

## Delegate of the Director of Liquor Licensing

### Decision Notice

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<b>MATTER:</b>	Application for the grant of a licence with restaurant authority
<b>APPLICANT:</b>	Hoberts Pty Ltd as Trustee for Hopper Roberts Family Trust
<b>PREMISES:</b>	The Roastery – DuYu Coffee Roasters 9 Hele Crescent Ciccone NT 0870
<b>OBJECTORS:</b>	Nil
<b>LEGISLATION:</b>	<i>Liquor Act 2019</i> – Part 3 and 4
<b>DECISION OF:</b>	Southern Region Manager - Liquor
<b>DATE OF REFERRAL:</b>	29 October 2025

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#### DECISION

1. As a delegate of the Director of Liquor Licensing (the Director), I approve the application submitted by Hoberts Pty Ltd as Trustee for Hopper Roberts Family Trust for the grant of a restaurant authority, for the premises known as The Roastery, DuYu Coffee Roasters, 9 Hele Crescent, Ciccone NT 0870.
2. The restaurant authority is to be added to the substantive licence FLL2104, which operates under a community event authority, in pursuance of section 60 of the *Liquor Act 2019* (the Act), with reference to section 47(1)(b) of the Act..
3. The operating conditions in relation to the restaurant authority are in accordance with Part 4, Division 15 of the *Liquor Regulations 2019* (the Regulations) and the following special conditions:  
**Restaurant Authority**
  - a) The hours of operation are from 10:00 hours to and 24:00 every day of the year, except Good Friday and Christmas Day;
  - b) The hours of operation on Good Friday and Christmas Day are from 11:00 hours to 21:00 hours in accordance with the Regulations.

#### BACKGROUND

4. Pursuant to section 52 of the Act, Ms Estelle Roberts, on behalf of Hoberts Pty Ltd as Trustee for Hopper Roberts Family Trust, lodged an application for a restaurant authority on 10 October 2025.
5. The licensee initially submitted an application for a restaurant bar authority, and upon further discussions the application was amended to only a restaurant authority.

6. The licensee has grown the business and reflecting that growth, now seeks to transition from the existing community event authority to a restaurant authority to better align with its operational requirements.
7. The current licence was granted on the basis they expected to hold approximately 12 events annually. No condition was placed on the licence when granting limiting them to that figure however, their intention was only for a small number of events.
8. The licensee has experienced significant growth and demand for their services which has increased the frequency and number of events. They are currently conducting weekly events, which are outside of the initial intended operation.
9. In order to better reflect this growth, the restaurant authority has been sought to allow more flexibility in terms of hours, but also retain the reserved nature of the operation.
10. The licensee has provided the material prescribed in section 52 of the Act including:
  - a. an affidavit made under section 54;
  - b. evidence necessary to satisfy the onus specified in section 51; and
  - c. the application fees.

## **NOTIFICATION, PUBLIC NOTICES AND OBJECTIONS**

11. Pursuant to section 57(2A) of the Act, the public notification of this application was exempted by a delegate of the Director.
12. In pursuance of section 56(4) of the Act, the application was notified to the Commissioner of Police (Police), the Chief Executive Officers of the Department of Health (DoH), and Alice Springs Town Council (Council).
13. Although not a statutory requirement, as is practice, notification of the application was sent to the Liquor Compliance (Compliance) and Northern Territory Fire and Rescue Service (NTFRS).
14. Police, DoH and Compliance advised they had no objections to the application, and no response was received from the Council.
15. NTFRS raised a concern regarding the application, noting that the building contains unapproved works requiring assessment by a certifier to ensure compliance with the National Construction Code requirements for its class and intended use. This concern was communicated to the licensee, who is now engaging with both the certifier and the fire warden to address and fulfil the necessary compliance requirements.

## **APPLICATION**

16. The licensee has provided a comprehensive suite of materials in support of the application including all materials prescribed by the Act.
17. The authority sought is in pursuance of section 47(1)(b) of the Act.

18. The determination of applications under section 60(1) of the Act has been conditionally delegated by the Liquor Commission to the Director of Liquor Licensing. The limitation including the authorities which may be granted under delegation being a restaurant authority.
19. The Director further delegated these powers to me by instrument.
20. For the avoidance of doubt, the licensee currently holds liquor licence FLL2104 under a community event authority. As this authority no longer aligns with the licensee's current increased frequency of events and evolving operational model, the licensee will surrender the existing authority upon the grant of the restaurant authority under the same licence.
21. For the avoidance of doubt, it is a matter for the licensee if they wish to surrender the community event authority, as it no longer serves its intended purpose, but the granting of this application is not conditional upon its surrender.
22. It is for these reasons a restaurant authority is being sought to better reflect the nature of the business.

