

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

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**MATTER:** *APPLICATION FOR GENERAL RESTRICTED AREA OVER MURUNING [2025] NTLiqComm 37*

**FILE NO.:** LC2025/043

**APPLICANT:** Residents of Muruning Family Outstation

**AREA:** Muruning Family Outstation  
Victoria Highway  
TIMBER CREEK  
NT 0852

**LEGISLATION:** Part 8 Division 3 of the *Liquor Act 2019* (NT)

**HEARD BEFORE:** Mr Russell Goldflam (Chairperson)  
Professor Phillip Carson (Health Member)  
Ms Katrina Fong Lim (Community Member)

**DATE OF HEARING:** 22 October 2025

**DATE OF DECISION:** 20 November 2025

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**Decision**

1. For the reasons set out below and in accordance with s 177 of the *Liquor Act 2019* (NT) (**the Act**) the Northern Territory Liquor Commission (**the Commission**) has determined to declare a general restricted area (**the GRA**) over the Muruning Family Outstation (**Muruning**) situated on land owned by the Mayat Aboriginal Land Trust (**the Land Trust**).
2. In accordance with s 172 of the Act, the Commission will declare the GRA by *Gazette* notice specifying that:
  - (a) The boundaries of the GRA are as depicted in Annexure One to this decision notice.
  - (b) Other than in accordance with a permit issued under s 201 of the Act (**a liquor permit**) that has not been revoked or suspended, the following are prohibited in the GRA:
    - i. The bringing of liquor into the area;

- ii. The possession of liquor in the area;
    - iii. The consumption of liquor in the area; and
    - iv. The sale, supply and service of liquor in the area.
  - (c) The Director of Liquor Licensing (**the Director**) must consult with the residents of the GRA and have regard to the Muruning Family Outstation Community Alcohol Management Plan (**the Muruning CAMP**) approved by the community on 25 to 26 September 2025, and as may be varied from time to time<sup>1</sup> when considering:
    - i. an application for a liquor permit;
    - ii. the conditions of a liquor permit, including the places at which liquor may be possessed and consumed by the permit holder;
    - iii. suspension of a permit; or
    - iv. revocation of a permit.
  - (d) The Director may on their own initiative, provided they have taken reasonable steps to consult with the residents of the GRA, suspend a liquor permit of a resident of the GRA for a period of up to six months with immediate effect.
  - (e) The declaration of the GRA expires in 99 years.
3. By way of compliance with s 178 of the Act, the Commission has determined to publish information about the GRA by posting this decision notice on the Commission's website, and by sending a copy of this decision notice to:
- (a) Mayat Aboriginal Land Trust
  - (b) Northern Land Council
  - (c) Victoria Daly Regional Council
  - (d) NT Police
  - (e) Attorney-General and Minister for Tourism and Hospitality
  - (f) Minister for Alcohol Policy
  - (g) Alcohol Policy, Northern Territory Department of Health

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<sup>1</sup> Exhibit One, pp 18 to 36

(h) Harm Minimisation Unit, Northern Territory Department of Health

(i) National Indigenous Australians Agency

4. The declaration of the GRA will take effect on the date of publication of the *Gazette* notice referred to above.
5. The Commission requests the Director, the Director of the Harm Minimisation Unit and the residents of the GRA take reasonable steps to erect signs where a road or other customary route enters the GRA warning the public of the GRA in accordance with s 181(2)(a) and (b) of the Act.

## **Reasons**

### **Introduction**

6. Muruning (muh-RUN-ing), also known as Darbys and One Mile, is a small homelands community on the western bank of the Victoria River, 1.5 km south of the Timber Creek township. Muruning has been an Interim Alcohol Protected Area (**IAPA**) pursuant to Part 8 Division 1 of the Act since 16 February 2023, when the IAPA scheme came into force.
7. The community has an estimated population of about 15 permanent adult residents, and half a dozen dwellings, with space for further houses to be built there in the future.
8. The relevant history, circumstances and legal issues pertaining to this matter are similar to those set out in the decision of the Commission dated 19 June 2024 to declare a General Restricted Area for Itchy Koo Park.<sup>2</sup> It is unnecessary to now repeat the detailed consideration of those matters set out in that decision.

