

**NORTHERN TERRITORY LIQUOR COMMISSION**  
**REASONS FOR DECISION**

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**MATTER:** APPLICATION FOR LIQUOR LICENCE

**REFERENCE:** LC2022/041

**APPLICANT:** Central Australian Drag Racing Association Incorporated

**PREMISES:** Alice Springs Inland Dragway  
Lot 6333 South Stuart Highway  
ALICE SPRINGS NT 0870

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

**HEARD BEFORE:** Mr Russell Goldflam (Acting Deputy Chairperson)  
Mr Bernard Dwyer (Health Member)  
Ms Christine Hart (Community Member)

**DATE OF HEARING:** 19 August 2022

**DATE OF DECISION:** 19 August 2022

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**Decision**

1. On 19 August 2022, the Northern Territory Liquor Commission issued the following decision notice:
  - a. In accordance with section 48 of the *Liquor Act 2019* (NT) (**the Act**) the Northern Territory Liquor Commission (**the Commission**) has determined to issue a licence to the Central Australian Drag Racing Association Incorporated (**the applicant**).
  - b. The licence will be issued with a major event authority.
  - c. The applicant is only authorised to supply, sell and serve liquor during the following periods:
    - Thursday, 1 September 2022, 16:00 hours to 22:00 hours
    - Friday, 2 September 2022, 14:00 hours to 23:00 hours
    - Saturday, 3 September 2022, 11:00 hours to 23:00 hours
    - Sunday, 4 September 2022, 11:00 hours to 23:00 hours

- d. The licensed premises is the area bounded in red depicted on the plan at page 82 of the Exhibit One tendered at the hearing of the application (**the licensed premises**). The boundary of the premises must be clearly identified and access to the premises must be restricted in a manner that allows for effective supervision by the Nominee.
- e. 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**).
- f. The following additional conditions are fixed:
  - i. The sale of liquor must be supervised by one or more persons nominated by the holder of the licence (the Nominees), who each must hold a Responsible Service of Alcohol certificate, or equivalent qualification approved by the Director of Liquor Licensing.
  - ii. A Nominee must be present during all Trading Hours and must ensure compliance with these Conditions. The nominees for this event will be:
    - Andrew Brice
    - Stephen Greenfield
    - Heather Parkinson
  - iii. Persons under 18 years must not be engaged in the sale or supply of liquor.
  - iv. 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.
  - v. Liquor may only be sold in opened cans or plastic containers.
  - vi. Wine must not be sold or served in containers larger than 150ml.
  - vii. Spirits must not be sold in containers with more than 5% alcohol by volume.
  - viii. The only liquor that may be sold before 13:00 hours is to be mid-strength or low-strength liquor.
  - ix. Subject to the following condition no more than four alcoholic drinks may be sold to any one person at any one time.

- x. After 20:30 hours, only two alcoholic drinks may be sold to any one person at any one time.
  - xi. Liquor may only be sold to persons wearing a proof of age wristband, and wristbands must only be issued to patrons who have satisfied the licensee that they are aged 18 or over.
  - xii. All patrons to be monitored prior to entry to the venue to ensure they do not bring liquor onto the premises.
  - xiii. Designated security must monitor each lane assessing patrons upon their approach.
  - xiv. Security staff must monitor patrons to ensure minors are not consuming alcohol.
  - xv. No liquor may be served in glass containers in public areas.
  - xvi. The licensee must clearly display signage to delineate Non-Smoking areas from the Smoking Areas and the holder must comply with smoking requirements contained in the *Tobacco Control Act 2002*. Food and drinks are not permitted to be taken into any designated smoking areas.
  - xvii. The licensee shall exclude or remove from the premises any person who is wearing the colours, insignia or emblems of an outlaw motorcycle gang (Bikie Gang).
  - xviii. Free buses must be provided to patrons to exit the venue and provide a safe passage back into Alice Springs.
- g. The licence will be issued immediately following the publication of this decision notice.
  - h. The Commission extends time to issue this licence to 19 August 2022.
2. The Commission stated that it would issue reasons for this decision. These are the reasons.

