



Media release

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Darwin health service launches legal challenge over proposed Dan Murphy's store

Danila Dilba health service has launched legal proceedings over the decision to approve a large Dan Murphy's store in Darwin.

In the legal action filed in the Northern Territory Supreme Court, the Darwin-based Aboriginal community organisation is asking for the liquor licence approval to be set aside.

The court document names the Director of Liquor Licensing and Woolworths Group – which owns Dan Murphy's – as the defendants to the action.

Maurice Blackburn's Social Justice Practice is running the case.

Danila Dilba CEO Olga Havnen said the decision to approve the liquor licence failed to properly weigh up the risks and benefits of the new store.

"There's no harm caused to the community by taking the time to properly consider the public interest and community impact of the proposal, but there is a lot of potential harm in a rushed process that neglects the public health impact.

"This area is already awash with takeaway liquor. We don't need another store, especially one located so close to three dry Aboriginal communities," Ms Havnen said.

"Our region is making progress with addressing alcohol-related harm, resulting in lower rates of assault, road accidents and emergency department presentations.

"The rushed decision to approve a Dan Murphy's megastore is likely to unwind much of the good work we have achieved in reducing the harm caused by alcohol."

Maurice Blackburn special counsel Jacinta Lewin said the Supreme Court application lists a number of grounds for judicial review of the decision.

"We allege the decision to give the green light to this liquor mega store is flawed because it is infected with legal error," Ms Lewin said.

"We are asking the court to consider whether there was a failure to consider key evidence including community views, if parts of the decision were illogical or irrational, and whether it was even open to the Liquor Licensing Director to make the decision at the relevant time.

"We are asking the Court to quash the decision on these grounds, and ensure that a decision that impacts the community is lawfully made."

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