

NSW Independent Liquor & Gaming Authority

Our ref: DF25/026490

Mr Han Ko
Strathfield Law

15 April 2025

Dear Mr Ko

Application No.	APP-0014096077
Applicant	KASPER RETAIL 102 PTY LTD
Application for	New packaged liquor licence with extended trading authorisation
Application date	10 December 2024
Decision date	19 March 2025
Proposed licence name	Komart North Rocks
Proposed trading hours	Monday to Sunday 08:30 AM – 08:00 PM
Proposed premises	North Rocks Shopping Centre Shop T96, T97 & T98, 328-336 North Rocks Road North Rocks NSW 2151
Legislation	Sections 3, 11A, 12, 29, 30, 31, 40, 44, 45, 48, 49, 53 and 123 of the <i>Liquor Act 2007</i>

Decision of the Independent Liquor & Gaming Authority Application for a new packaged liquor licence with extended trading authorisation – Komart North Rocks

We **approve** the application above under sections 45 and 49 of the *Liquor Act 2007* – with the conditions set out in Schedule 1. The 6-hour closure period overrides any condition of the licence.

Mixed-use checkouts must be closed outside licensed hours

Under section 103(2) of the Act, any counter or place used to sell or supply liquor under the licence, including any mixed-use checkouts in the liquor sales area, must be closed to the public outside the licensed trading hours.

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.

Our main findings

The local community for the purposes of this decision is North Rocks. The broader community is the Local Government Area (LGA) of The Hills.

Positive social impacts

The applicant sought to operate a small liquor sales area within a new Asian supermarket under construction inside a shopping centre, with extended trading to trade from 08:30 AM on Sundays. The licence would specialise in the sale of liquor products from China, South Korea and Japan.

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:

- medium-density hotspots for non-domestic assault and malicious damage to property in the suburb
- saturation of packaged liquor licences in the suburb being higher than in NSW (noting that two of the existing six packaged liquor licences are delivery only)
- proposed early opening from 08:30 AM on Sundays.

However, we are satisfied that these risk factors are reduced by the:

- absent of crime hotspots in the suburb for domestic assault or alcohol-related assault
- crime rates in the suburb and LGA being lower than in NSW for all categories we considered
- rate of alcohol-attributable deaths and hospitalisation in the LGA being lower than in NSW
- Socio-Economic Indexes for Areas (SEIFA) data indicating an above average level of socio-economic advantage and disadvantage in the suburb and LGA compared to other communities in NSW
- speciality liquor being sold from within a small liquor sales area inside a new Korean supermarket
- small liquor sales area
- licence specialising in the sale of liquor products from China, South Korea and Japan with a specialised liquor products condition being imposed
- proposed premises being located within a supermarket with no direct street access
- 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 Statement of Risks and Potential Effects
- 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 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 Liquor & Gaming NSW at: new.applications@liquorandgaming.nsw.gov.au if you have any questions.

Yours sincerely



Caroline Lamb

Chairperson

Independent Liquor & Gaming Authority

Schedule 1: Licence conditions to be imposed - Komart North Rocks

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 02:30 AM and 08:30 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	Good Friday: Not permitted December 24th: Normal trading Monday to Saturday, 8:00 AM to 12:00 midnight Sunday Christmas Day: Not permitted December 31st: Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight Sunday
3.	Overall impact	The business authorised by this licence must not operate with a greater level of overall impact on the well-being of the local and broader community than what could reasonably be expected from the information contained in the application and other information submitted in the process of obtaining the licence.
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 Plan of Management dated 17 February 2025 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.
6.	CCTV	<ol style="list-style-type: none"> 1. The licensee must maintain a closed-circuit television (CCTV) system at the supermarket/specialty store in accordance with the following requirements: <ol style="list-style-type: none"> a. the system must record continuously from opening time until one hour after the supermarket/specialty store is required to close, b. recordings must be in digital format and at a minimum of fifteen (15) 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: <ol style="list-style-type: none"> i. all entry and exit points to the supermarket/specialty store, and ii. all publicly accessible areas (other than toilets) within the liquor sales area. 2. The licensee must also: <ol 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

No.	Condition to be imposed	Description
		<p>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.	Specialised Liquor Products	<ol style="list-style-type: none"> 1. The licensee must ensure that only the following liquor products are sold or supplied by the licensed business ("Business"): <ol style="list-style-type: none"> a. Liquor products produced in China, South Korea, and Japan, or b. Liquor products produced in Australia if the products (due to their nature or appearance), would be considered by customers to be Asian liquor products 2. Other complementary liquor products, provided that those other products do not exceed more than 10% of the total product lines or 10% of the total products stocked on the premises at any one time, are also permitted. For liquor products available for sale under this subclause, the licensee must maintain documentation that stock levels do not exceed either of the specified 10% thresholds. 3. The licensee must ensure that a list of the product lines and products stocked by the Business at any one time is kept at the premises and made available for inspection on the request of a police.
8.	Adequate separation	<p>The liquor sales area must be adequately defined from the rest of the supermarket in accordance with the premises plan as approved by the Independent Liquor and Gaming Authority on 19 March 2025 or any premises plan subsequently approved by the Authority.</p>
9.	Restricted trading on public holidays	<p>The sale and supply of liquor at the licensed premises must not commence before 08:30 AM and must cease by 08:00 PM on public holidays, and customers must not be permitted to access the liquor sales area outside of those hours.</p>