

Decision Notification

Application Details

Application no.	211534, 211668, 211671
Licence No.	57615254
Licence Class	Liquor Production & Sales
Premises Name	False Cape Wines
Premises Address	1054 Wilson River Road DUDLEY EAST SA 5222
Licensee	Jamie Arthur Helyar and Julie Dianne Helyar
Application Type	Variation to Conditions (Upgrade), Application for Alterations, Application for Redefinition

Outcome

Decision	Granted
Effective Date	04 Nov 2021

Requirements

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

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

Premises

Capacity

- The capacity of the venue is set at 200.
- The capacity has increased from 100 persons to 200 persons.

Alterations/Redefinition

The alterations to the licensed premises are approved in accordance with the plan lodged with the application. The licensee has increased the size of the paved area and undercover area, added a deck and toilets within the current licensed area.

The licensed premises has been redefined to include a fenced lawn area out the front of existing licensed area in accordance with the plan lodged with the application.

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

Exemptions

The following exemptions are removed from the licence

- Responsible Person

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 applications, I have reviewed this exemption and asked the applicant to provide a submission as to why the exemption should remain on the licence. The applicant has asked that the exemption be removed from the licence as it is not required. The licence is updated accordingly.

Under Delegation from the Liquor and Gambling Commissioner



Jane Widdowson
Hearings Delegate
04 Nov 2021