

Decision Notification

Application Details

Application no.	210844
Licence No.	57618367
Licence Class	Liquor Production & Sales
Premises Name	Little So and So Wine Co.
Premises Address	3 Lamshed Close Strathalbyn SA 5255
Proposed Premises Address	10 Stirling Court Strathalbyn SA 5255
Licensee	O'Flaherty Freelance Winemaking Pty Ltd, Winedy Road Pty Ltd
Application Type	Application for Removal of Licence

Outcome

Decision	Granted
Effective Date	22 Sep 2021

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

Premises

Removal

- The licence is removed to:
10 Stirling Court
Strathalbyn SA 5255.
- The licensed area is outlined in red on the approved plan.

Conditions

The following conditions are removed from the licence

- The sale of liquor by direct sales transactions is limited to the licensee's product only, except where the sale is by wholesale or where liquor is sold in an aggregate quantity of 4.5 litres or more.

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

Reasons for Decision

In reaching my determination, I have had regard to the objects of the *Liquor Licensing Act 1997*.
I note that on 25 June 2020, amendments were made to section 39 of the *Liquor Licensing Act 1997* (the Act), these

amendments included the addition of section 39(4a) and the variation of section 39(1)(d) of the Act. The result of these amendments has meant that the following condition of the licence is otiose as the licensee is required to comply with the condition as a legislative requirement -

The sale of liquor by direct sales transactions is limited to the licensee's product only, except where the sale is by wholesale or where liquor is sold in an aggregate quantity of 4.5 litres or more.

I therefore remove the condition from the licence under section 43 of the Act.

I refer to order B228121 dated 30 July 2020, I note that on the grant of the licence the authorisation restricting the licensee to the sale of the licensee's own product by direct sales transactions only was omitted from the licence.

Under section 43 of the Act, this authorisation is now added to the licence.

Under Delegation from the Liquor and Gambling Commissioner



Jane Widdowson
Hearings Delegate
22 Sep 2021