

**NORTHERN TERRITORY LIQUOR COMMISSION**  
**NOTICE OF PROPOSED VARIATION OF LICENCE CONDITIONS**

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<b>LICENSEE</b>	<b>PREMISES</b>	<b>LICENCE NO.</b>
Alice Food Concepts Pty Ltd	Flavours of India	80504862
Alice Springs Casino Operations Pty Ltd	Lasseters Hotel Casino	80103004
Alice Springs Golf Club Inc	Alice Springs Golf Club	81402352
Avxy Pty Ltd	Grill Me Crazy	FLL1074
Club Eastside Incorporated	Club Eastside	81402530
Epilogue Enterprises Pty Ltd	The Epilogue Lounge	80517222
Epilogue Enterprises Pty Ltd	The Tropic of Capricorn Restaurant	Licence approved but not yet issued
Gillen Club Incorporated	Gillen Club	81402891
Gunawan Concept Pty Ltd	Bella Alice	FLL1761
Investnorth Pty Ltd	Double Tree by Hilton Alice Springs	80103539
Iris Diplomat Operations Pty Ltd	Uncles Tavern	80305040
Iris Diplomat Trading Pty Ltd	Diplomat Hotel	80203967
Iris Gap View Operations Pty Ltd	Gap View Hotel	80102399
Iris Stott Terrace Operations Pty Ltd	Mercure Alice Springs Resort	80202179
Iris Todd Operations Pty Ltd	Todd Tavern	80102200

S&J George Pty Ltd	The NT Rock Bar	80818127
SGRD Café's Pty Ltd	The Locals	FLL1480
SGRD Pty Ltd	Bojangles Saloon and Dining Room	FLL1509
Simply Korean Pty Ltd	Simply Korean	FLL1422
Sporties87 Pty Ltd	Sporties Café & Restaurant	80504145

**LEGISLATION:** Section 113 of the *Liquor Act 2019* (NT)

**REFERENCE:** LC:OMV:2025-001

**CONSIDERED BY:** Russell Goldflam (Chairperson)

Professor Phillip Carson (Health Member)

Ms Rachael Shanahan (Community Member)

**DATE OF NOTICE:** 20 November 2025

## PROPOSED VARIATION OF CONDITIONS

1. Pursuant to s 113 of the *Liquor Act 2019* (NT) (**the Act**) the Northern Territory Liquor Commission (**the Commission**) proposes to vary the conditions of various Alice Springs liquor licences, as follows.
2. The Commission proposes to vary the conditions of Flavours of India, Lasseters Hotel Casino, Alice Springs Golf Club, Grill Me Crazy, Club Eastside, The Epilogue Lounge, The Tropic of Capricorn Restaurant, Gillen Club, Bella Alice, Double Tree by Hilton Alice Springs, Uncles Tavern, Diplomat Hotel, Gap View Hotel, Mercure Alice Springs Resort, Todd Tavern, The NT Rock Bar, The Locals, Bojangles Saloon and Dining Room, Sporties Café & Restaurant and Simply Korean (**the licences**) by inserting the following condition:

### **Full-strength alcohol only with a full meal**

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”<sup>1</sup> and “full meal”<sup>2</sup> are as set out at reg 3 of the *Liquor Regulations 2019* (NT) (**the Regulations**).

3. 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:

**On-premises identification system**

(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

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<sup>1</sup> “liquor that contains more than 3.99% ethyl alcohol by volume”

<sup>2</sup> “a meal expected to be served at a restaurant that is eaten when seated at a table or bar”

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.

4. The Commission proposes to vary the conditions of the nominated licences and the Lasseters Hotel Casino licence by inserting the following condition:

**Practices relating to disturbances**

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.

## REASONS FOR THE PROPOSED VARIATION

### Background

5. Since 25 January 2023, the sale of takeaway liquor in Alice Springs has been prohibited on Mondays and Tuesdays. On Wednesdays, Thursdays and Fridays, bottle shops are not permitted to open until 15:00 hours. On Saturdays they may open at 11:00 hours. On Sundays, the town's two drive-through bottle shops may open at noon, but all other takeaway outlets are closed.
6. There are three licensed premises within the Alice Springs CBD authorised to sell liquor for consumption away from the premises:
  - BWS, which is immediately adjacent to the Woolworths supermarket. The BWS entrance is within the air-conditioned food court in the Yeperenye shopping centre (**the Yeperenye Centre**).
  - Liquorland, which is immediately adjacent to the Coles supermarket. The Liquorland entrance opens on to the Coles shopping centre carpark.
  - Sip 'N Save drive-through bottleshop, which is part of the Todd Tavern hotel.
7. There are 19 licensed premises within 3 km of the Yeperenye Centre authorised to sell liquor for consumption on the premises before 15:00 hours,<sup>3</sup> and one under construction for which a licence has been approved.

