



LIQUOR STORES ASSOCIATION NEW SOUTH WALES



SUBMISSION

By the Liquor Stores Association NSW

To: Liquor & Gaming NSW

In response to: Evaluation of the effectiveness of incident registers

Date: April 2017

Liquor Stores Association of New South Wales Incorporated

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*Member of the
Australian Liquor
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Wednesday 19th April 2017

Liquor & Gaming NSW
Level 6, 323 Castlereagh Street
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Via email: incidentregisters.evaluation@justice.nsw.gov.au

LSA NSW SUBMISSION: EVALUATION OF THE EFFECTIVENESS OF INCIDENT REGISTERS

To Whom It May Concern,

The Liquor Stores Association NSW (LSA) welcomes the opportunity to provide a submission in response to Liquor & Gaming NSW's (L&GNSW) Discussion Paper on the *Evaluation of the effectiveness of incident registers*.

As per the discussion paper issued by L&GNSW in March 2017, LSA understands that the purpose of the evaluation is to:

- determine if the incident register requirement is meeting its policy objectives;
- examine industry awareness and perceptions of the requirement to maintain an incident register;
- examine the nature and quality of information recorded in incident registers, and procedures for ensuring it is properly maintained and regularly reviewed;
- examine the value of information recorded in incident registers to licensed venues, Liquor & Gaming NSW, NSW Police, and other relevant stakeholders;
- consider whether or not the incidents described in section 56 of the Liquor Act 2007 and clause 27 of the Liquor Regulation 2008 are the most appropriate for recording in an incident register, and other types of incidents that should be included;
- consider whether the times at which an incident register is required, and the types of venue required to maintain an incident register, are the most appropriate;
- examine the extent to which venues have been compliant with the incident register requirement, and any barriers to compliance with this requirement;
- consider the potential value and means of introducing an online incident register system; and
- consider any other impacts of, and possible improvements to, the incident register system.

Please find LSA's 11 page submission plus appendices enclosed herewith, and I would be happy to provide any further information to support this submission, if required.

Yours sincerely,

Michael Waters
Executive Director



INCIDENT REGISTERS

Background & policy objectives

An incident register is a paper or electronic record of the details of certain incidents that occur in a licensed venue during specific times of the day and/or night. Incident registers also include a record of the actions taken by the venue in response to incidents. The types of incidents that must be recorded in an incident register and the types of venue that are required to maintain an incident register, are outlined below.

Incident registers:

- help venue operators gain a better understanding of the events that affect the safety of their staff, venue and patrons, as venue operators can use information in a register to develop strategies to reduce the risk of violence and anti-social behaviour occurring at the venue; and
- assist the Police and Liquor & Gaming NSW with investigations and other compliance activities.

The form in which an incident register must be kept is approved by Liquor & Gaming NSW,

Types of incidents to be recorded in incident registers:

The types of incidents that must be recorded in an incident register are described in section 56 of the Liquor Act 2007 and clause 27 of the Liquor Regulation 2008. These are incidents involving:

- violence or anti-social behaviour on the premises;
- violence or anti-social behaviour in the immediate vicinity of the premises, where the person involved has previously left, or been refused entry to, the premises;
- people being removed from the premises under section 77 of the Liquor Act 2007 (for example, because they are intoxicated or violent); or
- someone needing medical treatment.

Venue operators are also encouraged to record any incident that:

- involves intoxication;
- concerns complaints about noise disturbances; or
- concerns WHS, public liability and regulatory issues.

Types of venues required to maintain incident registers:

The incident register requirement applies to any venue that:

- is authorised to sell or supply liquor after midnight at least once a week;
- is listed as a declared premises under Schedule 4 of the Liquor Act 2007;
- has a limited licence that trades after midnight;
- is located in the Kings Cross or Sydney CBD Entertainment precincts; or
- has an incident register requirement imposed as a specific licence condition.

All incidents that occur outside standard trading hours must be recorded in an incident register, with the exception of the Kings Cross and Sydney CBD Entertainment precincts where incidents that occur at any time must be recorded.

NSW Packaged Liquor Industry Overview

The NSW retail packaged liquor sector turns over in excess of \$7 billion, generates employment of around 17,000 people, and indirect taxes of around \$2 billion.

The sector comprises retailers of independently owned and operated liquor stores, licensed general stores and/or supermarkets, corporate chain owned and operated liquor stores, as well as online-only liquor retailers. It is a vibrant, diverse and competitive market whose members operate in a professional, responsible and sustainable manner, mindful of the communities they serve.

There are currently around 2,400 packaged liquor licences (PLL) in NSW, equating to approximately 13% of the total number of liquor licences in NSW across all licence types. Recent legislative changes have led to an increase in the total number of PLL of over 40% since 2008.

PLL with a 'no walk-up sales' condition (i.e. sales by phone, mail order or via the internet) has been the most significant contributor to this growth, increasing from just six in 2008 to now around 350, representing over 14% of the total number of PLL in NSW however of this number around half are actually trading with an active website.

Table 1: Breakdown of NSW packaged liquor licences (by type & location, approximate):

Region	Independent Retailer	Chain Retailer	Online-only Retailer	Total
Regional NSW	600	300	50	950 (40%)
Metropolitan NSW	650	500	300	1450 (60%)
Total	1,250 (52%)	800 (33%)	350 (14%)	2,400 (100%)

Of the 1450 or so PLL in the Sydney Metro region, just 59 are situated in the Sydney CBD Entertainment Precinct, with a further five (5) situated within the Kings Cross Precinct – representing a very modest 2.6% of the total number of PLL in NSW. Of these 64 PLL situated within the Sydney CBD (including Kings Cross), 18 (over a quarter) are 'online-only' with a 'no walk-up condition'.

Alcohol-related violence

Common social misconception is that alcohol-fuelled violence and assault are on the increase. In fact the opposite is true with declines in both areas trending down substantially over the past seven years and while any alcohol-related violence is unacceptable, it's encouraging that alcohol-related incidents in NSW have decreased by 35% (September 2009 – September 2015).

The [NSW Bureau of Crime Statistics and Research \(BOCSAR\)](#) collect robust data to measure the crime statistics of alcohol-related domestic and non-domestic assaults.

Alcohol-Related Assault	Seven year trend	Year to Sep-09	Year to Sep-10	Year to Sep-11	Year to Sep-12	Year to Sep-13	Year to Sep-14	Year to Sep-15
Domestic Incidents	-4.8% per year	11,790	10,975	10,647	10,115	10,057	9,905	9,115
Non-Domestic Incidents	-9.6% per year	18,565	17,425	15,826	14,272	13,493	12,113	10,533

Since September 2009, there has been a 43% fall in alcohol-related public (non-domestic) assaults along with a 22% fall in alcohol-related domestic assaults.

