

Northern Territory Licensing Commission

Reasons for Decision

Premises:	The Rusty Spur Pizza, Pasta and Steakhouse
Licensee:	Tahnee Louise Szeremenda Michael Jan Szeremenda Noeleen Carol Szeremenda T/A The Rusty Spur Pizza, Pasta and Steakhouse
Nominee:	Ms Tahnee Szeremenda
Licence Number:	80504878
Complaints:	Cancellation of Liquor Licence Pursuant to Section 72(5)(a) of the <i>Liquor Act</i>
Heard Before:	Mr Richard O'Sullivan (Chairman) Mr Philip Timney Ms Helen Kilgariff
Date of Hearing:	28 October 2008
Appearances:	Mr Wayne Sanderson for Director of Licensing No appearance for the Licensee

Background

- 1) Senior Licensing Inspector Sanderson at hearing advised the premises had not been trading since February, 2007.
- 2) The Licensing inspector in Tennant Creek attempted to contact the Licensees and Nominee with no success. All mail had been returned to sender. Enquires within the town have resulted in no information as to where the Nominee might be now.
- 3) Enquiries of the owners of the premises in Alice Springs have been equally unsuccessful.
- 4) Mr Anton Konidaris for the owners has indicated no interest in attending the hearing.

Decision

- 5) The Commission finds that the conditions laid out in Section 72(5)(a) of the *Liquor Act* have been met, that is that a licence may be cancelled where the Commission is satisfied that the premises has "not been used for the sale or supply of liquor for a period of ninety (90) days".
- 6) The Rusty Spur Pizza, Pasta and Steakhouse licence is therefore cancelled forthwith.

Richard O'Sullivan
Chairman

29 October 2008