

# Decision Notification

## Application Details

Application no.	212079, 212080
Licence No.	57620275
Licence Class	Liquor Production & Sales
Premises Name	John Duval Wines
Premises Address	49 Murray Street Tanunda SA 5352
Applicant	John Duval Cellars Pty Ltd
Application Type	Application for a Liquor Licence, Application for Exemption\Responsible person
Representative	Alyce Cassetai - Ryan & Durey Solicitors

## Outcome

Decision	Granted
Effective Date	30 Nov 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:

- John Robert Duval (66636)
- Patricia June Duval (66635)
- Timothy John Duval (60951)

## 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 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.
- The licence authorises the sale of liquor produced by the licensee either personally or under contract. Details of all contracts entered into must be available for inspection by an authorised officer.
- The exemption from the Responsible Person requirements is granted on the condition that a licensee must be contactable by phone at all times the premises is open for trade.

## Authorisations

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

- Sale of liquor by direct sales transactions and the sale of liquor for consumption off the licensed premises, other than to residents, restricted to the licensee's product only

## Reasons for Decision

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

The applicant has addressed the objects of the Act in their application and I am satisfied the sale, supply and consumption of liquor will be undertaken safely and responsibly, consistent with the responsible service and consumption of liquor, and the expectations and aspirations of the public.

I approve an exemption from the responsible person requirements under the Act given the limited scope of the business (largely or entirely online sales) and provided a licensee is contactable by phone at all times the premises is open for trade.

Pursuant to section 56 of the Act, I am satisfied all persons who occupy a position of authority in the entity to hold the licence are fit and proper persons to occupy such a position.

Pursuant to section 57 of the Act, I am satisfied the premises for which the licence is sought are of a sufficient standard for the purpose of carrying on business under the licence. Further, I am satisfied the operation of the licence would be unlikely to result in undue offence, annoyance, disturbance or inconvenience to people who reside, work or worship in the vicinity of the premises and or to prejudice the safety or welfare of children attending kindergarten, primary school or secondary school in the vicinity of the premises.

The Barossa Council has confirmed they have no objection to the proposed liquor licence and I am satisfied all relevant approvals, consents and exemptions are in place.

Pursuant to section 72 of the Act, I am satisfied the landlord has consented to the application.

I am satisfied that the grant of the licence would not be contrary to the public interest or inconsistent with the objects of the Act.

## Under Delegation from the Liquor and Gambling Commissioner



Ben Johns

