



#### **STATEMENT OF RISK AND POTENTIAL EFFECTS**

THIS SORPE DOCUMENT HAS BEEN PREPARED AS AN ADDENDUM TO AN APPLICATION FOR AN AMENDED TRADING AUTHORISATION FOR EXISTING PREMISES KNOWN AS VIET PHO ENTERTAINMENT, LOCATED AT 2 GEORGE STREET YAGOONA NSW 2199, LIQUOR LICENCE NUMBER LIQO624001622.

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## The Application

1. The Statement of Risk and Potential Effects document has been prepared as Addendum “A” to an application to amend the existing approved trading hours for existing premises known as Viet Pho Entertainment, located at 2 George Street YAGOONA NSW 2199, Liquor License No. LIQO624001622.
2. The new application seeks to amend the existing hours endorsed on the current Liquor License of the venue which consist of
  - a. Monday to Saturday 05:00am to 03:00am (next day)  
Sunday 06:00am to 03:00am (next day)  
  
to
  - b. Monday to Sunday 11:00am to 06:00am (next day)

## Applicants’ Acknowledgement

3. The Applicant and representative, Ned Attie Consultants (author of this document) would like to take this opportunity to acknowledge the people of the DARUG, First Nations who are the traditional custodians of this land on which the current premises operates and would like to pay respect to the Elders past, present and emerging and extend that respect to all and other First Nations people including the Bediagal people being the first people settlers of the Yagoona area.

## PART 2 | WHAT YOUR COMMUNITY LOOKS LIKE.

*To get a better understanding of the potential impact of granting your license or authorisation, you must address the following requirements*

### 2A. Local Community

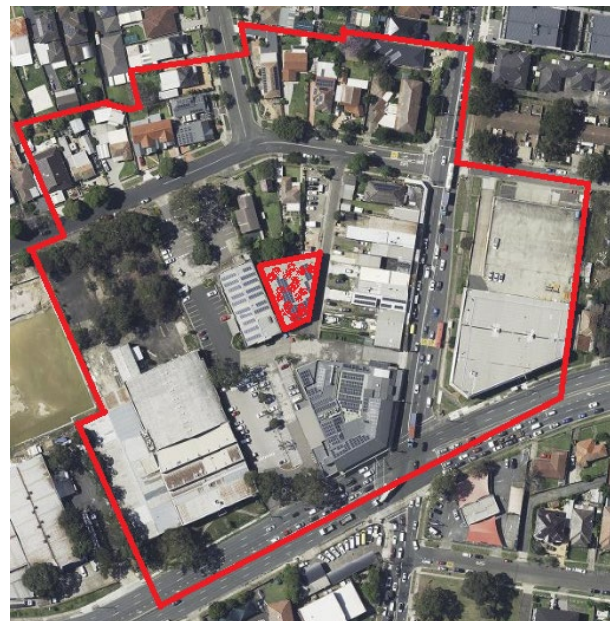
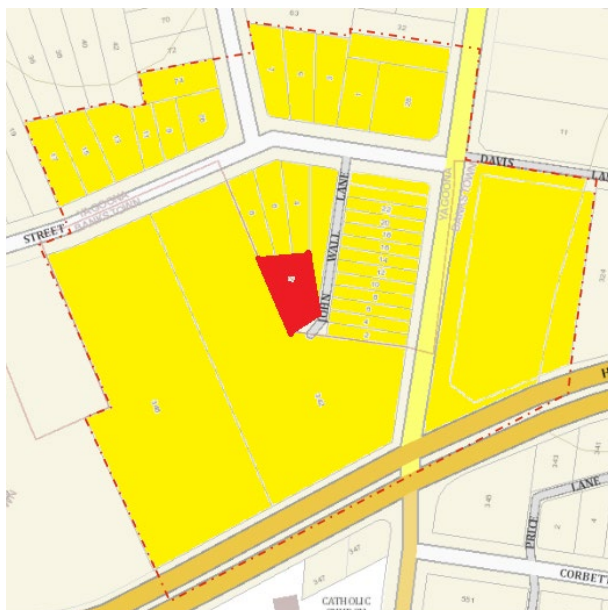
*Provide a description (including addresses) of the local community, including nearby points of interest and other licensed premises (within 200 metres).*

4. The site is legally described as Lot 4 in Deposited Plan 16667 known as 2 George Street, Yagoona NSW 2199. Situated on the site is a 2-storey commercial building with the land lot having primary street frontage to George Street and secondary street frontage to John Wall Lane. It must be noted that the building is recessed away from George Street at the end of John Wall Lane and predominantly surrounded by commercial properties.
5. The building contains a restaurant at ground level. Level 1, which only occupies half of the building footprint (similar to a mezzanine) is currently used as VIP Karaoke. The entire business and building are the subject of this application. Access to Level 1 is provided by a few stairs and a mobility impaired lift is proposed to be installed to assist challenged access. The property contains at grade council approved car parking accommodating sixteen (16) car parking spaces.
6. The Yagoona Town Centre (located approx. 1km away) is typified by a mix of food orientated retailing including grocery shops, takeaway food shops, fruit and vegetable shops, and a range of services including health and medical such as GPs, chemist and real estate businesses at ground floor with some commercial/office uses generally occupying premises above ground floor.
7. The Bankstown CBD Town Centre is located 1.3km to the south of the site and represents one of NSW's major and key metropolitan cities. The CBD is characterised by major retail shopping centres, newly constructed university, a myriad of retail, commercial, and food outlets including fast food, restaurants, government agencies, charitable organisations and NGO's, TAFE NSW, and a new Hospital earmarked for the CBD area.
8. Bankstown has also been identified by the NSW Government under the Transport Orientated development Scheme which includes a new metro train station and network, along with increases in densities that will see an additional 15,000 homes and over 20,000 new jobs.
9. The North of the site is characterized by single dwellings and high and medium density residential developments. East of the site is predominantly commercial retail shops in a string formation with industrial building on the opposite side of Rookwood Road.

