



Speech by

## Fiona Simpson

MEMBER FOR MAROOCHYDORE

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### LIQUOR AND OTHER ACTS AMENDMENT BILL

**Miss SIMPSON** (Maroochydore—NPA) (9.15 pm): The Liquor Act is always a complex piece of legislation. As a state we are a very diverse region. We have small outback pubs and we have very active nightclub precincts along the coast. One size does not fit all. That is why it makes it very difficult in regard to consultation when there is such a variety of circumstances where people enjoy a drink and enjoy going out with their mates.

Living on the Sunshine Coast and representing a tourism area, we face a number of complex issues, with a high influx of tourists and also with locals and their interaction with the entertainment precincts. I have noted some of the comments of other colleagues. This is something that is in common across the political divide. There are abuses by people who drink too much. Unfortunately, at the worst end of the spectrum there is violence. As we have seen in my area and in other areas around the state, people have died. Outside nightclubs and licensed premises we have seen people who have gone too far, who have often been intoxicated, who have abused their power over somebody and tragically young lives have been lost. That is abhorrent.

It is never acceptable, and the cries of our community are still ringing as it appears to be becoming more and more common. This is particularly so with incidents of glassing. Once again, this is something that is being experienced in a number of communities. It is unacceptable that this violence is breaking out and it deserves a greater deal of attention rather than knee-jerk reactions as to why there has been such an upsurge. People have always enjoyed a drink but in recent times we have seen levels of violence which defy imagination. It has shattered many lives.

With regard to entertainment precincts—although this is not just true of entertainment precincts—one of the concerns that often arises when communities face a proposal for a new licence is that often the steps of council and Liquor Licensing do not seem to be in alignment. There seems to be a disconnect between the processes involved in taking an application for approval of a premise for entertainment of some type that is going to end up being a licensed premise and the former licensing process through Liquor Licensing. In fact, many times it seems to be a rubber stamp. If they get council approval, they go through this process and further down the track, albeit with quite a bit of red tape, they will end up with a liquor licence. There is a concern in some communities where there are negative impacts whether that is really taken into consideration. I believe it is time that some consideration be given to aligning those processes up-front, considering the potential impacts and looking at ways of mitigating them.

Earlier I addressed the issue of violence, but the greatest number of complaints, as opposed to severity of complaints, are nuisance complaints, with people leaving premises and making a lot of noise. While this may seem trivial to some, for those who live in these areas it is in no way trivial. When people's sleep is constantly impacted, when people who holiday in the area also cannot get a good night sleep because of poor planning and poor consideration of licensed premises being located next to residential areas and people's passage back home after having a drink, this issue should not be treated lightly. Ultimately it means that there is a constant aggravation in the local community. In turn, there is an impact upon policing authorities and Liquor Licensing, which are being asked to address these issues. Quite

frankly, there needs to be better planning up-front with councils and Liquor Licensing rather than finding that the licence is put in place later without these issues being addressed.

I want to also address the issue of the irresponsible supply of alcohol to minors. Tonight we seem to have bipartisan support across the parliament for this issue. What a shame that was not the case last year when the Labor Party arrogantly abused its numbers in this parliament to vote down a private member's bill put forward by the state opposition. In recent times we have heard government members complain about wanting to see our ideas and policies, yet when we actually put them before this parliament by way of private members' bills they vote them down. Do they vote them down 20 per cent of the time, 50 per cent of the time, 80 per cent of the time? No, 100 per cent of the time. Is it because of their spurious claims that it is because of some technicality that they could not support these bills? No. It is just pure, blatant, unmitigated politics.

This Labor government does not adopt the bipartisan approach that we are taking tonight with regard to the issue of the irresponsible supply of alcohol to minors; it takes a purely political approach. It is a disgrace that we saw the Treasurer here this morning joking that it was the will of the parliament to vote it down. It was the will of the Labor Party that played politics. Member after member on the Labor side stood and spoke against addressing this issue with the responsible legislation that the state opposition put up last year. This issue could have been addressed last year. This issue could have been put in place in time for schoolies and the Christmas-New Year period last year so that a clear message could be sent that it is unacceptable for adults to be supplying alcohol irresponsibly to young people.

It is good to see that there is a culture shift underway in this respect. People are starting to question the merit of supplying alcohol to young people, and it is about time. Like other members in this place, I enjoy having a glass of wine. I am not opposed to people having a glass of alcohol. But I do support responsible use of alcohol. There has been a culture in Australia that has been two-faced: on the one hand they say young people cannot go binge drinking while on the other hand adults will boast about how they got off their face as young people. There is a culture shift occurring where people are starting to realise that that double-faced approach is killing young people because it is modelling the very behaviour that has said to young people that it is okay to get smashed, that it is part of the rite of passage of youth and tough luck about the bodies that are broken by the sides of roads or around those very nightclubs that I mentioned before.

The culture shift is underway where adults realise that they have to model good behaviour to young people. They need to acknowledge that responsible use of alcohol—not irresponsibly supplying alcohol to juveniles—is the way to go. There is increasing research showing that the supply of alcohol to young people does have a negative impact and is more likely to result in binge drinking later on in life. As adults I think that we have to lead the way and stop pointing the finger at young people and saying they have to grow up and behave themselves. All they are doing is modelling the bad behaviour of those who have gone before them.

