

NORTHERN TERRITORY LIQUOR COMMISSION
STATEMENT OF REASONS FOR DECISION

MATTER: *STREET SAFARI PARTY LIQUOR LICENCE WITH MAJOR EVENT AUTHORITY [2025] NTLiqComm 31*

REFERENCE NUMBER: LC2025/033

APPLICANT: Tropics Holdings Pty Ltd

PREMISES: Nuttall Place
DARWIN CITY NT 0800

EVENT: Street Safari Party

DATE OF EVENT: 27 September 2025

NOMINEE: Ms Frederica Ransom

LEGISLATION: Part 3 Division 4 of the *Liquor Act 2019* (NT)

DECISION: Mr Russell Goldflam (chairperson)
Ms Elizabeth Stephenson (health member)
Professor Phillip Carson (health member)

DATE OF DECISION: 22 September 2025

1. On 16 June 2025 the Northern Territory Liquor Commission (**the Commission**) issued the following decision:

1. In accordance with section 48 of the *Liquor Act 2019* (**the Act**) the Commission has determined to issue a liquor licence with a major event authority to Tropics Holdings Pty Ltd (**the licensee**). The licensee will be issued with a licence authorising the sale, supply or service of liquor to patrons at the event known as the Street Safari Party (**the event**) for consumption at Nuttall Place, Darwin City NT 0800 within the area (**the premises**) bounded in red on the plan at Appendix One to this decision notice.
2. Subject to the conditions below, the sale, supply, service and consumption of liquor is authorised only on Saturday, 27 September 2025 from 18:00 hours to 00:30 hours on Sunday 28 September 2025.
3. The Commission approves Ms Frederica Ransom as the designated nominee (**the nominee**).
4. In addition to the major event conditions set out in Part 4 Division 1 and Part 4 Division 12 of the *Liquor Regulations 2019* (**the Regulations**), the licence

shall also be subject to the following additional conditions:

- a. A staggered decline of alcohol supplied and served on the premises must be implemented:
 - i. No more than four (4) alcoholic drinks may be supplied to any one person at any one time until 23:00 hours; and
 - ii. No more than two (2) alcoholic drinks may be supplied to any one person at any one time from 23:00 to 00:30 hours.
- b. No alcoholic drinks may be supplied and served on the premises that are:
 - i. alcoholic slushies;
 - ii. 'shots' or 'shooters';
 - iii. cocktails containing more than a 30ml nip of spirit or liquor; or
 - iv. pre-mixed Ready to Drink (RTD) spirit-based products containing more than 1.5 standard drinks.
- c. Liquor and any other beverages must not be supplied or served on the premises in glass containers.
- d. Liquor must not be sold in an unopened container.
- e. If the licensee establishes a Designated Outdoor Smoking Area (**DOSA**) on the premises the licensee must supervise the DOSA to ensure that food and beverages are not consumed in the DOSA.
- f. The licensee must ensure that no more than 450 patrons are on the premises at any one time.
- g. The licensee must comply with the Northern Territory Fire & Rescue Service conditions set out in its email to the licensee on 25 August 2025 at 4:12 PM.
- h. The licensee must ensure that no liquor is brought onto or removed from the premises other than from or to the licensee's adjoining premises of Monsoons (liquor licence 80315790).
- i. The licensee must undertake the following noise mitigation measures:
 - i. Not emit any amplified sound from the premises after 23:30 hours on 27 September 2025;
 - ii. Position the stage at the northeastern end of Nuttall Place facing southwest;
 - iii. Position a large truck behind the stage to create a barrier between the stage and the Rydges Darwin Central hotel;
 - iv. Use fill speakers to distribute the sound more evenly;

- v. Engage a sound engineering team to be in attendance throughout the event to actively set levels and change frequencies as required;
 - vi. Not cause or permit its employees or patrons to cause noise emissions that exceed 55 dB(A) as received in any Rydges Darwin Central Hotel guest room with doors and windows closed;
 - vii. Provide management of the Rydges Darwin Central Hotel and the Darwin City Hotel with a mobile telephone number that will be monitored throughout the event to enable any noise complaints to be immediately relayed to the sound engineering team;
 - viii. Within ten minutes of receiving a noise complaint, notify the complainant of the steps taken to address the complaint;
 - ix. Maintain a noise complaint register that must be produced to a Licensing Inspector on request; and
 - x. Document any noise complaint received by telephone or in person, and place the documented record of the complaint and the response in the noise complaints register.
5. The Commission grants leave to Mr Hirusha Jayatilleke (Manager, Darwin City Hotel) to appear at the hearing of this matter.
2. The Commission stated that it would issue its reasons for decision in due course. It now does so.

