

**NORTHERN TERRITORY LIQUOR COMMISSION**  
**DECISION NOTICE**

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**MATTER:** ARALUEN ARTS CENTRE THEATRE APPLICATION  
FOR A LIQUOR LICENCE WITH AUTHORITIES [2024]  
NTLiqComm 40

**REFERENCE:** LC2024/038

**LICENSEE:** The Friends of Araluen Incorporated

**PREMISES:** Araluen Arts Centre Theatre  
61 Larapinta Drive  
Araluen NT 0871

**LEGISLATION:** Section 48 of the *Liquor Act 2019*

**HEARD BEFORE:** Greg Shanahan (Acting Deputy Chairperson)  
Bernard Dwyer (Health Member)  
Katrina Fong Lim (Community Member)

**DATE OF DECISION:** 1 October 2024

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**DECISION**

1. Pursuant to section 21 of the the *Liquor Act 2019* (NT) (**the Act**), having formed the opinion that a public hearing is not appropriate in the circumstances of this application, the Northern Territory Liquor Commission (**the Commission**) has determined to conduct the hearing of this application by way of written submissions only.
2. In accordance with section 48 of the Act, the Commission has determined to issue a licence to Friends of Araluen Incorporated (ABN 90 546 729 731) (**the Licensee**).
3. The licensed premises is the area of the Araluen Arts Centre outlined in red on the plan included on page 50 of the referral for this matter from the Delegate of the Director of Liquor Licensing dated 25 September 2024.
4. The Commission approves the appointment of Ms Felicity Green as the nominee of the Licensee.
5. The licence will be issued with a public bar authority and an adult entertainment R-rated authority.

6. The conditions of the licence will be those authority conditions prescribed by Part 4 Division 1, Division 2, Division 14 and Division 18 of the *Liquor Regulations 2019 (the Regulations)*.
7. The Commission fixes the following additional conditions:
  - a. The sale, supply and consumption of liquor on the premises shall be subject to the same conditions imposed on Liquor Licence number 80803214 which is held by the Applicant at the same venue.
8. The term of this licence commences at 19:00 on 4 October 2024, and expires at 22:30 on 4 October 2024.

## **REASONS**

### **BACKGROUND**

9. On 23 September 2024 the Applicant lodged an application to change its Liquor Licence number 80803214 from a Special Venture Authority to a licence with Public Bar, Adult Entertainment and Adult Entertainment R-rated authority to comply with regulation 25(2) of the Regulations which provides that all adult entertainment authorities operate only in conjunction with a public bar authority.
10. This change will allow the Applicant's liquor licence to cover a wide range of shows that contain 'Adult Content' (including but not limited to burlesque performances) which may be performed at the Centre from time to time without the need to obtain an additional licence.
11. However, due to the short timeframe between when the licence application was lodged and the date that the Australian Burlesque Festival - Big Tease Soiree was scheduled to be performed, the Applicant requested the Director of Liquor Licensing to waive the requirement for public advertising of the licence application. The waiver was granted by the Director of Liquor Licensing on 25 September 2024.
12. In accordance with section 56(4) of the Act the following stakeholders were notified of this subsequent application:
  - The Chief Executive Officer of the Department of Health (**DoH**);
  - The Commissioner of Police;
  - Alice Springs Town Council.
13. No adverse comments have been received from any of the stakeholders although the officer from the DoH suggested that the range of drinks available and the types of containers that they are served in be restricted.

## THE HEARING

14. The matter was referred to the Commission on 25 September 2024 and the Commission met to consider the referral on 1 October 2024.
15. The Commission was of the view that for a permanent alteration to the Applicant's licence it would be more appropriate to conduct a public hearing, however, the Commission agreed to consider the grant a liquor licence for a Public Bar authority together with an Adult Entertainment R-rated authority for the 4 October 2024 Australian Burlesque Festival - Big Tease Soiree show without a public hearing.
16. This was agreed on the basis that liquor was regularly served at shows performed at the venue without incident and a one-off show which has been publicly advertised for some time would constitute a matter that is not controversial and therefore appropriate to be heard without a public hearing.
17. Accordingly, pursuant to section 21 of the Act, the Commission accepted the Director's submission and determined to conduct the hearing in respect of a liquor licence for the one-off show to be performed on 4 October 2024 by way of written submissions only.

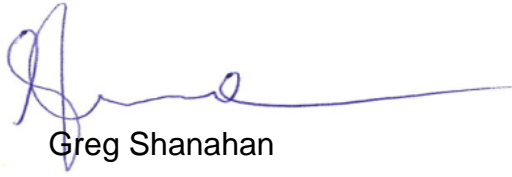
## ASSESSMENT OF THE APPLICATION

18. The Commission proceeded to consider the Application and is 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.
19. Accordingly, the Commission has determined to grant the licence and authorities on the terms and conditions set out at the commencement of this Decision Notice.
20. The Commission chose to impose the conditions that currently apply to the Applicant for the supply and service of alcohol at shows performed at the venue under its existing licence without any additional conditions due to the short timeframes involved.

## NOTICE OF RIGHTS

21. 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 2014* provides that an application for review of a reviewable decision must be lodged within 28 days of the date of the decision.

22. In accordance with section 31(2) of the Act, the persons who may apply to NTCAT for a review of the decision are the Licensee and Director.



Greg Shanahan

ACTING DEPUTY CHAIRPERSON  
NORTHERN TERRITORY LIQUOR COMMISSION  
3 October 2024

On behalf of Commissioners Shanahan, Dwyer and Fong Lim