



Mr Bruce Bulford
Bulford Legal Pty Ltd
By email to: bab@bulfordlegal.com.au

4 October 2023

Dear Mr Bulford

| | |
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| Application No. | SR0000938103 |
| Applicant | CUMBERLAND COUNTRY GOLF CLUB LTD |
| Application for | Amendment - club licence - change of boundaries |
| Application date | 15 December 2022 |
| Decision date | 19 July 2023 |
| Licence name | Cumberland Country Golf Club |
| Licence number | LIQC300226832 |
| Current trading hours (to remain unchanged) | <u>Consumption on premises</u> Monday Closed Tuesday 12:00PM - 02:30PM Thursday, Friday and Saturday 12:00PM - 02:30PM and 06:00PM - 09:30PM Sunday and Wednesday 12:00PM - 02:30PM and 06:00PM - 09:00PM <u>Takeaway</u> Monday to Saturday 05:00AM - 12 Midnight Sunday 10:00AM - 10:00PM |
| Premises | 248 Old Prospect Road, Greystanes NSW 2145 |
| Legislation | Sections 3,18, 40, 44, 45 and 48 of the <i>Liquor Act 2007</i> |

**Decision of the Independent Liquor & Gaming Authority
Application for a change of boundaries – Cumberland Country Golf Club**

We **approve** the application above under section 45 of the *Liquor Act 2007* — with the conditions set out in Schedule 1.

Statement of reasons

The statement of reasons will be published on the [Liquor & Gaming NSW website](https://www.liquorandgaming.nsw.gov.au) 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 leonie.jennings@liquorandgaming.nsw.gov.au if you have any questions.

Yours sincerely

Caroline Lamb

Chairperson

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

STATEMENT OF REASONS

Our decision

We have considered the objects of the *Liquor Act 2007* (the Act) and the relevant legislative provisions and have approved the application under section 45 of the Act.

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 Greystanes. The broader community is the Local Government Area (LGA) of Cumberland.

Positive social impacts

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

- the application seeks a change of boundaries to expand the licenced area of the club from the existing clubhouse to two designated spaces on the golf course and a function service space immediately in front of the clubhouse, and
- it is proposed this model will support greater opportunities for the club, including hosting movie nights and other such events on the course. It will also allow the club to provide better services to members

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:

- significant increase in the current licensed boundary
- venue being located in the centre of Greystanes with residential homes surrounding the golf course on all sides
- application being the first of many and is an attempt to 'stage approach' the business activities
- indication of an intent to provide movie nights in the future on the golf course, which is yet to be approved by Council
- current liquor licence already permitting members and guests the option of takeaway liquor while playing a game of golf during day-to day operations, and
- increase to the current availability of liquor for consumption on the golf course to players at the halfway point.

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

- point of sale limitation and notification of event conditions
- entire property being appropriately fenced
- premises not being located in a crime-density hotspot for any category usually considered by the Authority

- crime rates in both Greystanes and the Cumberland LGA being significantly lower than NSW rates across all categories the Authority normally considers
- current licence being the only club licence that operates in Greystanes
- liquor licence saturation rates in Greystanes and the Cumberland LGA remaining unchanged and being lower compared to NSW rates
- harm mitigation measures consented to by the applicant such as restricting members/guests to one alcoholic beverage at each fixed point on the golf course
- lower alcohol-attributable hospitalisation and alcohol-attributable death rates in the Cumberland LGA compared to NSW, and
- 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, and
- stakeholder submissions and the applicant's response them.

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

Yours sincerely



Caroline Lamb

Chairperson

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

**Schedule 1 – Licence conditions to be imposed
Cumberland Country Golf Club**

| No. | Condition to be imposed | Description |
|-----|----------------------------------|---|
| 1. | Consumption on premises | December 31st Normal opening time until normal closing time or 2:00 AM on New Year's Day, whichever is the later |
| 2. | 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 changing the licence boundaries on 19 July 2023. |
| 3. | Liquor Plan of Management | The premises is to be operated at all times in accordance with the Plan of Management dated 14 June 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. | Liquor Accord | The licensee or its representative must join and be an active participant in the local liquor accord. |
| 5. | CCTV | <p>1) The licensee must maintain a closed-circuit television (CCTV) system on the clubhouse 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; |

| No. | Condition to be imposed | Description |
|-----|---------------------------------|---|
| | | <p>(b) Have signage clearly displayed adjacent to the principal entry to the clubhouse building, alerting persons entering the clubhouse that CCTV is in operation;</p> <p>(c) 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</p> <p>(d) 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, Gaming & Racing NSW inspector to provide such recordings.</p> |
| 6. | 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. 5) 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. |
| 7. | 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 |

