

# NORTHERN TERRITORY LICENSING COMMISSION

## Decision on Whether Objections Will Proceed To Hearing

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<b>PREMISES:</b>	<b>TOWN AND COUNTRY TAVERN (Formerly Outback Bar and Grill)</b>
<b>LICENSEE:</b>	Town & Country Tavern Pty Ltd
<b>LICENCE NUMBER:</b>	80804707
<b>JOINT NOMINEES:</b>	Geoffrey John Booth Mark Leslie Ellis
<b>PROCEEDING:</b>	Whether Objections Will Proceed To Hearing
<b>OBJECTOR:</b>	Mr David Bonn
<b>RELEVANT LEGISLATION:</b>	Sections 47F,G & I of the <i>Liquor Act</i>
<b>DATE OF DECISION:</b>	10 October 2006

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### Background:

- 1) An application has been made by Mr Michael Deane on behalf of the Licensee for a variation of licence conditions to extend the current licensed area to create a licensed Al Fresco dining area immediately in front of the venue in the Todd Mall.
- 2) The application was advertised in the proper form on 8 and 11 August 2006. Objectors are given thirty (30) days under the *Liquor Act* to forward their objections to the Director of Licensing. As the thirtieth (30<sup>th</sup>) day was Sunday 10 September 2006, the *Interpretation Act* allows objections to be received at the latest on Monday 11 September 2006.

- 3) One (1) objection was received within the objections period from Mr David Bonn, Manager of Big Kangaroo Books which is located next to the Town and Country Tavern. Pursuant to Section 47F(3)(a) of the *Liquor Act*, Mr Bonn has standing to lodge an objection as a person working in the neighbourhood where the licensed premises are located.
- 4) The written and signed objection clearly sets out the facts relied on by Mr Bonn. These include concerns regarding specific instances that he considers adversely affect the amenity of the community. He also raises general concerns regarding anti-social behaviour, noise and smoking issues.
- 5) A response has been received from the applicant through their Solicitors, Collier & Deane. The response does not challenge the validity of Mr Bonn's objection but addresses all of the issues raised by him in detail.
- 6) I have considered both the objection and the applicant's response. I consider that Mr Bonn is entitled to a hearing in relation to this objection as it complies with the validity requirements of the *Act*, it raises sufficient concerns regarding neighbourhood amenity issues and provides sufficient facts to support these concerns.

### **Decision**

- 7) As the member of the Commission appointed to consider the objections to this application for a new liquor licence, I consider that the objection from Mr Bonn is valid and the Commission must conduct a hearing with respect to this objection.

Brenda Monaghan  
Legal Member

10 October 2006