



**DECISION AND REASONS FOR DECISION**

In the matter of an application by OTM Retailing Pty Ltd under section 153 of the *Liquor Control Reform Act 1998* for internal review of a decision to refuse to grant an application for a packaged liquor licence for the premises known as New Quay Asian Grocery, located at 15-17 Rakaia Way, Docklands.

**Commission:**

Ms Helen Versey, Deputy Chair

Dr Dina McMillan, Commissioner

Mr Des Powell AM, Commissioner

**Date of Hearing:**

29 January 2019

**Date of Decision:**

31 May 2019

**Date of Reasons:**

31 May 2019

**Appearances:**

Mr Henry Liu and Ms Tina Chao on behalf of the Applicant

Ms Michelle Miller and Ms Gabrielle Munro, Counsels  
Assisting the Commission

**Decision:**

The Commission has determined to set aside the reviewable decision and, in substitution, grant a packaged liquor licence subject to the conditions set out in Appendix A.

**Signed:**

A handwritten signature in black ink that reads "Helen Versey".

**Helen Versey**

**Deputy Chairperson**



## BACKGROUND

1. On 27 September 2018, OTM Retailing Pty Ltd trading as New Quay Asian Grocery (**the Applicant**) applied to the Victorian Commission for Gambling and Liquor Regulation (**the Commission**) for a packaged liquor licence (**the Original Application**) under the *Liquor Control Reform Act 1998 (LCR Act)*.
2. The location of the proposed licensed premises is 15-17 Rakaia Way, Docklands (**the Premises**). The proposed hours during which liquor would be supplied are:

Sunday	Between 10am and 11pm
ANZAC Day	Between 12 noon and 11pm
Good Friday and Christmas Day	No trade
On any other day	Between 9am and 11pm
3. A delegate of the Commission (**the Delegate**) considered the Original Application including the following documents:
  - a) Letter issued by Melbourne City Council advising that a planning permit is not required;
  - b) A current and historical extract from the Australian Securities & Investment Commission (ASIC);
  - c) A Record of Registration for Business Name for "New Quay Asian Grocery";
  - d) A completed Declaration of Right to Occupy form;
  - e) A copy of a transfer of lease document;
  - f) Copy of passports for Ms Xiao Tang and Mr Henry Liu;
  - g) Completed questionnaire forms for Ms Xiao Tang and Mr Henry Liu;
  - h) Completed declaration of associates forms for Ms Xiao Tang and Mr Henry Liu;
  - i) Licensee' First Step certificates for Ms Xiao Tang and Mr Henry Liu;
  - j) Responsible Service of Alcohol (RSA) certificates for Ms Xiao Tang and Mr Henry Liu;
  - k) Completed section 22 questionnaire;
  - l) Statement of Public Display;
  - m) A copy of the public notice published in The Age;
  - n) Plans of the Premises showing the area proposed to be licensed; and
  - o) Photographs of the exterior and interior of the Premises.



4. A copy of the Original Application was forwarded to Victoria Police and the Melbourne City Council (**the Council**) in accordance with section 33 of the LCR Act. There was no objection from the Council or Victoria Police.
5. The Delegate determined to refuse the Original Application on 12 November 2018 and provided reasons for that decision (**Original Decision**). The Delegate's reasons for the decision were that, based on the size of the Premises and the photos showing that the Premises sells food, drinks and other good, the Premises met the definition of convenience store under section 3 of the LCR Act and "cannot be licensed under the provisions of section 22 of the LCR Act."<sup>1</sup>
6. On 4 December 2018, the Commission received an application for internal review of the Original Decision (**Review Application**) from the Applicant. The essence of the Applicant's Review Application is that there is a demand for Asian groceries and liquor and that the Premises are in a position to best meet the needs of the Dockland's community including tourists to Melbourne.

## LEGISLATION AND THE COMMISSION'S TASK

### The Commission's internal review power

7. Division 2 of Part 9 of the LCR Act governs internal review applications. Under section 152 of the LCR Act, the Original Decision is a reviewable decision, and the Applicant is eligible to apply for review of that decision. The Review Application was made under section 153 of the LCR Act.
8. Pursuant to section 157(1) of the LCR Act, the specific task of the Commission regarding the Review Application is to make a fresh decision that:
  - a) affirms or varies the Original Decision; or
  - b) sets aside the Original Decision and substitutes another decision that the Commission on review considers appropriate.<sup>2</sup>
9. Under the LCR Act, an application for a packaged liquor licence may be contested or uncontested.<sup>3</sup> Pursuant to section 3(1) of the LCR Act, an uncontested application is:

an application for the grant, variation, transfer or relocation of a licence or BYO permit in respect of which no objection is received under Division 5 of Part 2 within the period set out in that Division for that objection (or that period as extended under section 174) ...

