



Mr Jim Adams
Adams Hospitality Solutions

by email to: office@hospitalitysolutions.com.au

16 November 2022

Dear Mr Adams

Application No.	1-8384369044
Application date	25 August 2022
Applicant	Dale's Supermarket Pty Ltd
Application for	Packaged liquor licence – new extended trading authorisation
Licence name	Dale's IGA Plus Liquor
Liquor licence No.	LIQP700355026
Proposed trading hours	<u>Retail</u> Monday to Saturday 08:00 AM – 09:00 PM Sunday 09:00 AM – 05:00 PM
Current trading hours	<u>Retail</u> Monday to Saturday 08:00 AM – 09:00 PM Sunday 10:00 AM – 05:00 PM
Premises	9 Sladen Street, Henty NSW 2658
Legislation	Sections 3, 11A, 12, 29-31, 40, 44, 45, 48, 49 and 114E-114G of the <i>Liquor Act 2007</i>

**Decision of the Independent Liquor & Gaming Authority
Application for a Packaged liquor licence – new extended trading authorisation – Dale's IGA
Plus Liquor**

The Independent Liquor & Gaming Authority considered the application above and decided on 13 October 2022 to **approve** the application under section 45 of the *Liquor Act 2007*, subject to imposing conditions as set out in Schedule 1.

Concise statement of reasons

A concise statement of reasons for this decision is attached at the end of this letter.

In the interest of efficient finalisation of determined matters in a high-volume liquor and gaming jurisdiction, the Authority will only produce a detailed statement of reasons for applications which are refused, partially approved or the subject of stakeholder objections.

A concise statement of reasons is produced for non-contested applications that have been approved by the Authority, in cases where a statement of reasons is required to be published for the application under section 36C of the *Gaming and Liquor Administration Act 2007*.

The concise statement of reasons briefly sets out the material considered by the Authority, the legislative requirements, and the Authority's key findings.

If you have any questions, please contact the case manager Eloise Ryan-Mackie at

eloise.ryan-mackie@liquorandgaming.nsw.gov.au

Yours faithfully

A handwritten signature in blue ink, appearing to read 'ms', is positioned above the typed name.

Murray Smith

Deputy Chairperson

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

Concise statement of reasons

Key facts

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Material considered by the Authority

The Authority has considered the following material in determining the application:

- Application material, including evidence of notification to specified stakeholders and the community about the application;
- Category B community impact statement;
- Premises plan setting out the proposed boundaries of the licensed premises and any applicable authorisations;
- Plan of management for the licensed business at the premises;
- Development consent for the premises;
- Statistics sourced from Liquor & Gaming NSW, Bureau of Crime Statistics and Research, NSW Health and Australian Bureau of Statistics in respect of the socio-economic status, liquor licence density, alcohol-related crimes rates, and health issues in the relevant local and broader communities; and
- Stakeholder submissions in relation to the application, and the applicant's response to those submissions.

Legislative requirements

The Authority has considered the application in the context of the following sections of the *Liquor Act 2007*, and the associated clauses of the Liquor Regulation 2018:

- Section 3: Statutory objects of the Act and relevant considerations.
- Sections 11A and 12: Standard trading period for liquor licences and a mandatory 6-hour period during which liquor cannot be sold.
- Sections 29-31: Specific provisions in respect of a packaged liquor licence.

- Section 40: Minimum procedural requirements for a liquor licence application to be validly made.
- Section 44: Submissions to Authority in relation to licence applications.
- Section 45: Criteria for granting a liquor licence.
- Section 48: Requirements in respect of a CIS, including a requirement that the Authority must not approve the application unless it is satisfied, having regard to the CIS and other available information, that the overall social impact of doing so will not be detrimental to the well-being of the local or broader community.
- Section 49: General provisions in respect of ETAs.
- Section 51: General provisions relating to licence-related authorisations.
- Sections 114E-114G: Specific provisions relating to same day liquor deliveries.

The Authority has also had regard to its Guideline 6 in considering the overall social impact of approving the application pursuant to section 48 of the Act.

Key findings

In accordance with its Guideline 6, the Authority finds that the relevant local community for the purposes of this decision is the suburb of Henty, and the broader community is the Local Government Area (LGA) of Greater Hume Shire.

Positive social impacts

The Authority is satisfied on the material before it that the proposal set out in the application, if approved, would likely benefit the local and broader communities through the provision of:

- increased convenience and choice;
- the increase in trading hours is one hour per week providing customers more time to shop, and
- the business owner has operated an existing licence in the suburb without any adverse compliance findings.

Negative social impacts

The Authority accepts that the proposal may, over time, contribute to an increase in alcohol-related harm in the local and broader communities, including alcohol-fuelled violence, health problems and/or social and amenity issues, having regard to the:

- Sunday morning trade will increase by one hour each week;
- health data for Henty indicates below average socio-economic advantage and disadvantage compared to NSW;
- higher rates of alcohol-attributable deaths in the Greater Hume Shire compared to NSW, and
- the location of the premises is near facilities for disadvantaged and vulnerable community groups.

The Authority is nevertheless satisfied that these risk factors are sufficiently mitigated by the following:

- relatively small size of the area in which liquor will be sold;
- relatively moderate licensed trading hours;
- absence of any objections from agency stakeholders or members of the community;
- 10 submissions of support received from the public;

- lower crime incident rates in Henty and Greater Hume Shire LGA compared to NSW;
- premises is not located near any crime hotspots across all categories the Authority normally considers;
- lower saturation rate for packaged liquor licences in the Greater Hume Shire LGA compared to NSW;
- lower rate of alcohol-attributable hospitalisations in the Greater Hume Shire LGA compared to NSW;
- health data for the Greater Hume Shire LGA indicates average socio-economic advantage and disadvantage compared to NSW, and
- the harm minimisation measures set out in the plan of management and licence conditions as set out in Schedule 1.

Overall social impacts and conclusion

Having considered the positive and negative social impacts that are likely to flow from the applicant's proposal, the Authority is satisfied that the overall social impact of approving the application will not be detrimental to the well-being of the local or broader community.

The Authority is also satisfied that the other legislative requirements for the approval of the application have been met.

The Authority finds, having regard to the above, that approving the application is consistent with the statutory objects and considerations of the Act to regulate the liquor industry in line with the community's expectations, needs and aspirations, and facilitate the balanced and responsible development of the liquor industry and related industries.

Accordingly, the Authority approves the application under section 45 of the Act.

Yours faithfully



Murray Smith
Deputy Chairperson
For and on behalf of the **Independent Liquor & Gaming Authority**

**Schedule 1 – Licence conditions to be imposed
Dale's IGA Plus Liquor**

Extended Trading

1. Extended trading area: liquor sales area

Social impact

2. 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:
 - 1) removing this licence to the premises at 9 Sladen Street, Henty NSW 2658, on 14/09/2022
 - 2) obtaining the extended trading authorisation on 13 October 2022.