



Restaurant
& Catering

SAVOUR
AUSTRALIA



16 September 2019

Mr Brian Bauer

Acting Deputy Director-General

Acting Commissioner for Liquor and Gaming

Department of Justice and Attorney General

By Email: ORP.Office@justice.qld.gov.au

Dear Sir, Madam

Restaurant & Catering Australia (R&CA) appreciates the opportunity to provide a submission regarding the Queensland Government's interim response to the independent evaluation of the Tackling Alcohol-Fuelled Violence Policy (TAVF Policy).

R&CA notes that the Queensland Government has now publicly released the evaluation report and its interim response on 26 July, with the Government supporting 7 recommendations in-principle, accepting 21 recommendations for further consideration and 10 recommendations not supported due to potential adverse impact, inconsistency with government policy of duplication of existing policies.

R&CA would like to state from the outset that we believe the government's response strikes an appropriate balance between responsible service of alcohol and community safety and ensuring Queensland's night time economy remains a vibrant and active.

Background

Restaurant & Catering Australia is the national industry association representing the interests of more than 45,000 restaurants, cafés and catering businesses across Australia. R&CA delivers tangible outcomes to small businesses within the hospitality industry by influencing the policy decisions and regulations that impact the sector's operating environment.

R&CA is committed to ensuring the industry is recognised as one of excellence, professionalism,



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profitability and sustainability. This includes advocating the broader social and economic contribution of the sector to industry and government stakeholders, as well as highlighting the value of the restaurant experience to the public.

Queensland's Hospitality Industry

Australian Bureau of Statistics Data shows that as at June 2018, the most recent Count of Australian Businesses showed 6,173 Cafes and Restaurants operating across Queensland. The most recent Census data shows that 49,488 workers derive their primary source of income from Cafés and Restaurants, making up 2.3% of the total workforce for the state of Queensland. This sector represents the fourth largest employment sector by employed people in the state of Queensland.

NSW Lockout Laws: In Context

R&CA notes that the recent change in community sentiment relating to the NSW lockout laws provide an illuminating backdrop to the TAVF policing QLD. Although the NSW Committee report is due for release on 30 September, NSW Premier Gladys Berejiklian said publicly that "While we will await the committee's report, I agree it's time to enhance Sydney's nightlife", commenting publicly that the Government would seek to remove lockout laws across the Sydney CBD.

R&CA publicly supported the Premier's position, stating in a media release "The lockout laws turned Sydney's night life into a laughing stock with businesses closing across the CBD – the lockout laws were a one-size fits all solution that ended acting as a sledgehammer to Sydney's once famous nightlife".

R&CA believes the approach taken by the Queensland Government on the TVAF Policy has successfully avoided this sledgehammer approach that saw Sydney's nightlife practically vanish.

The Queensland Government's response to the TVAF Policy gets the balance right

R&CA strongly supports the QLD Government's position in opposing key recommendations put

forward by the TVAF Policy Evaluation, with emphasis on the following recommendations:

- Rec 1: Close all venues in SNPs at 3.30am
- Rec 2: Stop the Extended Trading Permits Scheme
- Rec 3: Introduce a two-year moratorium on liquor licenses for on-licensed premises except for restaurants and licensed cafes where people can only purchase alcohol if they are having a meal.
- Rec 7: Introduce a targeted, evidence-based High-Risk Venues scheme.
- Rec 8: Add a section to the Liquor Act to include a statement that: 'the licensee/their employee must satisfy themselves that a person is not unduly intoxicated before serving them alcohol or allowing consumption'.
- Rec 9: The Liquor Act should be amended to ensure 'Mistake of fact' (Section 24 of the Criminal Code) cannot be exploited to avoid responsibility for serving an unduly intoxicated person.
- Rec 18: Introduce a Minimum Unit Price on alcohol across Queensland.
- Rec 31: Consider funding for Support Services via a levy on venues.

Combined, the implementation of these recommendations would have significantly damaged Queensland's night time economy and disproportionately impacted Restaurant, Cafes and Caterers who represent some of the lowest risk venues operating across QLD.

By opposing the above recommendations, the QLD Government has put a thriving night-life and tourism sector, ahead of nanny-state policy responses that would seek to stop QLD operating as an international tourism destination.

However, R&CA does have concerns relating to certain recommendations supported in-principle by the QLD Government, specifically:

- Rec10: Amend the Liquor Act to include an offence of not complying with Risk Assessed Management plan
- Rec 13: Amend the Liquor Act to make CCTV mandatory for all venues that trade after midnight.

While R&CA notes that these recommendations are only supported in-principle and subject to further consultation, we do have concerns relating to these two recommendations. R&CA believes that these recommendations, if implemented without proper consideration of smaller licenced venues such as Restaurants, will lead to adverse impacts on these small businesses

who struggle to understand or properly comply with risk management processes and will act as a clear disincentive for restaurants to open past midnight.

R&CA also notes that other recommendations are for further consideration and we look forward to working with the QLD Government to further investigate those recommendations.

Conclusion:

If you wish to discuss R&CA's submission further, do not hesitate to contact Tom Green, Manager – Policy and Government at R&CA by email at tom@R&CA.asn.au.

R&CA again thanks you for the opportunity to make this submission.

Regards

A handwritten signature in black ink, appearing to be 'Wes Lambert', written in a cursive style.

Wes Lambert CPA FGIA MAICD
Chief Executive Officer
Restaurant and Catering Australia