

Decision Notification

Application Details

Application no.	211428
Licence No.	57700708
Licence Class	Packaged Liquor Sales
Premises Name	Liquorland
Premises Address	Shop 2 1-5 Commercial Road PORT AUGUSTA SA 5700
Proposed Premises Address	Northern Gateway Shopping Centre 4-6 Jervois Street PORT AUGUSTA SA 5700
Licensee	Liquorland (Australia) Pty Ltd
Application Type	Application for Removal of Licence
Representative	Amanda Humble - JHT Lawyers

Outcome

Decision	Granted
Effective Date	11 Jan 2022

Requirements

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

- Landlord's consent has been obtained
- All approvals, consents or exemptions have been obtained
- The application has been advertised, noting the Notice was displayed 5 days late

Premises

Removal

- The licence is removed to:
Northern Gateway Shopping Centre 4-6 Jervois Street
PORT AUGUSTA SA 5700.
- The licensed area is outlined in red on the approved plan.

Community Impact Assessment

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

Reasons for Decision

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

The licensee has applied to remove their licensed premises from Shop 2, 1-5 Commercial Road, Port Augusta, South Australia to the Northern Gateway Shopping Centre – 4-6 Jervois Street, Port August, South Australia, a distance of approximately 320m.

The licensee provided a targeted community impact submission, as requested by the licensing authority, and submitted the removal of the licence was in the community interest for the following reasons:

- The location will facilitate a one stop shopping experience for customers.



- The customer base will be low risk patrons of the shopping centre complex seeking to purchase take away liquor in a safe and convenient manner.
- Coles liquor is an experienced licensee which operates multiple packaged liquor stores throughout Australia and which implements sophisticated security and harm minimisation practices. Six new CCTV cameras will be installed in conjunction with the new location.
- Coles is an active member of the Port Augusta Liquor Accords.
- The removal of the licence to the new location may reduce the risk of harm relative to its previous location:

The new location provides greater security for and ability to address harm minimisation as it is located within a Shopping Centre as opposed to a stand-alone street frontage store. There will be greater exposure and transparency for customers wanting to purchase take away liquor as they must enter the Shopping Centre to do so. This, in our submissions, may for some of those at-risk groups in the community wishing to purchase take away liquor act as a deterrent to enter the Shopping Centre for that purpose.

In summary, the applicant noted:

It is submitted that this application does not in any way adversely alter the balance of positive and negative impacts currently experienced in and on the community particularly as the short distance relocation does not change the number of licences (and licence density as a result).

Granting the Application will enable Liquorland to continue to cater for the packaged liquor requirements of consumers within the locality while also allowing for packaged liquor to be sold within a shopping centre in a new, improved, and more secure premises consistent with the responsible development of the liquor industry. The store will also provide the only one-stop shopping option within the locality in line with the expectations and aspirations of the public.

Pursuant to section 60(1) of the Act, I am satisfied that the premises to which removal of the licence is sought are of an appropriate standard for carrying on business under the licence and that the removal of the licence is unlikely to result in undue offence, annoyance, disturbance or inconvenience to people who reside, work or worship in the vicinity of the premises or prejudice the safety or welfare of children attending kindergarten, primary school or secondary school in the vicinity of the premises.

Pursuant to section 60(2) of the Act, I am satisfied that all relevant approvals, consents and exemptions have been obtained and I note the information provided from Port Augusta City Council to this effect.

I consider the removal of the license to be in the community interest for the following reasons:

- The new location will facilitate a desirable one stop shopping experience for customers.
- The removal of the licence is occurring over a short distance and the relevant locality for the licence remains essentially the same.
- A Liquorland packaged liquor store has operated in this locality for some time and there is no indication the new location will negatively affect the amenity of the locality or increase the risk of harm to vulnerable groups. The new location may be more secure and less likely to contribute to the inappropriate consumption of liquor by vulnerable groups.

Under Delegation from the Liquor and Gambling Commissioner



Ben Johns
Manager, Liquor & Gambling
11 Jan 2022

