

Decision Notification

Application Details

Application no.	215732, 215734, 215735
Licence No.	57621158
Licence Class	Liquor Production & Sales
Premises Name	SA Distilling Co
Premises Address	25 Grandview Grove Sturt SA 5047
Applicant	SA Distilling Co Pty Ltd
Application Type	Application for a Liquor Licence, Application for Exemption\Responsible person, Application for up to five endorsements

Outcome

Decision	Granted
Effective Date	22 Jun 2022

Requirements

The requirement to provide the following in support of the application has been waived:

The requirement to advertise the application by notice placed on the premises

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:

- Marcelle Louise McEwan (166090)

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 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 (other than at a site endorsed on the licence).
- 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 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 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.
- 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.

Authorisations

The following authorisations/restrictions are added to the licence

- Sale of liquor restricted to the licensee's own product by direct sales transactions only
- Endorsements apply

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.

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. 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 of alcohol and consumption of liquor.

The licensee of the SA Distilling Co Pty Ltd has applied for an exemption from this requirement.

The applicant has submitted the following reasons why they should be granted an exemption:

I am the sole Director of SA Distilling Co, but I am also an employee in 3 other roles, including the Army Reserves - and I can be called away for short periods of time. There will be times where I (the Responsible Person) cannot supervise or manage the business without this exemption. I would need to make alternative arrangements for the supervision and

management of my business.

Having considered all of this, I am satisfied that, in view of the limited scope of the business conducted under the licence, an exemption from the responsible person requirements can be granted without compromising the principle of responsible service of alcohol and consumption of liquor.

I note that this exemption applies only to the requirement to have a responsible person present at all times, and that the licensee must still comply with the provisions of the General Code of Practice requiring all persons involved in the sale and supply of liquor to have completed approved responsible service of alcohol training.

Under Delegation from the Liquor and Gambling Commissioner



Ashleigh Hughes
Hearings Delegate
22 Jun 2022