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MGA
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28th September 2018

Mr Richard Coates
Chairperson NT Liquor Commission
GPO BOX 1154
DARWIN NT 0801

Copy sent by email: liquor.commission@nt.gov.au

Dear Mr Coates,

RE: Review of Alice Springs Takeaway Licence Restrictions

Australian Liquor Stores Association (**ALSA**), which is shortly to become Retail Drinks Australia (**Retail Drinks**) welcomes the opportunity to provide this submission on the review into possible takeaway licence restrictions in the Alice Springs community, on behalf of ALSA members including Liquor Stores Association of NT (**LSANT**) and Endeavour Drinks Group (**EDG**), and in conjunction with MGA Independent Retailers (**MGA**).

Executive Summary

- Measures that are appropriate for the Barkly region are not necessarily appropriate for a region with 10 times the population and 4 times the visitor numbers.
- It is very difficult to comment on alcohol licensing in Alice Springs when its underlying regulatory regime is moving and shifting (with a rewrite of the legislation) and has not yet been evaluated: BDR is barely a year old, MUP has not commenced, Police Auxiliary Licensing Inspectors are still being rolled out.
- Policy measures are being overlaid without opportunity for proper evaluation. Industry is supportive of a review and then if determined appropriate following that review, the implementation of targeted evidence based measures. However, this is not possible until the regulatory changes have had time to take effect.
- If the Commission still intends to pursue a review, it is difficult for industry to provide any meaningful response on proposed alcohol control initiatives when it does not know the detail of what is being proposed, or the purpose of the review.
- Persisting with a review without disclosure of intended review or scope parameters could be heavily criticised for lack of transparency, and lead to confusion as to the overlap of strategy between the Riley Recommendations and a separate Licensing strategy.

For the reasons above we submit that it is premature to be evaluating licence conditions in Alice Springs, which should be delayed until the first scheduled evaluation of MUP and BDR, and after considering the effect of all new measures being implemented following the Liquor Act re-write.



Background

ALSA Members, together with MGA, operate 48 outlets across the Northern Territory, employing more than 420 people.

For EDG, these outlets are co-located with supermarkets in the remotest parts of the Northern Territory, and in many cases serve a large catchment area. For MGA and other ALSA members in NT, these outlets may be mixed grocery and liquor outlets which serve as a critical community service providing convenience and essential commodities.

Communities in these locations have the expectation that basic retail services should be of a similar standard to those offered elsewhere in the country. Retail liquor outlets in locations like this need to tread a very fine line between serving the legitimate needs of the majority of the community who use the products that they sell responsibly, and doing everything they can to prevent harm to vulnerable sections of the population.

LSANT, EDG and MGA attempt to strike that balance by operating their business to the highest standards of responsible service and through the implementation of additional voluntary measures designed to address concerns raised by local authorities and the communities in which we operate. These measures include but are not limited to numerous ranging, pricing and promotional restrictions in multiple locations, and geographical restrictions on online sales.

A list of each of these business' mandated and voluntary measures relevant to Alice Springs is provided at **Annexure 1**.

Industry Cooperation

We thank the Commission for the opportunity to make this submission. The signatories to this submission have a long record of cooperation with NT regulators in the development of measures to reduce the negative impact of alcohol on some sections of the NT community.

Senior leaders in these businesses are heavily invested in working with authorities in the region to find local solutions to local problems. Liquor Stores Association of NT has facilitated numerous meetings on behalf of both LSANT and ALSA, Retail Drinks Australia, Alcohol Beverages Australia (ABA) and Winemakers Federation of Australia (WFA) with each of Licensing, ARIT and NT Government. Retail Drinks Australia will shortly be providing a submission on behalf of industry to Licensing and ARIT to assist with data collection assessment for MUP evaluation.

Furthermore, the BWS State Manager (Adelaide-based), the BWS National Operations Manager (Sydney-based), and the EDG National Responsible Service Manager (Sydney-based) have all made regular and recent trips to the region and met with key stakeholders including Licensing, ARIT and NT Government and specifically in Alice Springs, the local Alice Springs police.



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Barkly vs Alice Springs – an analysis

Measures that are appropriate for the Barkly region are not necessarily appropriate for a region with 10 times the population and 4 times the visitor numbers.

Put simply, the neither the economic nor social conditions are comparable.

Focusing harm reduction efforts solely on takeaway alcohol restrictions could lead to unintended consequences for the broader community of ~29,000 residents of Alice Springs that consume alcohol responsibly, with flow-on impacts to jobs and economic activity from the region's important hospitality and tourism industries. The Alice Springs tourism channels attract over 450,000 domestic and international visitors per year, (Source: Tourism NT website) with more expected with the recently announced 'China Ready' campaign.

Analysis of existing NT regulation

It is very difficult to comment on alcohol licensing in Alice Springs when its underlying regulatory regime is shifting (with a rewrite of the legislation) and moving and has not yet been evaluated: BDR is barely a year old, MUP has not commenced, Police Auxiliary Licensing Inspectors are still being rolled out.