### **The Application**

9. On 30 September 2025, Mr Matthew Ah Mat (**Mr Ah Mat**), a Senior Alcohol Action Officer with the Harm Minimisation Unit in the Mental Health, Alcohol and Other Drugs branch of the Northern Territory Department of Health, submitted an application on behalf of the residents to apply for a declaration that Muruning be declared a GRA. The application was endorsed by Ms Sharon Darby, a resident and traditional owner of the area. On 25 September 2025 Ms Darby and five other residents of the community signed a petition in support of the application. They and a further three residents all signed a statement to similar effect appended to the Muruning CAMP.

### **Consultation**

10. Section 175 of the Act requires the Director to give notice of a proposed GRA to:

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<sup>2</sup> *Application for General Restricted Area over Itchy Koo Park* [2024] NTLiqComm 25

- (a) Any licensee whose licensed premises are in the area.

Although the Timber Creek Hotel is less than 2 km from Muruning, the hotel does not lie within the area of the proposed GRA. The Commission agrees with the Director's submission that accordingly, this provision is not engaged in the circumstances of this application.

- (b) Any applicant for a licence whose proposed licensed premises are in the area – there are no such applicants.

- (c) Any licensee whom the Director considers may be affected adversely by the proposed restriction – the Director considered that no licensees would be adversely affected.

- (d) Any local council in the proposed area – the Director notified the Victoria Daly Regional Council and the Northern Land Council. The Northern Land Council did not respond, but Ms Jennifer Marston, the CEO of the Victoria Daly Regional Council, did so, stating:

Council supports the community's initiative and endorses the establishment of a permanent General Restricted Area. This application reflects the collective will of Muruning residents to foster a safer, healthier, and more cohesive community.

As the local government authority, VDRC acknowledges the positive impact that alcohol restrictions have had in similar communities across the region, including enhanced safety, improved wellbeing, and strengthened family and cultural stability. We will continue to work closely with the NT Police particularly in the delivery of our Community Night Patrol services, where our priority focusses on child and youth safety.

We commend the residents of Muruning for their proactive leadership in addressing alcohol-related harm and for exercising their right to pursue locally driven solutions that align with their values and aspirations.

11. At the suggestion of the Commission, the Director notified the licensee of the Timber Creek Hotel, who was pleased to be informed of the application, but otherwise declined to comment on it.

12. Section 175 also requires the Director to take reasonable steps to consult with the people who reside in the area. Mr Ah Mat and Senior Alcohol Action Officer Ms Surinder Crichton visited the community and consulted with Muruning residents in March 2025, June 2025 and September 2025. On 25 September 2025 nine adult Muruning residents provided their written endorsement of the

Muruning CAMP and this application. The Commission is satisfied that the community members are well aware of the circumstances of the application, and support it.

13. Although not required to do so, on 30 September 2025 Licensing NT also notified the Superintendent of NT Police based in Katherine, and the Katherine West Health Board Aboriginal Corporation. Unfortunately, it appears that the notification to NT Police was not forwarded to the officers on the ground at the Timber Creek police station, who only became aware of the application on 15 October 2025, when the Commission issued notices to the parties that the hearing of the application would take place on 22 October 2025, and asked Timber Creek police to assist with serving this notice on the applicant (which police kindly did).
14. On 21 October 2025, having been informed that police and various other Timber Creek stakeholders wished to raise concerns about the application, the Chairperson wrote to them, granting leave generally for interested persons to attend the hearing, by Teams or by telephone.
15. The nature of those concerns, and the Commission's consideration of them, is addressed later in these reasons.

