

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:	The Elliott Store
LEGISLATION:	Part 7, Division 3 of the <i>Liquor Act 2019</i>
DECISION OF:	Delegate of the Director of Liquor Licensing
DATE OF DECISION:	11 September 2026

DECISION

1. For the reasons set out below as a delegate of the Director of Liquor Licensing (the Director), I upheld a complaint against the licensee, Northern Interests Pty Ltd (the licensee) for having breached the *Liquor Act 2019* (the Act) on 19 August 2026 when:
 - a. Contrary to section 290(1)(a) of the Act, the licensee did not ensure that a copy of the licence and all authorities held by the licensee was posted in a conspicuous place on or in the licensed premises that is visible to patrons; and
 - b. Contrary to section 291(1) of the Act, the licensee did not produce the licence and all authorities held by the licensee to an inspector on demand of the inspector.
2. Upon completion of the investigation into the complaint, I am satisfied that the following action should be taken:
 - a. Pursuant to section 163(1)(d) of the Act, issue an infringement notice in relation to the complaint with reference to Schedule 6 of the *Liquor Regulations 2019* (the Regulations) as below for the breach pursuant to:
 - (i) section 290 of the Act – 3 penalty units - \$194.00 per unit = \$582.00 (not including any fees or levies); and
 - b. Pursuant to section 163(1)(b) of the Act, issue the licensee with a formal warning in relation to the failure to produce the licence upon demand.

REASONS

Background

3. Northern Interests Pty Ltd is the holder of liquor licence 80902117 for the premises known as The Elliott Store, situated at 83 Stuart Highway, Elliott. The nominee is Mr Benjamin Seekamp.
4. Part 13 Division 4 of the Act prescribes the obligation of a licensee, and with relevance to this matter, those around the posting and production of their licence.

5. On 27 May 2026, inspectors from Katherine attended the premises to conduct an audit of the licence, noting a copy of the licence was displayed at that time.
6. On 19 August 2026, inspectors attended the premises on or around 13:35 hours to conduct an inspection of the premises.
7. During the visit it was noted no licence was displayed as required.
8. The inspector subsequently made inquiries and asked for production of the licence, which was not produced.

THE COMPLAINT

9. On 31 August 2026, a complaint was lodged with the Director pursuant to section 160 of the Act, the grounds for the complaint being that the licensee has contravened another provision of the Act.
10. The complaint was in the approved form specifying the grounds for the complaint, was signed and lodged with the Director in compliance with the requirements of section 160(2) of the Act.
11. A delegate of the Director accepted the complaint on 1 September 2026, within the 14 day prescribed period and the licensee was given a notice of the substance of the complaint and invited to provide a response in compliance with section 162(1) of the Act.
12. On 3 September 2026, Mr Seekamp provided a response and it is acknowledged that he was not present on the day as he is based elsewhere. He is thanked for his quick response to this matter and the manner in which he has conducted several licences in and around the Territory.
13. Mr Seekamp has acknowledged the issues and failure, and provided a submission in mitigation of the events.

CONSIDERATION OF THE ISSUES

14. The posting of a copy of the licence and the ability to produce it upon demand may at first blush seem a simple matter, and non-compliance with the requirement therefore trivial.
15. The importance of this information is educational as the licence provides significant information not only to the licensee and their employees, but the general public as well.
16. Maintenance and the production of the licence has been a requirement as far back as 2010, through sections 107 and 108 of the *Liquor Act 1978*.
17. The licensee still has what was traditionally described as their “prominent notice”, a historic requirement under the 1978 Act (pre-dates 2010), on display by means of a hard sign just above the beer fridge.
18. This sign however does not meet the requirements of the 2019 Act, specifically section 290(1)(a).
19. The licensee had a copy of the licence, dated 3 June 2021 laminated and displayed as required on 27 May 2026.
20. Licensing NT records indicate no changes have been made to the licence since 2021. Reference is made in the discussion with the staff on 19 August 2026 to a new version with a QR code that will be issued. This is yet to be created and provided to the licensee.
21. This notwithstanding, the staff member claimed they had been given a copy of the QR code version of the licence by the inspectors from Katherine on 27 May 2026. With respect to the staff member, this cannot have occurred as it has not yet been created and does not accord with the body-worn footage.

22. The recollections of the Katherine inspectors were that the 2021 licence was displayed as required and they were compliant with the Act.
23. It was also submitted that the licence had been removed for cleaning and whilst this is a possibility, in the circumstances and on the balance of probabilities this is unlikely to be accurate.
24. Of concern, the staff when initially asked did not know to what the inspectors were referring, pointing out the food business registration certificate.
25. It is this aspect that is of more concern, as it is critical staff have a suitable level of experience and knowledge given the complexities and challenges that remote licensees face.
26. Inspectors wear body-worn cameras during these visits and both the interactions of 27 May 2026 and 19 August 2026 are recorded including sound.
27. On 19 August 2026, the staff member stated to the inspectors (from Alice Springs) that the Katherine inspectors had given them a copy of the new licence with the QR code and told them to laminate it and put it up.
28. To coin the phrase recollections may vary, with the privilege of watching the footage, this is not what occurred. The Katherine inspectors advised that a new one would be issued at some point, but did not provide a copy of any licence as this was unnecessary as the 2021 version was already on display.
29. It is acknowledged that it can be confronting for staff when inspectors attend premises and ask questions, especially in remote locations where they do not regularly visit and therefore do not have the rapport others may have.
30. It is important however that staff are fulsome and frank with inspectors, who are there to assist. Their primary role is not to find fault.

DISCIPLINARY ACTION

31. On completion of the 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.
32. In determining an appropriate disposition in this matter, I am required to apply the principles of proportionality, parity and deterrence.
33. 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.
34. It is of particular relevance to the disposition taken in this matter that the licensee has not previously been the subject of disciplinary action. This is even more relevant given the licensee operates several licences in remote locations in the Territory.

35. In the circumstances I am satisfied that the appropriate disposition in these two matters is the issuing of an infringement notice and a formal warning. I am confident there is unlikely to be any future similar issues.
36. Again, I thank Mr Seekamp for his timely response and dealings in this matter.

REVIEW OF DECISION

28. Section 27 (1) of the Act provides that an affected person for a delegate decision may apply to the Director for a review of the decision.
29. Section 27 (2) of the Act sets out the procedures for applying for a review of a delegate decision. Such application must be made within 28 days after written notice of the delegate decision is given to the affected person unless the Director extends the time allowed for making an application.
30. The affected persons in this matter is the licensee of Northern Interests Pty Ltd and the relevant inspector.



Mark Wood

Delegate of the Director of Liquor Licensing

11 September 2026