

Decision Announcement

Tennant Creek Town Council Public Restricted Area Application

DUE TO THE IMPORTANCE OF THIS DECISION TO THE TOWNSHIP OF TENNANT CREEK AND SURROUNDING AREAS I AM ANNOUNCING THE LICENSING COMMISSION'S DECISION IN TENNANT CREEK TODAY.

I ACKNOWLEDGE THE PRESENCE OF THE MAYOR RANDALL GOULD, AND THE COUNCIL CEO MR JOHN HUNTER WHO LODGED THE APPLICATION FOR A PUBLIC RESTRICTED AREA ON BEHALF OF COUNCIL. I ALSO ACKNOWLEDGE THE PRESENCE OF SUPERINTENDENT BRUCE PORTER AND NOTE THE POLICE ROLE IN ENFORCING ANY COMMISSION DECISION TO BE CRITICAL TO THE SUCCESS OF THE OUTCOMES ANNOUNCED TODAY.

THE FULL COMMISSION AT A MEETING ON 9 APRIL 2008 CONSIDERED AND SUPPORTED THE THREE HEARING COMMISSIONERS DECISION ON:

1. AN APPLICATION BY THE TENNANT CREEK COUNCIL FOR A PUBLIC RESTRICTED AREA OVER THE ENTIRE MUNICIPAL BOUNDARY; AND
2. VARIATIONS TO THE LIQUOR SUPPLY CONDITIONS CURRENTLY ENFORCED IN TENNANT CREEK, COMMONLY REFERRED TO AS THE LIQUOR SUPPLY PLAN.

I WILL DEAL WITH THE PUBLIC RESTRICTED AREA APPLICATION FIRST.

PUBLIC RESTRICTED APPLICATION

THE COMMISSION HAS DETERMINED TO APPROVE THE COUNCIL'S APPLICATION FOR THE ENTIRE MUNICIPAL BOUNDARY. THIS APPROVAL FOLLOWS LENGTHY CONSIDERATION, PUBLIC CONSULTATION AND A FORMAL HEARING IN TENNANT CREEK TO SATISFY OURSELVES AS REQUIRED UNDER LEGISLATION AS TO THE MERITS OF THE APPLICATION, INCLUDING BOTH THE PUBLIC INTEREST AND POTENTIAL IMPACTS ON COMMUNITY. IMPACTS ON THE CAPACITY OF THE PROVIDERS OF ALCOHOL REHABILITATION AND TREATMENT SERVICES ALSO WARRANTED PARTICULAR CONSIDERATION.

IN REACHING THIS DECISION THE COMMISSION HAS TAKEN INTO ACCOUNT THE RECENTLY APPROVED ALCOHOL MANAGEMENT PLAN FOR TENNANT CREEK. THIS PLAN *"HAS THREE KEY GOALS AIMED AT STRENGTHENING COMMUNITY SAFETY, HEALTH AND WELLBEING IN TENNANT CREEK BY REDUCING ALCOHOL CONSUMPTION AND RELATED HARMS"*. THE KEY TENETS ARE:

- REDUCING SUPPLY;
- REDUCING HARM;
- REDUCING DEMAND.

INHERENT IN THIS PLAN IS COMMUNITY SUPPORT FOR FAMILIES AFFECTED BY ALCOHOL WITH THE MEDIUM TO LONG TERM GOAL OF IMPROVING PUBLIC SAFETY, WELLBEING AND LESSENING THE HARMFUL IMPACTS OF ALCOHOL ABUSE ON FAMILIES WHO ARE OFTEN THE PRINCIPAL VICTIM.

REHABILITATION SERVICES ARE A KEY ELEMENT IN IMPLEMENTING THE TENNANT CREEK ALCOHOL MANAGEMENT PLAN AND SUPPORTING THE ALCOHOL RESTRICTION MEASURES I AM ANNOUNCING TODAY.

IT IS IMPORTANT FOR THE PEOPLE OF TENNANT CREEK AND THE PROVIDERS OF VARIOUS SUPPORT SERVICES TO UNDERSTAND THAT THE "DRY" TOWN DECISION IS NOT TO BE CONSIDERED IN ISOLATION OR TREATED IN ISOLATION FROM ASSOCIATED MEASURES TO ADDRESS ALCOHOL RELATED PROBLEMS.

