

NORTHERN TERRITORY LIQUOR COMMISSION
DECISION NOTICE AND REASONS

CITATION: *APPLICATION FOR LIQUOR LICENCE WITH MAJOR EVENT AUTHORITY FOR MXGP OF AUSTRALIA [2025]*
NTLiqComm 30

REFERENCE: LC 2025/029

APPLICANT: Northern Territory Major Events Company Pty Ltd

PREMISES: Hidden Valley Motorsports Complex
171 Hidden Valley Rd
Hidden Valley NT 0822

JOINT NOMINEES: Aimee Luxton & Eleanor Owen

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

HEARD BEFORE: Ms Jodi Truman (Deputy Chairperson)

DATE OF DECISION: 2 September 2025

Decision

1. For the reasons set out below and in accordance with section 48 of the *Liquor Act 2019* (NT) (**the Act**) and the delegation issued on 28 October 2019 authorising a single Member of the Northern Territory Liquor Commission (**the Commission**) to issue a major event authority, the Commission has determined to issue a liquor licence with a major event authority to Northern Territory Major Events Company Pty Ltd (**the applicant**) for the “MXGP of Australia” event.
2. The Trading hours for the sale, supply, service and consumption of liquor under the licence are:
 - i. Friday 19 September 2025 from 11:00 hours to 17:00 hours.
 - ii. Saturday 20 September 2025 from 10:00 hours to 19:00 hours.
 - iii. Sunday 21 September 2025 from 10:00 hours to 18:00 hours.
3. The licensed premises for the event is that set out at Annexure A to this decision notice and bounded in a continuous red line. It is noted that the premises includes the footprint of the licensed premises of liquor licence FLL1340 at the Hidden Valley Motorsports Complex, 171 Hidden Valley Rd, Hidden Valley NT 0822. As such **during the trading hours of this licence**, it is a condition of this licence that:

- a. Liquor licence FLL1340 be suspended; and
 - b. The licensee must accept liability for any breaches of the Act at the premises during the period.
4. The Commission approves the appointment of the following persons as joint licence nominees:
 - a. Ms Aimee Luxton; and
 - b. Ms Eleanor Owen.
5. The conditions of the licence include those authority conditions set out in Part 4 Divisions 1 and 12 of the *Liquor Regulations 2019* (**the Regulations**).
6. The Commission fixes the following additional conditions of the licence:
 - a. The licensee must ensure that the boundaries of the licensed premises and any alcohol-free zone within the licensed premises are clearly identified and access to the licensed premises is restricted in a manner that allows for effective supervision by the licence nominee.
 - b. A nominee must be present during all trading hours, supervise the sale of liquor and ensure compliance with these conditions.
 - c. The sale of liquor must be conducted by persons who hold a Responsible Service of Alcohol certificate, or equivalent qualification approved by the Director of Liquor Licensing.
 - d. Persons under 18 years must not be engaged in the sale or supply of liquor.
 - e. 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.
 - f. No provision of alcoholic drinks that:
 - i. are designed to be consumed quickly and which are commonly referred to as a ‘shot’ or ‘shooters’;
 - ii. are a cocktail or slushie containing more than a 30ml nip of spirit or liquor (this does not include pre-mixed spirits known as Ready to Drink beverages (**RTDs**)); or
 - g. Wine by the glass is able to be sold in 150 ml containers however liquor or any other beverages must not be supplied in glass containers.

- h. Wine by the bottle can be provided in the VIP area/s however the wine must be poured into a plastic reusable carafe prior to being served.
 - i. Except for opened bottles of wine, no alcoholic drinks that contain more than 1.6 standard drinks in one container may be sold or served.
 - j. All patrons must have their ID checked upon entry and persons 13 years and under must be under the direct supervision of a ticket-holding parent or legal guardian at all times.
 - k. All patrons must be issued upon entry with colour coded wristbands that are clearly identifiable identifying patrons who are:
 - i. 18+ years of age; and
 - ii. under 18 years of age.
 - l. No patron is to be sold, consume or possess liquor if they are not wearing an 18+ wristband
 - m. 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.
 - n. 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.
 - o. Water, soft drinks, and mid and low alcohol beverages must be available at all bars, but water and soft drinks must also be available from separate outlets for those patrons under 18 years of age.
 - p. The licensee must establish and maintain at least one designated "Alcohol Free Zone".
 - q. The licensee must clearly display signage identifying the locations where smoking is permitted and that the premises are otherwise a No-Smoking area. The licensee must supervise the Designated Outdoor Smoking Areas (**DOSAs**) to ensure that liquor is not consumed in DOSAs.
 - r. The licensee or an employee of the licensee must exclude or remove from the premises anyone who is wearing the colours, insignia or emblems of an outlaw motorcycle gang (aka bikie gang), or ask police to remove them if they feel unsafe doing so themselves.
7. The licence will be issued immediately following the publication of this decision notice.