### The Commission decides to conduct a review

8. On 13 February 2025, Mr Owen Cole, the Managing Director of Yeperenye Pty Ltd, the proprietor of the Yeperenye Centre, wrote to the Commission raising "concerns with the conduct of the licensed premises operating in the CBD of Alice Springs... both the manner that the CBD bars are being operated and the negative, anti-social issues arising from their mode of operations". A specific concern identified by Mr Cole was that "principally Aboriginal patrons with dependency issues" drink heavily at venues in the CBD prior to 3 pm on Wednesdays, Thursdays and Fridays, and then congregate near the BWS takeaway outlet in an intoxicated state at around the time it opens, causing offence, annoyance, disturbance, inconvenience and fear to shoppers, shopkeepers and their staff in the Yeperenye Centre, as well as in the nearby Alice Plaza shopping centre. Mr Cole requested the Commission to conduct an own initiative review of licence conditions pursuant to s 113 of the Act.
9. On 26 March 2025, the Commission determined to accept this request. On 17 April 2025 the chairperson convened a panel to conduct the review.
10. On 30 May 2025, an Alice Springs Aboriginal-controlled community-based health service, Central Australian Aboriginal Congress Aboriginal Corporation

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<sup>3</sup> The Jump Inn – Alice Springs is located 1.4 km from the Yeperenye Centre, but is not authorised to commence trade until 16:00 hours.

(**Congress**), wrote to the Commission raising concerns regarding the safety, and wellbeing of young people, families and staff accessing Headspace, a youth mental health service with offices around the corner from The NT Rock Bar and its next door neighbour Bojangles Saloon and Dining Room (**Bojangles**). Congress stated that it had received:

multiple reports... describing regular disturbances involving individuals who appear intoxicated, shouting, engaging in aggressive behaviour, and at times, physical violence directly outside these venues. These incidents have led to our clients and staff feeling unsafe when entering or leaving the headspace premises. Staff have had to routinely escort young people to or from their vehicles, advise them to wait in their cars, or guide them through alternate exits to avoid volatile situations. In some cases, clients have delayed or cancelled their appointments altogether due to concerns for their personal safety.

Congress also requested the Commission to conduct a s 113 review.

11. The Commission determined to accept this request and to conduct a single review into the issues raised by both the Yeperenye Centre and Congress.
12. Section 113(2) provides that before varying the conditions of a licence, the Commission must give the licensee a written notice stating the proposed variation, together with reasons for the proposed variation and an invitation to respond to the proposed variation with 28 days. The Act permits but does not require the Commission to conduct a public hearing in the course of a s 113 review, and, if the Commission decides to conduct a review, it is up to the Commission to decide whether to do so before or after issuing a notice of proposed variation of conditions.
13. The Commission panel met on 31 July 2025 and decided to commence the review by undertaking consultations with the Alice Springs Liquor Accord (as a representative body of the affected licensees), the Yeperenye Centre, Congress, Licensing NT and NT Police. The Commission also decided that following these consultations it would publish a notice of proposed variation of conditions, and invite not only the affected licensees but other stakeholders and the public at large to respond to the notice. On receipt of those responses, the Commission will give further consideration to whether to conduct a public hearing. In accordance with s 113(3), before varying licence conditions, the Commission will consider the responses it has received to this notice, the results of any hearing and the public interest and community impact requirements listed in s 49 of the Act.
14. Over the following three months the Commission conducted these consultations. In addition the chairperson, who is the member of the review panel resident in Alice Springs (and the only Alice Springs member of the Commission available to participate in the review):
  - made several visits to the Yeperenye Centre at around 15:00 hours on a takeaway trading day;
  - visited The NT Rock Bar on a takeaway trading day at about 14:30 hours;

- visited Bojangles on a takeaway trading day at about 14:00 hours;
- visited the premises of the Alice Springs private security firm engaged by both the Yeperenye Centre and various Alice Springs licensees for a demonstration of the on-premises identification system it uses;
- recently presided over a hearing in which the Commission upheld a complaint against the licensee of the Todd Tavern on the ground that an employee had sold liquor to an intoxicated patron.

15. The Commission extends its thanks to the many people who have given of their time and assisted the Commission in the course of this review.

16. Based on its consultations to date, the Commission makes the following preliminary observations.

### **Alice Springs CBD daytime anti-social behaviour**

17. On Wednesday, Thursday and Friday afternoons in the period leading up to 15:00 hours when BWS opens, a large number of predominantly Aboriginal people congregate both around the taxi rank in Bath St at the western entrance to the Yeperenye Centre, and inside the Yeperenye Centre. It is not uncommon for there to be 100 people around the taxi rank, and a further 100 people inside the Yeperenye Centre itself.

18. At the BWS opening time of 15:00 there are modest queues of patrons at the BWS entrance, which is patrolled by two Point of Sale Intervention officers (**POSIs**).<sup>4</sup> The POSIs do not allow patrons to enter the BWS store unless they can satisfy the officers that the alcohol they seek to buy will be consumed in a place where it is lawful to consume alcohol, by persons who are not prohibited from consuming alcohol. It is unlawful to consume alcohol in an Alice Springs town camp or a Central Australian remote community unless a person has a liquor permit issued by the Director of Liquor Licensing (**the Director**). Very few residents of town camps and remote communities have liquor permits.

19. Talice Security provides a security service to the Yeperenye Centre. Its incident report analysis for the period January to July 2025 shows that between Saturday and Tuesday each week there was an average of two or three reported daily incidents or disturbances at the Yeperenye Centre. By contrast on Wednesdays, Thursdays and Fridays there were usually more than ten such events, and on several occasions there were more than 20. Talice Security also reports that there almost twice as many reported incidents and disturbances at around 15:00 hours on Wednesdays, Thursdays and Fridays, compared to 14:00 hours and 17:00 hours.

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<sup>4</sup> In Alice Springs, POSIs, who are sworn Police Officers, have largely supplanted Police Auxiliary Liquor Inspectors (**PALIs**), who are, as the acronym indicates, Police Auxiliaries. Nevertheless, within the general community, "PALI" remains in common parlance, and the role they play is substantially similar.

