

Decision Notification

Application Details

Application no.	209448, 209449, 209450
Licence No.	57619614
Licence Class	Liquor Production & Sales
Premises Name	Little Pete Brewing
Premises Address	31 Murray Road Langhorne Creek SA 5255
Applicant	WBB WINES 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 Jul 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

People

Position of Authority

The following persons are approved to occupy any position of authority in the entity holding the licence:

- Rebecca Marie Burgess (167817)
- Warren Neil Burgess (167818)

Exemptions

The following exemptions are added to the licence

- Responsible Person

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 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.
- 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 by direct sales transactions and the sale of liquor for consumption off the licensed premises restricted to the licensee's product only
- Sale of liquor for consumption on the licensed premises authorised, but restricted to sampling 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 Little Pete Brewing has applied for an exemption from this requirement.

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

The scope of the business will be limited to selling liquor (licensee's product) by wholesale on the licensed premises at any time for consumption off the licensed premises, and to selling licensee's product through direct sales transactions. There is no present intention to sell or supply liquor for on premise consumption.

The applicant has also provided correspondence from their Council confirming that the premises is only authorised to be used for home activity under the relevant planning laws.

In addition to this, I note that the applicant has sought approval for event endorsements, at these events the licensee must comply with all of the restrictions of their licence.

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.

Under Delegation from the Liquor and Gambling Commissioner



Jane Widdowson
Hearings Delegate
22 Jul 2021