

NSW Independent Liquor & Gaming Authority

Our ref: DF25/062302

Mr John Riel Villajin

4 October 2025

Dear Mr Villajin

Application No.	APP-0014388572
Applicant	John Riel Villajin
Application for	New packaged liquor licence
Application date	26 March 2025
Decision date	17 September 2025
Proposed licence name	JT's Asian Grocery
Proposed trading hours	Monday to Sunday 10:00 AM – 09:00 PM
Proposed premises	Shop 1 23 Stockton Street Nelson Bay NSW 2315
Legislation	Sections 3, 11A, 12, 29, 30, 40, 44, 45, 48 and 53 of the <i>Liquor Act 2007</i>

Decision of the Independent Liquor & Gaming Authority

Application for a new packaged liquor licence – JT's Asian Grocery

We **approve** the application above under sections 45 and 48 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.

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 not be detrimental to the wellbeing of the local or broader community.

Our main findings

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

The applicant seeks to operate a new packaged liquor licence in an Asian Grocer in Cinema Mall, Nelson Bay. The proposal includes a small liquor sales area with no direct street access.

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 are located in a high-density hotspot for non-domestic assault and alcohol-related assault and a medium-density for domestic assault and malicious damage
- crime rates – the incident rate of alcohol-related domestic assault, alcohol-related non-domestic assault and malicious damage are higher in the suburb and LGA than in NSW, however the incident rate of alcohol-related disorderly conduct are lower in the suburb and LGA than in NSW
- licence saturation – the rate of packaged liquor licences is higher in the suburb than in NSW
- demographic information – the percentage of Aboriginal and Torres Strait Islander (ATSI) population in the suburb and LGA is higher than in NSW
- health statistics – the rate of alcohol-attributed deaths in the LGA is higher than in NSW, while the rate of alcohol-attributed hospitalisations is lower in the LGA than in NSW.

We also considered objections from:

- NSW Health – the submission included concerns for the population within the suburb and LGA relating to increased alcohol related harm and outlet density. Furthermore, that approval of the proposed premises will strain on the health system due to the potential for further hospitalisations for treating illnesses and diseases from excessive alcohol consumptions.

However, we note that the factors below weighed in favour of approval of the application, and may also partially or fully mitigate some of the risks identified above:

- both the suburb and LGA are tourist destinations, with local, state, national and international visitation, increasing the population of the area compared to the local residential population. This additional visitation may skew both the crime and licence saturation statistics
- the proposed premises will have reduced trading hours
- 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
- 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
- licence saturation map
- 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 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 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 if you have any questions.

Yours sincerely



Caroline Lamb

Chairperson

NSW Independent Liquor & Gaming Authority

Schedule 1: Licence conditions to be imposed - JT's Asian Grocery

No.	Condition to be imposed	Description
1.	6-hour closure	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 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	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
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.	Liquor accord	The licensee or its representative must join and be an active participant in the local liquor accord.
5.	Liquor plan of management	The premises is to be operated at all times in accordance with the Plan of Management dated 13 June 2025 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.
6.	CCTV	<ol style="list-style-type: none"> 1. The licensee must maintain a closed-circuit television (CCTV) system at the supermarket/specialty store in accordance with the following requirements: <ol style="list-style-type: none"> a. the system must record continuously from opening time until one hour after the supermarket/specialty store is required to close, b. recordings must be in digital format and at a minimum of ten (10) frames per second, c. any recorded image must specify the time and date of the recorded image, d. the system's cameras must cover the following areas: <ol style="list-style-type: none"> i. all entry and exit points to the supermarket/specialty store, and ii. all publicly accessible areas (other than toilets) within the liquor sales area. 2. The licensee must also: <ol style="list-style-type: none"> a. keep all recordings made by the CCTV system for at least 30 days,

No.	Condition to be imposed	Description
		<ul style="list-style-type: none"> b. ensure that the CCTV system is accessible at all times the system is required to operate pursuant to sub-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 17 September 2025 or any premises plan subsequently approved by the Authority.
8.	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"): <ul style="list-style-type: none"> a. Liquor products produced in Thailand and South Korea, or b. Liquor products produced in 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.