There has been a trend towards people going out and having a drink later at night. In fact, the trend in entertainment areas, and I assume in other areas, is that people start drinking before they go out. This is something that is not addressed by this paper but the reality is that these days, with access to bottle shops, a lot of people do in fact start drinking before they go out, which does make it more complex when it comes to the issue of policing on the streets later at night. That is something we have to understand. It is not just licensed premises that are responsible for people allegedly undertaking binge drinking; people are actually indulging before they go out. That is something we have certainly experienced in my area.

Once again I come back to the point that it is not just young people. We have also seen a trend towards people of older age groups engaging in antisocial behaviour and becoming intoxicated in public places. I know that there is great and genuine concern about binge drinking among young people, but the age at which it is occurring is actually increasing, I believe, with regard to some of the antisocial behaviour. It is something that we cannot ignore. We cannot continue to point the finger at young people.

An issue that has also been raised by a number of my colleagues is the impact that this legislation could inadvertently have on small clubs and volunteers. There is concern about the practicalities of some of the new responsible service of alcohol measures with regard to volunteers. We do note that there have been exemptions that have been put into the legislation. I would ask the minister to look at reviewing these sooner rather than later to ensure that unintended consequences and impracticalities that will lead to noncompliance can be addressed. There is a lot to be said for good training of people and acknowledging that we all have a responsibility, regardless of the law, to be well trained, whether it is in alcohol or another means of service, even as volunteers. However, there have been some very reasonable concerns raised about some of the implications for small volunteer organisations that are not really dealing in very large amounts of alcohol and the need to be able to reasonably comply with this legislation.

There is a concern that some of the smaller hotels that do not have the size of turnover of the massive venues might have difficulty affording some of the new licensing regimes. That is a valid concern that has been foreshadowed tonight and the government needs to take that on board. As I said at the

outset, we are a vast state. Not all areas are the same. The turnover in some places is vastly different from others. The turnover that is seen in an area such as Mooloolaba, which I represent, is vastly different from that seen in an outback, very small town pub. That needs to be recognised in the licensing regime and the licensing fees.

Turning to the issue of fees, there is a concern that there is a substantial increase in the expected revenue take proposed under this legislation. In the first six months there will be about \$30 million in licensing fees and in the full 12 months for the 2009-10 financial year it will be \$27 million. I would like to see a breakdown of how the government is intending to spend that. We want to see outcomes. We do not want to see just more advertising campaigns for the government or something that has no real outcomes.

The issue of lack of compliance officers has been raised. We have seen a huge increase in the number of licensed premises in the last five to 10 years but there has not been a commensurate increase in compliance officers. Forgive me if I am a little sceptical that this surge in licensing fees will suddenly result in commensurate increases in services to the industry or services to the public who are seeking access to the liquor licensing industry. It is up to the government to outline what the breakdown will be in those fees. We need better than the simple statement that it is to pay for the administration. We do not want more bottoms on seats in offices. We want to know exactly what the on-the-ground support would be and how that relates to compliance officers.

One of the most successful ways to deal with complex issues, particularly around entertainment districts, is by way of a cooperative approach. It is a balance between performance and compliance. It is definitely about the ability to empower local communities. I have heard members talk about liquor licensing accords. Going back a number of years, we had a previous version with the Mooloolaba Safe Committee, which was one of the most successful committees I have seen that has operated at a local level. Police, Liquor Licensing, taxi operators and other community representatives were involved at that level, along with security representatives from council and the local licensed premises. It was an outstanding model when it was really functioning at its peak and I know there are people trying to emulate that now.

At the end of the day, it does need to be a flexible and cooperative arrangement to deal quickly with emerging issues, to allow local communities to identify the issues and, with those local officers across those jurisdictions, to be able to put localised plans in place and to quickly nip problems in the bud. I commend those who served in those capacities in the past, but I also commend to the government and to other members that as a model localised groups that have the right people at the table and the goodwill to act and do not feel that a severe approach to compliance is going to stop that cooperation are the best way to go. I do believe in compliance, but it must be done in cooperation with the direct implementation of localised action plans. It is the only way to go.

I also want to ask the Treasurer a question with regard to an example that has not been touched on by others, so I will raise it—that is, what sort of a licence, for example, would a small operator or small business, say a tour operator, need who has a champagne and chicken lunch on a tour up the river? They are not a one-off licence in the respect that they are working for a charitable group, but they are a small business. I know that I have made representations previously to the government, and I will acknowledge that when we ran into problems with Liquor Licensing wanting to charge a very onerous general licence fee there was cooperation from the government and an exemption was given and we appreciated that. I raise this example today because I hope that provision is available under this bill, but I also think it is a reasonable cost because we are talking about people perhaps having only one glass of champagne. If the fee is going to be several thousand dollars, that would actually be an unfair burden on a small business that already has quite a degree of regulation operating across the rest of their business given that it is a mobile marine business and delivering a great service. That is one example, but there might be many others that members might wish to raise.

In bringing my comments to a close, there have been a number of other issues that my colleagues have ably canvassed. We have raised these in good faith and seek answers from the government. We do seek understanding that some of the smaller businesses might have greater issue with the way that this is implemented, but we certainly support the responsible supply of alcohol regardless of location but with a risk based approach that is reasonable and allows people to continue to enjoy their lives but to do it safely.