

Decision Notification

Application Details

Application no.	219831, 219832
Licence No.	57320867
Licence Class	Restaurant & Catering
Premises Name	Rosa Mexicano
Premises Address	9A Moseley Square Glenelg SA 5045
Applicant	Cansiri Pty Ltd
Application Type	Application for a Liquor Licence, Application for Extension of Trading Area (S 69)
Representative	Zoe Greenwood - Commercial Licensing Specialists

Outcome

Decision	Granted
Effective Date	09 Feb 2023

Requirements

The following requirements in support of the application have been satisfied:

- Landlord's consent has been obtained
- The application has been advertised
- All approvals, consents or exemptions have been obtained

People

Position of Authority

The following persons are approved to occupy any position of authority in the entity holding the licence:

- Naunihal Singh Sekhon (175610)
- Harpal Chugh (175611)

Premises

New Premises

The licensed area is outlined in red on the approved plan.

Licence Plan

The licensee is authorised to sell and supply liquor in an area adjacent to the premises for consumption in that area, as outlined in red on the approved plan.

Determination Details

Submissions from the following persons or corporate entities were received and taken into consideration when determining this application: Annie Elliott on behalf of the City of Holdfast Bay.

Ms Elliott submitted that the following measures should be considered as to not cause nuisance to the adjoining residential properties:

- Entertainment limited to music operated through in house speakers or acoustic guitar using house speakers at a

dba consistent commercial premises adjacent residential premises (Moseley Square upper floors southern side, Colley Terrace & St Johns Row).

- Capacity to be determined by Private Certifier.

The Act requires me to consider whether granting the application would result in undue offence, annoyance, disturbance or inconvenience to people who reside, work or worship in the area. In considering this, I note that there are a number of other licensed premises in the surrounding area of the same licence class that trade until a similar time or later time than what is sought in this application. The Act provides a process should noise become an issue to nearby residents in the future.

I do not deem it necessary to impose conditions prior to the premises commencing trade and therefore am of the opinion that the application should be granted as sought.

In relation to the capacity, it is the Commissioner's position that capacities need not be imposed on licenses of this class, however I note that applicant's obligations to comply with any other laws or regulations that may restrict the capacity of the venue.

Conditions

The following conditions are added to the licence

- The approval to sell liquor in an outdoor dining area shall lapse and become of no effect if the permit issued by the local council lapses, or is cancelled, withdrawn or revoked.

Authorisations

The following authorisations/restrictions are added to the licence

- Sale of liquor for consumption on the licensed premises authorised
- Sale of liquor in an approved place adjacent to the licensed premises authorised

Trading hours

The following are the approved trading hours

	Consumption on premises	Consumption off premises
Monday	10:00 am to 1:00 am the following day	-
Tuesday	10:00 am to 1:00 am the following day	-
Wednesday	10:00 am to 1:00 am the following day	-
Thursday	10:00 am to 1:00 am the following day	-
Friday	10:00 am to 1:00 am the following day	-
Saturday	10:00 am to 1:00 am the following day	-
Sunday	10:00 am to 1:00 am the following day	-

Reasons for Decision

In reaching my determination, I have had regard to the objects of the *Liquor Licensing Act 1997*.

Under Delegation from the Liquor and Gambling Commissioner



Caitlin O'Connell
A/Team Leader, Liquor and Gaming
09 Feb 2023

