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T.R Anderson Q.C  
Consumer and Business Services  
GPO Box 1719  
ADELAIDE SA 5001

Dear Mr. Anderson Q.C.

### Liquor Licensing Discussion Paper

Thank you for the opportunity to provide feedback on the Liquor Licensing Act 1997.

The following processes are of particular interest to the District Council of Ceduna:

#### **Dry Areas**

##### Long Term Dry Areas

Currently the Minister must approve Long Term Dry Areas. Council believes this function should be the responsibility of the Commissioner, who can then provide a report to the minister at pre prescribed times detailing what approvals have been made. In the end the Commissioner (or their staff) need to be satisfied the application meets the all the criteria set, the commissioner is also generally aware of any alcohol related challenges being faced by communities, and he/she has far great powers in other areas of the Act that have greater implications than a Dry Area.

By allowing the Commissioner to approve or not, Long Term Dry Areas, it will streamline the overall process.

##### Short Term Dry Areas

Although Short Term Dry Areas have been simplified by allowing the Commissioner to sign off there is opportunity to improve flexibility.

Council believes, that by allowing Local Councils, not in isolation but in conjunction with SA Police and or the Commissioner, to be:

- Authorised to impose Short Term Dry Areas for a period not exceeding 48 hours;
- Exempt from having to advertise the Short Term Dry Areas in the Government Gazette,

will greatly improve flexibility and responsiveness to high risk situations.

Council's rationale for this is; the use of Social Media by individuals or groups to organise and rally others to a location for a "party" at short notice is on the increase. In country South Australia this can cause disruption to normally quiet communities and place Police resources under increased pressure. By having the ability to impose a Short Term Dry Area at a particular location within a week would assist all services, and provide a safer community. Many of these events are planned near a beach or river adding to the danger of a tragedy when water and alcohol is mixed.

### **Limited Licenses**

Council's often hire out Community facilities including parks and gardens for functions that require the organiser to obtain a Limited License.

Council could, using an agreed pro forma, assess and issue these Limited Licenses, (with or without additional conditions) at the same time when assessing the application to use Council Facilities or Land. This would stream line the process for the general public.

Council believes the function to issue a Limited License poses less risk, to that of Council's ability to issue Schedule 9 and Schedule 10 Permits; to light and maintain a fire during the Fire Danger Season, as prescribed under the Fire and Emergency Services Act 2005.

### **Applying for a Liquor License - Advertising**

When applying for a Liquor License a business owner must "advertise the application in a newspaper circulating around the state and local area"

Council believes that in today's world electronic media would be a better medium for Liquor Licence Applications to be advertised. Council would recommend the following be considered instead of using print media:

- Standard format for advertising applications
- Advertise for a period of 1 calendar month
- Advertised on
  - CBS web site
  - Local Council's Web site
  - Local Council's Face book page
  - The business owners web / face book page

### **The Needs Test**

Either abolish this clause or use the Tasmania / Northern Territories examples. Council agrees that the current criterion is anti competitive and flawed.

### **Safer Drinking Cultures**

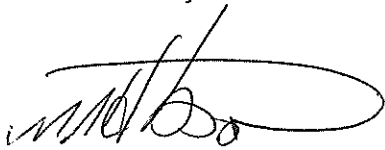
When a community is confronted by continued anti social behaviour, homelessness due to alcohol fuelled violence, alcohol related injuries, and occasionally alcohol related deaths, the Commissioner currently has powers to negotiate or impose targeted alcohol sales restrictions. To combat these issues, individuals or groups of individuals may need to be targeted; however the Commissioner always runs the gauntlet of breaching the Anti Discrimination Act.

When reviewing the Liquor Act it would be beneficial that the Commissioner in making Alcohol Sales restrictions for specific licensed premises is exempt from the Anti Discrimination Act.

Having this exemption will; provide for safer drinking cultures, provide health and well being initiatives for individuals and give a mechanism for the Commissioner (in conjunction with Licensees, SA Police and Councils) the ability to implement strategies quickly.

Should you require any further information or clarification please do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mark Hewitson', with a large, sweeping flourish at the end.

**Mark Hewitson**  
**MANAGER GOVERNANCE**