

A/Deputy Director-General(Operations)

Decision Notice

Matter:	Grant of a Liquor Licence
Proposed Premises:	Guzman Y Gomez Bakewell
Applicant:	MAP Holdings Group Pty Ltd
Proposed Licensee:	MAP Holdings Group Pty Ltd
Objectors:	Nil
Legislation:	<i>Liquor Act</i> Section 26
Decision of:	A/Deputy Director-General (Operations)
Date of Decision:	5 October 2016

Background

1. Pursuant to section 26 of the *Liquor Act* (the Act), MAP Holdings Group Pty Ltd applied to the Director-General of Licensing for the grant of a "Restaurant" liquor licence, for the premises known as "Guzman Y Gomez Bakewell", located at P1, 1 Mannikan Court, Bakewell NT.

Current Situation

2. 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. The applicant submitted the information provided demonstrates the grant of the licence will be in the public interest.
3. The proposed applicant has provided an affidavit pursuant to section 26A of the Act, identifying the directors of the company, being Mr Mathew Young, and Adam Andrew Aiken and the other shareholder being Envirowise Plumbing Pty Ltd, Dingus Investments Pty Ltd, DIR Holdings Pty Ltd, Willarch Pty Ltd and Mr Clete Ryan as the only persons or entities to have influence over the liquor licence.
4. For completeness the shareholders of MAP Holdings Pty Ltd are;

Envirowise Plumbing Pty Ltd – Mr Adam Aitken

Dingus Investments Pty Ltd – Mr Danny Ryan

DIR Holdings Pty Ltd – Mr Darren Aitken

Willarch Pty Ltd – Mr James Hearn

Mr Matthew James Young

Mr Clete Michael Ryan

5. The business proposed to be conducted will be in the nature of a Mexican Restaurant where alcohol will be ancillary to a meal. The sale of liquor is proposed to be sold from 11:00 hrs until 23:59 hrs seven days a week including Good Friday and Christmas Day.
6. The applicant will be the proposed Licensee for the premises.
7. The trading name “Guzman Y Gomez Bakewell” is a registered business name held by the applicant.
8. Mr Mathew Young will be nominee; he has supplied the Director-General with Responsible Service of Alcohol certificates, photo identification, referee reports attesting to good character and work ethics and undertaken the necessary criminal history checks of all relevant directors of MAP Holdings Group Pty Ltd. No matters arise from the probity examination of the applicant that would prevent them being granted a liquor licence.
9. The application was advertised in the Northern Territory News in the correct format on Wednesday, 24 August 2016 and Friday, 26 August 2016. A Green advertising sign was displayed at the proposed premises for the required period.
10. No objections were received in relation to this application.
11. The Northern Territory Fire and Rescue Service have not inspected the premises to determine fire compliance for a liquor licensed premises. They have not, as yet, issued maximum patron number confirmation.

Assessment of matter

12. I have reviewed all the available material submitted in relation to the application and also note that there have been no public objections to the granting of this licence.
13. The granting of this licence presents minimal risks given the nature of the operation proposed at the premises. The applicant has provided sufficient evidence regarding this application to meet the requirements prescribed in the Act.

Consideration Criteria

14. All relevant criteria have been considered in this application as outlined in the previous section of this notice, including Sections 6(2), 26, 26A and 28 of the Act.

No issues arise from these considerations that would prevent the approval of this application.

Summary

15. The applicant has made a full and thorough application demonstrating the grant of a liquor licence will be in the public interest.

16. The premises are suitable for the category of liquor licence requested. There appears no valid reason to refuse this application.

Decision

17. The decision is to grant a liquor licence as particularised in the application with a condition issued pursuant to Section 31(3) regarding commencement of trade. This condition relates to the applicant receiving notification from NT Fire and Rescue Service of relevant fire safety compliance. The sale of liquor is not permitted until such time as this fire compliance has been received and approval in writing to commence sale is provided by the Director-General of Licensing. The licence will be issued immediately following the publication of this decision.

Review of Decision

18. Section 8 of the *Licensing (Director-General) Act* prescribes a delegate decision is a decision, under any Act, of the Director-General that is made by a delegate of the Director-General. The Director-General delegated the determination of applications made under Section 29 of the *Liquor Act* by instrument to the person from time to time holding, acting in or performing the duties of the position in the Department of Business specified in Schedule 2 of that instrument. This decision was made by a person referred to in that schedule. Section 10 of the *Licensing (Director-General) Act* provides that an affected person for a delegate decision may apply to the Director-General for a review of the decision. This application for review must be made within 28 days after written notice of the delegate decision is given to the affected person, or within any additional time that the Director-General allows. Section 9 of the *Licensing (Director-General) Act* prescribes an affected person for a delegate decision to be the applicant for the special licence and a person who made a submission, complaint or objection (however described) during the process that resulted in the decision being made.

19. Accordingly, the affected persons in relation to this decision are, MAP Holdings Pty Ltd.



Julie Rannard
A/Deputy Director-General (Operations)
5 October 2016