20. This clear, consistent and well-documented pattern compels the Commission to find that the marked increase of anti-social behaviour at the Yeperenye Centre on Wednesdays, Thursdays and Fridays is causally associated with the fact that during the week all the takeaway outlets in Alice Springs open at 15:00 hours on those days, but do not open on Mondays and Tuesdays.
21. Some of the people who congregate within and in the vicinity of the Yeperenye Centre on Wednesday, Thursday and Friday afternoons are intoxicated, and it is reasonable to infer that the majority of these intoxicated persons have been drinking at the Todd Tavern, The NT Rock Bar and, earlier in the day, Bojangles. 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. Furthermore, not all of the trouble at the Yeperenye Centre occurs at these times. For example, on Monday 10 November 2025, a day when all Alice Springs takeaway outlets were closed,<sup>5</sup> a young person was captured on CCTV footage producing, brandishing and using a machete to injure a person at around midday in the concourse of the Yeperenye Centre. The use of edged weapons in shopping centres across Australia, in some cases resulting in the taking of life, has in recent times become a distressing problem of national significance.
22. Talice Security has recorded multiple incidents at the Yeperenye Centre involving weapons, including knives, hammers, sticks, scissors and rocks. Chairs and rocks have been thrown, and glass panels and doors have been smashed.
23. Without ignoring the broader context of social dysfunction and violence in Alice Springs, the Commission is satisfied that people who have been drinking at CBD venues make a significant contribution to the disturbingly high incidence of anti-social behaviour at the Yeperenye Centre around the time when Alice Springs takeaway outlets open on weekdays.
24. The Commission accepts the accounts by Yeperenye Centre management and the tenants of retail outlets within the complex that this anti-social conduct has had a significant adverse impact on the safety and welfare of both shoppers, staff, businesses and service providers.
25. Of course, 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. However, the Yeperenye Centre is a particularly attractive destination for this group, for several reasons. It is the only air-conditioned public space in Alice Springs that includes a takeaway liquor outlet, a food court and a range of shops. By contrast, the Alice Plaza is air-conditioned, with a food court, but it does not have a takeaway liquor outlet. For its part, Liquorland is situated in a shopping centre comprising a supermarket and shops situated around an open-air carpark, without an air-conditioned foyer or food court. In Alice Springs during the summer months, daytime temperatures often climb into the 40s, and many people, and in particular those who do not have air-conditioned

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<sup>5</sup> With one exception: see *Own initiative variation to conditions of Alice Springs Brewing Co* [2025] NTLiqComm 23

residences or workplaces, gravitate to and hang around in air-conditioned public places.

26. Patrons of the Todd Tavern are unlikely to be able to buy takeaway alcohol at the adjoining Sip 'N Save drive-through bottleshop, as the sale of liquor at that venue to people who are not in a vehicle is strongly discouraged by both POSIs and the licensee. The next closest takeaway outlets for people leaving the Todd Tavern are BWS and Liquorland, a few minutes walk away.
27. BWS and Liquorland also trade on Saturdays, when they open at 11:00 hours. Accordingly, on Saturdays, keen drinkers can purchase their first drink at a takeaway outlet, instead of having to patronise a pub, bar or club (where alcohol is more expensive) while waiting for a takeaway outlet to open. In these circumstances, this may explain why the Yeperenye Centre does not experience a high incidence of anti-social behaviour on Saturdays.
28. In its representations to the Commission, Congress also raised serious concerns about anti-social behaviour in another part of the CBD, namely the area of Todd Street in which both The NT Rock Bar and Bojangles are located, across the road from the large grassed area in front of the Alice Springs Town Council (**the Council lawns**).
29. Licensing NT inspectors report that they witness at least one or more disturbances in this area every week. Patrons who have been excluded or removed from these two premises are often seen to loiter nearby, and to sometimes cause disturbance and act aggressively towards employees and crowd controllers, as well as passing pedestrians and drivers. On numerous occasions inspectors have seen weapons used in altercations on or near the Council lawns, and have frequently had to call police and ambulance services.
30. Congress reports regular disturbances outside these venues involving individuals who appear intoxicated, shouting, engaging in aggressive behaviour, and at times, using physical violence directly. As a consequence, on occasion Headspace staff have to escort clients to and from appointments, or to reschedule appointments altogether.
31. The Commission has also received reports of anti-social behaviour in the vicinity of the Todd Tavern, at the northern end of Todd Mall. The Commission recently accepted direct evidence of such behaviour when hearing a complaint against the licensee of the Todd Tavern.<sup>6</sup>
32. In summary, the Commission finds that there is an entrenched pattern of widespread, public anti-social behaviour during weekday afternoons in the Alice Springs CBD. On occasion, this pattern escalates to extremely serious incidents. For example, on 15 May 2025 at about 17:00 hours, a 27 year old man, was repeatedly stabbed in Gregory Tce outside Uncles Tavern, allegedly following a brawl involving some 20 people. The victim subsequently died of his injuries.

