

SUBMISSIONS

IN RESPONSE TO THE SECTION 113 NOTICE ISSUED BY THE LIQUOR
COMMISSION IN RELATION TO ALICE SPRINGS

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Background

1. On 20 November 2025, the Liquor Commission issued a Notice of Proposed Variations of Licence Conditions (**Notice**) pursuant to Section 113 of the *Liquor Act 2019* (NT) (the **Act**) to the following licensees:
 - a. Alice Food Concepts Pty Ltd;
 - b. Alice Springs Casino Operations Pty Ltd;
 - c. Alice Springs Golf Club Inc;
 - d. Avxy Pty Ltd;
 - e. Club Eastside Incorporated Club;
 - f. Epilogue Enterprises Pty Ltd;
 - g. Gillen Club Incorporated;
 - h. Gunawan Concept Pty Ltd;
 - i. Investnorth Pty Ltd;
 - j. Iris Diplomat Operations Pty Ltd;
 - k. Iris Diplomat Trading Pty Ltd;
 - l. Iris Gap View Operations Pty Ltd;
 - m. Iris Stott Terrace Operations Pty Ltd;
 - n. Iris Todd Operations Pty Ltd;
 - o. S&J George Pty Ltd;
 - p. SGRD Café's Pty Ltd;
 - q. SGRD Pty Ltd;
 - r. Simply Korean Pty Ltd; and
 - s. Sporties87 Pty Ltd,(together the **Licensees**)
2. The Notice proposes the following licence conditions:
 - a. Full Strength alcohol only with a full meal – for all Licensees;
 - b. On-premises identification system – for “Nominated Licensees”; and

- c. Practices relating to disturbances – for “Nominated Licensees” and Lasseters Hotel Casino.

These Submissions

3. These Submissions are lodged on behalf of:
 - a. Alice Springs Casino Operations Pty Ltd, the licensee of Lasseters Hotel Casino;
 - b. Iris Diplomat Operations Pty Ltd, the licensee of Uncles Tavern;
 - c. Iris Diplomat Trading Pty Ltd, the licensee of Diplomat Hotel;
 - d. Iris Gap View Operations Pty Ltd, the licensee of Gap View Hotel;
 - e. Iris Stott Terrace Operations Pty Ltd, the licensee of Mercure Alice Springs Resort; and
 - f. Iris Todd Operations Pty Ltd, the licensee of Todd Tavern(together the **Iris Group Venues**).
4. These Submissions are also lodged on behalf of Hospitality NT, the industry peak body for the hospitality industry in the Northern Territory, and includes the following affected licensees as members:
 - a. The Iris Group Venues;
 - b. Alice Springs Golf Club Inc, the licensee of Alice Springs Golf Club;
 - c. Club Eastside Incorporated Club, the licensee of Club Eastside;
 - d. Gillen Club Incorporated, the licensee of Gillen Club;
 - e. Investnorth Pty Ltd, the licensee of Double Tree by Hilton Alice Springs;
 - f. S&J George Pty Ltd, the licensee of The NT Rock Bar;
 - g. SGRD Café’s Pty Ltd, the licensee of The Locals; and
 - h. SGRD Pty Ltd, the licensee of Bojangles Saloon and Dining Room,(together the **Represented Licensees**).
5. These submissions are lodged in addition to submissions lodged directly by Represented Licensees.

Evidence

6. On 1 December 2025, Ryan & Co Solicitors wrote to the Liquor Commission (**RCS Letter**) requesting copies of all evidence referred to and relied upon by the Liquor Commission in the Notice. This includes, but is not limited to, letters from Mr Owen Cole and Congress, notes from consultation conducted, photos of the queues outside premises, incident reports, CCTV footage, Licensing NT Inspector reports, NT Police and Dept of Health reports, Drug & Alcohol Review reports as well as statistics regarding anti-social behaviour and alcohol related harm.
7. In the RCS Letter, Ryan & Co Solicitors also submitted that any submissions received from “other interested persons, agencies and organisations” in response to the Notice should be provided to the Licensees, affording them an opportunity to consider the submissions and respond to the material being relied upon by the Liquor Commission in determining whether to vary the licence conditions pursuant to section 113 of the Act.
8. Ryan & Co Solicitors further requested in the RCS Letter an extension of time for Licensees to respond to the Notice, requesting a period of 28 days from receipt of the requested evidence and information. It is noted that the Liquor Commission commenced its review in August 2025 and issued the Notice on 20 November 2025, taking nearly four months. Conversely, Licensees are afforded only 28 days to respond to the Notice, due shortly before Christmas, one of the busiest times of the year.
9. On 2 December 2025, the Chairperson of the Liquor Commission responded to the RCS Letter as follows:
 - a. declining the request for “all evidence referred to and relied upon” by the Liquor Commission in the Notice;
 - b. declining the request to extend the period within which responses to the Notice are to be provided;
 - c. noting that the Act does not require the Commission to conduct a hearing, and that the Liquor Commission has determined to conduct its inquiry by way of private consultations with licensees and other stakeholders;
 - d. noting it will give due consideration to any request to conduct a hearing;
 - e. providing a copy of the letters from Yeperenye Pty Ltd dated 13 February 2025 (**Yeperenye Letter**) and Central Australian Aboriginal Congress dated 30 May 2025 (**Congress Letter**); and