Background

3. The applicant is the licensee of Monsoons, which describes itself as “Darwin’s most iconic party bar”,¹ and which trades with a public bar authority, an extended late night authority permitting it to trade until 04:00 every day, and an adult entertainment R-rated authority from its premises abutting Nuttall Place, a 70 metre long laneway in the Darwin CBD between Mitchell St to the southwest and Shadforth Lane to the northeast. Monsoons is one of 200 Australian licensed venues owned and operated by Australian Venue Co. The main entrance to the Rydges Darwin Central Hotel (**Rydges**) in Shadforth Lane looks directly onto Nuttall Place. The rear of the Darwin City Centre Hotel (**City Hotel**) also abuts Shadforth Lane, about 50 metres to the northwest.
4. On New Years Eve 2024, Monsoons conducted a block party in Nuttall Place pursuant to liquor licence number FLL2641 and a permit issued by the City of Darwin to close off Nuttall Place for the duration of the event. The Commission infers that the liquor licence for that event was issued by the Director of Liquor Licensing (**the Director**), to whom the Commission has delegated the power to issue liquor licenses with a special event authority, and that the licence was issued with a special event authority.

¹ Accessed at <https://monsoonsdarwin.com.au/>

5. On 21 June 2025, Monsoons conducted a similar event in Nuttall Place styled as an “Invasion Block Party”, under a licence approved by the Commission.² On that occasion, the Director had referred the application, which was objected to by Rydges, to the Commission for determination as a major event authority. For reasons the Commission explained, the chairperson determined the application as a single member of the Commission without conducting a public hearing.³
6. The Invasion Block Party licence authorised the sale of liquor from 18:00 hours on 21 June 2025 to 01:30 hours the following day, prohibited the licensee from emitting amplified sound from the premises after 01:00 hours, and included various other conditions.

The application

7. On 13 August 2025 the applicant lodged an application with the Director for a third block party in Nuttall Place, the “Street Safari Party”, an 18+ ticketed event promoted on its Facebook page in advertisements posted on 18 and 20 September 2025 as featuring, among other things, “full jungle theming and performers”, “alcoholic slushies” and amplified music from 18:00 until midnight on Saturday September 2025 from an outdoor stage in Nuttall Place.⁴ As is evident from a reading of the conditions fixed by the Commission in its decision issued on 22 September 2025, some of the licensee’s advertising claims were premised on the bold but erroneous assumption that the Commission would endorse the applicant’s plans.
8. The Director’s website informs prospective applicants that they should allow at least three months for major event applications to be processed, heard and determined.
9. As the Invasion Block Party held on 21 June 2025 had been treated by both the Director and the Commission as a major event, as distinct from a special event, the applicant must have known that there was a real prospect that the Director would maintain that view when considering the Street Safari Party application.
10. Despite this, the applicant elected to apply for the Street Safari Party licence with a special event authority, and to do so only six weeks prior to the proposed event. Any resulting inconvenience or embarrassment to the applicant is a consequence of its decision to take the risk that the Director would adhere to the approach she had taken two months previously.

² See *Invasion Block Party liquor licence with major event authority* [2025] NTLiqComm 24

³ *Ibid*, [8] – [14]

⁴ On 25 September 2025 the licensee was continuing to advertise the event on its website as featuring an outdoor stage until midnight, despite the Commission having notified the licensee on 22 September 2025 that amplified music would not be permitted after 23:30 hours.