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Adjacent to the site is a retail outlet for First Choice Liquor and within the same vicinity is the Three Swallows hotel. Beyond these 2 closely located businesses and to the West of the site is a large bulky goods/retail area with large industrial sized buildings. The Southern area is mostly high density residential, the Flagg Inn building, the Bankstown CBD, TAFE NSW, Saint Felix Catholic School and De Laselle College as well as Bankstown local courts and the Bankstown local area command.

10. The site is adjacent to the Hume highway and at the intersection of Rookwood Rd which is burdened with large amounts of traffic including large trucks, buses and Multi and Heavy Rigid transport vehicles in use 24 hours a day.
11. A few of the businesses adjacent to the site operate primarily throughout the night or commence early. These include the Three swallows Hotel that advertises 4am closing, the bakery that opens at 3am, the massage business that opens at 5pm and closes at 10am the next day, along with the kebab stores that close after 6am from the previous night's operations.
12. The site is also 300m from the entire Greenacre industrial precinct along with the whole Chullora industrial suburb adjacent to that. Many of these businesses operate 24 hours due to the demand for manufacturing, transport, media and hospitality services such as Worlds Gym, Tip Top Bakeries, Lawrence Dry Cleaners, News Limited, Australia Post, DHL and Fast Track Couriers to name a few.
13. Also approximately 1km to the North is the Potts Park Greyhounds centre and club along with Sydney Water Potts Hill and the now decommissioned Bruncker Road reservoir.
14. A site location plan and an aerial view of the site is provided at Figure 1 and 2 below.



Figures 1 & 2



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15. A closer aerial view of the site is provided at Figure 3 below.



Figure 3

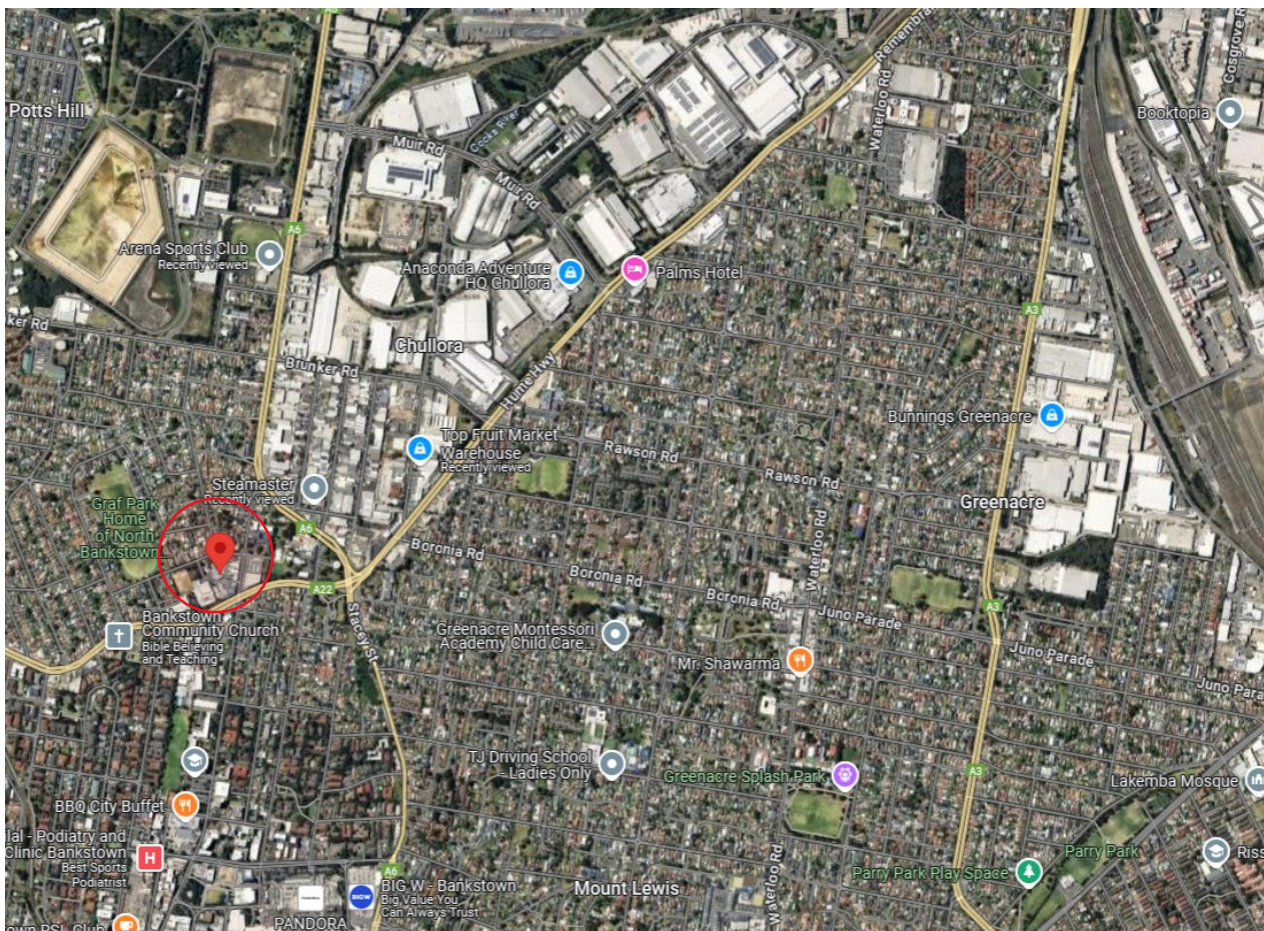
16. A closer aerial view of the site is provided at Figure 4 below.



