

NORTHERN TERRITORY LIQUOR COMMISSION
STATEMENT OF REASONS FOR DECISION

MATTER: *INVASION BLOCK PARTY LIQUOR LICENCE WITH MAJOR EVENT AUTHORITY* [2025] NTLiqComm 24

REFERENCE NUMBER: LC2025/021

APPLICANT: Tropics Holdings Pty Ltd

PREMISES: Nuttall Place
DARWIN CITY NT 0800

EVENT: Invasion Block Party

DATE OF EVENT: 21 June 2025

NOMINEE: Ms Frederica Ransom

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

DECISION: Mr Russell Goldflam (Delegate)

DATE OF DECISION: 23 June 2025

1. On 16 June 2025 the Northern Territory Liquor Commission (**the Commission**) issued the following decision:
 1. In accordance with section 48 of the *Liquor Act 2019* (**the Act**) and the delegation issued on 28 October 2019 authorising a single Member of the Commission to issue a licence with a major event authority, the Commission has determined to issue a liquor licence with a major event authority to Tropics Holdings Pty Ltd (**the applicant**). The applicant will be issued with a licence authorising the sale, supply or service of liquor to patrons at the event known as the Invasion Block Party (**the event**) for consumption at Nuttall Place, Darwin City NT 0800 within the area (**the premises**) bounded in purple on the plan at Appendix One to this decision notice.¹
 2. Subject to the conditions below, the sale, supply, service and consumption of liquor is authorised only on Saturday, 21 June 2025 from 18:00 hours to 01:30 hours on Sunday 22 June 2025.
 3. The Commission approves Ms Frederica Ransom as the designated nominee (**the nominee**).
 4. In addition to the major event conditions set out in Part 4 Division 1 and Part 4

¹ The premises do **not** include the areas bounded in pink and green in Appendix One.

Division 12 of the *Liquor Regulations 2019* (**the Regulations**), the licence shall also be subject to the following additional conditions:

- a. A staggered decline of alcohol supplied and served on the premises must be implemented:
 - i. no more than two (2) alcoholic drinks may be supplied to any one person at any one time from 23:00 to 00:30 hours; and
 - ii. no more than one (1) alcoholic drink may be supplied to any one person at any one time from 00:30 to 01:15 hours with the supply and service of alcoholic drinks to cease at 01:15 hours.
- b. No provision of alcoholic drinks supplied and served on the premises 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**));
- c. Liquor and any other beverages must not be supplied or served on the premises in glass containers.
- d. If the licensee establishes a Designated Outdoor Smoking Area (**DOSA**) on the premises the licensee must supervise the DOSA to ensure that food and beverages are not consumed in the DOSA.
- e. The licensee must ensure that no more than 450 patrons are on the premises at any one time.
- f. The licensee must comply with the Northern Territory Fire & Rescue Service conditions set out in its email to the licensee on 5 June 2025 at 5:27 PM.
- g. The licensee must ensure that no liquor is brought onto or removed from the premises other than from or to the licensee's adjoining premises of Monsoons (liquor licence 80315790).
- h. The licensee must undertake the following noise mitigation measures:
 - i. Position the stage at the northeastern end of Nuttall Place facing southwest;
 - ii. Position a large truck behind the stage to create a barrier between the stage and the Rydges Darwin Central hotel;
 - iii. Use fill speakers to distribute the sound more evenly;
 - iv. Engage a sound engineering team to be in attendance throughout the event to actively set levels and change frequencies as required;

- v. Provide management of the Rydges Darwin Central Hotel with a mobile telephone number that will be monitored throughout the event to enable any noise complaints to be immediately relayed to the sound engineering team;
 - vi. Within ten minutes of receiving a noise complaint, notify the complainant of the steps taken to address the complaint.
 - vii. Maintain a noise complaint register that must be produced to a Licensing Inspector on request;
 - viii. Document any noise complaint received by telephone or in person, and place the documented record of the complaint and the response in the noise complaints register; and
 - ix. Not emit any amplified sound from the premises after 01:00 hours on 22 June 2025.
5. The issue of this licence is subject to the issue of an Event Permit by the City of Darwin.
2. The Commission stated that it would issue its reasons for decision in due course. It now does so.

