

29 September 2021

Committee Secretary
State Development and Regional Industries Committee
Parliament House
BRISBANE QLD 4000

Email: SDRIC@parliament.qld.gov.au

QUEENSLAND HOTELS ASSOCIATION SUBMISSION - Justice Legislation (COVID-19 Emergency Response – Permanency) Amendment Bill 2021

The Queensland Hotels Association ('QHA') is the peak body representing the hotel and tourism accommodation industry in Queensland. Currently comprising of over 900 members throughout the state, these are the employers of over 80,000 Queenslanders.

The QHA submission relates to the aspect of the Bill which amends the *Liquor Act 1992* to permanently allow licensees of a subsidiary on-premises licence (meals) (i.e. restaurants and cafes) to sell takeaway liquor.

The QHA has already provided extensive feedback that extending the COVID-19 emergency provisions to allow every liquor licence holder to sell takeaway alcohol, either temporarily or permanently, is no longer necessary (asides from during lockdown periods). Every business needs to return to 'business as usual' operations as soon as possible - it should be noted that hotels have gained no support from these measures and are now faced with the situation that their businesses will be permanently impacted.

The issues that the QHA have with broadening the number of takeaway liquor outlets in Queensland, either temporarily or permanently, have not diminished and should be reiterated:

- There is little community need for change. Queenslanders are well served already by bottleshops in shopping centres, stand-alone retail outlets and from Community Clubs.
- Increasing the availability of alcohol outlets remains in direct contradiction of the current Queensland Government's Tackling Alcohol Fueled Violence policy.
- This proposal neither enhances business nor creates jobs.
- Harm minimisation protection requirements are not as stringent for holders of restaurant or café on-premise (meals) licenses. [REDACTED] [REDACTED]
- Under current legislation, restaurants and cafes can already sell dining-in customers a bottle of wine to takeaway.

The QHA's concerns remain regarding the Bill and at the very least the following parameters on takeaway liquor sales and licensing requirements for restaurants and cafes should be enforced:

- the sale of takeaway liquor by restaurants and cafes is limited to 1.5 litres of wine and must only be sold with a meal of a substantial nature. This total liquor amount should be for the entire purchase per order.

- restaurants and cafes must apply for a change to their liquor licence to enable this permanent condition. It should not simply extend automatically to these license types. The assessment of this application should be subject to the same application requirements as that other retail liquor outlets.
- there should be an appropriate application fee and annual liquor licence fee for restaurants and cafes to sell takeaway liquor. For comparison, bottleshops currently pay a \$1,107 application fee and an annual liquor licence fee of \$4,418. These fees should be applicable after the current 'COVID fee-waiver' period expires.
- similarly, as is the case with other sellers of takeaway liquor, restaurants and cafes should have an Approved Manager (Liquor) that has a current Responsible Management of a Licensed Venues (RMLV) qualification who is reasonably available at all times when takeaway liquor is sold.
- it is also expected that any delivery drivers would have a current Responsible Service of Alcohol certificate to ensure that appropriate checks are completed for any deliveries.

These expectations are in line with the current responsible service and harm minimisation obligations of other licence types approved to sell takeaway liquor. Within these proposed parameters, restaurants and cafes can sell 100% more wine to their takeaway or dine-in patrons. The community is not disadvantaged, and the granting of this license is subject to the same scrutiny as other retail operators (such as the commercial hotel and community club licensees).

This subject is of great concern to the Queensland hotel industry and those small business owners who have invested in the appropriate licence type, particularly in regional areas, and whose businesses have also been impacted by COVID-19. For many years, the hotel industry has been tasked with selling alcohol under very specific and highly prescriptive regulations to minimise harm to all parts of the community and have concerns about a spontaneous relaxation of protections. The industry is also aware that when there is misuse of alcohol across society, it is the licensed trade that is often encumbered with more regulation whenever this is identified.

The QHA concerns with the Bill are based on a further diminishment of our members' existing and potential trading entitlements and an inequitable licensing and compliance playing field. The QHA's suggested parameters to accompany this permanent change to restaurant liquor licences will not protect jobs in the hotel industry or enhance growth in the hospitality industry, but may make the proposed changes somewhat more palatable and equitable for QHA members and other affected commercial hotel and community club licensees.

The QHA would welcome the opportunity for further consultation and is available to appear at any Committee Public Hearing as appropriate.

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

Yours sincerely,



Bernie Hogan
Chief Executive
Queensland Hotels Association