

NORTHERN TERRITORY LIQUOR COMMISSION
DECISION NOTICE AND REASONS FOR DECISION

CITATION: *RODEO PROMOTIONS NT PTY LTD APPLICATION FOR A LIQUOR LICENCE WITH A MAJOR EVENT AUTHORITY [2024] NTLiqComm 17*

REFERENCE: LC2024/010

APPLICANT: Rodeo Promotions NT Pty Ltd

PREMISES: Darwin Showgrounds
1 Tate Place
WINNELLIE NT

PROPOSED EVENT: Rounds 1 and 2 Northern Golden Buckle Rodeo Series

DATE OF EVENT: 11 May 2024, 7 September 2024

NOMINEE: Ms Jodi Abela

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

DECISION OF: Mr Russell Goldflam (Chairperson)

DATE OF DECISION: 24 April 2024

DECISION

1. For the reasons set out below and in accordance with s 48 of the *Liquor Act 2019* (**the Act**) the Northern Territory Liquor Commission (**the Commission**) has determined to issue a licence to Rodeo Promotions NT Pty Ltd (**the Applicant**). The Applicant will be issued with a major event authority attached to the licence authorising the sale, supply or service of liquor to patrons at two rodeo events in the Northern Golden Buckle Rodeo Series (**the events**).
2. The premises for the events (**the premises**) is the area within the Darwin Showgrounds, 1 Tate Place, Winnellie NT bounded in red marked on the plan at page 50 of the brief of evidence provided by the Director Liquor Licensing (**the Director**) to the Commission.

3. The dates and hours of trading of the events are:
 - Saturday, 11 May 2024 from 12:00 hours to 01:00 hours the following day; and
 - Saturday, 7 September 2024 from 15:00 hours to 01:00 hours the following day.
4. The licence will be issued immediately following the publication of this decision notice.
5. The Commission approves Ms Jodi Abela as the designated nominee (**the Nominee**).
6. In addition to the major event conditions set out in Division 12 of the *Liquor Regulations 2019 (the Regulations)*, the licence is subject to the following additional conditions:
 - a. The boundary of the licensed area at the premises must be clearly identified, and access to the licensed area must be restricted in a manner that allows for effective supervision by the Nominee.
 - b. The Nominee or an RSA certified person appointed by the Nominee as a bar manager must be present during all trading hours, supervise the sale of liquor and ensure compliance with these conditions.
 - c. A staggered decline of alcohol served must be implemented as follow:
 - i. no more than four alcoholic drinks may be sold to any one person at any one time before 21:00 hours;
 - ii. no more than two alcoholic drinks may be sold to any one person at any one time from 21:00 to 23:00 hours; and
 - iii. no more than one alcoholic drink may be sold to any one person at any one time from 23:00 to 01:00 hours the following day.
 - d. No alcoholic drinks that contain more than 1.6 standard drinks in one vessel may be sold or served.
 - e. Alcohol or any other beverages must only be sold to patrons in opened cans.
 - f. The licensee must comply with the “Industry Code of Practice for the Promotion of Liquor”, provide a safe drinking environment, prevent irresponsible or excessive consumption of liquor and ensure all staff are properly instructed to watch for and prevent drink spiking.

- g. Patrons under 18 years of age must be issued with a yellow wristband upon entry clearly identifying them as being under 18 years of age.
- h. The licensee must remove and exclude from the premises any person under 18 years of age who is in possession of liquor or who attempts to obtain liquor.
- i. The licensee must remove and exclude from the premises any person who supplies or attempts to supply a person under the age of 18 years with liquor on the premises.
- j. The licensee must not permit a patron to purchase, consume or possess liquor unless they display an inked "over 18" wrist stamp applied by a person employed by the licensee or a contractor engaged by the licensee.
- k. The licensee must make soft drinks and water available from the bar and also from separate outlets for patrons under 18 years of age.
- l. The licensee must establish and maintain at least one designated "Alcohol Free Zone".
- m. The licensee must exclude or remove from the premises any person who is wearing the colours, insignia or emblems of an outlaw motorcycle gang (Bikie Gang).

