

Coca-Cola Amatil Submission - The Senate Red Tape Committee Inquiry

Comparison of State Liquor Licensing arrangements across states and territories

Licensing Issue		Australian Capital Territory	New South Wales	Northern Territory	Queensland	South Australia	Tasmania	Victoria	Western Australia
RSA & Accreditation	<i>Is RSA mandatory?</i>	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
	<i>Are interstate RSA certificates recognised?</i>	Yes, a refresher course with an approved trainer required.	The state does not recognise any other jurisdiction's RSA certificate, and its RSA certificate is not valid in other jurisdictions.	Yes	Yes, if issued within the last 3 years.	Yes	Yes, a refresher course with an approved trainer required.	Other jurisdiction's RSA certificate is only recognised if it was issued within the last 3 years, obtained in face-to-face training but then also requires a bridging course taught face-to-face.	Yes
	<i>Online RSA accreditation</i>	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
Local Authority Planning	<i>Department (Dept)</i>	Dept of Justice and Community Safety	Dept Liquor & Gaming NSW	Dept of the Attorney-General and Justice Licensing NT	Dept of Business and Industry	Attorney-General's Department, Consumer and Business Services Division	Dept of Treasury and Finance	Dept of Justice	Dept of Racing, Gaming and Liquor (RGL)
	<i>Administrative Authority</i>	Office of Regulatory Services	Office of Liquor, Gaming and Racing	NT Licensing Commission	Office of Liquor and Gaming Regulation	Office of the Liquor and Gambling Commissioner (OLGC)	Liquor and Gaming Branch, Revenue, Gaming and Licensing Division	Victorian Commission for Gambling and Liquor Regulation (VCGLR)	Director-General, Department of Racing, Gaming and Liquor (RGL)
	<i>Decision-making Authority</i>	Commissioner for Fair Trading, Office of Regulatory Services	Casino Liquor and Gaming Control Authority (CLGCA)	NT Licensing Commission	Chief Executive, Office of Liquor, Gaming and Racing (OLGR)	Liquor Licensing Commissioner/ Licensing Court	Commissioner for Licensing/ Tasmanian Liquor and Gaming Commission	Director of Liquor Licensing/ Liquor Licensing Panel	Director of Liquor Licensing/ The Liquor Commission
	<i>Review decisions /appeals</i>	ACT Civil and Administration Tribunal (ACAT)	Communities NSW; Casino Liquor and Gaming Control Authority (CLGCA)	NT Licensing Commission	Queensland Civil and Administrative Tribunal (QCAT)	Licensing Court	Licensing Board/ Supreme Court of Tasmania	Victorian Civil and Administrative Tribunal (VCAT)	The Liquor Commission

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Number of licences/ permits	5 licences + 2 permits	7 licences	3 licences + 1 permit	7 licences + 7 permits	11 licences	5 licences + 4 permits	14 licences + 2 permits	11 licences + 8 permits
Types of licence	-General -On licence (in open containers for on-site consumption) -Club -Off (in sealed containers for off-site consumption) -Special	-Club -Hotel -Limited (a) non-profit organisations (b) for-profit organisations -On-premises -Packaged liquor (takeaway/home delivery/mail order) -Producer /wholesaler -Small bar	-For consumption on premises -For consumption away from premises -For consumption on and away from premises	- Commercial hotel -Commercial other (a) subsidiary on-premises (b) subsidiary off-premises (c) bar (d) industrial canteen (e) producer/ wholesaler -Commercial special facility -Community club -Community other -Nightclub -Wine (a) wine producer (b) wine merchant <i>Note:</i> Commercial hotel licensees, commercial special facility licensees, wine licensees are permitted to conduct online sale of alcohol. Interstate suppliers can sell liquor online provided the storage and payment for the sale happens outside of Queensland.	-Club -Direct sales -Entertainment venue -Hotel -Limited club -Producer -Residential -Restaurant -Retail liquor merchant -Special circumstances -Wholesale liquor merchant	-General -Club -On -Off -Special	-Renewable limited -Temporary limited -General -Late Night General -On-premises -Late Night On-premises -Restaurant and Café -Restricted Club -Renewable Limited Club -Full Club -Packaged Liquor -Late Night Packaged Liquor -Pre-retail -Wine and Beer Producer	-Hotel, Hotel (restricted) -Tavern, Tavern (restricted) -Small bar -Liquor store -Wholesaler -Restaurant -Producer -Nightclub -Club, Club (restricted) -Special Facility -Occasional -Casino Liquor <i>Note:</i> 1) 'Restricted' licenses are not allowed to sell packaged liquor on the premises. 2) Holders of liquor store, wholesale, and producer's licenses require additional authorisation in order to provide tastings to customers. Free samples to come from licensee's own stock.

