

Northern Territory

LIQUOR COMMISSION

Annual Report

2023-2024

Table of Contents

Table of Contents	2
Chairperson's Message	3
About the Northern Territory Liquor Commission	5
What we do	5
Who support us	5
Our Members	6
The Chairperson	6
The Deputy Chairperson	6
Members of the Commission	6
Classification and remuneration	6
Meetings and proceedings.....	8
Commission meetings	8
Hearings	8
Disclosure of interest	8
The Commission's Decisions	10
Public Interest and Community Impact Test	10
Publications	11
Policy and Procedures manual	11
Codes of Practice	11
Code of Practice for the Responsible Advertising and Promotion of Liquor	11
Code of Practice for CCTV in Licensed Premises	11
Liquor licensing and complaints.....	12
Delegation by the Commission	12
Referrals.....	12
Liquor applications	13
Liquor licence or authority	13
Special and major event authorities.....	13
Variation of licence conditions	16
Transfer of licence	17
Substitution of premises	17
Material alterations	17
Other.....	19
Controlled areas	19
Disciplinary actions	20
Disciplinary determinations by the Director	23
Suspension of licence issued by Commissioner of Police.....	23
Review of Decisions	24
Review of decision of Director.....	24
Review of decision of the Liquor Commission	24
Variations to conditions initiated by the Commission.....	25
Review of the Alice Springs Reportable Transaction Scheme.....	25
Inquiry into liquor licences in Peppimentarti and Daly River	26

Chairperson's Message



The annual cost of alcohol-related harm in the Northern Territory is in the order of \$1.5 billion, an unsustainable burden on the Territory's economy, and more importantly, on its citizenry. To ease this burden requires a comprehensive, multi-disciplinary, whole of government, evidence-based approach, with a co-ordinated mix of supply, demand and harm reduction measures.

The *Liquor Act 2019* and the *Liquor Commission Act 2018*, which were enacted with bi-partisan support, require the Northern Territory Liquor Commission (the Commission) to exercise its functions with independence, transparency, fairness, effectiveness and efficiency. In doing so, the Commission must seek to minimise alcohol-related harm while recognising the public's interest in the supply and consumption of liquor.

For the Commission, the 2023-24 year was largely business as usual. The Commission dealt with a large variety of applications by enterprising existing and proposed licensees, and a small number of complaints against licensees found to have contravened liquor licensing laws.

By and large, liquor licensees conduct their business lawfully. However, in the Northern Territory some people who are not licensed to do so conduct a significant amount of business selling liquor unlawfully. To disrupt the business model of these grog runners, the Commission has long supported industry recommendations that government modify the identification scanning systems in bottleshops so as to automatically flag suspicious transactions. Similarly, in December 2023 the Commission recommended to the Minister for Alcohol Policy that consideration be given to prohibiting the sale of takeaway liquor to persons who reside in a controlled area and who do not have a liquor permit.

This followed the Commission's visit in November 2023 to the largest remote community in the Territory, Wadeye (Port Keats). Currently, residents of Wadeye, which is a controlled area, are only permitted to drink if they have a liquor permit. Almost all of the 200 such permits that have been issued are held by visiting contractors and employees, and not by members of the 23 clan groups who live at Wadeye. However, despite being an ostensibly dry community, alcohol consumption and alcohol-related harm are rife within the Wadeye community. The Commission heard compelling evidence that the bulk of this liquor comes from being unlawfully supplied, either by permit-holders who were allowed to bring unlimited quantities of liquor into the community, or from takeaway outlets in and around Darwin, from where it is smuggled into Wadeye and sold there at grossly inflated prices. Wadeye is of course by no means the only community battling with sly-grogging.

Following the Commission's visit, the Director of Liquor Licensing (the Director) introduced restrictions on how much liquor Wadeye permit holders could bring into the community. The Commission welcomes that initiative. Similarly, the Commission welcomes the recent amendment to the *Liquor Regulations* that goes some way to restricting residents of controlled areas from purchasing takeaway liquor.

In the longer term, a more effective and durable approach to putting grog-runners out of business is to provide their customers with a more attractive, cheap, safe, convenient and lawful source of supply. The Commission is currently involved in two such measures.

Firstly, as I noted in my message in the Commission's 2022-23 Annual Report, in early 2023 the NT Government established a scheme allowing residents of bush communities and town camps to apply to 'opt out' of being 'interim alcohol protected areas', or in other words, dry areas. The Commission strongly supports the underlying purpose of the amendments, namely to provide communities located in controlled areas a pathway to enable their members to drink liquor in a managed and safe manner. However, during the current reporting period it became apparent that many communities are, for various reasons, unable to use the opt-out scheme. With the encouragement of the Commission, some communities whose members have long held liquor permits issued by the Director have opted not to 'opt out', but to instead apply to be declared a general restricted area (GRA). The Commission made the first such declaration in June 2024, and there will be more to come. GRAs are attractive for several reasons. They allow responsible drinkers to bring liquor onto their homelands and consume it there, while prohibiting harmful drinkers – who will not be able to obtain a liquor permit – from doing so. Moreover, they apply the principles of self-determination and self-management, as members of a GRA community regulate the use of alcohol on their land by way of a community alcohol plan supported, where appropriate, by a local alcohol committee.

Secondly, the Commission encourages communities to establish and maintain social clubs. The Commission is currently considering an application for a new licensed club in Wadeye, and is working with the Peppimenarti community to improve the operation of its existing social club. If run well, social clubs have significant potential to provide community residents who wish to drink alcohol with a safer, healthier and pro-social alternative to the 'service' unlawfully provided by sly-groggers.

The Territory can only flourish and thrive if we effectively address the devastating cost caused by the harmful use of alcohol. The Commission is committed to doing what it can to meet this challenge, and our members bring a wealth of experience and expertise to the task, aided by our excellent Support Officer. This challenge can not be overcome by a single agency, policy or program. Government, licensees, service providers and the community all have their part to play, and we look forward to continuing to work with you all over the next twelve months.

Russell Goldflam

CHAIRPERSON

About the Northern Territory Liquor Commission

The Northern Territory Liquor Commission (the Commission) is an independent statutory authority established on 28 February 2018 under the *Northern Territory Liquor Commission Act 2018* (the Act).

The Commission is a body corporate with perpetual succession, has a common seal and is capable of acquiring property, initiating litigation and being sued.

The Commission is required to report to the Minister on its operations within three months after the end of each financial year.

This report relates to the financial year 1 July 2023 to 30 June 2024 (the reporting period).

