

# Decision Notification

## Application Details

Application no.	211867, 211868
Licence No.	57609643
Licence Class	Liquor Production & Sales
Premises Name	Normans Wines
Premises Address	10 William Gilbert Avenue COCKATOO VALLEY SA 5351
Proposed Premises Address	104 Murray Street TANUNDA SA 5352
Licensee	Normans Wine Company Pty Ltd
Application Type	Application for Removal of Licence, Variation of Conditions (Downgrade)
Representative	Andrew Wong - Lion Liquor Licensing Consultants

## Outcome

Decision	Granted
Effective Date	13 Dec 2021

## 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

## Premises

### Removal

The licence is removed to:

104 Murray Street  
TANUNDA SA 5352.

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

## Conditions

The following conditions are added to the licence

- The licensee shall not, as part of, or in connection with, the business authorised by this licence, invite or admit prospective purchasers of liquor to the licensed premises.

The following conditions are removed from the licence

- The sale of liquor by direct sales transactions is limited to the licensee's product only, except where the sale is by wholesale or where liquor is sold in an aggregate quantity of 4.5 litres or more.

## Authorisations

### The following authorisations/restrictions are added to the licence

- Sale of liquor restricted to sale by direct sales transactions only

### The following authorisations/restrictions are removed from the licence

- Sale of liquor for consumption on the licensed premises authorised but, other than to residents, is restricted to sampling only

## Reasons for Decision

The licensee has sought approval to remove the licence from 10 William Gilbert Avenue, Cockatoo Valley to 104 Murray Street, Tanunda.

The licensee had been operating a business commonly known as a "cellar door" from 10 William Gilbert Avenue, Cockatoo Valley. The licensee has sought approval for the licensed premises to be located in an office at 104 Murray Street, Tanunda.

I note that the applicant has indicated that it does not intend to sell liquor for consumption on the proposed premises or allow prospective customers to visit the proposed premises. Pursuant to section 50B of the *Liquor Licensing Act 1997* (the Act), I vary the licence accordingly.

As the applicant has advised the licensing authority there will be no access to the proposed premises by the general public, I will impose the following conditions and authorisations on the licence:

- The licensee shall not, as part of, or in connection with, the business authorised by this licence, invite or admit prospective purchasers of liquor to the licensed premises.
- Sale of liquor restricted to sale by direct sales transactions only.

I note that on 25 June 2020, amendments were made to section 39 of the *Liquor Licensing Act 1997* (the Act), these amendments included the addition of section 39(4a) and the variation of section 39(1)(d) of the Act.

The result of these amendments has meant that the following condition of the licence is otiose as the licensee is required to comply with the condition as a legislative requirement -

The sale of liquor by direct sales transactions is limited to the licensee's product only, except where the sale is by wholesale or where liquor is sold in an aggregate quantity of 4.5 litres or more.

I therefore remove the condition from the licence under section 43 of the Act.

## Under Delegation from the Liquor and Gambling Commissioner



Jane Widdowson  
Hearings Delegate  
13 Dec 2021