



# Victorian Commission for Gambling and Liquor Regulation

## DECISION AND REASONS FOR DECISION

In the matter of an application by Simply Wines Pty Ltd under section 153 of the *Liquor Control Reform Act 1998* for internal review of a decision to refuse to grant an application for a renewable limited licence

**Commission:** Dr Bruce Cohen, Chair  
Mr Des Powell, Commissioner  
Ms Deirdre O'Donnell, Commissioner

**Date of Hearing:** 27 June 2016  
**Date of Decision:** 30 August 2016  
**Date of Reasons:** 30 August 2016

**Appearances:** Mr John Larkins of Counsel for the Applicant  
Mrs Naomi Martin Edwards as Counsel Assisting the Commission

**Decision:** The Commission has determined to set aside the reviewable decision and, in substitution, grant the application for a renewable limited licence subject to the conditions set out in Appendix B

**Signed:**

A handwritten signature in black ink, appearing to be 'Bruce Cohen', written over a horizontal line.

**Bruce Cohen**  
Chair



## REASONS FOR DECISION

### BACKGROUND

1. On 22 March 2016, Simply Wines Pty Ltd (**the Applicant**) applied to the Victorian Commission for Gambling and Liquor Regulation (**the Commission**) for a renewable limited licence under the *Liquor Control Reform Act 1998 (LCR Act)*<sup>1</sup> to sell wine online from the website [www.simplywines.net.au](http://www.simplywines.net.au) (**the Original Application**). The directors of the Applicant are Stuart MacDonald and his son, Lachlan MacDonald. Under the application, their residence is to be the licensed premises. The Original Application was made after the Applicant failed to renew Limited Licence 36114873 in accordance with Division 8 of Part 2.
2. A copy of the Original Application was forwarded to Victoria Police and Bayside City Council (**the Council**) in accordance with section 33(3). There was no objection from the Council or a licensing inspector. By a notification dated 27 April 2016, the Chief Commissioner of Police (**Chief Commissioner**) stated:

There is no objection from the Chief Commissioner of Police if conditions are endorsed on the licence which limit supply of liquor to occur only in circumstances pursuant to the proposed activity.
3. Having considered the material submitted by the Applicant, a delegate of the Commission (**the Delegate**) refused to grant the application on 11 May 2016 and provided reasons for that decision.
4. On 30 May 2016, the Applicant made an application for internal review of the Delegate's decision (**Review Application**).

### LEGISLATION AND THE COMMISSION'S TASK

#### The Commission's internal review power

5. Division 2 of Part 9 of the LCR Act governs internal review applications. Under section 152, the Delegate's decision in respect of the licence application is a reviewable decision, and the Applicant is eligible to apply for review of that decision. The Review Application was made under section 153.

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<sup>1</sup> All references to legislation are references to the LCR Act unless stated otherwise.



6. Pursuant to section 157(1), the specific task for the Commission with respect to the Review Application is to make a fresh decision that:
  - (a) affirms or varies the reviewable decision; or
  - (b) sets aside the reviewable decision and substitutes another decision that the Commission on review considers appropriate.<sup>2</sup>
7. Under the LCR Act, an application for a renewable limited licence may be contested or uncontested. Pursuant to section 3(1), a contested application relevantly includes:

an application for the grant, variation, transfer or relocation of a licence or BYO permit in respect of which any objections are received under Division 5 of Part 2 within the period set out in that Division for those objections (or that period as extended under section 174) ...
8. The Commission considers that the Chief Commissioner's notification of 27 April 2016 constitutes an objection. Given that it has not been withdrawn, the Commission has proceeded on the basis that this is a contested application.
9. The Commission on review stands in the shoes of the original decision maker and, in respect of a contested application, must either:
  - (a) grant the application (and may do so subject to conditions);<sup>3</sup> or
  - (b) refuse to grant the application.<sup>4</sup>
10. The Commission considers that while the grounds of refusal outlined in section 44(2) are relevant considerations, the ultimate determination of a contested application is to be made pursuant to sections 47(1) and 157(1) at the discretion of the Commission with reference to the objects of the LCR Act.

### **Exercising the internal review power**

11. Section 9 of the *Victorian Commission for Gambling and Liquor Regulation Act 2011 (VCGLR Act)* requires the Commission, in exercising its internal review function, to have regard to the objects of the LCR Act and any decision-making guidelines issued by the Minister under section 5 of the VCGLR Act.<sup>5</sup>

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<sup>2</sup> Section 157(2) to (5) of the LCR Act and section 25(3) of the VCGLR Act further prescribe the manner in which the Commission is to undertake internal reviews.