What we do

The Commission has extensive powers under the *Liquor Act 2019* (the *Liquor Act*) to regulate liquor licensing in the Northern Territory and is the primary decision-maker for liquor licence applications and the determination of complaints.

The Commission performs its functions and exercises its powers independently, impartially and in accordance with the purposes of the *Liquor Act*.

Who support us

During the 2023-2024 period, the Department of the Chief Minister and Cabinet provided the secretarial and administrative services that the Commission requires in order to perform its functions under the *Liquor Act*¹.

Licensing NT, which during the reporting period was a division of the Department of Industry, Tourism and Trade, continues to support the Commission to perform its functions including by processing liquor applications, investigating complaints, monitoring licensed venues and events, enforcing liquor laws and referring matters to the Commission for determination.

¹ By Administrative Arrangements Order dated 10 September 2024, the administration of the Commission was transferred to the Department of the

Attorney-General. Licensing NT was transferred to the Department of Tourism and Hospitality.

Our Members

The Act provides that the Minister must appoint a minimum of four members of the Commission who have the appropriate knowledge, experience and expertise to be a member.

During the reporting period, the Commission consisted of 11 members; two members based in Alice Springs and nine members based in Darwin. Two members identify as Aboriginal. Dr Sean Taylor, health member, resigned from the Commission at the end of the reporting period.

Members are appointed by the Minister² for a period up to five years.

The Chairperson

The Chairperson administers the affairs of the Commission and performs the functions imposed on the Chairperson under the *Liquor Act* or another Act. They must be a lawyer who has been admitted into the legal profession for at least five years and be of good standing.

Mr Russell Goldflam has served as a member of the Commission since its inception in 2018, acting as Deputy Chairperson when required. Following the retirement of Mr Richard Coates, the Commission's inaugural Chairperson, Mr Goldflam was appointed as the Chairperson for a three-year term on 1 March 2023.

The Deputy Chairperson

The Deputy Chairperson acts as Chairperson if the Chairperson is absent from duty or the Territory.

Ms Jodi Truman, who has served as Deputy Chairperson to the Commission since its inception in 2018, was re-appointed on 1 March 2023 for a further three-year term.

Mr Greg Shanahan, the former Chief Executive Officer of the Department of the Attorney-General and Justice, was appointed to the Commission as a general member, and is qualified to act as a deputy of the Chairperson or Deputy Chairperson.

As lawyers of good standing with at least five years experience as a legal practitioner, Mr Goldflam, Ms Truman and Mr Shanahan are each qualified to preside over Commission hearings.

Members of the Commission

A **general member** is qualified for appointment if the Minister is satisfied they have the appropriate knowledge, experience and expertise.

A **health member** is qualified for appointment if they have knowledge, experience and expertise in health related matters, including current or previous registration with the Australian Health Practitioner Registration Agency for at least five years or equivalent clinical experience.

Classification and remuneration

Members receive sitting fees and other allowances in accordance with rates determined by the Administrator of the Northern Territory under the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006* and Ministerial reclassification dated 20 November 2018.

The Commission is classified as a Class B1 Quasi-Judicial Body – Senior Appeals/Important Government Process with daily rates of \$959 for the Chairperson and Deputy Chairperson and \$719 for Members.

² During the reporting period, the responsible Minister was the Minister for Alcohol Policy.



*L-R Elizabeth Stephenson, Rachael Shanahan, Denys Stedman, Russell Goldflam, Ebony Abbott-McCormack.
Bottom L-R: Philip Carson, Bernard Dwyer, Jodi Truman, Greg Shanahan, Katrina Fong-Lim. Absent: Sean Taylor.*

Table 1: Membership to the Commission from 1 July 2023 to 30 June 2024

Name	Position	Appointment Expiry Date
Mr Russell Goldflam	Chairperson	28 February 2026
Ms Jodi Truman	Deputy Chairperson	28 February 2026
Mr Greg Shanahan	Member (and deputy of Mr Goldflam or Ms Truman)	28 May 2026
Prof Phillip Carson	Health Member	30 October 2026
Ms Elizabeth Stephenson	Health Member	19 June 2027
Mr Bernard Dwyer	Health Member	5 November 2024
Ms Ebony Abbott-McCormack	Health Member	19 July 2026
Ms Katrina Fong Lim	Member	2 November 2026
Mr Denys Stedman	Member	28 February 2026
Mrs Rachael Shanahan	Member	28 February 2026
Dr Sean Taylor	Health Member	Resigned effective 17 June 2024

Meetings and proceedings

In accordance with the Act, the Commission must convene as often as necessary for the exercise of its powers and performance of its functions.

The Commission is constituted by a panel comprising of at least three members that must include at least one of the following:

- (a) a presiding member (who must be the Chairperson, Deputy Chairperson, or Acting Deputy Chairperson); and
- (b) a member with health expertise.

Commission meetings

All Commission members convene twice annually to determine issues across the range of its legislative responsibilities.

The Commission met on 29 August 2023 and 11 April 2024.

Hearings

Under section 21 of the *Liquor Act*, the Commission has discretion to conduct a hearing in relation to any matter on which it is to make a decision under the *Liquor Act*. In addition, section 166(2) requires the Commission to conduct a hearing into a complaint referred to it by the Director.

Commission hearings must be conducted in public unless the Commission is of the opinion that it is not appropriate in the circumstances because:

- (a) a hearing is likely to cause undue hardship to a person; or

- (b) commercial-in-confidence information must be protected; or

- (c) the matter is not controversial; or

- (d) conducting the hearing would not be worthwhile.

The Commission has the power to direct that the hearing, or part of the hearing, may be conducted in private or by way of written submissions only. If required, two or more related matters may be heard jointly or at the same time.

The Commission conducted hearings on 32 days during the reporting period and heard 37 matters. Fifteen matters were conducted by written submission as the matters were not controversial and the Commission deemed that a public hearing would not be worthwhile.

Disclosure of interest

Section 21 of the Act requires a member to disclose the nature of the interest should the member have a direct or indirect pecuniary interest in a matter before the Commission for consideration.

Where a member makes the disclosure, the member must not take part in any deliberation or decision in relation to the matter.

Guidelines specifying the types of disclosable interests are outlined in the Policy and Procedures Manual and published on the Commission's website.

