

# Decision Notification

## Application Details

Application no.	212257, 212443
Licence No.	57402415
Licence Class	Residential
Premises Name	Whyalla Playford Apartments
Premises Address	9-11 Darling Terrace ADELAIDE SA 5000
Applicant	EDP Whyalla Playford Pty Ltd
Application Type	Application for a Liquor Licence, Application for Exemption\Responsible person
Representative	Didier Vollerin - Australian Hotels Association

## Outcome

Decision	Granted
Effective Date	13 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 vary the applicant for licence. The application was advertised in the amended applicants name.

## 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:

- Graham William Hobbs (133)
- Ian Edward Tregoning (2590)

## Premises

### New Premises

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

## 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 responsible person or director of the licensee company must be contactable by phone at all times the premises is open for trade.

## Trading hours

The following are the approved trading hours

	Consumption on premises	Consumption off premises
Monday	5:00 am to 2:00 am the following day	-
Tuesday	5:00 am to 2:00 am the following day	-
Wednesday	5:00 am to 2:00 am the following day	-
Thursday	5:00 am to 2:00 am the following day	-
Friday	5:00 am to 2:00 am the following day	-
Saturday	5:00 am to 2:00 am the following day	-
Sunday	5:00 am to 2:00 am the following day	-

## Reasons for Decision

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

It is a requirement under section 97(1) of 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:

Liquor shall only be supplied and or sold to residents, via reception, and or mini bars in the rooms. There is no Restaurant or meeting / function rooms on the premises. Liquor shall only be supplied and or sold to residents, there shall be no consumption in areas that are accessed by member of the public, there are no restaurants and or bars within the premises. Liquor will only be available via reception, and or the mini bars in the rooms.

Having considered all of this, I am satisfied that, in view of the limited scope of the business conducted under the licence, an exemption from the responsible person requirements can be granted without compromising the principle of responsible service of alcohol and consumption of liquor.

The exemption from the responsible person requirements is granted on the condition that a responsible person or director of the licensee company must be contactable by phone at all times the premises is open for trade.

## Under Delegation from the Liquor and Gambling Commissioner



Jane Widdowson  
Hearings Delegate  
13 Dec 2021