Reasons

The Application

8. On 20 August 2025 pursuant to s 52 of the Act, the applicant applied to the Director for a licence with an authority for a major event for the inaugural “MXGP of Australia” proposed to be held at Hidden Valley Motorsports Complex, 171 Hidden Valley Rd, Hidden Valley. The application also included a request for a licence for the following four (4) years as the event has been secured until 2029.
9. After a 24-year absence, the FIM Motocross World Championship is returning to Australia, with Darwin exclusively hosting the event for the next 5 years. This will feature the established MXGP and MX2 classes as well as the FIM Women’s Motocross World Championship and a national support class. Darwin will be the first city in Australia to host the FIM Women’s Motocross World Championship
10. The event will take place on a purpose-built track at Hidden Valley Motorsports Complex in Darwin and be broadcast to over 100 countries. The custom-designed track promises exceptional spectator areas to watch the world's top motocross riders.
11. The event is expected to attract over 35,000 local, interstate and international participants and spectators over the three days. The applicant expects approximately 15,000 patrons each day with many holding three day passes for the event. The applicant has therefore applied for a liquor licence with a major event authority and has retained the services of a contracted security company to provide licensed crowd controllers for the event as per the requirements under regulation 68(2) of the Regulations.
12. It is proposed that in addition to the sport itself, there will be a staged area for music located in the general admission area showcasing local acts throughout the event. There will also be a small number of aerial displays including flyovers and helicopter fly pasts. It was noted as part of the application, that music and entertainment was not the primary event or attractor, with the primary entertainment and attraction being the MXGP itself.
13. The applicant seeks to sell liquor as follows:
 - a. Friday 19 September 2025 from 11:00 hours to 17:00 hours.
 - b. Saturday 20 September 2025 from 09:00 hours to 19:00 hours.
 - c. Sunday 21 September 2025 from 09:00 hours to 18:00 hours.
14. This is a ticketed event, and the applicant intends to offer a range of alcoholic and non-alcoholic beverages including heavy, light, mid and full-strength alcohol content options, together with wine and pre-mixed spirits known as Ready to Drink beverages (**RTDs**).

15. Alcohol sales will be conducted through a number of outlets including public and reserved VIP areas. The entire complex will fall within the proposed licensed area which includes the footprint of the licensed premises of liquor licence FLL1340 at the Hidden Valley Motorsports Complex, 171 Hidden Valley Rd, Hidden Valley NT 0822.
16. There will be a dry area along with several food vendors throughout the licensed area as well as free water refill stations.

Consultation

17. The Commission was informed by the Director that the application was *not* advertised and in fact was deemed exempt by the Director from the public notice requirements pursuant to section 57(2A) of the Act. Although not clearly stated on the referral to the Commission; the only basis upon which the Director can exempt an applicant from such requirements is if the Director is “of the opinion that the application discloses no public interest issues”.
18. This was despite the fact that the application for a licence had been lodged late (ie on 20 August 2025 being 30 days prior to the event commencement) and despite it being a “significant event expected to attract participants and spectators from all over the world”.
19. The Commission also notes that this event had been announced as one that Darwin would be hosting on 3 May 2024, over 15 months prior to the application for a liquor licence being lodged, and yet the application was only lodged 30 days prior to its proposed commencement.
20. The exemption however was granted by the Director. In accordance with section 56(4) of the Act, notification was subsequently given to Department of Health, NT Police and the City of Darwin.
21. The Commission was informed as follows:
 - a. On 25 August 2025, Police advised they had no specific issues however, requested a copy of the security arrangements before supporting the application. This was provided on 28 August 2025. On 29 August 2025, Superintendent Gill responded supporting the application with some additional comments which were forwarded to the applicant for future reference and discussion between police and the applicant.
 - b. The Department of Health provided comment requesting consideration to “delaying the proposed 9am start time for alcohol service, particularly due to the event’s family-friendly nature and concerns around early alcohol availability” and suggested “consideration be given to reducing the availability of wine by the bottle and offering wine by glass only”.
22. It was noted on behalf of the Director within the referral that with respect to the response received from the Department of Health, that:

