

29 January 2021

Acting Deputy Chairperson
NT Liquor Commission
Darwin, NT

Dear Mr. Goldflam,

RE: response to proposed variation of the conditions of license

Thank you for providing the opportunity to provide feedback on the most recent round of proposed changes to liquor licensing conditions within the Barkly Region.

Council, being a key stakeholder and representing the residents of the Region would like to provide the following feedback on the provided documentation:

Point 2 – Appears to be an irrelevant opinion of a particular individual that Council finds offensive and borderline slanderous; lumping all residents together as large consumers of alcohol, I am sure non-drinkers would be offended by these comments.

Point 3 - Should provide an accurate comparison against other Territory Regions, Council also questions the relevance of the statement that the equivalent of 60,000 cans of beer are being consumed each week, this equates to 25 cans per person per week. We would ask to see the comparison against the Alice Springs and Darwin areas to gain a better understanding of consumption compared to other areas. Council would also like to point out there is no advise on who is purchasing liquor, are the purchases being made by residents or visitors?

Point 6 – Council renews its objection to the current trading hours as these are too restrictive and should be increased in line with other jurisdictions. Council would also like to see more flexibility within the existing purchase limits – not an increase but rather the ability for consumers to purchase a mix of products (a six pack of beer and a bottle of wine as an example).

Point 10 – Why can't our conditions for take away alcohol be harmonised with the conditions set in Alice Springs?

Point 15 – The police should be able to provide numbers on grog runners that have been charged and other alcohol seizures. The Commission appears to be cherry picking data to support their predetermined course of action. In addition a number of grog runners were quarantined during the height of boarder restrictions last year

Point 18 – For clarity can you confirm the Commission does not support volume limits in other regions, just the Barkly?

Point 27 – The Commission's efforts to keep Barkly residents informed has been poor and does not appear to meet Government standards of Local Decision Making and community consultation.



Point 31 – The commission may reject the fact that consultation in 2018 was inadequate, if you ask the residents you may get a different opinion, consultation was and continues to be poor.

Point 32 – To hold a public hearing would be a positive step to improve the commission's relationship with residents and stakeholders, up until now consultation has been far below an acceptable standard.

Point 34 – The commission appears to be cherry picking data that suites the commission's views. This can be rectified by comparing data to other regions within the Territory.

Point 37 – How can it be that data is not available for the last 10 months? Could it be that that data does not reflect well on the commission's stance on Barkly restrictions?

Point 40 – Council would suggest the drop in consumption may be due to other interventions in place in Tennant Creek?

Point 41 – The number of transactions may have increased but how did this compare to the rest of the country and did alcohol volumes also increase at the same rate? There is also no breakdown of the percentage of transactions that were made by visitors.

Point 42 – With the increase in transactions did alcohol volumes increase by the same ratio?


Point 51 to 63 – To be able to properly assess the impact of restrictions, statistics should be compared to other regions. While alcohol related crime in the Barkly is up, in other regions where there are no restrictions the alcohol related crime numbers are down, this seems to indicate restrictions are ineffective and crime is being controlled by other measures. It would be helpful to make genuine comparisons across the Territory to be able to accurately assess the impact of restrictions.

Point 81 – The commission should make an effort to get the data on grog running from the Police, we hear of regular seizures.

Point 84 – To date Council has not formed a position on whether to support restrictions or not but rather has advocated for more flexibility within the existing volume limits. Council has now formed the opinion that restrictions should be in line with the rest of the Territory.

Point 85 – With limits in place, longer hours are not likely to increase liquor sales to problem drinkers but rather give social drinkers' increased access to supply. If the police can man the numerous liquor outlets in Alice Springs and Katherine for their trading hours why can't they do it here? Again the Barkly is being disadvantaged.

Point 86 – The commission is once again making poor decisions based on limited information and no public consultation to date.



Point 89 – Take away liquor traders are trading well during the short trading window, with limited hours their wage costs would be reduced. With volume limits in place longer trading hours may allow more social drinkers to make modest purchases with changes unlikely to effect the purchasing habits of heavy drinkers. Current short trading hours are causing a public health risk and presenting a poor image of Tennant Creek

Point 90 – This needs to be amended to say “some residents drink more and drink differently”. Liquor restrictions have been imposed affecting all residents to deal with the actions of a small percentage of the population. The Commission makes it sound like all Barkly residents are alcoholics which is quite offensive.

Point 100 – This looks to be a positive step to address banned drinkers and Council supports this measure on the provision that it is implemented in a manner that is easy for licensees to manage and is applied to all venues across the Territory.

Point 104 – With the raft of measures in place to improve the Barkly, if there are known problem streets and houses these could be addressed by police and public housing safety officers on a case by case basis.

Point 105 – The proposal to implement a limit of 3 purchases per household per day is problematic and discriminatory against aboriginal people. The commission would be aware overcrowding in public housing is an issue Territory wide. A more appropriate control may be to ban purchases to specific problem addresses – these could be recorded on the BDR. The commission could also offer a voluntary program where residents could ask for this to be imposed on their residence to discourage visitors from drinking. These are much better options than a blanket ban.

Many overcrowded households have more than 3 adults living in one house and this proposed condition would see individuals not able to purchase alcohol. Council urges the Commission to reconsider this discriminatory condition. If individual houses are considered a problem then address the issue with only those involved by banning sales to that address.

Summary

Council would like to commend the commission on taking action on the issue of on premises consumption of alcohol, this does show some vision from the Commission and this condition will reduce access to alcohol for those on the BDR.

Council continues to support the need for liquor controls but feels the Commission is not examining the issues with an open mind but rather providing information to force their views onto the wider community. Restrictions in the Barkly should be in line with the rest of the Territory.

Recently the Northern Territory Government removed some decision making from the commission and Council feels this may be a course of action that should be considered in this instance as there appears to be a breakdown in the relationship between the community and the commission due to the continuous lack of consultation over the years.



The commission also states in point 15 that the matter of Alcohol Management in Elliott is not within their remit, so whose responsibility is it? Elliott is a town, it is not a community, yet the commission continues to ignore their pleas for assistance with liquor reform. This is an ongoing insult to the people of Elliott.

However, on the matter of limiting the number of purchases per house hold, this shows just how out of touch the commission is with the general public. This lack of knowledge on conditions in the Barkly extends to the commissions refusal to consider increasing takeaway trading hours.

Crime in the Barkly is up, including alcohol related crime so restrictions are not working. In other regions where restrictions are less stringent alcohol related crime is down however the commission is ignoring this? The matter of property crime is also being ignored, in many house break-ins alcohol is targeted and in a number of instances it is the only item taken. The commission has not commented on this and is again cherry picking statistics.

Each restriction the commission puts in place reduces the liveability of Tennant Creek and punishes everyone for the action of a small percentage of the population. It appears that while new restrictions continue to be forced onto the Barkly community other regions see their access to alcohol increased.

To date the commission has not provided any evidence showing the imbalance of consumption between regions but rather continues to focus on average consumption of 25 cans of beer a week per person in Tennant Creek. It would be refreshing to see one standard for all and if additional conditions are to be imposed here then perhaps they should be imposed Territory wide.

Council would like to extend an invitation to meet with commissioners when you hold the proposed public hearing in Tennant Creek.

Sincerely,

Jeffrey McLaughlin
Mayor
Barkly Regional Council

CC: Michael Gunner, Chief Minister