



Speech by

Andrew Cripps

MEMBER FOR HINCHINBROOK

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LIQUOR AND OTHER ACTS AMENDMENT BILL

Mr CRIPPS (Hinchinbrook—NPA) (4.07 pm): I rise to make a contribution to the debate on the Liquor and Other Acts Amendment Bill. The stated objectives of the bill are to implement recommendations arising from the review of the Liquor Act 1992, which commenced in 2005. The bill includes a wide range of amendments that propose to implement the recommendations of this review. Those amendments include, among other things, making harm minimisation the first priority of the Liquor Act; providing new powers to the minister to ban undesirable alcohol products, such as those that inappropriately target young people, increase intoxication at rapid rates or encourage the irresponsible use of alcohol; introducing mandatory responsible service of alcohol and responsible management of a licensed venue training for staff; setting standard trading hours to be from 10 am to midnight, with extended hours possible to 5 am; restructuring liquor licence types into two categories, commercial and community, with subcategories based on the various risks associated with the licensed operations; introducing a manager's approval process to ensure that managers of licensed venues are responsible for ensuring compliance with the act and the conditions of the licence; introducing a risk assessed management plan to be undertaken as a prerequisite for the licensing process; submissions on public interest required for obtaining a licence being replaced by community impact statements that focus on harm minimisation; formalising liquor accords, which will be given recognition in the legislation, membership of which is voluntary; providing a forum for local licence holders to be encouraged to promote harm minimisation practices; and introducing annual liquor licence fees based on the risk a licensed premises poses in respect of a possible breach of the Liquor Act. Each licensee will pay a designated base fee and loadings based on other risk factors such as trading hours and compliance history.

Initially I would like to canvass an aspect of the bill that I support and believe will make a positive and effective change in respect of the administration of the Liquor Act in our communities. The formalisation of local liquor accords, which will be given recognition in the act following the passage of this bill, is a practical initiative that I have seen work effectively on the ground in my electorate of Hinchinbrook. Membership of local liquor accords is voluntary. They provide a forum for local licence holders to get together and discuss matters of importance and concern amongst them in respect of their businesses and how they operate under the Liquor Act.

The Mission Beach Liquor Accord has been meeting for several months now to increase the level of communication and cooperation between licensed premises and related government agencies, to address issues that are important to businesses with a liquor licence and those that service them. This includes the Queensland Police Service, the Queensland Ambulance Service, the Queensland Fire and Rescue Service, local transport operators and local council representatives, in addition to officers from Liquor Licensing and liquor licence holders operating pubs, clubs and restaurants. I have been pleased to attend a number of meetings and support the Mission Beach Liquor Accord, because I see it as a proactive move on the part of licence holders and other stakeholders to address these issues at a local level. In doing so I believe that licence holders and the community generally will benefit. The meetings are an opportunity to raise issues of importance to licensed premises. It is a progressive step that this bill seeks to formalise the role of liquor accords.

Liquor accords have also been formed in other areas of my electorate. In the Hinchinbrook shire, the Hinchinbrook Liquor Accord has been established and I have been pleased to attend some of its meetings and support its activities. In the Tully district, the Tully Licensed Venues Accord has been formed. A local liquor accord has also been formed in the Innisfail district to cover the licensed premises at Babinda and Silkwood. I congratulate all the liquor licence holders in the Hinchinbrook electorate and the Mission Beach area, the Tully district, the Innisfail district and the Herbert River district who have taken the step of signing up to these various local liquor accords.

In my electorate, liquor accords have been active in tackling issues affecting licence holders. I have already raised one of those issues in this place. In October 2007 this parliament debated the Transport Legislation Amendment Bill, which included proposed amendments to the Transport Operations (Passenger Transport) Act. Amongst other things, the bill proposed to introduce peak demand taxi permits to increase the number of taxis available during peak times, such as Friday and Saturday nights, and for major events. During the debate I canvassed an issue that had been raised at one of the first meetings of the Mission Beach Liquor Accord.