The procedure

11. On 21 August 2025, Mr Mark Wood, a delegate of the Director, took the sensible step of consulting with the Commission chairperson regarding the procedure to be adopted. The chairperson expressed the view that, particularly having regard to the fact that there was a real prospect that Rydges would object to this application, just as it had to the event held on 21 June 2025, it would be appropriate to notify the public of the application and refer it to the Commission to be determined by a public hearing. Mr Wood proceeded accordingly, and on 11 September 2025 referred the application (which, as had been anticipated, did include an objection from Rydges) to the Commission.
12. Unfortunately, there was no single date on which counsel for the applicant, counsel for the objector and a quorum of three members of the Commission were all available to attend a hearing in time for the matter to be heard and determined before 22 September 2025, less than one week before the planned event on 27 September 2025. As a result, considerable inconvenience was caused to both the Commission and the parties. This could have been avoided had the applicant lodged its application in a timely manner.
13. Ultimately, and with the consent of all parties, the Commission decided that the only practicable and fair means available to enable the application to be determined by 22 September 2025 was for two members of the Commission panel to meet with the parties on 18 September 2025 (**the conference**) to take evidence and submissions; and for the full panel of three members to then meet and conduct a hearing on 22 September 2025 in the absence of the parties. The Commission issued its decision notice to the parties later that day.
14. In the view of the Commission, resort to this unconventional and inefficient course is permitted by the Act and the *Liquor Commission Act* (**the LCA**), for the following reasons.
15. Section 19 of the LCA provides that when the Commission convenes, 3 members constitute a quorum. Section 17 provides that for dealing with a matter, the Commission is constituted by the chairperson (or a deputy) and at least 2 other members, one of whom must have health expertise.
16. Section 23 of the *Liquor Act* relevantly provides that, firstly the Commission “may inform itself in any manner it considers appropriate”, and secondly, the Commission must give all parties to a hearing an opportunity to be heard. At the conference (which was recorded and transcribed), all parties were provided with an opportunity to be heard. When it convened its hearing on 22 September 2025, the full panel informed itself of what the parties had said at the conference, and received the documentary and oral evidence adduced at the conference.
17. Section 21 of the Act confers power on the Commission to conduct a hearing in the absence of the parties if it is of the opinion that it is not appropriate in the circumstances because (among other things) a public hearing is likely to cause undue hardship to a person. In this instance, the only date on which both counsel for the applicant, counsel for the objector and the parties’ witnesses were all available was 18 September 2025. The Commission formed the opinion that in

these circumstances, it would not be appropriate to conduct a public hearing on 22 September 2025, which was the earliest date it was able to muster a quorum.

18. Section 6 of the LCA provides:

- (1) The Commission has the functions imposed on it under this Act or the *Liquor Act 2019*, and must do any other thing that is necessary or convenient to be done for the proper performance of those functions.
- (2) Without limiting subsection (1), the Commission's functions include making decisions on all matters referred to it under the *Liquor Act 2019*.
- (3) The Commission has the power to do all things that are necessary or convenient to be done for, or incidental to, the performance of its functions.

19. In discharging its functions under s 59 and s 60 of the *Liquor Act* to consider and then determine an application for a liquor licence that the Director has referred to the Commission, in the unusual circumstances of this matter, the Commission formed the view that it was certainly convenient and arguably necessary to proceed as it did.

The conference

20. The conference proceeded before the chairperson and member Stephenson. Ms Monteriso, a lawyer, appeared for the applicant, along with Ms Ransom (manager, Monsoons) and Mr O'Connor (head of entertainment, Australian Venue Co). Mr Wood appeared for the Director. Ms Nguyen, a lawyer, appeared for the objector, along with Ms Favila (hotel manager, Rydges) and Mr Lewis (owner's representative, Rydges). The manager of City Hotel, Mr Jayatilleke, also attended the conference.

Application for leave to appear

21. Mr Jayatilleke, a person who objected to the application but who had not lodged an objection, applied for leave to appear pursuant to s22(1)(c) of the Act. This application was supported by Rydges, and opposed by the applicant and the Director.