<sup>3</sup> LCR Act, sections 47, 49 and 158.

<sup>4</sup> See sections 44 and 47 of the LCR Act.

<sup>5</sup> VCGLR Act, section 9(3), (4).



12. The objects of the LCR Act are set out in section 4(1), which provides:

The objects of this Act are—

- (a) to contribute to minimising harm arising from the misuse and abuse of alcohol, including by—
  - (i) providing adequate controls over the supply and consumption of liquor; and
  - (ii) ensuring as far as practicable that the supply of liquor contributes to, and does not detract from, the amenity of community life; and
  - (iii) restricting the supply of certain other alcoholic products; and
  - (iv) encouraging a culture of responsible consumption of alcohol and reducing risky drinking of alcohol and its impact on the community; and
- (b) to facilitate the development of a diversity of licensed facilities reflecting community expectations; and
- (c) to contribute to the responsible development of the liquor, licensed hospitality and live music industries; and
- (d) to regulate licensed premises that provide sexually explicit entertainment.

13. Section 4(2) provides further that:

It is the intention of Parliament that every power, authority, discretion, jurisdiction and duty conferred or imposed by this Act must be exercised and performed with due regard to harm minimisation and the risks associated with the misuse and abuse of alcohol.<sup>6</sup>

14. On 7 June 2012, decision-making guidelines with respect to the “*Grant of Licences for the Sale of Packaged Liquor*” (**the Guidelines**) were issued under section 5 of the VCGLR Act.<sup>7</sup>

15. Paragraph 3 of the Guidelines relevantly states:

... the grant of a licence that allows for the provision of packaged liquor from licensed premises during hours that are outside ordinary trading hours as defined in section 3 of the Act should only be granted by the Victorian Commission for Gambling and Liquor Regulation if exceptional circumstances can be demonstrated by an applicant.

16. In exercising the internal review power, the Commission:

- (a) must consider all the information, material and evidence before the original decision maker;<sup>8</sup>  
and

<sup>6</sup> See further *Kordister Pty Ltd v Direction of Liquor Licensing* [2012] VSCA 325, which confirms that harm minimisation is the primary regulatory object of the LCRA and therefore the primary consideration in liquor licensing decisions (although not to the exclusion of the other objects).

<sup>7</sup> *Victorian Government Gazette*, G 23, 7 June 2012, 1176-1177.

<sup>8</sup> LCR Act, section 157(2).



(b) may also consider further information, material or evidence as part of making its decision.<sup>9</sup>

### Conduct of an inquiry

17. Section 34 of the VCGLR Act provides that, subject to that Act, gambling legislation or liquor legislation, the Commission may conduct any inquiry in any manner it considers appropriate.

18. Relevant provisions governing the conduct of an inquiry by the Commission in this matter are:

(a) section 33 of the VCGLR Act, which provides, inter alia:

(1) The Commission may conduct an inquiry for the purposes of performing its functions or duties, or exercising its powers under this Act, gambling legislation or liquor legislation.

...

(3) When conducting an inquiry for the purposes of performing its functions under section 9(1)(a), (b), (c) or (d) the Commission is taken to be a board appointed by the Governor in Council and Division 5 of Part I (including section 21A) of the **Evidence (Miscellaneous Provisions) Act 1958**, as in force immediately before the repeal of that Division, applies accordingly.

...

(b) section 25(3) of the VCGLR Act, which provides:

In performing a function or duty the Commission—

- (a) except when exercising a power under Division 5 of Part I of the Evidence (Miscellaneous Provisions) Act 1958, is not bound by the rules of evidence but may inform itself in any way it thinks fit;
- (b) is bound by the rules of natural justice. (*Note omitted*)

(c) section 47(3A) of the LCRA Act, which relevantly provides, inter alia:

...

- (b) the Commission may grant or refuse a contested application without hearing from a person who has notice of the inquiry if the person is not present or represented at the time and place appointed for the inquiry; and
- (c) the Commission may consider evidence of anything said or done at the inquiry in any internal review of that decision.

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<sup>9</sup> LCR Act, section 157(3).