Mission Beach Taxis, a small business catering to the transport needs of the communities in that area, was then and still is experiencing real difficulties with the department of transport in securing extra taxi licences for the district which are badly needed at peak times. Mission Beach is a major tourism area, and many businesses that participate in the tourism industry are holders of liquor licences. A large number of the people visiting licensed premises during peak periods are visitors to the area who do not have their own transport or family members available to pick them up. Logically, they turn to taxis to get to and from licensed premises, driving demand higher than the ordinary demand from the permanent resident population. Unfortunately, the lack of transport options in the local area has manifested itself in increased instances of driving under the influence, which is a real concern.

The transport options available for patrons leaving licensed premises is one of the key issues identified by the Queensland Police Service and the Mission Beach Liquor Accord. This was a genuine attempt by the Mission Beach Liquor Accord to address issues relating to the responsible service of alcohol in the Mission Beach area and transport options for patrons to and from licensed premises. It is important that there be a solution developed to address this issue. I regret to say that the department of transport has not been very helpful at all in addressing this matter and it remains an ongoing problem for the Mission Beach Liquor Accord and the community of Mission Beach. I say to the government that it must give some decent recognition to the issues identified by local liquor accords. It must take them seriously. In the future, once this legislation is in place, I hope that the state government takes notice and acts on legitimate matters that are brought forward by local liquor accords.

I will now canvass some issues in this bill that I am concerned about. I am concerned about the cost of complying with the new regulations for smaller community based clubs, many of which are not-for-profit organisations. As I said earlier, the introduction of new annual liquor licence fees will supposedly be based on the apparent risk that a licensed premises may breach the Liquor Act. Each licensee will pay a designated base fee and loadings based on other considered risk factors such as trading hours and compliance history. I am not convinced that the base fees are appropriately balanced against the additional criteria based on other factors such as trading hours and compliance history.

When I think about the introduction of these new base fees on non-commercial community organisations—\$2,200 a year for clubs of more than 2,000 members—the bottom line is that the members of that organisation have to find an extra \$42.30 each week of the year to meet the cost of keeping the liquor licence. For non-commercial community organisations with a membership of less than 2,000, the added burden is \$9.61 extra a week, or \$500 a year. It is claimed that the new added fees are based on a risk assessment, but what risk assessment has there been that justifies many smaller community based venues having to pay an extra \$2,200 or \$500 a year, depending on the size of the membership? Why is a blanket being thrown over the smaller community clubs as they are told that, regardless of the nature or circumstances of the operation, their location, their track record and without an assessment by liquor licensing officers attending the venue—indeed, based only on the size of their membership and not even in relation to the demographic make-up of their membership—they will have to fork out a minimum of an extra \$2,200 per year or an extra \$500 per year to maintain their liquor licence?

In respect of my electorate of Hinchinbrook, I wonder when there was last a warning, an infringement notice or a prosecution relating to the liquor licence at the South Johnstone Bowls Club, the Macknade Bowls Club, the El Arish Golf Club or the Brothers Sports and Community Club in Ingham. What terrible trouble have they caused Liquor Licensing that they have to pay the extra costs that will be imposed upon them? Certainly the base fees proposed to be set at \$2,200 or \$500 ought to be much lower, and the supplementary criteria such as trading hours and compliance history checks on a liquor licence should be utilised as triggers for more substantial loadings to be charged in relation to what is essentially a new tax.

Surely the state Labor government understands that in order to meet these extra costs small community based organisations holding a liquor licence, many of them not-for-profit organisations that are run by volunteers, will need to work even harder to keep their organisations going. What are their alternatives in regional areas such as in my electorate of Hinchinbrook? What does the Treasurer recommend to the Lions clubs, the Rotary clubs, the local Rugby League clubs and cricket clubs? Should they put their membership fees up? Should they put their green fees or their playing fees up? Does the Treasurer recommend that the volunteers run even more raffles to satisfy the extra \$2,200 a year or \$500 a year that his government will be draining out of community organisations?

The answer is that the Treasurer does not particularly care. This is just another grab for additional revenue by the government because it is in financial trouble, and this time it is picking on easy targets. That is what it boils down to, and the state government should be condemned for it. According to the budget papers, this year the state government expects to collect \$13 million from this tax, increasing to \$30 million by the year 2011-12. The explanatory notes accompanying the bill advise that these millions will be used to both administer the legislation and promote harm minimisation campaigns. The current budget shows expenditure associated with the liquor reforms and harm minimisation will be just \$4.8 million, yet the government expects to collect \$13 million. There is a difference of \$8.2 million between what will be collected this year and what will be delivered this year to address this very serious issue associated with the social and health problems caused by alcohol abuse in the community.