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<sup>6</sup> *Disciplinary action against Todd Tavern licensee [2025] NTLiqComm 22*

33. It is difficult to overstate the harm to individuals, families, the tourism and hospitality industry, businesses and service providers, the Alice Springs community and the reputation and well-being of the Northern Territory as a whole that is caused by this entrenched pattern. Certainly not all, but nevertheless much of this anti-social behaviour is directly associated with drinking at CBD venues. The Commission is strongly of the view that to the extent that it can mitigate this harm by varying licence conditions, it should do so. The Commission is required to perform its functions in a way consistent with the purposes of the Act. The primary purpose of the Act is:

to minimise the harm associated with the consumption of liquor in a way that recognises the public's interest in the sale, supply, service, promotion and consumption of liquor.

### **Daytime trading patterns and practices of CBD licensed venues**

34. Grill Me Crazy, the Diplomat Hotel, The Epilogue Lounge, Bella Alice, The Locals and Sporties Café and Restaurant all operate licensed restaurants in the CBD that are authorised to operate at lunchtime, but are not venues where large numbers of patrons congregate to drink.

35. Flavours of India and Simply Korean operate licensed restaurants that are authorised to operate at lunchtime, outside the CBD. Similarly, they are not venues where large numbers of patrons congregate to drink.

36. The Gillen Club, Club Eastside, Lasseters Hotel Casino, Double Tree by Hilton, the Alice Springs Golf Club and the Mercure Alice Springs Resort all have bars, and are all within 3 km of the Yeperenye Centre, but they are all outside the CBD, and do not appear to be substantial contributors to daytime CBD anti-social behaviour.

37. The most heavily patronised venues during daytime trading hours are the Todd Tavern and The NT Rock Bar. The Gap View Hotel is also heavily patronised. However, as it is 3 km from the Yeperenye Centre, significantly further than the CBD venues, the Commission is not of the view that it is a substantial contributor to the daytime CBD anti-social behaviour that has prompted this review.

38. NT Police report that the three most "problematic" venues are The NT Rock Bar, Bojangles and the Todd Tavern.

39. Uncles Tavern is a substantial venue that operates a bar within the CBD, and is indeed the closest licensed premises to the Yeperenye Centre, but for reasons that are not entirely clear to the Commission, this venue does not appear to be as heavily patronised by the cohort of drinkers associated with daytime anti-social behaviour in the area. Nevertheless, the Commission proposes that Uncles Tavern be subject to the same variation as the other nominated licences, to mitigate the real risk that if it is not, the drinkers concerned will simply transfer their custom from the nearby Rock Bar and Bojangles, to Uncles Tavern, which would undermine achievement of the purpose of the proposed variation.

40. Liquor inspectors attend the Todd Tavern, The NT Rock Bar, Bojangles and the Gap View Hotel daily, and on most days they attend the remaining four most well patronised venues (the Gillen Club, Club Eastside, Uncles Tavern and Lasseters Hotel Casino). Liquor inspectors report that Mondays and Tuesdays are the quietest trading days during daytime trading, and similarly, NT Police report that its quietest days are also Mondays and Tuesdays.
41. Accordingly, the Commission considers that the Todd Tavern, The NT Rock Bar and Bojangles are the three most significant venues for the purpose of this review, and the Commission therefore proposes that the conditions of these three licenses, as well as Uncles Tavern, be varied in a manner that it does not propose for the remaining 15 affected licensees.

### The Todd Tavern

42. On Wednesday, Thursday and Friday from its opening time of 10:00 hours until around 15:00 hours, when many patrons leave, the Riverside Bar at the Todd Tavern in the CBD is heavily patronised by predominantly Aboriginal drinkers. The Todd Tavern offers complimentary food, water and soft drinks to patrons, and responsible service of alcohol (**RSA**) marshalls or crowd controllers are employed to screen and monitor patrons both on entry and within the premises. The Commission commends the licensee for the initiative of offering complimentary food and soft drinks. On average, the Todd Tavern excludes or removes more than ten patrons a day from the premises. On 30 January 2025, the date of the events the subject of a complaint against the Todd Tavern that was referred to and determined by the Commission, the venue excluded or removed 19 patrons.<sup>7</sup> Todd Tavern staff, along with bar staff at the other six Alice Springs licensed premises owned by members of the Iris Capital group of companies, are required to undergo RSA training every six months.

### Bojangles

43. On Wednesday, Thursday and Friday from its opening time of 10:00 hours until about 13:00 hours, Bojangles in the CBD is heavily patronised by predominantly Aboriginal drinkers, with an estimated 70 to 80 patrons in the rear bar and beer garden. Crowd controllers are not engaged at the single entrance to the premises during this period, but the licence nominee's husband, who is stationed at the door to screen and monitor patrons, typically excludes 10 to 20 persons during the morning session. Bojangles serves jugs of full-strength beer, provided all patrons who are going to share a jug attend the bar together when it is purchased. From about 13:00 hours, prior to the commencement of the premises' lunchtime trade, when full meals are available, staff encourage the morning's cohort of patrons to leave the premises, and they do. By 13:30 hours, Bojangles is predominantly patronised by a noticeably smaller number of workers and tourists having lunch. Bojangles is also a popular night time venue, trading until 02:00 hours.

