

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

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**MATTER:** APPLICATION FOR GENERAL RESTRICTED AREA OVER WOODICUPILDYA [2026] NTLiqComm 2

**FILE NO.:** LC2025/038

**APPLICANT:** Residents of Woodicupildya

**AREA:** Woodicupildya  
Woodicupildya access road  
Nemarluk NT 0822

**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, 27 November 2025

**DATE OF DECISION:** 8 January 2026

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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 (**GRA**) over Woodicupildya community situated on land owned by the Daly River/Port Keats Aboriginal Land Trust.
2. In accordance with s 172 of the Act, the Commission will declare the GRA by *Gazette* notice specifying that:
  - a. The boundary of the GRA is the area bounded in yellow on Northern Territory Land Information System Plan survey plan S2023/039.<sup>1</sup>
  - b. Other than in accordance with a permit issued under s 201 of the Act (**a liquor permit**) that has not been revoked or suspended, the following are prohibited in the GRA:

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<sup>1</sup> Accessed at <https://www.ntlis.nt.gov.au/hpa-services/surveyplans?planname=S2023/039>

- 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 must consult with the residents of the GRA and have regard to the Wudikapildyerr (Yantjarrwu Community) Community Alcohol Management Plan approved by the community on 4 November 2025, and as may be varied from time to time<sup>2</sup> when considering:
    - i. an application for a liquor permit;
    - ii. the conditions of a liquor permit, including the places and days of the week on 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 of Liquor Licensing (**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. Daly River/ Port Keats Aboriginal Land Trust
  - b. Northern Land Council
  - c. NT Police
  - d. Attorney-General and Minister for Tourism and Hospitality
  - e. Minister for Alcohol Policy
  - f. Alcohol Policy, Northern Territory Department of Health
  - g. Office of Aboriginal Affairs, Department of the Chief Minister and Cabinet

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<sup>2</sup> Exhibit One, pp 39 to 53

- h. Community Led Harm Reduction 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 Community Led Harm Reduction 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. Woodcupildya is a small homelands community approximately 311 kilometres south-west of Darwin, with about 30 residents.
7. 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 GRA for Itchy Koo Park.<sup>3</sup> It is unnecessary to now repeat the detailed consideration of those matters set out in that decision. It is sufficient for present purposes to note that Woodcupildya was one of 340 Interim Alcohol Protected Areas (**IAPAs**) across the Northern Territory that were established by s170A of the Act when the *Liquor Amendment Act 2023* (NT) came into force on 16 February 2023.

### **The Application**

8. On 16 July 2025, Ms Sofia McPherson, Principal Alcohol Action Officer, Community Led Harm Reduction Unit, NT Department of Health, submitted an application on behalf of the residents to apply for a declaration that Woodcupildya be declared a GRA. The application was endorsed by Mr Joseph Parry, a resident and traditional owner of the area. On 16 September 2025 an additional 26 residents of the community endorsed the application in a statement appended to the Wudikapildyerr (Yantjarrwu Community) Community Alcohol Management Plan (**the CAMP**), which they formally approved.

### **Consultation**

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

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<sup>3</sup> *Application for General Restricted Area over Itchy Koo Park* [2024] NTLiqComm 25

- a. Any licensee whose licensed premises are in the area – there are no such licensees.
  - 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 – there are no such licensees
  - d. Any local council in the proposed area – the Director notified the West Daly Regional Council and the Northern Land Council.
10. Although not required to do so, Licensing NT also notified the NT Police and the Department of Health.
11. The Department of Health, as will be seen, played an active role in supporting the application. The West Daly Regional Council responded to the Director, stating that having considered the application, it had decided not to comment on it. The Northern Land Council did not respond. On 30 July 2025, Superintendent Read (Central Division, Northern Command) responded to the Director on behalf of NT Police, opposing the application, for reasons that will be discussed below.
12. Section 175 also requires the Director to take reasonable steps to consult with the people who reside in the area. Ms McPherson, who was at the time engaged by the NT Department of Health to assist communities to prepare community alcohol plans, visited the community and consulted with Woodicupildya residents on 9 November 2024 and 9 and 10 July 2025, when the community voted to implement the alcohol plan permit system. The Commission is satisfied that the community members are well aware of the circumstances of the application, and support it.

