

NORTHERN TERRITORY LICENSING COMMISSION

Interim Decision

PREMISES: **Monte's Lounge**
95 Todd Street
ALICE SPRINGS NT 0850

APPLICANT: Monte's Bar & Bistro Pty Ltd

NOMINEE: Matt Mulga

LICENCE NUMBER: 80515500

PROCEEDING: Application for variation of licence conditions pursuant to Section 32A of the *Liquor Act*

HEARD BEFORE: Mr Richard O'Sullivan (Chairman)
Ms Helen Kilgariff
Mr Paul Fitzsimon

DATE OF HEARING: 13 December 2011

APPEARANCES: Mr Alan Woodcock for the Licensee
Senior Inspector Wayne Sanderson for the Director of Licensing
Dr John Boffa - People's Alcohol Action Coalition
Mr John Oliver, Senior Fire Safety Officer with NTFRS
A/Commander Michael White – NT Police
Mr Robert Cowan - Director of The Rock Bar

BACKGROUND

- 1) The Licensee of Monte's Lounge has made application pursuant to Section 32A of the *Liquor Act* ("the Act") for the removal of the Restaurant Licence Condition which states:

"Patrons to be seated at a table."

- 2) Following advertising of this application a number of objections were lodged and were deemed under Section 47F of the Act to require a Hearing.

DECISION

- 3) Full reasons for this Decision will be released early in the 2012 New Year, but in the interim the Commission advises as follows.
- 4) The Commission has had no compelling evidence submitted to it warranting the overturn of its Decision of 30 December 2010 wherein it refused to approve the variation of the Licence Condition by removing the requirement for patrons to be seated.
- 5) The Commission advises that in its full Reasons for Decision it will provide guidelines in interpreting and applying the "*Patrons to be seated at a table*" condition applicable in the Monte's Lounge and other Restaurant Licences and On Licence premises.

Richard O'Sullivan
CHAIRMAN

16 December 2011