By continuing to overlay alcohol control policy over alcohol control policy the root cause of alcohol misuse may remain unaddressed with responsible consumers further inconvenienced.

In the Table of Recommendations from the Riley Review the NT Government acknowledged that a 'sustained reduction in alcohol - related harms can only be achieved by addressing the underlying causal factors, which means addressing social determinants of health such as employment, housing and social and emotional wellbeing'. By continuing to overlay alcohol control policy over alcohol control policy the root cause of alcohol misuse will remain unaddressed with responsible consumers further inconvenienced.

The parties to this submission are supportive of targeted, proportionate restrictions as part of a whole of government and community response. This cannot be isolated solely to licensing conditions outside of the broader framework, and to do so would not be effective in addressing alcohol related harm which is assumed, although not explicitly stated, to be part of the purpose of the review.

Transparency – further scope of review required

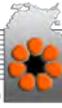
As stated in this submission, industry is extremely concerned at the number of policy measures that are being overlaid without opportunity for proper evaluation.



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If the Commission still intends to pursue a review despite these concerns, it is difficult for industry to provide any meaningful response on proposed alcohol control initiatives when it does not know the detail of what is being proposed.

Consultation should have clear scope and parameters for the review, and the scope of matters that will be considered.

Persisting with a review without disclosure of intended review or scope parameters could be heavily criticised for lack of transparency, and could cause embarrassment for each of the Commission and the NT Government if they were not seen to be acting in concert on measures purporting to address the same concerns.

For instance, if the purpose of the review of takeaway licence conditions related to any or all of the purposes for the commissioning of the Riley Report (which are now being addressed by the Recommendations already adopted or supported by the NT Government), it could be considered that a licensing review was operating outside of the broader NT Government strategy.

At a minimum, industry submits that any consultation should include not only the specific issues, controls and restrictions being considered as part of the review, but also should provide clarity as to the parties who have requested the review in Alice Springs and whether this request was prior to the announcement of the NT Government's intention to implement a significant number of the Riley Recommendations.

Summary

We respectfully request a review of takeaway licence conditions in Alice Springs be delayed until a stable review environment persists. However, if a review process is to continue, that industry be provided with appropriate scope and parameters for any such review to allow for a more detailed submission to be prepared.

If you require any clarification or further assistance with this submission, please do not hesitate to contact the parties as follows: ALSA, julie.ryan@alsa.com.au; LSANT, faye@spcornerstore.com; MGA, George.kovits@mga.asn.au; EDG, shane.tremble@edg.com.au.

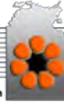
Sincerely

Julie Ryan
CEO, ALSA and Retail Drinks Australia



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Annexure 1 – mandatory and voluntary measures:

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Alice Springs BWS Licence Conditions:

- Maintain a reasonable range and stock of soft drinks, fruit juices and groceries to the satisfaction of the Director-General
- Wine is not sold in containers larger than 2 litres
- Fortified wine is not sold in containers larger than 1 litre. Green Ginger wine and vermouth is considered a fortified wine in these conditions.
- No sale to a person of more than one (1) bottle of fortified or one (1) cask of wine per day
- Takeaway sales of wine in casks and fortified wines shall only be sold in the last three (3) scheduled trading hours of each day
- Takeaway sales of beer in 750ml and 800ml glass containers (i.e longnecks) is prohibited.
- CCTV operational and in use

Voluntary Conditions:

- No wine casks or fortified casks of any size
- No 2 litre glass products
- No 1.5L products
- No 750ml wine products sold for less than \$7.99
- No fortified wine products sold for less than \$17.00 per bottle
- Hardys RR 1L and Hardys Stamp 1L ranges \$11.99 RRP and excluded from promotional activity
- Vendor restriction - no Brown Bros Style Series Casks
- - No RTD casks of any size
- Cask wine - 1 purchase per person per day
- No liquor demonstrations
- No promotional activity related to gambling.

Additional Responsible Service measures:

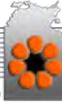
- A security guard is employed in the BWS Alice Springs store for all hours of trade Monday to Saturday. The store does not trade on a Sunday
- Twice yearly refresher training on our company RSA Policies including refusal of service for Intoxication, Secondary supply, ID25 and School Uniform Policy
- Specialised training programs for teams on the Banned Drinkers Register and the incoming Minimum Unit Pricing completed by all team members
- A program on dealing with difficult situations (ACE training) given to all team members
- Our ID 25 mystery shop program
- Active member of the Alice Springs Liquor Accord
- Drinkwise partner



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As MGA represents independent retailers all with specific and separate licence conditions and voluntary measures, it is difficult to separately identify them in this Annexure. Obviously, the Commission already has access to the mandatory conditions attaching to these licenses.

However, below is a summary of the measures that are equally applicable in all MGA Members stores in relation to store level compliance:

- All staff are RSA trained
- Banned Drinks Register
- No Trading Sunday
- Restricted Trading Hours
- On going Compliance Training for all staff