### **Director's Report**

13. In accordance with s 176 of the Act, on 25 September 2025 the Director provided the Commission with a report (**the report**) including:
- a. Application for general restricted area dated 13 July 2024
  - b. Record of Administrative Interests and Information for Woodicupildya
  - c. Draft map of proposed GRA
  - d. Wudikapildyerr (Yantjarrwu Community) Community Alcohol Management Plan dated 9 July 2025
  - e. Notices of application sent to West Daly Regional Council, Northern Land Council, Remote Health Services and NT Police
  - f. Response from West Daly Regional Council

14. Due to an administrative error, the response from NT Police was not included in the Director's report, but the Commission was notified of the Police objection in advance of the hearing.

### **The hearing**

15. On 22 October 2025, the application commenced as a public hearing. Ms Constable appeared on behalf of the Director. Ms Ameina Brunker, the Director of the Community Led Harm Reduction Unit, NT Department of Health, attended. Unfortunately, although both the community and NT Police had been notified in advance of the hearing, there was no appearance by or on behalf of either the applicant or NT Police. Accordingly, the Commission adjourned the hearing to a later date, to provide a further opportunity for representatives of both the applicant and NT Police to attend. Before adjourning the hearing, the Commission received into evidence both the Director's report and correspondence between Licensing NT and NT Police, including the police objection dated 30 July 2025.
16. The hearing resumed on 27 November 2025. Mr Sean Morgan appeared on behalf of the applicant by telephone, although unfortunately, the poor line quality seriously impaired communication with Mr Morgan. Mr Wood appeared on behalf of the Director. Ms Brunker and Mr Ah Mat from the Community Led Harm Reduction Unit were in attendance. Regrettably, there was no appearance on behalf of NT Police.<sup>4</sup> An updated version of the CAMP dated 24 November 2025 was admitted into evidence, together with correspondence between Ms Brunker and Senior Sergeant Young, the officer in charge of the Wadeye police station.
17. The hearing was conducted with a minimum of formality. All those who attended the hearing supported the application. As some details of the liquor permit arrangements proposed by the applicant were unclear, Ms Brunker undertook to conduct further consultations with the community and report back to the Commission, which she did by email on 17 December 2025.

### **ASSESSMENT OF THE APPLICATION**

18. It is convenient to commence with consideration of the objection to the application by NT Police.
19. As mentioned above, NT Police did not attend the hearing. The Commission is satisfied that, in accordance with s 23(2) of the Act, it gave NT Police an opportunity to be heard, by providing written notice to the officers involved in advance of the hearing on both 22 October 2025 and 27 November 2025. The Commission received evidence of the issues and concerns raised by police, both by way of the correspondence with police that was tendered at the hearing, and the account given at the hearing by Mr Wood of his conversations with

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<sup>4</sup> Following the hearing, both Superintendent Read and Senior Sergeant Young wrote to the Commission, apologising for and explaining their non-attendance.

Senior Sergeant Young. In addition, on 29 October 2025, Superintendent Read wrote to the Commission as follows:

...considering the advice provided, [I] no longer have the greater concerns I have raised in my email. Apart from its proximity to the Communities of Daly River, Nauiyu, Peppimenarti, Nganmarriyanga and Wadeye, Woodycupildiya is a small community that requires only sporadic police response for alcohol related offending and behaviours.

The Commission is satisfied that in the circumstances the information provided was sufficient to enable the Commission to properly consider the issues and concerns raised by NT Police.

