

Decision Notification

Application Details

Licence No.	57501536
Licence Class	Small Venue
LGO Reference	L10663
Application no.	205598, 206051
Premises Name	BrainHackr
Premises Address	112-114 Flinders Street Adelaide SA 5000
Applicant	Andrew David McGiffert
Application Type	Application for a Liquor Licence, Application for Extension of Trading Area (S 69)

Outcome

Decision	Granted
Effective Date	21 Jan 2021

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 and receive proceeds of the business conducted under the licence:

- Andrew David McGiffert (150126)

Premises

New Premises

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

Capacity

Capacity 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dining area shall lapse and become of no effect if the permit issued by the local council lapses, or is cancelled, withdrawn or revoked.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 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	10:00 am to 2:00 am the following day	-
Tuesday	10:00 am to 2:00 am the following day	-
Wednesday	10:00 am to 2:00 am the following day	-
Thursday	10:00 am to 2:00 am the following day	-
Friday	10:00 am to 2:00 am the following day	-
Saturday	10:00 am to 2:00 am the following day	-
Sunday	10:00 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*.

The proposed premises is located within a 'prescribed area' as required by s 37(2) of the Act (i.e.- it is within the Adelaide CBD).

Capacity is to be set at 50 which is well under the Small Venue capacity limit of 120 persons prescribed by s 37(3) of the Act.

I note that SAPOL does not oppose the application, and the Authority has not received any submissions opposing the application. The City of Adelaide Council have granted the necessary development consent.

I do not consider that there is any other reason why I should refuse the application under the broad discretion available in s 53 of the Act.

On the material before me there is no reason to refuse the application pursuant to either s 53(1a) or s 53(1B) of the Act.

I am of the view that granting the application is in the public interest and is consistent with the objects of the Act.

Accordingly, the application for a Small Venue licence is granted.

Under Delegation from the Liquor and Gambling Commissioner



Paul Bertram

Hearings Delegate

21 Jan 2021

