



# ***LEGAL AFFAIRS AND SAFETY COMMITTEE***

**Members present:**

Mr PS Russo MP (Chair)  
Ms JM Bush MP  
Mrs LJ Gerber MP  
Mr JE Hunt MP (via teleconference)  
Mr AC Powell MP

**Staff present:**

Ms L Pretty (Committee Secretary)  
Ms K Longworth (Assistant Committee Secretary)

## **PUBLIC BRIEFING—INQUIRY INTO THE LIQUOR (ARTISAN LIQUOR) AMENDMENT BILL 2020**

### **TRANSCRIPT OF PROCEEDINGS**

**WEDNESDAY, 16 DECEMBER 2020**

**Brisbane**

## WEDNESDAY, 16 DECEMBER 2020

---

**The committee met at 11.01 am.**

**CHAIR:** Good morning. I declare open the public briefing for the committee's inquiry into the Liquor (Artisan Liquor) Amendment Bill 2020. I would like to acknowledge the traditional owners of the land where we meet today. My name is Peter Russo, the member for Toohey and chair of the committee. The committee members here with me today are: Mrs Laura Gerber, member for Currumbin and deputy chair; Ms Jonty Bush, member for Cooper; Mr Andrew Powell, member for Glass House; and Mr Jason Hunt, member for Caloundra, who is joining us via teleconference.

On 26 November 2020 the Hon. Shannon Fentiman, Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence, introduced the Liquor (Artisan Liquor) Amendment Bill 2020 to the parliament and referred it to the Legal Affairs and Safety Committee for consideration. The purpose of today's briefing is to assist the committee with its examination of the bill.

Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath, but I remind witnesses that intentionally misleading the committee is a serious offence. These proceedings are similar to parliament and are subject to the Legislative Assembly's standing rules and orders. In this regard I remind members of the public that under the standing orders the public may be admitted to or excluded from the briefing at the discretion of the committee. The proceedings are being recorded by Hansard and broadcast live on the parliament's website. Media may be present and will be subject to my direction at all times. The media rules endorsed by the committee are available from the committee staff if required. All those present today should note that it is possible you might be filmed or photographed during the proceedings by the media and images may also appear on the parliament's website or social media pages. I ask everyone present to turn mobile phones off or to silent mode.

I remind committee members that officials are here to provide factual or technical information. Any questions seeking an opinion about policy should be directed to the minister or left to debate on the floor of the House. I also ask that responses to questions taken on notice are provided to the committee by 3 pm on Thursday, 7 January 2021. The program for today has been published on the committee's webpage and there are hard copies available from committee staff.

**HUMPHREYS, Ms Andrea, Manager, Policy Setting, Strategic Policy, Department of Employment, Small Business and Training**

**McKARZEL, Mr David, Executive Director, Office of Regulatory Policy, Department of Justice and Attorney-General**

**STARLING, Ms Nina, Principal Adviser, Office of Regulatory Policy, Department of Justice and Attorney-General**

**STIDIFORD, Mr Grant, Director, Policy Setting, Strategic Policy, Department of Employment, Small Business and Training**

**THOMSON, Ms Victoria, Deputy Director-General, Liquor, Gaming and Fair Trading, Department of Justice and Attorney-General**

**WALKER, Mr Bill, Director, Manufacturing Strategy, Department of Regional Development, Manufacturing and Water**

**CHAIR:** I now welcome representatives from the Department of Justice and Attorney-General, the Department of Employment, Small Business and Training and the Department of Regional Development, Manufacturing and Water who have been invited to brief the committee on the bill. Victoria, would you like to start off with an opening statement? Then if someone else wishes to say something they are more than welcome.