20. In her objection dated 30 July 2025, Superintendent Read raised three related issues. Firstly, she expressed concern that the issue of a GRA declaration would lead to more alcohol-related harm in Woodcupildya. Secondly, she noted that secondary supply is rife in Wadeye, where “the application for a local social club has been suspended by the Licensing (sic) Commission”. Thirdly, she expressed concern about the prevalence of domestic and family violence in the Daly River region, including both the large community of Wadeye, and Woodcupildya, about 3 hours away by road (which can be closed in the wet season).
21. The first of these concerns was specifically based on an apparently prevalent belief that unlike residents of GRAs, residents of IAPAs can not apply for or be issued with a liquor permit. However, s 170A(5) of the Act expressly and clearly provides that the liquor permit scheme for GRAs is also available for IAPAs. Indeed, at the hearing, the Commission received evidence, which it accepts, that four residents of Woodcupildya currently have liquor permits.
22. The Commission recommends that both NT Police and other agencies who deliver services to the bush take steps to correct this misconception: whether a community is on an IAPA or a GRA, its members are entitled to apply to the Director for a liquor permit.
23. In the view of the Commission, the making of a GRA declaration for Woodcupildya is likely not to increase but to reduce alcohol-related harm. This is because the making of the GRA declaration is supported by the CAMP. The Commission has fixed as a condition of the GRA declaration that when considering an application for a liquor permit, the Director must have regard to the CAMP.
24. In relation to the second issue of concern raised by police, the Commission readily accepts that grog-running is a very serious problem in Wadeye. It is however not the case that the Commission has “suspended” the Wadeye social club licence. In fact, on 3 December 2024 the Commission approved the issue of a liquor licence with a community club authority to Murinbata Tribal Development Corporation Ltd to establish a social club at Wadeye. The Commission directed that trade not commence until various conditions had

been fulfilled. Those conditions have not yet been fulfilled, and accordingly, the club has not yet commenced to supply liquor under the licence.

25. Moreover, the Commission does not accept the apparent premise of this concern, namely that because the illegal trade in and consumption of liquor is so widespread in the Daly River region, it would be counter-productive to relax prohibitions on liquor in the area. In determining to approve the issue of the Wadeye licence, the Commission stated:<sup>5</sup>

Wadeye is already a community which experiences alcohol-related harm, including, in recent years, riots, the trashing of houses, the burning of vehicles, serious assaults and even fatalities. Alcohol has frequently been implicated in these very harmful incidents. Members of the Wadeye community are already at high risk of suffering alcohol-related harm or ill-health. The Commission is satisfied that the objective of minimising that risk is more likely to be advanced by establishing a social club, managed by representatives of the community, offering supervised, safe, regulated, lawful and affordable consumption of liquor instead of standing by while the currently prevalent practice of unsupervised, unsafe, unregulated, unlawful and ruinously expensive consumption of liquor continues uninterrupted. The Commission considers that there is a reasonable prospect that the establishment of the Club will disrupt the business model of grog-runners, and attract members who elect to spend \$50 on six mid-strength beers or UDLs at the Club instead of \$500 on a bottle of rum in the bush.

26. In any event, Wadeye is a community of over 3,000 people, whereas Woodyculpidya, which is 3 hours drive away, has a population of 30. The Commission has received no evidence capable of supporting a finding that the troubles in Wadeye are replicated in Woodyculpidya.

27. The Commission considers however that there is more substance in the third issue of concern raised by NT Police, namely the prevalence of domestic violence in the region. The Commission conveyed its concern about this issue at the first day of the hearing on 22 October 2025, and in response, Ms Bruncker took the commendable initiative of arranging a further visit by her team to the community, on 4 November 2025, with a view to strengthening the provisions of the CAMP that address this issue. Specifically, the following measures were added:

- Establish a one person, one permit system to encourage individual responsibility

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<sup>5</sup> *Wadeye community club application for liquor licence* [2024] NTLiqComm 49 at [101]

- Hold a monthly community meeting to prevent or address any alcohol-related problems from occurring
  - Revoke permits for permit holders who cause trouble in and outside of the community or breach their permit conditions.
  - Increase employment in the community for all residents
  - Establish a men’s shed where programs can be delivered from
  - Provide community education and local responses that reduce Domestic and Family Violence rates in the community
28. The Commission thanks both NT Police for raising this issue, the Community Led Harm Reduction Unit for taking practical steps to address it, and the Woodicupildya community for its constructive and appropriate response.
29. The Commission is satisfied that the measures taken by the community in response to the concerns raised by police are reasonable and appropriate.