Figure 4



17. A wide area location plan aerial view of the site is provided at Figure 5 below.



18. For the purposes of this, 'Statement of Potential Risks and Effects' [SoPRE] the relevant local community comprises the community located within Yagoona, postcode 2166 while the broader community comprises the Canterbury-Bankstown Local Government Area [LGA].

19. Yagoona is bounded by Buist Street, Rose Street, Ferrier Road, Brunker Road and Graf Avenue in the north, Rookwood Road in the east, the Hume Highway, Brancourt Avenue, Glasop Street, Cantrell Street and Marion Street in the south, and Warung Street, Suncroft Avenue, Clarke Street, Horton Street and Australia Street in the west.

20. A profile summary of Yagoona NSW 2199 provided by the Australian Bureau of Statistics [ABS] <http://www.abs.gov.au> provides the following snapshot of Yagoona:

- Land area 4.47 square km
- Population of over 19,651 (2021 census)
- Median Age of 35
- Median total weekly income (excl. Gov allowance) \$1,177.00
- Unemployment rate of 8.4%
- Average weekly household mortgage payment \$450.00
- SEFA Index 874.5

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21. In the 2021 Census, there were 19,651 people in Yagoona. 49.6% of people were born in Australia. The next most common countries of birth were Vietnam 12.1%, Lebanon 8.4%, China 2.0%, North Macedonia 1.8% and Syria 1.5%. 27.9% of people spoke only English at home. Other languages spoken at home included Arabic 27.2%, Vietnamese 15.8%, Macedonian 3.0%, Cantonese 2.6% and Urdu 1.8%. The most common responses for religion were Islam 31.1%, Catholic 21.6% and No Religion 12.1%.
22. Yagoona is a central part of business and commercial activity within the Canterbury-Bankstown LGA and plays a major commercial role in the Southwest region of Sydney with the council's vision for the Yagoona commercial area to become a nominated site for Councils vision of a nighttime economy which is believed to commence in early 2025.
23. Yagoona is considered to be low density pertaining to the number of licensed venues. The following licensed premises are located within the Yagoona area as of December 2024 and although a number of the said venues are outside the two hundred [200] meter radius of the current venue known as Viet Pho Entertainment, we nevertheless submit all licensed venues with the suburb of Yagoona which consist of, one [1] Registered Clubs, two [2] Hotels, [1] Package Liquor [Bottle Shop] License and [1] producer/wholesaler license for the same location and licensee as the packaged liquor license. In addition, we also note that the applicant's current existing license is also registered within the Yagoona area.

### Registered Clubs

- Arena Sports Club, 140 Rookwood Rd Yagoona (Greyhound Social Club)

### Hotels

- Yagoona Tavern, Cooper Rd Yagoona
- Hume Hotel, Hume High Hwy Yagoona
- 

### Package Licence

- Tendril Liquor Agencies Pty Limited, 32 George Street Yagoona

### Limited Licence

- North Bankstown Soccer Club Graf Park George St Yagoo

### Hospitals or other health facilities (such as surgeries, health clinics, medical centres)

- Yagoona Medical Pharmacy, 8 Rookwood Rd Yagoona
- Dr Olataga Alofivae – Doorbinnia, 78 Powell St Yagoona
- Yagoona Family HealthCare, 457 Hume Hwy Yagoona
- Yagoona Medical Centre, 552 Hume Hwy Yagoona
- Dutton Street Medical Practice, Unit 3/124/132 Dutton St Yagoona



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### Nursing Homes/Aged Care

- CASS Yagoona Elderly Hostel, 253 Cooper Rd Yagoona
- BUPA Aged Care Bankstown, 82 Allum St Yagoona

### Places of worship (of any faith)

- Graceway Church, 82 Allum St Yagoona
- Yagoona Christian Assembly, 154 Wycombe St Yagoona
- Yagoona Christadelphian Ecclesia, 19 Worland St Yagoona
- OF headquarters, 63 Powell St Yagoona
- RCCG Jubilee Centre Sydney, Unit 1/469-471 Hume Hwy Yagoona
- Yagoona Anglican Church, 213 Auburn Rd Yagoona
- Open Heavens Charismatic Centre, 95 Rookwood Rd Yagoona
- Yagoona Musalla, 436-438 Hume Hwy Yagoona
- Fitya Centre, 568 Hume Hwy Yagoona

### Schools, universities, TAFE colleges, other educational facilities

- Yagoona Public School, 425 Hume Hwy Yagoona
- Al Sadiq College, 178 Cooper Rd, Yagoona
- Christ the King Catholic School, 178 Cooper Rd, Yagoona

NB: There are schools/colleges both public and private within the area along with TAFE, *Universities etc.*, however their addresses are noted as “Bankstown” and not located in the Suburb of Yagoona.

### Public parks and sporting grounds and other public facilities

- Gazzard Park, 176D Cooper Rd Yagoona
- O’Neil Park, Cooper Rd & Nobbs Rd Yagoona
- Middleton Park, 41 Smith Rd Yagoona
- Gillman Reserve, Heather St Yagoona
- Cantrell Reserve, 77-79 Glassop St Yagoona
- Henty Park, 31a Brodie St Yagoona
- Reliance Reserve, 7 Reliance Ave Yagoona
- Graf Park, George St Yagoona

24. Councils vision on creating a place where people can work, live and enjoy within a vibrant Centre characterised by activity and intensity both day and night is fully supported by Canterbury-Bankstown Council and endorsed by the State Government of NSW.