## **DISCLOSURE OF PERSONS**

23. Section 54 of the Act requires the licensee to make an affidavit disclosing each person who, if the licence is issued, may,
  - (a) be able to influence the applicant; or
  - (b) expect a direct or indirect benefit from the applicant.
24. I am satisfied with the materials provided in relation to this requirement and note the nominee remains the same.

## **RESULTS OF INVESTIGATION**

25. Section 58 of the Act enables the Director to conduct an investigation into an application as considered appropriate. No materials have been discovered or provided to indicate there are any adverse matters in relation to this application.

## **FINANCIAL STABILITTY**

26. I am satisfied with the materials provided of the financial stability and business reputation of the licensee.
27. As written previously, the licensee is a nominee for existing licensed premises, The Roastery – DuYu Coffee Roasters.

## **FIT AND PROPER PERSON**

28. Section 51(3) of the Act deems a licensee who is applying for an authority to be assumed to be a fit and proper person, in the absence of evidence to the contrary.
29. There are no materials to suggest either the licensee nor their nominee are not fit and proper and therefore I am satisfied they fall within the deeming provision of section 51(3) of the Act.

## **PUBLIC INTEREST AND COMMUNITY IMPACT**

30. Section 49 of the Act requires the decision maker to be satisfied the licensee is fit and proper, the licence or authority is in the public interest and will not have a significant adverse impact on the community.
31. The first branch of the requirement has already been addressed.
32. It remains to consider whether the application is in the public interest, to do so consideration must be given to the objectives prescribed in section 49(2) of the Act which include:
  - a. Minimising the harm or ill-health caused to people, or a group of people, by the consumption of liquor;
  - b. Ensuring liquor is to be sold, supplied, served, and consumed on or in licensed premises in a responsible manner;
  - c. Safeguarding public order and safety, particularly when large numbers of people would be attracted to licensed premises or an area adjacent to those premises;
  - d. Protecting the safety, health and welfare of people who use licensed premises;
  - e. Increasing cultural, recreational, employment or tourism benefits for the local community area;
  - f. Promoting compliance with this Act and other relevant laws of the Territory;
  - g. Ensuring each person involved in the business conducted at licensed premises receives training suitable to the person's role in the business;
  - h. Preventing the giving of credit in sales of liquor to people;
  - i. Preventing the practices that encourage irresponsible drinking;
  - j. Reducing or limiting increases in anti-social behaviour.
33. In determining whether there would be a "significant adverse impact on the community" section 49(3) of the Act prescribes the decision maker "must consider the following":
  - a. The risk of undue offence, annoyance, disturbance, or inconvenience to persons who reside or work in the vicinity of the proposed licensed premises or who are using, or travelling to or from, a place of public worship, a hospital, or a school;
  - b. The geographic area that would be affected;
  - c. The risk of harm from the excessive or inappropriate consumption of liquor;
  - d. The people or community who would be affected;
  - e. The effect on culture, recreation, employment, and tourism;
  - f. The effect on social amenities and public health;

- g. The ratio of existing liquor licences and authorities in the community to the population of the community;
  - h. The effect of the volume of liquor sales on the community;
  - i. The community impact assessment guidelines issued under section 50;
  - j. Any other matter prescribed by regulation.
34. The Act is clear in that the licensee bears the onus of satisfying the decision maker of the relevant matters, irrespective of whether no objections were received as is the case in this matter.
35. In relation to the issue of the community impact and public interest, those matters have previously been published under section 6A of the *Liquor Act 1978* and in force immediately before the commencement of the *Liquor Act 2019* and are taken to be community impact assessment guidelines issued under section 50 of the Act.
36. Those matters remain as previously published in numerous decisions by the Liquor Commission and I am guided by these decisions.

## CONSIDERATION CRITERIA

37. Consideration must be made of the licensee's affidavit, the results of any investigation, objections and responses, the suitability of the premises along with the appropriateness of the licensee to be granted this authority.
38. With regards to the matters raised in section 49(2) of the Act, I note the following:

- a. Minimising the harm or ill-health caused to people, or a group of people, by the consumption of liquor is to be minimised:

I am satisfied the provision of liquor is complementary to the restaurant operations and a natural part of the services to be provided by the licensee. The sale of liquor is not a primary service at these premises.