Background

3. The applicant is the licensee of Monsoons, which describes itself as “Darwin’s most iconic party bar”,² and which trades with a public bar authority, an extended late night authority permitting it to trade until 04:00 every day, and an adult entertainment R-rated authority from its premises abutting Nuttall Place, a 70 metre long laneway in the Darwin CBD between Mitchell St to the southwest and Shadforth Lane to the northeast. Another licensed premises, Bustard Town, is situated on the other side of Nuttall Place, on the corner with Shadforth Lane. The main entrance to the Rydges Darwin Central Hotel (**Rydges**) in Shadforth Lane looks directly onto Nuttall Place.
4. On New Years Eve 2024, Monsoons conducted a block party in Nuttall Place pursuant to liquor licence number FLL2641 and a permit issued by the City of Darwin to close off Nuttall Place for the duration of the event. The Commission infers that the liquor licence for that event was issued by the Director of Liquor Licensing (**the Director**), to whom the Commission has delegated the power to issue liquor licenses with a special event authority, and that the licence was issued with a special event authority.

The application

5. On 21 May 2025 the applicant lodged a similar application with the Director, for an “Invasion Block Party”, a sci-fi themed ticketed event initially proposed to be conducted in conjunction with Bustard Town, and featuring amplified music from 18:00 on Saturday 21 June 2025 until 02:00 hours the following morning, including

² Accessed at <https://monsoonsdarwin.com.au/>

from an outdoor stage in Nuttall Place, facing the Rydges entrance.

6. The application proved to be problematic in at least three respects:
 - a. Firstly, the conditions of the existing Bustard Town licence (which operates with a restaurant bar authority and a late night authority) were incompatible with the applicant's proposal, which was in effect to establish for the duration of the block party a single licensed premises encompassing Monsoons, Bustard Town and Nuttall Place. This issue was not definitively resolved until 6 June 2025, when on behalf of the applicant, Australian Venue Co. notified Licensing NT that "Busted Town [sic] will no longer be a part of our event".³
 - b. Secondly, officers of Licensing NT formed the view that the event qualified as a "major event" as defined by s 47(o)(ii) and (iii) of the Act, because it would have a significant effect on public transport or local amenities, and because it would require more than a usual amount of emergency services or police supervision.
 - c. Thirdly, following the publication of notice of the application in the NT News on 29 May 2025, on 6 June 2025 Rydges wrote to the applicant, the City of Darwin and Licensing NT objecting to the application, with a formal notice of objection sent to the Director on 10 June 2025.⁴
7. In these circumstances, on 10 June 2025 the Director determined to refer the matter to the Commission as a major event authority application. Regrettably, the memorandum to the Commission accompanying the brief of evidence erroneously stated "There were no objections to the application", and the brief did not include the Rydges objection sent to Licensing NT on 6 June 2025. On 12 June 2025, Licensing NT sent the Commission an update of the referral, incorporating the Rydges objection dated 10 June 2025. On 16 June 2025, Licensing NT provided a further update of the brief, incorporating the earlier Rydges objection dated 6 June 2025, and a further letter of objection from Rydges dated 16 June 2025.

The procedure

8. On 28 October 2019 the Commission issued an instrument of delegation authorising a single member of the Commission to issue a licence with a major event authority. However, the exercise of that delegated power is subject to s 21 of the Act (which requires the Commission to conduct matters by way of a public hearing, except in certain circumstances) and s 19 of the *Liquor Commission Act 2018* (which requires a quorum of 3 members when the Commission convenes to conduct a hearing). Objectors are entitled to appear at a hearing (s 22(1)(b) of the Act), and parties to a hearing are entitled to be

³ Brief of evidence, p. 136

⁴ It is unclear whether the objection was lodged within the allowable time. It was lodged within 14 days of publication of the notice, in accordance with s 61(6) of the Act, and the on-line public notice of the application (brief of evidence, p. 117). However, the Director purported to abridge the public notice period pursuant to s 318, and accordingly, the sign posted at the premises gave a closing date for objections of 5 June 2025 (brief of evidence, p. 118). No submission was made by the applicant or the Director that the objection was thereby invalid, and the Commission has proceeded on the apparently agreed basis that the objection was lodged within the allowable time.

given notice of the hearing (s 23(1)(b) of the Act).