- f. further noting that the Liquor Commission is minded to publish the responses it receives to the Notice and would allow a reasonable time for Licensees to respond to the published responses.
10. It is noted that no notes or minutes from the consultation and meetings has been provided, no photos or CCTV, no statistics on police attendances or criminal offences at the licensed premises and/or the Yeperenye Shopping Centre or Headspace, no statistics on health presentations or attendances at the licensed premises and/or Yeperenye Shopping Centre or Headspace, no statements or reports from police or security officers and no incident reports have been provided linking the licensed premises to any disturbances at Yeperenye Shopping Centre or Headspace. It is questioned what evidence exists and what evidence has been considered by the Liquor Commission.
11. It is further submitted that the Notice contains a number of assumptions and conclusions made without substantive and objective evidence. The Notice includes the following assumptions or conclusions reached without any reference to what evidence exists to support such a finding:
 - a. Paragraph 21 of the Notice – that there are intoxicated people at Yeperenye Shopping Centre;
 - b. Paragraph 23 of the Notice – that people who have been drinking at CBD venues make a significant contribution to the disturbingly high incidence of antisocial behaviour at the Yeperenye Centre around the time when Alice Springs takeaway outlets open on weekdays;
 - c. Paragraph 33 of the Notice - much of the anti-social behaviour is directly associated with drinking on-premises at CBD licensed venues;
 - d. Paragraph 51 – secondary supply issues are predominantly purchased from Alice Springs takeaway outlets;
 - e. Paragraph 52 of the Notice – the viability of the sly grogging ‘business model’;
 - f. Paragraph 57 of the Notice – that by being limited to the consumption of low-strength and mid-strength alcohol unless they are eating a full meal, patrons will be less likely to be intoxicated by the time they exit the premises towards 15:00 hours;
 - g. Paragraph 69 of the Notice – the on premises identification system being a “long-established, well supported, practical and affordable measure”.

12. In order to fully consider and respond to the Notice, Ryan & Co Solicitors, on behalf of the Represented Licensees, have made numerous requests for information and evidence. These include Freedom of Information applications are to NT Police, NT Health, Department of Tourism and Hospitality as well as requests to access CCTV in Alice Springs. Further requests to St John Ambulance, Talice Security and Yeperenye Centre have also been made.
13. Unfortunately, due to the timing to respond to the Notice, responses to these requests have not been returned as at the date of these Submissions. It is submitted that it would be appropriate for any decision to be postponed until such time as the Licensees could obtain and present their own evidence.

The Section 113 Review

14. Section 113(1) of the Act enables the Liquor Commission to, on its own initiative, vary the conditions of a licence.
15. Section 113(2) of the Act requires the Liquor Commission, before varying the conditions, to give the licensee written notice that states the proposed variation, the reasons for the proposed variation and invite the licensee to submit a response.
16. Section 113(3) of the Act provides that the Commission may vary the conditions of a licence or authority as proposed in the notice or in another way the Commission considers appropriate after considering:
 - a. any response of the licensee submitted within the 28-day period; and
 - b. the results of any hearing; and
 - c. the public interest and community impact requirements.
17. As set out in Paragraph 11 of the Notice, the Liquor Commission accepted the requests in the Yeperenye Letter and Congress Letter to conduct a Section 113 review. In Paragraph 13 of the Notice, the Liquor Commission further decided to commence the review by undertaking consultations with various stakeholders, which it detailed in Paragraph 14 of the Notice.
18. The ability of the Liquor Commission to vary multiple licences at the same time pursuant to section 113 of the Act is also questionable. Section 113 of the Act is written in the singular, “a licence” and “the licensee”. The intention of Section 113 of the Act was to assess one licence and whether that licence should have the conditions varied. In the Notice, however, 20 licences are listed and it is proposed to vary all of them. It is

submitted that a determination to vary licence conditions must have a causal connection to the licence is question.

19. The Supreme Court of Western Australia found,¹ in relation to an equivalent provision in the *Liquor Control Act 1988* (WA) to section 113 of the Act, that “The power to impose conditions is given by s 64(1). The power is given ‘in relation to any licence’ as distinct from a geographical area... Many of those purposes [for which conditions may be imposed] refer to the particular licence or the particular premises upon which the condition will be imposed... This requires consideration on a licence by licence basis, having regard to the business activities of a particular licensee and the activities carried out on the licensed premises.”
20. Archer J went onto to find that the plain meaning of s 64 is that the licensing authority has the power to impose conditions on a particular licence and that the plain meaning of s 64 is that the licensing authority does not have the power to impose conditions on licences within a geographical area or some other classification.
21. It is submitted that the same principle applies to section 113 of the Act, and that the Liquor Commission does not have the power to impose conditions on licences by reference to their geographical location in Alice Springs. Rather, each licence must be considered on a case-by-case basis.
22. This is important when noting the findings of the Liquor Commission in Paragraph 39 of the Notice that “for reasons that are not entirely clear to the Commission, [Uncles Tavern] does not appear to be as heavily patronised by the cohort of drinkers associated with daytime anti-social behaviour in the area. Nonetheless, the Commission proposes that Uncles Tavern be subject to the same variation as the other nominated licences.”
23. The Licensees raise the legal authority of the Commission to conduct a review in the matter in which has. Whilst section 113 of the Act permits the Liquor Commission to vary the conditions on a licence “on its own initiative”, it does not explicitly set out any provisions for the Liquor Commission to undertake a review or inquiry, to conduct consultations or site visits. It simply states that the Commission may consider responses from licensees (which is requested in the Notice), results of any hearing (which at this time, it has not proposed to conduct) and to consider the public interest and community impact requirements.