## 2B. Proposed Controls

*How do you propose to control or mitigate any risk of harm that could be caused by your application being granted.*

25. From the outset, the Applicant would consider it reasonable to acknowledge that all applications relating to an Extended Trading Authorisation [ETA] within a local community, regardless of its location throughout New South Wales, may have the potential to impact on issues such as alcohol related crime and crime in general as a whole.
26. It is an excepted fact by the Applicant and supported by material data that there are risks associated with the consumption of alcohol throughout our society with any new liquor application or authorisation to trade beyond midnight being granted.
27. Although having acknowledged this fact, it is the Applicants view that the ETA amendment sought and the potential for associated risks can be effectively mitigated and managed *(as demonstrated by the current operations of the venue over many years of trading history and the companies experience and compliance history operating other similar venues with ETA's)* through harm minimisation strategies and proactive measures aimed at reducing the risks associated with alcohol related crime and crime in general to the local and broader communities of Yagoona.
28. Although extended trading may be perceived to provide concern to the Authority it is essential to point out that no other operator within Yagoona NSW currently provides the same entertainment and/or facilities specific to karaoke and to the standard that Viet Pho Entertainment provides to its local and broader community with over ten [10] years of experience in operating such venues throughout western and southwestern Sydney.
29. Furthermore, Viet Pho Entertainment is the only licenced venue within the Canterbury-Bankstown LGA with an On- Premises Licence which specifically provides these services each and every night of the week and has been granted the right to trade until 3:00am under its current licence conditions
30. The Applicant remains confident that the application presents compelling reasons which are outlined in this document for the granting of an ETA based on key community net benefits to be derived and key operating principles which have been in place since 2021 by the Applicant and fulfilling an unmet need to the local and broader community.
31. It is submitted that if the proposed ETA application is granted, the Applicant will continue to effectively mitigate the risks of potential negative impacts on the local and broader communities of Yagoona via its proactive and wide ranging measures.
32. The venue has been operating within this location for the last 3 years and has not received one single noise complaint and or disturbance complaint as a result of its operations.

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33. The applicant remains actively committed and engaged with its major stakeholders including the NSW Police, The Bankstown Police Area Command [PAC], The Canterbury-Bankstown Council, as well as the local business community generally within the Yagoona business precinct through the Canterbury-Bankstown Chamber of Commerce (CBCC) and more importantly with its local residence.
34. Such engagement, along with other proactive measures have ensured the venue has not contributed to the quiet and good order of the neighbourhood being unduly disturbed by the venue's operations and its patronage during current trading hours and submits that this will continue into extended hours if granted.
35. The applicant has established and maintained a range of risk management measures that effectively minimised the potential for risk of harm emitting from the venue and ensures compliance at all times with its current Licensing conditions and its development consent, relevant to this application and includes the following measures:
- a.* Regular Security patrols of neighbouring streets within the vicinity of the venue and liaising with other security personnel at neighbouring late-night licenced premises.
  - b.* Security deployment around the Premises 60 mins after closing time to ensure patrons have disperse quickly and quietly, to minimise noise disturbances in the neighbourhood
  - c.* Promotion of the 'bus stops' situated outside and near the Premises upon George ST, Rookwood Rd, Chapel Rd, Avoca St, The Boulevard, Powell St and Hume Highway, which is available during the operation of the extended trading period, assisting in the quick, quiet and safe dispersal of patrons throughout trading and upon closure. The bus services being 908, 920, 913, 925, M90 and 909, which all have Bankstown & Yagoona station as destinations along with routes throughout Southwestern Sydney from Burwood to Liverpool. In addition, promotion of Uber/Ola and general taxis is available along with a service whereby the applicant's staff are also trained to organise the car ride service on behalf of any patron if required.
  - d.* Managing the potential of noise complaints and speaking to neighbouring business owners and local residence who frequent the venue (Noise from the licensed premises has not been a factor and there has been no evidence provided via complaints that any noise is audible within any habitable room in any residential or business premises).
  - e.* There is no bona-fide outdoor area located at the Premises, with all karaoke room doors closed whilst karaoke is being conducted.
  - f.* All karaoke rooms are monitored via CCTV throughout operating times and this recording capability has been extended out to 24 hours /7 days a week cycle via motion detection.



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- g.* As per initial undertakings by the Applicant, additional CCTV external cameras were offered to the Bankstown Area Command (at the applicant's expense) with the offer to provide such cameras still available.
  - h.* A Dress code is enforced to maintain the upmarket branding of Viet Pho Entertainment and will remain throughout the extended trading period.
  - i.* The venue prohibits nor will it ever permit 'hosting' as commonly known within the karaoke industry.
  - j.* The Applicant has optimised its food portion of the business with a greater emphasis placed on the provision of quality meals and food service at the venue with the introduction of a genuine authentic Vietnamese and continental chef in the Restaurant with food being provided up until closure.
  - k.* The establishment will adhere at all times to its permissible usage under its Development Consent and current licensing conditions.
  - l.* The venue has established a strong rapport with its neighbours and Bankstown Area Command and to this date has never had the need to reply to any such disturbance complaint and has been the subjected of one [1] alcohol related incident of violence since opening.
  - m.* The continuation and promotion of safe driving and late-night transport options, including designated driver program, proposed RMS Plan B promotions, Bus Services immediately outside the licensed premises, 24-7 taxi and private car services and other transport options on call has also had a strong impact on managing risks associated with the venue.
36. Whilst not discounting the potential risks, it is highly doubtful (*considering the venues operating history*) that any speculation the extension of trading hours is likely to do so in the Yagoona area extending out to residential areas within the vicinity of the venue.
37. The Applicant submits the current proactive approach which have been adopted over the past 3 years and remains in place at the venue relating to pre-emptive and responsible RSA practices has effectively mitigated the emergence of any such potential harm or impact and would ensure the continuance of this operating trend during extended trading hours if granted.
38. The absence of repeated incidents and or violent related incidents attributed to the trading history of the venue since 2021, clearly demonstrates the commitment by the Applicant and the capacity of venue staff to ensure the effective operations of the venue (*which will also transition into extended trading times*) and the security and safety of patrons and staff and that such operations do not result in frequent undue disturbance of the quiet and good order of the neighbourhood nor attribute to potential harm to the local community of Yagoona and that of the broader communities of the Canterbury-Bankstown LGA.

