

NSW Independent Liquor & Gaming Authority

Our ref: DF25/046363

Mr Dion Manca

LAS Lawyers

25 July 2025

Dear Mr Manca

Application No.	1-9394084278 & 1-9394298321
Applicant	Iris Hotels Enfield Operations Pty Ltd
Application for	Increase Gaming Machine Threshold by 4 (from 0 to 4) Transfer 6 Gaming Machine Entitlements (with forfeiture of 2) – 5 from the Railway Hotel, Windsor (LIQH400121946) and 1 from the Argyle House Hotel, Newcastle (LIQH400117108) to the Enfield Tavern, Strathfield South (LIQH440019071)
Application date	3 March 2025
Decision date	18 June 2025
Licence name	Enfield Tavern
Trading hours	Monday to Saturday 07:00 AM – 12:00 AM Sunday 10:00 AM – 10:00 PM
Premises	626 Liverpool Road Strathfield South NSW 2136
Legislation	Sections 3, 19, 20, 34 and 35 of the <i>Gaming Machines Act 2001</i> Clause 31 of the Gaming Machines Regulation 2019

Decision of the Independent Liquor & Gaming Authority Application for a Gaming Machine Threshold increase and transfer of Gaming Machine Entitlements (with forfeiture)– Enfield Tavern

We **refuse** the application for a Gaming Machine Threshold (**GMT**) increase under section 34(4) of the *Gaming Machines Act 2001* (the **Act**) and in accordance with clause 31(2) of the Gaming Machines Regulation 2019 (the **Regulation**).

We **refuse** the transfer of 5 gaming machine entitlements (**GMEs**) (with forfeiture of 2) from the Railway Hotel, Windsor, LIQH400121946 and 1 from the Argyle House Hotel, Newcastle, LIQH400117108 to the Enfield Tavern LIQH440019071.

Statement of reasons

Clause 31(2) of the Regulation provides that the GMT for a new hotel may not be increased if the hotel premises is situated in the immediate vicinity of a school.

We have determined that the premises of the new hotel is situated in the immediate vicinity of a school.

Our main findings

The local community for the purposes of this decision is Strathfield South. The broader community is the Local Government Area (**LGA**) of Strathfield.

Enfield Tavern is a new hotel that will occupy the premises of an existing hotel in Strathfield South when redevelopment of the building is completed (the **Hotel**). The Hotel's new hotel licence was granted by the Independent Liquor & Gaming Authority (**the Authority**) on 17 January 2024. The Hotel's location is at 626 Liverpool Road, Strathfield South NSW 2136. Strathfield South High School (the **School**) is located at 43 Hedges Avenue, Enfield NSW 2136.

The Hotel's premises and the School are separated by the Hume Highway, which is a six-lane dual carriageway. The Hotel is located 50 metres from the School boundary to boundary (or according to the applicant, 120 metres if measured by the distance between the Hotel and the nearest School building).

While the Hume Highway provides a physical barrier between the Hotel and the School, observations from a site visit conducted by Liquor & Gaming NSW (**L&GNSW**) Inspectors indicate that this barrier is porous. Many students from the School were observed crossing a footbridge that connects the northern side of the Hume Highway (where the School is located) to the southern side of the Hume Highway, where the Hotel is located. Students were observed to cross the footbridge to access amenities on the south side such as a petrol station, fast-food outlets and a bus stop close to the hotel.

After consideration of the submissions and material provided by the applicant and L&GNSW, we have concluded that the Hotel is in the immediate vicinity of the School for the purposes of clause 31(2) of the Regulation. Accordingly, we may not approve an increase in the GMT.

