

**SUPPLEMENTARY GAZETTE**



**THE SOUTH AUSTRALIAN  
GOVERNMENT GAZETTE**

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**All public Acts appearing in this gazette are to be considered official, and obeyed as such**

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## FIRE AND EMERGENCY SERVICES ACT 2005

## SECTION 78

*Fire Danger Season Amendment*

THE South Australian Country Fire Service hereby:

Fixes the date of the Fire Danger Season within the part of the State defined as the Lower South East Fire Ban District so as to commence on the 22nd of November 2019 and to end on the 30th of April 2020.

Dated: 15 November 2019

MARK JONES QFSM  
Chief Officer, SA Country Fire Service

## LIQUOR LICENSING ACT 1997

## SECTION 53B

*Community Impact Assessment Guidelines***General Information**

The following guidelines have been published by the Liquor and Gambling Commissioner under section 53B of the *Liquor Licensing Act 1997*.

*Introduction*

Under section 53A of the *Liquor Licensing Act 1997* (the Act), the licensing authority may only grant a *designated application* if satisfied that to grant the application is in the **community interest**. Applications which are classified as designated applications are set out in Schedule 1.

Whether or not a designated application is in the community interest is determined on a case by case basis by the licensing authority. The licensing authority takes the unique circumstances of each case into account when making a decision and will inform itself on whether a designated application is in the community interest, relying in part on the Community Impact Submission prepared by the applicant.

**Community Impact Assessment***Considerations*

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.

When determining whether or not a designated application is in the community interest the licensing authority will have regard to:

- a) the harm that might be caused (whether to a community as a whole or a group within a community) due to the excessive or inappropriate consumption of liquor;
- b) the cultural, recreational, employment or tourism impacts;
- c) the social impact in, and the impact on the amenity of, the locality of the premises or proposed premises (see Schedule 2 for description of locality); and
- d) the nature of the business conducted or to be conducted under the licence.

When determining an application, the licensing authority will have regard to:

- the application;
- the Community Impact Submission; and
- any other information that the licensing authority considers appropriate.

*What do each of the considerations mean?*

To assist applicants in forming their submissions, a brief explanation of each of the considerations is set out below.

- a) The ***harm that might be caused (whether to a community as a whole or a group within a community) due to the excessive or inappropriate consumption of liquor*** is quite broad and may include a consideration of the following:
  - o whether there are any 'at-risk' groups or sub-communities within the locality (see Schedule 2);
  - o whether there are any community buildings, facilities and areas within the locality which may include: schools and educational institutions; hospitals, drug and alcohol treatment centres; accommodation or refuges for young or disadvantaged people; child care centres; recreational areas; dry areas; and, any other areas where young people may congregate or be attracted to; and
  - o any policies and procedures that the applicant intends to implement to minimise any potential harm or health impacts to 'at-risk' groups and sub-communities in the locality.Harm caused by the excessive or inappropriate consumption of liquor includes:
  - o the risk of harm to children, vulnerable people and communities (whether to a community as a whole or a group within a community);
  - o the adverse economic, social and cultural effects on communities (whether to a community as a whole or a group within a community);
  - o the adverse effects on a person's health;
  - o alcohol abuse or misuse; and
  - o domestic violence or anti-social behaviour, including causing personal injury and property damage.
- b) The ***cultural, recreational, employment or tourism impacts*** may include a consideration of whether the licensed premises/proposed licensed premises will provide economic benefits or any additional employment opportunities to the local community area.
- c) The ***social impact in, and the impact on the amenity of, the locality*** (see Schedule 2) ***of the premises or proposed premises*** may include a consideration of relevant crime statistics, social profile information such as population, unemployment and the location of existing licensed premises within the locality.
- d) The ***nature of the business conducted or to be conducted under the licence*** may include a consideration of the business to be conducted under the licence/proposed licence.

### *Completing a Community Impact Submission*

Designated applications, at the time of lodgement, must be accompanied by a submission addressing how the application is in the community interest (except where otherwise indicated in Schedule 1). Consumer and Business Services has developed a form to help guide applicants as to the type of information they need to provide in support of their application. Applicants may complete the form, or may choose to instead prepare a submission in support of the application.

There is no requirement for a Community Impact Submission to be prepared by legal counsel or industry consultants. Applicants can complete their own Community Impact Submissions after liaising with the relevant key stakeholders and interest groups in the community and obtaining all other required information. Applicants are required to show, as part of their application, that they have engaged with members of the community and any relevant stakeholders. Evidence of this may include petitions, survey results and/or letters of support.

