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OFFICIAL

Dear Committee,

Please find attached a letter from our Director General, Ms Lanie Chopping, with the requested updates on information that was provided as part of the Perth Public Hearing on 8 August.

Thank you kindly and best wishes,

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[REDACTED]



Department of
**Local Government, Sport
and Cultural Industries**



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www.dlgsc.wa.gov.au

The Department of Local Government, Sport and Cultural Industries acknowledges Aboriginal people throughout Western Australia as the Traditional Owners and Custodians of the lands, waters, and communities in which we operate.

We pay our respects to all Aboriginal people and their cultures, and to Elders past and present.

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Department of
**Local Government, Sport
and Cultural Industries**



Mr Brian Mitchell MP
The Chair
Standing Committee on Communication and the Arts
PO Box 6021
Parliament House
CANBERRA ACT 2600

Dear Mr Mitchell

LIVE MUSIC VENUES FOLLOW UP

Thank you for the opportunity to provide additional information following the Standing Committee meeting in Western Australia. As discussed, we have made significant changes particularly through our Liquor Reform program, however it is still too early to fully assess the impact and efficacy of these changes.

The Department of Local Government, Sport and Cultural Industries (DLGSC) have made the following changes:

1. Profit-share condition:

- Under section 104 of the *Liquor Control Act 1988* (the Act), a person entering into a profit-sharing arrangement with a licensee, in this case the artists taking the door charge, must seek approval.
- On 10 January 2024, DLGSC contacted WA live music venues to invite them to apply for ongoing approval for profit sharing, with the application fee waived.
- To make it easier for licensees to engage artists, the Director of Liquor Licensing (DLL) can approve an ongoing condition on the liquor licence.
- Licensees lodged the application form with an explanation of the ongoing agreement/arrangement with bands, entertainers and promoters.
- DLGSC is expecting this to have a positive impact on the sector going forward by allowing more frequent engagement of artists by streamlining the regulatory requirements.

2. Security at licensed venues:

- DLGSC investigated the issue of rising costs for crowd controllers and found that 22 out of 38 identified live music venues had no security conditions imposed on the liquor licence. 9 had modified requirements, with only 7 (which were deemed high risk) having the standard conditions requiring crowd controllers imposed.
- In 2013, the DLL changed the 'Security at Licensed Venues' policy, which was reinforced at the Live Music Roundtable in November 2023.

- The change in policy removed the reliance on only engaging licensed crowd controllers by allowing the use of 'Responsible Service Marshals' for low-risk venues. This change lowers overheads for venue operators.
3. Juvenile employment on licensed premises:
- Previous DLLs have taken the view that juveniles cannot be employed to collect, clear, wash glasses on a licensed premises.
 - The legislation prescribes that juveniles are only allowed to be on licensed premises for a limited number of reasons, such as, they are there for a meal, or are being supervised by a responsible adult.
 - Juveniles can be employed at a licensed premises, but the law sets out that they must not sell or supply alcohol, or the employer commits an offence subject to a \$10,000 penalty.
 - The DLL has reviewed and considered the interpretation of the provisions within the Act relating to the employment of juveniles and found that the legislation does not prevent juveniles collecting glasses as it does not constitute 'sale or supply'.
 - The revised DLL policy (proposed to be implemented on 29 August 2024) now clarifies that this practice is permissible.
4. Venue operating hours:
- In addition to the policy changes mentioned above, the DLL has also amended the 'Extended Trading Permit' policy that previously only permitted extended trading hours for liquor premises if the artist was from interstate and/or overseas.
 - The revised policy will broaden the requirement so that venues can apply for extended trading hours to promote and engage live music from Western Australian artists.

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Yours sincerely

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Lanie Chopping
DIRECTOR GENERAL

22 August 2024