No correlation between the growth in the number of liquor licences and alcohol-related violence:

Contrary to many opinions, there is no correlation in the increased number of liquor licences and alcohol-related violence incidents. At the same time as violence, assault rates and consumption has been falling, there has been a significant increase in the total number of liquor licences in NSW.



Industry self-regulatory initiatives

LSA encourages and supports a responsible approach to the service and use of alcohol by all stakeholders, including our retail liquor store members and the communities they serve, and has developed the following initiatives, and actively encourage our members to support these initiatives:

ID-25 & Don't Buy It For Them – developed to reinforce and educate customers of their individual responsibility. LSA NSW and our members do not support service to underage people nor to those adults who would make secondary purchase on behalf of, or supply to underage persons.

ALSA Product Ranging Guidelines – developed to assist liquor retailers to make product ranging choices to minimise potential misuse and subsequent harm related to excessive consumption of alcohol, including a checklist of issues that liquor retailers may wish to consider when making product ranging decisions for their stores. Note – I have attached copies of these initiatives for reference.

High Strength Alcohol Warning Labels – To compliment the ALSA Product Ranging Guidelines' key ranging considerations, and to minimise the potential for misuse and subsequent harm related to rapid and excessive consumption of alcohol, LSA has developed High Strength Alcohol Warning Labels (HSAWL), and encourages members and liquor store operators to move alcohol products +70% ABV from general display to behind counters or cabinets, and place a HSAWL on bottles, to draw attention to the product's high alcohol nature.

ID Compliance Audit – in light of the new sanctions for the offence of 'sale of alcohol to a minor on licensed premises', and to provide members with greater certainty around their store's performance against this requirement, LSA has developed this new service for members, to test their store's ID policy, demonstrate due diligence to authorities, and improve staff and customer awareness.

Compliance Health Check – With Government regulators placing more focus on compliance, and with significant penalties for licensees who are found to be in breach, LSA offers members a free Compliance Health Check, which assesses how compliance their business is against all compulsory and self-regulatory requirements, and gives them the tools to ensure they remain compliant.

Mystery Shop Evaluation Report – as part of LSA's annual Retail Liquor Industry Awards for Excellence Program, each member store that nominates is 'mystery shopped' by an independent expert, assessing the overall customer shopping experience, with a key criteria focusing on compliance and adherence to mandatory signage and ID checking, as well as our industry self-regulatory initiatives such as ID-25 and Don't Buy It For Them.

Harm Minimisation Policy – is designed to provide members, staff and their customers with a clear understanding of the store's commitment to providing a safe, pleasant and welcoming environment.

Workplace Health & Safety Checklist & WHS Manual – was developed to assist members to understand the new federal WHS laws which commenced in 2012, to ensure the workplace, employees and customers are as safe as possible, and to comply with the required obligations.

We also encourage members to support Government interventions, particularly where those interventions are evidence based and proven to have some real impact on reducing harms from misuse of alcohol – not simply placing more economic pressure on retailers through the regulatory environment.

Penalties and enforcement:

LSA is supportive of appropriate penalties for licensees, employees and members of the public who do not comply with laws relating to RSA principles including sale to intoxicated persons, sale and supply of alcohol to minors, secondary supply of alcohol to minors and so on.

We are supportive of stronger enforcement action to be taken for serious breaches on a specific licence, rather than imposed as a condition across all licences in a particular licence category.



The majority of law abiding adults who enjoy and consume alcohol responsibly should not have to suffer for the actions of a few. For the minority who make the choice to consume alcohol at harmful levels, this behaviour can no longer be viewed as 'an excuse' for criminal and anti-social behaviour, and a cultural, policy and policing emphasis must be placed on individuals accepting responsibility for their actions.

A simplistic policy focus solely on availability of alcohol beverages will not produce the results the community is looking for in terms of a reduction in the levels of anti-social behaviours and violence. There must be a general recognition that the interrelationship between excessive alcohol consumption and criminal and anti-social behaviour is complex and multifaceted.

Individual Responsibility

Individuals in the community also need to take responsibility for their own behaviour. Likewise industry members need to take responsibility for their actions and the industry as a whole needs to have an active and passionate commitment to the future of our industry.

LSA believes that alcohol consumption is ultimately an issue of individual responsibility. However, LSA also fully accepts that it has a key responsibility to work with the Government and the community to minimise harm to individuals and local communities.

LSA believes that measures to address individual responsibility in the context of alcohol consumption generally fall broadly under the two following areas:

1. *Require* individuals through regulation, sanctions and policing of existing legislation to take personal responsibility for their behaviour when consuming alcohol or supplying liquor to others, and also while on or in the vicinity of licensed premises and in public places; and
2. *Promote and encourage* individuals and communities to take responsibility for alcohol consumption and behave in socially appropriate ways. This is achieved through education, harm minimisation and treatment initiatives aimed at intervening early to avoid problematic drinking and any associated violence as well as to prevent the recurrence of these behaviours;

It is proposed that the focus of individual and social responsibility be on the '*promote and encourage*' areas above, in line with the following objectives:

- To consider and develop strategies that increase individuals' awareness of their obligations under the law and legal, social and other ramifications of non-compliance;
- To reduce anti-social behaviour and alcohol-related violence by developing strategies that educate and encourage individuals to be accountable for their behaviour and actions;

Alcohol and other drugs:

Given the recent RBT and roadside drug testing reports, which demonstrate increased propensity in the population for the use of other (licit and illicit) substances, this adds another dimension to the issue of intoxication on licensed premises.

LSA understands that in the Act's definition of intoxication, there is no reference to other drugs (licit or illicit), however we take this opportunity to note that the SA Government recently amended the SA Liquor Licensing Act 1997 on 5th December 2013, to include a definition of intoxication which covers behaviour as a result of the consumption of liquor or some other substance.

Intoxication can arise from alcohol, licit drugs such as 'over the counter' substances, illicit drugs such as amphetamines or a combination of these substances, and as such LSA would encourage Government to consider this amendment within their review of the Act.

KEY CONSIDERATIONS

During a stakeholder consultation meeting held on Thursday 6th April 2017 between Dr Gavin Faunce (L&GNSW), Luke Ryan (L&GNSW) and Michael Waters (LSA), where the LSA responded to a number of specific questions. The information below is in direct response to 'key issues for comment', outlined in the discussion paper.

1. VALUE OF THE INCIDENT REGISTER REQUIREMENT

Has the requirement helped to improve venue management practices and, if so, how?

LSA believes that in principle, incident registers can be a useful compliance tool, and can assist licensed premises to improve their respective responsible management practices, where applicable, when used in conjunction with various other compliance procedures and activities.

