

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 [2023] NTLiqComm 6*

REFERENCE: LC2023/002

APPLICANT: Rodeo Promotions NT Pty Ltd

PREMISES: Robbie Robbins Reserve
762 Stuart Highway
BERRIMAH NT 0823

PROPOSED EVENT: Rnd 1 Northern Golden Buckle Rodeo Series

DATE OF EVENT: Saturday, 29 April 2023

NOMINEE/S: Ms Jodi Abela

OBJECTOR/S: Nil

LEGISLATION: Sections 52 and 60 of the *Liquor Act 2019*

DECISION OF: Mr Richard Coates (Chairperson)

DATE OF DECISION: 21 February 2023

DECISION

1. For the reasons set out below and in accordance with section 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 the event known as Northern Golden Buckle Rodeo Series located at Robbie Robbins Reserve in Berrimah, NT, 0823 (**the Premises**) on:

Saturday, 29 April 2023 from 16:00 hours until 01:00 hours (the following day).

The licence will be issued immediately following the publication of this decision notice.

2. The Commission approves Jodi Abela as the designated nominee (**the Nominee**).
3. In addition to the major event conditions set out in Division 12 of the *Liquor Regulations 2019 (the Regulations)*, the licence shall also be subject to the following additional conditions:
 - a. The boundary of the licensed area at the Robbie Robbins Reserve 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. A staggered decline of alcohol served must be implemented as follow:
 - i. no more than four (4) alcoholic drinks may be sold to any one (1) person at any one time from 16:00 to 21:00 hours;
 - ii. no more than two (2) alcoholic drinks sold to any one (1) person at any one time from 21:00 to 23:00 hours; and
 - iii. no more than one (1) alcoholic drinks sold to any one (1) person at any one time from 23:00 to 01:00 hours (the following day).

To the extent that this condition is inconsistent with the Regulations, this condition prevails.

- c. 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 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
 - iii. contain more than 1.6 standard drinks in one vessel.
- d. Alcohol or any other beverages must not be sold to patrons in glass containers.
- e. All patrons must be issued with colour coded wristbands upon entry clearly identifying patrons who are:
 - i. 18+ years of age; and
 - ii. under 18 years of age.
- f. No patron is to be sold, consume or possess liquor if they are not wearing an 18+ wristband.

- g. Soft drinks and water to be available from the bar but must also be available from separate outlets for those patrons under 18 years of age.
- h. A designated 'Dry Area/s' must be established and maintained.

REASONS

BACKGROUND

4. On 13 January 2023, pursuant to section 52 of the Act, the Applicant lodged an application for a liquor licence with a major event authority. Following review of the application, Licensing NT accepted the application.
5. The Applicant is seeking the grant of the liquor licence to permit the sale of liquor to patrons attending the "Rnd 1 Northern Golden Buckle Rodeo Series" located at Robbie Robbins Reserve, 762 Stuart Highway, Berrimah NT.
6. The Applicant sought the following hours of trade:

Saturday, 29 April 2023 16:00 hours to 01:00 hours (the following day)
7. 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.
8. The Applicant advised 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 17:00 hours and end at 21:00 hours followed by a Luke Combs tribute show 'Hurricane' to commence at 21:00 hours until 01:00 hours (the following day).
9. The Applicant intends to offer a range of alcoholic and non-alcoholic beverages including heavy, light, mid and full-strength alcohol content options. The Applicant volunteered extra conditions in addition to those required for a major event authority including:
 - All patrons will be issued colour coded wrist bands;
 - Only patrons wearing allocated wristbands will be permitted to purchase alcohol;
 - No glass bottles;
 - No BYO; and
 - Eskies will be checked upon entry.

10. The sale of liquor is proposed via two bars being main bar and 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.
11. The Applicant advised there will be free water refill stations.
12. The Applicant expects a crowd of approximately 2,000 patrons to attend the rodeo. Neptune Security will offer Crowd Controllers as per regulation 68(2) of the Regulations.
13. The proposed nominee for the event is Jodi Abela. Neither Ms Abela nor the Applicant corporation have previously held a liquor licence. Ms Abela provided the following probity documents:
 - RSA/RSA Refresher Certificate
 - Photo identification
 - Character references
 - Resume
 - Statutory declaration
14. The Applicant supplied the following supporting documents:
 - Affidavit
 - Public interest and community impact assessment
 - Draft public notice
 - Hazard & Risk assessment
 - Certificate of currency
 - Declaration of associates
 - Neptune Security Services quote
 - Smoking management plan
 - Event management plan
 - Certificate of registration

