# NORTHERN TERRITORY LIQUOR COMMISSION

# DECISION NOTICE AND REASONS FOR DECISION

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**CITATION:** Pilton: Reinstatement of Liquor Licence [2026] NTLiqComm [19]

**FILE NUMBER:** LC2026-019

**LICENSEE:** Les John Pilton

**PREMISES:** Barrow Creek Hotel
22247 Stuart Highway
Davenport NT 0872

**LIQUOR LICENCE:** 81202253

**LEGISLATION**: Part 2 Division 4 Section 19 (g) of the *Liquor Act 2019*

**DECISION OF:** Sally Gearin (Chairperson)
Stephen Gelding (Health Member)
Benjamin Giesecke (Community Member)

**DATE OF HEARING:** 11 November 2026

**DATE OF DECISION:** 13 November 2026

## DECISION

1. The Northern Territory Liquor Commission (the Commission) lifts the suspension of liquor licence 81202253 imposed by its decision dated 17 December 2025, with effect from the date of this decision.

2. The licence is reinstated subject to the existing licence conditions and the following additional conditions and directions:

a. Meal service: The licensee must make a full meal available for purchase at breakfast, lunch and dinner times whenever liquor is sold or supplied, in accordance with regulations 101(3) and 101(4) of the Liquor Regulations 2019. Meal service must recommence when liquor trading recommences.

b. Regulatory communications: The licensee must maintain the nominated email account, monitor it regularly and acknowledge communications from Licensing NT or the Commission within 48 hours. A substantive response may be provided by

email or text message, provided it is received within the required period and adequately addresses the communication.

c. Monthly reporting: For three months after liquor trading recommences, the licensee must provide a written or verbal report to the Director of Liquor Licensing on the 10th day of each month, or the next business day, addressing compliance with these conditions and any matter reasonably requested by the Director.

d. Existing shade structure: Before the bower shed or associated outdoor licensed area is used for the sale, supply, service or consumption of liquor, the licensee must remove the existing foliage/thatching or other material covering the shade structure and provide Licensing NT with photographic evidence that it has been removed.

e. Replacement or additional shade: Any replacement shade structure must not be used in connection with licensed activities unless it has been inspected and certified as safe by a suitably qualified builder, building professional, structural engineer or other appropriately qualified person. The certification must be provided to Licensing NT. The Commission expects this work and certification, if undertaken, to be completed within eight weeks of this decision.

f. After-hours fuel contact: The licensee must clearly display at the premises a current mobile telephone number for after-hours fuel enquiries and provide Licensing NT with a photograph of the signage. Compliance with this condition will satisfy the practical purpose of the existing requirement for an illuminated night bell, subject to the Director arranging any necessary amendment to the licence condition. The signage, at a minimum, must be installed at the petrol bowsers and at the main entrance to the premises.

3. For the avoidance of doubt, the extended outdoor licensed area must not be used for liquor activities unless and until all applicable conditions of the material alteration approval dated 29 May 2026 and the conditions above have been satisfied.

## REASONS

### Background

4. On 17 December 2025, the Commission suspended the licence from 1 January 2026 until the Chairperson or a Deputy Chairperson was satisfied that the licensee had completed specified remedial measures. Those measures concerned the licensed footprint, shade structure and fencing, patron toilets, meal service, communications, fuel availability and monthly reporting.

5. The purpose of the suspension was remedial. It was intended to ensure that identified physical and operational deficiencies were addressed before the licensee recommenced the sale, supply and service of liquor.

**The Referral and Hearing**

6. Licensing NT referred the matter to the Commission after further compliance enquiries and supported reinstatement of the licence, subject to any further directions or conditions the Commission considered appropriate.

7. The Commission conducted a hearing on 11 November 2026. The licensee participated by telephone. The Commission considered the updated referral, the earlier decision, the material alteration approval, the amended licence and site plan, photographs, the food business registration, the fuel and oil register, and the information provided at the hearing.

**Remedial Work Completed**

8. The licensee has made substantial progress. The material alteration was approved, fencing has been installed, a smoking management plan has been provided, and an amended licence and site plan have been issued. The patron toilets have been upgraded. A kitchen has been established, a cook engaged and the food business registered. A nominated email account and a fuel and oil interruption register have also been established.

9. The Commission accepts that these steps substantially address the principal deficiencies identified in the earlier decision. The Commission also acknowledges the licensee’s efforts to achieve compliance in the circumstances of operating a remote wayside inn.

**Outstanding Matters**

10. Not every requirement of the earlier decision has been fully demonstrated. Meal service has not yet recommenced, compliance with the communication and monthly reporting requirements has not been consistent, and Licensing NT has been unable to confirm the safety or technical compliance of the existing shade structure.

11. At the hearing, the licensee agreed to remove the foliage or other material covering the existing shade structure and provide photographic evidence. The Commission considers that any replacement or additional structure should be certified as safe by a suitably qualified person before it is used in connection with licensed activities.

12. The Commission also considers that the practical purpose of the existing illuminated night bell condition can be met by the clear display of a current mobile telephone number for after-hours fuel enquiries. It was accepted that the licensee may acknowledge and respond to regulatory communications by text message, provided communications are received and appropriately dealt with.

**Assessment**

13. The Commission is satisfied that continuing the suspension of the entire licence is no longer necessary or proportionate. The remaining matters are capable of being effectively managed through targeted conditions and ongoing oversight by Licensing NT.

14. In reaching that conclusion, the Commission has had regard to the purposes of the Liquor Act 2019, including harm minimisation, protection of community amenity and wellbeing, and the responsible development of the liquor industry. Reinstatement on conditions appropriately balances those purposes with the substantial remedial work already undertaken.

15. The Commission is therefore satisfied that the suspension should be lifted and the licence reinstated subject to the conditions and directions set out above.

**NOTICE OF RIGHTS**

16. Section 31(1) of the Liquor Act 2019 provides that this decision is reviewable by the Northern Territory Civil and Administrative Tribunal (NTCAT).

17. Section 94(3) of the Northern Territory Civil and Administrative Tribunal Act 2014 provides that an application for review must be lodged within 28 days of the date of this decision.

18. Pursuant to section 31(2) of the Liquor Act 2019, the persons who may apply for a review of this decision are the Licensee and the Director of Liquor Licensing.

Sally Gearin

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**CHAIRPERSON**
**NORTHERN TERRITORY LIQUOR COMMISSION**

13 November 2026

*On behalf of the Commissioners Gearin, Gelding and Giesecke*