**Ms Thomson:** Thank you, Chair, for the opportunity to brief the committee today about the Liquor (Artisan Liquor) Amendment Bill 2020. The purpose of the Liquor (Artisan Liquor) Amendment Bill 2020 is to support and to strengthen Queensland's artisan liquor industry whilst maintaining appropriate regulatory controls and oversight. The amendments in this bill give effect to recommendations made in the Queensland Craft Brewing Strategy and the Entrepreneurial Pipeline project report in terms of streamlining the liquor licensing application process, incorporating particular authorisations for craft brewers, and facilitating the sale of artisan liquor at promotional events such as farmers markets. Amendments to improve the regulatory environment will give craft brewers and artisan distillers the opportunity to offer tastings and takeaway sales from their premises under the convenience of one licence and to expand artisan liquor sales capacity at promotional events. This greater market access will assist artisan liquor producers in recovering from the impacts of COVID-19 and associated public health restrictions.

The bill will primarily support the artisan liquor industry by introducing a new 'commercial other—artisan producer' licence category. The principal activity under the new licence will be the production and sale of craft beer and/or artisan spirits on the licensed premises. Artisan producer licensees will be able to sell their own liquor for consumption on the premises, for takeaway consumption including via online orders, and as wholesale. They will be able to sell other Queensland artisan beer, spirits and wine for consumption on the premises, provided this does not constitute more than 30 per cent of their total sales. They will be enabled to apply for approval to sell prescribed quantities of their liquor as samples and takeaway at promotional events and to apply for a commercial public event permit to sell their liquor at a public event.

The purpose of this bill is to support genuine artisan liquor producers. Eligibility for the new licence is therefore limited by minimum and maximum production volume limits of between 2½ thousand litres and five million litres per annum for a brewer, and 400 litres and 450 litres per annum for a distiller, with the maximum limits including liquor produced by holding companies and subsidiaries of the licensee.

During consultation, industry stakeholders expressed strong support for imposing eligibility requirements to ensure the licence concessions will only be available to smaller, independent craft brewers and artisan distillers. Accordingly, to obtain the new licence, craft breweries and artisan distilleries must be independently owned, meaning no more than a 20 per cent stake of their business can be owned by a large brewer or a large distiller or a subsidiary of such a company. A large brewer is defined as producing more than 40 million litres of beer and a large distiller as producing more than two million litres of spirits in a financial year. To ensure compliance with these thresholds, artisan producer licensees will be required to lodge annual production and sales data returns and to notify the commissioner for liquor and gaming if they cease to be eligible for their licence due to corporate ownership structure changes.

Eligible licensees that transfer to an artisan producer licence will be able to retain their existing conditions and extended trading hour approvals to the extent allowed for under the new licence. The application fee will be waived for eligible licensees that transition to the new licence on or before 30 June 2021. Harm minimisation measures, such as the development of a risk assessment management plan, will apply to artisan producer licence applicants given the on-premises consumption trading element of the new licence; however, these requirements may be waived if they have already been undertaken and remain satisfactory for the purposes of the premises.

Whilst not part of the bill, the base annual licence fee for the artisan producer licence for the current financial year will be waived by regulation for transitioning licensees. Artisan producer licensees will be required to pay annual licensees for next financial year, 2020-21, which will become due on 31 July 2021.

As I said before, the bill enhances the ability of craft brewers and artisan distillers to market their liquor at promotional events. The bill ensures that, like craft brewers, artisan distillers with a producer/wholesaler licence can be granted a condition enabling the licensee to sell limited amounts of their artisan spirits at promotional events. The bill also introduces an artisan spirits producer permit to ensure that eligible artisan distillers, both in Queensland and interstate, can gain approval to sell limited amounts of their artisan spirits at promotional events, in line with the existing craft beer producer permit.

The bill also ensures that all licensees and permittees with approval to market their craft beer or artisan liquor at promotional events can charge for samples of their products as well as selling limited takeaway amounts of liquor. The bill does provide mechanisms for limiting the volume and quantity of artisan liquor sold at promotional events to minimise the risk of alcohol related harm that could potentially arise. It provides a head of power to prescribe limits on sample sizes and the total volume

of samples that may be sold by an individual. Whilst not part of the bill, it is proposed to progress amendments to the Liquor Regulation 2002 to prescribe the maximum volume of samples as 150 millilitres for craft beer and 15 millilitres for artisan spirits. Stricter limits on volume and quantity of samples will be able to be imposed as a condition on an individual licence or permit where it is considered necessary to do so.

