

# NSW Independent Liquor & Gaming Authority

Our ref: DF25/046369

Mr Kamaldeep Singh

25 July 2025

Dear Mr Singh

Application No.	APP-0013615523
Applicant	Kamaldeep Singh
Application for	New packaged liquor licence
Application date	7 April 2025
Decision date	18 June 2025
Proposed licence name	Top Shelf Bottles
Proposed trading hours	Monday to Sunday 10:00 AM – 09:00 PM
Proposed premises	SHOP 8, 487 Kiewa Street Albury NSW 2640
Legislation	Sections 3, 11A, 12, 29, 31, 40, 44, 45, 48, 114 and 123 of the <i>Liquor Act 2007</i>

## Decision of the Independent Liquor & Gaming Authority

### Application for a new packaged liquor licence – Top Shelf Bottles

We **refuse** the application above under section 45 of the *Liquor Act 2007* (the Act).

### Statement of reasons

Having considered all the objects of the Act (s3(1)) and the importance of the matters to be considered in securing those objects (s3(2)), we are not satisfied that the overall impact of approving the application would facilitate the balanced development, in the public interest, of the liquor industry, or that it would contribute to, and not detract from, the amenity of community life.

### Our main findings

The local community for the purposes of this decision is the suburb of Albury. The broader community is the Local Government Area (LGA) of Albury.

The applicant is seeking to open a standalone packaged liquor licence offering same day delivery within a shopping centre.

We considered the following factors:

- Socio-Economic Index for Areas (SEIFA) data indicates an above average level of socio-economic advantage and disadvantage in the suburb and LGA compared to other communities in NSW
- the proposed premises will be in a shopping centre with no direct street access and there are currently no other packaged licences in the shopping centre.
- A packaged liquor outlet in the shopping centre will provide convenience to shoppers.

However, we were concerned that the proposal could contribute to an increase in alcohol-related harm in the local and broader communities because of the:

- crime hotspots and crime rates – the proposed premises are located in crime hotspots (mostly high density) for all offence types we considered, and the incident rate of all crime categories we considered is higher in the suburb and LGA than in NSW. Although, the data for these crime rates may be skewed due to the Albury CBD being a high transient visitation area, the rates are significantly higher and if alcohol availability was increased, this could potentially amplify these rates and pose an unacceptable risk of harm to public health and safety
- 5-year crime rates – shows all crime categories we considered in the suburb and LGA have increased for all years compared to NSW generally. In particular rates for alcohol-related domestic assault and alcohol-related non-domestic assault have increased since 2020.
- packaged liquor licence saturation – the rate in the suburb and LGA is significantly higher (approximately 3 times higher) than in NSW generally
- saturation rate of licences that permit take away sales (clubs, hotels and packaged liquor) – are higher in the suburb and LGA than in NSW generally
- health statistics – the rate of alcohol-attributed hospitalisations and deaths in the LGA is higher than in NSW.

We considered objections from:

- NSW Police also note the LGA has alcohol outlets exceeding 551 per 100 000 population in NSW. Police also express concerns about the saturation of liquor outlets in the suburb within a 1km radius of the proposed premises, and the attractiveness of the location to young people who loiter in the area which has a history of thefts from retail stores.
- 3 members of the public note concerns in relation to the high saturation of packaged licences in the suburb, the potential damage to the shopping centre reputation and concerns about a possible increase in anti-social behaviour with an increase in violence and theft.

The applicant raises the following points in mitigation:

- the premises will include security measures, including RSA, CCTV, closure at 09:00 PM and an incident register
- the proposed licensee previously held a security licence and therefore understands the shopping centre environments and their security challenges
- the plan of management outlines restricting the sale and supply to minors
- the packaged licence in the shopping centre will provide convenience to shoppers of that area as there is currently no packaged licence located within the shopping centre.

On balance, we are concerned that the likelihood of overall adverse impact from approving the application outweighs the benefit to the local or broader community and accordingly,

approval of the application does not facilitate the balanced development of the liquor industry in the public interest.

### **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*.

### **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**