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<sup>7</sup> *Disciplinary action against Todd Tavern licensee* [2025] NTLiqComm 22, [76](g)

## The NT Rock Bar

44. On Wednesday, Thursday and Friday from its opening time of 11:30 hours until around 15:00 hours, when most patrons leave, The NT Rock Bar in the CBD is heavily patronised by predominantly Aboriginal drinkers. The NT Rock Bar sells beer and cider by the jug. The most popular product sold is mid-strength beer. The NT Rock Bar employs 1 to 2 crowd controllers during its daytime session. According to the licence nominee, it excludes at least 20 patrons every day. Although The NT Rock Bar trades with a restaurant bar authority, notwithstanding reg 83(7) of the Regulations (“The licensed premises must appear to be a café, restaurant or eatery”), The NT Rock Bar has the appearance of a bar or pub. When the chairperson was invited by the licence nominee to inspect the premises, there was, contrary to reg 83(1) and 83(2), no meal service. Since then, the licensee has installed a pizza oven. Despite operating with a restaurant bar authority, The NT Rock Bar is closed every day during the evening meal period from 19:00 to 21:00 hours. The Commission suspects that there may be an influx of patrons from Bojangles into The NT Rock Bar at around 13:00 hours. The NT Rock Bar was formerly a popular nightspot patronised by backpackers. Nowadays, however, its nighttime trade is limited to Fridays and Saturdays, and the principal trading period for the premises is its weekday daytime sessions.

45. On 29 August 2025, pursuant to s 158(1)(a) of the Act, the chairperson requested the Director to conduct an investigation into The NT Rock Bar, arising in particular from his concern regarding the licensee’s apparent non-compliance with reg 83. On 1 November 2025 the Director reported on the result of her investigation. She stated that in September 2025 the licensee had installed a pizza oven, and was offering pizza for sale from a kitchen service window, with “mixed results”. The Director further stated:

Ongoing monitoring of the premises will continue, and discussions with the licensee will consider whether an application to amend the licence authorities is appropriate to ensure they align with the venue’s current operations.

46. The licensee is of course at liberty to apply to amend the licence authorities to ensure they align with the venue’s current operations. Such an application would be assessed by the Commission in the usual fashion, by applying the public interest and community impact tests, and considering the other requirements set out in Part 3 Division 4 of the Act. The Commission notes that The NT Rock Bar licence, which includes a restaurant bar, BYO and late night authority, was converted from its previous licence under the *Liquor Act 1978*, in accordance with s 324 of the *Liquor Act 2019*, which requires the Director to “issue a licence with the authorities and conditions the Director considers equivalent to the licence... issued under the *Liquor Act 1978*.” The previous licence contained the following conditions:

### **Appearance**

The premises are to retain the appearance of a restaurant and a significant proportion of the internal area must be retained for dining.

**Appearance**

There must be an emphasis on the provision of food, and meals must be available from 11:30 to 15:00 hours and from 18:30 to 21:30 hours for service to any part of the licensed premises. A packet of chips or a pie is not considered to be a meal.

**Liquor Without a Meal**

Liquor may be supplied without a meal but snack food and complimentary tap water must be available at all times.

47. In issuing the current licence, the then Director was clearly acting in compliance with s 324 of the Act when he determined that the licensee should be issued with a restaurant bar authority, and not a public bar authority. The Director appears to be of the view that the venue's current operations are not in alignment with the prescribed conditions of its licence.
48. It is not uncommon for children to loiter near the Todd Tavern, Bojangles and The NT Rock Bar during daytime trading hours, and to request staff to locate their parents inside.

**The prevalence of secondary supply**

49. A common refrain from many of the stakeholders (and in particular, licensees) the Commission has spoken to in the course of this inquiry is that varying licence conditions will have limited impact because of the prevalence of secondary supply, or "sly grogging".
50. It is trite to observe that it is impossible to know the full extent of sly grogging, because it is, by its nature, a course of activity that is conducted in secret.
51. However, the Commission is not persuaded that the nature and extent of sly grogging in Alice Springs is such as to render the variation of licence conditions futile. The Commission accepts that there is widespread secondary supply in Alice Springs, but in its view this is predominantly the illegal sale or supply of alcohol by persons who have previously purchased it from an Alice Springs takeaway liquor outlet. The Commission has reached this view for the following reasons.
52. There are about a dozen takeaway liquor outlets in Alice Springs, meaning takeaway liquor is readily available at a moderate price. Indeed, takeaway alcohol has become available at a lower price in recent months following, firstly, the government's repeal of the mandatory floor price laws, and secondly, the abandonment by the two largest outlets, Liquorland and BWS, of their previous commitment to voluntarily maintain the floor price. By comparison, the distance, cost, risk and inconvenience of bringing sly grog to Alice Springs from Darwin, Mt Isa, Port Augusta or Kalgoorlie reduce the viability of this particular business model.

53. The agency best skilled, experienced and resourced to identify patterns of secondary supply in Alice Springs is NT Police. The Commission accepts their advice, which is that secondary supply in Alice Springs is largely as characterised above. A key source of police intelligence to identify secondary supply in Alice Springs is POSIs, who notice and report suspicious transactions at takeaway outlets, which in turn facilitates the detection and prevention of associated secondary supply.
54. The Commission also accepts the advice of NT Police that the introduction in February 2023 of a licence condition limiting Alice Springs takeaway purchases to one transaction per person per day has been highly significant in reducing sly grogging in the town.
55. The authors of a recently published study into alcohol consumption in the Northern Territory report that Alice Springs “alcohol wholesale data aligns with decreases in consumption established via wastewater analysis conducted in the region.”<sup>8</sup> The Commission infers that if substantial quantities of alcohol were being consumed in Alice Springs that had not originally been purchased from a local licensee, wholesale data would show significantly lower consumption levels than is indicated by the wastewater analysis that has been undertaken.