In terms of takeaway liquor, eligible licensees and permittees will be able to sell up to nine litres of craft beer and 1.5 litres of artisan spirits per person at a promotional event unless a condition is imposed on the licence or permit specifying a different amount. Eligible licensees and permittees will be required to keep records in relation to promotional events attended and the liquor sold at these events.

As outlined in the explanatory notes, extensive consultation was undertaken in the lead-up to and the development of this bill, including with artisan liquor producers, industry peak bodies, representatives of government agencies, and harm prevention organisations. Of particular note, on 2 March 2020 representatives from the Queensland Hotels Association, the Artisan Distillers Association, Clubs Queensland and the Independent Brewers Association all attended a roundtable meeting chaired by the former director-general of the department of state development, manufacturing, infrastructure and planning where general agreement on the proposed artisan producer licence authorisations was reached. The Department of Justice and Attorney-General, the Department of Employment, Small Business and Training and the Department of Regional Development, Manufacturing and Water all played key roles in the development of this bill, and each department is represented to support the committee in its inquiry today.

**CHAIR:** Thank you.

**Mrs GERBER:** I have had some feedback from relevant groups associated with it that the length of time that it took in relation for action on this matter has caused them issues. You have just mentioned that it was March, but it has taken until September for the bill to come before us. Can you explain to the committee the reason for the delay and maybe expand on any reason?

**Ms Thomson:** Obviously in terms of the COVID pandemic, as an organisation we had to draft numerous emergency bills. As you would appreciate, the hotels and clubs, including the people who are captured by this bill—the craft brewers and artisan spirit producers—were included in non-essential business closures. We had COVID bills that we had to draft. We had liquor licence fee waivers that had to be progressed and gaming tax concessions that had to be made. In fact, it started in February when the international borders were closed and particularly Northern Queensland. We started doing fee relief for affected businesses. From a legislation development point of view, we had to put this bill down so we could work on other priorities.

Having said that, I have had quite a lot of contact during COVID and coming out the other end of COVID with the Queensland member from the Australian Distillers Association. We have been in close contact in terms of what we are doing in this bill but also for the work we have done to enable them to continue to trade with their online sales whilst this bill is going through its process. He fully understands and is in contact with us about where progress is. I would like to offer the opportunity for our departmental contacts to talk about any other representation they have had from industry in terms of the timing and the lead-up in terms of the consultation.

**Mr Stidiford:** Certainly we have had close consultation with industry groups and we have had good consultation leading up to that with individual distillers also across the state. Our primary focus was on the distillers and obviously the department of regional development and manufacturing was concerned with the craft brewers. I have not had any concerns raised with me that I am aware of from anyone recently and I think Victoria's summary of the interaction with the Australian Distillers Association is an accurate representation.

**Mr Walker:** I would echo the comments of my colleagues. We have spoken to both the Distillers Association and the Independent Brewers Association and also with the Queensland hoteliers association, and all of them appreciate the issues that Victoria has outlined and the reasons for the delay. Clearly brewers would have liked to have it happen quicker, but they appreciate what the problems have been.

**Mrs GERBER:** Of course; thank you.

**Mr POWELL:** I will address my question to the panel, but I suspect it might be Bill who can answer it. It is reported that the Independent Brewers Association made the comment after long discussions with the department of state development that the industry was satisfied with the original proposals that have been drafted. However, those were subsequently amended after consultation with

other interests. I am just wondering whether you could expand on what those aspects were that the Independent Brewers were originally happy with that subsequently got knocked out of the bill following consultation. What elements were they?

