

# NSW Independent Liquor & Gaming Authority

Our ref: DF25/062306

Mr Brett Tobin  
Hatzis Cusack Lawyers

17 October 2025

Dear Mr Tobin

Application No.	1-9482553432 (hotel (full) licence removal) 1-9482553765 (extended trading authorisation) SR0001413423 (minors' area authorisation)
Applicant	SOULTRAIN INVESTMENTS WW PTY LTD
Application for	Hotel (full) licence removal with extended trading authorisation and minors' area authorisation
Application date	23 May 2025
Decision date	17 September 2025
Licence name	Home Hotel
Licence number	LIQH400121075
Current trading hours	<u>Consumption on premises</u> Monday to Saturday 05:00 AM – 03:00 AM Sunday 10:00 AM – 12:00 AM <u>Takeaway</u> Monday to Saturday 05:00 AM – 12:00 AM Sunday 10:00 AM – 12:00 AM
Proposed trading hours	<u>Consumption on premises: Ground Floor internal bistro, sports bar, lounge, TAB, gaming room and designated smoking area; and First Floor function rooms and cocktail bar</u> Monday to Saturday 10:00 AM – 02:00 AM Sunday 10:00 AM – 12:00 AM <u>Consumption on premises: All other areas of the licensed premises</u> Monday to Sunday 10:00 AM – 12:00 AM <u>Takeaway (including Bottle shop)</u> Monday to Saturday 10:00 AM – 12:00 AM Sunday 10:00 AM – 11:00 PM
Current premises	142 Fitzmaurice Street Wagga Wagga NSW 2650
Proposed premises	77 Avocet Drive Estella NSW 2650
Legislation	Sections 3, 11A, 12, 14, 15, 40, 44, 45, 48, 49, 53, 59 and 121 of the <i>Liquor Act 2007</i>

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## Decision of the Independent Liquor & Gaming Authority

### Application for a hotel (full) licence removal with extended trading authorisation and minors' area authorisation – Home Hotel

We **approve** the applications above under sections 48, 59 and 121 of the *Liquor Act 2007* (the Act) – with the conditions to be imposed as set out in Schedule 1, and conditions to be revoked as set out in Schedule 2. The 6-hour closure period overrides any condition of the licence.

### 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 Estella. The broader community is the Local Government Area (LGA) of Wagga Wagga.

The applicant seeks to remove a hotel (full) licence with extended trading authorisation and minors' area authorisation within the same LGA, approximately 7km from its current location. As part of the approval, the licence will be endorsed with a 6-hour closure period for the first time.

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:

- crime rates – the incident rate for all crime categories we considered are higher in the LGA than in NSW, however they are lower in the suburb than in NSW
- saturation of licences – the rate of hotel (full) licences is higher in the LGA than in NSW
- health statistics – the rate of alcohol-attributed deaths is higher in the LGA than in NSW, while the rate of alcohol-attributed hospitalisations is lower in the LGA than in NSW
- demographic information – the percentage of Aboriginal and Torres Strait Islander (ATSI) population in the LGA is higher than in NSW.

We also considered objections from:

- NSW Police – the submission reflected a partial objection on the basis of the venue's resistance to participation in the local liquor accord. The venue objected to the CCTV condition proposed by Police and the proposed condition of closing the first floor early.

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 or concerns raised by the community

- there will be a reduction of 36 hours trading per week when the venue begins trading
- the proposed premises is not located in any crime hotspots for all categories we considered
- the proposed hotel will be the only licenced hotel in the suburb and the saturation of hotel licences in the suburb will remain lower than NSW
- the total outlet density will remain lower in the suburb and LGA than in NSW
- demographic information – the percentage of Aboriginal and Torres Strait Islander (ATSI) population in the suburb is lower than in NSW
- acoustic measures will be implemented and installed at the proposed premises before it opens for trade
- although the size of the proposed premises is larger, the proposed patron capacity is almost half that of the existing capacity
- the harm-minimisation measures outlined in the plan of management and licence conditions, as set out in Schedule 1.

### **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
- licence documents
- L&GNSW compliance materials
- stakeholder submissions and the applicant’s response to them
- noise impact assessment
- development application and assessment.

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 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](mailto:new.applications@liquorandgaming.nsw.gov.au) if you have any questions.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Caroline Lamb'.

Caroline Lamb

**Chairperson**

**NSW Independent Liquor & Gaming Authority**

## Schedule 1: Licence conditions to be imposed - Home Hotel

No.	Condition to be imposed	Description
1.	6-hour closure	Section 11A of the Liquor Act 2007 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.	Consumption on premises	Good Friday: 12:00 noon - 10:00 PM Christmas Day: 12:00 noon - 10:00 PM (liquor can only be served with or ancillary to a meal in a dining area) December 31st Normal opening time until normal closing time or 2:00 AM on New Year's Day, whichever is the later Note: Trading is also allowed after midnight into the early morning of Good Friday and Christmas Day if authorised by an extended trading authorisation. Trading must cease at the time specified under the authorisation. The latest time that can be specified is 5:00 AM.
3.	Take away sales	Good Friday: Not permitted December 24th: Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on Sunday Christmas Day: Not permitted December 31st: Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on Sunday.
4.	Trial period for extended hours	If the local consent authority does not approve the continuation of the trial period in the development consent after 2 years from when the extended trading hours commencement is notified to council (or as may be extended from time to time), the trading hours of the premises will revert to:  Consumption on premises: Ground Floor internal bistro, sports bar, lounge, TAB, gaming room and designated smoking area; and First Floor function rooms and cocktail bar. 10:00 AM - 01:00 AM Monday to Saturday and 10:00 AM - 12:00 AM Sunday. Consumption on premises: All other areas of the licensed premises 10:00 AM - 12:00 AM Monday to Sunday Takeaway (including the Bottleshop) - 10:00 AM - 12:00 AM Monday to Saturday and 10:00 AM - 11:00 PM Sunday.  A copy of the relevant development consent is to be kept on the premises and made available for inspection on the request of a police officer, council officer, Liquor & Gaming inspector, or any other person authorised by the Independent Liquor & Gaming Authority.