### **The proposed variations**

#### Full-strength alcohol only with a full meal

56. The Commission proposes to vary the licence conditions of all of the listed licensees as set out at paragraph 2 above. The Commission anticipates that this variation will have no significant impact on those licensees that operate as licensed restaurants. A liquor licensee with a restaurant authority is required by reg 80(1) not to serve alcohol to anyone who is not also consuming food on the premises. This proposed variation would strengthen that requirement, and also extend the effect of reg 110 of the Regulations, which provides that Alice Springs licensees must not supply any liquor other than low-strength beer before 11:30 hours.
57. The Commission expects, however, that this proposed variation will have a significantly beneficial effect on patrons who attend licensed premises during a weekday for the dominant purpose of drinking alcohol. By being limited to the consumption of low-strength or mid-strength alcohol unless they are eating a full meal (namely, “a meal expected to be served at a restaurant that is eaten when seated at a table or bar”), patrons will be less likely to be intoxicated by the time they exit the premises towards 15:00 hours.
58. This variation will not inconvenience people who wish to have a glass of wine or a beer with their lunch, or impair the capacity of licensees to offer this service to the public, including tourists.

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<sup>8</sup> Clifford, Wright, Chikritzhs, Livingston, “Regional Variation in Alcohol Consumption in the Northern Territory: An Update” *Drug and Alcohol Review*, 2025; 0:1–7, p 6

## On-premises screening

59. The Commission proposes to vary conditions of the four nominated licenses as set out at paragraph 3 above.

60. This is not the first time the Commission has proposed a condition requiring the screening of people seeking to purchase alcohol for consumption on the premises. In 2021, the Commission conducted a review of licence conditions in the Barkly region. In its Notice of Proposed Variation of Conditions, the Commission stated:<sup>9</sup>

NT Police also propose that the scanning of customer identification to ascertain whether a person is prohibited from purchasing liquor because they have been placed on the BDR, be extended to persons who attend licensed premises to consume liquor on the premises.

Persons are placed on the BDR because they are problem drinkers. Persons on the BDR are eligible for assessment and treatment. The pathways to being placed on the BDR include:

- being repeatedly taken into protective custody;
- committing repeated drink driving offences;
- being a defendant in an alcohol-related domestic violence order;
- being ordered not to drink alcohol by a court;
- being assessed by the BDR registrar to go onto the BDR after referral from a health professional or family member; and
- self-referral.

The Commission notes that previously, two Alice Springs licensees, the Gap View Hotel and the Todd Tavern, voluntarily adopted this measure for a period, checking the credentials of patrons at the entrance to the premises.

The Commission considers that this measure is likely to deter and prevent some banned drinkers who are currently unable to purchase takeaway liquor from circumventing the BDR by drinking on premises. That, in the view of the Commission, would be in the public interest. The Commission proposes to vary licence conditions accordingly.

61. Ultimately, the Commission abandoned this proposed variation, as it explained in its 2021 decision:<sup>10</sup>

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<sup>9</sup> Northern Territory Liquor Commission, *Reasons for proposed variation of licences*, 21 January 2021 (accessed at <https://agd.nt.gov.au/media/docs/liquor-commission/variation-of-conditions/barkly/proposed-variations-conditions-licence-210106.pdf>), at [101] – [103]

<sup>10</sup> Northern Territory Liquor Commission, *Variation of conditions of licences*, 28 May 2021 (accessed at <https://agd.nt.gov.au/media/docs/liquor-commission/variation-of-conditions/barkly/variation-conditions-licences-barkly-region-decision-notice.pdf>), at [52] – 58]

This condition was proposed by police, and supported by the Barkly Regional Council, Julalikari and PAAC. It was vigorously opposed by licensees and Hospitality NT. Significantly, it did not attract support from either the Director or the [then] Minister for Alcohol Policy. The [then] Minister wrote to the Commission stating that “the Government’s position is that the BDR, particularly in its current form, was intended for takeaway liquor sales only and not for on-premises consumption”.

The proposal to extend the BDR to on-premises drinkers is not new. Recommendation 3.3.3 of the 2017 *Alcohol Policies and Legislation Review (the Riley Review)* recommended it be extended to deny entry for those on the BDR to all licensed premises trading under an extended trading authority. However, that proposal related only to late-night venues, so is not directly applicable to the situation now under consideration by the Commission.

The use of the BDR for on-premises drinkers was further considered in the 2018 *Process Evaluation of the Banned Drinker Register in the Northern Territory (the BDR process evaluation)* commissioned by the Minister of Health and undertaken by the Menzies School of Health Research. The authors of the BDR process evaluation noted that there was some interest amongst stakeholders, including some licensees, in expanding the BDR to on-premises drinking, and recommended that the NT Government “consider trialling BDR scanners at on-premises venues in Alice Springs, Katherine and Tennant Creek where PALIs are deployed”. In its Response to the BDR process evaluation, the Northern Territory Government gave in-principle support to this recommendation, and stated:

Further policy work and industry engagement will be required to assess the legislative changes that may be required to achieve the intention of this recommendation.

The Commission has not been informed whether any such further policy work and industry engagement has been undertaken since the Government’s Response was published in July 2018. However, the Minister’s communication to the Commission referred to... above suggests that over the last three years the NT Government’s “in-principle support” has weakened, if not evaporated.