22. In considering whether to grant leave, the Commission took into account the following circumstances:

- a. Public notice of the application was effected by way of: green signs erected in Mitchell St, Nuttall Place and Shadforth Lane; a notice in the NT News on 30 August 2025; and a notice on the Director's website, with an abridged response period fixed by the Director of seven days.
- b. The Director abridged time to allow objections "on the basis of timeframes

and that special events are not ordinarily subject to public notices”.⁵

- c. The applicant hand-delivered notices of the application to 62 local businesses, including Rydges, but not including City Hotel. The applicant was unable to explain the omission of City Hotel, and conceded that it should have notified City Hotel.
 - d. The applicant was unable to explain why the notices to neighbouring businesses were not delivered until 11 September 2025, after the response period for objectors fixed by the Director had expired.
 - e. Mr Jayatilleke first became aware of the application on 17 September 2025, when he was alerted to it by Ms Nguyen, who requested he attend the hearing.
 - f. Similarly, Mr Jayatilleke had not received prior notification of the Invasion Block Party on 21 June 2025.
 - g. Mr Jayatilleke has received complaints from guests of City Hotel of noise from music emitted from unidentified nearby venues. City Hotel has 90 rooms.
 - h. Previously, when City Hotel guests have complained about noise, Mr Jayatilleke has provided refunds or discounts, or relocated the guest to a room facing away from Monsoons.
 - i. All of the parties to the conference agreed that it would be appropriate for Mr Jayatilleke to be called as a witness at the conference.
 - j. If Mr Jayatilleke had received timely notice of the application, he would have lodged an objection.
23. The Commission considers that there is force in the Director’s submission that to grant leave to appear to a person who has not lodged a valid objection tends to undermine the statutory scheme of Part 3 Division of the Act, which regulates the making of objections. However, the manner in which the applicant made and managed the application substantially contributed to the result that Mr Jayatilleke did not become aware of it until it was too late for him to make a valid objection. On balance the Commission considers that in all the circumstances, and having regard to the primary and secondary purposes of the Act, it was in the interest of the administration of the Act to grant leave to Mr Jayatilleke to appear.

The evidence

24. The Commission admitted the following documentary evidence, all of which was tendered without objection:
- a. Exhibit One: 105 page brief under cover of memorandum by Wood dated 11

⁵ Mr Wood’s Memorandum to Commission, 11 September 2025

September 2025, including:

- i. Application for liquor licence with special event authority, 13 August 2025
 - ii. Section 54 affidavit, David Noonan, 13 August 2025
 - iii. Site plan of proposed premises
 - iv. Event management plan, including:
 1. Site plan
 2. Pedestrian, crowd and security management
 3. Alcohol management
 4. Noise/sound management
 5. Operational management
 6. Risk management
 7. Emergency management
 - v. Traffic management plan
 - vi. Correspondence between applicant and Licensing NT
 - vii. Rydges objection, 11 September 2025
 - viii. Public notices of application, 29 May 2025
 - ix. Stakeholder responses:
 1. Department of Health
 2. NT Police
 3. NT Fire & Rescue Service
 4. St John Ambulance
 5. City of Darwin
 - x. Applicant's response to stakeholder comments, 5 September 2025
 - xi. Notice of application to businesses in the neighbourhood, 5 September 2025
 - xii. Register of delivery of notice to neighbourhood businesses
- b. Exhibit Two: Licensee's response to objection, 16 September 2025; and City of Darwin Comprehensive Event Permit, 3 September 2025
- c. Exhibit Three: Affidavit, David Noonan, 17 September 2025
- d. Exhibit Four: Letter Monteriso to Commission chairperson, 17 September 2025
- e. Exhibit Five: email O'Connor to Monteriso plus Incident Register, 23 June 2025
- f. Exhibit Six: correspondence between O'Connor and Nguyen, 18-20 June 2025
- g. Exhibit Seven: email Monteriso re: "major event", 20 August 2025
- h. Exhibit Eight: Rydges floor plan
25. Mr O'Connor, Ms Ransom, Mr Lewis and Mr Jayatilleke gave oral evidence at the conference, which the Commission summarises as follows.

