

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

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**CITATION:** *APPLICATION FOR MAJOR EVENT AUTHORITY FOR DARWIN RIVER TAVERN RODEOS [2025] NTLiqComm 19*

**REFERENCE:** LC 2025/015

**APPLICANT:** Oceanview Developments NT Ltd

**LICENCE NUMBER:** 80304941

**PREMISES:** 185 Darwin River Road  
DARWIN RIVER NT 0841

**NOMINEES:** Paul David Winter and Fiona Agnes McGregor

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

**HEARD BEFORE:** Mr Russell Goldflam (Delegate)

**DATE OF DECISION:** 7 May 2025

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**Decision**

1. On 7 May 2025 the Northern Territory Liquor Commission (**the Commission**) issued a decision notice in the following terms:

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 major event authority with existing licence 80304941 (**the licence**) to Oceanview Developments NT Ltd (**the licensee**) in relation to two events (**the May 2025 rodeo** and **the June 2025 rodeo**).

The Trading hours for the major event authority are:

For the May 2025 rodeo, Saturday 10 May 2025 from 15:00 hours to 02:00 hours the following day; and

For the June 2025 rodeo, Saturday 14 June 2025 from 15:00 hours to 01:00 hours the following day.

The licensed premises for the May 2025 rodeo and the June 2025 rodeo is the area (**the licensed premises**) bounded in a continuous red line and depicted in the plan at Attachment L on page 92 (of 111) of the brief of evidence provided

to the Commission under cover of a memorandum signed by Mr Mark Wood (**Mr Wood**), Delegate of the Director of Liquor Licensing, dated 29 April 2025 (**the brief**).

The boundary of the licensed premises for the May 2025 rodeo and the June 2025 rodeo must be clearly identified and access to the premises must be restricted in a manner that allows for effective supervision by the licence nominee.

The conditions of the licence for the May 2025 rodeo and the June 2025 rodeo include those authority conditions set out in Part 4 Divisions 1 and 12 of the *Liquor Regulations 2019* (**the Regulations**).

The following additional conditions are fixed for the May 2025 rodeo and the June 2025 rodeo:

- a. A nominee must be present during all trading hours, supervise the sale of liquor and ensure compliance with these conditions.
- b. 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.
- c. Persons under 18 years must not be engaged in the sale or supply of liquor.
- d. 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.
- e. Liquor may only be sold in opened cans or plastic containers. There is to be no glass.
- f. No alcoholic drinks that contain more than 1.6 standard drinks in one vessel may be sold or served.
- g. No spirits (other than pre-mixed UDLs) or wine may be sold or served at the Function Centre Bar or Garden Bar.
- h. A staggered decline of alcohol served must be implemented as follows:
  - i. no more than four alcoholic drinks may be sold to any one person at any one time before 24:00 hours;
  - ii. no more than two alcoholic drinks may be sold to any one person at any one time from 24:00 to 01:00 hours the following day; and

- iii. for the May rodeo, no more than one alcoholic drink may be sold to any one person at any one time from 01:00 hours to 02:00 hours.
- i. 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.
- j. No patron is to be sold, consume or possess liquor if they are not wearing an 18+ wristband.
- k. 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.
- l. 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.
- m. The licensee must make soft drinks and water available from the bar and also from separate outlets for patrons under 18 years of age.
- n. The licensee must establish and maintain at least one designated "Alcohol Free Zone".
- o. No liquor shall be permitted to be sold, supplied or consumed in the competitors area.
- p. The licensee must clearly display signage identifying the locations where smoking is permitted and that the premises are otherwise a No-Smoking area.
- q. The licensee shall ensure compliance with Northern Territory Fire and Rescue Service Special Event Requirements throughout the conduct of this event.

The authority will be issued immediately following the receipt by the Director of the applicant's updated Public Liability Insurance policy for this event.

2. The Commission stated that it would issue reasons for this decision in due course. Those reasons now follow.

## **Reasons**

### **The Application**

3. On 3 February 2025 Mr Paul Winter (**Mr Winter**), a joint nominee of the licensee, which trades as the Darwin River Tavern, applied for a liquor licence with a major

event authority for a rodeo on 10 May 2025 at the licensee's Darwin River premises, to be conducted in conjunction with Rodeo Promotions NT. On 1 March 2025, Mr Winter lodged a similar application for another rodeo on the same premises on 14 June 2025.

