

Application by Ryan John Ingram Lynch for a general licence for the premises The Lanterns at Shop 2, 168 Arthur Highway, Dunalley.

Decision: Licence refused

Date: 16 September 2025

The applicant seeks a general licence for a premises that is a small café and retail outlet. Such a premises would not normally be granted a general licence, and while such a premises may be successful in an application for a special licence for consumption with a meal, such premises are rarely granted a special licence for off sales (see for example Blac Fig 2023 and Evandale Providore 2021).

Regarding a general licence for such premises, the Tasmanian Liquor and Gaming Commission stated in their Penguin Pantry decision of March 2025 that:

“34. A Special Licence is contained in the *Liquor Licensing Act 1990* for a reason – to provide a category of licence where the grant of other licence types is not appropriate (for various reasons) and special circumstances prevail. The Commission does not believe that a General Licence is appropriate for this small specialty outlet. This [a general licence] is an expansive licence which allows for the broadest range of alcohol sales on and off the premises, with or without food and for expansive hours of operation...”

Relevant to this application, the premises in the matter of Penguin Pantry (2025) was described as:

“6. ... a speciality grocer/providore and espresso bar providing predominantly Tasmanian food and beverage. Its offerings include fresh local produce such as dairy, fruit and wholegrain products along with specialty pantry items and quality homewares. It sources produce from local bakeries and kitchens and is not a full cafe, offering light meals only”

The venue is described by the applicant as being relatively small, with a maximum seated capacity of approximately 30 guests. They serve locally roasted coffee, made with local milk, alongside a selection of house-made sweets and Tasmanian cold drinks to accompany a seasonal in-house menu.

The applicant’s intention is to serve a curated selection of local wine, beer and spirits to accompany the menu, to be consumed on site, as well as available for take away. If successful in their application they would look to extend operating hours periodically to include a dinner service on a monthly or fortnightly basis, stating without evidence that there is a demand in the area for both dinner options and liquor retailing a quality selection of locally produced food and wine. The providore component of the store offers Tasmanian and Australian products and a range of gift and produce hampers. With regard to this I note that there is already a general liquor exemption (No. 4 of 2013) for the sale of liquor sold as a component of a gift hamper, such that the licence applied for would not be required for that component of the business.

The applicant states their belief that the best interests of the community would be met by supporting the local economy, both through showcasing the local wines, beers, spirits,

produce and products of the Tasman Peninsula, by giving the community a space to meet and enjoy some quality food and a glass of wine together and by generating unspecified employment opportunities in the community.

Another key function of the space is said to be the showcasing of local wines, beers, spirits, produce and products not only to the local community but to a global audience, as the premises is located on the major tourist route to Port Arthur. The applicant states there would be benefits to AirBnB operators in the area, of which there are said to be many who have expressed interest in 'welcome packages & hampers'.

Based on the above, and noting that the Commission's decision in Penguin Pantry, I am not satisfied that it is in the best interests of the community to grant the general licence applied for. This type of premises would be most usually granted a special licence for consumption on the premises, and to the extent that there is community interest in off sale of liquor, it is limited. For example, in Penguin Pantry the Commission set the following conditions:

"36. The sale of premium Australian and Tasmanian wine, beer, spirits and cider is authorised only while the contribution of the sale of those liquor products made to the operation of the business of The Penguin Pantry is smaller - in revenue, stock size and layout of the store - than the contribution to the business of the sale of speciality pantry merchandise and quality homewares and local fresh produce and food offerings;

Online sales of liquor are limited to one dozen bottles of wine, beer, or cider, or to 2 bottles of spirits, in any one transaction per customer per week;..."

I am, however, satisfied that a special licence allowing consumption of liquor on the premises without condition and sale of liquor for off-premises consumption with conditions as set out by the Commission at 36 (above), would be appropriate. The sale of liquor should generally be permitted only where it remains clearly ancillary to the primary purpose of the premises, which in this instance is the café/dining and providore components of the business. Should the applicant wish to amend his application in this way I would be satisfied to approve it.

A handwritten signature in black ink, appearing to read 'J Root', with a horizontal line extending to the right.

J Root

Commissioner for Licensing

16 September 2025