No.	Condition to be imposed	Description
5.	Extended Trading	Extended Trading Authorisation: Basement Bottleshop; whole of the Ground floor other than the kid's playground, bistro terrace and part of the sports bar terrace; and whole of the First Floor other than the outdoor area and Void area.
6.	Minors' Area	Minors' Area Authorisation: Whole of the licensed premises excluding the Basement, Kid's playground and Gaming room on the Ground Floor and the Void area on the First Floor.
7.	Liquor plan of management	The premises is to be operated at all times in accordance with the Plan of Management dated <b>July 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.
8.	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: <ul style="list-style-type: none"> <li>• removing this licence to the premises at 77 Avocet Drive, Estella NSW 2650.</li> <li>• obtaining the extended trading authorisation on 17 September 2025.</li> </ul>
9.	Liquor Accord	The licensee or its representative must join and be an active participant in the local liquor accord.
10.	Complaints register	<ol style="list-style-type: none"> <li>1. A complaints register is to be maintained at the premises at all times which records the following: <ol style="list-style-type: none"> <li>a. the name and number of the complainant</li> <li>b. the time and date on which the complaint was received</li> <li>c. the nature of the complaint, and</li> <li>d. the measures taken to resolve the complaint.</li> </ol> </li> <li>2. Details of complaints received, either in person or over the phone, must be: <ol style="list-style-type: none"> <li>a. recorded in the complaints register, and</li> <li>b. reported to the duty manager.</li> </ol> </li> <li>3. A mobile or dedicated contact number for the duty manager is to be published on the hotel's website, and on a sign to be posted at the premises entrance. If requested, the duty manager's contact details must be provided to complainants. A messaging service must be in place if the dedicated contact number is unattended.</li> </ol>
11.	CCTV	<ol style="list-style-type: none"> <li>1. The licensee must maintain a closed-circuit television (CCTV) system on 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</li> </ol> </li> </ol>

No.	Condition to be imposed	Description
		<p>close (or, in the case of a premises that is not required to cease trading, continuously at all times),</p> <ol style="list-style-type: none"> <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,</li> <li>ii. the footpath immediately adjacent to the premises, and</li> <li>iii. all publicly accessible areas (other than toilets) within the premises.</li> </ol> </li> </ol> <p>2. The licensee must also:</p> <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>
12.	Crime scene preservation	<p>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:</p> <ol style="list-style-type: none"> <li>1. take all practical steps to preserve and keep intact the area where the act of violence occurred,</li> <li>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,</li> <li>3. make direct and personal contact with NSW Police to advise it of the incident, and</li> <li>4. comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred.</li> </ol> <p>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.</p>
13.	Incident register	<ol style="list-style-type: none"> <li>1. The licensee must maintain a register, in which the licensee is to record the details of any of the following</li> </ol>

No.	Condition to be imposed	Description
		<p>incidents and any action taken in response to any such incident:</p> <ol style="list-style-type: none"> <li>a. any incident involving violence or anti-social behaviour occurring on the premises,</li> <li>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,</li> <li>c. any incident that results in a person being turned out of the premises under section 77 of the Liquor Act 2007,</li> <li>d. any incident that results in a patron of the premises requiring medical assistance.</li> </ol> <ol style="list-style-type: none"> <li>2. The licensee must, if requested to do so by a police officer or Liquor &amp; Gaming NSW inspector: <ol style="list-style-type: none"> <li>a. make any such incident register immediately available for inspection by a police officer or Liquor &amp; Gaming NSW inspector, and</li> <li>b. allow a police officer or Liquor &amp; Gaming NSW inspector to take copies of the register or to remove the register from the premises.</li> </ol> </li> <li>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.</li> </ol>

## Schedule 2: Licence conditions to be revoked - Home Hotel

No.	Condition to be imposed	Reason
1.	<p><b>Condition 101</b></p> <p><u>Consumption on premises</u></p> <p>Good Friday 12:00 noon - 10:00 PM</p> <p>Christmas Day 12:00 noon - 10:00 PM (liquor can only be served with or ancillary to a meal in a dining area)</p> <p>December 31st Normal opening time until normal closing time or 2:00 AM on New Year's Day, whichever is the later</p> <p>Note: Trading is also allowed after midnight into the early morning of Good Friday and Christmas Day if authorised by an extended trading authorisation. Trading must cease at the time specified under the authorisation. The latest time that can be specified is 5:00 AM.</p>	To be replaced by condition #2.
2.	<p><b>Condition 120</b></p> <p><u>Take away sales</u></p> <p>Good Friday Not permitted</p> <p>Christmas Day Not permitted</p> <p>December 31st Normal trading</p>	To be replaced by condition #3.

No.	Condition to be imposed	Reason
3.	<p><b>Condition 200</b></p> <p>No party to the complaint proceedings is to make known to any other person not being a party, the names or addresses of any other party in the proceedings; in particular, no patron of the premises is to be informed either directly or indirectly of the identity or location of any complainant.</p>	Not relevant to the new location.
4.	<p><b>Condition 330</b></p> <p><u>Minors' area</u></p> <p>Whole of the licensed premises excluding the Gaming Lounge.</p>	To be replaced by condition #6.