

Decision Notification

Application Details

Application no.	84980
Licence No.	57001976
Premises Name	Hotel Seaton
Premises Address	253-255 Tapleys Hill Road SEATON PARK SA 5023
Licensee	Hotel Seaton (SA) Pty Ltd
Application Type	Application to Vary Gaming Trading Hours

Outcome

Decision	Granted
Effective Date	21 Apr 2022

Requirements

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

The application has been advertised

Trading hours

The following are the approved trading hours

Monday	Midnight to 3:00 am	9:00 am to Midnight
Tuesday	Midnight to 3:00 am	9:00 am to Midnight
Wednesday	Midnight to 3:00 am	9:00 am to Midnight
Thursday	Midnight to 3:00 am	9:00 am to Midnight
Friday	Midnight to 3:00 am	9:00 am to Midnight
Saturday	Midnight to 3:00 am	9:00 am to Midnight
Sunday	Midnight to 3:00 am	9:00 am to Midnight

Reasons for Decision

The licensee has applied to the Liquor and Gambling Commissioner (the Commissioner) to vary their authorised gaming trading hours. The trading hours are to be shifted from 8am to 2am each day to 9am to 3am, involving no net increase in trading time.

Section 27AA(4) of the Act states that the Commissioner may, after receiving an application for variation of a gaming machine licence, determine that the application is to be a designated application for the purposes of section 17A of the Act. The Commissioner had regard to that provision but considered that, on this occasion, that it was not necessary to designate the application.

Section 27AA(7) of the Act requires me to have regard to the matters set out in section 15(5)(a) of the Act, to the extent they are relevant to the application, in determining an application for a variation to a gaming machine licence.

Section 15(5)(a) of the Act states that a gaming machine licence will not be granted unless:

"(a) the applicant for the licence satisfies the Commissioner, by such evidence as the Commissioner may require—

(i) that the proposed gaming area, or gaming areas, within the premises in respect of which the licence is sought is or are suitable for the purpose; and

(iii) that the arrangements proposed for the security of the premises, each gaming area and the gaming machines, and of the gaming operations generally, are adequate; and

(iv) that the conduct of the proposed gaming operations on the premises would be unlikely to result in undue offence, annoyance, disturbance or inconvenience to those who reside, work or worship in the vicinity of the premises; and

(vi) that the conduct of the proposed gaming operations on the premises would not detract unduly from the character of the premises, the nature of the undertaking carried out on the premises or the enjoyment of persons ordinarily using the premises (apart for the purpose of gaming);

and

(vii) that no proposed gaming area is so designed or situated that it would be likely to be a special attraction to minors; and

(viii) that the proposed gaming area is within a place or area that is enclosed as defined by the Tobacco and E-Cigarette Products Act 1997 (see section 4(3) and (4))".

I have considered the above matters and I am of the view that only sub-section (iv) is relevant to the application.

I have had regard to that matter and I am satisfied that the grant of this application would not cause any undue offence, annoyance, disturbance or inconvenience to those who reside, work or worship in the vicinity of the premises.

I note a development approval from City of Charles Sturt Council approving the revised trading hours has been provided to the licensing authority.

Pursuant to section 24(3) of the Act, I am satisfied that the grant of this application would not be contrary to the public interest.

Pursuant to section 27AA of the Act, the application to vary the authorised gaming hours is granted.

Under Delegation from the Liquor and Gambling Commissioner



Ben Johns
Manager, Liquor & Gambling
21 Apr 2022