The material we considered

Submissions and material from L&GNSW in relation to whether the School is in the 'immediate vicinity' of the Hotel

L&GNSW Inspectors conducted a site visit to observe the physical environment of the School and the Hotel site, and to observe the interaction of students of the School with the site of the Hotel. The submissions and material provided by L&GNSW in relation to whether the Hotel is in the 'immediate vicinity' of the School include the following observations:

- there is a footbridge that connects the Hume Highway entrance/exit of the School with the Shell petrol station and bus stop on the southern side of the Hume Highway (on which side the Hotel is located). The Hotel is directly east of the footbridge and the Shell petrol station;
- further east of the Hotel are three fast-food outlets (being KFC, McDonalds and Oporto);
- the School has a second entrance/exit on Hedges Avenue. There is a 'direct line of sight' between the entrance/exit on Hedges Avenue and the Hotel site; and
- between 3.00pm to 3.42pm on the day L&GNSW's site visit, it was observed by L&GNSW Inspectors that approximately:

- 85 students of the School exited the School via the Hume Highway exit and 87 students of the School exited via the Hedges Avenue exit;
- 11 students of the School waited at Hedges Avenue to be picked up by their parents;
- 3 students of the School ran across the Hume Highway in front of the KFC;
- 242 students of the School crossed the footbridge or ran across the Hume Highway from the School to the Shell petrol station;
- 14 students of the School crossed back from the southern side of the Hume Highway through the footbridge back towards the School;
- 36 students of the School walked into the Shell petrol station;
- 2 students of the School ran around the Shell petrol station;
- 77 students of the School walked past the Hotel premises to the fast-food outlets;
- 29 students of the School returned from the fast-food outlets, walking past the Hotel premises;
- though the number fluctuated throughout the observation period, at its peak approximately 52 students of the School waited to catch a bus from the bus stop immediately outside the School on the northern side of the Hume Highway; and
- though the number fluctuated throughout the observation period, at its peak approximately 50 students of the School waited to catch a bus from the bus stop across the footbridge on the southern side of the Hume Highway (on which side the Hotel is located).

Submissions from the applicant in relation to whether the School is in the 'immediate vicinity' of the Hotel

We considered the submissions made by the applicant in relation to whether the Hotel was in the 'immediate vicinity' of the School for the purposes of clause 31(2) of the Regulation including the following:

- the straight-line distance between the current Hotel building and nearest school building is over 120 metres and this is a *"significant distance for a built-up suburban area"*;
- the southern part of the School (closest to the Hotel) is generally occupied by staff parking which *"provides a substantial physical buffer between the two uses"*;
- there is a six-lane highway separating the Hotel and the School which *"creates a significant form of physical delineation and separation of the hotel from the School such that it could not reasonably be considered that the School is in the immediate vicinity of the hotel"*;
- the southern side of the Hume Highway (on which side the Hotel is located) is a *"very busy road corridor in a built-up suburban environment comprising numerous commercial and retail premises adjoining the premises and with a high degree of foot traffic aside from the student pedestrians"*;
- the only students to have been observed by L&GNSW Inspectors as walking past the Hotel site were those who visited the fast-food outlets and represent only a small fraction of the students observed, with the majority of students being observed walking across the footbridge to wait at the bus stop or go into the Shell petrol station, none of which involved walking past the Hotel premises;
- there is a *"stark contrast in the character of land use"* between the southern side of the highway where the Hotel is located and the northern side where the School is located. The southern side is industrial and the buildings closest to the Hotel include a petrol station, fast-food outlets, as well as factory units and warehouses. In contrast, the northern side where the School is located comprises mainly residential low-density family homes;

- the Hotel premises which is yet to be constructed will consist of three industrial units and a four-storey accommodation venue with the Hotel on the ground floor above retail premises and parking. The proposed Hotel as constructed will be less conspicuous in form and external colouration (the building wall is currently bright yellow);
- interaction between the Hotel and the students of the School will be limited to weekday afternoons as the Hotel will not be open in the mornings when the students are going to school; and
- the observations of L&GNSW Inspectors do not suggest that the operations of the Hotel have the potential to cause any offence, annoyance, nuisance, attraction, corruption or inconvenience to students of the School.

Other material that was before the Authority when making its decision

We considered the following material when making our decision:

- the legislation
- the application material
- the liquor licence documents
- a plan of management for the licensed business
- observations from L&GNSW from a site visit of the Hotel's location, School and surrounding area
- location factors, maps and images of the Hotel and surrounding area
- statistics from L&GNSW on the socio-economic status, liquor licence density, alcohol-related crimes rates and health issues in the local and broader communities
- the material before the Authority in relation to the Hotel's application for a new hotel licence granted on 17 January 2024 and
- the applicant's submissions in response to the assessment and submissions of L&GNSW.

This decision will be published.

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