

NORTHERN TERRITORY LIQUOR COMMISSION
STATEMENT OF REASONS FOR DECISION

MATTER: *OWN INITIATIVE VARIATION TO CONDITIONS OF ALICE SPRINGS BREWING CO [2025] NTLiqComm 23*

LICENSEE: Alice Springs Brewing Co Pty Ltd

PREMISES: Alice Springs Brewing Co
39 Palm Circuit
ROSS NT 0873

LICENCE NUMBER: FLL1051

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

CONSIDERED BY: Russell Goldflam (Chairperson)
Ms Ebony Abbott-McCormack (Health Member)
Mr Denys Stedman (Community Member)

DATE: 24 June 2025

1. On 20 June 2025 the Northern Territory Liquor Commission (**the Commission**) issued the following decision:
 1. On 2 March 2025 the People’s Alcohol Action Coalition (**PAAC**) requested the Northern Territory Liquor Commission (**the Commission**) to conduct an inquiry pursuant to s 113 of the *Liquor Act 2019* (**the Act**) with a view to varying the conditions of liquor licence FLL1051 (**the licence**) held by Alice Springs Brewing Co Pty Ltd (**the licensee**) over its premises at 39 Palm Circuit Alice Springs NT 0873 (**the premises**).
 2. On 26 March 2025 the Commission met and determined to undertake an inquiry, in accordance with the PAAC request.
 3. On 16 June 2025, having completed its inquiry, the Commission determined not to vary the conditions of the licence.
2. The Commission stated that it would publish its reasons for this decision in due course. It now does so.

Background

3. The licensee is the only retailer in Alice Springs authorised to sell liquor for consumption off the premises on Mondays and Tuesdays. This is because the licensee is the only Central Australian licensee with a producers authority, and,

unlike all Alice Springs licensees that operate with a takeaway authority or a grocery store authority, is not subject to the prescribed takeaway trading hours and days for Alice Springs in Schedule 3 of the *Liquor Regulations 2019* (**the Regulations**).

4. The licensee is also the only takeaway liquor outlet in Alice Springs not assisted by the presence of Police Auxiliary Liquor Inspectors (**PALIs**) during takeaway trading hours. This is in large part because, firstly, the licensee's premises are located 5 km south of the Alice Springs CBD in a semi-rural area; and secondly, the licensee's trade is more limited in both quantity and product type than bottle shops and licensed grocery stores: the licensee is only authorised to sell takeaway liquor that it produces itself.
5. The Commission has previously summarised the history of the licensee and the statutory and regulatory arrangements under which it operates.¹
6. In May 2024 PAAC requested the Commission to undertake an own initiative inquiry into the conditions of the licence. PAAC submitted that "all licensees who are allowed to sell take-away liquor, no matter where it is produced, should be subject to the same rules".²
7. On 19 August 2024 the Commission issued a notice (**the August 2024 notice**) in which it stated that it would not vary the licence to restrict takeaway trading to the same prescribed days and hours as Alice Springs licensees with a takeaway authority or grocery store authority:

unless and until it receives evidence that justifies a finding that the licensee has engaged in the sale of substantial quantities of takeaway liquor on days when all other local takeaway outlets are closed.

8. On 25 September 2024, following the completion of an inquiry in response to the PAAC request, the Commission issued its decision.³ During the inquiry, both PAAC and NT Police urged the Commission to place restrictions on the licensee's takeaway trading days. Notwithstanding those submissions, the Commission found that the licensee had not engaged in the sale of substantial quantities of takeaway liquor on Mondays and Tuesdays,⁴ and determined not to prohibit the licensee from selling takeaway alcohol on those days.

¹ See Northern Territory Liquor Commission, *Notice of Proposed Variation of Licence Conditions* (19 August 2024) at [3] – [15], (**the August 2024 notice**) accessed at https://agd.nt.gov.au/_data/assets/pdf_file/0004/1443676/LC_OMV_2024-00-proposed-variation-of-conditions-alice-springs-brewing-co.pdf

² August 2024 Notice, [16]

³ *Own initiative variation to conditions of Alice Springs Brewing Co.* [2024] NTLiqComm 38 (**September 2024 Decision**)

⁴ September 2024 decision, [29]

9. However, having received evidence from the licensee of its actual takeaway trading hours, the Commission determined to limit those hours accordingly.⁵ In addition, the Commission imposed a condition requiring compliance with the CCTV Code of Practice applicable to licensees trading with a takeaway authority.

The 2025 inquiry

10. On 2 March 2025, PAAC sent a further request to the Commission, in which it stated:

PAAC has been advised that alcohol sales data for this license have increased very significantly as it has become widely known that the Alice Springs Brewing Company is open access for people from Alcohol prohibited lands who are not on the BDR.

...

