

Delegate of the Director of Liquor Licensing

Decision Notice

MATTER	Application for the variation of conditions of a licence
LICENSEE	Banks Bulldogs Football Club Incorporated
LICENCE NUMBER	FLL1310
PREMISES	Gardens Oval Facility Gilruth Avenue THE GARDENS NT 0820
TRM REFERENCE	LNT2024/3041-0006
LEGISLATION	Part 4 Division 5 of the <i>Liquor Act 2019</i>
DECISION OF	Southern Region Manager Liquor – Licensing & Compliance
DATE OF REFERRAL	22 October 2026

DECISION

- For the reasons outlined below in accordance with section 112(2) of the *Liquor Act 2019* (the Act), and with reference to the delegations provided by the Northern Territory Liquor Commission (the Commission) dated 4 July 2025, as a delegate of the Director of Liquor Licensing (the Director) I have determined to grant the variation of liquor licence FLL1310 Banks Bulldogs Football Club Incorporated amending the hours of trade as follows:

Current Hours		Approved Varied Hours	
Sunday	12:00 to 21:00 hours	Sunday to Saturday	12:00 to 23:00 hours
Wednesday	17:00 to 22:00 hours		
Thursday	17:00 to 22:00 hours		
Saturday	12:00 to 23:00 hours		
Maximum Operating Hours – Thirty (30)		The bar will only be operated during Banks Bulldogs games and social functions and when requested by AFL Northern Territory to operate the bar.	
No trading on Good Friday & Christmas Day		No trading on Good Friday & Christmas Day	

- Additionally, the condition limiting trade to a maximum of 30 hours per week is removed.
- The days and hours of trade are limited to days in which Banks Bulldogs games are being played, pre-arranged social functions and when requested by AFL Northern Territory (AFLNT) to operate the bar.

4. The licensee is to maintain a register of days and hours of operation in line with the above condition.

REASONS

BACKGROUND

5. On 18 September 2026, an application was lodged by the licensee for a variation of the conditions of their licence seeking to extend their hours of trade pursuant to section 110 of the Act.
6. The changes sought are intended to allow the licensee to operate the bar in line with AFLNT fixtures which include Friday night games, team announcements and other social events related to the games.
7. The hours of trade were limited to 30 hours per week in total, with no trade provided for on Monday, Tuesday or Friday.
8. The licence was originally issued as a special licence under the *Liquor Act 1978* and referred to as a continuing special licence, which allowed the club to operate for limited hours per week.
9. A special licence was not a licence as defined in the 1978 Act and was issued for an event, or annually to small community groups as that Act did not provide a suitably prescribed licence for those organisations.
10. For sporting groups such as this, the special licence was issued on an annual basis with a limitation of hours to 30 per week as well as limited days in which they may trade.
11. The special licence was subsequently converted through the provisions of section 324 of the current Act when it was introduced.
12. Accordingly, the days, hours and limitation on trade which was imposed on the special licence were transposed to the converted licence as pursuant to section 324(6)(b) of the Act, the Director was required to issue the converted licence with the authorities and conditions considered equivalent to the special licence issued under the 1978 Act.
13. Through the passage of time and growth in demand, the limitation on trade under this licence has necessitated ongoing applications for licences with a special event authority providing an administrative burden to the licensee, which gives rise to this matter.
14. This matter, having been lodged and processed in accordance with the provisions of the Act, was referred to the delegate of the Director in the usual manner on 21 October 2026.
15. On 4 July 2025, the Commission conditionally delegated a number of matters to the Director for determination, this application falls within those delegations and limitations allowing for them to be determined by the Director or her delegate.
16. Accordingly, this matter may be determined under delegation.

APPLICATION

17. The licensee included the materials prescribed by the Act including suitable supporting materials.
18. There were no proposed changes to the operational conditions of the licence other than the additional hours, and the application was simple in nature and uncontroversial.

DISCLOSURE OF PERSONS

19. Section 54 of the Act requires the licensee to make an affidavit disclosing each person who, if the licence is issued, may
 - a) be able to influence the applicant; or
 - b) expect a direct or indirect benefit from the licensee.

