

# Decision Notification

## Application Details

Application no.	213445
Licence No.	57401841
Licence Class	Residential
Premises Name	Tanunda House
Premises Address	40 Maria Street TANUNDA SA 5352
Licensee	Barossa Luxury Retreats Pty Ltd
Applicant	Two Stooges Pty Ltd, Two Stooges Unit Trust
Application Type	Application for Transfer of Licence

## Outcome

Decision	Granted
Effective Date	08 Feb 2022

## 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:

- Sally Jane Davis (170511)
- Stephen Fletcher Moulton (170512)
- Catherine Anne Moulton (170513)
- Laurance Davis (170529)

## Licensee

I note that the applicant will hold the licence as trustee for Two Stooges Unit Trust .

### Transfer

The licence is transferred to Two Stooges Pty Ltd as trustee for Two Stooges Unit Trust effective from 08 Feb 2022.

## Conditions

The following conditions are added to the licence

- The exemption from the responsible person requirements is granted on the condition that a responsible person or director of the licensee company must be contactable by phone at all times the premises is open for trade.
- The exemption from the Responsible Person requirements is granted on the condition that the exemption does not apply for functions and conferences.

## Reasons for Decision

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

It is a requirement under section 97(1) of the Liquor Licensing Act 1997 (the Act) that premises must be personally supervised by a responsible person at all times that they are open to the public, however under section 97(2) of the Act the Commissioner may exempt a licensee from this requirement and approve alternative arrangements for the supervision and management of the business.

I note that the licensee currently has an exemption from this requirement.

As part of the application, I have reviewed this exemption and asked the applicant to provide a submission as to why the exemption should remain on the licence.

In response to this request the licensee has provided a brief submission along with details of the business to be conducted under the licence.

I have considered the submission made by the licensee, the category of licence held by the licensee, the extent of the trading hours and the capacity of the premises. I am satisfied that, in view of the limited scope of the business conducted under the licence, the exemption from the responsible person requirements can remain on the licence without compromising the principle of responsible service of alcohol and consumption of liquor on the condition that the exemption will not apply for functions and conferences and at all other times a responsible person or director of the licensee company must be contactable by phone at all times the premises is open for trade.

## Under Delegation from the Liquor and Gambling Commissioner



Jane Widdowson  
Hearings Delegate  
08 Feb 2022