**Mr Walker:** The primary one was that there were some concerns about size of venue and the number of people that would be allowed in a venue. An initial proposal was that the head count in a given brewery be restricted. We did reach agreement with the industry on that, but subsequently we decided that head count or restricting the numbers of people in a brewery—in a taproom—was not really a manageable way of determining whether it was a craft brewery or not and that we would prefer to go to a production—

**Mr POWELL:** A volumetric.

**Mr Walker:** Yes, a volumetric definition and with the associated ownership as well, so that was dropped. There were actually quite a lot of people in the industry who welcomed that decision but, yes, it was initially agreed and subsequently we dropped that. Otherwise, pretty much everything the industry asked for ended up in the artisan licence.

**Mr POWELL:** Just about everything else?

**Mr Walker:** Just about everything else, so ability to go to promotional events, sale of samples at markets and fairs, online sales, ability to sell not just their own product but also product from other producers who are also under the artisan licence. All of those issues that were raised were subsequently addressed in the artisan licence.

**Mr POWELL:** Victoria, was there anything you wanted to add to that?

**Ms Thomson:** There has also been agreement that, post passage of the bill, there will be ongoing consultation with the industry—that would be representatives of the hoteliers association, the Distillers Association, the Independent Brewers Association and the departments that you see represented today—to iron out any implementation issues or any further considerations that those industries wish to put to government. There is an ongoing mechanism to continue to work with the industry in a formal, structured way.

**Mr POWELL:** Related to that, we as members in the lead-up to the last election were presented with some ideas by independent grocers that impacted on independent brewers. One suggestion was that family owned businesses like IGAs sell alcohol made by independent Queensland alcohol producers. I appreciate that the Queensland hoteliers association have a different view on that. Was that idea raised last year in the development of this bill? Was it given consideration? Was there any feedback received from either party or the departments on it? Does that then fall into the category of 'let's look at it moving forward' if not? I am just interested in any consideration given to it.

**Mr Stidiford:** Certainly the Independent Grocers Association did raise those questions with us during the consultation process. We worked closely with them on that activity. We did engage with some of the industry groups on that and there was not support at that time from an industry perspective.

**Mr POWELL:** All elements of the industry or specifically QHA?

**Mr Stidiford:** No, one of the producing elements of the industry and then after that it became a decision of government.

**Mr POWELL:** Okay. The feedback is that this is not quite yet on parity with, say, how a winery can operate as a cellar door. Can someone explain the differences between the licensing for a winery and a cellar door as opposed to a microbrewery or craft brewery?

**Mr McKarzel:** Can I just clarify with you: is the question relating to the ability to sell takeaway?

**Mr POWELL:** The reference specifically suggests that the industry proposed a 50 per cent sales mix, on par with the equivalent provision for wineries, but that that was reduced. Is that accurate? Is that an accurate reflection of what was raised, discussed and discarded?

**Mr McKarzel:** There were a whole pile of different scenarios raised. In terms of what is in the bill, you have a licence category now that allows for on-premises consumption but also for the sale from the main licensed premises—the artisan producer licensed premises—allowing takeaway. There is an online provision for takeaway. There is also now the ability for that artisan producer licence holder to go to a farmers market and sell takeaway.

**Mr POWELL:** So all of that is consistent with a winery?

**Ms Thomson:** Yes.

**Mr McKarzel:** Yes. The issue with wineries is that they have two objectives. You have the regional development tourism part of it and then also the wine industry development part of it—

**Mr POWELL:** Actually selling the wine, yes.

**Mr McKarzel:**—whereas your craft brewers and your distillers are in urban environments, so the satellite cellar door argument—

**Mr POWELL:** Not all of them.

**Mr McKarzel:** No, I know. I will put it another way: they are in more accessible areas in terms of being able to sell takeaway. In terms of the individual craft brewer or distiller licence holder for the new licence, the bill allows them to get a permit to go to a commercial public event. So at your seafood festivals, you basically can set up a little bar which then effectively allows you to promote your product in the mainstream environment and you then have promotions at farmers markets which allow for actual takeaway as well as being able to physically sample. Then you have the takeaway facility at your premises and the online facility.

