

NSW Independent Liquor & Gaming Authority

Our ref: DF24/024271

Ms Nicole Beath

JDK Legal

8 November 2024

Dear Ms Beath

Application No.	APP-0013366995
Applicant	LIQUORLAND (AUSTRALIA) PTY LTD
Application for	New packaged liquor licence
Application date	27 June 2024
Decision date	16 October 2024
Proposed licence name	Liquorland
Proposed trading hours	Monday to Saturday 08:00 AM – 10:00 PM Sunday 10:00 AM – 10:00 PM
Approved trading hours	Monday to Saturday 09:00 AM – 10:00 PM Sunday 10:00 AM – 10:00 PM
Proposed premises	30 Diamond Drive Thurgoona NSW 2640
Legislation	Sections 3, 11A, 12, 29, 40, 44, 45, 48, 53, 114 and 123 of the <i>Liquor Act 2007</i>

Decision of the Independent Liquor & Gaming Authority Application for a packaged liquor licence – Liquorland

We **approve** the application above under section 45 of the *Liquor Act 2007* – with the conditions set out in Schedule 1. The variation of the 6-hour closure period to 02:00 AM to 08:00 AM is **not endorsed**, and the trading hours will reflect the standard 09:00 AM opening Monday to Saturday. The 6-hour closure period overrides any condition of the licence.

Approved manager or individual licensee

The licence cannot be exercised until the Authority or Liquor & Gaming NSW is notified that:

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- the licence is transferred to an individual licensee, or an approved manager is appointed; and
- the licensee or approved manager is a suitable and qualified person.

Statement of reasons

We are satisfied that the overall impact of approving the application will not be detrimental 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 Thurgoona. The broader community is the Local Government Area (LGA) of Albury.

Positive social impacts

The application seeks to operate a new standalone packaged liquor store within the yet to be developed 'Thurgoona Village' in Thurgoona, on the outskirts of Albury. We note that no objections were received in relation to this application.

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:

- crime rates in the LGA being higher than NSW as a whole for all offence categories we considered
- medium density hotspots in the suburb for alcohol-related domestic assault, alcohol-related non-domestic assault and alcohol-related malicious damage
- rate of alcohol-attributable deaths and hospitalisations in the LGA being higher than in NSW as a whole.

However, we are satisfied that these risks may be mitigated by the:

- lower crime rates in the suburb for all offence categories we considered, than in NSW as a whole
- absence of crime hotspots in the suburb for alcohol-related assault
- lower saturation rates of packaged liquor licences in the suburb and LGA than in NSW
- SEIFA data indicating an average level of socio-economic advantage and disadvantage in the suburb compared to other communities in NSW
- 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*.

Opportunity for review

The applicant and anyone who was notified of the application and made a submission, may apply to [NCAT](#) for a review of the decision.

An application for review must be made no later 28 days after the decision is published on the website. There is a fee to lodge the application.

For more information, please contact the NCAT Registry at Level 10 John Maddison Tower, 86-90 Goulburn Street Sydney or visit the NCAT website.

If you have any questions

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

Yours sincerely



Chris Honey

Deputy Chairperson

Independent Liquor & Gaming Authority

Schedule 1: Licence conditions to be imposed - Liquorland

No.	Condition to be imposed	Description
1.	6-hour closure	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 six (6) hours between 03:00 AM and 09:00 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.	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.
4.	Plan of management	The premises is to be operated at all times in accordance with the Coles Liquor NSW Management Strategies and House Policy for the Responsible Service of Alcohol documents, as submitted to the Independent Liquor and Gaming Authority (“the Authority”) in support of the licence application and as may be varied from time to time after consultation with the Authority. A copy of these documents 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 Authority.
5.	Liquor Accord	The licensee or its representative must join and be an active participant in the local liquor accord.
6.	CCTV	<p>1. The licensee must maintain a closed-circuit television (CCTV) system on the licensed premises (“the premises”) in accordance with the following requirements:</p> <p>a. the system must record continuously from opening time until one hour after the premises is required to close,</p> <p>b. recordings must be in digital format and at a minimum of ten (10) frames per second,</p> <p>c. any recorded image must specify the time and date of the recorded image,</p> <p>d. the system’s cameras must cover the following areas:</p> <p>i. all entry and exit points on the premises, and</p>

No.	Condition to be imposed	Description
		<ul style="list-style-type: none"> ii. all publicly accessible areas (other than toilets) within the premises. <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 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.