In addition to addressing the criteria set out under 'Considerations', applicants, in their Community Impact Submission, are also asked to address the following, where applicable:

- the applicants products/services in terms of key features and potential customers;
- business/professional experience, in particular relevant knowledge, experience and competency in relation to the service of liquor;
- general description of facilities and services;
- construction details (e.g. materials, finishes, acoustic treatment, etc.);
- details of any food, including menu;
- liquor services (e.g. bar) and range of liquor;
- types of entertainment;
- types of accommodation;
- a statement as to whether the community supports the proposed business, including providing evidence of such support; and
- a statement as to why the granting of the application is *in* the community interest.

Applicants are also required to provide, where applicable:

- a map and report regarding the locality generated through the Community Impact Portal;<sup>1</sup>
- a business plan/plan of management; and
- a site or property plan, floor plan and/or photographs/artists impressions of site/building.

When providing information, applicants should keep in mind that Community Impact Submissions will be made public. Any information that an applicant does not wish to be made public should be redacted or omitted from the Community Impact Submission.

As each application is different, the level of detail required in a Community Impact Submission may differ depending on the complexity of the application and the impact the premises/proposed premises will have on the surrounding community. If a Community Impact Submission does not adequately address all necessary issues, the licensing authority may require additional information to be provided prior to determining an application.

### *When is a Community Impact Submission not required?*

Unless exceptional circumstances exist, or where otherwise stated in Schedule 1, all designated applications must be accompanied by a Community Impact Submission at the time of lodgement.

### *Can the requirement for a Community Impact Submission be waived?*

The licensing authority may vary or waive the requirement for a Community Impact Submission if:

- the application does not propose a significant change to the licensed premises or the nature or extent of the business carried on from the licensed premises;
- the purpose of the Community Impact Submission can be achieved by other means; or
- other special circumstances exist.

The application will remain a designated application for the purposes of the Act.

<sup>1</sup> The Community Impact Portal can be found at [www.cbs.sa.gov.au/ciportal](http://www.cbs.sa.gov.au/ciportal).

## SCHEDULE 1

### **Designated Applications**

For the purposes of section 53A of the Act, a designated application is:

- an application for the *grant or removal* of:
  - a **general and hotel licence**;
  - an **on premises licence**, unless –
    - (i) the premises to which the proposed licence relates is a public conveyance;<sup>2</sup>
    - (ii) the licence is, or is proposed to be, subject to a condition that the business conducted at the licensed premises be such that at all times the primary service provided to the public at the premises is the provision of accommodation; or
  - a **club licence**, if –
    - (i) the licence is, or is proposed to be, subject to a condition authorising –
      - the sale of liquor to persons (other than a resident) for consumption off the licensed premises; or
      - the sale of liquor after 2am on any day; or
    - (ii) in the opinion of the licensing authority,<sup>3</sup> the business conducted under the licence and activities on the premises or proposed premises will have a substantial adverse impact on the amenity of the locality in which those premises are, or are to be, situated, taking into account –
      - the size of the premises or proposed premises; and
      - the trading hours or proposed trading hours under the licence; and
      - any other matter the licensing authority considers relevant; and
  - a **packaged liquor sales licence**, other than if the licence is, or is proposed to be, subject to a condition authorising the licensee to only sell liquor through direct sales transactions; and
- any other application that the licensing authority has determined, in accordance with these guidelines, to be a designated application (see below).

In addition, the licensing authority has determined that the following applications are also designated applications:

- an application to *redefine* or *alter* a **general and hotel licence** to provide for a bottle shop;<sup>4</sup>
- an application to *vary* an **on premises licence** to allow for the sale of liquor after 2am on any day, unless –
  - the premises to which the proposed licence relates is a public conveyance;<sup>5</sup> or
  - the licence already authorised the sale of liquor after 2am on any day;
- an application to *vary* a **club licence** to authorise –
  - the sale of liquor to persons (other than a resident) for consumption off the licensed premises; or
  - the sale of liquor after 2am on any day unless the licence already authorises the same of liquor after 2am on any other day;
- an application to *redefine* a **packaged liquor sales licence**; and
- an application to *vary* a **packaged liquor sales licence** to:
  - remove a condition restricting the licensee to the sale of liquor through direct sales transactions only; or
  - remove or vary a condition restricting the type of liquor that the licensee can sell or supply under the licence.

<sup>2</sup> A public conveyance means an aeroplane, vessel, bus, train, tram or other vehicle used for public transport or available for hire by members of the public, but does not include a conveyance hired on a self-drive basis if all passengers (if any) are to be transported free of charge or other consideration.