26. Mr O'Connor, the National Entertainment Manager for Australian Venue Co, travelled from his base in Perth to Darwin for the Invasion Block Party, and will again travel to Darwin to manage the Street Safari Party. He has developed a good working relationship with "Juan", a manager at Rydges. During the Invasion Block Party there were two complaints by Rydges guests, and Mr O'Connor promptly went to their rooms, took sound measurements and offered the guests earplugs. The first complaint was at 20:07 hours, where he recorded noise levels of 42 dB(C) over a 3 minute period using a hand-held noise measurement device. The second complaint was at 21:20, where Mr O'Connor measured noise levels of 47 dB(C).⁶ He would be concerned if there were a reading in a hotel room of 75 to 80 dB. He works closely with the event sound engineer, who will be on site throughout the event. He is unfamiliar with the Noise Management Framework Guideline issued by the Northern Territory Environment Protection Authority. He does not know what the relevant recommended or prescribed noise limits are for the Northern Territory. Australian Venue Co has booked six premium rooms at Rydges overlooking Shadforth Lane for this event. Although the applicant has advertised the main stage as being open until midnight, its plan is to have live music until midnight, followed by an hour of recorded music with a DJ, and to reduce noise levels "significantly" after midnight.
27. Ms Ransom, the manager of Monsoons, stated that at the Block Invasion Party, sound levels were "dramatically" reduced at midnight, and that patrons gradually left between midnight and 01:00 hours.
28. Mr Lewis, representing the owners of Rydges, stated that of its 132 rooms, 24 are premium rooms on 6 floors overlooking Shadforth Place, and that for the Invasion Block Party he instructed the manager to stop selling those rooms, leaving 15 of them unoccupied, at a direct cost to Rydges of \$4,500 in lost revenue. The rest of the hotel that weekend was almost at capacity, as it was Supercars weekend. Rydges has similar occupancy rates for 27 September 20225, which is AFL grand final weekend, and will turn away about \$3,000 of business for each of those two nights, because it will not sell its premium rooms to the general public. If Rydges hadn't stopped selling the rooms overlooking Shadforth Lane, there would have been more complaints. A larger problem is the reputational damage from negative customer reviews on platforms such as TripAdvisor. "Our livelihood is based on our reputation." The bass sounds come through the walls, and providing earplugs to hotel guests to mitigate noise is unacceptable. He is also concerned about the noise and other problems from 400 to 500 partygoers in the street at night outside Rydges. The hour after the event, when the licensee is bumping out until 02:00, can also be noisy. Rydges does not object to Monsoons holding a block party on New Years Eve, because Rydges closes for two weeks over the Christmas/New Year period. Rydges has also complained to Licensing NT about noise from another nearby Shadforth Lane venue, Bustard Town, which has also caused Rydges to stop selling affected rooms.
29. Mr Jayatilleke, the City Hotel manager, said that unlike Rydges, he could not afford to stop selling rooms. He would prefer a cutoff time of 23:00 hours for the music.

⁶ Exhibit Five

Consideration

30. As required by s 3(4) of the Act, the Commission has had regard to the primary and secondary purposes of the Act in determining this application, and considers that its decision is consistent with those purposes.
31. The Commission has had regard to all of the matters set out in s 60 of the Act that it is required to consider regarding the suitability of the applicant, the proposed licence nominee and the premises. In doing so, the Commission notes that:
 - a. The applicant and the proposed licence nominee are well-established as the operators of Monsoons, which the Director has informed the Commission has no adverse compliance history.
 - b. The premises have recently been used for two similar events, which were – putting aside for the moment the contentious issue of noise omissions – successfully operated.
 - c. None of the stakeholders consulted by Licensing NT (as is required by s 56(4) of the Act) was opposed to the application, although they proposed various conditions, which have been incorporated into the Commission’s decision.
32. The Commission has given careful consideration to the objections by Rydges and Mr Jayatilleke on behalf of City Hotel, the key features of which were:
 - a. The objectors’ close (and in the case of Rydges, immediate) proximity to the proposed event.
 - b. The objectors’ expectation that loud music played outdoors in Nuttall Place until 01:00 hours would cause undue and unreasonable noise that affects the amenity of the neighbourhood, and in particular, paying guests of the hotels.
 - c. The resulting disturbance would disrupt the hotels’ business and reputation, and disturb their guests.
 - d. The significant economic loss Rydges incurred as a result of its decision to stop selling rooms overlooking Shadforth Lane on 21 June 2025 to avoid exposing paying guests to excessive noise from the Invasion Block Party, and its similar decision in relation to the Street Safari Party.
33. Neither the objectors or any other party submitted that the application should be refused in its entirety. The current application is for an event substantially similar to the Invasion Block Party event on 21 June 2025, in relation to which the Commission made the following observations, which it now adopts:⁷