However, it is important to acknowledge the fundamental differentiation between on and off premise environments, in that PLL operators are (generally) unable to observe drinking or behaviour over a period of time, and the timeframe between purchase and consumption are completely different.

For example, it would not be uncommon for a late-night trading pub or nightclub venue to experience several incidents each and every week, including over a Friday and Saturday night period, whereas in comparison, a PLL, particularly in regional NSW, may go several weeks, or months without experiencing a single incident – this demonstrates that PLL are a low risk.

The propensity for an 'incident' to occur on a PLL premise is comparatively low, given the reasons explained above.

To reiterate, incident register requirements are applicable for PLL when:

1. They are located in the Kings Cross or Sydney CBD Entertainment precincts; or
2. They have an incident register requirement imposed as a specific licence condition.

As indicated above, just 64 PLL are situated in the Sydney CBD Entertainment and Kings Cross Precincts, of which 18 (28%) are 'online-only' with a 'no walk-up condition'.

Example 1 – Liquor store located in the Sydney CBD Entertainment Precinct:

- Experienced a total of 7 incidents for the period January – March 2017
- All incidents recorded attributed to refusal of service (intoxication or underage purchase attempts)
- No requests made from either the Regulator or NSW Police to review the incident register

Example 2 – Liquor store located in the Sydney CBD Entertainment Precinct:

- Experienced a total of 11 incidents for the period January – March 2017
- Majority of incidents recorded attributed to refusal of service (intoxication or underage purchase attempts)
- No requests made from either the Regulator or NSW Police to review the incident register

Example 3 – Liquor store located in the Sydney CBD Entertainment Precinct:

- Experienced a total of 23 incidents for the 12 month period to March 2017
- Majority of incidents recorded attributed to refusal of service (intoxication or underage purchase attempts)
- No requests made from either the Regulator or NSW Police to review the incident register



As per the examples given above, all incidents recorded were for refusal of service, either for intoxication or for underage purchase attempts, with the occasional record made for theft related incidents.

Further, LSA is not aware of any instances in recent years whereby an incident register requirement has been imposed as a specific licence requirements on a PLL.

Does the information contained in incident registers help operators develop appropriate strategies to reduce the risk of alcohol-related violence and anti-social behaviour?

As indicated above, incident registers can be a useful compliance tool, and can assist operators to improve their respective responsible management practices, where applicable, when used in conjunction with various other compliance procedures and activities, such as utilising and reviewing CCTV footage and so on.

Note – LSA understands that some PLL have their staff complete EOS (end-of-shift) reports, which would include any relevant ‘incidents’ as recorded in the register.

The information recorded in the incident register may be used by operators to identify key trends (i.e. type of incident, day and time, customer and/or staff member involved, etc), so that strategies where appropriate may be developed and deployed as a means of reducing the risk of future incidents occurring.

Do the benefits of retaining the requirement outweigh the administrative costs and regulatory burden for business and Liquor & Gaming NSW?

One area of concern facing liquor retailers is the ever increasing regulatory red tape and administrative requirements that business owners are required to understand and adhere to.

Liquor retailers are spending so much more time these days ensuring their businesses are ‘complying’ with constantly increasing and changing legislation and regulatory requirements, that less and less time is left over to actually go about their day to day business function and actually be retailers, and serve their customers, manage and develop their employees.

Under NSW legislation, there are an exhaustive number of regulatory requirements (refer to appendix), with the cost imposed to small business owners significant. It is on this basis LSA advocates that incident registers remain a ‘no cost’ option for licensees to adopt and maintain, as opposed to introducing yet another unnecessary cost imposed onto licensees and the Regulator.

2. INDUSTRY AWARENESS AND SUPPORT FOR THE INCIDENT REGISTER REQUIREMENT

To what extent are industry stakeholders aware, and supportive, of the requirement to maintain an incident register?

The LSA, as the peak industry body for the retail liquor sector, is aware of, and supportive of the concept of incident registers, and encourages its members to maintain an incident register (whether required to by regulation or not), as a useful compliance tool, alongside various other compliance procedures and ‘best practice’ activities.

However, given that fact that:

1. Only a small number of PLL are currently required by regulation to maintain an incident register;
2. The propensity for ‘incidents’ to occur on a PLL premise is relatively low; and
3. Licensees may face prosecution if they don't maintain their incident register properly.



LSA suggests that general awareness and the level of interest and support to maintain an incident register amongst the broader retail liquor industry would be minimal.

Do venues have processes in place to properly educate staff about the requirement?

There are around 2400 PLL in NSW, generating employment of around 17,000 people, equating to an average of seven people employed on either a casual, part-time or full-time basis per PLL, including company directors.

Given the relatively low staff numbers (in comparison to a hotel, registered club, nightclub or licensed restaurant), the process of informing and educating staff about the occurrence and any possible requirement to maintain an incident register would be relatively straight forward.

Further, many on premise licensed venues would also employ or contract security personnel on a regular basis, which does not typically occur for liquor stores.

Are industry stakeholders satisfied with the information and support provided by Liquor & Gaming NSW regarding the requirement?

LSA believes there is sufficient information available on the L&GNSW website, to assist PLL and industry stakeholders with respect to incident registers, whether they are legally required to maintain one as per the regulation, or as a recommended non-mandatory compliance tool.

3. INCIDENT REGISTER RECORDING PRACTICES

What incidents are venues recording in incident registers?

The types of incidents that must be recorded in an incident register are described in section 56 of the Liquor Act 2007 and clause 27 of the Liquor Regulation 2008. These are incidents involving:

- violence or anti-social behaviour on the premises;
- violence or anti-social behaviour in the immediate vicinity of the premises, where the person involved has previously left, or been refused entry to, the premises;
- people being removed from the premises under section 77 of the Liquor Act 2007 (for example, because they are intoxicated or violent); or
- someone needing medical treatment.

Operators are also encouraged to record any incident that:

- involves intoxication;
- concerns complaints about noise disturbances; or
- concerns WHS, public liability and regulatory issues.

LSA is aware that PLL may also record the following 'incidents':

- Refusal of service – underage purchase attempts
- Refusal of service – secondary supply purchase attempts
- Theft – internal or external

Are incidents being recorded within the required timeframe?

With respect to requirements for licences within the Sydney CBD Entertainment & Kings Cross Precincts, LSA understands that all required incidents must be entered in the incident register as soon as practicable after the event and within one hour.



A more detailed account must be completed as soon as practicable, and no later than six hours after occurring, for any reportable incident involving violence, anti-social behaviour, when patrons are asked to leave or when an injury occurs that requires medical assistance.

LSA is not aware of any incident recording occurring outside the required timeframes, or that the required timeframes are unreasonable.

What percentage of venues are using paper-based incident registers and what percentage are using electronic incident registers?

