

# Decision Notification

## Application Details

Application no.	215226
Licence No.	57602374
Licence Class	Liquor Production & Sales
Premises Name	Rusden Wines
Premises Address	221 Magnolia Road TANUNDA SA 5352
Licensee	Rusden Wines Pty Ltd
Application Type	Variation to Conditions (Upgrade)
Representative	Hugh Davidson - David Watts and Associates

## Outcome

Decision	Granted
Effective Date	14 Jul 2022

## Requirements

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

- The application has been advertised
- All approvals, consents or exemptions have been obtained

## Conditions

The following conditions are added to the licence

- The exemption from the Responsible Person requirements does not apply after 7pm.
- The exemption from the responsible person requirements is granted on 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.

The following conditions are removed from the licence

- The provision of samples of liquor shall be supervised at all times.

## Authorisations

The following authorisations/restrictions are added to the licence

- Sale of liquor for consumption on the licensed premises authorised

The following authorisations/restrictions are removed from the licence

- Sale of liquor for consumption on the licensed premises authorised but, other than to residents, is restricted to sampling only

## Reasons for Decision

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

The licensee previously had an unconditional exemption from the responsible person requirements. As they are varying their licence to allow consumption of liquor by the glass, and not just by way of samples, it is prudent to review whether the exemption is still appropriate.

I note that the licensee has a relatively small capacity of only 25 persons which minimises any potential risk. However, their licence does permit them to sell and supply liquor until 2am each night of the week. I do not consider it in the interest of the public to have licensed premises trading late at night with no responsible person present, for this reason I limit the exemption so that it does not apply after 7pm.

The Act requires that alternative arrangements be approved where an exemption from the responsible person requirements is granted. With the consent of the licensee I impose the condition that a Responsible Person or Director of the Licensee Company must be contactable by phone at all times.

## Under Delegation from the Liquor and Gambling Commissioner



Ashleigh Hughes  
Hearings Delegate  
14 Jul 2022