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36. The Applicant reaffirms and provides clear undertakings via tangible evidence that there are practices which have remained in place since the granting of the licence and that such practices have greatly assisted in alcohol being sold, supplied or served responsibly on the premises and that all reasonable steps are consistently being considered and taken to prevent intoxication on the premises at all times as evident via the venue's compliance history.
37. It is appropriate that the Applicant reiterate and reaffirms the key operating principles set out in the venues optimised Plan of Management [PoM], currently adopted and instilled with staff as pivotal harm minimisation measures for the venue.
38. These practices are not limited to the PoM but also include the following:
- i. Responsible Service of Alcohol Policy and Procedures*
  - ii. Licensed Security Personnel engaged
  - iii. Expansion of food offerings and introduction of a bona-fide restaurant and chef
  - iv. Restricted Booking procedures adopted in consultation with Bankstown Police
  - v. Compliance with current liquor licensing conditions*
  - vi. Creation of a Compliance Program and Compliance Folder
  - vii. Compliance with Development Consent conditions*
  - viii. Crime Scene Preservation Policy & Procedures maintained
  - ix. Regular Staff training delivered to staff.*
  - x. Patron education programs via internal advertising material and via social media
  - xi. Barring Program 'Behave or Be Barred campaign adopted by venue
  - xii. Fail to Leave Policy and Procedures campaign
  - xiii. Use of Incident Register Policy and Procedures.
  - xiv. Adopted as policy, the Liquor & Gaming NSW [LGNSW] Liquor Promotions Guidelines
  - xv. Adoption of LGNSW guidelines on 'Preventing Intoxication on Licensed Premises'
  - xvi. Adoption as policy, the Authorities Intoxication guidelines
  - xvii. Engagement of an external licensing consultant
  - xviii. Establishment of Compliance Committee
  - xix. Designated Driver Program implemented and promoted
  - xx. Restrictions of Shots and certain drinks*
  - xxi. Plan B strategy adopted and promoted
  - xxii. Promotion of public transport options including Uber/Taxi services
39. This proactive approach has included the continued engagement of an external licensing consultant responsible for reviewing and assessing the effectiveness and appropriateness of the venues ability to maintain a stout compliance program which is subjected to regular assessment and scrutiny by both Management and NSW Police.

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40. The Applicant is committed to continuously developing further instruments (*also in consultation with the PAC and other stakeholders*) to optimise compliance and community and patron safety in and around the venue throughout the standard trading hours and extended trading which include:

- i. Establishing and building a professional rapport with the Bankstown PAC and adhering to advice and recommendations by Police.
- ii. Communicating and building relationships with neighbouring businesses and other licensed premises within the vicinity of the venue and late-night precinct.
- iii. *Continuously reviewing and optimising the venues PoM in consultation with the PAC*
- iv. Maintaining monthly RSA & Security compliance meetings
- v. Adopting a patron education program via internal advertising and social media which include the following
  - *Understanding intoxication*
  - *Awareness of s77 'Fail to Quit' legislation*
  - *Underage Drinking*
  - *Drug awareness via the Australian Drug Foundation*
  - *Behave or be Barred advertising*
  - Adoption of Plan B
  - *Designated driver program*
  - *Information re public transport options*
- vi. Regular auditing utilising the LGNSW Licence Checklist and the venues own consultant
- vii. Increasing security personnel where required and conducting regular security patrols of vicinity of the venue
- viii. Adoption and promotion of a 'Pre-loading' strategy
- ix. Liaising with other venue security personnel and working together to identify risks.
- x. *Promoting low alcoholic product options*
- xi. Implementing the venues Traffic Light Policy relating to intoxication
- xii. Educating staff and patrons regarding 'Relevant Steps'

41. The applicant is conscious of the need to ensure the operations of the venue do not impinge adversely on the quality of business owners in the Yagoona area and to the outlying areas of residence surrounding the outskirts of the suburb along with the local and broader community of Yagoona and is confident that within the past 3 years of trade that this has not occurred.



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42. The Applicant has adopted a policy whereby and in the event any patron leaving the venue who is engaged by Police for unruly behaviour or other violent related matters or is identified by the venues Security personnel will be barred indefinitely from the venue.
43. The applicant's instructions to venue Security personnel to conduct regular patrols of the surrounding area and establish working relationships with other Security personnel at neighbouring premises has been beneficial.
44. To the best of the Applicants knowledge, there is no information or evidence presented that the operations of the venue since 2021 have adversely contributed in any way to alcohol related crime or have had an adverse social impact in its immediate community environment or more broadly in the Canterbury-Bankstown LGA.
45. The Applicant submits the proposed proactive approach which has been adopted over the past 3 years and which remains in place at the venue relating to pre-emptive and responsible RSA practices has effectively mitigated the emergence of any such impact commonly associated with karaoke type venues and would continue the trend during extended trading hours if granted.
46. The Applicant's consultants on a regular basis consult and engage with the Bankstown PAC Licensing Sergeant, discussing and addressing any concerns or issues that may arise as a result of the venues overall operations.
47. A Security Operational Plan has been created to administer security surveillance and presence throughout the venues operating hours which includes;
  - i. One [1] security guard Monday to Thursday from 5pm until 7am the following morning
  - ii. Three [3] security guards Friday, Saturday & Sunday from 5pm to 7am the following day of which one [1] will be underrating vicinity patrols, one [1] inside the venue and one [1] outside the venue entrance all linked with two-way radio communication at all times

## 2C. Benefits

*What are the positive impacts or benefits for the local community if your application were granted.*

48. It is submitted that the venue has become an intrinsic and beneficial amenity in the Yagoona area and that of the Canterbury-Bankstown LGA and catering for not only the local community of Yagoona who's largest ethnic population in accordance with ABS census 2021 being Vietnamese origin, but a much broader community which provides an unmet need to the Southwest Region of Sydney.
49. The applicant believes that granting the venue an ETA will significantly develop the liquor and hospitality industries in the local or broader community and will continue to provide an unmet need to many people who enjoy karaoke type entertainment by catering for a genuine cultural need to residence within the South West Region of Sydney who are starved

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with such late night trading venues, requiring to travel to Liverpool, Campsie, the inner City suburbs and the Sydney CBD where such venues are located and provide extended trading.