Given the cost applicable for paper-based incident registers, LSA would expect that PLL would opt to utilise the electronic incident register (i.e. excel spreadsheet template) at no cost, as opposed to purchasing a hard copy book for \$20.

Are venues recording incidents other than those that they are required to record under the legislation? If so, why? If not, why not?

As indicated above, LSA is aware that PLL may also record the following 'incidents':

- Refusal of service – underage purchase attempts
- Refusal of service – secondary supply purchase attempts
- Theft – internal or external

Is sufficient information about recorded incidents being included in the incident registers?

Of the examples reviewed, LSA is satisfied that sufficient information about recorded incidents are being included.

What procedures do venues have in place for ensuring that incident registers are properly maintained and regularly monitored? Can these procedures be improved?

LSA understands that licensees may have procedures to make sure their incident register is properly maintained. This may include educating all staff about the importance of maintaining an incident register, delegating duty to managers or other key staff.

In addition, undertaking a regular review of how incidents are recorded, and discussing this with staff, may also assist with consistency and accuracy.

Is the recording of violent incidents in incident registers consistent with NSW Police incident data?

LSA would expect that incident recording, whether this was done manually or electronically would be consistent with NSW Police incident data and their requirements, given incident registers must be in a format approved by the Regulator (and designed following consultation between industry and government, including NSW Police).

LSA understands that L&GNSW inspectors and NSW Police may review incident registers when they audit a licensed premises, so if the data was inconsistent with requirements one would expect that this would be dealt with at the time, with the individual licensee or manager.

4. VALUE OF THE INFORMATION RECORDED IN INCIDENT REGISTERS

How do licensed venues, Liquor & Gaming NSW, NSW Police, and other relevant stakeholders use the information recorded in incident registers?



LSA understands that L&GNSW inspectors and NSW Police review incident registers when they audit a licensed premises, and that licensees may face prosecution if they don't maintain their incident register properly, however we are not aware as to the frequency of audits or the strategic approach by the Regulator or Police in this regard.

LSA advocates that with the threat of prosecution, it is paramount that incident registers must be straight forward, clear and easy to use, to ensure that businesses not required by law to maintain one are willing to participate.

What enhancements could be made to improve the value and availability of information recorded in incident registers to licensed venues, Liquor & Gaming NSW, NSW Police, and other relevant stakeholders?

LSA believes that a hard copy incident register, particularly one that licensees are required to pay \$20 for, is not necessary or warranted and is a waste of resources and regulatory effort, and recommends that this be replaced with a basic electronic (not online) incident register, in the form of an spreadsheet template for both PC and Mac computers .

Reasons to discontinue hard copy incident registers:

- Will save the Regulator from having to print the incident register;
- Will save the licensees from having to purchase the incident register (\$20 each);
- Will avoid issues arising around legibility of handwriting in the book; and
- Will avoid issues arising around misplacement of the book.

Benefits of adopting an electronic incident register (PC and Mac spreadsheet template):

- Licensees can simply download the incident register template from the L&GNSW website
- Industry stakeholders (i.e. peak industry bodies) can maintain a copy of the template;
- The spreadsheet can be developed specifically to ensure ease of use (i.e. drop downs, etc);
- The template can easily be updated and uploaded if needed, and the changes communicated; and
- As a 'no cost' easy option, it will encourage more businesses to maintain an incident register.

LSA would be happy to assist L&GNSW with the development of this resource.

5. APPROPRIATENESS OF THE INCIDENTS REQUIRED TO BE RECORDED IN INCIDENT REGISTERS

Are there any other types of incidents that should be included in the requirement?

LSA does not believe there needs to be any extension to the existing requirements, as described in section 56 of the Liquor Act 2007 and clause 27 of the Liquor Regulation 2008.

LSA recommends that incidents concerning to refusal of service (underage purchase attempts and secondary supply), and theft, could be added to the existing list of 'non-mandatory' incidents that businesses are encouraged to record such as intoxication, noise complaints, or WHS, public liability and regulatory issues.

6. TIMES AT WHICH AN INCIDENT REGISTER IS REQUIRED AND TYPES OF VENUE REQUIRED TO MAINTAIN AN INCIDENT REGISTER

Are the times during which an incident register is required to be kept the most appropriate? If not, what times would be the most appropriate?



As previously indicated, for licences within the Sydney CBD Entertainment & Kings Cross Precincts, LSA understands that all required incidents must be entered in the incident register as soon as practicable after the event and within one hour, and a more detailed account must be completed as soon as practicable, and no later than six hours after occurring, for any reportable incident involving violence, anti-social behaviour, when patrons are asked to leave or when an injury occurs that requires medical assistance.

LSA is not aware of any incident recording occurring outside the required timeframes, or that the required timeframes are unreasonable.

Are the types of venue required to maintain an incident register the most appropriate? If not, what types of venue should be required to maintain an incident register?

LSA believes the existing requirements are appropriate, where incident registers are applicable for venues that:

- Are authorised to sell or supply liquor after midnight at least once a week;
- Are listed as a declared premises under Schedule 4 of the Liquor Act 2007;
- Have a limited licence that trades after midnight;
- Are located in the Kings Cross or Sydney CBD Entertainment precincts; or
- Have an incident register requirement imposed as a specific licence condition.

LSA does however question the requirement by regulation for all PLL (64 in total) situated in the Sydney CBD Entertainment and Kings Cross Precincts to maintain an incident register, particularly when considering:

- The propensity for 'incidents' to occur on a PLL premise is relatively low in general;
- 18 (28%) are 'online-only' with a 'no walk-up condition'; and
- There is very little evidence of PLL's incident registers being requested or audited.

LSA believes a targeted, evidence-based approach to policy making, delivered in partnership with all stakeholders, will lead to the implementation of measures that can have a real effect on harm minimisation, without negatively impacting on the vast majority of individuals who enjoy alcohol beverages responsibly.

One-size-fits-all, blanket measures like the State-wide 10pm takeaway liquor sales restriction introduced in February 2014 and subsequently amended in late 2016 have been proven to not be effective regulatory measures.

7. VENUE COMPLIANCE WITH THE REQUIREMENT

What types of venue tend to be less compliant with the requirement, and what are the reasons for this?

What challenges, if any, are venues experiencing in meeting the requirement?

LSA is not aware of any PLL situated in the Sydney CBD Entertainment or Kings Cross Precincts not complying with the requirement to maintain an incident register as per the regulations.

However as indicated above, LSA does question the requirement by regulation for all PLL (64 in total) situated in the Sydney CBD Entertainment and Kings Cross Precincts to maintain an incident register, in particular those 18 'online only' PLL, and would appreciate that these businesses may also be questioning and challenged by this nonsensical requirement.

