

# NSW Independent Liquor & Gaming Authority

Our ref: DF26/005864

Ms Nicole Beath

JDK Legal

4 March 2026

Dear Ms Beath

|                        |  |
|------------------------|--|
| Application No.        | APP-0015260885   |
| Applicant              | LIQUORLAND (AUSTRALIA) PTY. LTD.   |
| Application for        | New packaged liquor licence  |
| Application date       | 15 September 2025  |
| Decision date          | 18 February 2026   |
| Proposed licence name  | Liquorland   |
| Proposed trading hours | Monday to Saturday 08:00 AM – 09:00 PM<br>Sunday 10:00 AM – 08:00 PM       |
| Proposed premises      | Alstonville Plaza Shop 1C<br>8-20 Robertson Street<br>Alstonville NSW 2477 |
| Legislation            | Sections 3, 40, 44, 45 and 72I of the <i>Liquor Act 2007</i>               |

## Decision of the Independent Liquor & Gaming Authority Application for a new packaged liquor licence – Liquorland

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

### Statement of reasons

We are not satisfied that the overall impact of approving the application will not be detrimental to the wellbeing of the local or broader community, nor that it would be consistent with the objects of the Act.

### Our main findings

The local community for the purposes of this decision is the suburb of Alstonville. The broader community is the Local Government Area (LGA) of Ballina.

The applicant sought a new standalone packaged liquor licence in Alstonville to be operated under the 'Liquorland' banner. The outlet is proposed to be in the existing Alstonville Plaza, which is anchored by a Coles supermarket.

We received an exceptionally large volume of community feedback on the proposal, with 122 submissions opposing the application. This level of community engagement with and concern about the proposal is unusually high for a community of this size.

The submissions consistently raised concerns about the sufficiency of existing liquor outlets and the potential oversupply if the application is approved. Several submissions referred to the perceived risk of financial harm to small local businesses including a net reduction in employment opportunities consequent upon the insertion of a large corporate competitor in a small community. Concerns were raised around increased alcohol availability and the associated risks of alcohol-related harm to community safety and wellbeing. A desire to maintain the village character of the community and the amenity of community life was apparent. We gave significant weight to these submissions as they reflect the expectations, needs and aspirations of the community, and what is in the public interest.

We considered the applicant's response to the objections, including the submission that there are no at-risk groups in the local or broader community. While this may not have been the intent of the submission, we do not accept that the absence of evidence of specific vulnerable groups leads to a presumption in favour of approval.

Although there are relatively few liquor outlets in the suburb, there is a higher saturation of packaged liquor outlets and liquor outlets generally in the LGA compared to NSW. Recent national and international research shows a positive correlation between liquor outlet density and alcohol-related harm, including alcohol-related domestic and non-domestic assaults.<sup>1</sup> We are concerned that the rates for alcohol-related domestic assault in the suburb of Alstonville and the Ballina LGA are already high by comparison with NSW.

Two of the objecting submissions were received from the existing retailers of takeaway liquor in the suburb who understandably fear the potential impact on them of the advent of a large, well-resourced competitor. The applicant alleges that those fears are based on anti-competitive instincts, which may well be fair. However, there was no evidence of any attempts by the applicant to address those fears.

We note that there were two submissions in support of the proposal from interests connected to the shopping centre and the applicant. We gave these submissions limited weight as they do not reflect prevailing community views and whilst relevant in the context of the health of the shopping centre, unlike the objections of the existing retailers, they were not shown to be existential in nature.

The Act requires the Authority to have regard to the need for harm minimisation and the balanced development, in the public interest, of the liquor industry. We do not accept that approving an application for a new packaged liquor licence is in the public interest unless a new licence will contribute to and not detract from the amenity of community life. The evidence before the Authority is that the grant of a licence in this application will detract from the amenity of community life.

