

Northern Territory Licensing Commission

Decision

Premises:	Malathi's
Licensee:	Coprax Pty Ltd
Licence Number:	80505090

On 22 January Mr Sean Stewart, acting on behalf of the licensee, wrote to the Director of Licensing requesting that the conditions of the licence be varied. Mr Stewart asked that the dining areas be redefined so as to allow the premises to "trade as one entity". In order to facilitate this variation Mr Stewart sought to further vary the licence to encompass the set of conditions known to the Commission as "Liquor Without A Meal".

The application was considered by the Commission at a meeting held 30 & 31 January 2002. The Commission's decision was to view the premises and to craft appropriate licence conditions. The Commission also decided that as the application, if granted, was unlikely to change the trading nature of the premises to any significant extent, public advertisement of the application was unnecessary.

The Commission viewed the premises in the presence of Mr Sean Stewart and Mrs Malathi Stewart on Tuesday 2 April.

The Commission believes the proposed variation by way of "Liquor Without A Meal" conditions to be inappropriate in the circumstances as a significant portion of the premises is already able to trade in this manner and the Commission sees a need to rationalise the licence.

The Commission will vary the conditions of the licence as follows.

1. The "Authority" shown at the head of the licence will be varied from "Restaurant" to "On-Licence".
2. Meals shall be available from 6:30PM to 9:30PM, for service to any part of the licensed area.
3. Snack foods and complimentary "tap" water shall be available at all times.
4. The maximum permitted capacity of the area marked "Outside Dining" on the plan attached to the application and dated December 2001 shall be ninety (90) persons.
5. All patrons of the "Outside Dining" area shall be seated at a table.
6. The condition pertaining to the advertisement of Sean's Bar is deleted from the licence.
7. The conditions labelled "Ancillary to Restaurant" and "Snack Bar" shown at page 4 of the current licence are deleted.
8. The "Liquor Without A Meal" conditions currently applicable to "Malathi's Restaurant and Outdoor Dining Area" as shown as pages 3 and 4 of the current licence are deleted.

The Licensee shall satisfy the Commission that the premises complies with the requirements of the *Building Act* for Class 6 buildings. Appropriate documentation intended to satisfy the Commission shall be delivered to the Deputy Director of Licensing no later than close of business on Friday 10 May 2002.

Peter R Allen
Chairman

5 April 2002