

From: [Luke Todd](#)
To: [AGD CBS Reforms](#)
Subject: Re: Liquor Licensing Feedback
Date: Thursday, 15 October 2015 7:59:02 PM

Is there too much red tape when applying for a liquor licence?

YES - Licensing is way too strict.

Do we need twelve liquor licence categories?

NO

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?

YES

The linear liquor licence approval process duplicates steps already taken by a business owner in the separate council development approval process. This means that prior approvals granted and consultation already undertaken in the development process is subject to further scrutiny. Should consultation on planning and liquor licence applications occur at the same time?

YES

Should local councils have the right to intervene in a liquor licence application having already approved the development application?

NO

An objection to a liquor licence from a member of the public can cause unnecessary delay for the business owner and can provide a second forum for an objector to be heard. Change is needed to improve the reliability and predictability of the planning and liquor licensing systems. At what point in the process should a member of the public be able to voice their concerns? How?

MIDWAY THROUGH - and never after a licence has been granted. Too many pubs in the city come under threat of closing because of noise complaints. If people don't like noise they should not choose to live next to a live music venue in the CBD. For example some years ago, the Crown and Anchor Hotel on Grenfell St was at risk of losing its licence because residents in the apartments across the road complained.

Individual liquor licence conditions imposed as a result of conciliation can create inconsistency and are difficult to enforce. We need to consider whether the conditions being imposed as a result of conciliation are the right solution. 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?

ZONE - the location of the venue.

Business owners who wish to appeal a liquor or planning decision may have more than one appeal process to navigate. We need to consider whether we can streamline the appeal processes for business owners to reduce the time taken and the costs incurred.

Should appeals against decisions where there are both elements of liquor and planning be heard together?

YES

The approval of crowd controllers under two separate Acts creates an administrative burden for the applicant. Should crowd controllers be approved under two Acts?

NO

We need to consider whether we can make further improvements to ease the administrative burden in relation to responsible person approvals while ensuring ongoing compliance.

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

YES

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

NO - there is already too much red tape, needless costs, and draconian, nanny state rules around liquor.

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

NO

We also need to consider whether we can improve the application process for dry areas and allow another authority to become responsible for responding to the needs of members of the community.

We also need to consider whether the enforcement powers in dry areas should be expanded to include other authorities. Should local councils have the power to declare short-term dry areas?

Should other enforcement strategies in dry areas be considered?

NO, NO, NO, NO - Abolish the dry zone in the CBD immediately. Give the public back their personal liberties, and treat them with respect like the adults that they are. If an individual chooses to drink a beer in the street that is their right! Alcohol related violence is a problem - agreed. The majority of people do NOT behave in this manner. Instead of treating the public like babies and banning everything, why not direct resources into public health awareness campaigns that encourage people to make healthier choices?

As it stands, Adelaidians are banned from having a beer in the park on a hot summer day. We are banned from standing up outside a pub with a drink - absolutely absurd! Go to Melbourne or any other normal city and people can stand outside the pub, and have a chat to their friends like an adult. We are also banned from going out to dance after 3am - unless we go to the Casino. This exemption is flies in the face of encouraging competition and is obviously a typical, provincial Adelaide gentlemen's agreement between the big end of town and our state government.

Our liquor licensing system must place a high value on health and safety for the community.

We must consider whether the current measures in place to reduce alcohol-related harm are effective and what we can do to improve. How can we improve the harm minimisation provisions in our legislation?

The liquor licensing should have LESS provisions regarding health and safety. More responsibility should be given to other bodies. If we had better public health initiatives there would be less violence and unhealthy use of alcohol. If as a society we had better access to education there would be less of these problems.

What role should SAPOL play in the application process?

Their input should be minimised. They should be less involved with liquor licensing and devote more resources to the ice epidemic - which causes more violence than alcohol.

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

LESS RESTRICTIONS.

