

Liquor Bill 2019: Liquor licence application process

- Issuing a licence or authority – Part 3 Division 3

Application under clause 48 for a licence or authority (there is a different process for a Community Event or a Special Event authority, see Note) received by Licensing NT

The Director of Licensing (DoL) assesses the application and must make a decision within 21 days under clause 52(1)

DoL accepts application for consideration as per clause 52(1)(a)

A decision notice is provided to the applicant as soon as practicable under clause 52(2)

DoL accepts application provisionally as per clause 51(1)(c)

The applicant has 28 days to change their application as specified by the DoL to comply with requirements in clause 48

Outcome: Application is refused as per clause 52(1)(b)

A decision notice is provided to the applicant as soon as practicable under clause 52(2)

If applicant does comply with DoL request

If applicant does not comply with DoL request

- DoL informs the CEO of the Department of Health, Commissioner of Police and the CEO of the local government council (if applicable) within 14 days from accepting the application as per clause 52(4)
- DoL may conduct an investigation. Any investigation must be conducted within 90 days after the day the application is accepted under clause 54(3)

PUBLIC NOTICES

- DoL sends written notice to the applicant to prepare public notice for the application within 14 days from accepting the application
- Applicant publishes two public notices of application (3) under clause 53(3)
 1. First notice published within 28 days of receiving the notice from DoL
 2. Second notice published within 42 days of receiving notice from DoL

OBJECTIONS

- Under clause 57(6) objections must be lodged with the DoL within 28 days after publication of the last public notice
- DoL gives notice to applicant under clause 58(1) re grounds of any objections made within 5 days after the 28-day period
- Applicant's response to objections must be lodged with DoL within 14 days after notice given from the DoL under clause 58(2)

DoL refers the application to the Liquor Commission for determination

If no objection to the application: referral must be 7 days after the objection period under clause 55(2)(a).

The Commission must make a decision within 28 days after the objection period under clause 56(2)(b).

If objections are made to the application: referral must be after the expiry of the period allowed for the applicant's response to the objection under clause 55(2)(b). The Commission must make a decision within 28 days after the day the period allowed for the applicant to respond to the complaint expires under clause 56(2)(c)

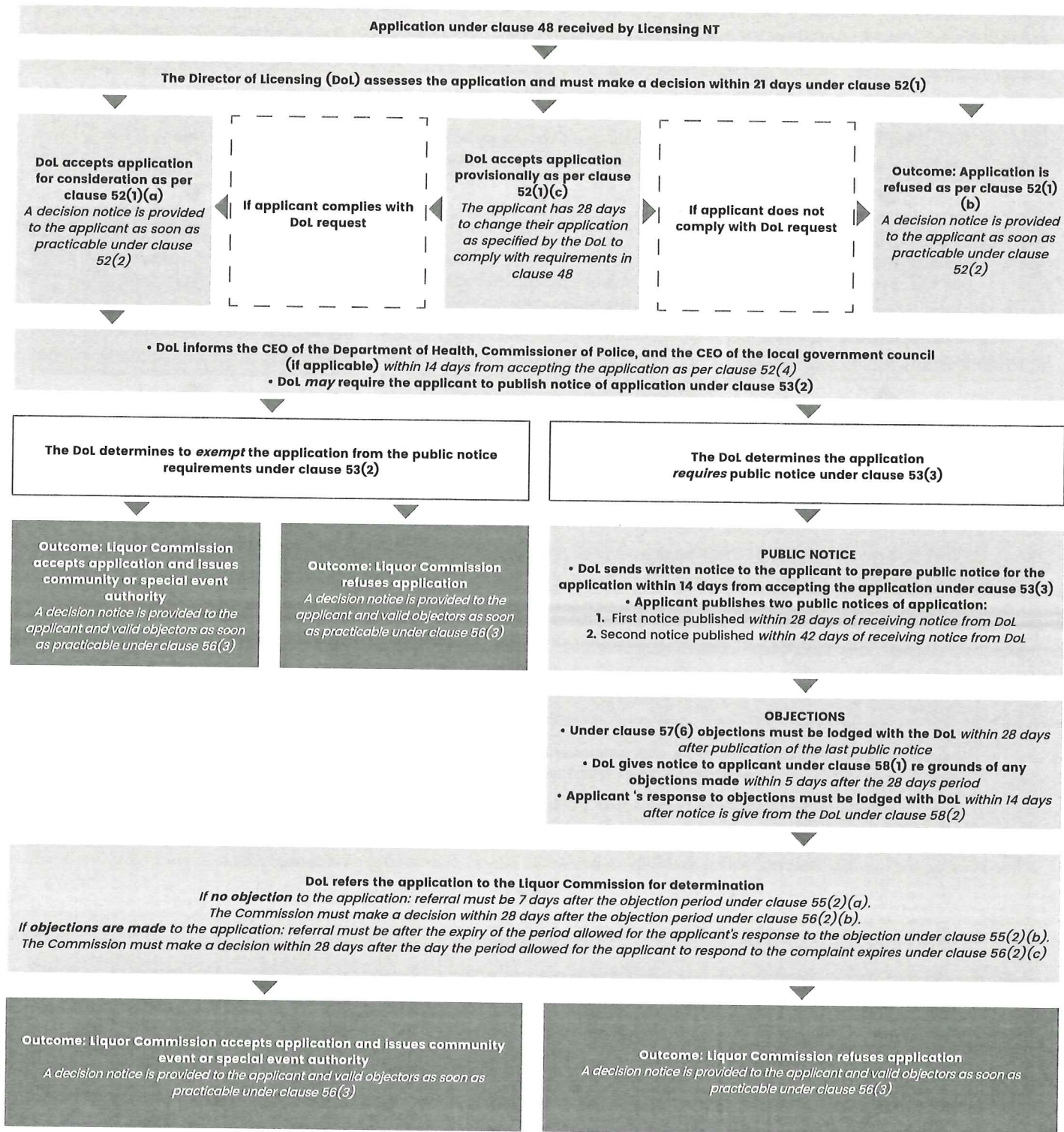
Outcome: Liquor Commission refuses application