50. The granting of the ETA will effectively continue to contribute to the Yagoona area in establishing a safe and vibrant 24-hour late-night economy and meet the objectives of Canterbury-Bankstown Council in establishing a vibrant and diverse late night commercial businesses-0 providing unmet facilities to its community and neighbouring suburbs.
51. The granting of the Development Approval by Canterbury-Bankstown Council underpinned the overwhelming support through recent amendments and variations approved by Council after a lengthy consultation process with the local community upon the venues Development Consent without any objection by stakeholders, local businesses and the local or broader community who seemingly support the need for late night trading within the Yagoona area.
52. Other positive impacts for granting extended trading include:
- i. The Applicant acknowledges a low concentration of licensed restaurants within the Yagoona area, it is offered that Viet Pho Entertainment is currently the only venue that offers a bona-fide karaoke type entertainment, Restaurant and entertainment every day of the week throughout the entire Yagoona and surrounding area.
  - ii. The granting of the variation to the existing ETA will not only provide an unmet service for the LGA but neighbouring suburbs and communities whereby a significant Asian population and community resides (in most cases the largest ethnic born groups in all these suburbs) and is attracted to such venues as significant cultural and social entertainment.
  - iii. Continuous requests have been received from patrons (*via phone enquiries when booking*) to keep the licensed venue open after 3:00am with patrons left disappointed and seeking alternative venues.
  - iv. There are no other similar venues located within the LGA. Should customers wish to attend a karaoke venue after 3:00am and avail themselves to other services, customers must travel to Campsie and or the Sydney CBD.
  - v. There is a strong demand to keep the entire venue open due to the current lack of late- night venues within the LGA which offer such services and are free of the temptation of gambling facilities given its proximity to a Licensed hotel and a club.
  - vi. The Applicant submits that the granting of the ETA will restrict migration to other late trading venues of a similar nature within the local community and beyond, including Campsie, Ashfield and the Sydney CBD locations and thus mitigating the potential risks associated with alcohol consumption.
  - vii. The benefits to the community of providing a bona-fide late trading venue which appeals both on an entertainment and cultural standpoint and free of the temptation of Gambling services is evident and undeniable and should be

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encouraged and supported.

- viii. Viet Pho Entertainment is strategically located within the Yagoona commercial/business area which as indicated has been identified as a suitable area by Canterbury-Bankstown Council for the formation of local business communities and facilitate the growth of their area into vibrant going-out hubs in line with the NSW Government's 24-Hour Economy Strategy for Greater Sydney.
  - ix. Viet Pho Entertainment will offer a genuine unmet need through an economically viable, late-night facility with a proven track record of providing and maintaining a controlled and safe environment to the local and broader communities of Canterbury-Bankstown.
  - x. The venue has been free of any complaint from residence or the business community for many years.
  - xi. The financial benefits associated with the venue and to its current owners from extending its licensed trading hours are relevant and reasonable to suggest, considering the sizable financial investment and ongoing costs associated with operating a venue whose attraction is late night entertainment. Having said that, the applicant accepts however that this investment by no means should overlap the importance of maintaining the quiet and good order of the neighbourhood and has maintained such views since commencing operations in its first venue in southwestern Sydney over 10 years ago.
  - xii. Additional employment opportunities will be created for new staff employed by the business via additional Entertainers, Security, Kitchen, Bar, and Venue Staff and Cleaners.
  - xiii. The offering of a late-night venue and specialising in Karaoke will provide the local and broader community with alternative choices absentia of any approved gambling facilities will be a welcome sight to the local community.
  - xiv. The degree of customer convenience that is likely to flow to the local or broader community of Yagoona in supporting the venues application for ETA along with supporting the State Government's and Local Council's vision of a late-night economy is considered important and further supports this application.
53. Furthermore, the Applicant strongly believes that the granting of the ETA will significantly further develop the hospitality industry in the local or broader community of Canterbury-Bankstown by serving a genuine and demonstrated unmet need for such a unique licensed premise to trade under an ETA in the local and broader community within the meaning of subsection 3(1)(a) of the Act.
54. The applicant is confident that the granting of this application will meet the objects of the Liquor Act 2007, in which the extended hours will meet the needs, demands and expectations of the patrons who frequent this unique venue and underpin the Local and State Governments push in establishing a late-night economy in wester Sydney.



## 2D. Consultation

*You may wish to consult with local consent authorities, community organisations and members of the public. What were the results of any discussions you may have had with the local community about any issues or concerns they may have about your application.*

55. The Applicant has embarked on lengthy consultation process via the preparation, submission and advertising of an ETA application to modify the operating hours pertaining to late trading.

56. This process has included in-depth discussions and consultation with Canterbury-Bankstown Council, NSW Police, Bankstown Police Area Command and the local and broader community of the Canterbury-Bankstown LGA and included notification to local businesses and residents within the Yagoona area, and the Local Aboriginal Land Council, NSW Department of Aboriginal Affairs. A list of the notified parties is located below;

### VIET PHO ENTERTAINMENT

2 George Street YAGOONA NSW 2199

#### Stakeholder & Community Consultation Addresses

Aboriginal Land Council Head Office PO Box 1125 Parramatta NSW 2124

Local Aboriginal Land Office PO Box 1038 LIVERPOOL BC NSW 187 - Reception@glalc.org.au

Aboriginal Medical Service Co-Operative Ltd Redfern- PO Box 1174, Strawberry Hills 2012 - amsredfern@amsredfern.org.au