<sup>3</sup> The licensing authority will inform an applicant if their application is a designated application. Unless the conditions set out under (i) are satisfied and/or unless and until the licensing authority informs an applicant otherwise, applicants are to lodge and proceed with their applications as if they were *not* designated applications.

<sup>4</sup> A bottle shop is a specific area of a licensed premises which is dedicated primarily to the selling of packaged liquor. This includes facilities commonly known as bottle shops, drive-ins or drive through bottle shops, but does not include the sale of packaged liquor across the bar.

<sup>5</sup> See footnote 3.

## SCHEDULE 2

### Locality Guidelines

The term ‘locality’ refers to the area surrounding the licensed premises/proposed licensed premises and is the area most likely to be affected by the granting of the application. As part of the Community Impact Submission, applicants are required to identify the geographic area from which they expect to draw customers.

The following has been prepared as a guide for applicants.

### Guide to Locality Area

*The following is intended as a guide only. Applicants are required to identify the geographic area from which they expect to draw customers having regard to the intended nature of business of the licensed premises.*

**Adelaide Metropolitan Area:** The locality of a premises in the Adelaide Metropolitan Area is the area within a 2km radius of the site of the relevant premises. A list of the suburbs considered to be in the Adelaide Metropolitan Area can be found below. The list is intended to be used as a guide only.

**Outside the Metropolitan Area:** With regards to country cities, town or communities, unless remotely located, the locality of the premises is the area within a 5km radius of the site of the relevant premises.

**Regional:** Where a premises/proposed premises is remotely located, the applicant should, as part of their Community Impact Submission, choose an appropriate locality to address in their submission, keeping in mind that the locality of a premises is the area most likely to be affected by the grant of the application.

### Suburbs located in the Adelaide Metropolitan Area

Aberfoyle Park	Castambul	Elizabeth Park	Golden Grove
Adelaide	Cavan	Elizabeth South	Goodwood
Adelaide Airport	Chandlers Hill	Elizabeth Vale	Gould Creek
Albert Park	Cheltenham	Enfield	Grange
Alberton	Cherry Gardens	Erindale	Green Fields
Aldgate	Cherryville	Ethelton	Greenacres
Aldinga	Christie Downs	Evandale	Greenhill
Aldinga Beach	Christies Beach	Evanston	Greenwith
Allenby Gardens	Clapham	Evanston Gardens	Gulfview Heights
Andrews Farm	Clarence Gardens	Evanston Park	Hackham
Angle Park	Clarence Park	Evanston South	Hackham West
Angle Vale	Clarendon	Everard Park	Hackney
Ascot Park	Clearview	Exeter	Hallett Cove
Ashford	Cleland	Eyre	Hampstead Gardens
Ashton	Clovelly Park	Fairview Park	Happy Valley
Athelstone	College Park	Felixstow	Hawthorn
Athol Park	Collinswood	Ferryden Park	Hawthorndene
Auldana	Colonel Light Gardens	Findon	Hazelwood Park
Banksia Park	Coromandel East	Firle	Heathfield
Basket Range	Coromandel Valley	Fitzroy	Heathpool
Beaumont	Cowandilla	Flagstaff Hill	Hectorville
Bedford Park	Crafers	Flinders Park	Hendon
Belair	Crafers West	Forestville	Henley Beach
Bellevue Heights	Craigburn Farm	Frewville	Henley Beach South
Beulah Park	Craigmore	Fulham	Hewett
Beverly	Croydon	Fulham Gardens	Highbury
Bibaringa	Croydon Park	Fullarton	Highgate
Birkenhead	Cumberland Park	Garden Island	Hillbank
Black Forest	Darlington	Gawler	Hillcrest
Blackwood	Davoren Park	Gawler East	Hillier
Blair Athol	Daw Park	Gawler South	Hilton
Blakeview	Dernancourt	Gawler West	Hindmarsh
Blewitt Springs	Devon Park	Gepps Cross	Holden Hill
Bolivar	Direk	Gilberton	Hope Valley

