

LIQUOR CONTROL REFORM ACT 1998 (the Act)

ENFORCEABLE UNDERTAKING PURSUANT TO SECTION 133F

The commitments in this undertaking are offered to the Victorian Liquor Commission (**Commission**) under section 133F of the *Liquor Control Reform Act (Act)* by RAPTURE ENT GROUP PTY LTD; (ACN 653 711 052) (**Licensee**).

1, Background

- 1.1 The Licensee 'Rapture Ent Group Pty Ltd' is the holder of Late Night (On-Premises) Licence No. 32343307 (**Licence**) in relation to premises known as the Sandbar Winebar located at 45 Langtree Avenue, Mildura (**premises**).
- 1.2 On Sunday 31 March 2024, A liquor inspection was conducted by Inspectors from Liquor Control Victoria and Members of Victoria Police where it was detected that there were several minors located inside the premises (the inspection). An investigation was subsequently conducted in relation to the minors presence on the licenced premises where the Licensee is alleged to have contravened section 119(1)(a) x 2 (Supply liquor to an underage person), section 119(2) x 1 (Liquor supplied to an underage person on licensed or authorised premises), and section 120 x 9 (Permit an underage person to be on licensed or authorised premises, other than as permitted) of the Act.
- 1.3 Three Infringement Notices were issued in respect of three of the twelve offences detected during the inspection and subsequent investigation.
- 1.4 Further in response to the remaining nine offences detected as detailed in clause 1.2 above, the Licensee gives the below undertaking to the Commission pursuant to section 133F of the Act, which is aimed at preventing minors from being supplied liquor on the licensed premises as well as at preventing minors from gaining access to the premises contrary to the Act.

2. Undertaking

2.1. The Licensee undertakes to:

- a. For the directors or nominee of the licensee to attend all Sunraysia Liquor Accord Meetings for the period of the enforceable undertaking.
- b. Have Crowd Controllers present at the entrance of the premises at least one hour prior to the commencement of any amplified music being played at the premises.
- c. For Crowd Controllers to be trained in relation to the Liquor Control Victoria – 'Guide to identifying fake driving licences' dated November 2023 and to have all crowd controllers who work at the premises to sign an acknowledgement form

on their first shift after the execution of this undertaking. This includes having the torch accessible when Crowd Controllers are present at the premises.

- d. The licensee is to install and maintain and operate identification (ID) scanners at all entrances to the premises open to the public when crowd controllers are required to be present. A copy of the scanned data must be made available upon request for immediate viewing or removal by a police officer or a liquor inspector, or otherwise retained for at least one month. If ID scanners cease to operate for reasons outside the licensee's control, the licensee must notify the relevant Licensing Inspector as soon as practicable and take all reasonable steps to fix or replace the ID scanners as soon as possible. The licensee is not required to refuse entry to patrons for the period in which ID scanners are non-operational.
- e. Within 6 months of the execution of this Undertaking, the licensee is to implement a Venue Management Plan and provide to the Commission. The licensee shall ensure that it complies with the endorsed Venue Management Plan and that the Venue Management Plan must be retained on the licensed premises and produced when requested by a police officer or a liquor inspector.

- 2.2 The Commission may consent in writing to the modification of any of the undertaking as detailed in Clause 2.1 if the recommendation is not reasonably able to be implemented.

3. Commencement and duration of the Undertaking

- 3.1. This undertaking comes into effect when executed by the Licensee and the Commission and will continue to take effect until the Undertaking has been implemented to the reasonable satisfaction of the Commission and, in any event, by no later than 30 June 2027.
- 3.2. Nothing in clause 3.1 affects the Commission being able to take disciplinary action against the Licensee where the Licensee has contravened any requirements of the Undertaking.

4. Acknowledgements

- 4.1. The Licensee acknowledges that:
- 4.2. 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 internet; and
- 4.3. 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

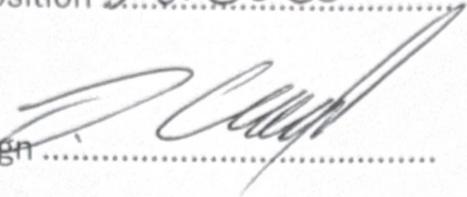
- 4.4. This undertaking does not fetter the Commission in respect of any other action it may deem appropriate to take, or in any other power or function contained within the Act.

5. Execution

Executed by RAPTURE ENT GROUP PTY LTD; (ACN 653 711 052) (the Licensee)

Name Justin Lamattina

Position Director

Sign 

Date 24/1/25

LIQUOR CONTROL VICTORIA FOR THE VICTORIAN LIQUOR COMMISSION

Name Lisa Faldon

Position Director, Compliance Division

Sign 

Date 24 January 2025