

Decision Notification

Application Details

Application no.	214988
Licence No.	57104847
Licence Class	On Premises
Premises Name	Mars Sport Centre
Premises Address	55 Lower Portrush Road Marden SA 5070
Applicant	FAM BAM (SA) PTY LTD
Application Type	Application for a Liquor Licence
Representative	Andrew Wong - Lion Consulting Group

Outcome

Decision	Granted
Effective Date	11 May 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:

- Darrin Anthony Wilson (171784)

Premises

New Premises

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

Capacity

The capacity of the venue is set at 60.

Trading hours

The following are the approved trading hours

	Consumption on premises	Consumption off premises
Monday	Midday to 11:00 pm	-
Tuesday	Midday to 11:00 pm	-
Wednesday	Midday to 11:00 pm	-
Thursday	Midday to 11:00 pm	-
Friday	Midday to 11:00 pm	-
Saturday	8:00 am to 10:00 pm	-
Sunday	8:00 am to 10:00 pm	-

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 Community Impact Assessment submission, area report and location report, and it is the content of these documents, as well as the application itself, that my decision is based on.

Nature of the business

The premises is an existing indoor recreations facility that has been operating since 1997. It offers various sports programs and also offers court and venue hire for sporting competitions and tournaments, community events and school sports days.

The premises has an area that currently sells food and snacks and they wish to add alcohol to the menu to compliment the sporting and social environment. The licence is only sought for this small canteen area and is not sought for any of the sporting courts. The applicant also notes that selling liquor will not be their main purpose and will just be an option for spectators as they watch the sporting games.

In terms of the locality, the applicant notes that they draw customers from the local area and surrounding suburbs. From the location and area report it can be seen that the applicant has relied on the 2km radius, as suggested in the community impact guidelines for premises located within the metropolitan area. I am satisfied that the locality that the applicant has relied upon is appropriate.

Community Support

The applicant has lodged a petition with their application containing roughly 100 signatures in support of a licence at the premises.

Potential harm

The applicant notes that they attract groups from various socio-economic backgrounds as there is no discrimination as to who can use the facilities. They also identify that they themselves are a "community facility" but also note other community building and facilities in the area, including two colleges another sports club and a reserve.

The applicant also addresses the issue of underage drinking, giving the nature of the premises which would attract quite a number of minors. They note that staff will be sufficiently trained to be able to identify and refuse service to any underage customers.

They also note that staff will be trained in all other elements of responsible service of alcohol, as well as ensuring alcohol is not taken outside the licensed premises.

Cultural, recreational, employment or tourism impacts

The applicant submits that there are strong benefits to the community, including:

1. The overall health benefits derived from physical activity
2. Allowing the whole community access to the flexible use premises
3. The social aspect of bringing members of the community together in a safe setting

They note that alcohol will be an extra service, not the primary service, at the premises and people will be attracted to attend the premises for the reasons outlined above, not because of the alcohol offerings.

Social impact and impact on the amenity of the locality

The applicant obtained relevant reports from the Community Impact Portal which show that the premises is located in a suburban area with a mix of residential and commercial activities and community facilities. They have obtained crime statistics showing a low crime rate. The reports also show a high number of families in the area which, with the low crime rate, the applicant submits would indicate that the chances of any negative social impact from the consumption of liquor at the premises would be very low.

Decision

All licensed premises carry with them the potential for harm to the community, however I am satisfied that the potential risk of harm that this premises poses to the community is quite minimal, and is outweighed by the significant recreational and social benefits the premises would provide for the community as a whole. Whilst the premises is already trading as an unlicensed venue offering the community benefits described above, I am satisfied that it is in the community interest to add liquor as an option should patrons wish to purchase an alcoholic drink while using the facilities. The area sought is quite small and I cannot foresee any challenges in supervising and monitoring such a small area, alleviating any concerns about the number of minors that will be present.

Accordingly, under section 53A(1) of the Act the application is granted.

Under Delegation from the Liquor and Gambling Commissioner



Ashleigh Hughes
Hearings Delegate
11 May 2022

