

27 March 2026

Secretary  
Legislative Scrutiny Committee  
GPO Box 3721  
DARWIN NT 0801  
Email: [LSC@nt.gov.au](mailto:LSC@nt.gov.au)

Dear Secretary,

## **LIQUOR LEGISLATION AMENDMENT (FAST TRACK APPROVALS) BILL 2026 INQUIRY**

The Foundation for Alcohol Research and Education (FARE) thanks the Legislative Scrutiny Committee for the opportunity to comment on the Liquor Legislation Amendment (Fast Track Approvals) Bill 2026 ('The Bill').

FARE is a not-for-profit organisation with a vision for an Australia free from alcohol harms – where communities are healthy and well, and where laws, policies and programs are fair, equitable and just. Working with local communities, people with lived experience of alcohol harm, values-aligned organisations, health professionals, researchers and governments across the nation, we are improving the health and wellbeing of everyone in Australia.

### **Introduction**

The most important thing to the Northern Territory (NT) community is the health, safety and wellbeing of our children, families and communities. This right to health is enshrined in the International Covenant on Economic, Social and Cultural Rights,<sup>1</sup> of which Australia is a signatory. It creates a binding legal obligation on Australian Governments to establish the laws and regulations required to realise this right. It means that laws regulating alcohol must prioritise public health. The NT Government has not given sufficient regard to this right in the Bill, or in the 'consultation' process on the Bill. It is likely to contribute to preventable harm in the Northern Territory community.

Were this Bill to pass, it would remove the requirement for some License Applications to be assessed against the public interest test, which includes criteria like '*minimising harm or ill-health caused to people*', and '*safeguarding public order and safety*'. Most problematic is the Bill's use of a flawed '*Low Risk*' definition (see 5. Undermining risk-based licensing below). Whilst the Bill is framed as moving more towards a risk-based approach, its changes in fact remove regulatory oversight from 'lower risk' applications, and it does nothing to improve harm minimisation measures for 'higher risk' licenses. The Bill also has no mechanism for a review process for its measures.

**Recommendation 1.** The Liquor Legislation Amendment (Fast Track Approvals) Bill 2026 should not be passed by the Legislative Assembly.

### **1. Significant alcohol harm in the NT**

Achieving community safety and wellbeing means protecting people from the increased risk of alcohol harm through effective liquor licensing. Alcohol is no ordinary commodity. It is a

harmful product requiring regulatory controls, including licencing laws based on harm prevention, not on alcohol industry profits. Alcohol is a cause of disease, injury, and death, and is associated with increased risks of mental ill-health, suicide, violence, domestic, family and sexual violence (DFSV), cancer, Fetal Alcohol Spectrum Disorder (FASD) and significant social and economic losses to individuals and the community.

Putting the health and wellbeing of people first also means empowering them to have a genuine say in the decisions that impact them, including liquor licensing decisions, not ‘fast-tracking’ solely for ‘efficiencies’ or the financial benefit of companies. Regulations must take an evidence-based public health approach; manage alcohol industry conflicts of interest and harmful conduct; commit to international human rights obligations; and commit to justice and self-determination for Aboriginal and Torres Strait Islander peoples.

A critical point when considering alcohol regulation is the fact that alcoholic products cause significant harm in the NT community. This should be reflected in the laws that govern the sale and supply of alcohol in the NT. The NT continues to have the highest use of alcohol per capita of all Australian States and Territories.<sup>2</sup> The National Drug Strategy Household Survey 2022-23 found that 40% of NT adults consumed alcohol in ways that put their health at risk, compared to a national average of 31% of Australian adults.<sup>3</sup> The NT also has the greatest proportion of residents who exceed the recommended guidelines for the consumption of alcohol per week or in a single day.<sup>4</sup>

## **2. National Cabinet commitment to review alcohol laws to prevent gendered violence**

NT Government efforts on liquor law reform should be striving to meet National Cabinet’s commitment to review and amend alcohol laws to alleviate alcohol’s contribution to DFSV.

