



Ms Robyn Mehrten
Brooms Head Bowling & Recreation Club Limited
By email to: bhbrc@bigpond.com

30 January 2024

Dear Ms Mehrten

Application No.	SR0001066460
Applicant	Brooms Head Bowling & Recreation Club Limited
Application for	Club Licence – change of boundaries
Application date	15 June 2023
Decision date	14 December 2023
Licence name	Brooms Head Bowling & Recreation Club
Licence No.	LIQC300245411
Trading hours	Consumption on premises Monday to Sunday – unrestricted on premises hours Consumption on premises – outdoor area (alfresco) Monday to Thursday 10:00 AM – 10:00 PM Friday to Saturday 10:00 AM – 12:00 midnight Sunday 10:00 AM – 10:00 PM Take away sales Monday to Saturday – 05:00 – 12:00 midnight Sunday 10:00 AM – 10:00 PM
Premises	30-36 Ocean Road Brooms Head NSW 2463
Legislation	Sections 3, 12, 18, 19, 20, 40, 44, 45, 48, 49 and 66 of the <i>Liquor Act 2007</i> Sections 22 and 23 of the <i>Registered Clubs Act 1976</i>

**Decision of the Independent Liquor & Gaming Authority
Application for a Club Licence – change of boundaries – Brooms Head Bowling &
Recreation Club**

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.

The decision achieves the aim of the Act to regulate the liquor industry to meet the community's expectations, needs, and aspirations, while also promoting a balanced and responsible development of the industry.

Our main findings

The local community for the purposes of this decision is Brooms Head. The broader community is the Local Government Area (LGA) of the Clarence Valley.

Positive social impacts

The club seeks to permanently extend the boundaries of the current licensed area to include their two bowling greens, small BBQ area and side parking area. We note that on 20 December 2021, the club obtained a temporary authorisation to extend into this area via the outdoor dining provisions. 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:

- indication of a below average level of socio-economic advantage in the suburb
- higher rates of alcohol related domestic and non-domestic assault and malicious damage to property incidents within the LGA compared to NSW.

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

- low outlet density in the suburb
- the club not being located in any crime related hotspots
- the club not having adjoining residential premises
- 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, Wendy Yeung, at wendy.yeung@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
Brooms Head Bowling & Recreation Club**

No.	Condition to be imposed	Description
1.	Consumption on premises	<p>Good Friday 12:00 noon - 10:00 PM</p> <p>Christmas Day 12:00 noon - 10:00 PM (liquor can only be served with or ancillary to a meal in a dining area)</p> <p>December 31st Normal opening time until normal closing time or 2:00 AM on New Year's Day, whichever is the later</p> <p>Note: Trading is also allowed after midnight into the early morning of Good Friday and Christmas Day if authorised by an extended trading authorisation. Trading must cease at the time specified under the authorisation. The latest time that can be specified is 5:00 AM.</p>
2.	Non-Restricted Area	Non-Restricted Area Authorisation: whole of the licensed premises as defined by the approved premises plan dated 14 December 2023.
3.	Liquor plan of management	The premises is to be operated at all times in accordance with the Plan of Management dated 22 September 2023 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.
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 varying this extended authorisation on 15 June 2023 .
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 premises 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 premises is required to close (or, in the case of a premises that is not required to cease trading, continuously at all times), (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 on the premises, (ii) the footpath immediately adjacent to the premises, and (iii) 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 sub-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, <ul style="list-style-type: none"> make direct and personal contact with NSW Police to advise it of the incident, and 3) comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred. 4) 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 (e.g., crowd controller or bouncer) on or about the premises.
8.	Incident register	<ol style="list-style-type: none"> 1) The licensee must maintain a register, in which the licensee is to record the details of any of the following incidents and any action taken in response to any such incident: <ol style="list-style-type: none"> a) any incident involving violence or anti-social behaviour occurring on the premises, b) any incident of which the licensee is aware that involves violence or anti-social behaviour occurring in the immediate vicinity of the premises and that involves a person who has recently left, or been refused admission to, the premises, c) any incident that results in a person being turned out of the premises under section 77 of the Liquor Act 2007, d) any incident that results in a patron of the premises requiring medical assistance. 2) The licensee must, if requested to do so by a police officer or Liquor & Gaming NSW inspector: <ol style="list-style-type: none"> a) make any such incident register immediately available for inspection by a police officer or Liquor & Gaming NSW inspector, and b) allow a police officer or Liquor & Gaming NSW inspector to take copies of the register or to remove the register from the premises. 3) The licensee must ensure that the information recorded in the incident register under this condition is retained for at least 3 years from when the record was made.

**Licence conditions to be revoked
Brooms Head Bowling & Recreation Club**

Condition to be revoked	Description
290	<p>Non-restricted area authorisation</p> <p>North Eastern Verandah, Lounge, Stage, Dining Area, Entry, Foyer, North Western Verandah.</p> <p>Change Rooms and Amenities.</p>
2860	<p>Temporary outdoor dining</p> <ol style="list-style-type: none"> i. Food must be available to patrons within the outdoor dining area at all times that the area is operating. ii. A copy of the approved plan of the licensed boundary must be made immediately available for inspection by a police officer, council officer or Liquor & Gaming NSW inspector upon request. iii. The licensee must not increase the patron capacity which applied to the licensed premises before this approval was granted. iv. Despite any other trading hours on the licence, trading hours in the alfresco dining area may not exceed 10pm Sunday to Thursday or 12am Friday and Saturday. v. This temporary change to boundary will automatically lapse on 31 December 2023 and may be revoked earlier by Liquor & Gaming NSW. vi. The licensee may sell alcohol from the indoor area of the premises to patrons using the temporary outdoor dining area provided that the Licensee ensures drinks are only consumed within the licensed areas. vii. Gaming machines are not permitted in the temporary outdoor area.