

# NSW Independent Liquor & Gaming Authority

Our ref: DF25/043963

Ms Nicole Beath

JDK Legal

26 June 2025

Dear Ms Beath

Application No.	1-9344215142
Applicant	LIQUORLAND (AUSTRALIA) PTY. LTD.
Application for	Packaged liquor licence removal
Application date	13 January 2025
Decision date	21 May 2025
Licence number	LIQP700352590
Current licence name	Vintage Cellars
Proposed licence name	Liquorland
Current trading hours	Monday to Saturday 05:00 AM – 12:00 AM Sunday 10:00 AM – 10:00 PM
Proposed trading hours	Monday to Saturday 09:00 AM – 10:00 PM Sunday 10:00 AM – 10:00 PM
Current premises	C21, 99 Jones St Ultimo NSW 2007
Proposed premises	Wynyard Station, Waratah Way Shop 15, 301 George Street Sydney NSW 2000
Legislation	Sections 3, 11A, 12, 29, 40, 44, 45, 48, 53, 59, 114 and 123 of the <i>Liquor Act 2007</i>

## Decision of the Independent Liquor & Gaming Authority

### Application for a packaged liquor licence removal – Vintage Cellars (to be known as Liquorland)

We **approve** the application above under section 59 of the *Liquor Act 2007* — with the conditions set out in Schedule 1. The 6-hour closure period overrides any condition of the licence.

### **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**

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 ('suburb') for the purposes of this decision is the Sydney CBD. The broader community is the Local Government Area (**LGA**) of Sydney.

#### *Positive social impacts*

The applicant seeks to remove a packaged liquor licence to a premises located just over 2 kilometres from its current location in Ultimo to form part of the retail offering in Wynyard Station, known as the 'Wynyard Precinct'. The store will operate with reduced trading hours, leading to 36 fewer hours weekly compared to the trading hours at the existing location.

While there are a number of packaged liquor outlets nearby, we are satisfied that the proposal would benefit the local and broader communities by providing increased convenience and choice.

#### *Negative social impacts*

We note the public objections and accept that the proposal could contribute to an increase in alcohol-related harm in the local and broader communities because of the:

- high density crime hotspots in the suburb for all offence categories we considered crime rates for all offence categories we considered being higher in the Sydney CBD and the LGA of Sydney than in NSW. The applicant proposes to relocate from Ultimo to the Sydney CBD, an area which attracts visitors both local and international. Accordingly, crime statistics may be inflated when expressed as a percentage of the resident population.
- alcohol-attributable hospitalisations being higher in the Sydney LGA than in NSW
- saturation rate of packaged liquor licences being higher in the Sydney CBD and in the LGA of Sydney than in NSW.

However, in addition to the qualification on the crime statistics noted above, we are satisfied that the risk factors are also reduced by the:

- 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
- numbers of alcohol-attributable deaths in the LGA being aligned with NSW
- proposed trading hours resulting in a decrease of 36 hours per week compared to the trading hours at the existing location

- harm-minimisation measures outlined in the plan of management and the proposed 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
- Certificate of advertising
- Case to vary 6-hour closure period
- 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
- L&GNSW compliance materials.

We also considered [Guideline 6](#) to assess the likely social impact on 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](mailto: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 – Vintage Cellars (to be known as Liquorland)

No.	Condition to be imposed	Description
1.	6-hour closure	Section 11A of the <i>Liquor Act 2007</i> applies to this licence. Liquor must not be sold by retail on the licensed premises for a continuous period of six (6) hours between <b>03:00 AM and 09:00 AM</b> 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 and NYE	<p>Good Friday: Not permitted</p> <p>December 24th: Normal trading Monday to Saturday, 08:00 AM to 12:00 midnight Sunday</p> <p>Christmas Day: Not permitted</p> <p>December 31st: Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight Sunday</p>
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 removing this licence to the premises at Wynyard Station, Waratah Way, Shop 15 301 George Street, Sydney, NSW 2000.
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 licensed premises ("the premises") in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>a. the system must record continuously from opening time until one hour after the premises is required to close,</li> <li>b. recordings must be in digital format and at a minimum of ten (10) frames per second,</li> <li>c. any recorded image must specify the time and date of the recorded image,</li> <li>d. the system's cameras must cover the following areas: <ul style="list-style-type: none"> <li>i. all entry and exit points on the premises, and</li> <li>ii. all publicly accessible areas (other than toilets) within the premises.</li> </ul> </li> </ul> <p>2. The licensee must also:</p> <ul style="list-style-type: none"> <li>a. keep all recordings made by the CCTV system for at least 30 days,</li> <li>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</li> <li>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.</li> </ul>
6.	Crime scene preservation	Immediately after the person in charge of the licensed premises or a staff member becomes aware of any incident involving an

No.	Condition to be imposed	Description
		<p>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"> <li>1. take all practical steps to preserve and keep intact the area where the act of violence occurred,</li> <li>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,</li> <li>3. make direct and personal contact with NSW Police to advise it of the incident, and</li> <li>4. comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred.</li> </ol> <p>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.</p>
7.	Incident register	<ol style="list-style-type: none"> <li>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"> <li>a. any incident involving violence or anti-social behaviour occurring on the premises,</li> <li>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,</li> <li>c. any incident that results in a person being turned out of the premises under section 77 of the Liquor Act 2007,</li> <li>d. any incident that results in a patron of the premises requiring medical assistance.</li> </ol> </li> <li>2. The licensee must, if requested to do so by a police officer or Liquor &amp; Gaming NSW inspector: <ol style="list-style-type: none"> <li>a. make any such incident register immediately available for inspection by a police officer or Liquor &amp; Gaming NSW inspector, and</li> <li>b. allow a police officer or Liquor &amp; Gaming NSW inspector to take copies of the register or to remove the register from the premises.</li> </ol> </li> <li>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.</li> </ol>
8.	Liquor Plan of Management	<p>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.</p>