### **Director's Report**

16. In accordance with s 176 of the Act, on 9 October 2025, the Director provided the Commission with a report (**the report**) comprising:
  - (a) Application for general restricted area dated 25 September 2025
  - (b) Record of Administrative Interests and Information for Muruning
  - (c) Map of the Muruning Family Outstation Interim Alcohol Protected Area (NT Land Information System certified plan S2023/095)
  - (d) Muruning CAMP dated 8 August 2025
  - (e) Petition in support of application and Muruning CAMP dated 25 – 26 September 2025
  - (f) "BUSHTEL" community profile for Muruning

### **The hearing**

17. On 22 October 2025, the application proceeded as a public hearing. Ms Hazel McCann, a Muruning resident and signatory to the application, appeared for the applicant by telephone. Ms Auricht appeared for the Director. Timber Creek police officers Aaron Venter and Matthew Gray appeared by Teams. Ms Jesse Moffatt (Bradshaw and Timber Creek Contracting) appeared by telephone. In attendance from the Northern Territory Department of Health were Mr Ah Mat, fellow Senior Alcohol Action Officer Ms Surinder Crichton, Ms Ameina Bruncker (Director, Harm Minimisation Unit) and Ms Emily McDougall (on behalf of the

Director, Alcohol Policy). The Commission thanks them all for their attendance and assistance.

18. The hearing was conducted in conjunction with hearings of similar applications from five other remote communities across the Top End of the Northern Territory.
19. The Commission conducted the hearing with a minimum of formality.
20. Prior to the commencement of the hearing, it had become apparent to the chairperson that there are significant misconceptions in the community about the operation of the IAPA scheme (Part 8 Division 1 of the Act), the GRA scheme (Part 8 Division 3) and the liquor permit scheme (Part 8 Division 6). In particular, the chairperson was concerned to correct a widespread misapprehension that GRA residents are eligible to apply for liquor permits, whereas IAPA residents are not.
21. The Muruning community petition admitted into evidence (and which had been signed by Ms Darby, Ms McCann and others) stated "By becoming a GRA and allowing permits, the Muruning residents want to be able to purchase alcohol and consume legally and safely in their community, without fear of police confiscating their alcohol, or being fined or being locked up." This statement strongly suggests that the signatories believed that they are not allowed to obtain liquor permits unless their community becomes a GRA.
22. In fact, s 170A(5) expressly provides that IAPA residents *can* apply for a liquor permit.
23. As the petition was drafted with the assistance of Senior Alcohol Action Officers with the Harm Minimisation Unit of the Mental Health, Alcohol and Other Drugs branch of the Northern Territory Department of Health, the chairperson was concerned that those officers might also share this misconception.
24. Furthermore, prior to the hearing the chairperson had received communications from Timber Creek police and the office of Licensing NT to the effect that Timber Creek police were also of the view that liquor permits could not be issued to Muruning residents unless and until the IAPA was converted into a GRA.
25. In fact, the eligibility to apply for a permit, the process of making a liquor permit application, the procedure for determining a liquor permit application and the criteria by which a permit application is assessed, are exactly the same for a resident of an IAPA as for a resident of a GRA. Permit applications are determined by the Director (s 201(2)) on conditions the Director considers appropriate (s 201(4)) if satisfied that issuing the permit is in the public interest and will not have a significant adverse impact on the community (s 202(2)). Before issuing a liquor permit, the Director must take reasonable steps to consult with the community residents, the local council, the Commissioner of Police and, where applicable, the local permit committee (s 203).