**Mr POWELL:** What I think I am hearing from you is that in your mind it is not dissimilar to a winery?

**Mr McKarzel:** No, it is not, but it is not called a satellite cellar door. It is a takeaway authorisation that is designed for the particular business requirements and the business model that a craft brewer or a distiller uses vis-a-vis the wine producer, who has a different set of circumstances.

**Mr POWELL:** Sure. Was there anything anyone else wanted to add on that topic?

**Mr Walker:** I would just add in terms of the satellite cellar door the ability to cross-sell—in other words, you can sell another brewery's product.

**Mr POWELL:** Up to 30 per cent of your sales.

**Mr Walker:** Yes. That was introduced as an option that was similar to a satellite cellar door. If you can negotiate with a brewery in another area to sell your product, there is nothing to stop you doing that.

**Mr POWELL:** Okay; thank you. This may be out of the scope of the bill, but in a couple of instances, particularly in one instance on the Sunshine Coast—I am not sure if it was a town planning zonal matter or it was related to the licence—the ability for a craft brewer to have a verandah and an area where they were able to host people came under scrutiny by the council and was subsequently pulled out. Is there anything in this bill that is going to make that kind of activity a bit easier for them to progress through council approvals? Have those conversations been had with councils or the LGAQ? I appreciate that it is slightly different and it is more a planning matter.

**Mr Walker:** Yes, it is a planning matter. Certainly under the Queensland Craft Brewing Strategy, which provided probably the initial impetus for the development of this licence, there is also an initiative to look at council planning guidelines for craft breweries and liquor production, full stop. Our planning colleagues, wherever they are now—I think Treasury—

**Mr POWELL:** The former department, DESBT.

**Mr Walker:** The former department, DESBT, have been looking at that and released some guidelines for local authorities when it comes to assessing applications for the establishment of breweries, distilleries et cetera.

**Mr POWELL:** So at this stage the guidelines should suffice, but it is a work in progress if there is further—

**Mr Walker:** Yes, and there is an element of education on both sides, I suppose. We have spoken with a number of brewers who were putting in development applications who did not realise they can have pre discussions before they put in an application, so there is an awareness—

**Mr POWELL:** There would be some brewers who had started out as brewers who discovered that they could actually have people on their premises who probably did not go through the right channels to get that approval.

**Mr Walker:** Yes.

**Mr POWELL:** Understood.

**Ms Thomson:** As the commissioner for liquor and gaming who assesses the applications, one of the things I have to pay attention to is constraints. Through the development approval process I go out to councils and seek their input. It is a conversation. As Bill says, there is work being done in relation to looking at that more broadly.

**Mr POWELL:** Are any councils presenting blockages to these kinds of industries progressing?

**Ms Thomson:** I would not say that is the case. I think the councils are many and varied. Some of them have particular requirements within their council area that do not exist in others, so each is a different case. I think, by and large, most of our liquor applications, it would be fair to say, are unhindered from a development point of view, but they are an important stakeholder in the process.

**Mr POWELL:** Understood.

**Mr McKarzel:** I would also say that if we get a licensing application where there is an issue with the council, our licensing officers will get on to the council and discuss it and explain what the Liquor Act requirements are. Victoria is absolutely correct: the councils are not necessarily being obstructive; there are just different levels of understanding of this particular business model. Between Bill's department and our department, we are devoted to trying to convey to them what the business model is and what the intention is behind at least our promotion of it. After a couple of applications most of those problems are ironed out, but there is always going to be the odd one that is the first one that a council gets and goes, 'What the hell is this?'

**Mr POWELL:** In many ways it is a new kind of disruptive industry—as was Uber in the taxi industry, as was Airbnb in the hotel industry.

**Mr McKarzel:** It is innovation and it takes a while for government to catch up.

**Ms BUSH:** Thank you for your explanation and responses. It has been really useful. Thinking about alcohol related harm issues, what was some of the feedback from stakeholders and how has that been considered as part of this bill?

