



## Director-General of Licensing

### Decision Notice

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**Matter:** Application for a Liquor Licence  
**Proposed Premises:** Fannie Bay Super Pizza  
**Applicant:** Mr Neal Adams Director on behalf of Brewery Place Pty Ltd  
**Proposed Licensee:** Brewery Place Pty Ltd  
**Objectors:** Nil  
**Legislation:** Liquor Act Section 26  
**Decision of:** Delegate of the Director-General of Licensing  
**Date of Decision:** 22 June 2016

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#### BACKGROUND

1. Brewery Place Pty Ltd applied to the Director-General of Licensing for the grant of a "Restaurant" liquor licence pursuant to section 26 of the *Liquor Act* (the Act).
2. The proposed licence is for the premises known as "Fannie Bay Super Pizza", located at Shop 4, Fannie Bay Place, Fannie Bay, NT 0820.
3. Fannie Bay Super Pizza is a registered business name and the restaurant is presently a going concern but trades without the sale or supply of liquor.
4. The business proposal is to continue operation as a restaurant but from which liquor may be sold from 17:00 hours until 23:59 hours, seven days a week for consumption on the premises ancillary to a meal.
5. The applicant provided a submission regarding the relevant criteria referred to in section 6(2) of the Act identifying the operations of the proposed business and submitted that the information provided demonstrated that the grant of the licence will be in the public interest.
6. The proposed Licensee provided affidavit material as required by section 26A of the Act which identified that the applicant is the only person to have influence over the liquor licence.
7. The applicant will be the Licensee for the premises.
8. Mr Neal Adams is to be the Nominee. In support of the application Mr Adams provided proof of a Responsible Service of Alcohol certificate, appropriate and

## Director-General of Licensing Decision Notice

adequate identification, referee reports attesting to his good character and work ethic and has undertaken a National Police criminal history and fingerprint check. He has demonstrated a sound understanding of the Act by successfully completing the *Liquor Act* test.

9. The application was advertised in the Northern Territory News in the correct format on Wednesday, 6 April 2016 and Friday, 8 April, 2016.
10. The required 'green sign' was displayed at the proposed premises for the required period.
11. No objections were received in relation to this application.

### **ASSESSMENT OF APPLICATION**

12. I have reviewed all the available material submitted in relation to the application and note that there have been no public objections to the granting of this licence pursuant to section 47F of the Act.
13. The premises have been inspected by Fire Safety Officers and no non-compliance issues have been identified.
14. I also note that NT Police, the Department of Health and City of Darwin did not indicate any objection or adverse comment to the application.
15. I am of the view that the granting of the licence presents minimal risks to the community having regard to the relevant criteria set out in the Act and with specific reference to sections 6(2), 26, 26A and 28.

### **DECISION**

16. Having considered the application with reference to the Act, I have determined to grant the licence.

### **REVIEW**

17. Section 120ZA of the Act provides that a decision of a delegate of the Director-General is not a reviewable decision however; a decision made by a delegate of the Director-General is a 'delegate decision' pursuant to the *Licensing (Director-General) Act*.
18. Part 3 of the *Licensing (Director-General) Act* provides for an affected person to apply to the Director-General for a review of the decision.



**SALLY OZOLINS**  
Delegate for the Director-General of Licensing  
22 June 2016