

Decision Notification

Application Details

Application no.	217537
Licence No.	57711115
Licence Class	Packaged Liquor Sales
Premises Name	Bars Plus Event Specialists
Premises Address	16 Taylor Street Reynella SA 5161
Applicant	BARS PLUS EVENT SPECIALISTS PTY LTD
Application Type	Application for a Liquor Licence

Outcome

Decision	Granted
Effective Date	09 Dec 2022

Requirements

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

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:

- Dylan Shane Ellis (156268)
- Daniel Ellis (173758)

Conditions

The following conditions are added to the licence

- Any delivery agreements and despatch sites must be made available for inspection by an authorised officer.
- 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 any premises or place at which liquor is displayed or stored by the licensee.

Authorisations

The following authorisations/restrictions are added to the licence

- Sale of liquor restricted to sale by direct sales transactions only

Reasons for Decision

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

The application is for the grant of a packaged liquor sales licence which is restricted to sale by direct sales transactions only. The applicants business model includes the delivery, and setting up of, kegs and bar equipment. The licensing authority (the Authority), initially had concerns about the proposed application and, in particular, whether a packaged liquor sales licence was the appropriate class of licence. Section 38 of the *Liquor Licensing Act 1997* (the Act) authorises the holder of a packaged liquor sales licence to sell liquor through direct sales transactions. Section 42(2) of the Act

states that it is a condition of a licence authorising the sale of liquor for consumption off the licensed premises (which includes the sale of liquor through direct sales transactions) that liquor sold under that authorisation must be delivered to the purchaser in sealed containers or containers of a kind approved by the licensing authority. The Authority had concerns that the business model described by the applicant, and particular the process of setting up the keg, would result in the container no longer being sealed when 'delivered' to the purchaser. The Authority held a hearing with the applicants, where the applicants explained the kegs remained sealed, even after the kegs were tapped. Nonetheless, to remove any uncertainty, the Authority approves, for the purposes of this application, the delivery of tapped kegs as approved containers under section 42(2) of the Act.

At the hearing, and in their application, the applicant has addressed the objects of the Act and I am satisfied that the sale, supply and consumption of liquor will be undertaken safely and responsibly, consistent with the principle of responsible service and consumption of liquor and the expectations and aspirations of the public. In particular, the applicant has confirmed that their business is marketed at pre-booked, higher-end events such as weddings, engagement parties, special birthdays and corporate events. The applicant indicated that their pricing structure would be a deterrent to younger clientele who may be more likely to consume liquor in an irresponsible manner. The applicant has also indicated that kegs would be collected after the booking period. I note that similar business models exist interstate and that those models are also aimed at higher-end markets, such as weddings.

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.

Pursuant to section 56 of the Act, I am satisfied that each person who occupies a position of authority in the licensee entity is a fit and proper person to occupy such a position in the entity holding the licence.

Pursuant to section 57 of the Act, I dispense with the requirement that the applicant satisfy the licensing authority as to any matter referred to in that section.

The application is granted.

Under Delegation from the Liquor and Gambling Commissioner



Natasha Tsourtos
Manager, Liquor and Gambling
09 Dec 2022