



Mr Jon Martin
JDK Legal
By email to: j.martin@jdklegal.com.au

5 June 2023

Dear Mr Martin

Application No.	1-8480651154
Applicant	LIQUORLAND (AUSTRALIA) PTY. LTD.
Application for	Removal - packaged liquor licence
Application date	25 November 2022
Decision date	19 April 2023
Licence name	Vintage Cellars Northbridge
Current trading hours	Retail Monday to Saturday 09:00 AM – 10:00 PM Sunday 10:00 AM – 08:00 PM
Proposed Trading Hours	Retail Monday to Saturday 09:00 AM – 10:00 PM Sunday 10:00 AM – 08:00 PM
Current premises (removals)	308 Penshurst Street, North Willoughby NSW 2068
Proposed Premises	Shop 21E “Northbridge Plaza” 79-113 Sailors Bay Road, Northbridge NSW 2063
Legislation	Sections 3, 11, 12, 29, 40, 44, 45 and 48 of the <i>Liquor Act 2007</i>

**Decision of the Independent Liquor & Gaming Authority
Application for a Removal - packaged liquor licence – Vintage Cellars Northbridge**

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

Approved manager or individual licensee

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

- 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

The reasons for our decision are attached at the end of this letter.

We only provide a detailed statement of reasons for applications that we refuse, partially approve or that are contested.

Otherwise, we provide a brief statement of reasons when section 36C of the *Gaming and Liquor Administration Act 2007* requires us to do so.

If you are not happy with this decision

If the applicant, or a person who was notified of the application and made a submission, is unhappy with this decision, they may apply to [NCAT](#) for a review.

An application for review must be made no later 28 days after being notified that the decision is published on the [Liquor & Gaming NSW 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, Max Costa, at max.costa@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 Northbridge. The broader community is the Local Government Area of (LGA) Willoughby.

Positive social impacts

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

The bottle shop will be relocated to "Northbridge Plaza" which services the local community with one major supermarket and a variety of specialty stores. The store will stock a range of fine wine, champagne, premium spirits and craft beer sourced from Australia and overseas not often available at other competing packaged liquor stores.

Negative social impacts

We accept that the proposal could contribute to an increase in alcohol-related harm in the local and broader communities (such as violence, health problems or social and public amenity issues) because of the:

- higher saturation rates of packaged liquor licences in Northbridge and Willoughby compared to NSW rates, and
- higher rates of alcohol-attributable hospitalisations and deaths in the Willoughby compared to NSW rates.

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

- lack of government agency or public objections received during the application process
- lower crime statistics across all four categories normally considered by the Authority
- premises is not located in any crime hotspots
- SEIFA health data indicates an above average level of relative socio-economic advantage and disadvantage in Northbridge and Willoughby compared to NSW
- of the seven packaged liquor licences that operate in the Northbridge, four are limited to online sales only, 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 if we approved the application.

Yours sincerely



Caroline Lamb

Chairperson

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

**Schedule 1 – Licence conditions to be imposed
Vintage Cellars Northbridge**

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 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.	Retail Sales	Good Friday Not permitted December 24 th Normal trading Monday to Saturday, 8:00 AM to 12:00 midnight Sunday Christmas Day Not permitted December 31 st Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight Sunday
3.	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 removing this licence to the premises at Shop 21E “Northbridge Plaza” 79-113 Sailors Bay Road, Northbridge NSW 2063.
4.	Liquor Accord	The licensee or its representative must join and be an active participant in the local liquor accord.
5.	Liquor 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.
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> <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, (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, and (ii) all publicly accessible areas (other than toilets) within the premises. <p>2) The licensee must also:</p>

		<p>(a) keep all recordings made by the CCTV system for at least 30 days,</p> <p>(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</p> <p>(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.</p>
7.	Restricted trading on public holidays	The licensed premises must cease to trade by 08:00 PM on public holidays.