Table 2: Commission hearings conducted between 1 July 2023 and 30 June 2024

Applicant / Licensee	Date of Hearing
Cached (NT) Pty Ltd t/as Moulden Supermarket*	18 July 2023
Prasanna Enterprises Pty Ltd t/as Gray Supermarket*	19 July 2023
North Oz Trading Pty Limited t/as Zuccoli IGA Fresh*	19 July 2023
Nulite Pty Ltd t/as Smith Street Supermarket*	19 July 2023
North Oz Trading Pty Limited t/as Zuccoli IGA Cellarbrations*	19 July 2023
Top End Lodges Pty Ltd t/as The Loose Goose Bar*	9 August 2023
Chung Jae Lee and Dianne Jayne Lee – Family Partnership t/as Little Miss Korea / The Loading Bay	16 August 2023
Darwin Performing Arts Centre t/as Darwin Entertainment Centre	30 August 2023
LP Creations Pty Ltd t/as Reality Bites Catering	6 September 2023
SSP Australia Catering Pty Ltd t/as Darwin Airport Terminal - North Common	6 September 2023
Katherine Regional Cultural Precinct Ltd t/as Godinymayin Yijard Rivers Arts and Culture Centre	20 September 2023
Mataranka Supermarket NT Pty Ltd t/as Mataranka Supermarket*	20 September 2023
Y & F (CB) Pty Ltd t/as China Bar NT	4 October 2023
TEHG Property Pty Ltd	11 October 2023
9DLS Pty Ltd ATF DLS Unit Trust t/as Kalidonis Apartments	13 October 2023
Nundor Pty Ltd t/as The Fox Ale House and AFS Realty & Business Brokers Pty Ltd	13 October and 20 November 2023
Porkin Pty Ltd t/as Porkin Small Goods & Coffee	25 October 2023
Shining Space Development Pty Ltd t/as Wagait Beach Supermarket*	25 October 2023
Epilogue Enterprises Pty Ltd t/as The Tropic of Capricorn Restaurant	13 December 2023
The Italian Sports and Social Club Inc. t/as The Italian Sports and Social Club	13 December 2023
Cazalys Palmerston Club Incorporated t/as Cazalys Palmerston	20 December 2023 and 16 January 2024
Discovery Holiday Park Pty Ltd t/as Kings Canyon Resort	10 January 2024
Doctors Gully Investments Pty Ltd t/as Aquascene	16 January and 24 February 2024
Gorge View Pty Ltd t/as Gorge View Bush Retreat	24 January 2024
Westbrick Pty Ltd t/as Mataranka Hotel	7 February 2024
Darwin RSL Incorporated t/as Darwin RSL	14 February, 3 April and 20 May 2024
Palmerston Golf and Country Club Inc	28 February and 14 March 2024
Shining Space Development Pty Ltd t/as Wagait Beach Supermarket	6 and 8 March 2024
Bralinda Investment Pty Ltd as trustee for The Seymour Trading Unit Trust t/as Arltunga Bush Pub & Eco Retreat	13 March 2024
Discovery Holiday Parks Pty Ltd t/as Kings Canyon Resort	27 March 2024
Mulga Venture Pty Ltd t/as Beer Garden of Eden	27 May 2024
Tywenpe E - Itchy Koo Park	5 June 2024
RAM Medical Property Nominees Pty Ltd t/as Rosebery IGA	12 June 2024
OMAD (NT) Pty Ltd t/as Alice Springs Wine Club to Coolalinga Village Tavern^	21 June 2024

* Matter referred in the 2022-23 reporting period

^ Matter heard in the reporting period but not determined

The Commission's Decisions

When formulating a decision, the Commission considers the evidence it has received, and the applicable statutory provisions. The Commission is not bound by the rules of evidence and may inform itself in any manner it considers appropriate.

The Commission maintains records of all matters before it, including the scheduling and conduct of public hearings, records of the evidence received, audio-recording of hearings, and the Commission's decisions.

A decision notice is a written notice setting out the decision and the right to a review of the decision by the Northern Territory Civil and Administrative Tribunal (NTCAT). The Commission's practice is to always publish reasons for its decisions, and, except in matters requiring an urgent decision (when reasons are published later), the Commission's reasons are included in the decision notice.

During the reporting period, the Commission issued and published 51 decision notices. This included 11 matters referred in the previous reporting period. Two decisions were outstanding at the end of the reporting period.

Decision notices are published on the Commission website:

<https://cmc.nt.gov.au/committees/liquor-commission>

Public Interest and Community Impact Test

The Commission may only issue a licence or an authority if satisfied that:

- the applicant is a fit and proper person;
- issuing the licence or authority is in the public interest; and
- the licence or authority will not have a significant adverse impact on the community.

To determine whether issuing a licence or an authority is in the public interest or would have a significant impact on the community, the Commission must consider the 10 public interest objectives and the 10 community impact matters set out in sections 49(2) and 49(3) of the *Liquor Act*.

The onus is on the applicant to satisfy the Commission that issuing the licence or authority is in the public interest and will not have a significant adverse impact on the community.

Publications

Policy and Procedures manual

The Northern Territory Liquor Commission Policy and Procedures Manual provides members with information to assist in fulfilling their responsibilities and exercising their powers under the Act and the *Liquor Act*.

The Policy and Procedures Manual is published on the Commission website at:

<https://cmc.nt.gov.au/committees/liquor-commission/publications>

Codes of Practice

The *Liquor Act* confers on the Commission the power to establish codes of practice to regulate the following matters:

- (a) the advertising and promotion of liquor by licensees;
- (b) the conduct of business under a licence or an authority;
- (c) the operation of licensed premises;
- (d) the management of customers, purchasers and patrons by licensees, including the management of their safety; or
- (e) the establishment of ethical standards and practices for licensees.

The Commission may publish any code of practice it establishes in the way the Commission considers appropriate.

It is a condition of a licence that the licensee comply with the provisions of any code of practice established and published by the Commission.

The following Codes of Conduct and guidance can be found on the Commission website at:

<https://cmc.nt.gov.au/committees/liquor-commission/publications>

Code of Practice for the Responsible Advertising and Promotion of Liquor

The *Code of Practice for the Responsible Advertising and Promotion of Liquor* (Advertising and Promotion Code) came into effect in 2020.

The object of the Advertising and Promotion Code is to ensure the responsible promotion and advertising of liquor products.

The Advertising and Promotion Code is currently under review and an updated Code will be published in 2024-2025 reporting period.

Code of Practice for CCTV in Licensed Premises

The *Code of Practice for CCTV in Licensed Premises* (CCTV Code) came into effect in 2023.

The object of the CCTV Code is to provide guidance on the appropriate and effective operation of CCTV in licensed premises, including data retention.

