

Application Details

Licence No.	57008083
Licence Class	General & Hotel
Application no.	199936
Premises Name	Adelaide Hills Wine
Premises Address	Shop 32, 60 Gouger Street ADELAIDE SA 5000
Applicant	Adelaide Hills Wine Region Inc
Application Type	Application for a Liquor Licence

Outcome

Decision	Granted
Effective Date	24 Mar 2020

Requirements

The following requirements in support of the application have been satisfied:

- The application has been advertised
- All approvals, consents or exemptions have been obtained

People

Committee Members

I note the following persons are part of the committee of management of the club:

- Kerry Joanne Treuel (161341)

Determination Details

Submissions from the following persons or corporate entities were received and taken into consideration when determining this application: Australian Hotels Association

I note that the applicant and the AHA reached an agreement based on a number of conditions, some of which are contained within an undertaking (a copy is contained in a subsequent order), rather than being imposed as a condition on the licence.

Community Impact Assessment

The application is a designated application for the purposes of section 53A of the Act.

I am satisfied that the granting of this application is in the community interest.

Licence Status

Interim Licence

The licence is granted on an interim basis and will lapse on 26 September 2020.

Premises

New Premises

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

Capacity

The capacity of the venue is set at 50.

Conditions

The following conditions are added to the licence

- The sale and supply of liquor for consumption off the licensed premises is restricted to products produced in the Adelaide Hills Wine Region.

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 off the licensed premises authorised

Trading hours

The following are the approved trading hours

	Consumption on premises	Consumption off premises
Monday	-	-
Tuesday	7:00 am to 6:00 pm	7:00 am to 6:00 pm
Wednesday	7:00 am to 6:00 pm	7:00 am to 6:00 pm
Thursday	7:00 am to 6:00 pm	7:00 am to 6:00 pm
Friday	7:00 am to 9:30 pm	8:00 am to 9:00 pm
Saturday	7:00 am to 6:00 pm	7:00 am to 6:00 pm
Sunday	-	-

Reasons for Decision

In order for this application to be granted I must be satisfied that the granting of this application is in the community interest. In making this determination, under section 53A(2) of the *Liquor Licensing Act 1997* (the Act), I must have regard to:

- the harm that might be caused (whether to a community as whole or a group within a community) due to the excessive or inappropriate consumption of liquor; and
- the cultural, recreational, employment or tourism impacts; and
- the social impact in, and the impact of the amenity of, the locality of the premises or proposed premises; and
- the nature of the business conducted or to be conducted under the licence (as prescribed)

I must also apply the community impact assessment guidelines when making a determination on this application. Importantly, the guidelines state that, "*The onus is on the applicant to satisfy the licensing authority that the grant of the application is in the community interest and to provide relevant evidence and submissions to discharge this onus.*"

As part of the application the applicant has submitted a completed Community Impact Assessment Form as their community impact submission, and it is the content of this form, as well as the application itself, that my decision will be based on.

Nature of the business

The proposed premises is within the Adelaide Central Market Arcade in the Adelaide CBD. Due to their central location,

and being within one of the State's largest tourist attractions they anticipate significant exposure and therefore anticipate customers being drawn from all over the state, not just from the CBD.

The proposed business is a pop up cellar door selling liquor produced in the Adelaide Hills Wine region. The shop will run as a "not for profit" with the profits supporting the Adelaide Hills Wine Fire Appeal. The shop is intended to support growers and producers from this region, which was severely impacted by the bushfires of December 2019. They propose that wine will be available to be purchased by the glass for consumption on and by the bottle for consumption on and off the premises. A small selection of Adelaide Hills beer and gin is also proposed to be available.

Whilst the application does not intend to prepare food themselves, other than pre-packaged cheese "picnic boxes", the premises will be located in the Central Markets which hosts a large number of stalls selling food.

There is strong community support for this business due to the fact that the profits are assisting bushfire affected growers and producers. The applicant has also received support from the Federal Government, other State Government Departments, the City of Adelaide and the Adelaide Central Markets in setting up the cellar door.

Potential harm

The applicant acknowledges that there are numerous "at risk" groups and sub communities within the Adelaide CBD but believes that the presence of security within the wider Central Market precinct at all times will mean that these at risk groups will not be drawn to the shop. The precinct is already host to a number of other liquor licence holders which have operated without issue. The applicant submits that their trading hours (with the latest trade being until 9pm) will also reduce the risk of potential harm.

Cultural, recreational, employment or tourism impacts

The applicant submits that there will be economic benefits in terms of employment opportunities at the premises, as well as economic benefits for the Adelaide Hills Wine Fire Appeal. They also submit that there will be positive tourism impacts as their stall may encourage customers to visit the cellar doors of products they have purchased, increasing the amount of visitors to the Adelaide Hills Wine Region.

These are significant positive impacts that go beyond the premises itself, as it could also see positive economic and tourism impacts for the entire Adelaide Hills Wine Region.

Social impact and impact on the amenity of the locality

There are already multiple licensed premises within the market precinct, 4 that offer liquor for consumption off the premises and at least 10 that offer liquor for consumption on the premises. With the presence of a number of liquor outlets already in the market precinct it could reasonably be said that an additional outlet is unlikely to have a negative impact on the locality.

The precinct is comprised of various types of retail outlets and the addition of a liquor outlet will not be detrimental to the amenity of the area as it will be consistent with the type of businesses already present in the precinct.

Decision

All licensed premises carry with them the potential for harm to the community, however I am confident that the potential risk of harm that this premises poses to the community is so minimal that I can be satisfied that the granting of the application is in the community interest in terms of the potential harm that may be caused by the granting of the application. Furthermore, any minimal risk of harm that may exist is far outweighed by the significant economic and tourism impacts that the granting of this licence will have on an entire South Australian region.

Having considered all the criteria I am required to take into consideration, as outlined above, there does not appear to be any significant negative impacts that this premises poses to the community or the wider South Australian public.

Based on the information lodged as part of their application, the applicant has satisfied me that the grant of this application for a General and Hotel licence would be in the community interest.

Under Delegation from the Liquor and Gambling Commissioner



John Doran
General Manager, Licensing
24 Mar 2020