## Reasons

3. The applicant is an incorporated association that holds liquor licence FLL1319 with a community club authority over premises at the Alice Springs Inland Dragway (**the premises**), a facility that includes a quarter mile drag strip and burnout pad sanctioned by the Australian National Drag Racing Association, spectator facilities, and a clubhouse, situated about 13 km south of Alice Springs adjacent to the Stuart Highway. The applicant hosts various race meetings throughout the year, notably including the Red Centre Nats in September, which attracts street car enthusiasts from all over Australia.
4. On 19 July 2022, the applicant lodged an application with the Director of Liquor Licensing (**the Director**) for a liquor licence with a major event authority at the premises for Red Centre Nats 2022. The applicant estimates that 3000 people will attend the four day event, which is spread across several Alice Springs venues, including the applicant's premises, the Blatherskite Park showgrounds and Lasseters Casino (both of which the Commission understands will also be licensed to sell liquor during the event). Red Centre Nats 2022 is an NT Major Events Company Pty Ltd event.
5. The Director exempted the applicant from the requirement to advertise the application, but did consult with the Department of Health, NT Police, the Alice Springs Town Council and NT Fire and Emergency Services. No objections were made to the application.
6. The applicant has no record of non-compliance with the Act or the conditions of its liquor licence.
7. On 10 August 2022, the Director referred the application to the Commission, which heard and determined the matter on 19 August 2022 by way of a public hearing. Mr Brice appeared on behalf of the applicant along with Ms de Latour from NT Major Events Pty Ltd, and Mr Verinder appeared on behalf of the Director. The Commission thanks them for their attendance and assistance.
8. In accordance with section 59 of the Act, the Commission considered:
  - a. the applicant's affidavit required by section 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. the general reputation and character of the secretary and executive officers of the body corporate; and
  - e. whether the applicant, including the nominee designated by an applicant, is a fit and proper person to hold a licence.

9. In accordance with section 49 of the Act, the Commission also considered whether issuing the licence would be in the public interest, and whether the licence would have a significant adverse impact on the community.
10. The Commission had particular regard to the fact that the licensee already holds a liquor licence, the grant of which was made after a favourable assessment of the stability, reputation, character, fitness and propriety of the applicant, its nominee and its executive officers. The Commission also had particular regard to the fact that Red Centre Nats 2022 is being auspiced and run by NT Major Events Company Pty Ltd, which in previous years been granted a liquor licence with a major event authority at this venue for this event, which has proceeded according to an Operational Plan substantially similar as the Operational Plan for the event in 2022.
11. In substance the instant application is similar to Red Centre Nats applications made and granted in 2019, 2020 and 2021. Accordingly, in granting the licence, the Commission fixed conditions that were similar to those that had been fixed in previous years for this event. In doing so, the Commission adopts and applies the reasons set out in the Commission's previous Red Centre Nats decisions issued on 13 August 2019, 27 August 2020 and 30 July 2021.<sup>1</sup>
12. Having considered all of these matters, the Commission was satisfied, in accordance with section 49 of the Act, that:
  - a. the applicant is a fit and proper person; and
  - b. issuing the licence or authority is in the public interest; and
  - c. the licence or authority will not have a significant adverse impact on the community.
13. 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. The Commission considers that the issue of the licence and authorities with the conditions imposed is consistent with the purposes of the Act.
14. On 17 December 2020, pursuant to section 37 of the *Liquor Commission Act 2018*, the Commission delegated to the Director its powers and functions under section 48 of the *Liquor Act* to issue a liquor licence with a major event authority for 21 recurring major events, including the Red Centre Nats "provided there have been no objections or contentious matters raised or where the applicant has not been the subject of disciplinary action under a former licence".

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<sup>1</sup> The Commission now also notes the decision notice issued by a Delegate of the Director of Liquor Licensing on 24 August 2022 granting a liquor licence with a major event authority to Alice Springs Casino Operations Pty Ltd for Red Centre Nats 22 at its Blatherskite Park venue, accessed at [https://industry.nt.gov.au/data/assets/pdf\\_file/0017/1131263/decision-on-liquor-licence-application-major-event-authority-alice-springs-casino-operations-pty-ltd-red-centre-nats-3-4-september-2022.pdf](https://industry.nt.gov.au/data/assets/pdf_file/0017/1131263/decision-on-liquor-licence-application-major-event-authority-alice-springs-casino-operations-pty-ltd-red-centre-nats-3-4-september-2022.pdf).

15. On this occasion, as the applicant was not the same person as had previously sought and been granted a licence at this venue for Red Centre Nats, out of an abundance of caution the Director determined to refer the application to the Commission rather than exercise any delegated power to determine the application. In relation to future applications for recurring major events, the Commission confirms that in its view the Instrument of Delegation issued by the Commission on 17 December 2020 confers on the the Director power to determine applications such as this one.

A handwritten signature in blue ink, appearing to read 'R. Goldflam', with a long horizontal flourish extending to the right.

Russell Goldflam

ACTING DEPUTY CHAIRPERSON  
NORTHERN TERRITORY LIQUOR COMMISSION  
16 September 2022

On behalf of Commissioners Goldflam, Dwyer and Hart