The Commission considers that it is logical to expand the BDR to on-premises drinking. A banned drinker order (BDO) prohibits a person from “purchasing, possessing or consuming alcohol during the period for which the order is in force.” People subject to a BDO, as well as others who are prohibited from “purchasing or consuming liquor” by a court order, a bail condition or various prescribed supervision orders, are placed on the BDR. Arguably, if those prohibitions are to be effective, they should be enforced at venues that supply liquor for consumption both off and on the premises. Conversely, to permit people to drink at a

pub when they have been banned from drinking alcohol undermines the effectiveness of the BDR scheme.

On the other hand, the Commission was impressed by the evidence of several witnesses, and in particular, the Director, regarding the significant practical, technical and financial hurdles that would arise if the proposed on-premises BDR condition were imposed, as well as witnesses' concerns that it would be neither fair nor effective.

Ultimately, the Commission is not satisfied that it would be in the public interest to impose the proposed on-premises BDR condition [footnotes omitted].

62. The Commission remains of the view that provided the practical, technical and financial hurdles can be overcome, on-premises screening of patrons remains a measure worth considering.

63. The Commission is not alone in this view. In *Inquests into the deaths of Miss Yunupingu, Ngeygo Ragurk, Kumarn Rubuntja and Kumanjayi Haywood* [2024] NTLC 14 (**the inquests**), Coroner Armitage stated, at pp 221 – 222:

[A]t its heart, the existing BDR regime is inconsistent in its approach to banned drinkers, dependent upon whether they are drinking on premises, or taking away. If it has been determined as a matter of policy and having regard to the circumstances of an individual that they should be subject to the restrictions of the Banned Drinker Register, this law should apply equally. The legislation that creates the offence of supplying alcohol to a person who is on the Banned Drinker Register could create an exception for on premises supply, but it does not. I recommend that BDR scanners be trialled in licensed premises and that an independent evaluation be undertaken of this trial.

### **Recommendation 32: Banned Drinker Register (BDR) scanners**

To give effect to s138 *Liquor Act*, the NT Government should impose a mandatory 12-month trial of the use of BDR scanners in licensed venues to screen patrons who intend to consume liquor on the premises, and should evaluate the trial to determine its efficacy. If the trial is evaluated to be ineffective, consideration should be given to amending the terms of s138 of the *Liquor Act*.

64. On 29 July 2025, Minister Cahill, the Minister for Prevention of Domestic Violence delivered to the Northern Territory Legislative Assembly her government's report in response to the inquests. In response to Recommendation 32, the report stated:<sup>11</sup>

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<sup>11</sup> Northern Territory Hansard, *Tabled Paper 314*, p 12, accessed at <https://hdl.handle.net/10070/1006438>

### Recommendation 32

Not supported. Currently, venues may request BDR terminals voluntarily. Venues that are non-compliant or requiring disciplinary action, can be referred to the Liquor Commission.

*The Liquor Commission can / has imposed on-premises BDR and the Director of Liquor Licensing can also engage in voluntary legal undertakings with licensees to the same end [emphasis added].*

65. In her speech to the Assembly given when tabling the government's response, Minister Cahill stated that recommendation 32 was not supported as it is "already accommodated in existing processes".<sup>12</sup> Although the Commission has not in fact to date imposed on-premises BDR screening, it is encouraged by the government's statement that the Commission can do so.

66. The varied condition the Commission has proposed would not involve the acquisition and use of the BDR scanners currently supplied to takeaway traders by government. It would instead require the affected licensees to use iPads loaded with commercial applications already in wide use in various parts of Australia (including Alice Springs). At the entrance to premises, patrons are asked to show photographic ID, which is, along with their face, scanned, and checked against a list of currently banned persons that is stored on the system. The scanning and screening process takes less than five seconds. The system automatically shares to licensees in its network the names of people who a participating licensee has decided to refuse entry because, for example, of intoxication.

67. The first Australian jurisdiction to enforce patron bans by linking a banned drinkers register with ID scanner technology for on-premises drinking was Queensland.<sup>13</sup> In 2014 the Queensland LNP government launched its "Safe Night Out Strategy",<sup>14</sup> including:

Linking banning notice information, including photos of the banned person, with ID scanners in licensed venues to improve enforcement of banning notices.

Introducing mandatory requirements to operate networkable ID scanners for venues trading after midnight in Safe Night Precincts. For other venues outside these areas, we will enable the Commissioner for

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<sup>12</sup> Northern Territory Hansard, *Debates and Questions*, 29 July 2025, p 2218, accessed at <https://hdl.handle.net/10070/1017505>

<sup>13</sup> Farmer, C., Miller, P., Robertson, N. *et al.* Patron banning policy and practice in Queensland, Australia: key informant perspectives. *Crime Prev Community Saf* 24, 239–254 (2022). <https://doi.org/10.1057/s41300-022-00152-2>, p. 242

<sup>14</sup> Accessed at <https://cabinet.qld.gov.au/documents/2014/Jun/SafeNightOutBill/Attachments/Strategy.pdf>

Liquor and Gaming to require ID scanners to be used where this is appropriate to manage community safety.

68. Accordingly, since July 2017 licensees in Queensland's designated Safe Night Precincts (**SNPs**) have been required to use ID scanners. The ID scanners and other associated measures have been the subject of several evaluations and studies, with favourable results:<sup>15</sup>

Patron banning has been found to be generally popular with key stakeholders within nightlife precincts, including venue operators and licensees, and even patrons.<sup>16</sup>

...