| No. | Condition to be imposed | Description |
|-----|--|---|
| | | <p>a person who has recently left, or been refused admission to, the premises,</p> <p>(c) any incident that results in a person being turned out of the premises under section 77 of the Liquor Act 2007,</p> <p>(d) any incident that results in a patron of the premises requiring medical assistance.</p> <p>2) The licensee must, if requested to do so by a police officer or Liquor & Gaming NSW inspector:</p> <p>(a) make any such incident register immediately available for inspection by a police officer or Liquor & Gaming NSW inspector, and</p> <p>(b) allow a police officer or Liquor & Gaming NSW inspector to take copies of the register or to remove the register from the premises.</p> <p>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.</p> |
| 8. | Provision of alcohol | The licensee must ensure that all liquor sold or supplied at the alcohol service points shown on the approved plans, that is to be consumed on the golf course is opened by staff at the point of sale. |
| 9. | Limited Alcohol Service Points on the Golf Course | <p>Alcohol shall only be sold/supplied on the golf course from the three (3) alcohol service points shown on the approved plans, being:</p> <p>(a) The function service space immediately in front</p> <p>(b) The halfway space, located between the 7th Tee and the 9th Tee; and</p> <p>(c) The space adjacent to the on-course toilets located beside the Club's maintenance sheds.</p> |
| 10. | Liquor Limit | <p>Not more than one (1) alcoholic beverage per person per time, shall be sold/supplied at the following alcohol service points:</p> <p>(a) the halfway space, located between the 7th Tee and the 9th Tee; and</p> <p>(b) (b) the space adjacent to the on-course toilets located beside the Club's maintenance sheds.</p> |
| 11. | Plan of Management | <p>1) A plan of management for functions and events to be held on the golf course is required in the following circumstances:</p> <p>(a) For functions/events over 300 people and 1,999 or fewer people: a plan of management must be prepared by the Licensee.</p> <p>(b) For functions/events with 2,000 people or more: the Licensee must prepare a separate comprehensive plan of management and security management plan for the event in consultation with the Police Area Command.</p> |

| No. | Condition to be imposed | Description | | | | | | | | | | | | |
|---|--|--|--------------|------------------|--------------------|--------------|---|---------|---------|---------|---|--------------------|---------|---------|
| | | <p>(c) For functions/events held after 12:00 midnight: a plan of management must be prepared by the Licensee regardless of the number of people attending.</p> <p>2) For any function/event where a plan of management is required, the premises is to be operated at all times in accordance with the plan of management. A copy of the plan of management is to be kept on the licensed premises for the duration of the event and made available for inspection on the request of a police officer, council officer, or Liquor & Gaming NSW inspector.</p> | | | | | | | | | | | | |
| 12. | <p>Notice of functions/events must be provided to Liquor & Gaming NSW, local police and local council</p> | <p>The licensee must give written notice of certain proposals to provide a function/event to be held on the golf course to Liquor & Gaming NSW, local police and the local council for the area in which the function/event is to be held.</p> <p>The notice must be given in accordance with this table:</p> <table border="1" data-bbox="603 869 1428 1377"> <thead> <tr> <th data-bbox="603 869 933 947"></th> <th data-bbox="933 869 1101 947">Up to 100 people</th> <th data-bbox="1101 869 1292 947">101 - 1,999 people</th> <th data-bbox="1292 869 1428 947">2000+ people</th> </tr> </thead> <tbody> <tr> <td data-bbox="603 947 933 1104">Functions/events open to the public (including ticketed and non-ticketed)</td> <td data-bbox="933 947 1101 1104">14 days</td> <td data-bbox="1101 947 1292 1104">14 days</td> <td data-bbox="1292 947 1428 1104">28 days</td> </tr> <tr> <td data-bbox="603 1104 933 1377">Private functions/events (including weddings, birthdays, office functions/events and others not open to the public)</td> <td data-bbox="933 1104 1101 1377">No notice required</td> <td data-bbox="1101 1104 1292 1377">14 days</td> <td data-bbox="1292 1104 1428 1377">14 days</td> </tr> </tbody> </table> <p>Notice is not needed for smaller, private functions/events for 100 or fewer people.</p> <p>Written notice to L&GNSW should be made by email to compliance.info@liquorandgaming.nsw.gov.au and should include the following details:</p> <ul style="list-style-type: none"> • the nature of the function/event • the number of persons for whom will be attending the function/event, and • the date on which, and the hours during which, the function/event is to be held. | | Up to 100 people | 101 - 1,999 people | 2000+ people | Functions/events open to the public (including ticketed and non-ticketed) | 14 days | 14 days | 28 days | Private functions/events (including weddings, birthdays, office functions/events and others not open to the public) | No notice required | 14 days | 14 days |
| | Up to 100 people | 101 - 1,999 people | 2000+ people | | | | | | | | | | | |
| Functions/events open to the public (including ticketed and non-ticketed) | 14 days | 14 days | 28 days | | | | | | | | | | | |
| Private functions/events (including weddings, birthdays, office functions/events and others not open to the public) | No notice required | 14 days | 14 days | | | | | | | | | | | |