

## Delegate of the Director of Liquor Licensing

### Decision Notice

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<b>MATTER:</b>	Non-compliance arising from an audit for a licenced premises.
<b>LICENSEE:</b>	J AN R Jenkins Pty Ltd
<b>PREMISES:</b>	Tennant Creek Hotel
<b>DECISION OF:</b>	Delegate of the Director of Liquor Licensing
<b>DATE OF DECISION:</b>	30 January 2026

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### DECISION

1. As a delegate of the Director of Liquor Licensing (the Director), for the reasons set out below, an issue of non-compliance was identified during an audit of the premises, whereby the licensee sold wholesale liquor whilst not a registered wholesaler.
2. J AN R Jenkins Pty Ltd (the licensee) had breached the *Liquor Act 2019* (the Act) on 15 August 2025 and 10 October 2025 by the sale of wholesale liquor whilst not registered.
3. Upon completion of an investigation, I am satisfied that the nature of the breach is technical, noting the licensee has a takeaway authority albeit with significant restrictions on the sale. Accordingly, the decision is to provide an informal caution to the licensee to cease these sales until such time as they register as a wholesaler of liquor.

### REASONS

#### Background

4. J AN R Jenkins Pty Ltd is the licensee for liquor licence 80102044, trading as the Tennant Creek Hotel, situated at 146 Paterson Street, Tennant Creek, NT 0860. The nominee listed on the liquor licence is Mr Jon Russell Jenkins.
5. The licence is issued with the following authorities:
  - Restaurant bar authority
  - Takeaway authority
  - Lodging authority
  - Public bar authority
  - Late night authority

6. Section 35(b) of the Act specifies a person commits an offence if the person intentionally sells liquor to a person and the sale is a wholesale sale. This licensee is not registered as a wholesaler of liquor.
7. On Thursday, 18 December 2025 Licensing NT conducted the annual Licensed Premises Compliance Audit Report with the licensee Lilpot Pty Ltd, liquor licence FLL275, trading as TC Bay Leaf Café.
8. The premises' nominee, Ms Mary Grace Atenta informed licencing of events the café catered. This included the sale of liquor, allowed for by their licence however, purchased from J AN R Jenkins Pty Ltd on a wholesale basis, and providing tax receipts for the purchases.
9. On 24 December 2025, Ms Corrin Takotohiwi, Senior Compliance Officer emailed the nominee Mr Jenkins to inform him liquor licence FLL275 does not permit the sale of liquor in a wholesale capacity under the takeaway authority.
10. Ms Takotohiwi advised Mr Jenkins the procedures involved in applying for a wholesaler registration in order to prevent further unlawful wholesale sales.

## ACTION AFTER INVESTIGATION

11. In determining an appropriate disposition in this matter I am required to apply the principles of proportionality, parity and deterrence.
12. The licensee admitted the breach at the first instance and should be afforded the benefit of their candour.
13. A consideration in matters such as these is also the harm that arose from the breach. This matter is distinct from one where a licensee intentionally sells liquor to a person and they do not have a form of authority to sell takeaway liquor.
14. In this breach the licensee has sold packaged liquor to another licensee for on-selling at their premises, an otherwise lawful transaction if undertaken as retail takeaway under their existing takeaway authority.
15. This licensee does have a takeaway authority attached to their licence however, the Commission has imposed strict limitations on the times and quantities of liquor they may sell in Tennant Creek under this authority. The sale to the café was not within those provisions.
16. Accordingly, this breach is considered technical in nature and to be at the lower end of matters, with no apparent actual harm arising.
17. I accept the submission of the licensee the breach was not an intentional usurping of the Act and but for the licensee themselves advising the Director of the matter in the first instance, it would likely have gone undetected.

18. These considerations must necessarily assist in the eventual disposition.

19. I have formed the opinion it is appropriate to take no action. It is strongly recommended the licensee register as a wholesaler to prevent any further issues.

## REVIEW OF DECISION

20. The above decision is made in my capacity as a delegate of the Director of Liquor Licensing.

21. Section 27 of the Act provides for a person prescribed in that section to seek a review by the Director of a delegate's decision.

22. For completeness, section 161(4) of the Act prescribing that review or the original decision, are not reviewable by the Liquor Commission or the Northern Territory Civil and Administrative Tribunal.



**Mark Wood**

Delegate of the Director of Liquor Licensing

30 January 2026