

Decision Notification

Application Details

Application no.	212434, 212435
Licence No.	57620372
Licence Class	Liquor Production & Sales
Premises Name	Australian Distilling Co Pty Ltd Stepney Distillery
Premises Address	12-16 Stepney Street Stepney SA 5069
Licensee	AUSTRALIAN DISTILLING CO. PTY LTD
Applicant	AUSTRALIAN DISTILLING CO. PTY LTD
Application Type	Application for a Liquor Licence, Application for Exemption\Responsible person

Outcome

Decision	Conditional Grant
Effective Date	09 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

People

Position of Authority

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

- MICHAEL ROBB HICKINBOTHAM (153349)

Premises

Capacity

The capacity of the venue is set at 20.

Exemptions

The following exemptions are added to the licence

- Responsible Person

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
- Sale of liquor for consumption on the licensed premises authorised

Trading hours

The following are the approved trading hours

	Consumption on premises	Consumption off premises
Monday	6:00 pm to 11:00 pm	-
Tuesday	6:00 pm to 11:00 pm	-
Wednesday	6:00 pm to 11:00 pm	-
Thursday	6:00 pm to 11:00 pm	-
Friday	6:00 pm to 11:00 pm	-
Saturday	Midday to 11:00 pm	-
Sunday	Midday to 11:00 pm	-

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.

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.

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.

Certificate of Approval

The applicant has provided proof of planning approval for the proposed premises from The City of Norwood, Payneham and St Peters.

Pursuant to section 59 of the Act, I grant a certificate of approval for the proposed premises for a period of 12 months, noting a licence will be granted upon the provision of suitable documentation to confirm the premises have been completed in accordance with the plans provided with this application or such other variation of those plans subsequently approved by the licensing authority.

Responsible person exemption

It is a requirement under section 97(1) of the *Liquor Licensing Act 1997* (the Act), that business conducted under the

licence must, at all times when the licensed premises is open to the public, be personally supervised and managed by a responsible person.

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 and consumption of liquor.

The applicant has applied for an exemption from this requirement on the basis of the limited scope and capacity of the proposed business.

I am satisfied that an exemption from the responsible person requirements can be granted without compromising the responsible service and consumption of liquor. The application for a responsible person exemption is granted subject to 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 - or such other approved alternative arrangement.

Under Delegation from the Liquor and Gambling Commissioner



Ben Johns
Manager, Liquor & Gambling
09 Dec 2021