¹ Commissioner of Police v Liquor Commission of Western Australia [2019] WASC 165

24. Even noting the wide powers of the Liquor Commission, it is submitted, in the alternative, that if the Liquor Commission is permitted to conduct an inquiry then proper records of such an inquiry must be recorded and such evidence provided to Licensees, this includes minutes or records of meetings, video or photographic evidence as well as file notes.
25. It is submitted that a separation of power is a fundamental legal right. That the process adopted by the Liquor Commission sees it as the investigator, witness, judge and jury. The process adopted by the Liquor Commission in this matter sees it not only undertake the investigation but also make the decision.
26. This is evident in Paragraphs 13 and 14 of the Notice where it was noted that the Liquor Commission would undertake consultations with the Alice Springs Liquor Accord, The Yeperenye Centre, Congress, Licensing NT and NT Police. Further, the chairperson of the Liquor Commission, who is the member of the review panel resident in Alice Springs, conducted several visits to Yeperenye Centre, visited the NT Rock Bar and Bojangles, visited the premises of Alice Springs private security firm engaged by both Yeperenye Centre and various Alice Springs licensees for a demonstration on the on-premises identification system it uses, and presided over a hearing against the Todd Tavern.
27. Section 88 of the Act provides the Minister with power to add or vary conditions that the Minister “believes is urgently needed for the wellbeing of a community that might be affected by the licence.” It is submitted that section 113 of the Act is not the appropriate legislative provisions to achieve what is proposed in the Notice, and that the powers fall within the ambit of the Minister’s powers under section 88.

Public Interest and Community Impact

28. Section 113(3)(c) of the Act require the Liquor Commission to consider the “public interest and community impact requirements” listed in section 49 of the Act. Section 49(2) of the Act sets out the public interest objectives, which include (e) increasing cultural, recreational, employment or tourism benefits to the local community area. Section 49(3) of the Act sets out the community interest considerations, which include (e) the effect on culture, recreation, employment and tourism.
29. It is submitted that tourism will be impacted by the proposed conditions, especially the requirement to order a full meal will full strength liquor.

30. We refer to the submissions lodged on behalf of Tourism Central Australia setting out the significant impact on tourism in Alice Springs if the proposed conditions are adopted, in particular, that “the measures proposed create an inconsistent and confusing patchwork of regulations that tourists cannot reasonably be expected to navigate ... [and] send the message that Alice Springs in an inhospitable destination.”

Procedural Fairness

31. It is submitted that by not providing Licensees with the evidence to be used in determining whether to vary their licence conditions, it is a denial of natural justice and procedural fairness.
32. Procedural fairness principles apply when an administrative body makes a decision that affects a person's rights, interests, or legitimate expectations, requiring a fair process, notice, an opportunity to be heard (the **Hearing Rule**), and unbiased decision-making (the **Bias Rule**). These rules are crucial in government actions like licence revocations, benefit denials, or disciplinary actions, but less so for routine administration or initial benefit grants, ensuring a fair process before adverse impacts occur, unless legislation clearly excludes them. The Liquor Act does not exclude the principles of procedural fairness. In fact principles of procedural fairness apply, particularly when a decision negatively impacts existing rights or interests.
33. The Hearing Rule Requires:
- a. Notice of Case: The affected person must know the specific allegations or reasons for the potential decision.
 - b. Opportunity to Respond: They must have a fair chance to present their evidence, arguments, and explanations.
 - c. Reasonable Time: Sufficient time to prepare their response.
 - d. Impartial Hearing: The decision should be made by an unbiased, competent body.
34. The Bias Rule is a core component of procedural fairness (or natural justice), ensuring decision-makers are impartial, free from actual or apparent bias, and don't pre-judge outcomes, meaning they must have an unbiased mind to objectively consider evidence and arguments, preventing unfair decisions by a reasonable, informed observer's perspective. This rule, alongside the Hearing Rule (right to be heard), guarantees a fair process, not just a fair result, in administrative decisions affecting people's rights.

35. It is noted that the chairperson of the Liquor Commission has also made several public statements and conducted interviews regarding the Notice and the proposed variations, including:
- a. ABC Breakfast Radio on Monday 24 November 2025²; and
 - b. Darwin Breakfast Radio on Thursday 6 November 2025.³
36. Section 2.4 of the Northern Territory Liquor Commission Policy and Procedures Manual states:

Conduct of Commission Members

The Commission plays a key role in liquor licensing decisions in the Northern Territory.

