

# Decision Notification

## Application Details

Application no.	212851, 212852
Licence No.	57319450
Licence Class	Restaurant & Catering
Premises Name	Henley Breeze Cafe
Premises Address	shop 1. 303 Seaview Rd HENLEY BEACH SA 5022 SA 5022
Licensee	Svitlana Yevheniyivna Kushlak, Nosh Preka
Applicant	Svitlana Yevheniyivna Kushlak, Nosh Preka
Application Type	Application for a Liquor Licence, Application for Extension of Trading Area (S 69)

## Outcome

Decision	Granted
Effective Date	25 Jan 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

### Licensee

The following persons are approved to hold the licence:

- Svitlana Yevheniyivna Kushlak (164396)
- Nosh Preka (170157)

## Premises

### New Premises

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

### Capacity

The capacity of the venue is set at 50.

### Licence Plan

The licensee is authorised to sell and supply liquor in an area adjacent to the premises for consumption in that area, as outlined in red on the approved plan.

## Conditions

The following conditions are added to the licence

- The approval to sell liquor in an outdoor dining area shall lapse and become of no effect if the permit issued by the local council lapses, or is cancelled, withdrawn or revoked.

## Authorisations

The following authorisations/restrictions are added to the licence

- Sale of liquor for consumption on the licensed premises authorised
- Sale of liquor in an approved place adjacent to the licensed premises authorised

## Trading hours

The following are the approved trading hours

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

## Reasons for Decision

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

The applicant has addressed the objects of the Act in their application and I am satisfied the sale, supply and consumption of liquor will be undertaken safely and responsibly, consistent with the responsible service and consumption of liquor, and the expectations and aspirations of the public.

Pursuant to section 56 of the Act, I am satisfied the licensees are fit and proper persons to hold the licence.

Pursuant to section 57 of the Act, I am satisfied the proposed premises are of a sufficient standard for the purpose of carrying on business under the licence. Further, I am satisfied 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.

City of Charles Sturt Council has confirmed they support the proposed liquor licence at the agreed capacity and trading hours and I am satisfied all relevant approvals, consents and exemptions are in place.

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

I am satisfied the proposed licence is not contrary to the public interest or inconsistent with the objects of the Act.

## Under Delegation from the Liquor and Gambling Commissioner



Ben Johns  
Manager, Liquor & Gambling  
25 Jan 2022

Date of Order: 25 January, 2022  
Order Number: B239469  
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Government of South Australia  
Attorney-General's Department