## MATERIAL BEFORE THE COMMISSION

19. The Commission on review had before it and considered all of the material received by the Delegate, including:
- (a) an application form for a renewable limited licence, completed by one of the directors of the Applicant, Lachlan MacDonald, and dated 2 March 2016;
  - (b) a liquor licensing questionnaire, also completed by Lachlan MacDonald, and dated 2 March 2016;
  - (c) a liquor licensing questionnaire, completed by the other director of the Applicant, Stuart MacDonald, and dated 15 March 2016;
  - (d) written submissions made by the Applicant on 18 and 22 March 2016; and
  - (e) a copy of Lachlan MacDonald's certificate of completion of a responsible service of alcohol program, dated 1 April 2016 (**RSA certificate of completion**).
20. The Commission on review had before it and considered the following additional documents:
- (a) the Delegate's decision and reasons for decision dated 11 May 2016;
  - (b) the Review Application;
  - (c) Victoria Police's written advice of 15 June 2016 that it would not be filing further material or appearing at the public hearing that had been scheduled for this Review Application;
  - (d) the pre-hearing inspection and compliance report, prepared by the Commission's Compliance Division and dated 16 June 2016; and
  - (e) the written submissions made by the Applicant on 21 and 28 June 2016.
21. On 27 June 2016, the Commission conducted a public hearing in relation to the Review Application (**the Hearing**). The Applicant was represented by Mr John Larkins of Counsel. Mrs Naomi Martin Edwards appeared as Counsel Assisting the Commission. No appearance was made by the Chief Commissioner.
22. The Commission heard, and has considered, the oral submissions made by the Applicant and the evidence given by both of its directors at the Hearing on 27 June 2016.



## REASONS FOR DECISION ON REVIEW

### Issues for determination on review

23. In order for the Commission to make its decision on review, several issues require determination:

- (a) the application of the Guidelines to the supply of packaged liquor under a renewable limited licence;<sup>10</sup>
- (b) whether the Commission is satisfied that the scale and scope of the supply of liquor the subject of the licence proposed is limited in nature; and<sup>11</sup>
- (c) whether the Original Application should be granted or refused, having regard to the objects of the LCR Act, and in particular harm minimisation which is the primary object.<sup>12</sup>

Each of these issues is discussed in turn.

### ***Application of Guidelines***

24. The Guidelines apply to “the grant of liquor licences that may allow the sale of packaged liquor”. The licence sought is such a licence having regard to the nature of the business that is the subject of this Review Application – that is, an internet-based wine sales business. Therefore the Guidelines ostensibly apply, and the Commission must have regard to them under section 9(4) of the VCGLR Act.

25. It is less clear, however, that the Guidelines have any operative effect in relation to the Commission’s decision in this Review Application.

26. This is because the only relevant paragraph of the Guidelines, paragraph 3, applies to “the grant of a licence that allows for the provision of packaged liquor *from licensed premises during hours that are outside ordinary trading hours as defined in section 3 of the [LCR Act] ...*” (emphasis added). However, the LCR Act does not define ‘ordinary trading hours’ with respect to renewable limited licences.

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<sup>10</sup> See paragraphs 11, 14 and 15 above.

<sup>11</sup> LCRA Act, section 26(1).

<sup>12</sup> See paragraphs 11-13 above.



27. Nevertheless, having regard to the policy intent that appears to underpin the Guidelines, the Commission considers that delivery under the licence being sought should only occur during the ordinary trading hours of a packaged liquor licence unless there are exceptional circumstances.<sup>13</sup>
28. In this instance, the Applicant generally seeks to deliver liquor during business hours on weekdays and not on public holidays. However, the Applicant does seek to commence deliveries at 8.30 a.m., which is outside ordinary trading hours for packaged liquor licences. The Commission therefore considers that imposing a condition pursuant to which delivery would not commence until 9.00 a.m. would not only be consistent with the policy intent of the Guidelines but also appropriate in the circumstances.

***Limited scale and scope of liquor supply***

29. In determining this Review Application, the Commission is required to be satisfied that the scale and scope of the supply of liquor the subject of the licence will be limited in nature.
30. In initially determining this issue, the Delegate concluded that this requirement was not satisfied. This decision was made having regard to the proposed hours of operation, the number of wines that could be sold, the type of customers, the quantities of a minimum sale and the method of supply (internet sales).
31. In relation to its general approach to the determination of this issue with respect to internet-based business models, the Commission refers to the reasons for its decision on the internal review application made by Fynix Pty Ltd at paragraphs 53-60 and adopts those reasons in this matter.<sup>14</sup> Those reasons are set out in **Appendix A**.
32. In this Review Application, the business model for which a licence is sought involves:
- (a) the sale of wine only; that is, it does not involve the sale of beer, spirits or pre-mixed drinks;
  - (b) the supply of liquor is restricted to an order of between 12 and 36 bottles of wine per person per transaction;
  - (c) the number of brands of wine available for supply is restricted to 80 at any one time, although up to 127 brands may be listed on the website. The Applicant has also submitted that it sells up to 20 grape varieties of wine;

<sup>13</sup> See paragraph 3 of the Guidelines.