Liquor licensing and complaints

The Commission is responsible for deciding the following matters under the *Liquor Act*:

- (a) an application to issue a licence or an authority;
- (b) an application to vary the conditions of a licence or an authority;
- (c) an application to substitute other premises for the licensed premises;
- (d) an application to approve a material alteration to licensed premises;
- (e) an application to authorise the transfer of a licence;
- (f) the determination of complaints and the taking of disciplinary action; and
- (g) any other matter the Director refers to the Commission.

Delegation by the Commission

Pursuant to the Act, and published on its website, the Commission has delegated various

non-contentious and low-risk licensing decisions to either an individual member of the Commission or the Director.³

The use of delegated powers has saved the expense of conducting unnecessary hearings, improved the turnaround for the processing of uncontentious applications, and is a substantial reason for the reduction over the last two years in the number of hearings conducted by the Commission.

Referrals

During the reporting period, the Director referred 48 matters to the Commission for consideration and decision.

Five referrals had multiple applications from the same licensee. This brings the total number of applications referred to the Commission to 55, comprising of 45 applications and 10 disciplinary matters.

Two matters were withdrawn and dismissed by the Commission.

Table 3: Summary of matters referred to Commission

Nature of Referral	2020-21	2021-22	2022-23	2023-24
Application for the grant of a liquor licence or authority	17	20	14	11
Application for variation of conditions of licence	10	10	6	9
Application for transfer of licence	1	0	1	1
Application for substitution of premises	1	1	3	2
Application to make material alteration to licensed premises	6	13	4	10
Application for special and major event authorities	11	8	8	10
Application for declaration of a general restricted area	-	-	-	1
Other*	-	-	-	1
Disciplinary action against licensee	12	8	11	10
Total	58	60	47	55

* Application for Registration of a Small Community Group.

^ The application to extend timeframe of liquor licence in the 2022-23 reporting period is included in the figures for application for variation of conditions of licence.

³ Director of Liquor Licensing website:

<https://industry.nt.gov.au/publications/business/decisions/director-of-liquor-licensing-decisions>

Liquor applications

Liquor licence or authority

The *Liquor Act* provides that the Commission may issue a licence and one or more authorities to an applicant.

The five year moratorium on new takeaway liquor licences remained in place during the reporting period.

An application for a licence or an authority must be lodged with the Director, who will accept it providing it complies with the prescribed requirements for applicants.

Following acceptance of an application, public notification and consultation with stakeholders, the Director refers the application to the Commission, together with any objections and stakeholder comments received, and the applicant's response.

During the reporting period, 11 applications for the **grant of licence or an authority** were referred by the Director. Eight applications were approved, one of which was referred in the previous reporting period, and one application was refused.

At the end of the reporting period, one application was part-heard and one application was scheduled to be heard in the next reporting period.

Special and major event authorities

The *Liquor Act* provides for a special event and major event authority, which authorises the licensee to sell liquor for the consumption on or in licensed premises, to patrons attending a single event expected to have *less* than 1,500 attendees and *more* than 1,500 attendees respectively.

In addition, an event is considered a major event should it have a significant effect on public transport or local amenities or require more than a usual amount of emergency services or police supervision.

An application for a licence with a major event authority requires public notice of the application whereas the Director may exempt an applicant from this requirement for an application with a special event authority.

The Commission has previously delegated its powers and functions to the Director to issue licences and authorities for non-contentious special events and 26 recurring major events.

The Commission has also previously delegated its power to issue a major event authority to a single member of the Commission, 'on the papers', without the need for a hearing.

During the reporting period, eight licence applications with a **major event authority** and two applications with a **special event licence** were referred to the Commission.

A Commission member considered the applications with a major event authority under delegation. The two applications with a special event licence were considered by a panel.

All applications were approved with the exception of one application for a major event authority which was determined after the reporting period.

Table 4: List of liquor licence or authority applications determined from 1 July 2023 to 30 June 2024

Licensee	Determination
Top End Lodges Pty Ltd t/as The Loose Goose Bar*	Liquor licence issued with small bar authority, subject to additional conditions in relation to music genre, sound attenuation and noise mitigation.
Chung Jae Lee and Dianne Jayne Lee – Family Partnership t/as Little Miss Korea and The Loading Bay	Joint application to separate The Loading Dock from the existing liquor licence with Little Miss Korea approved. Liquor licence with a small bar authority issued for The Loading Bay. Material alteration approved to reduce the footprint of the existing licence area for Little Miss Korea.
Y & F (CB) Pty Ltd t/as China Bar NT	Liquor licence issued with a restaurant bar authority, however subject to restaurant authority conditions. Authorised to use the word “Bar” to identify, advertise and market the licensed premises.
Porkin Pty Ltd t/as Porkin Small Goods & Coffee	Liquor licence issued with restaurant bar and catering authority.
The Italian Sports and Social Club Inc. t/as The Italian Sports and Social Club	Liquor licence issued with a club authority for the clubhouse and a sporting event authority for the outdoor area, subject to additional conditions relating to trading hours, noise management and the National Health and Medical Research Council <i>Australian guidelines to reduce health risks from drinking alcohol</i> (NHMRC Guidelines).
Epilogue Enterprises Pty Ltd t/as The Tropic of Capricorn Restaurant	Liquor licence issued with public bar and late night authorities, with an additional set of bespoke conditions imposed comprising restaurant authority and restaurant bar authority operating conditions, and further conditions relating to live music and the NHMRC Guidelines.
Discovery Holiday Park Pty Ltd t/as Kings Canyon Resort	Liquor licence issued with special venture authority, subject to additional conditions relating to trading hours and customers. Special conditions and restaurant authority, lodging authority and late night authorities cancelled. Material alteration approved.
Gorge View Pty Ltd t/as Gorge View Bush Retreat	Liquor licence issued with catering authority, and subject to additional conditions relating to events/functions.
Doctors Gully Investments Pty Ltd t/as Aquascene	Liquor licence issued with restaurant bar and catering authorities.
Bralinda Investment Pty Ltd as trustee for The Seymour Trading Unit Trust t/as Arltunga Bush Pub & Eco Retreat	Liquor licence issued with restaurant, restaurant authority, and late night authorities.

