

Decision Notification

Application Details

Application no.	85273
Licence No.	57004013
Premises Name	Terminus Hotel
Proposed Premises Name	Terminus Hotel
Premises Address	4 Railway Terrace BALAKLAVA SA 5461
Licensee	Termo Beach Pty Ltd
Application Type	Application to Increase the Number of Approved Gaming Machines
Representative	Didier Vollerin - Australian Hotels Association (SA)

Outcome

Decision	Granted
Effective Date	07 Dec 2022

Requirements

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

The application has been advertised

Number of Approved Gaming Machines

I grant the increase of gaming machines from 7 to 9.

Reasons for Decision

The licensee has applied to the Liquor and Gambling Commissioner (the Commissioner) to increase the number of gaming machines authorised by their licence from seven to nine.

Section 27AA(4) of the *Gaming Machines Act 1992* (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 has had regard to that provision and does not consider this application to be designated.

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 do not consider that the aforementioned provisions are relevant to the current application.

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.

I confirm that the grant of this application would not exceed the maximum number of machines the Commissioner can approve under section 16(3) of the Act.

Pursuant to section 27AA of the Act, the application to vary the licence to increase the number of gaming machines from seven to nine is granted.

Under Delegation from the Liquor and Gambling Commissioner



Natasha Tsourtos
Manager, Liquor and Gambling
07 Dec 2022