- b. Ensuring liquor is to be sold, supplied, served, and consumed, on or in licensed premises in a responsible manner:

Having considered all the materials, it is unlikely any liquor sold, supplied, and consumed will be done so in an irresponsible manner. The licensee has demonstrated to date, full compliance with their obligations.

- c. Safeguarding public order and safety, particularly when large numbers of people would be attracted to licensed premises or an area adjacent to those premises:

It is unlikely that public order and safety will be affected by the issue of a liquor licence as the premises is located in a light industry zone with very few nearby residences. Their operations also are not extensive or late into the evening.

- d. Protecting the safety, health and welfare of people who use licensed premises:

The policies developed by the licensee applicable to the current operation are considered to adequately protect the safety, health and welfare of people who are likely to use the licensed premises during its hours of operation.

- e. Increasing cultural, recreational, employment or tourism benefits for the local community area:

It is evident that DuYu Coffee is an emerging business that is continuing to grow and contribute to the local community through local employment and training opportunities and providing unique cultural, recreational and tourism offerings.

- f. Promoting compliance with this Act and other relevant laws of the Territory:

There are no materials provided which would suggest the licensee will not continue to comply with the Act and any other relevant laws.

- g. Ensuring each person involved in the business conducted at licensed premises receives training suitable to the person's role in the business:

I am satisfied the licensee will continue to appropriately manage and supervise service staff.

- h. Preventing the giving of credit in sales of liquor to people:

No issues have been raised to suggest there is any concern in relation to this objective.

- i. Preventing the practices that encourage irresponsible drinking:

No issues have been raised to suggest there is any concern in relation to this objective and the licensee has not given any reason to date to suggest they encourage high-levels of alcohol consumption.

- j. Reducing or limiting increases in anti-social behaviour:

No issues have been raised to suggest there is any concern in relation to this objective.

39. Turning to the matters under section 49(3):

- a. The risk of undue offence, annoyance, disturbance, or inconvenience to persons who reside or work in the vicinity of the proposed licensed premises or who are using, or travelling to or from, a place of public worship, a hospital, or a school:

There are no materials to suggest there is a significant risk of undue offence, annoyance, disturbance, or inconvenience likely to be caused by the granting of this restaurant authority. The premises is located within a light industrial area with minimal residential presence in the surrounding area. There has been no recorded issues to date for this licensee under their substantive licence.

- b. The geographic area that would be affected:

It is has not yet adversely affected the geographical area and it is unlikely to in the future.

- c. The risk of harm from the excessive or inappropriate consumption of liquor:

As previously indicated, there are no materials to suggest there has been, nor will be excessive consumption of liquor.

- d. The people or community who would be affected:

Given the light industrial location of the premises, it is unlikely to be significant adverse impact on the community by the granting of a restaurant authority to the existing licence.

- e. The effect on culture, recreation, employment, and tourism:

I see there to be no issue in relation to this matter.

- f. The effect on social amenities and public health:

There has not been known adverse impact on the social amenities and public health by the conduct of the licence to date, and this authority is unlikely to give rise to a significant change in these circumstances..

- g. The ratio of existing liquor licences and authorities in the community to the population of the community:

There is no change to the number of licensed premises by the granting of this authority noting it is to an existing licence.

- h. The effect of the volume of liquor sales on the community:

The minimal nature of the operation is unlikely to significantly increase the volume of liquor sales.

- i. The community impact assessment guidelines issued under section 50:

These have been considered and referred to earlier in this notice.

40. Having regards to the foregoing, I am satisfied that the issuing of the authority as sought is in the public interest and will not have an adverse effect on the community.

## REVIEW OF DECISION

41. Section 27 of the Act provides for the applicant or a person who made a submission the subject of the decision, to seek a review of a decision made by the delegate of the Director.
42. The Director delegated the determination of applications made under section 52 of the Act by instrument to the person from time to time holding, acting in or performing the duties of the position listed in the Schedule of that instrument. This decision was made by a person referred to in that schedule.
43. An application for review must be lodged with the Director within 28 days after written notice of the decision is given to the person and must be in the form approved by the Director, stating the grounds for the review and the facts relied on to establish the grounds.
44. Accordingly, the affected persons in relation to this decision are Hoberts Pty Ltd as Trustee for Hopper Roberts Family Trust, Northern Territory Police, The Department of Health, Northern Territory Fire and Rescue Service and the Compliance.



**Mark Wood**

Southern Region Manager Liquor – Licensing and Compliance  
Delegate of the Director of Liquor Licensing  
29 October 2025