<sup>1</sup> See discussion in paragraphs 25-49 below.

<sup>2</sup> Section 157(2) to (5) of the LCR Act and section 25(3) of the VCGLR Act further prescribe the manner in which the Commission is to undertake internal reviews.

<sup>3</sup> This application is an uncontested application.



10. The Commission on review stands in the shoes of the original decision maker and, regarding an uncontested application, must either:
  - a) grant the application (and may do so subject to conditions);<sup>4</sup> or
  - b) refuse to grant the application.<sup>5</sup>
11. The Commission considers that while the grounds of refusal outlined in section 44(2) of the LCR Act are a relevant consideration, the ultimate determination of an uncontested application is to be made pursuant to section 44(1) and section 157(1) of the LCR Act at the discretion of the Commission with reference to the objects of the LCR Act as set out in section 4 of the LCR Act.

### Exercising the internal review power

12. Section 9 of the *Victorian Commission for Gambling and Liquor Regulation Act 2011 (VCGLR Act)* requires the Commission, in exercising its internal review function, to have regard to the objects of the LCR Act and any decision-making guidelines issued by the Minister under section 5 of the VCGLR Act.<sup>6</sup>
13. The objects of the LCR Act are set out in section 4(1), which provides:

The objects of this Act are—

  - (a) to contribute to minimising harm arising from the misuse and abuse of alcohol, including by—
    - (i) providing adequate controls over the supply and consumption of liquor; and
    - (ii) ensuring as far as practicable that the supply of liquor contributes to, and does not detract from, the amenity of community life; and
    - (iii) restricting the supply of certain other alcoholic products; and
    - (iv) encouraging a culture of responsible consumption of alcohol and reducing risky drinking of alcohol and its impact on the community; and
  - (b) to facilitate the development of a diversity of licensed facilities reflecting community expectations; and
  - (c) to contribute to the responsible development of the liquor, licensed hospitality and live music industries; and
  - (d) to regulate licensed premises that provide sexually explicit entertainment.

<sup>4</sup> LCR Act, sections 44, 49 and 158.

<sup>5</sup> LCR Act, section 44.

<sup>6</sup> VCGLR Act, section 9(3) and (4).



14. Section 4(2) of the LCR Act provides further that:

It is the intention of Parliament that every power, authority, discretion, jurisdiction and duty conferred or imposed by this Act must be exercised and performed with due regard to harm minimisation and the risks associated with the misuse and abuse of alcohol.<sup>7</sup>

15. The Court of Appeal of the Victorian Supreme Court has made it clear in *Kordister Pty Ltd v Director of Liquor Licensing* [2012] VSCA 325 (**Kordister**) that harm minimisation is a fundamental principle of the LCR Act, and can properly be regarded as ‘the primary regulatory object of the LCR Act and therefore the primary consideration in liquor licensing decisions’.<sup>8</sup> However, as was also noted by the Court of Appeal, “this is not to say...that it [harm minimisation] is to be taken into account, or given such weight, to the exclusion of the other objects”.<sup>9</sup>

16. On 7 June 2012, decision-making guidelines regarding the “Grant of Licences for the Sale of Packaged Liquor” (**the Guidelines**) were issued under section 5 of the VCGLR Act.<sup>10</sup>

17. Paragraph 3 of the Guidelines relevantly states:

... the grant of the licence that allows for the provision of packaged liquor from licensed premises during hours that are outside ordinary trading hours as defined in section 3 of the Act should only be granted by the Victorian Commission for Gambling and Liquor Regulation if exceptional circumstances can be demonstrated by an applicant.

18. In exercising the internal review power, the Commission:

- a) must consider all of the information, material and evidence before the original decision maker;<sup>11</sup> and
- b) may also consider further information or evidence<sup>12</sup> and, in respect of uncontested applications on review, have regard to any matter the Commission considers relevant<sup>13</sup> and make any enquiries the Commission considers appropriate.<sup>14</sup>

<sup>7</sup> See further *Kordister Pty Ltd v Director of Liquor Licensing* [2012] VSCA 325, which confirms that harm minimisation is the primary regulatory object of the LCR Act and therefore the primary consideration in liquor licensing decisions (although not to the exclusion of the other objects).

