

NSW Independent Liquor & Gaming Authority

Our ref: DF26/002775

Ms Vanessa Booth

18 February 2026

Dear Ms Booth

Application No.	1-9640614132 (club liquor licence removal) SR0001474572 (non-restricted area authorisation) 1-9658535524 (gaming machine threshold increase and gaming machine entitlement transfer)
Applicant	Oberon Rugby Football Club Limited
Application for	Club liquor licence removal with non-restricted area authorisation, gaming machine threshold increase and gaming machine entitlement transfer
Application date	19 November 2025
Decision date	28 January 2026
Licence name	Oberon Rugby Football Club Limited
Licence No.	LIQC300245888
Trading hours	<u>Consumption on premises</u> Unrestricted (with occasional extended trading condition) <u>Takeaway</u> Monday to Saturday 05:00 AM – 12:00 AM Sunday 10:00 AM – 10:00 PM
Current premises	<u>Bathurst Road</u> <u>Oberon NSW 2787</u>
Proposed premises	31 O'Connell Road Oberon NSW 2786
Legislation	Sections 3, 18, 19, 20, 40, 44, 45, 47B, 59, 59A, 66, 72l of the <i>Liquor Act 2007</i> Section 22 of the <i>Registered Clubs Act 1976</i> Sections 19, 34, 35 and of the <i>Gaming Machines Act 2001</i>

Decision of the Independent Liquor & Gaming Authority

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NSW Independent Liquor & Gaming Authority

Application for a club liquor licence removal with non-restricted area authorisation, gaming machine threshold increase and gaming machine entitlement transfer – Oberon Rugby Football Club Limited

We **approve** the application above under sections 59 and 72I of the *Liquor Act 2007* (**Liquor Act**), section 22 of the *Registered Clubs Act 1976* (**RC Act**) and sections 19 and 34 of the *Gaming Machines Act 2001* (**GM Act**) – with the conditions set out in Schedule 1 and a condition to be revoked in Schedule 2.

Impact of *ILGA v Whitebull & Ors* [2023] NSWCA 224

The court in *ILGA v Whitebull & Ors* [2023] NSWCA 224 (the **Whitebull decision**) confirmed that the NSW Independent Liquor & Gaming Authority (the **Authority**) may take into account harm minimisation considerations when making a decision under sections 19 and 34 of the GM Act. The principles in the Whitebull decision underpin the Authority's decision-making under sections 19 and 34 of the GM Act.

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 and Statistical Area 2 (**SA2**) of Oberon. The broader community is the Local Government Area (**LGA**) of Oberon.

The applicant sought to remove a club licence from 880 metres away from its current location at Bathurst Road Oberon NSW 2787 to 31 O'Connell Road Oberon NSW 2786 and remain within the Oberon LGA. The applicant also sought a gaming machine threshold increase from zero to 7 for LIQC300245888 and the transfer of 7 gaming machine entitlements (without forfeiture) to LIQC300245888, located at 31 O'Connell Road Oberon NSW 2786.

Consequently, approval will result in relocation of the existing club with negligible adverse impacts on the surrounding community.

Nevertheless, we dealt with and determined the application as if it were an application for a new licence as required by s59(3) of the Liquor Act.

Social impacts

We accept that the proposal could contribute to an increase in alcohol and gaming related harm in the local and broader communities because of the:

- incident rate for malicious damage to property being higher in the suburb than in NSW
- rate of hotel licences being higher in the suburb than in NSW, as well as overall outlet density
- rate of alcohol attributed deaths in the LGA being higher than in NSW
- demographic information:

- Socio-Economic Index for Areas data indicates a below average level of socio-economic advantage and disadvantage in the suburb compared to other communities in NSW¹
- the percentage of Aboriginal and Torres Strait Islanders (**ATSI**) population in the suburb and LGA is higher than in NSW¹
- Oberon SA2 has some location factors including the above mentioned high ATSI population and people with lower levels of education. Both demographics are associated with elevated risks of gaming related harm
- it is an unrestricted licence with potential of up to 28 hours per week of post midnight gaming
- Local Health District having higher than NSW average levels of gambling participation and moderate and high-risk gambling prevalence².

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 premises is not located in a crime hotspot for any categories we considered
- the incident rates for alcohol-related domestic assault, alcohol-related non-domestic assault and alcohol-related disorderly conduct are lower in the suburb than in NSW
- the crime rates for all categories we considered are lower in the LGA than in NSW
- the rate of alcohol-attributed hospitalisations in the LGA are lower than in NSW
- the patron capacity will remain unchanged (300 patrons)
- the gambling intensity at the current premises is significantly lower than average for venues of similar type
- the current premises has an occasional extended trading condition, limiting post-12:00am trading to no more than 12 occasions per year
- 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 liquor plan of management for the licensed business
- a gaming plan of management for the licensed business
- the Club's constitution (Constitution of Oberon Rugby League Football Club Ltd)
- 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

¹ 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)).

² due to low sample sizes for the LHD, reported Gambling Prevalence rates should be interpreted with caution.

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 16](#) to assess late-night gaming applications.

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 to be imposed - Oberon Rugby Football Club Limited

No.	Condition to be imposed	Description
1.	Consumption on premises	Good Friday: Normal trading Christmas Day: Normal trading December 31 st : Normal opening time until normal closing time or 2:00 AM on New Year's Day, whichever is the later.
2.	Take away sales	Good Friday: Not permitted December 24 th : Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on Sunday Christmas Day: Not permitted December 31 st : Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on 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 removing this licence to the premises at 31 O'Connell Road, Oberon NSW 2786 .
4.	Liquor plan of management	The premises is to be operated at all times in accordance with the Plan of Management dated 26 November 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.
5.	Liquor accord	The licensee or its representative must join and be an active participant in the local liquor accord.
6.	CCTV	<ol style="list-style-type: none"> 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"> a. the system must record continuously from opening time until one hour after the premises is required to close (or, in the case of a premises that is not required to cease trading, continuously at all times), b. recordings must be in digital format and at a minimum of ten (10) frames per second, c. any recorded image must specify the time and date of the recorded image, d. the system's cameras must cover the following areas: <ol style="list-style-type: none"> i. all entry and exit points on the premises, ii. the footpath immediately adjacent to the premises, and iii. all publicly accessible areas (other than toilets) within the premises.

No.	Condition to be imposed	Description
		<p>2. The licensee must also:</p> <ul style="list-style-type: none"> a. keep all recordings made by the CCTV system for at least 30 days, b. ensure that the CCTV system is accessible at all times the system is required to operate pursuant to 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.
7.	Non-Restricted Area Authorisation	Non-Restricted Area Authorisation: Whole of the licensed premises excluding the bar area and gaming room.
8.	Employees no younger than 14 years old	The licensee has been granted approval for employees no younger than 14 years old to enter and remain on the licensed premises between the hours of 11:00 AM to 11:30 PM Monday to Sunday. It does not allow those minors to sell, supply or serve alcohol.
9.	Late night gaming	No gaming machines will be operated after 12:00 AM.

Schedule 2: Licence condition to be revoked- Oberon Rugby Football Club Limited

Condition to be revoked	Reason
<p>Condition 3000</p> <p>The licensee has been granted approval for employees no younger than 14 years old to enter and remain on the licensed premises between the hours of 11:00 AM to 11:30 PM Monday to Sunday. It does not allow those minors to sell, supply or serve alcohol.</p>	Condition replaced with condition #8.