

NORTHERN TERRITORY LICENSING COMMISSION

REASONS FOR DECISION

Licence No:	80801383
Premises:	Stella Maris Seafarers Centre.
Applicant:	Director of Licensing
Hearing:	Application by Director to cancel the liquor licence pursuant to Section 72(5)(a) of the <i>Liquor Act</i>
Heard Before:	Mr Craig Spencer
Date of Hearing:	27 April 2004 25 August 2004 31 August 2004 2 November 2004 6 December 2004
Date of Decision:	27 February 2005
Appearances:	Applicant: Mr Doug Bell Licensee: Father Tim Brennan Mr Michael Sheehan

Background

1. On 10 October 2003, a Notice of Suspension of Liquor Licence was issued pursuant to Section 66(1)(c) of the *Liquor Act* indefinitely suspending the liquor licence for the Stella Maris Seafarers Centre from Monday 6 October 2003.
2. On 1 March 2004, an application was made by the Director of Licensing pursuant to Section 72(5)(a) of the *Liquor Act* seeking cancellation of the liquor licence for the premises on the basis that the premises had not been used for the sale or supply of liquor for a period of 90 days.
3. The Commission allowed for the licensee to pursue opportunities in order to recommence trading at the premises. However these efforts were unsuccessful.
4. Based on information supplied to the Commission at hearing, the Commission heard that all interested parties confirmed at hearing or in writing support for the cancellation of the licence on the basis that the premises had not traded for 90 days or more and was unable to resume trading.

5. The Commission nominated the close of business, 5pm on Friday 10 December 2004 as being the latest it was prepared to receive any submissions relating to the possible resumption of trading at the premises. Any submission was to be sent by way of facsimile or email to the Executive Officer of the Licensing Commission.
6. Failure to supply any submission by that time would result in the cancellation of the liquor licence for the Stella Maris Seafarer Centre.
7. No submission has been received to date by the Executive Officer.

Decision

8. Pursuant to Section 72(5)(a) the Commission is satisfied that the Stella Maris Seafarers Centre has not been used for the sale or supply of liquor for a period of 90 days and therefore cancels the liquor licence for the said premises.

Craig Spencer
Member