The Commission has considered the ten public interest objectives set out at s 49(1) of the Act, and the ten community impact matters set out

⁷ *Invasion Block Party liquor licence with major event authority* [2025] NTLiqComm 24, [20] – [22]

at s 49(2) of the Act. A particularly relevant s 49(2) matter is the risk of undue offence, annoyance, disturbance or inconvenience to persons who reside or work in the vicinity of the proposed premises. That risk is real, but is substantially mitigated by the very short duration of the licence.

Also of relevance is the location of the proposed event in the heart of the Darwin entertainment precinct, where there are numerous late night trading venues, including Monsoons itself, which is authorised to trade until 04:00 every night.

The application of the public interest and community impact tests generally involves a balancing exercise, and consideration of this matter is no exception. On the one hand, there are objectives and matters that weigh against approving the issue of the licence. For example, the event may lead to an increase in anti-social behaviour and disturbing noise. On the other hand, there are objectives and matters that weigh in favour of approving the issue of the licence. For example, the block party may modestly increase cultural, recreational, employment and tourism benefits for the local community area.

34. Having considered all these matters, the Commission is satisfied that it was in the public interest to approve the licence, and that it would not have a significant adverse impact on the community.

A major event authority

35. The Commission invited, received and considered submissions from the parties on whether the licence should be issued with a major event authority or a special event authority.

36. Section 47(1)(o) of the Act defines a major event authority as one that is expected:

- a. to have at least 1,500 attendees; or
- b. to have a significant effect on public transport or local amenities; or
- c. to require more than a usual amount of emergency services or police supervision.

37. The Street Safari Party will have less than 500 attendees, will have no effect on public transport (Nuttall Place is not on a bus route) and will not require more than a usual amount of emergency services or police supervision (as may be inferred from the responses to the application from St Johns Ambulance and NT Police). Accordingly, the only basis on which the application could be properly categorised as a major event is if it is expected “to have a significant effect on local amenities”.

38. The Macquarie Dictionary definition of “amenities” includes:

features, facilities, or services of a house, estate, district etc which

make for a comfortable and pleasant life

39. The Commission finds that in relation to a licensed event in Nuttall Place, Rydges and City Hotel are “local amenities” for the purpose of 47(1)(o) of the Act. Having heard the evidence of Mr Lewis and Mr Jayatilleke, which it accepts, the Commission further finds that the proposed event will have a significant effect on these local amenities.
40. The Commission has therefore determined to issue the licence with a major event authority.

Noise management

41. For the block invasion party, the Commission imposed the following noise management conditions:
- i. Position the stage at the northeastern end of Nuttall Place facing southwest;
 - ii. Position a large truck behind the stage to create a barrier between the stage and the Rydges Darwin Central hotel;
 - iii. Use fill speakers to distribute the sound more evenly;
 - iv. Engage a sound engineering team to be in attendance throughout the event to actively set levels and change frequencies as required;
 - v. Provide management of the Rydges Darwin Central Hotel with a mobile telephone number that will be monitored throughout the event to enable any noise complaints to be immediately relayed to the sound engineering team;
 - vi. Within ten minutes of receiving a noise complaint, notify the complainant of the steps taken to address the complaint.
 - vii. Maintain a noise complaint register that must be produced to a Licensing Inspector on request;
 - viii. Document any noise complaint received by telephone or in person, and place the documented record of the complaint and the response in the noise complaints register; and
 - ix. Not emit any amplified sound from the premises after 01:00 hours on 22 June 2025.
42. The Commission finds that the licensee complied with these conditions. With the exception of the last of them, the applicant has not raised concerns about them being re-imposed for the Street Safari Party, and the Commission has accordingly done so.
43. In addition, the Commission notes that the Permit issued by the City of Darwin includes the following noise mitigation measure, which the licensee will also be

required to comply with:

Bass levels must be reduced incrementally from 11.00 pm onwards, in line with discussions with the Events Coordinators and the outcomes of stakeholder engagement.

