

Decision Notification

Application Details

Application no.	218621, 218623
Licence No.	57402457
Licence Class	Residential
Premises Name	Mindarie Tavern
Premises Address	177 Knights Well Road Mindarie SA 5309
Applicant	Sound Knowledge Pty Ltd
Application Type	Application for a Liquor Licence, Application for Exemption\Responsible person

Outcome

Decision	Granted
Effective Date	23 Nov 2022

Requirements

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

- Landlord's consent has been obtained
- The application has been advertised
- All approvals, consents or exemptions have been obtained

People

Position of Authority

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

- Rashad Sinokrot (111177)
- Marc Adrian Russo (143844)
- James Francis Tracey (166966)

Premises

New Premises

The licensed area is outlined in red on the approved plan.

Exemptions

The following exemptions are added to the licence

- Responsible Person

Conditions

The following conditions are added to the licence

- The business conducted at the licensed premises must be such that the provision of accommodation to personnel associated with the mining operations is at all times the primary service provided at the premises.
- 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.

Trading hours

The following are the approved trading hours

	Consumption on premises	Consumption off premises
Monday	6:00 am to 10:00 pm	-
Tuesday	6:00 am to 10:00 pm	-
Wednesday	6:00 am to 10:00 pm	-
Thursday	6:00 am to 10:00 pm	-
Friday	6:00 am to 10:00 pm	-
Saturday	6:00 am to 10:00 pm	-
Sunday	6:00 am to 10:00 pm	-

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. An exemption can only be granted if the licensing authority is satisfied that, in view of the limited scope of a business conducted under a licence, an exemption would not compromise the principle of responsible service of alcohol and consumption of liquor.

The applicant has applied for an exemption from this requirement.

The applicant has submitted the following reasons why they should be granted an exemption:

Camp Accommodation for Murray Zircon Workers. We are constantly on site/servicing and maintaining the site 24/7, however due to shift changes every 2 weeks pose difficulty to keep an RP on camp at all times. Any employee who serves liquor will hold an RSA and is obligated to comply with the training, and strict policies and procedures at all times.

Having considered all of this, I am satisfied that, in view of the limited scope of the business conducted under the licence, an exemption from the responsible person requirements can be granted without compromising the principle of responsible service of alcohol and consumption of liquor.

In granting the exemption, I must instead approve alternative arrangements for the supervision and management of the business. I approve the arrangement that a responsible person or director of the licensee company must be contactable by phone at all times the premises is open for trade.

I note that this exemption applies only to the requirement to have a responsible person present at all times, and that

the licensee must still comply with the provisions of the General Code of Practice requiring all persons involved in the sale and supply of liquor to have completed approved responsible service of alcohol training.

Under Delegation from the Liquor and Gambling Commissioner



Ashleigh Hughes
Team Leader
23 Nov 2022