8. ONLINE INCIDENT REGISTER SYSTEMS

What are the potential advantages of introducing an online incident register system?



What challenges might be faced in introducing an online incident register system?

How might an online incident register system operate, what options are available for implementing such a system, and what costs would be involved?

LSA is aware that in recent years, a small number of companies have come into the market to offer an online solution to compliance management, including the maintenance of an online incident register, via smartphone technology or similar.

These service providers typically charge a monthly or annual subscription fee to use the system and platform. Some members see a benefit and are happy to pay to use these services, whereas other members cannot afford or justify the expense – we support both decisions.

LSA has, and will continue to support these types of services for licensed businesses, where individual business owners see a benefit and are willing to pay for the service, as we see this as complementary to existing compliance activities.

However, it is imperative that these types of services remain 'opt-in', and as such LSA would not support any move towards mandating an online incident register / compliance management system, whereby licensees would be required to pay to use the system.



About the Liquor Stores Association NSW (LSA):

Established in 1961, the Liquor Stores Association NSW is the united voice of the retail liquor industry in NSW and the ACT, representing independent retailers, licensed general stores or supermarkets, corporate chain or online only liquor retailers.

Our charter is 'to create and promote a responsible, sustainable and diverse off-premise liquor sector in NSW, by effective and relevant engagement of all stakeholders'.

LSA's retailer members represent some of the most recognised and trusted companies and brands in the industry. Non-retailer members represent some of the most recognised and respected companies in the industry, including banner groups, wholesalers, beverage manufacturers and suppliers, and other service providers.

Our sector directly employs over 17,000 people in NSW, including many trainees and apprentices who go on to make a career in liquor retailing, and also underpins additional indirect employment by suppliers and service industry activity estimated at in excess of an additional 45,000 people.

The Australian retail liquor sector is a significant contributor to the economy with an annual turnover of nearly \$17 billion, and an estimated \$5.1 billion collected from indirect alcohol taxes and GST revenues.

Our Network:

LSA works closely with all stakeholders involved in the retail liquor industry - retailers, banner groups, wholesalers, beverage manufacturers and suppliers and other associated service providers, as well as all other industry associations.

In addition, the Association is in constant communication with all State & Territory Government departments and relevant agencies concerning the retail liquor sector.

National Affiliations:

LSA is a member of the [Australian Liquor Stores Association](#), representing the national interests of the NSW retail liquor industry. Through ALSA's membership to Alcohol Beverages Australia, LSA has is affiliated with all peak bodies representing the various sectors of Australia's alcohol industry.

LSA is a member of the [National Retail Association](#), Australia's largest and most representative retail industry organisation, providing additional professional services to the LSA and our members.

LSA is a member of the [National Online Retailers Association](#), the voice of new retail and Australia's newest retail industry collective.

LSA is a member of [Associations Forum](#) – Australia and New Zealand's leading organisation, assisting associations and charities in governance, operations, membership and finances.

Member Services & Benefits:

LSA offers members a broad range of [services and benefits](#), to keep them 'in the know', provide access to information, advice and guidance, equip them with the right tools and resources, help their businesses run for effectively and efficiently, to continue to develop professionalism in the industry.

Self-Regulatory Initiatives:

LSA encourages and supports a responsible approach to the service and consumption of alcohol by all stakeholders, including our retailer members and the communities they serve, and have developed a range of [self-regulatory initiatives](#) for the retail liquor industry.

APPENDIX 1: NSW Regulatory Requirements (in no particular order)

<p>Applications</p>	<p>There are a total of 27 separate liquor licence application forms for various approvals and authorisations, applicable for PLL holders. A fee is applicable for 15 of the 27 forms, ranging from \$100 to \$2,000. From September 2014, all fees were increased by an average of 80.4%.</p>
<p>Environment & Venue Assessment Tool</p>	<p>In 2011 the Office of Liquor, Gaming & Racing commissioned research into the cumulative impact of licensed premises in NSW.</p> <p>The research occurred in two phases. Phase 1 looked at the factors that contribute to the cumulative impact of licensed premises and provided the evidence base for Phase 2. Phase 2 involved the development of a tool to guide liquor licensing decisions.</p> <p>The Environment and Venue Assessment Tool (EVAT) helps understand the location and venue risks when liquor licence applications are being considered.</p> <p>Location risk factors considered by EVAT include rates of alcohol-related assaults and offensive behaviour, presence or absence of late night transport, police and council assessments, liquor licence density, and the proportion of high risk, late trading and lower risk venues.</p> <p>Venue risk factors include the type of liquor licence being applied for, the venue's proposed patron capacity, whether the venue will have extended trading, whether it will be a member of its local liquor accord, and whether other harm minimisation measures will be in place.</p> <p>EVAT provides a consistent and robust basis to inform decision making. It also assists potential applicants in understanding the types of matters that are considered in the application process.</p> <p>EVAT reports are considered by regulators alongside other information such as community impact statements, public submissions and reports from relevant authorities. EVAT does not determine applications - it is one source of information amongst many that can inform decision making.</p> <p>The EVAT was trialled for new liquor licence applications in the City of Sydney and City of Newcastle local government areas.</p> <p>In March 2015, EVAT was implemented across NSW for new applications for ongoing liquor retail business and for applications for licence changes which involve alteration to the way a business operates (e.g. applications for ongoing extended trading).</p>
<p>Annual Risk-Based Licence Fee Scheme</p>	<p>2014 saw the introduction of the annual risk-based licence fee scheme, whereby all PL licences now pay an annual fee of \$500, \$1,000 or \$2,000, depending on how many licences they own and operate.</p> <p>\$500: 1 – 4 licences \$1,000: 4 – 9 licences \$2,000: 10+ licences</p>