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

YES - but only for fire safety etc

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

NO

We need to consider whether the needs test is still the appropriate mechanism to use in order to balance competition and alcohol-related harm. Is there a need to regulate competition? If so, what regulation is appropriate and in what circumstances?

Competition must be encouraged, and this can be done by leveling the playing field. The introduction of small bar licences was great, however larger venues face huge costs because of outdated, draconian licence conditions and find it hard to innovate and compete because of these. Several large pubs in the CBD have recently closed because of this. The Royal Croquet Club in Victoria Sq and other temporary venues are fantastic during Fringe, but I understand they have extremely favourable licence conditions which are completely unfair compared to our local pubs. Stop all these stupid outdated rules that apply to local pubs so they can compete with smaller venues, and temporary venues during festival season.

The exemption of the Casino from the SA lockout laws is just appallingly unfair. If the aim of the lockout laws is to increase public safety, how exactly does this help with that? This does nothing to encourage competition - or public safety? It is a disgusting example of large corporations influencing policy.

Should alcohol be able to be sold in supermarkets?

NO - because the duopoly have no interest in promoting SA wine. You can basically already buy alcohol at the supermarket if you go to a Woolworths with a BWS inside it. We are famous for our wine in SA and smaller boutique bottle shops should stay on a level playing field with the big two. And allow bottle shops to stay open later! I hate all the restrictions placed on the sale of alcohol, reasons outlined above.

Penalties should act as a deterrent and enable liquor inspectors or SAPOL to respond quickly and effectively to breaches of our liquor licensing laws. Change is needed to increase inspectors' compliance and enforcement powers to ensure that any breaches of liquor laws are dealt with swiftly and public safety remains a priority.

Should other mechanisms be introduced to detect breaches?

Should other penalties be introduced to assist with enforcement?(For example, expiation no ices.)

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NO

The liquor licensing system regulates the sale of alcohol in public places. The consumption or possession of alcohol at private events including those attended by minors is presently unregulated. To enhance community protection, we need to consider the relationship between minors and alcohol and

the role that the South Australian Government should play in the future. Should we regulate the consumption or possession of alcohol by minors at private parties?

NO

The South Australian Government does not have the power to regulate the price of alcohol. We need to consider how the price of alcohol impacts upon alcohol-related harm and whether the State and Commonwealth Governments can work closely together to address this issue. Should the State Government be working together with the Commonwealth Government to reduce alcohol access and abuse?

Increasing the price of alcohol may reduce crime in the short term but it is a cheap, band aid solution which does nothing to combat the systemic causes of alcohol related violence. This policy raises revenue while punishing those who are poor, uneducated, and addicted, who continue to buy alcohol regardless. If the state and Federal Government actually wanted to stop alcohol related violence, they would implement policies to address the widening gap between the rich and poor; and the educated and uneducated in our nation. It is no coincidence that the majority of perpetrators and victims of alcohol related violence are disenfranchised and less educated.

Vibrancy

Our liquor licensing framework should be modernised to promote greater flexibility and encourage entrepreneurs to emerge with new business models. Are the objects of the Act outdated?

YES YES YES YES

Do annual liquor licence fees need to be reviewed?

YES - lower them

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

OTHER LOCATIONS

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

Don't know

We need to assess whether statutory liquor licence conditions and mandatory trading hours still reflect community expectations. Consideration should be given to the risk of reducing the administrative burden of applying for and extending trading hours within each licence category. Are the statutory liquor licence conditions outdated?

YES - The trading hour laws are an abhorrent restriction on individual liberty. In the same way as the policy of increasing alcohol price, this stupid rule does nothing to combat the true cause of alcohol related violence: inequality, lack of education, and men's mental health. This policy is anti competition as well, as only large venues can afford to apply for extended trading hours. There was also talk of a rule where alcohol would only be allowed to be served in plastic cups after a certain time. This would kill nightlife in the city - only some venues would be able to justify this expense.

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

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