

# Interim Alcohol Protected Area Opt-out Model

On 16 February 2023, the new interim alcohol protected areas (interim APAs) opt-out model under the [Liquor Act 2019](#) (the Act) came into effect across the NT.

The changes give effect to the Northern Territory Government's endorsement of the Office of the Central Australia Regional Controller's (OCARC) recommendation in the [OCARC's first report](#) to the Northern Territory and Commonwealth governments for urgent legislative amendments to the Act.

## What is the Interim APA opt-out model?

The new laws make amendments to the interim APAs (or dry areas), to effectively change it from an opt-in model to an opt-out model under the Act.

This means that all NT communities previously subject to alcohol restrictions under the Commonwealth's Stronger Futures Act are now dry areas again, and it is illegal to bring in, possess, consume, sell or supply alcohol in these areas. If communities want to opt out of the restrictions, the opt-out model gives a clear mechanism for them to do so.

Communities that were already an interim APA under the old model are automatically covered by the new opt-out model and will continue to be dry.

Communities that have a general restricted area (GRA) are also not affected by the new interim APA opt-out model.

## When will it start to apply?

The opt-out model came into effect on 16 February 2023. A list of the communities covered by the new Interim APA opt-out model can be found [here](#).

These restrictions are time-limited and are set to automatically repeal on 28 February 2027.

## Who can make an application to revoke an Interim APA?

The opt-out model provides a robust process by which communities can request to opt-out, including the requirement for community alcohol plans, which are vital to ensuring that communities have a say in how they want to manage alcohol. The community alcohol plans can also be used to support applications for GRAs.

Under the opt-out model, the Director of Liquor Licensing will be able to revoke an interim APA if an application addresses the following matters:

- has a satisfactory community alcohol plan
- at least 60 per cent of adults who reside in the community support the community alcohol plan
- the application contains the signed consent of the registered owner/s of the land

- the Director is satisfied that based on the information provided, the revocation of an Interim Alcohol Protected Area is in the public interest, and will not have significant adverse impacts on the community.

The Director must also consult on the decision with NT Police, NT Health and other healthcare providers, and any other stakeholders considered relevant.

## Community Alcohol Plans

The Government will provide additional guidance on what community alcohol plans need to address and how a community can provide evidence that the plan is supported by at least 60% of the adults who reside in the community.

This guidance will be in the form of regulations made under the Liquor Regulations 2019. The regulations will be made as soon as practicable and allow for a flexible approach in recognition of the different types of communities affected by the opt-out model.

More information about the opt-out model, including assistance for communities wanting to develop a community alcohol plan will be published shortly.

## Contacts

General enquires about the new interim APA opt-out model can be directed to the Alcohol Policy Coordination Unit at [AlcoholPolicy@nt.gov.au](mailto:AlcoholPolicy@nt.gov.au).

# FAQs

## **When will the changes to the *Liquor Act 2019* come into effect?**

The changes are now in place, and apply to the whole of the Northern Territory (from 16 February 2023).

## **Who is affected by the changes?**

All NT communities previously subject to alcohol restrictions under the Commonwealth's Stronger Futures legislation are now dry areas, and it is now illegal to bring in, possess, consume, sell or supply alcohol in these areas.

A list of those communities can be found [here](#).

## **How can a community opt-out of being a dry zone?**

A community can have its Interim Alcohol Protected Area revoked if it makes an application to the Director of Liquor Licensing that satisfies the following criteria:

- the community has a satisfactory community alcohol plan
- at least 60 per cent of adults who reside in the community support the community alcohol plan
- the application contains the signed consent of the registered owner/s of the land
- the Director of Liquor Licensing is satisfied that based on the information provided, the revocation of an Interim Alcohol Protected Area is in the public interest, and will not have significant adverse impacts on the community.

The Director will also consult on the decision with NT Police, NT Health and healthcare providers in the area, and any other stakeholders considered relevant.

## **What are the requirements of a Community Alcohol Plan?**

A Community Alcohol Plan must:

- be in writing
- be consistent with the *Liquor Act 2019* and Liquor Regulations 2019
- state how long the Plan will be in place for
- have at least 60 per cent of adults who reside in the community support the community alcohol plan.

## **How will communities be supported to develop a Community Alcohol Plan?**

The NT Government will provide further assistance on developing Community Alcohol Plans.

Government will continue to engage with stakeholders over the coming weeks about the new Interim Alcohol Protected Area Opt-out Model.

## **How will communities show evidence that 60 per cent of the adult population has supported the Community Alcohol Plan?**

The NT Government will work with communities to demonstrate how Community Alcohol Plans are supported.

Evidence will allow for a flexible approach, recognising the different types of communities affected by the opt-out model.

## **How long will the changes be in place?**

These restrictions are set to repeal on 28 February 2027.