

ENFORCEABLE UNDERTAKING

Section 159 of the *Liquor Act 2019*

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

PAUL WINTER
DIRECTOR
For and on behalf of
OCEANVIEW DEVELOPMENTS PTY LTD
Lot 2922, 185 Darwin River Road, Darwin River NT 0841

BACKGROUND:

1. The Director of Liquor Licensing (Director) performs functions under the *Liquor Act 2019 (Act)* including referring matters of non-compliance to the Northern Territory Liquor Commission (Commission) and inviting a licensee to give an enforceable undertaking to prevent contraventions of the Act.
2. Oceanview Developments Pty Ltd, (ACN 086 096 031) (the licensee) is the holder of liquor licence 80304941/FLL for the Darwin River Tavern, located at Lot 2922, 185 Darwin River Road, Darwin River NT 0841 (the licensed premises).
3. The licence authorises takeaway, special venture, public bar; and late-night trading between midnight and 2 am.
4. The licence is subject to conditions, including a requirement that the licensee install, maintain and operate a CCTV system in accordance with requirements or guidelines issued by the Director and any applicable Code of Practice issued by the Commission.
5. Section 20 of the Act provides for the establishment of codes of practice. Where a code applies to a licensed premises, compliance with that code is taken to be a condition of the licence. Pursuant to section 20, the Commission issued the Code of Practice for CCTV Systems in Licensed Premises (Code), which commenced on 26 April 2023.
6. On 5 February 2026, an inspection (harm minimisation audit) of the licensed premises was conducted under section 149 of the Act to assess compliance with the Act, the Liquor Regulations 2019, licence conditions and applicable codes of practice.
7. The audit identified that the licensee was generally compliant in several operational and harm minimisation areas. Historical compliance issues have been minor and addressed promptly.

THE DIRECTOR'S CONCERNS:

8. The responsible service of alcohol and the provision of a safe environment that minimises alcohol-related harm are key regulatory priorities.
9. CCTV systems assist in monitoring licensed premises, supporting compliance with legal obligations, and enabling the identification of incidents and persons involved.
10. The audit identified non-compliance with mandatory requirements of the Code. Specifically, the following were not in place:
 - a) A digital CCTV system capable of producing images of sufficient clarity to enable identification of persons
 - b) A Camera Surveillance Plan.
 - c) Documented Standard Operating Procedures.
 - d) A Daily CCTV Register.
 - e) A Malfunction CCTV Register.
 - f) A CCTV Maintenance Register.

11. These deficiencies constitute non-compliance with the Act and licence conditions, including the requirement to comply with applicable codes of practice. They reduce the licensee's ability to effectively monitor patron behaviour, support responsible service of alcohol, and provide usable footage to inspectors or members of the NT Police Force.
12. Corrective action is required to implement and maintain a compliant CCTV system, including all required documentation and record keeping.

ACKNOWLEDGEMENT OF CONCERNS

13. Oceanview Developments Pty Ltd acknowledges the Director's concerns and accepts that they are reasonably held.
14. The licensee submits, and the Director accepts, that a staged implementation period of 12 months is reasonable having regard to:
 - a) The remote location of the premises and limited availability of contractors.
 - b) The need to design a system compliant with the Act and Code.
 - c) Procurement and installation of commercial grade equipment.
 - d) Integration with existing infrastructure.
 - e) Staff training and implementation of compliance systems.
 - f) Testing, commissioning, and final verification.

UNDERTAKING:

15. Pursuant to section 159(1) of the Act, and as an alternative to disciplinary action, the Director accepts the following undertaking from the licensee.
16. The licensee undertakes to upgrade the existing CCTV system to a fully compliant digital system at the Darwin River Tavern and the Rodeo Arena in accordance with the Act, Regulations, and the Code.
17. The upgrade will be implemented over two phases across a period of 12 months
 - Phase 1: 5 May 2026 - 31 October 2026 (Darwin River Tavern)
 - Phase 2: 1 November 2026 - 4 May 2027 (Rodeo Arena)
18. The licensee will continue to operate and maintain the existing CCTV system during the upgrade and implement reasonable interim measures to minimise risk including maintaining existing camera coverage and daily operational checks.

IMPLEMENTATION SCHEDULE

Phase 1 – Darwin River Tavern

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|------------------------|---|
| May 2026: | Engage a qualified CCTV contractor; undertake site assessment and compliance review |
| June 2026: | Develop compliant system design and Camera Surveillance Plan |
| July 2026: | Procure equipment and commence installation |
| August 2026: | Complete installation, testing and commissioning |
| September 2026: | Staff training; implement procedures and registers |
| October 2026: | Final compliance check and system sign-off |

Phase 2 – Rodeo Arena

November 2026: Contractor engagement and site assessment

December 2026: System design and infrastructure planning

January 2027: Procurement and installation

February 2027: Testing, commissioning and optimisation

March 2027: Staff training and implementation of procedures

April 2027: Final compliance audit and system sign-off

REPORTING

19. The licensee must provide monthly written progress reports to the Director:

- a) Commencing **1 June 2026**.
- b) Due on the first day of each month until completion of both phases.
- c) Including:
 - i. Progress against milestones.
 - ii. Completed actions.
 - iii. Any delays or risks and mitigation measures.

FINAL COMPLIANCE REQUIREMENTS

20. Upon completion, the licensee undertakes that:

- a) The CCTV system complies with the Act and Code.
- b) Footage meets required standards for image quality, retention, storage, and accessibility.
- c) The system is maintained in proper working order and regularly inspected.
- d) Staff are trained and competent in CCTV operation and compliance obligations.
- e) All required registers and records are maintained and available for inspection.

NON-COMPLIANCE:

21. If the Director considers that the licensee has not materially complied with this undertaking, the Director will provide written notice detailing the non-compliance.
22. The licensee will have 14 days from the date of the notice to provide evidence satisfactory to the Director that the non-compliance has been remedied.

ACKNOWLEDGEMENTS:

23. The licensee acknowledges that, in accordance with section 159(6) of the Act, this undertaking will be published on the Director's website and recorded in the public register.
24. The licensee acknowledges that, in accordance with section 159(7) of the Act, this undertaking may only be varied or withdrawn with the consent of the Director.

COMMENCEMENT DATE:

25. This Enforceable Undertaking commences on 5 May 2026 and remains in effect until 4 May 2027 at 23:59 hours, unless earlier withdrawn by the Director following full compliance.

PROVISION OF DOCUMENTS:

26. The address for providing the Director with any document or notice is:

The Director of Liquor Licensing
GPO Box 1154
DARWIN NT 0801
DirectorLiquorLicensing@nt.gov.au

27. The address for providing Oceanview Developments Pty Ltd with any document or notice is:

Oceanview Developments Pty Ltd
PO Box 333
DARWIN RIVER NT 0841
admin@darwinriver.com.au

SIGNED BY:



Paul Winter

Director

For and on behalf of Oceanview Developments Pty Ltd (ACN 086 096 031)

Dated this 29th day of April 2026.

Accepted by the Director of Liquor Licensing under section 159(5) of the *Liquor Act 2019*.



Mel Garde

Director of Liquor Licensing

Dated this 29 day of April 2026.