<p>Liquor Accords</p>	<p>It is a mandatory requirement – a special licence condition under s52(3) that licensees must pay to join and be an active participant in their local liquor accord, which is now applied to any new licence application, or when any changes are made to an existing licence.</p> <p>In May 2015, the Minister announced the launch of a new online registration process, where Accord groups were able to select a number of strategies based on issues relevant to their local communities.</p> <p>Local liquor accords are designed to be a voluntary industry-based initiative, however selected ‘strategies’ must be supported and implemented by all accord members, and if licensees are forced to participate and comply then this presents a number of concerns.</p> <p>There are over 140 local liquor accords across NSW, each run with varying levels of professionalism and governance, and in some cases the accord coordinator or secretary is not a licensee, which is of concern;</p> <p>The vast majority of the ‘strategies’ are tailored for the on premise environment (i.e. not applicable for packaged liquor outlets), some require additional financial commitment from the licensee, and others are ambiguous, and could even be borderline anti-competitive.</p>
<p>RSA Training / RSA Photo Competency Cards</p>	<p>In 2011, the Government made changes to RSA training, introducing the RSA Photo Competency Card, and making it a regulatory requirement that RSA certification must be updated every five (5) years.</p> <p>Overnight the cost to attain an RSA doubled (from \$70 - \$140), and is now an ongoing cost, which the majority of small business owners maintain on behalf of their staff.</p>
<p>Proposed tiered industry training framework</p>	<p>The <i>Review of the Liquor Act 2007</i> and the <i>Gaming and Liquor Administration Act 2007</i> made four recommendations relating to industry training. These recommendations – and the NSW Government’s response – are at Appendix A.</p> <p>The Government’s response notes that it is committed to a framework that best serves the needs of industry and provides appropriate competencies for licensees and staff. The response also notes that the Government will develop options for an appropriate training regime through an industry training working group.</p> <p>Proposed tiers:</p> <ul style="list-style-type: none"> • Responsible Service of Alcohol (RSA) • Responsible Management of Patron Safety (RMPS) • Responsible Management of Licensed Premises (RMLP) • Responsible Management of High Risk Premises (RMHRP)
<p>Liquor Law Signage</p>	<p>The NSW Liquor Act requires licensees to display signs in their premises. All types of licensed premises are required to display mandatory signage, and dependent on licence type and authorisations, this can range from two to five types of signs.</p>

	<ul style="list-style-type: none"> • Signs 7 and 8 are able to be produced by the licensee in accordance with the legislative requirements, however Signs 1 and 4 cannot be reproduced or customised by the licensee, and must be purchased from the Regulator; • Each mandatory sign required to be purchased by the licensee costs \$10, which given the recent introduction of the annual 'risk-based' liquor licence fee scheme, as well as recent increases to the fees for all liquor licence applications and amendments, seems unjustified and unnecessary; • The Department of Trade & Investment will soon be known as the Department of Justice & Police, and as a result, all logos, branding, and associated marketing and promotional materials will change, including the look and feel of the liquor law signage; • OLGR have advised that the new signage will have to be rolled-out to all licenced premises, however unfortunately, licensees are expected to pay for the new signage, which is completely unfair, just to reflect the Department's new branding.
<p>Incident Registers / Electronic Incident Registers</p>	<p>All venues in the Kings Cross or Sydney CBD Entertainment precincts must maintain an incident register at all times (round the clock), and are also required to notify police immediately after becoming aware that a violent incident causing injury has occurred.</p> <p>Venues must ensure that any incident information (includes electronic data) is available for review by OLGR inspectors or NSW Police upon request. Incident information must be retained for at least three years.</p> <p>All licensees must maintain an incident register in which the details of the following incidents and associated responses are recorded:</p> <ol style="list-style-type: none"> 1. Incidents involving violence or anti-social behaviour occurring on the premises 2. Incidents of which the licensee is aware involving violence or anti-social behaviour occurring in the immediate vicinity of the venue and involving a person who has recently left, or been refused admission to, the premises 3. Incidents resulting in a person being asked to leave the venue under section 77 of the <i>Liquor Act 2007</i> - e.g. for being intoxicated, violent, quarrelsome, smoking illegally, or using or possessing illicit drugs 4. Incidents resulting in a patron requiring medical treatment. <p>The incident register must be in an approved form.</p> <p>The use of an electronic form of incident register (EIR) has been approved for Kings Cross and Sydney CBD venues provided it meets approved criteria.</p>
<p>Statutory Liquor Licence Conditions</p>	<p>The liquor laws impose conditions on every licence. Some conditions are imposed directly by the Liquor Act 2007 or the Liquor Regulation 2008. The following statutory licence conditions are applicable for packaged liquor licensees:</p> <ul style="list-style-type: none"> • Six (6) hour closure period • Selling liquor by wholesale or to employees • Tastings



	<ul style="list-style-type: none"> • Separate liquor sales area required if primary purpose not liquor sales • Licensee must notify changes to business ownership • Cessation in persons interested in licensee's business • Licensee must provide biennial return • Licensee must make liquor licence available • Premises ceasing trade – must notify Authority • Licensee must notify when resuming trade • Licensee must maintain RSA register • Free drinking water must be available • Licensee must comply with approved code of practice
<p>Compulsory six (6) hour closure</p>	<p>Liquor must not be sold by retail on the licensed premises for a continuous period of 6 hours during each consecutive period of 24 hours.</p> <p>The 6-hour closure period is 4am to 10am each day, or as determined by the Independent Liquor & Gaming Authority. During the 6-hour closure period:</p> <p>(a) the licensed premises are not authorised to stay open for the retail sale of liquor on the premises, and (b) the licensee is not authorised to sell take away liquor by retail.</p> <p>This condition only applies to:</p> <p>(a) a packaged liquor licence granted on or after 30 October 2008 (b) a packaged liquor licence in force before 30 October 2008, but only where an <i>extended trading authorisation</i> was granted for the licence on or after 30 October 2008 and is in force.</p>
<p>Escalating penalty regime for the offence 'sale of alcohol to a minor on licensed premises'</p>	<p>From December 2014, a new escalating sanctions regime applies significant penalties where alcohol is sold to minors on licensed premises, including licence suspension and cancellation. The regime applies where the offence of selling alcohol to a minor has occurred on licensed premises, resulting in:</p> <ul style="list-style-type: none"> • a court conviction • payment of a penalty notice or • a penalty notice enforcement order issued under the <i>Fines Act 1996</i> by the State Debt Recovery Office. <p>Following a first offence, a licensee must put their case to the Secretary as to why their licence should not be suspended for up to 28 days. In considering whether to suspend a licence, the Secretary may take into compliance history and other factors such as relative culpability in the offence.</p> <p>If a second offence is committed within 12 months of the first offence (and more than 28 days after the first offence), the licence will be automatically suspended for 28 days.</p> <p>A licence is automatically cancelled and the licensee disqualified from holding a liquor licence for 12 months where a third offence occurs more than 28 days after the second offence, but within 12 months of the first offence.</p>