9. The Commission did not become aware that there was an objector to the application until 12 June 2025, 6 working days before the planned major event. In my view, this was too late to convene a panel of the Commission, fix a hearing date, give the parties reasonable notice of the hearing, conduct the hearing and issue a decision within a reasonable period before the proposed major event.
10. Section 21(2) of the Act permits the Commission to determine a matter without a public hearing if the Commission is of the opinion that it is not appropriate in the circumstances because (among other reasons inapplicable in this case), a public hearing is likely to cause undue hardship to a person, or the matter is not controversial.
11. Clearly, this was a controversial matter, and to proceed without a public hearing arguably deprives the objector of a measure of procedural fairness. In considering the weight to be given to this issue, the Commission has had regard to the following circumstances:
 - a. The objector was represented by an experienced lawyer who comprehensively set out the basis of her client's objection in detailed written submissions dated 6 June 2025, 10 June 2025 and 16 June 2025. The Commission received and considered all of these submissions before making its decision.
 - b. On 12 June 2025 the applicant provided a written response to the objection in which it offered to implement various measures directed to the objector's concerns.
 - c. The Commission had the power to fix licence conditions (if it approved the application) calculated to address the objector's concerns.
12. For the reasons set out above, it was not practicable in the circumstances to conduct a public hearing. To refuse to allow the application simply on the basis that it was too late to conduct a public hearing would have obliged the applicant to cancel the entire event after having promoted it and put tickets on sale. That would have caused hardship to the applicant. In considering whether such hardship would have been undue, the Commission has had regard to the following matters:
 - a. The applicant had previously applied for and been issued with a special event authority licence for the 2024 New Years Eve event at the same premises.
 - b. The applicant projected a total attendance at the combined Monsoons, Bustard Town and Nuttall Place premises for the event as being less than 1,500, which is the threshold for major events established by s 43(o)(i) of the Act.
 - c. The applicant had no apparent reason to anticipate that the event would be classified as a major event on the basis that it would have a significant effect on public transport or local amenities, or because it would require more than a usual amount of emergency services or police supervision.⁵

⁵ After being provided with the applicant's traffic management and security plans, NT Police advised

- d. The Director's website states that special event licence applications are usually processed within 4 weeks.⁶
 - e. The applicant lodged its application 31 days before the proposed event.
 - f. The delays in referring the application to the Commission, and in providing a complete brief to the Commission, were not due to the applicant.
13. Having considered these matters, I formed the view that hardship to the applicant resulting from refusing the application without a consideration of the merits of the application would have been undue. I also formed the view that although the matter was controversial, it was unlikely that the objector would have substantially added to the matters it had raised in its written submissions if it had been afforded a public hearing.
14. On balance it was my opinion that it was not appropriate in the circumstances to determine the matter by way of a public hearing. In accordance with s 21(3) of the Act, I determined to proceed by way of written submissions, and to exercise my delegated power to determine the application as a single member of the Commission.

The material

15. The updated brief received by the Commission included the following material:
- a. Application for liquor licence with special event authority, 21 May 2025
 - b. Event management plan, including:
 - i. Site plan
 - ii. Pedestrian, crowd and security management
 - iii. Alcohol management
 - iv. Noise management
 - v. Operational management
 - vi. Risk management
 - vii. Emergency management
 - c. Tobacco retail licence
 - d. Registration of a food business
 - e. Traffic management plan
 - f. Section 54 affidavit, 21 May 2025
 - g. Notice of temporary road closure
 - h. Public interest and community impact assessment summary
 - i. Correspondence between Licensing NT, Bustard Town and applicant
 - j. Public notices of application, 29 May 2025
 - k. Stakeholder responses:
 - i. Department of Health
 - ii. NT Police

Licensing NT that they had no objections to the application.