Western Sydney Aboriginal Regional Alliance - administration@wsara.org.au

1	George Street	YAGOONA	NSW	2199	59	Powell Street	YAGOONA	NSW	2199
3	George Street	YAGOONA	NSW	2199	61	Powell Street	YAGOONA	NSW	2199
4	George Street	YAGOONA	NSW	2199	61A	Powell Street	YAGOONA	NSW	2199
5	George Street	YAGOONA	NSW	2199	63	Powell Street	YAGOONA	NSW	2199
6	George Street	YAGOONA	NSW	2199	64	Powell Street	YAGOONA	NSW	2199
7	George Street	YAGOONA	NSW	2199	66	Powell Street	YAGOONA	NSW	2199
8	George Street	YAGOONA	NSW	2199	68	Powell Street	YAGOONA	NSW	2199
9	George Street	YAGOONA	NSW	2199	70	Powell Street	YAGOONA	NSW	2199
11	George Street	YAGOONA	NSW	2199	72	Powell Street	YAGOONA	NSW	2199
13	George Street	YAGOONA	NSW	2199	74	Powell Street	YAGOONA	NSW	2199
15	George Street	YAGOONA	NSW	2199	76	Powell Street	YAGOONA	NSW	2199
17	George Street	YAGOONA	NSW	2199	78	Powell Street	YAGOONA	NSW	2199
2	Rookwood Road	YAGOONA	NSW	2199	29	Emery Avenue	YAGOONA	NSW	2199
4	Rookwood Road	YAGOONA	NSW	2199	29A	Emery Avenue	YAGOONA	NSW	2199
6	Rookwood Road	YAGOONA	NSW	2199	30	Emery Avenue	YAGOONA	NSW	2199
8	Rookwood Road	YAGOONA	NSW	2199	31	Emery Avenue	YAGOONA	NSW	2199
10	Rookwood Road	YAGOONA	NSW	2199	31A	Emery Avenue	YAGOONA	NSW	2199
12	Rookwood Road	YAGOONA	NSW	2199	32	Emery Avenue	YAGOONA	NSW	2199
14	Rookwood Road	YAGOONA	NSW	2199	33	Emery Avenue	YAGOONA	NSW	2199
16	Rookwood Road	YAGOONA	NSW	2199	34	Emery Avenue	YAGOONA	NSW	2199
18	Rookwood Road	YAGOONA	NSW	2199	35	Emery Avenue	YAGOONA	NSW	2199
20	Rookwood Road	YAGOONA	NSW	2199	36	Emery Avenue	YAGOONA	NSW	2199
22	Rookwood Road	YAGOONA	NSW	2199	37	Emery Avenue	YAGOONA	NSW	2199
24	Rookwood Road	YAGOONA	NSW	2199	37A	Emery Avenue	YAGOONA	NSW	2199
26	Rookwood Road	YAGOONA	NSW	2199	38A	Emery Avenue	YAGOONA	NSW	2199
28	Rookwood Road	YAGOONA	NSW	2199	39	Emery Avenue	YAGOONA	NSW	2199
30	Rookwood Road	YAGOONA	NSW	2199	40	Emery Avenue	YAGOONA	NSW	2199
32	Rookwood Road	YAGOONA	NSW	2199	332	Hume Highway	BANKSTOW	NSW	2199
34	Rookwood Road	YAGOONA	NSW	2199	342	Hume Highway	BANKSTOW	NSW	2199
36	Rookwood Road	YAGOONA	NSW	2199	348	Hume Highway	BANKSTOW	NSW	2199
38	Rookwood Road	YAGOONA	NSW	2199					
40	Rookwood Road	YAGOONA	NSW	2199					

## ADDENDUM A

57. The community consultation included personalised letters with supporting documents to the neighbouring properties, both commercial and residential, along with a dedicated on-line website survey, dedicated email address and mailing address with the same documentation and further questions and feedback section. The Aboriginal based entities received an information package sent to the address and email addresses as noted in the list.

58. A list of the feedback from the survey is listed below;

### VIET PHO ENTERTAINMENT

2 George Street YAGOONA NSW 2199

#### Stakeholder & Community Consultation Responses

1	I really don't have any issues with the proposal. I never hear any noise during the night and supporting small business is a good thing.
2	I have visited this place a few times with friends and family and had a great time. I find the operators very responsible and wonderful people. The venue was clean and run well. We stayed to all hours of the early morning and felt very safe and never felt scared or intimidated. I noticed they had security however never felt that it was needed. Highly support any local business and their effort especially in such troubled financial times.
3	Alcohol is HARAM and should be removed from all places that serve it in Australia.
4	I do not have any problems with this business and fully support them. I have never seen any issues with anyone since I have been living here that has come from the business or their customers.
5	I love this place, Visit it all the time and have a great time with my work mates. Hope it opens 24 hours especially at night when we don't have work.
6	I have owned one of the local shops for many years now and have been a neighbour of the KTV business. I have visited them many times and during the years never had any problems. Wonderful people and great neighbours. Full behind them in what they are wanting to do.
7	7. As a former business owner with my husband, I understand the plight of small business in Australia. Now that I am retired, I have the time to comment on many developments that have occurred near us. We have not had any problems with them now or before even during the night. We have no issues with this application and they have my husband's and my support.
8	Fully support local business as times are very rough out there.
9	100% Support my local KTV Restaurant in opening 24 hours if possible. Always there to help me when I came home at 3 in the morning from my shift when I was working with a meal, enjoyment and a drink.
10	Viet Pho is my neighbour and they are wonderful people. Never had any issues with them during night or day and support their application to vary the hours of operation until 6am.
11	Do not have any criticism with this application. Never had any problems with these people. No objection to the change of times.

59. It was noted that during this public consultation, there was overwhelming support for the late-night operations and no negative feedback pertaining to the venue or the hours was received.

60. The only negative feedback from the consultation regarding alcohol in general was religious based and not directed at the venue itself as noted in the list above.

