

# Decision Notification

## Application Details

Application no.	217353, 217354, 217355
Licence No.	57214113
Licence Class	Club
Premises Name	Blue Lake Sports Club Inc
Premises Address	50 White Avenue Mount Gambier SA 5290
Applicant	BLUE LAKE SRORTS CLUB INCORPORATED
Application Type	Application for a Liquor Licence, Application for Exemption\Responsible person, Application for up to five endorsements

## Outcome

Decision	Granted
Effective Date	14 Sep 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:

- Sam Batty (98422)
- Joshua Wade Johnson (145970)
- BLUE LAKE SRORTS CLUB INCORPORATED null (173600)
- Nathan Butler (173601)
- Melinda Jane Peake (173602)
- Tanya Helene Frost (173603)
- Terasa Lee Nearmy (173604)
- Campbell Hopgood (173605)
- Dani Atkinson (173606)
- Luke Harris (173607)

## Premises

### New Premises

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

### Capacity

The capacity of the venue is set at 1201+

## Exemptions

The following exemptions are added to the licence

- Responsible Person

## Conditions

The following conditions are added to the licence

- The exemption from the Responsible Person requirements is granted on the condition that a committee member must be contactable by phone at all times the premises is open for trade.
- The exemption from the Responsible Person requirements only applies when there are less than 100 patrons at any one time.

## 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	6:00 pm to 9:00 pm	-
Tuesday	6:00 pm to 9:00 pm	-
Wednesday	6:00 pm to 9:00 pm	-
Thursday	6:00 pm to 9:00 pm	-
Friday	6:00 pm to Midnight	-
Saturday	11:00 am to 1:00 am the following day	-
Sunday	11:00 am to Midnight	-

## Reasons for Decision

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. An exemption can only be granted if the licensing authority is satisfied that, in view of the limited scope of a business conducted under a licence, an exemption would not compromise the principle of responsible service of alcohol and consumption of liquor.

The applicant has applied for an exemption from this requirement.

The applicant has submitted the following reasons why they should be granted an exemption:

- *We are a small soccer club, with Clubroom capacity of 100 people, sourcing both Responsible Person and Responsible Service Alcohol staff to be on premises together could be difficult. However, we do have a large number of members that work in hospitality that are RSA qualified and there will always be Board members on site with the Clubrooms are open.*

### 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.

Whilst I appreciate that the clubrooms are small, the licensed area does include a large outdoor area and the capacity is therefore unrestricted. Should the licensee host large events with hundreds of patrons it would be inappropriate for the premises to not be under the supervision of an approved responsible person. For this reason I will condition the exemption to only apply when there are less than 100 persons at the premises. Should a situation arise where they find they have more than 100 patrons on the premises (noting that the premises includes the large outdoor area) then they will be required to have a responsible person present.

Furthermore, the Act requires me to approve alternative arrangement where an exemption is granted. Therefore I will also condition the exemption to require a committee member to be contactable by phone at all times the premises is trading.

I note that these two conditions work together so if the Club has less than 100 patrons, they may operate without a responsible person, provided a committee member is contactable by phone. Alternatively, if there are more than 100 patrons at the premises the exemption does not apply and therefore it is not sufficient to have a committee member available by phone, a responsible person must be present during these times.

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



Ashleigh Hughes  
Hearings Delegate  
14 Sep 2022