

To Whom it May Concern,

Please see below for Council's submission in regards to the Liquor Licensing Act.

[Is there too much red tape when applying for a liquor licence?](#)

There needs to be a rigorous approval process undertaken with each licence to ensure that the venue is suitable and the person applying is a fit and proper person to hold a licence.

[Do we need twelve liquor licence categories?](#)

May be reduced however there does need to be appropriate types of licence that provide for the certain requirements of each business / event type.

[Is there confusion as to the role of the liquor licensing framework and other legislative frameworks imposed by bodies such as planning, noise and health?](#)

No.

[Should consultation on planning and liquor licence applications occur at the same time?](#)

Development Plan Consent should be obtained in the first instance to ensure that there are not conflicting interface issues etc.

[Should local councils have the right to intervene in a liquor licence application having already approved the development application?](#)

Only to the extent of operating hours and days if the liquor licence application is at odds with the development plan consent granted.

[At what point in the process should a member of the public be able to voice their concern? How?](#)

Only if there are ongoing issues with operation of the licensed premises eg. noise, behavioural, operated not in accordance with the licence conditions.

[Should standard liquor licence conditions be developed and implemented where disagreements arise? If so, what should those conditions be based on? For example, should it be based on the licence class, zone or capacity of the venue?](#)

If a venue has been granted development consent there should be no zoning issues as it is an approved use, as for the capacity of the venue this would of been determined whilst undertaking the building rules assessment.

[Should appeals against decisions where there are both elements of liquor and planning be heard together?](#)

Yes.

[Should crowd controllers be approved under two Acts?](#)

No, it should only be done under the *Liquor Licensing Act 1997*.

Would the removal of the requirement for the Commissioner to approve the responsible person reduce administrative burden?

No.

Should other mechanisms be introduced to ensure appropriate responsible persons are in the industry?

No.

Should responsible persons be tested for being under the influence of drugs and alcohol while on duty?

This should be left up to the individual work place as it is for all types of businesses.

Should local Councils have the power to declare short-term dry area?

Yes for special events in consultation with SAPOL.

Should other enforcement strategies in dry areas be considered?

This should be a question for SAPOL.

How can we improve the harm minimisation provisions in our legislation?

Unable to comment.

What role should SAPOL play in the application process?

SAPOL should continue to be consulted on licence applications as they are aware of any issues within the community.

Should the number and hours of trading of licensed venues in an area be a relevant consideration?

No.

Should a retail liquor merchant's licence be limited or categorised by size?

Unable to comment.

Should closing times, lock-out times or last drinks be set for particular areas?

This should be considered on each individual application as there may be other contributing factors eg. proximity to residential land uses etc.

Is there a need to regulate competition? If so, what regulation is appropriate and in what circumstances?

No, this is up to the individual licence holder.

Should alcohol be able to be sold in supermarkets?

Unable to comment.

Should other mechanisms be introduced to detect breaches?

Unable to comment.

Should other penalties be introduced to assist with Enforcement?

This is a SAPOL issue.

Should we regulate the consumption or possession of alcohol by minors at private parties? If so how?

Unable to comment.

Should the state government be working together with the commonwealth government to reduce alcohol access and abuse?

Unable to comment.

Are the objects of the Act outdated?

Unable to comment.

Do annual liquor licence fees need to be reviewed?

Unable to comment.

Should small venue licences currently restricted to the CBD be available in other locations?

Unable to comment.

Is there a better way to regulate a producer's licence to meet the Government's strategic food and wine policy?

These types of licences have been working well in our Council area.

Are the statutory liquor licence conditions outdated?

Unable to comment, not familiar with them.

Is the requirement to apply separately for an extension of trading hours or entertainment consent unnecessary red tape that impact vibrancy?

No.

Should statutory liquor licensing conditions be captured within a code rather than legislated?

Unable to comment, not familiar with the conditions.

Regards

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