<sup>8</sup> See *Kordister* [2012] VSCA 325, at [19] per Warren CJ and Osborn JA; [188] per Tate JA.

<sup>9</sup> See *Kordister* [2012] VSCA 325, at [188] per Tate JA.

<sup>10</sup> Victorian Government Gazette, G 23, 7 June 2012, 1176-1177.

<sup>11</sup> LCR Act, section 157(2).

<sup>12</sup> LCR Act, section 157(3).

<sup>13</sup> LCR Act, section 44(4)(a).

<sup>14</sup> LCR Act, section 44(4)(b).



## MATERIAL BEFORE THE COMMISSION

19. The Commission had before it and considered all of the material received by the Delegate, including the Original Application and accompanying submissions and documents.<sup>15</sup>
20. The Commission also had before it and considered additional information and evidence including:
  - a) the Original Decision;
  - b) the Review Application, together with written submissions dated 4 December 2018;
  - c) Additional photographs of the exterior and interior of the Premises;
  - d) CCTV footage showing the checkout area and entrance over a 30 minute period in November 2018;
  - e) Plan showing the storage area used to keep stock for the Premises;
  - f) A list of products available to be stocked at the Premises;
  - g) A breakdown of customer spending between 7 November 2018 and 30 November 2018;
  - h) A computer printout showing customer counts, total sales, average item quantity, average sale amount for the period 1 October 2018 to 31 December 2018; and
  - i) Extracts from liquor supplier catalogues showing the range of Asian liquor that the Premises could stock;
  - j) Written submission provided by the Applicant in relation to the scope of liquor sought to be supplied, undated and provided by email to the Commission on 19 March 2019;
  - k) Multiple versions of the proposed plan of licensed area for the Premises (**red line plan**), including final version submitted by email to the Commission on 27 May 2019;
  - l) Email from the Applicant dated 20 May 2019 confirming that the Applicant intends to display liquor only for sale within the licensed area.
21. Prior to the hearing of the Review Application, each commissioner undertook a visit to the Premises and the area in which the Premises is located.
22. On 29 January 2019, the Commission conducted a public hearing in relation to the Review Application. The Commission heard and considered evidence and oral submissions made on behalf of the Applicant by Mr Henry Liu and Ms Tina Chao.

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<sup>15</sup> Refer to paragraph 3.



## REASONS FOR DECISION ON REVIEW

### Issues for determination on review

23. In order for the Commission to make its decision on review, several issues require consideration:
- a) whether the Premises are primarily used as a convenience store for the purposes of section 22 of the LCR Act;
  - b) whether the predominant activity to be carried on in the area set aside as the licensed premises is sale by retail of liquor for consumption off the licensed premises;
  - c) the application of the Guidelines to the supply of liquor under a packaged liquor licence; and
  - d) whether the Review Application should be granted or refused, having regard to the objects of the LCR Act, in particular harm minimisation, which is the primary object.<sup>16</sup>
24. Each of these issues is discussed in turn.

### Are the Premises primarily used as a convenience store?

25. Under section 22(1) of the LCR Act, the Commission is prohibited from granting a licence for premises that, in the opinion of the Commission, are used primarily as a milk bar, convenience store or mixed business.<sup>17</sup>
26. The Applicant submitted to the Commission that the Premises operate as a supermarket that specialises in Asian groceries and that it is the only Asian grocery store in the Docklands area.
27. Taking into account the material before the Delegate and the evidence given by Mr Liu at the public hearing, the Commission is satisfied that the Premises are not primarily used as a milk bar or a mixed business. It is therefore necessary to determine whether the Premises are used primarily as a convenience store.
28. The term “convenience store” is defined in the LCR Act as “*a premises of not more than 240 square metres on which food, drinks and other convenience goods are sold*”.
29. In the Original Decision, the Delegate found that the size of the Premises according to the proposed red line plan was 142 square metres and that the photos provided showed that the store sells food, drinks and other convenience goods. On that basis, the Delegate concluded

<sup>16</sup> See paragraphs 12-15 above. The Commission notes that in determining this matter, it has also considered each of the grounds set out in section 44(2) of the LCR Act.

