

Mr Lindsay Cornish
Pyramid Liquor Licensing
By email to: lindsay@pyramidliquor.com.au

11 July 2023

Dear Mr Cornish

Application No.	APP-0011092583
Applicant	MIDO MART PTY LTD
Application for	New – packaged liquor licence
Application date	31 January 2023
Decision date	21 June 2023
Licence name	Mido Mart
Trading hours	Monday to Saturday 10:00 AM – 10:00 PM Sunday 10:00 AM – 08:00 PM
Premises	Lots 20-23, Level 9, 501 George Street, Sydney NSW 2000
Legislation	Sections 3, 11, 12, 29-31, 40, 44, 45 and 48 of the <i>Liquor Act 2007</i>

**Decision of the Independent Liquor & Gaming Authority
Application for a new packaged liquor licence – Mido Mart**

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

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.

Statement of reasons

The statement of reasons will be published on the [Liquor & Gaming NSW website](https://www.liquorandgaming.nsw.gov.au) in accordance with section 36C of the *Gaming and Liquor Administration Act 2007*.

If you have any questions

Please contact the case manager, Max Costa, at max.costa@liquorandgaming.nsw.gov.au if you have any questions.

Yours sincerely



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

STATEMENT OF REASONS

Our decision

We have considered the objects of the *Liquor Act 2007* (the Act) and the relevant legislative provisions and have approved the application under section 45 of the Act.

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

The decision achieves the aim of the Act to regulate the liquor industry to meet the community's expectations, needs, and aspirations, while also promoting a balanced and responsible development of the industry.

Our main findings

The local community for the purposes of this decision is Sydney. The broader community is the Local Government Area (LGA) of City of Sydney.

Positive social impacts

We are satisfied that the proposal would benefit the local and broader communities by providing:

- a liquor sales area that will sit wholly within an existing Asian specialty supermarket
- increased convenience and choice as the supermarket is located inside the busy Regent Place shopping complex on George Street which offers a variety of retail outlets for local businesses and visitors
- products that will be limited to specialty products produced in specific Asian countries, or Australia (if the products would be considered by customers to be Asian liquor products)

Negative social impacts

We accept that the proposal could contribute to an increase in alcohol-related harm in the local and broader communities (such as violence, health problems or social and public amenity issues) because of the:

- premises location in a designated cumulative impact area – 'Area 1 – South CBD'
- premises location in a high-density crime and incident hotspot
- high saturation rates of packaged liquor licences in the suburb of Sydney, and
- higher alcohol-attributable hospitalisation rates in the City of Sydney compared to NSW.

However, we are satisfied that these risks are reduced by the:

- indication of an above average level rate of relative socio-economic advantage in both Sydney and the City of Sydney
- liquor sales area being relatively small in size (25m²) and only using 6% of the total licensed boundary
- main business purpose being the sale of Asian grocery items with the sale of alcohol being an ancillary purchase to these products
- specialised liquor condition which limits the range and type of liquor products available for sale, and
- 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
- a community impact statement (CIS)
- 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 likely social impact to the local and broader community.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Caroline Lamb', with a stylized, cursive script.

Caroline Lamb

Chairperson

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

Schedule 1 – Licence conditions to be imposed
Mido Mart

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.	Retail Sales	<table><tr><td>Good Friday</td><td>Not permitted</td></tr><tr><td>December 24th</td><td>Normal trading Monday to Saturday, 8:00 AM to 12:00 midnight Sunday</td></tr><tr><td>Christmas Day</td><td>Not permitted</td></tr><tr><td>December 31st</td><td>Normal trading Monday to Saturday 10:00 AM to 12:00 midnight Sunday</td></tr></table>	Good Friday	Not permitted	December 24 th	Normal trading Monday to Saturday, 8:00 AM to 12:00 midnight Sunday	Christmas Day	Not permitted	December 31 st	Normal trading Monday to Saturday 10:00 AM to 12:00 midnight Sunday
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3.	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.								
4.	Liquor Plan of Management	The premises is to be operated at all times in accordance with the Plan of Management dated 7 September 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.								
5.	Liquor Accord	The licensee or its representative must join and be an active participant in the local liquor accord.								
6.	CCTV	<div>1. The licensee must maintain a closed-circuit television (CCTV) system at the supermarket/specialty store in accordance with the following requirements:<div><div>(a) the system must record continuously from opening time until one hour after the supermarket/general store is required to close,</div><div>(b) recordings must be in digital format and at a minimum of ten (10) frames per second,</div><div>(c) any recorded image must specify the time and date of the recorded image,</div><div>(d) the system’s cameras must cover the following areas:<div><div>(i) all entry and exit points to the supermarket/general store, and</div><div>(ii) all publicly accessible areas (other than toilets) within the liquor sales area.</div></div></div></div><div>2. The licensee must also:</div></div>								

		<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.	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 21 June 2023 or any premises plan subsequently approved by the Authority.
8.	Public Holiday trading hours	The licensed premises must cease to trade by 8:00 PM, on public holidays, and customers must not be permitted to access the liquor sales area outside those hours.
9.	Specialised liquor products	<ol style="list-style-type: none"> 1. The licensee must ensure that only the following liquor products are sold or supplied by the licensed business ("Business"), except as provided by clause 2: <ul style="list-style-type: none"> (a) Liquor products produced in Indonesia, Thailand, China, South Korea, and Japan, or (b) Australia if the products (due to their nature or appearance), would be considered by customers to be Asian liquor products 2. Other complementary liquor products, provided that those other products do not exceed more than 10% of the total product lines or 10% of the total products stocked on the premises at any one time, are also permitted. For liquor products available for sale under this sub-clause, the licensee must maintain documentation that stock levels do not exceed either of the specified 10% thresholds. 3. 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 & Gaming NSW inspector, or any other person authorised by the Independent Liquor and Gaming Authority.
10.	Requirement to maintain an incident register	<ol 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,

		<p>(d) any incident that results in a patron of the premises requiring medical assistance.</p> <p>2. The licensee must, if requested to do so by a police officer or Liquor & Gaming NSW inspector:</p> <p>(a) make any such incident register immediately available for inspection by a police officer or Liquor & Gaming NSW inspector, and</p> <p>(b) allow a police officer or Liquor & Gaming NSW inspector to take copies of the register 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.	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"> 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 4. 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>