26. To correct these misconceptions, at the outset of the hearing the chairperson made some observations about these provisions of the Act, as summarised above.
27. The Commission admitted into evidence, without objection, the report, correspondence from the Victoria Daly Regional Council and a file note of Ms Auricht's consultation with the nominee of the Timber Creek Hotel.
28. The Director and the Department of Health supported the application.
29. Ms Moffatt told the Commission that the chairperson's above-mentioned observations placated her prior concerns about the application.
30. Ms McCann, who has been a resident of Muruning for 7 years, said that residents want to be able to drink at home instead of in Timber Creek and then walk back to Muruning. Ms McCann supported the insertion of a condition conferring power on the Director to suspend liquor permits. Ms McCann agreed that the risk of alcohol-related domestic violence in Muruning is high.
31. Officer Venter stated that police are opposed to the application because there is so much alcohol-related domestic violence at Muruning, with one such incident being reported to police every fortnight. A lot of alcohol is illegally consumed in the community, including as recently as the day before the hearing. There are only two officers to cover a large area in the district. Police are concerned that people from other communities will come in and take advantage of permit-holders in Muruning.
32. Mr Ah Mat stated that Muruning houses all have high fences, that residents can close their gates to keep troublesome visitors out, and that Muruning residents do not want humbugging from other nearby homelands. He further stated that the 1 km walk to Timber Creek from Muruning along the Victoria Highway is dangerous, and that pedestrians have been hit by cars. Mr Ah Mat reminded the Commission that the Timber Creek Hotel currently has licence conditions that limit the amount of liquor that can be sold to an individual for consumption off the premises.

## **ASSESSMENT OF THE APPLICATION**

33. Section 177 of the Act requires the Commission to consider:
  - a. the application;
  - b. the Director's report;
  - c. the public interest and community impact requirements.

### **The application**

34. The Commission finds that the application complies with the requirements for applicants set out at s 174 of the Act. Section 3 of the application ("Consent of the registered owner of the area") is signed by Ms Sharon Darby, who the

Commission accepts is a traditional owner and resident of Muruning. As the registered owner of the area is the Mayat Aboriginal Land Trust, the application is in this respect irregular. A similar issue arose in similar circumstances when the Commission considered an application for a GRA over Itchy Koo Park. For the reasons given at [2024] NTLiqComm 25 [41] to [54] in that matter, the Commission now finds that despite the irregularity, the application now under consideration is valid.

35. The Commission now turns to consider the substance of the application.

### **The police objection**

36. It is convenient to firstly address the opposition by Timber Creek police to the application. The Commission is of the view that the concerns by police were initially based at least in part on the common misconception regarding the IAPA scheme that has been described above. Officer Venter and Gray were in a difficult position, as they were instructed to appear in the hearing at short notice by the Officer in Charge of the Timber Creek Police Station, who was unable to attend the hearing himself, but who had written to the Commission prior to the hearing expressing his concern that the application “will put considerable strain on local resources”. The Commission is satisfied that this adverse view was predicated at least in part on a concern that the proposed GRA declaration would open the floodgates for harmful and excessive consumption of alcohol at Muruning.

37. The Commission is satisfied however that this concern will be adequately addressed both by the implementation of the Muruning CAMP, and also by s 203(1)(c) of the Act, which requires the Director to take reasonable steps to consult with police, and s 203(2)(b), which requires the Director to consider the results of that consultation before making a decision to issue a liquor permit to a person.

38. The Commission accepts the evidence given by police that there is currently unlawful alcohol consumption and related harm in Muruning. The Commission does not expect that this will miraculously cease when the GRA declaration it has decided to make is gazetted. However, neither does the Commission expect it to increase. Allowing this application gives the community a modicum of respect, agency and responsibility, which the Commission expects will lead over time to a decrease in the incidence of unlawful drinking and associated harm.

39. NT Police are identified in the Muruning CAMP as a key service provider and stakeholder. The Commission strongly encourages the Muruning Leaders Group and Timber Creek police to work together to implement the Muruning CAMP, a commendable objective of which is:

Supporting community members and their families by providing a safe place to live, where those who want to can consume alcohol responsibly and legally with other family members and residents who have a permit.

## **Compliance with s 174 of the Act**

40. In addition to requiring that an application be in the approved form, s 174 provides that it must include:

- (a) A detailed explanation of the restriction being proposed.
- (b) A detailed description of the proposed general restricted area.
- (c) The reasons for the proposed restriction.
- (d) A copy of a community alcohol plan, if any.

41. The Commission is satisfied that the applicant has provided sufficient detail of the restrictions it proposes, and, noting that they are supported by the Director and the Department of Health, the Commission considers that those restrictions are appropriate, as reflected in this decision.

