

## Director of Liquor Licensing

### Decision Notice

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<b>MATTER:</b>	Application for variation of conditions (extension of time)
<b>LICENSEE:</b>	Super Highway Express Pty Ltd
<b>PREMISES:</b>	Tavern at Zuccoli Shop 6, 2 Crosby Street Zuccoli
<b>LICENCE NUMBER</b>	80303981
<b>LEGISLATION:</b>	Section 6 of the <i>Liquor Commission Act 2018</i> Sections 3(4), 19(g) and 112 of the <i>Liquor Act 2019</i>
<b>DECISION OF:</b>	Director of Liquor Licensing
<b>DATE OF DECISION:</b>	27 June 2026

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#### DECISION

1. I approve the application by Super Highway Express Pty Ltd to vary the condition of its licence that requires the licensee to complete the proposed construction works within a specified period, extending that period to 30 June 2027. This decision is made for the reasons set out below and pursuant to the delegation provided to me by the Northern Territory Liquor Commission (Commission) in its decision dated 4 August 2023.

#### REASONS

##### Background

2. On 4 August 2023, the Commission granted an application by DCL Hospitality Pty Ltd (DCL) for the substitution of premises for liquor licence 80303981 from its original location in Alice Springs to its current location at Zuccoli.
3. A condition imposed on the grant of the substitution was that the construction works were to be completed within three (3) years of the date of the decision.
4. On 14 March 2025, the licence was transferred from DCL to the current licensee, Super Highway Express Pty Ltd, which is also the owner of the land on which the premises are situated.
5. The transfer was made on the basis that, as the lessor of the premises, the licensee would seek a third party to operate the licence, as well as the accompanying gaming machine licence.
6. The licensee has maintained dialogue with my officers and provided regular updates as to its progress and efforts to secure an operator.
7. A potential operator had been identified, and the licensee was in negotiations with that party; however, those negotiations did not proceed.

## APPLICATION

8. On 25 June 2026, the licensee lodged an application for a variation of the condition, seeking an extension of time to 30 June 2027 on the basis that it would not be in a position to comply with the deadline imposed by the Commission in its 2023 decision.
9. The application proposed no changes to the existing licence conditions.

## ASSESSMENT OF THE APPLICATION

10. The time limit imposed by the Commission is effectively a condition of the licence and therefore does not fall within the powers of the Director to extend time under section 318 of the *Liquor Act 2019* (Act).
11. The Commission delegated the power to extend this time to the Director, and it is under that power that this matter is considered and determined.
12. Unlike several recent similar matters referred to the Commission for extensions of time, this matter does not involve an automatic cancellation of the licence for failure to comply with the timeframe imposed.
13. Accordingly, any failure to complete the proposed construction works would be grounds for a complaint under section 160 of the Act, with the potential for disciplinary action including, but not limited to, cancellation of the licence.
14. Any cancellation of the liquor licence, noting that it would not be automatic but may be a matter for consideration by the Commission if disciplinary action were taken, would likely have the consequential effect of cancelling the gaming machine licence.
15. Any potential disciplinary action would first need to take into consideration the public interest in pursuing the licensee, and it is accepted that there is limited public interest in such action.
16. This potential consequence notwithstanding, and for the avoidance of doubt, issues relating to gaming machine licences are not material to the Director's consideration under the Act, as recognised in previous Commission matters. Any reference to a gaming machine licence is ancillary and included for completeness.
17. This application is the first formal request for an extension of time. However, central to recent similar matters is whether there is sufficient assurance that the licensee is genuinely endeavouring to undertake the works and is not unnecessarily delaying the eventual operation of the licence.
18. The licensee has maintained a suitable level of engagement with this office and continues to do so.
19. The Commission has previously recognised that matters of this nature require an ability to extend time and has provided explicit power to the Director to do so in this and other matters.
20. The licensee has provided sufficient evidence to support its claim of genuine endeavours, and I am satisfied that the request should be approved.
21. It is noted that the licensee is also in fresh negotiations with another party to potentially operate the premises. If successful, this would necessitate a transfer of the licences to that party at some point in the future, prior to the commencement of trade.

## REVIEW OF DECISION

22. Section 29(1) of the *Liquor Commission Act 2018* provides that any decision made by the Director is reviewable by the Commission. Section 29(2) prescribes the persons who may apply for such a review.
23. An application for review must be lodged with the Commission within 28 days of the applicant receiving written notice of the Director's decision. The application must be in the form approved by the Commission and must specify the grounds for review and the supporting facts.
24. This decision falls within the scope of section 29(1) of the *Liquor Commission Act 2018*, is not excluded by subsections (a) or (b), and is therefore reviewable by the Commission.

A handwritten signature in blue ink, appearing to read 'M. C. l'.

**Mel Garde**  
Director of Liquor Licensing

27 June 2026