**Ms Thomson:** The new licence will include appropriate conditions and responsible service of alcohol requirements to ensure alignment with the harm minimisation policies. As we have talked about before, a significant component of this will be on-premises consumption as well as takeaway sales. They will be able to operate without a venue size limitation or a requirement to provide meals, which is something that, say, commercial hotels actually have to do. That helps reduce the risk of alcohol related harm.

The bill limits extended trading hours to 1 am, so they will not be able to apply for extended trading hours to 2 am, which we know is getting into the higher risk period in terms of alcohol fuelled violence. They will be required to prepare a risk assessment management plan. This is consistent with other licence types that have on-premises consumption. They may also be required to prepare a community impact statement. As I said before, community input into significant liquor applications is an important part of the process. We go through the application process with the industry. One of the things we are planning on doing as an organisation is shortly, in the new year, sitting down with the industry and helping them transition and get ready for when this bill is hopefully passed, to enable them to work through it. If they have a risk assessment management plan that currently fits for their business, we will be able to waive that requirement for them if it still fits with their new business model.

They will be required to operate ID scanners if they are in a safe night precinct, so there is no dilution of the requirements. If they are having on-premises consumption, they are in a safe night precinct and they are operating past midnight, they will have to operate the same as other people within the precinct. I have the ongoing ability to condition any licence, so if there are particular issues that would be something I would look at.

Throughout the consultation obviously we also had social health stakeholders. They are very keen to ensure that harm minimisation is embedded within this licence type as well. I am not aware of any particular issues in relation to concerns from the industry about the harm minimisation measures that have been built into this licence. I think they provide a level of parity with other licence types where they are doing similar activities. We have tried to make sure that is all embedded. As I said, if there is an opportunity to assist the industry who are currently operating to transition to the new licence without added harm minimisation elements in terms of their risk assessment management plan that I talked about before, that is something we will be hoping to help them through early in the new year.

**CHAIR:** The explanatory notes talk about submissions that were made in January 2020 by independent craft brewers who were surveyed in respect of earlier versions of the legislative proposals which related solely to craft brewers. Are these submissions still publicly available online?

**Mr Walker:** We never made those submissions available publicly for commercial-in-confidence reasons in a few cases—quite a few cases, in fact. The main reason was that we were asking for things like annual turnover, production volumes et cetera.

**CHAIR:** I note in the bill that ranges of production volumes have obviously been determined. Could you explain to the committee how those ranges of annual production volumes were arrived at?

**Mr Walker:** I am happy to do that. As you alluded to, we did an extensive survey of the industry. We talked to pretty much every craft brewer and distiller in the state and had some subsequent discussions with the Independent Brewers Association. The lower limits were set basically on the judgement of the industry as to what a commercial operation would be. Your hobbyists, your home brewers et cetera, were effectively eliminated. This is aimed definitely at a commercial operation. We found out that roughly half the brewers in the state only produce up to 100,000 litres but there are some outliers who produced up to, at the time, around the three million litre mark per annum.

Basically, we put the five million for brewers as the upper limit to recognise the averages in the industry plus allow for some growth. After all, the aim of the artisan licence is to help the industry grow. We have always viewed it as a transitional licence. Once you reach a certain size, you can then move into a hotel licence. Further authorisations cost you more, but you are of a size to be able to handle that sort of fee. Similarly with the distillers, we determined their average size. Then these limits were sent back to industry representatives to make a judgement as to what was regarded as fair.

Perhaps going back to the concerns of the honourable member for Glass House, there were a number of elements of the industry who pushed for a 40 million litre upper limit. We took notice of the concerns of FARE, the Foundation for Alcohol Research and Education, and brought that back to the five million litre limit. We also argued that by the time you are making 40 million litres a year you are not a craft brewer anymore; you are a macrobrewery.

**CHAIR:** Is anyone disadvantaged by the volumes, do you think?

**Mr Walker:** No, in that everyone in the industry—except for XXXX and Balter, who are owned by Asahi and Kirin et cetera—is captured within that upper limit. As I said, there are some smaller operations that may not reach the threshold, but our general view is that they are not commercial yet anyway.