## **The boundary of the area**

42. The application included a certified plan of the IAPA, and it was open to the Commission to simply fix the boundary of the GRA to coincide with the boundary of the existing IAPA. Section 170A(4)(b) of the Act provides that an area ceases to be an IAPA “if it is subsumed by a [GRA] that applies to the same or substantially the same area as the [IAPA]”.

43. The boundary of the Muruning IAPA is a circle with a radius of 700 m centred on a spot within the community. Within that circle is a stretch of both the Victoria Highway and the Timber Creek watercourse. At least 90% of the land within the circle is uninhabited bush. In the view of the Commission the GRA boundary should be fixed by reference to the actual perimeter of the community. To that end, the Commission circulated to the parties a draft of the area it proposed. The applicant and the Director agreed with the draft. Timber Creek police submitted that the Commission’s proposed area should be reduced to excise a portion of vacant land. In reply, the applicant submitted that this portion should be included in the GRA because it has been reserved for future housing. The Commission accepts the applicant’s submission on this issue.

44. The Commission notes that its determination of the boundary it has specified is solely for the limited purpose of declaring the GRA. The Commission does not intend or purport to determine, declare or affect the property rights of Muruning traditional owners’ vis a vis the property rights of traditional owners of any neighbouring community areas, or of any other person.

45. The Commission is satisfied with the applicant’s reasons for imposing the restrictions that have been proposed.

## **The Muruning CAMP**

46. The applicant has prepared and provided a community alcohol plan. GRA applicants are not required to develop a community alcohol plan, but the

Commission commends the applicant for having done so, and strongly encourages any future applicants to do so. The Commission accepts the submissions of the applicants, the Director and the Harm Minimisation Unit that the Muruning CAMP has been developed by the community, has the support of the community, and, with one exception, as discussed below, is strong. The Commission notes that the plan is compliant with regulation 111B(2) of the *Liquor Regulations*, which prescribes that a community alcohol plan must include measures aimed at:

- (a) Managing the supply of alcohol in the community.
- (b) Reducing demand for alcohol in the community.
- (c) Reducing harm or risks of harm that may be caused by the consumption of alcohol in the community.

47. The Muruning CAMP also includes a Risk Assessment matrix that identifies and assesses six categories of risk associated with the consumption of alcohol at Muruning, as follows:

- Uninvited visitors without permits drinking on community (Level of risk: High)
- Alcohol fuelled community and family violence (Level of risk: Medium)
- Poor social and emotional well-being and community engagement (Level of risk: Medium)
- Education (Level of risk: Medium)
- Employment (Level of risk: Medium)
- Cultural harm (Level of risk: Medium)

48. For each category of identified risk, the matrix describes its components, strategies, actions, responsibility and measures. Having considered the details of the Risk Assessment matrix, and the evidence given by both police and Ms McCann to the hearing, the Commission is concerned that the risk level of alcohol-fuelled family violence is probably in fact higher than “Medium”.

49. The Muruning CAMP states that the Muruning Leaders Group, which was established in June 2025, will meet twice a year, and will review the CAMP yearly, or more frequently if requested by community members or key partners. The Commission suggests that at its next meeting, the Muruning Leaders Group give further consideration to the risk level it has assigned for alcohol-fuelled family violence.

50. The Commission finds that, subject to the above concern, the Muruning CAMP is fit for purpose and thoughtfully formulated.

### **Whether issuing the licence is in the public interest**

51. To determine whether the declaration of the GRA is in the public interest, the Commission is required to consider how the issue of the licence would advance the following objectives set out in s 49(2) of the Act:

- (a) minimising the harm or ill-health caused to people, or a group of people, by the consumption of liquor;
- (b) ensuring liquor is sold, supplied, served and consumed on or in licensed premises in a responsible manner;
- (c) safeguarding public order and safety, particularly when large numbers of people would be attracted to licensed premises or an area adjacent to those premises;
- (d) protecting the safety, health and welfare of people who use licensed premises;
- (e) increasing cultural, recreational, employment or tourism benefits for the local community area;
- (f) promoting compliance with this Act and other relevant laws of the Territory;
- (g) ensuring each person involved in the business conducted at licensed premises receives training suitable to the person's role in the business;
- (h) preventing the giving of credit in sales of liquor to people;
- (i) preventing practices that encourage irresponsible drinking;
- (j) reducing or limiting increases in anti-social behaviour.