There is an expectation from the community and the liquor industry that Members will carry out their responsibilities conscientiously and diligently and shall maintain the highest standards of ethical conduct.

Decisions must be made impartially and take into account all relevant issues. Determinations must be made not only without bias but without the perception of bias.

The rule against bias is inherent in the principles of natural justice and procedural fairness and governs the attitude or state of mind of the decision maker. Members must ensure that they are approaching matters for determination objectively and also so that a person observing the Commission's processes and procedures could not reasonably form the view that a matter had been pre-determined.

In dealing with perceptions of bias it is better to be proactive, so a member should alert the Chairperson to any relationships the member may have which could possibly be perceived as influencing him/her to favour a particular party in the matter before the Commission. For example, a Member might be a social member of a large licensed social club which is seeking a variation of its licence conditions. The Chairperson would then in all likelihood disclose that relationship to the parties at the commencement of the hearing and deal with any objections to that Member remaining on the panel.

Members have a fundamental responsibility to act within applicable legislation, applicable common law and accepted principles of good governance and to act in accordance with generally expected ethical principles applying to the public sector.

² <https://www.abc.net.au/listen/programs/alicesprings-breakfast/breakfast/106035222>

³ <https://www.abc.net.au/listen/programs/darwin-breakfast/goldflam/105978196>

37. Section 4.5 of the Northern Territory Liquor Commission Policy and Procedures Manual states that *“To ensure that maximum benefit is obtained from this depth of competence and experience, it is expected that Members will ... make decisions that are impartial, free from external influence and consistent with the principles of natural justice and procedural fairness.”*
38. It is unheard of for a decision maker to conduct media interviews and make public statements such as the chairperson has done, especially **before** a decision is made and the Licensees have had an opportunity to present their case and respond to the Notice.
39. It is submitted that for several reasons, the Liquor Commission has failed to afford the Licensees with principles of natural justice and procedural fairness, including:
- a. The Licensees not being provided with all evidence relevant to and referred in the Notice, to the extent the evidence exists;
 - b. The fact that the Liquor Commission, as decision maker, has conducted the inquiry itself;
 - c. The manner in which the Liquor Commission has conducted the inquiry;
 - d. Denying Licensees the request for an extension of time to provide submissions, especially given the timing of the Notice (with submissions due just before Christmas);
 - e. The assumptions and conclusions made in the Notice which, as far as the Licensees are aware, have been made without objective and substantiated evidence;
 - f. The public comments made by the chairperson prior to the determination of the matter.
40. Given the above, it is submitted that the Notice should be withdrawn and:
- a. the existing Liquor Commission members listed in the Notice step aside, given the conduct to date and the perception of bias;
 - b. a new Liquor Commission is constituted which should then consider whether to initiate a new inquiry to be conducted by an independent third party, such as the Director pursuant to section 158 of the Act (**New Inquiry**);
 - c. if a New Inquiry proceeds:

- i. ensure that Licensees are provided with all evidence collated as part of any New Inquiry before a notice is issued pursuant to section 113 of the Act; and
- ii. ensure that *each* Licensee is afforded natural justice based on the evidence relating to *its* licensed premises and its conduct, not the geographical area in which it is located.

Yeperenye Centre

41. The Yeperenye Letter makes a number of allegations and assumptions with no supporting evidence at all. The Yeperenye Letter blames all of the problems at its Shopping Centre on “on-premises consumption” with no evidence to show that the unruly patrons of the Centre were actually at any licensed premises before attending the Centre.
42. Further, contradicting its assumptions, the Yeperenye Letter acknowledges that Liquor Inspectors have been diligent in their attendance at licensed premises, yet there has been no improvement in the general situation and very few disciplinary matters against licensees.
43. The Chairperson of the Liquor Commission acknowledged in his media interview on ABC Alice Springs on 24 November 2025 that licensed venues are adhering to responsible service of alcohol obligations, specifically stating: “It’s not that people running these places are serving drunks.”
44. Paragraph 21 of the Notice acknowledges that not all of the intoxicated people at the Yeperenye Centre at these times cause trouble, and not all of the trouble that does occur at these times is caused by intoxicated people. This in itself confirms that the issues being experienced are much wider than on-premises liquor consumption. This is reaffirmed at paragraph 25 of the Notice where it was further accepted that not all of the people who have been drinking at Alice Springs licensed premises leave shortly before the opening of the takeaway outlets and make their way to the Yeperenye Centre.
45. The Yeperenye Letter refers to retailer Katies deciding to vacate the Centre as they “struggled to retain staff”, however, all Katies stores closed in early 2025 after its parent company went into administration.⁴ Again, without evidence from Katies stating the

⁴ <https://www.sbs.com.au/news/dataline/article/this-australian-fashion-giant-allegedly-couldnt-pay-its-debts-for-years-it-kept-trading-anyway/aj2q24duw>