61. It is also noted that no response was received from any of the Aboriginal based entities.

## 2E. Other Opportunities

Will granting your application provide employment in, or other opportunities for, any of the following: • the live music industry • the arts sector • the tourism sector • the community or cultural sector

62. As mentioned, the Applicant and venue have been instrumental in collectively (with other venues within the Canterbury-Bankstown LGA) being accepted into the vibrant potential of Yagoona and Canterbury-Bankstown LGA via its entertainment, tourism and community cultural sectors given the significant impact of karaoke type entertainment within the Asian culture.
63. Additional employment opportunities will be created for new staff employed by the business via additional periods for DJ style, Karaoke and live entertainment including and not limited to Security, Kitchen, Bar, Venue Staff, transport companies and professional consultants.
64. If granted the Application will not only provide additional employment opportunities but will also support live entertainers, who utilise the venue to sign and rehearse along with local DJ's, along with tourist companies seeking entertainment options and more importantly providing such entertainment to a prominent Asian community, a genuine unmet need to celebrate and engage in such entertainment via their culture.

## PART 3 | ADDITIONAL INFORMATION

Please add any other information you feel is relevant to this statement.

65. The Authority can be satisfied that the granting of the application will not result in any frequent undue disturbance to the quiet and good order of the neighbourhood as the venue has been operating relatively free of incident and free of any disturbance complaints to the local community since its commencement of trade.
66. As outlined in this SoPRE, the Applicant believes that it is in the public interest to allow the Viet Pho Entertainment to continue its contribution towards the responsible development of the Yagoona area and surrounds as an entertainment precinct, by offering, economically viable, late-night facilities in a controlled and safe environment to the local and broader communities of Canterbury-Bankstown LGA in order to satisfy an existing need.
67. This would accord with other venues within the Canterbury-Bankstown LGA already operating extended trading hours, none of which operate as a bona-fide Karaoke/Restaurant venue nor provide such services to the community as of this date.



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68. Furthermore, the granting of the ETA will provide as an alternative a late trading venue who has demonstrated the capacity to operate without a greater overall level of social impact on the wellbeing of the local and broader community.
69. The absence of the temptation to gaming machines and gambling services currently being provided by all other venues trading beyond midnight with moderate gaming machine density and expenditure.
70. It is evident by the current standard trading hours and the exodus of patrons between 1:30am to 3:00am from the venue, that Viet Pho Entertainment's facilities and offerings have not proven sufficient to meet the needs nor the demands and expectations of current patrons who enjoy Vietnamese cuisine and karaoke entertainment.
71. The venue is currently operated in accordance with a comprehensive PoM which includes various measures which have been effective along with current licence conditions ensuring the overall operations of the venue do not negatively impact the local and broader communities
72. Various measures are presently in place to ensure that liquor is consumed responsibly and to minimise the likelihood of intoxication and such measures will continue to be implemented and maintained throughout the entire venue.
73. Venue Management, the Licensee, and staff continue to actively promote and encourage the principles of responsible consumption of alcohol practices by patrons of the venue via staff and patron education.
74. The Applicant remains an active member of the local business community working closely with Bankstown Police Area Command and actively participates and adopts the Accords recommendations and that of the PAC.
75. The venue at all times provides a wide range of food products freshly prepared by kitchen staff up until cease of trade and will continue to do so when ETA is exercised.
76. During this lengthy and detailed SoPRE and community consultation, not one stakeholder or person canvassed as part of this process has objected to this application, with positive feedback broadly from the local business community and stakeholders welcoming the type of venue and its proposed extension of trading hours.
77. Since commencing trade, the applicant has articulated and adopted a broad range of measures (*as indicated within this application*) directed towards effectively mitigating the risks of alcohol related incidents in and around the venue and will continue to review and optimise such measures in consultation with the Bankstown PAC and other stakeholders.
78. The Applicant has taken all reasonable steps to prevent intoxication on the premises and noise disturbances by patrons when leaving the venue, including the vicinity of the licensed premises. This has been the propriety of the venue and its staff and based on current crime-related data available the venue has effectively demonstrated the ability to maintain this high standard.

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79. The Licensee and staff have continually ensured that measures mentioned in the original application have been applied and will equally be applied during the extended trading hours if granted.
80. The Applicant submits that he has demonstrated that the venue can so trade safely and responsibly beyond midnight and satisfy the objects of the Liquor Act 2007 and operate in the public interest, ensuring the effective mitigation of any potential alcohol related crime or social impacts in the localized area of the Karaoke venue as so demonstrated over the past few years of trade.
81. The granting of the application will also benefit the local area by restricting movements during the night while the venue is open rather than having patrons leave at 3:00am being the current licensed approved closing time and make a disturbance for any persons.

### Conclusion

82. In conclusion, it is respectfully submitted the Authority when determining the application under consideration would be more than satisfied that the key net benefits and key-operating principles have been implemented and will be maintained during the ETA periods if granted.
83. The absence of violent related incidents attributed to the trading history of the venue even during extended trading clearly demonstrates the commitment by the Applicant and capacity of venue staff to ensure the effective operations of the venue during extended trading times and the security and safety of patrons and staff of the Canterbury-Bankstown LGA in which patrons are able to attend the venue and enjoy an entertaining night out without the need to consider alternative venues after midnight.
84. "In September 2024, the NSW Government refreshed the 24-hour Economy Strategy, its long-term vision for Sydney. We will help deliver the strategy by activating spaces, creating vibrant places to work and live, aligning planning and liquor approvals and streamlining processes." Viet Pho will endeavor to meet the NSW Government's 24 hour economy by not only adhering to the respective, however additionally providing a venue that fits the essence and intent of the governments 24 Hour Economy strategy.
85. For the reasons outlined above, it is submitted that the Authority can be satisfied that it would be in the public interest to grant the application for an ETA and that the overall social impact in granting the application will not be detrimental to the wellbeing of the local and broader community of Yagoona NSW.