52. Having considered each of these objectives, and having particular regard to the contents of the Muruning CAMP, the Commission is comfortably satisfied that it is in the public interest to declare the GRA.

### **Whether the issue of the licence will have a significant adverse impact on the community**

53. To determine whether it is satisfied that the declaration of the GRA will not have a significant adverse impact on the community, the Commission must consider the matters set out at s 49(3) of the Act, which are:

- (a) the risk of undue offence, annoyance, disturbance or inconvenience to persons who reside or work in the vicinity of the proposed licensed premises or who are using, or travelling to or from, a place of public worship, a hospital or a school;

- (b) the geographic area that would be affected;
- (c) the risk of harm from the excessive or inappropriate consumption of liquor;
- (d) the people or community who would be affected;
- (e) the effect on culture, recreation, employment and tourism;
- (f) the effect on social amenities and public health;
- (g) the ratio of existing liquor licences and authorities in the community to the population of the community;
- (h) the effect of the volume of liquor sales on the community;
- (i) the community impact assessment guidelines issued under section 50;<sup>3</sup>
- (j) any other matter prescribed by regulation.<sup>4</sup>

54. The Commission is satisfied that the declaration of the GRA will have a modestly beneficial impact on the community, having particular regard to the s 49(3)(d) and (e) matters. If the declaration were not made, the interim alcohol protected area would continue, and the Muruning traditional owners and other residents would justifiably feel frustrated and disempowered. Conversely, issuing the GRA is a gesture of respect and acknowledgement to the Muruning community. Noting that the regulation of liquor on Aboriginal land in the Northern Territory has in recent years been subject to various statutory changes, the Commission considers that the declaration of the GRA will provide a measure of certainty to the community regarding the management of alcohol into the future.

### **Expiry**

55. Section 172(3)(c) of the Act provides that the declaration of a general restricted area must specify when the declaration expires. If the law clearly authorised the Commission to decline to fix an expiry date for a general restricted area declaration, the Commission would not have fixed an expiry date in this matter. The Commission has specified an expiry date in the distant future.

### **Warning of general restricted area**

56. Section 181 of the Act provides:

- (1) The Commission must take all steps it considers necessary to warn the public of a general restricted area at:

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<sup>3</sup> In the view of the Commission, no such guidelines are currently in force.

<sup>4</sup> There are no such “other” matters prescribed by regulation.

- (a) The places where a road or other customary route enters the general restricted area; and
  - (b) The customary departure locations for any vessels or aircraft travelling into the general restricted area.
- (2) The warning must state the following:
- (a) the details of the declaration;
  - (b) a summary of the offence against section 173;
  - (c) any other matters the Commission considers appropriate.

57. As requested by the applicant,<sup>5</sup> the Commission has determined that warning signage should be erected. The residents of Muruning have the option to provide input into the design of the signage, provided that the details specified at s 181(2) of the Act are included.

### **The objects of the Act**

58. Section 3(4) of the Act provides that in performing its function to decide whether to issue the licence, the Commission must have regard to the primary and secondary purposes of the Act. The Commission considers that making the GRA declaration together with the conditions it has determined to impose, is consistent with the purposes of the Act.

### **NOTICE OF RIGHTS**

59. 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.

60. In accordance with section 31(2) of the Act, the persons who may apply to NTCAT for a review of this decision are the applicant, the Director, the Chief Executive Officer of the Department of Health, the Victoria Daly Regional Council and the Commissioner of Police.



Russell Goldflam  
CHAIRPERSON  
NORTHERN TERRITORY LIQUOR COMMISSION  
26<sup>th</sup> November 2025

On behalf of Commissioners Goldflam, Carson and Fong Lim

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<sup>5</sup> Exhibit One, p 30

# Annexure One