**Mr POWELL:** You would be hard-pressed getting XXXX over the line as a craft brewer.

**Ms BUSH:** Obviously part of what this bill will achieve is a reduction in some of that red tape and, as I think we have touched on, we anticipate it will stimulate the market a little bit. Do we have a sense of what that might look like for regional and rural Queensland? Bill, you even said that it is mostly in more urban areas. I am just interested in the regions.

**Ms Thomson:** I think this bill definitely will have a positive flowthrough to the regions. I think off the top of my head there are about 101 craft brewers and distillers who would be captured by this and about 25 per cent are in regional Queensland. This would be, as you said before, member, moving away from having to have two licences to run their business to one and opening up new markets—actually being able to sell their product at farmers markets and then go to bigger events if that is eventually how they position themselves and their business. There is certainly a significant number of producers in regional Queensland who I think will welcome the opportunity to apply for an artisan producer licence.

**Mr Stidiford:** The consultation that we had with some of the artisan distillers in particular showed that they were quite small in size at the minute, notwithstanding that this licence would be available to them, but it would not take a lot of production increase for them to then consider employing more people. There is a range of how their businesses are structured and the sorts of products they are producing et cetera, but certainly their expectation was that they would employ more people as a result.

**Ms BUSH:** Obviously as part of the approval of licences there are some hoops to go through in terms of that community impact that we were talking about, so the approval of some licences in some jurisdictions, depending on the nature of that community, may or may not be appropriate?

**Ms Thomson:** Yes. As I said before, the licence application process has a community factor to it and there is a process that is open. The venue has to be advertised for people to object. That is not necessarily a death knell for the application. We go through a process of objections hearings. We have to make sure that people have standing—that people are not just objecting on the fact that they are anti alcohol. That is not sufficient. The agency goes through quite a process of rigour and brings the parties together. If we get to that point and I, as the commissioner, am presented with all of that information, I have to make a decision in the public interest about the application. Again, it may vary. We have had some cases go to QCAT, because there is the opportunity for people who apply, if I refuse their application, to go to QCAT and have their matter heard through the QCAT process.

Community consultation does form part of the process—you are absolutely correct—but just because people object does not necessarily mean that the application is refused. In fact, I think we had something like 12,000 liquor licence applications last year and, honestly, it was about 30 that were actually refused. It is a very small number. Usually through a process of negotiation, working with the



objectors—quite often people have the wrong idea and there is miscommunication about what is actually going to happen, what the venue is going to provide, opening hours et cetera—typically we can resolve and reconcile those differences and misunderstandings.

**Mr McKarzel:** In the process Victoria was talking about, the commissioner can also condition the licence to mitigate some of the concerns the community may have. If they establish in the objection process that there is a particular problem with amenity, the powers in the Liquor Act are quite significant and we can condition quite specifically to address particular amenity issues, right down to which door you are allowed to go out of at midnight or after two o'clock and so on. It allows us to look at the merits of each individual case.

**Ms Thomson:** It is a natural justice process. As I said before, we will go through the objections, I might resolve that there will be conditions on a licence, that is put to the applicant and they are given an opportunity to comment. Sometimes they accept them; sometimes we will have further negotiation. Again, as I said before, typically for many licence applications it is a dialogue. It is a dialogue between the applicant, the community and the commissioner.

**Ms BUSH:** Thank you. That is helpful to know.

**CHAIR:** That concludes this briefing. Thank you to all the officials who have participated today. Thank you to our Hansard reporters. A transcript of these proceedings will be available on the committee's parliamentary webpage in due course. I would also like to thank the secretariat for their assistance in our hearing today. I would like to wish everyone the best for the festive season. Stay safe and I will see you all in the new year. I declare this public briefing for the committee's inquiry into the Liquor (Artisan Liquor) Amendment Bill 2020 closed.

**The committee adjourned at 11.46 am.**