REASONS

BACKGROUND

7. On 1 March 2024 the Applicant lodged an application for a liquor licence with a major event authority.
8. The Applicant seeks a liquor licence to permit the sale of liquor to patrons attending Round One ("Top End Rock n Rodeo Muster") and Round Two of the Northern Golden Buckle Rodeo Series. These events will be held at the Darwin Showgrounds in Winnellie.
9. The Applicant seeks the following hours of trade:
 - Saturday, 11 May 2024 from 12:00 hours to 01:00 hours (the following day)
 - Saturday, 7 September 2024 from 15:00 hours to 01:00 hours (the following day)
10. The Northern Golden Buckle Rodeo Series is a community sporting event which includes activities involving a series of riding and roping contests. This is a ticketed event that attracts regular rodeo visitors and offers a new experience for locals and tourists which mainly attracts families. The event will have competitors aged between 5 years and 60 years including a number of horse and cattle

sporting events for the duration of the rodeo. The main rodeo will commence at 16:30 hours and end at 20:30 hours followed by a live band and then a DJ until 01:00 hours the following morning.

11. The Applicant intends to offer a range of alcoholic and non-alcoholic beverages including light, mid and full-strength alcohol content options.
12. The sale of liquor is proposed via two bars being the main bar and the VIP bar. The VIP bar will be located in the arena with a four hour drink and food package for the duration of the rodeo. VIP ticket holders are required to be 18 years and over unless accompanied by an adult, and the supply and consumption of liquor to VIP ticket holders will be subject to Responsible Service of Alcohol requirements, as well as the licence conditions.
13. The Applicant advised there will be free water refill stations.
14. The Applicant expects a crowd at any one time of 5,000 people on 1 May 2024, and 3,000 people on 7 September 2024. The Applicant states that it will engage Neptune Security to provide sufficient Crowd Controllers to comply with regulation 68(2) of the Regulations.
15. On 22 February 2023 and 9 May 2023 the Commission issued liquor licences to the Applicant for similar events, Rounds One, Two and Three of the 2023 Golden Buckle series, and approved Ms Jodi Abela to be the licence nominee. The Applicant proposes that Ms Abela again be the licence nominee.
16. In its decision notice of 9 May 2023 [2003] NT LiqComm 13, the Commission stated at [14]:

Licensing NT compliance officers attended Round One of the Golden Buckle, which took place on 29 April 2023, and on 9 May 2023 provided the Commission with a report of their inspection of that event. About 1,600 patrons were on the premises when the inspection was conducted between 20:30 and 21:30 hours. According to the compliance officers' report, only 11 crowd controllers were on the premises. Regulation 68(2) of the Regulations requires there to be 17 crowd controllers for an event with 1600 patrons. Despite this possible breach of the Regulations, the compliance officers' report was generally favourable regarding the sale, supply and consumption of liquor at the event. The only other observation adverse to the licensee was that there were insufficient waste disposal bins, which were overflowing.

17. Licensing NT officers also attended the Golden Buckle rodeo on 19 August 2023, and observed that on this occasion there were sufficient crowd controllers to comply with the Regulations, there were sufficient waste bins, and they were

being regularly emptied. The Applicant is to be commended for having promptly and effectively addressing the problems identified with the April 2023 event.

18. At the August 2023 event, in compliance with the conditions of its licence, the Applicant issued colour-coded wristbands to all patrons as a means of identifying minors. Despite this, 16 minors were ejected from the venue due to consuming liquor. In 2024, the Applicant has modified its approach to the challenge of preventing under-age drinking at its events by proposing to issue wristbands to minors, and applying a purpose-designed distinctive inked stamp to the wrist of patrons over the age of 18. The Commission accepts that this scheme is likely to be more effective than its predecessor, as persons without a wrist stamp will be required to satisfy bar staff or a security officer that they are over 18 before being sold liquor.
19. At the 2023 events, which were held at the Robbie Robins Reserve, there was no traffic control, no public transport, and no regulated parking. In 2024, the Applicant has moved the events to the Darwin Showgrounds, which has ample parking facilities, and engaged a consultant to prepare a detailed Traffic Management Plan in accordance with the relevant prescribed standards.
20. The Applicant supplied supporting documents, including:
 - Support for the character and qualifications of the proposed nominee
 - Affidavit in accordance with s 54 of the Act
 - Declaration of associates
 - Public interest and community impact assessment
 - Draft public notice
 - Hazard & Risk assessment
 - Insurance certificates of currency
 - Neptune Security Services quote
 - Neptune Security Services operations manual
 - Smoking management plan
 - Traffic management plan
 - Event management plan
 - Site plan
 - Certificate of registration of the applicant company

PUBLICATION AND CONSULTATION

21. The application was advertised on the website of the Director of Liquor Licensing (**the Director**) and published in the NT News on Saturday, 9 March 2024. A green sign was also erected at the site advising the public of the application. Copies of the NT News and photographs of the green sign erected were supplied. The applicant provided a statement of display. There were no objections to the application.
22. The following stakeholders were invited to provide comment on the application:
 - Department of Health
 - Northern Territory Police
 - Northern Territory Fire & Rescue Service
 - St John Ambulance
 - City of Darwin
23. None of these stakeholders objected to the application.