THE COMMISSION EXPECTS A SERIES OF COMPLEMENTARY MEASURES OR INITIATIVES TO FOLLOW THIS DECISION AS IT CONSIDERS THEY ARE ESSENTIAL IN SUPPORTING THE "DRY" TOWN AND FURTHER TAKEAWAY RESTRICTION MEASURES I WILL OUTLINE.

THE COMMISSION HAS INSPECTED THE ALCOHOL TREATMENT AND REHABILITATION FACILITIES OPERATED PRINCIPALLY THROUGH BRADAAG. IT HAS BEEN ADVISED THAT THERE WILL BE NEW AND INCREASED CAPACITY OF THE SOBERING UP SHELTER TO CATER FOR AT LEAST 22 AND UP TO 26 CLIENTS WHEREAS CURRENTLY THE ANTIQUATED FACILITY AT CAPACITY HOLDS SIXTEEN PEOPLE OVERNIGHT.

WE WERE ALSO ADVISED OF RESIDENTIAL TREATMENT CAPACITY, OUTREACH SERVICES AND OVERALL CAPACITY TO SUPPORT INDIVIDUALS WHO ARE TRYING TO GET OFF THE GROG. THERE IS A 20 BED RESIDENTIAL TREATMENT CENTRE IN TENNANT CREEK. THERE ARE ALSO 7 UNITS UNDER CONSTRUCTION OR RENOVATION TO PROVIDE FOR THOSE TAKING BACK MORE RESPONSIBILITY AND UNDER A LESS INTENSIVE OVERSIGHT PROGRAM. OUTREACH SERVICES ARE ALSO AVAILABLE WITH CURRENTLY ONE PERSON EMPLOYED AND INDICATIONS ARE THAT THIS WILL BE INCREASED.

ONGOING RESOURCING OF THE NIGHT PATROL IS VITAL. EVIDENCE PROVIDED TO THE COMMISSION IS THAT THIS SERVICE UNDERTAKES 8,000 – 10,000 PICKUPS ANNUALLY – ALMOST ALL ALCOHOL RELATED.

THE CAPACITY, FUNCTIONALITY AND RESOURCING OF ALL THESE FACILITIES WILL BE CRITICAL IN UNDERPINNING THE "DRY" TOWN AND ALCOHOL SUPPLY MEASURES.

THE "DRY" TOWN WILL RESULT IN GREATER POWERS AND PENALTIES FOR THE CONSUMPTION OF LIQUOR IN PUBLIC PLACES. THIS WILL INCLUDE:

- HAVING LIQUOR TIPPED OUT AS PER THE CURRENT 2KM LAW AND THE ABILITY TO DESTROY UNOPENED CONTAINERS OF ALCOHOL;
- AN ON THE SPOT FINE OF \$100.00 THROUGH AN INFRINGEMENT NOTICE;
- COURT ACTION THROUGH THE ISSUE OF A CONTRAVENTION NOTICE RESULTING IN A FINE OF UP TO \$500.00.
- IF THE ALCOHOL COURTS ARE EXTENDED TO TENNANT CREEK POWERS TO MAKE PROHIBITION ORDERS AND PROVIDE THE OPTION OF REHABILITATION OR PRISON FOR OFFENDERS WILL BE INCORPORATED IN THE RANGE OF PREVENTATIVE MEASURES TO COMBAT ALCOHOL ABUSE.

IN THE INITIAL APPLICATION TO THE COMMISSION THE TENNANT CREEK COUNCIL INCLUDED MARY ANN DAM. THIS HAS SINCE BEEN EXCLUDED FROM THE APPLICATION. THE COMMISSION UNDERSTANDS THIS WAS ON THE BASIS OF PUBLIC CONCERN THAT THERE BE AVAILABLE AN AREA FOR BARBECUE AND RECREATION WITH THE CONSUMPTION OF LIQUOR.