* Referred in the previous reporting period

Table 5: List of major event and special event authorities issued from 1 July 2023 to 30 June 2024

Name of Licensee	Event	Determination
LACT Activations Pty Ltd	Electric Storm (28 October 2023)	Major event authority with conditions issued on 9 October 2023.
Alice Springs Casino Operations Pty Ltd	The Warm Up - One Year to Go Alice Springs Master Games 2024 Launch (14 October 2023)	Major event authority with conditions issued on 28 September 2023.
Alice Springs Dingo Cubs Rugby Union Football Club Inc	Alice Springs Rodeo (7 October 2023)	Major event authority with conditions issued on 28 September 2023.
Fiery Amigos Pty Ltd	BASSINTHEGRASS (18 May 2024)	Major event authority with conditions issued on 22 March 2024.
Rodeo Promotions NT Ltd	Rnd 1 Top End Rock n Rodeo Muster & Rnd 2 Northern Golden Buckle Rodeo Series (11 May 2024 and 7 September 2024)	Major event authority with conditions issued on 24 April 2024.
SRO Group of Companies Pty Ltd	Darwin Pride Festival (22 June 2024)	Major event authority with conditions issued on 10 May 2024.
Katherine Turf Club Incorporated	Katherine Cup 2024 (19 June 2024)	Major event authority with conditions issued on 19 June 2024.
Oceanview Developments Pty Ltd	Eden Festival 2024 (26 to 29 July 2024)	Major event authority with conditions issued on 2 July 2024.
AVC Operations Pty Ltd	UEFA Euro 2024 (15 June 2024 to 15 July 2024)	Special event licence for select dates and additional conditions issued on 11 June 2024.
Mulga Venture Pty Ltd	Sugarbag Street Art Festival (1 June 2024)	Special event licence issued on 30 May 2024.

Variation of licence conditions

The *Liquor Act* provides for a licensee to apply to the Commission to vary the conditions of a licence or an authority. Examples of licence variations include changes to trading hours, or the quantities or types of liquor that may be sold.

The licensee is required to satisfy the Commission that the variation sought is in the public interest and would not have a significant adverse impact on the community.

Of the nine applications for **variation of licence conditions** referred during the reporting period, six were approved and two were refused. Upon refusal of the application, one applicant applied to NTCAT for a review of the Commission's decision.

One application was heard by the Commission in the reporting period but not determined until after the reporting period.

Table 6: List of applications for variation of conditions of licence determined from 1 July 2023 to 30 June 2024

Licensee	Determination
TEHG Property Pty Ltd	Permanent variation of conditions to extend trading hours to 3:00 am refused, as the Commission found that it would have a significant adverse impact on the community. Material alteration approved to enlarge the area of the licensed premises. N.B.: By orders made on 14 May 2024, NTCAT varied the Commission's decision to extend trading until 3:00 am.
9DLS Pty Ltd ATF DLS Unit Trust t/as Kalidonis Apartments	Extension of time to erect premises approved and additional special condition imposed.
Cazalys Palmerston Club Incorporated t/as Cazalys Palmerston	Variation to trading hours to 2:00 am approved.
Discovery Holiday Park Pty Ltd t/as Kings Canyon Resort	Variation to conditions of licence and material alterations to the licensed premises approved. Restaurant, lodging and late night authorities cancelled and special venture authority approved.
Palmerston Golf and Country Club Inc	Variation to extended trading hours until 2:00 am refused, as the Commission was not satisfied on the evidence before it that it was in the public interest or have a benefit to the community.
Lucky Saddle Pty Ltd t/as Moorish and Poco Bar	Variation to trading hours and material alteration to enlarge the licensed premise footprint to include an alfresco area approved.
Nundor Pty Ltd t/as The Fox Ale House	Extension of time to erect the premises approved.
Darwin Airport Resort Operating Company Pty Ltd	Extension of time to erect the premises approved.

Transfer of licence

The *Liquor Act* provides for a licence to be transferable from the licensee to another person.

Since January 2020, non-contentious applications for transfer of licence have been considered and determined by the Director under delegation.

The decision-maker must consider the application and decide whether to authorise the transfer, with or without conditions, or refuse to authorise the transfer of the licence.

During the reporting period, one application for **transfer of licence** was heard by the Commission in the reporting period but not determined until after the reporting period.

Substitution of premises

The *Liquor Act* provides for a licensee who wishes to substitute other premises for the licensed premises to apply for a licence for the new premises. An application to substitute premises is made in the same manner as an application for a new licence.

Instead of issuing a new licence, the Commission may, on application of the licensee, amend a licence to substitute other premises for the licensed premises if satisfied that the substitution satisfies the public interest and community impact requirements.

During the reporting period, two applications for **substitution of premises** were referred to the Commission for consideration and decision, which included one matter referred as a joint application.

One application was approved and one application was heard by the Commission in the reporting period but not determined until after the reporting period.

Material alterations

The *Liquor Act* provides for a licensee to apply to the Commission for approval of a material alteration to the licensed premises. Section 95(1) of the *Liquor Act* defines material alterations as those that involve:

- (a) a significant increase in the area of the premises used for the sale, supply, service or consumption of liquor; or
- (b) a change to an entrance to or an exit from the premises; or
- (c) a significant change to the external appearance of the premises; or
- (d) a significant change to the premises' facilities related to the sale, supply service or consumption of liquor.

If the Director considers it to be in the public interest, the Director may require the applicant to notify the public of the application.

During the reporting period, the Director referred 10 applications for a **material alteration** to licensed premises to the Commission for consideration and decision.

Ten applications were approved, one of which was referred in the previous reporting period, and one was withdrawn prior to determination.

Table 7: Details of substitution applications determined from 1 July 2023 to 30 June 2024

Applicant	Determination
LP Creations Pty Ltd t/as Reality Bites Catering	Substitution of premises approved.