The special and unique provisions that have been granted to the Brewery (along with other Distilleries in the NT) completely undermines the PALI mechanism and police are not able to provide a PALI to this additional outlet. This means this outlet enables people living on Alcohol prohibited land to access take away alcohol every day of the week and this is now widely known in bush communities.

...

It should be no surprise that it has taken time for this legal “loophole” to become known as initially people living on Alcohol prohibited land thought they were not able to buy take away alcohol at all in Alice Springs.

...

PAAC knows that the queues lining up for take-away alcohol from this outlet include Aboriginal people from remote communities who otherwise would not be able to purchase take-away alcohol due to PALIs. We suggest that the LC should undertake its own investigation of the people who are queuing for take-away alcohol from this outlet.

...

PAAC implores the LC to have a second look at the alcohol sales and harm from the Brewery as we think this has increased very considerably since the Commission looked into this issue in May 2024.

11. On 26 March 2025 the Commission met and decided to undertake an inquiry in response to PAAC’s request. Although PAAC had provided no evidence in support

⁵ September decision, [33]

of its concerns, the Commission formed the view that PAAC's concerns were plausible, and that if well-founded, would potentially provide a basis for varying the conditions of the licence.

The 2025 inquiry

12. The Commission determined to commence its inquiry by gathering evidence of the level and pattern of takeaway liquor supply from the premises, and associated harm, since the September 2024 decision. To that end, on 28 April 2025 the chairperson wrote to the Director of Liquor Licensing (**the Director**) requesting that she obtain and report on the licensee's sales and Banned Drinkers Register (**BDR**) data for the period 1 August 2024 to 1 May 2025. The chairperson also wrote to NT Police requesting data of police attendances at and in the vicinity of the premises for the same period.
13. On 4 June 2025, a delegate of the Director reported on the results of the Director's investigations. On the basis of the delegate's detailed and comprehensive report, the Commission makes the following findings:
 - a. Licensing inspectors attend the premises every Monday and Tuesday and report "no evidence" of the queues of people PAAC alleges line up to buy takeaway on Mondays and Tuesdays.
 - b. The average takeaway sale is less than a 12 pack of beer.
 - c. The observations of inspectors on Mondays and Tuesdays are that purchasers of takeaway liquor from the licensee include members of the general public, tradespeople and tourists (the premises are situated in a tourist precinct), and are not limited to customers who reside in interim alcohol protected areas or other areas designated as controlled areas under the Act.
 - d. The licensee strongly markets its products on social media, with a focus on its on-premises trade, and does not publish advertisements specifically aimed at selling takeaway liquor on Mondays and Tuesdays.
 - e. In 2024, Christmas Eve fell on a Tuesday. In anticipation of a sharp increase in demand for takeaway liquor on that day (when all other takeaway liquor outlets in Alice Springs were closed), the licensee took the commendable initiative of requesting police and liquor inspectors to be in attendance at the premises for the duration of the day. In addition, the licensee placed voluntary restrictions on sales for the day. Police and Licensing NT officers attended the premises in compliance with this request, and no issues or incidents of concern were reported.
 - f. In April 2025 there was an 11% increase in takeaway liquor transactions over the corresponding month in 2024, and a 42% increase in transactions on Mondays and Tuesdays.

- g. In April 2025, even on a Tuesday, its busiest day of the week, the licensee conducted fewer takeaway liquor transactions than all but two of the other nine Alice Springs takeaway outlets on other trading weekdays.
 - h. As in 2024, as measured by the volume of takeaway transactions, by a significant margin the licensee is the smallest Alice Springs takeaway outlet in Alice Springs.
14. The Director recommended that the Commission take no further action.
15. On 6 June 2025, NT Police responded to the Commission's request. On the basis of the data provided by NT Police, the Commission makes the following findings:
- a. From 22 Feb 24 to 23 Aug 24 there was an average of one recorded event attended by police every three days. The busiest days in the vicinity of the premises for police during this period were Thursday, Friday and Saturday. There were between 1 and 13 events recorded per month.
 - b. From 1 Aug 24 to 1 May 25 there was an average of one recorded event attended by police every 3.7 days. The busiest days were Thursday, Saturday and Sunday. There were between 4 and 14 events per month.
16. The data from police does not support a finding that there has been a significant increase in alcohol-related harm generally in the vicinity of the Alice Springs Brewing Co, or an increase in harm on Mondays and Tuesdays.
17. The Commission has received no evidence that justifies a finding that the licensee has engaged in the sale of substantial quantities of takeaway liquor on days when all other local takeaway outlets are closed.
18. The Commission has received no evidence that the licensee's trade is associated with an increase in alcohol-related harm in the vicinity of the premises.
19. The Commission has for these reasons determined not to vary the conditions of the licence.



Russell Goldflam
CHAIRPERSON
NORTHERN TERRITORY LIQUOR COMMISSION
24 June 2025

On behalf of Commissioners Goldflam, Abbott-McCormack and Stedman