This is a serious problem, and members on both sides have clearly detailed the statistics and personal experiences in relation to the abuse of alcohol. All of those statistics are pertinent and all of those personal experiences are real reasons to take steps to minimise the harm. However, the arguments and the illustrations put forward by Labor members are totally undermined and exposed as just rhetoric when one takes into consideration that this year much less than half of what the government will collect through this new tax will actually be used to address the problem. It seriously is difficult to believe that the state government is fair dinkum about the problem and that this tax is not just a greedy grab for more money by a desperate government in serious financial trouble. At the end of the day, what is being proposed is \$4.8 million worth of government advertising campaigns and administration to collect a new tax.

The hospitality sector is the other target in this legislation. Commercial liquor licence holders are being punished because the state Labor government is going further into debt. The introduction of new annual liquor licence fees for commercial liquor licence holders of even the smallest hotel with the most limited patron base will be constituted on a base annual fee of \$2,700. So every week a commercial liquor licence holder of a small pub will have to find an extra \$51.92 just to keep their liquor licence. Additional fees will apply if the licensed premise has a bottle shop, applies for extended trading hours, serves food in certain circumstances and/or following an assessment of its history of compliance with the Liquor Act.

However, not all licensed venues are the same. There is a serious difference between the nature of the business between the Royal Exchange Hotel or the RE, which is in the Treasurer's electorate and was formerly my local when I was a younger man, and some of the rural country pubs that exist in my electorate, such as the Ashton Hotel at Long Pocket, or the Lucinda Point Hotel, or the Feluga Hotel, or the Currajah Hotel at Wangan. These smaller country pubs do not have the thousands of patrons and the revenue that is derived from those thousands of patrons that are enjoyed by these very popular hotels in metropolitan areas and major provincial cities.

I am worried that the viability of these small businesses will be compromised by this increase in their annual overheads. Rural and regional hotels in small towns will be adversely affected by this new annual flat fee. I urge the state government to carefully consider the impact on these small regional and rural operations and consider reviewing the base annual fee to reflect the inequitable situation that it will create.

Lastly, I want to deal with clause 27 of the bill in respect of mandatory responsible service of alcohol training. For commercial premises, RSA training will be mandatory for all employees serving alcohol, and I think that is probably a step in the right direction and indeed could be something that is overdue. As a regional member, I want to ask the Treasurer: why doesn't the state government take some of that \$8.2 million that it is collecting from this new tax, pocketing in the current financial year and not spending on programs and initiatives to minimise social and health problems that result from the abuse of alcohol and pump it into the registered training organisations that deliver responsible service of alcohol courses? The state government should, if it is going to make this training mandatory, make the RSA training much more affordable and, specifically for regional and rural licensed premises, make it more accessible.

In respect of the requirements for community based, not-for-profit organisations, the requirement for small clubs to take on the added burden of organising for a volunteer behind a bar to be RSA trained at all times is onerous, considering some of the many different activities that are undertaken by these groups. While it may not sound onerous to have one person that is RSA trained behind the bar at all times, at some functions and events where service clubs, like Lions clubs or Rotary clubs, run the bar, these volunteers will work on a roster system throughout the duration of an event.

Community organisations will not be able to get away with just nominating one person to do the RSA course and satisfy the requirements of this provision. Community organisations will need to have six or eight people trained in RSA, and this will be an added financial burden for them to carry in addition to the extra liquor licence fees they will have to meet following the passage of this bill. I am pleased that the LNP opposition will not be supporting clause 27.

The LNP opposition does not intend to oppose the bill as a whole because it does take some steps towards addressing the serious problems caused by alcohol in many areas of our community. I regret, however, that these small steps forward are being taken in the same bill that provides for new, unfair taxes and that uses a one-size-fits-all approach to annual liquor licensing that smacks of revenue raising. The state government could have and should have brought a much better bill before the parliament.