44. The Commission was impressed by Mr O'Connor, who demonstrated on behalf of the licensee a practical and constructive approach to the sensitive issue of managing noise. He is to be commended for establishing a warm relationship with Rydges management, and for responding sympathetically and quickly to the two noise complaints that were made on 21 June 2025. The Commission encourages the applicant and Rydges to build on this co-operative foundation on the occasion of the Street Safari Party. For example, it may be beneficial to both parties for Rydges to facilitate the taking by Mr O'Connor of noise measurements inside one of its premium rooms during sound testing prior to the commencement of the event.
45. Nevertheless, the applicant's evidence in relation to acceptable noise levels was not altogether satisfactory. On 18 June 2025, prior to the Invasion Block Party, Ms Monteriso wrote to Ms Nguyen, stating that "The approved noise levels will align with the standard maximum decibel limits deemed appropriate for events of this nature."⁸ Despite this, the applicant's evidence was that it did not know what these limits actually are. For the reasons that follow, the Commission does not agree with the opinion implicit in Mr O'Connor's evidence that noise levels up to 75 dB to 80 dB inside a hotel room would be acceptable.
46. In numerous previous matters dealing with noise from licensed premises, the Commission has taken the approach that to the extent that it is practicable to do so, licensees should comply with the Noise Management Framework Guideline issued by the Northern Territory Environmental Protection Authority (**the Guideline**).⁹ Similarly, the Commission has on several occasions imposed noise management licence conditions derived from the Guideline.
47. The Guideline includes the following table:

Table 3.14: Recommended project specific assigned noise levels for outdoor entertainment venues

Time	Recommended project specific assigned noise levels
Day/Evening period	55 dB(A) when located indoors with doors closed and windows open only if it is the only means of ventilation.

⁸ Exhibit Six

⁹ Accessed at https://ntepa.nt.gov.au/media/waste-and-pollution/pdf/guidelines/noise_management_framework_guideline.pdf

Night period	The noise from the outdoor venue premises shall not be audible within any habitable room for the night period as detailed in column three of Table 3.12.
--------------	--

48. Table 3.12 provides that on a Saturday, “night period” is the period from 23:30 hours to 08:00 hours the following day. The Guideline also provides detailed recommendations on how noise levels should be measured for the purpose of compliance with these standards.
49. The principal issue in contention between the parties was how long the applicant should be permitted to continue to emit amplified music. The objectors urged the Commission not to permit music to continue after 23:00 hours. The applicant, as mentioned above, promoted the event as one at which the outdoor stage would be operating until midnight. At the conference, the applicant stated that it also planned to continue to play recorded music from the stage with a DJ until 01:00 hours. In the view of the Commission, whether the music is live or recorded is irrelevant to whether the noise heard by nearby hotel guests is undue and unreasonable. What matters is how loud it is.
50. The Commission has determined to impose noise management conditions in accordance with the Guideline. Before 23:30 hours, noise from the Monsoons outside stage as received inside a Rydges room overlooking Shadforth Lane with the windows closed should be no more than 55 dB(A). After 23:30, there should be no noise that emanates from the Street Safari Party audible in a Rydges room. To achieve this, the Commission has determined to prohibit the playing of amplified music after that time. Given that Rydges directly overlooks Nuttall Lane, the Commission considers that this is a clear, reasonable and practical measure that will facilitate compliance with the Guideline.
51. Coincidentally, 23:30 hours is precisely halfway between 23:00 hours, the time the objectors submitted the music should stop, and 24:00 hours, the time the licensee has publicly advertised as the end of the period when the outdoor stage will be in operation.
52. The Commission is confident that the licensee will comply with these conditions, and is optimistic that this will enable Rydges and City Hotel to operate as usual without having to field complaints, stop selling rooms, suffer financial loss or be exposed to reputational damage. If the Commission’s optimism turns out to be well-founded, then this will in turn open the door for the licensee to put on similar block parties in Nuttall Place in the months and years to come.