Table 8: List of applications for material alteration to licensed premises determined from 1 July 2023 to 30 June 2024

Applicant	Determination
North Oz Trading Pty Limited t/as Zuccoli IGA Cellarbrations*	Material alteration approved to change the entrance and exit to the premises.
Chung Jae Lee and Dianne Jayne Lee – Family Partnership t/as Little Miss Korea / The Loading Bay	Joint application to separate The Loading Dock from the existing liquor licence with Little Miss Korea approved. Liquor licence with a small bar authority issued for The Loading Bay. Material alteration approved to reduce the footprint of the existing licence area for Little Miss Korea.
Darwin Performing Arts Centre t/as Darwin Entertainment Centre	Material alteration approved to extend the licensed premises to include the forecourt, with additional conditions imposed on the use of this area.
SSP Australia Catering Pty Ltd t/as Darwin Airport Terminal - North Common	Material alteration approved to make significant changes to the bar service area.
The Friends of Araluen Incorporated t/as Araluen Centre of Arts and Entertainment	The matter was withdrawn by the applicant prior to determination and dismissed by the Commission.
Katherine Regional Cultural Precinct Ltd t/as Godinymayin Yijard Rivers Arts and Culture Centre	Material alteration approved to extend the licensed area and undertake significant works within the area.
TEHG Property Pty Ltd	Permanent variation of conditions to extend trading hours to 3:00 am refused, as the Commission found that it would have a significant adverse impact on the community. N.B. By orders made on 14 May 2024, NTCAT varied the Commission's decision to extend trading until 3:00 am. Material alteration approved to enlarge the area of the licensed premises.
Shutan Pty Ltd t/as Hanuman Restaurant Darwin	Material alteration approved to enlarge the licensed premise footprint to include an alfresco area.
Ms Minnie Pty Ltd t/as Ella by Minoli	Material alteration approved to enlarge the licensed premise footprint to include the outdoor seating area.
Lucky Saddle Pty Ltd t/as Moorish and Poco Bar	Variation to trading hours and material alteration approved to enlarge the licensed premise footprint to include an alfresco area.
Discovery Holiday Park Pty Ltd t/as Kings Canyon Resort	Variation to conditions of licence and material alterations to the licensed premises approved. Restaurant, lodging and late night authorities cancelled and special venture authority approved.

* Referred in the previous reporting period

Other

The *Liquor Act* provides for a small community group of no more than 100 members to register to serve liquor at a nominated premises for less than four hours per week.

During the reporting period, one application for **registration of a small community group** was referred to the Commission and approved.

The Commission has previously delegated the authority to determine these applications to the Director. In this case, as the Director also holds the position of Executive Director in Licensing NT, the application was referred to the Commission due to the conflict of interest.

Table 9: List of other applications determined from 1 July 2023 to 30 June 2024

Applicant	Determination
Licensing NT Social Club	Registration of social club approved for a period of three years.

Controlled areas

The *Liquor Act* provides for the prohibition of alcohol in specified communities in the Northern Territory. Communities can seek to allow unrestricted access to alcohol in their communities, or introduce alcohol in a way that is customised to suit their needs by declaring it a general restricted area (GRA). Penalties apply to anyone that possesses, consumes, sells, supplies or serves liquor in a restricted area.

The Commission can, upon application or by its own initiative, declare an area to be a GRA by *Gazette* notice. Following acceptance of a GRA application, public notification and consultation with stakeholders, the application is referred to the

Commission by the Director, together with the community alcohol plan and any submissions, opinions or advice provided by stakeholders.

The Director of Liquor Licensing is responsible for determining the revocation of a restricted area but has the power to refer the application to the Commission should it be deemed necessary. In order for the application to be considered, the registered owner must provide a statement of support, and the community alcohol plan must be developed and approved by 60% of residents in the proposed area. The Director has the power to refer an application to revoke a GRA to the Commission.

Table 10: List of declarations of a restricted area determined from 1 July 2023 to 30 June 2024

Applicant	Determination
Tywenpe E, also known as Itchy Koo Park	General restricted area declared to allow liquor to be possessed and consumed in the area in accordance with a permit issued under section 201 of the <i>Liquor Act</i> .

Disciplinary actions

The granting of a liquor licence by the Commission brings with it a number of responsibilities for the licensee, both under the *Liquor Act* and in the conditions of their licence.

Section 160 of the *Liquor Act* provides for a person to make a complaint against a licensee on any of 14 specified grounds.

A complaint against a licensee must be made in the approved form, specify the ground(s) of the complaint, be signed by the complainant and lodged with the Director.

The Director must decide to accept, or refuse to accept, the complaint. After making a decision to accept a complaint, the Director must notify the licensee of the substance of the complaint, the Director's intention to investigate the complaint and the right to respond to the complaint.

On completing an investigation, the Director is empowered to take any of the following actions in relation to the complaint:

- take no further action if satisfied there are no grounds to justify taking further action or that the matter does not warrant further action;
- give the licensee a formal warning;
- mediate;
- issue an infringement notice;
- enter into an enforceable undertaking with the licensee;
- refer the matter to the Commission for disciplinary action.

A referral of a complaint to the Commission must specify details of the grounds for disciplinary action, the results of the investigation and any response by the licensee.

Section 165 of the *Liquor Act* empowers the Commission to take disciplinary action if satisfied that a ground for the disciplinary action exists and

the disciplinary action is appropriate in relation to that ground.

The Commission may take any of the following disciplinary actions against a licensee:

- vary the conditions of the licensee's licence or impose additional conditions on the licence;
- suspend a licence;
- cancel a licence;
- impose a monetary penalty;
- direct a licensee to take, or refrain from taking, a specified action;
- disqualify a person from holding a licence for a specified period.

During the reporting period, the Director referred 10 matters to the Commission for **disciplinary action**.

Public hearings were conducted for 13 complaints, six of which had been referred in the previous reporting period. One complaint was withdrawn by the Director and two complaints are scheduled for hearing in the next reporting period. The Commission upheld the complaint for nine matters and four complaints were dismissed.

Disciplinary action taken against licensees included five monetary penalties, three licence suspensions and one cancellation of licence.

Two licensees applied to NTCAT for a review the Commission's decision to undertake disciplinary action. NTCAT issued its determination for one review on 13 November 2023. At the end of this reporting period, the second review was yet to be determined.

Table 11: List of disciplinary actions determined from 1 July 2023 to 30 June 2024