COUNCIL HAS ADVISED THE COMMISSION THAT SHOULD MARY ANN DAM BECOME A REFUGE FOR PROBLEM DRINKERS, IT WOULD CONSIDER APPLYING FOR THAT AREA ALSO TO BE PUBLIC RESTRICTED. THE COMMISSION HOPES THAT THIS DOES NOT EVENTUATE.

THE COMMISSION WAS ASKED TO CONSIDER THE SETTING ASIDE OF A REGULATED AND MONITORED "DRINKING AREA" OR "DRINKING Paddock". COUNCIL WAS NOT SUPPORTIVE OF THIS PROPOSAL AND THERE WAS NO EVIDENCE OF WIDESPREAD COMMUNITY SUPPORT AND THEREFORE THE PROPOSAL WAS REJECTED BY THE COMMISSION.

THE "DRY" TOWN INTRODUCTION WILL BE ON 1 AUGUST 2008. THIS TIME FRAME WILL GIVE ADEQUATE NOTICE OF THE NEW LAW TO COME INTO EFFECT AND PROVIDE TIME FOR THE DEPARTMENT OF JUSTICE TO MOUNT AN INFORMATION AND EDUCATION PROGRAM FOR BOTH THE RESIDENTS OF THE TOWNSHIP AND THOSE OUTLYING COMMUNITIES THAT USE THE TOWNSHIP FOR RETAIL, HEALTH AND OTHER COMMUNITY SERVICES.

ALCOHOL SUPPLY PLAN

THE COMMISSION HAS CONSIDERED DATA ON ALCOHOL CONSUMPTION AND TRENDS IN THE TENNANT CREEK DISTRICT.

CURRENTLY IN TENNANT CREEK THE ALCOHOL TAKEAWAY HOURS ARE:

- MONDAY TO THURSDAY 12:00 HOURS TO 20:00 HOURS;
- FRIDAYS, SATURDAY AND PUBLIC HOLIDAYS 12:00 HOURS TO 21:00 HOURS;
- SUNDAY (BOTTLESHOPS AND CLUBS ONLY) 12:00 HOURS TO 21:00 HOURS.

EVIDENCE PROVIDED IS THAT SINCE THE ABOLITION OF "THIRSTY THURSDAY" THE OVERALL ALCOHOL CONSUMPTION IN THE TOWNSHIP HAS INCREASED BY APPROXIMATELY 8%. WHILE THIS IS A QUANTUM INCREASE IT ACTUALLY INDICATES THAT THE AVERAGE DAILY CONSUMPTION MAY HAVE DECREASED (FRIDAYS TO WEDNESDAYS). THE ABOLITION OF TAKEAWAY ON "THIRSTY THURSDAY" (14% OF THE WEEK) HAS RESULTED IN AN 8% INCREASE. POLICE REPORTED, IN CONSULTATIONS IN LATE 2007, THAT THIS WAS

MAKING A MORE EVEN POLICE LOAD WHEREAS THE "THIRSTY THURSDAY" SAW SIGNIFICANT PEAKS IN ALCOHOL RELATED INCIDENTS ON THE WEDNESDAY AND FRIDAY.

ONE SUBMISSION TO THE COMMISSION AT HEARING WAS THAT IT DID PROVIDE A DAY OF RESPITE FOR THE FAMILIES OF DRINKERS. OTHER THAN THIS MENTION THERE WAS NO CALL IN ANY OF THE SUBMISSIONS FOR THE REINTRODUCTION OF "THIRSTY THURSDAY". HOWEVER, THE COMMISSION NOTES THAT A DETAILED, INDEPENDENT AND EVIDENCED BASED EVALUATION OF THE "THIRSTY THURSDAY" MEASURE IS BEING COMMISSIONED BY THE NORTHERN TERRITORY GOVERNMENT. THIS EVALUATION WILL BE CRITICAL TO ANY FUTURE DECISIONS IN RELATION TO ALCOHOL AVAILABILITY IN THE TOWNSHIP.

