

NSW Independent Liquor & Gaming Authority

Our ref: DF26/044818

Mr Grant Cusack

Hatzis Cusack Lawyers

16 September 2026

Dear Mr Cusack

Application No.	APP-0016378219
Proposed licence name	Hay Drive-Thru Cellars
Proposed licensee	WR NADIN PROJECTS PTY LTD
Application date	8 May 2026
Decision date	19 August 2026
Proposed trading hours	Monday to Wednesday 10:00 AM – 8:00 PM Thursday to Saturday 10:00 AM – 10:00 PM Sunday 10:00 AM – 8:00 PM
Proposed premises	151 Lachlan Street Hay NSW 2711
Legislation	Sections 3, 40, 44, 45, 47B and 72I of the <i>Liquor Act 2007</i>

Decision of the Independent Liquor & Gaming Authority

Application for a new packaged liquor licence – Hay Drive-Thru Cellars

We **approve** the application under section 45 and 72I of the *Liquor Act 2007* (the **Liquor Act**).

We **impose** conditions on the liquor licence under section 47B of the *Liquor Act* as set out in Schedule 1.

Approved manager or individual licensee

The licence may not 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

Having considered your application and the relevant material, and with reference to the objects of the Liquor Act, we are satisfied that it is appropriate to approve your application for a new packaged liquor licence (**PLL**).

We also decided to impose conditions on your liquor licence to minimise the risk of harm, having regard to the circumstances of the proposed premises and the objects of the Liquor Act.

Background

The applicant sought a new PLL to operate a standalone drive-through liquor store in the main street of Hay. The proposed premises will be built on a vacant parcel of land where a bank used to operate.

Our main findings and reasons

The local community for the purposes of this decision is the suburb of Hay. The broader community is the Local Government Area (**LGA**) of Hay. Demographic, socio-economic and crime data for these areas were considered when assessing the risk of alcohol-related harm that may be associated with an increase of alcohol availability.

We considered the requirements under the Liquor Act and we were satisfied that they were met, including that the overall impact of the licence would not be detrimental to the wellbeing of the local or broader community.

We were also satisfied that approving the application would be consistent with the objects of the Liquor Act.

In assessing the application, we considered several factors that may suggest that approval could increase the risk of alcohol-related harm. These included higher rates across all crime categories examined in the suburb compared with the NSW average, as well as significantly higher PLL saturation and overall outlet density in both the suburb and the LGA compared to NSW. Notably, PLL saturation in the suburb is more than double the NSW average and above the NSW average in the LGA. We also considered Socio-Economic Indexes for Areas (**SEIFA**) data indicating below-average socio-economic advantage in the suburb and LGA, a relatively high proportion of Aboriginal and Torres Strait Islander residents in both the suburb and the LGA, and higher rates of alcohol-attributable hospitalisations and deaths in the LGA than across NSW. We further had regard to the particularly high overall outlet density in the LGA¹. We also considered the availability of same-day liquor delivery services and the potential for the proposal to contribute to drink-driving risks.

We also had regard to factors that weighed in favour of approving the application and mitigated some of the risks identified above. These included the absence of any objections from government agencies or members of the community. The applicant has proposed reduced trading hours, which may assist in limiting the potential for alcohol-related harm.

¹ High levels of packaged liquor outlet-density have been shown to be positively associated with higher rates of alcohol-attributable morbidity and mortality (Morrison et al., 2016). 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. (2023)).

We further considered that local crime and licence density data may be distorted by the relatively low population density of the LGA.

We also had regard to the area's substantial transient workforce associated with freight, tourism and renewable energy developments. Finally, we considered the potential economic and tourism benefits of the proposal.

On balance, we are satisfied that the proposal would benefit the local and broader communities by providing increased convenience and choice.

We determined that imposing the conditions as set out in Schedule 1 would reduce the potential for alcohol-related harm in light of the identified risks and is consistent with the objects of the Liquor Act.

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
- the certificate of advertising
- the Statement of Risks and Potential Effects
- the plan of the licensed premises and any authorisations
- the plan of management for the licensed business
- the development consent for the premises
- harm minimisation and community impact data report
- 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
- Saturation map for Hay NSW 2711
- 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.

What happens next

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 than 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 if you have any questions.

Yours sincerely



Caroline Lamb

Chairperson

NSW Independent Liquor & Gaming Authority

Schedule 1: Licence conditions imposed - Hay Drive-Thru 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 4:00 AM and 10:00 AM 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 24th Normal trading Monday to Saturday 8:00 AM to 12:00 midnight Sunday Christmas Day Not permitted December 31st Normal trading Monday to Saturday 10:00 AM to 12:00 midnight Sunday
3.	Restricted trading on public holidays	The sale and supply of liquor at the licensed premises must not commence before 10:00 AM and must cease by 08:00 PM on public holidays.
4.	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.
5.	Liquor accord	The licensee or its representative must join and be an active participant in the local liquor accord.
6.	Liquor plan of management	The premises is to be operated at all times in accordance with the Plan of Management dated April 2026 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.
7.	CCTV	- The licensee must maintain a closed-circuit television (CCTV) system on the licensed premises ("the premises") in accordance with the following requirements: - the system must record continuously from opening time until one hour after the premises is required to close, - recordings must be in digital format and at a minimum of ten (10) frames per second, - any recorded image must specify the time and date of the recorded image, - the system's cameras must cover the following areas: - all entry and exit points on the premises, and - all publicly accessible areas (other than toilets) within the premises. - The licensee must also: - keep all recordings made by the CCTV system for at least 30 days, - ensure that the CCTV system is accessible at all times the system is required to operate pursuant to sub-

No.	Condition	Description
		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 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.
8.	Crime scene preservation	Immediately after the person in charge of the licensed premises or a staff member becomes aware of any incident involving an act of violence causing injury to a person on the premises, the person in charge of the licensed premises and/or staff member must: 1. take all practical steps to preserve and keep intact the area where the act of violence occurred, 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, 3. make direct and personal contact with NSW Police to advise it of the incident, and 4. comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred. 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.
9.	Incident register	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: a. any incident involving violence or anti-social behaviour occurring on the premises, 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, c. any incident that results in a person being turned out of the premises under section 77 of the Liquor Act 2007, d. any incident that results in a patron of the premises requiring medical assistance. 2. The licensee must, if requested to do so by a police officer or Liquor & Gaming NSW inspector: a. make any such incident register immediately available for inspection by a police officer or Liquor & Gaming NSW inspector, and b. allow a police officer or Liquor & Gaming NSW inspector to take copies of the register or to remove the register from the premises. 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.