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Types of permit	-Non-commercial liquor permit -Commercial liquor permit	none	-Individual liquor permit (to buy and drink takeaway alcohol in any general restricted area)	-Adult entertainment permit -Extended trading hours permit -Commercial public event permit -Wine permit -Community liquor permit -Restricted liquor permit -Craft beer producer permit	none	-Special Permit -Special Permit (Club Permit) -Small Producer’s Permit - Out-of-Hours Permit	-BYO Permit -Party Bus BYO Permit	-Alfresco Dining permit -Associations permit -Dining Area permit -Lodgers/ Residential accommodation permit -Ongoing Hours permit -Sell Liquor without a Meal (Unrestricted) permit -Sell Liquor without a Meal (Restricted) permit -Cellar Door Premises permit

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Licence criteria	<i>Before application</i>	<p>-risk assessment management plan (RAMP) assessing premises information, premises safety, responsible service of liquor, security, and community impact. High-risk premises to provide more detail than low-risk premises.</p> <p>-police certificates to be provided for the licensee, close associates, and a person with day-to-day control of the business</p>	<p>-community impact statement (CIS)</p> <p>-National Police Certificate</p> <p>-ASIC extract (corporation only)</p> <p>-a plan of the premises with an outline showing the licensed area</p> <p>- completion of RSA training</p> <p><i>Note:</i> ‘Three Strikes’ disciplinary scheme – strikes can be incurred where a licensee is convicted of one of a range of the most serious offences under the Liquor Act. Each strike remains in force for 3 years from the date the offence is convicted.</p>	<p>-nominee identification (for day-to-day management of premises) to complete RSA course</p> <p>-directors, shareholders, nominee, partners to get a police history check</p> <p><i>Note:</i> Communities where alcohol consumption is prohibited or have restrictions around alcohol consumption will have signage at their entry points informing of their alcohol protected area/general restricted area status.</p>	<p>-community impact statement (CIS), assessing type of provided services, positive and negative impact on the locality, presence of sensitive facilities nearby, noise impact, benefits to community, traffic impact, safety issues</p>	<p>Each type of liquor licence has a different application form and follows a different procedure. All links to relevant webpages currently not working.</p>	<p>-applicant must be ‘fit and proper’ to be qualified, requiring a national police check and credit report</p> <p>-completion of RSA training</p> <p>-provide a submission addressing how the applicant is able to exercise effective control over the service and liquor consumption on premises AND how the application is in the best interests of the community</p>	<p>-planning permit OR written notification that a permit is not required</p> <p>-completion of RSA training</p> <p>-new entrant training</p> <p>-business name certificate from ASIC</p> <p>-National Police Certificate</p> <p>-credit report</p>	<p>-public interest assessment (PIA), assessing type of provided services, manner of trade, target client base, benefits to community, at-risk groups in the locality, harm minimisation strategies, noise impact, safety issues, presence of sensitive facilities nearby.</p> <p>-plans and specifications of the proposed premises</p> <p>-evidence of exclusive right to occupy premises</p>
	<i>After application</i>	-	<p>-community must be notified within 2 days (inc. local police, council, neighbouring council if premises are <500m of boundary), all neighbours within 50 or 100m radius</p> <p>-A site notice to be attached to premises until application is determined. The public has 30 days to make any comments about proposal.</p>	-	-display signage outside premises for 28 days	-	-	-	<p>-a departmental assessment of statutory compliance will be carried out, including:</p> <p>(a) premises inspection,</p> <p>(b) probity checks</p> <p>-advertising period</p> <p>(a) applicants to undertake a letter drop to residents and businesses <200m radius of the premises</p> <p>(b) applicants to serve notice of the application and intended manner of trade on all schools and educational institutions; hospitals; hospices; aged care facilities;</p>

