



Our ref: DF22/020470

Ms Angela Frost
Angela M Frost, Solicitor

By email to: angelamfrost@bigpond.com

20 December 2023

Dear Ms Frost

Application No.	APP-0010409821
Applicant	STAR INVESTMENTS (AUST) PTY LTD
Application for	New hotel licence (full) with: <ul style="list-style-type: none">• minor's area authorisation (MAA)• gaming machine threshold (GMT) increase• gaming machine entitlements (GME) lease• GME transfer
Decision Date	23 November 2022
Licence name	The Star Hotel & Function Centre, Seven Hills (name changed to the Hudson Hotel & Events Centre in March 2023)
Trading hours	Consumption on premises Monday to Saturday 10:00 AM – 12 Midnight Sunday 11:00 AM – 10:00 PM Take away sales Monday to Saturday 10:00 AM – 12 Midnight Sunday 11:00 AM – 10:00 PM
Premises	160 Prospect Hwy, Seven Hills NSW 2147
Legislation	Sections 3, 11A, 12, 14, 15, 40, 44, 45, 48 and 121 of the <i>Liquor Act 2007</i> (the Liquor Act) Sections 3, 19, 20, 24, 25, 31, 34 and 37 of the <i>Gaming Machines Act 2001</i> (the Gaming Machines Act)

**Decision of the Independent Liquor & Gaming Authority
Application for a new (full) hotel with minors' area authorisation, GMT increase, GME lease
and GME transfer – Hudson Hotel & Events Centre**

We **approve** the application under section 45 of the *Liquor Act 2007* with the conditions set out in Schedule 1.

Preliminary advice of this decision was provided on 24 January 2023.

Statement of reasons

Overall, we are satisfied the social impact of approving the application will not be detrimental to the well-being of the local or broader community.

Our findings

Procedural and trading hour requirements

We are satisfied that:

- the application is valid and meets the Liquor Act's requirements for procedural fairness and the proposed trading hours and 6-hour closure periods meet the requirements under sections 11A, 12 and 14 of the Liquor Act.
- The Community Impact Statement (CIS) meets the relevant requirements.

'Fit and proper person'

The applicant is a 'fit and proper person' to operate the business to which the proposed licence relates. Law enforcement agencies raised no concerns about their integrity.

Responsible service of alcohol

Procedures for the responsible service of alcohol will be in place at the premises from the start of licensed trading, under the plan of management and the conditions on the licence.

Development consent requirements

The necessary development consent is in force. The Blacktown City Council approved the development application Ref: DA-22-00033 subject to conditions on 30 June 2022

Community impact

Local and broader communities

The relevant local community is the suburb of Seven Hills and the relevant broader community comprises the Local Government Area (LGA) of Blacktown.

Diversity and density of licensed outlets

L&GNSW Liquor & Gaming Live Data Report for Seven Hills shows:

- there are 18 authorised liquor licenses, comprised of: 1 full hotel licence, 1 registered club licence, 6 packaged liquor licences, 3 producer/wholesaler licences, and 7 on-premises licences
- saturation of full hotel licences in Seven Hills is lower than both the Blacktown LGA and all of NSW
- saturation of other licence types are higher in Seven Hills than for the Blacktown LGA and lower compared to all of NSW.

Crime data (annual rate per 100,000 residents)

BOCSAR data available for Seven Hills shows:

- the premises are located in a medium-density hotspot for domestic assault and alcohol-related assault
- the incident rate for alcohol-related domestic, non-domestic assault and disorderly conduct was lower in Seven Hills compared to both the Blacktown LGA and all of NSW, with malicious damage to property higher in Seven Hills compared to both the Blacktown LGA and all of NSW.

Alcohol-related health data (per 100,000 residents)

Health Stats NSW data available for Blacktown LGA (2018/19 – 2019/20) shows alcohol-related deaths and hospitalisations were lower compared to all of NSW.

ABS Socio-Economic Index for Areas (SEIFA)

Seven Hills and the Blacktown LGA were ranked as moderately advantaged in terms of household income and residents in skilled occupations compared to other suburbs and LGAs in NSW.