Following an initial National Cabinet meeting on gendered violence in May 2024, the Prime Minister announced the expert led ‘*Rapid Review of evidence-based approaches to prevent gender-based violence (Rapid Review)*’. The Rapid Review report<sup>5</sup> recognised that alcohol increases both the incidence and severity of physical and sexual violence within intimate relationships and families and that a failure to consider DFSV in alcohol policy has allowed unprecedented growth in alcohol availability, which has been statistically linked to increases in alcohol-related DFSV.

The report included specific recommendations for governments to adopt primary objectives to prevent gendered violence and to limit alcohol sales and delivery timeframes and advertising. State and Territory First Ministers agreed to review alcohol laws and their impact on DFSV victims to identify and share best practice and reforms and to report back to National Cabinet on progress.<sup>6</sup> However, this Bill does not include any measures to progress the National Cabinet commitment.

DFSV harms in the NT are exacerbated by alcohol. In 2025, according to NT Police data, there were close to 200 assaults per week across the NT; nearly half of these involved alcohol (45%) and two thirds were associated with domestic violence (67.1%).<sup>7</sup> A 2024 coroner’s inquest into the deaths of four Aboriginal women in the NT noted that of the 87 women who had been killed by their domestic partners in the NT since 2000, every one of the male perpetrators was intoxicated at the time of the killing.<sup>8</sup>

**Recommendation 2.** Focus Liquor Act reforms on reducing harm and implementing the recommendations of the Rapid Review and National Cabinet commitment.

### 3. Inadequate and compromised consultation on the reforms

The process undertaken in developing this bill, and the licensing process it establishes, do not reflect the primary objective of the Liquor Act, which is to minimise the harm associated with the consumption of liquor, and to recognise the public interest in liquor regulation.

Firstly, the Bill contains no new harm minimisation measures to counter the reduced regulatory oversight. The Bill is implementing recommendations from the 'Say 'Yes' to Business' report. This report does not mention harm reduction at all and the only safeguards it mentions are about safeguarding business, not the community. Despite making recommendations impacting public health, no public health experts were consulted in the development of the 'Fast Track' Task Force recommendations. The NT Government should not be implementing these recommendations into the Liquor Act without adequate community and public health consultation.

We also note that the consultation process undertaken for this Bill (one week) is unreasonable and does not support effective public participation. Community groups do not have the capacity to respond in such a short timeframe. The only consultation prior to the Bill being tabled was the 'Fast Track' Task Force 'Say 'Yes' to Business' review,<sup>9</sup> developed entirely by industry, consulting solely with industry stakeholders, including the alcohol industry. This created an obvious conflict of interest when making recommendations about industry regulation.

**Recommendation 3.** Engage in a genuine community consultation process with adequate timeframes for community groups to respond prior to any changes to the Liquor Act.

### 4. Reducing public interest and community impact requirements

The Bill seeks to reduce public interest and community impact requirements solely for the benefit of applicants. The measures contained in the Bill do not prioritise harm minimisation in the public's interest. Using a flawed definition of 'low risk' (see 5. Undermining risk-based licensing below), the Bill seeks to remove the public interest and community impact assessment requirements, NTCAT and Commission reviews, and the public notice requirements from some licence applications. This is also clearly contrary to the primary purpose of the Act.

The current application approvals process already has a power imbalance favouring business interests over community. Companies have access to finances and resources to gain legal and other social planning advice and can run protracted appeals and defences. Community participation in licensing matters is a function of democratic governance the community should be supported in exercising their right to object or lodge complaints.

The 'Say 'Yes' to Business' supplementary report claimed, "*Enabling any person with the capacity to submit a complaint or objection to an application **slows down** the approval process*". This frames the approval process as simply administrative, dismissing the priority of community impact and public interest. Industry also claimed that "*the requirement (to complete a public interest and community impact assessment) is **redundant** for activities that pose lower risk to the public*". Assessing risk to communities is never redundant, and lower risk does not mean zero risk.