- reason for the closure of its store, what is stated in the Yeperenye Letter cannot be believed.
46. The Yeperenye Letter alleges that Wednesdays, Thursdays and Fridays are particularly bad in terms of chaos and disruption, however, the Notice refers to only one incident involving a machete at Yeperenye Centre on 10 November 2025 (a Monday). No other evidence or references to specific incidences at Yeperenye Centre are provided.
 47. A general search of incidents at Yeperenye Centre available online found:
 - a. An assault of a woman at 10am on a Wednesday in January 2025;⁵ and
 - b. Youth brawling late on Tuesday afternoon on 31 January 2023.⁶
 48. Paragraph 25 of the Notice notes that the Yeperenye Centre is a particularly attractive destination for several reasons – namely, it is the only airconditioned public space in Alice Springs that includes a takeaway liquor outlet, a food court and a range of shops (one of which happens to be a takeaway liquor store).
 49. As noted above, Yeperenye Centre is attractive for a number of reasons, not just due to its liquor store. The air-conditioning, the tenancy mix, wifi-availability, including food outlets and large supermarket, proximity to the Alice Springs Interchange and bus stops, as well as other services, all make Yeperenye Centre an attractive destination.
 50. It is submitted that if Yeperenye Centre consider the liquor store to be a cause of problems at the Centre, then it should reconsider whether it continues with having a takeaway liquor store as a tenant. It is noted that the BWS in Casuarina Shopping Square closed in May 2025, identified as contributing to anti-social behaviour at the centre.⁷
 51. In addition, Casuarina Shopping Square engaged in numerous initiatives to make the centre safer and improve customer experience, including a \$25m redevelopment, changes to its tenancy mix and increased security. It is submitted that Yeperenye

⁵ <https://www.ntnews.com.au/truecrimeaustralia/police-courts-nt/standard-24hrs-for-alice-springs-police-responding-to-28-dv-calls-in-decent-assault-in-shopping-centre/news-story/569cbb3da2f6c54f53dc2c007528916e>

⁶ https://www.google.com/search?q=1+february+2023&rlz=1C1ONGR_enAU1118AU1119&og=1+february+2023&gs_lcrp=EgZiaHJvbWUyCQgAEEUyORiABDIHCAEQABiABDIHCAIQABiABDIHCAQABiABDIHCAQABiABDIHCAUQABiABDIHCAAYQABiABDIHCAcQABiABDIHCAgQABiABDINCAkQABiGAXiABBiKBDiBCDM1NTdqMGo3qAIAAsAIA&sourceid=chrome&ie=UTF-8#sv=CAMSVhozKhFpYy1acGxnT2xQa3VyM3UtTTIOWnBsZ09sUGt1cjN1LU06DjR0ZU1NOTY2bVJZb1NNIAQcGwoEc3ZpbRIRaWMTWnBsZ09sUGt1cjN1LU0YATABGAcgkqXy1wkWAg

⁷ <https://www.sentinelpg.com.au/app/uploads/2024/04/Twenty-new-stores-planned-as-work-begins-on-Casuarina-Square-upgrades-1.pdf>

Centre should look at what initiatives it can adopt to provide a better and safer shopping experience for its customers and retailers.

Congress Letter

52. The Congress Letter also makes a number of allegations and assumptions with no supporting evidence.
53. Further, whilst the Congress Letter names The Rock Bar and Bojangles as being in the vicinity of their service located on Todd Street, the letter does not address any dates or times of specific incidents. Without this, and given the generic allegations made, it is not possible to respond to the accusations.

Takeaway Liquor Restrictions in Alice Springs

54. As detailed in Paragraph 5 of the Notice, there are day and time restrictions on the purchase of takeaway liquor in Alice Springs as well as various other restrictions including a restriction on takeaway liquor that “you can only purchase alcohol once a day”.⁸ Despite this, drinkers can still legally purchase a large volume of liquor every day that takeaway liquor outlets are open.
55. Whilst some licensees have imposed their own restrictions (and are subject to specific conditions on their licence), the article in the Daily Mail on 1 February 2023, notes that problem drinkers can still buy 60 beers, six bottles of wine and a bottle of spirits a day in Alice Springs.⁹ This is a much higher volume than any person could be served or consume on-premise. Given the amount of takeaway liquor that can be purchased up to five days per week, it is highly probable that those causing anti-social behaviour, and who may be intoxicated, are not actually drinking at licensed premises but rather drinking their takeaway liquor purchased the previous day.
56. This could also explain why Mondays and Tuesdays are “quiet”, given that the liquor stores are closed and that previously purchased alcohol supplies would be expected to be running low.
57. On-premises consumption of liquor enables licensees to monitor and moderate patrons, in contrast to takeaway consumption.

⁸ <https://nt.gov.au/law/alcohol-rules-and-restrictions/buying-takeaway-alcohol>

⁹ <https://www.dailymail.co.uk/news/article-11699121/Alice-Springs-alcohol-limits-Liquorland-BSW-Cellarbrations-mocked.html>

58. An ABC News article on 16 January 2025 raised concerns regarding people drinking hand sanitiser mixed with juice and soft drink, given the ease of access.¹⁰
59. The evidence and statistics suggest that the takeaway liquor remains the most significant cause of intoxication in Alice Springs and in turn, the most likely cause of crime and disturbance.

