

Northern Territory Licensing Commission

Reasons for Decision

Hearing:	Pursuant to Section 33 of the <i>Liquor Act</i> -A Review of the Proposed Variations to Licence Conditions
Applicant:	Triad Partnership t/as Threeways Roadhouse
Commission Members:	Brenda Monaghan (Presiding) Helen Kilgariff Jane Large

1. In February 2006, as part of a review of liquor supply restrictions in Tennant Creek and Threeways, the Threeways Roadhouse was advised of proposed changes to its liquor licence pursuant to Section 33 of the *Liquor Act*.

The proposed changes were as follows:

Takeaway

- 1) With the exception of bush orders, takeaway sales of liquor shall only be allowed during the following hours:
 - a. On Monday, Tuesday, Wednesday and Thursday – from 14:00 hours to 20:00 hours only;
 - b. On Friday - from 14:00 hours to 21:00 hours only;
 - c. On Saturday, Sunday and Public Holidays - from 12:00 hours to 21:00 hours only;
 - d. No trading on Good Friday and Christmas Day.
- 2) With the exception of wine in casks and Darwin Stubby Souvenir packs takeaway sales of liquor of any type being sold or supplied in a container larger than one (1) litre is prohibited.
- 3) Wine in casks cannot be sold or supplied in containers larger than two (2) litres.
- 4) Takeaway sales of wine in casks is restricted to a maximum of two (2) litres per person per day;
- 5) Sale of wine in glass containers of a capacity greater than (1) litre are prohibited.
- 6) Takeaway sale of Port in any container is prohibited.
- 7) No sales of takeaway alcohol to taxi drivers and commercial drivers where the driver is acting as purchasing agent.
- 8) Darwin Stubby Souvenir pack shall only be sold for consumption away from the premises. The souvenir pack shall only be sold at room temperature and in the presentation box provided.

On Premises

Current opening hours and conditions relating to “Light Beer” are removed and replaced with the following:

- 9) The trading hours for the sale of liquor for consumption on licensed premises may commence at 10:00 hours Sunday to Saturday. Apart from a right to open late and close early, the Licensee shall not impose its own time restriction on the sale of liquor during licensed hours;
 - 10) No liquor other than light beer may be sold between the hours of 10:00 and 12:00 Sunday to Saturday. (Light beer is defined as beer, lager or other brewed beverage with an alcohol content of NOT more than 3.0% by volume.)
 - 11) The price of alcohol products shall not be advertised:
 - a) on the external surfaces of the licensed premises;
 - b) on billboards and blackboards etc outside the premises; or
 - c) in free newspapers, promotional pamphlets, circulars or posters.
2. Threeways sought a hearing with respect to the changes - as is their right under the *Liquor Act*. A hearing date was set for 8 and 9 May 2006 in Tennant Creek. As Threeways elected not to attend the hearing, we have looked to their written letter dated 17 March 2006. That letter seeks a review of the proposed hours for takeaway sales. It also seeks a review of the proposed condition that licensed premises sell only light beer until 12:00 hours.
3. Threeways give no reasons why the proposed conditions are unsuitable. In these circumstances, we have relied on the evidence given by other Licensees and submissions made by the wider Tennant Creek Community to make the following changes to Threeways licence conditions. These changes are in line with the Final Liquor Supply Plan handed down for Tennant Creek (Attachment A).

The Final Changes to Licence Conditions for Threeways are as follows:

Takeaway

- 1) With the exception of bush orders, takeaway sales of liquor shall only be allowed during the following hours:
 - a. On Monday, Tuesday, Wednesday and Thursday – from 12:00 hours to 20:00 hours only;
 - b. On Friday - from 12:00 hours to 21:00 hours only;
 - c. On Saturday, Sunday and Public Holidays - from 12:00 hours to 21:00 hours only;
 - d. No trading on Good Friday and Christmas Day.
- 2) With the exception of wine in casks and Darwin Stubby Souvenir packs takeaway sales of liquor of any type being sold or supplied in a container larger than one (1) litre is prohibited.
- 3) Wine in casks cannot be sold or supplied in containers larger than two (2) litres.
- 4) Takeaway sales of wine in casks is restricted to a maximum of two (2) litres per person per day.
- 5) Sale of wine in glass containers of a capacity greater than (1) litre are prohibited.
- 6) The sale or supply of Wine in casks after 6pm is prohibited.
- 7) Takeaway sale of Port in any container is prohibited.

- 8) No sales of takeaway alcohol to taxi drivers and commercial drivers where the driver is acting as purchasing agent.
- 9) Darwin Stubby Souvenir pack shall only be sold for consumption away from the premises. The souvenir pack shall only be sold at room temperature and in the presentation box provided.

On Premises

Current opening hours and conditions relating to "Light Beer" are removed and replaced with the following:

- 10) The trading hours for the sale of liquor for consumption on licensed premises may commence at 10:00 hours Sunday to Saturday. Apart from a right to open late and close early, the Licensee shall not impose its own time restriction on the sale of liquor during licensed hours.
- 11) No liquor other than light beer may be sold between the hours of 10:00 and 12:00 Monday to Friday. (Light beer is defined as beer, lager or other brewed beverage with an alcohol content of NOT more than 3.0% by volume.)
- 11) The price of alcohol products shall not be advertised:
 - a) on the external surfaces of the licensed premises;
 - b) on billboards and blackboards etc outside the premises; or
 - c) in free newspapers, promotional pamphlets, circulars or posters.
- 12) The current Bona Fide Lodgers Special Condition will remain unchanged.

These new conditions come into effect on Saturday 1 July 2006.

Brenda Monaghan
Presiding Member

31 May 2006