<sup>17</sup> However, section 22(2) of the LCR Act allows the Commission to grant a licence for such premises if the Minister is satisfied (relevantly) that the area in which the premises are situated is a tourist area; and there are not adequate existing facilities or arrangements for the supply of liquor in the area.



that the Premises fell within the definition of a convenience store set out in section 3 of the LCR Act and that the Commission was prohibited from granting a liquor licence under section 22(1)(c) of the LCR Act.

30. However, determining whether the Commission is prohibited from issuing a licence because of section 22(1)(c) requires more than a finding that the premises *could* fall within the definition in section 3 of the LCR Act. The Commission must form an opinion, on all the material before it, as to whether the Premises are **used primarily** (emphasis added) as a convenience store. The Commission uses the following three-step test:

- (1) Determine whether the area of the premises is less than 240 square metres. If it is more than 240 square metres the Commission considers that it cannot be classified as a convenience store.
- (2) Determine whether the premises are selling 'food, drink and other convenience goods'. If not, then the premises cannot be classified as a convenience store.
- (3) If the answer is yes to the first two queries, the Commission must nonetheless determine whether the Premises are in fact used primarily as a convenience store.

31. Each of these steps will be addressed below.

#### Area of the premises

32. Prior to the public hearing on 29 January 2019, the Applicant provided details, including a plan and measurements, for three separate storage areas used to hold stock for the store.

33. The Commission in its decision regarding the Mackie Road Supermarket<sup>18</sup> concluded that the entire site, including loading bay and storage area, was associated with a single enterprise and that the entire premises should be treated as the "premises" for determining if it is eligible to be classified as a convenience store under section 3 of the LCR.

34. The combined area for the storage rooms is approximately 24 square metres bringing the total area for the Premises to 166 square metres. Even with this additional area forming part of the Premises, the area of the Premises is still less than 240 square metres.

#### Goods sold on the premises

35. As noted by the Delegate, the store does sell food, drinks and other items that could constitute convenience goods.

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<sup>18</sup> *OPEM Retail Pty Ltd at Mackie Road Supermarket premises (Liquor-internal review)* [2017] VCGLR 9 (20 March 2017).



36. In relation to the definition of convenience store and its impact on section 22(1), Bourke's Liquor Laws<sup>19</sup> notes that it is problematic that convenience goods are not defined and that supermarkets of all sizes must sell goods which are convenience goods.
37. Given the size of the Premises is less than 240 square metres, and foods, drinks and other convenience goods are sold at the Premises, the Premises are eligible to be classified as a convenience store in accordance with section 3 of the LCR Act. It is therefore necessary to move on to step (3).

#### Primary use of the premises

38. The Commission considers that determining whether the Premises are used primarily as a convenience store is a question of fact. The task for the Commission is to closely consider the individual circumstances of any given store and determine its primary use "*in the opinion of the Commission*"<sup>20</sup>.
39. The Commission considers that it may take into account such things as the nature, scope and scale of products offered for sale; the spending habits of customers at the store; the ambience of the premises; and the environment and demographic of the area in which the store is located. This list is not necessarily exhaustive and is not to be approached as a checklist.
40. Nathan J made the following comments about the task at hand in the Supreme Court decision of *Seldan Pty Ltd v Liquor Licensing Commission and Wonga Park Village Supermarket Pty Ltd*<sup>21</sup>:

*"The concept of a convenience store is, to use a dreadful expression, adopted from the social workers, multifaceted. A wide range of goods are sold. That range is selected by the proprietor to suit the convenience of customers, as is also the case with mixed businesses or milk bars. Premises from which a particular product, or range of products are sold may cease to be convenience stores and become specialty shops, the parameters can never be defined and each case demands subjective investigation."*

41. After the hearing, the Applicant provided a list of products that are currently available at the store. The list was extensive and included:
  - a) fresh fruit and vegetables;
  - b) fresh meat;
  - c) frozen meat and seafood;
  - d) packaged dried spices;
  - e) Asian style sauces;
  - f) a large range of Asian drinks, such as soybean drinks and cold tea drinks;

<sup>19</sup> Bourke's Liquor Laws Vic, [LCR 22.10] Milk bars, convenience stores and mixed businesses

<sup>20</sup> See wording of section 22(1)(c), LCR Act.

<sup>21</sup> *Seldan Pty Ltd v Liquor Licensing Commission and Wonga Park Village Supermarket Pty Ltd* [1990] VSC 216.



