

Delegate of the Director of Liquor Licensing

Decision Notice

MATTER:	Complaint pursuant to section 160 of the <i>Liquor Act 2019</i>
LICENSEE:	Northern Interests Pty Ltd
PREMISES:	Timber Creek Hotel
LICENCE:	80304074
LEGISLATION:	Part 7, Division 3 of the <i>Liquor Act 2019</i>
DECISION OF:	Delegate of the Director of Liquor Licensing
DATE OF DECISION:	29 May 2026

DECISION

1. For the reasons set out below as a delegate of the Director of Liquor Licensing (the Director), I found on the balance of probabilities, a complaint lodged under section 160(1)(b) of the *Liquor Act 2019* (the Act) does not warrant taking further action against the licensee, Northern Interests (NT) Pty Ltd (the licensee) for allegedly having breached the Act:
2. The complaint alleges that:
 - a. Contrary to section 303(2) of the Act, the licensee or their employee sold, supplied or served liquor to a child on licensed premises;
 - b. The sales of liquor were as follows:
 - i. On 1 November 2025 at approximately 15:05 hours, one (1) 375 mL can of Bundaberg Rum; and
 - ii. On 1 November 2025 at approximately 15:14 hours, two (2) 375 mL cans of Bundaberg Rum and one 355 mL bottle of Strongbow cider.
3. Upon completion of the investigation into the complaint, I am satisfied that the following action should be taken:
 - a. Pursuant to section 163(1)(a)(i) of the Act, take no further action in relation to this matter on the basis there is insufficient evidence to justify taking further action.

REASONS

Background

4. Northern Interests (the licensee) is the holder of liquor licence 80304074 (the licence) for premises known as Timber Creek Hotel, situated at 78 Victoria Highway, Timber Creek, NT (the premises). The nominee is Mr Benjamin Seekamp.

5. The licensee is issued with the following authorities:

- Restaurant authority
- Restaurant bar authority
- Takeaway authority
- Public bar authority

6. On 2 December 2025, Licensing NT received a referral from NT police concerning a child had been present on the premises and was supplied liquor by an employee of the licensee. The incident was initially recorded as occurring on 3 November 2025 but was later confirmed to have occurred on 1 November 2025.

7. A complaint was subsequently lodged on 4 February 2026 and accepted on 5 February 2026 in accordance with the Act.

THE COMPLAINTS

8. The complaint was lodged in relation to the above matter in the prescribed manner.

9. It was accepted in compliance with the Act and processed accordingly.

10. The licensee was provided with an opportunity to respond to the allegation in compliance with the requirements.

RESPONSE OF THE LICENSEE

11. On 26 February 2026, the licensee provided a response addressing both allegations.

12. In their response, the licensee stated that:

- a. Their ability to investigate the matter was limited due to the passage of time and the unavailability of additional CCTV footage.
- b. The staff member involved is no longer employed preventing any direct account of events.
- c. The initial police referral contained an incorrect date, which delayed their investigation. Despite this, they cooperated fully, located available footage beyond required retention periods, and provided all relevant material to Police.
- d. They noted the child appeared physically mature and stated they have no knowledge of his movements prior to the recorded transactions. They suggested it is possible the child may have presented identification earlier in the day, including potentially false identification, which could have influenced staff decisions.
- e. Their staff follow responsible service requirements, including ID checks for anyone appearing under 25, and maintain records of such checks.

ANALYSIS OF EVIDENCE

13. The investigation considered CCTV footage, transaction records, NT police material and the submission provided by the licensee.

14. The Act defines a child as a person who is under the age of 18 years of age.
15. The person is known to NT police and has a date of birth of 16 May 2008. At the time of the incident the person's age was 17 years 5 months and 16 days.
16. The evidence establishes that the child was present on the licensed premises on 1 November 2025.
17. The evidence further establishes that on 1 November 2025, an employee of the licensee did sell, serve and supply liquor to the child on two (2) separate occasions.
18. CCTV and transaction records provided by the licensee confirm that between 1505 and 1514 hours the child purchased three (3) 375 mL cans of Bundaberg Rum and one (1) 355 mL bottle of Strongbow cider. CCTV also depicts that while on the premises the child consumed two (2) cans of Bundaberg Rum and supplied one (1) can of Bundaberg Rum and the 355 mL bottle of Strongbow cider to other patrons.
19. It is a licence condition that the licensee must maintain and operate a camera surveillance system in compliance with any Code of Practice issued by the Commission. The Licensee must retain all data captured by the camera surveillance system for not less than 14 days.
20. I have considered the licensee's submission that responsible service requirements are followed, including identification checks for patrons appearing under 25 years of age, and that records of such checks are maintained. I have also considered the possibility that the child may have presented identification earlier in the day, including potentially false identification, which may have influenced the employee's decision to serve.
21. It is noted that the incident occurred on 1 November 2025 and was referred to Licensing NT on 2 December 2025. As the referral was made approximately 30 days after the incident, inspectors were unable to obtain additional CCTV footage as the minimum retention period of 14 days had elapsed.
22. This has materially limited the ability to fully reconstruct the sequence of events and interactions between the licensee's employees and the child prior to the supply of liquor.
23. I have also considered that the employee involved in the incident is no longer employed by the licensee and is unavailable to provide their account of events.
24. In these circumstances, there remains a material evidentiary limitation in independently verifying whether liquor was supplied to a child in contravention of section 303(2) of the Act, including whether any form of identification was requested or produced at the time of service.

DISCIPLINARY ACTION

25. On completion of an investigation, as a delegate of the Director I may do any of the following:
 - Take no further action if satisfied that there are no grounds or evidence to justify taking further action, or the matter does not warrant taking further action;
 - Give the licensee a formal warning in relation to the complaint;
 - Mediate the complaint;
 - Issue an infringement notice in relation to the complaint;

- Enter into an enforceable undertaking with the licensee; or
- Refer the matter to the Commission for disciplinary action.

26. In determining an appropriate disposition in this matter, I am required to apply the principles of proportionality, parity and deterrence.

27. The disciplinary action must be proportionate to the seriousness of the contravention and the harm arising, or potential for harm as a result of these matters.

28. Having regard to the objective seriousness of the allegations, and the licensee's submission that it cannot be ruled out that false identification was used by the child, I have also taken into account the licensee's demonstrated commitment to responsible service of alcohol, community safety, and its ongoing cooperation with NT Police and Licensing NT in maintaining a compliant and responsible venue.

29. While the investigation identified concerns regarding responsible service practices, there is insufficient evidence that the child did not present a form of identification to the licensee's employee that misrepresented his identity and age. As the allegation cannot be substantiated, I have determined that no further action will be taken in relation to this matter.

30. Within 14 days of making this decision the Act requires the complainant, licensee and the Commission to be given a copy of the notice.

REVIEW OF DECISION

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

32. 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.

33. For completeness, section 161(4) of the Act prescribes this matter is not reviewable by the Liquor Commission or the Northern Territory Civil and Administrative Tribunal.

34. The affected persons in this matter are the licensee, NT Police and the relevant inspector.



Bernard Kulda
Delegate of the Director of Liquor Licensing

29 May 2025