Disclaimer: This flowchart is based on the draft clauses in the Liquor Bill 2019 as of 15 May 2019 and may be subject to change.
Note: The process is different when applying for a 'Community Event' authority or a 'Special Event' authority. Please see 'Liquor licence application process - Issuing a Community Event or Special Event authority - Part 3 Division 3' flowchart for more information.

Outcome: Liquor Commission accepts application

Liquor Bill 2019: Liquor licence application process

Issuing a Community Event or a Special Event Authority – Part 3 Division 3



Disclaimer: This flowchart is based on the draft clauses in the Liquor Bill 2019 as of 15 May 2019 and may be subject to change.

Under clause 31(1), any decision of the Liquor Commission for which a decision notice is required under the Act is reviewable by the Northern Territory Civil Administrative Tribunal (NTCAT)

**LEGISLATIVE ASSEMBLY OF THE NT
TABLED DOCUMENTS**

Committee: EPSC

Paper No: 2 Date: 20/5/19

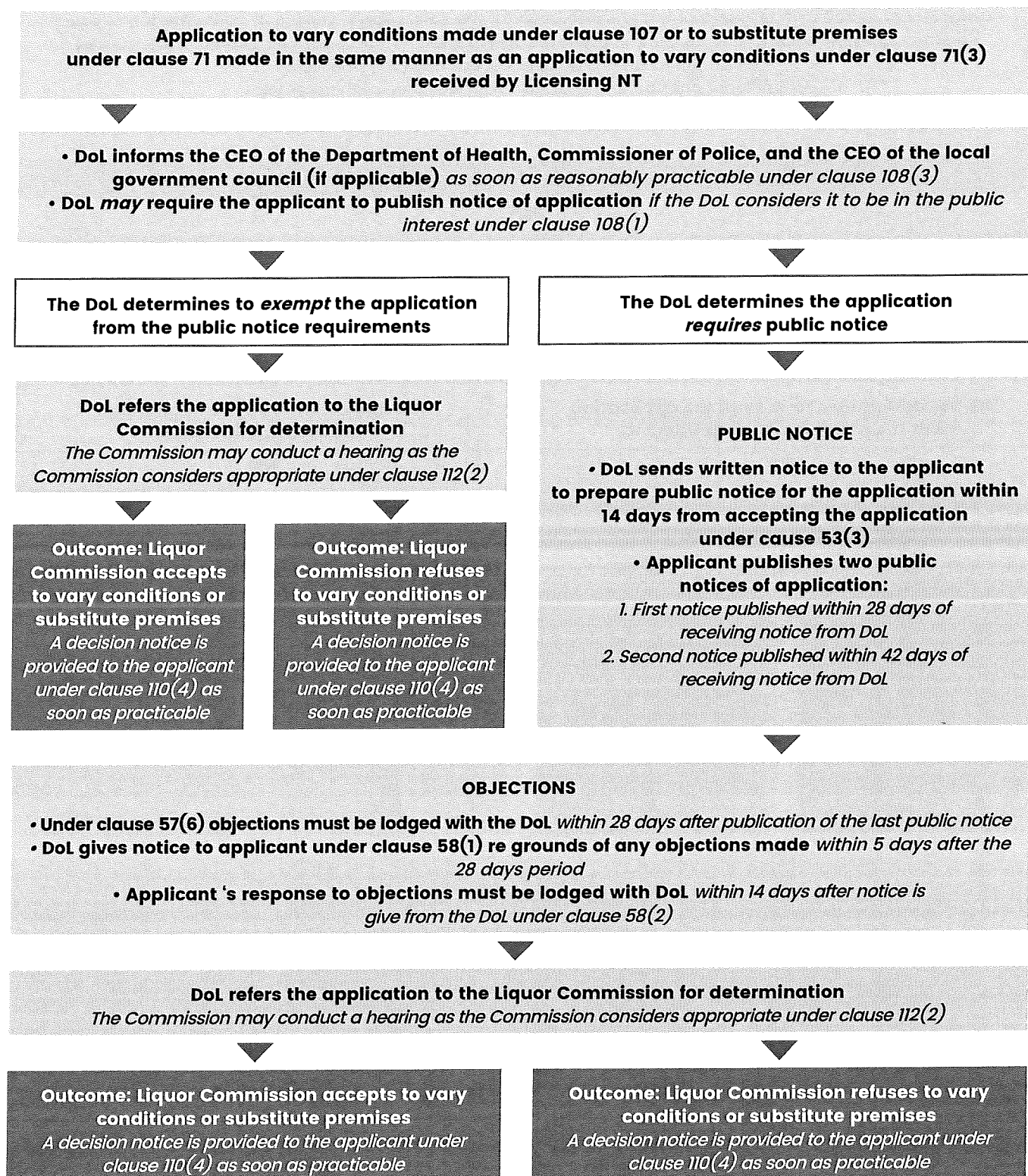
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Liquor Bill 2019: Liquor licence application process