- g) a large range of dumplings and noodles;
  - h) Asian biscuits and cakes;
  - i) Asian style desserts, including green tea and red bean ice cream and mochi balls;
  - j) a large range of, mostly Asian, cooking ingredients;
  - k) some tobacco products;
  - l) a range of general grocery items such as toiletries, cleaning products and household goods such as bowls, knives, chopsticks and bamboo steamers.
42. Many of the products stocked are items not typically targeted to Australian consumers and are unavailable in the major supermarkets. The Applicant advised that a large proportion of the stock is imported from Asia and the Commission notes that labelling on many of the products is not in English. Although some Asian grocery lines are available in the large supermarkets, these product lines are limited and may not satisfy the needs of consumers seeking Asian products.
43. The store does stock convenience items such as potato chips, confectionary and tobacco products, however, many of these products are stocked in unique varieties such as lemon chicken, yoghurt or cucumber flavoured potato chips; green tea, lychee and melon flavoured confectionary and Asian branded tobacco products. The store does not sell newspapers or magazines and does not offer hot food or prepared sandwiches.
44. Based on the sales data provided by the Applicant, approximately 90% of sales are under \$50. Approximately 7% spend between \$50 and \$100 and around 3% of customers spend \$100 or more. The average individual sale across the period provided is \$23.42. The average weekly customer count is 1376 with an average weekly turnover of \$31,642. A low average customer spend *can*, in some cases, be consistent with customers using a store to purchase convenience goods, for example the odd forgotten grocery item or extra milk, rather than for their primary household shopping. However, the Commission considers that these figures must be viewed in light of the area in which the Premises is located. Further, the concept of a speciality store is not necessarily incompatible with a small average customer spend.
45. Docklands is a suburb of Melbourne adjacent to the CBD. It covers 3km<sup>2</sup> and had a population of 10,964 at the 2016 census. It is dominated by high rise buildings and most of its residents live in an apartment according to the 2016 census (97.1% compared to 11.6% for the whole of Victoria). 21.5% of Docklands residents reported having Chinese ancestry compared to 4.7% in the whole of Victoria. 2016 census data also indicates that 37.5% of Docklands residents do not have a car compared to 7.9% across Victoria.
46. At the hearing, Mr Henry Liu, on behalf of the Applicant, advised that the store is the only Asian



grocery store within the Docklands area. Mr Liu told the Commission that a lot of customers come to the store to buy food or groceries to create a meal rather than buying only one or two items.

47. The sales data provided by the Applicant demonstrates a steady trade and the unique nature of the Docklands suburb, i.e. mostly apartment living and few cars may explain the high instance of sales under \$50. The Commission also considers that an average individual spend of \$23.42 indicates that many customers are purchasing more than a couple of convenience items. The size of the store may be reflective of the needs of the Docklands community and not determinative of the primary use of the Premises.
48. The Commission notes that the Crown Asian Supermarket is located in the CBD approximately 1.5 kilometres from the Premises. The Crown Asian Supermarket is a similar size (under 240m<sup>2</sup>) and appears to have a very similar product range to the Applicant. It has been granted a packaged liquor licence on the basis that it is a small specialty supermarket.
49. The Applicant submits that there are no liquor shops in the Docklands which “supply the specialty service for Asian taste.” Mr Liu confirmed in his evidence at the hearing that the Applicant intends to supply liquor imported from Asia, consistent with its business model as an Asian speciality store. Mr Liu agreed to a condition being placed on the licence restricting the supply of liquor to Asian liquor, if the Commission determined to grant a licence.
50. The Commission considers that the emphasis on Asian grocery lines, fresh produce and the large range of products available supports the Applicant’s assertion that the store operates as an Asian grocery store. The Commission notes that the majority of products sold by the store are either imported from Asia or have a uniquely Asian quality. The Commission further considers that the location of the store, being in Docklands, a primarily high rise, low car usage location, diminishes the weight the Commission should give to the size of the store in determining whether it is used primarily as a convenience store.
51. Taking into account all the material before it, including the visits by the Commissioners to the store, the Commission finds that the store is used primarily as a speciality store and not as a convenience store. Accordingly, the Commission considers that it is not prevented from granting a liquor licence by section 22, and in particular 22(1)(c), of the LCR Act in this matter.

