

Decision Notification

Application Details

Application no.	217430
Licence No.	57320435
Licence Class	Restaurant & Catering
Premises Name	Foodie bar
Premises Address	93 Commercial Street West Mount Gambier SA 5290
Applicant	Tf & Sd group pty Ltd
Application Type	Application for a Liquor Licence

Outcome

Decision	Granted
Effective Date	09 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

Position of Authority

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

- Tharindu Fonseka Halahapperumage (173686)
- Suranjani Shanika Dissanayaka (174008)
- Sunil Dissanayaka Rathnayakage (174214)

Premises

New Premises

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

Capacity

The capacity of the venue is set at 20.

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	8:30 am to Midnight	-
Tuesday	8:30 am to Midnight	-
Wednesday	8:30 am to Midnight	-
Thursday	8:30 am to Midnight	-
Friday	8:30 am to Midnight	-
Saturday	8:30 am to Midnight	-
Sunday	8:30 am to Midnight	-

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 restaurant and catering 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 all staff are properly trained to ensure the sale, supply and consumption of liquor is undertaken safely and responsibly. I am satisfied that the sale and supply of liquor will occur in a manner that minimises the harm and potential for harm caused by the excessive or inappropriate consumption of liquor.

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.

Pursuant to section 56 of the Act, I am satisfied that each person who occupies a position of authority in the licensee entity is a fit and proper person to occupy such a position in the entity holding the licence.

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 note that the applicant had initially sought a capacity of 20 persons for the premises. Section 11C of the Act requires that the Commissioner should, in the imposition of conditions under the Act, take reasonable steps to avoid any inconsistency with matters that are dealt with or addressed under the *Planning, Development and Infrastructure Act 2016*. The Certificate of Occupancy provided by the applicant in support of their application shows that only a maximum number of 20 occupants was authorised. The licensing authority has agreed to allow the applicant to vary their application, pursuant to section 51(3) of the Act, to seek a reduced capacity of 20.

The application is granted.

Under Delegation from the Liquor and Gambling Commissioner



Natasha Tsourtos
Manager, Liquor and Gambling
09 Nov 2022