Some community participants have indicated that professional engagement processes feel intimidating or inaccessible when dominated by legal professionals.<sup>10</sup> Communities need support to adequately engage in liquor licensing decisions and have their concerns heard. Ideally, independent support should be resourced and made available for communities who wish to engage in licensing processes. An advisory and central information service – such as the pilot service in NSW, the Alcohol Community Action project (ACAP) – could be considered for this purpose.<sup>11</sup>

**Recommendation 4.** Retain the current requirements in the Liquor Act for public interest and community impact assessment, for NTCAT and Commission reviews and for public notice.

**Recommendation 5.** Resource independent support for members of the public, (residents, community, health groups, service providers), to navigate and engage with liquor license application processes. Include engagement with all relevant stakeholders (people with lived experience, researchers and harm reduction policy experts, and public health bodies).

### **5. The proposals in the Bill undermine risk-based licensing (RBL)**

Exempting any licence applications from public interest, community impact and public notice requirement is not justified. The Bill bases this exemption on a flawed definition of ‘Low Risk’.

Risk-based licencing (RBL) was incorporated into the 2019 *Liquor Act* and Regulations following the 2017 Alcohol Policies and Legislation Review led by Trevor Riley.<sup>12</sup> The RBL framework is used to calculate licence fees using a base fee for different licence categories (business types) multiplied by several ‘multipliers’ based on various risk factors (e.g. volume, hours, breaches). The purpose of RBL is to align licensing fees and conditions with evidence of the risks of alcohol harm. It is intended as a harm minimisation measure. Amendments should not seek to reduce regulatory oversight by removing evidence-based harm minimisation measures, especially when no counter-balancing harm minimisation measures are included.

The proposal in the Bill to exempt what it calls ‘Low Risk’ applications from multiple requirements, ignores the risk factor multipliers. It defines risk as ‘Low’ for the purpose of License Applications solely by reference to the initial Classification in the Liquor Regulations,<sup>13</sup> of ‘Low’ and ‘Very Low’, based on Business Type alone. This definition is fundamentally flawed.

The categories of ‘Very Low, Low, Moderate, High to Very High’ risk (Schedule 2 of the Regulations) are based solely on business type (to establish a *Base Fee*); they are not an assessment of the overall risk of a liquor licence application. The fee calculation relies on the other Risk Factors (Breaches, Hours, Volume) to complete the full risk-based fee calculation. The Bill’s use of the Base Fee classification in its definition of ‘Low Risk’ ignores these other risk factors. When these other Factors are taken into consideration, a ‘Low’ Risk Licence Fee can easily change into the equivalent of a ‘Moderate’ Risk Fee.

This means that an Application, initially getting a ‘Low Risk’ classification (eg. simply by being a restaurant), for the purpose of setting a Base Fee, could still automatically get all the exemptions in this Bill, despite paying the equivalent of a ‘Moderate Risk’ Fee. So, with this flawed definition of ‘Low Risk’, a Moderate Risk License Application could be exempted from public interest, community impact and public notice requirements.

Risk is also considered in the licence application decision-making through the public interest and community impact tests. To determine whether issuing a licence or an authority is in the

public interest the Commission must consider minimising the harm or ill-health caused to people and protecting the safety, health and welfare of people who use licensed premises.

The process also requires consideration of whether the licence would have a significant adverse impact on the community by assessing risks. For this requirement in Section 49 (1), (2), (3) and (4) of the Liquor Act, the Commission must consider the people or community affected, the effect on public health, licence density, volume of sales, days and operating hours and patron capacity.<sup>14</sup> These are evidence-based alcohol harm minimisation measures but would be exempted under the flawed definition of ‘Low Risk’.