Liquor Consumption

60. Wholesale data across the Northern Territory is published online by Licensing NT. Wholesale data in Alice Springs for the period 2017 to 2024 is extracted below:¹¹

Wholesale Supply (Litres Pure Alcohol Content) by Product Type - Alice Springs

	2017	2018	2019	2020	2021	2022	2023	2024
Cider	12,646	12,432	13,018	11,324	11,273	8,182	6,988	8,456
Cask Wine	703	609	338	350	287	262	82	97
Bottled Wine	99,771	93,691	58,437	45,638	52,043	48,032	39,236	36,479
Fortified Wine	559	548	534	444	485	465	346	344
Standard Spirits	82,287	87,342	88,453	91,448	95,679	104,876	75,637	75,884
Pre-Mixed Spirits	26,069	26,637	25,925	28,484	28,443	30,166	30,109	33,404
Full-Strength Beer	109,220	108,296	112,130	96,669	96,166	96,364	89,456	81,283
Mid-Strength Beer	54,091	55,446	59,390	49,162	52,418	48,965	45,148	45,855
Low-Strength Beer	2,575	2,398	2,003	1,348	1,722	1,283	1,195	1,077
Total	387,922	387,397	360,228	324,868	338,516	338,596	288,197	282,879

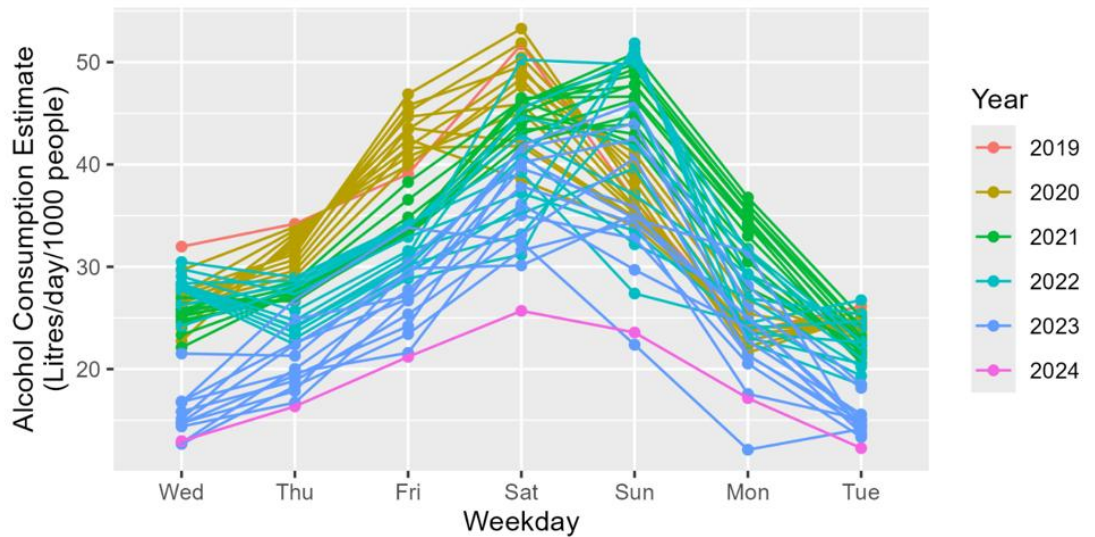
61. The wholesale data shows that there has been a decrease in wholesale sales, most significantly since the introduction of additional takeaway liquor restrictions in 2023, but also generally over the eight-year period. Ryan & Co Solicitors have requested further information on wholesale data from Licensing NT, however, as at the date of these submissions, a response to the request had not yet been received.
62. Supplementary Information¹² relied upon in the study on the ‘Changes in wastewater measures of alcohol consumption in Alice Springs, Australia a year after the introduction of restrictions on alcohol sales’ shows change in the ratio between weekend and weekday consumption estimates in Figure S9 extracted below:

¹⁰ <https://www.abc.net.au/news/2025-01-16/nt-hand-sanitiser-drinking-regulations/104821704>

¹¹ <https://data.nt.gov.au/dataset/wholesale-alcohol-supply-by-year-2017-2024>

¹² Supplementary Information - the Changes in wastewater measures of alcohol consumption in Alice Springs, Australia a year after the introduction of restrictions on alcohol sales (**Annexure A**)

Figure S9: Change in the ratio between weekend and weekday consumption estimates. Weekday = Mon, Tue, Wed, Thu; Weekend = Fri, Sat, Sun.



63. For the date range provided (2019 to 2024), the data shows little change in the general trend in consumption based on the days of the week, with the weekend recording the highest consumption rates consistency across the date range. Interestingly, in 2024, Tuesdays and Wednesdays had the lowest rates of consumption. The above data shows that the patterns of consumption have not changed in recent times and that any issues which are allegedly occurring on Wednesdays, Thursdays and Fridays are unlikely related to on-premises venues and the migration of patrons to takeaway liquor outlets at opening time.
64. Despite the comments regarding secondary supply in Paragraphs 49 - 55 of the Notice, the Liquor Commission has previously stated (in February 2024) that liquor bans have not stopped the flow of alcohol across the territory, with black market sales a growing challenge.¹³ Further, whilst the article referred to in Paragraph 55 was released in November 2025, it related to wholesale data from 2022 and 2023, therefore does not provide a current analysis of actual liquor consumption in Alice Springs.¹⁴ It is therefore questionable whether, and to what extent, secondary supply is contributing to issues being experienced in Alice Springs. However, secondary supply issues do not impact on-premises venues.

