

NORTHERN TERRITORY LIQUOR COMMISSION
DECISION NOTICE

MATTER: *VARIATION OF THE CONDITIONS OF PEPPIMENARTI CLUB LIQUOR LICENCE [2024] NTLiqComm 52*

FILE NO.: LC:OMV:2024-003

LICENSEE: Peppimenarti Club Association Incorporated

PREMISES: Peppimenarti Club
Peppimenarti, NT 0822

LICENCE NUMBER: 80304129

NOMINEE: Ms Regina Wilson

LEGISLATION: Section 113 of the *Liquor Act 2019* (NT)

CONSIDERED BY: Mr Russell Goldflam (Chairperson)
Ms Ebony Abbott-McCormack (Health Member)
Ms Rachael Shanahan (Community Member)

DATE: 29 November 2024

DECISION

1. Pursuant to s 113 of the *Liquor Act 2019* (NT) (**the Act**) the Northern Territory Liquor Commission (**the Commission**) has determined to vary the conditions of the Peppimenarti Club Association Incorporated (**the licensee**) trading as the Peppimenarti Club (**the Club**) by removing the following condition:

The licensee must not sell a person who is purchasing their second or subsequent alcoholic drink for the day unless the person returns to the licensee the empty can that the person had last consumed.

2. The Commission notes that on 25 October 2024 the Commission issued a notice to the licensee allowing the licensee a period of six months commencing on 25 October 2024 to comply with the varied licence conditions the Commission imposed by the decision it issued on 25 March 2024.¹

¹ *Own initiative variation to conditions of Peppimenarti Club licence [2024] NTLiqComm 14*

REASONS

3. The background to this decision is set out in the *Second Notice of Proposed Variation of Licence Conditions* issued by the Commission on 25 October 2024 (**the proposed variation**).²
4. In accordance with s 113(2)(c) of the Act, the Commission invited the licensee to submit a response to the proposed variation by 22 November 2024, with a copy of the Notice provided to the Director of Liquor Licensing.
5. On 18 November 2024 the licensee's solicitors responded by stating that the Club consented to the proposed variation.
6. In accordance with s 113(3) of the Act, the Commission has considered:
 - a. the licensee's response;
 - b. the results of the hearings the Commission conducted at Peppimenarti on 4 September 2024; and
 - c. the public interest and community impact requirements.
7. The Commission is satisfied that the variation of conditions it has determined to make is in the public interest and will not have a significant adverse impact on the community.

NOTICE OF RIGHTS

8. Section 31(1) read with s 113(4) of the Act provide that the decision set out in this decision notice is reviewable by the Northern Territory Civil and Administrative Tribunal (**NTCAT**). Section 94(3) of the *NTCAT Act* provides that an application for review of a reviewable decision must be lodged within 28 days of the date of this decision
9. In accordance with s 31(2) of the Act, the persons who may apply to NTCAT for a review of this decision are the Director and the licensee.



RUSSELL GOLDFLAM
DEPUTY CHAIRPERSON
NORTHERN TERRITORY LIQUOR COMMISSION
29 November 2024

On behalf of Commissioners Goldflam, Abbott-McCormack and R Shanahan

² LC:OMV:2024-003, accessed at https://cmc.nt.gov.au/_data/assets/pdf_file/0007/1455991/lc-omv2024-003-proposed-variations-peppimenarti-club.pdf