

Decision Notification

Application Details

Application no.	216855
Licence No.	57212187
Licence Class	Club
Premises Name	Goolwa Hockey Club
Premises Address	Goyder Street GOOLWA SA 5214
Licensee	Goolwa Hockey Club Incorporated
Application Type	Variation to Conditions (Upgrade)

Outcome

Decision	Granted
Effective Date	12 Aug 2022

Requirements

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

- The application has been advertised
- All approvals, consents or exemptions have been obtained

Trading hours

The following are the approved trading hours

	Consumption on premises	Consumption off premises
Monday	10:00 am to Midnight	-
Tuesday	10:00 am to Midnight	-
Wednesday	10:00 am to Midnight	-
Thursday	10:00 am to Midnight	-
Friday	10:00 am to Midnight	-
Saturday	10:00 am to Midnight	-
Sunday	10:00 am to Midnight	-

Reasons for Decision

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

Trading hours

The trading hours have increased from:

Monday to Saturday - Midday to 10:00pm and Sunday - Midday to 8:00pm

to

Monday to Sunday - 10:00am to Midnight

Responsible person exemption

It is a requirement under section 97(1) of the *Liquor Licensing Act 1997* (the Act) that premises must be personally supervised by a responsible person at all times that they are open to the public, however under section 97(2) of the Act the Commissioner may exempt a licensee from this requirement and approve alternative arrangements for the supervision and management of the business.

I note that the licensee currently has an exemption from this requirement on the condition that a committee member is either present or contactable by phone at all times the premises is open for trade.

As part of the application, I have reviewed this exemption and asked the applicant provide a submission as to why the exemption should remain on the licence. In response to this request the licensee has provided the following submission:

Our non for profit sporting club does not act in the manner of a business but uses canteen and bar sales to fundraise. As far as we are aware GHC has always had an exemption from section 97(2) of the Act. We are committed to providing a responsible service of alcohol through our committee members who are on site for the entire time our bar is open.

Our club does not operate on weekdays as our sport is played on the weekend making our main opening hours on the weekends.

We hold between 4 and 6 home games a season which is when our facility is opened and utilising the bar. Our season is between the months of March and October.

Having moved into the new facility we have been able to utilise this space and for the first time we held a function (quiz night) in which we also had the bar open. We hope to hold this as a yearly fund-raiser as well as another function of some sort annually.

On weekend home round games our facility is open from 8:00am to approx. 6:00pm with our bar opening after 12:00pm as per our current Liquor Licence. An approx. 800 players and spectators attend our facility throughout the day on a home round.

As part of the submission, the licensee has provided details of liquor sales for the period October 2020 to October 2021.

Decision

The requirement under section 97 of the Act supports the second object of the the Act *“...to ensure that the sale, supply and consumption of liquor is undertaken safely and responsibly, consistent with the principle of responsible service and consumption of liquor.”*

The principle of responsible service of alcohol is an important aspect of the licensing regime and contributes to overall public safety surrounding the consumption of liquor. In deciding whether to grant an exemption from these requirements the interest of the public should be weighed against the burden of ensuring a responsible person is present at all times on a licensee.

I have reviewed the financial information provided and the information provided by the licensee as to when club rooms and bar are utilised and based on this information if the club hold five home games this equates on average to approxiametely \$660.00 of liquor sales on each occasion. I also acknowledge that the club use the canteen and bar sales as fund raises and that the the sale of liquor is ancillary to the main function of the club being hockey.

I do note as part of the application the trading hours will permit the licensee to trade until midnight. In addition to this the current capacity of their club licence does permit them to have up to 800 patrons on the premises at any one time. I

do not consider the trading hours and capacity of the club to be of limited scope.

Should the premises reach the maximum permitted capacity on a Saturday night, for example, then an exemption would not be appropriate. For this reason, I will condition the exemption to only apply when there are less than 80 persons at the premises, and also to only apply before 10pm. This will ensure that should they trade later in the evening or with a greater capacity that an appropriately approved person is present.

I note that this exemption applies only to the requirement to have a responsible person present at all times, and that the licensee must still comply with the provisions of the General Code of Practice requiring all persons involved in the sale and supply of liquor to have completed approved responsible service of alcohol training.

Under Delegation from the Liquor and Gambling Commissioner



Jane Widdowson
Hearings Delegate
12 Aug 2022