<p>Restricted shop trading</p>	<p>The <i>Retail Trading Act</i> defines restricted trading days as:</p> <ul style="list-style-type: none"> • Good Friday* • Easter Sunday • prior to 1pm on ANZAC Day, 25 April • Christmas Day, 25 December* • Boxing Day, 26 December. <p>Good Friday and Christmas Day are restricted trading days under the Liquor Act. Liquor stores may only trade on a restricted trading day (other than Good Friday and Christmas Day) if: the shop is located in a nominated tourist zone, the shop is operating under a hotel licence, and the shop is a small shop, or an exemption has been granted.</p> <p>Unless exempted, it is an offence under the <i>Shop Trading Act</i> to trade or advertise to trade on a restricted trading day. Packaged liquor store trading on Good Friday and Christmas Day is not permitted in any circumstances because of restrictions under the <i>Liquor Act</i>.</p> <p>All shops, including liquor stores, operating in tourist zones exempted under the former <i>Shops and Industries Act 1962</i> are also exempted from the <i>Shop Trading Act</i>.</p>
<p>Liquor Promotion Guidelines</p>	<p>Liquor licensees and staff must demonstrate responsible attitudes and practices regarding the sale, supply, service and promotion of liquor.</p> <p>The Secretary issues guidelines in accordance with the <i>Liquor Act 2007</i> indicating the kinds of activities or promotions that would be considered undesirable. The Secretary may serve a notice on a licensee to restrict or prohibit promotions that are inconsistent with those <i>Liquor Promotion Guidelines</i>.</p> <p>OLGR has now updated the Liquor Promotion Guidelines, replacing the previous version issued in 2009. These updated guidelines provide information for licensees to assist with identifying types of unacceptable liquor promotions.</p> <p>The new Guidelines are consistent with the previous version but are in a new format, clearly focusing on the categories of undesirable liquor promotion listed in the Act.</p> <p>These Guidelines encourage licensees to assess risk and apply appropriate controls in their own business environment, give examples of unacceptable liquor promotions and provide information on harm minimisation measures.</p>
<p>Three Strikes Disciplinary Scheme</p>	<p>A key principle of the three strikes scheme is that strikes can be imposed when a licensee or approved manager is convicted (including via payment of a penalty notice, or alternatively, where an enforcement order is made by the State Debt Recovery Office when a penalty notice is not paid) of one of a range of the most serious offences under the Liquor Act.</p> <p>These offences are prescribed in the Act and include:</p> <ul style="list-style-type: none"> a) permitting intoxication on licensed premises b) permitting indecent, violent or quarrelsome conduct on licensed premises

	<ul style="list-style-type: none"> c) selling or supplying alcohol to an intoxicated person or a minor d) allowing alcohol to be sold or supplied to a minor on licensed premises e) permitting the use or sale of substances which a licensee or manager suspects are illicit drugs f) not complying with a direction issued by the Director General to a licensee or staff g) selling or supplying alcohol outside of authorised trading hours h) non-compliance with a closure order issued under the Liquor Act to prevent or reduce a significant risk to the public interest where there are serious breaches of the Act, and i) breach of key liquor licence conditions applying to violent venues listed in schedule 4 of the Liquor Act, or conditions imposed on a venue that has incurred strikes.
<p>Intoxication Guidelines</p>	<p>Intoxication Guidelines were issued in July 2008 to align with the introduction of new liquor laws in NSW. The guidelines aim to assist licensees and their staff determine whether a person is intoxicated. The guidelines have been developed to support the following objectives of the <i>Liquor Act 2007</i>:</p> <ul style="list-style-type: none"> • The need to minimise harm associated with misuse and abuse of liquor. • Encourage responsible attitudes and practices towards promotion, sale, supply, service and consumption of alcohol. • Ensure that the sale, supply and consumption of liquor contributes to and does not detract from, the amenity of community life. <p>Preventing intoxication on licensed premises – new guidelines detailing steps for licensees and staff to help prevent intoxication on licensed premises have been issued by the Secretary.</p> <p>These guidelines provide advice on the minimum steps that a licensee may need to demonstrate when defending a prosecution for permitting intoxication on licensed premises (under section 73(1)(a) of the Liquor Act 2007).</p>
<p>Smoking bans in licensed venues</p>	<p>From 2 July 2007, the <i>Smoke-free Environment Act 2000</i> bans smoking in enclosed public areas of licensed venues. The legislation is administered by NSW Health.</p> <p>The <i>Smoke-free Environment Regulation 2000</i> provides guidelines on how to determine what is an enclosed public place, and when a covered outside area is considered to be substantially enclosed for the purposes of the <i>Smoke-free Environment Act 2000</i>.</p>
<p>Alcohol Management Operations Register (AMOR)</p>	<p>The AMOR provides an overview of the venue and identifies areas where minors are allowed, etc. and lists the mandatory and voluntary RSA practices:</p> <ul style="list-style-type: none"> • It is elective - AMOR is not an enforcement tool. There is no legal requirement to have one. • A good training tool - provides an overview of the venue and mandatory and venue requirements. • Identifies mandatory and voluntary RSA procedures - helps to ensure compliance. • Helps identify gaps in operations



<p>Packaged Liquor Licence Self-Audit Checklist</p>	<p>OLGR has developed checklists for each licence type to help venues become and remain compliant with liquor and gaming laws.</p> <p>Compliance officers use these checklists when they audit licensed premises. They cover important legislative requirements such as signage, advertising, responsible service of alcohol (RSA) and the responsible conduct of gambling (RCG).</p> <ul style="list-style-type: none"> • The checklists have been written for the venue operator as opposed to the industry regulator; • All correct answers means that the venue operator has met that particular guideline or requirement; and • Licensees can test against their own licence conditions as stipulated on the vendor operators displayed licence.
<p>Alcohol Beverages Advertising Code</p>	<p>In April 2004, the Australian Associated Brewers Inc, Distilled Spirits Industry Council of Australia Inc, Liquor Merchants Association of Australia Ltd and Winemakers Federation of Australia Inc agreed to abide by a new Alcohol Beverages Advertising Code (ABAC).</p> <p>The code was first introduced in 1998 and then updated in 2004, to adapt to the changes in the industry and the continuous growth of internet advertising and promotional events for alcohol beverages.</p> <p>All advertising for alcohol beverages is required to comply with both the Australian Association of National Advertisers (AANA) Advertiser Code of Ethics, which applies to all forms of advertising, and the Alcohol Beverages Advertising Code.</p>
<p>Undesirable liquor products</p>	<p>Under the NSW liquor laws, undesirable liquor products can be banned where, in the Minister's opinion:</p> <ul style="list-style-type: none"> • The name of the product, or its design or packaging, is offensive or indecent, • The name of the product, or its design or packaging, encourages irresponsible, rapid or excessive consumption, • The designs, motifs or characters on the packaging of the liquor products concerned are, or are likely to be, attractive to minors, or • The products are likely, for whatever reason, to be confused with soft drinks or confectionery, or, • The products, for any reason, have, or are likely to have, a special appeal to minors, • It is otherwise in the public interest to declare the liquor product to be an undesirable liquor product. <p>Penalties of up to \$5,500 apply where an undesirable liquor product is sold in a NSW licensed venue.</p>
<p>Venue Compliance Program</p>	<p>To ensure a licensee's on-going commitment to compliance, OLGR encourage premises to create a compliance folder containing a written compliance program.</p> <p>The compliance folder should serve as a tool for staff, providing them with a ready</p>