Variation of a condition of licence – Part 4 Division 5 and Substitution of premises – Part 3 Division 7



NOTE: Under clause 31(1) any decision of the Commission for which a decision notice is required under the Act is reviewable by the Northern Territory Civil Administrative Tribunal (NTCAT).

Liquor Bill 2019: Liquor licence application process

– Material alterations – Part 4 Division 2

Disclaimer: This flowchart is based on the draft clauses in the Liquor Bill 2019 as of 15 May 2019 and may be subject to change.

APPLICATIONS FOR MATERIAL ALTERATIONS

Under clause 91(1), an application for a material alteration will be required for:

- a significant increase in the area of the premise used for the sale, supply, service or consumption of liquor
- a structural alteration to any part of the premises where liquor is sold, supplied, served or consumed
 - a change to an entrance or an exit from the premises
 - significant change to the external appearance of the premises
- a significant change to the premises' facilities related to the sale, supply, service or consumption of liquor.

Application made in accordance with clause 92(3) received by Licensing NT

- DoL informs the CEO of the local government council (if applicable) *as soon as reasonably practicable under clause 92(6)*
- DoL may require the applicant to publish notice of application if the DoL considers it to be in the public interest under clause 92(4)

The DoL determines to *exempt* the application from the public notice requirements

The DoL determines the application *requires* public notice

DoL refers the application to the Liquor Commission for determination

Outcome: Liquor Commission approves the material alteration under clause 93(2)(a)
A decision notice is provided to the applicant and valid objectors under clause 93(4) as soon as practicable

Outcome: Liquor Commission refuses to approve the material alteration under clause 93(2)(b)
A decision notice is provided to the applicant and valid objectors under clause 93(4) as soon as practicable

PUBLIC NOTICE

- DoL sends written notice to the applicant to prepare public notice for the application within 14 days from accepting the application under clause 53(3)
- Applicant publishes two public notices of application:
 1. First notice published *within 28 days of receiving notice from DoL*
 2. Second notice published *within 42 days of receiving notice from DoL*

OBJECTIONS

- Under clause 57(6) objections must be lodged with the DoL *within 28 days after publication of the last public notice*
- DoL gives notice to applicant under clause 58(1) *re grounds of any objections made within 5 days after the 28 days period*
- Applicant's response to objections must be lodged with DoL *within 14 days after notice is given from the DoL under clause 58(2)*

DoL refers the application to the Liquor Commission for determination

Outcome: Liquor Commission approves the material alteration under clause 93(2)(a)
A decision notice is provided to the applicant and valid objectors under clause 93(4) as soon as practicable

Outcome: Liquor Commission refuses to approve the material alteration under clause 93(2)(b)
A decision notice is provided to the applicant and valid objectors under clause 93(4) as soon as practicable

NOTE: Under clause 31(1) any decision of the Commission for which a decision notice is required under the Act is reviewable by the Northern Territory Civil Administrative Tribunal (NTCAT).