Bowden	Dorset Vale	Gilles Plains	Horsnell Gully
Bradbury	Dover Gardens	Gillman	Houghton
Brahma Lodge	Dry Creek	Glandore	Hove
Bridgewater	Dudley Park	Glanville	Humbug Scrub
Brighton	Dulwich	Glen Osmond	Huntfield Heights
Broadview	Eastwood	Glenalta	Hyde Park
Brompton	Eden Hills	Glenelg	Ingle Farm
Brooklyn Park	Edinburgh	Glenelg East	Ironbank
Brown Hill Creek	Edinburgh North	Glenelg North	Joslin
Buckland Park	Edwardstown	Glenelg South	Kangarilla
Burnside	Elizabeth	Glengowrie	Kensington
Burton	Elizabeth Downs	Glenside	Kensington Gardens
Camden Park	Elizabeth East	Glenunga	Kensington Park
Campbelltown	Elizabeth Grove	Globe Derby Park	Kent Town
Carey Gully	Elizabeth North	Glynde	Keswick
Keswick Terminal	Nailsworth	Reynella East	Terangie
Kidman Park	Netherby	Richmond	The Range
Kilburn	Netley	Ridgehaven	Thebarton
Kilkenny	New Port	Ridleyton	Thorngate
Kings Park	Newton	Rose Park	Tonsley
Kingston Park	Noarlunga Centre	Rosewater	Toorak Gardens
Kingswood	Noarlunga Downs	Rosslyn Park	Torrens Island
Klemzig	North Adelaide	Rostrevor	Torrens Park
Kudla	North Brighton	Royal Park	Torrensville
Kuitpo	North Haven	Royston Park	Tranmere
Kurraltia Park	North Plympton	Salisbury	Trinity Gardens
Largs Bay	Northfield	Salisbury Downs	Trott Park
Largs North	Northgate	Salisbury East	Tusmore
Leabrook	Norton Summit	Salisbury Heights	Uleybury
Leawood Gardens	Norwood	Salisbury North	Underdale
Lenswood	Novar Gardens	Salisbury Park	Unley
Lightsview	Oakden	Salisbury Plain	Unley Park
Linden Park	Oaklands Park	Salisbury South	Upper Hermitage
Lockleys	O'Halloran Hill	Sampson Flat	Upper Sturt
Longwood	Old Noarlunga	Scott Creek	Uraidla
Lonsdale	Old Reynella	Seacliff	Urrbrae
Lower Mitcham	One Tree Hill	Seacliff Park	Vale Park
Lynton	Onkaparinga Hills	Seacombe Gardens	Valley View
Macdonald Park	Osborne	Seacombe Heights	Verdun
Magill	O'Sullivan Beach	Seaford	Virginia
Malvern	Ottoway	Seaford Heights	Vista
Manningham	Outer Harbor	Seaford Meadows	Walkerville
Mansfield Park	Ovingham	Seaford Rise	Walkley Heights
Marble Hill	Panorama	Seaton	Warradale
Marden	Para Hills	Seaview Downs	Waterfall Gully
Marino	Para Hills West	Sefton Park	Waterloo Corner
Marion	Para Vista	Sellicks Beach	Wattle Park
Marleston	Paracombe	Sellicks Hill	Wayville
Marryatville	Paradise	Semaphore	Welland
Maslin Beach	Parafield	Semaphore Park	West Beach
Mawson Lakes	Parafield Gardens	Semaphore South	West Croydon
Maylands	Paralowie	Sheidow Park	West Hindmarsh
Mclaren Flat	Park Holme	Skye	West Lakes
Mclaren Vale	Parkside	Smithfield	West Lakes Shore
Medindie	Pasadena	Smithfield Plains	West Richmond
Medindie Gardens	Payneham	Somerton Park	Westbourne Park
Melrose Park	Payneham South	South Brighton	Whites Valley
Mile End	Penfield	South Plympton	Willaston
Mile End South	Penfield Gardens	Springfield	Willunga
Millswood	Pennington	St Agnes	Willunga South
Mitcham	Peterhead	St Clair	Windsor Gardens
Mitchell Park	Piccadilly	St Georges	Wingfield
Moana	Plympton	St Kilda	Woodcroft
Modbury	Plympton Park	St Marys	Woodforde
Modbury Heights	Pooraka	St Morris	Woodville
Modbury North	Port Adelaide	St Peters	Woodville Gardens
Montacute	Port Noarlunga	Stepney	Woodville North
Morphett Vale	Port Noarlunga South	Stirling	Woodville Park
Morphettville	Port Willunga	Stonyfell	Woodville South
Mount George	Prospect	Sturt	Woodville West
Mount Osmond	Queenstown	Summertown	Wynn Vale
Munno Para	Redwood Park	Surrey Downs	Yatala Vale
Munno Para Downs	Regency Park	Taperoo	Yattalunga
Munno Para West	Reid	Tatachilla	
Mylor	Renown Park	Tea Tree Gully	
Myrtle Bank	Reynella	Tennyson	