

# NSW Independent Liquor & Gaming Authority

Our ref: DF25/030569

Mr Jacob Jang  
Jacobs Legal

25 August 2025

Dear Mr Jang,

Application No.	APP-0014014900
Applicant	THE ART OF MANLINESS PTY LTD
Application for	New packaged liquor licence
Application date	2 December 2024
Decision date	16 July 2025
Proposed licence name	G Mart Asian Grocery
Proposed trading hours	Monday to Sunday 10:00 AM – 10:00 PM
Proposed premises	The Phoenix Apartments Shop 1 43 Shoreline Drive Rhodes NSW 2138
Legislation	Sections 3, 11A, 12, 29, 30, 31, 40, 44, 45, 48, 53 and 123 of the <i>Liquor Act 2007</i>

## Decision of the Independent Liquor & Gaming Authority

### Application for a new packaged liquor licence – G Mart Asian Grocery

We first considered this application at the meeting of 16 April 2025 and, following consideration of further information, decided on 18 July 2025 to **approve** this application under section 45 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.

## **Mixed-use checkouts must be closed outside licensed hours**

Under section 103(2) of the Act, any counter or place used to sell or supply liquor under the licence, including any mixed-use checkouts in the liquor sales area, must be closed to the public outside the licensed trading hours.

### **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 contribute to, not detract from, the amenity of community life.

### **Our main findings**

The local community for the purposes of this decision is the suburb of Rhodes. The broader community is the Local Government Area (LGA) of Canada Bay.

The applicant seeks to operate a new packaged liquor licence within an existing Korean supermarket in Rhodes, which will only offer liquor products produced in China, South Korea and Japan.

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:

- crime hotspots – the proposed premises is located in a suburb that has high-density crime hotspots for all categories considered, however the incident rate for all crime categories we considered was lower in the suburb and LGA than in NSW
- licence saturation – the saturation rate of packaged liquor licences is higher in the suburb than in NSW, and would be higher in the LGA than in NSW following approval of this application
- health statistics – the rate of alcohol-attributed hospitalisations in the LGA is higher than in NSW, while the rate of alcohol-attributed deaths in the LGA is lower than in NSW

We also considered objections from:

- NSW Police raised concerns about whether the sole Director of the proposed licensee and business owner is fit and proper to hold a licence. NSW Police also raised other concerns about the proposed business model making further recommendations for conditions that may mitigate these concerns
- three objections from residents within 50 metres of the proposed premises outlining concerns about the proximity of the premises to residential apartments and that allowing a supermarket to sell alcohol would increase disruptive behaviour in the local community

We also 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:

- the Director of the proposed licensee organisation and business owner has no convictions or charges in recent years

- Socio-Economic Index for Areas (SEIFA) data indicates an above average level of socio-economic advantage and disadvantage in the suburb, and the LGA, compared to other communities in NSW<sup>1</sup>
- small liquor sale area – the application is for a small liquor sales area within an existing Korean supermarket, providing convenience and one stop shopping for customers
- 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
- 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
- stakeholder submissions and the applicant's response to them.

We also considered [Guideline 6](#) to assess the overall impact to the local and broader community and [Guideline 10](#) relating to the sale of liquor in supermarkets.

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](mailto:new.applications@liquorandgaming.nsw.gov.au) if you have any questions.

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<sup>1</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))

Yours sincerely

A handwritten signature in cursive script, appearing to read "Caroline Lamb".

Caroline Lamb

**Chairperson**

**Independent Liquor & Gaming Authority**

## Schedule 1: Licence conditions to be imposed - G Mart Asian Grocery

No.	Condition to be imposed	Description
1.	6-hour closure period	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 <b>04:00 AM and 10:00 AM</b> 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.	Restricted trading & NYE	Good Friday: Not permitted December 24th: Normal trading Monday to Saturday, 8:00 AM to 12:00 midnight on a Sunday Christmas Day: Not permitted December 31st: Normal trading Monday to Saturday, 10:00 AM to 12:00 midnight on a 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.	Plan of Management	The premises is to be operated at all times in accordance with the Plan of Management dated <b>17 March 2025</b> 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"> <li>1. The licensee must maintain a closed-circuit television (CCTV) system at the supermarket/general store in accordance with the following requirements: <ol style="list-style-type: none"> <li>a. the system must record continuously from opening time until one hour after the supermarket/general store is required to close,</li> <li>b. recordings must be in digital format and at a minimum of ten (10) frames per second,</li> <li>c. any recorded image must specify the time and date of the recorded image,</li> <li>d. the system's cameras must cover the following areas: <ol style="list-style-type: none"> <li>i. all entry and exit points to the supermarket/general store, and</li> <li>ii. all publicly accessible areas (other than toilets) within the liquor sales area.</li> </ol> </li> </ol> </li> <li>2. The licensee must also: <ol style="list-style-type: none"> <li>a. keep all recordings made by the CCTV system for at least 30 days,</li> </ol> </li> </ol>

No.	Condition to be imposed	Description
		<ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul>
7.	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> <ol style="list-style-type: none"> <li>1. take all practical steps to preserve and keep intact the area where the act of violence occurred,</li> <li>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,</li> <li>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</li> </ol> <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>
8.	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 <b>16 July 2025</b> or any premises plan subsequently approved by the Authority.
9.	Specialised Liquor Products	<ol style="list-style-type: none"> <li>1. The licensee must ensure that only the following liquor products are sold or supplied by the licensed business ("Business"): <ul style="list-style-type: none"> <li>a. Liquor products produced in-China, South Korea and Japan</li> </ul> </li> <li>2. The licensee must ensure that a list of the product lines and products stocked by the Business at any one time is kept at the premises and made available for inspection on the request of a police officer, Liquor &amp; Gaming NSW inspector, or any other person authorised by the Independent Liquor and Gaming Authority.</li> </ol>