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<sup>1</sup> High levels of outlet-density have been shown to be positively associated with higher levels of alcohol-related harm, including alcohol-related domestic and non-domestic assaults (Livingston, M., Wilkinson, C., & Room, R. (2016). Community impact of liquor licences: An Evidence Check rapid review brokered by the Sax Institute for the NSW Ministry of Health. <https://www.saxinstitute.org.au/wp-content/uploads/Community-impact-of-liquor-licences-1.pdf> and Jiang, H., Riordan, B., Laslett, A., Livingston, M., Lee, K., James, D., Stearne, A., & Room, R. (2023). Association of liquor outlet density with domestic and non-domestic assault in New South Wales. NSW Government Independent Liquor & Gaming Authority, Sydney, NSW.

## Social impacts

We consider that the proposal could contribute to an increase in alcohol-related harm in the local and broader communities because the:

- proposed outlet is in a suburb that has a medium-density crime hotspot for domestic assault
- incidence of alcohol-related domestic assault is higher in the suburb and LGA than average in NSW
- incidence of malicious damage to property and alcohol-related disorderly conduct are higher in the LGA than average in NSW
- density of packaged liquor licences in the LGA is higher than average in NSW
- rate of alcohol-attributed deaths in the LGA is higher than average in NSW.

We considered the following objections:

- 122 public submissions outlining the following concerns:
  - there is already an oversupply of liquor outlets
  - financial harm to local small businesses
  - potential increase in alcohol-related harm which could lead to an increase in antisocial behaviour, domestic violence, crime, noise, littering, and drink-driving due to greater alcohol availability and cheaper corporate pricing
  - the proposed premises will be in close proximity to schools and children
  - impact on the community character and safety
  - the suburb has limited emergency services which means increased alcohol related incidents cannot be adequately managed
  - without objecting to a proposal to expand the existing supermarket, the preference is for any extension to accommodate a wider range of fresh produce, rather than alcohol
  - the proposed 8am opening time and the scale of the retail alcohol is unreasonable
  - residents prefer to support local businesses to maintain the village character, avoid corporate dominance and prevent potential negative effects on the vulnerable people in the community.
- competitor objections which reiterated the strong local opposition to the proposal.

We also had regard to the applicant's response to the objections, which noted:

- the competitors objecting to the application have commercial interests that should reduce the weight of their submissions as being primarily driven by anti-competitive motives
- the proper test is whether approving the licence would cause community detriment
- the local and broader communities are relatively advantaged, with no identified vulnerable groups at heightened risk of alcohol related harm
- allowing objections based on popularity or competitive resistance would unfairly advantage existing businesses
- the proposal offers benefits including improved convenience, modern and safer facilities, greater product choice, loyalty programs, and economic contributions.

We considered that these factors may partially or fully mitigate some of the concerns and risks:

- there were no objections from government agencies

- two public submissions of support from the owners of the shopping centre and Coles Liquor claiming increased convenience, a ‘boutique style’ feel, higher quality and broader product range, security and harm minimisation measures, and community contribution and benefits
- the proposed premises would be in a suburb that has no hotspots for non-domestic assault, malicious damage to property or alcohol-related assault
- the incidence of alcohol-related non-domestic assault, malicious damage to property and alcohol-related disorderly conduct is lower in the suburb than average in NSW and the incidence of alcohol-related non-domestic assault is lower in the LGA than average in NSW<sup>2</sup>
- the rate of packaged liquor licences is lower in the suburb than average in NSW
- Socio-Economic Index for Areas (SEIFA) data indicates an above average level of socio-economic advantage and disadvantage in the LGA compared to other communities in NSW<sup>3</sup>
- the rate of alcohol-attributed hospitalisations is lower in the LGA than average in NSW
- the harm-minimisation measures outlined in the plan of management

On balance, we could not be satisfied that approving the proposal would facilitate the balanced development of the industry in the public interest or that the overall impact of the licence would not be detrimental to the wellbeing of the local and or broader community.

### **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*.

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<sup>2</sup> The LGA is a tourist destination, 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.

<sup>3</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)).

**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



Caroline Lamb

**Chairperson**

**NSW Independent Liquor & Gaming Authority**