

Decision Notification

Application Details

Application no.	209574
Licence No.	57619648
Licence Class	Liquor Production & Sales
Premises Name	Vin De Luxe
Premises Address	104 Murray Street Tanunda SA 5352
Applicant	CAT CAFE PTY LTD
Application Type	Application for a Liquor Licence
Representative	Andrew Wong - Lion Liquor Licensing Consultants

Outcome

Decision	Granted
Effective Date	12 Aug 2021

Procedural

I allow the applicant to vary their application as follows:

Under section 51(3) of the Act, I allow the applicant to vary the proposed premises name.

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:

- Tazma Jean Lister (167877)

Determination Details

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 29 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 2 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 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 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.
- 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.

Authorisations

The following authorisations/restrictions are added to the licence

- Sale of liquor restricted to licensee's own product and 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*.

As the applicant has advised the licensing authority there will be no access to the proposed premises by the general public and that all sales from the proposed premises will occur on line only, I will impose the following conditions/authorisations on the licence:

- sale of liquor restricted to licensee's own product and by direct sales transactions only
- 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

Under Delegation from the Liquor and Gambling Commissioner



Jane Widdowson
Hearings Delegate
12 Aug 2021