20. I am satisfied with the material provided by the licensee in relation to this requirement.

PUBLICATION & CONSULTATION

21. The nature of the matters and operation of the premises supported the position to exempt the licensee from the public notice requirements, with a delegate exercising their discretion pursuant to section 57(2A) of the Act.
22. Notification of the application was provided to those prescribed in subsections 111(1) and 111(3) of the Act, with no adverse comments having been received from any party.
23. No comments or submissions were received from stakeholders in relation to the application.

PUBLIC INTEREST AND COMMUNITY IMPACT REQUIREMENTS

24. In accordance with section 112 of the Act, I have considered the public interest and community impact requirements and am comfortably satisfied that the variation to hours will be in the public interest, and that it is unlikely it will have any adverse impact on the community.
25. The changes provide greater flexibility to the small community club and its members.
26. Section 3(4) of the Act requires a person exercising a power under this Act to have regard to both the primary and secondary purposes of the Act, with the primary purpose focusing on harm minimisation.
27. As required by that section this decision has been made in a manner consistent with those purposes.
28. It is also noted with reference to Schedule 2 of the *Liquor Regulations 2019* (the Regulations) that this licence falls within the category of low risk licences.
29. This categorization is of relevance to the overall consideration of the matter.

CONSIDERATION CRITERIA

30. In accordance with section 112 of the Act, I have considered:
- a) The applicant's affidavit required by section 54;
 - b) The variation of hours will allow for the bar to operate in line with AFLNT fixtures and will only be operated during Banks Bulldogs games and social functions and when requested by AFLNT to run the bar.
 - c) The nature of the operation and the conditions on the licence provide comfort that these changes will not result in any adverse outcomes or harm to the community.
 - d) The results of an investigation into the applications conducted by Licensing NT personnel;
 - e) In the absence of objections, the responses of the stakeholders to which notification was provided;
31. In accordance with section 112 (1)(d) of the Act, I have also considered whether issuing the variation to the Applicant is in public interest, and whether the granting of the variation will have a significant adverse impact on the community.

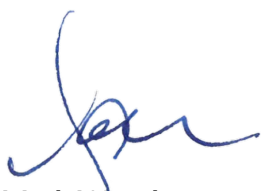
32. There has been no opposition to this application and no adverse comments, nor any compliance issues with this licensee.

ANALYSIS

33. The licence was converted from the previous special licence maintaining the original limited days and hours of trade.
34. This limitation was not a statutory provision; it was a policy decision made many decades ago that such annual special licences (described as continuing special licences) would only be allowed to trade a maximum of 30 hours per week.
35. Regulation 45 of the Regulations now provides a discretion to the decision maker to permit the licensee to trade on the hours (and days) specified in the authority issued to the licensee.
36. Accordingly, new licensees of this category are no longer fettered by the previous policy decision of the earlier decision makers.
37. It is therefore arguable that this licensee is unfairly disadvantaged by the conversion process which did not allow for the licence to be issued under the new, more generous provisions.
38. The hours sought will still align only with their matches and events and not impinge on the use of the facilities by other organisations.
39. It is also noted although the licensed area covers both fields and the facilities, this licensee only trades from the can bar, they do not use the Waratah's Function Centre as that is their premises and facilities.
40. There is no record of any issues of non-compliance by this licensee.
41. It is on the basis of the above that I am satisfied there is no evidence to suggest the proposed additional hours will give rise to any adverse issues.

REVIEW OF DECISION

42. Section 27(1) of the Act provides for those persons prescribed to seek a review of a delegate's decision by the Director.
43. An application for a review of a decision must be made to the Director within 28 days after written notice of the decision is given to the person, in the approved form stating the grounds on which it is made, and the facts relied on to establish the grounds.
44. The persons who may seek a review of this matter, with reference to section 27(1) of the Act is the licensee.



Mark Wood
Delegate of the Director of Liquor Licensing
23 October 2026