¹³ <https://www.abc.net.au/news/2024-02-05/alice-springs-return-of-nt-alcohol-bans/103418838>

¹⁴ <https://pubmed.ncbi.nlm.nih.gov/41146432/>

65. The harm and disturbance caused by illicit drugs and other substance use and abuse must also be considered.¹⁵

Youth

66. There is evidence to suggest that the youth, who are not necessarily intoxicated, in Alice Springs are responsible for a lot of the problems being experienced.
67. The article in the Daily Mail on 1 February 2023 referred to CCTV footage at Yeperenye Shopping Centre on a Tuesday showing a group of young people throwing and chasing after each other to exchange blows.¹⁶
68. It has been well documented that youth crime is a problem in Alice Springs, noting several curfews imposed on youth in 2024.¹⁷
69. There are no reported licence breaches regarding sale of alcohol to a minor in any of the on-premises venues named in the Notice. Regulating on-premises alcohol will do nothing to change youth crime and anti-social behaviour in Alice Springs.

The Proposed Conditions

70. Three conditions are proposed in the Notice.

Full-strength alcohol only with a full meal

71. The Commission proposes to vary the conditions of all Licensees by inserting the following condition:

From 1130 hours until 1500 hours on Wednesdays, Thursdays and Fridays, full-strength liquor must not be supplied, sold, served or consumed on the premises except when served with a full meal.

For the purpose of this condition, the definitions of “full-strength” and “full meal” are as set out at reg 3 of the Liquor Regulations 2019 (NT).

72. Paragraph 57 of the Notice states that the impact of proposed condition is that patrons will be less likely to be intoxicated by the time they exit the premises towards 15:00 due to requirement to “eat a full meal”. It is submitted that whilst there may be good intentions with this condition, it is only a requirement to *serve* full-strength liquor with a

¹⁵ <https://www.indigenoushpf.gov.au/measures/2-17-drug-and-other-substance-use> and https://nceta.flinders.edu.au/application/files/7417/3872/6926/ADF_Needs_Assessment_Qualtiative_Report_-_Final.pdf

¹⁶ <https://www.dailymail.co.uk/news/article-11699121/Alice-Springs-alcohol-limits-Liquorland-BSW-Cellarbrations-mocked.html>

¹⁷ <https://pfes.nt.gov.au/newsroom/2024/youth-curfew-high-risk-area-alice-springs>

meal, there is no guarantee that a meal will be eaten. Paragraph 42 of the Notice notes that the Todd Tavern offers complimentary food and soft drinks already.

73. Interpretation of the condition also raises questions – whilst the definition of a “full meal” is set out at reg 3 of the Liquor Regulations 2019 (NT), there is still ambiguity as to what constitutes a meal. Further, it remains unclear whether the proposed condition is to require the licensee to serve a full meal with each round of full-strength alcohol, or whether one full meal for the day is sufficient in order to have full-strength alcohol to meet the license condition.
74. In the Notice itself (at Paragraph 44), it was noted that the most popular product sold, at least at The NT Rock Bar, was mid-strength beer. However, the condition will have no impact on those consuming mid-strength beer.
75. Paragraph 40 of the Notice states that Liquor Inspectors and NT Police both report that Mondays and Tuesdays are the “quietest trading days”. The Licensees submit that such a statement does not align with the finding that patrons at on-premises venues are causing problems, given that these venues are open on Mondays and Tuesdays.
76. Instead, it suggests that it is not patrons at on-premises venues causing problems, but rather the patrons of takeaway liquor premises. If on-premises venues were causing problems, then the volume of problems would be prevalent on Mondays and Tuesdays too.
77. It is submitted that the proposed condition will do little to impact the alleged issues occurring at the Yeperenye Centre and outside Headspace.

On-premises identification system

78. The Commission proposes to vary the conditions of Todd Tavern, The NT Rock Bar, Bojangles Saloon and Dining Room, and Uncles Tavern (the **Nominated Licences**) by inserting the following condition:

(a) The licensee must establish an identification system (the on-premises identification system) to determine whether a person:

i. is prohibited from purchasing or consuming liquor by:

A. a banned drinker order (BDO) or court order under the Alcohol Harm Reduction Act 2017

B. a bail condition imposed under the Bail Act 1982, other than Part 3 of that Act;

- C. a court order under the Domestic and Family Violence Act 2007;
- D. a banning notice imposed under s 212 of the Liquor Act 2019;
- E. an exclusion order imposed under s 220 of the Liquor Act;
- F. a provision under a law of the Territory or prescribed by regulation;

or

ii. is subject to a decision (a banning decision) by the licensee of a nominated licence to prohibit entry to their licensed premises for a period that has not expired.

