



Liquor Licensing Act 1997

Entertainment Venue Licence

50501331

PREMISES NAME: HIGHER GROUND

PREMISES ADDRESS: 274a Rundle Street, Adelaide 5000

LICENSEE: Higher Ground Inc

LICENSED PREMISES: Outlined in red on the approved plan

AUTHORISATION: To sell and supply liquor in accordance with Section 35 of the Liquor Licensing Act 1997 and any other conditions of the licence

EXTENDED TRADING AUTHORISATION: Outlined in pink on the plan and shown as Areas 1 to 3
For consumption on the licensed premises
Monday to Saturday midnight to 1am the following day
Sunday 10am to 11am & 8pm to 1am the following day

ENTERTAINMENT CONSENT: Outlined in blue on the plan and shown as Areas 1 to 3

DESIGNATED AREAS: Dining: Outlined in green on the plan and shown as Area 3

CAPACITIES:

Area 1	200 persons
Area 2	280 persons
Area 3	200 persons

There shall be no more than 500 persons on the licensed premises at anyone time

CONDITIONS: Refer Pages 2, 3 & 4

Unless an extended trading authorisation has been given, approval under section 35(1)(c) of the Act allows liquor to be sold to patrons seated at a table or attending a function where food is provided ONLY between 5am and midnight Monday to Saturday; and between 11am and 8pm on Sunday; or such lesser hours as approved by the licensing authority, or as a condition of Development approval where applicable.

IMPORTANT: The licensee is obliged to maintain all essential safety provisions as required by Regulation 76 of the Regulations made under the Development Act 1993.

Date of issue: 4 APRIL 2006

LIQUOR AND GAMBLING COMMISSIONER

CONDITIONS:

I note that cold meals will be provided on site and hot meals obtained from off sight.

1. The predominant use of the premises shall be the display of static art in the nature of paintings, drawings, photographs, sculptures and installations and the provision of performing arts in the nature of theatre, dance, spoken word, poetry, cabaret, comedy, live song and live music, subject to the conditions set out below.

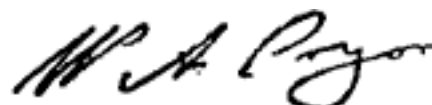
Trading hours including extended trading authorisation including Good Friday, Christmas Day and Sunday.

2. All patrons are to have left the premises by 1am each morning and the premises shall be closed to the public from 1am on every morning and shall not re-open to the public before 10am on any day.
3. The premises shall not be used as a nightclub, discotheque, dance club, rave venue, recovery lounge, band venue or similar venue for the performance or playing of live or recorded music for dancing and/or the entertainment of patrons except:-

- (i) for live performances of acoustic or non-amplified instruments, singing or musicians; or
- (ii) for music or performances (which may be amplified) expressly limited to the following genres:-

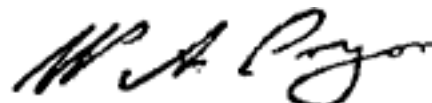
African	Children's	Gospel	Musical Theatre
Ambient	Christian	Gregorian Chant	Opera
Ancient Greek	Christian Country	Gypsy	Polka
Andean	Classical	Indian Asian	Ragtime
Baroque	Classical Modern	Jazz	Religious & Devotional
Blue Grass	Classical Romantic	Jewish	Renaissance
Blues	Country	Latin	Salsa
Cajun & Zydeco	Dixieland	Latin Freestyle	Samba
Calypso	Flamenco	Latin Jazz	Swing
Caribbean	Folk & Traditional	Medieval	Tango
Celtic	Free Jazz	Middle Eastern	

4. There shall be no entertainment provided by way of a DJ or karaoke activity.
5. Alcohol may only be served:-
 - (i) to be consumed by patrons seated in the cabaret seating area or main auditorium space as depicted on the approved plans and observing a performance; or



CONDITIONS continued

- (ii) to be consumed with a meal served in the cabaret seating area as depicted on the approved plans;
 - (iii) and in all cases, only to patrons of the venue attending the uses described in Condition 3, or staff or performers/artists in association with their employment, rehearsals or before or after their performance/exhibition.
6. The auditorium and cabaret lounge shall not operate concurrently (other than the use of the auditorium at the same time as an art exhibition in the Cabaret Lounge).
 7. The maximum capacity of persons permitted in the building at any one time shall not exceed 500 persons.
 8. No alcoholic drinks shall be consumed in the tiered seating area of the auditorium. (Area 2) This area will be used by seated patrons for the purpose of viewing a performance.
 9. All amplified music shall be by the licensee's in-house system which shall include a noise limiting function, the level of which is to be set to meet that required by Condition 10.
 10. Noise emanating from the premises shall not exceed 8dB(A) above the ambient background noise level when measured in any octave, such measurement to be taken at the boundary of any nearby noise sensitive premises.
 11. The doors to the western façade of the building on Cinema Place shall be self-closing and remain closed at all times when live entertainment is being undertaken or a jukebox is available for use or the in-house sound system is in use. All gaps around the doors shall be fitted with appropriate sweep contact seals to meet Australian Standard AS1191 and AS1276 to reduce the transmission of internal noise.
 12. When there are no performances occurring within the premises music shall be restricted to low level background music.
 13. The doors to Cinema Place shall be for emergency exit only from 10pm on every night until close time. No entry via Cinema Place shall occur after 10pm on any day.
 14. Signs shall be placed on the doors to Cinema Place advising patrons that access to the premises is unavailable after 10pm every evening and that access must be gained from Rundle Street.
 15. A sign shall be displayed at all exits from the premises clearly visible to all persons leaving the said premises and shall read as follows:-



“Please leave these premises as quickly and quietly as possible so as not to disturb nearby residents.”

CONDITIONS continued

- 16. No garbage or refuse (including empty bottles/cans) is to be moved from inside the premises to outside storage bins between the hours of 11pm Sundays to Fridays and 7am of the following morning and between the hours of 11pm Saturdays and 8am Sundays.**
- 17. Garbage or refuse (including empty bottles/cans) is not to be available for collection by waste disposal or similar operations (other than operators employed by or organised by the Corporation of the City of Adelaide) between the hours of 11pm Sundays to Fridays and 7am of the following morning and between the hours of 11pm Saturdays and 8am Sundays.**
- 18. A licensed and badged security person shall be employed on nights when entertainment is provided by the Licensee to regularly patrol the outdoor area of the licensed premises from 12 midnight and up to 30 minutes after the close of business on those nights.**
- 19. All deliveries and removal of audio equipment, props and other large performance equipment shall be delivered to the site from Vaughan Place and Cinema Place only and shall be between the hours of 8am and 10pm Mondays to Sundays inclusive.**
- 20. Liquor shall not be supplied or consumed in the ‘raked seating’ area (Area 2).**

I note the licence is approved on an interim basis as the Environment Resources & Development Court has granted temporary Development approval until 1 December 2006. Refer Order No. 105120 dated 30/01/2006.

