

Decision Notification

Application Details

Application no.	207471, 207472
Licence No.	57008211
Licence Class	General & Hotel
Premises Name	Sofitel Adelaide
Premises Address	108 Currie Street Adelaide SA 5000
Proposed Premises Address	108 Currie Street Adelaide SA 5000
Applicant	Usus Pty Ltd
Application Type	Application for a Liquor Licence, Application for the Approval of Profit Sharing Agreement

Outcome

Decision	Certificate Issued
Effective Date	04 Jun 2021

Requirements

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

- Landlord's consent has been obtained
- The application has been advertised

Certificate

A certificate of approval is issued for the premises to be situated:

108 Currie Street
Adelaide SA 5000

The certificate is granted subject to the following conditions:

- The certificate shall lapse on 3 June 2022 if the premises are not completed by this date.
- The applicant must submit a copy of Certificate of Occupancy at which time a further order will be made and the final approved plan and licence will be issued.
- The certificate of approval must be converted to a licence prior to the applicant commencing trade at the premises.

People

Position of Authority

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

- Anthony Palumbo (166622)
- Daniel Palumbo (166623)
- Donato Palumbo (166624)

Community Impact Assessment

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

This application may only be granted if the licensing authority is satisfied that the grant of the application is in the

community interest. In determining this application 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 a whole or a group within community) due to the excessive or inappropriate consumption of liquor;
- 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 which states, *“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 provided a community impact submission. I will have regard to this submission, the application itself and supporting material in making my determination

Nature of the business

This is a premier international 5 star luxury hotel to be located on Currie Street, Adelaide. The hotel itself has 4 street frontages, Currie St (south), Solomon St (north), Rosina St (west) and Burnett St (east). It is central to the CBD and close to the convention centre. The facilities and location will provide for both business and leisure hotel stays.

The hotel will comprise 251 guest rooms and suites attracting both international (where possible) and domestic tourism. The target market is “sophisticated travellers”, leisure and corporate business guests. As the hotel is close to the Adelaide Convention Centre it also hopes to support the convention market.

Leisure facilities include an indoor swimming pool and gym as well as an Executive Club providing exclusive benefits for members such as breakfast, refreshments throughout the day and evening drinks and canapes.

There will also be a main restaurant featuring French cuisine, 4 small meeting rooms, private dining and a hotel lobby bar on the ground floor.

The food available includes; international breakfast in the restaurant and club lounge, French cuisine in the restaurant, and light snacks throughout the day will be available from the lobby bar.

The entertainment will include background music in public spaces, lobby bar and club lounge. The restaurant and private meeting rooms may provide different types of live entertainment as required for particular events within restricted hours.

Accommodation will consist of guest rooms and suites, offering a combination of king beds and twin share rooms.

The applicant has referred to its planning report in respect of community support and consultation for the hotel proposal. I found the report to provide a very detailed description of the proposal and benefits to the city landscape, reference to various development plans and assessments, however I was unable to find evidence of community consultation.

Potential harm

The applicant has not identified any “at-risk” groups in the community and has suggested that the proposed hotel will positively impact the local community. The introduction of the hotel in this particular location will assist the development of a major north-south pedestrian link between Central Market and Riverbank.

There will also be a residential tower above the hotel which will bring an increased population to the area.

There are a number of public places within a 5 minute walk of the proposed site including the Uni of SA City West Campus, TAFE, Light Square, Leigh St precinct, Chinatown, Adelaide Convention Centre. The applicant is of the view that the proposed hotel will positively impact the nearby buildings and facilities by elevating the location with a luxury hotel.

The applicant has advised that Accor Hotels and Resorts have strong policies and training for all staff around safety and security, there will also be notice boards back of house to reinforce any key messages and regularly update staff.

All entry points into the hotel will be monitored for poor behaviour and public areas will be well lit. The applicant has also submitted a copy of its venue management plan.

Cultural, recreational, employment or tourism impacts

The applicant has stated that the hotel will bring a significant benefit for tourism and employment within Adelaide. The project has already created 1100 jobs throughout the construction stage including tradespeople, technicians, designers and artists. There are further employment opportunities for approximately 120 hotel staff.

The expected turnover is over \$20 million each year, from accommodation, dining, lobby bar, use of the event space as well as the executive club lounge.

Social impact and impact on the amenity of the community

The applicant has stated that the hotel will have a positive impact on the local amenity by introducing a luxury hotel to the area and activating Rosina Street and surrounds which has the potential to expand the economy of Hindley Street.

The venue will also create employment and training opportunities, provide additional services and entertainment for local residents as well as injecting significant tourism revenue into the economy.

The applicant has provided a location report and an area report as generated by the Community Impact Portal, however has not explained the relevance of that information nor made submissions supporting the position that the application is in the community interest.

It is of no great surprise that there are a significant number of licensed premises in the locality, given that the locality comprises the CBD of Adelaide. I note there are already 86 General and Hotel licences, 16 Residential licences and 225 restaurants. However, the number of licensed premises in the locality alone, is not a determining factor in the grant of this application.

Profit Sharing Agreement

I approve the agreement between USUS Pty Ltd and AAPC Properties Limited subject to the following conditions:

- Nothing in this approval or in the terms of the Agreement between the parties shall relieve the licensee of its duties or liabilities under the Act.
- The approval is for the period specified in the agreement and there shall be no changes or alterations to the agreement without the prior approval of the Licensing Authority.
- Nothing in this approval or in the terms and conditions of the agreement between the parties shall relieve the unlicensed entity of its duties and liabilities under the law of South Australia.
- It is a requirement under section 99(3) of the Act that the business conducted under the Agreement be conducted under the personal supervision and management of a natural person approved by the licensing authority.

- The licensee will maintain accounts and records in accordance with the Act and its Regulations for inspection by an authorised officer.

Reasons for Decision

This application is for a five-star multi storey accommodation facility in the west end of the Adelaide CBD. The applicant has outlined a number of features that the hotel will bring to its guests, occupants and broader community.

The hotel will provide new luxury accommodation, dining and bar services for the people of Adelaide as well as travellers. It is expected that the hotel will have a significant impact on the local economy as well as generating a large number of ongoing or long term employment opportunities in a range of fields.

It is of some concern that the applicant has not identified vulnerable groups nor addressed harm minimisation strategies. However, I can accept that the nature of the business together with the in-house security suggests that the grant of this licence would have a minimal impact on vulnerable groups in the locality.

The onus is on the applicant to satisfy the licensing authority that the grant of the application is in the community interest. On the basis of the information provided, together with the application, I am satisfied that the grant of this application is in the community interest.

Accordingly, under section 53A(1) of the Act I grant the application.

Under Delegation from the Liquor and Gambling Commissioner



Vicki Brunello
Hearings Delegate
04 Jun 2021