

NSW Independent Liquor & Gaming Authority

Our ref: DF25/080313

Grant Cusack

Hatzis Cusack Lawyers

19 December 2025

Dear Mr Cusack

Application No.	APP-0015106774
Applicant	LABAJ HOLDINGS PTY LTD
Application for	New packaged liquor licence
Application date	30 July 2025
Decision date	10 December 2025
Proposed licence name	Friendly Grocer Jindabyne Supermarket
Proposed trading hours	Monday to Saturday 08:00 AM – 10:00 PM Sunday 10:00 AM – 10:00 PM
Proposed premises	Shop 19, Town Centre 33 Kosciuszko Road Jindabyne NSW 2627
Legislation	Sections 3, 11A, 12, 29, 30, 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 – Friendly Grocer Jindabyne Supermarket

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.

McKell Building, 2-24 Rawson Place Haymarket NSW 2000 | GPO Box 4012 Sydney NSW 2001
office@ilga.nsw.gov.au | ilga.nsw.gov.au | ABN 42 496 653 361

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 Jindabyne. The broader community is the Local Government Area (**LGA**) of Snowy Monaro Regional.

The applicant wishes to operate a liquor sales area within a supermarket known as 'Friendly Grocer Jindabyne Supermarket'. The supermarket has direct street access to the Jindabyne Town Centre. We acknowledge the crime hotspots in the area, however, note that it is a tourist destination. There are several other liquor outlets, including 3 packaged liquor licences in the town.

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:

- high-density crime hotspot in the suburb for alcohol-related assault, medium-density crime hotspot for malicious damage to property and low-density crime hotspot for domestic and non-domestic assault
- incident rates for all offence categories we considered being higher in the suburb and LGA than in NSW¹
- rate of packaged liquor licences being higher in the suburb and LGA than in NSW (although two of the three licences are delivery only models)¹
- rate of alcohol-attributed deaths in the LGA being higher than in NSW.

We considered an objection from NSW Health which raised the following concerns:

- the closure time of the proposed premises citing it should align to the established precedent of the area, recommending the closure time to be no later than 9pm
- the proximity of the proposed premises to the local TAFE and a park and recommended no outdoor advertising of alcohol to minimise risk of increased alcohol consumption
- alcohol-attributable deaths in the LGA are slightly higher than NSW
- the age standardised rate (ASR) per 100 people in the Snowy Monaro region consumes five or more standard drinks on any day within the last 12 months which is higher than NSW overall
- the ASR for males and females is higher than the NSW average
- the percentage of liquor-related offences in Snowy Monaro increased from April 2024 to March 2025
- Snowy Monaro already has higher harmful drinking rates than NSW overall.

¹ Both the suburb and LGA are significant tourist destinations, with local, state, national and international visitation, increasing the population of the area compared to the local residential population. This additional visitation above the residential population may skew both crime and licence saturation statistics.

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 NSW Police or the Snowy Monaro Regional Council
- four submissions from the community were received in support of the application
- Socio-Economic Index for Areas (SEIFA) data indicating an average level of socio-economic advantage and disadvantage in the suburb and LGA compared to other communities in NSW
- alcohol-attributable hospitalisations in the LGA are lower than NSW
- the business will not offer same day delivery
- 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
- 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 and [Guideline 10](#) for applications relating to the sale of liquor in a supermarket.

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 if you have any questions.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Chris Honey', is enclosed in a light blue rectangular box.

Chris Honey

Deputy Chairperson

NSW Independent Liquor & Gaming Authority

Schedule 1: Licence conditions to be imposed - Friendly Grocer Jindabyne Supermarket

No.	Condition	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 02:00 AM and 08:00 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 24 th : Normal trading Monday to Saturday, 8:00 AM to 12:00 midnight Sunday Christmas Day: Not permitted December 31 st : 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 July 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.
6.	CCTV	- The licensee must maintain a closed-circuit television (CCTV) system at the supermarket/specialty store in accordance with the following requirements: - the system must record continuously from opening time until one hour after the supermarket/specialty store 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 to the supermarket/specialty store, and - all publicly accessible areas (other than toilets) within the liquor sales area. - 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-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

No.	Condition	Description
		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.
7.	Adequate separation	The liquor sales area must be adequately defined from the rest of the supermarket in accordance with the premises plan as approved by the Independent Liquor and Gaming Authority on 10 December 2025 or any premises plan subsequently approved by the Authority.
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.