

Decision Notification

Application Details

Application no.	215296
Licence No.	57214024
Licence Class	Club
Premises Name	Marion Tennis Club Inc
Premises Address	26 Norfolk Road Marion SA 5043
Applicant	Marion Tennis Club Inc
Application Type	Application for a Liquor Licence

Outcome

Decision	Granted
Effective Date	14 Nov 2022

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

Committee Members

I note the following persons are part of the committee of management of the club:

- Nigel William Dally (172007)
- Elizabeth Mary Hearn (172008)
- Mark Thomas Morgan (172009)
- Anthony Paul Davey (173987)
- Justin Tredwell (173988)

Premises

New Premises

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

Capacity

The capacity of the venue is set at 100.

Licensee

I am satisfied that the applicant is eligible to hold a club licence under section 36(5) and (7) of the Act.

Authorisations

The following authorisations/restrictions are added to the licence

- Sale of liquor for consumption on the licensed premises authorised

Trading hours

The following are the approved trading hours

	Consumption on premises	Consumption off premises
Monday	Midday to 9:00 pm	-
Tuesday	Midday to 9:00 pm	-
Wednesday	Midday to 9:00 pm	-
Thursday	Midday to 9:00 pm	-
Friday	Midday to 9:00 pm	-
Saturday	Midday to 10:00 pm	-
Sunday	Midday to 8:00 pm	-

Reasons for Decision

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

The application is for the grant of a club licence. The applicant has addressed the objects of the *Liquor Licensing Act 1997* (the Act) in their application and I am satisfied that the sale, supply and consumption of liquor will be undertaken safely and responsibly, consistent with the principle of responsible service and consumption of liquor and the expectations and aspirations of the public. The applicant has indicated that the supply and consumption of liquor on the licensed premises will be strictly in accordance with the applicant's management and risk assessment plan, which the applicant has indicated will align with the General Code of Practice.

Pursuant to section 36(5) of the Act, a club licence may only be held by a club that is a non-profit association incorporated under the *Associations Incorporation Act 1986* (the Associations Act) or a company limited by guarantee under the *Corporations Act 2001* (Cth). The applicant has provided a Certificate of Incorporation under the Associations Act (Incorporation Number A20166) and I am satisfied that the applicant is a non-profit association incorporated under the Associations Act for the purposes of section 36(5) of the Act and is therefore eligible to hold a club licence.

Section 36(7)(a) of the Act states that a club is not eligible to hold a club licence unless the licensing authority is satisfied that the club will be entitled to exclusive possession of the licensed premises at times when sale of liquor is authorised by the licence. The club has provided landlords consent from the Corporation of the City of Marion and I am satisfied that the club is entitled to exclusive possession of the licensed premises.

Section 36(7)(b) of the Act states that a club is not eligible to hold a club licence unless the licensing authority is satisfied that the rules of the club also make appropriate provision for a number of matters. I have reviewed the Constitution of the club and I am satisfied that the rules of the club make appropriate provision for all of the matters provided for in section 36(7)(b) of the Act. I note that the Constitution of the club provides for a management committee of 11 persons. The applicant, however, has advised that the management committee is currently only made up of five persons. I accept that there are only five current members of the management committee.

Section 56(1) of the Act requires that an applicant for a licence satisfy the licensing authority of certain matters. Section 56(1a) states that section 56(1) of the Act does not apply to an applicant for a club licence if the applicant informs the licensing authority of each member of the committee of management of the club and provides the information

required by the licensing authority about each member. The applicant has provided the authority with the information required by the licensing authority.

Pursuant to section 57 of the Act, I am satisfied that the premises for which the licence is sought are of a sufficient standard for the purpose of carrying on business under the licence. Further, I am satisfied that the operation of the licence would be unlikely to result in undue offence, annoyance, disturbance or inconvenience to people who reside, work or worship in the vicinity of the premises and or to prejudice the safety or welfare of children attending kindergarten, primary school or secondary school in the vicinity of the premises.

Pursuant to section 72 of the Act, I am satisfied that the lessor has consented to the application.

I am satisfied that the grant of the licence would not be contrary to the public interest or inconsistent with the objects of the Act.

The application is granted.

Under Delegation from the Liquor and Gambling Commissioner



Natasha Tsourtos
Manager, Liquor and Gambling
14 Nov 2022