4. The applicant seeks to sell liquor on 10 May 2025 between 15:00 hours and 02:00 hours the following day; and on 14 June 2025 between 15:00 hours and 01:00 hours the following day. The applicant estimates a crowd of 1,500 patrons will attend each event at any one time.
5. These are ticketed events, and the applicant intends to offer a range of alcoholic and non-alcoholic beverages including heavy, light, mid and full-strength alcohol content options. Entertainment after the rodeos will be an afterparty with a DJ and a live band.

### **Consultation**

6. The applications were advertised in the NT News on 22 February 2025 and 8 March 2025, and were also published on the Director's website. A green sign was also placed on display at the proposed location. The Director was satisfied that the applicant had complied with the requirements to advertise the application.
7. In accordance with s 56 of the Act, notification was given to Department of Health, NT Police and the Litchfield Council. Notice was also given to and the Northern Territory Fire and Rescue Services (**NTFRS**) and St Johns Ambulance.
8. None of these stakeholders opposed the application, and no objections were received from the public.

### **The licensee's record of compliance**

9. The Director informed the Commission that the licensee has a satisfactory compliance history for the purpose of these applications.<sup>1</sup> In addition, the Commission has approved the issue of licences with a major event authority to Rodeo Promotions NT Pty Ltd on four previous occasions<sup>2</sup>, "with minimal compliance issues/concerns".<sup>3</sup>
10. There were no concerns raised by the Director in relation to the application and the applicant has addressed issues regarding traffic, emergency and event management in this application.

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<sup>1</sup> Although the Commission took disciplinary action against the licensee in 2020 for failing to comply with the requirement that it scan the ID of customers before selling them liquor for consumption off the premises, I accept the Director's assessment of the licensee's compliance record.

<sup>2</sup> [2025] NTLiqComm 13; [2024] NTLiqComm 17; [2023] NTLiqComm 13; [2023] NTLiqComm 6

<sup>3</sup> *Application for liquor licence with major event authority for the Top End Bull Spectacular* [2025] NTLiqComm 13 at [17]

## **The referral**

11. On 29 April 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 brevity.
12. The Director provided the Commission with a bundle (**the brief**), including the following documents:
  - a. Applications (2) for liquor licence with major event authority.
  - b. Request for waiver of standard security officer requirements
  - c. Probity documents for Mr Winter
  - d. Section 54 affidavits (2), 10 February 2025 and 5 March 2025
  - e. Public interest and community impact assessment
  - f. Event management plan
  - g. Emergency evacuation management plan
  - h. Registration of a Food Business
  - i. Certificate of Registration of a Company
  - j. Insurance certificate of currency to 5 April 2026
  - k. Tobacco retail licence
  - l. Site plan
  - m. Smoking Management Plan
  - n. Event Traffic Management Plan
  - o. Wristband chart
  - p. Correspondence with stakeholders

## **ASSESSMENT OF THE APPLICATION**

13. The Commission has delegated its power to consider and determine an application for a major event authority to a single member of the Commission. Practically speaking, a member can only exercise this delegated power if they form the opinion that a public hearing of an application (which must be conducted by a panel constituted by at least three members of the Commission) is not appropriate in one or more of the circumstances set out at s 21(2) of the Act. In this instance, I formed that opinion because I considered that the application was not controversial and that conducting the hearing would not be worthwhile. Accordingly, I determined to exercise the delegated power to determine these applications as a single member of the Commission.

14. The proposed licensed area is wholly within the footprint of the existing Darwin River Tavern licence. In the tentative view of the Commission, the Act does not permit a liquor licence to be issued over premises over which a liquor licence already exists. Accordingly, I determined to assess these applications not as applications for new liquor licences, but as applications for a major event authority to be issued with the existing licence, for the major events. Section 52(1) provides that "...a person may apply to the Commission for a licence **or** an authority" (emphasis added).
15. 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.
16. 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.
17. I fixed as a condition of the approval that the licensee provide the Director of Liquor Licensing with an updated Certificate of Currency for the licensee's Public Liability Insurance. I now note that the brief contains an updated Certificate of Currency,<sup>4</sup> and accordingly, I consider that this pre-condition has been complied with.
18. The applications were referred to the Commission as "major events". A major event is defined by s 47(1)(o) of the *Liquor Act* as an event that is expected to have at least 1500 attendees, an event that has a significant effect on public transport or local amenities, or an event that requires more than a usual amount of emergency services or police supervision. The licensee has applied for a major event authority. In her email to Licensing NT dated 16 April 2025, a representative of the applicant stated that the expected crowd size would be 1500 people. However, elsewhere in the material received by the Commission (p. 41, and p. 56), the applicant states "no more than 1000 people are expected per day", although in the same document the applicant also states "Event max 1500" (p. 52 and p. 67). On the evidence the Commission has received, I have determined that the applications should be treated as major event authority matters.