Licensee	Alleged Breach	Determination
Shining Space Development Pty Ltd t/as Wagait Beach Supermarket*	Breach of regulation 53(2) of the <i>Liquor Regulations 2019</i> and section 160(1)(b) of the <i>Liquor Act</i> : the licensee exceeded the prescribed 25% cap on sales of liquor. The licensee declared that the percentage of their liquor sales for Quarter 1 of 2023 was 29.88% and Quarter 2 of 2023 was 32.20%.	Complaint upheld for breach of regulation for Quarter 2 of 2023. Penalty imposed of 99 penalty units (\$16,038).
Mataranka Supermarket NT Pty Ltd t/as Mataranka Supermarket*	Breach of regulation 53(2) of the <i>Liquor Regulations 2019</i> and section 160(1)(b) of the <i>Liquor Act</i> : the licensee exceeded the prescribed 25% cap on sales of liquor. The licensee declared that the percentage of their liquor sales for Quarter 1 of 2023 was 32.31% and Quarter 2 of 2023 was 28.22%.	Complaint upheld for breach of regulation for Quarter 2 of 2023. Penalty imposed of 32 penalty units (\$5,184) and 28 day suspension of liquor licence.
Cached (NT) Pty Ltd t/as Moulden Supermarket*	Breach of regulation 53(2) of the <i>Liquor Regulations 2019</i> and section 160(1)(b) of the <i>Liquor Act</i> : the licensee exceeded the prescribed 25% cap on sales of liquor. The licensee declared that the percentage of their liquor sales for Quarter 1 of 2023 was 25.50%.	Complaint dismissed as liquor sales for subsequent quarter were compliant with the regulation.
Prasanna Enterprises Pty Ltd t/as Gray Supermarket*	Breach of regulation 53(2) of the <i>Liquor Regulations 2019</i> and section 160(1)(b) of the <i>Liquor Act</i> : the licensee exceeded the prescribed 25% cap on sales of liquor. The licensee declared that the percentage of their liquor sales for Quarter 1 of 2023 was 26.20%.	Complaint dismissed as liquor sales for subsequent quarter were compliant with the regulation.
North Oz Trading Pty Limited t/as Zuccoli IGA Fresh*	Breach of regulation 53(2) of the <i>Liquor Regulations 2019</i> and section 160(1)(b) of the <i>Liquor Act</i> : the licensee exceeded the prescribed 25% cap on sales of liquor. The licensee declared that the percentage of their liquor sales for Quarter 1 of 2023 was 29.23%.	Complaint dismissed as liquor sales for subsequent quarter were compliant with the regulation.
Nulite Pty Ltd t/as Smith Street Supermarket*	Breach of regulation 53(2) of the <i>Liquor Regulations 2019</i> and section 160(1)(b) of the <i>Liquor Act</i> : the licensee exceeded the prescribed 25% cap on sales of liquor. The licensee declared that the percentage of their liquor sales for Quarter 1 of 2023 was 25.20% and Quarter 2 of 2023 was 26.40%.	Complaint upheld for breach of regulation for Quarter 2 of 2023. Penalty imposed of 80 penalty units (\$12,960). N.B.: By orders made on 14 November 2023, NTCAT set aside the Commission's decision and imposed a penalty of 32 penalty units (\$5,184).
Shining Space Development Pty Ltd t/as Wagait Beach Supermarket	Breach of regulation 53(2) of the <i>Liquor Regulations 2019</i> and section 160(1)(b) of the <i>Liquor Act</i> : the licensee exceeded the prescribed 25% cap on sales of liquor. The licensee declared that the percentage of their liquor sales for Quarter 3 of 2023 was 29.58%.	Complaint upheld. Trading hours reduced and limit imposed on one liquor transaction per customer per day.
Discovery Holiday Parks Pty Ltd t/as Kings Canyon Resort	Three breaches of section 293 of the <i>Liquor Act</i> : the licensee intentionally engaged in conduct, and the conduct resulted in a contravention of a condition of the licensee's licence or authority and the licensee was reckless in relation to that result.	Complaint dismissed.

Licensee	Alleged Breach	Determination
Westbrick Pty Ltd t/as Mataranka Hotel	<p>Two breaches of section 102(1) of the <i>Liquor Act</i>: sell or supply liquor outside the hours prescribed by regulation in respect of the licensee's authority.</p> <p>One breach of section 109(1)(a) and (b) of the <i>Liquor Act</i>: fail to produce a record and any other document relating to the sale, supply or service of liquor in the course of the licensee's business and required to be kept.</p> <p>Six breaches of section 130(2) of the <i>Liquor Act</i>: sell liquor to an individual without scanning the person's identification.</p> <p>Three breaches of section 138(a) and (b) of the <i>Liquor Act</i>: not refuse service to a person who was intoxicated; or registered on the banned drinker register.</p>	<p>Complaint upheld for 11 of the 12 breaches. Penalty imposed of 5 penalty units (\$810), takeaway authority suspended for one day with a direction to place signage to this effect, and trading hours varied. Direction to comply with provisions of the <i>Code of Practice for CCTV System in Licensed Premises</i>.</p>
Discovery Holiday Parks Pty Ltd t/as Kings Canyon Resort	<p>Breach of section 95(1)(e) of the <i>Liquor Act</i>: the prior written approval of the Commission is required before any of the following material alterations are made to a licensed premises; a significant change to the premises' facilities related to the sale, supply, service or consumption of liquor.</p>	<p>Complaint upheld.</p> <p>The Commission also found that the licensee contravened section 98 of the <i>Liquor Act</i>⁴: A licensee commits an offence if a material alteration is made to the licensee's premises without the prior approval of the Commission; a licensee commits an offence if the Commission approves a material alteration; and business is conducted on or in the licensee's premises while the alteration is being made; and the business is not conducted in accordance with arrangements approved by the Commission.</p> <p>Penalty imposed of 45 penalty units (\$7,920).</p> <p>N.B.: The Commission's decision is under review by NTCAT at the end of this reporting period.</p>
Munupi Wilderness Lodge Pty Ltd t/as Munupi Wilderness Lodge	<p>Breach of section 100 of the <i>Liquor Act</i>: A licensee and the licensee's employees must not sell liquor to a person unless, at the time of the sale, payment is made.</p> <p>Two breaches of section 109 of the <i>Liquor Act</i>: fail to produce a record and any other document relating to the sale, supply or service of liquor in the course of the licensee's business and required to be kept by the licensee.</p> <p>Seven breaches of section 293 of the <i>Liquor Act</i>: the licensee intentionally engaged in conduct, and the conduct resulted in a contravention of a condition of the licensee's licence or authority and the licensee was reckless in relation to that result.</p>	<p>Matter withdrawn by the Director and dismissed by the Commission.</p>

⁴ Pursuant to section 166(4) of the *Liquor Act*, the Commission may hear a matter not referred to it but which arises from a matter that was referred to it.