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									<p>any drug and alcohol treatment centres; any short term accommodation or refuges for young people; child care centres; churches; any local government authority and any local police stations, which may be situated in the specified locality of the proposed premises. All notices must be delivered on the first day of the advertising period.</p> <p>(c) Applications in respect of hotels, taverns, small bars, nightclubs, liquor stores and some special facility licences are to be advertised in The West Australian newspaper and on the site of the premises for a 28 day period (d) Applications in respect of restaurants, clubs, producers, wholesalers and some special facility licences are to be advertised on the site of the premises for a 14 day period</p>
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Fee Structure		Risk-based	Risk-based	Set fees	Risk-based	Risk-based	Set fees	Risk-based	Set fees
Fees	New licence	New licence fee ranges from \$2,262 to \$3,399 depending on licence type.	New licence fee ranges from \$102 to \$2,040 depending on licence type.	New licence application is \$200.	New licence fee ranges from \$648 to \$6,490 depending on licence type.	New licence fee is \$539.	New licence fee ranges from \$153 to \$1,224 depending on licence type.	New licence fee ranges from \$58 to \$928 depending on licence type.	New licence fee ranges from \$43 to \$4,511 depending on licence type.
	Licence renewal	No information available on renewal. There is a payment link for renewal however.	Annual licence fee = Base Fee (varies by licence type) + Trading hours risk loading (Between 12am and 1.30am on any day [\$2,500] + After 1.30am on any day [\$5,000])	No information available on renewal.	Annual licence fee= Base Fee (varies by licence type) + Extended trading hours (varies by weekend or otherwise) + Compliance history	Annual licence fee = Base Fee (varies by licence type) + After 2am but close by 4am + After 4am depending on licence type and venue capacity.	Annual licence fee ranges from \$397 to \$847 depending on licence type.	Annual licence fee = [Base fee (varies by licence type) + Operating hours risk fee + Compliance history risk fee] x Venue capacity multiplier	Annual licence fee ranges from \$285 to \$578 depending on licence type.
Licence duration		Continuing with annual licence fee	Continuing with annual licence fee	Continuing	Continuing with annual licence fee	Continuing with annual licence fee	Continuing with annual licence fee	Renewed annually	Continuing with annual licence fee

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Average processing times	No information stated.	4 months	No information stated.	4-6 months	6 weeks	No information stated.	2-3 weeks	No information stated.
Licence exemption	No information stated.	<div>-Bed and breakfast (B&B) establishments</div> <div>-Hospitals, retirement villages and nursing homes</div> <div>-Gift baskets and flowers</div> <div>-Auctions</div> <div>-Aircraft</div> <div>-Cruise vessels</div> <div>-Non-profit organisations (up to six fundraising functions per annum)</div>	No information stated.	<div>-Bed and breakfast (B&B) establishments</div> <div>-Hairdressing salons</div> <div>-Hospitals</div> <div>-Nursing homes and retirement villages</div> <div>-Limousines</div> <div>-Tour operators</div> <div>-Gift basket providers</div> <div>-Host farm accommodation</div> <div>-Florists</div>	<div>-Bed and breakfast (B&B) establishments</div> <div>-Gift baskets</div> <div>-Food essence</div> <div>-Hospital, nursing homes, and other healthcare institutions</div> <div>-Cruise vessels</div> <div>-Aircraft</div> <div>-Duty free shop</div> <div>-The sale of liquor comprised of goods registered in the Australian Register of Therapeutic Goods</div> <div>-Catering courses as part of school syllabus of a registered list of educational institutions</div>	<div>-Bed and breakfast (B&B) establishments</div> <div>-Gift baskets</div> <div>-Hospitals, nursing homes, retirement villages or hostel facilities for aged care</div> <div>-Florists</div> <div>-Cruise vessels</div> <div>-Tea with liquor and mulled wines</div> <div>-Catering courses as part of school syllabus</div> <div>-Coffee liqueurs etc</div> <div>-Caterer’s exemption</div> <div>-Court direction</div> <div>-Parliament house</div> <div>-Under Bankruptcy Act</div> <div>-Deceased persons estate</div>	<div>-Bed and breakfast (B&B) establishments</div> <div>-Florists</div> <div>-gift services</div> <div>-Hairdressers</div> <div>-Butchers</div> <div>-Cruise ships</div> <div>-Hospital, residential care services and retirement villages</div>	<div>-Bed and breakfast (B&B) establishments</div> <div>-Live entertainment venues (only when BYO liquor is consumed at the venue)</div> <div>-Small functions</div> <div>-Complimentary supply of liquor by business</div> <div>-Complimentary supply of liquor by tourism operators</div> <div>-Farmers’ markets</div> <div>-Organisers of functions on licensed premises</div> <div>-Charter vehicles</div> <div>-Warehouse</div> <div>-Transport services (interstate rail passenger service, aircraft, commercial vessel)</div> <div>-Gift hampers</div> <div>-Lottery prize</div> <div>-Food essence</div> <div>-Health care services</div>