<sup>14</sup> In the matter of an application for internal review made by Fynix Pty Ltd [2016] VCGLR (25 July 2016) (Commissioners Cohen, Versey and O'Donnell) (*Fynix*).



- (d) the brands to be sold are high-quality wines sourced from overseas and boutique local wineries as compared with lower priced, mass market brands; and
  - (e) liquor is only intended to be delivered between 8.30 a.m. and 6 p.m. on any day other than Saturday, Sunday and public holidays.
33. At the Hearing, Stuart MacDonald also confirmed that orders would generally come either by telephone or via the internet, and very rarely through face to face interaction. Lachlan MacDonald further noted that the Applicant intends for internet orders to be made only on one website, [www.simplywines.net.au](http://www.simplywines.net.au). According to Lachlan MacDonald this website is not and would not be linked to any other websites from which liquor may be purchased.<sup>15</sup>
34. Further, Stuart MacDonald stated at the hearing that when an order was being placed, the customer was required to confirm that they were 18 years or older (as well as providing credit card and address details for delivery). Lachlan MacDonald stated that confirmation of proof of age was also required on delivery, and that if there was no adult present to take delivery, the wine would not be delivered.
35. Finally, the Commission notes that the business model for which a licence is being sought is the same as one that had previously operated for six years, prior to the Applicant failing to renew their previous renewable limited licence. It was submitted on behalf of the Applicant that when it was previously operating, its sales were on average 500 dozen bottles per year, with revenue under \$100,000 per annum. The overwhelming majority of its customers (98%) were situated in metropolitan Melbourne, with the remainder being interstate customers.
36. The Commission considers in all the circumstances of this Review Application that an internet-based business of this nature, if permitted with appropriate conditions, is one in which the scale and scope of the supply of liquor under the licence would be limited in nature.
37. In forming this view, the Commission notes the following:
- (a) in applying section 26(1), the Commission must be satisfied that if the licence is granted, the supply is limited in both scale and scope;
  - (b) in considering the question of scope in this Review Application, the Commission has placed weight on the fact that the range of categories of liquor available to be supplied will be

<sup>15</sup> According to Lachlan MacDonald the Simply Wines website was only linked to a search website, named <http://www.wine-searcher.com/>.



constrained – that is, only wine is to be sold, and further this supply will only encompass a limited range of mid-to-high priced wines;

- (c) in relation to the question of scale in this Review Application, the Commission considers it appropriate to assess this aspect from the perspective of the supplier of the liquor, as compared to that of individual purchasers. In this regard, the Commission considers that the scale of supply will also be limited in respect of this Review Application having regard to the number of bottles that may be purchased by any individual per transaction, the limited number of brands available for sale, the price range of the brands to be sold and that the business operates through a single site that is not linked to other liquor sale websites. All of these factors point to the supply being for only a niche portion of the market for liquor. The Commission notes that some of these factors would also satisfy it that the scale of supply was limited had it considered it was appropriate to determine this issue having regard to the perspective of individual customers, either as the sole or a relevant perspective.

38. The Commission considers, however, that in order for it to grant the limited licence sought in accordance with section 26(1), conditions will be required.

39. The Commission is empowered to impose any conditions it thinks fit on the grant of an application.<sup>16</sup> Having regard to the section 26(1) restriction, the policy of the Guidelines and the need for licence conditions to be both meaningful and enforceable, the Commission considers it would be appropriate to impose the following conditions on the grant of a licence in respect of this Review Application:

- (a) the supply of liquor is restricted to wine only;
- (b) internet orders may only be taken through the website [www.simplywines.net.au](http://www.simplywines.net.au);
- (c) orders are limited to one order of up to 36 bottles of wine per customer per day; and
- (d) liquor may only be delivered between 9 a.m. and 6 p.m. on any day other than Saturday, Sunday and public holidays.

40. In light of those conditions and pursuant to section 26(1) of the LCR Act, the Commission is satisfied that the scale and scope of the supply of liquor the subject of the licence will be limited in nature. Were the business operations of the Applicant to change from those outlined at the Hearing and in the materials before the Commission, it would be open to the Commission to consider whether additional conditions might be appropriate.

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<sup>16</sup> LCR Act, section 49.



