

Consultation

1.

a. The Department advised in the public briefing that a list of organisations consulted by the Approvals Fast-Track Taskforce is included in the Saying 'Yes' to Business Supplementary Report (Appendix C). Can the Department advise which public health organisations and/or individuals were consulted in the drafting of this Bill specifically?

The Approvals Fast-Track Taskforce was established to provide advice on reducing regulatory burden and improving approval processes, with consultation focused on business and industry stakeholders, consistent with that remit.

In the development of the Bill, the Department collaborated with both the Department of Health and NT Police. Following the introduction of the Bill, the Department has conducted briefings for key stakeholders including the Aboriginal Medical Services Alliance NT, Menzies, the Alcohol and Drug Foundation, the North Australian Aboriginal Justice Agency, the Foundation for Alcohol Research and Education, and the Association of Alcohol and other Drug Agencies NT.

Fit and proper person test

2.

a. The Committee notes that the Licensing NT Guide to Managing a Licensed Premises (the Guide) sets out additional factors that may be considered by the Commission in determining whether a person is fit and proper (for example, their criminal history and previous financial history). Will policy guidance be updated to align with the Bill, will the broader policy-based checks continue to operate alongside the Bill's narrower statutory test, and/or is there an intention to include the relevant factors from the Guide within the regulations?

The Bill introduces a clear statutory test for determining whether a person is fit and proper, set out in new section 5D.

That test focuses on liquor related offences within the preceding 10 years, together with any other information the Commission considers relevant.

Existing Licensing NT guidance materials are administrative in nature and will be reviewed following passage of the Bill to ensure consistency with the amended Act.

b. The People's Alcohol Action Coalition submitted that a broader scope of offences should be included in the factors considered by the Commission, for example violent offences (Submission 6, p. 3). What is the rationale for confining the test to liquor-related offences? Was consideration given to including more offences on the face of the Bill?

The Bill establishes a clear statutory baseline focused on offences directly relevant to the regulation of liquor, consistent with comparable regulatory frameworks.

Importantly the Commission retains discretion to consider broader conduct and circumstances in determining whether a person is fit and proper.

Material alterations

3.

a. The Committee notes amended section 97(1) sets out factors the Director must consider when deciding on an application to make a material alteration, including the public interest and community impact requirements. Section 49 sets out the public interest and community impact requirements for the Commission to consider when deciding on an application for a

liquor licence. It is unclear what the public interest and community impact requirements of section 97(1)(c) entail, including whether the public interest and community impact requirements set out in section 49 apply to the Director under section 97(1)(c). Can the Department clarify what factors the Director must consider under section 97(1)(c)?

The Bill transfers responsibility for deciding applications for material alterations from the Liquor Commission to the Director. The substantive considerations that apply to those decisions, including public interest and community impact requirements, remain unchanged.

b. Will further guidance be developed to assist in clarifying the factors the Director will consider when making decisions on the approval of material alterations?

The existing assessment framework is intended to continue, with decisions made under the same legislative criteria. Guidance material will remain available to ensure consistent application of these criteria.

c. Submitters to the Inquiry raised concerns that the amendments could weaken accountability and independent decision-making (Submission 1, p.3 and Submission 10, p. 3). Has the Department considered a monetary or scope-based threshold (for example, alterations valued under \$50,000) below which the Director has authority, with more significant alterations remaining with the Commission?

The Bill adopts a principles-based approach with decisions guided by risk and legislative criteria. The Director retains the ability to escalate matters to the full process where appropriate.

Public interest and community impact

4.

a. What is the rationale for excluding public interest and community impact requirements, and public notice of application requirements for low-risk applications?

The Bill provides a streamlined pathway for applications assessed as low risk by reference to categories prescribed in the Liquor Regulations 2019.

For these applications, mandatory procedural requirements are reduced to support more efficient processing.

The Director retains discretion to require full public interest and community impact assessment where it is considered necessary.

