

ENFORCEABLE UNDERTAKING

Liquor Act
Section 72A(1)(b)

The commitments in this undertaking are offered to the Director-General of Licensing by:

Mr Cameron Miller
Chief Executive Officer
For and on behalf of
Tilmouth Wells Nominees Pty Ltd
ACN: 612 635 766
PO Box 8573, Alice Springs, NT 0871

BACKGROUND:

1. The Director-General of Licensing ("the Director-General") is charged with various functions under the *Liquor Act* ("the Act"), including the function of granting liquor licences to appropriate applicants.
2. Ngurratjuta/Pmara Ntjarra Aboriginal Corporation as Land Purchaser and Tilmouth Well Nominees Pty Ltd as Business Purchaser ("TWN") executed a Sale Agreement for NT Portion 7256, being Tilmouth Roadhouse, Tanami Road, Napperby Station in the Northern Territory.
3. By application dated 6 September 2016 TWN applied to the Director-General for the transfer of the liquor licence for the premises known as, and located at Tilmouth Well Roadhouse.

THE DIRECTOR-GENERAL'S CONCERNS

4. In assessing the application for the transfer of the liquor licence it came to the attention of the Director-General that directors of TWN, Mr Sid Anderson and Mr Conrad Ratarra, have criminal histories that raise concerns as to their appropriateness to be officers of a corporation holding a liquor licence.
5. The grant of the transfer of the liquor licence to TWN is subject to a pre-condition, offered in advance by TWN, that TWN enter into an enforceable undertaking, pursuant to section 72A(1)(b) of the Act to the effect that Mr Anderson and Mr Ratarra are restricted as to their involvement with the day to day operation and management of the business conducted under the liquor licence at Tilmouth Well Roadhouse.

ACKNOWLEDGMENT OF CONCERNS

6. TWN acknowledges the Director-General's concerns and believes that they are reasonably held.

UNDERTAKING:

7. Under section 72A(1)(b) of the Act TWN has offered, and the Director-General has agreed to accept, as an alternative to the Director-General refusing to grant the transfer of the liquor licence to TWN, the undertaking set out in this Enforceable Undertaking.
8. TWN undertakes Mr Sidney Anderson, date of birth 16 May 1953 and Mr Conrad Rataru, date of birth 6 August 1962, in their roles as Directors of TWN, will have no involvement whatsoever with the day to day management or operations of Tilmouth Well Roadhouse.
9. TWN also undertakes that Mr Sidney Anderson and Mr Conrad Rataru will not be authorised to give any instruction or direction to the Nominee (Manager) of the liquor licence granted to TWN or to any other staff member of TWN employed at Tilmouth Well Roadhouse in relation to day to day management or operations of Tilmouth Well Roadhouse.

NON-COMPLIANCE

10. Should the Director-General believe that TWN has failed to materially comply with the Enforceable Undertaking as described in clauses 7 and 9 she will write to TWN setting out the concerns regarding non-compliance.
11. TWN will have 14 days from the date of the Director-General's letter referred to in clause 10 to provide evidence satisfactory to the Director-General that it has remedied such non-compliance.

ACKNOWLEDGEMENTS

12. TWN acknowledges that the Director-General, in accordance with section 72B of the Act, will record this Enforceable Undertaking in the Register of Enforceable Undertakings.
13. TWN also acknowledges that the Register of Enforceable Undertakings may be inspected by any person, as required by section 72B(3) of the Act.
14. TWN further acknowledges, in accordance with section 72A(3) of the Act, that it may vary or withdraw this Enforceable Undertaking only with the consent of the Director-General.

COMMENCEMENT DATE:

15. This Enforceable Undertaking will commence operative force from the date it is accepted by the Director-General.

PROVISION OF DOCUMENTS:

16. The address for providing the Director-General with any document or notice is:

The Director-General of Licensing
PO Box 8470
ALICE SPRINGS NT 0871

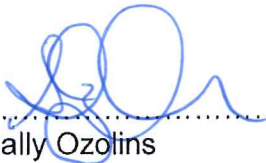
17. The address for providing TWN with any document or notice is:

Mr Cameron Miller
Chief Executive Officer
Tilmouth Well Nominees Pty Ltd
PO Box 8573
ALICE SPRINGS NT 0871



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Mr Cameron Miller, Chief Executive Officer
For and on behalf of Tilmouth Well Nominees Pty Ltd

Accepted by the Director-General of Licensing under section 72A(1)(b) of the
Liquor Act.



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Sally Ozolins
Deputy Director-General (Operations)

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30/09/2016
Date