(b) The licensee must make a banning decision for a period of not less than 48 hours for each person who the licensee has refused entry in accordance with sub-paragraph (e)(iii) or (e)(iv) of this condition, or who the licensee has removed from the premises in accordance with s 141 of the Act.

(c) The licensee must maintain and share with the licensees of the nominated licences a register of persons who are subject to a banning decision made by the licensee, including the name, a photograph (if available to the licensee) and the banning period for each person on the register.

(d) The licensee must use the on-premises identification system to screen persons who seek entry to the licensed premises before 15:00 hours on Wednesdays, Thursdays and Fridays.

(e) The licensee must refuse entry to the licensed premises to any person who:

- i. does not present an apparently authentic form of identification that is recognised by the on-premises identification system;
- ii. is identified by the on-premises identification system to be a person subject to an order, condition, notice, provision or decision under paragraph (a) of this condition;
- iii. fails or refuses to undergo screening by the licensee, licensee's employee or licensee's agent using the on-premises identification system; or
- iv. is intoxicated, violent, quarrelsome, disorderly or incapable of controlling their behaviour.

(f) During any trading period when patrons are being screened for entry to the licensed premises, the licensee must clearly display at each entrance to the premises a notice that it is a condition of entry that patrons present identification and undergo screening.

79. The Liquor Commission appears to be misconceived in the practical operation of the proposed identification system. Paragraph 69 of the Notice states that the proposal is a “long-established, well supported, practical and affordable measure”. It is submitted that an on-premises identification system such as the one set out in the Notice does not yet exist. Whilst there are on-premises identification scanning systems, these are not linked with any Government database that could provide the requisite notifications of persons who are prohibited. Further, whilst there is the Banned Drinkers Register, the system is not designed to enable identification scanning by a third-party (non-Government) service provider in the manner proposed. The proposal by the Liquor Commission does not suggest that the identification scanning will be a Northern Territory Government initiative.
80. The proposed variation directs Licensees to implement an amalgamation of the multiple systems, supplying data sourced from multiple NT Government databases which is not currently available, technically feasible or legally permissible. It is understood that access would be required to the relevant NT Government databases on which prohibited persons are registered. This requirement coupled with the retention of identification information by third-party system providers results in serious privacy concerns.
81. Division 1, Part 6 of the Act sets out the operation of identification systems. NT Police have indicated that they are not able to share access to the relevant databases for use in third party identification scanning systems that are not controlled by the Northern Territory Government. The iPad system referred to at Paragraph 66 of the Notice is a private/commercial system, which does not access the Government held personal information and databases required by the condition.
82. As set out in Paragraphs 60 to 65 of the Notice, previous proposals to impose licensees to implement on-premises third party identification systems has been rejected on several occasions, most recently in July 2025. It is submitted that Government opposition to date and the policy and cost hurdles associated with an on-premises identification system have not been overcome and that the proposed variation is premature in light of the obstacles and public interest considerations.
83. It is understood that the position of the NT Government remains that it does not support the implementation of the Banned Drinkers Register on-premises with the current technology.

Practices relating to disturbances

84. The Commission proposes to vary the conditions of the Nominated Licences and Lasseters Hotel Casino by inserting the following condition:

The licensee must take reasonable steps –

- (a) to prevent undue offence, annoyance, disturbance, noise or inconvenience to people who reside, work, study, worship or attend facilities that provide goods or services in the vicinity of the licensed premises, resulting from entertainment or activities on the licensed premises or the conduct of people making their way to or from the licensed premises; and
- (b) to ensure public order and safety.

85. It is submitted that this condition is beyond the scope of the Liquor Commission's powers which are limited to the Act and the *Liquor Commission Act 2018* (NT).
86. The Act regulates "licensed premises" and provides Licensees with powers relating to the "licensed premises", not extending beyond its boundaries. As acknowledged at Paragraph 76 of the Notice, Licensees generally go above and beyond their statutory obligations to assist patrons leaving the venue, however, to impose a condition on the licence requiring them to "take reasonable steps" for "the conduct of people making their way to or from the licensed premises" goes beyond the statutory framework.

Conclusion

87. The Licensees acknowledge that there are a multitude of complex social issues in Alice Springs, some of which arise due to overconsumption of liquor. However, the Licensees do not agree that the proposed conditions will address the issues being experienced.
88. No evidence has been provided which established any causal connection between on-premises consumption of liquor and the allegations of disturbance at Yeperenye Centre and Headspace.
89. Given the procedural issues arising with the Notice as set out in paragraph 40 above, the Represented Licensees request the Notice to be withdrawn.
90. In the event that the Notice is not withdrawn, then the Represented Licensees request that a public hearing is conducted and that the evidence relied upon in the Notice is provided to Licensees prior to hearing to allow it to be tested and have the opportunity to respond, as well as present its own further evidence.

91. Any public hearing should be listed with an appropriate timeframe to allow Licensees to obtain, review and consider the evidence before the Liquor Commission as well as obtain and submit its own evidence.



Ryan & Co Solicitors

On behalf of the Represented Licensees

18 December 2025