### **The application**

30. 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.
31. 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 Mr Joseph Parry who the Commission accepts is a traditional owner and resident of Woodicupildya. As the registered owner of the area is the Daly River/Port Keats Aboriginal Land Trust, the application is in this respect irregular. A similar 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.
32. 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.
33. 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, the Commission considers that those restrictions are appropriate, as reflected in this decision. In brief, the applicant seeks a complete prohibition of liquor on the community, other than in accordance with liquor brought onto the community or consumed in accordance with a liquor permit issued by the Director.
34. 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 Woodicupildya traditional owners' vis a vis the property rights of traditional owners of any neighbouring community areas, or of any other person.
35. The Commission is satisfied with the applicant's reasons for imposing the restrictions that have been proposed.
36. 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 Community Led Harm Reduction Unit that the Woodicupildya community alcohol plan has been developed by the community, has the support of the community, and 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 the consumption of alcohol in the community.
37. The Commission finds that the Woodicupildya community alcohol plan is fit for purpose and thoughtfully formulated. That said, the results of the consultations with the community undertaken by the Community Led Harm Reduction Unit after the hearing were somewhat at variance with some of the restrictions on liquor permit conditions set out in the CAMP. In particular, the CAMP provides that alcohol only be permitted on certain days, a condition that is at odds with views conveyed through the recent consultations.
38. Section 201(4) of the Act provides that the Director may grant a liquor permit subject to the conditions the Director considers appropriate. Accordingly, the Commission is of the view that it is neither necessary or appropriate for it to express a view as to, for example, whether permit holders should only be permitted to consume liquor in the community on certain days of the week or fortnight. The Commission has however determined that it is appropriate to

specify in the declaration that the Director must consult with the residents of the GRA and have regard to the CAMP when making a liquor permit decision.

39. The Commission has considered the Director's report as well as all of the additional material tendered as evidence at the hearing.

#### **Whether making the declaration is in the public interest**

40. 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 section 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.

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

#### **Whether making the declaration will have a significant adverse impact on the community**

42. 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 section 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>6</sup>
- (j) any other matter prescribed by regulation.<sup>7</sup>

43. 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 IAPA would continue, and the Woodcupildya traditional owners and other residents would justifiably feel frustrated and disempowered. Conversely, issuing the GRA is a gesture of respect and acknowledgement to the Woodcupildya 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.

### **Watjan Tours campsite**

44. In an addendum to the CAMP, the applicant requests that tourists visiting the Watjan Tours Campsite (**Watjan**) at Wilson Springs on Marrithiyel country, approximately 30 km from Woodcupildya, be eligible to apply for liquor permits. Watjan Tours is operated by Mr Joseph Parry and his family during the dry season. Although the Commission infers that Watjan is within the area of the Daly River/Port Keats Aboriginal Land Trust, the application does not include

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<sup>6</sup> In the view of the Commission, no such guidelines are currently in force.

<sup>7</sup> There are no such “other” matters prescribed by regulation.

precise details of the location of Watjan.<sup>8</sup> The Commission has received no evidence as to whether Watjan is a controlled area under Part 8 of the Act where the possession and consumption of liquor is prohibited or restricted.

45. As explained above, if Watjan is within an IAPA (or a GRA), it is already an area over which a liquor permit may be issued. If it is not already an IAPA, a GRA or another type of controlled area under Part 8 of the Act, alcohol may be lawfully possessed or consumed at Watjan without a liquor permit.
46. Accordingly, it is unnecessary for a GRA declaration to be made over Watjan in order to give effect to Mr Parry's aspiration that tourists visiting Watjan be permitted to consume alcohol there. If Watjan is a controlled area, visitors can apply to the Director for a liquor permit. If it is not a controlled area, no such application is required.
47. If Mr Parry wishes to supply liquor to Watjan Tours clients, the Commission suggests that he apply for a liquor licence with a special venture authority.

### **Expiry**

48. 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 GRA declaration, the Commission would not have fixed an expiry date in this matter. However, out of an abundance of caution, in order to ensure that the declaration is compliant with this provision, the Commission has specified an expiry date in the distant future.

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

49. 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:
  - (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;

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<sup>8</sup> When making a GRA declaration, the Commission must specify the boundaries of the GRA. The Commission has not been provided with this information, so would be unable to make a GRA application for Watjan, even if were minded to do so.

(c) any other matters the Commission considers appropriate.

50. As requested by the applicant, the Commission has determined that warning signage should be erected. The residents of Woodcupildya 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**

51. 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.

52. 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**

53. Section 31(1) read with s 177 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* provides that an application for review of a reviewable decision must be lodged within 28 days of the date of the decision.

54. In accordance with s 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 and the Commissioner of Police.



Russell Goldflam

CHAIRPERSON  
NORTHERN TERRITORY LIQUOR COMMISSION  
8 January 2026

On behalf of Commissioners Goldflam, Carson and Fong Lim