

# NSW Independent Liquor & Gaming Authority

Our ref: DF25/046368

Min Hur and Stella Park  
Keystone Lawyers

30 July 2025

Dear Min Hur and Stella Park,

Application No.	1-9361257452
Applicant	Anthony Bartolomeo Marino
Application for	Change of conditions
Application date	30 January 2025
Decision date	18 June 2025
Licence name	Good Food Distributors
Licence number	LIQP770016404
Trading hours	Monday to Saturday 08:00 AM – 05:00 PM (does not trade on Sunday)
Premises	25 George Road Salamander Bay NSW 2317
Legislation	Sections 3, 11A, 12, 29, 30, 31, 40, 44, 45, 48, 53, 114 and 123 of the <i>Liquor Act 2007</i>

## Decision of the Independent Liquor & Gaming Authority

### Application for a change of conditions – Good Food Distributors

We **approve** the application above under section 53 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 be consistent with the objects of the Act and will contribute to, not detract from, the amenity of community life.

### **Our main findings**

The local community for the purposes of this decision is suburb of Salamander Bay. The broader community is the Local Government Area (LGA) of Port Stephens.

The application seeks to revoke condition #2030 from the existing packaged liquor licence, which restricts the sale of liquor to online or over the phone for delivery. This will enable the premises to operate a small liquor sales area within an existing supermarket.

The licence class will change from 'delivery only' to 'bottle shop and delivery', although the business will not offer same day delivery.

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

### *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:

- change of business model – the licence will change from a delivery only licence to a bottle shop, although it will be a liquor sales area within an existing supermarket that will not offer same day delivery, and therefore is relatively low risk
- crime hotspots – there are high-density crime hotspot in the suburb for domestic assault, non-domestic assault and malicious damage to property, however, the premises is not located in these hotspots and there is also no crime hotspot in the suburb for alcohol-related assault
- crime rates – when compared to NSW rates, the incident rates are higher for malicious damage to property in the suburb, and alcohol-related assault (domestic and non-domestic) in the LGA. However, incident rates are lower for alcohol-related assault (domestic and non-domestic) and alcohol-related disorderly conduct in the suburb, and malicious damage to property and alcohol-related disorderly conduct in the LGA
- health statistics – the rate of alcohol-attributed deaths in the LGA is higher than in NSW, although the rate of alcohol-attributed hospitalisations in the LGA is lower than in NSW

demographic information:

- the percentage of Aboriginal and Torres Strait Islanders (ATSI) population in the suburb and LGA is higher than in NSW<sup>1</sup>
- Socio-Economic Index for Areas (SEIFA) data indicates a below average level of socio-economic advantage and disadvantage in the suburb, and an average level in the LGA, compared to other communities in NSW

<sup>1</sup> Research shows that the association between liquor outlet density and assaults is stronger in areas with higher percentages of ATSI and in areas with lower socio-economic status (Association of liquor outlet density with domestic and non-domestic assault in New South Wales; Jiang, H., Riordan, B., Laslett, A-M., Livingston, M., Lee, K., James, D., Stearne, A., & Room, R. (2024))

We also note that the below factors weighed in favour of approval of the application, and may also reduce some of the risks identified above:

- there were no agency objections received
- there will be no increase in the saturation rate of packaged liquor licences in the suburb or LGA as a result of this approval

- trading hours of the premises will remain unchanged, and the business does not trade on Sundays
- the premises will not offer same-day delivery of liquor
- the one stop shopping experience will increase convenience and choice for existing customers
- harm-minimisation measures are outlined in the plan of management and appropriate licence conditions have been imposed, as set out in Schedule 1.

We considered the objection from a member of the public raising concerns with the density of liquor outlets in the suburb, higher alcohol-attributed death rate in the LGA and high crime rates in the suburb, however there will be no increase in the density of liquor outlets as a result of this approval, and we are satisfied that appropriate harm minimisation measures are in place.

### **The material we considered**

We considered the following material when making our decision:

- the legislation
- 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 overall 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*.

### **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 – Good Food Distributors

No.	Condition to be imposed	Description
1.	Overall impact	<p>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 be reasonably expected from the information contained in the Community Impact Statement, application and other information submitted in the process of:</p> <ul style="list-style-type: none"> <li>- Obtaining this licence on 13/04/2012,</li> <li>- Changing the licence conditions (1-9361257452) on 18 June 2025</li> </ul>
2.	CCTV	<ol style="list-style-type: none"> <li>1. The licensee must maintain a closed-circuit television (CCTV) system on the licensed premises (“the premises”) in accordance with the following requirements: <ol 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: <ol 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> </ol> </li> </ol> </li> <li>2. The licensee must also: <ol 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> </ol> </li> </ol>
3.	Liquor Plan of Management	<p>The premises is to be operated at all times in accordance with the Plan of Management dated 10 March 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.</p>
4.	Liquor accord	<p>The licensee or its representative must join and be an active participant in the local liquor accord.</p>

No.	Condition to be imposed	Description
5.	Point of sale system	The point of sale system within the liquor sales area must provide price look-up codes for liquor items. A separate EFTPOS machine is to be linked to the point of sale system to be used exclusively for card purchases not including liquor.

## Schedule 2: Licence conditions to be revoked – Good Food Distributors

Condition to be revoked	Reason
<p><b>Condition 2010</b></p> <p>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 be reasonably expected from the information contained in the Community Impact Statement, application and other information submitted in the process of obtaining this licence.</p>	To be replaced by condition #2 above.
<p><b>Condition 2030</b></p> <p>Limited to the sale of liquor only by means of taking orders over the telephone or by facsimile or mail order, or through an Internet site.</p>	The applicant seeks to operate a liquor sales area in an existing supermarket. There have been no stakeholder objections, and all statutory requirements have been met.