

Decision Notification

Application Details

Application no.	211260
Licence No.	57319028
Licence Class	Restaurant & Catering
Premises Name	My Sister's Deli
Premises Address	230 St Vincent Street Port Adelaide SA 5015
Applicant	My Sister's Deli Pty Ltd
Application Type	Application for a Liquor Licence
Representative	Andrew Wong - Lion Liquor Licensing Consultants

Outcome

Decision	Granted
Effective Date	16 Dec 2021

Procedural

I allow the applicant to vary their application as follows:

Under section 51(3) of the *Liquor Licensing Act 1997* (the Act) I allow the applicant to reduce the the proposed trading hours for the premises. In addition to this I allow the applicant to reduce the size of the proposed licensed area.

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
- The application has been advertised on the premises albeit noting that the notice was displayed one day late

People

Position of Authority

The following persons are approved to occupy any position of authority in the entity holding the licence:

- Helen Kyprios (169011)
- Zacharia Kyprios (169012)

Premises

New Premises

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

Determination Details

Submissions from the following persons or corporate entities were received and taken into consideration when determining this application: City of Port Adelaide Enfield

On 18 October 2021, the City of Port Adelaide Enfield lodged a submission under section 77(3) of the Act. In the submission the Council has stated that the premises is subject to Development Application Number 040/2122/20. The Development application 040/2122/20 was granted subject to a number of conditions, condition 2 of the approval provides that the hours of operation of the premises shall not exceed the times: 8:00am to 4:00pm.

The applicant has applied for the proposed trading hours of 7am to midnight, Monday to Sunday.

On the 25 November 2021, the applicant supplied to the licensing authority revised development approval from the City of Port Adelaide Enfield dated 1 November 2021. Condition 2 of this approval provides that the hours of operation of the premises shall not exceed the times: Monday to Wednesday 7am to 10pm and Thursday to Sunday 7am to midnight.

Under section 51(3) of the Act I have allowed the applicant to amend the hours of operation so that they are consistent with those in the revised development approval.

I am satisfied that the applicant has the relevant planning approvals under section 57(2) of the Act.

In the submission the Council has also advised that the applicant does not have an outdoor dining permit for the use of the proposed outdoor area sought by the applicant. In addition to this I note that the applicant has not applied to the Licensing Authority for an extension of trading area under 69 of the Act.

Under section 51(3) of the Act, I have allowed the applicant to vary the application to exclude this area from the proposed licensed area.

Authorisations

The following authorisations/restrictions are added to the licence

- Sale of liquor for consumption on the licensed premises authorised
- Sale of liquor for consumption at the site of a function off the licensed premises authorised

Trading hours

The following are the approved trading hours

	Consumption on premises	Consumption off premises
Monday	7:00 am to 10:00 pm	-
Tuesday	7:00 am to 10:00 pm	-
Wednesday	7:00 am to 10:00 pm	-
Thursday	7:00 am to Midnight	-
Friday	7:00 am to Midnight	-
Saturday	7:00 am to Midnight	-
Sunday	7:00 am to Midnight	-

Reasons for Decision

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

Under Delegation from the Liquor and Gambling Commissioner



Jane Widdowson
Hearings Delegate
16 Dec 2021