Business model

The proposed business model involves a new hotel licence with a minors' area authorisation (MAA), an increased gaming machine threshold (GMT), an increased Gaming Machine Entitlements (GME) and a Gaming Machine Entitlement (GME) transfer. The new licence replaces the current on-premises licence, Lily's Restaurant Bar & Function Centre, being surrendered before the new hotel licence is exercised. The new hotel licence would include a new licensee and business owner. There would be no dedicated bottle shop with take-away sales made from the bar.

Benefits proposed by the applicant

The new hotel will provide a vibrant, destination venue for food and beverage and will target families, local businesses and, in particular, workers and their families. through pricing, quality products and a wide range of food and drink.

Stakeholder submissions

We considered the following submissions:

NSW Police – did not object to the application but noted the following:

- a football club on-premises licence is located at the adjacent field
- the venue is close to residential premises and 2 schools
- the venue is located in crime hotspots
- assaults occurred at the current premises.

They were concerned that the limited access to the premises — only one entry from Quinn Ave for cars — would affect the quiet and good order of the neighbourhood and that the change in the licence type would see an increase in assaults, street offences and traffic. They requested several conditions be imposed on the licence, including that the venue not be operated as a nightclub.

Blacktown LGA – raised no concerns.

L&GNSW Compliance – did not object to the application but expressed concern there could be disruption to residents when patrons leave the venue with a capacity of 800. They were also concerned that the change in the primary use from an on-premises licence to a full hotel may have a greater impact on the community.

General public - one submission in support of the application was received, pointing to the building's historical use as a gathering place for the Blacktown City Football Club and submitted the licence would provide a venue for many football fans for pre/post-game functions as well as opportunities for the football club. The licensee could provide sports scholarships to the club.

Six submissions opposing the application were received, one from a competitor, one from a member of the public, and others in response to the Community Impact Statement.

The competitor contended that the proximity of the hotel licence to Seven Hills Public School and William Rose School would expose children attending the Lily's Football Centre to harm from gambling and alcohol. There would be several opportunities for pedestrians using the football centre, the bus stops and hotel patrons to interact with minors

Common themes in the other submissions in opposition to the application related to:

- the limited access to the premises
- the need for various forms of security — including fencing to replace gates and police patrols
- the risk of increased domestic violence and anti-social behaviour in the area
- more rubbish from patrons leaving the premises
- the change from a restaurant to a hotel would make the venue unsuitable for families.

The applicant's submission in reply was considered, including the following points:

- access to the premises was approved by the Council and patrons can access the venue safely from the Prospect Highway
- gates would be padlocked with no access
- Security would be employed to supervise the premises and immediate vicinity
- NSW Police recommendations were included in the venue plan of management
- no school, hospital or place of worship is located within 200m of the premises as noted on the map provided as part of the CIS
- no line of sight will be evident between any part of the hotel licence and local schools
- the current licence had been operating for some time with no evidence of any adverse issues affecting minors and alcohol.

Findings of concern and mitigation

The premises are located in a medium-density crime hotspot for incidents of domestic assault and alcohol-related assault. Crime rates in Seven Hills and the Blacktown LGA are higher for malicious damage than for all of NSW.

We are satisfied the risks are adequately mitigated by the following factors:

- the gaming plan of management was assessed as suitable for a venue of this risk profile
- no incidents of non-compliance with the on-premises licence had been recorded by Police since February 2020
- there is relatively low licence saturation in Seven Hills and the Blacktown LGA
- alcohol-attributable hospitalisations and deaths are lower than all of NSW
- there would be no increase in the number of liquor licences in the area
- the venue won't trade during the higher-risk post-midnight period
- the harm minimisation measures outlined in the plan of management and licence conditions set out in Schedule 1.