- a. "The applicant is open to commencement of trade from 10:00 hours however, it is noted the similar licences for Supercars is from 09:00 hours and there has been no issues to date".
 - b. "The ability to sell wine by the bottle is to provide a premium service to patrons in the VIP and reserved areas and the applicant is not opposed to wine by the glass in the unreserved general admission areas."
23. The Commission notes that within the Public Interest and Community Impact Summary, the applicant stated as follows with respect to City of Darwin, Northern Territory Fire and Rescue Services (**NTFRS**) and St Johns Ambulance¹:
- a. "City of Darwin are primarily consulted on the supporting events held on their properties and are supportive of the event and city-based programming as they attract patrons into the CBD.
 - b. "NTMEC requests consultation from the NTFRS on evacuation plans, procedures and shares all operational documents for review and feedback. A representative from NTFRS will attend the NTMEC hosted readiness session, ahead of the event.
 - c. "St John Ambulance are engaged to provide advice on securing the appropriate level of medical coverage for spectators at the event, as well as consultation on access and egress into the event site during an emergency. St John are included in the review of operational documents which allows for collaboration on strategies and plans. Representatives from St John will also attend the NTMEC readiness session ahead of MXGP to provide insight on their planning and operational response should an emergency occur during the event".

24. No further information was provided to the Commission.

The licensee's record of compliance

25. There were no concerns raised by the Director in response to the application and it was in fact noted on behalf of the Director that²:

"The applicant has held a number of similar licences for Red Centre Nats and also the Supercars (held at this same premises) over the last five years with no adverse compliance issues noted".

26. In relation to the two (2) proposed nominees, it was noted on behalf of the Director that³:

¹ See Attachment "E" to referral

² See paragraph 20 of the referral

³ See paragraph 17 of the referral

“There are two proposed nominees for the event, Ms Aimee Luxton, Executive Director - Events and Ms Eleanor Owen, both are employees of NTMEC and are known to the Director with no known adverse issues. Accordingly, with reference to section 51(3) of the Act, both remain considered fit and proper persons for the purposes of this licence”.

The referral

27. On 1 September 2025, pursuant to section 59 of the Act, the Director referred the application to the Commission. Pursuant to the Commission’s delegation (issued on 28 October 2019), I determined the application as a single member of the Commission “on the papers” without a public hearing, which I considered would not have been worthwhile given there were no objections to the application and due to the nature of the event and its length.
28. I should note that my decision was also significantly influenced by the fact that this application for an *international* event had been lodged late by the applicant and consequently left little alternative other than to determine the application on the papers. This is not the course of conduct that would be expected from an organisation undertaking such a significant event. It is unlikely that I will be the person to determine this application again in future, however I place on record that the applicant should not be given this benefit in future if they fail to apply with sufficient notice. The applicant is well experienced in operating such events and should therefore also know just how important and crucial it is to apply for a liquor licence well ahead of time. Their failure to do so on this occasion raises concern as to the appropriate level of planning and/or respect of the significance of these licences and their obligations.
29. Within the referral, the Director provided the following documents to the Commission (**the brief**):
 - a. Application for liquor licence with major event authority.
 - b. Affidavit concerning third party beneficiaries.
 - c. Bar Locations
 - d. Affidavit and Declaration of Associates pursuant to section 54 of the Act
 - e. Public Interest and Community Impact Assessment Summary
 - f. Noise Management plan
 - g. Draft NTMEC – Event Plan
 - h. Crowd safety and security plan
 - i. Email correspondence concerning exemption by Director
30. After considering the referral, I advised that I would not issue such a significant licence based on “draft” Event Plans and incomplete documents for an event that was only some short weeks away. As a result, the following additional material was received and considered:

- a. Annexures A and B to Affidavit and Declaration of Associates pursuant to section 54 of the Act.
- b. NTMEC – Event Plan

ASSESSMENT OF THE APPLICATION

31. 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 and business reputation of the body corporate.
- d. whether the applicant and the nominees designated by the applicant, are fit and proper persons to hold a licence.
- e. whether each associate of the applicant is a fit and proper person to be an associate of a licensee.

32. 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.

33. I am satisfied that the Applicant has complied with the requirements of ss 54 and 55 of the Act.

34. Although the proposed premises have not hosted this particular event, they have hosted many similar events and are well suited to successfully facilitate an event of this nature. It is clear that a great deal of work has been undertaken to secure this internationally recognised event which is likely to provide significant benefit to the Northern Territory and Darwin on the national and international stage.

