

NSW Independent Liquor & Gaming Authority

Our ref: DF26/031982

Mr Brian Laughlin

9 July 2026

Dear Mr Laughlin

Application No.	APP-0016053515 (new small bar) APP-0016054527 (new packaged liquor licence)
Applicant	Jeanette lolana ORTIZ
Application for	New small bar licence and new packaged liquor licence (with minors' area authorisation)
Application date	18 February 2026
Decision date	17 June 2026
Proposed licence name	BODEGA DEL MAR
Proposed trading hours – small bar	<u>Consumption on premises – Indoor areas</u> Monday to Sunday 10:00 AM – 12:00 AM <u>Consumption on premises – Outdoor areas</u> Monday to Sunday 10:00 AM – 10:30 PM
Proposed trading hours – packaged liquor licence	Monday to Sunday 10:00 AM – 10:00 PM
Proposed premises	4/85 Tallwood Avenue Mollymook Beach NSW 2539
Legislation	Small bar – Sections 3, 11A, 12, 20A, 20B, 20C, 40, 44, 45, 47B, 72I, 121 and 123 of the <i>Liquor Act 2007</i> Packaged liquor licence – Sections 3, 11A, 12, 29, 40, 44, 45, 47B, 72I, 114 and 123 of the <i>Liquor Act 2007</i>

Decision of the Independent Liquor & Gaming Authority

Applications for a new small bar licence and new packaged liquor licence (with minors' area authorisation) – BODEGA DEL MAR

We **approve** the applications above under sections 45, 72I and 121 of the *Liquor Act 2007* (**the Act**) — with the conditions set out in Schedule 1 and Schedule 2. The 6-hour closure period overrides any condition of the licence.

Statement of reasons

We are satisfied that the overall impact of approving the applications 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 Mollymook Beach. The broader community is the Local Government Area (**LGA**) of the City of Shoalhaven.

The applicant sought approval to operate a small bar (16.25 m²) with a minors' area authorisation and an associated packaged liquor licence (**PLL**) at Mollymook Beach. The small bar will cater for up to 20 patrons, with indoor and outdoor seating, offering seated service, light meals, and a focus on boutique and regional wines. The PLL component will enable the sale of limited quantities of these products, operating during reduced hours within the bar and secured when not in use. The proposal includes harm minimisation measures, a specialised liquor product condition, and low-volume delivery arrangements with delayed (non-express) service.

We are satisfied that the proposal would benefit the local and broader communities by providing increased convenience and choice. On balance, we determined that the proposal would contribute positively to local amenity and the responsible development of the industry.

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:

- incidence of alcohol-attributed deaths being higher in the LGA than the rate for NSW
- incidence of alcohol-related domestic assault, alcohol-related non-domestic assault and malicious damage to property being higher in the LGA than the rates for NSW
- higher total outlet density in the suburb and LGA than the rate for NSW¹
- medium density crime hotspot in the suburb for domestic assault
- higher saturation of PLLs and total outlet density in the LGA than the rate for NSW¹
- relatively large proportion of residents who identify as Aboriginal and Torres Strait Islander (**ATSI**) in the LGA².

We considered the following objections:

¹ High levels of packaged liquor outlet-density have been shown to be positively associated with higher rates of alcohol-attributable morbidity and mortality (Morrison et al., 2016).

² 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. (2023)).

- NSW Health warned that extended trading hours and rapid alcohol delivery could increase harm in Mollymook Beach, which has high liquor outlet density and above-average violence rates. NSW Health recommended limiting hours and adding delivery delays, without opposing the application outright.
- two submissions opposed the proposal, citing high outlet density, harm risks to an older population characterised by high alcohol consumption, and amenity concerns including noise, disturbance, and proximity to a medical practice, despite existing nearby outlets.

We had regard to the applicant's response to the objections:

- the applicant acknowledged concerns about harm, density, and amenity but argued the small boutique wine bar, with limited capacity, no rapid delivery or late trading, strict conditions, and a reduced 10 pm closing would have minimal impact.

