

Decision Notification

Application Details

Application no.	210134, 210135
Licence No.	57006219
Licence Class	General & Hotel
Premises Name	Art Gallery Food and Wine
Premises Address	North Terrace ADELAIDE SA 5000
Licensee	Efficient Catering Pty Ltd
Applicant	ARTKW Pty Ltd
Application Type	Application for Transfer of Licence, Application for the Approval of Profit Sharing Agreement

Outcome

Decision	Granted
Effective Date	23 Nov 2021

Requirements

The requirement to provide the following in support of the application has been waived:

The requirement to advertise the application by notice placed on the premises

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

Landlord's consent has been obtained

The application has been advertised

People

Position of Authority

The following persons are approved to occupy any position of authority in the entity holding the licence:

- Martin James Palmer (300)
- Brett Seymour Matthews (1033)
- Julie Christine Peter (126073)
- Edouard Fernen Peter (93409)
- Anthony Robert Britten-Jones (132721)
- Richard Athony Magides (130447)
- Mark Joseph Pananides (86786)
- Alex Nicholas Pananides (11365)
- Janet Ann Larson Dunbar (30432)
- Simon Christopher Adami (87534)

Premises

Premises Name

I note that the premises name has changed to ArtKW.

Licensee

Transfer

The licence is transferred to ARTKW Pty Ltd effective from 23 Nov 2021.

Authorisations

The following authorisations/restrictions are added to the licence

- Profit sharing agreement approved

Profit Sharing Agreement

I approve the agreement between ARTKW Pty Ltd and The Art Gallery Board subject to the following conditions:

- Nothing in this approval or in the terms of the Agreement between the parties shall relieve the licensee of its duties or liabilities under the Act.
- The approval is for the period specified in the agreement and there shall be no changes or alterations to the agreement without the prior approval of the Licensing Authority.
- Nothing in this approval or in the terms and conditions of the agreement between the parties shall relieve the unlicensed entity of its duties and liabilities under the law of South Australia.
- It is a requirement under section 99(3) of the Act that the business conducted under the Agreement be conducted under the personal supervision and management of a natural person approved by the licensing authority.
- The licensee will maintain accounts and records in accordance with the Act and its Regulations for inspection by an authorised officer.

Reasons for Decision

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

Pursuant to section 63 of the Act, I am satisfied that each person who occupies a position of authority is a fit and proper person to occupy such a position in the entity holding the licence.

Pursuant to section 72 of the Act, I am satisfied the lessor has consented to the application.

I am satisfied the current licensee has consented to the application.

I note the applicant has advised this office of a proposed new name for the premises - "ArtKW". The licence has been updated accordingly.

I am satisfied that the agreement is likely to assist the liquor industry and industries with which it is closely associated and is in the public interest. I am also satisfied that the agreement does not adversely affect the rights and reasonable expectations of persons presently in employment.

Under Delegation from the Liquor and Gambling Commissioner



Ben Johns

Manager, Liquor & Gambling
23 Nov 2021