Material considered

We considered all the material received about the application, including:

Application material

- completed application – 29 August 2022
- completed Category B Community Impact Statement (CIS) – 26 August 2022
- completed certifications of advertising – 12 September 2022
- plan of Management documents for the premises October 2022

- ASIC business records for the Applicant and associated companies
- floor plan for the premises, dated 10 August 2022 indicating the proposed licensed area
- data published by Bureau of Crime Statistics and Research (BOCSAR), NSW Department of Health and Australian Bureau of Statistics (ABS), and relevant L&GNSW liquor licensing records.

Other relevant material

- submissions received
- Google map images extracted from the Google website showing the location and photos of the Premises in map view
- correspondence between L&GNSW staff and the applicant between 12 September 2022 and 20 October 2022 in relation to the assessment of the Application.

We also considered [Guideline 6](#) to assess the likely social impact to the local and broader community.

This decision will be published on the [Liquor & Gaming NSW website](#) in accordance with section 36C of the Gaming and Liquor Administration Act 2007.

If you are not happy with this decision

If the applicant, or a person who was notified of the application and made a submission, is unhappy with this decision, they may apply to [NCAT](#) for a review of the decision.

An application for review must be made no later than 28 days after being notified that the decision is published on the [Liquor & Gaming NSW website](#). There is a fee to apply.

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 the case manager, Glenn Barry, at Glenn.Barry@liquorandgaming.nsw.gov.au if you have any questions.

Yours sincerely



Sarah Dinning
Deputy Chairperson

For and on behalf of the **Independent Liquor & Gaming Authority**

Schedule 1 – Licence conditions to be imposed

The Star Hotel & Function Centre, Seven Hills (name changed to Hudson Hotel & Events Centre in March 2023)

No.	Condition to be imposed	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 six (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.	Consumption on premises	<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>
3.	Take away sales	<p>Good Friday: Not permitted</p> <p>December 24th: Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on a Sunday</p> <p>Christmas Day: Not permitted</p> <p>December 31st: Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on a Sunday</p>
4.	Social impact	The business authorised by this licence must not operate with a greater overall level of social impact on the wellbeing of the local and broader community than what could reasonably be expected from the information contained in the Community Impact Statement, application and other information submitted in the process of obtaining this licence.
5.	Minor's area	Minors Area Authorisation: Whole of the licensed premises excluding the Gaming room and Outdoor Deck (Smoking area).
6.	Liquor plan of management	The premises is to be operated at all times in accordance with the Plan of Management dated October 2022 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.	Liquor Accord	The licensee or its representative must join and be an active participant in the local liquor accord.
8.	CCTV	<p>1) The licensee must maintain a closed-circuit television (CCTV) system on the licensed premises ("the premises") in accordance with the following requirements:</p> <p>(a) the system must record continuously from opening time until one hour after the premises is required to close,</p> <p>(b) recordings must be in digital format and at a minimum of fifteen (15) frames per second</p>

		<ul style="list-style-type: none"> (c) any recorded image must specify the time and date of the recorded image (d) the system's cameras must cover the following areas: <ul style="list-style-type: none"> (i) all entry and exit points on the premises (ii) all publicly accessible areas (other than toilets) within the premises. <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 (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.
9.	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> <ul style="list-style-type: none"> 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 comply with any directions given by NSW Police to preserve or keep intact the area where the violence occurred. <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>
10.	Requirement to maintain an incident register	<ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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:

		<p>a. make any such electronic incident register immediately available for inspection by a police officer or Liquor & Gaming NSW inspector</p> <p>b. allow a police officer or Liquor & Gaming NSW inspector to take electronic copies of the electronic register. It would not be possible to remove the electronic register from the premises or to remove the register from the premises.</p> <p>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.</p>
11.	Liquor sales	The sale and supply of liquor will cease 30 minutes prior to the intended closing time.
12.	Surrender liquor licence	This hotel licence must not be exercised at the premises 160 PROSPECT HWY SEVEN HILLS NSW 2147 until the On-premises Licence – LIQO660010719 is surrendered.
13.	Business model	The premises is not to operate as a nightclub or hold similar events.
14.	Gaming Plan of Management	The premises is to be operated at all times in accordance with the Gaming Plan of Management dated October 2022 as may be varied from time to time after consultation with the Authority. 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