Higher risk applications continue to undergo full assessment.

b. The NT Police Association submitted that decreased visibility of licence applications may affect proactive policing and that information-sharing protocols between licensing authorities and the NT Police Force may be needed (Submission 10, pp. 2-3). Has consideration been given to engaging with the NT Police Force about these operational impacts and possible information-sharing protocols?

Existing operational arrangements between Licensing NT and the NT Police will continue.

Low risk classifications do not prevent information sharing or escalation where required.

c. Several submissions to the Inquiry raised concerns that the exclusions afforded to low risk applications could increase the flow of alcohol in the community and therefore increase alcohol harms (Submission 4, pp. 1 and 3, Submission 5, p. 3, Submission 7, p. 1), as well risk of domestic, family and sexual violence (Submission 5, p.2 and Submission 6, p.4). How do these amendments ensure community protection and align with the primary purpose of the Liquor Act 2019 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?

The Bill does not change alcohol policy settings or increase alcohol supply.

It does not amend the primary objectives of the *Liquor Act 2019*.

All licences and authorities remain subject to existing legislative obligations, compliance requirements and enforcement powers.

The Director retains the ability to impose conditions, require further assessment, or refuse applications where harm minimisation concerns arise.

Low risk applications

5.

a. The Committee notes there are currently low-risk authorities prescribed in the Liquor Regulations 2019. However, these appear to be broad categories (for example, a restaurant authority) that do not consider additional factors (for example, location) and are currently only used for the purpose of determining the base fee a licensee must pay for the licence. What is the rationale for defining 'low risk' by reference to the Liquor Regulations 2019?

Low risk applications are defined by reference to existing categories in the Liquor Regulations 2019.

This approach enables the risk framework to be adjusted through regulation where required.

The Director retains discretion to require further assessment where circumstances warrant it.

b. How many applications per year does the Department anticipate may be progressed as low-risk applications?

Based on recent data, the number of applications expected to be processed as low risk is relatively small. In 2025, 8 applications approved met the low risk criteria.

6.

a. What factors will the Director consider in determining whether to progress an application as a low risk application?

Applications are assessed on their merits.

Classification as low risk does not result in automatic approval.

The Director may determine that an application should proceed through the standard pathway where it is in the public interest to do so.

b. Was consideration given to setting out these factors on the face of the Bill?

The Bill adopts a flexible, risk-based approach.

This allows operational discretion to ensure appropriate assessment in varying circumstances.

c. Will policy guidance be developed on the factors the Director may consider when making decisions on whether an application should be considered low risk?

Existing operational practices will continue to support consistent decision-making.

7.

a. The Committee notes the explanatory statement does not explain the reason for excluding NTCAT review. What is the rationale for excluding review of decisions by NTCAT under the proposed section 52 (for example, are these preliminary decisions)?

Decisions under proposed section 52A relate to whether an application is processed as low risk the standard pathway.

These are procedural decisions and do not determine whether a licence is granted or refused.

Substantive licensing decisions remain subject to existing review and oversight mechanisms.

Responsible service of alcohol certificate

8.

a. The Department advised in the public briefing that this change aligns with New South Wales, however submitters to the Inquiry raised concerns that lengthening the refresher period will weaken competency requirements tied to harm minimisation (Submission 1, p. 4 and Submission 11, p. 5). One submitted noted that New South Wales has more stringent requirements, including a skills assessment and photo identification card (Submission 11, p. 5). Were the additional requirements that exist in New South Wales considered by the Department in drafting this amendment?

The Bill extends the validity period for responsible service of alcohol certificates from three to five years.

The amendment reflects the Approvals Fast-Track Taskforce recommendations and reduces administrative burden.

Additional requirements in other jurisdictions were not adopted.

Responsible service obligations remain unchanged, and licensees are required to ensure staff are appropriately trained.

b. Was a risk/benefit analysis undertaken in relation to the change proposed in this clause?

The amendment is based on the findings and recommendations of the Approvals Fast-Track Taskforce.

It reduces administrative burden while maintaining existing obligations and compliance requirements.