

# NORTHERN TERRITORY LICENSING COMMISSION

## REASONS FOR DECISION

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<b>PREMISES:</b>	Wurankuwu Aboriginal Corporation
<b>NOMINEE:</b>	Robert Tipungwuti
<b>PROCEEDING:</b>	Hearing requested under section 33(2) of the <i>Liquor Act</i> into conditions of the Wurankuwu liquor licence
<b>HEARD BEFORE:</b>	Ms John Flynn (Acting Chairman) Ms Jill Huck Mr Paul Costigan
<b>DATE OF HEARING:</b>	4 July 2005
<b>APPEARANCES:</b>	(Robert) John Drew for the nominee

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To allow the implementation of a permit system on the Tiwi Islands, on 12 May 2005 all Tiwi Island licensed premises (the clubs) were issued with section 33(1) notices varying the conditions of their liquor licences. The clubs were advised that, if they wished to request a hearing in relation to the changes to their conditions, they could apply within 28 days for such a hearing.

The Nominee of Wurankuwu applied for such a hearing and the matter was heard on 4 July 2005. The issues raised in the written application were as follows:

- concern about the hours of trading for permit alcohol;
- a desire not to have alcohol delivered by barge;
- concern about the sale of bottles of wine because of safety issues

Mr Drew advised the Commission that the Club wished to sell permit alcohol in the first two hours of normal trading on Saturdays, saying that there would be problems if people were consuming permit alcohol before the Club opened for on-licence trading. He said that the Club also wanted to have consistent trading hours to the other Tiwi clubs in respect of permit alcohol and that they would be happy for their licence conditions to be amended in line with that of Milikapiti. The Commission agreed to this variation in the notified conditions.

Mr Drew said that Wurankuwu's concern about permit alcohol being delivered by barge was related to the fact that, unlike other communities, they did not have a regular barge service. He agreed with the Commission, that there was no need to amend the specific condition.

In respect of the concern about wine bottles, the Commission confirmed that the Club would not be required to sell wine in bottles. It was up to the Club to decide what types of permit alcohol it would stock. If any member of the Community wished to use their permit to purchase bottled wine, then they should choose the permit option of purchasing from elsewhere.

### **The decision**

Pursuant to section 33(4) the Commission decided to vary the decision notified under section 33(1) insomuch as it relates to the hours of sale of permit liquor. The new condition now reads as follows:

*Liquor for removal and consumption away from the licensed premises shall only be sold each Saturday between 16:00 and 18:00 hours to persons having a permit issued by the Licensing Commission following assessment by the Permit Assessment and Recommendation Committee (the Permit Committee). **Permit liquor must be removed from the premises before 18:00. Bona fide staff members with permits are permitted to remove their permit alcohol after the close of trading provided there is evidence of purchase before 1800 hours. Permit liquor will be sold in accordance with the following quota:***

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All other aspects of the earlier decision are therefore affirmed.

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John Flynn  
Presiding Member  
4 July 2005