PUBLICATION AND CONSULTATION

15. The application was advertised on the Director of Liquor Licensing's (**the Director**) applications website and published in the NT News on Saturday,

21 January 2023. 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.

16. The following Stakeholders were invited to provide comment on the application:
 - Department of Health (DoH);
 - Northern Territory Police (NTP);
 - Northern Territory Fire & Rescue Service (NTFRS);
 - St John Ambulance; and
 - City of Darwin.
17. DoH advised via email on 16 January 2023 it had no objections to the application.
18. NTP advised via email on 16 January 2023 it had no objections to the application.
19. NTFRS did not provide any comment on the application.
20. St John Ambulance Australia (NT) Inc. advised via email on 16 January 2023 they will be attending the event.
21. Palmerston Council advised via email on 23 January 2023 they had no comment on the application.

REFERRAL TO COMMISSION

22. The Director referred this application to the Commission on 7 February 2023.
23. Given that no objections were received and this is an application for a licence for a major event which is to take place over a period of only seven hours, I considered that it may be appropriate to dispense with a public hearing and deal with the matter on the papers pursuant to section 21(3) of the Act and pursuant to my delegation to deal with such an application as a single member.
24. As I needed clarification of some aspects of the application, I wrote to the Applicant with a request for further information which has now been supplied.

ASSESSMENT OF THE APPLICATION

25. Although no objections were made to this application, section 49 of the Act makes clear that the Commission may only issue a licence or an authority if satisfied that:
 - a. the Applicant is a fit and proper person;

- 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.
26. The Commission has had regard to the relevant considerations listed in section 59(3) of the Act as to the suitability of the Applicant to hold this licence and the Premises to be licensed.
27. Although neither the Applicant nor the Nominee, Ms Abela, have held licences in the past, Ms Abela has a significant history of working within the liquor industry and is the holder of a Responsible Service of Alcohol (RSA) certificate. Most recently, she was employed as a duty manager at Corroboree Park Tavern for three years.
28. The Applicant is a registered Australian Propriety Company and all the officeholders of the corporation have provided statutory declarations that they do not have any criminal convictions.
29. The Applicant has submitted with its application a comprehensive “Event Management Plan”, which details the proposed program as well as the security arrangements that will be put in place. It also states:
- “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.”*
30. It is relevant that all the junior rodeo events are scheduled to take place in the morning well before the licensed bars open at 16:00 hours.
31. The Robbie Robbins Reserve has hosted numerous licensed events in the past, including rodeos, and has all the facilities necessary to ensure that only liquor purchased from one of the two licensed bars is consumed on the reserve by patrons wearing an over 18+ wristband. The reserve is 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 event.
32. In response to a letter sent by the Commission, the Applicant indicated that it is prepared to scale back the number of drinks a patron is permitted to purchase later in the evening, designate dry areas within the reserve where liquor cannot be consumed, and generally comply with the type of risk mitigation conditions that the Commission has previously imposed in respect of similar special event licences.

33. Having regard to all the information now provided in support of the application, I consider it appropriate to dispense with a public hearing and determine the matter on the papers, as a single member, pursuant to my delegation.
34. I am now satisfied that the Applicant is a suitable entity to hold a licence and that Ms Abela has the necessary skills to serve as the nominee of the Licensee. I am also satisfied that the proposed premises of Robbie Robbins Reserve are suitable for the supply and consumption of liquor in the manner set out in the application.
35. Having regard to the foregoing, the Commission has had regard to the public interest requirements of section 49 of the Act and is 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. As a result, the Commission intends to issue the licence with a major event authority as set out at the commencement of this Decision Notice.

NOTICE OF RIGHTS

37. Section 60(3) of the Act requires the Commission to give a decision notice to the Applicant after making a decision under section 60(1).
38. 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) and the following persons may apply to NTCAT for a review:
 - a. in all cases - the Director;
 - b. in the case of a decision regarding an application - the applicant; and
 - c. in the case of a submission, complaint or objection that was the subject of a decision - the person who made the submission, complaint or objection.
39. In accordance with the substance of section 31 of the Act any application for review of this decision must be lodged within 28 days of the date of this decision.



Richard Coates
CHAIRPERSON
NORTHERN TERRITORY LIQUOR COMMISSION
22 February 2023