

Director-General of Licensing

Decision Notice

Decision Notice

Matter:	Variation of Conditions of Liquor Licence
Premises:	One Stop Bottleshop Pinelands 883 Stuart Highway HOLTZE NT 0829
Licensee:	One Stop Pinelands Pty Ltd
Legislation:	Section 33 of the <i>Liquor Act</i>
Decision of:	Director-General of Licensing
Date of Decision:	06 July 2017

BACKGROUND

1. One Stop Pinelands Pty Ltd is the holder of a liquor merchant licence for premises known as One Stop Bottleshop Pinelands located at 883 Stuart Highway, Holtze.
2. One Stop Pinelands Pty Ltd licence currently includes the following licence condition:

Condition issued pursuant to Section 31(3) regarding commencement of trade.

The sale of liquor is not permitted under this licence until a certificate of occupancy under the *Building Act* is issued to the licensee and approval in writing to commence sale provided by the Director-General of Licensing.

3. On 5 July 2017, an Occupancy Permit was issued for the premises pursuant to the *Building Act*. Additionally, on 6 July 2017 advice was received from the Northern Territory Fire and Rescue Service that they are satisfied that the premises may now be used for trade.

CURRENT SITUATION

4. On 6 July 2017, I wrote to the licensee pursuant to section 33(2) of the *Liquor Act* advising that I intended to remove the licence condition set out in paragraph above.

5. I also advised that should the licensee agree to the proposed variation, it was my intention to issue the varied licence and in accordance with the definition of licensed premises contained within clause 9 of the licence conditions, the licensed area would be delineated as on the attached plan.
6. Additionally, I advised that the additional retail area as proposed in the original application would be considered for inclusion within the licensed area once the licensee has provided evidence to the satisfaction of the Director-General that the total licensed area complies with section 33AB of the Act.
7. By email dated 6 July 2017, the licensee responded agreeing to the variation of the licence condition.

DECISION

8. For the reasons set out above, and in accordance with section 33(3) of the *Liquor Act*, I have determined to remove the licence condition set out at paragraph 2 of this decision notice.

REVIEW OF DECISION

9. Section 120ZA of the *Liquor Act* provides that a decision of the Director-General, as specified in the Schedule to the Act, is a reviewable decision. A variation of liquor licence conditions by the Director-General under section 33 of the *Liquor Act* is specified in the Schedule and is a reviewable decision. Section 120ZC of the Act provides that a person affected by this decision may seek a review before the Northern Territory Civil and Administrative Tribunal ("NTCAT"). Any application for review of this decision must be lodged with NTCAT within 28 days of the date of this decision. For the purpose of this decision, and in accordance with section 120ZB(c) of the *Liquor Act*, the affected person is the Licensee for One Stop Bottleshop Pinelands.



Cindy Bravos

Director-General of Licensing

6 July 2017