⁶ Accessed at <https://nt.gov.au/industry/liquor/sell-supply-serve/fees-and-processing-times>

- iii. NT Fore & Rescue Service
- iv. St John Ambulance
- v. City of Darwin
- l. Bustard Town letter of support, 5 June 2025
- m. Applicant's response to stakeholder comments, 6 June 2025
- n. Rydges objection, 10 June 2025
- o. Applicant's response to objection, 12 June 2025
- p. Correspondence from Rydges, 16 June 2025

Consideration

16. As required by s 3(4) of the Act, the Commission has had regard to the primary and secondary purposes of the Act in determining this application, and considers that its decision is consistent with those purposes.
17. The Commission has had regard to all of the matters set out in s 60 of the Act that it is required to consider regarding the suitability of the applicant, the proposed licence nominee and the premises. In doing so, the Commission notes that:
 - a. The applicant and the proposed licence nominee are well-established as the operators of Monsoons, which the Director has informed the Commission has no adverse compliance history.
 - b. The premises have recently been used for a similar event, which was successfully operated.
 - c. None of the stakeholders who were consulted by Licensing NT (as is required by s 56(4) of the Act) were opposed to the application, although they proposed various conditions, all of which have been incorporated into the Commission's decision.
18. The Commission has given careful consideration to the objection by Rydges, the key features of which were:
 - a. Rydges' immediate proximity to the proposed event.
 - b. There is an expectation that loud music played outdoors in Nuttall Place until 02:00 hours would cause undue and unreasonable noise that affects the amenity of the neighbourhood, and in particular, paying guests of Rydges' hotel.
 - c. The resulting disturbance would disrupt Rydges' business and its reputation, and disturb its guests.
 - d. The planned event would not be of significant benefit to Darwin.
 - e. As a compromise, Rydges had requested the applicant to close the event at 23:00.
19. In its response (issued on behalf of the applicant by Australian Venue Co.), the

applicant offered to stop the music at 01:00, and to institute various other noise mitigation measures. The Commission's decision incorporates all of these proposals, as well as the further conditions set out at paragraph 4(h)(v) to (viii) of the Commission's decision.

20. The Commission has considered the ten public interest objectives set out at s 49(1) of the Act, and the ten community impact matters set out at s 49(2) of the Act. A particularly relevant s 49(2) matter is the risk of undue offence, annoyance, disturbance or inconvenience to persons who reside or work in the vicinity of the proposed premises. That risk is real, but is substantially mitigated by the very short duration of the licence, a period of seven and a half hours.
21. Also of relevance is the location of the proposed event in the heart of the Darwin entertainment precinct, where there are numerous late night trading venues, including Monsoons itself, which is authorised to trade until 04:00 every night.
22. The application of the public interest and community impact tests generally involves a balancing exercise, and consideration of this matter is no exception. On the one hand, there are objectives and matters that weigh against approving the issue of the licence. For example, the event may lead to an increase in anti-social behaviour and disturbing noise (although the Commission assesses the probability that aliens will actually invade Nuttall Place on the night of 21 June 2025 to be low). On the other hand, there are objectives and matters that weigh in favour of approving the issue of the licence. For example, the block party may modestly increase cultural, recreational, employment and tourism benefits for the local community area.
23. Having considered all these matters, the Commission is satisfied that it was in the public interest to approve the licence, and that it would not have a significant adverse impact on the community.
24. For the above reasons, the Commission determined to issue the licence with the conditions set out in its decision of 16 June 2025.
25. Nothing in these reasons should be read as purporting to authorise the applicant to engage in conduct in breach of the Act, and in particular, s 93 of the Act, which prohibits licensees from causing or permitting undue and unreasonable noise that affects the amenity of the neighbourhood.



Russell Goldflam

Chairperson
Northern Territory Liquor Commission

23 June 2024

APPENDIX ONE