***Whether to grant or refuse licence having regard to objects of the LCR Act***

41. Having been satisfied as to the requirements of section 26(1), the Commission is still required to exercise its discretion to determine whether to grant or refuse the licence that is the subject of this Review Application. In doing so, the Commission is required to have regard to the objects of the LCR Act.
42. The Commission considers that enabling small internet-based providers to supply liquor to niche markets is consistent with the object of facilitating *“the development of a diversity of licensed facilities reflecting community expectations”*.<sup>17</sup>
43. However, the Commission is also mindful of the need to ensure that appropriate regard be given to the harm minimisation object,<sup>18</sup> recognising that it is the primary object of the LCR Act, and also to the object that its determinations contribute *“to the responsible development of the liquor, licensed hospitality and live music industries”*.<sup>19</sup>
44. As such, the Commission considers that several licence conditions relating to harm minimisation and the responsible service of alcohol are appropriate, consistent with the objects of the LCR Act.
45. There is no legislative requirement for a director of a corporate limited licensee to complete an approved responsible service of alcohol program (**RSA program**).<sup>20</sup> However, there is such a requirement for the responsible person of a corporate packaged liquor licensee.<sup>21</sup> Given the licence sought is for the supply of packaged liquor, albeit on a limited basis, and the Applicant’s directors’ residence will be the licensed premises, the Commission considers that it is appropriate for both co-directors of the Applicant to complete an RSA program and accordingly that there should be a condition to this effect.
46. Based on the RSA certificate of completion filed on behalf of the Applicant, the Commission understands that Lachlan MacDonald is already compliant with this condition. Stuart MacDonald gave evidence at the Hearing that he has not completed an RSA program and will therefore be required to complete an RSA program within one month after the date on which the Applicant commences supplying liquor under the licence sought.

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<sup>17</sup> LCR Act, section 4(1)(b).

<sup>18</sup> LCR Act, section 4(1)(a), (2).

<sup>19</sup> LCR Act, section 4(1)(c).

<sup>20</sup> LCR Act, sections 26B, 108AA.

<sup>21</sup> LCR Act, sections 26B, 108AA.



47. The Commission also considered whether any couriers used by the Applicant should be required to complete an RSA program. The evidence given on behalf of the Applicant is that Lachlan MacDonald personally delivers more than 50% of orders, with the remainder to be delivered directly by the wine producers or other distributors. In the circumstances, the Commission does not regard it as necessary to impose a condition requiring couriers used by the Applicant to have completed an RSA program at this stage.
48. As such, in the context of the harm minimisation objects of the LCR Act, the Commission considers that in determining to grant the licence sought, it is appropriate to impose additional conditions relating to the responsible service of alcohol, which are set out in full in **Appendix B** to these reasons.

#### **DECISION ON REVIEW**

49. For those reasons, the Commission on review has decided to set aside the Delegate's decision and, in substitution, grant the application for a renewable limited licence subject to the conditions set out in **Appendix B**.

*The preceding 49 paragraphs are a true copy of the Reasons for Decision of Dr Bruce Cohen, Chair, Mr Des Powell, Commissioner, and Ms Deirdre O'Donnell, Commissioner.*



## Appendix A

Extract of the Commission's reasons for decision in *Fynix*:

53. The provision of goods and services via the internet has become a ubiquitous feature of modern life. Consistent with this trend, the supply of liquor in Victoria over the internet also appears to have burgeoned in recent years. The manner in which this now occurs varies considerably, with a spectrum of business models ranging from small, home based operations that specialise in particular product types and/or supply to niche markets, through to national chains that utilise the internet to supplement a large physical presence across the community.
54. In regulating the supply of liquor via the internet, the task for the Commission is to ensure that this occurs in accordance with the regulatory framework that has been established by Parliament. In this regard, the Commission recognises that this can involve a range of challenges given the significant technological changes that have and which are continuing to occur, together with the marked and ongoing shifts in consumer behaviours.
55. The Commission is mindful that the LCR Act, to a large extent, pre-dates the emergence of internet-based liquor sales, and more specifically, does not have a licence category that caters for purely internet based business models. The creation of such a licence category may be an issue valuably addressed in any future review of the LCR Act. For the foreseeable future, however, the challenge for the Commission is to ensure that all licence applications with respect to internet-based models are considered in a consistent manner, having regard to the fact there will be ongoing social, economic and technological changes.
56. The Commission is aware that over the past four years the manner in which it has managed and determined internet based applications has evolved having regard to the changes that have occurred to the environment in which it undertakes its regulatory task.
57. The Commission is mindful that in past decisions it was considered that supply of liquor solely via the internet was in itself a limitation of the scale and scope of supply.<sup>22</sup> In more recent times, however, the view of the Commission has shifted. Specifically, the evolution of internet-based commerce is such that the Commission no longer considers it appropriate to view the supply over the internet in itself as a basis for satisfying the requirement that the supply will be limited in scale and scope.
58. The Commission is cognisant that it has provided guidance to prospective licensees to consider limited licences if intending to operate purely internet based businesses. However, it should also be noted that this