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<sup>4</sup> Brief, p. 90

19. I am satisfied that the Applicant has complied with the requirements of ss 54 and 55 of the Act.
20. I am satisfied that the proposed premises are suitable for the supply and consumption of liquor in the manner set out in the application.
21. Having regard to the fact that the applicant is a well-established licensee with a satisfactory record of compliance, I am satisfied that the licensee's financial stability, general reputation and character are satisfactory for the purpose of these applications.
22. Further I consider that the licensee, its nominees and its associate, NT Rodeo Promotions Pty Ltd, continue to be fit and proper persons to be granted a major event authority to operate with the licence.
23. I have also had regard to the public interest and community impact requirements in s 49 of the Act. I particularly take into account the following matters:
- a. The proposed premises, which are located in a rural area adjacent to the Stuart Highway, have previously been utilised for rodeos.
  - b. The proposed events are of relatively short duration.
  - c. The licensee and NT Rodeo Promotions Pty Ltd have demonstrated the capacity to run similar events successfully.
  - d. The licence conditions imposed are calculated to reduce the risk that patrons will drink to excess and cause alcohol-related harm.
24. I am satisfied that issuing the major event authority for these two events is in the public interest and will not have a significant adverse impact on the community.

### **Conditions**

25. Regulation 68(2) of the *Liquor Regulations* prescribes the minimum number of crowd controllers who must be hired or employed for a major event authority. On 16 April 2025, the licensee wrote to Licensing NT requesting that this requirement be waived for these events. The Commission is of the view that it has no power to exempt licensees from complete or partial compliance with the conditions prescribed by the Regulations. If the Commission is wrong in this view, I would in any event not have waived compliance with the prescribed crowd controller requirements, which I consider are based on industry standards and consistent with regulatory requirements in other Australian jurisdictions. The conditions set out in the attached decision notice therefore include a requirement that there be compliance with the relevant regulations, which include Regulation 68(2).
26. I have the delegated power as a single member of the Commission to issue a major event authority, but I do not have delegated power to vary the conditions of an existing licence. Accordingly, during the May and June 2025 rodeos the licensee will be required to comply with all conditions in the existing licence, including the existing noise condition.

27. In its response to the consultation undertaken by the Director with stakeholders, DOH recommended that there be a limit of four standard drinks per person, and that consideration be given to high-strength RTD drinks. I agree, and have imposed a condition that no drinks that contain more than 1.6 standard drinks in one vessel may be sold or served, and a condition that no more four alcoholic drinks may be sold to any one person at any one time before 24:00 hours, with that number reducing after midnight.
28. DOH also recommended that full strength beer not be made available at these events. The Commission has previously considered this issue for major events, and determined to allow full strength beer to be sold at events such as rodeos, where previous similar events have not resulted in significant levels of alcohol-related harm.<sup>5</sup> I agree with the approach taken in those matters.
29. I have however imposed some additional conditions, in line with those the Commission has recently imposed for similar major event licences.
30. Section 3(4) of the Act provides that in performing its functions, the Commission must have regard to the primary and secondary purposes of the Act. I have done so, and I consider that the issue of the major event authority with the conditions imposed is consistent with the purposes of the Act.
31. Accordingly, the Commission has determined to issue a major event authority on the conditions set out at the commencement of the Decision Notice.



RUSSELL GOLDFLAM

CHAIRPERSON  
NORTHERN TERRITORY LIQUOR COMMISSION  
13 May 2025

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<sup>5</sup> For example, Northern Territory Liquor Commission, *Top End Rodeo Circuit Inc application for a special licence* (LC2018/012, 26 April 2018); Northern Territory Liquor Commission, *Dalkeith Ag Co Pty Ltd application for a major event authority* (LC2020/027, 24 June 2020); *Rodeo Promotions NT Pty Ltd application for a liquor licence with a major event authority* [2023] NTLiqComm 6