposed | Description  |
|-----|-------------------------|--|
| 1.  | Social impact           | 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 reasonably be expected from the information contained in the Community Impact Statement, application and other information submitted in the process of varying the licensed boundaries on 15 May 2024.   |
| 2.  | Liquor Accord           | The licensee or its representative must join and be an active participant in the local liquor accord.  |
| 3.  | CCTV                    | <ol style="list-style-type: none"> <li>1. The licensee must maintain a closed-circuit television (CCTV) system at the supermarket/general store in accordance with the following requirements:               <ol style="list-style-type: none"> <li>a. the system must record continuously from opening time until one hour after the supermarket/general store is required to close,</li> <li>b. recordings must be in digital format and at a minimum of ten (10) frames per second,</li> <li>c. any recorded image must specify the time and date of the recorded image,</li> <li>d. the system's cameras must cover the following areas:                   <ol style="list-style-type: none"> <li>i. all entry and exit points to the supermarket/general store, and</li> <li>ii. all publicly accessible areas (other than toilets) within the liquor sales area.</li> </ol> </li> </ol> </li> <li>2. The licensee must also:               <ol style="list-style-type: none"> <li>a. keep all recordings made by the CCTV system for at least 30 days,</li> <li>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</li> <li>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.</li> </ol> </li> </ol> |