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<sup>22</sup> See, for example, Liquorun, as well as other applications – Application from The Public Brewery Pty Ltd [2013] VCGLR (8 October 2013) (Commissioners Owen, Kennedy and Hamond) (**the Public Brewery**); Application from Mr Yong Cheng [2014] VCGLR (3 September 2014) (Commissioners Kennedy, Kerr and Hamond) (**Bottle Online**).



has generally been with the caveat that the proposed supply of liquor is required to be limited in scale and scope.

59. The Commission considers that the question of whether the scale and scope of supply of liquor the subject of a licence is limited in nature will depend on the circumstances of each individual application and, therefore, the merits of each application will be assessed accordingly.
60. In doing so, the Commission has regard to the decision of *Club 8 Pty Limited v Director of Liquor Licensing*<sup>23</sup> (**Club 8**). In that matter, the Victorian Civil and Administrative Tribunal (**the Tribunal**) considered the question of what amounts to a limitation on the scale and scope of the supply of liquor. While the circumstances of Club 8 are very different from those in this matter,<sup>24</sup> in that instance the Tribunal rejected the submission that the operations at the premises must not only be subjected to a limitation, but that the limitation must also be a substantial/significant restriction.<sup>25</sup>

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<sup>23</sup> [2009] VCAT 716.

<sup>24</sup> Club 8 operated an entertainment centre in Colac that provided pool, snooker and billiard tables, as well as lounge areas that remained open seven days per week. The premises was subject to a planning permit that permitted trade between 9am to 6pm (during which no liquor would be sold or displayed). In the matter before the Tribunal, Club 8 sought to extend the hours of trade and permit the service of alcohol after a one-hour shutdown period, with the premises reopening from 7pm, but not admitting minors from this time.

<sup>25</sup> *Ibid* at [24]. It was the view of the Tribunal that the trading hours (and intermittent closing hours), exclusion of minors from the premises during the evening, and exclusion of alcohol from daytime trading hours amounted to a sufficient limitation on the scale and scope of the supply of liquor so as to satisfy section 26 of the LCR Act (see at [26]).



## Appendix B

### TYPE OF LICENCE

This licence is a renewable limited licence and authorises the licensee to supply packaged liquor only when such liquor is ordered by mail, telephone, facsimile transmission or internet.

### RESTRICTIONS ON SALES

The licensee must not use the above licensed premises to provide for:

- personal shopping for liquor
- browsing, liquor stocks or stores
- the display of liquor for sale
- the collection of liquor by customers
- the storage of liquor for delivery.

### DELIVERY OF LIQUOR

- Liquor must be delivered to a person aged 18 or over. The licensee must ensure that delivery arrangements include requiring evidence of age where appropriate.
- Liquor must not be delivered and left at unoccupied premises.
- Liquor may only be delivered between 9 a.m. and 6 p.m. on any day other than Saturday, Sunday and public holidays.

### HARM MINIMISATION

The following notice must be prominently displayed on the licensee's website:

**"WARNING**

Under the Liquor Control Reform Act 1998 it is an offence:

- To supply alcohol to a person under the age of 18 years (Penalty exceeds \$17,000)
- For a person under the age of 18 years to purchase or receive liquor. (Penalty exceeds \$700)"

The licensee is required to prominently display the number of this licence on the website.

Each director of the licensee must complete an approved responsible service of alcohol program:

- prior to, or within one month after, the date on which the licensee commences supplying liquor under this licence, or within one month of being appointed as a director of the licensee (whichever is the latter); and
- within 3 years from the date on which the director last completed an approved responsible service of



alcohol program.

ORDERS FOR LIQUOR

Orders for the supply of liquor may be taken at any time on any day.

Internet orders may only be taken through the website [www.simplywines.net.au](http://www.simplywines.net.au).

Orders are limited to one order of up to 36 bottles of wine per customer per day.

SPECIAL CONDITION

The supply of liquor is restricted to wine only.