

**LIQUOR CONTROL REFORM ACT 1998 (the Act)
ENFORCEABLE UNDERTAKING
PURSUANT TO SECTION 133F**

The commitments in this undertaking are offered to the Victorian Commission for Gambling and Liquor Regulation (**the Commission**) by:

Celebrity Holdings Pty Ltd
ACN 100 839 807
40 – 42 Moorabool Street
GEELONG VIC 3220

1. Background

- 1.1. Home House, 40 – 42 Moorabool Street, Geelong (**Home**) operates pursuant to Late Night (On-Premises) Licence No. 32226505 (**the Licence**).
- 1.2. Celebrity Holdings Pty Ltd is the licensee of Home (**the Licensee**).
- 1.3. On 17 June 2013, Licensing Inspector Carl Peers (**the Requestor**) made a written request to the Commission to conduct an inquiry under section 94 of the Act in relation to whether the continuation of the Licence would detract from or be detrimental to the amenity of the area in which Home is situated.
- 1.4. On 3 February 2014, the Requestor and the Licensee filed with the Commission a Statement of Agreed Facts and Proposed Terms of Settlement in relation to the Inquiry.
- 1.5. The Proposed Terms of Settlement included that the Licensee would offer a written undertaking under section 133F of the Act to the Commission in the terms set out in the Proposed Terms of Settlement. The Commission determined to accept the offer of the proposed undertaking.

2. Statement of Agreed Facts

- 2.1. The Licensee acknowledges that the particulars identify incidents that have occurred in and around the premises, a number of which have had a detrimental impact on the amenity of the area.

- 2.2. The majority of incidents resulted from persons being refused entry to, or patrons being ejected from, the premises and behaving in a manner that caused detriment to the amenity of the area.
- 2.3. The Licensee further acknowledges and accepts that there is a basis for the Commission to be satisfied that the continuation of the licence, without modification, would be detrimental to the amenity of the area in which the premises is situated.
- 2.4. The Requestor also acknowledges that a number of proactive measures have been undertaken by and on behalf of the Licensee, which has seen it become a leader in the industry and particularly the Geelong region.

3. Undertaking

In consideration of the matters referred to in this undertaking, the Licensee agrees to undertake the following:

Conditions of Undertaking

Within four (4) months of the date of the Commission's Decision (3 February 2014), the Licensee will provide the Commission with a written undertaking pursuant to Section 133F of the Act. The Undertaking will require Mario Gregorio and the venue manager of Home to undertake an approved Advanced Responsible Service of Alcohol course delivered by a registered training organisation accredited by the Commission.

4. Commencement

This Undertaking comes into effect when executed by the Licensee and the Commission.

5. **Acknowledgements**

It is acknowledged that:

5.1. Pursuant to section 133G of the Act, the Commission will register this undertaking in the Register of Undertakings and the undertaking will be available for public inspection on the website of the Commission;

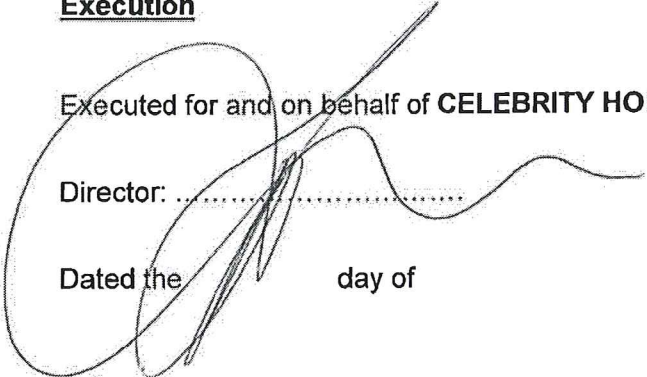
5.2. The Licensee, the Commission and/or the Premier or a Minister of the Government of Victoria may from time to time publicly refer to this undertaking; and

5.3. The Commission, by accepting this Undertaking, does not fetter the Commission or others in any way, with regards to the Act.

6. **Execution**

Executed for and on behalf of **CELEBRITY HOLDINGS PTY LTD** by a Director:

Director:



Dated the _____ day of _____ 2014

Accepted by:

THE VICTORIAN COMMISSION FOR GAMBLING AND LIQUOR REGULATION



.....
Dary Chaitkin

Dated the 12 day of February 2014