35. I am satisfied that the proposed premises are suitable for the supply and consumption of liquor in the manner set out in the application.

36. I note that in the referral, it was noted on behalf of the Director that although the proposed premises included the footprint of the licensed premises of liquor licence FLL1340 at the Hidden Valley Motorsports Complex, the holder of that liquor licence (namely Hidden Valley Drag Racing Association) were willing to relinquish their licence for the event. This was in accordance with their relinquishment of their licence for the conduct of the "Nitro Up North" event.

37. It was noted on behalf of the Director that there was no legislative provision, but that it had been "a policy not to grant liquor licences over common premises to multiple licensees" and that although this application "would effectively do that", conditions could be put in place by the Commission that would enable licence

FLL1340 to be suspended for the duration of the event and for the applicant to take responsibility for any breaches of the Act or licence during the event.

38. I have accepted this suggestion on behalf of the Director and included conditions within the licence that suspend licence FLL1340 **during the trading hours of this licence** and hold the licensee liable for any breaches during that period.
39. I have earlier noted what was said on behalf of the Director concerning the joint nominees for this event. In addition, it was noted on behalf of the Director that a “Financial Statement Overview” had been provided and it was submitted by the Director that “there are no concerns evident as to the financial suitability of this applicant”⁴.
40. Accordingly, I find that the Applicant’s financial stability, general reputation and character satisfactory for the purpose of this application. Further I consider that the Applicant and Nominee continue to be fit and proper persons to be granted a liquor licence with a major event authority.
41. I have also had regard to the public interest and community impact requirements in s 49 of the Act. I particularly consider the following matters:
- a. The proposed premises are in an area that is well prepared and maintained for the conduct of such public events where large numbers are in attendance and has frequently done so, for example the Supercars event and the Hidden Valley Drags themselves.
 - b. The Applicant has a demonstrated capacity to run similar events extremely successfully.
 - c. The licence conditions imposed are calculated to reduce the risk that patrons will drink to excess and cause alcohol-related harm.
42. I have had regard to the comment made on behalf of the Department of Health concerning the sale of liquor from 9.00am. I also note what was stated on behalf of the Director that “similar licenses for Supercars is from 09:00 hours and there has been no issues to date”. Be that as it may, this event is stated to be about the sport of motor cross and heavily promotes families and young people to attend. I also note that the “hospitality packages” for the various VIP areas commence at 10.30am and the “key timings” do not have bars open until 10.00am. In such circumstances I agree with the comment made by the Department and have determined that the service, supply and consumption of liquor shall commence from 10:00 hours on Saturday and Sunday.
43. I also note what was said about the service of wine and have decided it may be served by the bottle in the VIP areas as sought, however it must be poured into a plastic reusable carafe prior to being served. At all other times and in all other

⁴ See paragraph 19 of the referral

locations, wine shall be served in a plastic glass as set out in the conditions at the commencement of these reasons.

44. I am otherwise 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.
45. 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.
46. 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.
47. Before finalising these reasons, I note that request had been made for a licence for the following four (4) years as the event has been secured until 2029. I have no intention to grant such a licence in this matter. The significant reason for this is the failure by this applicant, who has long known of this event and is well experienced in applying for such licences, to make this application in a timely fashion. Such conduct does not exhibit a serious attitude having been taken by the applicant in relation to the significant rights, responsibilities and privileges that a licence of this nature holds and certainly not one that would be in place for 5 years. As such the applicant will need to return and apply for such licences in future and hopefully with a very successfully conducted 2025 event behind it in support of such an application. I have therefore also not turned my mind to the ability of a single member to do so under the Act or in accordance with the delegation.

NOTICE OF RIGHTS

48. Section 31(1) read with section 60(3) of the Act provide that the decision set out in this decision notice is reviewable by the Northern Territory Civil and Administrative Tribunal (**NTCAT**). Section 94(3) of the *NTCAT Act* provides that an application for review of a reviewable decision must be lodged within 28 days of the date of the decision.
49. In accordance with section 31(2) of the Act, the persons who may apply to NTCAT for a review of the decision are the Director and the applicant.



JODI TRUMAN

DEPUTY CHAIRPERSON
NORTHERN TERRITORY LIQUOR COMMISSION
2 September 2025

ANNEXURE "A"