Trading hours

53. In its application, the applicant proposed trading hours of 13:00 hours on 27 September 2025 to 01:00 hours the following day.¹⁰ However, in the Event Management Plan submitted in support of its application, the applicant stated:¹¹

¹⁰ Exhibit One, p. 14

¹¹ Exhibit One, p. 29

We will also be hosting a family fun day with activities & attractions along with the AFL Grand Final. The family fun day will run from 12pm till 4pm and then the event will be cleared and reset for the night.

54. On its website and Facebook page, the applicant has advertised the outdoor stage as commencing at 18:00 hours.
55. In his memorandum to the Commission dated 11 September 2025, Mr Wood stated that the applicant was seeking to trade from 18:00 hours to 01:00 hours the following day.¹² The Commission infers that in making this statement Mr Wood was relying on prior discussions between the applicant and officers of Licensing NT. At the conference the applicant, who had been provided with Mr Wood's memorandum, did not propose a different time for the commencement of trade. Noting that the trading hours the Commission approved for the Invasion Block Party on 21 June 2025 also commenced at 18:00 hours, the Commission determined in relation to the current application to authorise the commencement of trade at 18:00 hours on 27 September 2025.
56. The time at which trade should cease was more contentious. The Commission accepts Ms Ransom's evidence that there are benefits in arranging the event so that patrons do not all leave at the same time, but over a period, as the party winds down. Having determined that amplified music must not be played after 23:30 hours, the Commission expects that from that time the party in Nuttall Place will wind down. Patrons who wish to party on will have the opportunity to do so until 04:00 inside Monsoons, where the "Boiler Room" indoor stage will continue the entertainment.
57. The Commission considers that it is appropriate to allow trade in Nuttall Place to continue for an hour after the outside stage closes, and has accordingly ordered that the licence cease to operate at 00:30 hours on 28 September 2025.

Other licence conditions

58. The remaining conditions imposed by the Commission are substantially similar to those the Commission fixed for the Invasion Block Party. However, in addition, the Commission has determined not to permit the sale of either alcoholic slushies or pre-mixed Ready to Drink (**RTD**) spirit-based products containing more than 1.5 standard drinks.
59. The applicant proposed to sell alcoholic slushies at the event. In an email response dated 11 September 2025 to a request by Licensing NT to clarify this proposal, Ms Monteriso stated "Ice cream and slushies will be non alcoholic during the family event. Ice cream will remain no alcoholic and slushies will be made alcoholic." At the conference, when asked to explain the rationale for serving alcoholic slushies, Ms Monteriso said, "Everyone loves a slushie". Ms Ransom explained that slushies would be pre-mixed by adding a bottle of wine to 250 ml of

¹² Exhibit One, p. 3

syrup. Served in a wine cup with ice, each slushie would contain less alcohol than a glass of wine.

60. The Commission is not satisfied that the sale of alcoholic slushies as proposed by the applicant is in the public interest. Although the Commission accepts that the slushies will be less potent than a glass of wine, to paraphrase Ms Monteriso, people love to drink them. That is no doubt because they are so attractively sweet, refreshing and cooling on a hot Darwin night. The Commission is concerned that to supply alcoholic slushies at this event would not advance the public interest objectives in s 49(2) of the Act of minimising the harm caused by the consumption of liquor, ensuring liquor is consumed in a responsible manner, protecting the safety, health and welfare of patrons, and preventing practices that encourage irresponsible drinking.

61. In its response to the application, NT Health suggested that:

consideration be given to limiting alcohol content in RTD containers or reducing the number of RTD containers able to be purchased per transaction to reduce the risk of harm.

62. The Commission agrees, and has imposed a condition the effect of which is to allow the sale and consumption of full strength 375 ml RTD cans, but not 440 ml full strength RTD cans, or high strength RTD cans.¹³

63. For the above reasons, the Commission determined to issue the licence with the conditions set out in its decision of 22 September 2025.



Russell Goldflam

Chairperson

On behalf of Commissioners Goldflam, Stephenson and Carson

25 September 2025

¹³ See Australian Government, *Standard Drinks Guide*, accessed at <https://www.health.gov.au/topics/alcohol/about-alcohol/standard-drinks-guide>

APPENDIX ONE