HOWEVER, BY ANY YARDSTICK ALCOHOL CONSUMPTION IN TENNANT CREEK IS STILL TOO HIGH. AT A PER CAPITA CONSUMPTION OF ALCOHOL (LITRES OF PURE ALCOHOL) OF OVER 16 LITRES PER PERSON, TENNANT CREEK'S CONSUMPTION FAR EXCEEDS THAT OF THE NATIONAL AVERAGE. THE HIGH ALCOHOL

CONSUMPTION COMBINED WITH ALARMING FIGURES PROVIDED

- POLICE EVIDENCE OF 4,600 DRUNKS PLACED IN CELLS IN 2007 ALONG WITH 7,000 PICKUPS OF INTOXICATED PERSONS;
- JULALIKARI EVIDENCE OF 8,000 TO 10,000 PICKUPS ANNUALLY;

INDICATE AN INTOLERABLE LEVEL OF ALCOHOL ABUSE IN THE TOWNSHIP.

ADDITIONALLY, BASED ON POLICE DATA, THERE IS EVIDENCE OF A RISING RATE OF ALCOHOL RELATED OFFENCES INCLUDING DOMESTIC VIOLENCE AND PROTECTIVE CUSTODY APPREHENSIONS. THESE INCREASES ARE SIGNIFICANT.

THE COMMISSION WAS SUPPLIED SOCIAL AND DEMOGRAPHIC INFORMATION ON TENNANT CREEK WHICH CLEARLY ESTABLISHES IT HAS A LOW INCOME HIGH WELFARE DEPENDENT TOWNSHIP. INFORMATION PROVIDED THAT 49% OF THE TENNANT CREEK AREA IS INDIGENOUS COMPARED TO AROUND 30% OF THE REMAINDER OF THE TERRITORY. THE MEDIAN AGE OF

PEOPLE IN TENNANT CREEK IS ALSO YOUNGER THAN THE TERRITORY AND ALSO VERY YOUNG IN COMPARISON WITH NATIONAL FIGURES. WEEKLY INCOME IS ALSO SIGNIFICANTLY LESS THAN THE NORTHERN TERRITORY AVERAGE BEING JUST OVER \$300.00 PER WEEK COMPARED TO DARWIN WHICH IS OVER \$700.00 PER WEEK.

THE SUCCESS OF SCHOOLING, EMPLOYMENT INITIATIVES AND SO ON IN TENNANT CREEK ARE CLOSELY LINKED TO THE LEVEL OF ALCOHOL MISUSE IN THE COMMUNITY, OR PUT ANOTHER WAY, ARE CLOSELY LINKED TO THE SUCCESS OF PROGRAMS AND MEASURES TO PREVENT ALCOHOL ABUSE.

THE COMMISSION HAS THEREFORE DETERMINED IN CONJUNCTION WITH THE "DRY" TOWN TO IMPOSE FURTHER RESTRICTIONS, ESPECIALLY RELATING TO THE RISK AREAS OF ALCOHOL ABUSE, IE TAKEAWAY, AND THE TAKEAWAY OF CASK AND FORTIFIED WINE IN PARTICULAR.

TAKEAWAY HOUR OPENING TIMES WILL NOW COMMENCE (1 AUGUST 2008) AT 2.00PM SUNDAY TO FRIDAY AND 12.00 MIDDAY SATURDAYS AND PUBLIC

HOLIDAYS. CASK WINE ALONG WITH FORTIFIED WINE AND STONES GREEN GINGER WINE WILL HAVE A SALES WINDOW OF ONLY TWO HOURS, THAT BEING 4.00 TO 6.00PM. THIS DOES NOT APPLY TO PORT WHICH IS ALREADY PERMANENTLY BANNED FROM TAKEAWAY. THESE LOW COST HIGH ALCOHOL PRODUCTS ARE CONSIDERED THE MAJOR CAUSE OF MUCH OF THE ALCOHOL ABUSE AND RESULTANT VIOLENCE AND ANTI SOCIAL BEHAVIOUR. THE COMMISSION WOULD HAVE PREFERRED TO BAN CASK WINE ENTIRELY IN THE INTEREST OF COMMUNITY SAFETY BUT REALISES ALTERNATIVE PRODUCTS AND ALTERNATIVE MEANS OF PURCHASING, POSSIBLY UNREGULATED, WOULD DEVELOP.