The factors below weighed in favour of approval of the applications, and may also partially or fully mitigate some of the risks identified above:

- restricted trading hours and a tightly controlled operating model
- the incidence of all crime categories examined being lower in the suburb than the rate for NSW
- the incidence of alcohol-attributed hospitalisations being lower in the LGA than the rate for NSW
- a relatively low proportion of residents who identify as ATSI in the suburb¹
- there are currently no small bar licences operating in the suburb
- there are no areas in the suburb identified as hotspots for non-domestic assault, malicious damage, or alcohol-related assault
- the proposed premises will not be located in any crime hotspots
- the current saturation of PLLs in the suburb is aligned with the NSW average, and there is only 1 other PLL operating in the suburb
- the PLL is conditioned to primarily retail wine products
- the suburb and LGA are popular regional tourist destinations, attracting local, state, and national visitors and increasing the area's population beyond its residential base, particularly during holiday periods.
- the harm minimisation measures outlined in the plan of management and licence conditions, as set out in Schedule 1 and Schedule 2, which may mitigate the risks of alcohol-related harm.

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 applications
- the legislation
- the certificates of advertising
- the Statements of Risks and Potential Effects
- the plans of the licensed premises and any authorisations
- the plans of management for the licensed business
- the 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
- 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.

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 applications 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 on the new small bar licence - BODEGA DEL MAR

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 04:00 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	Good Friday: 12:00 noon - 10:00 PM Christmas Day: 12:00 noon - 10:00 PM (liquor can only be served with or ancillary to a meal in a dining area) December 31st: Normal opening time until normal closing time or 2:00 AM on New Year's Day, whichever is the later 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.
3.	Liquor plan of management	The premises is to be operated at all times in accordance with the Plan of Management dated 20 May 2026 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.
4.	Overall impact	The business authorised by this licence must not operate with a greater overall 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.
5.	Liquor accord	The licensee or its representative must join and be an active participant in the local liquor accord.
6.	CCTV	1. The licensee must maintain a closed-circuit television (CCTV) system on the premises in accordance with the following requirements: a. the system must record continuously from opening time until one hour after the premises is required to close (or, in the case of a premises that is not required to cease trading, continuously at all times), 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:

No.	Condition to be imposed	Description
		i. all entry and exit points on the premises, ii. the footpath immediately adjacent to the premises, and iii. all publicly accessible areas (other than toilets) within the premises. 2. The licensee must also: 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 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.	Crime scene preservation	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: 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. 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.
8.	Minors' area	Minors' Area Authorisation: The whole of the licensed premises.

Schedule 2: Licence conditions to be imposed on the new packaged liquor licence - BODEGA DEL MAR

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 04:00 AM and 10:00 AM

No.	Condition to be imposed	Description
		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 Sunday Christmas Day: Not permitted December 31st: 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 overall 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 16 March 2026 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.	Crime scene preservation	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: 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. 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.
7.	CCTV	1. The licensee must maintain a closed-circuit television (CCTV) system on the licensed premises ("the premises") in accordance with the following requirements:

No.	Condition to be imposed	Description
		a. the system must record continuously from opening time until one hour after the premises 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: i. all entry and exit points on the premises, and ii. all publicly accessible areas (other than toilets) within the premises. 2. The licensee must also: 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 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.
8.	Specialised Liquor Products	1. The licensee must ensure that only the following liquor products are sold or supplied by the licensed business ("Business"), except as provided by sub-clause 2: a. boutique wines (including sparkling wines and champagne) b. organic and natural 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. Definitions For the purposes of this condition: 1. Boutique wine is defined as wine (other than sparkling wine or champagne) that is manufactured by or on behalf of a boutique wine company which crushes and bottles 250 tonnes or less annually under its own label and is independently owned (i.e. not owned by a larger wine company at the time wine is supplied to the Business). 2. Boutique champagne and sparkling wine is defined as champagne or sparkling wine that is not generally

No.	Condition to be imposed	Description
		considered to be mainstream champagne or sparkling wine, that is, champagne or sparkling wine that is not commonly sold by major liquor retailers. 3. Organic and natural liquor products are defined as: a. Organic liquors (including organic wines) that bear a recognised organic certification logo; b. Wine that is labelled or marketed as organic wine, and is produced from vineyards and farms that are farmed organically or to organic standards, typically with little or no additions in wine-making (whether or not the wine is certified as organic); c. Wine that is labelled or marketed as natural wine, and is produced from vineyards that are farmed organically or bio-dynamically, and then produced with no additions (additives) in wine-making, including MegaPurple, tartaric acid, enzymes, malabugs, and bottled with lower levels of sulphur or without sulphur (preservative 220); and d. Boutique wines that are marketed as organic, bio-dynamic or natural wines (including sparkling wine), and manufactured by or on behalf of a boutique wine company which crushes and bottles 250 tonnes or less annually under its own label and is independently-owned (ie not owned by a larger wine company at the time the licensee purchases wine wholesale from the supplier).