

NORTHERN TERRITORY LICENSING COMMISSION

DECISION

PREMISES: **LITCHFIELD HOTEL**

LICENSEE: LITCHFIELD TRADING CO PTY LTD

NOMINEE: PETER JERALD SHAPPERT

PROCEEDING: Sec 48(2) complaint by MS DIANA RICKARD

HEARD BEFORE: Mr J Withnall (Presiding)
Ms S McKerrow
Ms B Vos

APPEARANCES: Complainant in person
Mr G Berner for Licensee
Mr G McDonald for NT Police

DATE OF HEARING: 16 Feb 2001

DATE OF DECISION: 16 Feb 2001

This complaint of noise disturbance proceeded to a hearing at which the complainant and a supporting witness gave evidence, as did the nominee Mr Shappert for the licensee, at which point the complaint was resolved by the Commission issuing directions by consent after a conference between the parties "in chambers".

The complaint was withdrawn upon the Commission issuing the licensee with the following directions:

1. The speakers which form part of the sound system for the rodeo arena will be relocated to the roof of the "Shed", so that by directing sound towards the arena from the roof they will be pointed away from the direction of the complainant's residence;
2. The temporary barrier initiative for the car park will be implemented in accordance with Exhibit 3 (copy attached);
3. Signs will be erected prominently and clearly warning of the consequences of being barred from the premises for any patron performing the vehicular manoeuvre popularly known as "donutting" on or in the immediate vicinity of the licensed area;
4. The licensee will genuinely pursue the installation by Telstra of telephone lines through to the Shed, but in the interim will ensure that at all times there will be an

effective answering service for the telephone number publicly listed for the Litchfield Hotel.

The foregoing directions were issued by the Commission expressly without any admission of liability on the part of the licensee and without any finding on the part of the Commission that the licensee was in any way liable on the complaint, but with the consent of the licensee to such directions having the force of being issued under section 65(b) of the Liquor Act.

The complaint then being withdrawn, the proceedings stand concluded.

John Withnall
(Presiding member)
16 Feb 01

(Exhibit 3 attached)

