

# NSW Independent Liquor & Gaming Authority

Our ref: DF25/080317

Ms Rebecca Pope  
Liquor and Gaming Solutions

19 December 2025

Dear Ms Pope

Application No.	APP-0015228375
Applicant	Jacob Parmax
Application for	New packaged liquor licence
Application date	4 September 2025
Decision date	10 December 2025
Proposed licence name	Albatross Cellars
Proposed trading hours	Monday to Sunday 10:00 AM – 06:00 PM
Proposed premises	Unit 2, 44 Cook Parade Lemon Tree Passage NSW 2319
Legislation	Sections 3, 11A, 12, 29, 40, 44, 45, 47B, 72I and 123 of the <i>Liquor Act 2007</i>

## Decision of the Independent Liquor & Gaming Authority

### Application for a new packaged liquor licence – Albatross Cellars

We **approve** the application above under section 45 and 72I of the *Liquor Act 2007* (**the Act**) – 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 be consistent with the objects of the Act and will not be detrimental to the wellbeing of the local or broader community.

### **Our main findings**

The local community for the purposes of this decision is the suburb of Lemon Tree Passage. The broader community is the Local Government Area (**LGA**) of Port Stephens.

The applicant sought to operate a packaged liquor licence in the suburb of Lemon Tree Passage and the LGA of Port Stephens, which is a popular tourist destination.

We note that local licensing police advised there are currently 3 bottle shops in the area but not in the proximity to vulnerable community areas and therefore they were not concerned with an outlet in the proposed location.

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:

- medium-density crime hotspot in the suburb for domestic assault and a low-density crime hotspot in the suburb for malicious damage to property and alcohol-related assault
- the incident rate for alcohol-related domestic assault and malicious damage to property being higher in the suburb and LGA than in NSW and the incident rate for alcohol-related non-domestic assault being higher in the LGA than in NSW
- Socio-Economic Index for Areas (SEIFA) data indicating a below average level of socio-economic advantage and disadvantage in the suburb compared to other communities in NSW<sup>1</sup>
- percentage of Aboriginal and/or Torres Strait Islanders (ATSI) population in the suburb and LGA being higher than in NSW<sup>1</sup>
- rate of alcohol-attributed deaths in the LGA being higher than in NSW
- limited public transport in the area, increasing the risk of drink driving if there was no local outlet for alcohol.

However, we note that the below factors weighed in favour of approval of the application, and may also partially or fully mitigate some of the risks identified above:

- there were no objections from government agencies or the community
- the incident rate for alcohol-related disorderly conduct is lower in the suburb and LGA than in NSW and the incident rate for alcohol-related non-domestic assault is lower in the suburb than in NSW
- there is no trading packaged liquor licence in the suburb
- the rate of alcohol-attributed hospitalisations in the LGA is lower than in NSW
- the proposed venue will not offer a delivery service
- the harm-minimisation measures outlined in the plan of management and licence conditions, as set out in Schedule 1.

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<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))

## **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
- the legislation
- certificate of advertising
- 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
- L&GNSW compliance materials
- 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



Chris Honey

**Deputy Chairperson**  
**NSW Independent Liquor & Gaming Authority**

## Schedule 1: Licence conditions to be imposed - Albatross Cellars

No.	Condition	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 6 hours between <b>04:00 AM and 10:00 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.	Retail sales	Good Friday: Not permitted December 24 <sup>th</sup> : Normal trading Monday to Saturday, 8:00 AM to 12:00 midnight Sunday Christmas Day: Not permitted December 31 <sup>st</sup> : 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 <b>September 2025</b> 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"> <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 sub-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>