REFERRAL TO COMMISSION

24. On 9 April 2024 the Director referred the application to the Commission.
25. Given that no objections were received, that this is an application for a licence for two major events that will each take place in a single day, and that similar previous events have been conducted with only minor non-compliance issues, I consider that it would not be worthwhile to conduct a public hearing. Accordingly, I have dealt with the matter on the papers pursuant to s 21(3) of the Act and pursuant to my delegation to deal with such an application as a single member of the Commission.

ASSESSMENT OF THE APPLICATION

26. In accordance with s 59 of the Act, I have considered:
 - a. the Applicant's affidavit required by s 54;
 - b. the suitability of the premises to be licensed, having regard to any law of the Territory regulating the sale, supply, service or consumption of liquor or the location, construction or facilities of those premises;
 - c. the financial stability, general reputation and character of the Applicant;
 - d. whether the Applicant and the Nominee are fit and proper persons to hold a licence.

27. In accordance with s 49 of the Act, I have also considered whether issuing the licence is in the public interest, and whether the licence will have a significant adverse impact on the community.
28. I am satisfied that the Applicant has complied with the requirements of ss 54 and 55 of the Act.
29. The Darwin Showgrounds have hosted numerous licensed events in the past, and have facilities suitable for events of this nature. The premises are securely fenced to ensure that only ticket holders can enter and arrangements have been made to engage an appropriate complement of security guards to attend the events.
30. I am satisfied that the proposed premises are suitable for the supply and consumption of liquor in the manner set out in the application.
31. In a decision notice issued on 21 February 2023 the Commission assessed the Applicant and the Nominee as being suitable to hold a liquor licence with a major event authority at the same premises for a similar event. In doing so, the Commission referred to the following statement by the Applicant ([2023] NTLiqComm 6 at [29]):

Rodeo Productions NT is a not-for-profit equine sporting business formed in 2022. The business directors have been involved in the rodeo industry over the past 40 years. All four directors operate their own successful companies and established the not-for-profit to give back to the rodeo community. The company will be holding clinics and other activities focussed on youth and the sport's growth.

32. Accordingly, I find that the Applicant's financial stability, general reputation and character are satisfactory for the purpose of this application.
33. The Commission considers that the Applicant and Nominee continue to be fit and proper persons to be granted a liquor licence with a major event authority.
34. I have also had regard to the public interest and community impact requirements in s 49 of the Act. I particularly take into account the following matters:
 - The premises are located in a non-residential area
 - The two proposed events are of relatively short duration
 - The Applicant has demonstrated the capacity to run a similar event successfully
 - All the junior rodeo events are scheduled to take place in the morning well before the licensed bars open at 16:00 hours

- The licence conditions imposed are calculated to reduce the risk that patrons will drink to excess and cause alcohol-related harm
35. I am satisfied that issuing the licence with a major event authority is in the public interest and will not have a significant adverse impact on the community.
36. Section 3(4) of the Act provides that in performing its function to decide whether to issue the licence, the Commission must have regard to the primary and secondary purposes of the Act. I consider that the issue of the licence and authority with the conditions imposed is consistent with the purposes of the Act.
37. Accordingly, the Commission has determined to issue the licence with a major event authority on the conditions set out at the commencement of this Decision Notice.

NOTICE OF RIGHTS

38. Section 60(3) of the Act requires the Commission to give a decision notice to an applicant after making a decision under s 60(1).
39. Section 31 of the Act provides that any decision of the Commission for which a decision notice is required is reviewable by the Northern Territory Civil and Administrative Tribunal (**NTCAT**). In this instance the Director and the applicant are entitled to apply to NTCAT for a review of this decision.
40. In accordance with s 94(3) of the *Northern Territory Civil and Administrative Tribunal Act 2014*, any application for review of this decision must be lodged within 28 days of the date of this decision.



Russell Goldflam
CHAIRPERSON
NORTHERN TERRITORY LIQUOR COMMISSION
24 April 2024