



ADJUMARLLARL ABORIGINAL CORPORATION

Yeledj Yeledj (step by step)

Indigenous Corporation Number : 7739

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21/07/17

Submission to Liquor Act Review – July 2017

The Commissioners,

Review of the Liquor Act

Darwin

I write on behalf of the almost 400 Members of the Adjumarllarl Aboriginal Corporation (AAC) here at Gunbalanya.

I am sorry we did not get to meet with you when you were here apparently at Gunbalanya in early July : unfortunately we did not know of the opportunity.

So as to give a background to the particular suggested points the AAC wish to make to you in this review, some background is required

- a. The AAC was incorporated after lengthy Community consultation in May of 2012 to represent all three Town Camps, the Homelands, the Traditional Owners ; ie : all the Bininj of Gunbalanya.
- b. Many of the AAC Members are also Members of the Gunbalanya Sports and Social Club (GSSC) which is the sole licensed premises at Gunbalanya.
- c. As many in the Community were unhappy with the current long term licensee and overall management of this their Community Club, the AAC sought to regain Community control of the Club by being awarded the section 19 lease of Lot 633, upon which the GSSC currently operates.
- d. The T.O.'s consulted on this matter, through the NLC, and awarded the lease to the AAC in March 2017 : subsequently the AAC has formed a specific entity to run this all important business for the Community, and has worked with the NTG towards being able to operate immediately the lease is enacted through a Special Liquor License; this entity is KBK (Kunbarlanja Bininj Kunbolk = a meeting place for all)
- e. Currently the lease is in limbo due to the action being taken in the Federal Court by one T.O. and the GSSC ; the legal reality is that it will be at least a further 9 months and probably much longer when appeals are factored in, before the Community can have this matter rectified.
- f. The Community are now in an unhappy situation : subsequent to the court action, two people have been banned by the Club's Management on grounds unrelated to the Liquor Act- one being the AAC Director (long term Club Member) who is to become the licensee under the new structure of KBK ; thus preventing good and proper members of the Community being able to access the sole licensed premise.
- g. The AAC have referred this matter to the Attorney-General and seeking action both under compliance with the Liquor Act and the NT Associations Act.

The Directors and Members of the AAC do not believe it is the intention or purpose of the Liquor Act to enable the management of the sole licensed premise on a Community to be able to effectively control many aspects of a Community in this way.

Accordingly we put forward these suggestions which, if enacted, would allow the Liquor Commission to grant a 2nd license on a Community, which in the case of a Community on Aboriginal Land, would also require the consent of the T.O.'s through the NLC

- a. Only Aboriginal Community controlled entities, not private businesses, to be able to hold Liquor Licenses on Communities
- b. To avoid a situation where the one licensed premise (Club) on a Community can effectively control the Community through access to the sole provider of alcohol, policy should allow for a second license to be granted on a Community. Note that both licenses would be subject to the same licensing conditions.
- c. In the event of a second license being in operation in a Community, thus offering a choice to Indigenous and non-Indigenous alike, then there should be no permit system (allowing non-indigenous only to access to alcohol on a Community outside of the licensed premises)

The Board are aware of the wide-ranging changes and implications that such legislative change might bring on Communities, but are confident that the case-by-case approach which would be adopted by the Commission, in consultation with the T.O.'s / NLC and Community, would result in positive changes on those Communities which might seek such as change.

If there is an opportunity to still meet to discuss these suggestions, the Directors would be pleased to engage with you in person.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'A. Maralngurra', with a stylized flourish at the end.

Andrew Maralngurra