Patron banning is most likely to ensure public safety and prevent crime when the banned individual can be readily identified, and venue entry prevented. The key informants generally perceived that the use of ID scanners within venues supported the patron banning provisions.<sup>17</sup>

69. The Commission now proposes to apply this long-established, well supported, practical and affordable measure, which is widely used in Australian late night venues, to Alice Springs CBD licensed premises during their daytime operations. The Commission is inclined to the view that it would be in the public interest to take this step, given the very concerning incidence of offensive, annoying, disturbing and inconvenient daytime anti-social behaviour in the nearby Alice Springs CBD shopping precinct, which the Commission considers is strongly associated with the trade conducted by these licensed premises.

70. However, as this concerning anti-social behaviour is concentrated on particular days and times of the day, the Commission proposes that the on-premises identification system condition only apply on weekdays when bottle shops are permitted to trade, and only up until the time when they open. It would still of course be open to licensees to continue to use the on-premises identification system at other times and on other days.

71. The Commission has consulted with NT Police about the introduction of this condition, and, consistently with their position when the Commission proposed a similar measure in 2021, NT Police have indicated that they would welcome it and share the data they have of banned persons with the participating licensees.

72. The Commission has also consulted with the Department of Health and requested that, similarly, it provide to participating licensees the names of persons on the BDR, together with the date of expiry of the person's Banned Drinkers Order.

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<sup>15</sup> For example, Farmer et al, above, n. 13

<sup>16</sup> Ibid, p. 249

<sup>17</sup> Ibid, p. 250

73. The Commission recognises that it is important to safeguard the privacy of persons who are subject to banning orders or conditions, whether because they are on the BDR, because they have been issued with a banning notice by police, or because they are subject to some other order or condition that prohibits them from accessing alcohol. In proposing that information of this nature be shared by various government agencies with some licensees, the Commission considers that s 289 of the Act (“Offence to disclose confidential information”) is effective and adequate to address these privacy concerns.

#### Practices relating to disturbances

74. As has been described above, there is a high incidence of anti-social behaviour in the vicinity of the Todd Tavern, the Rock Bar and Bojangles. In the course of conducting this inquiry, it has also come to the attention of the Commission that a further anti-social “hotspot” in Alice Springs is the vicinity of Lasseters Hotel Casino. For example, on the weekend commencing 8 November 2025, NT Police were required to attend a major disturbance outside Lasseters late at night, after a number of intoxicated persons had been removed from the premises by the licensee.

75. Licensee’s legal obligations arising from the conduct of their patrons are generally confined to events and circumstances that occur within the boundary of the licensed premises.

76. To their credit, many licensees go above and beyond these obligations, for example by assisting intoxicated patrons with obtaining transport away from the premises.

77. However, there are also provisions in the Act that indicate that licensees’ duties do not stop at their doorstep. For example, the Act provides that a ground of complaint against a licensee is that the licensed premises were used in a way that caused “disorderly conduct on or in the premises *or in the vicinity of the premises*” [emphasis added] (s 160 (m)(1)(i)).

78. Section 42 of the *Liquor Licensing Act 1997* (SA) provides that it is a condition of every South Australian liquor licence that the licensee must comply with codes of practice issued by the South Australia Liquor and Gambling Commissioner. Clause 12 of the Commissioner’s General Code of Practice provides:

The licensee must take reasonable steps -

(a) to prevent undue offence, annoyance, disturbance, noise or inconvenience to people who reside, work or worship 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.

79. The Commission proposes to establish a condition adapted from the South Australian provision, as set out above at paragraph 4, applicable to the nominated licensees and Lasseters Hotel Casino.

80. The Commission acknowledges that the South Australian provision is framed in general and rather limited terms. It does not require licensees to do anything in particular, no doubt because what licensees should be required to do to protect public welfare, order and safety varies according to the circumstances, location, patronage and trading practices of each licensee. The term “vicinity” is open to interpretation, but it is a common and ordinary word that is used in various contexts in the Northern Territory *Liquor Act*.

81. The Commission does not propose to prescribe specifically what the licensees of these premises should do to reduce the incidence of anti-social behaviour in the vicinity of their premises, other than to require them to take “reasonable steps”. An example of such a step that is contemplated and permitted under s 139 of the Act, would be for a licensee to direct staff to refuse service to any person who it is reasonably believed has engaged in violent, quarrelsome or disorderly behaviour in the vicinity of the premises within the last 12 months.

#### **INVITATION TO RESPOND**

82. The Commission recognises that the problems of anti-social behaviour in particular and alcohol-related harm in general can not be fixed merely by varying licence conditions. Accordingly, the Commission anticipates that in addition to varying licence conditions, it may make recommendations, including:

- That resources be allocated to enable the retention of the existing complement of liquor inspectors based in Alice Springs
- That RSA training include information about Foetal Alcohol Spectrum Disorder
- That the nominated licensees provide (or continue to provide, as the case may be) free finger food to drinkers during morning sessions

83. The Commission invites each of the licensees to submit a response to the proposed variations within 28 days after the date of this notice. The Commission also invites any other interested persons, agencies and organisations to submit a response to this notice within 28 days.

84. At the conclusion of the 28 day period the Commission has allowed for submissions, the Commission will consider the responses it has received and issue its decision.



RUSSELL GOLDFLAM  
CHAIRPERSON  
NORTHERN TERRITORY LIQUOR COMMISSION  
20 November 2025

On behalf of Commissioners Goldflam, Carson and Shanahan