

Director of Liquor Licensing

Decision Notice

MATTER:	Application for variations of the conditions of a liquor licence
LICENSEE:	Haigh Rural Enterprises Pty Ltd
PREMISES:	Athelle Outback Hideaway 2879 Cavenagh Road ANMATJERE
LEGISLATION:	<i>Liquor Act 2019</i> – Part 4 Division 5
DECISION OF:	Director of Liquor Licensing
DATE OF DECISION:	16 August 2025

DECISION

1. For the reasons set out below, and pursuant to section 112(1)(a) of the *Liquor Act 2019* (Act), and in accordance with the delegations conferred upon me by the NT Liquor Commission (Commission) on 4 July 2025, I as the Director of Liquor Licensing (Director) approve the application by Haigh Rural Enterprises Pty Ltd to vary the conditions of their liquor licence FLL2514 by removing the following restriction:

“All liquor is to be sold in open containers, with a maximum of six (6) individual items per person per day.”
2. No other changes are made to the licence or authority.

BACKGROUND

3. An application was lodged by the licensee, Haigh Rural Enterprises Pty Ltd for the premises Athelle Outback Hideaway for which licence FLL2514 relates.
4. The application was for a removal of a condition limiting the number of sales to patrons imposed in the original grant of the licence on 17 June 2024.
5. The matter was processed in accordance with the provisions of the Act and referred to the Director in the usual manner on 14 August 2025.
6. On 4 July 2025, the Commission delegated additional matters to the Director for determination, and this application falls within the scope of those delegated powers.
7. Accordingly, the Director is authorised to determine this matter under the delegation.

APPLICATION

8. The application was accompanied by all materials required under the Act, including a summary of the public interest and community impact assessment.
9. The nature of the application is minimal, seeking only the removal of a specific special condition originally imposed when the licence was granted.

10. No other amendments to the licence conditions were proposed. It is noted that the licence is held under a special venture authority, which restricts sales to "...customers of the licensee's services who have booked those services in advance."
11. As a result of this regulation, the licensee is not permitted to sell liquor to members of the public under the current authority.

PUBLICATION & CONSULTATION

12. The licensee was not required to publish a notice of the application given the nature of the matter and the isolated location of the premises.
13. Notification of the application was provided to those prescribed in section 111(3) of the Act, with no adverse comments having been received from any party.
14. Police did question the potential for large events however, as written earlier, the existing authority under which the licence operates prevents the sale of liquor to the public as contemplated by the response from Police.

ASSESSMENT OF THE APPLICATION

15. It could be argued that removing the limitation would allow the licensee to sell liquor to patrons without restriction.
16. However, such a limitation is generally not imposed on comparable licences. Instead, licensees are expected to comply with the harm minimisation principles outlined in Part 6, Division 3 of the Act, as well as specific obligations such as not serving liquor to intoxicated persons.
17. These provisions apply to most licensees, and product limits are typically reserved for large scale events or similar circumstances.
18. This licence does not permit such service, nor has there been any indication that the licensee has breached their licence conditions.
19. The licensee is seeking to expand services in response to substantial business growth since opening.
20. There has been no opposition to the application, no adverse commentary, and no compliance concerns regarding the licensee.
21. No issues have been identified that would warrant refusal of the application, and initial concerns raised by Police have been addressed by the existing authority's inherent restriction on the sale of liquor to the public.
22. Should the licensee wish to host events open to the public, they would still be required to obtain a special event or major event authority. This requirement remains unchanged by the proposed removal of the limitation.

Public interest and community impact requirements

23. In accordance with section 97 of the Act, I have considered the relevant public interest and community impact criteria, and I am satisfied that the removal of the limitation condition is not contrary to the public interest and is unlikely to have any negative impact on the community.
24. The licensee's intention is to expand their business operations and offer an improved level of service to patrons.

25. Section 3(4) of the Act requires that any exercise of power under the Act must have regard to both its primary and secondary purposes, one of which is to regulate the industry in a way that promotes the tourism and hospitality sectors.

26. This decision has been made in accordance with those legislative purposes.

REVIEW OF DECISION

27. Section 29(1) of the *Liquor Commission Act 2018* provides that any decision made by the Director is reviewable by the Commission. Section 29(2) prescribes the persons who may apply for such a review.

28. An application for review must be lodged with the Commission within 28 days of the applicant receiving written notice of the Director's decision. The application must be in the form approved by the Commission and must specify the grounds for review and the supporting facts.

29. This decision falls within the scope of section 29(1) of the *Liquor Commission Act 2018*, is not excluded by subsections (a) or (b), and is therefore reviewable by the Commission.

A handwritten signature in blue ink, appearing to read 'M. C. l.', is positioned above the name Mel Garde.

Mel Garde
Director of Liquor Licensing

16 August 2025