**Predominant activity to be carried on in the licensed area**

52. Having been satisfied that section 22 of the LCR Act does not prevent the Commission from granting the licence, the Commission is still required to have regard to section 24 of the LCR Act. Under that provision, the Commission must not grant a packaged liquor licence



unless satisfied that the predominant activity to be carried on in the area set aside as the licensed premises is the sale by retail of liquor for consumption off the licensed premises.

53. The most recent proposed red line plan was submitted to the Commission on 27 May 2019. This was submitted as a result of a correspondence between the Commission and the Applicant in relation to concerns held by the Commission that earlier proposed versions of the Red-line Plan may fall foul of the predominant activity test in section 24 of the LCR Act, as it is explained in the decision of *Birdendove Pty Ltd v Director of Liquor Licensing (Occupational and Business Regulation)* [2007] VCAT 1956.
54. The final red line plan submitted by the Applicant proposes a dedicated area where liquor will be displayed, being a relatively separate, well-defined area in the corner of the store. One of two checkouts within the store will also be contained within the proposed licensed area as indicated on the red line plan, with liquor sales to be processed through that checkout register only. The Commission notes that the storage of liquor will occur in the nearby storage area as indicated in the red line plan.
55. The Commission is satisfied, based on the final proposed red line plan and email correspondence from the Applicant dated 20 May 2019 that the predominant activity to be carried on in the area set aside as the licensed premises will be sale by retail of liquor for consumption off the licensed premises.

### **Decision-making Guidelines for the sale of packaged liquor**

56. The Guidelines apply to “the grant of liquor licences that may allow the sale of packaged liquor”. The Commission therefore must have regard to the Guidelines under section 9(4) of the VCGLR Act.
57. More particularly, the Guidelines apply to packaged liquor licences concerning the supply of liquor outside “ordinary trading hours” as defined in the LCR Act.<sup>22</sup>
58. The Commission notes that the Applicant’s proposed hours in which liquor would be supplied, as set out in paragraph 2, are consistent with (and, in fact, less than) the definition of “ordinary trading hours” regarding packaged liquor licences as defined in the LCR Act. Accordingly, the Guidelines have no impact on the Review Application.

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<sup>22</sup> See paragraph 3 of the Guidelines and LCR Act, section 3.



**Whether to grant or refuse the licence having regard to the objects of the LCR Act**

59. The Commission is mindful of the need to ensure that appropriate regard be given to the harm minimisation object,<sup>23</sup> recognising that it is the primary object of the LCR Act.
60. No amenity concerns were raised by the Council or Victoria Police and no objections were received from members of the public or community organisations.
61. At the Hearing, Mr Liu confirmed that he currently has six staff (including himself) that work in the store. Mr Liu advised the Commission that none of the staff are under the age of 18 years and that all staff except for one have completed responsible service of alcohol training.
62. Finally, the Commission acknowledges that the directors of the Applicant, Mr Liu and Ms Tang, have completed new entrant training as required under the Commission's endorsed policy related to training obligations for licence applicants.

**DECISION ON REVIEW**

63. Based on all of the matters discussed above, the Commission on review has decided to set aside the Delegate's Original Decision and, in substitution, grant a packaged liquor licence for the Premises subject to the conditions set out in Appendix A.
64. The Commission considers that it is appropriate in this matter to impose a condition, as proposed by the Applicant, that the supply of liquor be limited to liquor produced in Asia and with a unique Asian quality. Such a condition reflects the intention of the Applicant to supply Asian liquor only, and is consistent with the Commission's finding that the store operates as a speciality Asian grocery store.

***The preceding 64 paragraphs are a true copy of the Reasons for Decision of Ms Helen Versey, Deputy Chair, Dr Dina McMillan, Commissioner and Mr Des Powell, Commissioner.***

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<sup>23</sup> LCR Act, section 4(1)(a),(2).



## Appendix A

### CONDITIONS

#### TYPE OF LICENCE

This licence is a packaged liquor licence and authorises the licensee to supply liquor in sealed containers, bottles or cans on the licensed premises during the trading hours specified below for consumption off the licensed premises.

The licensee must comply with the Code of Conduct determined by the Minister pursuant to section 11(5) of the *Liquor Control Reform Act 1998*.

#### SPECIAL CONDITIONS

The supply of liquor is limited to liquor produced in Asia and with a unique Asian quality.

#### TRADING HOURS

Sunday	Between 10am and 11pm
ANZAC Day	Between 12 noon and 11pm
Good Friday and Christmas Day	No trade
On any other day	Between 9am and 11pm