ALL TAKEAWAY WILL CEASE AS OF 8.00PM SEVEN (7) NIGHTS PER WEEK. CURRENTLY TAKEAWAY IS ALLOWED UNTIL 9.00PM ON FRIDAYS, SATURDAYS AND PUBLIC HOLIDAYS, AND FOR CLUBS AND HOTELS ALSO 9.00PM ON SUNDAYS.

IN TENNANT CREEK FROM 1 AUGUST 2008 ONWARDS THE SALE OF THE LARGER (LONG NECK) BOTTLED BEER WILL BE UNLAWFUL. IN ALICE SPRINGS FOLLOWING TIGHTER CONTROLS OVER TAKEAWAY ALCOHOL WHICH

WERE INTRODUCED IN OCTOBER 2006, MANY HABITUAL DRINKERS TRANSFERRED TO THE PURCHASE OF BOTTLED BEER AS A CHEAP ALTERNATIVE TO OTHER PRODUCTS AND THIS RESULTED IN MAJOR LITTERING WITH GLASS SHARDS PRESENTING MAJOR ACCIDENT PROBLEMS.

THESE TAKEAWAY RESTRICTIONS WILL OPERATE FOR ALL LICENSED OUTLETS IN TENNANT CREEK AND THREEWAYS.

THERE WAS A SUBMISSION BY THE NORTHERN TERRITORY POLICE TO EXTEND ANY ALCOHOL SUPPLY RESTRICTIONS TO THE WIDER TENNANT CREEK AREA INCLUDING WAUCHOPE, BARKLY HOMESTEAD, RENNER SPRINGS ETC. THE COMMISSION HAS NOT DETERMINED TO EXTEND THE MEASURES THIS FAR, BUT IF ADVISED THAT PROBLEM DRINKERS ARE TRAVELLING TO THESE LOCATIONS TO OBTAIN ALCOHOL WHEN NOT AVAILABLE IN TENNANT CREEK, IT WOULD RECONSIDER THE COVERAGE OF THESE MEASURES.

ALL LICENSEES IN TENNANT CREEK AND AT THREEWAYS WILL BE NOTIFIED OF THIS DECISION. IF VOLUNTARY

AGREEMENT IS NOT REACHED OVER IMPLEMENTATION (THROUGH THEIR INCORPATION IN LIQUOR LICENCE CONDITIONS), A FORMAL HEARING WILL BE CONVENED IN ACCORDANCE WITH THE *LIQUOR ACT* TO DETERMINE SUCH LIQUOR TRADING CONDITIONS.

IN SUMMARY THEREFORE, THE FOLLOWING NEW SUPPLY MEASURES WILL APPLY:

- TAKEAWAY OPENING HOURS WILL BE:
 - FROM 2.00PM TO 8.00PM MONDAY TO FRIDAY;
 - FROM 12.00 MIDDAY TO 8.00PM SATURDAYS AND PUBLIC HOLIDAYS;
 - FROM 2.00PM TO 8.00PM SUNDAYS (CLUBS AND HOTELS ONLY);
- ALL TAKEAWAY HOURS WILL CEASE AT 8.00PM;
- CASK WINE, FORTIFIED WINE (INCLUDING SHERRY) AND STONES GREEN GINGER WINE ONLY SOLD FROM 4.00PM TO 6.00PM, IE A 2 HOUR WINDOW ONLY;
- SALES ARE RESTRICTED TO ONE OF EITHER OF THESE PRODUCTS PER PERSON PER DAY;
- BEER IN LONG NECKS WILL NO LONGER BE ABLE TO BE SOLD;

- ALL OTHER CONDITIONS CURRENTLY APPLYING TO TAKEAWAY AND ON PREMISES SALES CONTINUE.

COPIES OF THE FULL REASONS FOR DECISION WILL BE MADE AVAILABLE WITHIN THE NEXT WEEK.

Richard O'Sullivan
CHAIRMAN
Licensing Commission

22 April 2008