

27 March 2026

Committee Secretariat
Legislative Scrutiny Committee
Legislative Assembly of the Northern Territory
Via email: LSC@nt.gov.au

Dear Committee Chair and Members

Re: Legislative Scrutiny Committee inquiry into the [Liquor Legislation Amendment \(Fast Track Approvals\) Bill 2026](#).

Thank you for the invitation to submit to the Committee's inquiry.

As the nation's leading alcohol and drug harm prevention organisation, the Alcohol and Drug Foundation (ADF) has serious concerns about this Bill and its potential to increase alcohol harms in the Territory. ADF does not support the Bill in its current form.

Relevantly to the Committee's [terms of reference](#) as described in the call for submission, the Bill does not appear to have sufficient regard to the rights and liberties of individuals; specifically, the right to health.

Our key concerns and how they limit the right to health are outlined further below, but in summary:

- the transfer of functions related to certain licensing decisions¹ from the Commission to the Director, along with removing consultation impact assessment safeguards, will establish conditions expected to increase the flow of alcohol in the Territory, and our exposure to alcohol harms
- removing consultation and impact assessment safeguards will also limit Territorians' rights to participate in decisions relating to their health.

These measures, and how they are incompatible with our human rights obligations, are briefly outlined below. In addition the revised decision-making processes are liable to frustrate the objectives of the Saying Yes to Business Report,⁽¹⁾ on the basis that they will result in inconsistent decision-making that lacks a sufficient evidentiary basis.

Finally, ADF notes that the measures in the Bill are not aligned with the purpose of the changes as outlined in the [explanatory statement](#); that is, to 'improve regulatory efficiency in the liquor licensing

¹¹ Determination of material alterations applications (cl 6-7; ss 10,19); creation of a new 'low-risk' application type and process (cl 11, new s 52A); removal of requirement to, for low risk applications, applicants to satisfy the Commission that granting the application is in the public interest and will not have a negative effect on the community (cl 8, s 40); and also to remove notice (cc 13,15 s 57,60) consultation requirements for low risk applications (cl 9, s 51).

system while maintaining appropriate safeguards'. This is also covered further below, and is relevant to whether the Assembly should pass the Bill in its current form.

The right to health – obligation to provide for the prevention of alcohol related harm

Australia's obligations under article 12.1 of the [International Covenant of Economic, Cultural and Social Rights \(ICESCR\)](#), as outlined in [General Comment No 14](#), requires government to take steps to ensure that we all can enjoy the highest attainable standard of physical and mental health. This includes (at article 12.2(c)) establishing conditions that help prevent disease.

The Liquor Act, and licensing controls, are government's key lever for reducing what continues to be extreme levels of alcohol-related harm in the Territory.

Northern Territory alcohol harms: a Territory-wide concern

40% of Territorians drink at levels that put their health at risk, compared to compared to 31% of people living elsewhere in Australia.⁽²⁾

Alcohol harms are high including in our capital Darwin, where drink driving charges increased by nearly 19% between 2022 and 2024, or in Alice Springs, where emergency department presentations have increased by over 102% between 2016 and 2024.⁽³⁾

Key proposals in the Bill will establish the conditions for an increase in the supply of alcohol:

- Arbitrary designation of certain licence applications as 'low risk.'² Currently, the Act and Regulations identify certain business types as 'low' or 'very low' risk, but this is simply for the purpose of calculating base (minimum applicable) fees, which can then be subject to further fees in accordance with a risk assessment. This process was not designed as a de facto risk assessment for specific licence authorities. So, while it might be appropriate to start from the position that low fees may be appropriate for a 'special event' organiser hosting 1,500 people, it is another matter to assume such an event is low risk. As drafted, these provisions also fail to account for other risk factors considered when setting fees, including trading hours, volume and previous breaches. This represents a significant increase of both risk tolerance and potential for poor outcomes.
- Transferring responsibility for making certain decisions from the Commission to the Director in relation to those 'low risk' licences, with no clear guidance on decision-making.
- Limiting the information available to the Director on the assessment of risk. Removing the requirements for public notices and consultation on 'low risk' licence applications cuts off one of the most valuable sources of local community intelligence for decision-making: community input.

Together, these measures reduce the government's capacity to appropriately assess risk, and are likely to result in a net increase in applications granted and the flow of alcohol in the Territory.

The right to health – right to be consulted on matters affecting health

In addition, article 12.2(c) requires that our governments support participation of the population in all health-related decision-making at the community. Public and community impact assessment and

² Liquor licence authorities covered by this change include: producers; restaurant and food; lodging; catering; sporting event; special event; special venture; community club; and community event authorities.

consultation processes are critical safeguard in licensing regulation. They permit detailed local knowledge about the community, their experience of harms, and the suitability of arrangements set out in applications to manage those harms in their community.

Efficiency and the avoidance of health and justice impacts

While simple regulatory processes are a driver of business efficiency and can contribute to economic performance, it is well-established that 'efficiency' means the use of resources in ways that increases benefits and outcomes, which includes the health and wellbeing of the community.^(4, 5) It should be data informed, and risk based. They should, as noted in the Saying Yes to Business Report, offer a pathway for clear, consistent and transparent decision-making.

In contrast, the changes proposed by the Bill lack sufficient guidance. They are not based in evidence, and are expected to increase not only the number of liquor applications granted in the Territory but the volume of alcohol consumed. The evidence tells us that when you increase supply and consumption of alcohol, you also increase alcohol harms,^(6, 7) which cause a net economic loss on the community including through increased demand on our scarce health and policing services. As noted above, the Bill is also expected to reduce the capacity for risk based and informed decision-making. In this way it does not meet its stated objectives.

ADF would be pleased to brief the Committee further on the above matters and may be contacted as follows:

- Sally Underdown, Northern Territory Manager: [REDACTED]
- Amy Herbert, Manager, Policy and Engagement: [REDACTED].

Sincerely,

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Sally Underdown

Northern Territory Manager

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References

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