Section 11 of the Bill provides the Director with some discretion to overrule this flawed ‘Low Risk’ exemption, if they consider it to be in the public interest. This discretion recognises the diversity of licence applications within the Base Fee ‘Low’ and ‘Very Low’ Classifications. The most obvious example of this is the community club licence, which spans local sporting clubs to remote community social clubs. Another example is the significant range of business types operating under the restaurant authority classification.

However, the Director is not provided with any criteria to make such a determination, meaning there is no visibility to the community about this decision-making; the Bill would be improved by adding transparency to this process.

**Recommendation 6.** Do not exempt any licence applications from public interest, community impact and public notice requirements. Do not use the Base Fee ‘Risk Classification for Authorities’ (Schedule 2 in the Regulations), as the basis for a definition of ‘Low Risk’ licence applications.

We would be pleased to provide any further information you require or to answer any questions you may have.

Kind regards,



Matthew Georgeson

**Director of Policy and Research**

<sup>1</sup> United Nations General Assembly (1966) *International Covenant on Economic, Social and Cultural Rights* <https://www.ohchr.org/sites/default/files/cescr.pdf>

<sup>2</sup> NT Government (2026) *Alcohol Policy in the Northern Territory* <https://alcoholpolicy.nt.gov.au/>

<sup>3</sup> AIHW (2025) *Alcohol, tobacco & other drugs in Australia - State and territory data* (National Drug Strategy Household Survey 2022-23) <https://www.aihw.gov.au/reports/alcohol/alcohol-tobacco-other-drugs-australia/contents/geographic-areas/state-and-territory-data>

<sup>4</sup> NT Government (2026) *Alcohol Policy in the Northern Territory - Consumption* <https://alcoholpolicy.nt.gov.au/data-and-evaluation/consumption>

<sup>5</sup> Rapid Review (2024) *Unlocking the Prevention Potential: accelerating action to end domestic, family and sexual violence* <https://www.pmc.gov.au/sites/default/files/resource/download/unlocking-the-prevention-potential-4.pdf>

<sup>6</sup> Prime Minister (2024) *Meeting of National Cabinet - Media statement*. Friday 6 September 2024 <https://www.pm.gov.au/media/meeting-national-cabinet-7>

<sup>7</sup> NT Police, Fire & Emergency Services (2025) *Statistical publications* <https://pfes.nt.gov.au/police/community-safety/nt-crime-statistics/statistical-publications>

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- <sup>8</sup> Coroners Court of the NT (2024) *Inquests into the deaths of Miss Yunupingu, Ngeygo Ragurk, Kumarn Rubuntja and Kumanjayi Haywood*, [2024] NTLC 14 <https://agd.nt.gov.au/media/docs/inquest-finding-publications/2024/rabuntja-haywood-yunupingu-ragurk.pdf>
- <sup>9</sup> Approvals Fast-Track Taskforce (2025) *Saying 'Yes' to Business* <https://cmc.nt.gov.au/media/docs/advancing-industry/saying-yes-to-business-report.pdf>
- <sup>10</sup> NSW Government (2022) *Liquor Licensing Reform Options Discussion Paper* <https://www.haveyoursay.nsw.gov.au/liquor-licensing-reform>
- <sup>11</sup> NSW Government (2014) *Alcohol Community Action project (ACAP)* <https://acap-nsw.org.au/>
- <sup>12</sup> NT Government (2017) *Alcohol Policies and Legislation Review Final Report* [https://alcoholpolicy.nt.gov.au/\\_media/documents/publications/2017/alcohol-policies-and-legislation-review-final-report.pdf](https://alcoholpolicy.nt.gov.au/_media/documents/publications/2017/alcohol-policies-and-legislation-review-final-report.pdf)
- <sup>13</sup> NT Government (2019) *Northern Territory of Australia Liquor Regulation 2019* <https://legislation.nt.gov.au/Legislation/LIQUOR-REGULATIONS-2019>
- <sup>14</sup> NT Government (2019) *Northern Territory of Australia Liquor Act 2019* <https://legislation.nt.gov.au/Legislation/LIQUOR-ACT-2019>