

17 February 2017

Mr Duncan Pegg MP
Chair
Legal Affairs and Community Safety Committee
Queensland Parliament
Parliament House
George Street
Brisbane QLD 4000

lacsc@parliament.qld.gov.au

Dear Mr Pegg,

Submission to the Inquiry into the *Liquor and other Legislation Amendment Bill (2017)*

Firstly, the Queensland Hotels Association (QHA) would like to thank the Committee for allowing comment on the Bill before the Queensland Parliament. However, it must be noted that two days is insufficient time to canvass our membership and respond to the Committee.

The QHA is the peak body representing the hotel and tourism accommodation industry in Queensland. We currently comprise over 800 members, covering the state from beyond the tip of Cape York, to country pubs and throughout the coastal strip down to Coolangatta. These are the employers of over 80,000 Queenslanders, which provide entertainment every week to thousands of patrons, give musicians a break and entice our tourists to stay a little longer.

Our goal is to promote a business environment that encourages these companies to invest, or re-invest, in Queensland and that members of the hotel and hospitality industry can operate within regulations that allow them a prosperous future.

The QHA has the following recommendations based on the real experiences of licensed venues regarding the Bill:

Repeal of lock out and retention of 3am SNP model

I would like to congratulate the Government on the recent decision to listen to the advice of the hospitality and tourism industry, and amend these measures introduced by the *Tackling Alcohol Fuelled Violence* Legislation.

The QHA supports the repeal of the 1am lock out and retention of 3am SNP model.

Extended trading hours permits

No evidence base – The Interim Report

Quoting the Attorney-General's introductory speech, and the Explanatory Notes for the Bill, there has been "positive trends" with regards to the number of assaults and violence over the preceding months. Further, the Interim Report focussed on the Fortitude Valley SNP regarding the use of the extended trading hours permits. The report actually acknowledged there was limited data, that it was too early to make any conclusions and subsequently made no formal recommendations. Yet this insufficient data is being relied upon to reduce the number of available extended trading hours permits not only in SNPs, but across the entire state.

The QHA recommends that there should be no changes to the availability of 12 extended trading hours permits across the state.

Special occasions

Reduction of the 12 extended trading hours permits for use by licensed premises on 'special occasions'. **QHA does not support this further restriction of trade.** The criteria for 'special' occasions has not been discussed with the industry and at present would essentially remove the profitability of venues that rely upon music acts as part of their entertainment. Halving this revenue stream will reduce jobs, and potentially remove Queensland from music promoters' itineraries.

The QHA recommends that meaningful consultation is required to determine what reasonably constitutes a 'special occasion'.

Retrospective removal of granted extended trading hours permits

The legislation should not retrospectively revoke any previously granted extended trading hour permits (which were approved by both Queensland Police and OLGR), as many venues will have expended significant amounts to secure acts, promote or market events that would now be ruined.

The QHA recommends that those lawfully approved granted extended trading applications remain.

ID Scanners

With regards to ID Scanning, the hotel industry supports, on the basis of empirical evidence and relevant industry experience, the in-principle requirement for major venues trading after **midnight** within major SNPs to be required to have manned, functioning and networked identity scanners. However, the licensed industry is concerned that the conditions set for a mandatory ID scanning regime in SNPs should be workable, practical, commercially affordable, and will not seriously penalise well-managed licensed businesses. For example:

- Mandating the ID Scanning regime from the relatively early time of 10.00 pm will be commercially very harmful for businesses, adding significant staffing expense which is not justified given the risk profile of licensed trading at that time of the day.
- The QHA recommends that ID Scanning should only be required for venues from midnight and only on those evenings where the venue does actually trade past midnight.
- Gaming rooms that are separated from the rest of the licensed premises, with their own street access should not be required to have ID Scanners installed. This is a serious unintended consequence as it essentially means gaming machine patrons need to be licensed to play, and privacy concerns will also drive players away.

To be clear, it will require at least two dedicated staff members to effectively operate and enforce a single ID scanning point, and this means that most venues will choose, for commercial reasons, to operate only a single entry and exit point from the commencement time of the ID scanning regime. This will be unworkable in any venue with large volumes.

As an example: A large crowd of prospective patrons leaving a State of Origin football game with many looking to enter licensed premises throughout the Inner West SNP. ID Scanning will create added risk as large lines and groups form on the street, prospective patrons will turn away and disruption to pedestrian traffic will follow, leading to heightened public tension.

The QHA recommends that the commencement time for mandatory ID Scanning be 12 midnight, and should only apply when a venue actually trades past midnight, and exclude isolated areas within premises such as restaurant and gaming areas.

As the peak representative body for the industry that will be most affected by these decisions, we request that our representatives be actively involved in providing insights into these critical decisions for the Committee and would be available at any of the Committee's hearings.

Please contact me directly on [REDACTED] or at [REDACTED] should you require any further information.

Yours sincerely,

[REDACTED]

Bernie Hogan
Chief Executive
Queensland Hotels Association