

# Decision Notification

## Application Details

Application no.	209109, 209110
Licence No.	57619575
Licence Class	Liquor Production & Sales
Premises Name	ELIT Wines & Spirits Pty Ltd
Premises Address	12 Mooringe Avenue North Plympton SA 5037
Applicant	ELIT Wines & Spirits Pty Ltd
Application Type	Application for a Liquor Licence, Application for up to five endorsements

## Outcome

Decision	Granted
Effective Date	10 Aug 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

## People

### Position of Authority

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

- Edoardo Torielli di Borgolavezzaro (167601)
- Luigi Ialenti (165331)

## Determination Details

Submissions from the following persons or corporate entities were received and taken into consideration when determining this application: Commissioner of Police

Under section 76 of the *Liquor Licensing Act 1997*, (the Act) the Commissioner of Police has made written submissions against the application. The grounds for the written submissions are made under section 77(2)(a) of the Act, that to grant the application would be contrary to the Act in some other way. The Commissioner of Police in the submission has noted that as at 21 June 2021, the applicant had not satisfied the licensing authority of the requirements under section 57(2) of the Act and that to grant the application would be contrary to the Act.

In addition to this the Commissioner of Police has noted that should the applicant satisfy section 57(2) of the Act, the Licensing Authority should under section 11C of the Act take reasonable steps to avoid inconsistency with matters that are dealt with or addressed under the *Planning, Development and Infrastructure Act 2016*.

I note that on the 8 July 2021, the applicant provided a letter from council that has satisfied the licensing authority of the requirements under section 57(2) of the Act.

## Conditions

### The following conditions are added to the licence

- The licensee is authorised to sell or supply the licensee's product for consumption on and off the site of the event endorsement(s) as specified on this licence.
- The licensee is authorised to despatch liquor from premises other than the licensed premises. Details of despatch sites must be made available for inspection by an authorised officer.

## Premises

### New Premises

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

### Capacity

The capacity of the venue is set at 5.

## Authorisations

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

- Endorsements apply
- Sale of liquor for consumption on the licensed premises authorised, but restricted to sampling only

## Trading hours

### The following are the approved trading hours

	Consumption on premises	Consumption off premises
Monday	10:00 am to 5:00 pm	-
Tuesday	10:00 am to 5:00 pm	-
Wednesday	10:00 am to 5:00 pm	-
Thursday	10:00 am to 5:00 pm	-
Friday	10:00 am to 5:00 pm	-
Saturday	-	-
Sunday	-	-

## Endorsements

I note that the licensee must comply with all other restrictions on their licence, such as capacity and trading hours, when operating under the endorsement(s) below.

### The following endorsements are added to the licence

- Approved Markets

## Reasons for Decision

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

I am satisfied that the event would not be better authorised by an application for a short term licence or a licence of another category.

## Under Delegation from the Liquor and Gambling Commissioner



Jane Widdowson  
Hearings Delegate  
10 Aug 2021