Licensee	Alleged Breach	Determination
RAM Medical Property Nominees Pty Ltd t/as Rosebery IGA	Breach of section 160(1)(g)(i) of the <i>Liquor Act</i> : the licensee's licensed premises are not longer being used for the sale, supply, service or consumption of liquor.	Complaint upheld. Licence cancelled.
Darwin RSL Incorporated t/as Darwin RSL	Breach of section 160(1)(g)(i) of the <i>Liquor Act</i> : the licensee's licensed premises are not longer being used for the sale, supply, service or consumption of liquor.	Complaint upheld. Licence suspended for 12 months and direction to regularly report to the Director. If operations do not commence from the expiry of the suspension period, the licence is cancelled immediately.
Shining Space Development Pty Ltd t/as Wagait Beach Supermarket	Pursuant to sections 158(1)(a) and 166(4) of the <i>Liquor Act</i> : investigation conducted at the request of the Chairperson as a result of a matter previously referred to it.	Complaint upheld. Licence suspended until the following actions are undertaken: a fit and proper person is nominated and approved; the licensee is compliant with the Community Agreement and CCTV condition; a point of sale (POS) and record management system is installed and operational. The Commission also found that the licensee contravened section 109(2) of the <i>Liquor Act</i> ⁶ : fail to comply with a request made by an inspector for a document relating to the sale of liquor in the course of the licensee's business.

* Referred in the previous reporting period

Suspension of licence issued by Commissioner of Police

Section 258 of the *Liquor Act* provides for the Commissioner of Police to suspend a licence or an authority on certain circumstances being an emergency or a natural disaster, riotous conduct, a breach of the peace or a threat to public safety. A suspension can have effect for a maximum of 48 hours. The Commissioner of Police must give written notice of a suspension to the Chairperson.

During the reporting period, the Commission received two related notices of the suspension of licence from the Commissioner of Police for premises in Alice Springs.

Disciplinary determinations by the Director

Pursuant to section 163(3)(c) of the *Liquor Act*, 12 disciplinary matters considered and determined by the Director were provided to the Commission during the reporting period.

⁵ Pursuant to section 166(4) of the *Liquor Act*, the Commission may hear a matter not referred to it but which arises from a matter that was referred to it.

Review of Decisions

Review of decision of Director

Affected persons may apply to the Commission to review a decision of the Director.

An application for review must be made to the Commission within 28 days after written notice of the decision is given to the person or any later date allowed by the Commission.

During the reporting period, no applications were lodged for review of decision of the Director.

Review of decision of the Liquor Commission

Section 31 of the *Liquor Act* provides that any decision of the Commission for which a decision notice is required is reviewable by NTCAT.

During the reporting period, four applications were made to NTCAT to review a Commission decision. NTCAT determined two applications within the reporting period.

Table 12: List of Commission decisions reviewed by NTCAT from 1 July 2023 to 30 June 2024

Matter	Determination
<i>Nulite Pty Ltd v Northern Territory Liquor Commission</i>	By orders made on 14 November 2023, the decision was set aside and a penalty of 32 penalty units (\$5,184) was imposed.
<i>TEHG Properties Pty Ltd v Northern Territory Liquor Commission</i>	By orders made on 14 May 2024, the decision was varied to extend trading until 3:00 am.

Variations to conditions initiated by the Commission

Under section 113 of the *Liquor Act*, the Commission may, on its own initiative, vary the conditions of a licence or an authority, other than conditions added or varied by the Minister under section 88 of the *Liquor Act*.

Decision Notices for variations initiated by the Commission and associated documents for previous reporting periods are published on the Commission website at:

<https://cmc.nt.gov.au/committees/liquor-commission/liquor-commission>

Review of the Alice Springs Reportable Transaction Scheme

In 2019, the Commission introduced a reportable transaction scheme with a purchasing threshold on nine Alice Springs takeaway licences: BWS Alice Springs; Gapview Resort Hotel; Todd Tavern; Eastside IGA; Flynn Drive IGA; Northside IGA; Liquorland Alice Springs; Milner Road Foodtown; and Pigglys.

Following two NTCAT proceedings, in 2020, the amended conditions were implemented for a trial period of 12 months. Due to the disruption caused by the pandemic, the foreshadowed review was not conducted. Despite this, the licensees continued to report suspicious transactions.

In January 2024, the Commission proposed to make minor amendments to the conditions with a focus to “confirm, consolidate, harmonise and extend” the fixed conditions. The reportable conditions require licensees to report transactions to the Northern Territory Police, should a Police Officer, police auxiliary liquor inspectors or Liquor Inspector not be on duty, that meet the following criteria:

- The sale exceeds any of the following in one transaction: three cartons of full

strength beer OR 12 x 750mL bottles of wine OR 48 x bottles can or bottles of Ready to Drink mixes (RTD).

- Where it is known that it is the third or subsequent sale to the same individual on the same day.
- If the salesperson is suspicious that the customer intends to commit an offence.

Three responses were received in response to the proposed variation notice. Liquorland and BWS indicated their support for the permanent implementation of the conditions, and the Director of Liquor Licensing submitted that the low usage of the Reportable Transactions condition in Alice Springs was primarily attributable to the police presence at the liquor outlets along with the other measures recently implemented.

Subsequently, the Commission determined to extend both conditions in line with the Notice of Proposed Variation to Conditions and reiterated its support that the scope of the Banned Drinker Register screening procedure be enhanced to improve the effectiveness of the Reportable Transaction condition.

Inquiry into liquor licences in Peppimenarti and Daly River

Following an extended period of unrest and violence in Peppimenarti, some of which was alcohol-fuelled, the Director, with the support of the Northern Territory Police, requested the Commission undertake a review of Peppimenarti Club with a view to varying the conditions of the liquor licence to improve issues associated with alcohol related harm.

The Commission agreed to conduct a section 113 review and determined to extend the scope of inquiry to include Wadeye and Nauiyu. Hearings were conducted in each community between 21 to 23 November 2023.

During the site visit to the Daly River Inn, the Commission observed the practical and proactive measures that the community-led licensed premises enforced to reduce alcohol-related harm in the Nauiyu community and surrounding areas. The Commission decided it was not necessary to vary the conditions of the Daly River Inn and, instead, several of the measures referred to as 'house rules' were incorporated into the conditions for the Peppimenarti Club.

In January 2024, the Commission proposed to vary the conditions for the Peppimenarti Club with the aim to correct the shortfalls observed during the site visit. In formulating the additional conditions, the Commission adapted the 'house rules' incorporated by the Daly River Inn:

- improving food service during trading hours;
- strengthening transactional limits and requirements;
- requiring an attendance list and 'banned list' to be implemented;

- requiring the club to close during periods of community unrest;
- ensuring board members to undertake training; and
- adding emphasis to the licensee's responsibilities to manage troublesome patrons.

During the hearing, the nominee for the Peppimenarti Club requested an extension of trading hours for two of the four trading days. The Commission agreed to vary the hours from three to four hours on Friday and Saturday.

In March 2024, the Commission determined to implement the slightly amended proposed conditions for a trial period of six months. A review of the conditions is scheduled for September 2024.