	<p>reference to all aspects of your operations and how to comply with legal requirements and licence conditions.</p> <p>The essential documents to be included in the folder are:</p> <ol style="list-style-type: none"> 1. a copy of your liquor licence clearly articulating your venue's licence conditions 2. an Alcohol Management Operations Register (AMOR). The register should be updated quarterly to reflect the current status of the liquor licence and changes to the venue's operation. A copy of the register can be downloaded from the Office of Liquor, Gaming and Racing website (OLGR) at http://www.olgr.nsw.gov.au/liquor_amor.asp 3. a copy of your venue policy 4. a copy of your venue's procedures of recording crimes 5. a copy of your venue's procedures of recording alcohol related incidents 6. a copy of your venue's procedures of dealing with minors 7. a copy of your current floor plan outlining your venue's restricted and authorised areas 8. a copy of the most recently completed OLGR self audit checklist, signed by the licensee stating that all issues in the checklist have been attended to and breaches have rectified. 9. a copy of minutes of staff meetings and memos 10. the latest OLGR quarterly <i>Liquor and Gaming bulletin</i> and monthly <i>ENews</i>. 11. a list of staff training activities and subjects covered. Include attendance sheets for any internally conducted training 12. a copy of staff induction handbook, if applicable. Also include a document signed by staff indicating they have read the handbook contents 13. a copy of memos issued by peak industry bodies informing of legislative change. Also include a document signed by staff indicating they have read and understood the articles in the memos 14. a list of barred patrons from your venue ie: names, date of barring and self-exclusion agreement 15. a list of your affiliated gambling service provider and their approved self exclusion scheme 16. a list of key contacts for your liquor accord 17. a signed document stating that staff have read and understand the contents of the folder
<p>Disturbance Complaint Guidelines</p>	<p>The NSW liquor laws allow local communities to take action against licensed premises that have an adverse impact on local neighbourhoods. Local resolution of neighbourhood disturbance issues involving licensed premises is encouraged as a first step in dealing with problems.</p>
<p>Safer Nights Out – safer practices and strategies to reduce alcohol-related violence</p>	<p>'<i>Safer Nights Out – Safety practices and strategies to reduce alcohol related violence</i>' provides licensees, community and regulatory authorities with many strategies to achieve better safety outcomes in licensed premises and surrounding precincts.</p> <p>Under the <i>Liquor Act 2007</i>, police, local councils and residents can make a disturbance complaint to the Director General, NSW Trade & Investment. The Director General has a range of statutory powers and enforcement functions under the liquor laws, including the power to deal with disturbance complaints against licensed premises.</p>



	<p>Licensees need to understand how a disturbance complaint can be made against a licensed premises, and the potential outcomes.</p>
<p>RISQ Rating – risk indicators for safety & quality</p>	<p>As part of an OLGR venue audit, compliance officers test legal compliance and then assess the venue’s capacity to reduce risk and comply with the law through systems and policies.</p> <p>A RISQ rating is an OLGR venue specific evaluation expressed as a risk category (low risk, moderate risk, high risk, extreme risk). The rating is calculated using a formula from information gained from an audit and environment factors.</p> <p>During an audit, the inspector reviews and tests the venue and rates the risk as a score in seven categories. Subsequent to the audit, the scores listed above are applied to the following environment factors: Location of venue, ELORM rating by NSW Police, Latest hour of actual trade, OLGR compliance history and average age of patrons</p> <p>OLGR applies weighting to both the Operation Category and the Environmental Factors to derive an overall RISQ Rating.</p>
<p>Selling alcohol online, by phone, fax or mail order</p>	<p>Licensed businesses selling alcohol online must comply with a number of specific, additional rules, including:</p> <ul style="list-style-type: none"> • Putting a compulsory notice on the website • Displaying the licence details • Confirming people are over the age of 18 • Give written instructions to the deliverer <p>There is also a checklist for the licensee, and for couriers and delivery people.</p>
<p>Sydney Licence Freeze</p>	<p>A liquor licence freeze has applied to parts of the City of Sydney local government area since June 2009. The affected area was significantly expanded in February 2014</p> <p>The freeze prohibits the grant of certain new liquor licence types, as well as certain approvals and authorisations for existing licences.</p> <p>The freeze applies to the Sydney CBD Entertainment precinct, the Kings Cross precinct, and the Oxford St Darlinghurst precinct. These precincts have significant numbers of licensed premises, particularly venues with late night trading, and can be identified trouble spots for alcohol-related violence and anti-social behaviour.</p> <p>The freeze in these precincts is in force until 5 February 2016, and applies to applications for the grant or removal of hotel, general bar, club, producer/wholesaler, packaged liquor and on-premises licences for public entertainment venues (e.g. nightclubs) that are or would be situated in either precinct.</p>
<p>Sydney CBD Plan of Management</p>	<p>On 28 May 2014, the Government released its Plan of Management for the Sydney CBD Entertainment Precinct. The Plan is a comprehensive set of measures designed to reduce alcohol-related violence and anti-social behaviour in the precinct.</p>



	<p>The Plan of Management complements the initiatives the Government has already implemented to reduce alcohol-related violence (see new alcohol initiatives). The Plan of Management measures are tailored to the CBD night-time entertainment precinct. They focus on three key areas: safer venues; safer environments; and safer transport.</p> <p>The Plan of Management includes liquor licence conditions. Some conditions apply to all licensed premises within the precinct. Others only apply to certain licence categories, or specific licences which are declared by the Secretary.</p> <p>Licence conditions that apply to all licensed premises in the Sydney CBD Entertainment Precinct are:</p> <ul style="list-style-type: none">• 'Round the clock' incident registers• Notification of violent incidents to police• Exclusion of persons seen drinking, or with open alcohol, on approach to the venue if the venue is located in or near an alcohol-free zone or an alcohol-prohibited area• Exclusion of outlaw motorcycle-related gangs from licensed premises• Certain drinks and other types of liquor sales prohibited during the late trading period• Certain promotional activity prohibited• Updated RSA training requirements
Kings Cross Plan of Management	<p>In September 2012 the Government released its Plan of Management for Kings Cross, which provided a comprehensive set of measures to reduce alcohol-related violence and improve the safety and amenity of Kings Cross.</p> <p>The measures have been introduced gradually over several stages. Amendments have also been made to align some of the measures with new laws introduced in February 2014 for the Sydney CBD Entertainment precinct, and (from 18 July 2014) with the Sydney CBD Entertainment precinct Plan of Management.</p> <p>Depending on the licence type, trading conditions, and the history or risk of violence on or around the premises, licensed premises in the designated Kings Cross precinct are subject to a number of special licence conditions.</p>